

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/15/20 DATE OF COMPLETION: 07/27/21 PAGE# 1 of 1

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

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

FINDINGS OF FACT: The complainant stated the named officer allowed her son's vehicles and personal property to be destroyed following his arrest. The complainant stated the government should not be able to take and destroy her son's vehicles without providing legal notice.

The named officer stated he ordered one of the vehicles to be towed following an arrest because it was illegally parked and because it was believed to contain evidence of felonious conduct. The named officer released the evidence hold from the vehicle once he determined that it was no longer needed as evidence. In accordance with policy, the property within the vehicle could not be released without the authorization of the registered owner and/or possessor of the vehicle. The officer did not recall receiving any requests to release the property contained inside the vehicle. The named officer had no knowledge of a second towed vehicle.

Documents from Auto Return showed that the complainant's son was not the registered legal owner for either of the towed vehicles and that notices of the pending lien sales for both vehicles were mailed to the registered owners and parties of interest on record with the California Department of Motor Vehicles as required by law.

The evidence showed that the complainant's son had no legal interest in either of the vehicles and that Auto Return properly notified the owners of record. The named officer released the evidence hold on one vehicle and was not involved in towing the second vehicle. Additionally, unclaimed personal property found inside of publicly auctioned vehicles is donated to the Salvation Army following vehicle auctions.

The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/11/20 DATE OF COMPLETION: 07/08/21 PAGE# 1 of 2

SUMMARY OF ALLEGATION #1: The officer failed to provide required information.

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

FINDINGS OF FACT: The complainant stated that he was at a friend's house when officers drove by the home multiple times in an unmarked vehicle. The complainant stated that when he and his friend walked outside, his friend informed him that officers were across the street watching them. The complainant stated that his friend ran away as officers approached them and he stayed. He stated the officers failed to identify themselves or inform him of the nature of their contact. He acknowledged that he was not detained by the officers at that time. The complainant further stated that he drove away and received a call from his friend to pick him up at another location. After he picked up his friend, the complainant was pulled over by uniformed officers and detained, while his friend, a passenger in the complainant's vehicle, was arrested.

Department records showed that the officers were at the location to follow up on an investigative lead and conduct surveillance on the complainant's friend, who had an arrest warrant.

Body-worn camera (BWC) footage revealed that officers advised the complainant that his friend had an outstanding arrest warrant.

Although the complainant did not understand the nature of the initial contact, his friend identified the plainclothes officers as police officers. Additionally, based on the complainant's later statement and BWC footage, the officers did in fact advise the complainant that his friend had a warrant. Based on the totality of evidence, DPA determined that the officers acted within policy.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/11/20 DATE OF COMPLETION: 07/08/21 PAGE# 2 of 2

SUMMARY OF ALLEGATION #2: The officer knowingly engaged in biased policing or discrimination.

CATEGORY OF CONDUCT: CUO FINDING: U DEPT. ACTION:

FINDINGS OF FACT: The complainant stated that officers racially profiled him and his friend, because there was no other reason why the officers should have approached them.

Department Records and DPA's investigation revealed that the complainant's friend had an arrest warrant and officers were watching the complainant's friend's house based on an investigative lead.

SFPD General Order 5.17, Policy Prohibiting Biased Policing, states in relevant part that officers must not use a person's race as a factor in their determination to detain, search, or arrest an individual.

Based on the evidence, the officers detained the complainant and arrested his friend due to an active arrest warrant and not because of their race.

The evidence proves that the alleged conduct did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/18/20 **DATE OF COMPLETION:** 07/28/21 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the named officer, the complaint was mediated and resolved in a non-disciplinary manner on 07/27/21.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/20/20 **DATE OF COMPLETION:** 07/24/21 **PAGE#** 1 of 3

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

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

FINDINGS OF FACT: The complainant stated the named officer put his hands on the complainant's neck and tried to choke him. The complainant stated he did not provoke the officer and believed the named officer tried to kill him.

The named officer stated he and his partner had been called by dispatch to check on a man playing loud music on the sidewalk three times. On the final encounter, the officers spoke to the man, and he was not complying. The named officer stated his back was turned and his left hand was holding the complainant's speaker when the complainant bumped up against the named officer's gun holster. The named officer turned around and the complainant continued to push towards him. The named officer stated he became concerned for his safety, so he pushed the complainant back with an open palm and extended arm to create distance. The named officer stated that as he was pushing the complainant away, the complainant was pushing towards him and moving side to side. The named officer stated the movements appeared to him that the complainant was trying to get away from the hold and come at him to attack. The complainant lost his footing and fell back on the hood of a marked police vehicle as the named officer continued to push the complainant away. The named officer stated that only his right hand was touching the complainant and that it was on the complainant's chest, not the throat. The named officer stated that he could not have choked the complainant because the named officer's left hand was still holding on to the speaker and that the complainant's airway was not constricted.

A witness officer stated that he did not have a good view of where the named officer's hand was placed but believed it was in the chest area. The witness officer stated he asked the complainant at least twice if the complainant needed medical attention, to which the complainant declined. He stated that the complainant did not complain of any pain or injury and that he did not see any bruising or redness in the complainant's neck.

A supervising witness officer stated that he reviewed the body-worn camera (BWC) footage which seemed to show the hand was in the chest area but acknowledged there was not enough evidence to ascertain.

A sergeant authored a written statement in which he reviewed the BWC of both the named officer and the named officer's partner. The sergeant stated that based on what he observed, the action of the named officer did not meet the criteria for a reportable use of force. The written statement showed it was reviewed by higher ranking officers.

The BWC showed the complainant walking near the named officer as he was trying to turn off the speaker. The named officer turned around and extended his hand against the complainant's chest. The

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/20/20 DATE OF COMPLETION: 07/24/21 PAGE# 2 of 3

named officer pushed the complainant back and the complainant moved from side to side while backpedaling. The named officer pinned the complainant on the hood of a police vehicle with his right hand. The BWC is inconclusive about whether the named officer had his hand on the complainant's chest or throat.

A bystander video obtained by the DPA showed a different angle of the incident. It showed the named officer extending his right hand at the complainant's upper chest while the named officer held the complainant's large speaker in his left hand. The video is inconclusive as to whether the named officer's right hand was on the complainant's chest or neck.

The evidence fails to prove or disprove that the alleged conduct occurred.

SUMMARY OF ALLEGATION #2: The officer intentionally damaged property.

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

FINDINGS OF FACT: The complainant stated the named officer grabbed his speaker and threw it on the ground.

The named officer stated he did not throw the speaker. The named officer stated he picked up the speaker by its handle and held on to it deliberately during an altercation with the complainant so it wouldn't be damaged.

In his interview, the witness officer stated that the speaker fell on its side at one point but that was not due to officer action.

The body-worn camera footage and video evidence from the complainant showed the named officer took the speaker by the handle. Both videos showed the named officer held on to the speaker by the handle even during the altercation with the complainant. The BWC showed the named officer did not let go of the speaker until after the altercation and put down the speaker on the soil by a tree. The BWC showed the named officer did not throw the speaker and that the named officer tried to put the speaker on the softer part of the sidewalk.

The evidence proves that the conduct alleged did not occur.

SUMMARY OF ALLEGATION #3: The officer misused found, seized or recovered property for personal use.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 11/20/20 DATE OF COMPLETION: 07/24/21 PAGE# 3 of 3

FINDINGS OF FACT: The complainant stated the officer picked up the complainant's speaker and walked towards his police vehicle as though he were taking the speaker.

In his interview, the named officer stated he separated the speaker from the complainant in order find the 'off' button. The named officer stated he did not seize the property but simply tried to move it and turn it off.

The witness officers interviewed stated the speaker was left where it was placed last even after they left the scene.

The body-worn camera footage and video evidence provided by the complainant showed the named officer grabbed the speaker by the handle and walked in the direction of a police vehicle. The vehicle was parked on the street directly in front of the business, about 12 feet away from where the complainant had been standing. The speaker was left in the complainant's possession.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/03/20 **DATE OF COMPLETION:** 07/24/21 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: The complainant stated that there has been a growing problem within a specific area of his neighborhood related to drug dealing and prostitution. The complainant stated that he spoke with the named officer multiple times at community meetings, but nothing was done about the problem.

The named officer retired, was not able to provide a statement, and was no longer subject to discipline.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/03/20 **DATE OF COMPLETION:** 07/24/21 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1-3: The officers conducted an improper search or seizure.

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

FINDINGS OF FACT: The complainant stated he was walking down a street when he was stopped by the police. The complainant stated he was told to put his hands up and to get down on his knees. The complainant was told he was seen on video stabbing someone and that he was a suspect in the crime.

The named officers stated the complainant was stopped and searched because the complainant's clothing matched that of the person seen in a video and the description provided by the stabbing victim. The named officers also stated that due to the type of crime, it was necessary to search and restrain the suspect for the named officers' safety.

Body-worn camera (BWC) footage showed the victim provided to a named officer a physical description of the suspect, information on the suspect's clothing and the suspect's name. The BWC also showed the victim stated to the named officer that it was a knife that was used to stab the victim.

A still shot of a video evidence showed the complainant matched the suspect's description and the suspect was holding a knife at the date and time the victim had stated the crime occurred.

The BWC showed a named officer handcuffed the complainant, asked if the complainant had weapons on his person and searched the complainant's clothing pockets including the inner-most pocket of the complainant's clothing.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/03/20 **DATE OF COMPLETION:** 07/24/21 **PAGE# 2 of 2**

SUMMARY OF ALLEGATIONS #4-6: The officers improperly arrested a person.

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

FINDINGS OF FACT: The complainant stated no knife or weapons were found on him, but he was arrested anyway.

The named officers stated the complainant was stopped then subsequently arrested because his clothing matched that of a stabbing suspect.

Body-worn camera (BWC) footage showed the complainant appeared to have the same jacket and shoes as that of the suspect in video evidence. The BWC showed that the suspect in the video evidence was holding a knife at the location the stabbing occurred. The BWC also showed the name provided by the complainant to the named officer matched the name of the suspect provided by the victim.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/04/20 **DATE OF COMPLETION:** 07/08/21 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to comply with Department General Order or Law.

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

FINDINGS OF FACT: The complainant stated that San Francisco Police Department academy graduates violated face mask and social distancing protocols by taking a graduation photo unmasked.

The named officer stated that he was the senior ranking officer in the photo in question. He stated that all officers in the photo had their masks on their persons that day and that a photo without masks was taken at the request of the students and staff. The named officer stated that he ordered the officers to hold their breath once their masks were removed and the officers immediately put their masks on after the picture. The named officer also stated that the academy had been adhering to strict health guidelines while at the academy including biweekly COVID-19 tests for all cadets and academy staff and socially distanced classrooms.

The DPA obtained a memo drafted from the named officer to another senior ranking officer four months prior to the photo being taken. The memo confirmed the health protocols taken by the SFPD academy staff including the biweekly COVID-19 testing of cadets and staff and socially distanced classrooms. The DPA also obtained another academy photo of the same academy class. The photo shows all the individuals in the photo wearing masks.

No other witnesses came forward.

The evidence showed that SFPD's academy and its staff approached the COVID-19 pandemic with care and concern of safety for the cadets, themselves, and members of community. The photograph in question was taken with health safety in mind.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/08/20 **DATE OF COMPLETION:** 07/19/21 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The named member separated from service on 05/05/21, which was prior to the scheduled mediation date. The DPA no longer has jurisdiction, therefore the complaint is closed as No Finding.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/10/20 **DATE OF COMPLETION:** 07/28/21 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the station representative, the complaint was mediated and resolved in a non-disciplinary manner on 7/20/21.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/12/20 **DATE OF COMPLETION:** 07/29/21 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the named officers, the complaint was mediated and resolved in a non-disciplinary manner on 6/8/2021.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/15/20 **DATE OF COMPLETION:** 07/08/21 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: The complainant stated that the San Francisco Police Department failed to appropriately address a rise of crime in her neighborhood. The complainant failed to provide additional requested information.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/16/20 **DATE OF COMPLETION:** 07/21/21 **PAGE#** 1 of 2

SUMMARY OF ALLEGATIONS #1-4: The officers conducted an improper search or seizure.

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

FINDINGS OF FACT: The complainant stated the named officers searched her property without a warrant. The complainant stated the named officers told her that her brother was on parole and had provided her address as to where he lived. The complainant stated her brother was on parole but was not living at her address. The officers still searched her home. The complainant later said she did allow the officer inside her property to search the area where her brother slept, but the officers searched the whole property.

San Francisco Police Department documents showed that the named officers conducted a parole search. The documents stated the lead investigator verified from multiple sources, including the complainant's brother's parole officer, that the address searched was the brother's current parole address. Of note, multiple other searches were conducted at or about the same time. For these other searches, officers obtained search warrants from a judge.

Body-worn camera footage showed the named officers explaining to the complainant the reason for the search and their authorization. The complainant is heard denying that her brother lived at the address. The officers find mail at the address in the complainant's brother's name. During the search, officers found possession belonging to the brother, including his High School Diploma in his name and male clothing that the officers seized in relation to a pending criminal investigation.

The officers stated they confirmed with parole agents that this address was the correct address. The named officers stated that they conducted the search in accordance with a parole search.

The parole officer failed to respond to requests for information, including a request for a copy of the brother's parole paperwork. Inquiries with the Courts for copies of the parole paperwork also failed.

The complainant's brother failed to respond to participate in the investigation.

Due to the parole officer, the court, and the complainant's brother's failure to participate in the investigation, it cannot be definitively determined that the brother was using the complainant's address as his parole address. The complainant is adamant her brother was not living at her address. However, later the complainant said the brother did sleep at the premises.

The evidence fails to prove or disprove that the alleged conduct occurred.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/16/20 **DATE OF COMPLETION:** 07/21/21 **PAGE# 2 of 2**

SUMMARY OF ALLEGATIONS #5-6: The officers displayed threatening, intimidating, or harassing behavior.

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

FINDINGS OF FACT: The complainant stated the named officers threatened to blow her front door off its hinges if she did not let them into her house.

San Francisco Police Documents documents do not indicate that any force was authorized or used to search the property.

Body-worn camera footage was obtained and reviewed. The footage showed the named officers explaining why they were at the address and their reason and authority to search. The footage showed the complainant saying, "Are you going to blow my door off?" The officers are not heard threatening to blow the door off its hinges. The named officers do not make any threats to the complainant.

The named officers denied making any threats towards the complainant.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/28/20 **DATE OF COMPLETION:** 07/08/21 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: The complainant requested to withdraw the complaint.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/30/20 **DATE OF COMPLETION:** 07/08/2021 **PAGE# 1 of 1**

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

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

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

SFPD Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/08/21 **DATE OF COMPLETION:** 07/08/21 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: The complainant stated that the named officers failed to comply with COVID-19 public guidelines by allowing another individual in the complainant's residence.

The DPA obtained the body-worn camera footage of the incident. The body-worn camera footage showed the named officer speaking with the complainant who was upset that his roommate had her boyfriend in the residence. The woman explained that her boyfriend was helping her drop off her groceries. The named officers advised the two to stay in their room and informed the complainant that she was allowed to have a guest over. The named officers further explained that if the complainant wanted to evict her, he would need to follow the formal eviction procedure through the Superior Court.

Department Bulletin 20-045, "Enforcement of Public Health Orders," discussed the enforcement of the health order as it pertained to businesses and large gatherings but did not discuss single individuals being in residences.

Order of the Health Officer No. C19-07 stated, "that all individuals living in the county to shelter at their place or residence except that they may leave to provide or receive certain essential service or engage in certain essential activities." The order later defined "essential activities" in Section 10 as "to obtain necessary services or supplies for themselves or family or household members, or to deliver those service those supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences."

The evidence showed that the complainant's roommate had her boyfriend over who was assisting her with obtaining groceries. The activity was an essential activity as defined by the health order and was therefore justified.

The named officers' conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/13/21 DATE OF COMPLETION: 07/11/21 PAGE# 1 of 2

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

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

FINDINGS OF FACT: The complainant stated that an officer pushed him without justification as he was leaving his house voluntarily at the request of a family member.

Computer-Aided Dispatch records showed that the named and other officers were dispatched to the complainant's address on two separate occasions on the same day. In the first call, the complainant was reported to be yelling and threatening the reporting party. The second call was characterized as a loud verbal dispute and the reporting party asked the police to return.

Body-worn camera footage ("BWC") showed the named and other officers responding to the complainant's family's residence on two occasions pursuant to two separate calls for service. In both calls the complainant can be heard yelling from behind a closed door. In the first call the officers never made face to face contact with the complainant and only attempted to calm him by talking to him through the closed door. In the second call BWC showed the complainant yelling from an upstairs room and then leaving the house. At no time was any officer observed making physical contact with or pushing the complainant.

The evidence proves that the alleged conduct did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/13/21 **DATE OF COMPLETION:** 07/11/21 **PAGE# 2 of 2**

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

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

FINDINGS OF FACT: The complainant stated that during the interaction an officer responded to him by asking “what?” in a harsh and agitated tone.

Computer-Aided Dispatch records showed that the named and other officers were dispatched to the complainant’s address on two separate occasions on the same day. In the first call, the complainant was reported to be yelling and threatening the reporting party. The second call was characterized as a loud verbal dispute and the reporting party asked the police to return.

Body-worn camera footage (“BWC”) showed the named and other officers responding to the complainant’s family’s residence on two occasions pursuant to two separate calls for service. In both calls the complainant can be heard yelling from behind a closed door. In the first call the officers never made face to face contact with the complainant and only attempted to calm him by talking to him through the closed door. In the second call BWC showed the complainant yelling from an upstairs room and then ultimately leaving the house. At no time was any officer observed using a harsh or agitated tone, speaking to or behaving inappropriately toward the complainant. Towards the end of the interaction during the second call, the complainant indicated to a female officer that she should descend the outdoor steps before him, stating “Ladies first.” She began to descend the stairs and the named officer indicated that the complainant should go next. The complainant noted that he wasn’t a lady and that the named officer should go before him. The named officer said “what?” and then proceeded down the stairs ahead of the complainant.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/25/21 DATE OF COMPLETION: 07/08/21 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: The officer made an arrest without cause.

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

FINDINGS OF FACT: The complainant stated that over a decade ago when he was a juvenile, officers came to his home and unlawfully executed an arrest warrant. He stated that the officers did not inform him or his mother why they were there, and they did not show the warrant to him or his mother. The complainant could not identify the officer or recall the specific date or year of the incident.

Department records documenting the incident could not be located.

The complainant failed to respond to multiple requests for additional evidence.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not be reasonably identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/30/21 **DATE OF COMPLETION:** 07/27/21 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officer engaged in unwarranted action.

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

FINDINGS OF FACT: The complainant drove by officers interacting with a person sitting on the street. The complainant drove around the block, parked his vehicle, and walked up to the scene. He asked the man if he was alright. The complainant stated that an officer shined a strobe light to his face and told him to get back. The complainant stated he returned to his vehicle and suffered a seizure because of the strobe light being shined to his face.

Department records show officers responding to a call for a wellbeing check on a person.

The officers recalled the complainant approaching and asking about the person's wellbeing.

The officers denied shining or beaming a strobe light to the complainant's face.

One of the officers stated that he recalled a stream of light beaming toward the complainant, but he was not sure if it was a strobe light or a regular stream light.

The officers stated they could not recall the complainant being injured or making any complaint of pain.

No witnesses came forward.

The evidence fails to prove or disprove that the alleged conduct occurred.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 01/31/21 DATE OF COMPLETION: 0708/21 PAGE# 1 of 1

SUMMARY OF ALLEGATIONS #1-3: The officers made an arrest without cause.

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

FINDINGS OF FACT: The complainant stated that officers arrested him without cause.

Despite several attempts, the complainant did not provide additional requested evidence.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

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

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

FINDINGS OF FACT: The complainant stated that an officer refused to put on his mask.

Despite several attempts, the complainant did not provide additional requested evidence.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/07/21 DATE OF COMPLETION: 07/08/21 PAGE# 1 of 2

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

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

FINDINGS OF FACT: The complainant believed that the named officers failed to properly investigate a traffic collision due to racial bias. She stated that if the suspects were Latino the officers would have investigated. She stated the officers did not conduct a field sobriety test or arrest the driver, who was at fault.

The body-worn camera footage showed that a full investigation was completed. The officers spoke to witnesses, the at fault driver and passenger, and the complainant and her family. The complainant's husband asked the officers why they did not conduct an alcohol test on the at fault driver and the officers informed him that the at fault driver was assessed by the paramedics and there were no signs of alcohol impairment and there was no alcohol in the at fault driver's vehicle. The officers then asked the complainant's husband if he wanted to sign a citizen's arrest, which he did. However, the complainant's husband was upset that the at fault driver was cited and released.

The collision report documented the investigation and confirmed that a citizen's arrest was signed.

Department General Order 5.04, Citation Release, stated that it is the policy of the San Francisco Police Department, in accordance with state law, that officers cite and release all persons arrested for misdemeanor and infraction offences with some exceptions, such as where the person refused to sign the citation, the person did not provide satisfactory evidence of his/her identity, the person is unable to care for themselves, or the person is intoxicated, to name a few.

The body-worn camera and collision report confirmed that officers thoroughly investigated the traffic collision to determine the at fault driver was not under the influence of alcohol and they properly cited the driver.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/07/21 DATE OF COMPLETION: 07/08/21 PAGE# 2 of 2

SUMMARY OF ALLEGATION #3-4: The officers engaged in biased policing.

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

FINDINGS OF FACT: The complainant believed the named officers were racist because if a Latino was the suspect, they would have been arrested. However, because the at fault driver was African American, the complainant believed that the officers were afraid to take action against him.

The body-worn camera footage confirmed that the officers conducted a thorough investigation and properly cited the at-fault driver. Additionally, when the complainant's husband believed he was discriminated against because of his race, a sergeant at the scene denied the allegation and explained what steps were taken to investigate the traffic collision.

The evidence proves that the act alleged in the complaint did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/10/21 DATE OF COMPLETION: 07/21/21 PAGE# 1 of 2

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

CATEGORY OF CONDUCT: CUO FINDING: IE DEPT. ACTION:

FINDINGS OF FACT: The complainant stated that she called the named officer about her car being towed. The complainant said the officer called her a criminal and hung up on her.

There are no SFPD records for this call.

There is no body-worn camera footage for this call.

The named officer was interviewed about this allegation. The officer confirmed he spoke to the complainant on the phone. He denied calling the complainant a criminal or hanging up on her. The officer stated he explained to the complainant why her car had been towed.

No independent evidence has been found to corroborate either account of the telephone call. The evidence fails to prove or disprove that the alleged conduct occurred.

SUMMARY OF ALLEGATIONS #2: The officer failed to initiate or process a personnel complaint.

CATEGORY OF CONDUCT: ND FINDING: IE DEPT. ACTION:

FINDINGS OF FACT: The complainant stated she tried to make a formal complainant about her vehicle being towed, and the named officer refused to take her complaint.

There are no SFPD records of this call.

There is no body-worn camera footage of this call.

The named officer was interviewed and confirmed he spoke to the complainant on the phone. The officer described the conversation as the complainant asked about the vehicle tow, and he informed the complainant of the reasons. He denied that the complainant made a complaint to him.

No independent evidence has been found to corroborate either account of the telephone call. The evidence fails to prove or disprove that the alleged conduct occurred.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/10/21 **DATE OF COMPLETION:** 07/21/21 **PAGE# 2 of 2**

SUMMARY OF ALLEGATION #3: The officer towed a vehicle without justification.

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

FINDINGS OF FACT: The complainant stated that the named officer towed her car without justification.

San Francisco Police documents showed that the complainant's vehicle was recorded as being used for the commission of a Burglary. Evidence of this included security footage. The documents recorded that the named officer arranged the vehicle to be towed and held as evidence in the criminal investigation.

Body-worn camera footage showed officers reviewing surveillance footage and the complainant's vehicle being used in a crime.

The named officer was interviewed about the allegation. The named officer stated he was told the vehicle had been used in a crime and was asked to have it towed as part of the investigation.

Department General Order 9.06 B 1 b states an officer can tow a vehicle if they "believe a hold must be placed on the vehicle, e.g., the vehicle was involved in the commission of a crime, contains physical evidence, or an altered VIN."

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/05/21 **DATE OF COMPLETION:** 07/08/21 **PAGE# 1 of 2**

SUMMARY OF ALLEGATION #1: Policy or procedure complaint.

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

FINDINGS OF FACT: The complainant stated the San Francisco Police Department's (SFPD) leadership has failed to manage the Police Department's resources, resulting in prolonged response times and rising crime rates.

An SFPD captain stated they are aware of the issues with officers' response times to scenes. They stated response times are dependent on available staffing levels, call volume, distance, travel time, accuracy of information relayed by the Department of Emergency Management (DEM), and the complexity of each call for service. They explained they are deploying their available staffing to adequately address the volume of calls for service at any given time, and supervisors have been directed to monitor patrol officers' response times.

They also detailed the numerous steps the SFPD has taken to mitigate rising crime rates. These steps include, but are not limited to: public education, environmental assessments, providing crime prevention information to the public, high-visibility patrol for enforcement and deterrence, making arrests for violations and other enforcement options, strategic deployment of staffing, planned enforcement operations, regular communication with the SFPD Investigations Bureau, crime related incident investigative follow-ups (collection of evidence, video surveillance footage, statements, etc.), and partnering with community groups and other City agencies.

According to Data SF, the SFPD receives tens of thousands of calls for service every day. The SFPD roster shows there are approximately twenty-five hundred sworn members of the SFPD.

The Office of the Controller, the Department of Emergency Management and the SFPD drafted a memo setting targets for officers' response times to Priority A, Priority B, and Priority C incidents.

San Francisco commissioned a report of the SFPD's staffing levels. It found the response times to Priority A and Priority B calls are faster than their targeted goals. However, response times to Priority C calls vary widely from district to district and are well above the SFPD's designated goal. The study determines SFPD officers have an extremely low percentage of uncommitted time during their day depending on their district. This data shows the busier a district is, the longer it takes for officers to respond to low

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/05/21 DATE OF COMPLETION: 07/08/21 PAGE# 2 of 2

priority calls. The study's conclusion is that the SFPD is suffering from a severe staffing shortage. It states the SFPD needs to hire an additional eight hundred and twenty-five officers to address this shortage.

The City and County of San Francisco maintains performance score cards for public safety. There it tracks the Uniform Crime Reporting (UCR) Program's crime data for San Francisco. This data shows violent crime within San Francisco has remained at a largely steady rate since 2009, is relatively low compared to other years, and is currently below the median rate. In contrast, the rate of property crime has a much wider range of fluctuation. It can rise to levels as high as 5,000 reported property crimes in one month to as low as 2,000. Starting after January 2020, property crime in San Francisco reached some of the lowest levels in the last ten years. However, property crime seems to have increased after April 2021.

In the SFPD's Five Strategic Initiative Clusters, it states, in part: "Improve Responsiveness: Improve ability to respond in a timely, informed, unbiased and procedurally just way, and work towards a collaborative resolution." In the SFPD's Strategy 1.0, the SFPD identified six strategic areas of focus that help inform its strategic initiatives. Those areas include, in part, "ensure public safety and reduce violent crimes, property crimes, and commuter collisions...collaborate with service providers to address root causes of homelessness and street violence, and improve officers' response to homelessness and those needing health services."

The complainant stated that SFPD leadership's mismanagement of its resources is the cause of prolonged response times and rising crime rates. According to a captain and the department's overall strategies, the SFPD is aware of these issues and has placed solving them at the forefront of the department's priorities. The SFPD is largely meeting its targeted response time goals for both Priority A and Priority B calls for service. Only Priority C calls for service experience slower response times than the department's goals. However, this is not a result of SFPD leadership mismanaging its resources but is caused by a lack of resources. Additionally, while both property and violent crime have suffered a recent increase, both are below their average rates. According to the UCR, the rate of violent crime has largely plateaued for more than a decade and the rate of property crime is below the majority of its other documented rates from within the last nine years.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/06/21 **DATE OF COMPLETION:** 07/21/21 **PAGE#** 1 of 1

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

CATEGORY OF CONDUCT: NA **FINDING:** IO-1 IAD **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
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/22/21 **DATE OF COMPLETION:** 07/24/21 **PAGE#** 1 of 3

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

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

FINDINGS OF FACT: The complainant stated that she observed the named officer pinning a woman against the wall of a building because she was accused of shoplifting. The complainant stated that when she and a witness approached the area again to get a closer look, they saw the named officer straddling the woman on the ground. The complainant stated that the woman was having a mental health crisis and felt the name officer's force was unnecessary and excessive.

The named officer stated that she was working a "10-B" overtime assignment at a local retailer. She received a call over the radio from an asset prevention specialist from the store that a woman had exited the store with unpaid merchandise. The named officer confronted the woman outside of the store and asked her to return the unpaid merchandise. The woman agreed and was being cooperative. As the named officer and the woman began walking towards the store, the woman's demeanor instantly changed, stating, "Are you going to put me in handcuffs or what?!" The named officer stated that the woman dropped to the ground and began flailing her arms and legs while yelling, "Stop hitting me! Not again! Daddy! Mommy!" The woman was rolling around on the ground and was striking her head on the pavement. The named officer stated that she straddled the woman to gain compliance, prevent escape, and prevent the woman from causing further harm to herself. The named officer then called for additional officers to help secure the scene and then called for medics to assist the woman.

The DPA obtained the incident report related to this incident. The statement provided by the named officer is consistent with the incident report she drafted.

The DPA also obtained the named officer's body-worn camera footage of the incident. The footage initially showed the woman making illogical statements and hitting her head against a wall. The footage did not show the named officer pinning the woman up against the wall. The woman fell to the ground on her own accord while rolling around, flailing her arms, and continuing to make nonsensical statements. The named officer straddled the woman on her hips/legs and gave verbal commands to place her hands behind her back. The named officer asked individuals nearby if they know the woman's name and helped the woman remove the hood that was covering her head. Throughout the struggle, the named officer remained calm and attempted to deescalate the situation.

The DPA also obtained smartphone footage of the incident from the complainant. The complainant's smartphone footage was taken 10 to 15 feet away from the incident and showed the named officer straddling the female individual who can be seen flailing around on the ground and screaming.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/22/21 DATE OF COMPLETION: 07/24/21 PAGE# 2 of 3

Witness #1 stated that he and the complainant were driving by a local retail store when he heard screaming and saw two individuals physically struggling. Witness #1 and the complainant drove closer to the scene and saw the named officer who was squatting over the woman. Witness #1 stated that the woman appeared to be having a mental health crisis.

Witness #2 stated that she was working her job as an asset protection specialist for a retailer store. Witness #2 stated that she observed the female on security cameras take items from the store, place them in her backpack, and exit the store. Witness #2 notified the named officer, and the named officer contacted the female individual outside the store. Witness #2 stated that the named officer was in the process of bringing the female individual back inside the store when a “switch flipped” and the female individual began screaming. Witness #2 stated that the female individual then stepped off the curb and began flailing on the ground. Witness #2 stated that the named officer then squatted over the female individual with her knees touching the ground. Witness #2 stated that the named officer became supportive of the female individual once she realized the situation was a mental health crisis and attempted to help her.

The named officer displayed great decision making and responsiveness when responding to an incident that quickly escalated into a behavioral-health crisis. The named officer showed great care in using de-escalation tactics and making sure the woman did not injure herself. While the named officer did use physical control on the complainant, the force was necessary and in no way excessive.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

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

FINDINGS OF FACT: The complainant stated that the named officer failed to call paramedics to the scene immediately when it became clear that a woman was experiencing a mental-health crisis.

The named officer stated that she called officers on scene first due to the fact that a crowd was forming around her. There was an unleashed Pitbull barking at her within two feet of her, and there were no additional officers to assist her. The named officer stated that she requested medics once the scene became safe.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/22/21 DATE OF COMPLETION: 07/24/21 PAGE# 3 of 3

The DPA obtained the named officer's body-worn camera footage of the incident. The named officer's body-worn camera footage is consistent with her statements.

Witness #1 and Witness #2 both stated that officers arrived on scene after the medics.

The named officer called officers on scene before medics to secure the scene before they arrived as shown in her body-worn camera footage. While the named officer did call for officers before she called for medics, her actions were appropriate.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 03/30/21 **DATE OF COMPLETION:** 07/08/21 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the named officers, the complaint was mediated and resolved in a non-disciplinary manner on 6/14/2021.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/19/21 **DATE OF COMPLETION:** 07/08/21 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated that he went to the local district station to file a police report, but the officer refused to do so.

An identification poll was sent to the district station where the incident occurred. The poll came back with negative results. The identity of the alleged officer could not be established.

Additionally, the complainant has a documented history of frequent complaints of a similar nature that lacked merit. DPA has taken this record into account when assessing the complainant's credibility in this matter.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/12/21 **DATE OF COMPLETION:** 07/08/21 **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 called 9-1-1 and went to a district station to seek help finding his lost car. He stated that it was dark, and he parked his car in an unsafe area. He believed that an officer should have helped him locate his car.

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

There was no Department record that matched the circumstances of this incident.

The officer could not reasonably be identified.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/23/21 **DATE OF COMPLETION:** 07/08/21 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the named officer, the complaint was mediated and resolved in a non-disciplinary manner on 6/17/2021.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/27/21 DATE OF COMPLETION: 07/21/21 PAGE# 1 of 2

SUMMARY OF ALLEGATION #1: The officer displayed threatening, intimidating, or harassing behavior.

CATEGORY OF CONDUCT: CUO FINDING: U DEPT. ACTION:

FINDINGS OF FACT: The complainant stated he felt harassed by the named officer when he was loitering on a street corner. The complainant stated that the named officer watched him but did not detain or speak to him.

The named officer stated he parked his marked police vehicle in an area known for high crime. He stated he did so to make police presence known to deter crime. He stated that the complainant was not initially there when he arrived at that location but arrived later. The named officer stated he is aware of the complainant but has never interacted with him. He stated the complainant despises the police and becomes angry anytime there is a police presence in that area.

Witness officers stated they did not observe the named officer harass the complainant.

The named officer did not speak with or harass the complainant as he was only performing his duties by creating a police presence in an area known for high crime.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/27/21 **DATE OF COMPLETION:** 07/21/21 **PAGE#** 2 of 2

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

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

FINDINGS OF FACT: The complainant stated the named officers parked their marked police vehicles on the sidewalk in violation of the California Vehicle Code.

Named officers #1 and #2 stated they parked their marked police vehicles in an area known for high crime to act as a visible deterrent. They stated it was necessary to park partially on the sidewalk not to impede traffic and position it to get the maximum exposure in that area. They stated there was plenty of room for pedestrians to pass. They stated they complied with the California Vehicle Code because they parked their marked police vehicles to avoid conflict with traffic and were at the direction of themselves, sworn police officers.

A witness officer stated the area where the named officers parked their marked police vehicles is known for high crime. The goal of parking a marked police vehicle in that location was to deter crime by having police presence highly visible. He stated the vehicles were not parked in a manner that affected pedestrian or vehicle traffic and did not block the crosswalk or handicap access ramp.

Department records indicate that named officer #2 was making a passing call in the area in which the incident occurred.

Photos provided by the complainant showed the named officers' vehicles parked with their passenger tires slightly on the curb, not impeding pedestrian or vehicle traffic, a crosswalk, or handicap access ramps.

California Vehicle Code §22500 states in relevant part, "a person shall not . . . park . . . any vehicle . . . except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer . . ."

The named officers performed their lawful duties by strategically positioning their marked vehicles in a high-crime area to deter crime. Evidence showed that the vehicles were parked and did not conflict with pedestrian or vehicle traffic.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/27/21 DATE OF COMPLETION: 07/08/21 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: NA FINDING: I-01 DEPT. ACTION:

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

US Park Police
1217 Ralston Avenue
San Francisco, CA 94129

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/30/21 DATE OF COMPLETION: 07/11/21 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: The officer behaved or spoke in a manner unbecoming an officer.

CATEGORY OF CONDUCT: CUO FINDING: NF DEPT. ACTION:

FINDINGS OF FACT: The complainant stated that he expressed concerns to the named officer who responded in a dismissive fashion and asked him medical related questions.

The officer is no longer with the Department.

No finding outcomes occur under four circumstances; the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

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

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

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

Internal Affairs Division
Sacramento Police Department
5760 Freeport Boulevard
Sacramento, CA 95822

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/03/21 DATE OF COMPLETION: 07/21/21 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: CUO FINDING: NF DEPT. ACTION:

FINDINGS OF FACT: The complainant stated he spoke to a police officer on the telephone who was dismissive and rude.

No San Francisco Police Department documents or body camera footage were found in relation to this incident.

An investigation was conducted, but the officer involved was not able to be identified.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

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

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

FINDINGS OF FACT: The complainant stated he spoke to a police officer on the telephone who did not take down his details or record his complaint.

No San Francisco Police Department documents or body camera footage were found in relation to this incident.

An investigation was conducted, but the officer involved was not able to be identified.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/10/21 **DATE OF COMPLETION:** 07/08/21 **PAGE# 1 of 1**

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

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

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

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/12/21 DATE OF COMPLETION: 07/12/21 PAGE# 1 of 1

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

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

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/15/21 DATE OF COMPLETION: 0708/21 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: This 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.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/04/21 DATE OF COMPLETION: 07/08/21 PAGE# 1 of 1

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

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

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

SFPD Internal Affairs Division
1245 3rd Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/18/21 DATE OF COMPLETION: 07/24/21 PAGE# 1 of 1

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

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

FINDINGS OF FACT: The complainant stated he called SFPD to report an issue about untethered animals. The complainant stated the named officer would not transfer the complainant's call to Animal Care and Control and the named officer would not issue a citation to the animals' owner.

Dispatch records showed the complainant called the non-emergency line to inform the named officer that the complainant contacted Animal Care and Control but the agency did not answer. Records also showed the complainant stated that he did not want to meet with officers.

An ID Poll conducted by DPA could not identify the named officer as described by the complainant.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/25/21 DATE OF COMPLETION: 07/21/21 PAGE# 1 of 1

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

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

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

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: 05/26/21 DATE OF COMPLETION: 07/01/21 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: NA FINDING: IO-1 AMER GRD PR DEPT. ACTION:

FINDINGS OF FACT: The complainant saw an officer detained a suspect in handcuffs. The complainant stated that the officer was forceful and failed to de-escalate the situation before using force. The evidence shows that the officer is a private security guard, not a sworn member.

This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

American Guard Protection
1475 Powell Street, Suite 107
Emeryville, CA 94608

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/27/21 DATE OF COMPLETION: 07/08/21 PAGE# 1 of 1

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

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

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/22/21 **DATE OF COMPLETION:** 07/22/21 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: This complaint raises matters outside of the DPA jurisdiction.

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

FINDINGS OF FACT: This complaint raises matters outside of the DPA jurisdiction and has been forwarded to:

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/01/21 DATE OF COMPLETION: 07/23/21 PAGE# 1 of 1

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

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

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

San Francisco Sheriff's Office
Internal Affairs Unit
25 Van Ness Avenue Suite 350
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/24/21 DATE OF COMPLETION: 07/24/21 PAGE# 1 of 1

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

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

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

Petaluma Police Department
969 Petaluma Blvd North
Petaluma, CA 94952

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/28/21 **DATE OF COMPLETION:** 07/08/21 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: The complainant stated that his car was struck by another vehicle while parking and the offending vehicle did not stop. The complainant was reached and confirmed he had no complaint against police. This complaint raises matters not rationally within DPA jurisdiction. There was no need to refer the complaint.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/28/21 DATE OF COMPLETION: 07/01/21 PAGE# 1 of 1

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

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

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

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: 06/28/21 DATE OF COMPLETION: 07/08/21 PAGE# 1 of 1

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

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

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

San Francisco Sheriff's Office
25 Van Ness Avenue, Suite 350
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/29/21 DATE OF COMPLETION: 07/08/21 PAGE# 1 of 1

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

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

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

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: 06/24/21 **DATE OF COMPLETION:** 07/21/21 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant did not provide sufficient information to conduct an investigation.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

SUMMARY OF ALLEGATION #3: The officer failed to prepare an incident report.

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

FINDINGS OF FACT: The complainant did not provide sufficient information to conduct an investigation.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/13/21 **DATE OF COMPLETION:** 07/19/21 **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 Recreation and Parks Department
501 Stanyan Street
San Francisco, CA 94117

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/05/20 DATE OF COMPLETION: 07/24/21 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
Internal Affairs Unit
25 Van Ness Avenue, Suite 350
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/14/21 DATE OF COMPLETION: 07/19/21 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:

Department on Homelessness and Supportive Housing
P O Box 427400
San Francisco, CA 94142

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/15/21 DATE OF COMPLETION: 07/19/21 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 District Attorney's Office
350 Rhode Island Street, Suite 400N
San Francisco, CA 94103

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/16/21 DATE OF COMPLETION: 07/20/21 PAGE# 1 of 1

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

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

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

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/20/21 **DATE OF COMPLETION:** 07/21/21 **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:

Calhoun County Sheriff's Office
178 South Murphree Street
Pittsboro, MS 38951

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/22/21 DATE OF COMPLETION: 07/22/21 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:

Los Angeles County Sheriff's Department
Pico Rivera Station
6631 Passon Blvd
Pico Rivera, CA 90660