

## SAN FRANCISCO POLICE COMMISSION FIRST QUARTER 2010 REPORT OF DISCIPLINARY ACTIONS

CASE NO.	VIOLATION(S)	CHARGE(S)	PROCEEDING	PENALTY
JWA C03-190	DGO 11.07 Rules I.A, II.A&B, IV.B 1&2	Sexual harassment of a subordinate.	Hearing/Stipulated Agreement	Termination held in abeyance for 5 years; 180 days suspension; demotion held in abeyance for 5 years; shall not be assigned to same station or assignment as the complainant; mandatory counseling session.
ALW C09-151	DGO 2.01 Rule 9	Driving under the influence of alcohol.	Stipulated Agreement	Termination held in abeyance for 5 years; 10 days suspension; Department's 11.11 Program for 5 years.
ALW C09-175	DGO 2.02 Rules I.A.3; DGO 2.01 Rule 9	Operating a Department vehicle while under the influence of alcohol; engaging in conduct unbecoming an officer.	Stipulated Agreement	Termination held in abeyance for 5 years; 10 days suspension; Department's 11.11 Program for 5 year.
ALW C07-023	DGO 2.01 Rule 9 & 10; DGO 2.01 Rule 9 & 10	Failure to disclose police contact; failure to disclose and account for all time periods during background investigation.	Stipulated Agreement	Termination held in abeyance for 5 years; 10 days suspension; Department's 11.11 Program for 5 years.
JCT C06-184	DGO 1.03 Rule I.A.1; DGO 1.03 Rule I.A.1; DGO 2.01 Rule 1; DGO 2.01 Rule 9; DGO 2.01 Rule 23; DGO 11.07 Rule IV.B.3	Failure to patrol assigned areas and remain in constant radio contact; leaving assigned area without permission; failure to devote full attention to duty; engaging in conduct which brings discredit upon the department; misuse of department property; harassment on the basis of an individual's or group's race, color, national origin, ethnicity.	Stipulated Agreement	Termination held in abeyance for 5 years; 10 days suspension; Department's 11.11 Program for 5 years
JCT C06-185	DGO 1.03 Rule I.A.1; DGO 1.03 Rule I.A.1; DGO 2.01 Rule 1; DGO 2.01 Rule 9; DGO 2.01 Rule 23; DGO 11.07 Rule IV.B.3	Failure to patrol assigned areas and remain in constant radio contact; leaving assigned area without permission; failure to devote full attention to duty; engaging in conduct which brings discredit upon the department; misuse of department property; harassment on the basis of an individual's or group's race, color, national origin, ethnicity.	Stipulated Agreement	Termination held in abeyance for 5 years; 10 days suspension; Department's 11.11 Program for 5 years
JCT C06-144; ALW C06-202; ALW C08-128	DGO 2.01 Rule 9; DGO 2.01 Rule 10; DGO 2.01 Rule 10; DGO 2.01 Rule	Engaging in conduct that undermines the good order and discipline of the Department and that brings discredit to	Stipulated Agreement	Termination held in abeyance for 5 years; 10 days suspension; Department's 11.11 Program for 5 years.

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	21; DGO 2.01 Rule 10; DGO 2.01 Rule 9; DGO 2.01 Rule 9; DGO 2.01 Rule 10	the Department; failing to obey written orders, policies and procedures of the Department; failing to obey written orders, policies and procedures of the Department; failing to cooperate with a Department investigation; failing to obey written orders, policies and procedures of the Department; engaging in conduct unbecoming an officer; being willfully evasive during a police investigation being conducted in another jurisdiction; knowingly violating a Chief's stay-away order.		
JWA C10-050	DGO 1.06 Rule I.a.1; DGO 2.01 Rule 9	Failing to set an example of efficiency, sobriety, discretion, industry and promptness, and failing to act without abusive language and in a non-arbitrary manner when dealing with subordinates; treating the public and employees in a manner which is abusive and challenging.	Retirement	Retirement
ALW C08-074	DGO 2.01 Rule 9; DGO 2.01 Rule 9; DGO 2.01 Rule 9; DGO 2.01 Rule 9	Grand theft; steal, remove, secrete, destroy, mutilate, deface, alter and falsify a document, to wit evidence envelope; prepare false documentary evidence; prepare a false report; steal, remove, secrete, destroy, mutilate, deface, alter and falsify a document.	Returned to the Chief's level	Returned to the Chief's level
IVF C10-013	DGO 2.01 Rule 9; DGO 11.02; DGO 11.02: DGO 2.01 Rule 9	Turning a citizen's request for services to his own advantage for profit; failure to obtain written approval for secondary employment; displaying star while engaged in secondary employment; providing police services that were not neutral in a civil call for service	Hearing on Motion to Dismiss	Dismissed
IVF C10-014	DGO 2.01 Rule 9; DGO 11.02; DGO 11.02: DGO 2.01 Rule 9	Turning a citizen's request for services to his own advantage for profit; failure to obtain written approval for secondary employment; displaying star while	Hearing on Motion to Dismiss	Dismissed

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		engaged in secondary employment; providing police services that were not neutral in a civil call for service		
JCT C06-188; KMO C08-150; JWA C09-017; JWA C09-126; JWA C09-209	DGO 1.03 Rule I.A.2; DGO 2.01 Rule 1; DGO 2.01 Rule 10; DGO 2.01 Rule 23; DGO 2.01 Rule 40; DGO 10.08 Rule II.F.2; DGO 11.07 Rule IV.B.3; DGO 11.07 Rule IV.B.2.b	Leaving assigned area without permission; failure to devote full attention to duty; engaging in conduct which brings discredit upon the department; failure to obey written orders & verbal directives of superiors; misuse of department property; engaging in personal business or activity that would cause a member to be inattentive to duty; dissemination of Department information on any website; harassment on the basis of an individual's or group's race, color, national origin, ethnicity; engaging in sexual harassment conduct; divulging confidential information from a Management Control investigation; falsely reporting sick or injured; violation of a court order not to videotape; releasing confidential discovery in violation of a court order; releasing confidential discovery in violation of a court order; finding of contempt of court; answering questions untruthfully and with evasion; failure to obey a written order to provide telephone records; failure to obey a written order to appear for an MCD; Failure to obey a written order to appear for an MCD interview; publicly disclosing the details of an undercover operation before its execution; dissemination of slurs	Resignation	Resignation

**SAN FRANCISCO POLICE COMMISSION REPORT OF DISCIPLINARY ACTIONS  
SECOND QUARTER 2010**

CASE NUMBER	VIOLATION(S)	CHARGE(S)	PROCEEDING	DISPOSITION/PENALTY
ALW C09-186	DGO 2.01, Rule 9; DGO 2.01, Rule 13	Engaging in conduct unbecoming an officer; Displaying rude and discourteous conduct	Hearing	Termination held in abeyance for three years; 90-day suspension; participation in the Department's 11.11 Program for three years; 80 hours of community service, volunteering to assist in alcohol recovery programs directed at youth and officers to be performed during the period of suspension; write letters of apology to involved parties
SL C06-217	DGO 5.05; DGO 5.02	Neglect of duty by failing to follow vehicle pursuit policy; Unwarranted action by unjustifiably brandishing a firearm	Hearing; OCC moved to dismiss charges	Dismissed
SL C06-218	DGO 5.05; DGO 5.05 & 5.02	Neglect of duty by failing to follow vehicle pursuit policy; Unnecessary force by unjustifiably shooting at a person in a vehicle during a pursuit	Hearing; OCC moved to dismiss charges	Dismissed
SL C06-219	DGO 5.05 & 5.02; DGO 5.05	Unnecessary force by unjustifiably shooting at a person in a vehicle during a pursuit; Neglect of duty by failing to follow vehicle pursuit policy	Hearing; OCC moved to dismiss charges	Dismissed; Not Sustained
SL C06-220	DGO 5.05	Neglect of duty by failing to follow vehicle pursuit policy	Hearing; OCC moved to dismiss charges	Dismissed

*11-10-10 MTC*

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JWA C01-032	DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 21	Committing acts of domestic violence; Falsely imprisoning another; Not being truthful during an administrative interview	Stipulated Agreement	30-day suspension
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**SAN FRANCISCO POLICE COMMISSION REPORT OF DISCIPLINARY ACTIONS  
THIRD QUARTER 2010**

<b>CASE NUMBER</b>	<b>VIOLATION(S)</b>	<b>CHARGE(S)</b>	<b>PROCEEDING</b>	<b>DISPOSITION/PENALTY</b>
JCT C06-181	DGO 2.01, Rule 1; DGO 2.01, Rule 9; DGO 2.01, Rule 14	Failing to devote entire time & attention to the achievement of the Department's basic mission, to protect life & property, preserve the peace, prevent crime, enforce criminal laws & ordinances, and regulate non-criminal conduct as provided by law; Engaging in conduct which brings discredit upon the Department; While acting in the performance of duty, failing to treat the public with courtesy and respect and using harsh, profane or uncivil language	Hearing	Termination held in abeyance for five years; 270-day suspension; 150 community service hours in the Bayview neighborhood and said 150 community hours shall be service while under suspension; participation in the Department's 11.11 Program to receive retraining in the area of juveniles; retraining in the law of arrest; retraining in Crisis Intervention
JWA C09-191 & ALW C10-143	DGO 5.04(I)(C); DGO 2.01, Rule 1; DGO 2.01, Rule 25	Failure to accept a citizen arrest; Failure to properly book evidence of a crime; Failure to complete an incident report	Stipulated Agreement	18-day suspension;
ALW C09-190	DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 9	Engaging in conduct unbecoming an officer	Hearing	Not Sustained
JCT D06-179; JWA C09-015; JWA C09-255	DGO 2.01, Rule 3 & DGO 2.02 A.3; DGO 5.02 C.4; DGO 5.02 D & DGO 8.11 E; DGO 2.01, Rule 9; DGO 2.01, Rules 9 & 10;	Possession of a firearm while having a BAC above .04%; discharge of a firearm recklessly or while under the influence of alcohol; failure to report discharge of a firearm in a timely fashion; violation of the Chief's stay-away order	Stipulated Agreement	Member shall retire on November 19, 2010 & if member does not retire the STAY shall be automatically lifted and trial of the two action shall proceed and that on December 1, 2010, Commission shall receive verification of member's retirement

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JWA C04-137	DGO 2.01, Rules 9 & 35; DGO 1.03, Rule I-A-6 & 10; DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 48, DGO 1.03, Rule I- A-5-d	Allowed a suspect in custody to escape and failed to notify Emergency Communications; bringing discredit to the Department; bringing discredit to the Department; compromising an investigation and failure to investigate a criminal matter	Hearing	Termination held in abeyance for five years; 270-day suspension; Commission strongly recommended that the officer shall perform 90 hours of community service with documentation submitted to the Commission Office
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**SAN FRANCISCO POLICE COMMISSION REPORT OF DISCIPLINARY ACTIONS  
FOURTH QUARTER 2010**

CASE NUMBER	VIOLATION(S)	CHARGE(S)	PROCEEDING	DISPOSITION
ALW C09-169	DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 9	Engaging in Conduct Unbecoming an Officer; Attempting to dissuade a witness from cooperating with an inquiry authorized by law; Engaging in conduct unbecoming an Officer	Hearing	Termination held in abeyance for five years; 90-day suspension; recommended participation in the Department's 11.11 Program
ALW C153-09	DGO 2.01, Rules 1 and 9; DGO 2.01, Rule 21	Failing to fulfill duties as a School Resource Officer; Failing to answer questions truthfully and without evasion when questioned on matters related to employment by a Superior Officer	Hearing	Seven-day suspension
KMO C10-160	DGO 2.01, Rule 9	Attempting to "fix" a traffic ticket	Stipulated Agreement	Termination held in abeyance for five years; Appear in a video to be created by the Department to use as the Chief of Police sees fit, including, at a minimum, release to the media, publication, and display throughout the Department as a training tool with an introductory message featuring the Chief of Police
IVF C10-058	DGO 2.01, Rule 26; DGO 2.01, Rule 21; DGO 2.01, Rule 35; DGO 2.01, Rule 14	Failure to adequately report an incident witnessed and investigated while off duty; Misrepresentation of the truth; Failure to properly care for a prisoner in his control; Use of profanity	Stipulated Agreement	Dismissed
IVF C10-061	DGO 2.01, Rules 19, 20, and 25	Failure to prepare an accurate and complete incident report	Stipulated Agreement	Dismissed



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FOURTH QUARTER 2010**

JCT C05-190	DGO 2.01, 501, and 5.02; DGO 2.01 and 3.01; DGO 2.01	Improperly discharging a firearm; Filing an inaccurate incident report; Misrepresenting the truth	Stipulated Agreement	Three-day suspension and retraining on procedures in approaching a suspect in vehicle
JWA C10-187	DGO 2.01, Rule 9; DGO 2.01, Rule 49; DGO 5.11; DGO 2.01, Rule 9	Investigation of a police matter in Pleasant Hill without notifying the Pleasant Hill PD; Improper dissemination of data obtained from law enforcement databases; Failure to generate an incident report documenting an investigation; Compromising a criminal investigation	Stipulated Agreement	Termination held in abeyance for five years; 10-day suspension