

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 10/21/19 DATE OF COMPLETION: 09/15/20 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: The officer drove improperly.

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

FINDINGS OF FACT: The complainant saw a police SUV parked partially on the sidewalk and in a red bus zone.

The named officer acknowledged that he parked the vehicle in that location. The named officer explained that he and his partner were thirsty and purchasing some drinks at a local store. The officers had driven around the block multiple times to look for parking. The named officer decided to park in the furthest rear portion of a bus zone to keep their patrol car close enough in the event of an emergency call. The officer explained that he parked partially on a curb so he would not obstruct traffic.

The complainant's video corroborates the officer's testimony. The vehicle was not obstructing vehicle or pedestrian traffic, and the vehicle was near the officers.

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

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SUMMARY OF ALLEGATIONS #1-2: The officers detained a person without reasonable suspicion.

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

FINDINGS OF FACT: The complainant stated that he was improperly pulled over and then ordered out of his vehicle without justification.

The first named officer stated that he was working patrol with his partner when his partner observed a vehicle with window tint in violation of the California Vehicle Code and effected a traffic stop. During the traffic stop the complainant refused to provide required documentation. After numerous requests, the complainant was cited for willfully resisting and delaying a peace officer.

The second named officer is no longer employed with SFPD and was not questioned.

SFPD records showed that both named officers were on patrol when the second named officer conducted a traffic stop for tinted windows. The second named officer asked for required documentation which the complainant did not provide. The second named officer asked the complainant to step out of his vehicle, which the complainant refused to do. After further multiple requests for identification, the complainant provided his driver's license but continued to refuse to exit his vehicle. SFPD records further showed that the second named officer noticed an open container of alcohol and suspected marijuana in the vehicle cabin. A back up officer advised the complainant that they would be searching his vehicle and the complainant continued to refuse to exit. The second named officer assisted in removing the complainant from the vehicle.

Body-worn camera footage showed the two named officers approach the complainant's vehicle. The second named officer explained that he had pulled him over for tinted windows. The complainant argued with the officer and initially refuse to provide identification or exit the vehicle. Footage also showed the first named officer looking inside the vehicle from the passenger side, advising the second named officer that there was an open container inside, and showing the second officer its location in the car. Footage further showed back-up officers interacting with the complainant, advising him that they would be searching the car for marijuana, asking him to get out of the car and then removing him. The second named officer can be seen assisting in the removal of the complainant from the vehicle.

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

SUMMARY OF ALLEGATIONS #3-4: The officers used unnecessary force.

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

FINDINGS OF FACT: The complainant stated that officers used unnecessary force when they removed him from the vehicle.

The first named officer was not available for questioning due to leave from regular duties.

The second named officer is no longer employed with SFPD and was not questioned.

SFPD records reflected that the first named officer arrived on scene to assist and advised the complainant that they would be searching the vehicle to ensure that he was in compliance with California marijuana laws. The records also showed that the complainant continued to refuse to exit the vehicle and the first named officer opened the driver door and grabbed onto the complainant's arm. The complainant began to pull away and the second named officer assisted with removing him from the car. Records further showed that the complainant did not complain of any pain.

Body-worn camera footage showed the first named officer approach the complainant, note that he had marijuana in the car and ask him to exit the vehicle. The complainant refused to exit, and another officer explained that they would be conducting a search. The footage showed that the first named officer advised that he would be removing him from the car, grasped the complainant's right forearm in a controlled manner and pulled the complainant out of the vehicle as the complainant was yelling. The first named officer can be seen turning the complainant around in a controlled manner as he was standing and face him toward the vehicle. The footage further showed the second named officer assisting in this process.

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

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SUMMARY OF ALLEGATIONS #5-6: The officers handcuffed an individual without justification.

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

FINDINGS OF FACT: The complainant stated that officers handcuffed him after removing him from his vehicle.

The first named officer was not available for questioning due to leave from regular duties.

The second named officer is no longer employed with SFPD and was not questioned.

SFPD records showed that the second named officer handcuffed the complainant.

Body-worn camera footage showed that the first named officer advised that he would be removing him from the car, grasped the complainant's right forearm in a controlled manner and pulled the complainant out of the vehicle as the complainant was yelling. The first named officer could be seen turning the complainant around in a controlled manner as he was standing and face him toward the vehicle. The footage further showed the second named officer assisting in this process and assisting with handcuffing.

SFPD Departmental General Order 5.01 authorizes handcuffing a detainee even when the detainee may be compliant.

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

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SUMMARY OF ALLEGATION #1: The officer failed to display his star number.

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

FINDINGS OF FACT: The complainant stated he attempted to enter a building to visit a government office but was told by an officer that the building did not house the office he was looking for and redirected him to a different location. When the complainant returned to the building and insisted that he was at the correct address, the officer ordered him to leave, covered his badge with his hand and refused to provide his star number.

The named officer stated on the date of the incident he was working in a security capacity for a private company. His duties for this assignment included escorting trespassers off of private property. He met with the complainant in the building lobby and explained that the office the complainant was seeking was not housed in that building. The named officer stated that he redirected the complainant to the correct location, but that the complainant began to accuse him of lying and made incoherent statements about government cover-ups. Approximately two hours later the complainant returned and stated that the building was a secret location for the government office. He asked for the named officer's name and star number which the named officer provided verbally and by pointing to his name tag and star.

SFPD records show that the named officer was working at the incident location on the date of the incident pursuant to an off duty assignment. There are no other SFPD records and there was no body-worn camera footage of the interaction between the named officer and the complainant.

No witnesses were identified.

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

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SUMMARY OF ALLEGATION #2: The officer failed to write an incident report.

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

FINDINGS OF FACT: The complainant stated that after being ordered to leave the building, he went to file a police report at a neighborhood police station about the interaction. He stated that the officer at the station refused to file a police report without the complainant providing a written statement, which the complainant declined to do.

The named officer stated that he was working in the station and that his duties included interacting with citizens at the front window. He did not recall this specific incident, but stated that it is his normal practice to prepare an incident report if a citizen is reporting a crime or vehicle accident. He stated that if there is no police or civil matter there is no report written. If the citizen wishes, he requests that a supervisor speak to them and if the supervisor determines a report should be written, the named officer will prepare one.

There was no body-worn camera footage as the named officer keeps his camera off when working in the station front office.

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

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

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

FINDINGS OF FACT: The complainant stated that after his encounter with the officer who refused to file a police report, he called a sergeant at the station and requested that he speak with him in person. The complainant stated that the sergeant refused to leave his office to speak with the complainant.

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 officer could not be established.

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DATE OF COMPLAINT: 12/02/19 **DATE OF COMPLETION:** 09/09/20 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: The complainant stated that the named officer encroached on the complainant's civil and human rights to choose a place to stay. The named officer told the complainant she could not camp out and that she had to leave, to which the complainant disagreed.

Police records show that the named officer was assigned to foot patrol and that she and the complainant had many contacts.

Body-worn camera documented that the named officer observed the complainant in front of a neighborhood bank, sitting next to her encampment. The complainant also had her property sprawled out, blocking the ATM machine. The named officer walked up to the complainant and asked her to pick up her possessions and leave. The complainant refused. The complainant then informed the named officer that she was having a heart attack and the named officer requested an ambulance. The complainant was transported to the hospital.

Department Bulletin 18-088 identifies four categories of laws that may be enforced to address encampments: 1) Proposition Q ("Prop Q"); 2) civil and criminal nuisance laws; 3) criminal laws prohibiting sitting, lying, and lodging; and 4) interfering with a public officer or peace officer in the performance of his or her employment or duty.

The body-worn camera footage captured the entire incident and showed that the named officer gave a valid order.

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

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DATE OF COMPLAINT: 12/05/19 **DATE OF COMPLETION:** 09/01/20 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officers engaged in conduct unbecoming an officer.

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

FINDINGS OF FACT: By mutual agreement of the complainant and a representative of Mission Station, the complaint was mediated and resolved in a non-disciplinary manner on 08/27/2020.

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DATE OF COMPLAINT: 11/24/19 **DATE OF COMPLETION:** 09/09/20 **PAGE# 1 of 1**

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

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

FINDINGS OF FACT: The complainant stated that he called the police to report loud music, but officers failed to address the issue.

The named officers stated that they did not recall the incident. Referring to department records, they stated that they were dispatched to the call around 3:50 A.M. The officers stated that when they arrived at the scene they heard no loud music playing so they cleared the call as “Gone On Arrival.” The officers also stated that they did not follow up with the complainant because the complainant did not wish for the officers to contact him.

Department records support the officers’ account. While the records reflect that dispatch created the “Priority C” call for service regarding loud music at 9:30 p.m., they also indicate that the named officers were not dispatched until 3:50 A.M. Department records also reflect that the complainant did not wish to be contacted, and that the loud music was no longer present when the named officers arrived on scene.

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

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DATE OF COMPLAINT: 12/05/19 **DATE OF COMPLETION:** 09/17/20 **PAGE#** 1 of 1

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

CATEGORY OF CONDUCT: C U O **FINDING:** N F **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that when she visited a district police station to file a police report, a male officer told her that her report was “bogus” and refused to take her report.

An officer identification poll was sent to the district station where the incident occurred. The poll only identified a female officer, who possibly matched the complainant’s description, as working at police station at the time of the incident.

A female witness officer stated she did not recall the incident.

Department records indicated that a male officer who might have encountered the complainant is no longer with the Department. DPA attempted to acquire police station video footage; however, SFPD indicated that the video was not available.

The identity of the alleged officer could not be established. Therefore, no finding can be made.

SUMMARY OF ALLEGATION #2: The officer behaved inappropriately.

CATEGORY OF CONDUCT: C U O **FINDING:** N F **DEPT. ACTION:**

FINDINGS OF FACT: The complainant stated that an officer kicked her suitcase while at the police station to file a police report. She did not know which officer of the four officers that she encountered kicked her suitcase.

An officer identification poll was sent to the district station where the incident occurred. The poll only identified a female officer, who possibly matched the complainant’s description, as working at police station at the time of the incident.

A female witness officer stated she did not recall the incident.

Department records indicated that a male officer who might have encountered the complainant is no longer with the Department.

DPA attempted to acquire police station video footage; however, SFPD indicated that the video was not available.

The identity of the alleged officer could not be established. Therefore, no finding can be made.

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SUMMARY OF ALLEGATIONS #1-2: The officers engaged in unwarranted action.

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

FINDINGS OF FACT: The complainant stated that he is the owner of a multi-family dwelling in which he and a tenant are involved in an ongoing tenancy dispute. On the date of the incident the complainant entered the apartment of the tenant who subsequently called SFPD to have him removed. Upon arrival the officers repeatedly directed the complainant to exit the tenant's apartment, go to his own unit and retrieve documents evidencing ownership of the property.

The first named officer stated that he understood the incident to be a landlord-tenant dispute and that he intended to help the parties resolve the situation in a civil manner. He stated that the complainant noted that he had documents that showed he was the owner of the building and he asked the complainant to show this paperwork as he thought they would be helpful to determine whether the complainant was the property owner and whether there were any lease terms between the parties.

The second named officer similarly stated that he understood the incident to be a dispute between a tenant and property owner and that he was attempting to resolve the dispute in a peaceful manner and refer both parties to handle the dispute civilly. He stated that he instructed the complainant to retrieve documents in order to determine whether the complainant was the owner of the building.

SFPD records showed that a call for service was made from a tenant at the subject address complaining that the property owner had entered his unit without permission and was trying to prevent the caller from entering. Both of the named officers were dispatched and arrived on scene. Approximately 40 minutes after their arrival they were pre-empted and dispatched to another call for service.

Body-worn camera showed the named officers making contact with both the complainant and the tenant and questioning both regarding the tenant's residency of the apartment. The tenant confirmed that he had resided in the apartment for approximately four years. The named officers then questioned the complainant who confirmed that the tenant has been occupying the apartment for an unspecified period of time. The named officers informed the complainant that advanced notification under the law was required when a landlord entered a tenant's apartment and requested that the complainant vacate the tenant's apartment. The complainant refused and the officers took no further action after being assigned to a higher priority call.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
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DATE OF COMPLAINT: 12/16/19 DATE OF COMPLETION: 09/10/20 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 officers failed to respond to his noise complaint.

Despite repeated attempts, the complainant did not respond to requests for additional evidence necessary to conduct the investigation.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested information, 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.

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DATE OF COMPLAINT: 01/03/20 DATE OF COMPLETION: 09/30/20 PAGE# 1 of 1

SUMMARY OF ALLEGATIONS #1: The officer failed to prepare an incident report.

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

FINDINGS OF FACT: The complainant stated that the officer refused to prepare an incident report when she reported an incident. The complainant was unable to identify the officer.

A request to identify the officer who was involved in the incident was forwarded to the specific police station; however, command officers were unable to identify the officer who had interacted with the complainant.

The officer could not reasonably be identified; therefore, there is no finding.

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

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

FINDINGS OF FACT: The complainant stated that the officer swore at her and harshly ordered her out of the police station when she attempted to file a police report. The complainant was unable to identify the officer.

A request to identify the officer who was involved in the incident was forwarded to the specific police station; however, command officers were unable to identify the officer who had interacted with the complainant.

The officer could not reasonably be identified; therefore, there is no finding.

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DATE OF COMPLAINT: 12/27/19 **DATE OF COMPLETION:** 09/22/20 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer seized property without justification.

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

FINDINGS OF FACT: The complaint stated his personal property was booked into evidence by the named officer without justification. The complainant would not submit to an interview for this investigation.

Body-worn camera footage and Department documents revealed that the named officer took part in the investigation of a criminal threat. During the investigation, the victim stated the complainant threatened him with a walking stick. The officers on the scene received approval from police supervision to arrest the complainant for criminal threats. The named officer seized the walking stick for evidence.

Department General Order 6.02 says, in part, At non-major crime scenes, when specialized units are not required, the responsibility for proper collection of physical evidence rests with the senior investigating officer present.

The named officers had a legal obligation to seize the walking stick that was used in a crime.

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

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DATE OF COMPLAINT: 01/03/20 **DATE OF COMPLETION:** 09/22/20 **PAGE#** 1 of 4

SUMMARY OF ALLEGATION #1: The officer detained a person without justification.

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

FINDINGS OF FACT: The complainant stated that the officer wrongly detained him in connection with a traffic stop during which he was removed from his vehicle.

The named officer stated that he used SFPD-approved methods of determining that the complainant was driving his vehicle 50 miles per hour in a 35 miles per hour zone. The named officer further stated that he effected a traffic stop of the complainant's vehicle because the complainant was driving his vehicle in excess of the speed limit.

SFPD records showed that the named officer pulled the complainant over for operating his vehicle at excessive highway speed. The records also showed that the named officer ordered the complainant to put away his phone, but that the complainant ignored the command, turned his body away from the named officer, and then subsequently ignored the named officer's command to get out of the car. The named officer opened the car door and detained the complainant for delaying or obstructing a police officer in the discharge of his duties.

Body-worn camera footage showed the named officer presenting a citation for speeding to the complainant and asking him to sign the citation. The complainant stated that he would comply but that he needed to record the interaction because it was his right. The named officer ordered the complainant at least two additional times to put his phone down; however, the complainant argued that he needed to record the interaction. The named officer then ordered the complainant to exit the vehicle. The complainant continued to argue and then eventually placed the phone in a phone stand and exited the vehicle under his own power. The named officer then began the process of citing the complainant for delaying a police officer.

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

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SUMMARY OF ALLEGATION #2: The officer engaged in unwarranted action.

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

FINDINGS OF FACT: The complainant stated that the officer wrongly ordered him to stop operating his phone as he was recording the interaction between himself and the officer.

SFPD records showed that during the traffic stop the named officer asked the complainant to sign the traffic citation. Records further showed that the complainant failed to comply and stated that he had to record the interaction. The named officer documented in the incident report that he ordered the complainant to put the phone away for officer safety reasons. Specifically, the named officer cited the fact that the traffic stop was in a dark area lit only by street lamps, that the named officer was outnumbered by the occupants in the vehicle, and that he did not want the complainant to call or text for others to come to the scene. Records showed that the complainant ignored the named officer's commands and at one point turned his body away from the named officer toward the back seat, which resulted in the named officer being unable to see the complainant's hands, pockets or front of his waistband and caused the named officer to feel that his safety was in jeopardy. Further, records showed that the named officers told the vehicle passengers that they could record the traffic stop because they were not detained.

Body-worn camera footage showed the named officer presenting a citation for speeding to the complainant and asking him to sign the citation. The complainant stated that he would comply but that he needed to record the interaction because it was his right. The named officer ordered the complainant at least two additional times to put his phone down; however, the complainant argued that he needed to record the interaction. The named officer then ordered the complainant to exit the vehicle. The complainant continued to argue and then eventually placed the phone in a phone stand and exited the vehicle under his own power. The named officer informed the two passengers that they could continue recording the interaction on their phones and later began the process of citing the complainant for delaying a police officer.

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

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SUMMARY OF ALLEGATION #3: The officer applied handcuffs without justification.

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

FINDINGS OF FACT: The complainant stated that the officer handcuffed him without cause.

Body-worn camera footage showed that the named officer attempted to explain, after removing the complainant from the vehicle, why he had to put the cell phone down when he was ordered to do so and the reason the complainant was being detained. Footage further showed that the complainant continued to argue and interrupt the named officer. The named officer then asked the complainant whether he was going to allow him to explain or whether he had to handcuff the complainant. The complainant continued to argue, and the named officer handcuffed the complainant.

SFPD Departmental General Order 5.01 authorizes handcuffing even when a detainee is compliant or offering no resistance.

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

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 that the officer issued him a citation for excessive speed. The complainant denied that he was driving over the posted speed limit.

The named officer stated that he observed the complainant's vehicle travelling at a high rate of speed and used both visual estimation and pacing methods to determine that the vehicle was traveling 50 miles per hour in a posted speed zone of 35 miles per hour.

SFPD records showed that the named officer effected a traffic stop of the complainant for driving 50 miles per hour in a posted 35 mile per hour zone.

Body-worn camera footage showed that after the named officer effected a traffic stop of the complainant's vehicle and subsequently informed him that he was travelling 50 miles per hour in a posted 35 mile per hour zone.

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SUMMARY OF ALLEGATION #4: (Continued)

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

SUMMARY OF ALLEGATION #5: The officer improperly used physical control.

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

FINDINGS OF FACT: The complainant stated that the officer applied the handcuffs so tightly that his hands became numb and that he told the officer that the handcuffs were too tight.

Body-worn camera footage showed that when the named officer applied the handcuffs the complainant neither informed him that the handcuffs were too tight nor complained of numbness. Footage further showed that a second officer arrived on the scene and the complainant stated to him that the handcuffs were “super tight,” and that due to a back injury he was in pain. The second officer informed the complainant that he was able to slide the handcuffs up his wrist; however, the second officer attached a second pair of handcuffs to form a chain and increase the distance between the complainant’s wrists for increased comfort.

SFPD records show that when the named officer placed handcuffs on the complainant, he checked for proper degree of tightness then double locked the handcuffs to prevent further tightening.

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

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

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

FINDINGS OF FACT: By mutual agreement of the complainant and the named officer, the complaint was mediated and resolved in a non-disciplinary manner on 08/27/2020.

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DATE OF COMPLAINT: 01/20/2020 **DATE OF COMPLETION:** 09/12/20 **PAGE#** 1 of 2

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

CATEGORY OF CONDUCT: C U O **FINDING:** P C **DEPT. ACTION:**

FINDINGS OF FACT: The complainant submitted an online complaint in which she stated that during a shoplifting detention, the named officer made inappropriate comments and shouted at her. Several attempts were made to contact and interview the complainant without success. The complainant would not provide an interview for this investigation.

The named officer stated that he was professional and polite during the shoplift detention outside of the retail store. The named officer returned to the retail store, and the complainant followed him and began to yell and use profanity towards the officer. The officer stated he remained professional during both encounters.

The loss prevention agent stated that upon the named officer return to the retail store, the complainant followed the officer. The complainant yelled and used several forms of profanity at the officer as the officer stood in the doorway. The officer's demeanor remained professional.

The store manager stated that she witnessed the interaction between the named officer and the complainant inside the retail store. The store manager stated the complainant screamed and yelled at the officer for approximately 15 minutes, and the named officer remained calm and professional.

An unknown male also approached the store manager and stated that he had witnessed the interaction between the named officer and the complainant outside of the retail store. The unknown male stated that the officer was professional during the detention and that the complainant yelled and used profanity at the officer.

The officers' body-worn camera shows the officer acted professionally during the encounter inside of the retail store.

Department General Order 2.01 states that an officer must treat the public with courtesy and respect.

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

SUMMARY OF ALLEGATION #2: The officer conducted an improper search and seizure.

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

FINDINGS OF FACT: In the online complaint, the complainant stated that the named officer searched her handbag was without cause. The complainant would not provide an interview for this investigation.

The named officer stated that he followed the complainant out of the retail store after her shopping bags activated the antitheft system. The officer detained the complainant outside of the retail store on the sidewalk. The officer recovered the stolen merchandise from the complainant's shopping bag and returned to the retail store. The complainant followed the officer to the store and screamed at the officer for the detention and search.

The loss prevention agent stated that he witnessed the complainant enter the retail store with two handbags that didn't activate the antitheft system. The complainant finished shopping and exited the store, at which time her handbags activated the antitheft system. The loss prevention officer detained the complainant and placed one of her handbags through the antitheft system, which did not activate the alarm. The complainant would not allow the other handbag to be tested and stated she would check another retail store to see if previously purchased merchandise caused the alarm to activate. The complainant departed the retail store and failed to go inside the other retail store as promised.

The store manager stated the named officer returned the stolen merchandise from the complainant, which still had an antitheft tag attached.

Department General Order 5.03 Investigative Detentions I B states, in part, "A police officer may briefly 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 officer was conducting a criminal investigation based upon the activation of the antitheft devices, and the officer had the right to detain and search the complainant.

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

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DATE OF COMPLAINT: 01/24/20 DATE OF COMPLETION: 09/30/20 PAGE# 1 of 3

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

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

FINDINGS OF FACT: The complainant stated that she was the victim of a sexual assault while visiting San Francisco from out of the state. She reported the sexual assault to her local authorities and also underwent a sexual assault exam at her local medical facility. She was later contacted by the named officer who informed her that he had received all of the evidence for her case. She stated that the named officer scheduled an interview with her, but it did not take place and was never rescheduled. Additionally, she stated that she had still not yet received the results of her sexual assault exam after waiting multiple months for a response. She stated that her case was being neglected and that it was not being investigated.

The named officer stated that he was the investigator assigned to the complainant's case. He stated that he received the evidence that was provided by the referring agency, interviewed the complainant, attempted to obtain a statement from the suspect, interviewed a witness, obtained a DNA warrant for the suspect, and had scheduled a meeting to obtain a reference DNA sample from the suspect through the warrant. He also stated that he intended to have the complainant's hair sample submitted for testing but did not currently require those results. He denied that the complainant's case was being neglected and stated that it was still being investigated.

The named officer stated he received the complainant's Sexual Assault Evidence Kit (SAEK) when he was assigned the case and booked it in the Property Control Division. He believed that the complainant's SAEK would automatically be transferred to the crime lab based on how it was labeled and on his past experience where SAEKs were processed at a San Francisco hospital and delivered directly to the crime lab. He stated that this was the first case he had ever been assigned where a SAEK was originally collected by an outside agency and where he physically handled the SAEK. When he later checked on its status, he observed that the SAEK had never been transferred to the crime lab and was not until he submitted a Department form months later. He stated that he did not intentionally neglect to submit the form and had not received any training related to processing SAEKs for crime lab analysis. After discussing the incident with his co-workers, he concluded that he should have completed the form within a day or two of booking the SAEK in the Property Control Division to ensure that SAEK would get transferred to the crime lab in a timely manner. He stated that receiving training related to processing the SAEK would have assisted him in this incident but also noted that this was a very rare situation, as the kit came from out of state.

Department records showed that the named officer reviewed the report and materials provided by the outside agency, authored an incident report, completed a recorded interview with the complainant, and

SUMMARY OF ALLEGATION #1: (Continued)

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booked evidence including the Sexual Assault Evidence Kit (SAEK) at the Property Control Division. Department records also showed that the named officer checked on the status of the SAEK which detailed that the SAEK was still located in the Property Control Division months after it was initially booked there. Records further showed that the named officer completed a form and emailed it to the Property Control Division requesting that the SAEK be analyzed by the crime lab. Department records revealed that the named officer received and reviewed the crime lab's report related to the complainant's SAEK and informed the complainant of the results. Department records showed that the named officer interviewed a witness, attempted to contact the suspect, spoke with the suspect's attorney and authored a DNA search warrant for the suspect.

Unit Order 17-001, Collection of Sexual Assault Evidence Kits when Evidence is collected by an Outside Agency, issued March 1, 2017, details in part that "Per Section 680 of the California Penal Code, Sexual Assault Evidence Kits are required to be delivered to the Crime Lab within 5 days after the evidence has been collected from the survivor of a sexual assault." Unit Order 17-001 also states in part that "Once the SAEK has arrived at S.V.U., the SVU member shall transport the SAEK to the Hall of Justice and book it into evidence at the Property Control Division. The SVU member shall complete an incident report to document the chain of custody."

DPA does not find that the actions or conduct of the named officer constitute misconduct. The named officer had not received any training related to processing SAEKs and was unaware of the proper procedures for submitting a SAEK to the crime lab. The named officer stated that training regarding processing Sexual Assault Evidence Kits collected from an outside agency would have assisted him during this instance.

The evidence proves that the action complained of was the result of inadequate training or the absence of needed training.

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 adequately return her calls and provide her with updates regarding her case.

The named officer stated that he contacted and returned the complainant's calls when he received them. He stated that during certain time periods there were no updates to provide the complainant. The named

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officer stated that he did not receive voice messages from the complainant during specific days she noted. He stated that he did not have a record of speaking with the complainant on certain days she alleged speaking with him.

The complainant provided DPA with text message screenshots which showed correspondence between the named officer and the complainant.

Department records revealed contacts between the complainant and the named officer. Department records showed that the named officer interviewed the complainant and informed her that he had not received her voice messages she said she had left. Department records showed that the named officer provided the complainant with the contact information for the crime lab after she requested it and advised her that he was still awaiting lab results from the crime lab. Department records showed that the named officer contacted the complainant after receiving lab results from the crime lab and advised her of the results.

The evidence proves that the officer's conduct was justified, lawful, and proper.

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SUMMARY OF ALLEGATIONS #1-2: The officers displayed threatening, intimidating, or harassing behavior.

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

FINDINGS OF FACT: The complainant stated that two officers have "been in his face" and harassed him many times. The complainant was unable to provide further details regarding the harassment.

The two named officers stated that they worked on a community policing beat in the neighborhood where the complainant was well known. The complainant would shout and scare people, but most residents of the neighborhood tolerated the behavior. Whenever the named officers had contact with the complainant, it was often in response to concerns from the community. The named officers were always very calm during their encounters with the complainant. They offered the complainant a list of services, listened to his concerns and problems, and requested additional services from the Crisis Intervention Team. The complainant oftentimes responded with anger towards the officers and the named officers would leave him alone. Out of all the encounters with the complainant, the named officers never detained, cited or arrested the complainant. They only spoke with him and left.

The DPA conducted a search for any enforcement actions taken against the complainant and could not find any instances of detention, citation or arrest involving the named officers.

No witnesses were identified.

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

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

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

FINDINGS OF FACT: The complainant stated that he went to the property room to retrieve his belongings, but the property room was closed five minutes early before the posted closure time.

The named officer stated he was responsible for closing the property room on the day of the incident. He stated he closed the property room at the posted closure time.

A witness officer stated the named officer closed the property room at the posted closure time.

No other witnesses were identified.

There are no Department policies that require officers to open and close the property room at the posted times. Therefore, the named officer did not violate any Department policies.

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

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

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

FINDINGS OF FACT: The complainant said she was involved in a domestic altercation. Her cousin's brother, who had HIV, slammed the complainant's daughter on the ground and started biting her and the daughter. The police came, and the complainant said they did not do anything.

Named officer #1 stated that when he arrived on the scene, he and his partner were flagged down by the complainant. Officer #1 interviewed both parties. The complainant told him the cousin assaulted her. Officer #1 also interviewed the complainant's daughter, who said she had been assaulted. Officer #1 said it appeared to be a mutual combat situation because the complainant attempted to engage with the other parties on the scene. The officer said he was unable to get the complete story until they removed the complainant and her daughter from the scene.

Officer #1 said they did not watch any security videos on the scene because the incident occurred inside the house, and the video cameras outside would not have shown the incident.

Officer #2 is no longer with the department.

Department records indicate that the named officers interviewed the complainant, her daughter, and the other party on the scene, took pictures of the injured parties, and looked for security cameras in search of potential evidence. The officers also called for medical assistance to check up on the complainant and her daughter while they were at the station.

Body-worn cameras show that both officers did interview all involved parties, took pictures of the injuries, and attempted to look for cameras nearby.

No witnesses came forward.

The evidence gathered proved that the named officers did all the investigative steps such as interviewing all parties involved, took photo evidence, and attempt to obtain security camera footage from the scene.

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

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SUMMARY OF ALLEGATION #3: The officer did not make an arrest.

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

FINDINGS OF FACT: The complainant stated that the officers did not make a citizen's arrest, although she had requested that the officers arrest the cousin who bit her daughter and hit her.

The named officer stated that while they were on scene, the complainant did not tell them that the cousin assaulted her, but only expressed that after they went back to the station. The officer also stated that both parties signed a citizen's arrest form, and it appeared to be a mutual combat situation when he arrived on the scene. The officer said they did not have enough probable cause to arrest either party because both parties were hostile and not forthcoming with enough information to arrest at the time.

The named officer's partner is no longer with the Department.

Department records indicate that the complainant's cousin signed a citizen's arrest form against the complainant. It shows that the complainant also wanted to make a citizen's arrest; however, she did not sign one. Department records indicate that the complainant went to the station to file a police report instead.

Body-worn camera footage captured that the two parties were heated up and continued arguing even when the officers were on the scene. Both parties showed injuries. It captured that after the cousin signed the form, the named officer's partner persuaded the complainant not to sign a citizen's arrest form because the other party had also filed one, and it will not yield any results. Another officer further explained to the complainant that it would be a better decision if the complainant and the daughter go back to the station and talk to an investigator because that could potentially raise more charges against the cousin. The complainant agreed, and they went back to the station with the officers to file a police report.

No witnesses came forward.

The evidence collected proves that the complainant did initially request her cousin to be arrested. However, it was the named officer's partner who did not make a citizen's arrest on the cousin. The named officer stated that, as far as he was concerned, both parties signed a citizen arrest form, but only one form was found in the department records. Body-worn camera footage showed that the named officer followed correct procedure, but it is not clear that his partner did.

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

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SUMMARY OF ALLEGATION #4: The officer did not make an arrest.

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

FINDINGS OF FACT: The complainant stated that the named officer did not make a citizen's arrest although she had requested that the officers arrest the cousins who bit her daughter and hit her.

The named officer is no longer with the the Department and therefore is not subject to disciplinary action.

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SUMMARY OF ALLEGATIONS #1-2: The officers entered a residence without cause.

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

FINDINGS OF FACT: The complainant said he was a landlord and was involved in a dispute with his tenant over garbage. The complainant said the named officer attended and entered the residence because the building inspector held the door open for them. The officers told the complainant they were investigating a disturbance and asked the complainant to show them where the tenant lived. The complainant said he agreed to show the officers around in his apartment after. The complainant stated that he believed the officers had no cause to enter the residence in the first place.

Named officer #1 and #2 both stated that the complainant lived in a single family home with an in-law unit in the rear of the building. Both officers said they received a 911 call from the tenant that someone was unlawfully inside her unit while she was at work. When they arrived, the entrance gate was already open and the complainant took them to the in-law unit to look for suspects. Both officers said they never entered the complainant's residence.

Department records indicate that the tenant called 911 for a possible break-in and that the complainant directed the officers to the tenant's apartment when they arrived. The front door to the tenant's apartment was open and they noticed two trash cans in the doorway of the apartment.

No witnesses came forward.

The evidence proves that the named officers responded to a trespassing call and when they arrived, the complainant directed them to the caller's unit while the front door of the unit was already opened. They entered the unit to investigate the break in.

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

SUMMARY OF ALLEGATION #3: The officer behaved inappropriately.

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

FINDINGS OF FACT: The complainant stated that he had a dispute with his tenant about 10 days prior to this incident. He contacted the police and said a few hours later, named officer #1 arrived. He said the

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tenant greeted the officer by his name. He alleged that the tenant had an ongoing relationship with the officer and was manipulating the officer.

The named officer adamantly refutes this allegation. He said he had never met the tenant until after the incident, when the tenant went to the station to file a restraining order report against the complainant. The officer denied having any types of relationship with the tenant.

No department records can be located regarding this incident.

No witnesses came forward.

The evidence collected shows that the incident did not occur and that the officer did not have a relationship with the complainant.

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

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DATE OF COMPLAINT: 03/04/20 DATE OF COMPLETION: 09/21/20 PAGE# 1 of 2

SUMMARY OF ALLEGATIONS #1: The officer behaved and spoke in a manner unbecoming an officer.

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

FINDINGS OF FACT: The complainant's written complaint stated that the named officer would not allow him inside a retail store and behaved in a threatening and unprofessional manner.

The named officer did not recall the incident. However, he stated that he never had and would never violate an individual's civil rights or tell an individual to do something without cause. The officer stated that he typically informs individuals why they are not allowed in the store, if he knows the reason. If the individual refuses to leave the store, he would inform the individual that he was going to escort them off the private property and advise them they could be arrested for trespassing if they refused to leave. He stated the store has the right to refuse service to anybody for any reason.

The store manager stated that the retail store has a list of trespassers and the officer would be familiar with the list or would know who to turn away. Individuals could be turned away for being intoxicated or posing a safety threat to other customers. The manager indicated that there was no video surveillance available and no other documentation. The store manager verified that the named officer had approval to use his discretion when turning away individuals.

The complainant did not respond to DPAs request for additional information.

The officer was assigned to work at a private business. The employer directed the officer on how to handle individuals attempting to enter and patronize the store. Based on the evidence, there was no violation of policy as the officer was working under the direction of the employer and their procedures for refusing entry into the store.

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

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

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

FINDINGS OF FACT: The complainant's written complaint narrative stated the named officer was arbitrarily profiling people and not offering an explanation for why they were not allowed in the store.

The named officer did not recall the incident. However, the store has a right to refuse service to anyone for any reason and the store encouraged and approved of him using his discretion when not allowing individuals in the store. He stated that individuals are not allowed in the store for many reason, such as prior history, belligerent behavior, and intoxication.

The store manager confirmed that the named officer had discretion and that individuals could be turned away for numerous reasons.

Based on the evidence there was no violation of policy as the officer was working under the direction of the employer and their procedures for refusing entry to the store.

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

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SUMMARY OF ALLEGATIONS #1-3: The officers detained a person without reasonable suspicion.

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

FINDINGS OF FACT: The complainant stated that she observed officers attempting to apprehend a woman in the middle of the street. She watched officers take hold of the woman and bring her to the ground. Numerous officers restrained the woman before removing her from the scene in an ambulance. The complainant stated that she heard that the woman was apprehended for stealing an item from a store and believed that the police response was improper and excessively forceful.

Department documents indicate that a woman took an item from a department store and exited without paying. One of the named officers tried to detain her, but the woman resisted and was brought to the ground, struggling and screaming loudly for help. A crowd gathered, and the other named officers arrived and assisted.

Body-worn camera footage showed that a named officer followed a woman exiting the store. She began to run. When the officer caught up to her she began screaming and resisting, bringing herself and the officer to the ground. Other officers responded and assisted with placing the woman in handcuffs, but the subject continued to scream for help and threaten the officers. The subject at first offered to return the stolen item, which was in her purse, and then vehemently denied that she had stolen anything. When an ambulance arrived, officers and medics made the determination that the subject needed to be brought to the hospital for a psychiatric evaluation.

The named officers stated that the subject was detained due to officers witnessing her stealing from a department store. The named officers stated that the woman was acting erratically, calling out for God to kill her. She sank to the ground as a dead weight and refused to move, screaming and resisting long after she had been apprehended and placed in cuffs. The officers stated that she appeared to be in an altered mental state. The named officers stated that, due to the subject's delusional perception of reality and her erratic actions, she was taken to the hospital for a psychiatric health evaluation.

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

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SUMMARY OF ALLEGATION #4: The officer failed to comply with DGO 5.01.

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

FINDINGS OF FACT: The complainant stated that she saw the named officer grab the subject and push her to the ground. She also stated that the subject was placed in a spit hood, which she believed was excessive and cruel.

Department records indicate that the subject shoplifted an item from a store. When the officer working store security pursued her and ordered her to stop, she resisted and was taken to the ground, actively resisting. The records indicate that the subject kicked the named officer multiple times.

Body-worn camera footage showed that the named officer followed a woman exiting the store. She began to run. When the officer caught up to her she began screaming and resisting, bringing herself and the officer to the ground. Other officers responded and assisted with placing the woman in handcuffs, but the subject continued to scream for help and threaten the officers. The subject at first offered to return the stolen item, which was in her purse, and then vehemently denied that she had stolen anything. When an ambulance arrived, officers and medics made the determination that the subject needed to be brought to the hospital for a psychiatric evaluation. The footage shows a medic slipping a spit hood over the subject's head before she is placed onto a gurney and into the ambulance. The medic informs her that he has done so because she is spitting.

The named officer stated that he attempted to detain the female after he witnessed her stealing. When he apprehended her, she actively resisted, kicking him a number of times while pulling away from him. She screamed that she was being hurt and asked god to kill her, leading the officer to conclude that the subject was in an altered state of mind. The officer stated that the subject was in need of a psychiatric evaluation, so he called an ambulance to assess her. The named officers stated that medics placed the female in restraints and placed a spit hood on her. The named officer stated that he used minimal physical control to subdue to the subject.

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

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

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

FINDINGS OF FACT: The complainant stated he was driving behind a car that stopped at a green light for some unknown reason and so he wanted to pass. He tried to pass but the driver blocked him. After the third time the complainant was blocked from passing, he got out of his car and walked up to the other car to take photos. As he was taking photos of the driver, the driver opened his car door, hitting the complainant, and chased the complainant back to his car. The complainant called 911 and filed a report at the police station. He stated that the San Francisco Police Department (SFPD) failed to properly investigate the assault. He believes SFPD dropped the case because the assailant is either a SFPD police officer or related to a SFPD officer.

The named officer was assigned to investigate the case, and the DPA obtained his chronology of investigation. The chronology showed that he reviewed the incident report and evidence. He interviewed the complainant. He ran a computer query on the other car but could not identify the other driver. The case was inactivated pending further leads. Approximately two months later, the named officer reactivated the case due to new information. He identified the other driver and interviewed him. He reviewed video taken from the other driver car's security cameras. He consulted with a prosecutor who confirmed that charges were not likely. The case was deactivated.

The Department of Police Accountability (DPA) spoke with the other driver. He stated that he had been driving with his toddler son in the backseat when he noticed the complainant driving aggressively and crossing the double yellow lines to pass him. The other driver was in fear for his and his son's safety. He saw the complainant get out of his car and approach holding something in his hand. The complainant demanded the other driver's license. When he opened his car door, the complainant scurried away to his car. The other driver told the complainant not to ever pursue anyone like that again. The other driver told the DPA that he was not a police officer and was not related to a police officer.

The video from the other driver's car showed the complainant tailgating, speeding up and crossing the double yellow lines, driving next to the other driver on a two-way street, and slowing down to get behind the other car. The other driver and the complainant came to a stop behind a red light. The complainant got out and approached the other driver's window with something in his hand. He was taking photos of the other driver when the other driver opened his door and struck the complainant. The complainant tried to push the door closed before walking back to his vehicle. The other driver followed the complainant, said something, and walked back to his vehicle.

SUMMARY OF ALLEGATION #1: (Continued)

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The named officer took appropriate steps to investigate the parties and evidence. There was no evidence indicating that the other driver was affiliated with SFPD.

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

SUMMARY OF ALLEGATION #2: The officer failed to provide required information.

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

FINDINGS OF FACT: The complainant stated that the named officer refused to provide him with the name of the other driver, the SFPD incident report, and the other driver's driving and criminal records.

The named officer stated that he did not recall the complainant asking for the police report. He stated that he did not recall the complainant asking for the other driver's driving and criminal record but cannot divulge anyone's driving and criminal record. Finally, he does not recall the complainant asking for the name of the other driver, but he could not have divulged that information "pending an active investigation."

The complainant did not respond to the DPA's request for clarification regarding his attempts to obtain this information.

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

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

FINDINGS OF FACT: An anonymous complainant called the Department of Police Accountability (DPA) regarding a video he saw online. He thought a San Francisco Police Department (SFPD) officer was acting inappropriately in the video.

The named officer stated he was cordial, understanding and allowed the individual who was recording him to express his own concerns and frustrations.

The online video showed the named officer's interaction with the subject. Officers were standing outside the subject's apartment open front door while he recorded them. The subject was irate and yelling at the officers. The named officer remained calm throughout the incident and attempted several times to explain why they were there.

DGO 2.01 Section 14, Public Courtesy states, in part, "When acting in the performance of their duties, while on or off duty, members shall treat the public with courtesy and respect and not use harsh, profane or uncivil language." The clear video evidence showed that the named officer was calm and respectful throughout his interaction with the subject.

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

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

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

FINDINGS OF FACT: An anonymous complainant watched a video online of SFPD officers interacting with a subject on a community discussion website. The complainant stated the named officer was acting weirdly.

The named officer could not recall the incident. After watching the video, he stated he appeared to be calm when speaking with the subject. He explained that the subject recording him was argumentative, irrational, and antagonistic. The named officer stated the volume of his voice matched the volume of the subject. He could not recall his emotional state when he spoke with the subject. He stated that he explained to the subject what would happen if his neighbor requested a citizen's arrest. He told the subject to close his door and be quiet because they had received a noise complaint. He also advised the subject to respect his neighbors.

A witness officer stated that officers responded to a fight inside an apartment complex. When they arrived, they determined that the call for service was a noise complaint. The witness officer stated that the named officer remained neutral throughout the incident and did not raise his voice inappropriately.

The online video showed the named officer's interaction with the subject who was recording the officers. The video showed the subject was clearly angry with the officers' presence outside his door. It showed the witness officer's several attempts to calmly explain that they were there to ask the subject to quiet down because they had received a noise complaint. When the subject continued to express frustration and confusion why the officers were there, the named officer raised his voice and firmly told him that he needed to close his door and be quiet. He also explained that the subject would be cited if the neighbor requested a citizen's arrest.

The online video had several thousand comments and tens of thousands of views. Many of the comments on the video stated that the named officer appeared frustrated and angry when speaking with the subject, and his behavior was inappropriate. Following the publication of the video, the named officer received an email from a member of the public. The individual wrote he was impressed by the named officer's level of professionalism and patience.

SUMMARY OF ALLEGATION #2: (Continued)

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Neither the DPA nor the named officer were able to find any documentation of the incident given that there was no citation or arrest, and the officers could only remember that the incident occurred about two years prior.

DGO 2.01 Section 14, Public Courtesy states, in part, “When acting in the performance of their duties, while on or off duty, members shall treat the public with courtesy and respect and not use harsh, profane or uncivil language.”

In the online footage, the subject was hostile from the outset. The witness officer calmly tried to explain why they were there and listened to the subject’s frustration. The named officer approached the subject and raised his voice after the subject continued to act confused about why they were there. There was a mixed reaction among the viewers of the video about whether the named officer’s conduct reflected discredit on the SFPD or not. Further, the DPA was unable to locate documentation that would have provided context for the police response and the subject’s agitation.

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

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DATE OF COMPLAINT: 04/16/20 DATE OF COMPLETION: 09/18/20 PAGE# 1 of 1

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

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

FINDINGS OF FACT: The complainant stated an officer yelled at him to get on the sidewalk and then the officer backed up the patrol car dangerously close to complainant. The officer was confrontational, was within two feet of the complainant and not wearing a mask, which put the complainant's health at risk. The complainant did not get the vehicle number, name or star number of the officer.

An officer identification poll was sent to the district station where the incident occurred. The poll failed to identify any officers involved.

The officer could not reasonably be identified.

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DATE OF COMPLAINT: 04/16/20 **DATE OF COMPLETION:** 09/15/20 **PAGE# 1 of 1**

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 DPA's jurisdiction. This complaint was forwarded to:

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 04/20/20 DATE OF COMPLETION: 09/18/20 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 he called the San Francisco Police Department (SFPD), and the officer with whom he spoke was rude, impatient, and unhelpful. The DPA attempted to contact the complainant several times for additional information. The complainant never responded.

An identification poll was sent to the SFPD asking if any officers had received a phone call from the complainant. The poll was returned with negative results.

The complainant did not provide the DPA with additional information to potentially identify the officer involved with this incident. The officer could not 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: 05/01/20 DATE OF COMPLETION: 09/23/20 PAGE# 1 of 2

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

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

FINDINGS OF FACT: The complainant stated that during the COVID pandemic he attempted to enter a local grocery store with a backpack. Security told him that he had to leave his bag outside due to pandemic-related health regulations. The complainant told the security guard that he was misinterpreting the health regulation and a disagreement ensued. The complainant stated that the security guard pushed him, and he called the police. The complainant stated that when officers responded, they used excessive force and removed him from the store.

Department records reflect that approximately ten minutes after the initial incident, store security also called the police to inform them that the complainant had forced his way into the store and was causing a disturbance. The store manager wanted the complainant removed from the premises. Officers removed the complainant from the store.

The named officers stated that they asked the complainant several times to leave the store and even offered to facilitate his grocery purchase. The named officers state they used the minimum force necessary to move the complainant out of the store. The named officers also stated that the complainant had no complaints of any pain or injury at the time. As a precaution, they called an ambulance for the complainant, but he refused medical treatment.

Body-worn camera footage shows the named officers entered the store and the store manager requested that they remove the complainant from the premises. The named officers asked the complainant to leave the store, and he refused. The named officers then took hold of the complainant's arms, and the complainant sat down on the floor, blocking the checkout aisle. The named officers then carried the complainant out of the store. Once outside, the complainant continued to sit on the floor and refused to stand up. No other force was used on 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: 05/01/20 DATE OF COMPLETION: 09/23/20 PAGE# 2 of 2

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

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

FINDINGS OF FACT: The complainant went to a local grocery store, where his behavior prompted store management to call the police to remove him from the premises. The complainant stated that he asked for the named officer's name and star number, but the officer failed to provide those details.

The named officer stated that he did not remember the complainant requesting his name and star number. The named officer stated that the complainant suddenly got up and walked away as he was filling out a follow-up form for him, which included his name and star number.

Body-worn camera footage for the named officer contained a significant amount of redacted audio, making it impossible to hear whether the complainant requested the named officer's information. The footage does show that the named officer completing a form with his details and the case number to provide to the complainant, but the complainant walked away before the officer was able to provide him with it. The named officer shouted after the complainant, but he did not return.

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: 05/06/20 DATE OF COMPLETION: 09/10/20 PAGE# 1 of 2

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 refused to provide her with a copy of a statement she wrote for a police report regarding the hacking of her phone by the Illuminati.

The named officer stated that although she has had several contacts with the complainant in the past, she did not have an interaction with her regarding the incident referenced in this complaint.

In the past, the complainant admitted that she sometimes files complaints against officers to “mess with them.” Given the questionable credibility of the complainant and lack of independent supporting evidence, DPA finds that there is no credible evidence that the incident occurred.

The evidence proves that the conduct alleged did not occur.

SUMMARY OF ALLEGATION #2: The officer failed to prepare an incident report.

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

FINDINGS OF FACT: As stated above, the complainant stated the named officer refused to prepare an incident report regarding the hacking of her phone by the Illuminati. The named officer stated that she did not have an interaction with her regarding the incident referenced in this complaint.

In the past, the complainant admitted that she sometimes files complaints against officers to “mess with them.” Given the questionable credibility of the complainant and lack of independent supporting evidence, DPA finds that there is no credible evidence that the incident occurred.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/06/20 DATE OF COMPLETION: 09/10/20 PAGE# 2 of 2

SUMMARY OF ALLEGATION #3: The officer spoke inappropriately.

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

FINDINGS OF FACT: The complainant stated the named officer called her a “punk bitch” after she requested to file a police report.

The named officer stated that although she has had several contacts with the complainant in the past, she did not have an interaction with her regarding the incident referenced in this complaint. She also stated that she has never called the complainant a “punk bitch.”

In the past, the complainant admitted that she sometimes files complaints against officers to “mess with them.” Given the questionable credibility of the complainant and lack of independent supporting evidence, DPA finds that there is no credible evidence that the incident occurred.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 12/30/2019 **DATE OF COMPLETION:** 7/3/2020 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer failed to take appropriate 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 07/03/2020.

SUMMARY OF ALLEGATION #2: The officer behaved inappropriately.

CATEGORY OF CONDUCT: CUO **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 07/03/2020.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 05/18/20 **DATE OF COMPLETION:** 09/16/20 **PAGE#** 1 of 1

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

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

FINDINGS OF FACT: The complainant stated his car was involved in a hit and run accident. The car's driver called the police and the named officers responded. The complainant stated that the officers did not investigate the collision or provide a report of the incident.

Body worn camera (BWC) footage showed the two named officers on scene with a vehicle stopped in the far right lane. The driver of the vehicle told the officers that she was on a call to her insurance company and confirmed that there was a tow truck coming. The driver was unsure if her insurance company needed a police report. The officers advised the driver that if a report was required, she could request one at a police station.

Departmental Order 9.02, Vehicle Accidents, provides that in the instance of a hit and run, officers should prepare a traffic collision report and a hit and run record when the victim of the hit and run requests one. Here, department records indicate that the driver did not request a report, because she was unsure if her insurance company required her to do so.

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

SUMMARY OF ALLEGATION #3: The officer behaved or spoke inappropriately.

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

FINDINGS OF FACT: The complainant stated that he went to a district station to follow up on a hit and run vehicle accident report. The complainant stated the officer he spoke with was dismissive and unhelpful.

The complainant did not provide any further details and did not respond to repeated requests for further information. 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: 06/01/20 DATE OF COMPLETION: 09/16/20 PAGE# 1 of 2

SUMMARY OF ALLEGATION #1: The officer failed to comply with Department Bulletin 20-082.

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

FINDINGS OF FACT: The complainant stated that he saw two officers outside a coffee shop standing in close proximity without masks on. The complainant stated that, given the COVID-19 pandemic, this was inappropriate and hypocritical.

Department Bulletin 20-082 mandates that officers must wear masks or respirators at all times in the workplace and in the community while engaging with each other or while providing service to the community.

A local health order also requires officers to wear masks when within 6 feet of others outside of one's household. The order provides exceptions for the removal of masks when eating or drinking.

The manager of the coffee shop did not recall any incident involving maskless officers. No external surveillance footage captured the store's exterior. The manager stated that customers are not currently allowed inside and all service is conducted at the shop's entrance.

The named officer stated that she is aware of the policy, and she recalled wearing a mask while ordering her coffee at the café door. She stated that she removed her mask only to drink her coffee and was at least six feet away from other people when she did so.

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: 06/01/20 DATE OF COMPLETION: 09/16/20 PAGE# 2 of 2

SUMMARY OF ALLEGATION #2: The officer failed to comply with Department Bulletin 20-082.

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

FINDINGS OF FACT: The complainant stated that he saw officers outside a coffee shop standing in close proximity without masks on. The complainant stated that, given the COVID-19 pandemic, this was inappropriate and hypocritical.

Both a Department Bulletins and a local health order require the wearing of masks at all times in the workplace and in the community when within six feet of others. There is an exception for the removal of masks when eating or drinking.

The named officer stated that although she does not recall this incident, she always complies with the Department's mask-wearing policies.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/04/20 **DATE OF COMPLETION:** **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: 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 representative of the department, the complaint was mediated and resolved in a non-disciplinary manner on 8/12/2020.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/04/20 DATE OF COMPLETION: 09/17/20 PAGE# 1 of 1

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 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: 12/05/19 **DATE OF COMPLETION:** 09/01/20 **PAGE# 1 of 1**

SUMMARY OF ALLEGATION #1: The officers engaged in conduct unbecoming an officer.

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

FINDINGS OF FACT: By mutual agreement of the complainant and a representative of Mission Station, the complaint was mediated and resolved in a non-disciplinary manner on 08/27/2020.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/02/20 DATE OF COMPLETION: 09/12/20 PAGE# 1 of 1

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

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

FINDINGS OF FACT: The complainant stated he witnessed an in-custody murder of another inmate by a San Francisco Sheriff's Deputy. The complainant stated that after being informed a settlement was reached related to the incident, he made multiple calls to the San Francisco Police Department in order to make a statement regarding the incident. The complainant stated that the officers he spoke with would not take his statement and told him the case was resolved.

An officer identification poll was sent to the division where the incident was alleged to have occurred. The poll came back with positive results.

The named officer recalled speaking with the complainant on two occasions on the same day. The named officer was informed by the complainant that he was a witness and had information regarding the death of an individual by law enforcement. The named officer conducted research and found that the original investigators assigned to the case were retired and that the case involved an in-custody death involving members of another law enforcement agency. The named officer contacted the complainant and informed him of the lead agency. The named officer asked the complainant to provide a brief summary of his information so he could properly inform the appropriate investigators. The named officer contacted the officer in charge at the independent reviewing law enforcement agency that same day and provided him with the complainant's contact information and the nature of information the complainant wanted to provide. The named officer stated he was not required to take a statement from the complainant because he arranged for the reviewing agency to follow up with the complainant. The named officer was unaware of any other Homicide Investigators who spoke with 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: 06/09/20 DATE OF COMPLETION: 09/10/20 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: The officer spoke inappropriately.

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

FINDINGS OF FACT: The complainant stated she went to the police station to complain about another officer. She stated she spoke with an officer who made inappropriate comments about African Americans. She did not know the identity of the officer.

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 officer could not be established.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/09/20 DATE OF COMPLETION: 09/01/20 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: This 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.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/10/20 DATE OF COMPLETION: 09/16/20 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: This 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.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/19/20 DATE OF COMPLETION: 09/23/20 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: The officers were inattentive to duty.

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

FINDINGS OF FACT: The complainant stated that he was upset that police officers were allowing members of the public to tear down a monument unopposed.

While the identity of the alleged officers could not be established, the alleged inaction of the police department was reasonable and appropriate under the circumstances.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/01/20 DATE OF COMPLETION: 09/30/20 PAGE# 1 of 2

SUMMARY OF ALLEGATIONS #1-3: The officers failed to comply with Department General Order 2.01

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

FINDINGS OF FACT: The complainant stated that the named officers wore athletic apparel and engaged in exercise activity while they were on duty. The complainant alleged that the named officers were in violation of Department General Order 2.01 for being out of uniform and exercising in athletic apparel while they were on duty.

The named officers stated that they were not on duty on the date of the alleged incident.

Department records showed that the named officers were not on duty on the date of the alleged incident.

No witnesses were identified.

The evidence proves that the conduct alleged did not occur.

SUMMARY OF ALLEGATIONS #4-6: The officers failed to properly supervise.

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

FINDINGS OF FACT: The complainant stated that the named officers failed to maintain radio contact and set an example of efficiency and deportment when they engaged in exercise activity in athletic apparel while on duty.

The named officers stated that they were not on duty on the date of the alleged incident.

Department records showed that the named officers were not on duty on the date of the alleged incident.

No witnesses were identified.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/01/20 DATE OF COMPLETION: 09/30/20 PAGE# 2 of 2
SUMMARY OF ALLEGATIONS #7-9: The officers failed to carry required equipment.

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

FINDINGS OF FACT: The complainant stated that the named officers failed to carry required equipment when they wore athletic apparel and engaged in exercise activity while on duty.

The named officers stated that they were not on duty on the date of the alleged incident.

Department records showed that the named officers were not on duty on the date of the alleged incident.

No witnesses were identified.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/15/20 DATE OF COMPLETION: 09/10/20 PAGE# 1 of 2

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

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

FINDINGS OF FACT: The complainant called police because he believed that his food was being poisoned by an unknown individual. He also believed that this same individual was breaking into his apartment and moving food and furniture around. The complainant stated that the named officer did not take a report for the poison or the burglary and would not enter his apartment.

Department records revealed that the named officer was familiar with the complainant and his belief that he was being poisoned.

The named officer stated that she has responded to the complainant's calls several times before regarding these same issues. She stated that the complainant often believes someone is entering his apartment and moving items, but there is never any proof. She has encouraged him to take photos or video footage, but he has not. The named officer also stated that the complainant told her he was taking new medication for his bipolar disorder, and he believed the new medication may have been causing him to have delusions and hallucinations. The complainant showed the officer the food items he believed to be poisoned and the named officer stated she told him that she saw no evidence that they had been tampered with. The named officer stated that she did not enter his apartment because the complainant had admitted to her that he had previously tested positive for COVID-19.

The named officer stated that she did not write a report because her visit was a well-being check on the complainant. She did not believe a crime had taken place and stated that the complainant had not asked for a report, so none was written.

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: 07/15/20 DATE OF COMPLETION: 09/10/20 PAGE# 2 of 2

SUMMARY OF DPA-ADDED ALLEGATION #1: The officer failed to activate a body-worn camera as required.

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

FINDINGS OF FACT: During the course of this investigation, Department records revealed that the named officer did not activate her body-worn camera during the incident.

The named officer stated that she did not believe the complainant to be a victim, witness or suspect to any crimes. The named officer did not believe any crime had taken place and had dealt with the complainant several times previously for similar matters. The named officer believed the complainant was bipolar and he had admitted to her that he suffers from delusions. The named officer did not believe that the situation was hostile and stated that a wellbeing check alone does not require officers to activate their body-worn cameras.

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: 07/17/20 **DATE OF COMPLETION:** 09/23/20 **PAGE# 1 of 1**

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

CATEGORY OF CONDUCT: **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

And

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/08/20 DATE OF COMPLETION: 09/12/20 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: The officer improperly used physical control.

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

FINDINGS OF FACT: The complainant stated that officers transported her to a hospital and placed handcuffs on her too tight which hurt her arms. The complainant did not provide further information.

Department records failed to identify the alleged incident.

No witnesses were identified.

The officers could not reasonably be identified.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/31/20 **DATE OF COMPLETION:** 09/12/20 **PAGE#** 1 of 1

SUMMARY OF ALLEGATION #1: The officer knowingly engaged in biased policing or discrimination.

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

FINDINGS OF FACT: The complainant was referred to the Department of Police Accountability by the Department.

The complainant stated that she contacted the Chief of Police with a generic question about racial profiling. She said that she didn't have a specific complainant against an SFPD member and did not want to generate a complaint against an officer.

The complainant requested a withdrawal of the complaint.

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: 08/19/20 DATE OF COMPLETION: 09/18/20 PAGE# 1 of 1

SUMMARY OF ALLEGATION #: This 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.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/19/20 DATE OF COMPLETION: 09/24/20 PAGE# 1 of 1

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

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

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

Sunshine Ordinance Task Force
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/22/20 **DATE OF COMPLETION:** 09/10/20 **PAGE# 1 of 1**

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

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

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

CHP-Golden Gate Division
1551 Benicia Rd.
Vallejo, CA 94591

And,

Golden Gate Bridge- Patrol
P.O. Box 9000
Presidio Station
San Francisco, CA 94129-0601

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/25/20 DATE OF COMPLETION: 09/22/20 PAGE# 1 of 1

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

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

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

CHP-Golden Gate Division
1551 Benicia Rd.
Vallejo, CA 94591

And,

Golden Gate Bridge- Patrol
P.O. Box 9000
Presidio Station
San Francisco, CA 94129-0601

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 08/26/20 **DATE OF COMPLETION:** 09/17/20 **PAGE# 1 of 1**

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

CATEGORY OF CONDUCT: **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 Third Street
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/02/20 **DATE OF COMPLETION:** 09/16/20 **PAGE# 1 of 1**

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

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

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

Fresno Police Department Internal Affairs
P.O. Box 1271
Fresno, CA 93715-1271

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/08/20 DATE OF COMPLETION: 09/09/20 PAGE# 1 of 1

SUMMARY OF ALLEGATION #: This 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.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/12/20 DATE OF COMPLETION: 09/24/20 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: This 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.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/22/20 DATE OF COMPLETION: 09/24/20 PAGE# 1 of 1

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

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

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

SUMMARY OF ALLEGATION #2: The officer engaged in conduct unbecoming an officer.

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

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

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

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: 01/03/20 DATE OF COMPLETION: 09/30/20 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: 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