

Discipline Cases Remanded To the Chief of Police 2020 - Present



CITY & COUNTY OF SAN FRANCISCO

Police Department

09.07.2022

Purpose

This presentation will discuss the process, disposition and outcomes of discipline cases remanded from the Police Commission to the Chief of Police:

- What happens when the Police Commission decides to remand a discipline case back to the Chief of Police?
- The Chief of Police made final determinations and dispositions for 10 cases remanded back to the Department from 2020 to Present.
- The Legal Division determined if these 10 cases were releasable per SB 1421 and SB 16.

Process

When the Police Commission remands a discipline case to the Chief of Police:

- The accused former member is notified and afforded a thirty-day opportunity to provide a written response.
- The Internal Affairs Division prepares and completes the investigation, including a summary, for the Chief of Police to review regarding the pending allegations.
- The Chief of Police makes a final determination of the disposition of the allegations.
- The Internal Affairs Division closes the case with the Chief of Police's final determination.
- The Legal Division then reviews the case and complies with records release requirements under SB 1421 and SB 16.
- The accused member is provided notice if their record is released.

Case Number	Date Remanded	Chief's Determination	Preliminary SB1421 Releasability Determination
IAD 2018-0212	8/12/20 Resolution No. 20-50	(1) Conviction of Fish & Game Code Violation (DGO 2.01, Rule 9) SUSTAINED ; (2) Discourtesy Toward Member of the Public and Out of County Law Enforcement (2.01, Rule 9) SUSTAINED ; (3) Making False and Misleading Statements to Out of County Law Enforcement Agents (DGO 2.01, Rule 9) SUSTAINED .	Yes
DPA 0231-18	8/12/20 Resolution No. 20-51	(1) Use of Excessive Force (DGO 5.01) SUSTAINED ; Misrepresenting the Truth About Use of Force (DGO 2.01, Rule 9; DGO 5.01) SUSTAINED ; Failure to Activate Body Worn Camera (DGO 10.11) SUSTAINED .	Yes
IAD 2019-0015	8/12/20 Resolution No. 20-52	(1) Road Rage Incident (DGO 2.01, Rule 9), SUSTAINED .	No
IAD 2018-0204	9/2/20 Resolution No. 20-55	(1) Possession of a Firearm while Intoxicated (DGO 2.02) SUSTAINED ; (2) Failure to Cooperate with a Criminal Investigation (DGO 2.01, Rule 9) SUSTAINED ; (3) Destruction of Property (DGO 2.01, Rule 9) SUSTAINED .	No
IAD 2015-0038	12/16/20 Resolution No. 20-84	(1) Making Biased Statements (DGO 2.01, Rule 9) SUSTAINED .	Yes
IAD 2018-0126	12/16/20 Resolution No. 20-84	(2) Convicted of Two Counts of a United States Code (DGO 2.01, Rule 9) SUSTAINED .	No
IAD 2018-0182	1/13/21 Resolution No. 21-9	(1) Inappropriate Comments (DGO 2.01, Rule 9) SUSTAINED ; (2) Utilizing Department Personnel for Non-Work Related Assignments (DGO 2.01, Rule 9) SUSTAINED ; (3) Improper Use of Department Identification and Firearm During Secondary Employment (DGO 2.01, Rule 9) SUSTAINED ; and (4) Being Untruthful During IAD Investigation (DGO 2.01, Rule 21) SUSTAINED .	No
IAD 2019-0070	1/13/21 Resolution No. 21-9	(1) Failure to Respond to a Serious Incident (DGO 2.01, Rule 10) SUSTAINED ; (2) Being Untruthful During IAD Investigation (DGO 2.01, Rule 9) SUSTAINED .	No

Case Number	Date Remanded	Chief's Determination	Preliminary SB1421 Releasability Determination
DPA 44131-19	2/3/21 Resolution No. 21-12	(1) Improper Search (DGO 5.16) NOT SUSTAINED	No
IAD 2019-0139	4/7/21 Resolution No. 21-32	(1) Inappropriately Attired While On-Duty (DGO 2.01, Rule 9) SUSTAINED ; (2) Showing Inappropriate Pictures to Co-Workers While On-Duty (DGO 2.01, Rule 9 & DGO 11.07) SUSTAINED ; (3) Sleeping While On-Duty (DGO 2.01, Rule 42) SUSTAINED .	No
DPA 43115, 0261-19	4/7/21 Resolution No. 21-32	(1) Failure to Properly Investigate and Compromising an Investigation (DGO 2.01, Rule 9) NOT SUSTAINED ; (2) Failure to Supervise (DGO 1.06) NOT SUSTAINED .	No
IAD 2020-0077	6/2/21 Resolution No. 21-54	(1) Sending Threatening Text Messages to Other Employee (DGO 2.01, Rule 9) SUSTAINED ; (2) Firearm Violation (DGO 2.01, Rule 9) SUSTAINED ; (3) Inaccurately Completing Government Form (DGO 2.01, Rule 9) SUSTAINED ; (4) Firearm Violation (DGO 2.01, Rule 9) SUSTAINED ; and (5) While Off-Duty, Engaging in Traffic Enforcement (DGO 2.01, Rule 9) SUSTAINED .	No
IAD 2020-0143	6/2/21 Resolution No. 21-54	Failure to Perform Essential Job Function (see IAD 2020-0077) NO DETERMINATION MEDICAL .	No
DPA 43112A	7/14/21 Resolution No. 21-68	(1) Unlawful Search of a Person (DGO 5.16) SUSTAINED	Yes
IAD 2019-0104	6/1/22 Resolution No. 22-86	(1) Domestic Violence (DGO 2.01, Rule 9) SUSTAINED ; (2) Threats to Cause Physical Harm (DGO 2.01, Rule 9) SUSTAINED .	No

The image shows the exterior of the San Francisco Police Department building. On the left, there is a large glass facade reflecting the sky and surrounding buildings. In the foreground, a grey stone wall features the department's name in raised, white, sans-serif letters. To the right, a brick building with a prominent entrance is visible, with three flagpoles in front of it. The flags include the San Francisco Police Department flag (yellow and white), the California state flag (white with a bear and red and green stripes), and the United States flag. A set of concrete steps with a metal handrail leads up to the brick building's entrance.

**SAN FRANCISCO
POLICE DEPARTMENT**