

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/02/14 **DATE OF COMPLETION:** 11/21/14 **PAGE #** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer failed to comply with DGO 9.01, TRAFFIC ENFORCEMENT.

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

**FINDINGS OF FACT:** The complainant stated that the named officer initially cited her for talking on her cell phone while driving. The complainant stated that when she argued with the officer, the officer added two additional violations: texting while driving and unsafe lane change.

The named officer denied that he allowed the complainant's attitude to influence his enforcement action. He stated that he cited her for three violations because he witnessed all three violations.

Records from the San Francisco Superior Court show that the complainant was only charged with one violation – talking on her cell phone while driving. The complainant paid the citation and no other charges were filed against her.

No independent witnesses were identified.

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

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

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

**FINDINGS OF FACT:** The complainant stated that the named officer initially cited her for talking on her cell phone while driving. The complainant stated that when she argued with the officer, the officer added two additional violations: texting while driving and unsafe lane change.

The named officer denied that he allowed the complainant's attitude to influence his enforcement action. He stated that he cited her for three violations because he witnessed all three violations.

Records from the San Francisco Superior Court show that the complainant was only charged with one violation – talking on her cell phone while driving. The complainant paid the citation and no other charges were filed against her.

No independent witnesses were identified.

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

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**SUMMARY OF ALLEGATION #3:** The officer behaved inappropriately and/or made an inappropriate comment.

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

**FINDINGS OF FACT:** The complainant stated that the named officer initially cited her for talking on her cell phone while driving. The complainant stated that when she argued with the officer, the officer added two additional violations: texting while driving and unsafe lane change. When the complainant asked why she was being cited for two additional violations, the named officer said, "Because of your attitude." The complainant submitted a partial cell phone recording of her interaction with the officer, which captured the officer's comment.

San Francisco Department General Order (DGO) 2.01 requires officers to treat the public with courtesy and respect and not use harsh, profane or uncivil language. DGO 9.01 also requires officers to not let the attitude of a violator influence their enforcement action. The named officer acknowledged that he cited the complainant for the three violations. He also acknowledged that the recording the complainant provided was the interaction he had with the complainant. He denied that he allowed the complainant's attitude to influence his enforcement action.

While the named officer admitted citing the complainant for three violations, the San Francisco Superior Court only had one charge (CVC 23123) on file, which the complainant paid. There was no record of the complainant being charged with texting while driving and for unsafe lane change. The evidence established that the named officer's comment about the complainant's attitude reflected discredit upon the Department. The named officer's comment was unnecessary and served no law enforcement purpose.

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:** 02/18/14    **DATE OF COMPLETION:** 11/05/14    **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 complaint stated she made contact with a woman at the museum who had entered a restricted 'staff only' area and was shuffling through some files. The complainant stated she had a fellow employee call the police. The complainant stated she witnessed the officer use unnecessary force on the woman when he slammed her to the floor.

A witness employee of the museum stated she observed the woman in an unauthorized area rifling through a filing cabinet. The witness stated the complainant motioned her to call the police for assistance. Once the officer arrived, she heard a noise and looked back to see the woman on the floor. The witness saw the officer handcuffing the woman while the woman yelled, "No, no. Don't do that!"

The named officer stated he responded to an "A" priority call of a burglary in progress, which was also reported as a fight or dispute. The officer denied slamming the woman to the ground. He stated he used a rear leg sweep on the suspect to guide her to the ground after the suspect refused his verbal commands and physically resisted him. He stated that after being taken to the floor, the suspect continued to resist. The officer said a Park Ranger assisted him in handcuffing the suspect. The officer stated that he used minimal force to control the suspect who resisted him during the entire contact.

The Park Ranger stated he responded to the call of a burglar and responded to the museum. He saw the officer struggling with the suspect and saw the suspect fall to the floor onto her buttocks.

Additional SFPD officers who responded said the suspect was already handcuffed upon their arrival. Several of the back-up officers described the suspect as resistant and belligerent.

The incident report documented the woman as a transient. She was taken to the station where she was cited for resisting an officer and released.

The medical screening report established the woman was not injured nor did she complain of an injury as a result of the detention.

No other witnesses came forward.

There was insufficient evidence to either prove or disprove that the level of force used by the named officer was minimally necessary to accomplish his task. There was insufficient evidence to either prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** The complainant stated he was attempting to cross the street when the light turned red when he was in the middle of the street.

The named officer and his partner stated that the complainant was detained for crossing the street against a red light, in violation of California Vehicle Code section 21453(d), Red or stop.

No witnesses came forward.

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

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

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

**FINDINGS OF FACT:** The complainant stated he was attempting to cross the street when the light turned red when he was in the middle of the street. The complainant alleged that the named officer made inappropriate comments about the complainant being a transient.

The named officer and his partner were interviewed. Both denied the allegation.

No witnesses came forward.

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

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**SUMMARY OF ALLEGATIONS #3 - 4:** The officers used a sexual slur.

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

**FINDINGS OF FACT:** The complainant stated he was attempting to cross the street when the light turned red when he was in the middle of the street. The complainant alleged that the officers called him a “punk ass bitch.”

The named officers were interviewed and both denied the allegation.

No witnesses came forward.

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

**SUMMARY OF ALLEGATION #5:** The officer used a racial slur.

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

**FINDINGS OF FACT:** The complainant stated he was attempting to cross the street when the light turned red when he was in the middle of the street. The complainant alleged that the named officer called him a “bum ass White boy” and a “cracker hippie.”

The named officer and his partner were interviewed. Both denied the allegation.

No witnesses came forward.

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

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**SUMMARY OF ALLEGATIONS #6 - 7:** The officers used profanity.

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

**FINDINGS OF FACT:** The complainant stated he was attempting to cross the street when the light turned red when he was in the middle of the street. The complainant alleged that the named officers used profanity toward him.

The named officers were interviewed and both denied the allegation.

No witnesses came forward.

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

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**SUMMARY OF ALLEGATIONS #8 - 9:** The officers used unnecessary force during the detention.

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

**FINDINGS OF FACT:** The complainant stated he was attempting to cross the street when the light turned red when he was in the middle of the street. The complainant stated he was then detained by the officers who asked him for his name. The complainant stated he provided the officers with an alias because he knew he had an outstanding arrest warrant. He believed the officers had no right to stop him. One officer asked the complainant additional questions, and the complainant provided answers that did not agree with previous answers he gave the officer. The complainant admitted becoming belligerent with the officers. The complainant stated he stood up, took off his backpack and took one step away.

The complainant stated that the officers grabbed him by the arms, took him to the ground and handcuffed him. The complainant stated one of the officers placed the shin of his leg on the complainant's neck, thereby choking the complainant. The complainant stated he heard one of the officers tell the other officer to put him out. The complainant thought the officers had broken his arm during the scuffle, but subsequent medical treatment determined the complainant's arm was not broken.

The named officers stated they stopped the complainant because they saw the complainant cross the street in violation of the traffic signal at the pedestrian crosswalk. The officer also stated the complainant did not have any identification, and the complainant lied about certain identifying information he provided to the officers. One of the officers told the complainant to sit on the curb. The officer confronted the complainant about his lies, and told the complainant the officer would have to take the complainant to the police station to verify his identity. The officer stated the complainant began to walk away.

The officers stated they grabbed the complainant by the arms and detained him in order to prevent the complainant from running away. The officers stated the complainant fell to the ground. They had to push the complainant on his side and roll him over on his stomach in order to handcuff him. The officers stated the complainant resisted during this entire process by flailing his arms and not complying with the officers' commands. The officers denied trying to choke the complainant or using unnecessary force. The officers also stated they sustained minor injuries during this scuffle. One of the officers later found the complainant had two outstanding, no-bail arrest warrants, prompting them to book the complainant.

There was insufficient evidence to either prove or disprove that the level of force used by the officers were minimally necessary to accomplish their task.

No witnesses came forward. There was insufficient evidence to either prove or disprove the allegation.

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**DATE OF COMPLAINT:** 02/27/14    **DATE OF COMPLETION:** 11/20/14    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant, who wished to remain anonymous, stated he saw a video online that was upsetting to him as a photographer. He described the video, stating that it showed a person trying to videotape police officers. He stated that during the video, an officer instructed the person to stop recording and then a scuffle ensued, at which time the video ended. The complainant thought that this was unacceptable because people have the right to record.

The narrative accompanying the video online indicates that the person was detained for jaywalking. The poster wrote that while being detained, he attempted to get his camera from his bag and was instructed multiple times by officers not to reach into his bag. The poster wrote that he continued attempting to grab his camera but ultimately did not have a memory card. He then proceeded to disobey commands by the officers, in order to retrieve his phone from his pocket and begin recording the incident, at which point he says officers forced him to turn it off. The poster was unresponsive to our attempts to gather more information about the incident.

Based on the written account accompanying the video, the person was not an onlooker, but was instead being detained for jaywalking. However, without further information from the involved party, we were unable to identify the incident or the officers involved.

No witnesses came forward.

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



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**DATE OF COMPLAINT:** 03/03/14 **DATE OF COMPLETION:** 11/03/14 **PAGE #1** of 4

**SUMMARY OF ALLEGATIONS #1-3:** The officers detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant was driving to a liquor store when he noticed a police car following behind him. When he reached the liquor store and parked his car, the officers stopped behind him.

The named officers said they observed the complainant's car with no license plates and inoperable brake lights and detained him for the purpose of a citation.

The complainant denied his brake lights were inoperable.

No witnesses were identified.

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

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

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

**FINDINGS OF FACT:** The complainant was issued a citation for driving with broken brake lights and a suspended license, both violations he disputed.

The named and one witness officer said they observed the broken brake lights and said the DMV computer on the day of the traffic stop showed the complainant's license as suspended.

An interview of a DMV employee did not definitively prove what appeared on the DMV computer on the day of the traffic stop.

No witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

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**DATE OF COMPLAINT:** 03/03/14 **DATE OF COMPLETION:** 11/03/14 **PAGE #2** of 4

**SUMMARY OF ALLEGATIONS #5-6:** The officers detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant was in his car and was stopped at an intersection waiting for a traffic light when he noticed a police car behind him. He said two officers in the police car followed and stopped him after he parked his car without justification. The complainant acknowledged speeding up and driving several blocks with the police car behind him.

The named officers stated they stopped the complainant after observing him traveling at excessive speed, failing to yield to pedestrians and failing to stop at stop signs. The officers further stated that during the stop, they found open containers of alcohol in the car, and they transported the complainant to a police station because they could not identify him at the scene.

No witnesses came forward.

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

**SUMMARY OF ALLEGATIONS #7-8:** The officers arrested the complainant without cause.

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

**FINDINGS OF FACT:** The complainant stated he should not have been taken to a police station in handcuffs because he supplied sufficient identification to the officers at the scene of a traffic stop.

The named officers stated that the complainant was detained and arrested for Vehicle Code violations. The officers stated that they did not recall if the complainant had supplied adequate identification, but said they transported him to the station because the complainant was belligerent and was trying to draw a crowd at the scene of the traffic stop, and they needed to complete their investigation elsewhere.

No witnesses came forward.

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

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**SUMMARY OF ALLEGATION #9:** The officer issued a citation without cause.

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

**FINDINGS OF FACT:** The officer cited the complainant for reckless driving and having opened containers of alcoholic beverages in the car. The complainant denied he had committed either of the violations.

The named and one witness officer stated they were at an intersection and had the right of way when the complainant arrived at the intersection without making a full stop, causing the officers to make a sudden stop. The officers stated they followed the complainant and observed him traveling at an excessive speed in heavy traffic. The officers further stated that during the traffic stop, they saw open alcoholic beverage containers in the complainant's car.

No witnesses came forward.

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

**SUMMARY OF ALLEGATION #10:** The officer searched the complainant and his car without cause.

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

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

The officer stated the complainant was searched prior to being placed in a police car for transport. The officer stated the complainant's car was subject to tow, so he conducted a mandatory inventory search.

No witnesses came forward.

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

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**SUMMARY OF ALLEGATION #11:** The officer towed a vehicle without cause.

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

**FINDINGS OF FACT:** The complainant alleged that the officer towed his car without cause. He argued that the tow was without cause because his documents were valid and that his car was properly parked.

The evidence showed the named officer had the car towed. However, the officer is no longer a sworn member of the San Francisco Police Department.

**SUMMARY OF OCC-ADDED ALLEGATION #1:** The officer failed to comply with Department Bulletin No. 13-091.

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

**FINDINGS OF FACT:** Department Bulletin 13-091, Traffic Stop Data Collection Program Information, requires officers to make E585 entries on vehicle stops conducted. The Bulletin further requires all E585 entries to be completed before the end of the officer's shift.

The named and one witness officer acknowledged in an interview that they conducted the traffic stop in question and, pursuant to the Department Bulletin, the stop required an E585 entry. The named officer and one witness officer stated that the named officer's Field Training Officer reminded him about the required entry for this stop. The named officer said he could not recall if he entered the traffic stop data for and could not locate any record of it.

The Department had no documents showing the required traffic stop data was entered.

A preponderance of the evidence proved that 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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**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to take required action.

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

**FINDINGS OF FACT:** The complainant stated that the officers failed to give him 20 minutes to have a licensed driver take his car to prevent it from being towed.

The officers stated that due to the complainant's two previous Vehicle Code violations of 12500(a), they believed there was a likelihood of immediate continued unlawful operation of the vehicle if the vehicle was not towed. The vehicle was, therefore, towed pursuant to Department guidelines.

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 behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant stated the officers made him feel bad for not having a driver's license. The complainant stated the officers told him the accident was his fault for not having a driver's license.

The officers denied the allegation. The officers denied making the inappropriate comments to the complainant.

No witnesses came forward.

There was insufficient evidence to prove or disprove the allegation.

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

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

**FINDINGS OF FACT:** In his OCC interview, the complainant, who works as a security guard in a shelter house, stated that he called for police assistance regarding an intoxicated person who wanted to enter the shelter house. The complainant stated the person refused to leave and started to sexually harass him. The complainant stated a male and female officer arrived. The complainant stated the male officer yelled at him and was verbally aggressive. The complainant stated the officer also told him to shut up and was not interested in taking action.

The named officer and his partner 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 failed to promptly provide his name.

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

**FINDINGS OF FACT:** The complainant stated that the officer failed to provide his name when asked.

The named officer and his partner denied the allegation.

No other witnesses came forward.

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

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**SUMMARY OF ALLEGATIONS #1 - 2:** The officers entered the complainant's residence without cause.

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

**FINDINGS OF FACT:** The complainant stated she was awakened when officers rammed her front door and entered her residence with weapons drawn.

The named officers stated that they entered the complainant's residence pursuant to a valid search warrant signed by a California Superior Court Judge. The officers stated the search warrant was in connection with an attempted murder where the suspect's last known address was that of the complainant's address.

The evidence proved that the act, which provided the basis for the allegation, occurred; however, such acts were justified, lawful, and proper.

**SUMMARY OF ALLEGATION # 3:** The SFPD officers searched the complainant's home without cause.

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

**FINDINGS OF FACT:** The complainant stated that she did not know why officers searched her home when the person whom the officers were looking for did not live there.

The named officer stated that SFPD officers entered and searched the complainant's residence pursuant to a valid search warrant signed by a California Superior Court Judge. The named officer stated the search warrant was in connection with an attempted murder where the suspect's last known address was that of the complainant's address.

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

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**SUMMARY OF ALLEGATION #4:** The officer behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant stated the named officer was very disrespectful and rude during the incident. She said he told her to shut up and threatened to take her to jail.

The named officer and other officers denied the allegation.

No other witnesses were identified.

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

**SUMMARY OF ALLEGATION # 4:** The officer uttered sexual slurs toward the complainant

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

**FINDINGS OF FACT:** The complainant stated the named officer called her a “bitch” and a “ho” during the incident.

The named officer and other 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 #1:** SFPD officers entered the complainants' residence without cause.

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

**FINDINGS OF FACT:** The complainants were in their house when police officers arrived and demanded entry. The complainants stated the officers told them that they had a search warrant to search the house. The complainants stated the officers then entered with their guns drawn.

The named officer stated that SFPD officers entered the complainants' residence pursuant to a valid search warrant signed by a California Superior Court Judge.

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

**SUMMARY OF ALLEGATION #2:** SFPD officers searched the complainants' residence without cause.

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

**FINDINGS OF FACT:** The complainants stated that their residence was searched without cause.

The named officer stated that SFPD officers entered and searched the complainants' residence pursuant to a valid search warrant signed by a California Superior Court Judge.

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

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**SUMMARY OF ALLEGATION #3:** The officer detained the complainants without justification.

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

**FINDINGS OF FACT:** The complainants stated that they were detained without justification.

The named officer stated that SFPD officers entered and searched the complainants' residence pursuant to a valid search warrant signed by a California Superior Court Judge. The complainants were detained during the execution of the search warrant.

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

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

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

**FINDINGS OF FACT:** The complainants stated that numerous officers made inappropriate comments during the search. The complainants did not specifically name the alleged officers.

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

The identity of the alleged officers has not been established.

No other witnesses came forward.

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

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**SUMMARY OF ALLEGATIONS #1-2:** The officers displayed their firearms without justification.

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

**FINDINGS OF FACT:** The complainant, who was not present during her son's and her son's friends' detention, stated that the officers unnecessarily drew their firearms.

The named officers stated they drew their firearms because one of the subjects who was ultimately detained had been previously arrested on gun charges. In addition the officers stated the area where the incident occurred was a gang territory, known for numerous shootings and homicides.

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 detained the complainant's son without justification.

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

**FINDINGS OF FACT:** The complainant, who was not present at the scene, stated the officers improperly detained her son.

The named officers denied the allegation. They stated they were on patrol and recognized at least one of the parties as a known gang member who had been arrested in possession of a firearm and that they also recognized a second male as a likely gang affiliate. When the officers approached the subjects, all three individuals ran into the complainant's open garage and closed the door. As the officers approached the address, the officers stated they smelled marijuana at the door, and knocked to further investigate. An officer persuaded the complainant's son to open the door and he complied. Officers detained the complainant's son and two companions pending further investigation.

The subjects who were detained did not come forward. One witness admitted there was marijuana on the table in the garage.

No other witnesses came forward.

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

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**SUMMARY OF ALLEGATIONS #6-8:** The officers behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant, who was not present at the scene, stated the officers acted improperly when they obtained a signature on a Permission to Search form from her mother, who was not a legal resident at the house.

The officers denied the allegation, stating that the person who signed the Permission to Search form resided at the residence and had personal property in the garage.

The complainant's mother and the subjects who were detained did not come forward.

No other witnesses were identified.

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

**SUMMARY OF ALLEGATIONS #9-11:** The officers performed a search without probable cause.

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

**FINDINGS OF FACT:** The complainant, who was not present at the scene, stated the officers improperly obtained a signature on a Permission to Search form from her mother, who was not a legal resident at the house.

The officers denied the allegation, stating that the person who signed the Permission to Search form resided at the residence and had personal property in the garage.

The complainant's mother and the subjects who were detained did not come forward.

No other witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/21/14      **DATE OF COMPLETION:** 11/26/14      **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officers detained the complainant's son without justification.

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

**FINDINGS OF FACT:** The complainant stated that her 17-year-old son was detained in San Francisco. The complainant was not present during her son's detention. The complainant failed to sign and return a Juvenile Consent form and failed to respond to OCC's request for additional information. In addition, the complainant's son did not come forward.

The complainant failed to provide additional requested evidence.

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

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

**FINDINGS OF FACT:** The complainant stated that her 17-year-old son was detained in San Francisco. The complainant was not present during her son's detention. The complainant failed to sign and return a Juvenile Consent form and failed to respond to OCC's request for additional information. In addition, the complainant's son did not come forward.

The complainant failed to provide additional requested evidence.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/21/14      **DATE OF COMPLETION:** 11/26/14      **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officers behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated that her 17-year-old son was detained in San Francisco. The complainant was not present during her son's detention. The complainant failed to sign and return a Juvenile Consent form and failed to respond to OCC's request for additional information. In addition, the complainant's son did not come forward.

The complainant failed to provide additional requested evidence.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/15/14 **DATE OF COMPLETION:** 11/26/14 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated the named officer issued him a citation outside the SFPD jurisdiction on federal park land.

The named officer stated the complainant was reported to have been acting in a profane and unruly manner on a San Francisco sidewalk. The officer said he issued a citation for violating a provision of the SF Port Code that prohibits the malicious and willful disturbance of others by loud and unreasonable noise, and the use of offensive words in a public place that are inherently likely to provoke an immediate violent reaction.

Neither the reportee who called the police to report the complainant's behavior nor officers from another law enforcement agency allegedly present during the issuance of the citation responded to OCC requests for an interview.

No other witnesses were identified.

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

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

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

**FINDINGS OF FACT:** The complainant stated that after issuing him a citation, the named officer ordered him to leave the area.

The officer denied he ordered the complainant to leave and stated he instead told the complainant that if he could not stop yelling obscenities, he would be arrested for a continuing offense.

Neither the reportee who called the police nor officers from another law enforcement agency allegedly present during the citation process responded to OCC requests for an interview.

No other witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/15/14    **DATE OF COMPLETION:** 11/26/14    **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant stated that an hour prior to the citation, the officer drove by his location, spoke to the complainant about a pending court date, asked him whether he would appear in court, and whether the District Attorney's office had spoken with him. The complainant also stated the officer is conspiring with the Fisherman's Wharf-area Community Benefit District against the complainant.

The named officer denied acting in the manner attributed to him. He denied knowledge of a subpoena the complainant might have received from the District Attorney's office as a victim in another case and denied asking the complainant if he had been contacted by the District Attorney's office. The officer also denied he was conspiring with any party against the complainant.

A review of Department records of the named officer's whereabouts at or near the time the complainant alleged the officer passed his location did not definitively rule out that the officer could have been where he was alleged to have been.

One witness that initially reported the complainant's behavior to police and two officers from a different agency did not respond to OCC requests for an interview.

No other witnesses were identified.

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



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/16/14    **DATE OF COMPLETION:** 11/20/14    **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 the named officer approached as he was parking and asked him irrelevant questions about his presence in the Tenderloin District. The complainant said there were witnesses on scene, but did not supply identifying information.

The named officer denied he made the inquiries and comments alleged.

A witness officer did not recall the incident.

No other witnesses were identified.

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

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

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

**FINDINGS OF FACT:** The complainant stated he had just parked his pickup truck with commercial plates in a yellow loading zone and intended to leave his vehicle in the space. He said because the meter had a yellow top, the sign on the meter pole prohibiting vehicles with fewer than six wheels was not enforceable. The complainant also submitted proof that the SFMTA dismissed his citation. He would not disclose the "Mitigated circumstances claimed" that SFMTA considered in its dismissal.

The OCC confirmed that the meter identified by the complainant bore a sign stating: "No Parking except metered loading trucks with at least 6 wheels. 7 am-6 pm Mon-Fri." The named officer submitted a photo of the meter in question taken on the date of the incident, showing the above sign. The named officer cited the complainant for violation of San Francisco Traffic Code section 7.2.26, Curb Parking – Yellow Zone.

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:** 05/16/14 **DATE OF COMPLETION:** 11/26/14 **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer caused the complainant to be issued two citations without cause.

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

**FINDINGS OF FACT:** The complainant stated he was parked at a meter when, after an encounter with the named officer, he was issued two citations by SFMTA parking control officers, on the orders of the named officer for an unpaid meter and for misusing a disabled placard. The complainant said he had tried to put quarters in the meter but it was jammed, and that his girlfriend accidentally left her disabled placard on the rear view mirror of his vehicle, and that it was present when the citations were issued. The complainant said after the parking officers investigated, one of them refused the named officer's order to issue a citation, until the named officer insisted.

The named officer stated he called parking control officers to investigate the possible misuse of a disabled placard. The officer said he did not insist on the issuance of any citation, instead stating he deferred to the expertise of the Parking Control Officers.

The parking control officer, who issued the citations, verified that the citations were issued after the named officer discussed with him the possible violations and ultimately because the parking control officer believed the complainant's display of another person's disabled placard was intended to avoid paying for parking.

One witness officer and one parking control officer did not hear the conversation between the named officer and the parking control officer who issued the two citations.

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:** 05/16/14 **DATE OF COMPLETION:** 11/26/14 **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant stated that while he was trying to prove he had accidentally left his girlfriend's disabled placard on his vehicle's rearview mirror, he called his girlfriend and offered to have her speak to the named officer, but the officer refused to speak with her. The complainant further alleged that, as officers were leaving the scene, the officer inappropriately told him, "I take these placards from you people every chance I get."

The complainant's girlfriend verified her boyfriend called her and told her he was in trouble with her disabled placard displayed on his car. She said she heard someone said they did not need to speak with her and did not care, and that she did not speak to anyone but her boyfriend.

The named officer did not recall whether the complainant had someone on speakerphone but said he would not have spoken to anyone as such a conversation would not have been relevant to the issue he was investigating. The named officer also denied he told the complainant, "I take these placards from you people every chance I get."

One witness officer denied the named officer refused to talk to someone on the phone, or made the alleged comment.

Two parking control officers, who were at the scene, did not see or hear the alleged actions and comment by the named officer.

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:** 06/17/14 **DATE OF COMPLETION:** 11/26/14 **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:** 07/03/14    **DATE OF COMPLETION:** 11/10/14    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated he was walking alone and had not done anything when police detained him.

The named officer and three other officers stated they observed a man, known to be on probation for narcotics offenses, conducting what appeared to be a hand-to-hand narcotics transaction with the complainant in a high narcotics area, prompting the named officer to detain the complainant.

No other men were detained with the complainant. These men did not respond to OCC's request for an interview.

No other witnesses were identified.

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

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

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

**FINDINGS OF FACT:** The complainant stated he was walking alone and had not done anything when police detained and arrested him.

The named officer and three other officers stated they observed a man, known to be on probation for narcotics offenses, conducting what appeared to be a hand-to-hand narcotics transaction with the complainant in a high narcotics area, prompting the named officer to detain the complainant. When the named officer attempted to detain the complainant, the complainant pulled away and resisted. When the complainant was taken into custody, the officers found narcotics and a large amount of currency in his possession.

No other men were detained with the complainant. These men did not respond to OCC's request for an interview. No other witnesses were identified. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/03/14    **DATE OF COMPLETION:** 11/10/14    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** The officer failed to properly process the complainant's property.

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

**FINDINGS OF FACT:** The complainant stated he was arrested. He stated that his cell phones, car keys and cash were not returned to him upon his release from jail.

The Sheriff's Department Property Inventory form indicated that the named officer signed out the complainant's cash and cell phones at the time of the complainant's arrest.

The named officer stated he seized the complainant's property as evidence of drug sales and booked the property in the property room. He stated that this property has been returned to the complainant.

The SFPD Property Release form indicated that the complainant's cash, keys and cell phones were returned to him.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/08/14 **DATE OF COMPLETION:** 11/19/14 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that during a brief contact, the named officer told her that she had two outstanding warrants. When she asked what they were for, the officer told her that she could get more information by visiting the Hall of Justice. The complainant stated that when she went to look into the matter, she was informed that there were no outstanding warrants associated with her. She felt the officer wasted her time by giving her inaccurate information.

The named officer denied the allegation and denied that he even spoke to the complainant. He also denied that he would ever intentionally waste someone's time or provide false information regarding warrants.

A witness officer denied any recollection of the incident.

No other witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/10/14 **DATE OF COMPLETION:** 11/17/14 **PAGE#** 1 of 1

**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 November 8, 2014.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/14/14    **DATE OF COMPLETION:** 11/20/14    **PAGE#** 1 of 1

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

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

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

**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 officer performed a traffic stop on the complainant. The officer stated he entered the required E585 traffic stop data by the end of his shift. However, the officer admitted he made an administrative mistake by entering the incorrect traffic stop date by one day.

While the evidence does establish that a clerical error was made, there is no evidence that the clerical error constituted sustainable misconduct (e.g., evidence that the error was made because of inappropriate intent or negligence on the officer's part, or evidence that the error caused harm to the complainant or others).

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/25/14 **DATE OF COMPLETION:** 11/10/14 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer failed to properly process the complainant's property.

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

**FINDINGS OF FACT:** The complainant stated that prior to his arrest, the named officer took his New York Identification card and bankcard. The complainant stated that when he was released from jail, his New York Identification card and bankcard were missing from his booked property.

The named officer and his partner denied the allegation. The named officer stated that the complainant did not have any photo identification on his person. He stated that he did not recall if the complainant had any property to be processed.

No other witnesses were identified.

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

**SUMMARY OF ALLEGATION #2:** The officer selectively enforced the law.

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

**FINDINGS OF FACT:** The complainant stated the officer arrested him but not other persons for sleeping on the sidewalk.

The named officer and his partner denied the allegation. The officer stated that the complainant was arrested on an outstanding warrant from New York.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/28/14 **DATE OF COMPLETION:** 11/16/14 **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 October 25, 2014.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/30/14 **DATE OF COMPLETION:** 11/17/14 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** 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 October 27, 2014.

**SUMMARY OF ALLEGATION #2:** 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. This complaint has been forwarded to:

San Francisco Police Department  
Internal Affairs Division  
850 Bryant Street, Room 545  
San Francisco, CA 94103

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/22/14 **DATE OF COMPLETION:** 11/18/14 **PAGE#** 1 of 1

**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 she was opening her store when a vehicle struck her parked car, causing minor damage to her vehicle. The complainant stated that one of the named officers told her that it was acceptable for cars to hit other cars in the city. The complainant also stated that the officers minimized the incident.

The named officers denied the allegation. The officers stated they were professional and respectful.

A witness stated the officers were professional during the incident but the witness did not hear the conversation between the officers and the complainant.

No other witnesses were identified.

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

**SUMMARY OF ALLEGATIONS #3-4:** The officers failed to take required action.

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

**FINDINGS OF FACT:** The complainant stated the officers failed to facilitate an exchange of collision information.

The officers denied the allegation, stating that the complainant did not insist or request collision information assistance or ask for a report.

A witness stated there were no visible damages to her car or the complainant's car. The witness stated she did not request for collision information assistance or ask for a collision report from the officers.

No other witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/22/14 **DATE OF COMPLETION:** 11/26/14 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to comply with DGO 5.20, Language Access Services for Limited Proficient (LEP) Persons.

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

**FINDINGS OF FACT:** In his written complaint, the complainant stated that officers responding to a dispute refused his request for a Spanish officer or translator. The complainant did not respond to OCC's request for an interview.

The named officers denied the complainant requested a Spanish-speaking officer and spoke with them proficiently in English.

Three witnesses identified by the complainant and from Department records did not respond to requests for an interview.

No other witnesses were identified.

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

**SUMMARY OF ALLEGATIONS #3-4:** The officers failed to write an incident report.

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

**FINDINGS OF FACT:** In his written complaint, the complainant stated that officers responding to a dispute refused to write an incident report. The complainant did not respond to OCC's request for an interview.

The officers stated all parties involved denied a crime had occurred and thus, a report was not required.

Three witnesses identified by the complainant and from Department records did not respond to OCC requests for an interview.

No other witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/15/14 **DATE OF COMPLETION:** 11/19/14 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated she had an argument with her husband, prompting officers to respond to her house. The complainant stated that the named officer made inappropriate comments in the presence of two other officers.

The named officer denied the allegation. He stated that two officers arrived as he was leaving. Those two officers stated they arrived at the scene as the named officer was leaving. They stated they had no contact with the complainant and did not hear the conversation between the named officer and the complainant.

No other witnesses were identified.

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

**SUMMARY OF ALLEGATION #2:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant stated the named officer used profanity.

The named officer denied using profanity.

Two other officers stated they arrived at the scene as the named officer was leaving. They stated they had no contact with the complainant and did not hear the conversation between the named officer and the complainant.

No other witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/15/14    **DATE OF COMPLETION:** 11/10/14    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated he had an encounter in a gas station with a subject who identified himself as “a cop” and flashed a badge. The subject did not tell the complainant he was a San Francisco police officer and the complainant could not describe the badge. The complainant provided the subject’s license plate number. The registered owner is not a San Francisco police officer.

**SUMMARY OF ALLEGATION #2:** The officer used obscene language.

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

**FINDINGS OF FACT:** The complainant stated he had an encounter in a gas station with a subject who identified himself as “a cop” and flashed a badge. The subject did not tell the complainant he was a San Francisco police officer and the complainant could not describe the badge. The complainant provided the subject’s license plate number. The registered owner is not a San Francisco police officer.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/23/14 **DATE OF COMPLETION:** 11/17/14 **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 November 5, 2014.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/26/14    **DATE OF COMPLETION:** 11/18/14    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** This complaint has been referred to Northern Station.

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

**FINDINGS OF FACT:** This complaint has been referred to:

Northern Station  
1125 Fillmore St.  
San Francisco, CA 94115

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/29/14 **DATE OF COMPLETION:** 11/10/14 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant was detained pursuant to California Welfare 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 the named officer and his partner were dispatched to the complainant's apartment building regarding a 9-1-1 about a person on the roof, screaming at the top of his lungs about "magnetism." The 9-1-1 caller also reported that the man appeared to be "mentally unstable."

The named officer, who stated he is trained in crisis intervention, spoke with the complainant. The named officer stated the complainant told him that he had been falsely diagnosed with schizophrenia and psychosis and had stopped taking his medications. The named officer also stated that the complainant appeared unaware of his true surroundings, prompting the named officer to conclude that the complainant was a danger to himself.

Three witness officers supported the named officer's statement.

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:** 10/24/14    **DATE OF COMPLETION:** 11/05/14    **PAGE#** 1 of 1

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

**CATEGORY OF CONDUCT:**    N/A    **FINDING:**    IO2    **DEPT. ACTION:**

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/27/14 **DATE OF COMPLETION:** 11/26/14 **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 OCC's jurisdiction. This complaint has been referred to the following agency:

San Francisco Sheriffs Department  
Investigative Services Unit / TLO  
25 Van Ness Avenue, Suite 350  
San Francisco, CA 94102

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/22/14 **DATE OF COMPLETION:** 11/26/14 **PAGE# 1 of 1**

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

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

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

San Francisco Police Department  
Internal Affairs  
850 Bryant Street, Room 545  
San Francisco, CA 94103

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/05/13    **DATE OF COMPLETION:** 11/17/14    **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainants were involved in a physical altercation with another couple and there were no witnesses to the fight. The complainant said she was first assaulted and fought a female until her son, the co-complainant, pulled the woman from her. The woman's boyfriend then assaulted her son from behind. When the complainant came to the aid of her son, the male assailant somehow struck her lip as he turned around. The complainant stated the investigation was improper because the officer walked past her to interview the male suspect first. The complainants admitted they declined to sign citizen's arrest forms due to fear of retaliation from the other couple. The complainant sustained an upper lip laceration. The alleged head injury to the co-complainant was not visible two days later and could not be corroborated for the complainants refused to provide OCC access to his medical records.

One named officer stated he approached the complainant first, but the complainant would not respond when he asked her what had happened. The officer stated bystanders would not say if they witnessed the altercation. The officer stated he discussed those statements with his patrol supervisor, who stated that they could not determine from the statements and evidence who was the primary aggressor during the fight so he directed the reporting and investigating officer to issue misdemeanor battery citations to all parties involved once they signed citizen arrest forms. All parties involved, however, declined to sign citizen arrest forms because battery citations would not result in the custodial arrests of the other couple. The other couple did not respond to OCC requests for an interview.

A witness on scene, who did not see the altercation, said the officer ignored the complainant. This witness stated the complainant could not or would not speak to the officer during their first encounter and failed to disclose that the officer spoke with the complainant a second time. She also stated that as the officer walked in their direction, another housing resident redirected the attention of the officer by pointing out that the large man who had hit the complainant so the officer instead walked in that direction. Those statements conflict with the allegation that the officer ignored the complainant.

Other responding officers, including the named patrol supervisor, stated the officer alone conducted the investigation. They also corroborated that due to the large size of the known male suspect in the fight, his past criminal history, and the propensity to create an officer safety issue, they prioritized his detention in handcuffs before talking to other less threatening parties in the altercation in order to conduct the investigation in a safe manner.

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:** 11/05/13    **DATE OF COMPLETION:** 11/17/14    **PAGE#** 2 of 3

**SUMMARY OF ALLEGATIONS #3 - 4:** The officers behaved in an intimidating manner.

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

**FINDINGS OF FACT:** The complainants stated they were in the ambulance when two officers behaved in an intimidating manner and discouraged them from pressing charges against the other couple.

The reporting officer denied the allegation.

The patrol supervisor acknowledged being by the ambulance but not close enough to verify or deny the allegation against the Spanish-speaking named officer.

Other officers on scene were away from the ambulance to either verify or deny the allegation. Another witness stated she could not see or hear the conversations of officers with the complainants at the ambulance.

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:** 11/05/13    **DATE OF COMPLETION:** 11/17/14    **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #5:** The officer failed to prepare an accurate report.

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

**FINDINGS OF FACT:** The complainants stated the report contains a multitude of inaccuracies primarily due to the inclusion of the statements from the other parties in the altercation. The complainants also stated it inaccurately reported who struck the complainant. The complainant, however, told the paramedic who assessed her and her son that a female assaulted her, which is consistent with the version in the incident report.

The named officer said he accurately reported what the parties involved in the fight told him occurred.

The other couple involved in the altercation did not respond to OCC requests for an interview.

No other witnesses came forward.

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

**SUMMARY OF ALLEGATION #6:** The officer behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant stated an officer yelled at her son while he was in a gurney inside the ambulance. The co-complainant said officers approached them while yelling with an attitude. The co-complainant also said an officer told him that he lived in the ghetto and what did he expect.

All officers on scene, particularly those by the ambulance, denied the allegation.

A witness at a distance from the ambulance denied the allegation.

The paramedic with the complainants in the ambulance also denied the allegation.

There was no evidence to link or name any particular officer for the above behavior and comment.

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:** 11/04/14    **DATE OF COMPLETION:** 11/08/14    **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. This complaint has been referred to:

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/05/14 **DATE OF COMPLETION:** 11/08/14 **PAGE #** 1 of 1

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

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

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

San Francisco Police Department  
Taraval Station  
2345 24<sup>th</sup> Avenue  
San Francisco, CA 94116

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/07/13    **DATE OF COMPLETION:** 11/18/14    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1 - 2:** The officers entered the complainant's residence without cause.

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

**FINDINGS OF FACT:** The complaint said the officers entered her residence through a rear door in a co-tenant's apartment, and then walked into an area she and her husband shared with the co-tenant. She acknowledged she and her husband had removed the door of the co-tenant's bedroom, which led to the common area.

The named officers acknowledged being in areas common to the complainant, but denied improperly entering the residence, stating they were invited by the co-tenant, who allowed them into his apartment, and to a common area made accessible by the complainant's removal of the co-tenant's bedroom door.

A witness, who acknowledged being present, could not recall how the officers entered the residence.

The co-tenant did not respond to OCC's request for an interview. No other witnesses came forward.

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

**SUMMARY OF ALLEGATION #3:** The officer failed to comply with DGO 5.15, Enforcement of Immigration Laws.

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

**FINDINGS OF FACT:** The complainant stated the named officer, responding to a dispute the complainant had with a neighbor, asked in Spanish for immigration documents, in violation of DGO 5.15.

DGO 5.15 states, in part, "In the course of their duties ... officers shall not ask for documents regarding an individual's immigration status. ..."

The named officer and a witness officer denied the allegation. One witness said he was in another room and did not hear the conversation. Another witness present at the time denied that the named officer asked the alleged question.

No other witness came forward. There was insufficient evidence to either prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/07/13    **DATE OF COMPLETION:** 11/18/14    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #4:** The officer behaved and spoke inappropriately to the complainant.

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

**FINDINGS OF FACT:** The complainant stated the named officer told her to shut up or he could arrest her and her husband and ordered the complainant to replace a door that had been taken off its hinges.

The named officer denied making the alleged comments or acting in a threatening manner, stating that he acted professionally.

A witness officer denied the named officer made the alleged comments.

Another witness did not hear the conversation.

No other witnesses came forward.

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

**SUMMARY OF ALLEGATION #5:** The officer issued an invalid order.

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

**FINDINGS OF FACT:** The complainant stated the named officer told one tenant in a rent dispute not to pay rent to the complainant.

The named and one witness officer denied the named officer made the order.

Another witness present during an exchange denied the named officer issued the alleged order.

No other witness came forward.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/24/14    **DATE OF COMPLETION:** 11/26/14    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant raised matters not rationally within OCC's jurisdiction.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/09/13    **DATE OF COMPLETION:** 11/19/14    **PAGE#** 1 of 2

**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 he was arrested without cause. The complainant admitted he was on active parole at the time of the incident. The complainant denied he was stalking his ex-girlfriend.

Records from the Department of Emergency Management (DEM) showed that DEM received a 9-1-1 call regarding a victim being stalked by her ex-boyfriend. The victim reported that she was pregnant and that she was afraid that her ex-boyfriend, later identified as the complainant, might harm her.

By the time the responding officers arrived on scene, the suspect had already left the scene. The responding officers took a police report and obtained an Emergency Protective Order (EPO). Shortly, therefore, the named officers were instructed by their superior to serve the EPO and arrest the complainant if located. The named officers located the complainant arrested him pursuant to their superior's order.

The named officers' superior has retired from the Department.

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 behaved inappropriately and/or made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated that while he was at the station, the officers laughed at him. The complainant stated one of the officers accused him of "faking" his fall and injury.

The named officers 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:** 12/09/13    **DATE OF COMPLETION:** 11/19/14    **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #5:** The officer used profanity.

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

**FINDINGS OF FACT:** The complainant stated that the named officer used profanity.

The named officer and a witness officer denied the allegation.

No other witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.



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**DATE OF COMPLAINT:** 12/23/13    **DATE OF COMPLETION:** 11/18/14    **PAGE#** 1 of 3

**SUMMARY OF ALLEGATION #1:** The officer engaged in biased policing due to the complainant's race.

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

**FINDINGS OF FACT:** The complainant stated she and her father were Christmas shopping and were carrying two large shopping bags when the named officer made contact with them and asked them to drop their bags. The complainant alleged they were racially profiled, accusing them of shoplifting.

The named officer and the witness officers were interviewed pursuant to OCC's Biased Policing Protocol. They denied that the complainant's race played a role in their decision to stop the complainant.

The complainant's father stated that San Francisco Police Department officers ran up on he and his daughter, told his daughter to drop her bags and show her receipt.

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:** 12/23/13    **DATE OF COMPLETION:** 11/18/14    **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #2:** The officer detained the complainant and her father without justification

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

**FINDINGS OF FACT:** The complainant stated she and her father were Christmas shopping and were carrying two large shopping bags when the named officer made contact with them and asked them to drop their bags. The complainant alleged they were racially profiled, accusing them of shoplifting.

The named officer denied detaining the complainant and her father. He stated that he observed the complainant's father "possibly" engaging in criminal activity and conducted a consensual encounter to further investigate. The named officer stated that he did not request backup and the complainant offered to show him her receipt.

One witness officer stated that the complainant and her father were detained.

Department General Order 5.03, Investigative Detentions, states in part:

A police officer may briefly detain a person for questioning or request identification only if the officer has a reasonable suspicion that the person's behavior is related to criminal activity. The officer, however, must have specific and articulable facts to support his/her actions; a mere suspicion or "hunch" is not a sufficient cause to detain a person or to request identification.

A preponderance of the evidence established that the complainant and her father were unlawfully detained and that the named officer did not have reasonable suspicion to stop them. A preponderance of the evidence provide 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:** 12/23/13    **DATE OF COMPLETION:** 11/18/14    **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #3:** The officer failed to promptly and politely provide his name and/or star number.

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

**FINDINGS OF FACT:** The complainant stated that one of the officers refused to provide his star number.

All of the officers involved in the incident denied the allegation.

No other witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/31/13    **DATE OF COMPLETION:** 11/10/14    **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant was renting a basement art studio of a private residential house. The complainant stated he was about to exit the basement when he came in contact with the owners of the property and the named officers. The complainant stated the officers told him they were investigating a noise complaint. The complainant stated the officers entered the basement to check the backyard of the property. He asked for a search warrant and the officers told him that no warrant was needed because they had permission from the owners. The complainant stated that when he continued to ask questions, one of the officers used unnecessary force while the other officer went to check the back of the property.

One of the owners who came forward stated that he could not recall if he gave the officers permission to enter the basement. The owner's wife refused to come forward.

No independent witnesses were identified.

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

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

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

**FINDINGS OF FACT:** The complainant alleged the officer used unnecessary force by throwing the complainant to the ground.

The named officer stated that the complainant pushed him against a wall, injuring the officer's left elbow and forearm. The officer stated he grabbed the complainant and pushed him away, causing both of them to fall to the ground.

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:** 12/31/13 **DATE OF COMPLETION:** 11/10/14 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATIONS #4-5:** The officers arrested the complainant without cause.

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

**FINDINGS OF FACT:** The complainant was arrested and booked for violation of California Penal Code sections 243(a), Battery, and 647(f), Disorderly Conduct.

There was insufficient evidence to either prove or disprove that the complainant committed a battery against a peace officer. However, OCC's investigation established that the officers improperly charged the complainant for being drunk in public. The complainant was not in a public place that was open and accessible to the public. In addition the officers failed to support that the complainant was unable to exercise care for his own safety or the safety of others.

A preponderance of 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 OCC-ADDED ALLEGATION #1:** The officer failed to supervise.

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

**FINDINGS OF FACT:** The complainant was improperly charged with being drunk in public when in fact the complainant was not in a public place at the time of his arrest.

The evidence showed that the named officer did not respond to the scene and approved the charges based on what the officers communicated with him.

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:** 01/17/14    **DATE OF COMPLETION:** 11/16/14    **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant stated he and his cousin were walking on the sidewalk about to go into a restaurant when two officers came up to them and told them to stop. The complainant stated that the officers gave no reason for the stop.

The named officers stated that they witnessed the complainant and his cousin walking across the street against a red light. They stopped the two men to briefly detain them after they had committed an infraction. The officers stated that they explained why they stopped the men and let them go with a warning.

The complainant's cousin did not come forward.

No other witnesses were identified.

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

**SUMMARY OF ALLEGATION #3:** The officer conducted a pat search without justification.

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

**FINDINGS OF FACT:** The complainant stated he and his cousin were pat searched by an officer for no reason.

The named officer stated he detained the two men because they walked across the street against a red light. He stated that he saw a sharp object in one of the men's pockets, prompting him to conduct a pat search to check for any weapons.

The complainant's cousin did not come forward.

No other witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/17/14    **DATE OF COMPLETION:** 11/16/14    **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #4:** The officer interfered with the rights of an onlooker.

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

**FINDINGS OF FACT:** The complainant stated that an officer was conducting a search of his cousin. The complainant started filming the encounter with his phone. The officer then came towards the complainant and knocked the phone out of his hands and on to the ground.

The 13-second video that the complainant provided was inconclusive as to why the recording stopped.

The named officer stated he detained the complainant and his companion because they had walked across the street against a red light. The officer searched the first man and then wanted to question the complainant. Since the complainant was being detained, he did not have the rights of an onlooker. The officer denied knocking the phone out of the complainant's hand.

The complainant's cousin did not come forward.

No other witnesses were identified.

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

**SUMMARY OF ALLEGATION #5:** The officer handcuffed the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated that police stopped him and his cousin for no reason and put the two in handcuffs.

The named officer denied that the two men were placed in handcuffs.

The complainant's cousin did not come forward.

No other witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/17/14    **DATE OF COMPLETION:** 11/16/14    **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #6:** 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 cousin were stopped, searched and handcuffed by police. One of the officers seemed irritated and upset that the complainant and his cousin both had clean records. The complainant stated that as the officer entered his police vehicle, the named officer stuck up his middle finger towards the complainant.

The named officer denied being irritated or making a rude gesture with his middle finger.

The complainant's cousin did not come forward.

No other witnesses were identified.

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

**SUMMARY OF ALLEGATIONS #7 - 8:** The officers engaged in biased policing due to race.

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

**FINDINGS OF FACT:** The complainant stated he and his cousin were stopped, searched and handcuffed by police as they were about to enter a restaurant. The complainant stated they did nothing wrong and he believes they were stopped and frisked solely based on their race.

The named officers were interviewed pursuant to OCC's Biased Policing Investigation Protocol. The named officers denied the allegation. The officers stated that the two men were detained because the men walked across the street against a red light. The named officers stated that race played no role in the detention.

The complainant's cousin did not come forward.

No other 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:** 11/26/14    **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant stated that she had an argument with another resident in her hotel. SFPD officers came to the scene and detained her pursuant to California Welfare and Institutions Code section 5150 (Involuntary Psychiatric Hold).

The named officer and his partner denied the allegation. The officers responded to the call and spoke to the complainant and other witnesses on scene. The witnesses stated the complainant had attacked one neighbor and had attempted to harm herself. One witness stated that the complainant was screaming and out of control. Another witness stated that the complainant was problematic and argumentative with other hotel residents.

California Welfare and Institution Code section 5150 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.

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

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

**OFFICE OF CITIZEN COMPLAINTS  
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**DATE OF COMPLAINT:** 01/24/14    **DATE OF COMPLETION:** 11/26/14    **PAGE#** 2 of 3

**SUMMARY OF ALLEGATIONS #2 - 5:** The officers used unnecessary force on the complainant.

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

**FINDINGS OF FACT:** The complainant stated the officers used unnecessary force during the contact.

The officers denied the allegation. The officers stated the complainant actively resisted and was uncooperative. The officers who escorted the complainant to the elevator used a bent wrist technique to keep the complainant from resisting. Another named officer stated he held the elevator door open and guided the uncooperative and resistive complainant into the elevator by pulling on the complainant's hair in a pain compliance distraction hold.

A hotel video revealed the complainant was not cooperating and actively resisting the officers. The video showed the complainant resisting the officers during the incident. The video also showed an officer briefly grabbing and pulling the complainant's hair to bring her into the elevator despite her resistance.

A witness stated the officers on scene did not use any force with the complainant. The witness stated the complainant resisted and pulled away from the officers to avoid being taken into custody. Another witness stated she heard the complainant screaming at the officers to leave her alone. A witness stated the complainant violently kicked, screamed, yelled, resisted, and physically fought and pushed at the officers.

No other 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 their lawful task.

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

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/24/14    **DATE OF COMPLETION:** 11/26/14    **PAGE#** 3 of 3

**SUMMARY OF ALLEGATIONS #6 - 7:** The officers failed to take required action.

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

**FINDINGS OF FACT:** The complainant stated the officers refused to give her friend a case number at the scene.

The officers denied the allegation.

A witness stated he did not see the complainant's friend.

No other witnesses were identified.

There was insufficient to either prove or disprove the allegation.