

# DEPARTMENT OF POLICE ACCOUNTABILITY

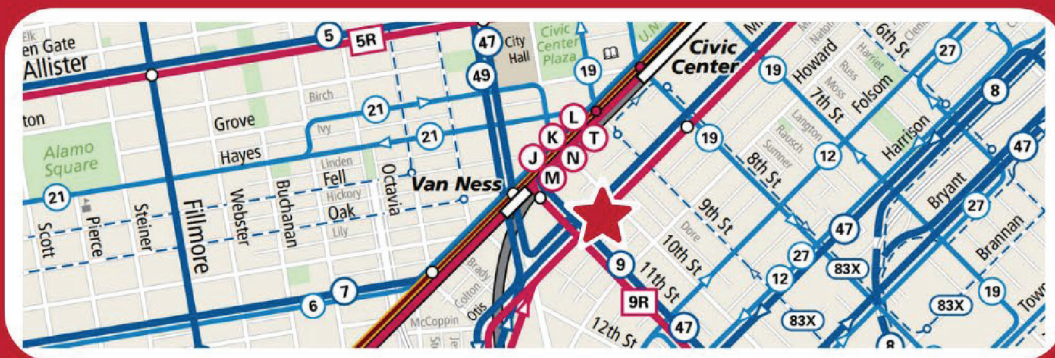


ANNUAL REPORT  
FOR 2019





# We've moved!



**1 South Van Ness Avenue, Floor 8**

## Our Mission

**THE DEPARTMENT OF POLICE  
ACCOUNTABILITY IS COMMITTED TO  
PROVIDING THE CITY OF SAN FRANCISCO  
WITH INDEPENDENT AND IMPARTIAL  
LAW ENFORCEMENT OVERSIGHT  
THROUGH INVESTIGATIONS, POLICY  
RECOMMENDATIONS, AND PERFORMANCE  
AUDITS TO ENSURE THAT POLICING  
REFLECTS THE VALUES AND CONCERNS OF  
THE COMMUNITY SERVED.**

<http://bit.ly/DPAComplaint>





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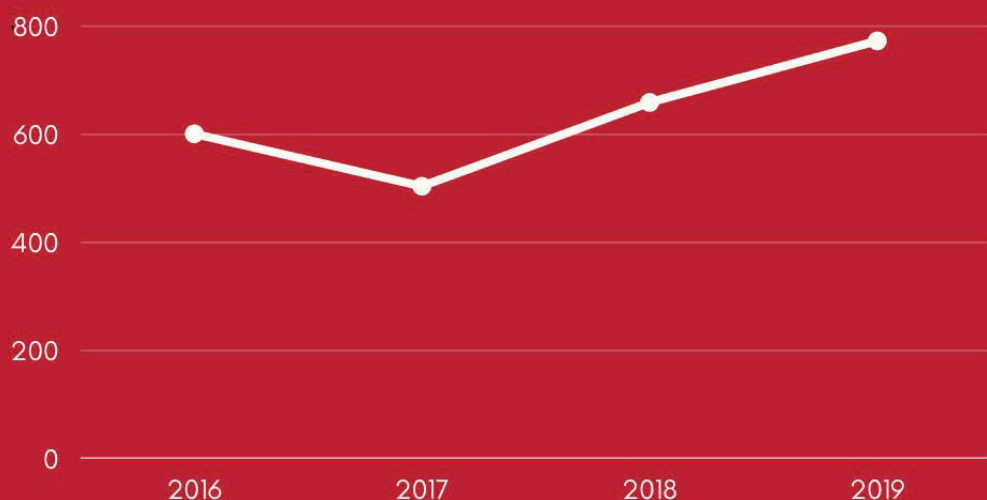


# DIRECTOR'S LETTER

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Throughout the year, the Department of Police Accountability worked to fulfill its core mission of providing independent and impartial law enforcement oversight of the San Francisco Police Department. Our annual report is filled with detailed case statistics, policy recommendations, and the accomplishments of our various divisions. Highlights include:

- Advocating for youth rights and publishing an updated Know Your Rights for Youth in San Francisco brochure to address new laws concerning police interrogation of youth
- Making recommendations to the San Francisco Police Department to address the disproportionate impact of consent searches on communities of color
- Developing solutions to fulfill new public record disclosure requirements under California law
- Investigating San Francisco Sheriff's Department administrative misconduct cases for the first time ever



## NEW CASES

*Cases increased by 29%  
from 2016 to 2019*



- Using our Audit Team to review San Francisco Police Department use-of-force practices under the Charter authority granted in 2016 (the results will be published in 2020)
- Implementing a modern case management system, replacing a system that was more than 15 years old
- Hosting a Mediation Conference
- Reviewing officer discipline for 165 cases, our largest ever examination of consequences for officers in cases with proven misconduct
- Developing a comprehensive officer-involved shooting response protocol

### **Purpose of Civilian Oversight**

Preparing this report allowed us to take a step back from day-to-day operations and reflect on civilian oversight's purpose and importance in protecting civil rights, ensuring accountability, and building bridges.

Civilian oversight is crucial to maintaining balance between the need for public safety and the rights of individuals who interact with police. People turn to the DPA when an encounter with an officer leaves them feeling their rights were violated or something else went wrong. We investigate—not solely to look for violations—but also to look for ways to improve the policing process.

All community members deserve equal access to police services and fair treatment. And when an individual feels they've been treated unfairly, but no rules were violated, the DPA can still make a difference by holding a mediation or making a policy recommendation.

We are independent and neutral. We are here to find out what happened when someone complains and to look for ways to improve City services. We offer a path towards change because we work to improve things, not only for individuals who have a complaint, but for everyone else who might be in similar situations.

Since joining the DPA in 2017, I have guided the agency along a steady path of improvement. Last year we addressed a backlog of unresolved cases, some of which had been open since 2011. To prevent future backlogs, we implemented a new team investigative model wherein lawyers work closely with investigators to meet statutory deadlines—all this while operating under a **53% increase in complaints over the past two years**. In the coming year we will focus on:

- Publishing our use-of-force audit and scoping for other audits related to racial equity
- Participating in the Discipline Review Board to better understand trends in individual cases as well as identify training and policy needs
- Continuing service on the SFPD's Executive Sponsor Working Groups to address the DOJ's 272 Collaborative Reform recommendations concerning use-of-force, bias-free policing, accountability, and the SFPD's staffing task force
- Building on successes from 2018, including the DPA's first-ever sustained case of police misconduct related to biased policing
- Providing resources to underserved communities, including translating our new Know Your Rights for Youth in San Francisco brochure into seven languages
- Getting the word out about our NEW LOCATION at 1 South Van Ness Avenue, 8th Floor

Outreach to underserved communities has contributed to a huge increase in complaints and we want to make sure people continue to know about our services and where to find us. Please contact us if your organization is interested in having DPA material for your clients or customers.

Sincerely,



**PAUL D. HENDERSON**

Executive Director



# About Our Office

The Department of Police Accountability (DPA) is the independent and impartial oversight agency responsible for investigating complaints against San Francisco Police Department (SFPD) officers, investigating SFPD officer-involved shooting incidents, providing policy recommendations, and conducting biannual performance audits. The DPA has investigated and mediated complaints about officers and SFPD policy since 1983. Information learned during investigations and audits allows the DPA to make policy recommendations to the Police Commission and the SFPD.

The DPA provides a safe space for people to share their experiences and communicate the impact that police contact can have on vulnerable and economically underserved communities. The DPA is a lifeline for many community members during their worst moments. At a time when the public desires a path toward justice and equity, civilian oversight can bridge gaps between law enforcement and the communities they serve.

Even when investigations do not reveal misconduct, the DPA fulfills an important role for the City by focusing attention on making community experiences transparent and by developing policies. Contact with the DPA gives community members an opportunity to be heard and to know that the City cares about fairness in the policing process. Hearing about pain points from the community also influences the DPA's outreach and education efforts and can lead to policy change at the SFPD.

In addition to having a significant impact on individual lives, the DPA is in a unique position to effect change across the SFPD by enabling stakeholders to make data-driven decisions. The DPA is the steward of a vast amount of data, including investigative outcomes and audit findings. With the proper technical tools, the DPA will begin publishing and interpreting its data in new ways that are both meaningful and understandable to stakeholders and the public.

## Looking Back on Our Accomplishments

New leadership and vision have transformed the DPA in recent years, creating a strong foundation for the accomplishments of 2019. A confluence of factors, including filling staffing vacancies, implementing a new investigative team model in 2018, initiating DPA's voter-mandated audit function in 2017, and continuing to work on the DOJ's COPS Collaborative Reform Process have revitalized the DPA and set the department up for future successes.

### Department of Justice Collaborative Reform

In 2016, the U.S. Department of Justice published the *Collaborative Reform Initiative: An Assessment of the San Francisco Police Department*. The assessment included 272 policy and practice reform recommendations aimed at increasing public trust through improvements in community policing practices, transparency, professionalism, and accountability while taking into account national standards, promising practices, emerging research, and community expectations (the California Department of Justice assumed responsibility for monitoring collaborative reform efforts in 2018). Seventy of the recommended reforms involved DPA participation.

The DPA's 2019 collaborative reform efforts focused on recommendations related to the working relationship between the DPA and the San Francisco Police Department, the Firearms Discharge Review Board, and Officer-Involved Shooting (OIS) cases. Although administrative challenges and requests to meet and confer with labor representatives have significantly delayed progress, the DPA is committed to the collaborative reform process and will continue implementing the DOJ's recommendations.

### Simplified Reporting

Over the past few years, the DPA has greatly simplified its monthly, quarterly, and annual reports by removing duplicative, outdated, and obsolete information. Summary statistical charts, tables, and graphs are now incorporated throughout our reports for context.

The DPA recognizes that meaningful civilian oversight is transparent. The DPA's quarterly and annual reports go beyond publishing required investigation statistics to include key information about DPA operations. To foster open dialogue with members of the community and other stakeholders, the DPA also publishes quarterly policy recommendations and monthly complaint data.

The DPA benchmarks the content of all these reports against those published by similar organizations in other jurisdictions to ensure that the DPA's reports are amongst the most comprehensive and transparent available.

### Investigative Efficiencies in 2018

In 2018, the investigation and legal teams brought renewed focus to improving investigative efficiency and internal collaboration. Development of a team model and case triage system resulted in a 39% reduction in the average time to investigate all cases and a 293% performance improvement for meeting the DPA's 9-month charter goal for completing sustained case investigations. Under the new system, investigators and lawyers worked closely together from the time complaints were filed through the investigation and closure of each case. This helped the DPA identify complex issues requiring extensive investigation early on, a technique for avoiding backlogs. Teams worked diligently in 2018 to address a backlog of cases from previous years while opening 31% more cases than in 2017. Efforts were also made to streamline the officer-involved shooting investigation process with the SFPD before the District Attorney's Independent Investigations Bureau (IIB) assumed primary responsibility for the criminal investigations.

### Biased Policing Case

In 2017, the DPA made Improper Conduct (Sustained) findings in a biased policing case for the first time in the agency's history. Because biased policing cases are historically difficult to investigate, the DPA is working to develop new protocols for investigating bias cases and is seeking funding to conduct an audit focused on bias patterns in policing.



# Investigations

2019

Total New Cases

773

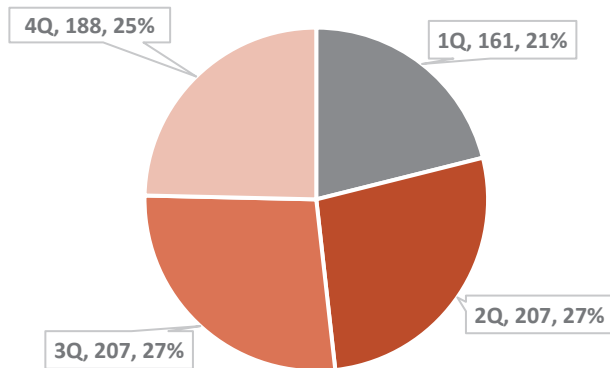
Total New Allegations

2,470

## STATISTICAL OVERVIEW

In 2019, the DPA received 773 complaints of police misconduct, a **53% increase over the previous two years**. The 773 new complaints yielded 2,470 allegations against 1,815 subject officers (some officers received multiple complaints). Of 664 closed cases, 86 included improper conduct (sustained) findings against San Francisco police officers, which is a **19% improper conduct (sustained) rate** for the year.<sup>1</sup> The DPA **completed four officer-involved shooting investigations**, with six investigations ongoing. The DPA resolved **38 cases through mediation**.

### 2019 CASES OPENED BY QUARTER



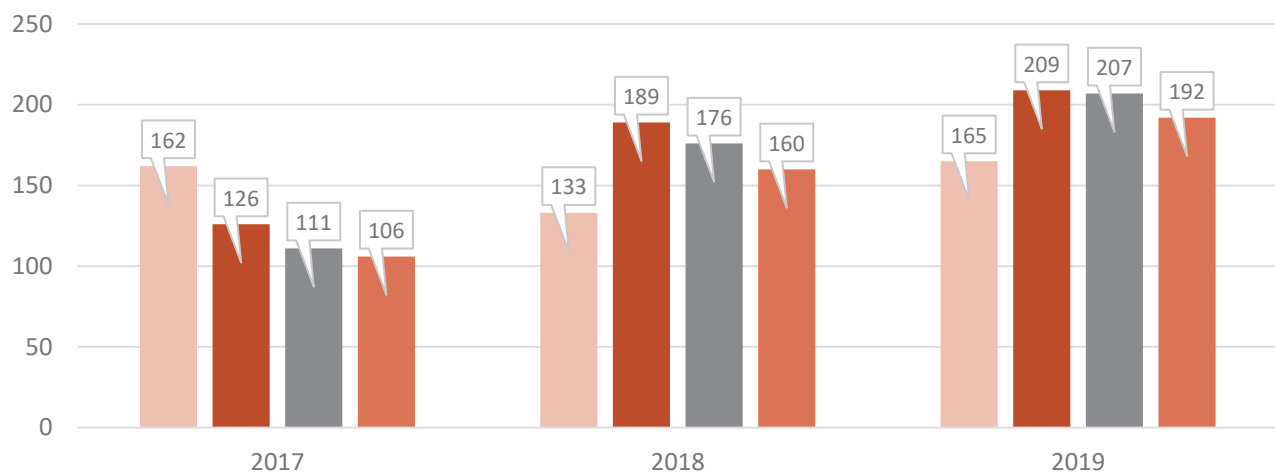
### CLOSED CASE DISPOSITIONS

#### Investigated

Improper Conduct Cases	86
Proper Conduct, Unfounded, Insufficient Evidence, Supervision Failure, Training Failure, Policy Failure Cases	451
<b>Mediated</b>	38
<b>Referred</b>	79
<b>Withdrawn</b>	10
<b>Total Cases Closed</b>	<b>664</b>

See pages 5 and 6 for term definitions.

### 3-YEAR COMPARISON OF CASES OPENED BY QUARTER



<sup>1</sup>Improper Conduct (Sustained) cases have at least one proven allegation of misconduct. The improper conduct (sustained) rate is the percentage of *investigated cases* closed with at least one “improper conduct (sustained)” allegation finding. Withdrawals, mediated cases, referrals, and purely informational complaints are not considered investigated cases for the purpose of calculating the improper conduct (sustained) rate.

## THE COMPLAINT PROCESS

The DPA investigates every complaint received. When a complaint first comes to the DPA's attention, an investigative team carefully reviews all aspects of the incident that led to the complaint. The investigator listens to the person making the complaint, identifies the rules the officers should have followed, and then investigates whether the officers followed the rules. During an investigation, every rule the officer may have broken is tracked with an *allegation*. When the investigation concludes, the DPA issues a *finding* for each allegation. A finding is the DPA's final decision about whether misconduct happened. The terminology for allegations and findings was updated mid-2019.



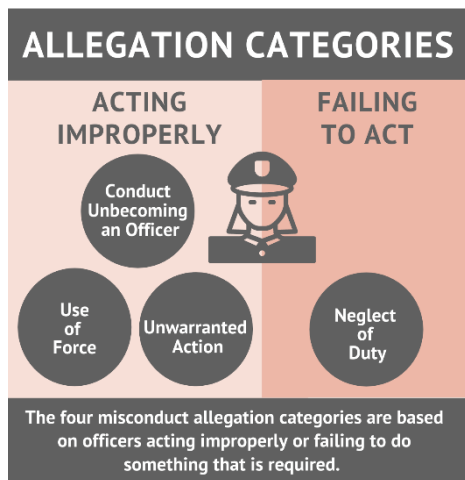
DPA ACCEPTS COMPLAINTS IN-PERSON, ONLINE, BY PHONE, AND BY MAIL

## NEW TERMINOLOGY FOR ALLEGATIONS AND FINDINGS

Following US Department of Justice recommendations, the DPA and the SFPD adopted uniform language for investigative allegations and findings. Allegations are a way to describe officer misconduct and are usually brought at the beginning of an investigation. At the end of an investigation, we make a finding for each allegation. A finding is the DPA's decision about an allegation based on the evidence.

The SFPD and the DPA both conduct administrative misconduct investigations and the SFPD may conduct a concurrent investigation of any DPA complaint. In the past, the SFPD and the DPA described and categorized the same misconduct allegations and findings using different terms. This led to difficulties tracking conduct over time for the purposes of evaluating officer performance and making progressive discipline decisions.

In May 2019, the SFPD and the Police Commission adopted a revised Department General Order 2.04, "Complaints Against Officers," which outlined new language for the administrative findings reached at the conclusion of investigations. When there is not enough evidence to prove or disprove an allegation, the DPA will now use the term "insufficient evidence" instead of "not sustained." The DPA will now use the term "improper conduct" instead of "sustained." An "improper conduct" finding means the DPA proved an allegation by showing that, more likely than not, an officer broke a rule or law. Other findings are used when the evidence shows that no rule or law was broken.



Also in 2019, the SFPD and the Police Commission adopted new disciplinary guidelines, which categorized and enumerated types of misconduct allegations. The DPA



adopted the SFPD's new allegation and finding terminology and categories with the implementation of its new case management system in July 2019.

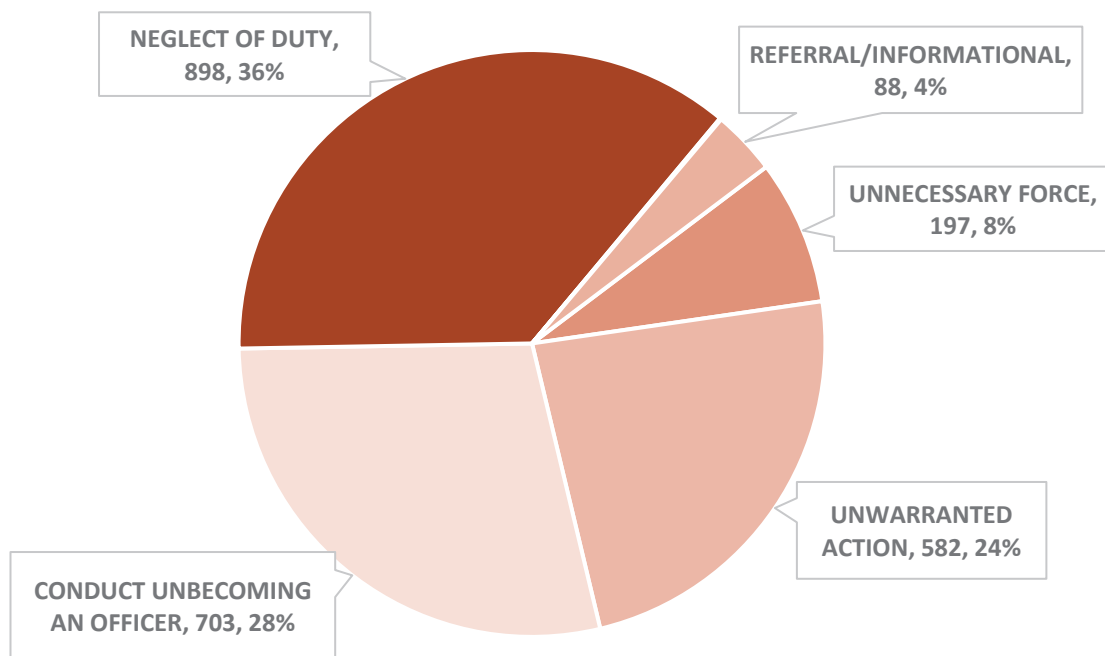
## TERMS & DEFINITIONS

ALLEGATIONS		FINDINGS	
FORMER TERM	NEW TERM	FORMER TERM	NEW TERM
UNWARRANTED ACTION	UNWARRANTED ACTION	SUSTAINED	IMPROPER CONDUCT
An officer's actions were unnecessary or unrelated to a legitimate police purpose.		The evidence proved that an officer broke a rule or law by doing something improper or by failing to complete a task.	
NEGLECT OF DUTY	NEGLECT OF DUTY	PROPER CONDUCT	PROPER CONDUCT
An officer failed to complete a required task.		An officer’s actions complied with police rules, training, and applicable laws.	
UNNECESSARY FORCE	USE OF FORCE	UNFOUNDED	UNFOUNDED
An officer used more force than was reasonably needed to perform a necessary police action.		Allegations are unfounded when a complaint is made about something that did not occur or when an officer specifically identified by the complainant was not actually involved.	
CONDUCT REFLECTING DISCREDIT	CONDUCT UNBECOMING AN OFFICER	NOT SUSTAINED	INSUFFICIENT EVIDENCE
DISCOURTESY		There was not enough evidence to prove or disprove the allegation.	
RACIAL OR SEXUAL SLURS		SUPERVISION OR TRAINING FAILURE	SUPERVISION OR TRAINING FAILURE
An officer's rude or inappropriate behavior undermined public confidence or reflected poorly on the Police Department.		An officer’s improper actions or failure to complete a required task were the result of inadequate supervision or training.	
CONDUCT UNBECOMING AN OFFICER combines and replaces CONDUCT REFLECTING DISCREDIT, DISCOURTESY, RACIAL SLURS, SEXUAL SLURS		POLICY FAILURE	POLICY FAILURE
		Although an officer’s actions complied with police rules, the DPA recommends that the rules be changed.	

## ALLEGATIONS

Allegations describe officer misconduct. Multiple allegations are usually investigated for each case. In 2019, 2,470 new allegations were brought against 1,815 officer involvements (some officers were the subject of multiple investigations). The most common allegations were Neglect of Duty, Conduct Unbecoming an Officer, and Unwarranted Action, which combined made up 88% of all allegations.

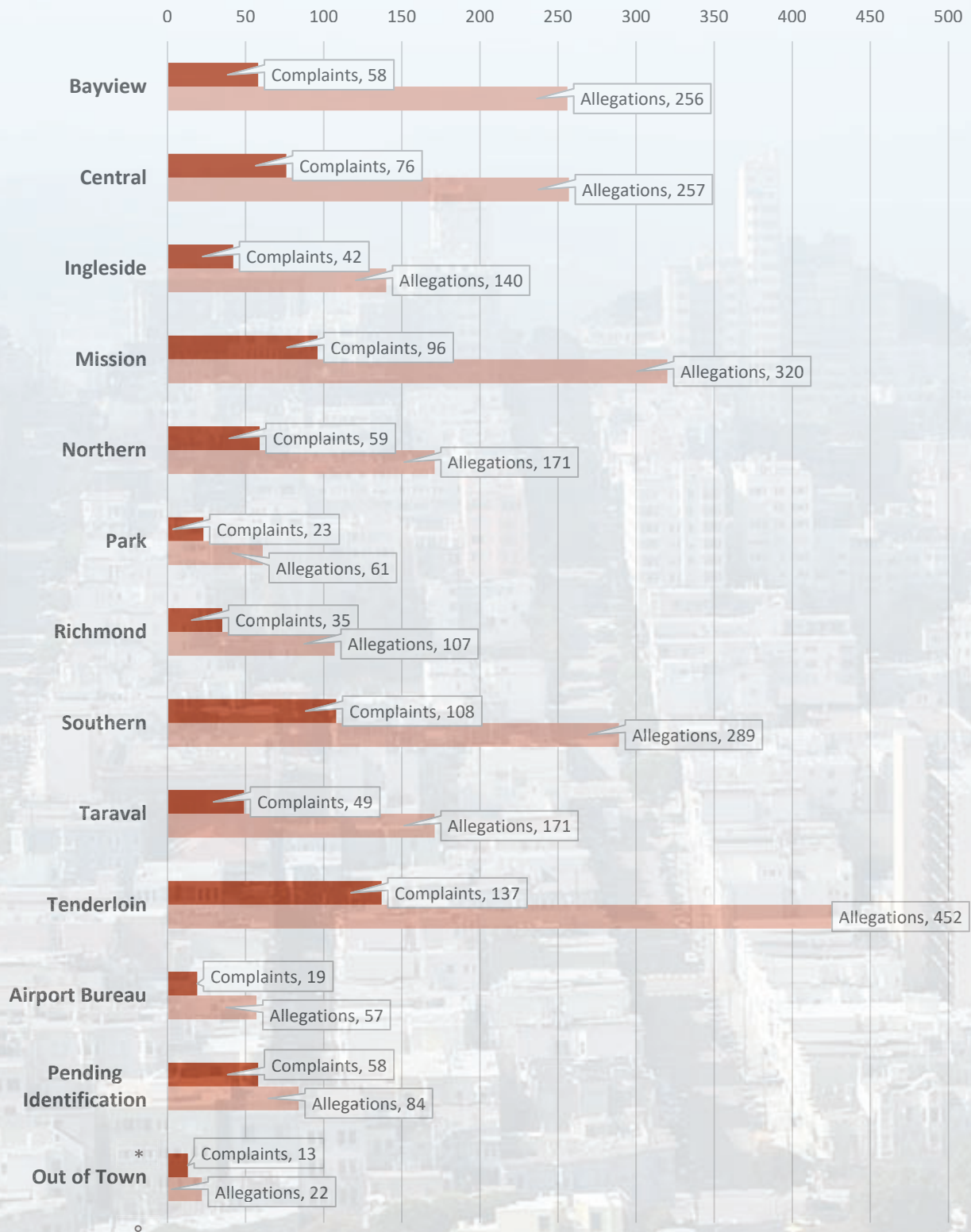
### ALLEGATIONS BY TYPE



Neglect of Duty.....	898
Conduct Unbecoming an Officer.....	703
Unwarranted Action.....	582
Unnecessary Force.....	197
Referral / Informational.....	88
Policy / Procedure.....	2
<b>TOTAL.....</b>	<b>2,470</b>

## COMPLAINT & ALLEGATION TOTALS

### BY DISTRICT STATION OR SPECIALIZED UNIT



\* Locations are marked “pending identification” when the district of occurrence is unknown and when case investigators are seeking additional information.

° The DPA occasionally receives complaints about incidents that occur outside the City and County of San Francisco or the San Francisco International Airport.



## Complaint and Allegation Totals by District



# COMPLAINT COMPONENTS

## Terms

### Complaint

Complaints are also called *cases* or *investigations*.

### Officers

One complaint can lead to multiple officers facing various different allegations. Some officers receive multiple complaints. In 2019, officers were involved in complaints 1,815 times.

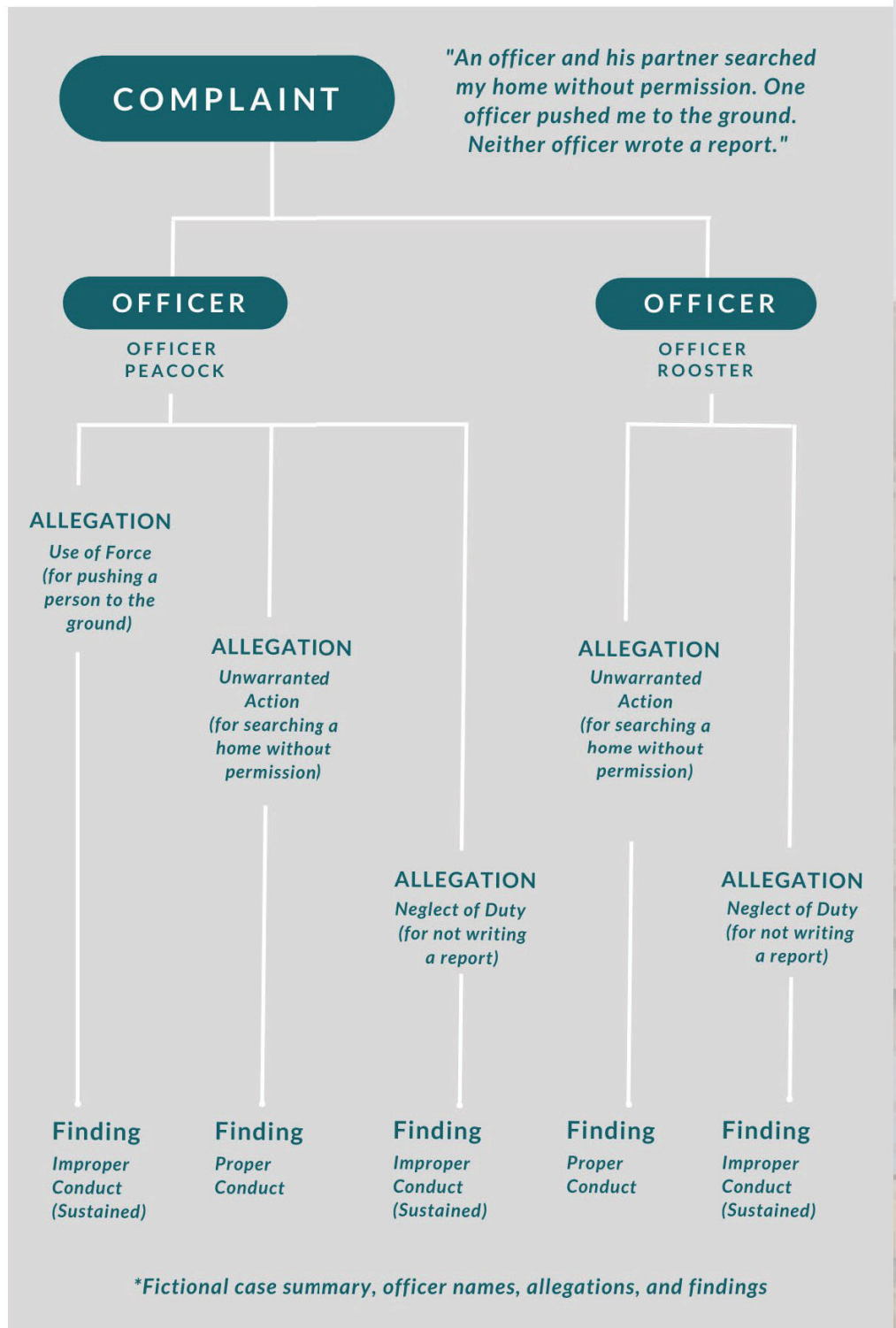
### Allegations

An **allegation** is a way to describe an individual act of potential misconduct. Complaints usually have more than one allegation to investigate. There are four categories of allegations: Unwarranted Action  
Neglect of Duty  
Use of Force  
Conduct Unbecoming

### Findings

Investigative conclusions are called findings. Each allegation is resolved with a finding that indicates whether or not the allegation was proven.

## Complaint Example



In 2019, 773 COMPLAINTS led to the investigation of 2,470 ALLEGATIONS.



## COMPLAINANT DEMOGRAPHICS

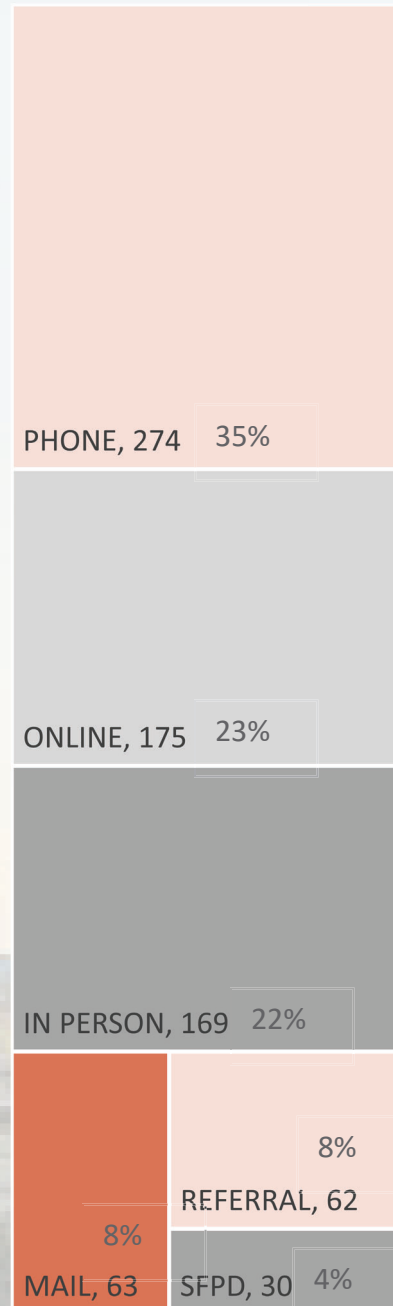
Complaints	Number	Percent
Complainants	737	95%
Anonymous	36	5%
Total	773	100%

Gender	Number	Percent
Female	256	33%
Male	344	45%
Genderqueer / Gender Non-binary	2	0%
Transgender	10	1%
Declined to State	161	21%
Grand Total	773	100.00%

Race/Ethnicity	Number	Percent
Asian	79	10%
Black or African American	153	20%
Hispanic or Latinx	79	10%
White	177	23%
Other	46	6%
Declined to State	239	31%
Grand Total	773	100.00%

Age	Number	Percent
1-13 (by an adult)	1	0.1%
14-16	1	0.1%
17-19	7	1%
20-30	77	10%
31-40	140	18%
41-50	135	17%
51-60	124	16%
61-70	83	11%
71-80	29	4%
Over 80	4	1%
Declined to State	172	22%
Grand Total	773	100%

## HOW COMPLAINTS WERE RECEIVED





## COMPLETED INVESTIGATIONS

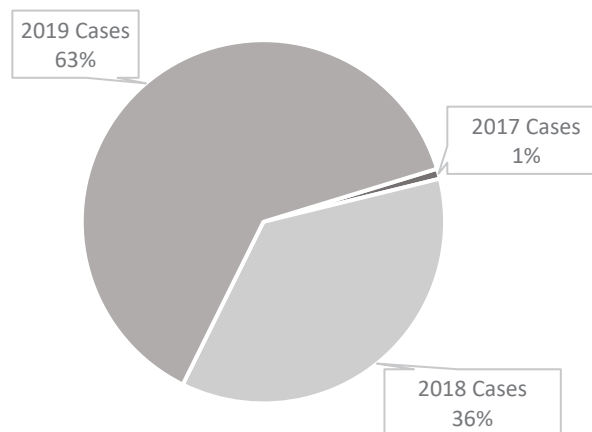
In 2019, the DPA closed 664 cases.

Cases Closed in 2019  
by Year Filed

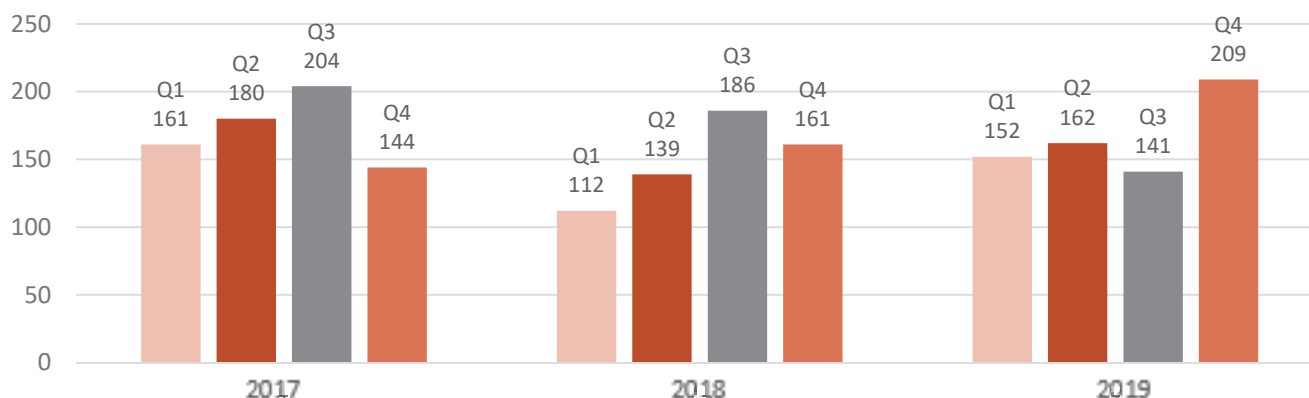
Year Filed	Closed
2017 Cases	6
2018 Cases	240
2019 Cases	418

**All cases were closed  
within statutory deadlines.**

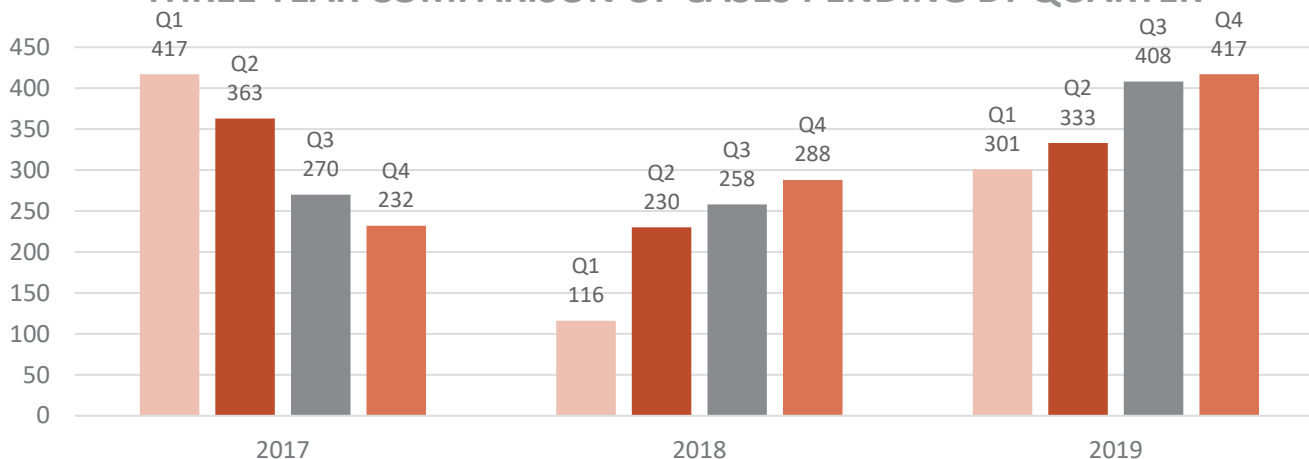
### CASES CLOSED IN 2019 BY YEAR FILED



### THREE YEAR COMPARISON OF CASES CLOSED BY QUARTER



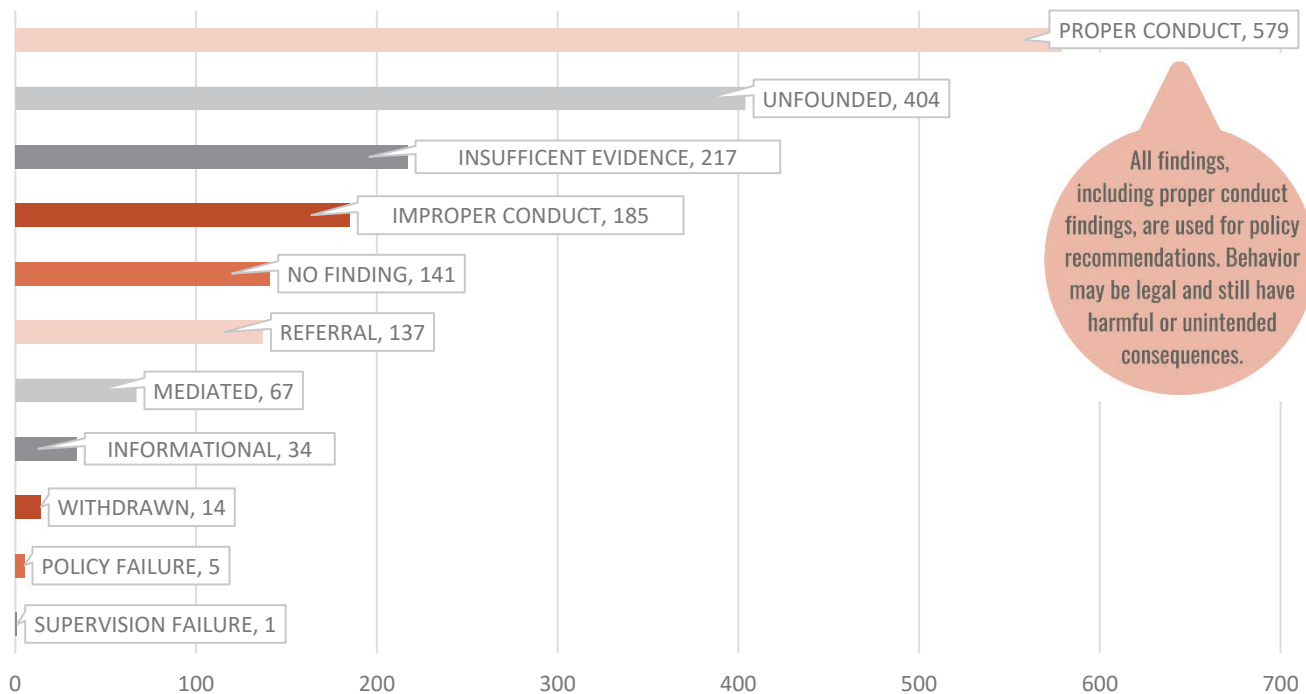
### THREE YEAR COMPARISON OF CASES PENDING BY QUARTER



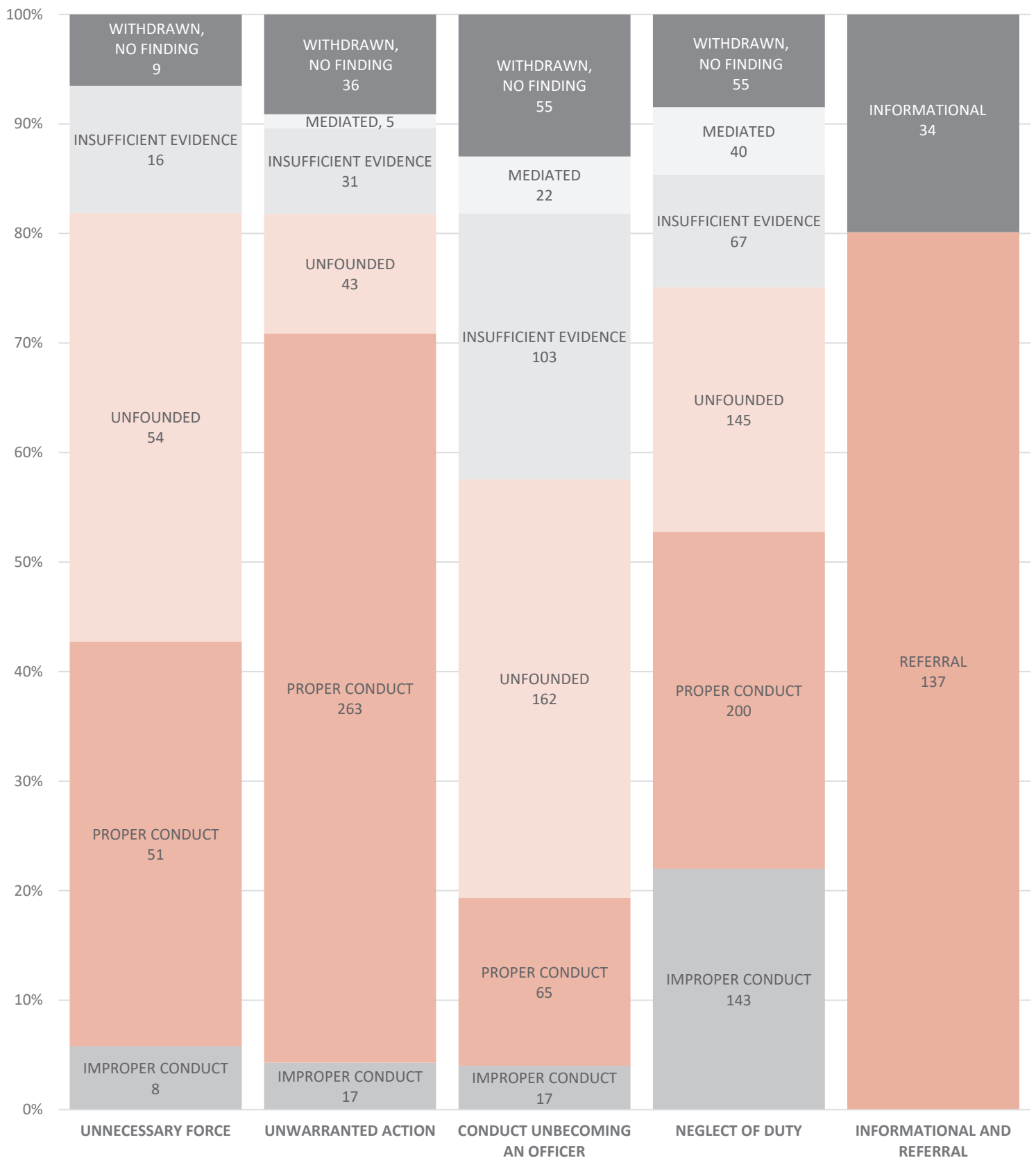
## INVESTIGATION FINDINGS

Each allegation gets its own finding at the end of an investigation. The 664 investigations completed in 2019 resulted in 1,784 individual allegation findings. The DPA adopted new findings terminology mid-year with the implementation of a new case management system. See page four for a detailed explanation of the change.

<b>IMPROPER CONDUCT</b> The evidence proved that an officer broke a rule or a law. The officer did something improper or failed to complete a required task.	<b>PROPER CONDUCT</b> The officer's actions complied with police rules, training, and applicable laws.
<b>INSUFFICIENT EVIDENCE</b> There was not enough evidence to prove or disprove the allegation.	<b>UNFOUNDED</b> Allegations are unfounded when: 1) a complaint was made about something that did not occur, or 2) an officer specifically identified by the complainant was not actually involved.
<b>SUPERVISION OR TRAINING FAILURE</b> The officer's improper actions or failure to complete a required task were the result of inadequate supervision or training.	<b>POLICY FAILURE</b> Although the officer's actions complied with police rules, the DPA recommends that the rules be changed.
<b>MEDIATED</b> The allegation was voluntarily resolved through mediation.	<b>INFORMATIONAL</b> The officer's actions complied with police rules, training, and applicable laws.
<b>REFERRAL</b> The allegation was referred to an agency with jurisdiction.	<b>WITHDRAWAL AND NO FINDING OUTCOMES</b> DPA discontinues investigating complaints that are voluntarily withdrawn. A "No finding" outcome occurs when an involved officer cannot reasonably be identified or is no longer employed by SFPD and therefore cannot be disciplined.

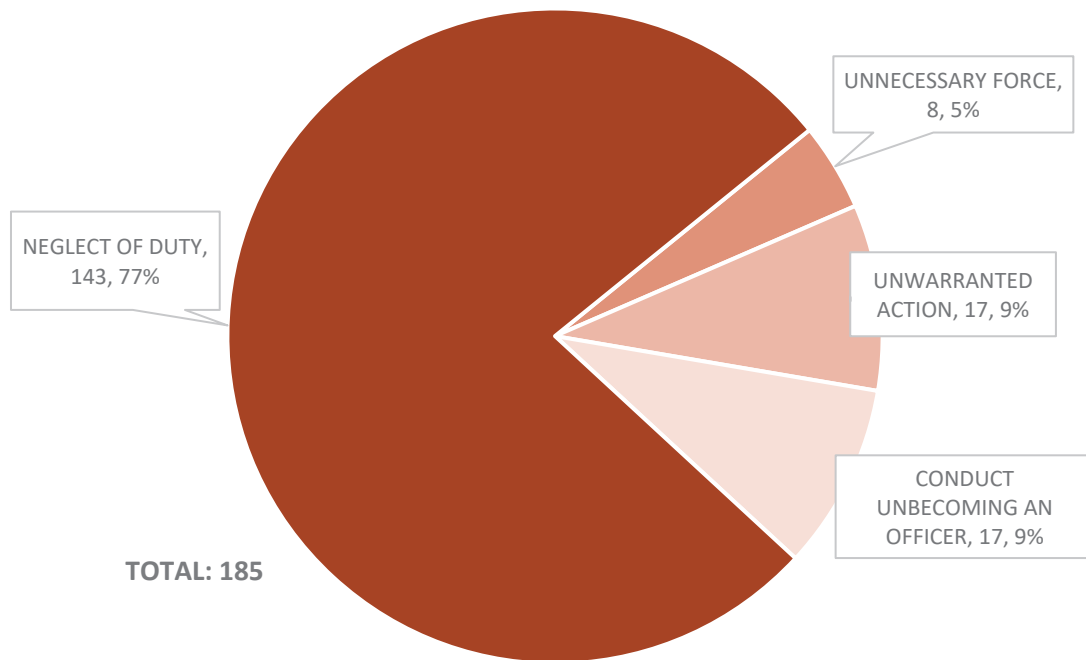


## ALLEGATION FINDINGS BY TYPE





## IMPROPER CONDUCT (SUSTAINED) FINDINGS BY ALLEGATION TYPE



### IMPROPER CONDUCT (SUSTAINED)

An Improper Conduct (Sustained) finding means the DPA's investigation proved that, more likely than not, an officer broke a rule or a law.

# Discipline Study

## Discipline Process

For cases with proven misconduct, the DPA sends an investigative report and officer discipline recommendations to the Chief of Police (Chief). The Chief has authority over cases when the recommended discipline is less than a 10-day suspension, which is the majority of cases. The Police Commission decides cases meriting more than a 10-day suspension.<sup>2</sup>

## An Update on DPA's 2018 Discipline Study

In its last annual report, the DPA analyzed disciplinary outcomes for improper conduct (sustained) cases sent to the Chief from June 2017 through December 2018. The study comprised 130 officers with 170 improper conduct (sustained) allegations. When the 2018 annual report was published last year, 18% of Chief's findings and 18% of officer discipline decisions were unknown to DPA.<sup>3</sup> In the interim year, the DPA received updates on a small percentage of cases involving four officers and six allegations. One year later, 14% of Chief's findings and 15% of Chief's discipline decisions are still unknown.

## Discipline Study: June 2017 – December 2019

The DPA's 2019 Discipline Study covers 165 cases sent to the Chief from June 2017 through December 2019.<sup>4</sup> The 165 cases comprise 260 officers with 349 improper conduct (sustained) allegations.<sup>5</sup> **The Chief agreed with 49% of the DPA's improper conduct findings and disciplined officers 45% of the time.**<sup>6</sup>

When the Chief disciplined officers, he followed DPA's discipline recommendation 38% of the time. Eight percent of officers received lower-level discipline and 2% received higher discipline. Two percent of officers resigned or retired before being disciplined. **The Chief's decisions on 16% of improper conduct findings remain unknown.** It is also unknown whether the Chief disciplined 15% of officers. This is a 3% decrease in the rate of outcomes unknown to the DPA since last year. Six percent of the DPA's improper conduct cases were Commission-level cases meriting more than a 10-day suspension.

Study Scope	
Months	31
Cases	165
Chief – 153	
Commission – 11	
Split – 1	
Officers	260
Allegations	349

<sup>2</sup> Although DPA makes officer discipline recommendations for improper conduct (sustained) cases, only the Chief and Police Commission have the power to discipline officers.

<sup>3</sup> The Chief must make discipline decisions within 45 days of receiving discipline recommendations from the DPA (San Francisco Charter 4.136(e) and Administrative Code 96.2(b)(1)). The DPA requested the Chief's records for each case multiple times before publication.

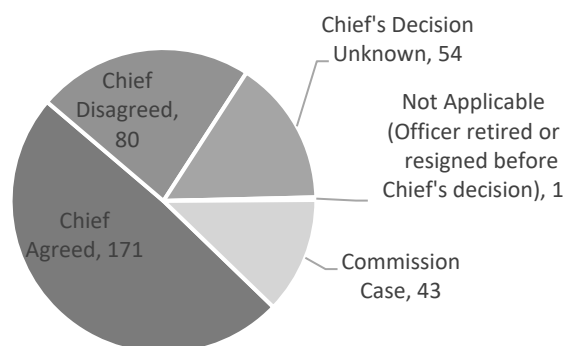
<sup>4</sup> This study builds on the DPA's 2018 Annual Report by updating results, showing discipline trends over time, and demonstrating the DPA's persistent difficulties obtaining case-related records from the SPFD.

<sup>5</sup> Officers can have multiple and concurrent improper conduct (sustained) cases. Each case is a separate matter and opportunity for discipline. The 260 officers tracked in this study include 24 officers with multiple cases—one officer with four improper conduct (sustained) cases and 23 officers with two improper conduct (sustained) cases. Controlling for multiple cases, the count of unique officers facing discipline one or more times during the study period is 234.

<sup>6</sup> The DPA relied upon Chief's Notices of Intent, verbal notifications, and informal emails from Police Legal Division for purposes of this study. The DPA received formal Declination Letters and Final Orders for only 27% of cases.

Did the Chief agree with DPA's Improper Conduct (Sustained) finding?		
Chief's Finding	Allegations	
Chief Agreed	171	49%
Chief Disagreed	80	23%
Chief's Decision Unknown*	54	16%
Not Applicable (Officer retired or resigned before Chief's decision)	1	0%
Commission Case	43	12%
<b>Total</b>	<b>349</b>	<b>100%</b>

## Did the Chief agree with DPA's Improper Conduct (Sustained) finding?



Did the Chief discipline the officer?		
Outcome	Officers	
Chief Disciplined Officer	118	45%
Chief Did Not Discipline Officer**	80	31%
Unknown Whether Chief Disciplined	39	15%
Officer Resigned	3	1%
Officer Retired	1	0%
DPA Recommended Retraining or Admonishment	2	1%
Commission Case	17	7%
<b>Total Officers</b>	<b>260</b>	<b>100%</b>

How did the Chief's intended discipline compare with DPA's recommendation?		
Discipline Level	Officers	
Same as Recommended by DPA	99	38%
Lower than Recommended by DPA***	20	8%
Higher than Recommended by DPA***	5	2%
Declined to Discipline Officer	76	28%
Unknown	39	15%
Not Applicable (No discipline recommended)	6	2%
Commission Case***	15	6%
<b>Total Officers</b>	<b>260</b>	<b>100%</b>

\* Includes cases for which DPA received informal notification that an officer was disciplined, but no information about the Chief's findings or reasonings.

\*\* Includes four officers who were not served notice of the Chief's intent to discipline within the statutory deadline.

\*\*\* In this table, one of the 17 Commission matters is counted in the "Lower" category because the Chief intended to impose lower discipline, causing the DPA to appeal to the Commission. One Commission matter is counted in the "Higher" category because the Chief elevated the case to the Commission.

## Did the Chief discipline the officer?



\* Totals based on a combination of final orders, preliminary notices, informal written updates, and verbal updates (see Notification Issues section below).



## Notification Issues

Improper Conduct (Sustained) cases conclude when the one-year statutory time limit for investigations ends or when the Chief sends the officer a final written decision in the form of a Final Order for Discipline (Final Order) or a Declination Letter. **Over the entire 31-month study period, the DPA received Final Orders and Declination Letters for only 27% of officers (64 Final Orders and 6 Declination Letters).** The DPA received Chief's Notice of Intent letters, which are preliminary records, for 58 (22%) officers. The DPA received Verbal notifications for 39 (15%) officers and relied on informal email messages from Police Legal for 34 (13%) officers. The DPA made assumptions about 1% of officers based on retirement notifications found in Personnel Orders. The DPA did not receive notification for 16% of officers and it is unknown whether the Chief made disciplinary decisions before the investigative time limit in those cases.

Because the DPA received final written records for only 27% of officers, the DPA relied on Chief's Notice of Intent Letters, verbal updates, informal emails, and personnel orders for 51% of officers (the remaining 21% of officers are the 41 officers with unknown discipline and the 15 officers under Commission jurisdiction). However, reliance on preliminary, verbal, and informal information is problematic because discipline can change before Final Orders or Declination Letters are issued (officers can dispute disciplinary decisions in Chief's Hearings and Notices of Intent are not dispositive). For many verbal notifications and informal email updates, the DPA does not know whether the decisions are final or still pending appeal.

Additionally, final orders and letters contain Chief's findings, which are used for more than simply tracking discipline. The Chief's findings determine whether records can be released publicly for two categories of cases under SB1421 (see page 22). In cases where officers resign or retire before the Chief can impose discipline, the Chief's findings are still valid. The same is true for cases where officers were not served notice of final disciplinary orders in a timely manner<sup>7</sup> and when the Chief makes improper conduct findings but declines to discipline. Also, the Chief occasionally determines that an officer's actions are the result of a policy failure, which information is valuable for the DPA's policy work.

The DPA is Charter-mandated to conduct a performance audit or review of SFPD's handling of officer misconduct investigations every two years and SFPD is required to provide all requested discipline records. As such, the DPA's future Discipline Studies will only rely on Final Orders and Declination Letters and will be published as part of a formal performance audit or review.

<sup>7</sup> Although the DPA's investigations were complete and the Chief's final orders were ready, officers in Appendix cases 73, 101, 113, and 141 were not served within the statutory deadline.

Improper Conduct Cases: Chief's Findings and Officer Discipline  
June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
1	A Commission-certified officer improperly interpreted testimony for a defendant, causing the improper translation of crucial testimony statements. A notice was emailed and presented to the officer, who declined to make statements when investigating her. The inaccurate and erroneous conclusion was documented in a police report and led to the mother's prosecution.	Officer 1	Conduct Reflecting Discredit	Misrepresenting the truth	Chief Agreed	Chief Disciplined	3-Day Suspension	3-Day Suspension
			Neglect of Duty	Preparing an inaccurate incident report	Chief Agreed	Chief Disciplined	3-Day Suspension	3-Day Suspension
			Neglect of Duty	Failing to provide proper translation services	Chief Agreed	Chief Disciplined	3-Day Suspension	3-Day Suspension
2	An officer did not properly investigate an individual stopped for driving under the influence. The officer did not accurately interpret field sobriety tests and misrepresented the results of the breathalyzer test. The officer also failed to request for a urine or the police report. The misrepresentation caused the administration of an unnecessary blood test and prosecution.	Officer 1	Neglect of Duty	Failing to comply with Department's Breathalyzer, Traffic Stop, and Collection Program Information	Chief Agreed	Chief Disciplined	3-Day Suspension	3-Day Suspension
			Neglect of Duty	Preparing an inaccurate incident report	Chief Agreed	Chief Disciplined	3-Day Suspension	3-Day Suspension
3	The complainant called a police officer at a home and phone, then begged him to leave. The officer made a verbal report and returned to write an incident report.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Agreed	Not Disciplined	Written Reprimand	No Discipline
			Neglect of Duty	Failing to prepare an incident report	Chief Agreed	Chief Disciplined	3-Day Suspension	3-Day Suspension
4	The officer cited the complainant for failing to clear a parked sign prohibiting left-turn lanes. However, there was no posted sign prohibiting the turn. The officer's reasoning for not issuing the citation prior to leaving.	Officer 1	Neglect of Duty	Issuing a citation without cause	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 2	Neglect of Duty	Failing to properly supervise	Unknown	Unknown	Written Reprimand	Unknown Outcome
5	The complainant reported to 911 and to responding officers an alleged sexual assault on a complainant, a complainant, with his vehicle. The victim stated the responding officers discouraged him from filing a report and failed to prepare a required incident report.	Officer 1	Neglect of Duty	Failing to prepare an incident report	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 2	Neglect of Duty	Failing to prepare an incident report	Unknown	Unknown	Written Reprimand	Unknown Outcome
6	The officer conducted a traffic stop of the complainant vehicle without stopping. One officer stopped the other officer's vehicle, then left without logging off. Another officer (complainant) with the vehicle, leaving a complaint. He also removed and the complainant's registration sticker, including it in a vehicle, and returned the vehicle without logging off, despite the fact that the registration sticker was valid.	Officer 1	Neglect of Duty	Failing to communicate with complainant	Chief Agreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Neglect of Duty	Failing to properly process property	Chief Agreed	Chief Disciplined	3-Day Suspension	3-Day Suspension
		Officer 3	Neglect of Duty	Failing to communicate with complainant	Chief Agreed	Chief Disciplined	3-Day Suspension	3-Day Suspension
		Officer 4	Neglect of Duty	Issuing a citation without cause	Chief Agreed	Chief Disciplined	3-Day Suspension	3-Day Suspension
		Officer 5	Neglect of Duty	Failing to communicate with complainant	Unknown	Unknown	Written Reprimand	Unknown Outcome
7	The complainant stated that he resigned from the SFPD following his conviction on several felony charges. The complainant stated he requested that an officer return personal property from his Department locker. The officer who returned the property failed to document or record the process.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Unknown	Unknown	Written Reprimand	Unknown Outcome
8	The complainant stated a police report did not accurately reflect that the complainant was properly operating the vehicle when an automobile accident occurred. The report indicated that the officer who issued the complaint with his vehicle, was making a left turn when he was actually making a right turn. A small mistake in the report, which was not corrected, led to the complainant's conviction on the charge of driving without a license. The complainant's conviction was reversed by the court.	Officer 1	Neglect of Duty	Preparing an inaccurate incident report	Chief Agreed	Not Disciplined	Written Reprimand	No Discipline
9	An officer failed to treat the complainant and staff at a family services agency with courtesy and respect when responding to multiple calls for service.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Unknown	Unknown	Written Reprimand	Unknown Outcome

See Appendix A for a full case list and summaries.

# Policy

With the goal of improving community-police relations, the DPA makes quarterly recommendations on changing or amending San Francisco Police Department policies and procedures.

## Equity

The Department of Police Accountability's policy work provides a unique opportunity to advance police reform. Unlike many cities where police departments create their policies without input from the communities they serve, the DPA advocates for policing reforms that enhance the relationship between the community and the Police Department. As mandated by the San Francisco City Charter, the DPA makes quarterly recommendations to the Police Department and the Police Commission concerning the SFPD's policies and practices. The DPA's recommendations are often based on its complaint investigations and its authority to investigate all officer-involved shootings resulting in death or injury that occur in San Francisco. The DPA's recommendations sometimes arise from its participation in working groups comprising representatives from the community, city agencies, and the Police Department to address policing protocols on topics such as behavioral health crisis calls, Deaf and hard of hearing services, and language access. Additionally, the DPA makes recommendations in response to policing issues brought to the agency's attention by community members, the Police Commission, government officials and the Police Department. Our award-winning Policy Director Samara Marion and staff attorney Janelle Caywood spearhead the DPA's policy work.

## Policy Work Summary

Throughout 2019, the DPA participated in the SFPD's Executive Sponsor Working Groups to address the DOJ's Collaborative Reform 272 recommendations concerning use of force, bias-free policing, accountability, and the SFPD's Staffing Taskforce. The DPA's 2019 policy work included completing a police protocol for interactions with Deaf and hard of hearing individuals. The DPA released an updated *Know Your Rights for Youth in San Francisco* brochure to address new state and local law requirements concerning police interrogation of youth. Advancing its recommendations on consent searches to address disproportionate impact on communities of color was another focus of DPA's 2019 policy work.

## Youth Interrogation

Throughout 2019, the DPA focused on several projects involving youth. State and local laws concerning police interrogations of youth changed during the year in response to an alarming number of false confessions involving youth that resulted in wrongful convictions.

To help officers understand the changes, the DPA made recommendations for a new SFPD Department Bulletin outlining officers' new duties. Key provisions of the DPA's recommendations included:

- Before officers interrogate or obtain a *Miranda* waiver, officers should be required to ensure that detained youth have 1) spoken with the on-call juvenile attorney and 2) have been informed that a responsible adult may be present during police questioning.

## Department Bulletin

The police department announces new rules and other general information using bulletins. Officers must follow rules written in Department Bulletins.

- Officers should be required to allow youth to speak privately with legal counsel.
- Officers should be reminded in the Department Bulletin to record the *Miranda* admonition and interrogation as is currently required by Department General Order 7.01.
- Officers should be required to document compliance with the Department’s interrogation of youth procedures in the incident report.
- The Department Bulletin should emphasize the language access requirements under DGO 5.20 when interrogating youth with limited English abilities.

## Know Your Rights for Youth in San Francisco Brochure

The DPA released an updated version of its *Know Your Rights for Youth in San Francisco* brochure. The DPA first authored the *Know Your Rights for Youth* brochure in 2010 after collaborating with representatives from numerous youth organizations, City agencies, and the Police Department to revise



the Department’s general order on interactions with youth. The guide is intended to inform youth and their parents. The guide explains legal concepts such as *Miranda* rights, consensual contacts with police, detentions, pat searches, and bystander rights. It highlights the newly enacted *Jeff Adachi Youth Rights Ordinance* which requires that—before the waiver of *Miranda* rights or police interrogation—youth under the age of 18 consult with an attorney, a right that cannot be waived. It explains that the San Francisco Public Defender’s Office has an attorney available 24/7 and includes its phone number. Interactions with Immigration and Customs Enforcement are also addressed with useful community resources. The DPA collaborated with the San Francisco Youth Commission, the San Francisco Public Defender’s Office, the Asian Law Caucus: Asian Americans Advancing Justice, Strategies for Youth, Legal Services for Children, and the San Francisco Immigrant Legal and Educational Network in developing this brochure. The newly updated guide is

available in English, Spanish, Chinese, Filipino, Vietnamese, and Russian at <https://sfgov.org/dpa/youth>.

## Recommendations to SFUSD-SFPD Memorandum of Understanding

The DPA proposed recommendations to enhance the Memorandum of Understanding (MOU) between the San Francisco Unified School District (SFUSD) and SFPD. In addition to discussions with the SFPD and the SFUSD, the DPA provided suggested revisions to the San Francisco Board of Supervisors’ subcommittee hearing on June 28, 2019, and presented at Supervisor Ahsha Safa’s hearing on the progress of the SFUSD-SFPD memorandum of understanding in light of an incident at Balboa High School in August 2018.

### Recommendation Highlights:

- Require school resource officers to receive specific training concerning police interactions with youth.
- Include in the MOU that the San Francisco Public Defender is available 24/7 for youth subject to custodial interrogation, the Public Defender’s phone number, and the right to privacy during the phone call.
- Define “exigent circumstances” as an “immediate threat to the safety of the public or officers.”

- Collect data on campus arrests involving parent notification, custodial interrogation, and the ability to speak to an attorney before custodial interrogation.
- Include a provision that interpreters will be provided for Limited English Proficient students and Limited English Proficient parents during interviews, questioning, and encounters with police.
- Include SFPD Officers' requirement to notify parents pursuant to Department General Order 7.01.
- Require—instead of recommend—that SFPD officers notify school officials of their presence and purpose on SFUSD property.



## Recorded or Written Consent to Search Individuals and Their Belongings

Based upon President Barack Obama's Task Force on 21st Century Policing principles, the DPA recommended in September 2015 that SFPD modify its consent procedures to require written consent before searching individuals and their belongings when there is no warrant or probable cause. Studies indicate that African Americans and Hispanics are disproportionately searched more often and are less likely to be found with contraband than Caucasians.<sup>8</sup> Consistent with crime prevention strategies that are effective and foster bias-free policing, the DPA drafted a proposal for written or recorded consent of individuals and their belongings that includes informing individuals that they have the right to decline consent.

## Bias-Free Policing Recommendations

The DPA actively contributed to the Bias Working Group that was formed to address the Department of Justice's numerous recommendations concerning biased policing. The DPA's longstanding recommendation is that, during all investigative detentions, officers provide their name, star number, and written information on how to file a commendation or a complaint by mail and online. This recommendation is based upon President Obama's Task Force on 21st Century Policing.

## Crisis Intervention Team Incident Review Protocol

The DPA drafted a Crisis Intervention Team (CIT) Incident Review protocol in collaboration with the Crisis Intervention Team working group. The CIT Incident Review is designed to focus on lessons learned from incidents involving police response to individuals in crisis. The CIT Incident Review protocol will provide an opportunity to highlight excellent police practices and to make recommendations about the SFPD's policies, training, interagency coordination, data collection, and best practices. Department General Order 5.21 requires the Crisis Intervention Team Coordinator, in consultation with the CIT working group, to provide quarterly reports and recommendations to the Chief of Police, the Command Staff, and the Police Commission on the Police Department's response to person-in-crisis incidents. The CIT Incident Review protocol will fulfill this function by designating a CIT Incident Review committee to review CIT incidents and report recommendations to the Chief and Police Commission quarterly. This

<sup>8</sup> For example, the Department of Justice Collaborative Reform Assessment of SFPD found that "[n]ot only are African-Americans and Hispanic drivers disproportionately searched following traffic stops but they are also less likely to be found with contraband than White drivers. DOJ Finding 32, page 25 [http://sfpd.prod.acquia-sites.com/sites/default/files/2018-11/DOJ\\_COPS%20CRI\\_SFDP%20OCT%202016%20Assessment.pdf](http://sfpd.prod.acquia-sites.com/sites/default/files/2018-11/DOJ_COPS%20CRI_SFDP%20OCT%202016%20Assessment.pdf).



protocol was under review by the Police Chief as of publication.

## Timely Release of Incident Reports to Domestic Violence and Sexual Assault Survivors

The DPA participated in the Police Commission's Working Group concerning the timely release of police reports to victims of domestic violence, sexual assault, and other enumerated crimes. This was a continuation of DPA policy work that began in 2017 in response to a DPA complaint and several other reported incidents where domestic violence and sexual assault survivors were unable to obtain incident reports within the state-mandated deadline. DPA recommendations included that the SFPD:

- Implement a system for providing victim incident reports within the statutory deadline.
- Provide information on SFPD's website about how victims can obtain their incident reports pursuant to Family Code § 6228.
- Monitor and report quarterly to the Police Commission on compliance with the statutory deadlines required by Family Code §6228.

Police Commission Vice President Damali Taylor, Commissioner John Hamasaki, the DPA, community stakeholders, and SFPD representatives met several times to discuss SFPD procedures for releasing police reports pursuant to Family Code §6228. As a result of the collaborative efforts of the Police Commission, the DPA, community stakeholders and the Police Department, the DPA's recommendations have been implemented.

## Department General Order

The police department's written rules of conduct are called Department General Orders. They are established, revised, and adopted by the Police Commission after public hearings.

## Completion of a Deaf and Hard of Hearing Department General Order

The DPA continued its policy work to enhance police services, protocols, and training regarding interactions with Deaf and hard of hearing individuals. This work began in November 2017 when the DPA brought

together a group of community stakeholders, including Deaf individuals, and representatives from City agencies, the Police Commission, and the Police Department to draft a Department General Order (DGO) on police protocols for interacting with Deaf and hard of hearing individuals. Meeting monthly, the working group drafted a proposed DGO, created a traffic stop officer reference guide, and identified technologies to assist officers at the station and in the field when communicating with Deaf and hard of hearing individuals. As a result, a new DGO was adopted in July 2020.

## Enhancing SFPD's Ability to Provide Language Access Services

Continuing a practice initiated by the DPA in 2012, the DPA and the Language Access Working Group met monthly throughout the year to advance recommendations concerning language access services. The Language Access Working Group members comprise domestic violence, sexual assault and child abuse service providers, language access advocates, City agencies, Police Commissioner Petra DeJesus, and the Police Department. The Working Group focused on expanding the certified languages list to

include growing populations such as Toisan, Hindi, and Arabic. A second large project still in progress at the time of publication involves rolling out the Language Line mobile application on all patrol officer Department-issued cell phones to allow easier access to spoken language interpreters and video conferencing with American Sign interpreters when interacting with Deaf or hard of hearing individuals.

## Policy Failures Identified Through DPA Investigations

The DPA identified policy failures in five complaint investigations:

- In a complaint alleging harassment and discrimination, a sergeant investigated three Internal Affairs cases involving the same officer. The officer was being investigated as a subject officer in two cases and a victim in the third case. The sergeant investigated all three cases simultaneously without identifying a conflict of interest. The DPA concluded that SFPD's Internal Affairs Division needs clear written policies and training to identify and address conflicts of interest in internal investigations.
- A non-English speaking complainant alleged that officers failed to take action after she reported a restraining order violation and an assault by her neighbor. Although the complainant filed a supplemental report indicating that her ribs were broken during the assault, the Station Investigation Team (SIT) did not reconsider whether the case merited investigation. The DPA's investigation proved that officers failed to take required action. In addition, the DPA found that SFPD policies failed to outline a review process for reconsidering or reprioritizing initial SIT determinations.
- The DPA investigated a complaint from a sexual assault survivor that resulted in a policy failure finding. The sexual assault investigation was handled by five different Special Victim Unit (SVU) investigators over a two-year period. The reassignments resulted in seven victim interviews, some by officers with no specialized sexual assault investigation training.
- The DPA investigated a complaint involving a domestic violence and suicide investigation. A general summary of the investigation released by the SFPD led to a victim's identification, which resulted in threats and accusations that the victim had murdered the deceased. The DPA concluded the conduct was a result of a policy failure.
- The DPA investigated a complaint in which officers seized and dialed an individual's phone in a non-emergency situation. The DPA concluded that the conduct was a result of a policy failure.



## Firearm Discharge Review Board Attendance

The Firearm Discharge Review Board (FDRB) meets quarterly to evaluate whether use-of-force incidents involving the discharge of a firearm were in policy. The board consists of four voting Deputy Chiefs of the Administrative, Field Operations, Airport, and Investigations Bureaus, with five advisory members—the SFPD Range Master, the Risk Management Commanding officer, the Academy Officer-in-Charge, the DPA Executive Director, and one Police Commissioner. The DPA's Executive Director or his designee regularly attend SFPD's quarterly Firearm Discharge Review Board meetings.

# California Public Records Law: SB1421

In 2019, Senate Bill 1421 (SB1421) changed California public records law by making thousands of previously confidential police misconduct investigation records subject to disclosure.<sup>9</sup> The newly disclosable records fall under these four categories of cases and allegations:

1. Officer-involved shootings
2. Officer use-of-force that results in death or great bodily injury
3. Proven allegations that an officer engaged in sexual assault involving a member of the public
4. Proven allegations that an officer was dishonest in reporting, investigating, or prosecuting crimes and officer misconduct investigations

The DPA anticipates that disclosure of its records will benefit the community by increasing transparency and will benefit law enforcement stakeholders by providing previously unavailable information and data.

But while broadening disclosures is a positive step toward transparency, but it also imposes a monumental administrative burden. When SB1421 went into effect, the DPA immediately received comprehensive requests for all disclosable records. To comply with these requests, DPA staff undertook a systematic manual review of 37 years of historical files and identified approximately 3,000 potentially disclosable cases.

The DPA devoted significant staff hours throughout the year toward document review and redaction in order to comply with California Public Records Act disclosure requests made pursuant to SB1421. With thousands of documents and media files in queue for individual review and redaction by legal staff, the DPA anticipates that it will take several years to fulfill the comprehensive requests already received under SB1421.

<sup>9</sup> SB1421 amended Government Code section 832.7 to require disclosures under the California Public Records Act (Government Code section 6250, et seq.).

## SB1421 Production Process

### Receive Request

Some requests are about specific officers. Other requests are for categories of information.

STEP  
01



STEP  
02



### Search for Records

Depending on the request, our team gathers potentially disclosable case files by looking through a particular officer's record or by searching for incidents that match SB1421's four disclosable categories. Older files are retrieved from an archive facility.

### Review for Disclosability

Records are disclosable if they are about officer-involved shootings, use-of-force resulting in death or great bodily injury, or if they are about proven sexual assault or dishonesty.

STEP  
03



STEP  
04



### Redact Confidential Information

State law prevents disclosure of certain types of information, including witness information.

### Release Redacted Documents

STEP  
05



Government Code 832.7 requires disclosures under the California Public Records Act, Government Code 6250, et seq.

# Mediation

## Equity and Transparency

Beyond investigating individual complaints, the DPA provides mediation services with an emphasis on social justice. The objective of DPA mediations is to facilitate dialogues between community members who have filed complaints and the police officers involved in the interactions. The overall goal is to assist parties in reaching mutually acceptable and voluntary resolutions.

Successful mediation between community members and law enforcement has the power to reach beyond the issues confronting each party. It improves social justice, fairness, and transparency for the larger community. Solving problems at the micro level, between individuals, can also produce macro-level changes. And, it is through this process of accountability that social justice is advanced. It is the “account-giving” exchange between the parties—the willingness to explain one’s actions and intentions—that brings about resolution.

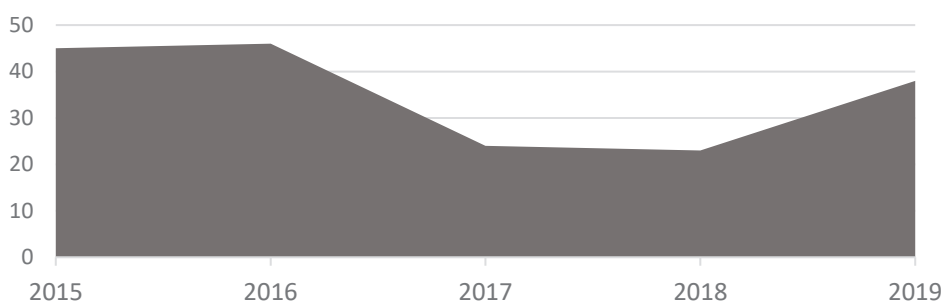
The sense of fairness that guides the mediation process is an essential component of social justice and is achieved by balancing power between parties, highlighting participant dignity, and providing opportunities for parties to present their unique perspectives. Mediators are responsible for creating level playing fields and respectful environments. Under these conditions, the parties are empowered to address the different dimensions of a conflict, unrestrained and without fear of undermining the outcome.

## Statistics

Mediation is a voluntary program. In 2019, a total of 125 cases were referred to the mediation team. Of those referrals, 38 cases (30%) were mediated. This is 15 more cases mediated than in 2018.



**MEDIATIONS BY YEAR**

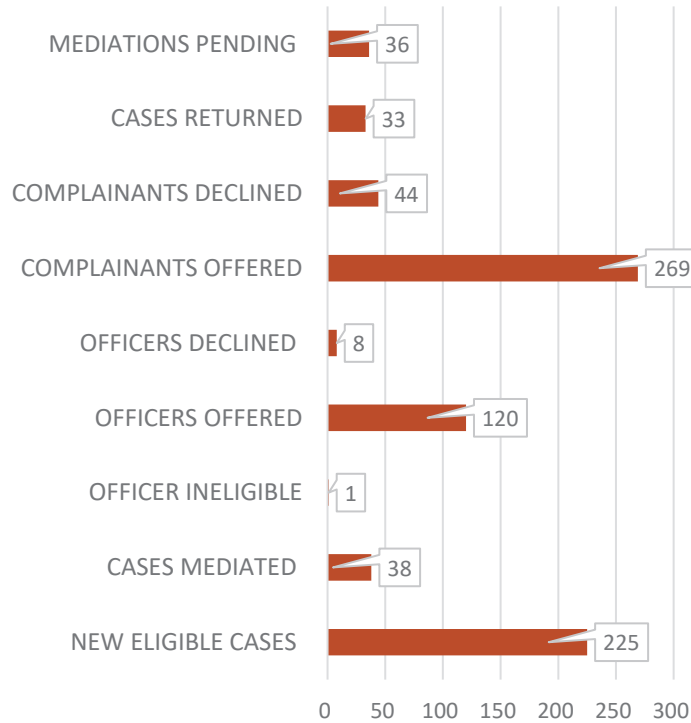


**MEDIATIONS BY YEAR**

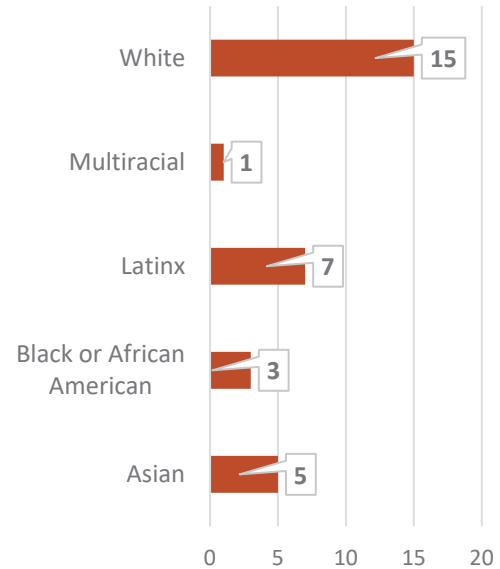
2015	45
2016	46
2017	24
2018	23
2019	38



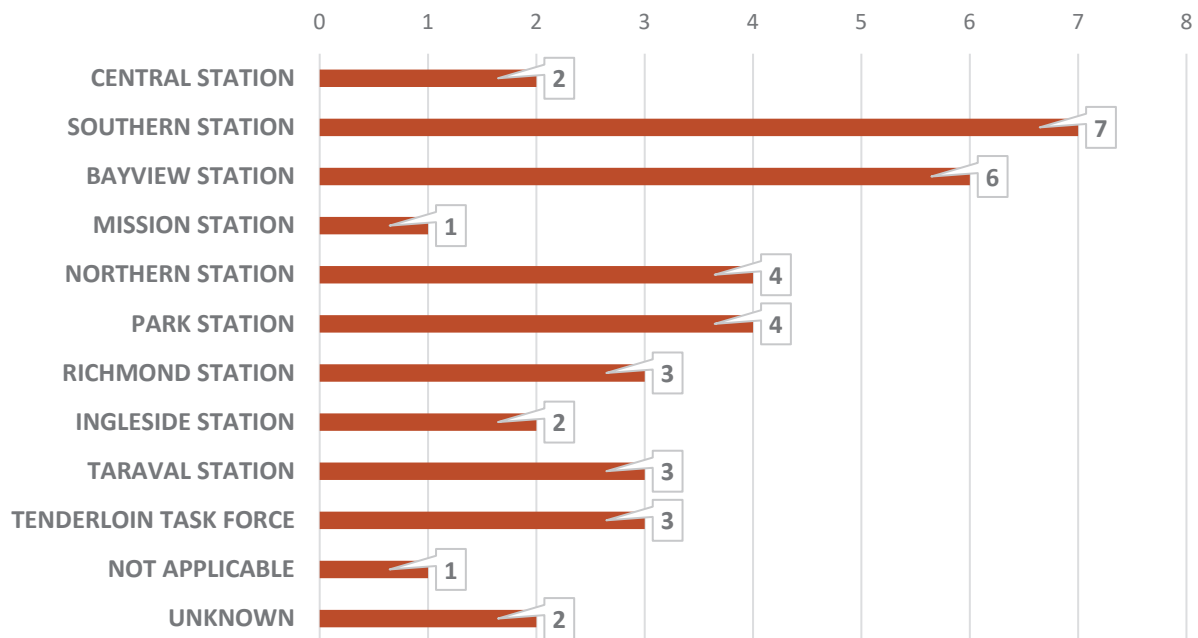
## MEDIATIONS



## DEMOGRAPHICS OF COMPLAINANTS WHO PARTICIPATE IN MEDIATION



## CASES MEDIATED BY DISTRICT



## Mediation Outreach

The mediation team held events throughout the year to engage stakeholders and increase awareness. Trainings covered best practices and provided a refresher on conducting DPA-specific mediations. Early in the year, DPA Mediation Director Sharon Owsley and Outreach Manager Danielle Motley-Lewis presented at the SFPD Captain's Meeting to Command Staff, Captains, Directors, and Employee groups about the DPA's mediation program benefits, strategic goals, and shared outreach efforts for 2019. The team also presented an overview of the DPA's mediation program at nine District Stations.

## Mediation Spotlight

### *School Zone Parking Incident*

An officer issued the complainant a citation for double-parking and blocking a driveway in a residential area while dropping her child off at school. The complainant was upset and wanted to mediate the complaint. During the mediation, the officer explained that the citation was issued at the request of a neighborhood resident. The complainant acknowledged blocking the driveway and expressed frustration that the City failed to provide adequate parking options in the school zone for students with special needs. During the mediation, the complainant shared that the school requires a parent's presence to sign her child in and out of attendance. The complainant's story enhanced the officer's awareness of challenges faced by parents and residents in that area. After the mediation, the officer's representative called the school to bring awareness to the parking issues.



### *Robbery Victim*

A robbery victim was distressed that no suspects were arrested. A representative from a district station attended the mediation. During the mediation, the complainant complimented the officer and acknowledged the officer's hard work. He expressed that he was disheartened that his case was unsolved and that the person who assaulted him was still on the streets. The station representative was empathetic and discussed the difficulties police face in solving crime, particularly when a suspect description is vague and there is no other evidence. The representative explained how robbery

investigations are handled, from reporting to prosecution. The complainant was pleased with the mediation and indicated that he planned to attend an SFPD community policing training because of his positive mediation experience.

## Mediation Conference

The DPA held a Mediation Conference at the Google Community Space for 50 attendees, including two prospective Mediators. The conference included a panel of eight DPA mediators discussing lessons learned from past mediations and best practices. The lessons included how to ensure neutrality and impartiality and how to work through perceived impasses. The best practices discussion included tips for conducting culturally competent mediations and strategies for accommodating mental health related issues. To increase community engagement, a special session on officer-involved shootings and other use of force procedures was open to the public. The intent of the session was to engage the public at-large, listen to their key concerns, provide support or feedback, and brainstorm problem-solving solutions. Two members of the Field Tactics-Force Options Unit, Sergeant Justin-Paul Bugarin and Lieutenant Michael Nevin, provided an overview on SFPD policies related to use-of-force, specifically focusing on Critical Mindset Training. They highlighted features of the SFPD's new use-of-force policy, including a training protocol used to enhance officer and public safety following critical incidents such as officer-involved shootings. Sergeant Bugarin explained an SFPD debriefing strategy that helps officers break down key moments of success and areas for improvement following critical incidents. The training helped mediators understand the important role that DPA can play in shaping SFPD policy following critical incidents.



# Audit

## Equity and Transparency

Officials entrusted with public resources are responsible for providing services effectively, efficiently, and ethically. Performance audits can evaluate whether service distribution is fair and impartial and provide objective analysis to enable officials and policymakers to make informed decisions about resource allocation.

## Audit History

Passed in 2016, Ballot Measure G amended San Francisco’s City Charter and empowered the DPA to conduct performance audits and reviews of police officer use-of-force, how the SFPD has handled claims of officer misconduct, and whether SFPD personnel and management have complied with federal and state law, City ordinances and policies, and SFPD policies.

The DPA engaged the Office of the Controller to conduct a performance audit assessing the adequacy and effectiveness of SFPD’s collection and reporting of use-of-force data. Focusing on calendar year 2017, the audit will assess the adequacy and effectiveness of SFPD’s collection and reporting of use-of-force data.

The audit will evaluate whether SFPD use-of-force data collection and reporting procedures are consistently applied and effectively guide supervisors to objectively assess whether uses of force are reasonable. Also, the audit will assess whether the SFPD’s reporting on use-of-force provides easily understood data and whether the SFPD has implemented the United States Department of Justice’s recommendations on use-of-force data collection and reporting.

## Progress

In the first quarter, the audit team developed and refined its testing methodology, including surveying the underlying use-of-force data in the SFPD’s systems, reviewing the data’s supporting documentation, and developing an understanding of the data pipeline between the systems and public reporting. The audit team conducted 28 interviews with supervising police officers, distributed a survey to all sworn personnel, performed data integrity testing, and analyzed incident-level documentation of uses of force to identify potential exceptions. The audit team reviewed use-of-force documents, incident reports, and body-worn camera footage for select incidents.

In the second quarter, the auditors continued data integrity testing and filed a petition with the Juvenile Court for access to juvenile records. While data integrity testing was ongoing, the audit team drafted an interim report on the SFPD’s public use-of-force data reports. In the third quarter, auditors met with use-of-force experts to review potential exceptions identified in use-of-force data testing and conducted additional interviews with SFPD personnel to understand any updates to internal policies relevant to the audit.

In the fourth quarter, the audit team issued the *Interim Key Issue Report – Best Practices in Reporting Use-of-Force Data*. This interim report focused on the transparency and clarity of publicly issued reports of the SFPD’s use-of-force statistics and related to one of the audit’s five subobjectives. The interim



report, issued to the Police Commission and SFPD, noted that the SFPD's 96A and Early Intervention System reports can be improved by aligning report content with best practices. At the end of the year, the auditors were concluding fieldwork testing and outlining potential overall findings for the preparation of a draft report to review with the SFPD.

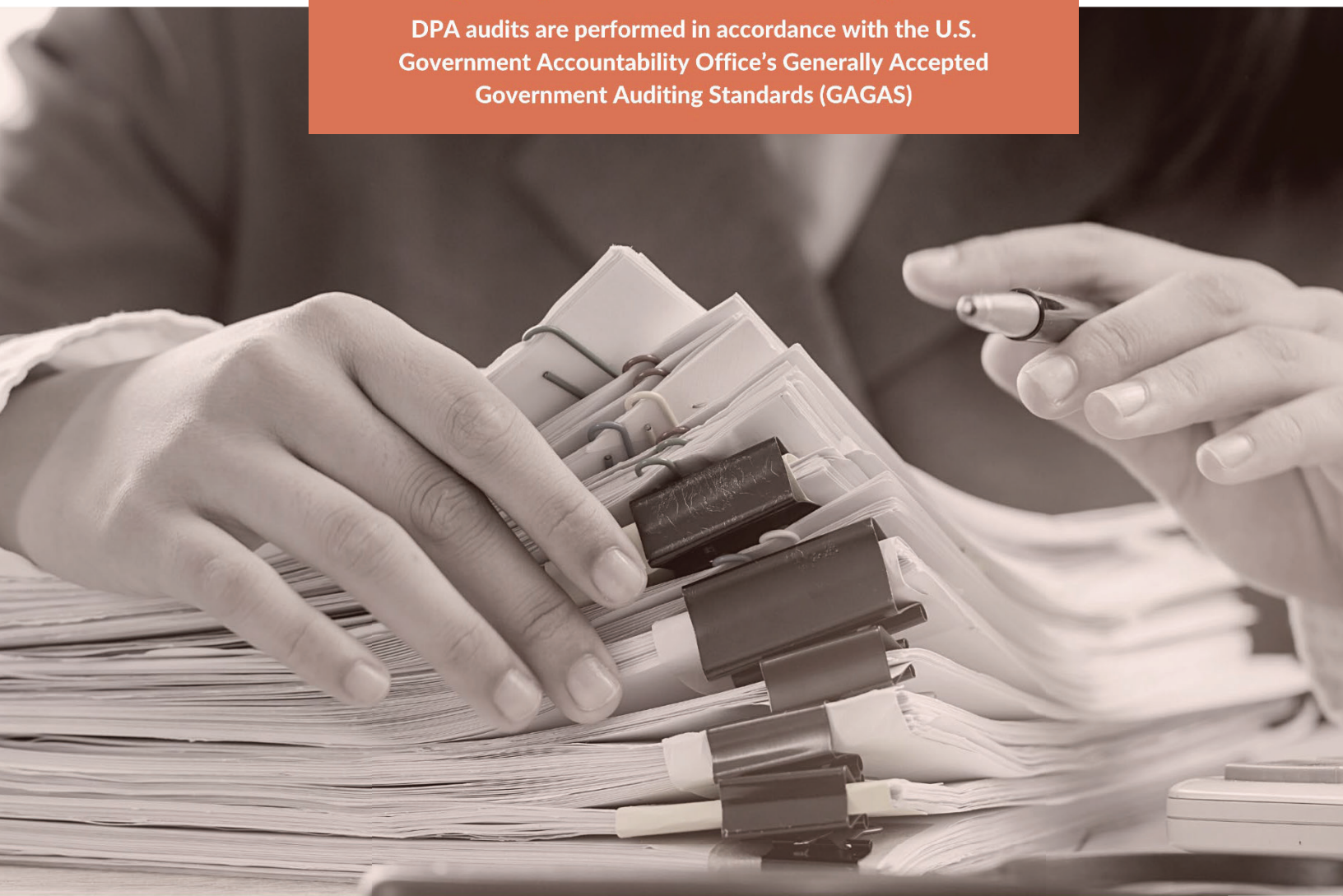
### Comparison with the SFPD's 96A Reports

There are significant differences in the purpose, scope, content, and outcomes of DPA's audit and the reports the SFPD produces to fulfill the requirements of the San Francisco Administrative Code, Chapter 96A, which requires the SFPD to provide quarterly a report to the Mayor, Board of Supervisors, Police Commission, and Human Rights Commission on traffic stops, detentions, and arrests.

The DPA's audit will determine the accuracy and completeness of the SFPD's reported use-of-force data. The DPA's final audit report will provide objective analysis, findings, and recommendations, contribute to public accountability, and facilitate decision-making by management and those charged with governance and oversight.

### Generally Accepted Government Auditing Standards

DPA audits are performed in accordance with the U.S. Government Accountability Office's Generally Accepted Government Auditing Standards (GAGAS)



# Sheriff's Department Misconduct Investigations

In March 2019, Sheriff Vicki Hennessy requested that the DPA take over San Francisco Sheriff's Department (SFSD) investigations regarding allegations of unnecessary force and inappropriate female inmate strip searches. The DPA accepted approximately 19 cases. In the weeks and months following, the DPA accepted additional cases, bifurcated some, and, ultimately, investigated 36 complaints. The allegations of deputy misconduct occurring in jails were initially brought to the Sheriff's attention in January by the Public Defender. The San Francisco Examiner and San Francisco Chronicle published reports soon thereafter.

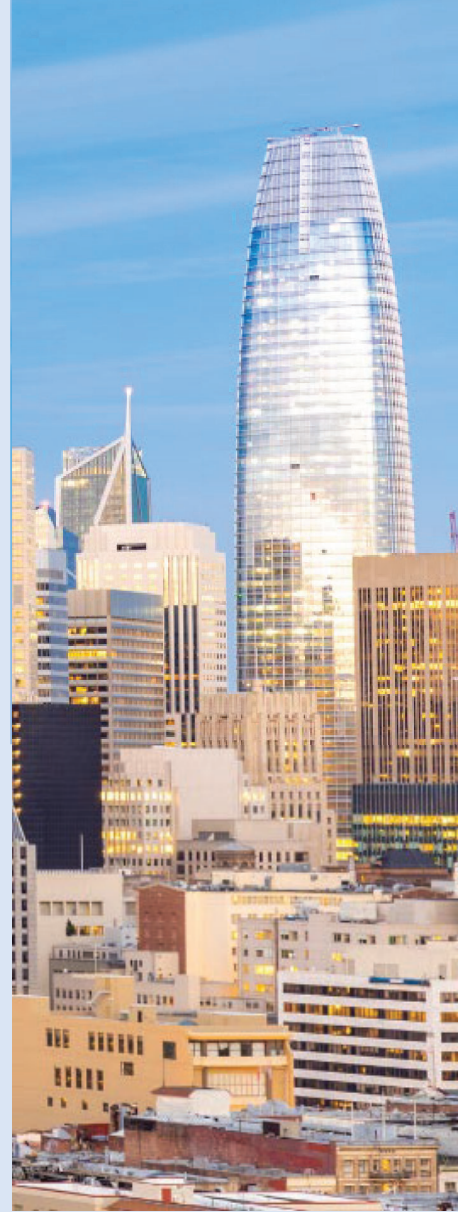
## Training and Scope of Work

The SFSD investigations were assigned to the DPA's Special Investigations Unit (SIU). The SIU learned SFSD policy, procedure, recordkeeping, specialized terms, jail operations, and other information unique to the SFSD. The SIU toured all county jails managed by the SFSD and observed deputies conduct jail operations. The unit attended many of the SFSD CORE classes. The SIU met with SFSD Internal Affairs Unit staff regularly to ask questions, accept additional cases, and request and receive records and video. The SIU drafted templates for records requests, notices to appear, and case summary reports.

Interviews commenced in July, and the 4 investigators completed approximately 140 deputy and witness interviews by November. All but three cases were closed by December. Still under investigation are the deputy-involved shooting that occurred in September and two use of force cases.

## Allegations and Findings

The allegations brought against deputies by the DPA fell under three general categories as defined by SFSD 03-01: Neglect of Duty, Unacceptable Job Performance, and Misconduct. Neglect of Duty allegations included conduct such as failing to document inmate discipline. Unacceptable Job Performance was brought to allege the failure to supervise. Misconduct allegations included conduct such as unnecessary use of force or inappropriate behavior. At the conclusion of the investigations, the DPA submitted the case summary reports to the SFSD without recommended findings. All reports included corresponding Findings Sheets reflecting the allegations levied and space for the Undersheriff to make findings and add notes. The Undersheriff made the final determinations based on the evidence and disposed each allegation with one of the following findings: Unfounded, Exonerated, Not Sustained, Sustained, or No Finding.



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Even when law enforcement does a good job of investigating itself, many members of the public still feel they can't trust the results of the investigation.

By turning over these cases to the Department of Police Accountability, I'm taking a big step toward ensuring trust and transparency in my agency.

**SHERIFF VICKI HENNESSY**

San Francisco Chronicle's  
Open Forum

# Operations

## Strategic Planning

The DPA engaged with Slalom Consulting to create an agency strategic plan. The strategic plan initiatives included efficiency improvements, goal setting, leveraged technology, and an expansion of the mediation program. The DPA refined its mission statement to include auditing and developed a vision statement focused on goals for the future.



### Mission Statement

The Department of Police Accountability (DPA) is committed to providing the City of San Francisco with independent and impartial law enforcement oversight through investigations, policy recommendations, and performance audits to ensure that policing reflects the values and concerns of the community served.

### Vision Statement

As a national standard for effective and independent civilian oversight of law enforcement, the DPA is:

- Accessible, transparent, and engaged with community members
- Trusted and credible with a strong reputation for providing high quality, independent, and timely investigations and audits
- A balanced reporter of evidence-based information related to law enforcement accountability

## Civic Bridge

The operations team continued working with the DPA's Civic Bridge Fall 2018 cohort partner, Slalom Consulting. The team made progress toward the goal of obtaining a new case management system by publishing a Request for Quotes.

In February, the DPA introduced the first digital Henderson Report, a paperless version of the traditional Morning Report. The Henderson Report lists all new cases and newly identified officers and allegations for existing cases on a weekly basis. Unlike the Morning Report, the Henderson report is delivered by email, which will save thousands of printed pages each year. Our Civic Bridge Engagement ended with a presentation at the Civic Bridge Demo Day with Mayor Breed in attendance.

## Case Management System

A new Salesforce-based case management system was implemented in the third quarter. Benefits of the new system include a reduction in duplicate data entry, two-factor authentication security, web-based



access, automatic form letter generation, automatic generation of the digital Henderson Report<sup>10</sup>, and an integrated online complaint form. The new system also automatically sends new complaint information to the SFPD's Internal Affairs Division daily for use in the Early Intervention System and to update officer disciplinary histories. Throughout the year, significant effort went toward migrating historical data, rebuilding reports, and training staff to use Salesforce.

## DPA Reporting

The DPA produces regular weekly, monthly, quarterly, and annual reports. On a weekly basis, the DPA sends the Henderson Report, which is a list of newly received cases and allegations, to SFPD supervising officers, command staff, and the Chief. On a monthly basis, the DPA publishes a statistical report detailing the number of cases opened and closed. On a quarterly basis, the DPA publishes an update on case statistics and operations, the Spark's report on policy, and the Keane report on the status of investigations. The DPA is currently working on a project to publish historical case data to San Francisco's Open Data Portal.

### Keane Report

The Keane report is a quarterly report to the Police Commission on the status of open investigations. The Keane Report can be found online at <https://sfgov.org/dpa/reports-statistics>. Also available online are the DPA's past quarterly and annual reports and policy recommendations.

## Budget and Staffing

In the spring of 2019, the Department of Police Accountability worked closely with the Mayor's Office of Public Policy and Finance and the Board of Supervisors' Budget and Finance Committee to reach a balanced departmental budget for the next two fiscal years. The DPA presented the Mayor's Proposed Budget to the Budget and Finance Committee on June 13, 2019 and reappeared to confirm agreement with the Committee's recommendations on June 20, 2019. On July 30, 2019, the Board of Supervisors passed the two-year budget for Fiscal Years (FY) 2019-20 and 2020-21, which Mayor London N. Breed signed on August 1, 2019. The DPA's adopted budget for FY 2019-20 is \$11,557,966, representing a \$3,194,390 (or 38%) increase from the \$8,363,576 adopted budget for FY 2018-19. The enhancement included \$450,000 of one-time funding to support the Department's relocation to 1 South Van Ness Avenue and \$550,000 to support the creation of a citywide web portal to satisfy SB1421 record requests. Additional funding was provided for six new full-time employees to meet staffing levels necessitated by an increased workload due to SB1421 and the addition of Sherriff's Department cases. Funding for the new employees became available in October.

The DPA continued hiring to fill vacant positions. Several attorney, investigator, and administrative staff positions were filled. The DPA had 46 employees by the end of 2019. There were 15 hires and 9

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<sup>10</sup> The Henderson Report lists all new cases and newly identified officers and allegations for existing cases on a weekly basis. The report was digitized in the first quarter, but still required significant manual effort to compile digital attachments. Under the new system, a case summary appears within the report itself, eliminating the need to manually attach a summary of each new case and allegation.





separations over course of the year. Of the new hires, 33% were male and 67% were female. Fifty-three percent of new hires were White, 27% were Black or African American, 13% were Latino, and 7% were Asian. Additionally, the DPA hired 19 interns, providing a diverse pipeline for students interested in public service.

The DPA held several swearing-in ceremonies for investigators and attorneys during the year.

## Staff Development & Training

Several members of the DPA staff attended the Twenty-Fifth Annual Conference for the National Association for Civilian Oversight of Law Enforcement in Detroit, Michigan. The conference featured lectures on core competencies for Civilian Oversight Practitioners: training, community trust, institutional culture and correctional oversight, and collaboration. Training sessions covered topics such as the principles of civilian oversight and effective practices; community-police mediation; building juvenile correctional oversight; and how to build relationships with law enforcement while maintaining independence.

### *NACOLE 25<sup>th</sup> Anniversary Conference*

In September, several staff members attended the 25<sup>th</sup> anniversary conference for the National Association for Civilian Oversight of Law Enforcement in Detroit, Michigan. Representatives from all over the United States and abroad gathered to discuss issues and effective oversight practices. The conference themes were training, building community trust, institutional culture and correctional oversight, and stakeholder collaboration. Training sessions focused on principles of civilian oversight and effective practices; community-police mediation; building juvenile correctional oversight; and how to build relationships with law enforcement while maintaining independence.

### *Wellness Day*

On November 15, 2019, the DPA hosted a wellness day seminar at Google's Community Space located in the Embarcadero. The event focused specifically on mental health and work-related stress. The event included presentations by Jeanette Longtin, a counselor from the Employee Assistance Program, who discussed the impact of vicarious trauma, stress management, and techniques for meditation. The event inspired DPA staff to reflect on common issues impacting mental health and appropriate methods for handling the aftereffects.

## Internship Program

The DPA's Summer Intern Program is a professional development program designed to build and foster legal and professional skills. The program lasts 10 weeks and incorporates community outreach, legal analysis, the intersection of the public and private sectors, exposure to San Francisco's own diverse legal community and community partners, and academics to build a foundation for San Francisco's future workforce. The DPA works closely with other City agencies and partners to expose its interns to the different landscapes of government and private sector careers. The DPA's interns have unique advantages. They are given basic workforce training from Dressing for Success, resume building, and the opportunity to present to the Police Commission.



In the summer of 2019, the interns read and analyzed current and prevalent works, such as *Biased* by Dr. J. Eberhardt. DPA program coordinators facilitated a discussion on how the book relates to the DPA's work in the community and the potential for change. The DPA's internship program is unique and ever evolving, where interns help change and affect policy regarding police accountability. Summer 2019 interns included three seniors and one junior from San Francisco State University, one junior from the University of San Francisco, a first-year student from University of California Hastings College of the Law, a second-year student from Rutgers Law School, and a second year student from Golden Gate University School of Law. A policy intern from the University of



California at Berkeley Goldman School of Policy worked independently on a policy project related to civilian oversight.



In 2019, the DPA launched the Julius Turman Fellowship, focusing on civilian oversight and transparency. The Julius Turman fellowship is an opportunity for a recent law school graduate to gain experience and mentorship in the fields of civilian oversight and the government sector. The DPA's inaugural Julius Turman legal fellow worked closely with the DPA's legal team, gaining exposure to the

investigative process. The fellow also performed legal research and acted as a community ambassador at outreach events throughout the City. The 2019 Julius Turman fellow was a graduate of Golden Gate University School of Law.



# Outreach

The DPA outreach team improves public understanding of our services, goals, and accomplishments. Our public presence enables all San Francisco communities to know about and understand DPA services. Many communities, especially disenfranchised communities, are unaware of the active role they play in the public safety partnership. We believe that our commitment to extensive and thoughtful outreach has increased access for underserved communities and contributed to increased complaints. Throughout the year, DPA staff attended events, hosted informational booths, and made presentations at various gatherings designed to build community and educate individuals on their rights and resources. A selection of the events that took place this year follows.

## Event Spotlight: Executive Director Paul Henderson Featured Speaker at Aspen Institute Society of Fellows San Francisco Reception

The Aspen Institute is a global nonprofit organization founded in 1949 that is dedicated to driving change through discussions, leadership, and action to help solve the most important challenges of our time. The Society of Fellows in San Francisco is an engaged partner in the Institute's mission to provide non-partisan programs that advance leadership and shape policy by diverse members of the community.

In the Fall of 2019, the Institute presented a law enforcement policy discussion with Executive Director Paul Henderson and Deputy Chief David Lazar of the San Francisco Police Department. Attended by community members, the discussion centered on the respective roles of Deputy Chief Lazar and Executive Director Henderson in community safety, the responsibility of civilian oversight in law enforcement, and the 21<sup>st</sup> Century policing practices implemented by the police department.





# OUTREACH

## IMPROVING PUBLIC UNDERSTANDING

Throughout the year, DPA staff host informational booths, attend community meetings and events, make presentations, facilitate and participate in discussions, deliver resource materials, and participate in working groups.

### Informational Booths

Human Rights Commission's Advancing the Dream Career Fair, the District Attorney's Office of Victim Services Division Signs and Indicators of Human Trafficking, San Francisco Department of Children, Youth, & Families (DCYF) Summer Resource Fairs, OFA Government Career Fair, San Francisco District Attorney's Beacon of Hope Victims' Rights event, Juneteenth Festival, San Francisco PRIDE celebration, Aging Your Way Resource Fair, We are the City: Family Summits

### Presentations

Public safety meetings, Black History Month Celebration, District Station Monthly Community Meetings; Black to the Future Family Fun Day at the Malcolm X Academy, SFPD Officer and Cadet Class Academy presentations, Youth Know Your Rights presentations, the Youth Advocacy Day panel on Community Safety: Policing and the Public

### Meetings & Events

African American Leadership Forum, Public safety meetings, Black History Month Celebration, District Station Monthly Community Meetings, Black to the Future Family Fun Day, SFPD Crisis Intervention Team awards ceremony, SF Pride Parade, Annual Power Youth Movement Conference, Survivors Circle: Using Community and Connection to Heal from Trauma, SFPD's Youth Town Hall and Summit



# IMPROPER CONDUCT CASES

# APPENDIX

# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
1	A Cantonese-certified officer improperly interpreted Taishanese for a defendant, causing the improper translation of crucial incriminating statements. A mother was arrested and prosecuted because the officer mistranslated multiple statements when interrogating her. The inaccurate and erroneous confession was documented in a police report, which led to the mother's prosecution.	Officer 1	Conduct Reflecting Discredit	Misrepresenting the truth	Chief Agreed	Chief Disciplined	5-Day Suspension	5-Day Suspension
			Neglect of Duty	Preparing an inaccurate incident report	Chief Agreed			
			Neglect of Duty	Failing to provide proper translation services	Chief Agreed			
2	An officer did not properly investigate an individual stopped for driving under the influence. The officer did not accurately interpret field sobriety tests and misrepresented the results of the arrestee's breath test, which were negative for alcohol, in the police report. The misrepresentation caused the administration of an unwarranted blood test and prosecution.	Officer 1	Neglect of Duty	Failing to comply with Department Bulletin 13-091, Traffic Stop Data Collection Program Information	Chief Agreed	Chief Disciplined	3-Day Suspension	3-Day Suspension Held in Abeyance for 3 Years
			Neglect of Duty	Preparing an inaccurate incident report	Chief Agreed			
3	The complainant called a police about a stolen cell phone, then flagged down an officer. He said the officer made belittling remarks and refused to write an incident report.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
			Neglect of Duty	Failing to prepare an incident report	Chief Disagreed			
4	The officer cited the complainant for failing to obey a posted sign prohibiting right-hand turns. However, there were no posted signs prohibiting the turn. The officer's field-training officer did not review the citation prior to issuance.	Officer 1	Neglect of Duty	Issuing a citation without cause	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 2	Neglect of Duty	Failing to properly supervise	Unknown	Unknown	Written Reprimand	Unknown Outcome
5	The complainants reported to 911 and to responding officers an attempt by a motorist to assault one complainant, a bicyclist, with his vehicle. The victim stated the responding officers discouraged him from filing a report and failed to prepare a required incident report.	Officer 1	Neglect of Duty	Failing to prepare an incident report	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 2	Neglect of Duty	Failing to prepare an incident report	Unknown	Unknown	Written Reprimand	Unknown Outcome
6	The other officers conducted a traffic stop of the complainant without notifying dispatch. One officer logged onto the other officers' MDT, then left without logging off. Another officer incorrectly wrote the date on the citation, causing a dismissal. He also removed and the complainant's registration sticker, rendering it unusable, and retained the sticker without booking it, despite the fact that the registration sticker was valid.	Officer 1	Neglect of Duty	Failing to communicate with dispatch	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Neglect of Duty	Failing to properly process property	Chief Agreed	Chief Disciplined	3-Day Suspension	3-Day Suspension
			Neglect of Duty	Failing to communicate with dispatch	Chief Agreed			
			Unwarranted Action	Issuing a citation without cause	Chief Agreed			
		Officer 3	Neglect of Duty	Failing to communicate with dispatch	Unknown	Unknown	Written Reprimand	Unknown Outcome
7	The complainant stated that he resigned from the SFPD following his conviction on several felony charges. The complainant stated he requested that an officer retrieve personal property from his Department locker. The officer who retrieved the property failed to document or record the process.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Unknown	Unknown	Written Reprimand	Unknown Outcome
8	The complainant stated a police report did not accurately reflect that the complainant was properly operating his bicycle when an automobile struck him. The report indicated that the driver, who struck the complainant with his vehicle, was making a left turn when he was actually making a right turn. A street was also mislabeled as the wrong street on the diagram attached to the report. These errors are readily apparent when reading the report and comparing it to the diagram and other Department reports and records.	Officer 1	Neglect of Duty	Preparing an inaccurate incident report	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
9	An officer failed to treat the complainant and staff at a family service agency with courtesy and respect when responding to multiple calls-for-service.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Unknown	Unknown	Written Reprimand	Unknown Outcome

# IMPROPER CONDUCT (SUSTAINED) CASES

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June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
10	Three complainants in dispute with a neighbor alleged an officer spoke inappropriately and improperly forced them to let a construction crew use their roof, causing property damage. Additionally, the officer failed to prepare an incident report.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
			Neglect of Duty	Failing to prepare an incident report	Chief Agreed			
11	An officer failed to provide a limited-English proficient individual with access to interpreter services during the course of their investigation.	Officer 1	Neglect of Duty	Failing to comply with DGO 5.20	Unknown	Unknown	Written Reprimand	Unknown Outcome
			Neglect of Duty	Failing to properly investigate	Unknown			
		Officer 2	Neglect of Duty	Failing to comply with DGO 5.20	Unknown	Unknown	Written Reprimand	Unknown Outcome
			Neglect of Duty	Failing to properly investigate	Unknown			
			Conduct Reflecting Discredit	Inappropriate comments and behavior	Unknown			
12	An officer did not properly enter eStop information for a traffic stop.	Officer 1	Neglect of Duty	Failing to take required action, eStop-Contact Data Collection Program	Unknown	Unknown	Written Reprimand	Unknown Outcome
13	An officer at a district station refused to take a DPA complaint over the phone.	Officer 1	Neglect of Duty	Failing to comply with DGO 2.04	Chief Agreed	Chief Disciplined	1-Day Suspension	Written Reprimand
14	Officers searched a residence and took custody of an individual. The report documenting the incident was inaccurate. One officer failed to supervise a subordinate.	Officer 1	Neglect of Duty	Failing to prepare an accurate and complete incident report	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 2	Neglect of Duty	Failing to properly supervise	Unknown	Unknown	Written Reprimand	Unknown Outcome
15	Officers arrested an individual and searched his car. The report documenting the incident was inaccurate and one officer failed to supervise a subordinate.	Officer 1	Neglect of Duty	Failing to prepare an accurate and complete incident report	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Neglect of Duty	Failing to properly supervise	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
16	A trainee and a field-training officer responded to an assisted living facility. Without an adequate investigation, they handcuffed and removed an elderly deaf dementia patient. Thereafter, they authored an inaccurate and incomplete report. Policy failure findings and recommendations were also made.	Officer 1	Neglect of Duty	Failing to properly investigate	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
			Neglect of Duty	Failing to prepare an accurate and complete incident report	Chief Agreed			
		Officer 2	Neglect of Duty	Failing to properly investigate	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 3	Neglect of Duty	Failing to properly supervise	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
17	Officers investigating a report of a restraining order violation made inappropriate comments and yelled at the protected party. The officers failed to take required action and two officers failed to supervise subordinates.	Officer 1	Neglect of Duty	Failing to properly supervise	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 3	Neglect of Duty	Failing to take required action	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 4	Neglect of Duty	Failing to properly supervise	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
18	An officer detained a person, confiscating an airline employee "buddy pass" ticket because the officer thought it was stolen. However, the officer did not issue a property receipt or write an incident report.	Officer 1	Neglect of Duty	Failing to properly process property	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
19	An officer refused to accept additional evidence for a stolen car report.	Officer 1	Neglect of Duty	Failing to prepare an incident report	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand

# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
20	Officer parked his patrol car in a bus zone in order walk across the street and issue a parking citation to complainant who was dropping a passenger off in the bus zone. He engaged in inappropriate behavior when he parked in a bus zone while citing and admonishing drivers for doing the same. He also failed to make an eStop entry.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
			Neglect of Duty	Failing to take required action - eStop	Chief Disagreed			
21	Officer checked the wrong box on a traffic report, erroneously opining that the complainant was at fault for the accident.	Officer 1	Neglect of Duty	Inaccurate incident report	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
22	Officer failed to prepare a complete and accurate report because he did not include all relevant information in the report, cited the incorrect Vehicle Code, failed to properly document the vehicle tow, and failed to complete all required forms. Officer failed to supervise his subordinate by approving a deficient report.	Officer 1	Neglect of Duty	Failing to prepare an accurate and complete incident report	Chief Agreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Neglect of Duty	Failing to supervise	Chief Agreed	Not Disciplined	Written Reprimand	No Discipline
23	A person complained of injury during an arrest. An officer failed to record the incident in the Use of Force Log and improperly arrested the person. The person's unlawful seizure was prolonged by 50 minutes while officers waited for a sergeant to arrive to conduct a use of force investigation. Additionally, an officer inadvertently turned on a body-worn camera while driving, which showed the officer driving at a high rate of speed with coffee in one hand, and a cell phone to their ear.	Officer 1	Neglect of Duty	Driving improperly	Unknown	Unknown	1-Day Suspension	Unknown Outcome
			Neglect of Duty	Failing to comply with DGO 5.01, Use of Force	Unknown			
		Officer 2	Unwarranted Action	Detention without justification	Unknown	Unknown	1-Day Suspension	Unknown Outcome
24	Complainants demanded the arrest of a "prowler." Officer found insufficient cause to arrest. However, he should have written an incident report.	Officer 1	Neglect of Duty	Failing to comply with DGO 5.04, Arrests by Private Persons	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
25	Traffic stop for right turn on red. The named officer failed to enter stop information.	Officer 1	Neglect of Duty	Failing to comply with DB 16-208, eStop-Contact Data Collection Program	Chief Agreed	Not Disciplined	Written Reprimand	No Discipline
26	Plainclothes officers improperly conducted a traffic stop without cause in violation of applicable Department General Orders as a ruse to harass a person who had been released from custody following a prior arrest.	Officer 1	Neglect of Duty	Failing to comply with DGO 5.08, Non-Uniformed Officers, and 9.01, Traffic Enforcement	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Neglect of Duty	Failing to comply with DGO 5.08, Non-Uniformed Officers, and 9.01, Traffic Enforcement	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 3	Unnecessary Force	Unnecessary force	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 4	Neglect of Duty	Failing to comply with DGO 5.08, Non-Uniformed Officers, and 9.01, Traffic Enforcement	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 5	Neglect of Duty	Failing to comply with DGO 5.08, Non-Uniformed Officers, and 9.01, Traffic Enforcement	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
27	Officer told civilians to "Go back to [their] country" during a traffic collision investigation involving an SFPD vehicle.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
28	Officers failed to write an incident report about an assault and a vandalism that occurred at a restaurant.	Officer 1	Neglect of Duty	Failing to prepare an incident report	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Neglect of Duty	Failing to prepare an incident report	Unknown	Unknown	Written Reprimand	Unknown Outcome
29	An officer on 10B duty detained a person after a merchant deemed him "suspicious." The person disclosed possession of medical marijuana. The officer confiscated the marijuana and destroyed it by stomping it into the ground.	Officer 1	Neglect of Duty	Failing to properly process property	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
30	The officer towed a car without justification.	Officer 1	Unwarranted Action	The officer towed a car without justification	Unknown	Unknown	Written Reprimand	Unknown Outcome

SOLID GREY BOX—Chief's Case

SOLID PINK BOX—Commission Case

DASHED PINK BOX—Combination Commission and Chief's Case

APPENDIX

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# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
31	Complainant was threatened by another individual at a coffee shop. The officer investigated but did not question a key witness, and did not write an incident report.	Officer 1	Neglect of Duty	Failing to properly investigate	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
			Neglect of Duty	Failing to write an incident report	Chief Agreed			
32	Officer failed to collect and enter e-stop data after a traffic stop.	Officer 1	Neglect of Duty	Failing to comply with DB 16-208, eStop-Contact Data Collection Program	Chief Agreed	Not Disciplined	Written Reprimand	No Discipline
33	Officers used force to take down and handcuff the complainant. During the investigation, one officer used profanity.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Unknown	Unknown	Written Reprimand	Unknown Outcome
34	Officer failed to notify the juvenile complainant's parent after detention during a robbery investigation that juvenile complainant was being detained.	Officer 1	Neglect of Duty	Failing to comply with DGO 7.01	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
35	Officer failed to prepare an incident report after investigating an incident involving assault and battery.	Officer 1	Neglect of Duty	Failing to prepare an incident report	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
36	The complainant's vehicle was stolen, then recovered. The officer that recovered the vehicle incorrectly wrote that the front plate was "missing" on the incident report, causing officers to stop the complainant and family members on a later date, guns drawn.	Officer 1	Neglect of Duty	Inaccurate and incomplete incident report	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Neglect of Duty	Failing to properly supervise	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
37	An officer and his cadet responded to a call at a retail store regarding the complainant, who was detained by store security for shoplifting. The officer told the complainant to, "Shut the fuck up."	Officer 1	Neglect of Duty	The officer used profanity	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
38	The officers violated complainant's 4th Amendment right by issuing him a citation for sitting on a fire hydrant, which is not illegal.	Officer 1	Unwarranted Action	Issuing a citation without cause	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Unwarranted Action	Issuing a citation without cause	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
39	The officer issued a citation without cause.	Officer 1	Unwarranted Action	The officer issued a citation without cause	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
40	The officer threatened to call immigration authorities, engaged in biased policing due to national origin, and made inappropriate comments.	Officer 1	Neglect of Duty	Neglect of Duty	Chief Agreed	Officer Resigned	5-Day Suspension	Officer Resigned
			Neglect of Duty	Failing to comply with DGO 5.15, Enforcement of Immigration Laws	Chief Agreed			
			Neglect of Duty	Failing to comply with DGO 5.17, Policy Prohibiting Biased Policing	Chief Agreed			
			Conduct Reflecting Discredit	Biased policing based on race and national identity	Chief Agreed			
			Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Agreed			
			Discourtesy	Profanity	Chief Agreed			
41	Officers investigating a report of prior possible child abuse entered alleged disabled suspect's home without a warrant, consent or the presence of exigent circumstances. Child was with his mother and there were no other victims or weapons suspected. Upon arrest, officer failed to bring suspect's wheelchair.	Officer 1	Unwarranted Action	Entering a residence without cause	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Unwarranted Action	Entering a residence without cause	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 3	Neglect of Duty	Failing to take required action	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
42	Officers were flagged down because of a fight in a bar. They stopped and investigated, but one officer did not activate his body-worn camera.	Officer 1	Neglect of Duty	Failing to take required action - BWC	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand

# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
43	Officers conducted a traffic stop. Detainee advised she was LEP and needed a Spanish interpreter. Officers thought detainee lied about being LEP, handcuffed her and threatened her with jail while waiting for a Spanish speaking officer to arrive.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
			Unwarranted Action	Handcuffing without justification	Chief Agreed			
		Officer 2	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
44	Officers failed to verify the accuracy of a 290 registrant noncompliance list. They went to complainants residence, ordered him out of his home, and walked him, handcuffed, through his apartment building to their vehicle to run a 290 registration check, which could have been done at their desks at the station without the detention of the complainant. Complainant was compliant with his 290 registration requirements. Therefore, the detention was unlawful.	Officer 1	Neglect of Duty	Failing to comply with DGO 5.03, Investigative Detentions, and the 4th Amendment	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 2	Neglect of Duty	Failing to comply with DGO 5.03, Investigative Detentions, and the 4th Amendment	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
45	Neighbor reported burglary. Officers failed to investigate. Officers helped suspect break into his ex-boyfriend's house. Homeowner subsequently called again to report burglary after watching ex-boyfriend destroy his property on his NEST recorder.	Officer 1	Neglect of Duty	Failing to properly process property	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Neglect of Duty	Failing to properly supervise	Chief Disagreed	Not Disciplined	Written Reprimand	
		Officer 3	Neglect of Duty	Failing to properly investigate	Chief Disagreed	Chief Disciplined	Written Reprimand	Written Reprimand
46	An officer failed to enter traffic stop data.	Officer 1	Neglect of Duty	Failing to comply with DB 16-208, eStop-Contact Data Collection Program	Unknown	Unknown	Written Reprimand	Unknown Outcome
47	An officer drove his cruiser poorly without sirens and lights on.	Officer 1	Neglect of Duty	Driving improperly	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
48	An officer towed the complainant's car for driving without a license and cited her for driving in the wrong direction on a one-way street. He failed to comply with tow policy and procedures.	Officer 1	Neglect of Duty	Failing to comply with, DB 16-114 and 16-115, Vehicle Tow Policy and Procedure 14601/12500 CVC Enforcement	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
49	An officer impounded the complainant's vehicle even though he asked for a tow to the mechanic. During the course of the investigation, officers failed to document the reason for muting their body-worn camera.	Officer 1	Neglect of Duty	Failing to comply with DB 17-156, Body-Worn Camera Mute Function	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Neglect of Duty	Failing to comply with DB 17-156, Body-Worn Camera Mute Function	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
50	An officer investigating a physical altercation failed to activate his body-worn camera.	Officer 1	Neglect of Duty	Failing to comply with DB 17-156, Body-Worn Camera Mute Function	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
51	The complainant was accused of being involved in a hit and run. The officers stopped her, cited her, and towed her car. All officers failed to comply with DGO 10.11 at various times during this incident. One officer failed to follow vehicle tow policy and procedure or collect e-stop data.	Officer 1	Neglect of Duty	Failing to comply with, DB 16-208, eStop contact data collection program	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
			Neglect of Duty	Failing to comply with DB 16-115, Vehicle Tow Policy and Procedure 14601/12500 CVC Enforcement	Chief Agreed			
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed			
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 3	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 4	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline

SOLID GREY BOX—Chief's Case

SOLID PINK BOX—Commission Case

DASHED PINK BOX—Combination Commission and Chief's Case

APPENDIX

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# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
52	Officer obstructed a skateboarder, causing the skateboarder to fall and sustain serious injuries.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Disagreed	Not Disciplined	3-Day Suspension	No Discipline
			Unwarranted Action	Failing to follow crowd control policies	Chief Disagreed			
53	Officers stopped to investigate the complainant when they saw a stun gun go off. One officer failed to write a complete and accurate report. Others activated their body-worn camera's late and/or muted their body-worn camera without properly documenting.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	3-Day Suspension	Written Reprimand
			Neglect of Duty	Inaccurate and incomplete incident report	Chief Agreed			
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 3	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 4	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
54	A man was assaulted at the airport. Police refused to file a report.	Officer 1	Neglect of Duty	Failing to write an incident report	Chief Agreed	Chief Disciplined	3-Day Suspension	1-Day Suspension
55	Officers arrested civilian and failed to properly bag and tag his bicycle.	Officer 1	Neglect of Duty	Failing to take required action	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
56	Officer conducted an illegal detention in violation of DGO 5.03 and the 4th Amendment of a person seated in a legally parked vehicle after they observed an individual jay-walk towards the parked car.	Officer 1	Unwarranted Action	Detention without justification	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
57	Officer indicated the wrong intersection on a traffic citation. During the traffic stop, officer also opened passenger door of the vehicle without any legal justification in violation of the 4th Amendment.	Officer 1	Neglect of Duty	Inaccurate citation	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 2	Conduct Reflecting Discredit	Inappropriate comments and behavior	Unknown		Written Reprimand	Unknown Outcome
			Unwarranted Action	Unlawful vehicle search	Chief Agreed	Unknown		
58	An officer stopped the complainant and cautioned him about behaving in a certain manner when driving, particularly with his child in the car. He failed to activate body worn camera or collect eStop data.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	3-Day Suspension	1-Day Suspension
			Neglect of Duty	Failing to comply with DB 16-208, eStop-Contact Data Collection Program	Chief Agreed			
59	The complainant was riding his bicycle when a vehicle pulled into his path to try and park. They collided and he was injured. The complainant alleged that the responding officer was inappropriate and wrote an inaccurate incident report when he described the driver as pulling out in front of him rather than crossing into his path of travel.	Officer 1	Neglect of Duty	Inaccurate and incomplete incident report	Chief Agreed	Chief Disciplined	3-Day Suspension	1-Day Suspension
60	Officer failed to properly investigate the incident, failed to write a report and failed to turn on his body-worn camera.	Officer 1	Neglect of Duty	The officer failed to comply with DGO 5.04, Arrests by Private Persons.	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
61	Officers failed to document reason for muting their body-worn camera.	Officer 1	Neglect of Duty	Failing to comply with DB 17-156, Body-Worn Camera Mute Function	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 2	Neglect of Duty	Failing to comply with DB 17-156, Body-Worn Camera Mute Function	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 3	Neglect of Duty	Failing to comply with DB 17-156, Body-Worn Camera Mute Function	Chief Agreed	Chief Disciplined	3-Day Suspension	Written Reprimand
62	The officers were called for an assault and battery. They failed to investigate, failed to offer a citizen's arrest and failed to make an arrest. The officers failed to turn on their body-worn camera.	Officer 1	Neglect of Duty	The officer failed to comply with DGO 10.11, BWC	Chief Agreed	Chief Disciplined	Written Reprimand	1-Day Suspension
		Officer 2	Neglect of Duty	The officer failed to comply with DGO 10.11, BWC	Unknown	Unknown	Written Reprimand	Unknown Outcome

# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
63	Officer-involved shooting incident.	Officer 1	Unnecessary Force	Unnecessary force	Commission Case	Pending Commission Hearing	Termination	Commission Case (45-Day Suspension)
			Neglect of Duty	Failing to take required action	Commission Case			
64	A man was arrested for fighting at Dolores Park. He was injured during the arrest.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
65	Officers failed to document reasons for muting their body-worn cameras.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 3	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 4	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 5	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 6	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 7	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
66	Officers failed to activate their body-worn camera while executing a warrant and while detaining civilians.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 3	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
67	Officers chased a vehicle into a dead end. When the suspect jumped out and ran, the passenger officer fired through the window and killed the suspect.	Officer 1	Neglect of Duty	The FTO failed to supervise	Commission Case	Pending Commission Hearing	40-Day Suspension	Commission Case
			Neglect of Duty	Failing to maintain radio contact	Commission Case			
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Commission Case			
			Neglect of Duty	Failing to properly follow vehicle pursuit policy	Commission Case			
68	Two officers had an affair. one officer harassed the other officer's wife with phone calls and emails.	Officer 1	Conduct Reflecting Discredit	Harassing the complainant	Chief Agreed	Chief Disciplined	10-Day Suspension	2-Day Suspension
			Neglect of Duty	Failing to comply with DB 17-156, Body-Worn Camera Mute Function	Chief Agreed			
		Officer 2	Neglect of Duty	Failing to comply with DB 17-156, Body-Worn Camera Mute Function	Unknown	Unknown	5-Day Suspension	Unknown Outcome
69	Officers conducted a well-being check, including a 5150 assessment, on the complainant at her home. One officer failed to activate his body worn camera.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
70	Officer detained, searched, and arrested an individual without cause, in violation of DGO 2.01 and the 4th Amendment.	Officer 1	Unwarranted Action	Detention without justification	Chief Disagreed	Not Disciplined	3-Day Suspension	No Discipline
			Unwarranted Action	Search of a person without cause	Chief Disagreed			
			Unwarranted Action	Arrest without cause	Chief Disagreed			
71	Officers investigated a reported fight and trespasser, and issued an invalid order and failed to activate body-worn camera.	Officer 1	Unwarranted Action	The officer issued an invalid order	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline

SOLID GREY BOX—Chief's Case

SOLID PINK BOX—Commission Case

DASHED PINK BOX—Combination Commission and Chief's Case

APPENDIX

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# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
72	Officer referred to a civilian using a pejorative sexual slur out of earshot of the civilian, but in the presence of subordinates.	Officer 1	Sexual Slur	Inappropriate comments, including the use of a sexual slur	Chief Agreed	Chief Disciplined	3-Day Suspension	1-Day Suspension; 2-Day Suspension in Abeyance
73	Two officers were called for an assault and battery. The officers failed to investigate, receive a private person's arrest, and write an incident report. The FTO was rude to the complainant. The officers failed to turn on their body-worn camera.	Officer 1	Conduct Reflecting Discredit	The officer behaved and spoke inappropriately	Chief Agreed	Not Disciplined	5-Day Suspension	No Discipline
			Neglect of Duty	The officer failed to write an incident report (DGO 1.03)	Chief Agreed			
			Neglect of Duty	The officer failed to comply with DGO 10.11, BWC	Chief Agreed			
		Officer 2	Neglect of Duty	The officer failed to comply with DGO 10.11, BWC	Chief Agreed	Not Disciplined	Written Reprimand	No Discipline
74	Officers failed to activate their body-worn camera when responding to a collision resulting in a citation and tow, in violation of Department General Order 10.11. One officer also failed to treat a member of the public with courtesy and respect, in violation of Department General Order 2.01.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Unknown	Unknown	Written Reprimand	Unknown Outcome
			Neglect of Duty	The officer failed to comply with DGO 10.11, BWC	Chief Agreed			
		Officer 2	Neglect of Duty	The officer failed to comply with DGO 10.11, BWC	Unknown	Unknown	Written Reprimand	Unknown Outcome
75	A taxi driver was assaulted and police did not write a report.	Officer 1	Neglect of Duty	Failing to write an incident report	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed			
76	The complainant reported that his neighbor violated a restraining order. The officer failed to properly investigate the incident. He did not detain the suspect, interview witnesses or view security footage.	Officer 1	Neglect of Duty	Failing to properly investigate	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
			Neglect of Duty	Failing to gather evidence	Chief Agreed			
			Neglect of Duty	The officer failed to comply with DGO 10.11, BWC	Chief Agreed			
77	Officer failed to fully investigate the incident and failed to write a report, which was required since complainant requested a citizen's arrest.	Officer 1	Neglect of Duty	The officer failed to comply with DGO 5.04, Arrests by Private Persons.	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
78	Complainant sustained serious injuries after a hit and run collision. Reporting officer failed to relay description of suspect to dispatch for dissemination, and improperly classified the incident as a misdemeanor causing the Hit and Run Division not to further investigate.	Officer 1	Neglect of Duty	Failing to comply with DGO 9.02, Vehicle Accidents	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
			Neglect of Duty	Preparing an inaccurate incident report	Chief Agreed			
		Officer 2	Neglect of Duty	Failing to properly supervise	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
79	The officer failed to provide her name and star number upon request.	Officer 1	Neglect of Duty	The officer failed to provide name and star number upon request.	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
CASES CLOSED IN 2019 BELOW								
80	Multiple officers struggled to handcuff a person suspected of stealing a car. During the struggle, one officer repeatedly struck the suspect's head with the same hand he was using to hold the handcuffs. DPA found the officer's use of his handcuffs as an impact weapon violated DGO 5.01. DPA also found that the officer failed to document his use of an impact weapon, in violation of DGO 5.01, Use of Force.	Officer 1	Unnecessary Force	Unnecessary force.	Chief Agreed	Chief Disciplined	5-Day Suspension	1-Day Suspension
			Neglect of Duty	Failing to Comply with DGO 5 01, Use of Force	Chief Agreed			
81	Officers were dispatched to a call regarding a person with a gun. The officers detained the complainant and her friend upon arrival. The complainant alleged that she and her friend were detained for no apparent reason and that her friend was searched for no reason. In addition, the complainant alleged that the officers used unnecessary force during the detention. DPA found the detention and search to be proper conduct and found the unnecessary force allegation to be unfounded. DPA found, however, that the officers failed turn on their body-worn camera equipment, in violation of DGO 10.11	Officer 1	Neglect of Duty	Failing to comply with DGO 10 11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 2	Neglect of Duty	Failing to comply with DGO 10 11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand

# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
82	An officer stopped and cited a person for jaywalking. DPA's investigation established that, while the citation was lawfully issued, the officer failed to maintain radio contact with dispatch, failed to turn on his body-worn camera, and failed to collect and enter traffic stop data.	Officer 1	Neglect of Duty	Failing to comply with DGO 1.03	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed			
			Neglect of Duty	Failing to comply with DB 16-208, eStop-Contact Data Collection Program	Chief Agreed			
83	An attorney and his investigator attempted to access a suspect held in police custody at a hospital and were denied. DPA's investigation established that the officer willfully refused to allow the attorney access to the suspect, in violation of Penal Code section 825.	Officer 1	Unwarranted Action	Issuing an invalid order	Chief Disagreed	Not Disciplined	10-Day Suspension	No Discipline
			Conduct Reflecting Discredit	Inappropriate comments and behavior	Unknown			
			Neglect of Duty	Failing to take required action	Unknown			
84	Officers responded to a call regarding threats made against the complainant. The complainant alleged that the responding officers improperly displayed their weapons and engaged in racial profiling. The DPA found the complainant's allegations to be unfounded. The DPA found, however, that the officers failed to generate an incident report, in violation of DGO 5.04, Arrests by Private Persons	Officer 1	Neglect of Duty	Failing to comply with DGO 5.04, Arrests by Private Persons	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
85	Officers responded to call regarding a person threatening the complainant with a gun. The complainant alleged that he was detained without justification and that his vehicle was searched without cause. In addition, the complainant alleged that the officers failed to properly investigate the incident, failed to make an arrest and behaved inappropriately towards him. The DPA found the complainant's allegations against the responding officers as either proper conduct or unfounded. The DPA found, however, that three officers failed to comply with DGO 10.11, Body Worn Cameras.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 3	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
86	The complainant was a victim of a drive-by shooting, prompting police to seize his belongings as evidence. When the complainant went to the Hall of Justice to retrieve his belongings, he encountered an officer against whom the complainant had a pending DPA complaint. The complainant alleged that he was being harassed and that the officer used profanity. There was insufficient evidence to prove the allegations. However, the officer violated DB 16-186 when he failed to write a memorandum documenting his contact with the complainant.	Officer 1	Neglect of Duty	Failing to comply with DB 16-186	Chief Agreed	Chief Disciplined	1-Day Suspension	Written Reprimand
87	The complainant's son was arrested on a domestic violence charge. The complainant alleged that the officers used unnecessary force against her son, illegally entered her residence, and interfered with the rights of onlookers. DPA found those allegations to be either proper conduct or unfounded. The complainant also alleged that one officer behaved inappropriately and made inappropriate comments. The DPA's investigation established that one officer behaved inappropriately at the scene, failed to turn on his body-worn camera, and failed to comply with DB 17-109, Booking Recording Device Evidence and Written Statements. Another officer also failed to comply with DB 17-109.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Agreed	Chief Disciplined	1-Day Suspension	1-Day Suspension
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed			
			Neglect of Duty	Failing to comply with DB 17-109, Booking Recording Device Evidence and Written Statements	Chief Agreed			
		Officer 2	Neglect of Duty	Failing to comply with DB 17-109, Booking Recording Device Evidence and Written Statements	Unknown	Unknown	Written Reprimand	Unknown Outcome
88	Officers responded to a call regarding a fight. The complainant alleged that the responding officers failed to properly investigate the incident, and that one officer made inappropriate comments. The DPA found those allegations to be unfounded. The DPA found, however, that one officer muted her body-worn camera and failed to document the reasons for muting her body-worn camera	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome

# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
89	Officers were dispatched to call regarding an assault/battery. The complainants alleged that the responding officers failed to take the suspect into custody, even after signing a Citizen's Arrest Form. The DPA found the complainants' allegation to be proper conduct. The DPA found, however, that one officer failed to comply with DGO 10.11, Body Worn Cameras	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
90	Officers were flagged down regarding a robbery with a gun that had just occurred. A sergeant failed to immediately turn on his body-worn camera equipment and muted it during an officer-involved shooting incident.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
91	The complainant stated he was stopped and then subsequently arrested for no apparent reason. The complainant stated he and his vehicle were searched without cause. The complainant alleged he was being harassed by police. The DPA found the complainant's allegations against the officers to be proper conduct. The DPA found, however, that one officer failed to promptly activate his body-worn camera equipment	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
92	Officers detained two individuals while investigating a fight. were dispatched to a call regarding a fight, prompting them to detain two individuals. The complainant alleged that the officers engaged in biased policing based on race. The DPA found the complainant's allegation to be unfounded. The DPA found, however, that the officers failed to turn on their body-worn cameras.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
93	Officers were dispatched to a call regarding a battery and vandalism. The complainants and their cousin were detained based on the information provided by dispatch. The complainants alleged that they were detained without justification and were racially profiled. The DPA found those allegations to be either proper conduct or unfounded. The DPA, however, found that the officers failed to collect traffic stop data.	Officer 1	Neglect of Duty	Failing to comply with DB Nos. 16-208 and 17-213, eStop - Contact Data Collection Program	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
94	Officers were dispatched to a call regarding a fight. Body-worn camera recordings show one of the responding officers speaking rudely towards the parties involved.	Officer 1	Neglect of Duty	Failing to comply with Department General Order 2.01 section 14	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
95	An officer responded to investigate a silent alarm. When the officer arrived, the 911 caller pointed out the suspect who had attack her. DPA's investigation established that the officer used excessive force on the suspect, failed to initially report his use of force, and failed to activate his body-worn camera	Officer 1	Unnecessary Force	Excessive force	Commission Case	Pending Commission Hearing	Termination	Commission Case
			Conduct Reflecting Discredit	Misrepresenting the truth	Commission Case			
			Neglect of Duty	Failing to active a body-worn camera	Commission Case			
96	A supervising officer responded positively to a racist and derogatory text message sent by a sergeant under his command.	Officer 1	Neglect of Duty	Failing to comply with DGO 5.17, Policy Prohibiting Biased Policing	Commission Case	Pending Commission Hearing	Termination	Commission Case
			Conduct Reflecting Discredit	Failing to comply with DGO 2.01, General Rules of Conduct	Commission Case			
			Neglect of Duty	Failing to comply with DGO 1.06, Duties of Superior Officers	Commission Case			

# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
97	Patrol officers observed a subject sitting on the sidewalk in violation of the sit/lie ordinance. The complainant, an observer, alleged that one officer used unnecessary force. While the DPA found the officer's use of force was proper, the DPA found that the officer behaved inappropriately when he cursed, mocked, and threatened the subject while the subject was in handcuffs.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Agreed	Chief Disciplined	5-Day Suspension	1-Day Suspension
98	The complainant stated she came outside of a building to find her parked vehicle surrounded by officers. The complainant stated that her phone was seized and that her vehicle was towed without justification. In addition, the complainant alleged one officer used unnecessary force and misrepresented the truth. The DPA found the tow and the allegation of misrepresenting the truth to be proper conduct. The DPA also found the use of force to be unfounded. The DPA found, however, that the seizure of the complainant's cell phone violated the 4th Amendment and the refusal to release the complainant's cell phone when she attempted to retrieve it also violated department policy. The DPA also found that two officers failed to comply with DGO 10.11, Body Worn Cameras	Officer 1	Unwarranted Action	For ordering the seizure of property without cause	Unknown	Unknown	3-Day Suspension	Unknown Outcome
		Officer 2	Neglect of Duty	Failing to release the complainant's cell phone	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 3	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 4	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	3-Day Suspension	Unknown Outcome
99	Officers responded to a call from a MUNI bus driver about a man sleeping in the back of the bus. The DPA investigation established that the one of the responding officers used unnecessary force and failed to supervise his recruit officer	Officer 1	Unnecessary Force	Use of unnecessary force	Chief Agreed	Chief Disciplined	5-Day Suspension	3-Day Suspension
			Neglect of Duty	Failing to properly supervise	Chief Agreed			
100	The complainant stated that his brother was unnecessarily detained for being drunk in public and that the officers used unnecessary force. In addition, the complainant alleged that the officers failed to properly process his brother's property. The DPA found that the detention was proper conduct, and that the allegations of unnecessary force and failure to properly process property to be unfounded. The DPA found, however, that one officer failed to turn on his body-worn camera in violation of DGO 10.11, Body Worn Cameras	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
101	A person was arrested for loitering instead of being cited and released. He alleged that the officers also behaved inappropriately, failed to properly process his property, and placed him in tight handcuffs. The DPA found that the complainant's custodial arrest violated DGO 5.06, Citation and Release. The other allegations were unfounded.	Officer 1	Neglect of Duty	Failing to comply with DGO 5.06, Citation and Release	Chief Agreed	Not Disciplined	3-Day Suspension	No Discipline
102	The complainant was pulled over for having an expired registration. The complainant alleged that the officers towed and searched her vehicle without cause. The DPA found the complainant's allegations to be proper conduct. The DPA found, however, that the field training officer failed to supervise his recruit officer when the recruit failed to generate an incident report to document why a S.T.O.P. hold was placed on the vehicle, in violation of DGO 9.06, Vehicle Tows.	Officer 1	Neglect of Duty	Failing to supervise	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
103	The complainant stated she was pepper sprayed by a transient. She alleged that the responding officers behaved inappropriately, laughing at her. There was insufficient evidence to prove the complainant's allegation against one officer and the allegation was unfounded against another officer. The complainant also stated that she was kicked in the face during an earlier incident, and that the responding officers failed to take any action. The DPA found the complainant's allegation to be unfounded. The DPA found, however, that the primary officer failed to turn on his body worn camera equipment in violation of DGO 10.11.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
104	The complainant was involved in an altercation on a city bus, prompting him to call police. The complainant alleged that the responding officers failed to properly investigate the incident, behaved inappropriately toward him, improperly detained him, and engaged in biased policing. In addition, the complainant alleged he was placed in tight handcuffs. The DPA found the complainant's allegations to be unfounded. The DPA found, however, that one officer failed to activate his body-worn camera in violation of DGO 10.11, Body Worn Cameras.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand



# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
105	The complainant stated she was at Safeway when an officer attempted to intimidate her and failed to provide his name and star number upon request. There was insufficient evidence to prove the complainant's allegations. The complainant also alleged that a different officer refused to write an incident report. The DPA found that allegation to be unfounded. The DPA found, however, that the initial officer with whom the complainant had contact wrote an incomplete and inaccurate report and failed to turn on his body worn camera in violation of DGO 10.11.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
106	The complainant stated that her daughter was riding a bicycle on a city sidewalk and accidentally struck a pedestrian, prompting police to respond to the scene. The complainant alleged that the initial responding officer made racially derogatory comments, behaved inappropriately, and intentionally damaged her property. The DPA found the complainant's allegations to be unfounded. The DPA found, however, the one of the back up officers failed to activate her body worn camera in violation of DGO 10.11, Body Worn Cameras	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
107	The complainant was stopped and cited for running a stop sign. The complainant alleged that the officers behaved inappropriately, used unnecessary force and threatened to arrest the complainant. The DPA found the complainant's allegations to be proper conduct. The DPA found, however, that the officers failed to comply with DGO 5.20 when they failed to provide translator services during the traffic stop	Officer 1	Neglect of Duty	Failing to comply with DGO 5.20, Language Access Services for Limited English Proficient (LEP) Persons	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 2	Neglect of Duty	Failing to comply with DGO 5.20, Language Access Services for Limited English Proficient (LEP) Persons	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
108	The complainant stated that officers entered and searched her residence without cause. In addition, the complainant stated that police intentionally damaged her property. The DPA found the complainant's allegations to be proper conduct. The complainant also alleged that officers pointed their weapons at the children as they descended the stairs. The DPA found that the officers used excessive force when they pointed their guns at minor female children and failed to report their use of force	Officer 1	Unnecessary Force	Use of excessive force	Commission Case	Pending Commission Hearing	11-Day Suspension	Commission Case
			Neglect of Duty	Failing to comply with DGO 5.01, Use of Force	Commission Case			
		Officer 2	Unnecessary Force	Use of excessive force	Commission Case	Pending Commission Hearing	11-Day Suspension	Commission Case
		Officer 3	Neglect of Duty	Failing to comply with DGO 5.01, Use of Force	Commission Case			
		Officer 4	Neglect of Duty	Failing to comply with DGO 5.01, Use of Force	Commission Case	Pending Commission Hearing	11-Day Suspension	Commission Case
109	An argument between roommates prompted one person to call for police assistance. The complainant alleged that the responding officers failed to properly investigate the incident, failed to serve a restraining order, and behaved inappropriately. The DPA found the complainant's allegations to be either unfounded or proper conduct. The DPA found, however, that the investigating officer failed to provide language services, in violation of DGO 5.20.	Officer 1	Neglect of Duty	Failing to comply with DGO 5.20, Language Access Services for Limited English Proficient (LEP) Persons	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
110	The complainant stated he was arrested without cause for having a child's teepee in a park and for carrying a machete. The complainant alleged that officers used unnecessary force. The DPA found the complainant's allegations as proper conduct. The DPA found, however, that one officer muted his body-worn camera twice and failed to document why he muted his body-worn camera. In another incident involving the complainant, the DPA found one officer failing to comply with DGO 10.11, Body Worn Cameras, and another officer failing to comply with DB 17-156, Body Worn Camera Mute Function.	Officer 1	Neglect of Duty	Failing to comply with DB 17-156, Body-Worn Camera Mute Function	Chief Agreed	Chief Disciplined	1-Day Suspension	Written Reprimand
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 3	Neglect of Duty	Failing to comply with DB 17-156, Body-Worn Camera Mute Function	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
111	The complainant was arrested for making criminal threats. The complainant alleged that officers used excessive force, acted in a sexually derogatory manner, and failed to take his DPA complaint. There was insufficient evidence to prove the complainant's allegations. The DPA found, however, that the officer who prepared the incident report failed to document that there was video evidence available and failed to collect the video footage as evidence. The DPA also found that the sergeant who reviewed and approved the incident report failed to address the deficiencies made by his subordinate.	Officer 1	Neglect of Duty	Failing to properly supervise	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 2	Neglect of Duty	Failure to comply with DB 17-109, Booking Recording Device Evidence and Written Statements	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand

SOLID GREY BOX—Chief's Case

SOLID PINK BOX—Commission Case

DASHED PINK BOX—Combination Commission and Chief's Case

APPENDIX

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# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
112	The complainant was involved in a physical altercation with his neighbor, prompting the complainant to call police. The complainant alleged that the responding officers refused to take any action and was dismissive toward him. The DPA found that, while the officers' actions at the scene were proper, the officers failed to prepare an incident report, in violation of DGO 5.04, Arrests by Private Persons.	Officer 1	Neglect of Duty	Failing to comply with DGO 5.04, Arrests by Private Persons	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 2	Neglect of Duty	Failing to comply with DGO 5.04, Arrests by Private Persons	Unknown	Unknown	Written Reprimand	Unknown Outcome
113	Officers failed to properly document multiple threats reported by the complainants.	Officer 1	Neglect of Duty	Failure to take required action	Chief Agreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Neglect of Duty	Failure to take required action	Unknown	Unknown	Written Reprimand	Unknown Outcome
114	The complainant stated he detained, searched and arrested for drinking an alcoholic beverage in public. The complainant alleged he was racially profiled. The DPA's investigation established that the detention, search, and arrest were proper conduct. The DPA also established that the allegation of biased policing was unfounded. However, the DPA found that officers failed to activate their body-worn cameras when they detained and searched the complainant, in violation of DGO 10.11, Body Worn Cameras.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
115	The complainants called for police assistance after one roommate pushed another roommate. The complainants stated that the responding officers behaved inappropriately and refused to arrest the roommate. DPA's investigation established that the complainants' allegations were proper conduct. However, the DPA found that three of the four responding officers failed to comply with DGO 10.11, Body Worn Cameras.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 3	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
116	The complainant called police after being assaulted by a neighbor. The complainant alleged that one officer was rude and made inappropriate comments. There was insufficient evidence to prove the complainant's allegation. However, the DPA found that the responding officers failed to turn on their body-worn cameras.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
117	Officers responded to an "A" priority call regarding a man acting erratically and waving a knife. At the scene, one responding officer used an Extended Range Impact Weapon ("ERIW"), shooting the man in the right arm. Officers subsequently used firearms, killing the man. While the DPA found insufficient evidence to either prove or disprove that the officers used excessive force, the DPA found that one officer failed to comply with Department Bulletin 15-234, Extended Range Impact Weapon Guide Sheet. In addition, the DPA found that the sergeant at the scene failed to supervise his subordinate officers.	Officer 1	Neglect of Duty	Failing to comply with DB 15-234, Extended Range Impact Weapon Guide Sheet	Commission Case	Pending Commission Hearing	45-Day Suspension	Commission Case
		Officer 2	Neglect of Duty	Failing to supervise	Commission Case	Pending Commission Hearing	30-Day Suspension	Commission Case
118	An attorney made numerous allegations against the officers who arrested his client. The DPA found that the search of the client's personal property and arrest were proper conduct. In addition, the DPA found an inappropriate behavior allegation to be unfounded. The DPA, however, found that one officer conducted a pat search without justification, used excessive force, misrepresented the truth, and failed to comply with DGO 10.11, Body Worn Cameras. The DPA also found that another officer used excessive force and failed to properly process the client's property.	Officer 1	Unwarranted Action	Conducting a pat search without justification	Commission Case	Pending Commission Hearing	30-Day Suspension	Commission Case
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Commission Case			
			Conduct Reflecting Discredit	Misrepresenting the truth	Commission Case			
			Unnecessary Force	Excessive force	Commission Case			
		Officer 2	Unwarranted Action	Conducting a pat search without justification	Unknown	Unknown	1-Day Suspension	Unknown Outcome
			Neglect of Duty	Failing to properly process property	Unknown			
			Unnecessary Force	Excessive force	Unknown			

SOLID GREY BOX—Chief's Case

SOLID PINK BOX—Commission Case

DASHED PINK BOX—Combination Commission and Chief's Case

# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
119	The complainant alleged that officers failed to arrest or take any action against his daughter's mother, who left their child at Treasure Island following an argument. The DPA found the complainant's allegations against the officers as either proper conduct or unfounded. The DPA, however, found the officer who detained the mother failed to comply with DB 18-105, Stop Data Collection System (SDCS) Implementation.	Officer 1	Neglect of Duty	Failing to comply with DB 18-105, Stop Data Collection System (SDCS) Implementation	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
120	The complainant boarded a Muni bus with an unleashed dog. The complainant refused the driver's request to leash his dog, prompting the driver to call police. The complainant alleged he was arrested without cause. DPA found the complainant's allegation to be proper conduct. The complainant also alleged that the responding officers behaved inappropriately toward him. However, the DPA found that another officer behaved inappropriately toward the complainant by using profanity.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Unknown	Unknown	Written Reprimand	Unknown Outcome
121	The complainant stated that police officers used excessive force when making an arrest. In addition, the complainant alleged that one officer used profanity and threatened him. The DPA established that the officers use of force was proper conduct. The DPA, however, found that one officer used profanity, in violation of DGO 2.01.	Officer 1	Neglect of Duty	Failing to comply with DGO 2.01, General Rules of Conduct	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
122	The complainant called police to report an assault. The complainant alleged that the responding officers failed to arrest the suspect and failed to write an incident report. The DPA established that the officers could not make the arrest because the suspect had left the scene. There was insufficient evidence to either prove or disprove whether the officers had enough information to generate an incident report, documenting their contact with the complainant. The DPA found that the officers failed to turn on their body-worn cameras, while interviewing the complainant.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
123	The DPA received a complaint from the National Lawyers Guild San Francisco Bay Area Chapter, alleging that officers used unnecessary on protestors.	Officer 1	Unnecessary Force	Use of unnecessary force	Chief Agreed	Officer Resigned	9-Day Suspension	Officer Resigned
			Neglect of Duty	Failing to comply with DGO 8.03, Crowd Control	Chief Agreed			
124	The complainant stated that he was arrested without cause because the officers relied on an informant who was later found to be unreliable in court. The DPA found the complainant's arrest to be proper conduct. The DPA, however, found that one officer deactivated his body-worn camera while transporting the complainant to the station.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
125	The complainants, a juror and deputy public defender in a trial on a misdemeanor charge of assault on an police officer, stated that officers subduing a naked man trespassing in an apartment laundry room used unnecessary and excessive force. The DPA found that two of the officers failed to comply with DGO 10.11, Body Worn Cameras, and with DGO 5.01, Use of Force. The DPA also found that the scene supervisor failed to properly conduct a use-of-force investigation and violated the suspect's <i>Miranda</i> Rights.	Officer 1	Neglect of Duty	Failing to comply with DGO 5.01, Use of Force	Unknown	Unknown	Written Reprimand	Unknown Outcome
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown			
		Officer 2	Neglect of Duty	Failing to comply with DGO 5.01, Use of Force	Unknown	Unknown	Written Reprimand	Unknown Outcome
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown			
		Officer 3	Neglect of Duty	Failing to comply with DGO 5.01, Use of Force	Unknown	Officer Resigned	Written Reprimand	Officer Resigned
			Neglect of Duty	Excessive force	Unknown			
			Neglect of Duty	Preparing an inaccurate or incomplete incident report	Unknown			
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown			
		Officer 4	Neglect of Duty	Failing to comply with DGO 5.01, Use of Force	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
			Neglect of Duty	Failing to comply with <i>Miranda</i> rights	Chief Disagreed			

# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
126	The complainants stated that a female officer stole cash from their house. The DPA found that the officer failed to properly process property taken from the complainants' home.	Officer 1	Neglect of Duty	Failing to properly process property	Unknown	Unknown	Written Reprimand	Unknown Outcome
127	Pursuant to administrative code section 96.11, DPA investigated the officer-involved shooting of Jihad Eid. The DPA found the officers' use of force was within policy. However, the DPA found one officer detained an individual without legal justification and placed the individual in harms way by leaving the detained individual in an unsafe place as gunfire erupted.	Officer 1	Unwarranted Action	Detention without justification	Commission Case	Pending Commission Hearing	11-Day Suspension	Commission Case
			Conduct Reflecting Discredit	Inappropriate behavior	Commission Case			
128	The complainant called police to report an assault. The complainant alleged that the responding officers failed to take any action. DPA found that the officers failed to properly investigate the incident and failed to activate their body-worn cameras.	Officer 1	Neglect of Duty	Failure to properly investigate	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed			
		Officer 2	Neglect of Duty	Failure to properly investigate	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed			
129	The complainant called police to check on the co-complainant, who was feeling suicidal. The co-complainant stated that the initial officer failed to properly identify himself when he knocked on her door. There was insufficient evidence to prove the allegation. The co-complainant also alleged that the officers used unnecessary force, taunted her, and improperly issued her vehicle a citation. The DPA found these allegations to be either proper conduct or unfounded. The DPA, however, found that the initial officer failed to comply with DGO 10.11, Body Worn Cameras.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
130	The complainant stated that he was detained at gunpoint. In addition, the complainant alleged that the officers engaged in biased policing. The DPA found the detention to be proper conduct and the allegation of biased policing to be unfounded. The DPA, however, found that officers failed to enter traffic stop data.	Officer 1	Neglect of Duty	Failing to comply with DB 18-105, Stop Data Collection System (SDCS) Implementation	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Neglect of Duty	Failing to comply with DB 18-105, Stop Data Collection System (SDCS) Implementation	Unknown	Unknown	Written Reprimand	Unknown Outcome
131	The complainant stated that two men in plainclothes approached him while he was selling merchandise outside of AT&T Park. The men told him that he was not allowed to sell merchandise. The complainant stated several police officers rode up on bikes and grabbed him, while the two men took his property. The complainant alleged that the officers failed to properly process his property and used unnecessary force. The DPA found the complainant's allegation to be unfounded. The DPA, however, found that one officer made inappropriate comments toward the complainant and failed to activate his body-worn camera. In addition, the DPA found that there was a training failure regarding the officers' lack of understanding of copyright law.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
			Neglect of Duty	Failing to activate a body-worn camera	Chief Agreed			
132	The complainant was arrested on a domestic violence charge. The complainant alleged that the officer who transported them to County Jail used excessive force. The DPA found the officer's use of force justified, lawful, and proper. The DPA, however, found that the officer failed to turn on his body-worn camera.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
133	The complainant called police after being elbowed by another customer at a restaurant. The complainant alleged that one officer behaved inappropriately toward him and failed to write an incident report. The DPA found that one officer was discourteous and failed to prepare the required incident report.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior.	Unknown	Unknown	Written Reprimand	Unknown Outcome
134	The complainant stated he was detained at gunpoint and that his vehicle was cited and towed for no apparent reason. In addition, the complainant alleged that the officer engaged in biased policing. The DPA found the complainant's allegations against the officer to be either proper conduct or unfounded. The DPA, however, found that the officer failed to turn on his body-worn camera as required.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand

SOLID GREY BOX—Chief's Case

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# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
135	The complainant stated an officer refused to accept his private person's arrest. In addition, the complainant alleged that the officers failed to provide their names and star numbers upon request. The DPA found the complainant's allegations to be either proper conduct or unfounded. The DPA, however, found that one of the responding officers failed to write an incident report.	Officer 1	Neglect of Duty	Failing to write an incident report	Unknown	Unknown	Written Reprimand	Unknown Outcome
136	The complainant stated that officers failed to investigate an incident between him and his neighbor and failed to prepare an incident report. In addition, the complainant alleged that the officers failed to provide their names and star numbers and used profanity. The DPA found the complainant's allegations to be either proper conduct or unfounded. The DPA, however, found that the officers failed to turn on their body-worn cameras.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
137	The complainant called police to report an attempted battery. The complainant alleged that responding officers failed to accept his private person's arrest and one officer behaved inappropriately. The DPA found the complainant's allegations to be proper conduct. The DPA, however, found that the officer failed to prepare an incident report and that one officer failed to activate his body-worn camera.	Officer 1	Neglect of Duty	Failing to prepare an incident report in violation of DGO 5.04, Arrests by Private Persons	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
138	The complainant alleged that officers used unnecessary force on a man and engaged in biased policing. The DPA found the officers' actions to be proper conduct, and found the allegation of biased policing to be unfounded. The DPA, however, found that two officers wrote inaccurate incident report statements.	Officer 1	Neglect of Duty	Inaccurate and incomplete incident report	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
		Officer 2	Neglect of Duty	Inaccurate and incomplete incident report	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
139	The complainant stated that an officer responded in a threatening manner when confronted about driving improperly. The DPA found that the officer drove improperly. There was insufficient evidence that the officer threatened the complainant.	Officer 1	Neglect of Duty	Driving improperly	Unknown	Unknown	Written Reprimand	Unknown Outcome
140	The complainant stated he was stopped, searched and cited for the sole purpose of harassment. In addition, the complainant alleged that the officers used unnecessary force and failed to provide their names and star numbers upon request. The DPA found the officers' actions were proper. However, the DPA found that one officer failed to provide his name and star number upon request.	Officer 1	Neglect of Duty	Failing to provide name and star number, in violation of DGO 2.01, General Rules of Conduct	Unknown	Unknown	Written Reprimand	Unknown Outcome
141	An individual complained about being detained and cited for violating the sit/lie law. The individual also stated an officer used unnecessary force. The DPA found the detention and citation were proper, and found the allegation of unnecessary force to be unfounded. The DPA, however, found that the officer behaved inappropriately by unnecessarily engaging in a prolonged argument.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Agreed	Not Disciplined	Written Reprimand	No Discipline
142	The complainant stated she was arrested without cause. The complainant alleged that the officers failed to provide her <i>Miranda</i> rights, searched her vehicle without cause, intentionally damaged her property, and misrepresented the truth. The DPA found the complainant's allegations to be either proper conduct or unfounded. The complainant also alleged that the officers taunted her and used unnecessary force. There was insufficient evidence to prove that allegation. The DPA, however, found that one officer failed to comply with DGO 10.11.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
143	The complainant stated he was assaulted and that the responding officer failed to prepare an incident report. The DPA found the responding officer's actions at the scene to be proper conduct. The DPA, however, found that the officer failed to activate his body-worn camera.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
144	The complainant alleged that an officer was rude during a traffic stop. The DPA found the complainant's allegation to be unfounded. The DPA, however, found that the officer failed to activate his body-worn camera and failed to collect traffic stop data.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
			Neglect of Duty	Failing to comply with eSTOP requirements	Unknown			

# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
145	The complainant, a domestic violence victim, requested a copy of a domestic violence incident report numerous times before finally getting a copy. The complainant also alleged that the SFPD improperly released information about a former partner's death. The DPA found that the investigating officer failed to properly investigate and failed to promptly release a copy of the incident report to the complainant. The DPA also found a policy failure regarding the release of information regarding the incident.	Officer 1	Neglect of Duty	Failing to take required action	Unknown	Unknown	Written Reprimand	Unknown Outcome
146	The complainant flagged down patrol officers to report that he had located his stolen guitar in a nearby pawn shop. DPA found a training failure regarding the seizure of property from the pawn shop. In addition, the DPA found that the officer used profanity toward the pawn shop owner.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Unknown	Unknown	Written Reprimand	Unknown Outcome
147	The complainant filed a complaint on behalf of a battered family member. The complainant alleged that officers failed to investigate the incident and failed to provide the family member with interpretation services. The DPA found that one officer failed to provide interpretation services during the victim's interview. In addition, the DPA found that both officers failed to comply with DGO 10.11, Body Worn Cameras.	Officer 1	Neglect of Duty	Failing to comply with DGO 5.20, Language Access Services, and DB 18-185	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed			
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
148	The complainant stated that officers entered and searched her home without cause. The complainant stated that her family members were unnecessarily detained and that the officers failed to provide a copy of the search warrant. The DPA found the officers' actions at the scene to be justified, lawful, and proper. However, the DPA found that the officer in charge of the investigation failed to provide the complainant a property receipt for the items that were seized.	Officer 1	Neglect of Duty	Failing to properly process property	Chief Disagreed	Not Disciplined	Written Reprimand	No Discipline
149	The complainant stated that a man aggressively pushed him while he was grocery shopping, prompting store security to call police. The complainant alleged that the responding officer failed to properly investigate the incident and behaved inappropriately by insinuating that the complainant was responsible for the incident. The DPA found that the officer took the appropriate investigative steps. There was insufficient evidence to either prove or disprove that the officer behaved inappropriately. The DPA found that the responding officer failed to turn on his body-worn camera.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
150	The complainant called police to report being robbed. The complainant alleged that one officer made an inappropriate comment. The DPA found that allegation to be unfounded. The complainant also alleged that the officer started sending her text messages, which made her uncomfortable. The DPA found the officer's text messages were inappropriate and violated Department regulations.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Agreed	Chief Disciplined	Written Reprimand	5-Day Suspension
151	The complainant alleged that a sergeant harassed individuals, including her clients, in the Bayview Community. The complainant also alleged that the officer failed to <i>Mirandize</i> her clients and engaged in biased policing. The DPA found the complainant's allegations to be unfounded. The complainant also alleged that the sergeant violated one client's Fifth Amendment right to remain silent. The DPA found that the sergeant was in violation of the Fifth Amendment when he continued to question the suspect after the suspect invoked his Fifth Amendment right to remain silent.	Officer 1	Unwarranted Action	For violating the Fifth Amendment	Unknown	Unknown	Written Reprimand	Unknown Outcome
152	The complainant stated that he observed officers using excessive force on a male suspect. DPA's investigation established that the officers' use of force was justified, lawful, and proper. The DPA, however, found that the officers failed to immediately activate their body-worn cameras.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome
153	The complainant stated she was assaulted by her neighbor and that the responding officers failed to take any action. The DPA found the complainant's allegation to be sustained. The DPA also found a policy failure against a Station Investigation Team (SIT) lieutenant who failed to assign the complainant's case for investigation after the complainant submitted additional evidence at the station. The DPA also found that the responding officers failed to comply with DGO 10.11, Body Worn Cameras.	Officer 1	Neglect of Duty	Failing to take required action	Chief Agreed	Chief Disciplined	2-Day Suspension	1-Day Suspension
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed		2-Day Suspension	1-Day Suspension
		Officer 2	Neglect of Duty	Failing to take required action	Chief Agreed	Chief Disciplined	2-Day Suspension	1-Day Suspension
			Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed		2-Day Suspension	1-Day Suspension

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SOLID PINK BOX—Commission Case

DASHED PINK BOX—Combination Commission and Chief's Case

APPENDIX

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# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
154	The complainant called the police to report domestic violence. The complainant alleged that officers failed to prepare a domestic violence police report and forced him to delete a cell phone video. The DPA's investigation established that the officers failed to comply with DGO 6.09, Domestic Violence, and one officer improperly asked the complainant to delete a cell phone video. The complainant also alleged he was treated unfairly because one officer knew the complainant's ex-partner. The DPA found the complainant's allegation to be unfounded.	Officer 1	Neglect of Duty	Failing to comply with DGO 6.09, Domestic Violence	Chief Agreed	Chief Disciplined	Written Reprimand	1-Day Suspension
			Conduct Reflecting Discredit	Inappropriate behavior and comments	Chief Agreed			
		Officer 2	Neglect of Duty	Failing to comply with DGO 6.09, Domestic Violence	Chief Agreed	Chief Disciplined	Written Reprimand	1-Day Suspension
155	The complainant stated he was detained without justification and that the officers failed to provide medical attention. In addition, the complainant alleged that one officer made rude comments. The DPA found insufficient evidence to prove the complainant's allegations. The DPA, however, found that the officers failed to comply with DGO 10.11, Body Worn Cameras.	Officer 1	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 2	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
		Officer 3	Neglect of Duty	Failing to comply with DGO 10.11, Body-Worn Cameras	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand
156	The complainant was struck by a bicyclist while crossing the street. The complainant stated that the responding officer who prepared the traffic collision report failed to interview her and that the report contained inaccurate information. The DPA found the complainant's allegation against the officer to be sustained.	Officer 1	Neglect of Duty	Failing to take required action	Unknown	Unknown	Written Reprimand	Unknown Outcome
157	The complainant went to a police station to report being physically attacked by an elderly parent who suffers from dementia. The complainant stated he was detained and subsequently arrested for no apparent reason. The complainant stated that officers seized a knife without issuing a property receipt. In addition, the complainant alleged that officers failed to provide medical treatment. DPA's investigation established that the complainant's detention and arrest were justified, lawful, and proper. The DPA found the complainant's allegations of failing to process property and failing to provide medical treatment to be unfounded. The DPA found, however, that the officers searched the complainant's room without cause and that the officer who wrote the incident report failed to mention the search in the report.	Officer 1	Unwarranted Action	Improper search or seizure	Chief Agreed	Chief Disciplined	1-Day Suspension	1-Day Suspension
			Neglect of Duty	Preparing an inaccurate or incomplete incident report	Chief Agreed		1-Day Suspension	1-Day Suspension
		Officer 2	Unwarranted Action	Improper search or seizure	Not Applicable	Officer Retired	Not Applicable	Officer Retired
158	The complainant stated she and her friend were wrongfully arrested for being drunk in public and that the arresting officers used unnecessary force. In addition, the complainant alleged the officers behaved inappropriately. The DPA found the arrest to be a training failure and the unnecessary force allegation to be unfounded. The DPA, however, found that one officer was discourteous towards the complainant and made inappropriate comments.	Officer 1	Conduct Reflecting Discredit	Conduct reflecting discredit	Unknown	Unknown	Written Reprimand	Unknown Outcome
			Discourtesy	Profane statements	Unknown			
159	The complainant stated he observed officers working with the Department of Public Works to clear a homeless encampment. The complainant alleged that the officers failed to bag-and-tag a homeless individual's belongings and asked him to stop video recording the incident. In addition, the complainant alleged that he was denied a private person's arrest and that the officers behaved inappropriately toward him. The DPA found these allegations to be either proper conduct or unfounded. The DPA, however, found that one officer failed to provide his star number when the complainant requested it.	Officer 1	Neglect of Duty	Failing to provide star number	Unknown	Unknown	Written Reprimand	Unknown Outcome
160	The complainant reported to police that her elderly parent with dementia was missing. Later in the evening, the complainant learned that SFPD officers located her parent in a disabled vehicle, towed the vehicle, and released her parent from the scene. The DPA found that the officers failed to comply with DGO 6.10, Missing Persons.	Officer 1	Neglect of Duty	Failing to take required action	Unknown	Not Applicable	Admonishment	Not Applicable
		Officer 2	Neglect of Duty	Failing to take required action	Unknown	Unknown	Written Reprimand	Unknown Outcome
		Officer 3	Neglect of Duty	Failing to take required action	Unknown	Unknown	Written Reprimand	Unknown Outcome
161	The complainant stated that her client was detained and searched without cause. In addition, the complainant alleged that the officers failed to immediately turn on their body-worn cameras. The DPA found that the complainant's client was detained and searched without cause and that officers failed to immediately turn on their body-worn cameras. The complainant also alleged that her client was arrested without cause and that the officer engaged in biased policing. The DPA found insufficient evidence to prove or disprove that the arrest was made without cause and that the officer engaged in biased policing. The DPA found that one officer detained and searched a person without cause and that two officers failed to comply with body-worn camera policies.	Officer 1	Unwarranted Action	Detaining a person without reasonable suspicion	Unknown	Chief Disciplined	11-Day Suspension	Written Reprimand
			Unwarranted Action	Conducting an improper search or seizure	Unknown			
			Neglect of Duty	Failing to activate a body-worn camera	Unknown			
		Officer 2	Neglect of Duty	Failing to activate a body-worn camera	Chief Agreed	Chief Disciplined	Written Reprimand	Written Reprimand

# IMPROPER CONDUCT (SUSTAINED) CASES

## Chief's Findings and Officer Discipline

June 2017 - December 2019

Case #	Case Summary	Officer	Allegation Type	Allegation Description	Did Chief agree?	Was the officer disciplined?	DPA Recommendation	Chief's Discipline
162	The complainant stated he was illegally parked in a red zone when he was unnecessarily detained and searched. In addition, the complainant alleged that the officers used unnecessary force, searched his vehicle, and behaved inappropriately at the scene. The DPA found that the complainant's detention and the search of his vehicle were justified, lawful, and proper. The DPA also found that the officers used reasonable force and that the officers behaved appropriately. The DPA, however, found that the search of the complainant was improper and that one officer failed to report his use of force as required by DGO 5.01.	Officer 1	Unwarranted Action	For conducting a pat search without cause	Commission Case	Pending Commission Hearing	11-Day Suspension and Written Reprimand	Commission Case
			Neglect of Duty	Failing to report use of force	Commission Case			
163	The complainant stated that officers failed to cite a double-parked vehicle. When he confronted the officers, the complainant stated he was issued a citation. In addition, the complainant stated that when he complained about the citation to a commanding officer, the commanding officer said that the citation would be dismissed. The DPA found the officers' actions at the scene to be lawful and proper. However, the DPA found enough evidence to establish that the complainant was cited only after he confronted the officers about their failure to cite the double-parked vehicle(s).	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Unknown	Not Applicable	Admonishment	Not Applicable
164	The complainant and her companion were taken into custody for being drunk in public. The complainant alleged that officers used unnecessary force and behaved inappropriately towards her and her companion. The DPA found the officers' use of force to be justified, lawful, and proper. The DPA, however, found that one officer spoke inappropriately toward the complainant, and that the complainant's arrest resulted from inadequate training.	Officer 1	Conduct Reflecting Discredit	Inappropriate comments and behavior	Chief Agreed	Chief Disciplined	3-Day Suspension	Written Reprimand
165	The complainant stated that officers entered his home and detained him and his family members. The complainant also stated that, after the officers searched his home, they left without giving him any paperwork. The DPA found that the officers entered and searched the complainant's home without cause, and that the complainant was detained without justification. In addition, DPA found that the officers failed to comply with DGO 5.03, Investigative Detentions, and DB 18-256, Body-Worn Cameras.	Officer 1	Unwarranted Action	Detention without justification	Commission Case	Pending Commission Hearing	30-Day Suspension	Commission Case
			Unwarranted Action	Detention without justification (occupants)	Commission Case			
			Unwarranted Action	Entering and searching a residence without cause	Commission Case			
			Neglect of Duty	Failing to comply with DGO 5.03, Investigative Detentions	Commission Case			
			Neglect of Duty	Failing to comply with DB 18-256, Body-Worn Cameras	Commission Case			
			Neglect of Duty	Failing to comply with DGO 5.20, Language Access	Commission Case			
		Officer 2	Unwarranted Action	Detention without justification	Commission Case	Pending Commission Hearing	11-Day Suspension	Commission Case
			Unwarranted Action	Failing to properly investigate	Commission Case			
			Neglect of Duty	Failing to comply with DGO 5.03, Investigative Detentions	Commission Case			
		Officer 3	Unwarranted Action	Entering and searching a residence without cause	Commission Case	Pending Commission Hearing	20-Day Suspension	Commission Case
			Neglect of Duty	Failing to comply with DGO 5.03, Investigative Detentions	Commission Case			
			Neglect of Duty	Failing to comply with DB 18-256, Body-Worn Cameras	Commission Case			
		Officer 4	Neglect of Duty	Failing to comply with DB 18-256, Body-Worn Cameras	Unknown	Unknown	Written Reprimand	Unknown Outcome

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