

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/23/20      **DATE OF COMPLETION:** 09/13/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the Department representative, the complaint was mediated and resolved in a non-disciplinary manner on 09/13/2021.

**SUMMARY OF ALLEGATION #2:** The officer failed to make an arrest.

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

**FINDINGS OF FACT:** Complainant withdrew complaint against named officer.

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

**CATEGORY OF CONDUCT:** CUO      **FINDING:** W      **DEPT. ACTION:**

**FINDINGS OF FACT:** Complainant withdrew complaint against named officer.

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

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

**FINDINGS OF FACT:** Complainant withdrew complaint against named officer.

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

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

**FINDINGS OF FACT:** The complainant stated she was driving a City vehicle in slow-moving heavy traffic near a popular tourist destination when a rideshare driver hit her from behind. The complainant filed a DPA complaint two years after the incident. The complainant stated the named officers were present when the collision occurred and should have facilitated the exchange of insurance information and either taken a report or called another unit to take a report. One of the named officers spoke with the driver of the other vehicle before the collision occurred for about five to seven minutes, and initially asked the other driver, "Are you trying to hit her?" The collision occurred as the officers were walking away and one officer stopped to ask, "Did you just hit her?" The complainant did not explicitly mention to the officers that a collision occurred or ask them to take a report. She did tell the first named officer she would take it up with the ride share company. The complainant and the other driver left the scene.

The named officers stated they recalled the incident but did not observe any vehicle collision or damage to either vehicle, so there was no need to facilitate the exchange of information, prepare a report, or call another unit to prepare a report. One of the named officers recalled a driver honking a horn repeatedly behind a City vehicle. The officer stated he may have spoken to the other driver about the honking or the fact that the City vehicle could not move, but it was a very brief encounter. He recalled both parties driving away. The officer did not recall speaking to the complainant. The first named officer only had a vague recollection of the contact. The second named officer stated she did not hear any alleged comments by the first named officer.

San Francisco Police Department General Order 9.02 requires officers to investigate and report all vehicle collisions involving City-owned vehicles or damage to City-owned property.

In this instance, the subject officers did not observe a collision, nor were they clearly notified that a collision had occurred. As such, they were under no duty to facilitate the exchange of insurance information or preparation of a traffic collision report.

The evidence proves that the conduct alleged did not occur.

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**SUMMARY OF ALLEGATION #3:** The officer prepared an incomplete or inaccurate incident report.

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

**FINDINGS OF FACT:** The complainant stated that she was involved in a rear-end motor vehicle collision. The complainant notified her supervisor of the incident and experienced escalating pain later that evening. At the direction of her supervisor, the complainant went to a police station the following morning and reported the incident. The complainant provided an officer with a copy of a memorandum she wrote regarding the incident. The complainant stated the incident report contained the following inaccuracies: an incorrect time on two pages of the report, an incorrect day of the week on one page, an incorrect vehicle color, an incomplete and inaccurate description of the complainant's injuries, and an incorrect assertion that the parties exchanged insurance information.

Department records indicate the named officer took the complainant's collision report. The named officer is no longer employed with the Department and is therefore unavailable for an interview and no longer subject to Department discipline.

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**SUMMARY OF ALLEGATION #4:** The officer failed to properly review or approve a Department report.

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

**FINDINGS OF FACT:** The complainant stated the named officer approved an incident report that contained numerous errors.

The named officer stated that the errors were inadvertent and did not hinder any investigation. The named officer stated he was not present when the report was made by the complainant and could not independently confirm or refute any statements made to the reporting officer. The named officer said the elements and body of the report were sufficient for his required review. The named officer stated the last page of the report contained an inaccurate date, but that all other pages contained the correct date. The named officer stated this mistake would not hinder any investigation, as this was a traffic counter report, not a crime report, and merely contained a typographical error. The officer additionally noted that the complainant's written statement was appropriately included in the report.

The first two pages of the Traffic Collision Report showed the correct incident date; however, the time of day was incorrect. The date was incorrect at the bottom of the fourth page. A Supplemental Narrative states the complainant went to a police station to provide additional information and to contest inconsistencies in the Traffic Collision Report. A two-page memorandum from the complainant to her supervisor was also attached to the Traffic Collision Report as evidence.

While the evidence does establish that a clerical error was made, the error did not rise to misconduct (e.g., evidence that the error was made because of inappropriate intent or negligence on the officer's part, or evidence that the error caused harm to complainant or others).

The evidence proves that the conduct alleged did not occur.

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**SUMMARY OF ALLEGATIONS #1-2:** The officers were not wearing face coverings as required.

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

**FINDINGS OF FACT:** The complainant stated he saw the officers sitting in a patrol car without wearing masks. The complainant contacted the police station captain in a letter and demanded that the officers write a ten-page essay on following the rules. The complainant declined to be interviewed or participate further in the investigation.

Named officer #1 reported that he and named officer #2 were seated in his patrol car drinking a cup of coffee when the complainant crossed in front of his car. The complainant began yelling that the officers were not wearing a face mask and that the complainant would get him. The officers did not respond to the complainant.

City and County of Department of Public Health San Francisco Order of the Health Officer C19-12b provide exemptions for eating, drinking, and private areas such as inside vehicles.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

**CATEGORY OF CONDUCT:**      **CUO**      **FINDING:**      **IE**      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated in the written complaint that the officers used a condescending tone. The complainant declined to be interviewed or participate further in the investigation.

Named officer #1 reported that he and named officer #2 were seated in his patrol car drinking a cup of coffee when the complainant crossed in front of his car. The complainant began yelling that the officers were not wearing a face mask and that the complainant would get him. The officers did not respond to the complainant.

There is insufficient evidence to confirm or refute the complainant or the officer's version of events. The evidence fails to prove or disprove that the alleged conduct occurred.

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**SUMMARY OF ALLEGATIONS #1-2:** The officers towed a vehicle without cause.

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

**FINDINGS OF FACT:** The complainant stated officers towed his vehicle for expired registration. The complainant purchased the vehicle more than a year ago and acknowledged he had trouble getting the registration cleared up. The complainant also stated he believed the Governor of California had issued a moratorium for towing of vehicles for expired registration belonging to individuals who are homeless.

The named officers stated they cited and towed the complainant's vehicle for having expired registration and because the complainant's vehicle posed a public safety risk. The officers stated the vehicle had been unregistered for almost two years and had been the subject of frequent community complaints. The complainant's car was parked in an area where the community was asking for extra enforcement because of narcotics use. The complainant frequently parked in that area and the officers had given him multiple warnings. Additionally, the complainant frequently trespassed at a market around the corner by parking his open van there and leaving his dogs unattended and unleashed. Earlier the morning of the tow, one of the dogs tried to bite a market security guard. The officers stated they consulted with multiple City departments prior to towing the car and received permission from a supervisor. The officers stated they complied with local rules regarding towing vehicles during the pandemic because the complainant's vehicle was jeopardizing public safety.

A limited statewide moratorium on towing cars for expired registration did not apply to the complainant's situation and ended three months before the complainant's car was towed. A local moratorium in effect at the time the officers towed the complainant's vehicle had exceptions for vehicles that jeopardize "public safety and convenience." The complainant used his car in a way that created a nuisance and a recurring safety hazard for pedestrians.

San Francisco Municipal Transpiration Agency records show the complainant's vehicle was towed for expired registration at the request of the Scofflaw Unit. Department of Emergency Management records showed that the complainant's dog likely attempted to bite a grocery store security guard earlier in the day.

The evidence shows that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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**SUMMARY OF ALLEGATIONS #3-4:** The officers behaved or spoke in a manner unbecoming an officer.

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

**FINDINGS OF FACT:** The complainant stated the officers made harsh comments toward him and he felt the officers were talking down to him. The complainant stated one of the officers told him, "Get your dog back or I might shoot it." The complainant stated the officers placed a hold on his vehicle and he was unable to retrieve his belongings from his vehicle.

Regarding the harsh comments, the named officers stated they were patient with the complainant and denied speaking harshly to him. They gave the complainant an extended amount of time to retrieve items from vehicle. The first named officer stated that when they found the vehicle, it appeared unoccupied except for two dogs. The officer was concerned for the dogs because the vehicle was parked in direct sunlight, and he had no way to know if the dogs had water available. After the tow truck arrived the complainant appeared, and they had to repeatedly ask the complainant to remove his dogs and to take what he wanted from inside the van. One of the dogs was standing near the right front passenger door of the van. At one point the dog, which was a large Pitbull mix, suddenly started to approach the first named officer while barking. The officer asked the complainant to get his dog and explained that he did not want anything to happen to his dog. The officer stated he feared the dog might bite him. The second named officer stated the dog approached his partner and began to growl and bark. The dog was not properly leashed, and the second named officer thought the dog could easily break free and attack him or his partner. In response the second named officer told the complainant, "Please control your dog. Unless you want your dog to get shot, I suggest you hold onto him." The officer stated he made this comment for the purpose of providing a verbal warning with a clear consequence because the complainant needed to listen and control his dog.

Body-worn camera video showed that the officers remained calm and repeatedly asked the complainant to control his two large dogs. The video footage showed one of the dogs approaching an officer and barking loudly. The first named officer told the complainant, "Get your dog, please, sir." The complainant then attached one dog's leash to the roof of his car. The dog continued barking and moving toward an officer. In response, the first named officer said, "Hey, I really don't want anything bad to happen to your dog, but the way he's walking up on me." The second named officer told the complainant to get his dogs out and that they didn't want his dogs to go to Animal Care and Control. "We want you to take them." The second named officer told the complainant, "The most important thing is to get your dogs. When one dog began

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**SUMMARY OF ALLEGATIONS #3-4: Continued.**

barking and approaching his partner, the officer responded, "Hey, control your fricking dog, dude. If you don't want your dog to get shot, I suggest you hold on to him." The second officer pleaded with the complainant, "Most important thing is the dogs. We'll cancel ACC, if you will please take the dogs."

Regarding the hold on the complainant's property, the named officers denied placing a hold on the complainant's property.

When a vehicle is towed for expired registration, an automatic hold is placed on the vehicle itself. The purpose of the hold is to require the vehicle owner to go into the DMV and register their vehicle to prevent its continued unlawful operation on public streets. Tow company records showed the complainant obtained an Impound Access Pass (Property Pass) and was able to retrieve his personal belongings from inside vehicle. The vehicle was later released to the complainant after he corrected his violations.

The evidence showed the named officers did not inappropriately threaten to shoot the complainant's dog, and that their comments were intended to persuade the complainant to gain control of a dog that was behaving in an aggressive manner toward one officer.

The named officers were not responsible for placing a hold on the complainant's vehicle and did not prevent him from retrieving his property.

The evidence proves that the conduct alleged did not occur.



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**SUMMARY OF ALLEGATIONS #5-6:** The officers engaged in threatening, intimidating or harassing behavior.

**CATEGORY OF CONDUCT:**      **CUO**      **FINDING:**      **IE**      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated the named officers have been harassing him for the past year about his vehicle. The complainant stated that, about two weeks prior to his vehicle being towed, the officers spoke to him about his vehicle's registration status and warned the complainant they would tow it. The complainant was unable to recall any details or dates of the contacts he had with the named officers during the year leading up to the date of the incident.

The named officers stated they did not harass the complainant and explained they have had multiple contacts with the complainant during the prior year as part of their patrol duties. The nature of the contacts all involved instances of the complainant loitering in a grocery store parking lot with his vehicle, not controlling his dogs, and his expired vehicle registration. The officers referenced a call-for-service earlier that morning from the grocery store manager complaining that one of the complainant's dogs almost bit a security officer.

Department of Emergency Management records confirm that a call-for-service was made earlier that morning regarding a person loitering in front of a grocery store with a dog that tried to bite a security guard. The comments noted it was an ongoing issue with the same subject and that the subject had left in a vehicle, but the reporting party still wanted police officers to make contact with the subject to prevent his return.

There is insufficient evidence to prove or disprove a recurring pattern of behavior involving the complainant and the named officers.

The evidence fails to prove or disprove that the alleged conduct occurred.

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**SUMMARY OF ALLEGATIONS #1-2:** The officers behaved or spoke inappropriately.

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

**FINDINGS OF FACT:** The complainant stated that officers responded to his call for service, but upon arrival they announced their presence on a loudspeaker and summoned the complainant by name out of his home.

Named officer #1 stated he did not remember how he summoned the complainant from his residence, but that his normal contact on this type of call was at the front door and he accordingly believed the complainant's statement to be inaccurate.

Named officer #2 denied that a loudspeaker was used and stated that the complainant was already standing outside of his residence when the officers arrived.

The Computer Aided Dispatch summary showed that the named officers responded to a well-being check at the complainant's home. The complainant reported that he was being bitten by parasites and advised that neighbors were placing the bugs in his room. The officers noted that the complainant appeared paranoid and delusional as a result of substance abuse.

Body-worn camera ("BWC") footage showed the named officers exiting the patrol vehicle and walking to meet the complainant who was standing at the front of his driveway. Due to a 30 second buffer mode delay in the audible function of the BWC it was not clear whether the loudspeaker had been used. Based on a totality of the circumstances the officers' account that no loudspeaker was used appears credible.

The evidence proves that the conduct alleged did not occur.

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

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

**FINDINGS OF FACT:** The complainant stated that he informed officers that he was being stalked through applications installed on his cellular phone and that the officers failed to examine his phone when he offered it to them for examination and investigation.

Named officer #1 denied that they refused to investigate the complainant's claim of being stalked through his phone. He stated that based on his preliminary investigation with the complainant, he determined the stalking through the phone claim had no merit. He stated that the complainant failed to provide sufficient information regarding his claims in order for him to investigate. Additionally, named officer #1 stated that the complainant told the officers that he was not asking them to investigate anything.

Named officer #2 provided information consistent with that provided by named officer #1.

The Computer Aided Dispatch ("CAD") summary showed that the named officers responded to a well-being check at the complainant's home. The complainant reported that he was being bitten by parasites and advised that neighbors were placing the bugs in his room. The officers noted that the complainant appeared paranoid and delusional as a result of substance abuse.

Body-worn camera ("BWC") footage showed named officer #1 asking the complainant whether he had any proof regarding his claims. The complainant responded that there were 20-30 cars circling the block and then explained that he just wanted to make a report. He didn't want them to investigate. The footage showed named officer #1 asking the complainant whether he had any proof regarding his phone being hacked, and the complainant offered his phone, but the officers did not examine it.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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**SUMMARY OF ALLEGATIONS #5-6:** The officers failed to prepare an incident report.

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

**FINDINGS OF FACT:** The complainant stated that he informed officers he was being stalked through applications installed on his cellular phone and that he wanted to make a report of this crime.

Named officer #1 confirmed that the complainant stated that he wanted to make a report. He stated he did not prepare an incident report because the incident described by the complainant did not meet the criteria under which a report would be required under Department General Orders 1.03, 2.01 and/or 6.14. Named officer #1 stated that he did provide a brief summary of the encounter which was typed into the Computer Aided Dispatch (“CAD”) as a comment.

Named officer #2 provided information consistent with that provided by named officer #1.

The CAD summary showed that the named officers responded to a well-being check at the complainant’s home. The complainant reported that he was being bitten by parasites and advised that neighbors were placing the bugs in his room. The final comment included in the CAD was that the complainant appeared paranoid and delusional as a result of substance abuse but did not meet the criteria for 5150 [detention for psychiatric evaluation].

BWC footage showed the complainant stating that he wanted to file a report. Named officer #1 informed the complainant that police reports were to document criminal matters and asked the complainant what crime had occurred. The complainant responded that the crime was harassment by way of his phone having been hacked. Named officer #1 asked the complainant whether he had any proof of hacking and complainant’s response was unintelligible. The named officer stated that he would prepare a summary of what he was alleging to which the complainant responded that was all he was asking.

Department General Order 1.03 provides that officers are required to make “written reports on crimes observed or brought to their attention.” Department General Order 2.01 provides that officers on duty are required to “make all required written reports of crimes or incidents requiring police attention.” Department General Order 6.14 provides that officers are required to prepare reports when an individual is detained for psychiatric evaluation.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The complainant stated in an online complaint that she observed an unmasked group of tourists ask two officers to take a photo with them. One officer took the photo and encouraged the group to move close together, while the second officer posed with the group. Neither officer was wearing a mask.

DPA made multiple attempts to reach the complainant with negative results.

The officers could not reasonably be identified.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer subject to Department discipline.

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

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

**FINDINGS OF FACT:** The complainant stated that while driving she passed by a woman being detained and handcuffed. She stopped her vehicle and an officer approached her and ordered her to move along.

The named officer stated that she responded as a back-up officer at a traffic stop and confirmed that she interacted with the complainant and asked her to move. She stated that the complainant was double parked and impeding the only free lane of traffic available. The named officer stated that her directive to the complainant was in compliance with DGO 5.07 as the complainant was allowed to remain in the immediate vicinity to witness the traffic stop except when the safety of officers was in jeopardy and/or when the complainant interfered or violated the law while attempting to witness the traffic stop.

Department records reflected that a traffic stop was made, and an individual was detained and handcuffed.

Body-worn camera footage showed that a traffic stop was made on a neighborhood street and that the patrol car and the suspect's car were stopped in one of the two lanes of traffic. The footage showed that the complainant stopped her vehicle in the roadway next to the parked cars and the named officer approached her and ordered her to move, stating that she was impeding the flow traffic.

Department General Order 5.07(I)(A) ("Witnessing Stops, Detentions, Arrests") states in relevant part, "It is the policy of this Department that persons not involved in an incident be allowed to remain in the immediate vicinity to witness stops, detentions and arrests of suspects occurring in public areas, except under the following circumstances: 1) When the safety of the officer or suspect is jeopardized. 2) When persons interfere or violate law. . . ."

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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**SUMMARY OF ALLEGATION #2:** The officer displayed threatening, intimidating or harassing behavior.

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

**FINDINGS OF FACT:** The complainant stated that after the officer ordered her to move her vehicle she began to drive away and observed the officer walking after her and appearing to write down her license plate number.

The named officer denied following the complainant's vehicle on foot after the interaction. She did not recall having a second interaction with the complainant or writing down the complainant's license plate.

Body-worn camera footage showed that after the complainant drove away the named officer immediately turned away from the complainant's vehicle to supervise an officer in training.

The evidence proves that the conduct alleged did not occur.

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**SUMMARY OF ALLEGATION #1:** The officer failed to comply with Department Notice 20-094.

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

**FINDINGS OF FACT:** The complainant stated that she observed an officer who was not wearing a mask standing outside interacting with two individuals. The interaction did not appear to be an enforcement action, but instead a casual conversation. The complainant provided the identification number of the patrol vehicle with which she believed the officer was associated.

The named officer was the officer assigned to the patrol vehicle identified on the date of the incident. He stated that he did not recall meeting with any individuals outside his patrol vehicle at the time and location specified. He stated that his Dispatch history did not reflect that he responded to any calls at the time and location specified. He confirmed that he is familiar with Department Notice 20-094 regarding wearing face masks.

Department records reflected that the named officer was assigned the identified vehicle on the day of the incident; however, DPA was unable to find any record of calls for service near the time and location specified.

There was no body-worn camera footage obtained.

Departmental Notice 20-094 states in relevant part “[I]n order to stay ahead of the curve, a mask or respirator must now be worn at all times in the workplace and in the community as we engage with each other or while providing service to the community.”

No witnesses came forward with any further information.

The evidence fails to prove or disprove that the alleged conduct occurred.



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**SUMMARY OF ALLEGATIONS #1-2:** The officers displayed threatening, intimidating, or harassing behavior.

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

**FINDINGS OF FACT:** The complainant stated that her family was sleeping when the named officers arrived, took the whole family out of the home, and made the whole family wait outside while the named officers searched her home. The complainant stated the named officers damaged items and left her home a mess. The complainant stated the named officers had unfairly labeled her son a gang member and had come to her home looking for him.

The named officers stated they were at the location on the date of the incident to serve a signed search warrant. The search warrant affidavit showed the named officers specified serving the warrant early in the morning to utilize the element of surprise for officer safety. The affidavit listed the suspect's name, residence, evidentiary items, and justification for the search.

Several officers activated their body-worn cameras (BWC) for the search. A comprehensive review of all BWC showed that officers did not deliberately damage any property. The BWC showed the named officers tossed clothing from one pile to another pile. The BWC showed there was damaged furniture against the wall or on the floor before the officers arrived.

The evidence proves that the conduct alleged did not occur.

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**SUMMARY OF ALLEGATIONS #3-4:** The officers conducted an improper search or seizure.

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

**FINDINGS OF FACT:** The complainant stated the named officer conducted a search of her home and seized items without a search warrant.

In his MRF response, one named officer stated that he had not entered the complainant's home without a search warrant nor had any knowledge of any other officer doing so. One of the named officers handed a signed copy of the search warrant to the complainant prior to the named officers leaving the scene.

The evidence showed one of the named officers authored the search warrant and it was approved by a judge. The search warrant showed the specific person the named officer was in search of, the location to be searched, and a list of evidentiary items. The search warrant also included an affidavit from a named officer who stated the reasons for the search of the specific location, person, and items.

The BWC showed a named officer conducted a knock notice, announced the search warrant, and asked the residents to open the door. The BWC showed a named officer verbally announced that he was from the SFPD and called out the address of the residence multiple times. The named officers entered the residence after the complainant opened the door. The BWC showed the named officers going room to room and often referred to the search warrant to verify the items listed. A named officer showed the complainant the items found in the suspect's bedroom and stated to the complaint that he was going to take it for evidence. The complainant acknowledged the named officer's statements. The Incident Report showed the items were listed as evidence.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful and proper.

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

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

**FINDINGS OF FACT:** The complainant stated that the SFPD failed to address drug activities and prostitution in his neighborhood. The complainant did not respond to DPA's multiple requests to contact DPA.

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**SUMMARY OF ALLEGATIONS #1-2:** The officers used unnecessary or excessive force.

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

**FINDINGS OF FACT:** The complainant stated officers responded to his girlfriend's home as a result of a 911 call. He stated that after the officers arrived, one grabbed his arm and pushed his face into the corner of two walls. The complainant further stated he was grabbed and tackled by both named officers, and that one of the named officers applied the handcuffs too tightly and later slammed him to the ground.

Named officer #1 stated he and named officer #2 were dispatched to an apartment building regarding a trespassing subject. Upon arrival on scene the officers observed the complainant seated in a second-floor window overlooking the street. Named officer #1 described the complainant as immediately agitated and non-compliant. The officers were eventually allowed into the building by the complainant's girlfriend (the 911 caller) who buzzed them in from her apartment. Named officer #1 stated they encountered the complainant in the steep building stairwell with an unknown object (later determined to be a metal tumbler) in his hand and ordered him to step back as they were trying to reach the girlfriend's front door. The complainant refused to move, so named officer #1 placed his arm into a bent wrist lock (placing the complainant's arm behind his back and pushing him forward) for less than one minute and moved the complainant. Named officer #1 stated he spoke with the girlfriend and confirmed that she was the 911 caller, that they had detained the correct individual, that he was not a resident and that she wanted him to leave.

Named officer #1 stated they initially explained the situation and attempted to prompt the complainant to walk out of the building on his own. The complainant began descending the stairwell; however, he prolonged the process by taking unnecessary steps and long exaggerated sips from his tumbler. Named officer #1 stated that rather than have a prolonged interaction in a narrow, steep stairwell, they elected to place the complainant in handcuffs and escort him physically out of the building. Named officer #1 explained that he followed his normal practice in applying handcuffs and that he checked for proper fitting when he placed them. They then sat the complainant down on the steps of a neighboring apartment building. Named officer #1 stated that he began to conduct a pat search when the complainant quickly stood up and stated that he had a dangerous item. Named officer #1 took the complainant down to the ground in a controlled manner ensuring that the complainant did not hit his head on the ground. He stated that he did not hear the complainant complain of pain or injury, that both officers employed de-escalation techniques by allowing the complainant to walk freely around the scene before handcuffing him and

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offered to call an ambulance multiple times because the complainant had stated that he had not been taking his medication for a diagnosed mental health condition.

Named officer #2 provided information that was consistent with the information provided by named officer #1.

Department records showed that the named officers were dispatched regarding a report from a woman in a dispute with her boyfriend who was not violent but was refusing to leave. The incident report reflected that the named officers made contact with the complainant in the building stairwell during which time the complainant repeatedly ignored requests to sit down and would frequently scream at the officers in an aggressive manner. The report documented that the officers advised the complainant that he was free to leave but was also required to vacate the premises. Ultimately, the officers placed the complainant in handcuffs and escorted him down the stairs because he would not leave voluntarily. The supplemental incident report showed that named officer #1 began conducting a pat search for weapons during which the complainant suddenly stood up and started walking away. In response, named officer #1 grabbed him by the upper body and took him to the ground which damaged the complainant's shirt.

Body-worn camera footage was consistent with the officers' statements. Upon arrival the officers spoke to the complainant through a second story opening in an external stairwell. The officers gained access to the front gate, entered, and encountered the complainant. The officers attempted to persuade the complainant to leave and when the complainant failed to comply, they grabbed him by the arms and handcuffed him. The officers then escorted the complainant out of the stairwell and sat him on the front steps of a neighboring building. Efforts to obtain the complainant's medical records from the treating hospital were unsuccessful.

One witness provided information based on her partial observations and hearing the interaction between the complainant and the officers. The witness partially observed the interaction on the stairs between the complainant and the officers and characterized the interaction as the officers used force against the complainant by using a steady push of the complainant against the wall.

Department General Order 5.01 provides that officers shall strive to use the minimum amount of force necessary to accomplish their lawful purpose. 5.01 allows handcuffing and control holds as possible force options even when a subject offers no resistance and allows takedowns and techniques to direct movement or immobilize when a subject does not respond to verbal commands but also offers no physical form of resistance.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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**SUMMARY OF ALLEGATION #3:** The officer improperly used physical control.

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

**FINDINGS OF FACT:** The complainant stated that he asked officers to loosen the handcuffs, but they tightened them instead.

The named officer denied tightening the handcuffs when asked to loosen them. He stated that he arrived after the complainant had been detained. He witnessed the complainant jump up suddenly and another officer assist him to the ground. The named officer stated that the complainant complained of wrist pain associated with his handcuffs at that time and that once they settled him down and he complied, the named officer readjusted his handcuffs, loosened them, checked for the proper degree of tightness and double-locked them. He stated that after that he didn't recall the complainant having any further complaints of wrist pain.

The Computer Aided Dispatch ("CAD") printout documented that the named officer was on scene in a back-up capacity.

Body-worn camera footage showed the named officer bending over the complainant's handcuffed wrists and physical manipulation of metallic objects could be heard; however, the complainant's wrists and handcuffs were not in view. Footage also showed the complainant complaining about his wrists and the named officer telling him that he will loosen them.

A witness stated that she observed bruising at the complainant's wrists the next day.

The evidence fails to prove or disprove by a preponderance of the evidence that the alleged conduct occurred.

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**SUMMARY OF ALLEGATION #4:** The officer improperly touched an adult in a sexual manner.

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

**FINDINGS OF FACT:** The complainant stated that the officer fondled his penis while conducting a pat search.

The named officer denied fondling the complainant's penis while conducting the pat search and explained that he only briefly searched the complainant's groin area.

Another officer on scene said that he did not see the named officer either intentionally or inadvertently touch the complainant's penis.

The supplemental incident report showed that the named officer began conducting a pat search for weapons during which the complainant suddenly stood up and started walking away. In response, the named officer grabbed him by the upper body and took him to the ground.

Body-worn camera footage showed the named officer initiating a pat search, the officer searching the complainant's back and front waist area and then the complainant's front pockets, at which point the complainant yelled out that "the cops are sexually abusing [him] right now" and stood up. The named officer was not observed to have fondled the complainant's groin area or penis.

The evidence proves that the conduct alleged did not occur.

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**SUMMARY OF ALLEGATION #5:** The officer behaved or spoke inappropriately.

**CATEGORY OF CONDUCT:**      **CUO**      **FINDING:**      **IE**      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that the officer berated and belittled him during their interaction.

The named officer admitted that he told the complainant that he was acting like a child but explained that he did so in an attempt to make the complainant aware of his behavior and the negative impact it was having on the situation.

Department records reflected that there was an emotional intensity to the interaction. The CAD printout showed that the complainant stated that he had a diagnosed mental health condition and had not been taking medications. The Incident Report documented that the complainant was agitated and would frequently scream at the officers in an aggressive manner.

Body-worn camera footage showed the complainant arguing with the officers and then descending the stairs in a halting manner at which time the named officer stopped him, applied handcuffs and stated, “you think that you can act like a child when the police are here” and then moments later “you are acting like a child, this is absurd.”

Department General Order 2.01(14) states in relevant part, “When acting in the performance of their duties, while on or off duty, members shall treat the public with courtesy and respect and not use harsh, profane or uncivil language.”

The language used by the officer was unkind and not helpful when dealing with a person in a mental health crisis. However, it did not rise to the level of misconduct.



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**SUMMARY OF ALLEGATIONS #1-6:** The officers behaved or spoke inappropriately.

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

**FINDINGS OF FACT:** The co-complainants are a married couple. They stated the San Francisco Police Department (SFPD) were called for a well-being check for co-complainant #1. Co-complainant #2 stated he was concerned about co-complainant #1's mental health. Co-complainant #2 stated the SFPD officers who arrived were unkind and acted cocky. Co-complainant #1 stated one of the officers told him to shut up.

The named officers' body-worn camera (BWC) footage was analyzed for this investigation. The footage showed the named officers exhibited a calm and professional demeanor when speaking with the co-complainants. At no point, does an officer tell co-complainant #1 to shut up.

Department General Order (DGO) 2.01 § 14, Public Courtesy, states, in part: "When acting in the performance of their duties, while on or off duty, members shall treat the public with courtesy and respect and not use harsh, profane or uncivil language."

The BWC footage of this incident shows the named officers maintained a respectful and professional tone as they spoke with both the co-complainants.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful and proper.

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**SUMMARY OF ALLEGATIONS #7-12:** The officers used unnecessary or excessive force.

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

**FINDINGS OF FACT:** Co-complainant #1 stated four officers tried to handcuff him. He struggled against the officers, and they pushed him to the ground. The complainant stated one of the officers placed his knee on the complainant's back which was very painful. An officer then handcuffed the complainant. The complainant stated the handcuffs were too tight and were very painful.

Named Officer #1, #4, and Named Officer #5 stated that physical control holds and handcuffs were used against the complainant. Named Officer #2 stated he was unaware of any force being used against the co-complainant #1. Named Officer #3 stated co-complainant #1 was handcuffed without incident. He stated co-complainant #1 was handcuffed to prevent co-complainant #1's increasingly agitated behavior. The named sergeant stated co-complainant #1 became angry when officers attempted to search him. The named sergeant stated co-complainant #1 was handcuffed for safety and assisted to the seated position.

The BWC footage of the incident shows Named Officer #1, #2, #4, and Named Officer #5 had minimal involvement with handcuffing the complainant. The BWC footage shows co-complainant #1 began yelling at co-complainant #2 until the named sergeant was able to get between them. Co-complainant #1 then attempted to walk past Named Officer #3. He demanded Named Officer #3 not touch him. The named sergeant was able to calm co-complainant #1 to the point where he and Named Officer #3 were able to handcuff the complainant and assist him to sit on the ground. The BWC footage shows the complainant is not pushed onto the ground by four officers nor was a knee placed on his back while he is on the ground. The footage also showed co-complainant #1 made no complaints of pain during the incident.

Co-complainant #1's medical records were analyzed as part of this investigation. The records do not document co-complainant #1 being in any pain. The only evidence of any injuries potentially caused by the named officers are superficial abrasions on his wrists.

DGO 5.01, Use of Force, offers a chart to illustrate how a suspect's actions can correlate to the force applied by an officer. It states an officer can utilize handcuffing and control holds against a subject offering no resistance.

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Named Officer #1, Named Officer #2, Named Officer #4, and Named Officer #5 were not involved with the complainant's handcuffing. Named Officer #3 and the named sergeant handcuffed co-complainant #1 after he began yelling at co-complainant #2 and Named Officer #3. They then assisted the complainant onto the ground by slowly lowering him in a seated position. Throughout the incident, the complainant made no complaints of pain. His medical records from after the incident show no evidence of the complainant being in pain or having any injuries beyond superficial abrasions. The BWC footage of the scene showed co-complainant #1 was not thrown to the ground by four officers and did not show an officer place a knee on the complainant's back.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful and proper.

**SUMMARY OF ALLEGATIONS #13-15:** The officers failed to provide their names or star numbers.

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

**FINDINGS OF FACT:** Co-complainant #1 stated he asked all the named officers for their names.

Named Officer #2, Named Officer #3, and Named Officer #4 stated they did not hear the complainant ask for their names or star numbers.

The BWC footage of the incident shows co-complainant #1 loudly asks for all the officers' names while Named Officer #2, Named Officer #3, and Named Officer #4 are near co-complainant #1. However, at the time he asks for their information, these named officers appear to be working on other tasks and are not directly interacting with the complainant.

Department General Order (DGO) 2.01 § 14, Public Courtesy, states, in part: "When requested members shall promptly and politely provide their name, star number and assignment."

Named Officer #2, Named Officer #3, and Named Officer #4 stated they did not hear the complainant ask for their names or star numbers. The BWC footage shows these named officers were not interacting with co-complainant #1 when he requested the names of all the officers at the scene. As these officers were not speaking with co-complainant #1 and appeared to be focused on other tasks when co-complainant #1 requested their information, it is more likely than not they did not hear co-complainant #1's request.

The evidence fails to prove or disprove that the alleged conduct occurred.

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**SUMMARY OF ALLEGATION #16:** The officer failed to provide his or her name or star number.

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

**FINDINGS OF FACT:** Co-complainant #1 stated he asked all the named officers for their names.

Named Officer #1 stated co-complainant #1 asked for the star numbers of the officers on scene. However, co-complainant #1 then stated he did not want Named Officer #1's name because Named Officer #1 had been kind to him.

The BWC footage of the scene supports that co-complainant #1 stated he did not want Named Officer #1's information.

A portion of the BWC footage's audio was redacted by the SFPD's Body Camera Unit; however, they were able to provide a transcript of Named Officer #1's conversation with co-complainant #1. The transcript shows co-complainant did not want Named Officer #1's information because Named Officer #1 had been kind to him.

Department General Order (DGO) 2.01 § 14, Public Courtesy, states, in part: "When requested members shall promptly and politely provide their name, star number and assignment."

Named Officer #1 did not provide his name and badge number to the complainant, because co-complainant #1 had told him he did not want the information.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful and proper.

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**SUMMARY OF ALLEGATIONS #17-18:** The officers failed to provide their names or star numbers.

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

**FINDINGS OF FACT:** Co-complainant #1 stated he asked all the named officers for their names.

The named sergeant did not hear co-complainant #1 request any of the officers' names or star numbers.

The BWC footage of the scene shows Named Officer #5 provided the complainant with his last name and badge number several times at co-complainant #1's request. The BWC footage of the scene shows the named sergeant had left the scene before co-complainant #1 asked for the named officers identifying information.

Department General Order (DGO) 2.01 § 14, Public Courtesy, states, in part: "When requested members shall promptly and politely provide their name, star number and assignment."

Named Officer #5 provided the complainant with his last name and badge number. At the time co-complainant #1 had asked for all the officers' names, the named sergeant had already left the scene.

The evidence proves that the conduct alleged did not occur.

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**SUMMARY OF ALLEGATIONS #19-24:** The officers conducted an improper search and seizure.

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

**FINDINGS OF FACT:** The co-complainants stated they had issues with the named officers entering their apartment. Co-complainant #1 stated the named officers should not have entered his bathroom when he was in the shower. Co-complainant #2 stated he allowed the named officers to enter their apartment but felt he did not have a choice.

The named officers responded to the apartment because co-complainant #2 had called dispatch and reported co-complainant #1 had been cutting his wrists with a knife. The named officers stated they entered the co-complainants' apartment after co-complainant #2 consented to their entry when he requested medical help for co-complainant #1. Also, the named sergeant stated the officers needed to immediately check on co-complainant #1's well-being since they been informed co-complainant #1 had threatened to harm himself, had started cutting himself and was smashing items within the apartment.

The BWC footage of the incident shows the named officers meet with co-complainant #2 just before entering the apartment. Co-complainant #2 opens the apartment's door for the named officers and directs them toward where co-complainant #1 is located.

Illinois v. Rodriguez, 497 U.S. 177 (1990), explains one of the exceptions to the warrant requirement for searching property. This case explains if consent is given by a person reasonably believed by an officer to have authority to give such consent, no warrant is required for a search or seizure.

Co-complainant #2 was co-complainant #1's husband and lives in the apartment with him. He requested medical assistance for co-complainant #1 and described a dangerous scene. When the officers arrived, co-complainant #2 opened the door for the named officers and directed them towards where his husband was located. The named officers entered the co-complainants' bathroom because co-complainant #1 was located there and the named officers needed to evaluate his wellbeing.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful and proper.

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**SUMMARY OF ALLEGATIONS #25-27:** The officers failed to take a required action.

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

**FINDINGS OF FACT:** Co-complainant #1 stated the named officers should not have entered his bathroom. This caused several of the officers to see co-complainant #1 naked.

Named Officer #1, Named Officer #3, and the named sergeant stated they did enter the bathroom. They explained they remained in the bathroom because they had received information co-complainant #1 had threatened to kill himself, had been cutting himself with a knife and throwing items around the apartment. Named Officer #1, Named Officer #3, and the named sergeant were concerned co-complainant #1 may have killed himself if he were left alone.

The CAD stated co-complainant #1 had been cutting himself and throwing objects. It stated he was now lying on the floor of his shower while crying.

The BWC footage of the scene showed the officers meeting with co-complainant #1 as he is lying in the shower. Co-complainant #1 appears very upset and demands the officers leave the room. Named Officer #1 explains to co-complainant #1 they cannot leave the room until they can ensure he is safe. Named Officer #1, Named Officer #3, and the named sergeant remain in the bathroom, explain they are concerned about co-complainant #1 and are able to quickly get co-complainant #1 clothed.

Department General Order (DGO) 2.01 § 1, Attention to Duty, states: “The basic mission of the San Francisco Police Department and its officers is to protect life and property, preserve the peace, prevent crime, enforce criminal laws and ordinances, and regulate non-criminal conduct as provided by law. While on duty, officers shall devote their entire time to the achievement of this mission within the context of their respective assignments.”

Named Officer #1, Named Officer #3, and the named sergeant had learned co-complainant #1 had begun to harm himself by cutting his arms with a knife. He had been acting violently by throwing items around his apartment. When the named officers found co-complainant #1, he was behaving in an erratic and irate manner. By staying within sight of co-complainant #1, the named officers were able to ensure he could not continue to harm himself.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful and proper.

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**SUMMARY OF ALLEGATIONS #28-30:** The officers failed to take a required action.

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

**FINDINGS OF FACT:** Co-complainant #1 stated the named officers should not have entered his bathroom. This caused several of the officers to see co-complainant #1 naked.

Named Officer #2, Named Officer #4, and Named Officer #5 stated they did not enter co-complainant #1's bathroom.

The BWC footage of the scene shows Named Officer #1, Named Officer #3 and the named sergeant were the only officers to enter the bathroom with the co-complainant.

Department General Order (DGO) 2.01 § 1, Attention to Duty, states: "The basic mission of the San Francisco Police Department and its officers is to protect life and property, preserve the peace, prevent crime, enforce criminal laws and ordinances, and regulate non-criminal conduct as provided by law. While on duty, officers shall devote their entire time to the achievement of this mission within the context of their respective assignments."

Named Officer #2, Named Officer #4, and Named Officer #5 did not enter the bathroom when co-complainant #1 was inside.

The evidence proves that the conduct alleged did not occur.



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**SUMMARY OF ALLEGATION #1:** The officer knowingly engaged in biased policing or discrimination.

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

**FINDINGS OF FACT:** The complainant stated that an officer effected a traffic stop of his vehicle and explained to the complainant that he did so because the complainant did not have license plates on the vehicle. The complainant responded that he just received the license plates that same day and showed them to the officer. However, the officer proceeded to issue the complainant a citation. The complainant stated that the officer did so due to his race.

The named officer stated that his attention was drawn to the complainant's vehicle because it did not have license plates. He also stated that it is within his normal practice to stop vehicles that do not have license plates and to issue the drivers traffic citations for these types of violations. The named officer stated that he was unaware of the complainant's race prior to the detention and only learned the complainant's race when he approached the vehicle.

The Computer Aided Dispatch (CAD) printout reflected that a traffic stop was made of the complainant's vehicle for no plates and that the complainant was issued a citation. The citation showed that the violation was listed as an infraction and identified the Vehicle Code section regarding display of license plates.

Body-worn camera ("BWC") footage showed that all of the windows of the complainant's vehicle appeared to be tinted with the exception of the front windshield, making it difficult to recognize detail inside the vehicle while looking in from the outside. The named officer was shown approaching the complainant in his car, stating the reason for the stop, explaining the law, interacting in a courteous manner, and primarily focusing on the violation. No discussion was heard between the named officer and his partner or the complainant regarding the complainant's race or ethnicity.

The version of DGO 5.17 in effect at the time of this traffic stop established the Department's commitment to unbiased policing and provided that, in an effort to prevent perceptions of biased law enforcement when conducting a vehicle stop, each officer (with consideration for officer safety), should be courteous and professional, approach the person being stopped and provide an explanation for the stop as soon as practical, ensure the detention is no longer than necessary to take appropriate action, answer questions the person may have regarding the stop, and provide his or her star number. BWC footage corroborated the named officer's assertion that he was unaware of the complainant's race until he was already approaching the vehicle based on a perceived equipment violation. The totality of the evidence proves by a preponderance that the officer was not motivated in his enforcement actions by the complainant's race. The evidence proves that the conduct alleged did not occur.

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

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

**FINDINGS OF FACT:** The complainant stated that during the traffic stop the officer became defensive and rude. Specifically, he stated that when he asked the officer how long he had been on the force, the officer rudely asked why he asked him that question and noted he did not have to answer.

The Computer Aided Dispatch (CAD) printout reflected that a traffic stop was conducted on the complainant's vehicle for no plates and that the complainant was issued a citation. The citation showed that the violation was listed as an infraction and identified as the vehicle code section regarding display of license plates.

Body-worn camera footage showed that the named officer approached the complainant, explained that he was pulled over because of the license plates, and asked for the complainant's license, registration, and insurance. While the complainant was getting his documents, they had a brief discussion about when the complainant got the car and an exchange during which the complainant asked whether the officers had cards, which the named officer misheard as cars. After the complainant provided his registration but before providing his license or insurance card, he asked the named officer how long he had been on the force. The named officer stated, "it doesn't matter" and asked again for the complainant's identification. Footage showed the named officer speaking to the complainant in a civil and professional tone.

DGO 2.01 (14) provides that members shall treat the public with courtesy and respect and not use harsh, profane or uncivil language.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The complainant stated that an officer effected a traffic stop of his vehicle and explained to the complainant that he did so because the complainant did not have license plates on the vehicle. The complainant responded that he just received the license plates that same day and showed them to the officer. However, the officer proceeded to issue the complainant a citation.

The named officer stated that he issued a citation to the complainant because he did not have a front or rear license plate mounted on the outside of the vehicle and stated that he had the vehicle for numerous months. He stated that it is within his normal practice to stop vehicles that do not have two license plates and to issue the drivers traffic violations for these types of violations of the Vehicle Code.

The Computer Aided Dispatch (CAD) printout reflected that a traffic stop was conducted on the complainant's vehicle for no plates and that the complainant was issued a citation. The citation showed that the violation was listed as an infraction and identified the Vehicle Code section regarding display of license plates.

Body-worn camera footage showed the named officer explaining to the complainant when he first approached that he was pulled over for the license plates violation and that he was required to have front and back plates or a paper copy from the dealership. The footage also showed at the end of the encounter that the named officer presented the complainant with what he referred to as a "fix it ticket for the plates" and briefly explained that it needed to be signed off on and what his signature on the citation meant.

DGO 9.01 provides that members enforcing traffic and parking laws must use discretion and shall not let the attitude of a violator influence their enforcement action. Here, the named officer issued a citation for violation of the vehicle code section regarding display of license plates.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The complainant stated the named officers failed to adequately address an ongoing noise issue caused by his neighbor. He stated that when the officers responded to the scene and spoke with the neighbor at issue, the officers did not do anything to help resolve the situation, such as issue his neighbor a warning. Additionally, the complainant stated he overheard the officers make comments to the neighbor suggesting that the complainant was the issue and agreed with the neighbor when she denied making any noise.

Both named officers confirmed responding to the call for service and denied failing to take required action or making any such comments as alleged by the complainant. The officers explained that when they arrived at the neighbor's door, they did not hear noise and thus could not take any formal action against the neighbor other than simply advising her of the complaint made against her, which they did.

Named officer #1 elaborated, and stated that when he arrived at the scene, he informed the complainant that the issue was not a criminal matter warranting police response and advised the complainant to speak with the building management regarding the issue. Additionally, he stated that he told the complainant he could only advise the neighbor that the complaint had been made, which the complainant understood.

Both officers denied saying anything to suggest that the complainant was the issue or taking the neighbor's side. Named officer #1 stated that when he spoke with the neighbor, she informed him that the walls were thin and that she too heard neighbors above her. Named officer #1 commented to her that given the set up of the apartment complex, the noise could have been coming from by a separate neighbor.

Body-worn camera footage supported the named officers' accounts. The footage reflected that named officer #1 informed the complainant that the noise issue was not a criminal matter and that the most they could do was advise the neighbor of the complaint, which the complainant appeared to understand. The footage also reflected that the officers spoke with the neighbor regarding the complaint made against her. The footage did not capture the officers making comments suggesting that the complainant was the issue.

Ordinances prohibiting unreasonable noise only apply to certain hours of the day. They did not apply in this case. Thus, the officers acted appropriately when they simply informed the neighbor of the complaint made against her.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 01/25/21      **DATE OF COMPLETION:** 09/02/21      **PAGE# 2 of 2**

**SUMMARY OF ALLEGATIONS #3-4:** The officers knowingly engaged in biased policing or discrimination.

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

**FINDINGS OF FACT:** The complainant stated that he believes the officers' inaction and behavior during this noise complaint call were racially motivated.

The named officers denied discriminating against the complainant in any manner.

DPA determined that the named officers acted appropriately in not taking formal action against the neighbor. Additional evidence did not exist suggesting that the officers acted in a discriminatory manner.

The evidence proves that the conduct alleged did not occur.

**SUMMARY OF ALLEGATION #5:** The officer spoke or behaved inappropriately.

**CATEGORY OF CONDUCT:**              **CUO**      **FINDING:**              **IE**      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that after the officers spoke with his neighbor, he confronted the named officer in the lobby about his failure to address the issue and expressed distaste with the investigation. The complainant stated he then proceeded to the elevator to go back to his unit, at which time the named officer prevented the doors from shutting behind him and inappropriately raised his voice.

The named officer denied complainant's allegations. The named officers' partner similarly denied hearing his partner yell or raise his voice at the complainant.

The officer, within Department policy, de-activated his body-worn camera at the conclusion of the incident when he finished speaking with the neighbor, and any subsequent conversation was not recorded. DPA was therefore unable to determine whether the exchange outlined by the complainant took place and/or whether the officer engaged in any wrongdoing.

The evidence fails to prove or disprove that the alleged conduct occurred.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/01/21      **DATE OF COMPLETION:** 09/02/21      **PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer displayed threatening, intimidating, or harassing behavior.

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

**FINDINGS OF FACT:** The complainant stated that a marked police vehicle followed him as he was driving home, stopped across the street, and waited at that location until he entered his home. He did not provide any identifying information about the patrol cars or the officers.

An officer identification poll was sent to the district station where the incident occurred. The poll came back with negative results. The identity of the alleged officer(s) could not be established.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**SUMMARY OF ALLEGATION #2:** The officer knowingly engaged in biased policing or discrimination.

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

**FINDINGS OF FACT:** The complainant stated that he believed he was followed and watched because of his race.

An officer identification poll was sent to the district station where the incident occurred. The poll came back with negative results. The identity of the alleged officer(s) could not be established.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 02/04/21    DATE OF COMPLETION: 09/02/21    PAGE# 1 of 3**

**SUMMARY OF ALLEGATION #1:** The officer knowingly engaged in biased policing or discrimination.

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

**FINDINGS OF FACT:** The complainant stated that while driving, he noticed a police car at an intersection. He stated that he proceeded to his destination and parked. Shortly after parking, the complainant stated that the named officer approached him in his vehicle, failed to tell him why he was being stopped and tried to open the complainant's car door. The complainant stated that there was no valid reason for the stop and that the named officer's detention was motivated by racial bias.

The named officer stated that he observed the complainant's vehicle speeding. The complainant also failed to stop at a stop sign at several intersections. He temporarily lost sight of the vehicle, searched the area, located the vehicle in a driveway, and then approached the parked vehicle and informed the driver of the reason for the stop. He stated that he did not know the complainant's race prior to contacting him and became aware of the complainant's race as he approached the parked vehicle. He stated that he issued the complainant a citation for a stop sign violation and for not having a front license plate on his vehicle. He stated that the complainant's race was not a factor in stopping and citing him during this incident.

DPA obtained a copy of the citation which showed that the complainant was cited for a stop sign violation and for not having a front license plate on his vehicle.

Body-worn camera (BWC) footage did not show any evidence of biased policing or discrimination.

Footage showed that the complainant's vehicle did not have a front license plate and that the named officer issued the complainant a citation for a stop sign violation and for not having a front license plate.

The evidence proves that the conduct alleged, biased policing, did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 02/04/21    DATE OF COMPLETION: 09/02/21    PAGE# 2 of 3**

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

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

**FINDINGS OF FACT:** The complainant stated that he asked the named officer what he did wrong, and the named officer ignored him, but tried to open his car door.

The named officer stated that after approaching the complainant's vehicle, he informed the complainant of the reason for the stop. He stated that he may have ordered the driver to open the door so that he could see inside as he was unsure whether the car was involved in other crimes or who was inside. He stated that he did not recall whether he attempted to open the vehicle's door during this incident.

Body-worn camera footage does not capture the named officer order the complainant to open his door or any similar interaction. Body-worn camera footage does not show the named officer attempt to open the complainant's vehicle's door.

Because the car door was never opened and the officer spoke to the complainant in a professional manner, the evidence proves that the conduct alleged, inappropriate behavior by the officer, did not occur.

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

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

**FINDINGS OF FACT:** The complainant stated that the named officer cursed at him after he asked the named officer what he did wrong.

The named officer stated that he does not recall using any profanity during this incident.

Body-worn camera footage did not show the named officer use any profanity.

The evidence proves that the conduct alleged did not occur.



**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 02/04/21    DATE OF COMPLETION: 09/02/21    PAGE# 3 of 3**

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

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

**FINDINGS OF FACT:** The complainant stated that the named officer issued him a citation without cause for failing to stop at a stop sign and for missing a front license plate. The complainant explained that he had recently purchased the vehicle and was waiting for issuance of a new license plate from DMV.

The named officer stated that he issued the complainant a citation for a stop sign violation and for not having a front license plate. He stated that the citation was justified as he witnessed the violations. He stated that he felt the driver was negligent in his driving and the issuance of a citation would incentivize the driver to drive more safely in the future.

DPA obtained a copy of the citation which showed that the complainant was cited for a stop sign violation and for not having a front license plate.

Body-worn camera footage showed that the complainant's vehicle did not have a front license plate. Body-worn camera footage showed that the named officer issued a citation to the complainant for a stop sign violation and for not having a front license plate.

DPA's investigation revealed the intersection where the alleged traffic violation occurred was controlled by a stop sign and that complainant's vehicle was issued license plates pursuant applicable laws by DMV. Even if the complainant was waiting for new license plates, the law does not allow for the operation of a motor vehicle in California without a front license plate under the circumstances.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/09/21    **DATE OF COMPLETION:** 09/02/21    **PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer conducted an improper search or seizure.

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

**FINDINGS OF FACT:** The complainant stated that officers arrived at her residence, spoke to her husband who was on probation, and directed her and her family to come outside while they searched her residence. She believed the search was conducted illegally.

The named officer stated that he participated in a probation search at the complainant's residence and assisted with the search of two vehicles. He stated that the search of the residence was legally justified because the complainant's husband was on probation with a condition that he must submit his person, vehicles, and home to search with or without probable cause. He stated that prior to the search he was informed by a probation officer that the complainant's husband lived at the address and had a search condition as part of his probation. He also reviewed a criminal background check that showed complainant's husband's search condition. The named officer stated that he had probable cause to believe that the vehicles were used by complainant's husband because of prior circumstances. Additionally, the complainant's husband had the keys.

Department records reflected that the complainant's husband had a warrantless search condition as a condition of his probation and that the incident report was authored by the named officer.

Body-worn camera footage showed that the named officer searched the complainant's residence and two vehicles, and that a police K9 was utilized during the search.

The evidence proves that the conduct alleged occurred; however, the conduct was justified, lawful and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 02/12/21    **DATE OF COMPLETION:** 09/13/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** By mutual agreement of the complainant and the station representative, the complaint was mediated and resolved in a non-disciplinary manner on 7/28/21.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 02/18/21    DATE OF COMPLETION: 09/02/21    PAGE# 1 of 2**

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

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

**FINDINGS OF FACT:** The complainant stated the named officers used excessive force while detaining and handcuffing him. The complainant stated he was not resisting the named officers, but they still used knee and elbow strikes against him. The complainant later admitted he wanted to “mess” with the officers, failed to comply with the officers’ orders, and verbally resisted officers. The complainant also stated that he was on probation with conditions to allow officers to detain and search him.

San Francisco Police Department documents were obtained and reviewed. The documents stated the complainant was stopped on a parole search condition, and the complainant was abusive and refused lawful orders. Officers placed the complainant into handcuffs.

Body-worn camera footage showed the complainant shouting and swearing at the named officers. Officers are heard providing the complainant instructions to comply with the detention, and the complainant replies with expletives. Officers are seen taking hold of the complainant’s arms to place him in handcuffs. The complainant pulls his arms into his body, resisting the named officers. The named officers place the complainant on the floor. The complainant is seen kicking out at one of the named officers before officers can restrain the complainant’s legs. The named officers are able to take the complainant’s arms and place him in handcuffs. The complainant is then sat up against the wall. At no point during the video footage are and strikes or blows used by officers. The complainant makes no complaint of pain to the officers at the scene.

The named officers stated the complainant was being abusive and refused orders. The complainant was placed in handcuffs due to his aggressive behavior. No officer used strikes or blows to detain or handcuff the complainant. The officers also stated the complainant did not have any visible injuries or complain of being injured.

Department General Order 5.01 Use of Force, Section III-A 1 states that “Officers may use reasonable force... to effect a lawful arrest, detention, or search.”

Department General Order 5.01 Use of Force, Section-IV B states, “Physical controls, such control holds, takedowns, strikes with personal body weapons, and other weaponless techniques are designed to gain compliance of and/or control over uncooperative or resistant subjects.”

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 02/18/21    DATE OF COMPLETION: 09/02/21    PAGE# 2 of 2**

The evidence showed that the officers had a lawful reason to detain and search the complainant. The complainant was uncooperative and actively resisted officers. The officers used reasonable force to conduct their duties.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 03/03/21    DATE OF COMPLETION: 09/02/21    PAGE# 1 of 2**

**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to receive a private person's arrest.

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

**FINDINGS OF FACT:** The complainant stated she was shopping at a store and had issues with the service she received. She spoke with the manager of the store, and the manager hit her in the arm. She stated she reported the incident and informed the named officers she wanted to arrest the manager, and the named officers did not make the arrest.

An incident report authored by named officer #2 documented that he accepted a citizen's arrest from the complainant per department policy. The incident report showed that a citation was not issued to the suspect as it was determined through the investigation that the complainant's claim against the suspect had no merit.

DPA obtained a copy of the citizen's arrest form, which the complainant had signed. DPA also obtained a photograph of the complainant's arm taken by an officer, which showed no visible injury.

Body-worn camera footage showed that the complainant requested a citizen's arrest of the manager for hitting her in the arm. Body-worn camera footage showed that named officer #2 provided the complainant a form to sign for her requested citizen's arrest. Body-worn camera footage showed that named officer #1 told the complainant that they were accepting her citizen's arrest. Body-worn camera footage showed that the suspect spoke with the named officers and denied hitting the complainant. The named officers attempted to obtain video surveillance footage of the incident, but the incident took place outside the camera range.

The evidence proves that the conduct alleged did not occur.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/03/21   **DATE OF COMPLETION:** 09/02/21   **PAGE# 2 of 2**

**SUMMARY OF ALLEGATION #3:** The officer knowingly engaged in biased policing or discrimination.

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

**FINDINGS OF FACT:** The complainant stated that the named officer told her that he could not arrest the suspect because the City and County do not allow African American people to arrest Caucasian people and that it was a policy.

The named officer stated that he never made this comment, or anything similar, to the complainant. He stated that the complainant's race did not factor into how he handled her request for a citizen's arrest or any decision-making during this incident.

Body-worn camera footage for this incident does not show the named officer make the alleged comment. Body-worn camera footage for this incident does not show any evidence of biased policing or discrimination.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/05/21    **DATE OF COMPLETION:** 09/30/21    **PAGE#** 1 of 2

**SUMMARY OF ALLEGATION #1:** The officer knowingly engaged in biased policing or discrimination.

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

**FINDINGS OF FACT:** The complainant provided information that the named officer detained subjects based on their race.

The named officer stated that he did not engage in biased policing by detaining the subjects. He stated he detained the suspect in the incident because he matched the description of a suspect armed with a firearm provided by Dispatch. He stated that the subjects were searched because, based on his training and experience, subjects that have recently committed a crime hide evidence on another person or drop the evidence before being contacted by police. He stated that the subjects' race did not factor into why they were detained for as long as they were.

The incident report documented that the named officer responded to a call for service and observed three subjects together, including one who matched the suspect's description provided by Dispatch. The report stated that the subjects were detained as possible high-risk subjects due to the violent nature of the call until the investigation determined they were not involved of any crime.

Body-worn camera and store security video footage for this incident did not show evidence of biased policing.

The evidence proves that the conduct alleged did not occur.

**SUMMARY OF ALLEGATION #2:** The officer engaged in unwarranted action.

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

**FINDINGS OF FACT:** The co-complainant stated that the named officer detained the subjects for an unreasonable amount of time.

The named officer stated that the time the subjects were detained was reasonable as a thorough investigation of the possible firearm-related crime was required.



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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 03/05/21    DATE OF COMPLETION: 09/30/21    PAGE# 2 of 2**

The incident report documented that an investigation was conducted regarding the alleged crime. The named officer spoke with the reporting party regarding the incident, searched the area for the firearm alleged to have been brandished, and other officers reviewed security camera footage.

Body-worn camera and store security video showed that the detained subjects were released around 38 minutes later after a thorough investigation was completed.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The co-complainant stated that the named officer failed to detain, arrest, or cite the reporting party during this incident for making a false police report.

The named officer stated that he did not detain, arrest, or cite the reporting party because he could not entirely speak for what the reporting party saw during the incident. He stated that he could not fully conclude that the reporting party did not see a firearm during this incident but could fully conclude that a firearm was not found on the detained subjects or in the location searched.

Body-worn camera footage for this incident showed that a supervising officer asked one of the subjects who had been detained if he wanted to sign a citizen's arrest on the reporting party and the subject declined.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/05/21      **DATE OF COMPLETION:** 09/19/20      **PAGE# 1 of 2**

**SUMMARY OF ALLEGATION #1:** Policy or procedure complaint.

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

**FINDINGS OF FACT:** The complainant stated he went to a police station and saw a Black Lives Matter (BLM) placard mounted on the bulletin wall in the lobby. There was also an LGBT Lives Matter sign laminated in plastic and posted on the wall. He complained that, amidst the Asian attacks, there was not any Asian representation in the lobby saying "Asian Lives Matter" or posters for the Asian community.

The named officer stated he was aware of the BLM plaque on the bulletin board at the station and explained Department of Public Works installed them. He did not personally approve of the plaque, and the information was posted under the direction of the Chief of Police and Department Policies. The officer further explained that the poster, which was unanimously approved by the Police Commission and under Chief Scott's direction, was directed to be displayed in every Police Station. He said the Safe Space Program (DB 19-016) designates every Police Station to be a primary safe sanctuary for every member of the community. These placards are to be posted at Police Station's public entrance and reception area. The officer added that there are no official and Department approved "Asian Lives Matter" placards or posters mandated to be posted at Police Stations.

Witness officer confirmed that the Police Commission resolution to the concurrent George Floyd protest specifically directed the Department to post BLM posters in the public lobbies of all stations. The Police Commission did not mention other ethnicities in the resolution. The witness officer added that the police chief and many other members of the police department had publicly denounced crimes against members of the Asian/AAPI communities on a local and national level. The chief also created the Community Liaison Unit to assist victims and witnesses with city resources and created an anonymous tip line in multiple languages to help report AAPI attacks.

The complainant provided photos of the bulletin board that showed a large BLM poster in the station lobby and another LGBT Safe Zone poster but no other posters related to Asian attacks.

Department Bulletin 19-016 states, "every police station will be a primary safe sanctuary for every member of the community."

The evidence collected proves that the BLM poster was approved by the Police Commission and directed by the police chief to be posted at all the stations. The evidence also shows that amid the Asian attacks, the station had created different resources to assist the Asian communities. However, there was no "Asian Lives Matter" placard approved or posted at the time, although every station is a primary safe sanctuary for every member of the community regardless of race. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/05/21      **DATE OF COMPLETION:** 09/19/20      **PAGE# 2 of 2**

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

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

**FINDINGS OF FACT:** The complainant stated that he heard from an unknown source that the named officer addressed all SFPD officers that the police department would be posting BLM posters at all stations. The officer said something to the effect of, "if anybody doesn't like that the posters are there, the front doors are right there," meaning officers can quit if they don't like the posters. The complainant found it offensive and believes that police stations should not be political, citing that BLM is a political statement.

The named officer stated that he was attending a lineup to address the recent civil unrest related to the death of George Floyd and the BLM posters to be posted in the lobby of all ten district police stations. The officer denied that he commented the line, "if anybody doesn't like that the posters are there, the front doors are right there." He said that the complainant misstated what he said, and the officer gave an interview to the media a few days later to set the record straight.

Furthermore, the named officer explained that when one of the members raised the issue of BLM posters being placed in the station as political activity, he responded that the City Attorney's office had vetted the issue. They advised that this was not considered political activity.

The news article the named officer referred quoted an anonymous source who said the named officer "basically said that he knows time sucks right now. It's gonna get worse, so just deal with it. Nothing you can do. If you want to leave, there's the door." The article also quoted the named officer's response as, "but I never said, there's the door. What I said was that this is a very diverse and well-educated department and that all of us have a choice, and we choose to be here."

No evidence collected proved that the named officer made the alleged statement. Instead, he said officers had a choice and chose to be in the Department.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 06/05/20    DATE OF COMPLETION: 09/30/21    PAGE# 1 of 4**

**SUMMARY OF ALLEGATIONS #1-2:** The officers used unnecessary or excessive force.

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

**FINDINGS OF FACT:** The complainant stated the named officers used excessive force, which caused him to sustain a broken arm. The complainant has failed to participate further in the investigation.

Named officer #1 stated he initiated a traffic stop on the complainant's vehicle for failing to display license plates. He stated he is familiar with the complainant and his extensive criminal history, including violence and aggression. Named officer #1 stated that during the traffic stop, the complainant was loud and non-compliant. He stated he did not cite the complainant but advised him to correct the violation. When named officer #1 attempted to return the complainant's driver's license and paperwork, the complainant refused to lower his window, whereby the named officer placed the documents under the complainant's windshield wiper. Named officer #1 stated that the contact ended, and the complainant was free to leave. However, the complainant exited his vehicle to retrieve his documents but then stood in a lane of traffic, yelling. The complainant initially disobeyed the named officer's orders to get back into his vehicle. Named officer #1 exited his vehicle to address the complainant. The complainant entered his vehicle in a concerning manner by reaching toward the floorboard. Named officer #1 stated, based on his knowledge of the complainant's criminal history and past experience with the complainant, he feared for his safety because the complainant was reaching into an area known to conceal weapons. He stated he removed the complainant from his vehicle, using an SFPD-approved control hold, and placed him into handcuffs with the assistance of named officer #2. He stated while doing so, the complainant resisted. Named officer #1 stated he and named officer #2 did not use excessive force on the complainant and complied with Department General Order (DGO) 5.01. He stated the complainant refused medical treatment and was released from the scene.

Named officer #2 stated the complainant was pulled over because his vehicle did not have license plates. He stated that he had had multiple prior contacts with the complainant. He stated named officer #1 interacted with the complainant regarding the traffic violation. The complainant would not lower his window to receive his driver's license and paperwork back from named officer #1, who subsequently left it under the complainant's windshield. Named officer #2 stated that after completing the traffic stop, the complainant exited his vehicle and stood in the middle of the street. He said named officer #1 ordered the complainant to get out of the street. He stated that named officer #1 removed the complainant from his vehicle, but he did not know why because of where he was standing. He stated he assisted named officer #1 with placing the complainant into handcuffs. He stated it was necessary to handcuff the complainant

**DEPARTMENT OF POLICE ACCOUNTABILITY  
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**DATE OF COMPLAINT: 06/05/20    DATE OF COMPLETION: 09/30/21    PAGE# 2 of 4**

due to his angry demeanor and failure to comply with a lawful order. Named officer #2 stated the complainant resisted their efforts to place him into handcuffs by tensing his arms and resisting. He stated he and named officer #1 used a control hold that was consistent with SFPD training. He stated he did not believe that he or named officer #1 used excessive force and complied with DGO 5.01. He stated the complainant was hostile toward the medics and refused treatment.

Witness officer #1 stated from his vantage point he could not see the named officers remove the complainant from the vehicle, nor was he able to see the complainant resist. He stated he did not observe the named officers use any control hold inconsistent with SFPD training. He stated he did not believe the named officers used excessive force on the complainant. In addition, witness officer #1 stated he performed the supervisory use of force evaluation and found the force reasonable and in compliance with DGO 5.01.

Witness officer #2 stated after the initial vehicle stop concluded, he was walking back to his vehicle when he saw named officer #1 remove the complainant from his vehicle. He stated he could not hear anything and could only make assumptions about why the complainant was removed from his vehicle. He stated he did not have any issues with how the named officers used the control hold or handcuffed the complainant as it was consistent with training taught at the Academy.

Witness officer #3 stated that after completing the traffic stop, he observed the complainant enter the street. He stated named officer #1 ordered the complainant to get back into his vehicle, but he refused. He stated named officer #1 exited his vehicle, but after that, witness officer #3 stated he could not hear the interaction. Witness officer #3 stated he observed the complainant walk back to his car and appear to dive towards the center console. He stated named officer #1 removed the complainant from his vehicle using a control hold consistent with Academy training, for which he had no concerns. Witness officer #3 stated his view was obstructed when the named officers placed the complainant in handcuffs.

No other witnesses were identified.

Department records indicate the named officers executed a traffic stop on the complainant's vehicle for failing to display license plates. The record indicates that the complainant has an arrest history of carrying a concealed weapon, exhibiting a firearm in front of a police officer, and other violent offenses. The record further states that the complainant was standing in a lane of traffic while yelling, refusing to get back into his vehicle after being given multiple orders. The complainant then went back to his vehicle and quickly reached toward the floorboard. He was subsequently removed from his vehicle by officer #1, handcuffed, and detained. The record states that the complainant complained of pain in his right arm. However, he refused medical treatment and transport to a hospital.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
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**DATE OF COMPLAINT: 06/05/20    DATE OF COMPLETION: 09/30/21    PAGE# 3 of 4**

The Supervisory Use of Force Evaluation concluded that the use of force was reasonable and in compliance with DGO 5.01.

BWC showed the named officers execute a traffic stop on the complainant's vehicle. It showed named officer #1 interact with the complainant while named officer #2 stood by the complainant's passenger door. The complainant was initially non-compliant when named officer #1 requested his license and registration. The complainant was highly agitated and argumentative for the duration of the traffic stop. The footage showed named officer #1 take the complainant's license to his patrol vehicle and perform a computer search. Named officer #1 did not issue the complainant a citation for the traffic violation. When officer #1 attempted to return the license, the complainant refused to lower his window and insisted that officer #1 hand him his license through the sunroof. Named officer #1 placed the complainant's license under the complainant's windshield wiper. The named officers then returned to their patrol vehicle and deactivated their BWC. Shortly after that, the named officers re-activated their BWCs which showed named officer #1 approach the complainant, who was next to his vehicle, remove him, and place him on the ground.

While doing so, the complainant dropped papers and other documents, which scattered on the ground. The footage continued and showed the named officers place the complainant into handcuffs without incident. The complainant, who was already yelling, began to yell that his arm was broken during that time. This interaction lasted only a few seconds. While on the ground, the complainant was agitated and continued to yell. The witness officers on-scene attempted to communicate with the complainant regarding the pain in his arm. However, the complainant yelled over the witness officers and did not initially respond. Witness officers gathered the complainant's paperwork scattered on the ground and placed them on the trunk of the complainant's vehicle. Cash was not seen on BWC footage. Medics arrived and evaluated the complainant's arm. The complainant indicated to the medics that he refused treatment and transportation to the hospital. The complainant gathered his documents and left the scene in his vehicle.

Department General Order 5.01 (Use of Force) states in relevant part that officers are to use the minimal amount of force necessary "to effect an arrest or achieve a lawful objective without increasing the risk to others." In addition, it further states, "Officers may use reasonable force options in the performance of their duties . . . to effect a lawful arrest, detention, or search . . . to overcome resistance or to prevent escape."

BWC footage showed the interaction where force was used lasted only seconds and did not show the named officers use any force greater than was necessary to detain the complainant.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 06/05/20    DATE OF COMPLETION: 09/30/21    PAGE# 4 of 4**

**SUMMARY OF ALLEGATIONS #3-7:** The officers failed to properly process property.

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

**FINDINGS OF FACT:** The complainant stated that after he was released from a detention, the named officers did not return his cash or driver's license. The complainant has failed to participate further in the investigation.

The named officers stated they did not take the complainant's cash or his driver's license. They stated they never saw cash on the complainant. In addition, they denied taking the complainant's driver's license.

Department records indicate the named officers executed a traffic stop on the complainant's vehicle for failing to display license plates. The record indicates that the complainant has an arrest history of carrying a concealed weapon, exhibiting a firearm in front of a police officer, and other violent offenses. The record further states that the complainant was standing in a lane of traffic while yelling, refusing to get back into his vehicle after being given multiple orders. The complainant then went back to his vehicle and quickly reached toward the floorboard. He was subsequently removed from his vehicle by officer #1, handcuffed, and detained. The record states that the complainant complained of pain in his right arm. However, he refused medical treatment and transport to a hospital.

BWC footage did not show cash on or around the complainant, nor did it show any officer take possession of cash. The footage showed named officer #1 take possession of the complainant's driver's license after he made initial contact with the complainant. The footage showed the named officer return the driver's license to the complainant on his windshield after the complainant refused to lower his window to receive the license. In addition, after the complainant was subsequently detained and handcuffed, the named officers were shown collecting miscellaneous papers that fell on the ground and placing them on his vehicle's trunk. It is unclear from the BWC in this second interaction if the driver's license was returned.

However, one month later, BWC footage from a police traffic stop showed an officer inspect the driver's license the complainant alleges was not returned to him. Based on the BWC footage and the complainant's lack of credibility, there is no evidence that the complainant's property was not returned.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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**DATE OF COMPLAINT:** 03/15/2021    **DATE OF COMPLETION:** 09/12/21    **PAGE# 1 of 2**

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

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

**FINDINGS OF FACT:** The complainant stated that an officer rudely threatened to arrest his wife for refusing to vacate an encampment. The complainant was not present during the incident.

The named officer denied acting rudely, threatening to arrest the complainant's wife, or ordering her to move along. The named officer stated he was a station Homeless Resource Officer working with the Healthy Streets Operation Center (HSOC). While on patrol, he observed the complainant's wife next to a tent on the sidewalk. The named officer approached the complainant's wife intending for their interaction to be a consensual encounter to offer and discuss resources and services. The complainant's wife was irate from the outset and yelled at him. The named officer disengaged with the complainant's wife when his attempts to offer services failed.

The complainant's wife did not respond to DPA efforts to interview her.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**SUMMARY OF ALLEGATION #2:** The officer failed to display their name or star number.

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

**FINDINGS OF FACT:** The complainant stated that the named officer's uniform lacked identifying markers such as a name and star. The complainant was not present during the incident.

The named officer stated he was in full uniform and driving in a marked police car. His name and a star number on his uniform and unobstructed. The named officer stated the complainant's spouse did not ask for his name and star number during their brief contact.

No witnesses came forward.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.



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**DATE OF COMPLAINT:** 03/15/2021    **DATE OF COMPLETION:** 09/12/21    **PAGE# 2 of 2**

**SUMMARY OF DPA-ADDED ALLEGATION #1:** The officer failed to activate a body a body-worn camera as required.

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

**FINDINGS OF FACT:** The investigation revealed that the named officer did not activate his body-worn camera when approaching the complainant's spouse.

The named officer stated the contact was a brief and consensual encounter for the purpose of offering City resources and services. The named officer did not activate his body-worn camera because there was no criminal matter at hand. The named officer also stated that, from his experience, some people get upset when they hear the camera beep and know they are being recorded and he was trying to avoid upsetting the complainant's spouse.

Department regulations dictate that officers must activate their camera if they are in contact with the suspect, witness, or victim of a crime.

No witnesses came forward.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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**DATE OF COMPLAINT:** 03/15/21    **DATE OF COMPLETION:** 09/20/21    **PAGE#** 1 of 5

**SUMMARY OF ALLEGATION #1:** The officer detained a person without reasonable suspicion.

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

**FINDINGS OF FACT:** The complainant stated that the named officer detained him while he was shopping in a retail store. The complainant stated he did not provoke anyone at the store, and that he did not know why he was approached and later detained by the named officer outside the store.

The named officer stated she has reason to detain the complainant for trespassing and for committing a battery against a police officer. The named officer was working an overtime assignment at a retail store. Her role during the assignment was to assist with security and theft prevention. The named officer stated she initially approached the complainant because he was yelling at store staff. The named officer stepped between store staff and the complainant to calm the situation and prevent the complainant from reentering the store. The complainant was aggressive, argumentative, and did not comply with verbal orders to leave. The complainant then shoved the named officer and tried to reenter the store. The named officer took hold of the complainant to escort him outside. As she grabbed his right wrist, the complainant swung his hand and struck her in the face.

A witness from the store staff observed the complainant strike the officer in the face and stated the complainant was verbally aggressive toward her and argued with the named officer.

Department records showed that the named officer detained the complainant in handcuffs during an overtime shift at a retail store. The named officer advised the complainant not to return and did not issue a citation for battery or trespassing.

The body-worn camera footage revealed that the named officer detained the complainant in handcuffs outside the store. The footage also showed the officer bleeding after being struck by the complainant. Store surveillance video showed that the complainant attempted to maneuver around the named officer to reenter the store, that he shoved her, and that he swung his arm across her face.

The named officer had cause to detain the complainant because he refused to leave the store upon request and because he struck her in the face.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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**DATE OF COMPLAINT:** 03/15/21    **DATE OF COMPLETION:** 09/20/21    **PAGE# 2 of 5**

**SUMMARY OF ALLEGATION #2:** The officer applied handcuffs without justification.

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

**FINDINGS OF FACT:** The complainant stated he did nothing that warranted the named officer to handcuff him while escorting him out of the store.

The named officer stated she handcuffed the complainant after he refused to leave a store, attempted to maneuver around her, and struck her in the face. The named officer stated the complainant was aggressive and uncooperative and that she handcuffed him for her own safety and the safety of other around her.

A witness from the store staff observed the complainant strike the officer in the face. The witness stated the complainant argued and was uncooperative with the named until he was handcuffed.

Surveillance video showed that the complainant acted in an aggressive manner, attempted to maneuver around the named officer, and swung his hand across the named officer's face.

The evidence showed that the complainant resisted lawful orders and that the named officer was justified in applying handcuffs to his wrists for safety reasons.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

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

**FINDINGS OF FACT:** The complainant stated he was not doing anything wrong and when he turned to face the named officer, he was physically escorted out of the store even though he told her that he could leave the store on his own volition. The complainant stated he wanted justification for the named officer's hostile behavior and the unnecessary treatment he received.

The named officer stated she intervened when the complainant was yelling at store staff. The named officer stated she warned the complainant not to be verbally aggressive with the store staff, but he refused to cooperate and leave the store.

Body-worn camera footage revealed no inappropriate behavior or comments. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**SUMMARY OF ALLEGATION #4:** The officer failed to comply with Department General Order 5.01.

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

**FINDINGS OF FACT:** The complainant stated that, as he was leaving the store, he felt slight blows on his back. The complainant stated the officer pushed and grabbed him while removing him from the store. The complainant stated the officer's actions amounted to unnecessary force.

The named officer stated that store staff asked her to physically escort the complainant from the store because he was refusing to leave. As she was escorting him out, the complainant attempted to pull away from her grasp and in doing so, he struck her in the face with his hand. The named officer stated she handcuffed the complainant for officer safety and physically held onto the complainant as she escorted him out of the building.

Surveillance video showed the complainant resisted the named officer by turning and trying to walk past her, by pulling away, and by swinging his arm across her face. Body-worn camera footage also showed that the complainant struck the officer's face area as she was escorting him from the store.

**SUMMARY OF ALLEGATION #4:** Continued.

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**DATE OF COMPLAINT: 03/15/21    DATE OF COMPLETION: 09/20/21    PAGE# 4 of 5**

A witness observed the complainant strike the named officer in the face. The witness stated the complainant was verbally aggressive, argumentative, and not cooperative toward store staff and the named officer.

The named officer's use-of-force was reasonable and necessary under the circumstances. The complainant disobeyed her lawful orders to leave the store and it was reasonable for the officer to hold his arm to escort him out. It was also reasonable to detain the complainant in handcuffs after he struck her in the face.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**SUMMARY OF ALLEGATION #5:** The officer failed to provide required information.

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

**FINDINGS OF FACT:** The complainant stated the officer did not provide him with documentation regarding the incident, such as an incident report or any related documentation.

The named officer stated she authored an incident report and completed a Certificate of Release form which was issued to the complainant at the scene.

SFPD records revealed that a police report was authored by the named officer and that a copy of the Certificate of Release was attached to the report as evidence. Body-worn camera footage revealed the named officer explained to the complainant that an incident report was going to be prepared and that a copy of the Certificate of Release form was prepared and placed into the complainant's clothing as his handcuffs were being removed. The video footage also showed that the named officer explained to the complainant that the certificate of Release form was prepared because he was handcuffed during a detention.

Witness officers stated the named officer gave the complainant a follow up form and a copy of the Certificate of Release form at the scene.

The evidence proves that the alleged conduct did not occur.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 03/15/21    **DATE OF COMPLETION:** 09/20/21    **PAGE# 5 of 5**

**SUMMARY OF DPA-ADDED ALLEGATION #1:** The officer failed to activate a body-worn camera as required.

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

**FINDINGS OF FACT:** During the investigation, DPA found that the named officer failed to activate her body-worn camera from the very beginning of the contact with the complainant. Department records showed that the named officer documented in her incident report that she initially did not activate her body-worn camera due to the quick escalation of the incident and with concern for officer safety. The named officer stated that the incident quickly escalated from a consensual encounter to taking law enforcement action and that she did not activate her body-worn camera until the incident became a detention and she felt safe.

Store surveillance video revealed a very brief contact between the complainant and the officer before the complainant tried to push his way past the officer to reenter the store. Within moments, the complainant swung his hand across the officer's face, causing injury.

Department General Order 10.11 requires members equipped with body-worn cameras to activate them to record detention and arrests. Furthermore, Department Bulletin 20-175 clarified that members shall ensure the entire event is captured during all mandated recording circumstances by beginning the recording prior to approaching a person, vehicle, or location.

Department rules require an officer to activate a body-worn camera before approaching a situation where enforcement action is likely. However, in this case, the named officer was working an overtime shift at a retail store, which meant she was frequently interacting with store staff and guests in a consensual manner. When she initially approached the complainant and store staff, her intent was to calm the situation and find out if anyone needed help. This initial brief contact by the named officer with the complainant began a consensual encounter that quickly escalated into a detention with handcuffing. When the encounter escalated, the named officer activated her camera as soon as possible and quickly enough to record the detention, handcuffing, and release of the complainant from the scene.

The officer adhered to the required Department regulation when an incident occurred requiring that she activate her BWC. The regulation allows for officers to activate their cameras when safe. The officer properly indicated in her incident report when and why she activated her camera.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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**DATE OF COMPLAINT:** 03/30/21    **DATE OF COMPLETION:** 09/12/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** The complainant stated he was issued a citation without cause. The complainant was cited for violating California Vehicle Code sections 22400(a), Slow speed impeding traffic flow, and 14600(a), Failure to notify DMV of new address (correctable violation). The complainant acknowledged double-parking to let out a rideshare passenger.

Body-worn camera evidence showed the complainant's vehicle stopped in a lane of traffic, forcing passing vehicles to enter oncoming traffic lanes. The named officer motioned with his hand to the complainant, greeted him, and asked him to pull over in front of his patrol vehicle. The officer advised the complainant that he was not allowed to stop because he was impeding the flow of traffic and asked for the complainant's driver license, vehicle registration, and proof of insurance. The complainant admitted that the address on his driver license was not current. The officer educated the complainant about notifying DMV of his change of address.

California Vehicle Code section 22400(a) states that no person shall drive upon a highway at such a slow speed as to impede or block the normal and reasonable movement of traffic unless the reduced speed is necessary for safe operation, because of grade, or in compliance with law. California Vehicle Code section 14600(a) requires drivers who change their mailing address to notify the Department of Motor Vehicles within 10 days.

Court records show the complainant signed a leniency agreement and pled guilty to both violations. The court imposed a fine and ordered the complainant to attend traffic school.

The evidence shows that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
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**DATE OF COMPLAINT: 04/05/2021    DATE OF COMPLETION:    09/02/21    PAGE# 1 of 3**

**SUMMARY OF ALLEGATION #1:** The officer engaged in unwarranted action.

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

**FINDINGS OF FACT:** The complainant stated that subjects employed by a private business were dismantling an encampment with SFPD officers' help in violation of applicable city policies.

Department records indicate that officers responded to a 911 call reporting the use of a firearm. Officers arrived and determined it was a false report. They stood by while the subjects continued to clean the streets.

The named officer stated she advised members of the nearby encampment that they could not take up the whole sidewalk and informed them that the nearby building owner was offering to assist in dumping trash and moving tents. She stated that she did not assist in removing or clearing any encampments and did not order any encampment members out of the encampment. She stated that she did not cite or admonish any encampment members and followed department policy and procedure regarding addressing lodging and encampments.

The complainant submitted video footage that showed that the named officer jostled a tent in the encampment and later stood by the tent with another person. This video footage has no audio.

Body-worn camera footage for this incident showed that the named officer advised a subject in the encampment that the tent she was occupying was blocking the sidewalk, that it is illegal, but she was not concerned due to the time of night. She informed the subject that they (*the employees of the nearby business*) were willing to dispose of anything that is not wanted and that they are requesting that members of the encampment move across the street. Body-worn camera footage showed that the named officer walked near other tents and asked if anyone else was present.

The evidence proves that the underlying events occurred; however, the conduct was justified, lawful, and proper.



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**DATE OF COMPLAINT: 04/05/2021    DATE OF COMPLETION: 09/02/21    PAGE# 2 of 3**

**SUMMARY OF ALLEGATIONS #2-3:** The officers failed to properly investigate.

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

**FINDINGS OF FACT:** The complainant stated that he called the police to report theft of items from the encampment the day after the subjects hired by a private company came to clear out the encampment. He stated that the named officers responded to the call, spoke to a victim who came forward regarding missing property, and made a report, but failed to investigate properly.

The first named officer stated that he and the second named officer responded to the scene, took witness statements, and later documented the information in a report. He stated that he attempted to gather all available information regarding the incident at the time. He stated that he determined that no theft occurred because the witness whose belongings were missing informed him that he left his belongings unattended on the sidewalk. The first named officer stated that the witness' belongings could easily have been mistaken for abandoned property.

Department records revealed that the named officers responded to this call for service and the first named officer authored an incident report. The incident report documents that the witness showed the first named officer video footage, but the footage did not show the witness' property.

Body-worn camera footage for this incident showed that the named officers responded to the scene and took witness statements. Body-worn camera footage showed that the first named officer took a statement from the witness whose belongings were missing and watched video footage he had on his phone. The witness stated that he left his belongings on the sidewalk and noticed the items were missing later, possibly the following day. Body-worn camera footage showed that the witness was asked if anyone prevented him from taking and moving his belongings, and the witness said no.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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**DATE OF COMPLAINT: 04/05/2021    DATE OF COMPLETION:    09/02/21    PAGE# 3 of 3**

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

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

**FINDINGS OF FACT:** The complainant stated that when the officers arrived on the scene regarding the theft report, the officer seated in the passenger seat commented about items in the encampment, “it doesn’t matter, it’s all stolen stuff anyway.”

The named officer stated that he did not make this statement or any similar statement.

Body-worn camera footage for this incident showed that the named officer was seated in the passenger seat of the patrol vehicle just before exiting. Body-worn camera footage did not capture the named officer make this comment or anything similar

The evidence proves that the conduct alleged did not occur.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 04/13/21      DATE OF COMPLETION: 09/16/21      PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** The complainant stated that he received a suspicious email from someone claiming to be an SFPD officer. The request that was sent originated from an encrypted personal email address created with an anonymous server.

The named officer denied that he sent a request to the complainant from a personal email address. He further stated that he had no knowledge of the email address, and it did not belong to him. He stated that anyone could have created an email address with his name in it and sent the email.

There was no metadata or electronic indicators to prove the origin of the email. DPA has evidence that there have been multiple past attempts to impersonate this particular officer using anonymous servers. Therefore, a preponderance of the evidence proved that the named officer more likely than not did not author the suspicious email.

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**DATE OF COMPLAINT:** 04/19/21    **DATE OF COMPLETION:** 09/02/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was referred to:

San Francisco Police Department  
Internal Affairs Division  
1245 3rd Street  
San Francisco, CA 94158

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 04/22/21    DATE OF COMPLETION: 09/16/21    PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer failed to comply with DGO 9.01

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

**FINDINGS OF FACT:** The complainant, a food delivery driver, was parked illegally at a bus zone so he could pick up food at a restaurant. He heard an officer speaking over the PA system saying, “move your car.” One person moved their car. The complainant instead approached the passenger officer, apologized, and then explained to the passenger officer his confusion with the Civil Code. The named officer stepped out of the patrol car and started writing a parking citation. When the complainant questioned why he was being cited, the named officer told the complainant that he would have let the complainant go if the complainant had not opened his mouth about the Civil Code. The complainant did not dispute the legality of the citation; however, he believed the named officer’s behavior was abusive as the complainant was only clarifying his understanding of the Civil Code.

The named officer did not recall his contact with the complainant. He stated that the contact must have been brief and that if he issued the complainant a parking citation for a bus stop or red zone violation, then he must have done it in good faith. The named officer stated that he did not have to issue the complainant a warning or use his discretion when the parking violation was legally justified or a blatant violation of the law.

The named officer’s partner also did not recall the incident.

Department General Order 9.01, Traffic Enforcement, stated, in parts, that members shall not let the attitude of the violator influence their enforcement action.

The named officer did not recall the incident and he did not activate his body worn camera. BWC activation was not required for this incident under the Department rules.

There was no record of the incident to determine if the complainant’s attitude during the incident influenced the officer to issue the citation or to determine if any discretion was warranted in not issuing the parking citation.

The evidence fails to prove or disprove that the alleged conduct occurred.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/07/21      **DATE OF COMPLETION:** 09/16/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** The complainant was playing music in front of a closed storefront on a public sidewalk when an officer accused him of panhandling. The officer told the complainant that his actions were unlawful. The complainant denied panhandling and did not believe the officer had authority to instruct him to cease his actions on a public sidewalk. The complainant did not get the name or star number of the officer.

An Identification Poll sent to the district station yielded negative results, and despite several attempts, DPA was otherwise unable to locate documentation reflecting the incident. The officer could not reasonably be identified.

No finding outcome occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not be reasonably identified, or the officer was no longer with the Department and therefore was no longer subject to Department discipline.

**SUMMARY OF ALLEGATION #2:** The officers behaved or spoke inappropriately.

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

**INDINGS OF FACT:** An Identification Poll sent to the district station yielded negative results, and despite several attempts, DPA was otherwise unable to locate documentation reflecting the incident. The officers could not reasonably be identified.

No finding outcome occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not be reasonably identified, or the officer was no longer with the Department and therefore was no longer subject to Department discipline.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 05/12/21    DATE OF COMPLETION: 09/20/21    PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer prepared an incomplete or inaccurate incident report.

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

**FINDINGS OF FACT:** The complainant stated she and her partner went to the police station to report an incident. The complainant stated she was provided an Incident Report number, but it was incorrect. The complainant stated the report number provided was from a previous incident she had reported and had nothing to do with the most current incident she was reporting.

An investigation of the report number provided by the complainant indeed did not match the incident she had described or the date of the incident.

A records search conducted for the reported incident did not match any details that were provided by the complainant.

A search was conducted on the persons named by the complainant. No evidence was found about the people involved or the location at the time of the incident. As a result, no officer could be found or identified.

The complainant provided a physical description of the named officer. An ID Poll was conducted. No officer at the named station matched the description provided by the complainant.

The complainant also provided the first two letters of the named officer's name. A search of the SFPD 2021 roster and the police service aide roster did not produce a result.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

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COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/19/21    **DATE OF COMPLETION:** 09/19/19    **PAGE#** 1 of 5

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

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

**FINDINGS OF FACT:** The complainant stated the named officer issued him a citation for driving while having a suspended license. He stated that when the named officer issued him a citation, his driver's license was valid and in good standing.

The named officer stated that after he initiated a traffic stop on the complainant for making an illegal left turn, he ran a query on the complainant's name in the police database, which returned information from the DMV that his driver's license was suspended at that time. Based on the DMV's information, he stated that he cited the complainant for driving while having a suspended license.

Department records indicate that the complainant was cited for driving while having a suspended license in violation of California Vehicle Code §14601.1.

DMV records indicate that the complainant's driver's license was suspended when the named officer issued him a citation.

Court documents indicate that the DMV mistakenly entered information into the police database that the complainant's driver's license was suspended when the named officer issued him a citation.

Body-worn camera (BWC) footage is no longer available due to the lengthy period between the date of the incident and the date of the complaint,

California Vehicle Code §14601.1 states, in relevant part, that it is unlawful for a person to drive while their driving privilege is suspended.

Department General Order 9.01 (Traffic Enforcement) states, in relevant part, that traffic enforcement is a major priority of the Department.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.



**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/19/21    **DATE OF COMPLETION:** 09/19/19    **PAGE# 2 of 5**

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

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

**FINDINGS OF FACT:** The complainant stated that the named officer issued a citation for making an illegal left turn. The complainant stated he did not make a left turn; he made a legal right turn.

The named officer stated he cited the complainant for making an illegal left turn. He stated multiple signs were indicating that a left turn was prohibited.

Department records indicate that the complainant was cited for making an illegal left turn at a red light in violation of California Vehicle Code §22101.

Body-worn camera (BWC) footage is no longer available due to the lengthy period between the date of the incident and the date of the complaint.

California Vehicle Code §22101 states, in relevant part that it is unlawful for a vehicle to disobey the directions of the official traffic control device.

Department General Order 9.01 (Traffic Enforcement) states, in relevant part, that traffic enforcement is a major priority of the Department.

The evidence fails to prove or disprove that the alleged conduct occurred.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/19/21    **DATE OF COMPLETION:** 09/19/19    **PAGE# 3 of 5**

**SUMMARY OF ALLEGATION #3:** The officer towed a vehicle without justification.

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

**FINDINGS OF FACT:** The complainant stated the named officer did not have justification for towing his vehicle because his driver's license was not suspended at that time.

The named officer stated that after he initiated a traffic stop on the complainant for making an illegal left turn, he ran a query on the complainant's name in the police database, which returned information from the DMV that his driver's license was suspended at that time. He stated he also received information from the DMV that the complainant had a prior suspension of his driver's license. The named officer stated that per Department policy, he was required to tow the complainant's vehicle because he has a past suspension.

Department records indicate the named officer towed the complainant's vehicle after issuing the complainant a citation for driving while having a suspended license.

Body-worn camera (BWC) footage is no longer available due to the lengthy period between the date of the incident and the date of the complaint.

Department General Order 9.06 (Vehicle Tows) states, in relevant part, that an officer shall tow a vehicle driven by any person who has had their driver's license suspended or revoked.

The named officer followed Department policy when he towed the complainant's vehicle based on the DMV's erroneous information.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/19/21    **DATE OF COMPLETION:** 09/19/19    **PAGE# 4 of 5**

**SUMMARY OF ALLEGATIONS #4-5:** The officers conducted an improper search or seizure.

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

**FINDINGS OF FACT:** The complainant stated that after he was stopped for making an illegal left turn, the named officers searched his vehicle before his vehicle being towed.

The named officers stated they conducted an inventory search of the complainant's vehicle, as required by Department policy, before towing the complainant's vehicle.

Department records indicate that named officer #1 towed the complainant's vehicle after issuing the complainant a citation for driving while having a suspended license.

Body-worn camera (BWC) footage is no longer available due to the lengthy period between the date of the incident and the date of the complaint.

Department General Order 9.06 (Vehicle Tows) states, in relevant part, that an officer shall tow a vehicle driven by any person who has had their driver's license suspended or revoked. In addition, it states that before a vehicle tow, an officer must complete an inventory of its contents.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/19/21    **DATE OF COMPLETION:** 09/19/19    **PAGE# 5 of 5**

**SUMMARY OF ALLEGATION #6:** The officer displayed threatening, intimidating, or harassing behavior.

**CATEGORY OF CONDUCT:**      **CUO**    **FINDING:**      **IE**      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated that while he was waiting outside a courtroom to contest the citation issued by the named officer, the named officer told him to sign a document, and if he did not, the complainant would be in trouble.

The named officer stated he never threatened the complainant or asked him to sign a document at court.

The evidence fails to prove or disprove that the alleged conduct occurred.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/20/21      **DATE OF COMPLETION:** 09/02/21      **PAGE# 1 of 2**

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

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

**FINDINGS OF FACT:** The complainant submitted an online complaint. The complainant stated that an officer parked a police vehicle on the sidewalk blocking pedestrians and causing them to walk out into traffic. The complainant stated the officer refused to move his vehicle. The complainant provided the vehicle number but did not provide further details, such as a description of the officer involved. The complainant failed to respond to further requests for information.

Department documents showed that no officers used the vehicle with the number described by the complainant on the day of the incident. The documents failed to identify the officer involved.

Investigations at the police station the vehicle was assigned failed to identify an officer.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/20/21      **DATE OF COMPLETION:** 09/02/21      **PAGE# 2 of 2**

**SUMMARY OF ALLEGATION #2:** The officer failed to provide their name or star number.

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

**FINDINGS OF FACT:** The complainant stated an officer parked a police vehicle blocking the sidewalk. The complainant asked for the officer's name and star number, but the officer refused to provide either. The complainant provided the vehicle number but did not provide further details, such as a description of the officer involved. The complainant failed to respond to further requests for information.

Department documents showed that no officers used the vehicle with the number described by the complainant on the day of the incident. The documents failed to identify the officer involved.

Investigations at the police station the vehicle was assigned failed to identify an officer.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/11/21    **DATE OF COMPLETION:** 09/02/21    **PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer knowingly engaged in biased policing and discrimination.

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

**FINDINGS OF FACT:** The complainant stated that an officer followed him into the driveway of a San Francisco church, stared at him without reasonable suspicion, and then left. In another incident, he said the same police officer made eye contact with him at a San Francisco store as if he was not going to pay for the merchandise. The complainant said the officer was racial profiling him in both incidents. The complainant provided the officer's description and the patrol vehicle number the officer drove but did not provide the date and time of the second incident. There was insufficient information to conduct a thorough investigation for both incidents.

Inquiries at the local police station indicated that the station does not have the described vehicle in its inventory. Other department records showed that the patrol vehicle was outfitted in Southern California when the incident happened. The officer described by the complainant could not be identified.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

In this case, the officer could not be reasonably identified with the information provided by the complainant.

**SUMMARY OF ALLEGATION #:** The complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

South San Francisco Police Department  
Chief of Police  
33 Arroyo Drive, Suite C  
South San Francisco, CA 94080

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/21/21 **DATE OF COMPLETION:** 09/30/21 **PAGE# 1 of 2**

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

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

**FINDINGS OF FACT:** The complainant stated that the named officers failed to investigate a crime he had reported by failing to interview witnesses on the scene.

San Francisco Police Department documents detailed that the named officers checked for surveillance footage, but none was found. The documents do not detail any witnesses to the crime.

The named officers were interview about this allegation. The officers stated that they checked for surveillance footage and interviewed the complainant and his partner, who witnessed the incident. The officers stated that no other witnesses came forward.

Body-worn camera footage was obtained and reviewed. The footage showed the named officers interviewing the complainant and his partner. The footage also showed one of the named officers checking nearby businesses for surveillance footage of the crime. The footage shows a couple of people standing nearby when the officers first arrived on the scene, but no one came forward to make a statement. The complainant and his partner failed to point out witnesses to the officers or ask anyone to be a witness. The named officers do not interview anyone other than the complainant and his partner.

The evidence showed that the officers investigated the crime, including interviewing the complainant and his partner and checking for surveillance footage.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.



**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 05/21/21 **DATE OF COMPLETION:** 09/30/21 **PAGE# 2 of 2**

**SUMMARY OF ALLEGATION #3:** The officer misrepresented the truth.

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

**FINDINGS OF FACT:** The complainant stated he was the subject of a theft and assault. The complainant stated he was pushed to the floor by the suspects, causing an injury. The complainant stated that the named officer did not put the assault in his report and therefore misrepresented the truth.

San Francisco Police Department documents were obtained and reviewed. The documents showed that the named officer had detailed that the complainant slipped while chasing the people who stole from him. The documents do not detail any assault.

The named officer was interviewed concerning this allegation. The named officer stated that the report accurately represented what the complainant had told him and that he heard the complainant say multiple times that he slipped, not that he was pushed.

Body-worn camera footage was obtained and reviewed. The footage showed the complainant say that he slipped and fell on four different occasions while chasing the people who stole from him. The named officer clarified with the complainant on two occasions that he fell, and both times the complainant said "yes."

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/04/21      **DATE OF COMPLETION:** 09/20/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** In the complainant's mailed complaint to DPA, she wrote that she emailed all SFPD district stations to file a criminal report and/or speak to an officer but she never received a response.

DPA made several attempts to contact the complainant; however, the complainant did not respond to DPA's request for further information.

Based on the information provided in the complaint, DPA could not move forward with the investigation.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not be reasonably identified, or the officer has left the Department and therefore the investigation cannot be completed.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 06/14/21    DATE OF COMPLETION: 09/02/21    PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** The complainant stated that an officer told him that no crime occurred when the complainant's phone was stolen. The complainant did not provide sufficient information to conduct an investigation. The DPA reached out to the complainant multiple times on different dates. However, the complainant did not respond to the interview requests and did not provide information regarding the incident's time, date, and details.

Department documents showed no record of the complainant contacting the Department regarding a stolen phone.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

In this case, the complainant did not provide additional requested evidence for the DPA to conduct the investigation.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/16/21    **DATE OF COMPLETION:** 09/30/21    **PAGE# 1 of 2**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

San Francisco Municipal Transportation Agency  
MUNI Security, Investigations & Enforcement  
1 South Van Ness Ave., 8th Floor  
San Francisco, CA 94103

**SUMMARY OF ALLEGATION #2:** The complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/16/21    **DATE OF COMPLETION:** 09/30/21    **PAGE# 2 of 2**  
**SUMMARY OF ALLEGATION #3:** The officer behaved or spoke inappropriately.

**CATEGORY OF CONDUCT:**      **CUO**      **FINDING:**      **IE**      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant stated he was at train station when an employee stopped him from passing through the gate to the train platform. An argument ensued and the employee called for police assistance. Two male officers arrived to investigate. The complainant stated the officers refused to listen, belittled him, and told him to leave the train station.

A search of Department records showed no documentation of a call-for-service at or around the time and location provided by the complainant and no calls matching the elements of the reported contact.

An identification poll sent to the district station failed to identify an involved officer.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/24/21 **DATE OF COMPLETION:** 09/19/21 **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #1:** The officer displayed threatening, intimidating, or harassing behavior.

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

**FINDINGS OF FACT:** The complainant stated he engaged in a dispute with a taxi driver who insisted on cash payment. He stated he did not have cash but only had a credit card. He stated the taxi driver called the police resulting in the named officer escorting him to different ATMs in the airport lobby to get a cash advance. The complainant stated the named officer harassed him by doing so.

The named officer stated he responded to a taxi fare dispute between the taxi driver and the complainant. He stated the taxi driver required a cash payment; however, the complainant only had a credit card. He stated he asked the complainant if they could get a cash advance from his credit card, and the complainant indicated he thought it was possible. The named officer stated he asked the complainant if he wanted to show him where the ATMs were located, and he answered affirmatively. The named officer escorted the complainant to two ATMs, both of which denied a cash advance. He stated he walked the complainant back to the taxi driver, who was ultimately able to accept the complainant's credit card. The named officer stated he is responsible for resolving disputes whenever possible.

Department records indicate that the named officer responded to a call for a taxi fare dispute.

Video surveillance footage showed the named officer speak with the taxi driver and complainant at the taxi drop-off zone. It also showed the named officer escort the complainant inside the airport lobby.

The actions of the officer, as described by the complainant, is not harassment but an attempt to resolve a civil dispute over payment method.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/29/21    **DATE OF COMPLETION:** 09/16/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 06/29/21   **DATE OF COMPLETION:** 09/16/21   **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

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



**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/04/21    **DATE OF COMPLETION:** 09/19/21    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant submitted an online complaint. They stated an officer parked his vehicle in such a manner that it blocked buses and other vehicles from turning, causing disruption to traffic flow. The complainant provided a picture of the vehicle in question but failed to explain how they knew the driver was a police officer. The complainant failed to respond to requests for additional information.

San Francisco Police Department records were checked, and the vehicle was determined not to be an SFPD vehicle.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/06/21    **DATE OF COMPLETION:** 09/02/21 **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters not rationally within DPA jurisdiction.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 07/08/21    DATE OF COMPLETION: 09/30/21    PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer behaved or spoke in a manner unbecoming an officer.

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

**FINDINGS OF FACT:** The complainant stated that as she was walking to the store, an unknown male followed her and made alarming comments. She took shelter inside a bystander's home who reported the incident to the police. She stated the officers arrived and wrongfully informed her that the male was in their custody, undergoing a psychological evaluation, and that she should be safe to continue walking to the store. Within seconds, the male re-appeared and continued to follow-her. She reported the incident to the police again.

The evidence showed that the named officer responded to both calls for service regarding a suspicious male following the complainant. The records showed that officers alerted the named officer via Dispatch that they had the male, whom they believed to be the suspect, in their custody undergoing a psychological evaluation.

Body-worn camera footage confirmed that the named officer responded to both calls for service wherein he obtained a statement from the complainant regarding the incident, and had, in fact, informed the complainant that the suspect was in police custody being psychologically evaluated. The named officer offered to provide her with a courtesy ride to her destination; however, based on the assumption that the suspect was detained, she declined his services and proceeded to walk. The suspect re-appeared causing the complainant to call the police a second time.

The named officer later learned that the officers aired to dispatch that they had the suspect in error, as they mistakenly detained the wronged male. However, the officers on scene, thereafter, located the correct suspect and determined he had an altered mental status and transported him to the hospital via an ambulance.

Thus, although the evidence showed that the officer incorrectly informed the complainant that they had the suspect, when he did so, he reasonably relied upon mistaken information provided to by other officers. Additionally, DPA consulted with the complainant on a later date who also characterized the officer's conduct as a mistake.

The evidence proves that the alleged conduct occurred; however, the conducted was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/09/21    **DATE OF COMPLETION:** 09/03/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** The complainant raised matters that were imaginary or not rationally within DPA jurisdiction.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/10/21    **DATE OF COMPLETION:** 09/13/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** In an online complaint, the complainant stated that she was treated poorly after attempting to report a sexual assault at a district police station.

The complainant failed to provide further information and did not participate further in the investigation.

Inquiries at the district police station failed to identify any officers.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/12/21 **DATE OF COMPLETION:** 09/02/21 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that an officer interrupted her and would not let her speak to another officer.

Department records failed to identify the alleged incident.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/12/21      **DATE OF COMPLETION:** 09/02/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/19/21      **DATE OF COMPLETION:** 09/02/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters not rationally within DPA jurisdiction.



**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/19/21    **DATE OF COMPLETION:** 09/02/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was referred to:

San Francisco Police Department  
Internal Affairs Division  
1245 3rd Street  
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/19/21    **DATE OF COMPLETION:** 09/02/21    **PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**                      **FINDING:**                      **IO1/IAD**                      **DEPT. ACTION:**

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was referred to:

San Francisco Police Department  
Internal Affairs Division  
1245 3rd Street  
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/19/21    **DATE OF COMPLETION:** 09/27/21    **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant stated that an officer carried what he believed to be contraband near her holster.

The complainant could not identify the officer or provide enough information for DPA to reasonably identify the officer.

Additionally, the complainant has a documented history of frequent complaints of a similar nature that lacked merit. DPA has taken this record into account when assessing the complainant's credibility in this matter.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer left the Department and therefore the investigation could not be completed.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 07/20/20    DATE OF COMPLETION: 09/30/21    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 an investigation was not initiated after he reported to SFPD that he was a hit and run vehicle accident victim.

The named officer stated the complainant's hit and run vehicle accident was initially not assigned for investigation. It did not meet the criteria outlined in Department Notice 20-107 (Case Assignments for Investigation). He stated the complainant did not report any injuries associated with the accident, and it was therefore not considered severe, which is one of the factors to be considered. In addition, he stated that based on the staffing levels in his unit and the excessive number of reported accidents, it would be impractical, if not impossible, to assign all non-injury hit and run accidents to an investigator. However, the named officer stated that, as a courtesy, he assigned the complainant's case to an investigator after the complainant asked him to do so.

The witness officer stated that he was assigned as the investigator on the case three weeks after the incident was reported. He stated that he immediately began his investigation once he received the assignment, which included speaking with the complainant.

Department records indicate that the complainant reported a non-injury hit and run vehicle accident.

Department Notice 20-107 (Case Assignments for Investigation) states, in relevant part, that when assigning cases for investigation, staffing levels and factors such as the severity of the crime should be considered.

Because the non-injury hit and run vehicle accident involving the complainant was not considered severe, it did not meet the criteria to be assigned to an investigator. However, when the complainant requested that his case be investigated, the named officer made an exception and assigned the case to an investigator within three weeks of the accident, which is not an unreasonable period given the lack of staffing and severity of the accident.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/20/20    **DATE OF COMPLETION:** 09/30/21    **PAGE# 2 of 2**

**SUMMARY OF ALLEGATION #2:** The complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 07/23/21    DATE OF COMPLETION: 09/30/21    PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** The complainant stated that the police failed to act in two confrontational incidents. He said in the first incident, a mentally disturbed woman poured water onto his car. He called the police, but the police did not respond to the scene. During the second incident, a homeless person blocked the complainant from driving. The complainant stated he honked his horn at the homeless person and threatened to call 911. Then the homeless person spat on his window. He called the police again, but officers did not come. The complainant did not remember whether he called 911 or a non-emergency number and did not provide any additional information regarding the calls he made to the police.

The DPA was not able to find any police records regarding the two incidents.

An ID poll was also sent to the local police station but did not yield any results.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

With the information provided by the complainant, the officers could not reasonably be identified.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/27/21    **DATE OF COMPLETION:** 09/20/21    **PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer displayed threatening, intimidating or harassing behavior.

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

**FINDINGS OF FACT:** The complainant stated the officer retaliated against him because he filed a DPA complaint against the officer. The complainant stated the officer is an undercover officer and therefore does not wear a police uniform. The complainant also stated that the officer followed him from the Fillmore District to the Bayview. The complainant could not provide a more detailed description of the officer, name, or badge number. The complainant also would not provide his driver license number or the license plate of his vehicle. The complainant could not provide a witness or a time of the incident.

A search of law enforcement records showed there was no officer contact with the complainant in the time and location provided.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 07/29/21    **DATE OF COMPLETION:** 09/02/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** The complainant stated he was a victim of road rage whereby a vehicle followed him for a lengthy time and attempted to run him off the road. He stated he called 911 and was told to file a report at the police station. He stated he immediately went to the police station to report the incident. However, the named officer refused to take a report claiming that he was not a victim of a crime and was merely a traffic incident.

The named officer did not recall any interaction with the complainant or anyone requesting a police report involving road rage.

The Police station lobby video would not have captured the interaction because, due to COVID-19 restrictions, the complainant spoke to the named officer, who was inside, on a telephone from outside the station.

No evidence was found to confirm or refute the complainant's or the named officer's different accounts.

The evidence fails to prove or disprove that the alleged conduct occurred.



**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/10/21      **DATE OF COMPLETION:** 09/20/21      **PAGE#** 1 of 1

**SUMMARY OF ALLEGATION #:** The complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was partially referred to:

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/11/21 **DATE OF COMPLETION:** 09/02/21 **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 went to the police station to request an incident report, and when he encountered the named officer, he told the officer to stop recording him. He stated the named officer refused to deactivate his Body-Worn Camera (BWC) upon his request.

BWC showed the named officer inform the complainant that he was being recorded on his BWC. The complainant stated that some people do not like to be recorded. The named officer then informed the complainant that he activates his BWC when dealing with members of the public. The complainant said nothing further on the subject. BWC footage did not show the complainant ask the named officer to turn off his BWC.

Department General Order 10.11 (Body Worn Cameras) specifies that officers “are not required to activate or deactivate a BWC upon the request of a member of the public.”

The complainant never asked the named officer to deactivate his BWC, and even if he did so, the named officer would not have violated Department policy by refusing.

The evidence proves that the conduct alleged did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/11/21    **DATE OF COMPLETION:** 09/03/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Sheriff's Department  
Internal Affairs Unit  
25 Van Ness Avenue, Suite 350  
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/17/21    **DATE OF COMPLETION:** 09/02/21    **PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer engaged in unwarranted action.

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

**FINDINGS OF FACT:** The complainant did not provide sufficient information to conduct an investigation.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/20/21    **DATE OF COMPLETION:** 09/19/21    **PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer detained a person without reasonable suspicion.

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

**FINDINGS OF FACT:** The complainant did not provide sufficient information to conduct an investigation.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/20/21    **DATE OF COMPLETION:** 09/19/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** The complainant did not provide sufficient information to conduct an investigation.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/20/21    **DATE OF COMPLETION:** 09/30/21    **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 the named officer requested video footage of a crime on his street. He stated he could not retrieve the footage at that time but would contact the named officer once he obtained the footage. The complainant stated he contacted the named officer later that week to inform him that he had possession of the video footage he was seeking. He stated the named officer never followed up with him to retrieve the video.

The named officer stated that it was not his responsibility to collect evidence that became available at a later date as a patrol officer. He stated that this responsibility would be with the assigned investigator. However, the named officer said that as a courtesy, he would follow up with the complainant and coordinate the collection of the video footage. The named officer stated that he is apologetic that he did not follow up but stated that he could not do so due to a surge in his workload, exacerbated by continuous, extreme staffing shortages.

Written communication between the complainant and the named officer documents that the named officer informed the complainant that he would follow up regarding the collection of the video footage.

Unfortunately this situation created an inconvenience to the complainant; however the conduct of the named officer does not rise to the level of misconduct.

The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/20/21      **DATE OF COMPLETION:** 09/02/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters not rationally within DPA jurisdiction.



**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/20/21      **DATE OF COMPLETION:** 09/19/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** The complainant did not provide sufficient information to conduct an investigation.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/21/21      **DATE OF COMPLETION:** 09/20/21      **PAGE# 1 of 1**

**SUMMARY OF ALLEGATION:** The complaint raises matters outside the DPA's jurisdiction.

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

SFPD Internal Affairs Division  
1245 3<sup>rd</sup> Street  
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/19/21    **DATE OF COMPLETION:** 09/16/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside the DPA's jurisdiction. This complaint was referred to:

San Francisco Police Department  
Internal Affairs Division  
1245 3rd Street  
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/23/21      **DATE OF COMPLETION:** 09/03/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Sheriff's Department  
Internal Affairs Unit  
25 Van Ness Avenue, Suite 350  
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/25/21      **DATE OF COMPLETION:** 09/02/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

SFPD Internal Affairs Division  
1245 3<sup>rd</sup> Street  
San Francisco  
CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/31/21      **DATE OF COMPLETION:** 09/03/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters not rationally within DPA jurisdiction.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 08/29/21      **DATE OF COMPLETION:** 09/19/21      **PAGE#** 1 of 1

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

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

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/01/21      **DATE OF COMPLETION:** 09/03/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

SFPD Internal Affairs Division  
1245 3<sup>rd</sup> Street  
San Francisco  
CA 94158



**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/04/21    **DATE OF COMPLETION:** 09/09/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** The complainant filed an online complaint in which they described being harassed by Mexican and Black police officers. The complainant did not describe how the officers harassed the complainant or provide specific officer names or descriptions. The complainant also stated that they did not want to be contacted by the DPA.

As such, there is insufficient information to identify the officers involved or facts to investigate misconduct.

No finding outcomes occur under four circumstances: the complainant did not provide additional requested evidence, the complainant requested a withdrawal of the complaint, the officer could not reasonably be identified, or the officer is no longer with the Department and therefore is no longer subject to Department discipline.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/06/21    **DATE OF COMPLETION:** 09/08/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Benito Sheriffs Department  
2301 Technology Pkwy,  
Hollister, CA 95023

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Hollister Police Department  
C/O Chief of Police  
395 Apollo Way,  
Hollister, CA 95023

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/07/21    **DATE OF COMPLETION:** 09/08/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

SFPD Internal Affairs Division  
C/O Lt. Cox  
1245 3rd Street  
San Francisco, CA 94158

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/04/21 **DATE OF COMPLETION:** 09/20/21 **PAGE#** 1 of 1

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

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

**FINDINGS OF FACT:** The complainant called the non-emergency number to report a vehicle, on the street, in front of his house, was playing loud music. He stated that no officers responded.

Department records showed that the named officers were dispatched and responded to the complainant's call for service. The complainant did not provide dispatch a description of the vehicle and when the officers arrived at the scene, there was no vehicle playing loud music.

The evidence proves that the act alleged in the complaint did not occur.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/08/21    **DATE OF COMPLETION:** 09/09/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Hot Springs Police Department  
201 North River Street  
Hot Springs, SD 57747

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/08/21      **DATE OF COMPLETION:** 09/09/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Creston Police Department  
302 N Pine Street  
Creston, IA 50801

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/09/21 **DATE OF COMPLETION:** 09/28/21 **PAGE# 1 of 1**

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

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

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 9/10/21      **DATE OF COMPLETION:** 09/30/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters not rationally within DPA jurisdiction.



**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/11/21    **DATE OF COMPLETION:** 09/19/21    **PAGE# 1 of 1**

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

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

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/11/21    **DATE OF COMPLETION:** 09/19/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

San Francisco Municipal Transportation Agency  
Department of Parking & Traffic  
11 South Van Ness Avenue  
San Francisco, CA 94102

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/11/21      **DATE OF COMPLETION:** 09/16/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Public Administrator  
Human Services Administration  
170 Otis Street  
San Francisco, CA 94103

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/13/21      **DATE OF COMPLETION:** 09/19/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/14/21      **DATE OF COMPLETION:** 09/19/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

Tucson Police Department  
C/O Chief of Police  
Police Headquarters  
270 S. Stone Ave; Tucson, AZ 85701

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/16/21      **DATE OF COMPLETION:** 09/22/21      **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters outside DPA's jurisdiction. This complaint was forwarded to:

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT:** 09/13/21    **DATE OF COMPLETION:** 09/21/21    **PAGE# 1 of 1**

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

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

**FINDINGS OF FACT:** This complaint raises matters not rationally within DPA jurisdiction.