

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/28/14 **DATE OF COMPLETION:** 09/12/14 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer failed to properly identify himself.

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

**FINDINGS OF FACT:** The complainant stated the officer failed to provide his name and star number.

The officer denied the allegation. He stated he verbally provided the requested information.

No independent witnesses were identified.

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

**SUMMARY OF ALLEGATION #2:** The officer made inappropriate comments/acted in an inappropriate manner.

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

**FINDINGS OF FACT:** The complainant stated the officer made rude remarks to her and acted inappropriately to her regarding a former guest on her property.

The officer denied the allegation.

No independent witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 03/03/14    **DATE OF COMPLETION:** 09/04/14    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated that the named officer wrote an inaccurate report.

The named officer denied the allegation, stating that his report was accurate.

No independent witnesses were identified.

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

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

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

**FINDINGS OF FACT:** The complainant was detained pursuant to Welfare and Institutions Code section 5150, which states, in part:

When a person, as a result of a mental health disorder, is a danger to others, or to himself or herself, or gravely disabled, a peace officer...may, upon probable cause, take, or cause to be taken, the person into custody for a period of up to 72 hours for assessment, evaluation, and crisis intervention, or placement for evaluation and treatment in a facility designated by the county for evaluation and treatment and approved by the State Department of Health Care Services.

The complainant denied that he was a danger to himself and/or others. He also denied telling the officer that the complainant “wants to die,” as articulated in the incident report.

No independent witnesses were identified

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

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**DATE OF COMPLAINT:** 03/03/14    **DATE OF COMPLETION:** 09/04/14    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATIONS #3-4:** The officers handcuffed the complainant.

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

**FINDINGS OF FACT:** The complainant was detained and handcuffed pursuant to Welfare and Institutions Code section 5150, which states, in part:

When a person, as a result of a mental health disorder, is a danger to others, or to himself or herself, or gravely disabled, a peace officer...may, upon probable cause, take, or cause to be taken, the person into custody for a period of up to 72 hours for assessment, evaluation, and crisis intervention, or placement for evaluation and treatment in a facility designated by the county for evaluation and treatment and approved by the State Department of Health Care Services.

The complainant denied that he was a danger to himself and/or others. He also denied telling the police that he “wants to die,” as articulated in the incident report.

No independent witnesses were identified

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

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

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

**FINDINGS OF FACT:** The complainant was detained pursuant to Welfare and Institution Code section 5150, requiring the named officer to complete an Application for 72-Hour Detention for Evaluation and Treatment.

The named officer denied the allegation, stating that he attached a copy of the application to his incident report. The named officer stated the original form went to SFGH PES as required. The copy of the application could not be located. Because the complainant refused to sign a medical release form, the OCC was unable to obtain a copy of the application from SFGH.

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

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**DATE OF COMPLAINT:** 08/29/13    **DATE OF COMPLETION:** 09/08/14    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant was cited for violating California Vehicle Code section 21950(a), Right of Way At Crosswalks. The complainant stated she saw a couple just stepping off the curb from a block away. The complainant stated she proceeded through the intersection because she felt it was safe, as “the people were not running.”

The named officer stated the complainant unsafely drove through a crosswalk being used by two pedestrians. The named officer stated the complainant came within two to three feet of hitting the pedestrians.

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

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 03/26/14    **DATE OF COMPLETION:** 09/29/14    **PAGE #** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant was cited for violation of California Vehicle Code section 4000(a)(1), Registration Required.

The complainant stated that he had just purchased the vehicle and had all of the paperwork in order.

The named officer stated he cited the complainant for having expired registration. He could not recall the date of purchase on the complainant's paperwork.

No witnesses were identified.

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

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**DATE OF COMPLAINT:** 03/28/14    **DATE OF COMPLETION:** 09/19/14    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1 & 2:** The officers arrested the complainant without cause.

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

**FINDINGS OF FACT:** The complainant stated that he was assaulted by his girlfriend and left her apartment. He stated he returned the next morning with two officers to retrieve his belongings. He stated his girlfriend told officers that she had a restraining order against him. He stated the officers arrested him.

The named officers stated they conducted a citizen standby for the complainant while he retrieved his belongings from his girlfriend's apartment. The officers stated that the complainant told them that "someone" had hit him, but he did not want to discuss it or press charges; he just wanted to get his belongings. The officers stated the complainant's girlfriend told them that the complainant had broken the lock and she had a restraining order against the complainant. The officers stated they learned that officers had responded the previous night on a call of domestic violence and that an emergency protective order had been issued against the complainant. The named officers subsequently arrested the complainant.

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

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 04/02/14    **DATE OF COMPLETION:** 09/03/14    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer responded to the complainant's residence without justification.

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

**FINDINGS OF FACT:** The complainant stated the SFPD members had no justification to respond to his residence.

The named officer stated she responded to reports that the complainant had threatened several people who felt fearful of him, that she had a duty to ascertain whether the complainant intended to harm any of them, and because she needed to hear the complainant's side of the story.

The complainant's former employer and co-workers provided evidence of the alleged threats.

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

**SUMMARY OF ALLEGATION #2:** The officer made an inappropriate comment.

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

**FINDINGS OF FACT:** The complainant said he told SFPD members that his uncle is very influential. He said the named officer warned him about his comments, and inappropriately warned him that he could be held in a mental institution.

The named officer and another officer denied the allegation.

No other witnesses were identified.

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

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**DATE OF COMPLAINT:** 04/02/14    **DATE OF COMPLETION:** 09/03/14    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer made an inappropriate comment.

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

**FINDINGS OF FACT:** The complainant said the named officer told him that records showed him to be a convicted felon.

The named officer and another officer denied the allegation.

No other witnesses were identified.

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



**OFFICE OF CITIZEN COMPLAINTS  
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REVISED**

**DATE OF COMPLAINT:** 03/26/14 **DATE OF COMPLETION:** 09/23/14 **PAGE # 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer behaved inappropriately and/or made an inappropriate comment.

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

**FINDINGS OF FACT:** The complainant stated he was riding a large, non-motorized scooter when he was stopped and cited for violation of California Vehicle Code section 21201(d), Equipment Requirements. The complainant stated that the named officer told him that he [complainant] could get points on his driving record for going through a red light. The complainant stated he was upset by the comment because he was not driving a motorized vehicle.

The named officer admitted making the comment. While the named officer's comment was inaccurate, the comment did not rise to a level of misconduct.

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

**SUMMARY OF OCC-ADDED ALLEGATION #1:** The officer failed to comply with Department Bulletin 14-059, Traffic Stop Data Collection Program Information.

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

**FINDINGS OF FACT:** Department Bulletin (DB) 14-059 requires that officers collect and enter traffic stop data after any vehicle stops related to: "Moving violations, including bicycles and pedestrians, MPC violations, Penal Code violations, Transportation Code violations, 916 vehicles and high-risk stops, Mechanical or non-moving violations, etc."

The named officer stated he could not recall whether he made an E585 entry for this traffic stop.

The Department had no record of the traffic stop data being collected and entered.

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

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**DATE OF COMPLAINT:** 04/30/13    **DATE OF COMPLETION:** 09/08/14    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1-2:** The officers issued an invalid order.

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

**FINDINGS OF FACT:** The complainant stated that he was sitting near a park when the officers approached him. The officers told him he had to stay away from a block on Haight Street.

The officers stated that they received a call that the complainant was on a block of Haight Street where he had a stay-away order due to stalking an employee at a nearby business. Later that same day, the officers encountered the complainant. The officers stated that they advised and reminded the complainant of his stay away order.

Department records indicate that a stay-away order was in effect for the complainant.

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

**SUMMARY OF ALLEGATIONS #3-4:** The officers acted inappropriately and made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated that he was sitting near a park when the officers approached him. The complainant stated that both officers were hostile towards him and would not answer his questions. When the complainant asked why they were approaching him, the male officer asked, "Do you want to go to county."

The named officers denied the allegation, stating that they acted professionally and were not hostile to the complainant.

No witnesses were identified.

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

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**DATE OF COMPLAINT:** 05/01/13    **DATE OF COMPLETION:** 09/22/14    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that officers responded to Golden Gate Grill regarding a payment dispute. The complainant couldn't remember anything that was said by the officers but stated that at some point, while she was standing up, the named officer grabbed her by the throat and pressed his thumb into her neck. He then yanked her right arm. She said the officer used brute force and was a bully.

The named officer denied the allegation and denied using any force during his contact with the complainant. He stated that, after telling the complainant she could be arrested for defrauding an innkeeper, he took hold of her wrist to handcuff her at which point she started to struggle and said, "Ok, ok, I'll pay." He denied yanking her arm or ever touching her neck and throat.

A witness officer and an employee who works at the restaurant both denied seeing the named officer use any force against the complainant.

No other witnesses came forward.

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

**SUMMARY OF ALLEGATION #2:** The officer acted inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated that the officer repeatedly told her, "You're a thief."

The named officer denied the allegation.

A witness officer as well as another witness both denied hearing the named officer call the complainant a thief or make any inappropriate comments.

No other witnesses came forward.

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

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**DATE OF COMPLAINT:** 05/05/14    **DATE OF COMPLETION:** 09/24/14    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1-2:** The officers made inappropriate comments and/or acted in an inappropriate manner.

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

**FINDINGS OF FACT:** The complainant was stopped and cited for violation of California Vehicle Code section 21658(a), Laned Roadways. The complainant stated that during the traffic stop, the officers accused him of smoking marijuana while driving.

The officers denied the allegation.

No witnesses were identified.

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

**SUMMARY OF ALLEGATION #3:** The officer cited the complainant without cause.

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

**FINDINGS OF FACT:** The complainant was stopped and cited for violation of California Vehicle Code section 21658(a), Laned Roadways.

The complainant denied the violation.

No witnesses were identified.

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

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**DATE OF COMPLAINT:** 05/05/14 **DATE OF COMPLETION:** 09/24/14 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATIONS #4-5:** The officers engaged in biased policing based on race.

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

**FINDINGS OF FACT:** The complainant stated that he is African American and that the officers unjustly pulled him over because of his race.

The named officers were interviewed pursuant to OCC's Biased Policing Investigation Protocol. The officers denied the allegation. Both officers stated that the complainant was pulled over due to the way he operated his vehicle in an unsafe manner.

No witnesses were identified.

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

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**DATE OF COMPLAINT:** 05/05/14    **DATE OF COMPLETION:** 09/11/14    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer used profanity.

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

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

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

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

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

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**DATE OF COMPLAINT:** 05/05/14    **DATE OF COMPLETION:** 09/11/14    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer retaliated against the complainant.

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

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

**SUMMARY OF OCC-ADDED ALLEGATION #1:** The officer failed to comply with Department Bulletin No. 14-059.

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

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

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**DATE OF COMPLAINT:** 05/07/14    **DATE OF COMPLETION:** 09/23/14    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1 & 2:** The officers behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated the officers were aggressive and verbally abusive with her passenger during a traffic stop.

The officers denied the allegation and stated that they were calm and professional.

The complainant did not want to identify her passenger.

No other witnesses were identified.

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

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

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

**FINDINGS OF FACT:** The complainant stated that one of the officers used profanity during a traffic stop.

The named officer and his partner denied the allegation.

The complainant did not want to identify her passenger.

No other witnesses were identified.

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



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**DATE OF COMPLAINT:** 05/07/14    **DATE OF COMPLETION:** 09/23/14    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATIONS #4 & 5:** The officers engaged in selective enforcement.

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

**FINDINGS OF FACT:** The complainant stated that she was singled out because of the type of vehicle she was driving.

The officers denied the allegation.

The complainant did not want to identify her passenger.

No other witnesses were identified.

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

**SUMMARY OF ALLEGATION #6:** The officer cited the complainant without cause.

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

**FINDINGS OF FACT:** The complainant was cited for the following California Vehicle Code violations: 26101, Modification of Vehicle Equipment, 22450(a), Stop Requirements, and 24012, Compliance With Lighting Equipment Mounting Regulations.

The complainant denied these violations.

The complainant did not want to identify her passenger.

No other witnesses were identified.

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

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**DATE OF COMPLAINT:** 05/08/14    **DATE OF COMPLETION:** 09/03/14    **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant stated he was detained by unknown officers after he had trespassed onto private property. The complainant stated he was then released without being given any paper work. The complainant initially said the incident occurred in 2014 but later said it occurred sometime in 2013. The complainant was also not certain about the location where the incident occurred and provided no witnesses to the alleged contact with the police.

The OCC was unable to locate the alleged incident through research of Department records. The OCC sent an Officer Identification Poll to the District Station captain. The Poll was returned stating that no officer was identified as being involved in this incident.

The identity of the alleged officers has not been established.

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

**SUMMARY OF ALLEGATION #2:** The officers behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated he was detained by unknown officers after he had trespassed onto private property. The complainant stated the officers behaved inappropriately and made inappropriate comments toward him. The complainant initially said the incident occurred in 2014 but later said it occurred sometime in 2013. The complainant was also not certain about the location where the incident occurred and provided no witnesses to the alleged contact with the police.

The OCC was unable to locate the alleged incident through research of Department records. The OCC sent an Officer Identification Poll to the District Station captain. The Poll was returned stating that no officer was identified as being involved in this incident.

The identity of the alleged officers has not been established.

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

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**DATE OF COMPLAINT:** 05/08/14    **DATE OF COMPLETION:** 09/03/14    **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #3:** The officers detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated he was detained by unknown officers after he had trespassed onto private property. The complainant initially said the incident occurred in 2014 but later said it occurred sometime in 2013. The complainant was also not certain about the location where the incident occurred and provided no witnesses to the alleged contact with the police.

The OCC was unable to locate the alleged incident through research of Department records. The OCC sent an Officer Identification Poll to the District Station captain. The Poll was returned stating that no officer was identified as being involved in this incident.

The identity of the alleged officers has not been established.

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

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

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

**FINDINGS OF FACT:** The complainant stated he was detained and handcuffed by unknown officers after he had trespassed onto private property. The complainant initially said the incident occurred in 2014 but later said it occurred sometime in 2013. The complainant was also not certain about the location where the incident occurred and provided no witnesses to the alleged contact with the police.

The OCC was unable to locate the alleged incident through research of Department records. The OCC sent an Officer Identification Poll to the District Station captain. The Poll was returned stating that no officer was identified as being involved in this incident.

The identity of the alleged officers has not been established.

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

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**SUMMARY OF ALLEGATION #5:** The officers used unnecessary force during the detention.

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

**FINDINGS OF FACT:** The complainant stated he was detained by unknown officers after he had trespassed onto private property. The complainant alleged that the officers used unnecessary force during his detention. The complainant initially said the incident occurred in 2014 but later said it occurred sometime in 2013. The complainant was also not certain about the location where the incident occurred and provided no witnesses to the alleged contact with the police.

The OCC was unable to locate the alleged incident through research of Department records. The OCC sent an Officer Identification Poll to the District Station captain. The Poll was returned stating that no officer was identified as being involved in this incident.

The identity of the alleged officers has not been established.

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

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

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

**FINDINGS OF FACT:** The complainant stated he was talking on his cell phone when he was pulled over. When he was asked for his driver's license, he told the officer he did not have one. The complainant was ordered out of his vehicle. When one of the officers grabbed the complainant's left wrist, the complainant admitted tightening up his arm, prompting the officers to forcibly remove him from his vehicle and forced onto the ground.

No witnesses were identified.

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

**SUMMARY OF ALLEGATION #5:** The officer behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated the officer told him to "shut up and be quiet." The complainant admitted he was angry, screaming racial epithets, obscenities and telling the officer that the officer had no right to perform a vehicle search during a traffic stop.

The named officer and witness officers denied the allegation.

No other witnesses were identified.

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

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**SUMMARY OF ALLEGATION #6:** The officer searched the complainant's car without cause.

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

**FINDINGS OF FACT:** The complainant stated the officer searched his car and belongings without probable cause.

The officer denied the allegation. He stated the complainant was operating his car on a suspended driver's license and the car was going to be towed. The officer stated that he conducted an inventory search of the complainant's vehicle prior to the vehicle being towed. Pursuant to DGO 9.01, prior to towing a vehicle, an officer is required to perform an inventory search of the vehicle pending the tow of the vehicle. The vehicle was subsequently not towed as the officer permitted a licensed driver to drive the vehicle away from the traffic stop.

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

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**DATE OF COMPLAINT:** 05/19/14    **DATE OF COMPLETION:** 09/08/14    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated he received a call from one of his two sisters, stating that he needed to pick up his stored property immediately at their sister's apartment or she would dispose of it. The complainant stated an officer met him at the location, and he requested the officer perform a civil standby so the complainant could take from his sister's apartment.

The officer denied the allegation. He stated that the complainant did not live at the residence and wanted him to do a civil standby so that the complainant could enter the residence and retrieve his property. The officer and his partner stated that no one was home at the residence to authorize police entry for the standby. The officer stated that he could not enter the residence and do a standby since the resident was not home to authorize the entry into the residence.

The building front desk clerk stated the officers came to the scene and inquired if the complainant could enter the apartment. The clerk stated that the complainant's sister had written a letter to property management barring access to the premises to guests during her absence. The clerk further stated that the resident was not home when the officers and the complainant were there.

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

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 06/02/14      **DATE OF COMPLETION:** 09/22/14      **PAGE #1** of 2

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

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

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

**SUMMARY OF ALLEGATION #2:** The officer engaged in threatening behavior.

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

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



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**DATE OF COMPLAINT:** 06/02/14      **DATE OF COMPLETION:** 09/22/14      **PAGE #2 of 2**

**SUMMARY OF ALLEGATION #3:** The officer issued an inaccurate/incomplete citation.

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/09/14 **DATE OF COMPLETION:** 09/26/14 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on September 9, 2014.

**SUMMARY OF ALLEGATION #2:** The officer issued a citation without cause.

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on September 9, 2014.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/09/14 **DATE OF COMPLETION:** 09/26/14 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer engaged in biased policing due to race.

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on September 9, 2014.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/19/14 **DATE OF COMPLETION:** 09/11/14 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused members, the complaint was mediated and resolved in a non-disciplinary manner on August 18, 2014.

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on August 18, 2014.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/24/14 **DATE OF COMPLETION:** 09/02/14 **PAGE #1** of 1

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

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

**FINDINGS OF FACT:** This complaint raises matters outside OCC's jurisdiction. The complaint has been forwarded to:

San Francisco Police Department  
Internal Affairs Division  
Administrative Unit  
850 Bryant Street, Room 558  
San Francisco, CA 94103

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/25/14 **DATE OF COMPLETION:** 09/24/14 **PAGE #1** of 1

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

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

**FINDINGS OF FACT:** The complainant failed to provide additional requested evidence.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/07/14      **DATE OF COMPLETION:** 09/08/14      **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated he was struck by a car in a crosswalk and that the named officer failed to properly investigate the incident.

The named officer denied the allegation. The evidence showed that the officer and his partner did not observe the incident. The named officer investigated the incident by interviewing all parties, took photos of the complainant and spoke to medical providers. The named officer then wrote an incident report to document his investigation.

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

**SUMMARY OF ALLEGATION #2:** The officer wrote an inaccurate, incomplete incident report.

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

**FINDINGS OF FACT:** The complainant stated the officer's report of an incident failed to properly reflect the facts as they transpired, how he explained the facts to the officer and that the officer suggested misleading information during their interview.

The officer and his partner denied the allegation.

The complainant provided OCC with a copy of a recording of his interview with the officer. The OCC reviewed the recording and other evidence in this case, including the police report. The police report accurately reflects what the complainant told the officers at the time of his interview.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/09/14 **DATE OF COMPLETION:** 09/26/14 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on September 16, 2014.

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on September 16, 2014.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/09/14 **DATE OF COMPLETION:** 09/26/14 **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on September 16, 2014.

**SUMMARY OF ALLEGATION #4:** The officer failed to promptly and politely provide his name.

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on September 16, 2014.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/15/14    **DATE OF COMPLETION:** 09/12/14    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1 - 2:** The officers behaved inappropriately and/or made inappropriate comments.

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

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

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

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/15/14    **DATE OF COMPLETION:** 09/12/14    **PAGE#** 2 of 2

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

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/18/14    **DATE OF COMPLETION:** 09/11/14    **PAGE #1 of 2**

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on August 18, 2014.

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on August 18, 2014.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/18/14    **DATE OF COMPLETION:** 09/11/14    **PAGE #2** of 2

**SUMMARY OF ALLEGATION #3:** The officer detained the complainant without cause.

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on August 18, 2014.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/29/14 **DATE OF COMPLETION:** 09/26/14 **PAGE #1** of 1

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on September 24, 2014.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/29/14 **DATE OF COMPLETION:** 09/11/14 **PAGE #1** of 1

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the accused member, the complaint was mediated and resolved in a non-disciplinary manner on August 28, 2014.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/13/14 **DATE OF COMPLETION:** 09/08/14 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that the named officer behaved inappropriately over the phone and made inappropriate comments.

The named officer denied the allegation.

No witnesses were identified.

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



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/30/14    **DATE OF COMPLETION:** 09/03/14    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** This complaint raises matters outside OCC's jurisdiction. This complaint has been referred to:

San Francisco Sheriff's Department  
25 Van Ness Ave., Suite 350  
San Francisco, CA 94102  
(415) 554-2380

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/11/14    **DATE OF COMPLETION:** 09/12/14    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that the named officer told the complainant to shut up, listen, and to make eye contact with him.

The officer denied the allegation.

No witnesses were identified by either the complainant or the named officer.

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

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

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

**FINDINGS OF FACT:** The complainant stated he requested the police for assistance to get his personal property back from a friend. The complainant stated the officer failed to investigate and contact the other person about the complainant's property.

The officer denied the allegation, stating that no crime occurred and that the complainant's complaint was civil in nature.

No witnesses were identified by either the officer or the complainant.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/19/14    **DATE OF COMPLETION:** 09/08/14    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The San Francisco Police Department failed to take required action.

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/19/14    **DATE OF COMPLETION:** 09/19/14    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** An unknown officer issued an invalid order.

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

**FINDINGS OF FACT:** The complainant stated that he attempted to pick up his disabled girlfriend from the handicap zone in front of Candlestick Park. He stated a person standing near the entrance told him to turn around and refused to allow him entry despite the complainant showing the handicap placard in his vehicle. The complainant was uncertain if the person was a police officer but provided a physical description of the person and a badge number.

The officer associated with the star number provided by the complainant was not listed on the personnel-staffing sheet for the event that the complainant was attending. In addition, the officer does not match the physical description given by the complainant.

The identity of the alleged officer has not been established.

No witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/25/14 **DATE OF COMPLETION:** 09/16/14 **PAGE #1** of 1

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

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/27/14 **DATE OF COMPLETION:** 09/26/14 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer behaved in an inappropriate manner and made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant wrote a letter to the Chief of Police describing inappropriate conduct by an officer who was working at the last concert at Candlestick Park. The complainant told the OCC he could not provide a description of the officer. He further stated it was not his intention to file a formal complaint against the officer.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/28/14 **DATE OF COMPLETION:** 09/10/14 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant withdrew his complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/04/14 **DATE OF COMPLETION:** 09/30/14 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer made an inappropriate comment.

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

**FINDINGS OF FACT:** The complainant stated an officer made an inappropriate comment during a large outdoor event in Golden Gate Park. The complainant provided a general physical description of the officer but was unable to provide a name or star number.

Two officers who most closely resembled the description provided by the complainant denied having any contact with her.

The identity of the alleged officer has not been established.

No witnesses were identified.

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



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/04/14    **DATE OF COMPLETION:** 09/16/14    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer drove improperly.

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

**FINDINGS OF FACT:** The anonymous complainant stated in a phone message that the officer went through the pedestrian crosswalk by Grant and Broadway in his vehicle. The officer turned on his lights while passing through the crosswalk and then turned them off when he was across it.

The information as provided by the complainant was incomplete and did not indicate that the officer was negligent. Further information was needed from the complainant in order for an investigation to go forward however the complainant did not provide any contact numbers. The OCC is unable to find out any further information from the complainant needed to investigate the complaint.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/08/14 **DATE OF COMPLETION:** 09/08/14 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** This complainant raises matters not rationally within OCC's jurisdiction.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/16/14 **DATE OF COMPLETION:** 09/16/14 **PAGE #** 1 of 1

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

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

**FINDINGS OF FACT:** This complaint raises matters outside OCC's jurisdiction. This complaint has been being referred to:

San Francisco Police Department  
Internal Affairs  
850 Bryant Street – Room 558  
San Francisco, CA 94103

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/22/14    **DATE OF COMPLETION:** 09/24/14    **PAGE #1** of 1

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

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

**FINDINGS OF FACT:** This complaint raises matters outside the OCC's jurisdiction. This complaint has been referred to the following agency:

San Francisco Municipal Transportation Agency  
Department of Parking & Traffic  
11 South Van Ness Avenue  
San Francisco, CA 94103

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/08/14 **DATE OF COMPLETION:** 09/30/14 **PAGE #** 1 of 1

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

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

**FINDINGS OF FACT:** This complaint raises matters outside OCC's jurisdiction. The complaint has been referred to:

Chief's Office  
San Francisco Police Department  
850 Bryant Street Room 525  
San Francisco, CA 94103

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/27/13    **DATE OF COMPLETION:** 09/30/14    **PAGE#** 1 of 8

**SUMMARY OF ALLEGATION #1:** The officer interfered with the rights of onlookers.

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

**FINDINGS OF FACT:** The named officer has retired and is no longer available and subject to Department discipline.

**SUMMARY OF ALLEGATION # 2:** The officer arrested the complainant without cause.

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

**FINDINGS OF FACT:** The named officer has retired and is no longer available and subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/27/13    **DATE OF COMPLETION:** 09/30/14    **PAGE#** 2 of 8

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

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

**FINDINGS OF FACT:** The named officer has retired and is no longer available and subject to Department discipline.

**SUMMARY OF ALLEGATION # 4:** The officer handcuffed the complainant without justification.

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

**FINDINGS OF FACT:** The named officer has retired and is no longer available and subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/27/13    **DATE OF COMPLETION:** 09/30/14    **PAGE#** 3 of 8

**SUMMARY OF ALLEGATION #5:** The officer seized the complainant's personal property without cause.

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

**FINDINGS OF FACT:** The named officer has retired and is no longer available and subject to Department discipline.

**SUMMARY OF ALLEGATION #6:** The officer used profane language.

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

**FINDINGS OF FACT:** The named officer has retired and is no longer available and subject to Department discipline.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/27/13    **DATE OF COMPLETION:** 09/30/14    **PAGE#** 4 of 8

**SUMMARY OF ALLEGATION #7:** The officer behaved inappropriately.

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

**FINDINGS OF FACT:** The named officer has retired and is no longer available and subject to Department discipline.

**SUMMARY OF ALLEGATION # 8:** The officer failed to take required action.

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

**FINDINGS OF FACT:** The named officer has retired and is no longer available and subject to Department discipline.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/27/13    **DATE OF COMPLETION:** 09/30/14    **PAGE#** 5 of 8

**SUMMARY OF ALLEGATION #9 & 10:** The officers arrested the co-complainant without cause.

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

**FINDINGS OF FACT:** The co-complainant stated he was arrested for no apparent reason while filming a police activity in a public place.

The named officers stated that the co-complainant interfered with an arrest, refusing their orders for him to get back.

Witnesses interviewed by the OCC did not witness the co-complainant's arrest.

No other witnesses came forward.

There was insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #11 & 12:** The officers arrested an onlooker without cause.

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

**FINDINGS OF FACT:** The complainant stated that his female friend was at a safe distance when she was arrested for no apparent reason.

The named officers denied the allegation, stating that during and after the co-complainant's arrest, the complainant's female friend became increasingly hostile, disregarding repeated orders to stay on the sidewalk. In addition, the female friend ran into the street and rushed towards the officer who was taking the co-complainant into custody.

The complainant's female friend did not respond to OCC's request for an interview.

Witness officers and civilian witnesses did not observe the circumstances leading to the complainant's female friend's arrest.

No other witnesses came forward.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/27/13    **DATE OF COMPLETION:** 09/30/14    **PAGE#** 6 of 8

**SUMMARY OF ALLEGATION #13 & 14:** The officers behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant stated that video recordings were deleted from his iPhone.

The named officers and other officers denied the allegation

No other witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #15:** The officer intentionally damaged property.

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

**FINDINGS OF FACT:** The complainant stated his cellular phone was damaged.

All of the officers questioned by the OCC denied damaging the complainant's cell phone.

The identity of the alleged officer has not been established.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/27/13    **DATE OF COMPLETION:** 09/30/14    **PAGE#** 7 of 8

**SUMMARY OF ALLEGATION #16 & 17:** The officers failed to take required action.

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

**FINDINGS OF FACT:** The complainant stated that the officers refused to tell him what he was being charged with.

The named officers denied the allegation.

No witnesses were identified to either prove or disprove the allegation.

There was insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #18:** The officer used a sexual slur.

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

**FINDINGS OF FACT:** The complainant stated an officer at the station used a sexual slur towards him but could not identify the officer.

All of the officers questioned by the OCC denied the allegation.

The identity of the alleged officer has not been established.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/27/13    **DATE OF COMPLETION:** 09/30/14    **PAGE#** 8 of 8

**SUMMARY OF ALLEGATION #19:** The officer used excessive force.

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

**FINDINGS OF FACT:** The complainant stated that the transporting officer used excessive force.

The named officer and his partner denied the allegation.

No other witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #20 & 21:** The officers misused their police authority.

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

**FINDINGS OF FACT:** The complainant stated two unidentified officers went to his place of employment and disseminated false rumors about him that resulted in his termination.

The employer verified that two unidentified officers communicated with staff members about the complainant but stated the complainant was terminated with cause for unrelated personnel issues. The employer did not provide the identity of the personnel that communicated with the unidentified officers despite repeated OCC requests for the information.

Another employee, who was not at the business during the officers' visit, said other employees told him the unidentified officers disseminated false rumors about the complainant.

All of the officers questioned by the OCC denied the allegation.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/04/13 **DATE OF COMPLETION:** 09/08/14 **PAGE#** 1 of 4

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

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

**FINDINGS OF FACT:** The complainant stated he received a call from his sister that she had been robbed while working at the gas station the complainant managed. The complainant stated that while on the way to the gas station with his wife, they located the cash register in the street and put it in their vehicle. The complainant stated he called his sister and told her that they had found the register. His sister told him that the police said not to touch the cash register so the complainant's wife exited their car and placed the cash register back in the street where they found it. The complainant stated that when he and his wife arrived at the gas station, they were detained and questioned for no apparent reason.

Department records showed that the complainant and his wife were detained after a robbery was reported to the police.

Department General Order 5.03 allows a police officer to briefly detain a person for questioning or request identification only if the officer has reasonable suspicion that the person's behavior is related to criminal activity.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/04/13 **DATE OF COMPLETION:** 09/08/14 **PAGE#** 2 of 4

**SUMMARY OF ALLEGATION #2:** The officer placed the complainant in tight handcuffs.

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

**FINDINGS OF FACT:** The complainant stated the officer placed him in tight handcuffs. The complainant stated he sustained pain to his wrists. The complainant stated he had no visible injuries and did not seek medical treatment.

The named officer denied the allegation.

Witnesses stated they did not hear the complainant complaining about the handcuffs being too tight.

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

**SUMMARY OF ALLEGATION #3:** The officer searched the complainant without cause.

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

**FINDINGS OF FACT:** The complainant stated he was searched without cause.

The named officer stated the complainant was pat searched for officer safety reasons after the complainant was detained and handcuffed at the scene and prior to transport to the station. The officer also stated that for officer safety reasons, subjects are searched incident to a person being detained, handcuffed, and transported to the station.

Department procedures require that officers conduct searches on subjects prior to transportation in a police vehicle.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/04/13 **DATE OF COMPLETION:** 09/08/14 **PAGE#** 3 of 4

**SUMMARY OF ALLEGATION #4:** The officer engaged in biased policing due to race.

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

**FINDINGS OF FACT:** The complainant stated the officer engaged in biased policing due to the complainant's race.

The named officer was interviewed pursuant to the OCC's Biased Policing Protocol Investigation. The officer denied the allegation.

Witnesses denied that the officer engaged in biased policing due to race.

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

**SUMMARY OF ALLEGATION #5:** The officer behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated the officer told him that he and his wife looked suspicious. The complainant stated the officer was rude towards them.

The named officer denied the allegation.

No independent witnesses were identified.

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



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**DATE OF COMPLAINT:** 10/04/13 **DATE OF COMPLETION:** 09/08/14 **PAGE#** 4 of 4

**SUMMARY OF ALLEGATION #6:** The officer towed the complainant's vehicle without justification.

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

**FINDINGS OF FACT:** The complainant stated his car was towed from the scene without justification. The complainant denied he and his wife were part of a robbery.

The named officer denied the allegation. The officer stated he authorized the tow of the complainant's car for further investigation into a robbery with a firearm of a service station. The named officer stated an independent witness identified the complainant, the complainant's wife, and the complainant's car in a cold show. The officer stated his intention was to get a search warrant for the car to collect further evidence regarding the robbery. The complainant's vehicle was later released.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/07/13 **DATE OF COMPLETION:** 09/12/14 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated unknown officers attacked him at the station. The complainant failed to respond to OCC's request for an interview.

Officers interviewed by the OCC denied the allegation.

The identity of the alleged officers could not be established because the complainant failed to provide a statement.

No other witnesses were identified.

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

**SUMMARY OF ALLEGATION #2:** Officers failed to take required action.

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

**FINDINGS OF FACT:** The complainant stated while at the station, unknown officers failed to provide him with food as he requested.

Officers interviewed by the OCC denied the allegation.

The identity of the alleged officers could not be established because the complainant failed to provide a statement.

No other witnesses were identified.

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

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**DATE OF COMPLAINT:** 10/07/13 **DATE OF COMPLETION:** 09/12/14 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The complaint raises matters outside OCC's jurisdiction.

**CATEGORY OF CONDUCT:** N/A **FINDING:** IO1 **DEPT. ACTION:**

**FINDINGS OF FACT:** The complaint raises matters outside OCC's jurisdiction. The complaint has been referred to:

San Francisco Sheriff Department  
Investigative Services Unit  
25 Van Ness Avenue Room 350  
San Francisco, CA 94102

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 10/14/13 **DATE OF COMPLETION:** 09/11/14 **PAGE#** 1 of 9

**SUMMARY OF ALLEGATION #1:** The officer failed to promptly provide his name and star number upon request.

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

**FINDINGS OF FACT:** The complainant stated a bystander on a public street politely asked the named officer for his name and star number after observing the named officer detain a third party. The complainant stated that, instead of stating his name and star number, the named officer detained the bystander and issued him a jaywalking citation.

The named officer stated he did not hear the bystander's initial request for his name and star number. The named officer stated he informed the bystander of his name and star number when he issued him a jaywalking citation. A witness officer stated the named officer did not hear the bystander's initial request.

The video evidence established the bystander asked the named officer for his name and star number five times. Three of the bystander's requests were made while the named officer was detaining and speaking directly to the bystander.

The officer failed to promptly and politely provide his name and star number upon request.

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

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 10/14/13 **DATE OF COMPLETION:** 09/11/14 **PAGE#** 2 of 9

**SUMMARY OF ALLEGATIONS #2-3:** The officers interfered with the rights of an onlooker.

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

**FINDINGS OF FACT:** The complainant stated a bystander filmed police enforcement activity on a public street and asked the involved officers for their names and star numbers. The complainant stated the officers retaliated against the bystander by detaining, arresting, and citing him.

The two named officers stated a third officer witnessed the bystander jaywalking and initiated the detention, arrest, and citation of the bystander. The two named officers stated their role during the incident was to assist the third officer. The third officer stated he observed the bystander jaywalking and initiated the detention, citation, and arrest of the bystander.

The video evidence establishes the two named officers assisted the third officer who made the initial contact with the bystander.

No other witnesses were identified.

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

**SUMMARY OF ALLEGATIONS #4-5:** The officers behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated the officers “coerced” with each other regarding making false statements in a police report.

The named officers denied discussing or conspiring to make false statements in a police report.

A witness officer denied hearing the named officers conspire to make a false statement.

Video evidence was inconclusive as to the officers’ statements.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/14/13 **DATE OF COMPLETION:** 09/11/14 **PAGE#** 3 of 9

**SUMMARY OF ALLEGATION #6:** The officer detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated a bystander filmed contact between the named officer and a third party on a public street. The complainant stated the bystander politely asked the named officer for his name and star number. The complainant stated the named officer reacted by detaining the bystander for jaywalking. The complainant stated the bystander was not jaywalking.

The named officer stated he detained the bystander because he jaywalked in front of the officer's car, which was double-parked in an active lane of traffic.

A witness officer stated the bystander was in an active lane of traffic in front of the officer's car.

The bystander stated he was not jaywalking.

Video evidence showed the bystander was not in front of the officer's car and was not jaywalking. The evidence established the named officer detained the bystander without reasonable suspicion, in violation of Department General Order 5.03 which, states, in part:

A police officer may briefly detain a person for questioning or request identification only if the officer has a reasonable suspicion that the person's behavior is related to criminal activity.

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

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/14/13 **DATE OF COMPLETION:** 09/11/14 **PAGE#** 4 of 9

**SUMMARY OF ALLEGATION #7:** The officer arrested the complainant without cause.

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

**FINDINGS OF FACT:** The complainant stated a bystander filmed contact between the named officer and a third party on a public street. The complainant stated the bystander politely asked the named officer for his name and star number. The complainant stated the named officer reacted by arresting the bystander for jaywalking. The complainant stated the bystander was not jaywalking.

The named officer stated the bystander jaywalked in front of the officer's car, which was double-parked in an active lane of traffic. The named officer stated he tried to issue the bystander a citation at the incident location, but the bystander lacked identification. The named officer stated it was necessary to arrest the bystander and bring him to a district station to confirm his identity. The named officer identified, cited, and released the bystander from a district station.

A witness officer stated the bystander was in an active lane of traffic in front of the officer's car.

The bystander stated he was not jaywalking.

Video evidence demonstrated the bystander was not in front of the officer's car and was not jaywalking. The evidence established the named officer arrested the bystander without probable cause.

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

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**DATE OF COMPLAINT:** 10/14/13 **DATE OF COMPLETION:** 09/11/14 **PAGE#** 5 of 9

**SUMMARY OF ALLEGATION #8:** The officer cited the complainant without cause.

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

**FINDINGS OF FACT:** The complainant stated a bystander filmed contact between the named officer and a third party on a public street. The complainant stated the bystander politely asked the named officer for his name and star number. The complainant stated the named officer reacted by citing the bystander for jaywalking. The complainant stated the bystander was not jaywalking.

The named officer stated he issued the bystander a citation because he jaywalked in front of the officer's car, which was double-parked in an active lane of traffic.

A witness officer stated the bystander was in an active lane of traffic in front of the officer's car.

The bystander stated he was not jaywalking.

Video evidence demonstrated the bystander was not in front of the officer's car and was not jaywalking. The evidence established the named officer cited the bystander without probable cause.

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



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**DATE OF COMPLAINT:** 10/14/13 **DATE OF COMPLETION:** 09/11/14 **PAGE#** 6 of 9

**SUMMARY OF ALLEGATION #9:** The officer failed to comply with DGO 5.07, Rights of Onlookers, interfering with the rights of onlookers.

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

**FINDINGS OF FACT:** The complainant stated a bystander filmed contact between the named officer and a third party on a public street. The complainant stated the bystander politely asked the named officer for his name and star number. The complainant stated the named officer reacted by arresting and citing the bystander for jaywalking. The complainant stated the bystander was not jaywalking.

The named officer stated the bystander committed a jaywalking infraction and did not provide identification upon request. The named officer stated it was necessary to arrest the bystander and bring him to a district station to confirm his identity before issuing a citation.

The bystander stated he was not jaywalking.

Video evidence demonstrated the bystander was not jaywalking. The evidence established the named officer arrested and cited the bystander in retaliation for filming and asking questions. The officer's actions violated DGO 5.07.

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

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**DATE OF COMPLAINT:** 10/14/13 **DATE OF COMPLETION:** 09/11/14 **PAGE#** 7 of 9

**SUMMARY OF ALLEGATION #10:** The officer failed to promptly provide her name and star number upon request.

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

**FINDINGS OF FACT:** The complainant stated a bystander filmed contact between the named officer and a third party on a public street. The complainant stated the bystander politely asked the named officer for her name and star number. The complainant stated the officer was rude and responded with a question instead of identifying herself.

The named officer stated she was confused about why the bystander wanted her name and star number. The named officer stated she asked the bystander, "What for?" out of curiosity. When the bystander explained that he was documenting police activity, the named officer provided her name and star number.

Based on the officer's own testimony, the officer failed to promptly and politely provide her name and star number upon request.

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

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**DATE OF COMPLAINT:** 10/14/13 **DATE OF COMPLETION:** 09/11/14 **PAGE#** 8 of 9

**SUMMARY OF ALLEGATION #11:** The officer behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant, who was not present during the incident, stated the named officer made unprofessional comments in reference to an arrestee who had been filming police enforcement activity on a public street. The complainant stated the officer called the arrestee a “sovereign citizen” and an “anarchist.” The complainant stated the officer conspired with other officers to book the arrestee as “John Doe” even though he had provided his real name.

The named officer stated her comments were made out of the arrestee’s presence and were taken out of context. The named officer denied conspiring with other officers to falsely book the arrestee as John Doe.

Witness officers denied conspiring to book the arrestee as John Doe.

Video evidence indicates the named officer referred to the arrestee as an “anarchist” and a “wannabe.” Video evidence also indicates the named officer suggested booking the arrestee as a John Doe without noting the arrestee’s real name.

The evidence established the named officer’s behavior and comments reflected discredit upon the Department, in violation of DGO 2.01.

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

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/14/13 **DATE OF COMPLETION:** 09/11/14 **PAGE#** 9 of 9

**SUMMARY OF ALLEGATION #12:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant, who was not present during the incident, stated the named officer said, "Fuck him" several times in reference to an arrestee who had been filming police enforcement activity on a public street.

The named officer used profanity during a private conversation with her partners.

Video evidence indicates the named officer said "Fuck him" six times in reference to the arrestee while transporting his property to a district station.

The evidence established the named officer used profanity.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/06/13 **DATE OF COMPLETION:** 09/24/14 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated that her sister reported their car stolen and the responding officer told her the information would be entered into the system and officers would be looking for the car within 20 minutes. Shortly thereafter, the complainant was told that the car had been found blocking a driveway and was towed. The complainant believes the officer's delay in writing the report caused the vehicle to be unnecessarily cited and towed.

The officer denied the allegation, stating that when he arrived at the station to write the report and enter the vehicle into the system, he conducted a tow check and learned the vehicle had already been towed.

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

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

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

**FINDINGS OF FACT:** The officer has retired and is no longer available and subject to Department discipline.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/06/13 **DATE OF COMPLETION:** 09/24/14 **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant stated the officer responded to her sister's home to further investigate the alleged stolen vehicle, which had already been recovered. She stated the officer did not believe the car had been stolen, as there was no sign damage to the ignition. The complainant stated her sister suggested the officer contact the people who requested the car be towed from their driveway. The complainant stated the officer contacted her sister later that evening to advise that the people who had initiated the tow saw two men in 49ers jackets exiting the vehicle the night before. The complainant feels this suspect information should have been included in the incident report regarding the stolen vehicle.

The named officer confirmed that he saw no evidence of the complainant's vehicle having been stolen, as there was no damage to the locks or steering column. He stated that the complainant's sister was adamant the vehicle had been stolen so he wrote an incident report and contacted the occupants of home from which the vehicle had been towed. He stated that they told him that they saw a man wearing a 49er jersey exit the vehicle the night before. The officer said he had no information to identify the man as a suspect and did not see a reason to include the information in the report.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/12/13      **DATE OF COMPLETION:** 09/23/14      **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant was initially detained for illegally collecting recyclables at Candlestick Park. When the complainant refused to leave and refused to return the recyclables she had collected, she was arrested and taken to the station where she was cited and released. The complainant alleged that the named officer behaved inappropriately towards her.

The named officer denied the allegation. Witness officers and other involved witnesses also denied the allegation.

No independent witnesses were identified.

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

**SUMMARY OF ALLEGATION #2:** The officer used unnecessary force on the complainant.

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

**FINDINGS OF FACT:** The complainant was initially detained for illegally collecting recyclables at Candlestick Park. When the complainant refused to leave and refused to return the recyclables she had collected, she was arrested and taken to the station where she was cited and released. The complainant alleged that the named officer used unnecessary force during her arrest.

The named officer denied the allegation. Witness officers and other involved witnesses also denied the allegation.

No independent witnesses were identified.

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

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**DATE OF COMPLAINT:** 11/12/13 **DATE OF COMPLETION:** 09/23/14 **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #3:** The officer placed the complainant in tight handcuffs.

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

**FINDINGS OF FACT:** The complainant was initially detained for illegally collecting recyclables at Candlestick Park. When the complainant refused to leave and refused to return the recyclables she had collected, she was arrested and taken to the station where she was cited and released. The complainant alleged that the named officer placed her in tight handcuffs.

The named officer denied the allegation. Witness officers and other involved witnesses also denied the allegation.

No independent witnesses were identified.

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

**SUMMARY OF ALLEGATION #4:** The officer wrote an incomplete and inaccurate citation.

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

**FINDINGS OF FACT:** The complainant stated that the officer wrote the wrong name and address on the citation.

The named officer denied the allegation and stated that the information on the citation was based on the information he received from the complainant. The officer stated that the complainant did not have identification.

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



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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/12/13    **DATE OF COMPLETION:** 09/23/14    **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #5:** The officer arrested the complainant without cause.

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

**FINDINGS OF FACT:** The complainant was initially detained for illegally collecting recyclables at Candlestick Park. When the complainant refused to leave and refused to return the recyclables she had collected, she was arrested and taken to the station where she was cited and released.

The named officer stated that the complainant was arrested because she repeatedly refused to leave and refused to return the recyclables she had illegally collected.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/01/13 **DATE OF COMPLETION:** 09/26/14 **PAGE#** 1 of 4

**SUMMARY OF ALLEGATIONS #1-2:** The officers arrested the complainant without cause.

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

**FINDINGS OF FACT:** The complainant stated that he was exercising his First Amendment rights on the property of a supermarket when he was arrested without cause.

Department records showed that the property owner signed a Citizen's Arrest Form, prompting the officers to accept the private person's arrest pursuant to DGO 5.04, Arrests By Private Persons.

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

**SUMMARY OF ALLEGATIONS #3-5:** The officers seized the complainant's property without cause.

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

**FINDINGS OF FACT:** The complainant stated the officers improperly seized a protest sign and copies of doctor's letters he had in his possession.

Department records showed that the complainant was arrested pursuant to a private person's arrest. The complainant's property was booked into evidence.

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

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/01/13 **DATE OF COMPLETION:** 09/26/14 **PAGE#** 2 of 4

**SUMMARY OF ALLEGATION #6:** The officer failed to properly process property.

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

**FINDINGS OF FACT:** The complainant stated a supervisor failed to properly process his cane or walking stick, a device on which he depends for mobility.

The officer denied the allegation, stating she had no recollection of the item.

No other witnesses came forward.

There was insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #7:** The officer failed to properly supervise.

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

**FINDINGS OF FACT:** The complainant stated a supervisor failed to keep lower ranked officers in line during the course of his arrest, allowing them to engage in inappropriate conduct and make inappropriate comments to him.

The officer denied the allegation. She stated she would have intervened on the complainant's behalf.

No other witnesses came forward.

There was insufficient evidence to prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/01/13 **DATE OF COMPLETION:** 09/26/14 **PAGE#** 3 of 4

**SUMMARY OF ALLEGATIONS #8-9:** The officers behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated that the transporting officers behaved inappropriately towards him.

The officers denied the allegation.

No witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATIONS #10-11:** The officers used unnecessary force.

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

**FINDINGS OF FACT:** The complainant stated the officers used unnecessary force when contacting him, painfully squeezing his biceps, fingers and shoving him in their car during transport following his arrest.

The named officers denied the allegation.

No independent witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/01/13 **DATE OF COMPLETION:** 09/26/14 **PAGE#** 4 of 4

**SUMMARY OF ALLEGATION #12:** The officer failed to identify himself.

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

**FINDINGS OF FACT:** The complainant stated the officer did not properly identify himself at the scene of his arrest by turning his body to avoid identification.

The named officer and his partner denied the allegation.

No independent witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/08/13    **DATE OF COMPLETION:** 09/30/14    **PAGE** #1 of 4

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

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

**FINDINGS OF FACT:** The complainant said the named officer was disrespectful, telling him he would get a ticket if he did not move his car.

The named officer acknowledged speaking to the complainant, but denied being disrespectful, saying that he asked the complainant to move so he did not have to cite him. When the complainant refused to move his car, he was cited.

Three witness officers denied the allegation.

No other witnesses came forward.

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

**SUMMARY OF ALLEGATION #2:** The officer issued a citation without cause.

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

**FINDINGS OF FACT:** The complainant was cited for violation of Vehicle Code section 22500(e), Prohibiting Stopping, Standing or Parking.

The complainant denied the violation.

No other witnesses came forward.

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

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**DATE OF COMPLAINT:** 11/08/13    **DATE OF COMPLETION:** 09/30/14    **PAGE #2 of 4**

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

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

**FINDINGS OF FACT:** The complainant said the named officer used profanity in speaking to him.

The named officer and three witness officers denied the allegation.

No other witnesses came forward.

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

**SUMMARY OF ALLEGATION #4:** The officer detained an individual without justification.

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

**FINDINGS OF FACT:** The complainant stated that his friend was detained, but the complainant could not give an accurate identification of the friend.

The named officer said he performed a probation search of a youth he knew was on juvenile probation.

Department records did not reflect the name of the youth the complainant said was at the scene, and did not reflect the probation status of the youth the named officer said he searched.

No other witnesses came forward.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/08/13    **DATE OF COMPLETION:** 09/30/14    **PAGE #3 of 4**

**SUMMARY OF ALLEGATION #5:** The officer conducted a search without justification.

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

The complainant stated that his friend was detained and searched, but the complainant could not give an accurate identification of the friend.

The named officer said he performed a probation search of a youth he knew was on juvenile probation.

Department records did not reflect the name of the youth the complainant said was at the scene, and did not reflect the probation status of the youth the named officer said he searched.

No other witnesses came forward.

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



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/08/13 **DATE OF COMPLETION:** 09/30/14 **PAGE #4** of 4

**SUMMARY OF OCC-Added ALLEGATION #1:** The officer failed to comply with Department General Orders 5.08 (Non-Uniformed Officers) and 9.01 (Traffic Enforcement)

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

**FINDINGS OF FACT:** The named officer, in a plainclothes capacity, cited the complainant for violating California Vehicle Code sections 22500(e), Prohibited Stopping, Standing, or Parking and 22514, Fire Hydrants.

The named officer acknowledged issuing parking citations, but disputed that there was any such prohibition in the above General Orders.

The named officer's supervisor, who was present at the scene, said the named officer did not engage in misconduct, as there is no prohibition against plainclothes officers issuing parking citations.

The General Orders state that plainclothes officers shall not, with limited exceptions, conduct traffic stops and shall not issue traffic citations. The language of the general order governing plainclothes officers' actions regarding citations does not include specific language regarding parking citations.

No other witnesses came forward.

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

**SUMMARY OF OCC-Added ALLEGATION #2:** The officer failed to comply with Department Bulletin 13-091, Traffic Stop Data Collection Program Information.

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

**FINDINGS OF FACT:** The OCC investigation revealed that the Department had no record that the named officer had entered Traffic Stop Data required after contact with a vehicle and operator deemed to be suspicious.

The named officer acknowledged that he was familiar with the Department Bulletin, and said he understood that the bulletin applied in this instance. The named officer did not recall if he had made the required entry.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/25/13 **DATE OF COMPLETION:** 09/25/14 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** SFPD officers entered the complainant's residence without cause.

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

**FINDINGS OF FACT:** The complainant stated SFPD officers entered her residence without cause.

Department records showed that the entry was made pursuant to a search warrant signed by a superior court judge.

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

**SUMMARY OF ALLEGATIONS #2-4:** The officers used unnecessary force.

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

**FINDINGS OF FACT:** The complainant stated the officers used unnecessary force to take her son into custody. She stated an officer wrongfully shot her son with an Extended Range Impact Weapon (ERIW), and then officers took her son to the ground using physical force and fist strikes in order to handcuff him.

The officers denied the allegation. The officers stated they were serving a high-risk search warrant at the complainant's residence where her son resided. The complainant's son was the main suspect in a felony assault/robbery with a firearm discharge. As officers served the search warrant, all persons, except the complainant's son, voluntarily exited the residence. The complainant's son was repeatedly ordered to exit the front door of the residence, but he refused. Officers advised the complainant's son to exit the area or he would be shot with the ERIW. Following his failure to comply, an officer shot the complainant's son once in the thigh area with the ERIW. The son retreated, then returned to the front door and was ordered to exit walking backwards. Once the son returned to the door, an officer grabbed his hands and the complainant's son leaned into the officer, causing both to fall to the ground. The son failed to comply with the officers' verbal commands to get on his stomach and stop resisting. One officer employed numerous fist strikes to gain compliance, and another officer assisted in handcuffing the complainant's son.

The complainant's son did not come forward. No independent witnesses were identified.

There was insufficient evidence to either prove or disprove that the level of force used by the officers was minimally necessary to accomplish the complainant's son's arrest.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/26/13    **DATE OF COMPLETION:** 09/26/14    **PAGE#** 1 of 3

**SUMMARY OF ALLEGATION #1:** The officer detained the complainant and his son without justification.

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

**FINDINGS OF FACT:** The complainant stated he and his son were wrongfully detained. He stated he and his son had been drinking after attending a football game and were “buzzed.” As they walked up the street with a third male, the complainant stated two uniformed officers stopped their vehicle and detained him and his son. He stated the third male ran off.

Department records showed that the Department of Emergency Management received a 9-1-1 call regarding three (3) subjects on the MUNI tracks and were loitering. It was also reported that one of the subjects threw a bottle of beer at a MUNI inspector. The named officer and other officers responded to the location and detained the complainant and his son.

Department General Order 5.03 allows a police officer to briefly detain a person for questioning or request identification only if the officer has reasonable suspicion that the person’s behavior is related to criminal activity.

The evidence shows that the named officer had reasonable suspicion to detain the complainant and his son.

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

**SUMMARY OF ALLEGATION #2:** The officer arrested the complainant and his son without cause.

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

**FINDINGS OF FACT:** The complainant stated he and his son were arrested for trespassing on light rail tracks, resisting arrest and being drunk in public.

Department records showed that the MUNI inspector signed Citizen’s Arrest Forms, prompting the named officer to accept the private person’s arrest pursuant to DGO 5.04, Arrests By Private Persons.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/26/13    **DATE OF COMPLETION:** 09/26/14    **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #3:** The officer failed to answer reasonable questions.

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

**FINDINGS OF FACT:** The complainant stated he asked the officer why the officer detained him and his son as the detention began. He stated the officer failed to answer him.

The officer denied the allegation. He stated he could not answer the complainant's question while he was trying to make the scene safe. He stated he explained the situation to the complainant after the scene was rendered safe.

A witness stated he was 50 feet away and saw the officer speaking to one of the parties but could not hear what was being said.

The complainant's son declined to provide a statement.

No independent witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4:** The officer behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated he and his son were told to shut up and be quiet.

The named officer and other officers denied the allegation.

The complainant's son declined to provide a statement.

No independent witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/26/13    **DATE OF COMPLETION:** 09/26/14    **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #5:** The officer used unnecessary force.

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

**FINDINGS OF FACT:** The complainant stated the officer used unnecessary force in taking his son into custody.

The named officer denied the allegation.

The complainant's son declined to provide a statement.

No independent witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/18/13    **DATE OF COMPLETION:** 09/10/14    **PAGE #1 of 2**

**SUMMARY OF ALLEGATION #1:** The officer issued a citation to the complainant without cause:

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

**FINDINGS OF FACT:** The complainant stated he stopped his car in a traffic lane for approximately thirty seconds to allow his passenger to exit outside a corner store. A police car stopped in the middle of the intersection. The complainant waved at the officers and told them he was about to leave and the police car did not stop. The complainant subsequently received a notice by mail indicating one of the officers had issued a Notice of Parking Violation for double-parking. The complainant could not identify the passenger who exited his car.

The named officer's partner stated that he and the named officer saw the complainant's car double-parked and unattended. When the complainant exited the corner store, he was advised he was being cited for double parking but drove off before he was given the citation. The named officer stated that he did not remember issuing this citation. No other witnesses were identified.

Department records established that the named officer issued a Notice of Parking Violation for double-parking to the complainant's vehicle. Communications records established that the named officer and his partner ran a computer query on the license plate number of the complainant's car one minute before the time of the violation listed on the citation. The communications records do not reflect the officers conducting a traffic stop.

The complainant admitted stopping in a traffic lane to discharge a passenger, which constituted double-parking. The named officer therefore had justification to issue a citation for double-parking.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/18/13    **DATE OF COMPLETION:** 09/10/14    **PAGE #2 of 2**

**SUMMARY OF ALLEGATION #2:** The officer harassed the complainant.

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

**FINDINGS OF FACT:** The complainant stated that he believes the officer issued this parking citation to him as a form of harassment because the complainant previously filed a complaint against officers at the same district station. The complainant alleged that the officer abused his discretion in order to retaliate against him for filing a complaint against other officers. The complainant could not identify the passenger who exited his car.

The named officer stated that he did not remember issuing the citation. He denied issuing the citation to harass or retaliate against the complainant and stated that he had not received any information about the complainant prior to this incident.

The witness officer stated that he and the named officer saw the complainant's car double-parked and unattended. When the complainant exited the corner store, he was advised he was being cited for double parking but drove off before he was given the citation. The witness officer stated that he did not know whether any other officers had spoken to him about the complainant and also stated that he did not know anything about the complainant prior to this incident. No other witnesses were identified.

Communications records established that the named officer and his partner ran a computer query on the license plate number of the complainant's car one minute before the time of the violation listed on the citation, so they would have known that the complainant was the registered owner of the car when the citation was issued. The communications records do not reflect the officers conducting a traffic stop.

The complainant and the witness officer contradict one another concerning whether the complainant was in his car when the officers saw it double-parked. Because the named officer did not recall issuing the citation, he could not articulate the reason for his decision to cite the complainant for double-parking rather than issue a warning to the complainant.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/27/13    **DATE OF COMPLETION:** 09/03/14    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated he was detained for no apparent reason.

Department records showed the complainant was detained pursuant to Welfare and Institutions Code section 5150, which states, in part:

When a person, as a result of a mental health disorder, is a danger to others, or to himself or herself, or gravely disabled, a peace officer, professional person in charge of a facility designated by the county for evaluation and treatment, member of the attending staff, as defined by regulation, of a facility designated by the county for evaluation and treatment, designated members of a mobile crisis team, or professional person designated by the county may, upon probable cause, take, or cause to be taken, the person into custody for a period of up to 72 hours for assessment, evaluation, and crisis intervention, or placement for evaluation and treatment in a facility designated by the county for evaluation and treatment and approved by the State Department of Health Care Services.

Records from the Department of Emergency Management showed that there was a 9-1-1 call regarding a person, later identified as the complainant, threatening people on the bus. The 9-1-1 caller told the OCC that prior to the police arriving on the scene, the complainant, who appeared to be drunk or under the influence, was walking into traffic, giving cars the finger, flailing his arms and yelling.

The named officer and his partner stated that the complainant was ordered off the bus for threatening and disturbing passengers. The officers also stated that an unidentified witness told them that the complainant wanted to kill people. Based on the officers' investigation, the named officer determined that the complainant was a danger to others.

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



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/27/13    **DATE OF COMPLETION:** 09/03/14    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATIONS #2 - 4:** The officers used unnecessary force.

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

**FINDINGS OF FACT:** The complainant stated officers used unnecessary force to detain him for a psychiatric hold, fracturing his index finger.

The named officers, who physically restrained the complainant, denied the allegation.

No witnesses came forward to either prove or disprove the complainant's allegation.

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

**SUMMARY OF ALLEGATIONS #5 - 6:** The officers failed to properly process the complainant's property.

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

**FINDINGS OF FACT:** The complainant stated officers lost his bag containing medication.

The named officers denied the allegation, stating the complainant had no tangible property with him at the time of his arrest.

The witness did not see this portion of the incident.

No additional witnesses came forward.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/08/14 **DATE OF COMPLETION:** 09/26/14 **PAGE #1 of 1**

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

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

**FINDINGS OF FACT:** The complainant stated he called for police assistance when two passengers in his cab ran and evaded paying the fare. The complainant stated the named officer told him that the incident was a civil matter and that there was nothing the officer could do. Frustrated with the officer's response, the complainant drove away.

The officer stated he responded to the scene and determined that the complainant's passengers had committed a crime of fare evasion by not paying the fare. The officer stated the complainant was uncooperative and did not provide any identifying information and then drove away. The officer said he did not write a report because he did not have the complainant's name or contact information. The officer further stated that when the complainant drove off, it was an indication that the complainant did not want anything done regarding the fare evasion.

Records from the Department of Emergency Management show that the officer was provided with the reportee's name (the name was similar to the complainant's first name), the complainant's phone number, the cab company and cab number of the vehicle the complainant was driving, information about the fare evasion, suspect information and direction of flight. The officer stated that he broadcast the suspect information with the intent that another unit would locate the suspects.

Department General Orders 1.03 and 2.01 specifically state that officers are required to prepare incident reports of crimes that are brought to their attention. The evidence showed that the officer had sufficient information to prepare an incident report in this case.

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

**SUMMARY OF ALLEGATION #2:** The officer displayed rude behavior

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

**FINDINGS OF FACT:** The officer denied the allegation.

There were no independent witnesses. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/13/14    **DATE OF COMPLETION:** 09/08/14    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated he is a street performer and that his acts are primarily directed at tourists who visit the area. He stated he was in the midst of a performance when a female tourist walked up to him and put her hands in his face. The complainant stated he became angry with the tourist and the two exchanged words. He stated he calmed down and simply walked away. The complainant stated the officer subsequently arrived and cited him. The complainant stated the officer took the tourist's side rather than the complainant's side of the story. The complainant described other incidents whereby a tourist knocked a money cup holder out of his hands. He held the cup for those watching his performances to donate tips.

An employee of the Port Commission who has responsibility for implementing policy matters affecting commerce in the area stated he was familiar with the complainant. The employee stated the complainant has a history of public intoxication and assaults upon tourists in the area. These incidents extended up to the time of this subject incident. The employee stated the complainant is a gentleman when he is sober, but a completely different person when he is drunk or on drugs.

The officer stated he received a call for service from police dispatch. The call-taker at police dispatch requested the officer to meet the reporting party at a specific location. The reporting party requested removal of the complainant for being very aggressive and possibly intoxicated. Dispatch records disclose the officer responded quickly to the location, but by the time he arrived, the reporting party had left. The reporting party, however, had provided a detailed description of the complainant to police dispatch. The complainant was reportedly dressed in an outfit he routinely used for street performances.

Upon arrival, the named officer saw that the complainant was still in the area. The officer, who knew the complainant from previous encounters, heard the complainant using profanity while the officer approached him. The officer talked to the complainant and found he displayed objective symptoms of public intoxication. The officer stated he subsequently cited the complainant for being under the influence.

No witnesses were identified to either prove or disprove that the complainant was intoxicated.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/13/14    **DATE OF COMPLETION:** 09/08/14    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #2:** The officer issued an invalid order.

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

**FINDINGS OF FACT:** The complainant stated he is a street performer and that his acts are primarily directed at tourists who visit the area. The complainant described an incident when a female tourist walked up to him and put her hands in his face. The complainant stated he became angry with the tourist and the two exchanged words. He stated he calmed down and simply walked away. The complainant stated the officer banned him from performing in the area.

The named officer denied banning the complainant from performing in the area. The officer stated he was familiar with the complainant and related several incidents of police encounters with the complainant. The officer stated he informed the complainant that he would be seeking a Stay-Away Order, effectively restraining the complainant from being in the area, if the complainant continued with his behavior of public intoxication and assaulting tourists.

No independent witnesses were identified.

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

**SUMMARY OF ALLEGATION #3:** The officer made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated the officer inappropriately referred to the complainant's criminal record.

The officer acknowledged the encounter with the complainant. The officer stated it was not him who brought up the complainant's past history involving the complainant's criminal record, alcohol abuse and women. The officer stated it was the complainant who brought up these topics.

No independent witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/24/14    **DATE OF COMPLETION:** 09/09/14    **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant, a street performer, was performing on the sidewalk at Fisherman's Wharf when the officer told him to leave. The complainant stated the officer told him that San Francisco Port Code required him to have a permit to perform his act in the area. The complainant acknowledged that he did not have a permit to perform and that someone had complained about him being there.

The named officer stated the complainant was performing near the fishing boats, which is prohibited by the Port of San Francisco. The officer stated signs were posted and the complainant was interfering with the fishermen doing business in the area. The officer stated the complainant was also using an amplifier, which requires a permit from the Port of San Francisco. The officer stated he told the complainant to move to a spot where he could perform and verbally directed him to such spot. When the complainant refused, the named officer lawfully cited for violation of San Francisco Port Code section 3.12, Refusal To Obey Lawful Order.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/24/14    **DATE OF COMPLETION:** 09/09/14    **PAGE#** 2 of 3

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

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

**FINDINGS OF FACT:** The complainant, a street performer, was performing on the sidewalk at Fisherman's Wharf when the officer told him to leave. The complainant stated the officer told him that San Francisco Port Code required him to have a permit to perform his act in the area. The complainant acknowledged that he did not have a permit to perform and that someone had complained about him being there.

The named officer stated the complainant was performing near the fishing boats, which is prohibited by the Port of San Francisco. The officer stated signs were posted and the complainant was interfering with the fishermen doing business in the area. The officer stated the complainant was also using an amplifier, which requires a permit from the Port of San Francisco. The officer stated he told the complainant to move to a spot where he could perform and verbally directed him to such spot. When the complainant refused, the named officer detained him and subsequently cited him for violation of San Francisco Port Code section 3.12, Refusal To Obey Lawful Order.

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

**SUMMARY OF ALLEGATION #3:** The officer issued a citation without cause.

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

**FINDINGS OF FACT:** As previously stated, the complainant was lawfully cited for violation of San Francisco Port Code section 3.12, Refusal To Obey Lawful Order.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/24/14    **DATE OF COMPLETION:** 09/09/14    **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #4:** The officer searched the complainant's property without cause.

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

**FINDINGS OF FACT:** The complainant stated the officer searched his bag without permission or reason.

The named officer stated that, prior to transporting the complainant, he searched the complainant's belongings for weapons and identification. The complainant was transported to the station because he could not produce any identification.

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

**SUMMARY OF ALLEGATION #5:** The officer behaved in a threatening and inappropriate manner and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated the named officer was aggressive during the contact.

The named officer denied the allegation, stating that he acted professionally during his contact with the complainant.

No witnesses came forward.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/29/14    **DATE OF COMPLETION:** 09/16/14    **PAGE#** 1 of 6

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

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

**FINDINGS OF FACT:** The complainant stated that she and a companion left a bar and entered a taxicab. The complainant stated that she did not remember what happened after the taxi dropped off her companion and believes she was drugged. The next thing the complainant remembered was being removed from the back of a police car by the named officer. The officer squeezed her arm tightly and squeezed one of her handcuffs, causing her wrist to swell and bleed. This officer then pulled the complainant's arm up behind her back causing an injury to her shoulder. In response, the complainant spat in his face and another officer placed a spit mask over her head. The named officer kicked the complainant's feet out from under her, causing her to fall face-down on the ground, then kicked her in the ribs and pressed her shoulder into the ground with his foot. The complainant stated the named officer also placed his foot on her face and pushed her face into the ground.

Department records established that the complainant was arrested for assaulting a taxi driver and was transported from the police station to the county jail in the side compartment of a police wagon, which also transported four male prisoners in its rear compartment.

The taxicab surveillance video indicated that the complainant, who appeared to be under the influence of alcohol or drugs, became increasingly verbally abusive to the taxicab driver, and then assaulted the driver from the back seat. The video shows the driver pulling the complainant off himself and pushing her out of the open driver's door. The video shows the complainant re-entering the taxi several minutes later and assaulting the driver again from the back seat. As the taxi begins moving, the complainant and the driver tumble out of the open driver's door onto the street.

One of the male prisoners' who was transported in the police wagon with the complainant stated that during the ride from the police station to the jail, the complainant repeatedly and loudly expressed her hostility towards the officers. The complainant also repeatedly told the officers she needed to use a bathroom and ultimately urinated inside the police wagon. When the wagon arrived at the county jail, the complainant, who was in a separate compartment, was removed through the side door. Looking through the screen and out the side door, this witness saw officers yank the complainant out of the wagon and take her to the ground. He could not see the complainant on the ground but saw an officer who appeared to be kneeling. He heard the complainant tell the officer to get off her because he was hurting her. When this officer stood up, the witness saw him holding the complainant's arm wrenched up behind her back and heard the complainant screaming that the officer was going to break her arm.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/29/14    **DATE OF COMPLETION:** 09/16/14    **PAGE#** 2 of 6

**SUMMARY OF ALLEGATION #1 continued:**

Another male prisoner being transported in the police wagon stated that during the ride from the police station to the jail, the complainant showed him and the other men in the back of the van that she had slipped her hand out of one of her handcuffs. While in the wagon, the complainant said she needed to use a bathroom and this witness assumed the officers heard her say this. When officers opened the side door of the wagon, the complainant was squatting and urinating inside the wagon. The witness stated that one of the officers asked the complainant whether she urinated inside the wagon and called her a bitch. The officers then grabbed the complainant, yanked her out of the wagon and placed her in some sort of control hold with her wrist behind her back. The witness heard the complainant scream that the officers were breaking her wrist

The complainant's hospital medical records documented her complaint of numbness in her hand, tingling in her elbow and pain in her left shoulder. An X-ray of her shoulder indicated no fracture or dislocation. The records documented bruising of the upper arm and shoulder. The records state that the complainant told hospital staff that police officers stepped on her shoulder.

Photographs of the complainant taken by the OCC two days after her arrest showed abrasions to her left wrist and a smaller abrasion to her right wrist, and bruising on the outside of her left calf, an abrasion to her left knee, bruising on her lower left leg and lower right leg and bruising on her upper left and upper right arms.

One of the officers who transported the complainant from the police station to the county jail stated that he was the passenger in the wagon and did not recall hearing the complainant say she needed to urinate. He stated that when they arrived at the sally port outside the entrance to county jail, he exited the wagon and went to a table outside the jail entry, thirty to forty-five feet from the wagon, to complete paperwork concerning the prisoners and their property. He stated that he had his back to the wagon and did not see his partner remove the complainant from the wagon. The next time he saw the complainant, she was seated in a chair near the jail entry with a spit mask over her face. The named officer had the complainant stand and the witness officer attempted to take a photograph of her. The complainant lunged at and attempted to kick the witness officer, who stepped back and spun around to avoid her kick. He saw the named officer take the complainant to the ground but did not see how this was accomplished. He stated that several sheriffs' deputies exited the jail to assist and placed leg restraints on the complainant's legs.

The witness officer identified two digital photographs he took of the complainant in the sally port. The photographs show the complainant standing, apparently without shoes, with a white spit mask over her head. The named officer is seen standing behind her.

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**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/29/14    **DATE OF COMPLETION:** 09/16/14    **PAGE#** 3 of 6

**SUMMARY OF ALLEGATION #1 continued:**

There were no surveillance cameras in the jail sally port where this incident took place. A surveillance camera inside the jail showed several sheriff's deputies, one of whom was carrying a pair of leg restraints, exiting out of the jail towards the sally port

The sheriff's deputy seen in the jail surveillance video exiting the jail carrying a pair of leg restraints stated that he did not recall this incident.

The named officer stated that as he and his partner were transporting the complainant and several male prisoners from the station to the county jail, he heard the complainant tell the other prisoners that she was going to urinate in the wagon. He stated that the complainant never told him or his partner that she needed to use a bathroom. He stated that as they entered the sally port outside the jail entrance, he heard what sounded like someone urinating inside the wagon. When he opened the wagon's side door, he directed the complainant to step out of the wagon and grasped her arm to assist her. As she stepped out of the wagon he saw that she had slipped one hand out of its handcuff, and that the open handcuff was hanging from her free hand. He stated that he immediately used a bar-arm takedown to take her to the ground. He stated that he did this because the open handcuff was a potential weapon. The named officer stated that he twisted the complainant's wrist to gain compliance and ordered her to place her other hand behind her back so he could handcuff it. He denied that the complainant stated that she was in pain or discomfort. After he handcuffed the complainant, he seated her in a chair outside the jail entrance. The complainant spat at the named officer so he placed a mesh-spit mask over her head.

The named officer stated that the officer who had arrested the complainant wanted photographs taken of her. He had the complainant stand and held her using a bent wrist control hold so his partner could photograph her. He stated that the complainant lunged at and attempted to kick his partner, almost making contact with his partner's face. The named officer then pulled the complainant back and forced her to the floor face down while controlling her fall. He then placed his knee in her back. The named officer stated that he took the complainant to the ground because she displayed violent behavior by attempting to kick his partner and he wanted to ensure she was under control. He stated that sheriff's deputies exited the jail and placed leg shackles on the complainant. He then brought the complainant to her feet and walked her into the jail while holding two of her fingers slightly bent back towards her wrist to maintain control.

The named officer denied that he or any other officer kicked or struck the complainant or placed their foot on any part of her body. He denied that the complainant ever complained of pain while in the sally port outside the jail. He denied calling the complainant a "bitch."

The named officer stated that he knew the complainant had been arrested for assault and acknowledged that he was concerned about her belligerent behavior when he removed her from the wagon but did not ask his partner to assist him because he felt he was capable of handling the situation by himself.

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**SUMMARY OF ALLEGATION #1 continued:**

The named officer's statement that the complainant never complained of pain while in the sally port is contradicted by the two civilian witnesses who were in the back of the wagon. The complainant's account of what occurred is clearly affected by her intoxicated state. She claimed she was transported in a police car rather than a wagon and had no recollection of several significant events. The taxicab video documented her aggressive behavior shortly prior to this incident, and the statement of one of the witnesses who was in the wagon confirmed the named officer's statement that the complainant slipped out of one of her handcuffs. Many of the complainant's injuries may have been sustained when she fell out of the taxicab, once while it was moving. There were no direct witnesses to the named officer's use of force on the complainant. There was insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated that the officer who used unnecessary force on her also made inappropriate comments to her.

The named officer denied making the comments described by the complainant. The named officer's partner stated that he was approximately forty feet from the wagon the complainant was transported in and did not hear any interaction between the complainant and the named officer.

One of the male prisoners who was transported in the wagon with the complainant stated that he heard the officer who removed the complainant from the wagon call her a bitch, but did not hear the inappropriate comments described by the complainant. Another of the male prisoners who was transported in the wagon stated that he did not hear the officer make any inappropriate comments to the complainant.

A sheriff's deputy who was present during part of the interaction stated that he did not recall this incident.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #3:** The officer engaged in inappropriate behavior and made inappropriate remarks.

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

**FINDINGS OF FACT:** The complainant stated that the officer took photographs of her with his cell phone and told her the photographs were going to be posted to a social media site.

The named officer stated that he took several photographs of the complainant at the request of the officer who arrested the complainant, but denied threatening to post them online. Department records established that the photographs were booked into evidence. The named officer's partner stated that the named officer took the photographs at the request of the arresting officer and did not threaten to post the photographs online.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**SUMMARY OF ALLEGATION #4 - 5:** The officers engaged in inappropriate behavior.

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

**FINDINGS OF FACT:** The complainant stated that when she was searched inside the jail, officers saw and instructed her to remove a sex toy from her underwear and laughed about this.

One of the two officers who transported the complainant to the county jail stated that a sex toy was discovered in the complainant's pants when she was placed inside a holding cell, but he did not recall anyone laughing about this. The other officer who transported the complainant to the county jail stated that he did not recall a sex toy being found in the complainant's underwear.

No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

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**SUMMARY OF ALLEGATION #6:** The officer failed to take required action.

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

**FINDINGS OF FACT:** The complainant stated that after she was arrested and transported to the jail, she was taken to the hospital for medical examination and treatment. The complainant stated that an officer refused to leave the room while her arm was X-rayed at the hospital, telling her that he was required to remain in the room with her. The complainant stated that she was fully clothed when she was X-rayed.

The evidence established that the complainant was arrested for assaulting a taxi driver and for attempting to assault an officer who transported her to the jail. Surveillance video from the taxicab documented aggressive and assaulting behavior by the complainant, who appeared to be under the influence of alcohol or drugs.

The officer, though not identified was justified in remaining in the presence of the complainant, who was under arrest and who had exhibited assaultive behavior. The complainant's clothing was not removed when she was X-rayed and her private areas were not exposed.

The evidence proved that the acts, which provided the basis for the allegation occurred; however, such acts were justified, lawful and proper.

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**SUMMARY OF ALLEGATION #1:** The San Francisco Police Department failed to take required action.

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

**FINDINGS OF FACT:.** The complainant stated that her vehicle was stolen from a parking lot in Fremont, California, prompting her to report her car stolen with the Fremont Police Department. The complainant later learned that her vehicle was towed by SFPD. The complainant alleged that the San Francisco Police Department failed to notify her that her vehicle had been found and towed.

Records from the Fremont Police Department showed that the complainant filed a police report, stating that her daughter had left home, taking the complainant's vehicle and cell phone. There was no separate stolen vehicle report filed with the Fremont Police Department.

Records from the San Francisco Police Department showed that the complainant's vehicle was being driven in San Francisco by an unlicensed driver. The vehicle was pulled over and subsequently towed pursuant to Department policy.

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

**SUMMARY OF ALLEGATION #2:** This complaint raises matters outside OCC's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside OCC's jurisdiction. This complaint has been referred to:

Auto Return  
450 Seventh Street  
San Francisco, CA 94103

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**DATE OF COMPLAINT:** 02/21/14    **DATE OF COMPLETION:** 09/15/14    **PAGE #1 of 1**

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

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

**FINDINGS OF FACT:** The complainant stated that she called police because two other female residents of a shelter where she was staying threatened to “kick her ass.” The complainant told the named officer what happened but he did not ask her any questions. The complainant stated the named officer spoke to the two other women and to one of the staff members at the shelter. The complainant said the officer told her that the two women, a staff member and witnesses told him that the complainant and the two women had argued, but that no threat had been made. The complainant stated that she might have said something to the officer about a police report.

Department records established that the named officer was serving as the Field Training Officer for a recruit officer. The recruit officer stated that he did not recall the complainant reporting any specific threats made to her. He stated that the complainant told him everyone in the shelter would lie about what happened. The recruit officer stated he spoke to the two women who had verbally argued with the complainant and with a shelter employee. He stated that an incident report was not prepared because no crime had been committed, because the complainant never requested one and because the complainant left the scene before he and the named officer could conduct a full investigation.

The named officer stated that the complainant told him she wanted two female residents of the homeless shelter arrested for threatening her. The named officer spoke to the two women who had argued with the complainant. The two women told him that the complainant tried to kick a cat belonging to one of the women and the women threatened to retaliate against the complainant if she kicked the cat. The named officer stated that he told the complainant there was insufficient evidence to arrest the two women. The named officer stated that no incident report was prepared because no crime had been committed and because the complainant did not request a report.

The shelter would not provide its internal report on this incident to the OCC, nor would it allow the OCC to interview the staff member who was present.

Department records indicated that on two previous occasions, one a week before this incident, the complainant called police and reported being verbally threatened, describing the threats in the same language she used in this case. No other witnesses were identified. Attempts to contact the complainant to conduct a follow-up interview were unsuccessful.

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