

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/13/16 **DATE OF COMPLETION:** 12/29/16 **PAGE#** 1 of 5

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

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

**FINDINGS OF FACT:** The complainant stated he was standing outside a bar and holding his bicycle next to him. Other individuals of different races were also standing outside the bar but not socializing with him. Two police officers drove by, stopped and told the crowd to disperse. The complainant stated he was walking away with his bicycle alongside him when one of the officers approached him and asked for his identification. The complainant protested since he was the only person being asked for identification. He relented and gave his identification to one of the officers. The complainant stated he was then cited for riding his bicycle on the sidewalk and failing to have headlamps on the bicycle. He denied riding his bicycle on the sidewalk.

The named officer stated he saw the complainant riding his bicycle on a city sidewalk at nighttime and riding his bicycle without headlamps, prompting the named officer to cite the complainant.

No independent witnesses were identified.

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

**SUMMARY OF ALLEGATIONS #2-3:** The officers detained the complainant without justification.

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

**FINDINGS OF FACT:** The complainant stated he was cited for riding his bicycle on the sidewalk and failing to have headlamps on the bicycle. He denied riding his bicycle on the sidewalk.

One of the named officers did not remember the incident.

The other named officer, who cited the complainant, stated he saw the complainant riding his bicycle on a city sidewalk at nighttime and riding his bicycle without headlamps, prompting the named officer to cite the complainant.

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:** 01/13/16 **DATE OF COMPLETION:** 12/29/16 **PAGE#** 2 of 5

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

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

**FINDINGS OF FACT:** The complainant stated that the named officers behaved inappropriately, telling him to sit on the ground and telling other officers to give the complainant a hard time whenever they saw the complainant.

The named officers denied the allegation.

No independent witnesses were identified.

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

**SUMMARY OF ALLEGATIONS #6-7:** The officers threatened and intimidated the complainant.

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

**FINDINGS OF FACT:** The complainant stated that he was threatened and intimidated by the officers at the scene.

The named officers denied the allegation, denying that they or other officers threatened or intimidated the complainant.

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:** 01/13/16    **DATE OF COMPLETION:** 12/29/16    **PAGE#** 3 of 5

**SUMMARY OF ALLEGATIONS #8-9:** The officers engaged in biased policing due to race.

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

**FINDINGS OF FACT:** The complainant stated that the named officers engaged in biased policing due to race, focusing their attention on the complainant who was the only Black male standing outside a bar.

The named officers were interviewed pursuant to OCC's Biased Policing Investigation Protocol. Both denied the allegation, stating that the complainant was cited for the violations, not because of the complainant's race.

No independent witnesses were identified.

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

**SUMMARY OF ALLEGATIONS #10-11:** The officers issued an invalid order.

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

**FINDINGS OF FACT:** The complainant stated he was standing outside a bar and holding his bicycle next to him. Other individuals of different races were also standing outside the bar but not socializing with him. Two police officers drove by, stopped and told the crowd to disperse. The complainant stated he was walking away with his bicycle alongside him when one of the officers approached him and asked for his identification. The complainant protested since he was the only person being asked for identification. He relented and gave his identification to one of the officers. The complainant stated he was then cited for riding his bicycle on the sidewalk and failing to have headlamps on the bicycle.

One of the named officers did not remember the incident.

The other named officer, who cited the complainant, stated he saw the complainant riding his bicycle on a city sidewalk at nighttime and riding his bicycle without headlamps, prompting the named officer to cite the complainant.

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:** 01/13/16 **DATE OF COMPLETION:** 12/29/16 **PAGE#** 4 of 5

**SUMMARY OF ALLEGATIONS #12-15:** The officers failed to provide their names and star numbers.

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

**FINDINGS OF FACT:** The complainant stated that officers at the scene refused to provide their names and star numbers.

Department records indicated the named officers responded to this incident. Two of the officers recalled the incident, while the two other officers did not remember the incident. The two officers who remembered this incident stated they did not recall the complainant asking them or any other officer for the officer's name and star number. The citing officer stated he would have provided the complainant with this information had the complainant asked for it. The citing officer stated his name and star number appear on the citation he issued to the complainant.

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:** 01/13/16 **DATE OF COMPLETION:** 12/29/16 **PAGE#** 5 of 5

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

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

**FINDINGS OF FACT:** SFPD Bulletin 14-059, titled “Traffic Stop Data Collection Program Information,” states, in part, “Members are reminded to make all E585 entries after any vehicle stops related to the following incidents:

- Moving violations, including bicycles and pedestrians
- MPC violations
- Penal Code violations
- Transportation Code violations
- 916 vehicles and high-risk stops
- Mechanical or non-moving violations
- DUI’s
- Traffic collisions
- Assistance to motorists
- BOLO/APB/Warrants”

The named officer acknowledged he stopped the complainant and was responsible for making the E585 entry in this incident. However, he did not remember whether he made the entry or not.

The Legal Division of the SFPD provided the Traffic Stop Data gathered and entered by the named officer and other officers who responded to this incident. None of the entries described the driver, the location and time that coincided with the traffic stop in this case.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/13/16 **DATE OF COMPLETION:** 12/13/16 **PAGE#** 1 of 4

**SUMMARY OF ALLEGATIONS #1:** The officers failed to conduct a proper investigation.

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

**FINDINGS OF FACT:** The complainant stated that while riding public transportation, a man came up behind her and forcefully grabbed her buttocks with both hands. She reported this to the station agent, who called police. Two officers responded and the complainant gave them a description of the suspect. She stated the officers did not obtain her name or take notes and told her it would be impossible to find the suspect. She stated they drove her to her job at a nearby hospital. She stated that less than two hours later, she saw the suspect at the hospital and called police. The complainant stated she asked the officers if she could press charges, but they did not respond. She stated she was not provided a case number.

The station agent stated she called the police but did not recall what the complainant told police. Her written report stated that a white male grabbed the complainant "from behind."

The named officer stated he and his partner obtained a description of the suspect from dispatch and searched the area for the suspect prior to meeting the complainant at the train station. He stated the complainant reported that a man had touched her leg on the train and it made her feel uncomfortable. He stated his partner explained the citizen's arrest procedure to the complainant and offered to accept one, but she declined. He stated she did not request a report or desire any other police action and she said she needed to go to work. He stated they gave her a courtesy ride to the hospital where she worked. He stated they returned to the hospital when the complainant discovered the suspect was being treated there. The officer stated he told the complainant that the suspect was suicidal and in an altered mental state and was going to be detained and transported to another hospital for evaluation. He stated he asked the complainant if she wanted to make a citizen's arrest, and she said no. He stated he prepared an incident report and gave the complainant a case number.

The named officer's partner's corroborated the named officer's account of what happened.

The evidence established that the named officer failed to properly investigate an assault and battery incident against the complainant. The officer failed to record the complainant's statement accurately and failed to obtain statements from a witness and the suspect.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/13/16 **DATE OF COMPLETION:** 12/13/16 **PAGE#** 2 of 4

**SUMMARY OF ALLEGATIONS #2:** The officer failed to conduct a proper investigation.

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

**FINDINGS OF FACT:** The complainant stated that while riding public transportation, a man came up behind her and forcefully grabbed her buttocks with both hands. She reported this to the station agent, who called police. Two officers responded and the complainant gave them a description of the suspect. She stated the officers did not obtain her name or take notes and told her it would be impossible to find the suspect. She stated they drove her to her job at a nearby hospital. She stated that less than two hours later, she saw the suspect at the hospital and called police. The complainant stated she asked the officers if she could press charges, but they did not respond. She stated she was not provided a case number.

The named officer stated he and his partner responded to a MUNI station regarding an assault. Dispatch provided a description of the suspect and they looked for him as they approached the scene. The named officer stated that he was the “secondary” officer for this incident and did not speak to the complainant. He stated that his partner officer spoke to the complainant. He recalled that the complainant said she was touched on her leg outside her clothing, that it made her feel uncomfortable and she did not want any further police action. He stated he and his partner searched outside the station in the local vicinity for the suspect but did not see him. The named officer stated he took notes but no longer has them. He denied telling the complainant that the suspect “would be impossible to find,” stating it’s always possible to locate someone.

The named officer stated he and his partner gave the complainant a ride to her job at a hospital. They later responded to a call from dispatch saying that suspect had been admitted to the same hospital. Again, during this incident, the named officer’s partner spoke to the complainant. He had prior contact with the suspect and was aware that the suspect had a history of assault. He stated the suspect was detained for an involuntary psychiatric evaluation that day because he stated he wanted to kill himself. He stated the complainant declined to sign a citizen’s arrest and did not know if the complainant was provided a case number.

The evidence established that the complainant mainly spoke with the named officer’s partner, who prepared the incident report.

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:** 01/13/16 **DATE OF COMPLETION:** 12/13/16 **PAGE#** 3 of 4

**SUMMARY OF ALLEGATION #3:** The officer failed to prepare a complete and accurate incident report.

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

**FINDINGS OF FACT:** The complainant stated the incident report inaccurately states that 1) the suspect touched her leg, 2) that the complainant requested no further police action and 3) the complainant refused to sign a private person's arrest form.

The station agent stated she did not recall what part of the complainant's body had been grabbed. She stated she called the police but did not recall what the complainant told police. In her report, she stated a white male grabbed the complainant from behind.

One week after the incident, a transit officer interviewed the complainant. He documented that the complainant told him she was on public transportation when she felt someone grab her "whole ass." He re-assigned the case to SFPD's Special Victims Unit "due to the nature of the crime." Three months after the incident, a Special Victims Unit officer interviewed the complainant, who stated the suspect had grabbed her buttocks with force, two times.

The District Attorney's Office stated the suspect's arrest warrant was declined for several reasons, including the fact that the victim's statement was inconsistent with the police report. The police report indicated that victim said her leg was touched, not her buttocks.

Court records revealed that the suspect had a history of aggravated assault, battery, domestic violence and indecent exposure.

The named officer's partner stated he recalled that the complainant said she was touched on her leg outside her clothing and it made her feel uncomfortable. He stated he had prior contact with the suspect and that the suspect had a history of assault. The named officer's partner stated the complainant declined to sign a private person's arrest form.

The named officer stated the complainant told him that a man had touched her leg and it made her feel uncomfortable. He stated she did not point to back of her body or make any other gestures that would indicate that the suspect touched her buttocks. He stated he explained the citizen's arrest procedure and offered to accept one, but she declined. He also stated she did not request a police report or any other police action.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/13/16 **DATE OF COMPLETION:** 12/13/16 **PAGE#** 4 of 4

**SUMMARY OF ALLEGATION #3 continued:**

The evidence established that the complainant's version of her conversation with the named officer was more credible than the named officer's version.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/10/16    **DATE OF COMPLETION:** 12/08/16    **PAGE #** 1 of 3

**SUMMARY OF ALLEGATIONS #1 - 2:** The officers seized property without cause.

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

**FINDINGS OF FACT:** The complainant stated that her son told her that the named officers stopped him and his cousin, both 13 years old, while the boys were riding their bicycles and pulling a Christmas tree. The complainant stated her son told her that the named officers took a bike from his cousin, put it in the back of the patrol car and left the area.

The complainant failed to respond to requests for additional information and witness interviews.

The named officers stated they were driving on patrol when they observed Christmas trees on fire in the middle of the street. As they approached the burning trees, they had to stop because a bicycle was lying in the middle of the roadway. The named officers stated they seized the property as abandoned property.

Department records show that the named officers were dispatched to a call of juveniles setting Christmas trees on fire.

An incident report by one of the named officers indicates the named officers responded to a report of Christmas trees on fire and seized an abandoned bicycle.

No witnesses came forward.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/10/16    **DATE OF COMPLETION:** 12/08/16    **PAGE #** 2 of 3

**SUMMARY OF ALLEGATIONS #3 - 4:** The officers behaved and spoke inappropriately.

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

**FINDINGS OF FACT:** The complainant stated her son told her that the named officers stopped him and his cousin, both 13 years old, and took a bike from his cousin stating, "This is our bike now!"

The complainant failed to respond to requests for additional information and witness interviews.

The named officer denied the allegation.

No witnesses came forward.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/10/16    **DATE OF COMPLETION:** 12/08/16    **PAGE #** 3 of 3

**SUMMARY OF ALLEGATIONS #5:** The officer failed to properly process property.

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

**FINDINGS OF FACT:** The complainant stated her son told her that two officers took a bike from her son's cousin, put the bike in the back of their patrol car, drove some distance away, put the bicycle in a dumpster and drove off.

The complainant failed to respond to requests for additional information and witness interviews.

A SFPD report written by the named officer indicated that the officers responded to a report of Christmas trees on fire and indicated that the officers seized an abandoned bicycle lying in the middle of the street. In the report, the named officer stated that a boy approached him and told him the bicycle belonged to him, but stated that the boy was already on a bicycle, and that the officer determined the bike he found in the roadway was not road-worthy and was unsafe to allow a boy to ride.

The named officer stated he was patrolling with an officer in the Field Training Program when they had to stop because a bicycle was lying in the roadway. The named officer stated they seized the bike as abandoned property, put it in their patrol car and drove to an area where there were dumpsters and garbage cans. The named officer stated he told the other officer with him to place the bike next to the garbage cans. The named officer stated further that, if anyone is to be held responsible for the disposition of the bike, it should be him, as he was the Field Training Officer at the time of the incident and the officer with him only followed his orders.

The named officer stated that a boy approached and addressed him, asserting that the bicycle was his. The named officer stated that he did not release the bicycle to the boy as he had determined it was unsafe to ride, and the boy already had a bicycle.

San Francisco Police Department General Order 6.15 outlines the procedures for processing property for identification, which includes evidence and non-evidence. The order specifically defines the process for handling found bicycles, stating:

5. BICYCLES. Use a Property for Identification Tag and list the serial number of the bicycle on it. Attach the tag to the frame and retain the bicycle at the station. The Property Control Section will pick up bicycles held as property for identification at district stations each Friday.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/12/16 **DATE OF COMPLETION:** 12/13/16 **PAGE#** 1 of 3

**SUMMARY OF ALLEGATION #1:** The officer used unnecessary force during the complainant's detention.

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

**FINDINGS OF FACT:** The named officer and his partner stopped the complainant for failure to stop at a stop sign. The complainant stated the officers asked for her documents, walked back to their vehicle and remained inside for a long time. The complainant stated she stepped outside her vehicle and walked toward the officers to find out what was taking them so long. The complainant stated the officers exited their vehicle and told her to return to her vehicle. The complainant stated the named officer grasped her right shoulder with his left hand and firmly pushed her back to her open car door.

The named officer stated that he saw the complainant step out of her vehicle and walked away. The named officer stated he ran after the complainant and asked her what she was doing. The named officer stated the complainant said she was going to a nearby coffee shop. The named officer stated he told the complainant she was being detained and had to return to her vehicle. The named officer stated the complainant complied and sat back in her vehicle. The named officer stated he recalled placing his open left hand on the complainant's right shoulder while talking to her on the street. He stated that he did it to guide the complainant back to her vehicle. The named officer stated he neither pushed nor forced the complainant into her vehicle.

The named officer's partner stated that the named officer grabbed the complainant's arm to stop her from leaving and instructed her to sit back in her vehicle. The officer stated the physical contact was not violent in nature and the complainant, even though unhappy, did not make any complaint of pain or say anything.

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:** 01/12/16    **DATE OF COMPLETION:** 12/13/16    **PAGE#** 2 of 3

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

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

**FINDINGS OF FACT:** The complainant stated the named officer repeatedly made threats to arrest her. The complainant stated the named officer yelled at her to return to her vehicle and pushed her towards the door of her vehicle. The complainant stated the named officer also tried to intimidate her by menacingly staring at her and prevented her from rolling up her window with his arm.

The named officer denied making threats to arrest the complainant. The named officer stated he advised the complainant that if she leaves the scene, she could be arrested or put in handcuffs. The named officer stated he could not recall staring menacingly at the complainant, or preventing her from rolling up her window.

The named officer's partner stated that the complainant started rolling up her window while his partner was still talking to her. He stated that his partner placed his hand inside the window so he could continue talking to the complainant. He recalled his partner raising his voice but could not recall either of them arguing with the complainant. The officer stated he could not recall his partner staring menacingly at 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:** 01/12/16    **DATE OF COMPLETION:** 12/13/16    **PAGE#** 3 of 3

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

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

**FINDINGS OF FACT:** Department Bulletin 14-059, Traffic Stop Data Collection Program Information, requires members to collect and enter traffic stop data on all traffic stops.

The named officer and his partner stopped the complainant's vehicle for failure to stop at a stop sign.

The named officer stated that as the passenger officer, he was the one in control of their vehicle's computer and was responsible for collecting and entering the complainant's data.

The Department has no record of the traffic stop data being collected and entered into the Department's computer for this traffic stop.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/29/16    **DATE OF COMPLETION:** 12/08/16    **PAGE #1 of 1**

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the San Francisco Police Department, the complaint was mediated and resolved in a non-disciplinary manner on November 18, 2016.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/02/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 3

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

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

**FINDINGS OF FACT:** The complainant stated that he was on a bus when the named officer entered the bus in pursuit of a white female crime suspect. The complainant, who said he saw the crime suspect enter the bus with him and hide behind a seat in the rear of the bus, stated that the named officer “began the arrest process,” by putting his hand on the complainant’s shoulder. The complainant stated the named officer’s actions demonstrated bias because the complainant is a black male, and the officer approached him instead of looking for a white female. The complainant acknowledged that when another person on the bus told the officer the complainant was not the suspect, the officer immediately passed him and detained the woman hiding behind him.

The named officer was interviewed pursuant to OCC’s Biased Policing Investigation Protocol. He stated he did not know the complainant’s race or ethnicity prior to his detention, and asserted that these were not at all factors in the police action. The officer boarded the bus acting on the word of a witness who indicated that the suspect was in the rear. The named officer stated he had been seated in a restaurant with his police motorcycle parked outside, when someone came inside to tell him that a suspect had been breaking windows on a car and that they were now in the back of the bus. The officer radioed headquarters that he was going to go and investigate. When he walked down to check out the situation, all he knew was that the suspect was in the back of the bus. As he entered the bus, the only person he saw was the complainant, who was standing in the aisle in the back of what appeared to be an otherwise empty bus. As the officer grabbed the complainant’s arm, a man behind the officer said, “Not him!” and pointed towards the back seats. The officer then saw a woman crouching down trying to hide behind the back seat. He let the complainant go and grabbed the suspect, who was a Caucasian female. They all got off the bus, and the complainant followed the officer and the suspect off the bus.

The video from the MUNI coach corroborated that the officer’s detention of the complainant was not racially motivated. It showed the officer doing precisely what he stated he did, based on the information he had at the time. He had been told the suspect was at the rear of the bus and he saw the complainant in the rear aisle of an otherwise empty bus. The actual suspect was hiding in the rear row of the bus. As soon as the officer was informed that the suspect he was seeking was not the complainant but the person in hiding, he let go of the complainant’s arm and detained the suspect. The statement that the victim of the crime gave to the police did not indicate that the suspect was a Caucasian woman. The OCC also interviewed the crime victim, who stated he did not recall if he provided the named officer with the gender or race of the crime suspect – he recalled identifying the suspect as “the homeless.” The victim’s interview also indicated that he had a tendency to confuse gender pronouns, as he is not a native English speaker.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/02/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 2 of 3

**SUMMARY OF ALLEGATION #1 continued:**

There is no evidence that when the named officer boarded the bus to investigate, he knew the gender or race of the suspect.

Based on the totality of circumstances that existed at the time, the named officer's brief detention of the complainant was based on a reasonable belief that he was the suspect alleged to have committed a crime. His belief was reasonable in that he had been advised that the suspect was in the back of the bus, and the complainant (other than the identifying bystander witness) was the only person the officer saw at the back of the bus. The officer reached over and took the complainant's arm, which was a reasonable intrusion, and released him at once, as soon as the bystander/witness told him that the complainant was not the suspect and pointed out the female suspect crouching behind a seat in the back of the bus trying to hide. The named officer's brief detention of the complainant was not based on racial bias but on the rational belief that he was the suspect in a crime. For these reasons, the officer's detention of the complainant was lawful.

The evidence proved the named officer did not engage in biased policing as alleged by the complainant.

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

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

**FINDINGS OF FACT:** The complainant stated the officer racially profiled him by seizing the first black man he saw when he boarded a MUNI bus in pursuit of a suspect. The complainant also stated that the officer "stomach-butted" him and told him to get back or he would arrest him.

The MUNI video provided by the complainant shows the officer boarding the bus and starting to place a hand on the complainant's shoulder. A man behind him points to the actual suspect and says, "No, her," and the officer takes hold of the suspect.

The named officer stated the information he received regarding the suspect was unclear. He stated he knew only that the person was at the back of the bus. When he boarded the bus, all he saw was a black male standing near the back door. He denied hitting the complainant. He did tell the complainant to get back or else he would arrest him, but only when the complainant started to approach him. He told the complainant to stay back in order to protect his own safety and that of the other officers.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/02/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 3 of 3

**SUMMARY OF ALLEGATION #2 continued:**

A bystander is seen on the video recorded by the complainant. There, the bystander specifically indicates that he was present throughout the complainant's interaction with the named officer, and that the officer did not hit the complainant. The evidence proved that the act alleged in the complaint did not occur.

**SUMMARY OF ALLEGATION #3:** The officer interfered with the rights of onlookers.

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

**FINDINGS OF FACT:** The complainant stated that the named officer told him to stay back or else he would arrest him.

The complainant's video shows the complainant accusing the named officer of assaulting him, while the named officer is questioning the suspect he brought off the bus. The officer approaches the complainant, moves him over a few steps away, and says, "Stand over there and out of the way now. Or you will go to jail for interfering."

The named officer said that he did tell the complainant to get back or else he would arrest him, but only when the complainant started to approach him. He stated that he told the complainant to stay back in order to protect his own safety and that of the other officers. The complainant was allowed to continue filming the incident. The video and testimonial evidence corroborate the officer's assertion that the acts occurred, but that the acts were justified, lawful, and proper under the circumstances.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/18/16 **DATE OF COMPLETION:** 12/08/16 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated he had a verbal altercation with an employee and demanded that the employee leave the job site. The complainant stated the employee refused to leave the job site, prompting the complainant to call the police. The complainant stated the named officer refused to remove the employee from the premises.

The named officer stated the complainant got into a verbal altercation with another employee and wanted the officer to remove the employee from the premises. The officer stated he refused to do so and advised the complainant that he needed to contact a supervisor to handle the dispute.

The incident brought to the attention of the named officer was a civil matter. No crime was reported. As such, the named officer's action was proper.

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

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

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

**FINDINGS OF FACT:** The complainant stated that after walking away from the officer, the officer drove his patrol car behind him in a slow and intimidating manner.

The named officer denied the allegation.

No witnesses were identified.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/18/16 **DATE OF COMPLETION:** 12/08/16 **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant stated he felt that the officer behaved inappropriately because the complainant is African American.

The named officer was interviewed pursuant to OCC's Biased Policing Investigation Protocol. He 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:** 03/08/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 4

**SUMMARY OF ALLEGATIONS #1-3:** The officers failed to properly investigate.

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

**FINDINGS OF FACT:** The complainant stated that, while driving on 19<sup>th</sup> Avenue, he saw a gray car swerving in the middle lane ahead of him. He avoided being hit and was able to pass the car. Minutes later, while preparing to make a right turn at the intersection of 19<sup>th</sup> Avenue and Lawton Street, the complainant was rear-ended by the same gray car. The complainant stated he and the other driver both pulled over and exchanged information, but the other driver never exited her vehicle. The complainant stated that when officers arrived on the scene, they did not conduct any sobriety tests on the other driver, despite a witness exhorting them to do so. The complainant heard an officer say that there was no reason to administer a field sobriety test because there was no smell of alcohol on the other driver. Additionally, officers allowed the other driver to remain in her car while she spoke with them. After speaking with the other driver, the officers told the complainant that the other driver was driving for Uber and had been looking at her GPS at the time of the collision.

A witness stated she had seen the gray car driving erratically on 19<sup>th</sup> Avenue and had called 911 to report the driver as a possible DUI. She further stated that she watched as the gray car struck the complainant's car and then called 911 again to report the collision. She stated that, after officers arrived on scene, they allowed the other driver to remain in her car. The witness stated she saw officers ask both drivers for their identification and proof of insurance. The witness also stated that, when she told the officers that the driver of the gray car was "obviously impaired," the officers responded, "Well, we don't see that she's impaired." The witness stated that the officers told her they had administered a horizontal gaze nystagmus test to the driver of the gray car, which they stated was impossible to pass while impaired.

None of the named officers recalled any details of the incident. None of the officers recalled if they knew about the 916 Reckless Driver advisory that dispatch issued as a result of the witness' first 911 call minutes prior to the collision. In addition, the officers stated they remembered no details about any conversation with either driver or the witness, nor of any possible signs of intoxication they may have observed in the driver of the gray car.

No other witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/08/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 2 of 4

**SUMMARY OF ALLEGATIONS #4-6:** The officers failed to write an incident report.

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

**FINDINGS OF FACT:** The complainant stated that after his car was run into by a driver in another vehicle, he asked the other driver if she was okay and she said she was. The complainant also stated that when officers arrived at the scene of the collision, one officer asked if he was hurt. He told the officer that his back was sore, but when offered an ambulance, he declined. He stated that he was told later by an officer at a District Station that that the only time a report could be written was at the scene of a collision.

The complainant further stated that a witness arrived at the collision scene and told the responding officers that she had seen the driver who struck him, and that the driver had been driving erratically just minutes before the collision and she felt that driver should be tested for impairment.

Department records indicated that one of the named officers reported to dispatch that the collision was of a non-injury nature and required no further police action.

The named officers confirmed they responded to the collision scene, but none of the named officers recalled the incident, recalled what any witnesses told them, or seeing any indication of impairment in either of the drivers. The named officers stated that they did not write a report because the collision was non-injury and the two parties merely exchanged information.

A witness stated that she responded to the scene of the collision and informed officers that she had seen the driver who collided with the complainant driving recklessly, a fact that she had reported in a 911 call.

No other witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/08/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 3 of 4

**SUMMARY OF ALLEGATIONS #7-9:** The officers failed to take required action.

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

**FINDINGS OF FACT:** The complainant stated that, although he did not personally ask the named officers to assess the other driver for DUI and administer field sobriety tests, a witness on the scene repeatedly asked the officers to do so. The complainant stated he heard an officer tell the witness that there was no reason to test the other driver because they did not detect any smell of alcohol. The complainant was concerned that the other driver may have been under the influence of something other than alcohol, but did not express his concern to the officers on the scene. The complainant was also concerned that the other driver was allowed to remain in her car while speaking to the officers, which he felt may have helped her mask any impairment.

A witness stated she informed the officers at the scene that she had called 911 twice regarding the other driver's erratic driving. The witness stated she told the officers that the other driver was "obviously impaired," and the officers said, "Well, we don't see that she's impaired." The witness also stated that an officer told her he had done a test of the driver that would have been impossible for the driver to pass had she been impaired. The witness stated that the other driver was allowed to remain in her car the entire time. The witness also stated that she did not see the officers administer any field sobriety tests.

None of the named officers remembered this incident in any detail. They did not recall if they were asked to test anyone at the scene for DUI. They stated that field sobriety tests are normally administered when objective signs of intoxication are observed, including a pale or flushed face, watery or bloodshot eyes, drooping or heavy eyelids, abnormal speech patterns such as slurred or slow speech, and an odor of alcoholic beverage emanating from or around the subject. The officers did not recall if anyone at the scene of this incident displayed any signs of intoxication. One officer stated that such objective signs of intoxication do not necessarily need to be observed with the subject outside the vehicle. The officers all stated that they do administer field sobriety tests in the absence of a smell of alcohol, provided that signs of intoxication are present and there is reasonable suspicion of intoxication.

No other witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/08/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 4 of 4

**SUMMARY OF ALLEGATION #10:** The officer failed to write an incident report.

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

**FINDINGS OF FACT:** The complainant stated that after the incident, he went to a police station to make a report. He stated that he spoke to someone behind the counter, who informed him that a report could only be made at the scene and it was now too late to do so.

A poll of officers sent to the station with a description of the encounter did not result in the identification of any involved officer.

No witnesses were identified.

The identity of the alleged officer could not be established.

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

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

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

**FINDINGS OF FACT:** The complainant stated that after the incident, he went to a station to make a report. The complainant stated he was told, "Get an attorney and let him handle that."

A poll of officers sent to the station with a description of the encounter did not result in the identification of any involved officer.

No witnesses were identified.

The identity of the alleged officer could not be established.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/16/16    **DATE OF COMPLETION:** 12/06/16    **PAGE #** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant is a priest at a church in San Francisco, as well as an OCC complainant in an officer-involved shooting unrelated to this case. He stated he saw a news story about an online comment made by the named officer, who was one of the four officers who was exonerated in a civil wrongful death trial stemming from the fatal police shooting of a San Francisco man. Hours after the named officer was acquitted, the officer commented on a friend's Facebook post. The post showed a photo of the man police shot and contained a link to a news story about the verdict clearing the officers. The named officer commented from his personal Facebook account, "Smiling. Ugh how about burning down his house and tazing his friend who pressed charges." The comment was repeated by numerous news organizations, and described variously as, "horrible," "gloat[ing]," and "disturbing." The complainant stated the named officer's words could be a threat to the family of the man killed by police. At the very least, the complainant stated, the officer's words showed "complete insensitivity and a lack of professional judgment."

The named officer admitted posting the comment. He stated that he was "basically expressing my feelings at the time, and my frustrations." He further said the statement alluded to incidents unrelated to the trial. He stated he was aware of the Department's "vague" social media policy and general orders regarding language and dealing with the media. The named officer stated he felt that the comment he posted online did not violate Department regulations. He stated, however, that knowing what he knows now about his statement and the way it affected members of the public, he would have refrained from commenting.

Department Bulletin 14-267, Social Media Policy, deals explicitly with Facebook and other electronic social networks. It cautions of the permanence of online communication. The bulletin also states that members are expected to be smart, thoughtful, and responsible in all interactions, and not to post anything that could be seen as mean or unkind.

Department General Order 2.01, General Rules of Conduct, Rule 9, states that any conduct by an officer that reflects discredit upon the Department shall be considered unofficer-like conduct subject to disciplinary action.

The evidence established that the named officer's posting reflected discredit upon the Department.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/17/16 **DATE OF COMPLETION:** 12/08/16 **PAGE#** 1 of 2

**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to provide medical attention.

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

**FINDINGS OF FACT:** The complainant was stopped at a traffic light when a vehicle hit the back of his vehicle. Both drivers exited their vehicles. Both drivers agreed to park their vehicles properly and exchange information. While looking for a parking spot, the complainant stated the other driver drove away. The complainant went to look for the other driver and found him in the apartment complex where the complainant lives. The complainant stated they talked again and exchanged information.

The complainant stated the collision made him and his mother-in-law dizzy, so he called 911 for assistance. He stated that when the officers arrived, they asked him if he was injured. The complainant stated he told the officers about the other driver leaving the scene of the collision, and that he and his mother-in-law felt dizzy. He also told the officers that his back was hurting. The complainant stated the officers told him that his injuries would go away in a day or two. He further stated that the officers did not call an ambulance.

One of the named officers stated that no one was injured in the collision. The officer stated he recalled the complainant say his mother-in-law had a headache but the complainant could not say if she had it before or after the collision. The officer stated that they offered medical assistance but both parties refused.

The other named officer stated that the complainant said his passenger's head ached. The officer stated the complainant could not say if the headache occurred before or after the collision. The officer stated the complainant made no complaint of pain and refused medical assistance when offered.

No witnesses came forward.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/17/16 **DATE OF COMPLETION:** 12/08/16 **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant stated the officers gave him a case number and promised him a report, but no report was prepared for the incident.

One of the named officers stated that he did not prepare a traffic collision report because no one was injured in the collision and there was no damage to property. The officer stated the collision did not qualify as a hit and run because the parties had successfully exchanged information. The officer stated one of the parties to the collision said he told the complainant he had to get his insurance from home and that the complainant followed him. The officer stated he could not recall the complainant asking for a report.

The other named officer stated that he spoke with the other driver upon arrival at the scene, and the driver said that the complainant followed him to his house to get his insurance. The officer stated that he and his partner did not write a report because no one was injured and no property was damaged. The officer stated they concluded after a preliminary investigation that the incident was not a hit and run. The officer stated they did not give the complainant a case number, or promise him any report.

No witnesses came forward.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/20/16 **DATE OF COMPLETION:** 12/08/16 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATIONS #1-2:** The officers made inappropriate comments.

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

**FINDINGS OF FACT:** The complainant stated in an online complaint that an officer called her “a child, immoral, and dishonest,” and told her that she had “brought all this on [her]self and [her] daddy should just fix everything.”

The complainant did not respond to OCC’s request for an interview.

The named officers stated they responded to the complainant’s house on a request for a civil standby. The reporting party was a man who met the officers outside the complainant’s residence. The officers stated the man reported a civil dispute over a car, which the complainant had purchased for the man in her name due to the man’s poor credit. The complainant, who initially denied the man had paid anything for the car and said that the car belonged to her, wished to return the car to the dealership over the man’s protests. The complainant stated that she paid the down payment for the car with her credit card. She showed officers a credit card receipt, and also another receipt for \$1,180 in cash. The complainant later admitted that the man had paid the \$1,180 in cash. Additionally, when officers asked how the complainant knew the man, she stated that he was her friend. Later, she said that the man was her drug dealer. Finally, the complainant claimed the man always carried a gun. The officers searched the man and found no weapon.

Both of the named officers denied calling the complainant, “a child, immoral, and dishonest,” or telling her that she had “brought all this on [her]self and [her] daddy should just fix everything,” or anything similar to those statements.

One of the named officers stated that he told the complainant that she had not been honest with them because she lied during her interview. He asked her to tell them the truth. The officer stated that the complainant was blaming the police for the situation, and that she was “appalled” that police did not immediately take her side because she was an educated white woman and the man with whom she was in the dispute was a black drug dealer. The officer stated he told the complainant that this was a civil issue that the complainant needed to resolve.

No witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 04/29/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer failed to promptly respond to a scene.

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

**FINDINGS OF FACT:** The complainant's vehicle was stolen while parked in front of a house. The complainant stated he repeatedly called 911 for police assistance but no officer showed up at his location.

Records from the Department of Emergency Management show that the complainant only made one call and, during that call, he agreed to go to a station to file a report. Records show that no SFPD unit was dispatched or assigned to the complainant's call.

The evidence proved that the act alleged did not occur, or that no member of the San Francisco Police Department was involved in the act alleged.

**SUMMARY OF ALLEGATION #2:** The officer failed to take a report.

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

**FINDINGS OF FACT:** The complainant stated that one day after his vehicle was stolen, he went to a police station to file a report and spoke with the named officer. The complainant stated the officer refused to take his report by delaying the process and making him wait an excessive length of time.

Department records show a case number was assigned for the incident at the time of the complainant's trip to the station but was subsequently vacated. The named officer also made contemporaneous entries on a Department computer that the complainant was no longer interested in making a report.

The named officer stated that she did not fully recall the incident, but after researching the facts surrounding the complaint, she stated she might have pulled a case number before she realized that the complainant did not have the essential information she needed to make the report or the complainant may have had limited time and no longer wanted the report when he could not wait for its completion.

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:** 05/02/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer behaved in a harassing and threatening manner.

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/12/16 **DATE OF COMPLETION:** 12/07/16 **PAGE#** 1 of 1

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

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

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

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



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/16/16 **DATE OF COMPLETION:** 12/07/16 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that an officer parked in her driveway and loudly knocked on her front door. The complainant did not know why the officer was there and did not answer the door. The next day, the complainant called a district station and asked the named officer why police were at her home the previous day. The complainant stated the named officer refused to disclose why police went to her home.

The named officer was on station duty at the time the complainant called. The named officer did not recall her conversation with complainant, but stated: “[I]t is my standard practice not to provide anyone calling in on the phone with information regarding police incidents due to liability and confidentiality issues because I am unable verify their identity.”

A witness officer confirmed he went to the complainant’s address on the incident date but did not speak with anyone.

Department of Emergency Management records show that the witness officer was briefly at the complainant’s address as part of an investigation. The witness officer did not report making contact with anyone at the complainant’s address.

Department General Order 1.05 (E) requires station duty officers to answer the telephone and provide general information to the public. Station duty officers are not required to provide information about police investigations over the phone.

The named officer had no duty to disclose the nature or details of the witness officer’s investigation to the complainant. The evidence established that the named officer’s action was proper.

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:** 05/19/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated he called 911 when he saw a vehicle nearly run over a man lying on the street. Before police arrived the complainant saw someone steal the man's wallet. He called 911 again to report the robbery and was told that the dispatcher could not relay this additional information to the officers. While he was still on the phone two patrol cars arrived and one of the patrol cars drove past the fleeing thief. The complainant left his house, made contact with the named officer and told him that he had reported a robbery. The officer told the complainant that he did not receive a report of a robbery. The complainant told the officer, "I saw it!" and pointed at the suspect, who was about 150 feet away. The complainant stated that the officers told him they could not find the suspect. The complainant stated that it was ridiculous that the officers did not catch the suspect.

The named officer stated they responded to a call of a man lying on the street, who was nearly run over by a vehicle. At the scene he was contacted by the complainant, who said he saw a man steal the victim's wallet. The named officer stated another officer searched the area and a bus for the suspect with negative results. The named officer stated that when he attempted to interview the complainant, he became upset that the suspect was not apprehended and refused to provide additional information.

The named officer's partner stated he and the named officer responded to a well-being check of a male lying in the street. As they reached the scene, dispatch notified them that the victim had been robbed. He stated the complainant approached and said the suspect had taken a wallet and had walked past the patrol car driven by the witness officer. This information was relayed to another officer, who stopped a bus to look for the suspect. After paramedics cleared the victim, he and the named officer went door-to-door looking for the complainant. When they located him, the complainant was very combative and upset that the suspect got away. He refused to provide any additional information.

A witness officer stated he responded to a "person down" call. He stated that once the robbery was broadcast, he immediately searched the area for the suspect. A citizen reported that a person matching the suspects description boarded a MUNI bus. The officer stated he stopped and boarded the bus and searched for the suspect with negative results.

The evidence showed that the officers took the action required of them, rendering aid to the victim and searching for the suspect. In addition, the named officer prepared an incident report. 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:** 05/21/16    **DATE OF COMPLETION:** 12/08/16    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated he was cited for failing to stop at a stop sign and for speeding. He denied both violations. The complainant stated that while her mother was in the vehicle, she did not understand what happened because her English is extremely limited.

The named officer stated he observed the violations, prompting him to issue the citation.

No other witnesses were identified.

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

**SUMMARY OF ALLEGATION #2:** The officer displayed a rude demeanor.

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

**FINDINGS OF FACT:** The complainant stated that the named officer was rude, refusing to answer his questions and threatening to take him to jail.

The named officer 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:** 06/28/16    **DATE OF COMPLETION:** 12/28/16    **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer used profane language.

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

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

**SUMMARY OF ALLEGATION #2:** The officer interfered with the right of onlookers.

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/05/16    **DATE OF COMPLETION:** 12/08/16    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated she called the police twice on the 4<sup>th</sup> of July to make a complaint regarding fireworks and loud music. In her calls to 911 spanning several hours, the complainant requested that police personally respond to her. The complainant stated officers did not make an arrest, issue a citation, or contact her. The complainant stated her lights were on and someone in the house was awake at all times.

The named officers stated there were two calls for service regarding noise and fireworks at 5:46 p.m. and 7:25 p.m. but none after that time. The officers stated they were not able to respond until the next morning at 1:02 a.m., due to a high volume of calls for service on the holiday. The officers stated that when they arrived, they saw no one setting off fireworks, making any noise as complained. The officers stated they did not recall seeing lights on at the complainant's residence. The officers stated as a courtesy and in the belief the complainant had likely gone to sleep, they did not ring the complainant's doorbell due to the lateness of the hour, and the time that had elapsed since a call had been received.

No witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/22/16 **DATE OF COMPLETION:** 12/08/16 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #5:** 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:

Division of Emergency Communications  
Department of Emergency Management  
1011 Turk Street  
San Francisco, CA 94102

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/23/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that police officers rang her doorbell and pounded on her door at 6:30 AM. She stated she heard officers say, “If you awaken any downstairs neighbors again, we’ll be back to arrest you,” and “When you come out, we’ll be downstairs waiting for you.” The complainant stated she refused to open her door.

Both named officers stated they responded to the complainant’s building to investigate a restraining order violation committed by the complainant against her downstairs neighbor. One named officer stated that he knocked on the complainant’s door with average force and said, “If you violate the restraining order, you will be arrested.” The named officer stated he was required by law to enforce the restraining order. The named officer denied stating, “If you awaken any downstairs neighbors again, we’ll be back to arrest you,” or “When you come out, we’ll be downstairs waiting for you.” The other named officer stated that both officers knocked on the complainant’s door and verbally identified themselves as police officers. The named officer confirmed that his partner stated, “ If you violate the restraining order, you will be arrested.”

The complainant’s neighbor stated she called the police because the complainant was yelling, screaming, and banging on the walls. The neighbor stated a restraining order protected her family from harassment by the complainant. The neighbor stated that the named officers were professional and polite.

No other witnesses were identified.

Court records showed that a restraining order protecting the complainant’s neighbor was active on the date of the incident. The restraining order required that the complainant refrain from banging on the floor, yelling insults or curse words at night, or intentionally waking her downstairs neighbors.

Records from the Department of Emergency Management indicated that the neighbor called for police assistance due to the complainant’s banging on the floor. The officers reported making contact with the neighbor and attempting to speak with complainant.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/16/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer engaged in biased policing based on race, gender and sexual orientation.

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

**FINDINGS OF FACT:** The anonymous complainant stated that he/she witnessed the named officer making racist, sexist and homophobic remarks at family gatherings several years ago. He/she also stated that he/she believed the named officer had a definite bias and overall disrespect towards people of color, the LGBT community and women.

The named officer was interviewed pursuant to OCC's Biased Policing Investigation Protocol. He denied making racist, sexist or homophobic statements. He also denied taking any enforcement actions based on a person's race, gender, sexual orientation or perceived sexual orientation.

No witnesses were identified.

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

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

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

**FINDINGS OF FACT:** The anonymous complainant stated that he/she witnessed the named officer making racist, sexist and homophobic remarks at family gatherings several years ago. He/she also stated that he/she learned, second-hand, that the named officer showed a video recording of his wife and a sex worker engaged in a sexual act to a relative.

The named officer denied making racist, sexist or homophobic statements. The named officer also denied ever filming a sex worker with his wife or showing a such a video to anyone.

No witnesses were identified.

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



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/16/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #3:** This complaint raises matters outside OCC jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside OCC jurisdiction. This complaint was partially referred to:

San Francisco Police Department  
Internal Affairs  
1245 3<sup>rd</sup> Street  
San Francisco, CA 94158

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/06/14 **DATE OF COMPLETION:** 12/28/16 **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 that he was the victim of a crime, phoned the police and when the named officers responded, they detained the complainant without justification.

The named officers stated that when they responded to the scene, they first spoke to the complainant, who reported a man exposing himself to the complainant and insisted on making a citizen's arrest. The named officers stated that a witness to a dispute involving the complainant stated that the complainant threatened him when he tried to intervene in the dispute. The officers stated that the witness and the other party to the dispute contradicted the complainant's account of the incident. The officers stated that they detained the complainant during their investigation.

The incident report regarding the named officers' contact with the complainant stated that the named officers responded to an indecent exposure call, investigated the allegations made by the complainant, and determined there was insufficient evidence to receive the complainant's private person's arrest. An incident report was prepared and the complainant was issued a Certificate of Release.

No witnesses came forward.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/06/14 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 2 of 3

**SUMMARY OF ALLEGATIONS #3-4:** The officers failed to accept a citizen's arrest.

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

**FINDINGS OF FACT:** The complainant stated that he was the victim of a crime, phoned the police and when the named officers responded, they refused to accept his citizen's arrest.

One of the named officers stated that when the complainant insisted that he arrest a man with whom he was in a dispute, the named officer asked the complainant to sign a citizens arrest form, and he refused. He stated that as there was no evidence supporting the allegations raised by the complainant, he could not arrest the man.

The second named officer denied that he refused to accept a citizen's arrest, and stated that he had no discussion with the complainant that he could recall.

Department records from the time of the arrest indicated that the named officers investigated an allegation raised by the complainant but their investigation did not produce sufficient evidence to warrant an arrest. Pursuant to SFPD General Order 5.04, Arrests by Private Persons, an incident report was prepared.

No witnesses came forward.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/06/14 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 3 of 3

**SUMMARY OF ALLEGATIONS #5-6:** The officers behaved and spoke inappropriately to the complainant.

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

**FINDINGS OF FACT:** The complainant stated that he was the victim of a crime, phoned the police and when the named officers responded, they detained him, and coerced him into declining charges against the man who had exposed himself to the complainant.

The named officers denied the allegation, stating that they investigated his claims of indecent exposure and explained to him the process for a private person's arrest, which he declined to pursue.

Both of the named officers denied coercing the complainant to stop pursuing charges against the man he had accused of indecent exposure. One of the officers stated that his conversation with the complainant was limited to explaining their investigation and the complainant's options, and the other officer stated he did not recall having any conversation with the complainant.

No witnesses came forward.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/14/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 1

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

**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 December 9, 2016.

**SUMMARY OF ALLEGATION #2:** The officer searched the vehicle without justification.

**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 December 9, 2016.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/16/16 **DATE OF COMPLETION:** 12/28/16 **PAGE #** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer arrested the complainant's son without cause.

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

**FINDINGS OF FACT:** The complainant stated that her adult son told her during a short telephone conversation that he had been arrested.

The OCC contacted the complainant's son, who was in custody at the county jail, but he declined to provide a statement because he was facing criminal charges and had not yet been assigned an attorney. When the OCC contacted the complainant's son after his criminal case was resolved, he said he was not interested in having the OCC conduct an investigation.

The complainant failed to respond to multiple attempts by the OCC to contact her.

The complainant failed to provide additional requested evidence.

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

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

**FINDINGS OF FACT:** The complainant stated that her adult son told her during a short telephone conversation that he had been arrested and that officers used unnecessary force.

The OCC contacted the complainant's son, who was in custody at the county jail, but he declined to provide a statement because he was facing criminal charges and had not yet been assigned an attorney. When the OCC contacted the complainant's son after his criminal case was resolved, he said he was not interested in having the OCC conduct an investigation.

The complainant failed to respond to multiple attempts by the OCC to contact her.

The complainant failed to provide additional requested evidence.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/10/14 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated that during a traffic stop, the named officer spoke to him inappropriately, refused to answer his questions, and then when the complainant got out of the truck to speak to the officer, the officer yelled at him to get back in the truck and treated the complainant “like a pedophile.”

The named officer stated that when he pulled the complainant over for speeding, the complainant acted oddly, was very reluctant to provide his driver’s license, would not answer questions, and at one point, got out of his truck and approached the officer without warning, creating an officer safety issue. The named officer stated that he had to raise his voice to order the complainant back into his vehicle, as the complainant did not appear to hear him.

No witnesses were identified

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/10/14 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant stated that when he called a police station, the named officer refused to answer his questions, was rude in speaking to him, and then rudely hung up on him several times.

The named officer stated that she did not recall any conversation with the complainant.

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:** 10/07/16 **DATE OF COMPLETION:** 12/08/16 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer displayed a weapon without justification.

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/13/16 **DATE OF COMPLETION:** 12/08/16 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated she was at a concert when she got into an altercation with the women sitting in front of her. When things became slightly heated, one of the women grabbed the complainant's arm. The complainant said that she had a mouthful of water and spat it on the woman. The complainant then left the auditorium and asked security to get a police officer. When the named officer arrived, she told him what had happened and said she wanted to file a complainant against the women. The officer noted that the complainant had also committed a battery. The complainant pointed out that the women assaulted her first, and the officer repeated that she was equally culpable because she had spat on them. The officer refused to write a report.

The named officer denied refusing to take a report. He stated the complainant told him that she had pushed one woman, and in return the woman's friend had hit her and the complainant had in return splashed water on that woman. The named officer requested the complainant's identification and she gave it to him. The named officer informed the complainant that he was required to speak to the other parties to hear their account of what happened. The named officer also told the complainant that he would need to offer the other women reciprocity in filing charges against her because the complainant had just told him that she pushed the hand of one woman and threw water on the other. Additionally, the named officer told her that he would document any required reporting obligations as a "Mutual Combat," and that given the nature of the incident he would likely be citing and releasing all the parties.

The named officer stated that he asked the concert security supervisor to please bring the other women so he could get their side of the story. He stated that, when the complainant heard this request, she demanded her identification back and walked off, refusing to let the officer write down any information for a report.

One witness, a friend of the complainant, stated that she saw the complainant speaking to an officer, but did not hear the conversation.

No other witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/13/16 **DATE OF COMPLETION:** 12/08/16 **PAGE#** 2 of 2

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

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

**FINDINGS OF FACT:** The complainant stated that after she reported an altercation to the named officer and he refused to write a report, she felt the officer was not listening to her. The complainant began walking away, but then changed her mind and came back up to the officer, telling him that he was not listening and there were always two sides to every story. The complainant stated that the officer put his hands together and said, "You are just so..." but did not finish his statement. The complainant felt that the officer's expression showed he was infuriated with her.

The named officer stated that after the complainant heard his request that the other party be brought to speak to him, the complainant demanded her identification back and told the officer he was not listening to her. The named officer stated that he just needed to speak to the other parties to determine how things would proceed. The named officer tried to tell the complainant what the next step was, but she began to speak over him and would not let him explain. The named officer stated that the complainant repeatedly told him he was not listening to her. He stated that whenever he started a statement, she would cut him off. The named officer denied in any way presenting an image of being infuriated with the complainant.

A friend of the complainant stated that she saw the complainant speaking with the named officer but did not hear any of their conversation. The friend stated that the officer's demeanor seemed "calm and respectful" as he spoke to the complainant. The witness did not see the officer put his hands together in front of him or hear him say, "You're so..." The witness stated that she felt that the complainant was extremely agitated regarding the evening's events.

No other witnesses were identified.

There was insufficient evidence to prove or disprove the allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/13/16 **DATE OF COMPLETION:** 12/08/16 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer engaged in inappropriate behavior.

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

**FINDINGS OF FACT:** The complainant stated she was having car difficulties and required assistance. The complainant stated that the responding officer was rude and unresponsive to her needs.

The complainant was anonymous and did not provide any contact information or further details to identify the incident.

The complainant provided insufficient information to identify the incident.

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

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

**FINDINGS OF FACT:** The complainant stated she was having car difficulties and required assistance. The complainant stated that the responding officer issued her a citation, rather than assist her with her car.

The complainant was anonymous and did not provide any contact information or further details to identify the incident.

The complainant provided insufficient information to identify the incident.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/21/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 1

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

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

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

CA Dept. of Justice DOE/OD  
1300 I Street, Suite 1140  
Sacramento, CA 95814

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/21/16 **DATE OF COMPLETION:** 12/28/16 **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:** IO-2 **DEPT. ACTION:**

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/25/15 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 2

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

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

**FINDINGS OF FACT:** The complainant stated he was the victim of a battery, but the named officer directed subordinates not to document the battery or look for the suspect.

The named officer stated he did not supervise or discourage any officer from investigating or reporting the battery. The named officer said he also looked for the suspect to no avail.

One officer who records showed was on scene is no longer a member of the Department.

A second officer on scene denied the named member directed him or the officer with him not to document the battery or discouraged them from completing their ongoing investigation. A third officer not on scene looked for the suspect in the area to no avail.

Department records showed that an officer prepared a battery report, which included a description of a search by four officers for the suspect.

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:** 09/25/15 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 2 of 2

**SUMMARY OF ALLEGATION #2:** The officer engaged in biased policing based on race.

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

**FINDINGS OF FACT:** The complainant said he pointed out a robbery suspect to the named officer, who made no effort to detain the suspect. The complainant alleged that the named officer acted in that manner because the suspect was black – like the named officer – and because the named officer hates white citizens like the complainant.

The named officer was interviewed pursuant to OCC's Biased Policing Investigation Protocol. He and another officer denied that the complainant pointed out a suspect to them while they were at the scene.

The named officer and two other officers stated they looked for the suspect to no avail, denied the complainant's race was a factor in the investigation, and those involved prepared a battery report. One of the officers, who was at the scene, denied the named officer was involved in the investigation.

Department records indicated that the complainant's race was never broadcast when he reported being victimized.

No other witnesses were identified.

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

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

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

**FINDINGS OF FACT:** The complainant said the named officer referred to him as garbage.

The named officer and another officer denied the allegation.

No other witnesses were identified.

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



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/02/16    **DATE OF COMPLETION:** 12/08/16    **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 forwarded to:

Department of Public Works  
Operations Bureau  
2323 Cesar Chavez Street  
San Francisco, CA 94110

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/07/16 **DATE OF COMPLETION:** 12/08/16 **PAGE #1** of 1

**SUMMARY OF ALLEGATION #1:** The complainant raises matters not rationally within the OCC jurisdiction.

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

**FINDINGS OF FACT:** The complainant raises matters not rationally within the OCC jurisdiction.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/15/16    **DATE OF COMPLETION:** 12/08/16    **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 forwarded to:

Superior Court of California  
Traffic/Infractions Division  
Hall of Justice  
850 Bryant St., Room 145  
San Francisco, CA 94103

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/16/16    **DATE OF COMPLETION:** 12/07/16    **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 forwarded to:

Daly City Police Department  
Internal Affairs Unit  
333 90<sup>th</sup> Street  
Daly City, CA 94015

**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 forwarded to:

San Mateo County District Attorney's Office  
400 County Center, 3<sup>rd</sup> Floor  
Redwood City, CA 94063

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/17/16 **DATE OF COMPLETION:** 12/08/16 **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:** 11/23/16    **DATE OF COMPLETION:** 12/08/16    **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 was referred to:

San Francisco Fire Department  
Department Headquarters  
698 2<sup>nd</sup> Street  
San Francisco, CA 94107

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/30/16 **DATE OF COMPLETION:** 12/28/16 **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 forwarded to:

Division of Emergency Communications  
Department of Emergency Management  
1011 Turk Street  
San Francisco, CA 94102

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 10/23/15 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer engaged in inappropriate behavior.

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

**FINDINGS OF FACT:** The complainant stated that he was under investigation by the San Francisco Fire Department (SFFD), his previous employer, for allegedly making threats against other firefighters. The complainant stated that the named officer met with the lead SFFD investigator and that the named officer was shown a picture of a gun. The complainant stated that the named officer then began asking around whether the complainant had a gun and began looking into the alleged threats made by the complainant.

The named officer denied meeting with the lead SFFD investigator as alleged by the complainant. The named officer stated he was not assigned the case but assisted with the case by conducting preliminary interviews because the primary SFPD investigator was not available.

The SFFD investigator, who the complainant identified as the lead investigator, denied meeting with the named officer.

The preponderance of the evidence established that the named officer did not engage in inappropriate behavior as alleged by the complainant.

The evidence established 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:** 12/14/16 **DATE OF COMPLETION:** 12/28/16 **PAGE #** 1 of 1

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

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

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/15/15 **DATE OF COMPLETION:** 12/08/16 **PAGE #** 1 of 3

**SUMMARY OF ALLEGATION #1:** The officer detained several individuals without justification.

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

**FINDINGS OF FACT:** The complainant stated she saw the named officer detain numerous individuals for no apparent reason.

The detained individuals did not respond to OCC's request for an interview.

The named officer stated he noticed a group of individuals in the Norteño Gang area wearing variations of red clothing, many open containers of alcohol, and a motorcycle parked on the sidewalk. He detained the group of individuals to investigate and cite for the open alcohol containers and illegally parked motorcycle.

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

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

**SUMMARY OF ALLEGATION #2:** The officer failed to state the reason for the detention.

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

**FINDINGS OF FACT:** The complainant stated the officer had given no reason for the detention.

The detained individuals did not respond to OCC's request for an interview.

The named officer 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:** 11/15/15 **DATE OF COMPLETION:** 12/08/16 **PAGE #** 2 of 3

**SUMMARY OF ALLEGATION #3:** The officer pat searched several individuals without cause.

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

**FINDINGS OF FACT:** The complainant stated the officer searched the individuals without cause.

The detained individuals did not respond to OCC's request for an interview.

The named officer stated he pat searched the individuals for weapons. He stated the individuals were wearing colors associated with the Nortenos Gang and one of them was wearing an Outlaw Motorcycle Gang vest. In addition, the named officer stated there was evidence that the individuals had been drinking alcohol. These factors allowed the officer to conduct a pat search for weapons.

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

**SUMMARY OF ALLEGATION #4:** The officer entered and searched a vehicle without cause.

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

**FINDINGS OF FACT:** The complainant stated that the officer entered and searched a vehicle without cause.

The named officer stated he saw open containers in plain view in the pickup truck, prompting him to enter the vehicle and look for additional bottles of alcohol in the passenger area. The officer did not search any areas beyond what he could see from where he had a right to be.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/15/15   **DATE OF COMPLETION:** 12/08/16   **PAGE #** 3 of 3

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

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

**FINDINGS OF FACT:** The officer did not issue a Certificate of Release to the individuals detained.

The named officer stated he was not required to issue Certificates of Release because the individuals were not moved, not handcuffed, and that the detention was not a prolonged detention.

The evidence established that the named officer was not required to issue the individuals Certificates of Release.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/18/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 6

**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 the named officer and another officer approached him as he was getting into his car, accusing him of illegally crossing the street.

The named officer stated he observed the complainant crossing the street illegally. In addition, the named officer stated the complainant was on probation with a search condition, providing the named officer justification to detain the complainant.

Department records show that the complainant was on probation with a warrantless search condition at the time of his detention.

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

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

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

**FINDINGS OF FACT:** The complainant stated he was cited for illegally crossing the street, which he denied.

The named officer stated he saw the complainant cross a busy street in the middle of the block, prompting the named officer to issue him a citation.

The complainant's girlfriend took a video of the encounter but the video did not show the complainant crossing the street.

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:** 11/18/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 2 of 6

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

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

**FINDINGS OF FACT:** The complainant stated that, two weeks later after his initial contact with the named officer, the named officer detained him again and cited him for driving without a license, which he denied.

The named officer stated he had knowledge of the complainant from a prior contact and knew that the complainant was on probation with a search condition and did not have a valid driver's license. The named officer stated he observed the complainant get into a vehicle and drive away. The named officer then detained and cited the complainant.

Department records show that the complainant was on probation with a warrantless search condition at the time of his detention.

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

**SUMMARY OF ALLEGATION #4:** The officer cited the complainant without cause.

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

**FINDINGS OF FACT:** The complainant stated he was cited for driving on a suspended license, which he denied.

Department records show that the complainant was on probation with a warrantless search condition and that his driver's license was suspended at the time of his detention.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/18/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 3 of 6

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

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

**FINDINGS OF FACT:** The complainant stated the named officer detained him on two separate occasions. The complainant stated that on both occasions, he was placed in handcuffs before the officer searched the complainant's vehicle.

The named officer stated that in both contacts, he was conducting a probation search on the complainant. The complainant was waving his arms and arguing in both instances. The named officer stated that he handcuffed the complainant for safety, while he conducted the searches.

Department records show that the complainant was on probation with a warrantless search condition at the time of his detentions.

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

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

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

**FINDINGS OF FACT:** The complainant stated the named officer detained him on two separate occasions and conducted searches of his person and his vehicle. The complainant acknowledged that he was on probation with a search condition.

Department records show that the complainant was on probation with a warrantless search condition at the time of his detentions.

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/18/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 4 of 6

**SUMMARY OF ALLEGATION #7:** The officer searched someone without cause.

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

**FINDINGS OF FACT:** The complainant stated that he was pulled over and searched as part of his probation condition. During the search, the named officer also searched the purses of two family members who were in his vehicle during the stop but had gotten out of the vehicle as the complainant was being searched.

The named officer denied searching either of the two women or their purses. He stated he only searched what was in the vehicle and what was on the complainant's person.

No witnesses came forward.

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

**SUMMARY OF ALLEGATION #8:** The officer failed to properly process property.

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

**FINDINGS OF FACT:** The complainant stated the named officer failed to return the complainant's identification card.

The named officer denied the allegation.

The complainant's girlfriend took a video of the incident but the video did not capture the named officer taking the identification.

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:** 11/18/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 5 of 6

**SUMMARY OF ALLEGATION #9:** The officer failed to comply with DGO 7.04, Children of Arrested Parents.

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

**FINDINGS OF FACT:** The complainant stated he was detained and cited for driving with a suspended license. The complainant acknowledged he was on probation with a search condition. The complainant stated that during the search of his vehicle, he was handcuffed and placed in the back seat of a patrol car, upsetting the complainant's mother, the complainant's seven-year-old son, and his son's mother. The complainant stated that his son was crying during part of the incident.

The named officer stated the complainant was on probation and driving with a suspended license. In order to conduct a probation search, the complainant was handcuffed and taken to a patrol vehicle because he was arguing and waving his arms. Officers at the scene made efforts to comfort the whole family and especially the boy. The named officer could not recall if the complainant was handcuffed in front of the boy.

A witness officer stated he saw the complainant's son get upset but only after the complainant's mother began yelling at the officers. Officers remained calm and tried to sooth the mother and the boy. Eventually, the mother calmed down and so did the son. Officers spoke with the boy, made him laugh and gave him stickers in an attempt to make him feel comfortable.

DGO 7.04 states that the goal of responding officers is to minimize the disruption to the children of an arrested parent by providing the most supportive environment possible after an arrest. While the complainant stated that the named officer did not provide a supportive environment for the child, officers claimed that there was a supportive environment. The complainant and the officers all stated that the child's mother and grandmother were also present during this incident, which provided a supportive environment to the child during the time the complainant was handcuffed.

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:** 11/18/16 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 6 of 6

**SUMMARY OF ALLEGATION #10:** The officer engaged in retaliatory conduct.

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

**FINDINGS OF FACT:** The complainant stated that the named officer denied him on two separate occasions. The complainant believed that the named officer was retaliating against him for filing OCC complaints.

The named officer denied the allegation, stating that the complainant was detained, in part, because he was on probation with a warrantless search condition.

No independent witnesses were identified.

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

**SUMMARY OF ALLEGATION #11:** The officer made inappropriate comments and engaged in inappropriate behavior.

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

**FINDINGS OF FACT:** The complainant stated the named officer made inappropriate comments toward him.

The named officer 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:** 11/23/15 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that she was involved in a hit and run collision and that multiple officers responded. The complainant gave her car key to the named officer just before she was transported from the scene by an ambulance. Three days later, the repair facility where the complainant's car had been taken called her and said they never received her car key from the tow company, which towed it from the collision scene.

The tow company could not find a record indicating that the key was in the complainant's car when it was towed from the collision scene.

The named officer stated that he did not recall the complainant ever giving him her car key or being in possession of the car key. He stated that he left the scene before the complainant's car was towed.

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:** 11/30/15 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 4

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

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

**FINDINGS OF FACT:** The complainant, who was not present during her son's detention, stated that her adult son was detained without justification.

The complainant's son did not come forward.

The named officer stated he responded to a call of a large group of men fighting. He stated the complainant's son was walking toward him and did not comply with orders to leave the area. The named officer stated he recognized the complainant from prior arrests and knew he was on felony probation with a search condition, prompting him to detain the complainant's son.

No witnesses came forward.

Court records established that the complainant's son was on active felony probation with a search condition.

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

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

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 11/30/15 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 2 of 4

**SUMMARY OF ALLEGATION #2:** The officer searched a vehicle without cause.

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

**FINDINGS OF FACT:** The complainant stated that her son's car was searched without cause.

The complainant's son did not come forward.

The named officer stated the complainant's son's car was searched pursuant to the son's search condition.

Court records established that the complainant's son was on active felony probation with a search condition.

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

**SUMMARY OF ALLEGATION #3:** The officer arrested the complainant's son without cause.

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

**FINDINGS OF FACT:** The complainant stated her son was arrested without cause.

The complainant's son did not come forward.

The named officer stated the complainant's son was arrested for possession of marijuana for the purpose of sales and a probation violation that had occurred two weeks earlier. The named officer stated that, at that time, the complainant's son agreed – in exchange for being released from custody – to provide information that would assist law enforcement in gaining information about violent crimes and firearms within the next two weeks. The named officer stated the complainant's son was arrested two weeks later when he told the officer he could not provide any information.

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:** 11/30/15 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 3 of 4

**SUMMARY OF ALLEGATION #4:** The officer harassed the complainant's son without justification.

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

**FINDINGS OF FACT:** The complainant stated the named officer harassed her son.

The complainant's son did not come forward.

The named officer stated he detained the complainant's son for a probation violation and possession of marijuana for sale. The named officer stated at the police station, the complainant's son told him that he did not want to go to jail. According to the officer, the complainant's son agreed, in exchange for being arrested, to provide information that would assist law enforcement in gaining information about violent crimes and firearms. The named officer stated the complainant's son verbally agreed to call the named officer within two weeks with information. The named officer stated that when two weeks passed, he called the complainant's son who told the officer he had no information and did not know what he was looking for. The named officer stated the complainant's son was then arrested for probation violation and possession of marijuana for sale. The named officer stated he has not called or spoken with the complainant's son since that time.

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:** 11/30/15 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 4 of 4

**SUMMARY OF OCC-ADDED ALLEGATION #1:** The officer failed to comply with the Informant Management Manual.

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

**FINDINGS OF FACT:** The complainant stated the named officer attempted to make her son a police informant. She stated her son did not provide any information to the officer.

The complainant's son did not come forward for an interview.

The named officer stated that although the complainant's son offered to provide information in exchange for being released from detention, he never provided any information to the officer. As a result, the complainant's son was never considered to be a potential informant. He stated the requirements outlined in the Informant Management Manual did not apply in this case.

Because the complainant's son did not come forward, there was insufficient evidence to either prove or disprove this allegation.

**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/07/15 **DATE OF COMPLETION:** 12/08/16 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant requested police assistance with a noise disturbance caused by her neighbor's loud bathroom fan. The complainant stated she had an ongoing dispute with her neighbor because he would leave his fan on all night and because she could hear him snoring through the walls. The complainant stated the named officer entered her apartment, listened to the fan noise, and told her that the noise was not too loud. The complainant stated that the officer was incorrect about the noise level and should have enforced the city noise ordinance, which prohibits loud noises between 10:00 p.m. and 7:00 a.m.

The named officer stated that he went into the complainant's apartment with another officer to listen for the disturbing noise. The named officer stated he heard "a very low humming that sounded like a bathroom ventilation fan." The named officer stated that the noise level was reasonable. The named officer stated he outlined the relevant noise laws for the complainant and explained that the bathroom fan noise was not loud enough for him to cite or arrest her neighbor. The named officer stated he did not have the specialized equipment necessary to measure the decibel level of the fan noise. The named officer stated he offered to come back at a more reasonable hour to help mediate the noise dispute.

A witness officer was on medical leave and unavailable for questioning.

Department of Emergency Management records indicated the named officer went to the complainant's apartment to investigate a noise nuisance caused by a loud fan. The named officer's investigation lasted approximately five minutes and was cleared as having no merit.

No other witnesses were identified.

Municipal Police Code Section 2909(a)(2) prohibits nighttime noise more than five decibels above the local ambient noise. However, officers have discretion regarding enforcement of the code and are not required to immediately conduct noise investigations or take sound measurements.

The evidence established that the dispute is civil in nature and that the officer's action was proper.

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



**OFFICE OF CITIZEN COMPLAINTS  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/22/15    **DATE OF COMPLETION:** 12/08/16    **PAGE#** 1 of 5

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

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

**FINDINGS OF FACT:** The complainant stated she was at her friend's apartment when they got into an argument, prompting her friend to kick her out. The complainant stated she called the police to help her get her things back. The complainant stated that the named officer refused to listen to her and ordered her to leave the building. When she tried to ask questions, the complainant stated the named officer grabbed her to escort her out of the building. The complainant stated she then left the building on her own.

The named officer stated he responded to the complainant's friend's apartment regarding an argument. When he arrived, the named officer stated the complainant let him inside the building. The named officer stated that the complainant was loud, waving her arms around, stating that she wanted to get her stuff out of her friend's apartment. He stated he went up to the apartment and talked to the complainant's friend. The friend told him that the complainant was homeless and occasionally stayed at the apartment but he wanted her gone. The friend did not want her going through the apartment. The named officer went back downstairs and told the complainant to leave. The complainant refused and tried to get past the officer up the stairs. The named officer grabbed the complainant's arm to prevent her from forcing her way up the stairs to the apartment. The complainant then turned around and left the building.

Records from the Department of Emergency Management (DEM) showed that DEM received a call regarding a fight and that the suspect was kicking the door of the reporting party.

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

The 911 call provided the officer 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  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 12/22/15    **DATE OF COMPLETION:** 12/08/16    **PAGE#** 2 of 5

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

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

**FINDINGS OF FACT:** The complainant stated she was at her friend's apartment when they got into an argument, prompting her friend to kick her out. The complainant stated she called the police to help her get her things back. The complainant stated that the named officer refused to listen to her and ordered her to leave the building. When she tried to ask questions, the complainant stated the named officer grabbed her to escort her out of the building. The complainant stated she then left the building on her own and went to the nearby police station. The complainant stated that when the named officer saw her at the station, she was placed in handcuffs. The complainant admitted kicking her friend's door and causing damage.

The named officer stated that when the complainant responded to the station, she was initially arrested for vandalism, but was subsequently released and issued a Certificate of Release, pending further investigation.

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

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

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

**FINDINGS OF FACT:** The complainant stated the named officer placed her in tight handcuffs, causing bruising and bleeding around her wrists.

The named officer denied the complainant's allegation, stating that the complainant never complained of pain or injury.

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:** 12/22/15    **DATE OF COMPLETION:** 12/08/16    **PAGE#** 3 of 5

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

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

**FINDINGS OF FACT:** The complainant stated that the named officer behaved inappropriately towards her, yelling at the complainant to leave.

The named officer denied the allegation.

No independent witnesses were identified.

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

**SUMMARY OF ALLEGATION #5:** The officer failed to properly process property.

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

**FINDINGS OF FACT:** The complainant stated that a package of instant coffee was missing from her property.

The named officer stated he did not know anything about the missing package of coffee.

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:** 12/22/15    **DATE OF COMPLETION:** 12/08/16    **PAGE#** 4 of 5

**SUMMARY OF ALLEGATION #6:** The officer failed to take a required action.

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

**FINDINGS OF FACT:** The complainant stated that the named officer was dismissive when she told him about wanting to file a complaint against an officer.

The named officer denied the allegation.

No independent witnesses were identified.

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

**SUMMARY OF ALLEGATION #7:** The officer made inappropriate comments and behaved inappropriately.

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

**FINDINGS OF FACT:** The complainant stated the named officer behaved inappropriately and made inappropriately.

The named officer denied the allegation.

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:** 12/22/15    **DATE OF COMPLETION:** 12/08/16    **PAGE#** 5 of 5

**SUMMARY OF ALLEGATION #8:** The officers made inappropriate comments and acted inappropriately.

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

**FINDINGS OF FACT:** The complainant stated that officers behaved inappropriately towards her, laughing and making fun of her while at the station. The complainant could not identify these officers.

Officers questioned by the OCC denied the allegation.

The identity of the alleged officers could not be established.

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:** 12/28/15 **DATE OF COMPLETION:** 12/28/16 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated she called 911 after observing a man hit a woman as they stood near an ATM. The complainant stated three officers arrived and separated the man and the woman. The complainant stated the man was “shoved” very hard by one of the responding officers.

The named officer denied having any physical contact with the man as alleged by the complainant.

The OCC checked with the owner of the nearby ATM for available video, but none was available.

The man and the woman involved in the altercation could not be located.

No independent witnesses were identified.

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

**SUMMARY OF ALLEGATION #2:** The officer handcuffed a person without justification.

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

**FINDINGS OF FACT:** The complainant stated that she observed officers respond to a scene and handcuff a man near an ATM.

The named officer and other officers could not recall if the man was placed in handcuffs.

The OCC checked with the owner of the nearby ATM for available video, but none was available.

The man and the woman involved in the altercation could not be located.

No independent witnesses were identified.

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