

SAN FRANCISCO POLICE COMMISSION REPORT OF DISCIPLINARY ACTIONS
1st Quarter 2011

CASE #	VIOLATION(S)	CHARGE(S)	PROCEEDING	PENALTY
ALW C10-196	DGO 2.01, Rule 9; DGO 2.01, Rules 9 & 26; DGO 2.01, Rule 9; DGO 10.08(D)(4)	Engaging in conduct unbecoming an officer; engaging in conduct unbecoming an officer; engaging in conduct unbecoming an officer; improper access and use of confidential criminal databases without bona fide criminal investigation	Stipulated Agreement	Termination held in abeyance for 4 year; 30 days suspension with 10 days held in abeyance and will be imposed if the officer fails to submit timely and adequate proof of required quarterly volunteer hours; shall complete 200 hours of community service at a domestic violence shelter or service provider in San Francisco; retraining directed by the Chief of Police at his discretion during the period of abeyance; fitness for duty evaluation at discretion of the Chief of Police
JWA C10-195	DGO 2.01, Rule 48; DGO 2.01, Rule 9; DGO 2.01, Rule 21; DGO 2.01, Rule 9;	Compromising an investigation by entering into a sexual relationship with a key witness while the case was pending; failure to cooperate with the District Attorney's office in the prosecution of a capital case; failure to answer questions truthfully and without evasion when questioned by the Department; conduct reflecting discredit upon the department by compromising a criminal investigation	Member retired	Taken off calendar

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KMO C08-137	DGO 1.05.I.C.; DGO 1.06.I.a.1; DGO 2.01, Rule 4; DGO 2.01, Rule 9	Failure to perform duties as a lieutenant; repeatedly failing to set an example of efficiency, sobriety, discretion, industry and promptness; repeatedly not reporting for duty at the time and place required; repeatedly working less than a full day and collecting a full salary	Stipulated Agreement	Member retired; shall surrender 200 hours of comp time and 261.8 hours of vacation time hours
SM C10-081	4th Amendment & DGO 5.16; 4th Amendment & DGO 5.16; DGOs 2.01 & 6.15, Rules 9 & 35; DGOs 1.03 & 2.01, Rules 25	Searching a complainant without cause; seizing and searching the complainant's personal property without cause; failing to properly safeguard the complainant's property from loss or theft; failure to prepare an accurate and complete incident report	Stipulated Agreement	Returned to the Chief's level for evaluation and imposition of discipline
SM C10-082	4th Amendment & DGO 5.16; DGOs 2.01 & 6.15, Rules 9 & 35	Seizing and searching the complainant's personal property without cause; failing to properly safeguard the complainant's property from loss or theft	Stipulated Agreement	Returned to the Chief's level for evaluation and imposition of discipline
IVF C10-060	DGOs 1.04 & 2.01, Rules 18, 20, & 25	Failure to supervise the preparation of and/or to prepare an accurate and complete incident report	Stipulated Agreement	Returned to the Chief's level for evaluation and imposition of discipline

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JWA C10-042	DGO 2.01, Rule 9; DGO 2.01, Rule 10; DGO 2.01, Rule 9; DGO 2.01, Rule 10; DGO 2.01, Rule 9	Failure to ensure subordinate's overtime hours were properly entered in the Department's tracking system; failure to ensure subordinate's overtime hours complied with the Department's overtime policies; circumventing the Department's tracking system when entering own overtime; receiving overtime on vacation days; permitting excessive & widespread overtime	Stipulated Agreement	Termination held in abeyance for 5 years; member shall retire on the 31st anniversary of start date; ineligibility for any form of voluntary overtime; ineligibility for any mandatory overtime absent explicit, advance, written authorization directly from the Chief of Police; ineligibility to receive Like Work for Like Pay; 30 days suspension; retraining as directed by the Chief of Police
JCT C06-187	DGO 2.01; DGO 2.01, Rule 9; DGO 2.01, Rule 23; DGO 5.02.I.B.1; DGO 11.07, Rule IV.B.3	Failure to devote full attention to duty; engaging in conduct which brings discredit upon the department; misuse of department property; drawing a firearm in a public place without justification; harassment on the basis of an individual's or group's race, color, national origin, ethnicity	Hearing	360 days suspension

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JCT C06-186	DGO 1.03, Rule I.A.2; DGO 2.01, Rule 1; DGO 2.01, Rule 9; DGO 2.01, Rule 14; DGO 11.07, Rule IV.B.3	Leaving assigned area without permission; failure to devote entire time and attention to the achievement of the Department's basic to protect life and property, preserve peace, prevent crime, enforce criminal laws and ordinances, and regulate non criminal conduct; engaging in conduct which brings discredit upon the Department; failure to treat the public with courtesy and respect and using harsh, profane or uncivil language; harassment on the basis of an individual's or group's race, color, national origin, ethnicity	Hearing	360 days suspension
ALW C10-158	DGO 2.01, Rule 9	Driving under the influence of alcohol	Hearing	Termination held in abeyance for 5 years; 60 days suspension; recommended participation in the Department's 11.11 Program, continue AA meetings, and random testing
KMO C10-161	DGO 2.01, Rule 9	Assisting in an attempt to "fix" a traffic ticket	Hearing	Returned to the Chief's level to be handled administratively

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JWA C10-186	DGO 2.01, Rule 9; DGO 10.08; 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 Police Department; improper access of law enforcement databases; improper dissemination of data obtained from law enforcement databases; failure to generate an incident report documenting an investigation; compromising a criminal investigation	Hearing/Stipulated Agreement	30 days suspension with 15 days held in abeyance for 2 years
IVF C09-143	DGO 5.03 & Penal Code Section 647(f); DGO 2.01, Rules 9 & 14; DGO 5.01; DGO 2.01, Rule 14; DGO 2.01, Rule 9; DGO 2.01, Rule 9	Detention and arrest without lawful reason; inappropriate behavior and comments; use of force without justification; use of profanity; writing of inaccurate report; misrepresentation of the truth	Hearing	Termination

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CASE #	VIOLATION(S)	CHARGE(S)	PROCEEDING	PENALTY
KMO C08-127 & KMO C08-162	DGO 2.01, Rule 10; DGO 2.01, Rule 9; DGO 11.07, subsection II.B; DGO 2.01, Rule 7; DGO 1.05, Rule C.3.b; DGO 2.01, Rule 23; DGO 1.06, Rule I.A.2; DGO 1.02, Rule I.A.2; DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 27; DGO 2.01, Rule 9; DGO 2.01, Rule 9, DGO 2.01, Rule 9; DGO 2.01, Rule 9	Hiring a civilian employee contrary to the verbal directive of the Chief; Hiring a civilian employee without a contract and background investigation; failure to act when made aware of a complaint; failing to maintain required knowledge and failure to examine records, correct discrepancies and certify completeness; using a city vehicle for personal use; using city resources for personal needs; using a department member, who was on disability, to do Department work and perform confidential administrative tasks; remaining in Europe beyond schedule, while detailed to training, while being paid and without the knowledge and approval of the Department; using city funds to ship personal items to and from the Europe and the U.S.; accepting a financial award without the permission of the Police Commission; failure to report to superiors as directed, including sick leave, travel and training schedule; taking unauthorized vacation while attending a fellowship, without using vacation time; using sick time for over a month without notifying superiors; failure to ensure that vacation and sick leave were deducted from payroll account	Stipulated Disposition	Admitted to charges of failing to maintain required knowledge, and failure to examine records, correct discrepancies and certify completeness and using city resources for personal needs; 10-day suspension
JWA C11-035	DGO 2.01, Rule 26	Failure to report involvement in a serious police matter	Stipulated Disposition	Termination held in abeyance for 5 years; 45-day suspension; shall complete 10 hours of counseling at own cost with a licensed counseling professional;

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ALW C09-076	DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 11.02, Section II(A)(1-3); DGO 2.01, Rule 9; DGO 11.02, section II(B)(10)	Engaging in conduct unbecoming an officer; engaging in conduct unbecoming an officer; engaging in conduct unbecoming an officer; engaging in conduct unbecoming an officer; engaging in conduct unbecoming an officer	Stipulated Disposition	Stipulated disposition rejected
IVF C10-219	DGO 5.03; DGO 7.01; DGO 2.01	Failure to comply with investigative detentions policy; failure to comply with the policies and procedures for juveniles detention, arrest, and custody; misrepresentation of truth	Hearing	Not Sustained
IVF C10-220	DGO 5.03; DGO 7.01; DGO 2.01	Failure to comply with investigative detentions policy; failure to comply with the policies and procedures for juveniles detention, arrest, and custody; misrepresentation of truth	Hearing	Not Sustained

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IVF C11-093	DGO 2.01, rules 9 & 14; DGO 10.08, section II.D(1)(4) and Rule 1.64(A)(C) of California Department of Justice CLETS Policies, Practices and Procedures Manual; DGO 10.08, section II.D(1)(4) and Rule 1.64(A)(C) of California Department of Justice CLETS Policies, Practices and Procedures Manual; DGO 10.10, rule I(B)	Inappropriate comments and inappropriate behavior; misuse of department equipment; misuse of department equipment; misuse of department motor fleet equipment	Stipulated Disposition	Charges returned to the Chief's level for imposition of discipline that will consist of 10-day suspension; placed back on probationary police officer status for the period of 6 months; reassigned to a station other than Taraval Station; seek counseling from and maintain contact with the Behavioral Science Unit; receive CLETS retraining
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3rd Quarter 2011

CASE #	VIOLATION(S)	CHARGE(S)	PROCEEDING	PENALTY
JWA C10-189	DGO 2.01, Rule D.1; DGO 2.03, Rule D.1; DGO 2.01, Rule 26; DGO 2.01, Rule 9	Possessing a controlled substance without prescription; Testing positive for a controlled substance without a prescription; Neglect of Duty for failure to take action regarding possession of controlled substances; Conduct reflecting discredit upon the department, specifically pleading guilty to a misdemeanor offense involving controlled substance	Stipulated Disposition	Termination held in abeyance for 5 years; 90 days suspension; submit to ongoing testing for the presence of steroid substance for 5 years; a positive result for the presence of steroid, non prescription or metabolite for steroid, shall be cause for immediate termination.
IVF C09-087	DGO 5.07; DGO 5.01; DGO 1.03, 2.01 & Department Bulletin 05-056; DGO 5.01 and 2.01; DGO 2.01	Interference with the rights of an onlooker; Unlawful use of force and unlawful arrest of a civilian onlooker; Neglect of duty to secure and control a prisoner; Unlawful use of force against a restrained person; Conduct reflecting discredit by callous and alarming comments to civilian	Hearing	Termination

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JWA C11-081	DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 2.01, Rule 9	Inappropriate solicitation of a student; Inappropriate solicitation of a student; Inappropriate solicitation of a student; Inappropriate solicitation of a student; Inappropriate solicitation of a student; Inappropriate solicitation of a student; Inappropriate solicitation of a student; Inappropriate solicitation of a student; Inappropriate solicitation of a student; Making inappropriate comments to female students; Inappropriate use of department resources to further his personal relationships	Member retired	Taken off calendar
IVF C09-088	DGO 5.07; DGO 5.01; DGO 1.03, 2.01 & Department Bulletin 05-056;	Interference with the rights of an onlooker; Unlawful use of force and unlawful arrest of a civilian onlooker; neglect of duty to secure and control a prisoner	Hearing	Not sustained; taken off calendar
JWA C10-145	DGO 2.01, Rule 10 & DGO 3.11(D)(7); DGO 2.01, Rule 13; DGO 2.01, Rule 9; DGO 2.01, Rule 21;	Failure to notify superior in writing of involvement in civil matter; Treating a supervisor with disrespect; Making false and evasive statements to his supervisor; Failure to respond to an inquiry from a supervisor in a truthful and non-evasive manner	Member terminated	Taken off calendar
ALW C10-241	DGO 2.01, Rule 9; DGO 2.01, Rule 9	Engaging in conduct unbecoming an officer; Engaging in conduct unbecoming an officer	Charges withdrawn	Taken off calendar

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JWA C11-037	DGO 2.01, Rules 9 & 45; DGO 2.01, Rules 9 & 41; DGO 1.06(l)(A)	Attempting to recall a lawfully issued citation; Misuse of sick time; Setting a poor example for subordinates	Stipulated Disposition	10 days suspension
IVF C11-023	DGO 5.01; DGO 2.01, Rule 21	Use of unnecessary force without justification; Misrepresentation of the truth	Stipulated Disposition	30 days suspension; 20 days imposed, 10 days held in abeyance for 3 years; retraining in defensive tactics; counseling through SFPD Behavioral Science Unit
IVF C11-024	DGO 2.01, Rule 21	Misrepresentation of the truth	Charges withdrawn	Taken off calendar
RMW C08-166 & RMW C08-167	DGO 10.08 II(D)(4); DGO 2.01, Rule 49; DGO 2.01, Rule 9; DGO 10.08 II(D)(4); DGO 10.08 II(D)(4); DGO 2.01, Rule 9	Usage of position as a member of Department to obtain and disclose confidential information through unauthorized CELTS transactions; Divulging confidential information; Bringing discredit upon the department; Usage of position as member of the Department to obtain and disclose confidential information through unauthorized CLETS transactions; Usage of position as member of the Department to obtain and disclose confidential information through unauthorized CLETS transactions; Bringing discredit upon the department	Hearing	Termination

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ALW C08-181	DGO 11.07(2)(a); DGO 11.07(2)(a); DGO 11.07(D)(1)(c); DGO 2.01, Rule 49; DGO 2.01, Rule 9	Engaging in a pattern of behavior defined as sexual harassment; Engaging in a pattern of behavior defined as sexual harassment; Retaliating against a civilian witness; Divulging confidential information; Engaging in conduct which undermines the good order, efficiency and discipline of the Department	Stipulated Disposition	10 days suspension held in abeyance for 3 years; Complete a referral and evaluation pursuant to DGO 11.11 for a period of 3 years; Chief's Written Reprimand; Letter of apology to the complainant; Permanent stay away order from complainant including direct contacts of any kind and indirect contacts made by other people acting on the officer's behalf, including telephone, email, or other electronic contacts
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SAN FRANCISCO POLICE COMMISSION REPORT OF DISCIPLINARY ACTIONS
4th Quarter 2011

CASE #	VIOLATION(S)	CHARGE(S)	PROCEEDING	PENALTY
ALW C09-076	DGO 2.01, Rule 9; DGO 2.01, Rule 9; DGO 11.02(II)(A)(1-3)	Engaging in conduct unbecoming an officer; Engaging in conduct unbecoming an officer; Engaging in conduct unbecoming an officer; Engaging in conduct unbecoming an officer	Hearing	Termination
ALW C11-015	DGO 2.01, Rule 9; DGO 2.02, subsections I(A)(2) & (3) & I(B) and DGO 2.01, Rule 9; DGO 2.01, Rule 9	Engaging in conduct unbecoming an officer; Engaging in conduct unbecoming an officer; Engaging in conduct unbecoming an officer	Stipulated Disposition	Thirty (30) days suspension with twenty (20) served and ten (10) days held in abeyance for three (3) years; Reassignment from Traffic to Park Station; Participation in the Department's 11.11 Program for three (3) years
RMF C11-189	DGO 5.03; DGO 6.15; DGO 2.01, Rules 9 and 21	Unwarranted Action; Neglect of Duty; Neglect of Duty; Conduct reflecting Discredit	Stipulated Disposition	Sixty (60) days suspension with thirty (30) held in abeyance for two (2) years; participate in ten (10) counseling sessions for anger management