

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/20/2023**

**COMPLETION DATE: 07/29/2024**

**PAGE# 1 of 2**

**SUMMARY OF ALLEGATION #1:** The officer inappropriately converted an on-duty contact to the off-duty relationship.

**CATEGORY OF CONDUCT: CUO**

**FINDING: Referral/IAD**

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

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

**SUMMARY OF ALLEGATION #2:** The officer compromised an official investigation.

**CATEGORY OF CONDUCT: CUO**

**FINDING: Referral/IAD**

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

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: Referral/IAD**

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

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

**SUMMARY OF ALLEGATION #4:** The complaint raises matters outside the DPA's jurisdiction.

**CATEGORY OF CONDUCT: IO-1**

**FINDING: Referral/IAD**

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

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
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**COMPLAINT DATE: 10/10/2023**

**COMPLETION DATE: 07/15/2024**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant lodged a two-fold complaint, including a complaint regarding the mishandling by SFPD of a missing at-risk juvenile, and in large part, emphasizing the need for several policy updates to the Department's current missing-persons policies and practices to ensure compliance with current law and best practices. Regarding the potential mishandling of the investigation pertaining to the at-risk missing juvenile, the complainant was primarily concerned with the fact that SFPD waited three days to publish the information to the media and public; the complainant maintained that the information should have been immediately disseminated.

DPA obtained relevant documentation reflecting the investigation of the missing at-risk juvenile, which showed that officers saw the missing juvenile at the same time he was reported missing. The officers on scene attempted to make immediate contact, but the juvenile fled. The officers then conducted an immediate search, notified police in areas he is known to frequent, contacted the reporting party to discuss what had happened, and created a flyer to disseminate to all officers as well as other agencies in places the juvenile was likely to go. Over the next several days the search continued. On the third day, the case was assigned to an Investigator at the Special Victim's Unit- Missing Persons Unit (SVU-MPU) who disseminated the information publicly and contacted additional agencies. The juvenile was located three days after he had been reported missing.

DPA interviewed a Subject Matter Expert (SME) at length about all aspects of missing persons cases, policies and procedures, including current protocols for all those involved in the process, such as SFPD members, officers in SVU-MPU, and the Department Operations Center (DOC). The SME opined that officers involved in the investigation did not commit misconduct considering the current practices and procedures.

DPA understands the frustration at the delay in releasing information publicly in this matter. However, the SME also made a compelling case that there should not be mandatory timelines for release of such information. In this case, in particular, the missing juvenile was well-known to SFPD and had run at the first sight of uniformed officers. The Department immediately followed their own policy and additionally notified the other law enforcement agencies most likely to encounter this juvenile based upon past incidents and information provided by the reporting party.

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Additionally, DPA notes that the current policy is, in fact, outdated. However, the policy is already in the process of being revised, and the DPA is playing a pivotal role in the process to ensure compliance with current legislation and best practices.

The officers at the time of the incident followed current protocol and practices and acted within policy.

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

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**COMPLETION DATE: 07/01/2024**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer was not helpful when she requested an Emergency Protective Order (EPO) on behalf of her juvenile daughter. She stated that the officer immediately denied her the EPO and appeared not to want to help.

Department records indicate that the named officer met with the complainant and her juvenile daughter regarding an incident at school that resulted in the daughter receiving a slap on the face from a former boyfriend. The record shows that the named officer contacted a judicial officer who granted the EPO.

Body-worn camera footage showed the named officer speaking with the complainant and her juvenile daughter regarding an assault that took place at school. The complainant requested a restraining order, and the named officer attempted to explain to the complainant that specific criteria must be met for an emergency order to be granted. The complainant appeared somewhat upset when the named officer informed her that the assault may not be categorized as a domestic violence incident and, therefore, not eligible for an EPO. Once the named officer concluded her interview, she completed judicial forms for an EPO. The named officer then advised the complainant that she would be calling a judge to obtain an EPO. The named officer acted professionally throughout her interaction with the complainant, never raising her voice or saying anything inappropriate.

Department General Order 2.01 (General Rules of Conduct) states in the relevant part that an officer shall treat members of the public with courtesy and respect.

The named officer behaved appropriately when she tried to explain to the complainant the criteria for obtaining an EPO. She maintained her professionalism when the complainant became upset with the possibility that the assault at her daughter's school may not be considered domestic violence and, therefore, ineligible for an EPO.

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

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**COMPLAINT DATE: 11/09/2023**

**COMPLETION DATE: 07/01/2024**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that she observed the named officer yell unnecessarily, and inappropriately, at peaceful protestors outside of a consulate.

The named officer responded to a protest. The named officer stated that the protestors were initially peaceful. However, as time passed, the protestors began to span out into the street. The sergeant on scene directed the officers to erect barricades and to instruct the protestors to move back and stay confined to a certain area. Accordingly, the named officer instructed them to do so. However, the officer said that a group of protestors refused to comply and due to the loud nature of the protest as well as the well-trafficked street nearby, he needed to elevate his voice when making further commands to ensure compliance. The named officer did not feel that his demeanor or tone was inappropriate. He did understand someone could have interpreted his conduct that way, but he maintained that under the circumstances it was necessary for him to elevate his tone.

The protest was protected First Amendment activity. Pursuant to Department General Order 10.11 “Body Worn Cameras” and Department General Order 8.10 “Guidelines for First Amendment Activities”, officers are generally prohibited from activating their body-worn cameras (BWC) to record First Amendment activity. The named officer did not activate his camera during the above-described incident. Additionally, while DPA obtained surveillance footage from the consulate, the footage had no sound and was inconclusive as to what occurred.

Due to the lack of BWC footage or other independent evidence, DPA is unable by a preponderance of the evidence to determine what factually occurred and whether it was appropriate.

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

**SUMMARY OF ALLEGATION #2:** The officer used unnecessary or excessive force.

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**CATEGORY OF CONDUCT: UF**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that after inappropriately yelling at them, the named officer unnecessarily shoved a compliant protestor several times.

The named officer admitted that he used force during the incident. He explained that when he directed the protestors to move back, one of the protestors took a sign they were holding and put it up against his face and may have used their hand to strike his face. At that point, he then pushed the individual back to protect himself. The named officer felt this was a necessary response and maintained he did not push the individual out of anger. The named officer did not recall shoving the individual several times as stated by the complainant. He recalled pushing the protestor only once, without further incident.

The protest was protected First Amendment activity. Pursuant to Department General Order 10.11 “Body Worn Cameras” and Department General Order 8.10 “Guidelines for First Amendment Activities”, officers are generally prohibited from activating their body-worn cameras (BWC) to record First Amendment activity. The named officer did not activate his camera during the above-described incident. Additionally, while DPA obtained surveillance footage from the consulate, the footage had no sound and was inconclusive as to what occurred. The named officer agreed that while not required, even if the best practice would have been to activate the camera at this point, the situation escalated so quickly he did not have time.

Due to the lack of BWC footage or other independent evidence, DPA is unable by a preponderance of the evidence to determine what factually occurred and whether the conduct was appropriate.

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



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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he went to a gas station and sought assistance from a customer to help move his immobile vehicle when an altercation occurred between himself and the gas station employee. The altercation turned physical when the gas station employee chased him with a broom, causing him to strike back with a tire iron. The complainant also pepper sprayed the gas station employee, who he believed was unjustifiably taunting him. The complainant stated he was subsequently detained by the named officer without reasonable suspicion as he was not at fault for the occurrence.

The Computer Aided Dispatch (CAD) records reflected that several parties called the police regarding the incident and reported that an individual had been pepper sprayed and another—the gas station employee—was hit with a tire jack.

The named officer responded to the scene with the knowledge that a weapon was involved in the altercation. He observed the employee, who appeared to be in shock and was visibly injured. The employee had blood on his head. At that time, due to the head injury and his mental state, the employee was unable to say exactly what happened. The employee did provide a description of the alleged subject, later determined to be the complainant. Additionally, he stated that a bystander approached him and informed him where the complainant had gone, described the complainant, and corroborated the details the named officer had heard over the radio—that a physical altercation occurred between the two parties and that the employee was struck by the complainant with a tire iron. The named officer observed the complainant's vehicle at the gas station next door and felt it necessary to approach the vehicle and detain the complainant. As he was approaching the vehicle, the bystander drove by and positively identified the complainant.

The named officer stated that based on the evidence, such as the details in the call for service, the visible injuries on the victim, the positive identification of the complainant, as well as the fact that the complainant had fled the scene potentially in possession of a weapon, reasonable suspicion existed to detain the complainant immediately. Further, the named officer explained that it was not feasible for him to attempt to speak with the complainant before detaining him. The named officer had probable cause that the complainant had just committed a violent felony, he had already fled the scene once, and officer safety was paramount, as due to staffing and other calls for services in the area, the named officer initially responded to the scene alone. 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 detained a person at gunpoint without justification.

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer wrongfully and unnecessarily detained him at gun point, emphasizing the fact the officer had not even spoken to him first to see what had occurred.

The evidence, such as the incident report, body-worn camera (BWC) footage, and officer statements, confirm that the named officer detained the complainant at gunpoint. The named officer's BWC footage showed that he parked his vehicle behind the complainant, who was inside his vehicle. The named officer maintained distance but pointed his gun towards the complainant when ordering him out of the vehicle.

The named officer had been trained in use of force tactics such as detaining individuals at gunpoint. In this instance, the named officer acted within policy. He followed his training, and the use of his firearm was justified. He reiterated the facts stated above – the details in the CAD, knowledge of a weapon, third party identification of the complainant, the fact the complainant fled the scene, and that the named officer was alone – as his justification for detaining the complainant at gunpoint. Additionally, as mentioned above, an immediate detention was necessary in light of the circumstances.

DPA understands that being detained at gunpoint can be frightening; however, based on the evidence presented to the officer at the time, the officer was justified in his actions.

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

**SUMMARY OF ALLEGATION #3:** The officer made an arrest without cause

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**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he was arrested without cause.

The named officer maintained that probable cause existed to arrest the complainant on suspicion of felony assault. He explained that the available evidence referenced above – the CAD details, knowledge of a weapon, third party identification, the fact he fled the scene, and that the employee had visible injuries— led him to believe that the complainant was the dominant aggressor. While the named officer also admitted that he did not speak with the gas station employee at length to determine what exactly had occurred, the need to quickly make contact with an identified fleeing suspect trumped the current need to remain at the scene and investigate.

Probable cause to arrest exists when the totality of the circumstances of the case would cause a person of ordinary care and prudence to entertain an honest and strong suspicion that the person to be arrested is guilty of a crime.

Based on the totality of the circumstances, probable cause existed to arrest the complainant.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that the officer treated him poorly, like a criminal, and quickly believed the gas station employee without taking the time to listen to him.

The named officer denied treating the complainant poorly but maintained that he had documented reasonable suspicion to detain and probable cause to arrest him as he had just committed a crime. The named officer, however, felt he treated the complainant professionally during the incident. The named officer also denied treating one party more favorable than the other and again explained that it would not have been feasible for him to wait to detain the complainant to speak with him as based on the evidence and officer safety, it was necessary to conduct an immediate detention and place him in handcuffs. Thereafter, the named officer stated that he would have liked to speak with the complainant further, but a use of force situation occurred which made that impossible.

DPA obtained the named officer's BWC footage of the incident which captured the detention and subsequent arrest of the complainant. The footage did not show the officer behaving inappropriately towards the complainant and the evidence supported an immediate detention and arrest.

The evidence proves that the conducted alleged did not occur.

**SUMMARY OF ALLEGATION #5:** The officer used unnecessary or excessive force.

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**CATEGORY OF CONDUCT: UF**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that the officer engaged in unnecessary and excessive force against him when effectuating the detention and arrest.

The named officer confirmed using reportable force during the incident. He explained that he gave the complainant verbal commands to exit his vehicle, but the complainant did not comply. The named officer then escalated his tone and continued his verbal orders to gain compliance without having to resort to force. The escalation in tone worked temporarily as the complainant exited his vehicle and went to his knees as directed. The named officer stated that he approached the complainant to handcuff him, the complainant tensed his arms to his chest and appeared to attempt to stand up. The named officer then attempted to restrain him, and they fell to the ground with the complainant's body flushed up against his, with his back to the officer's chest. The named officer stated that he then restrained him by placing his arm across his upper body to keep the complainant from gaining any additional advantage over him. Bystanders then intervened to help the officer restrain and handcuff the complainant. The named officer used the minimal amount of force necessary, and that force was proper considering the complainant's resistance and other facts present mentioned above.

The named officer's BWC footage reflected the initial detention and commands to exit the vehicle. The footage also reflected that when the officer approached the complainant to administer the handcuffs, the complainant tensed his arms towards in chest and appeared to attempt to stand up. Thereafter, while it is clear that a use of force incident occurred, the BWC footage is inconclusive and did not capture the actions of either the complainant or the officer. Additionally, despite its attempts, DPA was unable to retrieve surveillance footage of the use of force and was unable to interview the witness.

The evidence reflected that the decision to use force to restrain the complainant was necessary and proper. However, due to the lack of available footage or any additional independent evidence, DPA was unable to examine the subsequent details of the use of force and conduct of both parties to conclude whether the force used was proper and within policy.

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

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**SUMMARY OF ALLEGATION #1:** The officer seized property or money without justification.

**CATEGORY OF CONDUCT:** UA

**FINDING:** IE

**FINDINGS OF FACT:** The complainant stated that an officer improperly seized money from a jewelry box during a search warrant service at the complainant's residence.

The named officer stated that he did not recall observing any money inside the jewelry box or during the search of the complainant's residence. The named officer denied seizing money from the complainant's residence.

A witness officer, who was present when the named officer searched the jewelry box, stated that he did not see the named officer search the jewelry box or observe its contents.

A property receipt listing the items seized during the search did not include money or currency of any kind.

Body-worn camera (BWC) footage showed that the named officer searched the jewelry box that allegedly contained the complainant's money. BWC footage did not show the contents of the jewelry box and did not clearly show the entire search of the jewelry box. BWC footage did not show the named officer remove anything from the jewelry box. None of the available BWC files related to the search warrant service showed any other officers touching the jewelry box or seizing money during the search.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant was investigated for driving under the influence. He stated that the named officers inaccurately concluded that he failed field sobriety tests, even though he passed a breathalyzer test.

The named officers located the complainant in a parked vehicle, asleep and slumped over in the seat. The named officers stated that they conducted standardized field sobriety tests and determined that the complainant was impaired, by something other than alcohol. The officers stated that all standardized field sobriety tests were conducted properly during this incident.

The officer documented in an incident report that the complainant showed signs and symptoms of being impaired. Officers completed standardized field sobriety tests, which showed signs of impairment. Based on the field sobriety tests and a preliminary alcohol screening test, one officer believed the complainant was under the influence of a drug.

Body-worn camera footage showed the named officers located the complainant unconscious, slumped over in the driver seat of a parked vehicle. The named officers woke the complainant and he consented to completing field sobriety tests. The complainant informed the officers that he was taking medication. The footage showed the complainant completed field sobriety tests and a breathalyzer test. After completing the field sobriety tests, one officer told the complainant that they believed he was impaired by something other than alcohol. The complainant later informed the named officers that he had ingested narcotics that day.

The evidence showed that the named officers completed various investigative steps, including multiple field sobriety tests, and determined that the complainant was driving under the influence of a drug.

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 engaged in unwarranted action

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer improperly took him into a dark bathroom and conducted tests on his eyes with a flashlight. He also stated that the named officer tried to make him consent to taking a blood test.

A subject matter expert explained that a dark-room exam is a standard part of the Drug Recognition Evaluation (DRE). He stated that the evaluator is able to glean vital information from the test as they can see if the pupil responds normally or not to different lighting.

The named officer conducted several tests as a part of the drug recognition evaluation. The officer conducted a dark-room examination of the complainant, which is a standard part of the DRE. The officer said he examined the complainant's eyes in a controlled, dark setting to gauge the reaction of the complainant's pupils when suddenly exposed to a flashlight. The named officer denied trying to make the complainant consent to a blood test.

Department records showed that the named officer completed a DRE, and that the DRE form showed that a pupil size measurement is to be taken in near total darkness. Department records also showed that a signed search warrant for the complainant's blood was obtained for this incident.

Body-worn camera (BWC) footage shows the named officer conducting several exams, including a pupil examination with the complainant in a darkened room at a police station with a small flashlight. The named officer courteously explains the exam to the complainant before starting and throughout the examination process. BWC footage also shows the named officer reading a drug admonition to the complainant and asking the complainant if he would consent to a blood test. The complainant declined to consent to the blood draw. The named officer did not attempt to persuade the complainant to consent to a blood test.

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



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**SUMMARY OF ALLEGATION #4:** The officer engaged in retaliatory behavior.

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant said he encountered the named officer and told him he was going to file a complaint against him regarding their prior interaction. He said the named officer retaliated against him by issuing his vehicle a parking ticket after seeing that it was parked in a no parking zone. The complainant affirmed that he was parked illegally.

The named officer stated that he issued the complainant's vehicle a parking citation. He denied issuing the parking ticket in retaliation.

The evidence failed to show any corroborating evidence that the named officer issued the parking ticket in retaliation.

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 conducted an improper entry.

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged that officers responded to a residential hotel, banged on doors, insisting to be let in without identifying themselves, and made up a false reason for entering the premises.

Department of Emergency Management (DEM) computer-aided dispatch records showed that the named officers were responding to an “A” priority emergency call to meet with fire personnel. Police dispatch broadcast that the emergency involved a possibly violent person who was armed with a miniature baseball bat. The officers were not given the subject’s description, nor any additional pertinent information other than the location of the incident. Conversely, the San Francisco Fire Department’s computer-aided dispatch included essential information that was not otherwise relayed to the officers.

The body-worn camera footage revealed that when they arrived for the call, officers parked their patrol vehicle behind an unoccupied San Francisco Fire Department truck. They subsequently walked to the building, banged on the door, and yelled to staff to open the door because someone inside the building was fighting with fire department personnel. After the door was unlocked, the officers entered the main lobby and stairwell, looking for fire personnel. When they could not locate the fire personnel, the officers exited the building and contacted dispatch to verify the information they had been given. Before leaving, Officer #1 explained to the staff that they were assigned to respond to a high-priority incident regarding a person with a bat and that the incident qualified as an exigent circumstance that required the officers to enter the building immediately. Officer #1 explained further that in exigent circumstances officers cannot always provide an explanation for their purpose of entry when requested.

Department Notice (DN) 21-012, Entering Residences: Houses, Apartments, Hotels, including SRO Hotels states “When entering an individual’s residence, members shall comply with the Constitutional mandates of search and seizure law. Under the Constitution, law enforcement officers may enter a residence if there are exigent circumstances that warrant immediate entry, such as the need to respond to an imminent threat of life or property.”

DPA’s investigation concluded that based on the information available at the time, the officers believed that city employees were in imminent danger and responded appropriately. Although the complainant

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thought the officers' actions were unlawful, the evidence shows that the alleged conduct did happen; however, it was justified, lawful, and appropriate.

**SUMMARY OF ALLEGATIONS #3:** The officer failed to comply with Department General Order 5.01

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that the officer's entry into the building was not only improper but frightening after he saw the officers pointing their weapons at staff and guests.

San Francisco Police Department records showed that dispatch was notified that the officers had, and were bringing on scene, an Extended Range Impact Weapon (ERIW), not a rifle, with them in response to the call type. No force was used or documented in this incident.

The body-worn camera footage showed Officer #1 holding an ERIW with the muzzle in the air as he entered the building and that he did not point it at anyone. Additionally, Officer #2 was not holding an ERIW and did not exhibit nor point a weapon at any of the building occupants.

Department Notice 23-008, Use of the ERIW - Armed/Unarmed Subjects & Building Searches states that Extended Range Impact Weapon (ERIW) can be an excellent tool when confronting a subject armed with a weapon that could cause serious injury or death, provided it is used in conjunction with core tactical principles of "time, distance, 'and cover." The ERIW may also be used to subdue an unarmed subject posing an immediate threat of serious injury to the officer or another person. Officers are at a tactical disadvantage when conducting building searches for suspects that may be lying in wait (e.g., 100A, protective sweep, parole search).

The investigation found that the officer complied with department policy by carrying an ERIW. He held the ERIW in the high-ready position and kept it in that position while searching the common areas of the building with Officer #2. Although the complainant perceived the officer's actions as frightening, the evidence showed that the officer believed fire personnel was in imminent danger and he and his partner were trying to find them. The officer carried the ERIW in the high-ready position and did not intentionally point his weapon at any staff member or guest at any time while entering the building or running up the stairwell.

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

**SUMMARY OF ALLEGATION #4:** The officer used profanity.

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant alleged that the officer behaved rudely when he left the building, and the complainant recalled the officer making a profane statement in response to staff complaints about the officer's improper entry of the building.

Department Notice 23-167 and Department General Order 2.01 states that officers shall treat the public with courtesy and respect and not direct discourteous or profane language at members of the public.

The body-worn camera footage did not support the complainant's assertion that the officer made a profane statement or used profanity. The footage showed that the named officer listened to the staff's complaints and, at one point, apologized to a staff member who expressed that she felt dismissed by the named officer. Additionally, the footage showed that the named officer requested a supervisor to be on the scene, who arrived within minutes at the request of the complainant and other staff members to have their frustrations heard by a superior officer.

The investigation found that the named officer acted professionally throughout this incident. The evidence showed that the officer respectfully apologized to a staff member who expressed feeling dismissed by the officer. However, there was no evidence that the officer made a profane statement or used any profane language in the incident. Thus, the evidence proves that the conduct alleged did not occur.

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**SUMMARY OF ALLEGATIONS #1-4:** The officers behaved or spoke in a manner unbecoming an officer.

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that the named officers conducted themselves inappropriately and without due regard to her son's mental crisis and failed to handle her son with care and compassion.

Named officer #1 stated that he and the other officers employed an approach trained for such incidents: Tone, Atmosphere, Communication, and Time (T.A.C.T.), throughout the incident. The named officers said that they were extremely patient throughout the incident, that they showed empathy and compassion. Named officer #3 stated that officers maintained professionalism and often asked for feedback from the subject of the contact as to specific actions they took. Throughout most steps of the call, the officers explained what they were going to do and why they were doing it.

Department records showed that officers responded to a Priority A call regarding an attempted suicide. Dispatch records showed the officers were informed that a caller had whispered that he cut himself and was actively cutting himself and wanted them to respond.

Body-worn camera (BWC) footage shows that, when the named officers arrived on scene, the caller was in the bathroom and would not come out. The complainant tried to convince her son to come out of the bathroom, as he had called 911 for help. From the beginning of the encounter, the complainant worked with the named officers. The named officers, speaking calmly, negotiated with the caller to convince him to come out of the bathroom and speak to them. The complainant told the named officers things that would trigger her son and asked the named officers to be mindful that this was a mental health call. The conversation among the officers and the complainant was open and positive.

Department General Order (DGO) 2.01, Rule 14, Public Courtesy, states that when acting in the performance of their duties, officers shall treat the public with courtesy and respect and not use harsh, profane or uncivil language.

The evidence shows that the officers on scene behaved professionally throughout the encounter.

The evidence proves that the conduct alleged did not occur.

**SUMMARY OF ALLEGATION #5:** The officer failed to properly search an arrestee or detainee.

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**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer searched the caller on the sidewalk, instead of inside the house.

The named officer stated that after negotiating the exit of the caller from a room inside the small apartment, the caller was compliant and was walked out of the apartment, which due to his size, presented an officer safety risk. The named officer stated that while on the sidewalk, the subject became agitated and was not compliant. The officer stated the caller was searched per Department protocol prior to being transported, in this case by paramedics.

The incident report documented that the named officer conducted a cursory search on the caller because he told dispatch that he had cut himself with a knife.

BWC showed that after an extensive conversation with the caller, the named officer walked him outside of the building. While they waited for the ambulance, the named officer asked the caller if it was ok for them to check his pockets to ensure that he didn't have a knife.

DGO 5.03.02 (E) states that a pat search allows officers to safely pursue their investigation without fear of violence, not to discover evidence of a crime. However, two conditions must be met before a pat search is permitted:

1. The underlying detention must be legal.
2. The officer must be able to point to specific and articulable facts causing them to believe the suspect is armed and dangerous.

DPA's investigation determined that the officer had evidence showing that the caller could have been armed.

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

**SUMMARY OF ALLEGATION #6-9:** The officers failed to take required action.

**CATEGORY OF CONDUCT: ND**

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**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officers failed to follow the protocol and guidelines for dealing with mentally ill individuals and they abused their power and authority. The complainant also alleged that the officers violated the San Francisco Police Department's (SFPD) policy on crisis intervention, which states that officers should use de-escalation techniques and/or respond with a mental health advocate.

Named officer #1 stated that the officers dealing with the caller and the complainant used the Crisis Intervention Training (CIT) approach known as T.A.C.T. - throughout the incident: "CIT officer shall, when practical, utilize tactics consistent with CIT training, such as, the T.A.C.T. approach: Tone, Atmosphere, Communication, and Time to address persons in crisis incidents with the safety of all of persons being considered." Named officer #3 advised that the officers followed the SFPD policy regarding dealing with persons in crisis, including that mental health advocates are to defer to the Police Department when a mention of a weapon is made, as in this case. The named officers further explained that de-escalation, less lethal weapons, barriers, shield, time and distance, and CIT were utilized.

The named sergeant, who responded as required by protocol to monitor all mental health crisis incidents, stated that he observed the incident and determined that all required protocols were followed, including the response of C.I.T. certified officers and the presence of Extended Range Impact Weapons (ERIW). He stated further that the responding officers maintained a calm tone when speaking with the subject in crisis and listened to what the person in crisis was saying to them. Officers maintained a safe distance when feasible and explained to the subject what they were doing and why they were doing it.

Department dispatch records showed that the named officers responded to the complainant's building regarding a caller who mentioned attempted suicide. Documents showed that the caller whispered that he had cut himself and was actively cutting himself.

The records further indicated that named officers #2 and #4 were equipped with Extended Range Impact Weapons (ERIW) & Crisis Intervention Team (CIT) training. It also showed that a sergeant responded to the scene, as is required in identified mental health crises.

Body Worn Camera (BWC) footage shows that Named Officer #1 walked the caller out of the building to wait for an ambulance to arrive. While they waited for the medics to arrive, he got anxious, took pictures, and became less engaged in conversation with the named officers. He then began acting erratically, kept asking for the ambulance and said he just wanted drugs. He pulled his sleeve up and photographed his arms, which he claimed to have cut. After agreeing to go on a gurney to a hospital, he started to walk away from the officers and told them he didn't want to be touched. The footage showed named officer #4

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as he grabbed the caller's sweatshirt sleeve and told him to wait for the medics to come over with the gurney. The caller did not follow commands and Named Officers #2 and #4 handcuffed the caller as he yelled that he was innocent and handcuffed for no reason. The footage confirmed that named officer #1 told the complainant that the caller was handcuffed because he was not following commands and had to be handcuffed for safety reasons.

Based on statements made by the complainant and the caller, Named Officer #1 determined that the caller was a danger to himself and therefore subject to detention.

Department General Order 5.01, Use of Force, provides that officers shall strive to use the minimum amount of force necessary to accomplish their lawful purpose. The DGO allows handcuffing and control holds 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.

Department General Order 5.21, III. C., D. , The Crisis Intervention Team (CIT) Response to Person in Crisis Calls for Service, states in part:

Procedures:

C. Engagement: CIT officer shall, when practical, utilize tactics consistent with CIT training, such as, the T.A.C.T. approach: Tone, Atmosphere, Communication, and Time to address persons in crisis incidents with the safety of all of persons being considered.

D. Detention/Transport: When detaining an individual for a psychiatric evaluation and no criminal charges are pending, officers shall, when feasible, explain to the person in crisis they are not under arrest, but only being transported to a medical or mental health facility for evaluation. Officer should also explain that it is necessary to search and temporarily handcuff them for their safety while being transported to the facility.

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 detained a person without reasonable suspicion.

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant, a passerby, stated she observed the named officers detain two individuals who did not do anything to justify the detention.

Named Officer #1 stated he was walking in a crosswalk with Named Officer #2 in a high crime area. He observed a car stopped at the red light in front of him and noticed it did not have a front license plate, which is in violation of the law. He observed two occupants in the front seat who appeared to be nervous because they were staring at him. The named officer stated he walked to the back of the vehicle while the vehicle was stopped at the red light to see if it had a rear plate. He began to relay the rear plate information to Dispatch. Two previously unseen individuals whose faces were concealed with balaclavas and hoodies exited from the vehicle as Named Officer #1 was relaying the license plate information and while the car was still in traffic. He stated he noticed one individual held his side/waist as if he were holding a heavy object, which, based on his training and experience as a law enforcement officer for 31 years, he suspected was the concealment of a weapon. He stated that when the individual walked toward the sidewalk, he began to run, causing Named Officer #1 to give chase. He ordered the individual to stop, however, he continued to flee. Officer #1 eventually apprehended the fleeing individual who was in possession of a firearm. Officer #1 stated that Officer #2 detained the second individual at the scene. Officer #1 stated he never intended to detain anyone and never communicated with the driver to stop. His only intention was to run the plates while the car was stopped at the light since the vehicle did not display front plates. The detention was lawful because he had reasonable suspicion to believe that the suspect he chased was armed with a firearm based on the individual's actions, movements, facial covering, and head long flight at the sight of officers.

Named Officer #2 stated he was walking with named Officer #1 in a high-crime area when a vehicle without front plates stopped at a red light in front of them. He stated he did not initially observe anyone in the back seat, but when Officer #1 walked to the back of the vehicle to run the plate, two individuals exited the vehicle from the back seat and proceeded toward the sidewalk. He stated both individuals concealed their faces with facemasks and hoodies. Officer #2 stated one of the suspects ran causing Officer #1 to follow. Officer #2 stated he detained the second individual because the first individual fled the scene giving him reasonable suspicion to detain.

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Department records indicate that the named officers, who were on foot, observed a vehicle stopped at a red light without a front license plate. Named Officer #1 walked to the rear of the vehicle and began to run the plate when two individuals exited the rear of the vehicle appearing to avoid the officers. Officer #1 observed one individual clutching a heavy object in his hoodie pocket area with his left hand, leading him to believe the individual was attempting to conceal a weapon. Officer #1 asked the individual to stop, but instead, he fled. Officer #1 pursued the fleeing individual and caught a glimpse of the barrel of a black gun sticking out of the side of the hoodie. The fleeing individual was subsequently apprehended by officers, who discovered him to be in possession of a semi-automatic gun. Officer #2 detained the second individual who was determined to be a wanted person with a felony warrant for carrying a loaded firearm.

Body-worn camera showed the named officers standing behind a vehicle and two individuals wearing hoodies and masks standing in the street between a vehicle stopped at a light and the sidewalk. As the named officers walked toward the individuals, one of them fled the scene, with Officer #1 giving chase. Officer #2 detained the second individual without incident. The fleeing individual was subsequently apprehended by other officers, who found him in possession of a firearm.

Department General Order 5.03 (Investigative Detentions) states in the relevant part that officers may detain an individual if they possess reasonable suspicion that criminal activity is afoot.

The named officers articulated reasonable suspicion to detain the two individuals who concealed their faces with masks and hoods when they abruptly exited a vehicle while stopped in traffic, and their actions and movements showed they intended to evade the officers.

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

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

**CATEGORY OF CONDUCT:** UF

**FINDING:** U

**FINDINGS OF FACT:** The complainant, a passerby, stated she observed the named officer “manhandle” a suspect.

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The named officer stated he did not use force on the individual he detained and only guided him to an alcove after the individual attempted to flee.

Department records document that the named officer detained and subsequently arrested an individual for an outstanding warrant. The record did not indicate the officer used force.

Body-worn camera footage showed the named officer take hold of an individual's wrist and guide him to an alcove. The footage did not show the named officer using force on the individual.

The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.

**SUMMARY OF ALLEGATION #4-5:** The officers knowingly engaged in biased policing or discrimination.

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complainant, a passerby, stated she observed the named officers detain two individuals who did not do anything to justify the detention. She stated the named officers did so based on their race.

The named officers stated their enforcement action had nothing to do with the individuals' race. They stated they did not know the race of the two individuals when they exited the vehicle because their faces and heads were covered, and it was only after the arrest that they discovered their race.

Department records indicate the named officers detained and arrested two individuals.

Body-worn camera footage showed the named officers standing behind a vehicle and two individuals wearing hoodies and masks standing in the street between a vehicle stopped at a light and the sidewalk. As the named officers walked toward the individuals, one of them fled the scene, with Officer #1 giving chase. Officer #2 detained the second individual without incident. The fleeing individual was subsequently apprehended by other officers, who found him in possession of a firearm.

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Department General Order 5.17 (Bias-Free Policing Policy) states in the relevant part, "A guiding principle of the San Francisco Police Department is its commitment to treating all people with dignity, fairness, and respect. It is crucial for members to carry out their duties in a manner free from bias and eliminate any perception of policing that appears biased . . . A fundamental right guaranteed by the Constitution of the United States is equal protection under the law. Along with this right is the fundamental right to be free from unreasonable searches and seizures by government agents, as guaranteed by the Fourth Amendment. Department members are charged with protecting these rights for all people, regardless of race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, mental or physical disability, or socio-economic status. Police action that is biased is illegal and violates these rights."

Evidence does not support that the officers engaged in biased policing. Body-worn camera footage showed two suspects with their faces and heads concealed by hoodies and masks.

The evidence proves that the conduct alleged did not occur or that the accused officers were not involved.

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**SUMMARY OF ALLEGATIONS #1-2:** The officers arrested an individual without cause.

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged that he was arrested without cause while walking in an area known for drug use. He further alleged that the officers returned to his location but did not activate their patrol vehicle's lights or sirens, nor order him to stop. Instead, the officers whistled at him. The complainant said that he did not know it was directed at him, so he kept walking and was thereafter arrested.

The officers said they had prior knowledge that the complainant had a stay-away order from the location and that they had probable cause to arrest him for violating it.

Body-worn camera footage showed that the patrol vehicle lights were activated, and a spotlight shone in the complainant's direction. The footage also showed the complainant running away from officers after they ordered him to stop two or three times. Officer #1 chased and pulled the complainant to the ground to arrest him. The officers were familiar with the complainant and told him he was not supposed to be in the area. The officers then arrested the complainant.

Court records confirmed that the complainant had an active stay-away order from the area.

The evidence did not support the complainant's statement. The officers had the probable cause to make the arrest.

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

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

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**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant said he was thrown to the ground and hit his face, mouth, nose, right knee, and hand. He alleged he lost some teeth and was bleeding. Furthermore, he alleged that he was kicked in the knee twice while he was on the ground.

The named officer stated that he and his partner were in a marked patrol vehicle equipped with red and blue lights and gave commands for the complainant to stop. The officer used force to detain the complainant because the complainant resisted arrest by running away after he gave the complainant orders to stop running. The officer utilized a takedown technique and denied kicking the complainant.

Department General Order 5.01 supports the officer's actions. Officers are allowed to use takedown techniques to arrest a fleeing subject.

Body-worn camera footage showed that the complainant ran away from the officers after they told him to stop two or three times. The officer grabbed the complainant and took him down to the ground. The footage showed the complainant's knee may have hit the ground first, then his face. The complainant's forehead and nose were bleeding. The footage does not show any officer kicking him on the knee. No inappropriate aggression from the officers was observed on the footage. While being assessed in the ambulance, the complainant complained of pain in his mouth. The medic looked at his mouth and said that his teeth were fine.

Department records document that the complainant was provided medical treatment and that the pain in his knee was attributed to the takedown.

The DPA investigation confirmed that the officer did not use excessive force and did not kick the complainant. The evidence showed that the officer's actions complied with department policy.

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

**SUMMARY OF ALLEGATIONS #4:** The officer improperly used physical control.

**CATEGORY OF CONDUCT: UF**

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**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that the handcuffs were too tight in the ambulance and the officer ignored his complaint.

The officer said he adjusted the complainant's handcuffs while in the ambulance.

Body-worn camera footage supports the officer's statement. It showed the complainant complained about the tight handcuffs while in the ambulance to the medics while lying down, and the officer then removed the cuffs.

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

**SUMMARY OF ALLEGATIONS #5-6:** The officers failed to Mirandize.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated the officers arrested him without reading him his Miranda rights warning.

The officers stated the complainant was not *Mirandized* because they did not interrogate him.

The BWC evidence shows the complainant was not *Mirandized*.

In order for *Miranda* to apply, a person must be subject to custodial interrogation. Here the complainant was arrested for violating a stay order and selling narcotics, although he was in custody he was not interrogated.

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

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

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**CATEGORY OF CONDUCT:**

**FINDING: Referral/SFSD**

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

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



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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that she called the police for being assaulted by her housemate. She explained she was staying at her recently deceased friend's residence because she was taking care of the friend. She admitted to the DPA that she was not paying rent or making mortgage payments there. She complained that when the officers came, they were intimidating. She told the officers she planned to leave the house later, but Named Officer #1 wanted her to leave immediately. She said the officer would not let her get her backpack when he knew it belonged to her. She believed that the officers were intimidating and grilling her like a suspect.

Officer #1 stated that he received a call for service from the complainant that her housemate had closed the garage door on her shoulder and back. He spoke with the housemate on the scene, who said the complainant had been staying at the residence against their wishes. The officer also spoke with the executor of the estate, who told him that the Renters Board recommended that she notify the police that the complainant had been trespassing and staying there intermittently for two months.

The named officer denied intimidating or grilling the complainant. Instead, he said he spoke respectfully to her throughout the investigation. The named officer also denied that he would not let the complainant get her backpack. He said he asked the complainant if she could grab her belongings within the next 10 minutes, to which she said she could work on it. He gave her more than 10 minutes to pack all her belongings.

Officer #2 confirmed that she received the call for service from the complainant via Dispatch and took a statement from the complainant on the scene. She recalled the complainant telling her that she declined an ambulance because she was only sore. However, she could not articulate that she was the victim of a crime. Officer #2 denied intimidating or grilling the complainant. She said the complainant was given more than 20 minutes to finish packing.

Department records indicate that the complainant was the reporting party of an assault.

Body-worn camera footage captured the named officers speaking to all parties on scene, including the complainant, who stated that she was staying at her deceased friend's place without any proof of residency. Officer #2 asked for the complainant's statement, injuries, and surveillance cameras, to which

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she said she was only sore and had no surveillance footage available. Officer #1 spoke with the estate executor, who said she would sign a citizen's arrest form if the complainant declined to leave.

The footage shows that both officers spoke calmly and courteously with the complainant. Officer #1 asked if the complainant could finish packing up in 10 minutes and eventually gave her more than 20 minutes to finish and leave the premises. He informed her that if she left anything, the property executor would pack it for her. The footage does not capture the officer's not allowing the complainant to get her backpack.

The evidence collected proves that although the complainant called the police for help, she committed a crime of trespassing at the time and could have been arrested, and she could not provide evidence to prove that a crime had been committed against her. Additionally, the officers on the scene spoke to her calmly and professionally and gave her ample time to finish packing and leave the premises.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that she believed she was discriminated against based on gender, race, and disability because the officers never asked her to clarify anything.

Both name officers stated that they did not know what the complainant's race was and were not aware of her disability prior to asking her to leave the residence. They were both aware of her perceived gender. However, they both denied that her race, gender, or disability were a factor in her removal from the residence.

Officer #1 stated that he requested documents from the complainant to prove her residency, but the complainant could not provide any. He also spoke to the estate executor, who stated that the complainant had not yet established residency and had not paid any rent. Officer #2 stated that she obtained a

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statement from the complainant regarding the alleged assault.

Department records did not capture any conversations between the complainant and the officers.

Body-worn camera footage captured the estate executor telling the officers that the complainant had lived at the residence intermittently for two months but had not established residency. It captured Officer #2 asking the complainant about her side of the story and Officer #1 repeatedly and politely asking the complainant for proof that she could stay at the residence. The complainant said it was merely a verbal agreement.

The evidence collected shows that the named officers had probable cause to prove that the complainant was trespassing and to order her to leave the residence. However, there was no evidence showing that the officers acted based on gender, race, or disability discrimination.

The evidence proves that the conduct alleged did not occur.

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**COMPLETION DATE: 07/08/2024**

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**SUMMARY OF ALLEGATIONS #1-2:** The officers issued a citation without cause.

**CATEGORY OF CONDUCT:** UA

**FINDING:** PC

**FINDINGS OF FACT:** The officer stopped and cited the complainant for not having a rear license plate and dark-tinted windows. The complainant did not believe he should have been cited.

Officer #1 stopped the complainant for violating California Vehicle Code sections 5200 (a) for No Rear License Plate and 26708(a) for Dark Window Tints after he observed the complainant driving a vehicle without a rear license plate and dark tint on his windows.

Officer #2 also observed the missing rear license plate but did not inform Officer #1 of the violation. Officer #1 approached the complainant and requested his license and registration. Officer #2 instructed Officer #1 to cite the complainant instead of the advisement because, based on the complainant's reaction to the traffic, officer #2 did not believe an advisement would have changed the complainant's behavior or the complainant would have learned from the violation, if no citation had been issued.

The body-worn camera confirmed the complainant did not have a rear license plate affixed to the vehicle at the time of the traffic stop. The front passenger removed the paper license plate from the dashboard and handed it to Officer #1. When Officer #2 pointed out the dark window tint to the passenger, she disputed the assertion. Officer #1 was going to advise the complainant regarding the violations, but officer #2 instructed officer #1 to issue the complainant a citation for the missing rear license plate and dark window tint. The complainant insisted that the officers test his tinted windows, and the officers declined.

The citation issued by Officer #1 correctly identified the violations as California Vehicle Code sections 5200 (a) and 26708(a). The complainant appeared in traffic court, where the violations were signed off. Subsequently, the violations were dismissed, and the judge assessed the correctable fee per violation.

California Vehicle Code section 5200(a) stated that when two license plates are issued by the department for use upon a vehicle, they shall be attached to the vehicle for which they were issued, one in the front and the other in the rear.

California Vehicle Code section 26708(a)(1) states a person shall not drive any motor vehicle with any object or material placed, displayed, installed, affixed, or applied upon the windshield or side or rear windows.

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California Vehicle Code section 26708(a)(2) states a person shall not drive any motor vehicle with any object or material placed, displayed, installed, affixed, or applied in or upon the vehicle that obstructs or reduces the driver's clear view through the windshield or side windows.

Department General Order (DGO) 9.01, Traffic Enforcement, states that officers enforcing traffic and parking laws should use discretion when enforcing violations. The DGO also states that members may act on mechanical violations except any violations deprioritized in DGO 9.07.04, *Restricting the Use of Pretext Stops*.

Although the complainant believed the citation was unwarranted, the evidence showed the vehicle's license plate was not affixed to the rear of the car, and the vehicle had dark windows. The officers' actions complied with department policy.

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

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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The officers took twenty minutes to issue the complainant a 'fix-it' ticket. The complainant believed the stop should have been shorter.

Department General Order 5.03, Investigative Detentions, states that a de facto arrest occurs when an officer takes unreasonable or unnecessary actions during an investigative detention. A lawful temporary detention may become an unlawful de facto arrest in violation of the Fourth Amendment, making the detention unlawful. The following combination of factors may elevate an investigative detention into a de facto arrest: an unreasonably lengthy detention, the use of restraints without officer safety justification, the use of force beyond what is necessary to effect the detention, and the transportation of a detainee without valid consent.

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Officers #1 and #2 believed that the traffic stop was completed in a timely manner and denied intentionally causing an unreasonable delay for the complainant. Officer #1 explained that the interaction took longer because the rear license plate of the vehicle was missing, which naturally caused a delay. Officer #1 also mentioned that if the plate had been affixed to the rear, part of the verification process could have been completed before contacting the complainant. Officer #2 indicated that the circumstances and complexity of the vehicle code violation related to the traffic stop could require even an experienced officer to take additional time to prepare a citation, especially for an officer-in-training.

The body-worn camera footage showed the officer's actions were solely focused on preparing an accurate citation. While Officer #1 prepared the citation, Officer #2 kept the complainant informed of the process and how to take care of the citation. The body-worn camera did not show the officers doing anything unrelated to the traffic stop at hand.

The complainant perceived the officers' actions as unreasonable and felt the time to complete the citation was too lengthy. However, officers may detain the driver at the scene for the period of time necessary to discharge the duties that the officer incurs by virtue of the traffic stop. The DPA investigation found that the stop was not improperly prolonged to conduct an investigation unrelated to the traffic stop without a factual basis for so doing. Thus, was not a de facto arrest. Notably, the driver was not handcuffed nor transported, and no force was used in the encounter. The body-worn camera supports that the officer's sole focus was on the traffic stop and preparing an accurate citation. Therefore, the evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**SUMMARY OF ALLEGATION # 5:** The officer knowingly engaged in biased policing or discrimination.

**CATEGORY OF CONDUCT:** UA

**FINDING:** U

**FINDINGS OF FACT:** The complainant believed that he was a victim of racial profiling when the officer looked at him, a young black man donning a head wrap and driving a luxurious car, and subsequently pulled him over.

The officer, a black male, vehemently denied racially profiling the complainant. He explained that he could not see into the interior of the vehicle because of the dark-tinted windows, which is why it was

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noted on the computer-aided dispatch (CAD) record that there were an ‘unknown number of occupants’ inside. The officer reiterated that the stop was based solely on the vehicle code violations observed, for which a citation was issued.

The body-worn camera footage and computer aided-dispatch (CAD) records corroborated the officer’s statement. The CAD record showed the officer indicated there was an unknown number of occupants in the vehicle for which they were going to pull over for missing rear license plates. The footage showed the officer’s demeanor as calm and professional. In contrast, the complainant appeared upset and accused the officer of racially profiling him. The officer kept his communication related to the stop and answered the complainant’s questions. The officer promptly provided his name and star when the complainant requested it.

Department General Order (DGO) 5.17, Bias-Free Policing Policy, states when providing law enforcement services or enforcement, bias policing occurs when law enforcement inappropriately considers characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, socio-economic status, age, cultural group, disability or affiliation with any non-criminal group. The DGO specifically states to prevent the perception of bias that officers shall be courteous and professional, identify themselves and provide the reason for the stop, ensure the detention is no longer than necessary, and answer questions the person may have regarding the stop.

Although the complainant perceived the officer’s actions as biased, a preponderance of the evidence showed that the named officer did not violate the DGO.

The evidence proves that the conduct alleged did not occur.

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**SUMMARY OF ALLEGATIONS # 1-4:** The officers failed to follow pursuit policy.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that an individual was involved in an armed robbery incident. The individual escaped in a vehicle that was later identified and followed by officers. The complainant said the officers pursued the car to a nearby bridge and deployed spike strips to stop the vehicle, causing it to flip over and injure the individual. She believed that the pursuit was unlawful and not in policy.

The robbery with a firearm was documented in an incident report, which stated the suspects got away in a vehicle. The vehicle description was provided to the police. Named officer #1 and named officer #2 saw the vehicle when it drove past their location. They followed the car, broadcasting it over the radio. At about the same time, an officer in plainclothes monitoring the event deployed a department-issued spike strip when the officer saw the vehicle slowly approaching an intersection while being followed by a marked unit. Despite the car's tires running over the spike strip, the suspects recklessly sped up. Multiple units pursued the vehicle, which drove across a nearby bridge where it collided with another car. The collision ended the pursuit. The named officers, who were the two car units behind the vehicle, took custody of the suspects. Named officer #1 asked Dispatch for medical and fire personnel to respond to the scene.

DPA obtained the named officers' body-worn camera (BWC) videos of the incident. Named officer #1's BWC footage revealed that he and named officer #2 followed and eventually pursued the vehicle. They broadcast their locations and the direction the car was heading. When they got to the bridge, one officer told Dispatch to notify the California Highway Patrol. He told Dispatch that the vehicle was traveling 80 miles per hour and traffic on the bridge was light. Named Officer #1 again broadcast his location and said that traffic on the freeway was minimal. Seconds after that, he broadcast that the suspects had crashed into another car. Upon arrival at the scene of the crash, the complainant's nephew could be seen on the ground on his stomach, about 1-2 feet away from the burning car. Named officer #1 handcuffed him without any incident. He then notified Dispatch that the vehicle was on fire, and both suspects were out of the car. He also asked for an ambulance to respond.

The information from named officer #1's BWC footage was also documented in the CAD of the incident. The CAD further indicated that a supervisor monitored and constantly evaluated the pursuit operation.



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The foregoing shows that the pursuit was lawful and in accordance with DGO 5.05, "Emergency Response and Pursuit Policy." The suspects committed an armed robbery - a violent felony, and there was an immediate need for the named officers to arrest the suspects that posed a significant risk to the public. They traveled at a fast rate of speed, recklessly changing lanes and posing a grave danger to other motorists. As the pursuit continued, the situation was monitored by a supervisor, who constantly evaluated the event. In his BWC, named officer #1 broadcast twice that traffic was minimal or light during the pursuit. As such, it was reasonable for the named officers to continue the pursuit. Named officer #3, one of the primary pursuing units, adequately documented the incident and investigation in an incident report.

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

**SUMMARY OF ALLEGATION # 5:** The officer improperly or unsafely used Department or City equipment.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant said the officers used a tire deflation device to stop the vehicle, causing it to flip over and explode.

Department Notice 23-156, "Preemptive Deployment of Tire Deflation Devices", states that tire deflation devices are de-escalation tools and are intended as a defensive vehicle intervention tactic, deployed with the intent to afford time and distance by safely slowing a vehicle, thus reducing risk to the public, vehicle occupants, and officers. Tire deflation devices may be used proactively to prevent flight or assault or reactively to intervene with a fleeing, reckless, or assaultive vehicle.

The incident report indicated that the named officer was at a street corner when he saw the vehicle stop in the traffic flow and slowly approached the intersection while being followed by a marked unit. The report stated that vehicle traffic was slow-moving, and pedestrian traffic was minimal. The street was damp, illuminated by sunlight, and free from unusual conditions. He deployed the deflation device to stop and prevent the vehicle from escaping and avoid eminent risk to the public in the event of a pursuit. When the officer deployed the deflation device, the suspects ran over it and accelerated towards a bridge to avoid capture. The vehicle never flipped over and exploded due to the spike strips.

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

**SUMMARY OF ALLEGATION # 6:** The officer used unnecessary or excessive force.

**CATEGORY OF CONDUCT: UF**

**FINDING: U**

**FINDINGS OF FACT:** The complainant alleged that the named officer used unnecessary or excessive force in arresting an individual. She said the officers assaulted him and dragged him out of the vehicle.

BWC videos of the minor's arrest show that when the named officer and his partner arrived at the crash site, the individual could be seen on the ground on his stomach, about two feet away from the burning vehicle. The named officer handcuffed him without any incident or use of force. The named officer notified Dispatch that the vehicle was on fire, and both suspects were out of the car. He also asked for an ambulance to the scene. The individual asked the named officer twice to move him away from the burning vehicle. The named officer immediately complied, slowly dragged him to safety, and had him sit on a curb.

The evidence proves that the conduct alleged did not occur.

**SUMMARY OF ALLEGATION # 7:** The officer seized property or money without justification.

**CATEGORY OF CONDUCT: UA**

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**FINDING: U**

**FINDINGS OF FACT:** The complainant alleged that an officer stole the \$800 in her nephew's pocket.

Relevant BWC videos of the incident did not show any officer taking or seizing money from either suspect. Additionally, the incident report did not mention money being seized or taken from the suspects and logged as evidence or for safekeeping.

The evidence proves that the act alleged in the complaint did not occur.

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged that she was issued a traffic citation signed by the named officer in error and SFPD did not send her proper documentation that she was issued the citation in error.

The complainant learned she had been issued an automated enforcement program (red-light camera) citation for a violation on Fell Street when she was contacted by a collection agency. The complainant resides in Oregon and said she was not in San Francisco when the citation was issued, and that she did not own the car captured in the violation. The complainant had not initially received notice of the citation, as it was sent to a California address at which she had never lived. The complainant contacted the named officer, who forwarded a notice of dismissal of the citation from SF Municipal Transportation Administration (SFMTA), the issuer of the citation.

Documents from SFMTA and the Department of Motor Vehicles (DMV) showed that the SFMTA issued the citation to a California resident whose name closely matches that of the complainant. The citation was signed by the named officer, as is SFMTA protocol. A collection agency, while attempting to locate the recipient of the citation, apparently inadvertently associated the citation with the complainant due to DMV records listing the complainant's name with the address of the true violator. DMV records indicated that the complainant's CA record is incorrectly associated with the address of the woman whose name is similar to hers.

The evidence established that the SFPD relied on the DMV registration information at the time the citation was issued, as is standard procedure. The named officer ensured that the complainant received a notice of dismissal of the citation from the issuing agency, SFMTA.

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

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

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**CATEGORY OF CONDUCT:**

**FINDING: IO-1/SFMTA**

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

SFMTA Department of Parking & Traffic  
11 Van Ness Avenue  
San Francisco, CA 94102

**SUMMARY OF ALLEGATION #3:** The complaint raises matters outside the DPA's jurisdiction.

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/DMV**

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

Department of Motor Vehicle  
Investigations Division  
Office of Internal Affairs  
Mail Station T197  
PO Box 825389  
Sacramento, CA 94232-3890

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

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officers used excessive force on him, causing injury to his arms.

The named officers stated that they responded to the report of a person (the complainant) trespassing on the reporting party's property and refusing to leave. When the named officers contacted the complainant and ordered him to leave the property, the complainant refused and began yelling at the officers, stating that he lived there and that the officers should leave him alone and, "get out of this planet." When the named officers attempted to detain the complainant, the complainant refused to put his hands behind his back and dropped his body weight to the ground. The named officers used control holds on the complainant as they moved him down the stairs of the front porch to the sidewalk and handcuffed him. The named officers stated that the complainant did not have any visible injuries or complaint of pain after this incident. The named officers called an ambulance to assess the complainant due to his erratic behavior, and the paramedics transported the complainant to the hospital for further medical assessment. The named officers did not report their use of force to a sergeant because they only used control holds during this incident.

A witness stated that the named officers asked the complainant to leave the property, and the complainant began screaming and yelling. The complainant struggled as the named officers took his arms, brought him down the steps, and handcuffed him. The witness stated that the named officers did not use excessive physical force on the complainant.

The named officers' body-worn camera (BWC) footage was consistent with their description of the events. The complainant refused to comply with the named officers' orders to leave the property, and the complainant actively resisted by dropping to the ground and pulling his arms in towards his body as the named officers attempted to grab his arms. The named officers used control holds on the complainant as they struggled to get him off the porch to the sidewalk and into handcuffs.

Department records indicated that the named officers documented using twist lock control holds in an incident report.

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A Subject Matter Expert on use of force reviewed this incident and stated that the named officers did not appear to use reportable force during this incident, and that the force used was reasonable and properly documented in the incident report.

Department General Order 5.01, Use of Force, allows officers to use reasonable force to effect a lawful arrest, to overcome resistance or to prevent escape, and to gain compliance with a lawful order. Physical control holds and takedowns are authorized to gain compliance of and/or gain control over uncooperative or resistant subjects when necessary.

The named officers had probable cause to detain the complainant. The complainant actively resisted when he failed to comply with lawful orders, refused to put his hands behind his back, and physically resisted the named officers when they attempted to remove him from the property and handcuff him. The evidence showed that the named officers used reasonable force to overcome the complainant's resistance and place him in handcuffs.

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

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

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant was walking down a street and observed the named officers surrounding a person and pressing them into the ground. She said one officer had a knee on or around the person's head. She alleged that the named officers used excessive force in controlling and subduing the person.

The complainant submitted a short video clip they filmed of the incident. The video showed officers positioned around a person who was bent over on their knees with their face on a step on a staircase. Officers held onto the person and one officer had their knee on the person's shoulder area momentarily before the person was turned to their side.

Named Officer #1 said he was patrolling an area on foot when he noticed a person yelling at a nearby business employee about a credit card. He heard another person scream out "call the police," and the person who had been yelling started to leave on his skateboard. He attempted to stop the person so he could investigate, and the person became irate, pushed him and would not stop. Other officers arrived to assist him. The named officers said they also heard another officer on scene mention that the person had a knife. The named officers grabbed and held onto the person who resisted being handcuffed. The person was brought to the ground where they continued to resist before eventually being handcuffed. The person was not injured and did not complain of pain. The named officers said they used minimal force to bring the person into custody and get them into handcuffs. They said the person was only on the ground because they were resistant and needed to be placed into handcuffs. The person smelled of alcohol and was arrested for a weapons violation, resisting arrest and being intoxicated in public.

An incident report was authored which corroborated the named officers' statements. The report documented that the person who was arrested appeared intoxicated and a butterfly knife fell out of their pocket during their attempt to flee. The report documented that the person was arrested for resisting arrest, being drunk in public and carrying a concealed weapon. The report showed that a reporting party told one of the named officers that the arrestee spoke with them at their business regarding a misplaced credit card and then became irate and aggressive toward them.

Body-worn camera footage (BWC) showed officers contacting a person riding a skateboard on a sidewalk. The person momentarily stopped when an officer intercepted their skateboard path. The individual yelled, pushed past the officer, and began running away. Officers attempted to gain control of the person by grabbing onto the person's clothing and arms as the person pulled away. The person held onto Named Officer #1's wrist momentarily and struggled with the officer. The named officers told the person to stop resisting. The person continued to tense up and resist officers' attempts to handcuff them.



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The named officers repositioned the person onto the ground on a staircase, held onto the person's body, and two of the named officers had their knees partially on the person's shoulder area momentarily while officers attempted to position the persons hands behind their back and handcuff them. After the person was handcuffed, the named officers moved the person to their side and then sat them up. An officer located a knife at the scene which he said was open and had fallen out of the person's pocket. The person told a supervising officer that he was not hurt. No injuries were visible. The person later apologized to officers for taking out their aggression on them and that their aggression was misdirected at them because they lost their credit card. The person also mentioned that they were "not that drunk".

Department General Order (DGO) 5.01 states that officers may use reasonable force to effect a lawful arrest, detention, or search, overcome resistance or prevent escape, gain compliance with a lawful order, and to prevent a person from injuring themselves. Additionally, DGO 5.01 states that physical controls, such as control holds and takedowns are designed to gain the compliance of, and/or control over, uncooperative or resistant subjects.

The evidence showed that the named officers used reasonable force options to gain control and handcuff an actively resistant person.

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

**SUMMARY OF ALLEGATIONS #4-8:** The officers knowingly engaged in biased policing or discrimination.

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that the named officers excessive force on the person in this incident because of their race. The complainant did not hear any officers on scene make any comments regarding the person's race. The complainant submitted a short video clip they filmed of the incident.

The named officers denied using any force on the person because of their race and said the person's race did not play any role in their actions or decision making during the incident. The person was initially stopped in order to investigate if a crime occurred as someone yelled call the police and the individual was quickly skateboarding through a crowd away from the same area. The person tried to flee and was resistant during the incident.

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Body-worn camera footage (BWC) did not show any evidence of biased policing. Body-worn camera footage showed the named officers attempting to control and handcuff a person who was tensing up, pulling away and actively resisting.

The evidence proves that the misconduct alleged did not occur.

**SUMMARY OF ALLEGATION #9:** The officer behaved or spoke inappropriately.

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated the named officer made an inappropriate comment regarding the arrestee being “methed out” and then laughed about it.

Body-worn camera footage showed that the named officer asked another officer if the arrestee was “drugged up” or “methed out.” The named officer did not laugh after asking the question.

Department General Order 2.01 states in relevant part that members shall “Treat the public with courtesy and respect and not direct discourteous or profane language at members of the public.”

The named officer did not direct any discourteous or profane language at the arrestee during the incident. The named officer asked a question to another officer. The conduct does not rise to the level of misconduct.

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 officer engaged in unwarranted action.

**CATEGORY OF CONDUCT:** UA

**FINDING:** U

**FINDINGS OF FACT:** The complainant stated that he was transported to a district station holding cell after he was arrested. He stated he wanted to go to the hospital, so he lied to an officer and stated he swallowed drugs. The complainant was subsequently transported to the hospital via ambulance, where he was administered Narcan against his wishes by a medic. The complainant alleged the named officer ordered the medic to inject him with Narcan even though he was conscious.

The named officers did not recall transporting the complainant to the hospital by ambulance.

The Department of Police Accountability attempted to interview the medic; however, she has been unavailable for an extended period.

Department records indicate the named officer accompanied the complainant to the hospital via ambulance.

San Francisco Fire Department records document that the complainant admitted to police officers at the district station that he ingested narcotics at the time of his arrest and requested to go to the hospital because he was afraid he would overdose. The records further document that upon examination by the medic, the complainant was pale, very clammy, very drowsy, tachycardic, slow to respond, and confused. It noted the complainant was administered Narcan with positive effect.

The evidence does not support the allegation that the named officer forced the medic to administer Narcan to the complainant. However, the ambulance records and the complainant's statement about swallowing narcotics indicate that he likely required medical intervention.

The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.

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**SUMMARY OF ALLEGATIONS #2-3:** The officers engaged in unwarranted action.

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that he was transported to a district station holding cell after he was arrested. He stated he wanted to go to the hospital, so he lied to an officer and stated he swallowed drugs. The complainant was subsequently transported to the hospital via ambulance, where he was given Narcan against his wishes by a medic. The complainant alleged the named officers ordered the medic to inject him with Narcan even though he was conscious.

The named officers denied any involvement in transporting the complainant to the hospital via ambulance.

Department records and body-worn camera footage show the named officers were not involved in transporting the complainant to the hospital.

The evidence proves that the conduct alleged did not occur or that the accused officers were not involved.

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that he was transported to a district station holding cell after he was arrested. He stated he wanted to go to the hospital, so he lied to an officer and stated he swallowed drugs. The complainant was subsequently transported to the hospital via ambulance, where he was administered Narcan against his wishes by a medic. The complainant stated the named officer ordered the medic to inject him with Narcan even though he was conscious. The complainant stated that the named officer and the medic made jokes and complained that they had to take the complainant to the hospital.

The named officer did not recall transporting the complainant to the hospital by ambulance.

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The Department of Police Accountability attempted to interview the medic; however, she has been unavailable for an extended period.

Department records indicate the named officer accompanied the complainant to the hospital via ambulance.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that he was transported to a district station holding cell after he was arrested. He stated he wanted to go to the hospital, so he lied to an officer and stated he swallowed drugs. The complainant was subsequently transported to the hospital via ambulance, where he was administered Narcan against his wishes by a medic. The complainant stated the named officer ordered the medic to inject him with Narcan even though he was conscious. The complainant stated that the named officer and the medic made jokes and complained that they had to take the complainant to the hospital.

The named officer denied any involvement in transporting the complainant to the hospital via ambulance.

Department records and body-worn camera footage show that the officer named was not involved in transporting the complainant to the hospital via ambulance.

The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.

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

**CATEGORY OF CONDUCT:**

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**FINDING: Referral/SFFD**

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

San Francisco Fire Department – Chief's Office  
698 2<sup>nd</sup> Street  
San Francisco, CA 94107

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

**CATEGORY OF CONDUCT:** CUO

**FINDING:** IE

**FINDINGS OF FACT:** The complainant reported that he temporarily double-parked his vehicle on a one-way street. At some point, his dog got tangled up in its leash which prevented him from moving his vehicle after the officer told him to move. The officer then approached the complainant and issued him a parking citation. The complainant described the officer's demeanor as condescending and believed the officer failed to listen to understand the totality of the situation.

The officer denied the complainant's allegation and stated he never had ill intent. He described his demeanor as calm and professional and denied using profanity, yelling at the complainant, or talking down to the complainant. The officer explained that he was on lunch when his partner observed the complainant double-parked on a busy, one-way street. After his partner had asked the complainant to move, the complainant refused. In response, the officer approached the complainant and prepared the complainant a double-parking citation. The officer acknowledged that the complainant informed him of the dog situation but reiterated that the vehicle shouldn't have been double-parked and moved immediately when requested.

The officer's partner confirmed he initially observed the complainant's vehicle blocking the roadway and warned him over the loudspeaker to move his vehicle. However, the complainant refused to move his vehicle several times and became upset when he was issued a citation. The officer's partner believed the officer was professional and courteous.

The DPA reviewed body-worn camera footage and video provided by the complainant. The videos showed the officer speaking with the complainant about being double-parked on a busy one-way street. The named officer did not yell, use profanity, or talk down to the complainant. The complainant disagreed with the officer regarding the parking citation asking to be warned instead of receiving a citation. However, the officer explained that the complainant was warned to move the vehicle before he was contacted, but still refused to do so. Neither the officer's body-worn camera nor the complainant's video footage captured what transpired before the officer walked up to the complainant.

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Department General Order 2.01 states that when acting in the performance of their duties, members/employees shall treat the public with courtesy and respect and not direct discourteous or profane language at members of the public.

The complainant perceived the officer's behavior as condescending and rude. The officer and his partner disputed the allegation and stated the officer was professional and courteous. The body-worn camera footage and the complainant's video footage does not show by a preponderance of the evidence that the officer's behavior rose to the level of misconduct. Therefore, the evidence fails to prove or disprove that the alleged conduct occurred.

**SUMMARY OF DPA ADDED ALLEGATION #2:** The officer failed to activate BWC as required.

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The DPA discovered the named officer activated his body-worn camera late.

The officer contacted the complainant after he refused to move his double-parked vehicle. The officer did not conduct a traffic stop on the complainant because he was already parked. Instead, the officer issued the complainant a parking citation for the violation. The officer recalled activating his body-worn camera when the complainant became upset. However, the camera took approximately 30 seconds to activate from the off-mode position. The officer explained the camera had been off because he was on lunch.

The DPA compared the footage from the officer's body-worn camera with the complainant's video footage and found that the officer's body-camera footage was approximately 30 seconds shorter than the complainant's. Despite this difference, the body-worn camera's and video footage's content appears to be similar.

There is no requirement for officers to activate their body-worn cameras to issue a parking citation. Therefore, the officer was not required to activate prior to approaching the complainant. Additionally, the complainant was never detained.

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



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**COMPLAINT DATE: 01/02/2024      COMPLETION DATE: 07/23/2024      PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that an attorney forged their signature on legal documents and lied in court declarations. They reported this conduct to the police and claimed that no investigation had been conducted.

Department records revealed that the complainant filed multiple police reports over a period of about 14 months regarding false impersonation and suspicious occurrences. The records also showed that the reports had been forwarded to an investigative unit, but no investigator had been assigned to the case.

Department Bulletin 20-107, Assignment for Investigation, states in part:

It is the policy of the Department to diligently investigate crimes in order to arrest and prosecute those responsible. However, the Department must manage its resources in a reasonable, effective and efficient manner. Therefore, the Investigations Bureau Lieutenants and the Station Investigation Team (SIT) Lieutenants shall review and evaluate each incident report that falls under their investigative jurisdiction prior to assigning cases to an Investigator.

The Bulletin also notes that when assigning cases, numerous factors should be considered including staffing levels, the crime's severity, solvability, and the presence or lack of physical evidence. The Department must manage its resources reasonably and effectively. Unassigned cases are administratively filed as Open/Inactive and may be activated when new information is presented.

The DPA interviewed the commanding officer of the specialized investigative unit regarding the complainant's reports. The officer explained that the specialized investigative unit receives over 9,000 police reports each year and evaluates them based on criteria such as the loss of monetary value, solvability, and the victim's cooperation and participation. After reviewing the complainant's reports, the commanding officer determined that the alleged forgery involved federal forms and no monetary loss. As a result, the case did not meet the criteria for assignment for further investigation by the unit and should be handled by the federal government because the alleged forgery occurred on federal forms. The commanding officer advised that the complainant may contact them for additional information and referrals. The DPA provided the commanding officer's contact information to the complainant for follow-up. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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**COMPLAINT DATE: 01/02/2024      COMPLETION DATE: 07/23/2024      PAGE# 2 of 2**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1**

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

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated there had been a series of burglaries at an elderly friend's home since the elderly woman had been hospitalized. He said one time, two officers drove by and admitted that they caught two individuals in a previous incident but let them go. He said there had been no reports filed.

The DPA located the previous incident in which the officers released the two subjects found inside the elderly person's home. The DPA interviewed the named officer who was the primary officer of the incident, who confirmed that she authored a police report for this incident.

Department records indicate that the named officer wrote an incident report documenting the details of the incident.

The evidence proves that the named officer wrote a report and that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

**SUMMARY OF ALLEGATION #2: The officers failed to write an incident report.**

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that there had been a series of burglaries at an elderly friend's home since the elderly woman had been hospitalized. He said one time, two officers drove by and admitted that they caught two individuals in a previous incident but let them go. He said there had been no reports filed.

The named officer confirmed that she did not write the police report, but her partner did.

Department records indicate that the named officer's partner wrote the report.

The evidence proves that the named officer's partner already generated a report. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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**SUMMARY OF ALLEGATIONS #3-4: The officers failed to properly investigate.**

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that two officers told him that individuals were caught in the home in a previous incident. However, officers did not properly investigate and let them go.

Both named officers confirmed responding to a burglary call at the location and caught two suspects in the house. Named officer #1 stated that no stolen property was located or confirmed. However, they recalled both suspects claimed that they had the owner's permission to be inside the house. Named officer #1 stated that the front door was not locked when they arrived and was only covered with a white sheet that appeared to come from the Fire Department.

Officer #2 stated that she met both the owner and the complainant in a previous interaction and was told verbally that the complainant would take care of the owner's property while she was away. During this incident, the officer called the complainant twice and left voice messages. However, the complainant did not pick up. Therefore, the officer could not obtain a citizen's arrest form, nor could they confirm that the two suspects did not have permission to be in the house. Officer #1 said she called a senior officer who told her to advise the subjects and issue them a Certificate of Release. Officer #2 provided a screenshot of her calls to the complainant during the incident.

Department records indicate that the reporting party called the police about the burglary. The reporting party said that the owner was hospitalized, and the reporting party did not want to be interviewed by the police. The officers attempted to reach out to the reporting party via dispatch. The incident report recorded that two individuals were detained after a sweep of the house; however, both said they had permission to stay inside the house. The two were eventually admonished and released on scene. There was no record of any citizen's arrest forms being signed.

Body-worn camera footage captured that the gate of the home was not locked when officers arrived on the scene. Named Officer #1 conducted a sweep of the house with two other officers and located two suspects inside the premises. Both suspects said they had permission to be inside the house, and one said her mother knew the owner. Named Officer #2 attempted to contact the complainant and explained to Officer #1 that the complainant was in the process of obtaining a power of attorney over the elderly owner. Officer #2 left the complainant a voicemail and asked for a callback but did not get a call from the complainant. Officer #1 waited and decided to call their senior officer. She then admonished the two

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subjects and released them.

Penal Code section 459 (Burglary) states, “every person who enters any house, room, apartment.... when the doors are locked, ...with intent to commit grand or petit larceny or any felony is guilty of burglary.”

Penal Code section 602 (Trespassing) states that “...a person who willfully commits a trespass by any of the following acts is guilty of a misdemeanor: (m) entering and occupying real property or structures of any kind without the consent of the owner, the owner’s agent, or the person in lawful possession.”

Penal Code section 647 (Miscellaneous Crimes) reads, “every person who commits any of the following acts is guilty of disorderly conduct, a misdemeanor: (e) who lodges in any building, structure, vehicle, or place, whether public or private, without the permission of the owner or person entitled to the possession or in control of it.”

When officers see a potential misdemeanor offense being committed in their presence, they have the discretion to determine what to do with the suspect. The officers can book the individual under certain circumstances, they can cite and release the individual under certain circumstances, or they can release the individual. In this case, the named officers did not arrest the suspects because no one could confirm whether the suspects were given permission to be on the property or whether any objects were stolen.

The evidence shows that the officers attempted to interview the reporting party, attempted to contact the complainant in lieu of the owner, they checked for any forced entry and evidence at the premise, and detain and interview suspects. However, since they could not confirm whether the suspects were allowed to be inside the premises without speaking to the complainant or owner and did not have evidence proving it was a forced entry, they could not find any probable cause to arrest or cite the suspects.

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

**SUMMARY OF ALLEGATIONS #5-6: The officers failed to make an arrest.**

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

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**FINDINGS OF FACT:** The complainant stated that the named officers let the suspects go without making an arrest.

Both named officers confirmed detaining two suspects inside the house and releasing them on the scene. Officer #1 recalled that both suspects claimed they had the owner's permission to be inside the house. Officer #2 attempted to call the complainant twice to confirm whether the suspects had permission to be in the house and to determine whether anything was stolen, but the officer was unable to reach anyone. Officer #1 stated that there was no forced entry to the premises. They could not obtain a citizen's arrest form from any parties, which is necessary to conduct an arrest for a misdemeanor not committed in the officer's presence. Officer #1 stated that she called a senior officer who told her to advise the subjects and to issue them a *Certificate of Release*.

Department records indicate that the reporting party did not want to be interviewed by the police. The incident report recorded that two individuals were detained after a sweep of the house but eventually admonished and released on the scene. There was no record of any signed citizen's arrest form.

Body-worn camera footage captured officers on the scene conducting a sweep of the house and locating two suspects inside the premises. Both suspects said they had permission to be inside the house. Officer #2 attempted to contact the complainant but was unsuccessful. Officer #1 called their senior officer, who advised her to admonish and release the two subjects.

Penal Code section 459 (Burglary) states, "every person who enters any house, room, apartment... when the doors are locked, ...with intent to commit grand or petit larceny or any felony is guilty of burglary."

Penal Code section 602 (Trespassing) states that "...a person who willfully commits a trespass by any of the following acts is guilty of a misdemeanor: (m) entering and occupying real property or structures of any kind without the consent of the owner, the owner's agent, or the person in lawful possession."

Penal Code section 647 (Miscellaneous Crimes) reads, "every person who commits any of the following acts is guilty of disorderly conduct, a misdemeanor: (e) who lodges in any building, structure, vehicle, or place, whether public or private, without the permission of the owner or person entitled to the possession or in control of it."

The evidence proves that although the named officers located two people inside the owner's home while the owner was away, they were not able to speak with anyone to confirm whether the persons had permission to be in the home and whether any items were stolen. There was no evidence of forced entry. Therefore, the named officers did not have probable cause to arrest or cite the suspects for burglary, trespassing, or squatting.

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

**SUMMARY OF ALLEGATION #7: The SFPD failed to take required action.**

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged the house was repeatedly burglarized in the previous four months, but no investigations or reports commemorated the incidents.

The DPA conducted a computer query and located four burglary or trespassing incidents at the location. A report was generated for all four burglary incidents. Various officers responded to the location and investigated the incidents. They looked for potential points of entry and damage to property, spoke with the owner and witness on the scene, watched security camera footage, and confirmed the existence of stolen property.

Department records show that no arrests have been made in three of the incidents because officers were either unable to contact the property owner to confirm the loss, unable to locate any suspects on the scene, or had insufficient evidence. Out of the four incidents, an arrest warrant was obtained by the assigned investigator because they were able to link the unauthorized financial withdrawal from the owner's bank account to the suspect.

The evidence shows that various San Francisco police officers took appropriate investigative action during these previous incidents.

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

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**COMPLAINT DATE: 01/12/2024**

**COMPLETION DATE: 07/01/2024**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that the named officer failed to use his turn signal when making a right turn.

The named officer stated that he did not respond to any calls for service at the time in question. He could not recall committing any traffic violations at the time.

DPA was unable to locate any additional evidence pertaining to this incident.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that the named officer ignored him when he advised him to use his turn signal.

The named officer could not recall speaking with any civilians regarding his driving.

DPA was unable to locate any additional evidence pertaining to this incident.

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



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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that during a DUI investigation which led to her son's arrest, officers improperly removed his jacket while he was standing in the cold for a prolonged period.

DPA obtained Body-worn Camera (BWC) footage of the incident. The BWC footage reflected the opposite of the complainant's assertions: when her son voiced that he needed a heavier jacket because he was cold, the officer provided the complainant with the jacket that was stored in his vehicle. Additionally, the BWC footage did not show the officers otherwise removing any piece of his clothing during the investigation on-scene.

The evidence proves that the conduct alleged did not occur.

**SUMMARY OF ALLEGATION #2:** The officer failed to take required action.

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that her son was held at the district station for an excessive amount of time violating Department Policy.

The Computer Aided Dispatch (CAD) reflected that the complainant was held at the district station for roughly an hour before transportation to the county jail, which was well within policy.

The evidence proves that the conduct alleged did not occur.

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**SUMMARY OF ALLEGATIONS #1-3:** The officers failed to promptly respond to a scene.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he was the victim of an assault. He stated that officers responded thirty minutes later, and the suspect had already left the scene. The complainant alleged that officers did not respond promptly in time to catch the suspect.

Named officer #1 and #2 stated that the incident did not warrant a code 3 response as there was no information regarding serious injury. Named officer #1 and #2 stated that they attempted to canvass the area to look for the suspect, but it produced negative results. Named officer #1 and #2 stated that traffic was congested during the time of the incident which also may have hindered their response time.

Named officer #3 stated that the district where the incident happened was extremely busy at the time and there were numerous calls for service that were prioritized.

Computer Aided Dispatch (CAD) records showed that the initial call was listed as a priority 'A' assault/battery which occurred around nine in the morning. It did not indicate there was any injury. CAD records showed that it took the named officers around twenty minutes to arrive on scene from when they were dispatched. CAD records for the second call for service showed that the call was prioritized as a priority 'B' call regarding threats/harassment.

The evidence showed that while the initial call was listed as a priority 'A', there were no injuries which would have elicited a faster response time from the named officers. Additionally, the second call for service was prioritized as a lesser level priority 'B' call. While the DPA understands the frustration in slow police response times, low staffing levels and higher than normal call volumes have also contributed to delays in police response.

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

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**COMPLAINT DATE: 01/31/2024**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that she and her partner share a vehicle and that her partner was driving their vehicle when he entered a DUI Checkpoint and encountered the named officer. The complainant's partner called her during the encounter, and she overheard parts of their conversation. The complainant described the officer's behavior as rude and dismissive toward her partner.

The officer's body-worn camera showed the complainant's partner drive into the DUI Checkpoint. He rolled down his window and told the officer he did not have a driver's license and produced an identification card instead. The officer informed the complainant's partner he was driving with a suspended license. Although the complainant's partner had a work-related exception to the suspension, he could not prove to the officer that the exception had been met. As a result, the officer explained that the vehicle would be towed. The officer's demeanor was calm, professional and polite. The complainant's partner became visibly upset and called the complainant on his cell phone. At one point, the complainant asked to speak with the officer, the officer obliged but the complainant's partner took the phone away from the officer moments later and disconnected the call. The complainant's partner alluded to making a complaint and requested the officer's name and star number twice. The officer provided his name and star to the complainant's partner both times.

Department General Order 2.01.03, General Rules of Conduct, Public Courtesy (DGO 2.01.03.8) states the following:

Members/employees shall understand and follow the principles of Procedural Justice and incorporate them into their professional work environment. These principles include giving members of the community a voice (opportunity to speak), fair/impartial treatment, respect, and providing a trustworthy process. When acting in the performance of their duties, members/employees shall:

- a. When answering the phone, identify themselves including their name, rank, unit, station, or bureau, and inquire how they may be of service.
- b. Treat the public with courtesy and respect and not direct discourteous or profane language at members of the public.

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- c. Address the public using pronouns and titles of respect appropriate to the individual's gender identity as expressed by the individual.
- d. Not demean or degrade individuals referencing their race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, mental or physical disability, or socioeconomic status.
- e. When requested, the member shall promptly and politely provide their name, star number and assignment.

The investigation showed that the officer's behavior was professional and that he provided his star number and name when requested. Although the complainant perceived the officer's behavior as rude and dismissive toward her partner, the complainant was not at the scene and had a limited perspective of their interaction.

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

**SUMMARY OF ALLEGATIONS #2:** The officer towed a vehicle without justification.

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The officer towed the complainant's vehicle without cause.

The body-worn camera showed the complainant's partner admit to the named officer that he was driving without a valid driver's license. The disagreement between the officer and the complainant's partner was whether his license suspension exception to drive to-and-from work applied. The complainant's partner explained that he was delivering food using an app-based delivery system. The complainant's partner showed the officer the delivery app and the last completed delivery. The officer explained to the driver that he failed to prove that he was delivering food or completed a delivery because the delivery account belonged to someone else and not the complainant's partner. The complainant's partner was then advised the vehicle would be towed. The complainant's partner was upset because he said it was the first time the vehicle was being towed for driving with a suspended license.

The incident report is substantiated by the body-worn camera footage. The report showed the complainant's partner was issued a citation for Driving on a Suspended License, 14601.1(a) VC prior to

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being released on the scene. The officer noted on the incident report that the complainant's partner had been convicted of 14601.1(a) VC the year before.

Department General Order 9.06, Vehicle Tows, Policy and Procedures states the following:

**2. MANDATORY CIRCUMSTANCES.**

Officers shall place a "hold" on a vehicle when any of the following circumstances exist:

**a. SUSPENDED OR REVOKED DRIVER LICENSE.**

A vehicle is being towed because the driver has been arrested for driving with a suspended or revoked driver license (Section 14601 CVC series) or driving without ever having been issued a driver license [ Section 12500(a)CVCJ. After arresting a person for driving with a suspended or revoked driver license, or for driving without ever having been issued a driver license, place a hold for the STOP (San Francisco Traffic Offender Program)

The officer adhered to the Department policy regarding vehicle tows. The complainant's partner was driving on a suspended license and had previously been arrested and convicted of driving with a suspended license the year prior. Although the complainant believes there was no cause to tow the vehicle, the officer's actions were within the officer's legal authority.

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

**SUMMARY OF ALLEGATIONS #3:** The officer failed to provide his or her name or star number.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant said the officer did not provide his name and star.

The body-worn camera footage showed the named officer provided his name and star number each time the complainant's partner requested it.

Department General Order 2.01.03, General Rules of Conduct, Public Courtesy (DGO 2.01.03.8.e) states the following:

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e. When requested, the member shall promptly and politely provide their name, star number and assignment.

The investigation showed that the officer provided his star number and name when it was requested. Although the complainant believed the officer dismissed her partner and did not provide it, the body-worn camera footage indicated otherwise.

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

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**COMPLAINT DATE: 01/30/2024**

**COMPLETION DATE: 07/26/2024**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated the named officer was aggressive toward her and her husband and shouted at them during a parking space dispute.

The named officer denied shouting or being aggressive and stated that the complainant was the one shouting and being verbally combative.

A witness officer also stated that the named officer was not aggressive, and that the complainant was the one yelling.

There was no footage of the interaction between the complainant and the named officer.

Without further evidence it is not possible to ascertain the officer's actions in his interaction with the complainant.

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

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

**CATEGORY OF CONDUCT: UA**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated the named officer threatened to have her vehicle towed without cause as a result of an argument over a parking space.

The named officer stated that the complainant and her husband were parked in a private parking lot in an assigned parking bay. The named officer stated he told the complainant and her husband that they had to move the vehicle and the complainant became verbally abusive. The named officer then identified himself as a police officer, but this only led to more abuse from the complainant. The named officer stated at this point he went to his vehicle and radioed for uniformed patrol.

There is no footage of the interaction between the complainant and the named officer.

There is no way to determine the actions of the officer.

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



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**SUMMARY OF ALLEGATION #3:** The officer was unfit for duty due to alcohol consumption.

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that the named officer put himself on duty by showing his badge. The complainant stated that when he did so, the named officer smelled of alcohol and marijuana.

The named officer denied the allegations of being drunk or high.

A witness officer stated that he did not believe the named officer was drunk or high.

Body camera footage showed responding officers interacting with the named officer. The named officer did not demonstrate any signs of being under the influence of drugs or alcohol on the BWC footage.

It is not possible to determine whether the named officer had been drinking or had taken any drugs at the time of this incident.

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

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**COMPLAINT DATE: 02/04/2024**

**COMPLETION DATE: 07/01/2024**

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**SUMMARY OF ALLEGATION #1:** The officer failed to make an arrest.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant believes officers should have arrested the daughter of her son's ex-partner for pointing a gun at him and his children. The complainant said she was not present at the incident.

Body-worn camera footage of the responding officers showed that they were dispatched to the ex-partner's home regarding a fight. Upon arriving at the scene, the officers found the ex-partner on the ground and in distress. An ambulance was called to provide assistance, and the ex-partner was eventually taken away by ambulance in an agitated state. The daughter of the ex-partner refused to speak with officers at the scene and left with her sibling. The person who made the call for service was never present during the incident.

The Department Records were requested in relation to the complaint, which involved responding officers dispatched to the ex-partner's home regarding the fight. The complainant's ex-partner alleged being shot in the neck with a pellet and mentioned having an active restraining order against the complainant's son, with herself and their child listed as protected persons. An Emergency Protective Order was issued for the ex-partner and their common child against the complainant's son. The ex-partner was taken away via ambulance. The ex-partner's daughter was not thoroughly interviewed regarding the nature of the fight due to her insistence that she must leave with her sibling.

The incident involved a second call for service approximately 30 minutes later, where the mother of the complainant's son's children contacted law enforcement regarding the ex-partner fighting with her child. The officers spoke with the children; however, an arrest was not made. The case was referred for assignment and further investigation by the named officer.

The Chronological of Investigations provided the investigative steps taken once the case was assigned to the named officer. The report revealed that the named officer continued to interview the involved parties; however, the named officer was unable to speak with the ex-partner's daughter and the complainant's son as they were unavailable. The named officer authored arrest warrants, including a warrant to arrest the daughter of the son's ex-partner. The case is still open and ongoing.

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 02/05/2024**

**COMPLETION DATE: 07/01/2024**

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**SUMMARY OF ALLEGATIONS #1-2:** The officers made an arrest without cause.

**CATEGORY OF CONDUCT:** UA

**FINDING:** PC

**FINDINGS OF FACT:** The complainant alleged she was erroneously charged with child neglect.

The body-worn camera footage of the named officers was reviewed. They responded to a residential building where a vehicle was illegally parked. The named officers met with the building's managers, who stated that the complainant's vehicle was parked in the garage improperly that day and in the past, and she in prior instances, the complainant had destroyed building property. The named officers were brought to the complainant's vehicle when Named Officer #2 noticed a child inside. Named Officer #2 was able to remove the child from the vehicle because the door was unlocked. The child (who was nonverbal) was removed from the vehicle and brought to the building's lobby for medical assessment and care. While waiting for the ambulance to arrive to assess the child, the complainant was seen running into the lobby and viewing the named officers with her child. The complainant stated that she left her child in the car for approximately 15 minutes because he was asleep while she visited her friend. The complainant apologized profusely and acknowledged that she had forgotten her son was in the car. The named officers were shown video surveillance from the garage, where the complainant left and returned to her vehicle to check on her son for 10–15-minute intervals. Named Officer #2 contacted her superior officer, who advised that an arrest was proper because complainant admitted that she had forgotten her child in the car.

Department records showed that a report was made against the complainant four days before the date of the incident related to the complaint. The San Francisco Police Department Incident Report identified damage in a vacant unit, with the building manager naming the complainant as the suspect and providing a cellphone displaying their name.

The incident report stemming from this complaint showed that officers were requested to assist the subject responsible for the vandalism from the prior days. The named officers observed a child sleeping in a car seat in an unlocked vehicle. The named officers noted that the child appeared disheveled, and a shoelace was used to help strap the child into the car seat. Medical responders rendered aid at the scene, transported the child to the hospital, and subsequently released them to Child Protective Services (CPS). The complainant was arrested and transported to county jail.

In the Chronological of Investigation report, the assigned investigator spoke with a CPS case worker, who informed them that the complainant had multiple out-of-county referrals to their department regarding

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separate incidents of neglect and endangerment of the child. The investigator continued investigating the incident and referred the case to the District Attorney's Office for prosecution.

Department General Order 5.03.03 states in the relevant part, "Probable cause to arrest is a set of specific facts that would lead a reasonable person to objectively believe and strongly suspect that a crime was committed by the person to be arrested. Under the Fourth Amendment, arrests must be supported by probable cause."

California Penal Code section 273a(b) Any person who, under circumstances or conditions other than those likely to produce great bodily harm or death, willfully causes or permits any child to suffer, or inflicts thereon unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully causes or permits the person or health of that child to be injured, or willfully causes or permits that child to be placed in a situation where his or her person or health may be endangered, is guilty of a misdemeanor.

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

**SUMMARY OF ALLEGATIONS #3-4:** The officers failed to give Miranda warnings.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The officer failed to *Mirandize*.

The body-worn camera footage of the named officers showed that the complainant made multiple unsolicited admissions about forgetting her child in the car. The named officers did not interrogate the complainant at any point. In contrast, complainant provided unsolicited information to the officers repeatedly throughout the incident.

DPA understands that there is a common misconception that everyone must be given *Miranda* warnings immediately upon arrest. However, *Miranda* warnings are only required when officers wish to interrogate a person in police custody, otherwise known as "custodial interrogation."

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Based on the evidence, the complainant did not undergo a custodial interrogation. Therefore, there was no need for *Miranda* warnings.

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

**SUMMARY OF ALLEGATIONS #5-6:** The officers failed to properly care for, process, or book property.

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The officer left the complainant's vehicle unattended, which resulted in it being burglarized.

The body-worn camera footage of the named officers showed that the door to the complainant's vehicle was already unlocked, which allowed them to remove the complainant's child from the vehicle. The complainant never mentioned or inquired about the status of her vehicle potentially being unlocked, nor did she provide them with the vehicle's keys to ensure that it would be locked. The backup officer's body-worn camera footage showed that they had taken pictures of the vehicle for evidence, but it didn't capture whether they had locked it.

Although the officers' failure to lock the complainant's vehicle was ill-advised, their actions did not breach department policy as the vehicle was left in a secure parking garage and was not seized as property. Additionally, the complainant bears some level of responsibility as she did not express this concern nor provide the officers with the keys to her vehicle.

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

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**COMPLAINT DATE: 02/08/2024**

**COMPLETION DATE: 07/29/2024**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant said he went to the Veterans Building at a scheduled time. The building commissioner verbally assaulted him and said he was not going to get any food because they were not open that day. The complainant said the commissioner should have given him money. He said the commissioner's counterpart hit him, causing him to fall. Officers came and separated them. He complained that one of the officers asked him 20 background questions and was "full-on bad cop" with him. He said both officers were unprofessional and treated him like a perpetrator.

Named officer #1 denied treating the complainant unprofessionally or like a perpetrator. He said he tried to obtain all the details to determine the best course of action. However, the complainant was angry and uncooperative. He even told the complainant that he was trying to help. Officer #2 stated that the complainant would not provide him with his statement or elaborate further when he attempted to ask him questions to clarify what happened. He added that the complainant seemed agitated and was increasingly argumentative.

Department records indicate that Officer #1 asked the complainant clarifying and follow-up questions during his interview to clarify the complainant's confused account. However, the complainant refused to answer his questions and participate.

Body-worn camera footage captured both officers attempting to ask the complainant questions to get his side of the story soon after they arrived. The complainant appeared to be agitated and initially gave a brief yet incoherent statement. When Officer #1 calmly and professionally asked him to clarify, the complainant refused and said he already answered. The complainant also refused to speak to Officer #2 afterward.

The evidence collected proves that although the named officers did ask the complainant questions to clarify the incident, they asked them professionally and calmly and did not treat the complainant like a perpetrator.

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

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**COMPLAINT DATE: 02/08/2024**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that both officers discriminated against him; however, he was unable to articulate any reason for this belief or his theory of the alleged discrimination.

Both named officers stated that they knew the complainant's perceived race and age. However, they denied discriminating against the complainant based on any perceptions. Named officer #2 did not know why the complainant would claim discrimination.

Department records show that the officers attempted to obtain statements from the complainant and other parties involved to determine what happened.

Body-worn camera footage captured that the complainant was uncooperative and agitated when officers asked him to clarify his story.

The evidence gathered did not show any behavior conducted by the named officers was based on discrimination.

The evidence proves that the conduct alleged did not occur or that the accused officers were not involved.

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant mentioned another incident in which the reception desk officer at the San Francisco Police Headquarters was very rude, unprofessional, unhelpful, judgmental, and critical of him. He said the officer refused to talk to him, turned her back on him, and told him, "I ain't gonna help you." He did not know the officer's name or badge number.

There were no calls for service regarding this incident.

Since the complainant could not identify the specific officers involved in the interaction, DPA sent an ID Poll to the SFPD Headquarters. An ID poll describes the incident and asks that the commanding officer review the incident description and identify officers that were involved. The ID polls came back with negative results. There was insufficient information to identify the officer for the DPA to conduct further investigation.

There were no witnesses at the time of the incident.

No finding outcomes occur when an officer cannot reasonably be identified.



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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated he observed two police patrol cars conduct an illegal U-turn across double yellow lines and run a red light. The first vehicle was driven by a male officer, and the second was driven by a female officer. The complainant provided the vehicle numbers.

The named officer confirmed that she was on duty and driving a police vehicle in the area. She did not recall running a red light or making an illegal U-turn. She recalled being approached by a member of the public who was angry at the police, but she chose to ignore the individual to try to de-escalate the situation.

Department records did not capture any incident at the location based on the time frame the complainant provided.

There is no evidence to support or refute either the complainant's or the officer's account.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant said that when he approached the female officer, she acted in a disrespectful way.

The named officer recalled being approached by a member of the public who was angry at the police, but she chose to ignore the individual to try to de-escalate the situation.

Department records did not capture any interaction or conversation with the complainant at the location based on the time frame the complainant provided.

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The is no evidence to support or refute either the complainant's or the officer's account.

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

**SUMMARY OF ALLEGATION #3:** The officer drove improperly.

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated he observed two police patrol cars conduct an illegal U-turn across double yellow lines and run a red light. The first vehicle was driven by a male officer, and the second was driven by a female officer. The complainant provided the vehicle numbers.

A witness officer said she could not recall who the male officer was.

Department records did not record who was driving the vehicle described by the complainant.

Because the complainant could not identify the specific officer involved in the interaction, DPA sent an ID Poll to the district station. An ID poll describes the incident and asks that the Captain and/or members of the station review the incident description and identify the officers that were involved. The ID poll came back with negative results. Therefore, there was insufficient information to identify the officer.

No findings are made if the officer cannot reasonably be identified or has left the Department and is, therefore, no longer subject to discipline.

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**COMPLETION DATE: 07/16/2024**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged that his motorcycle mechanic brandished a weapon during an argument. The complainant called the police because he was scared and wanted the mechanic arrested. Although the mechanic was arrested at the scene, the complainant was upset because he believed the officers did not conduct a thorough investigation which ultimately resulted in the mechanic's release.

Officer #1 denied the allegation stating that he obtained a statement from the complainant and the mechanic. The complainant was primarily concerned with retrieving his property from the mechanic. Officer #1 informed the complainant the issue regarding the property was a civil matter, but the complainant did not agree. Officer #1 had the complainant speak to a supervisor, Officer #2, about it further. Officer #1 then searched the scene for surveillance cameras with negative results and documented his findings in the incident report. He also interviewed witnesses who confirmed there was a verbal altercation between the complainant and the mechanic that escalated to a physical altercation. The witnesses did not see a gun and recorded some of the incident on their cell phone which Officer #1 reviewed and booked as evidence.

Department of Emergency Management records showed that Officer #1 responded to an A-priority call regarding a person with a gun reported by the complainant. However, records also showed that the mechanic called dispatch shortly after to clarify that he did not have a gun, but rather a tool called an "impact gun" that was used for car parts.

The body-worn camera footage confirmed that the officers conducted a complete and thorough investigation at the scene. Officer #1 obtained statements from the complainant, mechanic, and witnesses. Officer #1 also searched for surveillance footage and obtained a copy of a video of the incident from a witness's cellphone. Officer #2 supervised the investigation, ensuring it was thorough and complete. After reviewing the cellphone footage, Officer #1 and Officer #2 found probable cause to arrest the mechanic for making criminal threats. Subsequently, the mechanic was arrested and taken to the district station. Later, Officer #1 received permission to search the mechanic's residence for the weapon involved in the incident and booked it as evidence. The weapon booked was a power tool called an impact wrench, also known as an impact gun, not a firearm.

Police and Sheriff's Department records showed that the mechanic was arrested and booked for a felony. Additionally, the case was assigned to Officer #3 for further investigation. Officer #3 submitted the case

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to the District Attorney's Office. However, court records showed that the District Attorney's office declined to pursue charges against the mechanic and the mechanic was subsequently released.

The DPA's investigation determined that the named officers conducted a complete and thorough investigation. The officers arrested the mechanic for criminal threats and took him into custody. Although the complainant was upset that the mechanic was not charged with a crime, that is a decision that is strictly within the sole discretion of the District Attorney's Office.

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

**SUMMARY OF ALLEGATION #4:** The officer prepared an incomplete or inaccurate incident report.

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant alleged that the officer prepared an inaccurate incident report because the report alleged he did not know what type of gun was used and that he shoved the mechanic.

The named officer denied the allegation, stating that the complainant initially told him that the "gun" was black and was unable to tell the officer if he saw a revolver or a pistol until the officer continued to interview him. In addition, the incident report included statements from witnesses who observed the altercation and stated they observed the complainant push the mechanic.

The named officer noted in the incident report that the complainant's statement was summarized, and that the officer's body-worn camera footage should be viewed for complete statements made by the complainant. DPA reviewed the body-worn camera. The body-worn camera corroborates the officer's summary of the complainant and witness statements in the incident report. In essence, the context of the incident report and statements were accurate but not verbatim.

The DPA investigation revealed that the officer's incident report was not a verbatim record of the statements obtained during the investigation. However, the report adequately summarized the statements, and that the complete statements were memorialized on the officer's body-worn camera footage. Lastly, the statement's context was an accurate reflection of what was stated at the scene, as captured on the body-worn camera footage and were not inaccurate or misleading.

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The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.

**SUMMARY OF ALLEGATION #5:** The officer failed to activate body-worn camera as required.

**CATEGORY OF CONDUCT: ND**

**FINDING: IC/S**

**FINDINGS OF FACT:** The named officer received consent to search the mechanic's residence from the mechanic's spouse, a department member, for a glue gun which was believed to be the weapon used during the altercation. However, the consent and the search were not captured on body-worn camera. The glue gun was subsequently found inside the residence and photographed by the officer.

According to the named officer, he deactivated his body-worn camera at the conclusion of his investigation following the arrest and transport of the mechanic for booking. However, he remained at the scene and mechanic's spouse arrived and provided consent to search the residence for the weapon allegedly used by the mechanic. The officer said he did not activate his body-worn camera when obtaining consent to search from the mechanic's spouse, a fellow officer, or during the consent search as a courtesy because he believed that the member's home, family's privacy, and safety should not have been placed in jeopardy with body-worn camera footage. The officer noted that he did take photos and documented his findings within the incident report.

The incident report included a statement from the officer that he deactivated his body-worn camera.

Activation of Body Worn Cameras, Department Notice 23-045 (DN 23-045) and Department General Order 10.11.C. 9 and 12, regarding Authorized Use, which states all on-scene members equipped with a BWC shall activate their BWC equipment by pressing the Event button record in the following circumstances conducting any of the following searches on one's person and/or property:

- a. Incident to an arrest
- b. Cursory
- c. Probable cause
- d. Probation/parole
- e. Consent
- f. Vehicles

The DPA's investigation showed that the officer did not comply with DN 23-045, and the named officer did not dispute that he failed to comply with the policy as indicated above. Thus, a preponderance of the

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evidence proves that the alleged conduct occurred and that the conduct violated Department policy and procedures.

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/IAD**

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

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated he was the victim of a dog bite from an off-leash dog. He stated he filed a police report and later participated in a Vicious and Dangerous Dog (VDD) hearing, where the dog was subsequently deemed not vicious. He stated the named officer was the assigned investigator regarding the dog bite. The complainant alleged that the named officer failed to respond to two emails and failed to cite the dog's owner for being off leash if she was not cited.

The named officer stated he did not respond to two emails he received from the complainant after the complainant's case was adjudicated at a VDD hearing. He stated he is the only person in the San Francisco Police Department who handles all the dog bites within San Francisco. He reviews 600-900 bite reports from either police reports or reports from the San Francisco Animal Care and Control. The named officer stated that since the complainant had his VDD hearing and the hearing officer already made a legal decision, he felt the case was closed. He stated that he consulted his supervisor, who advised that no further action was required since a ruling had been issued and his case had been concluded.

The named officer further stated he did not cite the owner of the offending dog because he was not present when the bite occurred. He was assigned to investigate the dog bite after the fact and was not present when the bite occurred. He stated that the offending dog's owner and the complainant were present at the VDD hearing, where the complainant had multiple opportunities to request a citation, but he never did.

Department records indicate that the emails were sent after a VDD hearing officer published their decision, deeming the dog not vicious. In addition, there is no record that the offending dog's owner was cited for being off leash.

The named officer is the sole officer handling dog bite investigations for San Francisco. The emails that the complainant stated went unanswered were sent after the VDD hearing officer issued their decision. While the Department of Police Accountability (DPA) encourages officers to return phone calls, the Department has no policies or procedures requiring officers to return all messages. Based on the status of the complainant's dog bite case and the heavy workload of the named officer, DPA finds that the named officer's failure to respond to the complainant's emails does not rise to the level of discipline. In addition,

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the named officer did not violate Department policy by not citing the offending dog owner, as no policies require officers to cite.

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

**SUMMARY OF ALLEGATION #2:** The officer failed to provide required information.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated he was the victim of a dog bite from an off-leash dog. He stated he filed a police report and later participated in a Vicious and Dangerous Dog (VDD) hearing, where the dog was subsequently deemed not vicious. He stated the named officer was the assigned investigator regarding the dog bite. The complainant alleged that the named officer failed to answer his question in an email regarding whether or not the owner of the offending dog was cited for being off leash.

The named officer stated he responded to the complainant's email by telling him that the VDD hearing officer would make a decision shortly. The named officer also stated that on the day of the VDD hearing, he was in the complainant's presence before, during, and after the hearing, where he had ample opportunities to request that the offending dog owner be issued a citation for having her dog off-leash.

Department records indicate that the complainant's email was sent on the day of the VDD hearing. Two weeks later, the hearing officer's decision, which found the dog was not vicious, was published. In addition, there is no record that the offending dog's owner was cited for being off leash.

Although the named officer failed to answer the complainant's specific question regarding a citation, his conduct does not rise to the level of discipline.

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



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**COMPLAINT DATE: 2/16/2024**

**COMPLETION DATE: 07/30/2024**

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**SUMMARY OF ALLEGATION #1:** The officer drove a city vehicle in a grossly negligent or reckless manner.

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** In an online complaint, the complainant stated that he was biking southbound in the bike lane and the police car in front of him ran the red light at the intersection without using any lights or sirens.

The named officer denied that he ran a red light. He confirmed that he was on duty and said he was the driver of the patrol unit.

Department documents indicated that the named officer was assigned to the patrol unit during the date and time of the incident.

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

**SUMMARY OF ALLEGATION #2:** The officer drove improperly.

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant said that upon crossing the street, the officer pulled over without signaling in front of the bike lane and completely blocked the single bike lane. When the complainant eventually passed the police unit, he pointed to the bike lane and the police officer waved at him like a defiant child.

The named officer denied waving the complainant off like a child.

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

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**COMPLAINT DATE: 02/20/2024**

**COMPLETION DATE: 07/30/2024**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that the named officer was intimidating, defensive, and talked down to him before a traffic court proceeding.

The named officer denied that she acted inappropriately with the complainant. She confirmed that she was the assigned red light camera officer and appeared in court regarding the complainant's citation. The named officer confirmed that she approached the complainant and offered to amend the citation to a 22526(a) non-moving citation, no traffic school, and no point on their driving record. The named officer said she never spoke down to the complainant; she spoke professionally and in her capacity as the Red-Light Camera Officer. The named officer did not understand why the complainant felt pressured. She told the complainant that he had 3 options: take traffic school (if he's eligible) take the amendment or go to trial.

DPA obtained a copy of the citation, however, we were unable to acquire any video footage of the alleged incident from the Superior Court.

Department General Order 2.01 mandates that officers treat the public with courtesy and respect and not use harsh, profane or uncivil language. While the named officer should have refrained from responding to the complainant's statement, given the totality of circumstances, his comment did not rise to the level of misconduct.

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

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**COMPLETION DATE: 07/29/2024**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant said that a family member had an issue with a homeless person lighting a fire in a doorway outside the family member's property. The complainant said police responded after the homeless person left and told the family member there was nothing the police could do. The complainant confirmed he did not interact with the officer or witness the incident.

The family member said he did call 9-1-1 about a homeless individual starting a fire but was unsure when. He said he did not interact with the officer. The officer moved on without speaking to anyone at the scene.

The named officer confirmed he responded to a call for service at the address. He explained he was dispatched over five hours after the reported incident. The officer said the call for service was for a male on drugs who was trespassing in a walkway. There was no mention of a fire. The caller also told Dispatch they did not want to speak with the police. The officer said that no one was present when he arrived at the location, and there were no signs of any fire. The officer did not speak to anyone and left.

Computer-aided dispatch [CAD] recorded an anonymous caller who did not want to speak to an officer. The report was for a male on drugs trespassing on a walkway and yelling at passersby. The CAD records that the named officer was dispatched nearly six hours after the call. The CAD was updated with the "GOA" disposal code, which means "Gone on Arrival."

The evidence shows a call for service. However, the complainant's and the family member's accounts differ regarding speaking to an officer. The officer's statement and the CAD do not match the complainant and family member's account that the officer moved on an individual. There is insufficient evidence to support or refute the complainant's and the officer's account.

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

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**COMPLAINT DATE: 03/18/2024**

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

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that a woman pushed her, and the named officers failed to properly investigate.

Department Records indicated that the complainant provided a statement to Named Officer #1 while she was on scene.

Body-worn camera (BWC) footage showed that both named officers took statements from both involved parties and located witnesses to the incident who also provided statements. Additionally, the named officers looked for surveillance video without finding any and completed an incident report. BWC footage showed that named officers provided both parties with citizens' arrest forms, and the complainant was issued a citation related to the incident.

The named officers took appropriate investigative steps while on scene.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant said that she was not allowed to provide a statement for the incident report.

The incident report contained statements from the involved parties and witnesses. Department records showed that the named officer completed a thorough and accurate incident report, including a statement from the complainant.

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BWC footage showed that the named officer accurately documented the statements made to the investigating officers regarding the incident and properly described the officers' actions in the narrative of the incident report.

Department Notice 23-102 Report Writing Responsibilities, Supervisors, Officers & PSA, states in part, "Thorough investigation(s) memorialized in well-prepared incident reports are essential for follow-up investigations and successful prosecution."

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

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

**CATEGORY OF CONDUCT: IO-1**

**FINDING: IO1/IAD**

**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 3<sup>rd</sup> Street  
San Francisco, CA 94158

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 03/21/2024**

**COMPLETION DATE: 07/11/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** An anonymous complainant reported that an officer turned on his lights, went through a red light at an intersection, and then turned the lights off to continue to a district police station. The complainant believed the officer's behavior was inappropriate, put the public at risk, and abused the use of emergency equipment.

San Francisco Police Department General Order 5.05 establishes the policies and procedures for the operation of police vehicles in both response and pursuit driving situations. Under DGO 5.05, officers are required to drive with due regard for the safety of all persons and are required to respond to emergency calls expeditiously. In addition, officers may respond "Code 3" when an emergency response appears reasonably necessary to prevent serious injury to persons, whether or not a criminal offense is involved.

The district station's log confirmed that the named officer signed out the vehicle identified by the complainant.

The named officer did not recall the incident and stated that he was investigating a battery at a different location than location where the alleged improper driving occurred.

The Department of Emergency Management and police records confirmed the named officer's statement that he was handling an A-Priority battery case at a different location at the time the improper driving allegedly occurred.

Despite the complainant observing an officer disregard traffic signals and inappropriately use emergency equipment, police records confirmed that the named officer was investigating a case that would have allowed him to use his lights to traverse an intersection because it was a high priority call. Based on the preponderance of the evidence, the officer was not involved in the conduct alleged in the complaint.

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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 03/22/2024**

**COMPLETION DATE: 07/01/2024**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that the named officer refused to interview the perpetrators or the complainant regarding an incident that occurred 36 years ago.

The named officer stated he was not the investigator assigned to her case and did not recall ever speaking with the complainant.

Department records showed that the case was assigned to another member. The Chronological of Investigation report documents the investigative steps taken by the lead investigator. The lead investigator noted an attempt to contact the complainant with negative results. The lead investigator stated that a voicemail was left outlining the statute of limitations and informing the complainant that this resulted in the investigator being unable to present the case to the District Attorney's Office and that the case was subsequently closed.

The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that she spoke with the named officer on the phone regarding an incident in 1988. She said the officer told her the issues she brought pertained to an out-of-county law enforcement agency and then hung up on her. The officer refused to interview the perpetrators or take the complainant's statement. The officer stated that he was "overextended" and had other victim cases to focus on.

The named officer stated that he did not recall speaking to the complainant. He did not have a recording of the conversation because he was only required to record calls for cases he was investigating. In this

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case, the named officer was not assigned to the complainant's case. Therefore, he would not have a recording. The named officer attested that his phone calls were professional and that he would never use the word "overextended."

There is no evidence, such as a phone call recording, to corroborate or refute the different accounts.

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



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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 03/28/2024**

**COMPLETION DATE: 07/11/2024 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant was inside her residence with her two minor children when officers arrived with a search warrant. Her daughter had been bathing and was wrapped in a towel. She said the supervising officer declined her request to have a female officer take her daughter into another room to change in privacy. She retrieved clothing for her daughter and her daughter was forced to dress in a common area of the house where she was unable to obtain any privacy.

Department records showed that a search warrant signed by a magistrate was obtained for a search of the complainant's residence.

Body-worn camera (BWC) footage for the incident showed that officers arrived at the complainant's residence to execute a search warrant. The complainant told officers that her daughter did not have any clothes on and was in a towel. An officer told her to put clothes on her daughter and the complainant provided her daughter with a bathrobe. The footage shows the complainant and her children sitting in a common area of the home. She asks officers if she can grab nearby clothing for her daughter and officers allowed that. The complainant obtained clothing for her daughter and helped dress her daughter by putting the clothing on underneath the bathrobe. Shortly thereafter, the complainant and her children exited the residence and officers conducted the search. The footage, which captured the entire contact, does not capture the complainant making any request for privacy for her children or requesting that a female officer accompany her daughter to another room.

The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.

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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 03/26/2024      COMPLETION DATE: 07/26/2024      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant alleged that one of the officers “got in [her] face” and threatened her. She also stated that an officer expressed himself in a hostile, intimidating, and bullying manner.

Notably, Department scheduling records showed that neither of the named officers were on duty yet during the period identified by the complainant. However, since the complainant stated that the two officers were wearing San Francisco Police Department (SFPD) uniforms at the time of the alleged interaction, DPA investigated the complaint.

The first named officer noted that he was not working during the time identified and stated that he was not aware of ever having any contact with the complainant at any time. The second named officer stated that he did not know anyone by the complainant's name and had not threatened anyone. For context, he explained that a separate City agency is the lead department in dealing with vendors who operate without permits. SFPD will often provide a presence to help maintain a safe environment. The employees of the separate City agency are the only ones who would advise whether an individual could vend. He explained that he has seen the contact between vendors and the separate City agency become verbally combative, and when needed, he will step in to de-escalate. During those times, his behavior was professional in de-escalating and protecting all parties involved.

The complainant stated that she had video footage of the incident but never provided it despite being reminded multiple times. She was unable to provide contact information for any witnesses.

DPA searched for Department records but could not locate a Computer Aided Dispatch (CAD) report or any body-worn camera footage. There was no evidence showing that an incident occurred, and neither of the named officers was on duty during the time identified by the complainant.

Given the totality of the circumstances, the preponderance of the evidence proves that the conduct alleged did not occur or that the named officers were not involved.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 04/08/2024      COMPLETION DATE: 07/26/2024      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:** ND

**FINDING:** NF/W

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 04/15/2024**

**COMPLETION DATE: 07/13/2024 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant was at a playground near a San Francisco Police Department (SFPD) training facility. At the same time, the SFPD was conducting training exercises at their facility and utilizing loud training ammunition which scared children at the playground. The complainant stated that it was inappropriate for the SFPD to hold these training exercises on a weekend when numerous children were at the playground.

The named officer was the assigned scenario manager for training scenarios that took place at the training facility. They were responsible for coordinating and supervising job simulation tests that day which recruits were required to successfully complete to obtain training certification. Training ammunition was used during the tests to make them realistic and safe. The testing took place on a weekend as the training facility is utilized during the week for numerous training courses for recruits, officers and other staff. The named officer said it is never their intent for the scenario training to worry the public and numerous measures are taken during the testing to respect the public. They said the scenarios are scheduled later in the morning or afternoon so they do not disturb the public and dispatch is advised that training ammunition is being used at the facility so dispatchers can inform any callers who may have concerns.

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 04/16/2024**

**COMPLETION DATE: 07/30/2024 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant is the crime victim in a case and the named officer is the assigned investigator. The complainant said she emailed the named officer several times over the course of approximately one month regarding the case before the named officer contacted her back. She alleged that the named officer did not contact her in a timely manner. The complainant provided a digital screenshot of her dated emails to the named officer and the named officer's email back to her.

Department records showed that the named officer is the assigned investigator to the case. Acting on information provided by the complainant, the officer reached out multiple times to a witness for the case. The day before the named officer got back to the complainant, after several failed attempts, he was able to reach the witness and interview them.

The named officer also mentioned that the case is in open/inactive status, and that he has limited time and resources to investigate all the cases assigned to him. He was unable to get back to the complainant during the time she specified as his resources were directed to his active cases. He said he responded to the complainant at his first availability.

The evidence showed that the named officer was working on the complainant's case and contacted her back in just under one month's time. The conduct does not rise to the level of misconduct.

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 04/20/2024**

**COMPLETION DATE: 07/29/2024**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATIONS #1:** The officer failed to make an arrest.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated the officer failed to arrest the subject who attacked her.

Body-worn camera (BWC) footage showed that the named officer interviewed both parties and accepted a citizen's arrest from the complainant. The complainant signed the Citizen's Arrest form, and the officer issued a citation to the male subject. The officer explained to the complainant at the scene that the crime was a battery as the subject shoulder-charged the complainant and threw a can of beer at her after another passerby told him to stop urinating on the sidewalk. The complainant stated she assumed the subject thought it was her who commented. The BWC captured the complainant telling the named officer she was not injured from the contact and declined medical care. The BWC corroborated the information in the incident report prepared by the named officer.

DGO 5.04 (Arrests by Private Persons) requires officers to obtain a signed Citizen's Arrest form and to prepare an Incident Report. In this instance, the evidence established that the named officer accepted the Citizen's Arrest and prepared an incident report in accordance with Department rules. The BWC is outcome determinative as it shows the officer acted appropriately in accepting the Citizen's Arrest and issued the citation for the misdemeanor battery charge.

DGO 5.06 (Citation Release) states, "It is the policy of the San Francisco Police Department, in accordance with state law, that officers cite and release all persons arrested for misdemeanor and infraction offenses. **DECISION TO CITE.** When receiving an arrest from a private person, the decision to cite or book the suspect shall be made on the basis of eligibility, not the arresting person's preference (*see* DGO 5.04, Arrests by Private Persons)."

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

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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 04/22/2024    COMPLETION DATE: 07/26/2024    PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:** UA

**FINDING:** PC

**FINDINGS OF FACT:** The complainant stated that the named officer issued a citation for an automated red light camera violation without cause. The complainant acknowledged that his vehicle was in the intersection when the light turned red but stated that this should not be considered a red-light violation.

The named officer explained that automated red light camera events are loaded into the Violation Processing System (VPS), and trained technicians administratively review and categorize each event based on San Francisco Municipal Transportation Agency (SFMTA) approved business requirements (BRQ). If the violator meets the requirements, it is then sent to the named officer for review, at which time she reviews, signs, and issues the citation. According to BRQ 5.1.7, a citation is issued only if the light has been red for 0.3 seconds and yellow for 4.0 seconds. The system's design only catches violators who enter the intersection after the traffic signal phase turns red. In the complainant's case, the light had been red for 000.9 seconds and yellow for 4.0 seconds *prior* to the violator approaching the intersection.

DPA obtained copies of the citation and associated images and video from the SFMTA. These materials confirmed that the complainant's vehicle entered the intersection after the traffic signal had turned red.

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

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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 05/03/2024**

**COMPLETION DATE: 07/29/2024**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he called police to report an aggressive male. The complainant stated that officers took too long to respond.

The named officers stated they were at another call when the complainant's call came in. Once they cleared from that call they were then dispatched and went to the location the complainant had called from.

SFPD records showed that the named officers were at another call before responding to the complainant's call. The records showed that the officers took 16 minutes to get to the location from their previous call. The call was listed as a B priority call and officers arrived within 26 minutes of the initial call being made.

Officer arrived in a timely manner after being dispatched, given the priority of the call.

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



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**COMPLAINT DATE: 05/03/2024**

**COMPLETION DATE: 07/29/2024**

**PAGE# 2 of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that he saw a police vehicle he thought was responding to a call he had made and flagged it down. The complainant stated that when he complained to the officers in the car that they took too long to respond, the named officer replied, "Don't bother calling next time."

The named officer said she did not recall making the comment and stated she explained to the complainant that they had already been to the location the complainant had originally called from. The named officer stated she told the complainant that she had been at another call for service and responded to his call straight after finishing the last call.

Another officer in the car with the named officer stated that he did not remember the details of this interaction.

There is no documentation or video footage of the interaction.

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 05/06/2024**

**COMPLETION DATE: 07/11/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that officers keep harassing her and not other people.

The complainant did not provide further information when requested and did not want to be interviewed in person or over the phone.

Checks of call logs for the location provided by the complainant provided no results for police activity at that address.

Without more information this allegation cannot be investigated.

No findings are made if the officer cannot reasonably be identified.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 05/06/2024**

**COMPLETION DATE: 07/22/2024**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer was intimidating and threatening towards her but was not able to elaborate on exactly what the officer did.

SFPD documentation showed that the complainant was detained for stalking allegations. The documents showed that the named officer was the lead officer in the detention.

Body camera footage showed that the named officer spoke to another party who made an allegation against the complainant that the complainant was stalking her daughter. The named officer then approached the complainant and detained her. The named officer explained to the complainant why she was being detained. The named officer was professional throughout the process and gave the complainant explanations for what he was doing. At no point was the officer threatening or intimidating.

There is no evidence that the named officer was threatening or intimidating.

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

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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 05/06/2024**

**COMPLETION DATE: 07/22/2024**

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**SUMMARY OF ALLEGATION #2:** The officer detained a person without reasonable suspicion.

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that she was detained for protesting and that the named officer did not have any reason to infringe on her first amendment rights.

SFPD documents showed that the complainant was detained for an allegation of stalking a minor and not for protesting.

Body camera footage showed that officer was acting on information provided by a reporting party and victim. The reporting party told officers that the complainant, who regularly protested on the same street corner, was stalking her juvenile daughter. The named officer then approached the complainant and detained her. The named officer explained to the complainant why she was being detained. Another officer also explained to the complainant that she was not being detained for protesting and that they had been called due to an allegation of stalking.

The named officer had reasonable suspicion to detain the complainant due to allegations that had been made against her. The named officer was not detaining the complainant for protesting and was not violating her first amendment rights.

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 05/10/2024**

**COMPLETION DATE: 07/11/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:** CUO

**FINDING:** M

**FINDINGS OF FACT:** By mutual agreement of the complainant and the named officer, the complaint was mediated and resolved in a non-disciplinary manner on 6/27/24.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 05/12/2024**

**COMPLETION DATE: 07/30/2024 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that after submitting an anonymous tip regarding the continual harassment of a guest of a neighbor, he heard officers leaving the building joking with the party harassing this guy.

The complainant filed an online complaint. DPA attempted to contact the complainant to obtain additional information regarding the complaint; however, the complainant has yet to respond to our request.

DPA conducted various queries and did not identify any incidents that aligned with the information provided in the online submission.

DPA was unable to independently identify the officer/s based solely on information provided in the complainant's written statement, which did not describe the officers. The complainant did not respond to our request for additional information. Therefore, there was insufficient information to investigate the complaint.

A no finding outcome occurs when DPA cannot complete an investigation because the officers cannot reasonably be identified.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 05/23/2024**

**COMPLETION DATE: 07/13/2024**

**PAGE# 1 of 3**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated he attempted to enter a private business but was asked to leave by a security guard who informed him that he was banned from all their locations due to allegations of theft. The complainant stated a security guard called him a homophobic slur and started to unholster his firearm while verbally threatening to kill him. The complainant stated the named officer witnessed the interaction and failed to intervene and called him a homophobic slur.

The two security guards stated the named officer was not involved in the interaction and did not hear the named officer make inappropriate comments to the complainant. The witnesses stated that it was the complainant who called them several homophobic and racial slurs.

Department records document that the complainant has a history of using racial and homophobic slurs in a separate criminal incident.

Surveillance footage did not show the named officer speaking to the complainant.

Based on the witness statements, surveillance footage, and the complainant's questionable credibility, the evidence does not support that the named officer made any statements to the complainant.

The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 05/23/2024**

**COMPLETION DATE: 07/13/2024**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated he attempted to enter a private business but was asked to leave by a security guard who informed him that he was banned from all their locations due to allegations of theft. The complainant stated the security guard called him a homophobic slur and started to unholster his firearm while verbally threatening to kill him. The complainant stated the named officer witnessed the interaction and failed to intervene. He stated the named officer also called him a homophobic slur and refused to provide his name upon request.

The two security guards stated they did not hear the complainant ask the named officer to identify himself.

Surveillance footage did not show a security guard attempting to unholster his weapon, as the complainant reported. The footage showed that the named officer was not involved in the interaction and that the complainant merely walked past him as he left the store.

Based on the witness statements, surveillance footage, and the complainant's questionable credibility, the evidence does not support that the complainant asked the named officer to identify himself.

The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.



**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 05/23/2024**

**COMPLETION DATE: 07/13/2024**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated he attempted to enter a private business but was asked to leave by a security guard who informed him that he was banned from all their locations due to allegations of theft. The complainant stated the security guard called him a homophobic slur and started to unholster his firearm while verbally threatening to kill him. The complainant stated the named officer witnessed the interaction and failed to intervene.

The security guards stated they did not attempt to unholster their weapons or threaten to kill the complainant. They stated the named officer was not involved and that it was the complainant who was verbally abusive.

Surveillance footage did not show either security guard attempting to unholster his weapon. In addition, the footage showed the named officer sitting to the side, not interacting with the complainant and the security guards.

Based on the witness statements, surveillance footage, and the complainant's questionable credibility, the evidence does not support that the security guards attempted to unholster their weapons and threatened to kill the complainant.

The evidence proves that the conduct alleged did not occur or that the accused officer was not involved.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 05/24/2024**

**COMPLETION DATE: 07/01/2024**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant, a landlord, and her housemate have had issues maintaining a harmony within their shared residence. The complainant alleged that her housemate made fictitious grievances against the complainant and called the police for no reason. The complainant stated that in this incident, her housemate accused her of threatening him, which she denied. Several officers arrived, but the complainant was upset with the named officer because he yelled loudly at the complainant and reiterated that her housemate had a right to be in the residence.

The Department of Emergency Management records showed several officers were dispatched to investigate a petty theft. The named officer was one of the primary investigating officers. The complainant's housemate reported that he had proof that the complainant, his landlord, stole several of his items including his identification card and money. The housemate also alleged that the complainant had threatened to have someone kill him. The dispatch records showed that this was an ongoing landlord-tenant dispute with no prior restraining orders on file for either party.

The body-worn camera footage showed that responding officers obtained statements from both parties with the assistance of a Spanish-speaking officers. The complainant denied all the housemate's allegations against her and encouraged officers to question the housemate's credibility. According to the complainant, there was no communication and no dispute between her and her housemate, but the housemate showed officer's video footage that contradicted the complainant's statement. The named officer gave the complainant an advisement regarding criminal threats. The named officer's demeanor toward the complainant was calm and authoritative. The officer did not yell, behave, or speak inappropriately to the complainant. The officers explained that the situation was a civil matter, no law enforcement action was needed, and provided information regarding the eviction and restraining order process prior to leaving the scene.

Department General Order 2.01, General Rules of Conduct, states members shall understand and follow the principles of Procedural Justice and incorporate them into their professional work environment. These principles include giving members of the community a voice (opportunity to speak), fair/impartial treatment, respect, and providing a trustworthy process. When acting in the performance of their duties, members shall treat the public with courtesy and respect and not direct discourteous or profane language at members of the public. (DGO 2.01.03.8.b)

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
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**COMPLAINT DATE: 05/24/2024**

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The investigation showed that the named officer was calm and professional when speaking with the complainant. Although the complainant perceived the officer's tone as yelling, the evidence proved otherwise. The officer complied with the Department's policy regarding public courtesy. Therefore, the evidence proves that the conduct alleged did not occur.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 05/29/2024**

**COMPLETION DATE: 07/08/2024**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT:** UA

**FINDING:** PC

**FINDINGS OF FACT:** The complainant stated that the named officer improperly told her she was required to surrender her firearms pursuant to a Temporary Restraining Order (TRO).

Department records indicated that the named officer advised the complainant multiple times that she was required to surrender her firearms pursuant to the terms of a TRO lawfully granted by a judge. Department records indicated that the complainant told the named officer that she had surrendered her firearms, but she failed to provide the required documentation proving that she did so.

The language of the TRO was clear that the complainant was required to surrender any firearms in her possession within 24 hours of receiving the TRO. Further, the TRO stated that the complainant was required to file a receipt with the court proving that the firearms were surrendered within 48 hours of receiving the TRO.

The evidence showed that the named officer properly informed the complainant of the requirements of the TRO.

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 05/29/2024**

**COMPLETION DATE: 07/08/2024**

**PAGE# 2 of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer harassed her about surrendering her firearms by calling her repeatedly and by showing up at her residence.

Department records indicated that the named officer spoke to the complainant on the telephone multiple times and advised her that she was required to surrender her firearms pursuant to the terms of a TRO. Department records indicated that the named officer left multiple voicemail messages for the complainant and went to the complainant's residence once within a one-month period. Department records indicated that the complainant told the named officer that she had surrendered her firearms, but she failed to provide the required documentation proving that she did so.

The language of the TRO was clear that the complainant was required to surrender any firearms in her possession within 24 hours of receiving the TRO. Further, the TRO stated that the complainant was required to file a receipt with the court proving that the firearms were surrendered within 48 hours of receiving the TRO.

Audio recordings indicated that the named officer was courteous and professional during his interactions with the complainant.

The evidence showed that the named officer's attempts to contact the complainant regarding her firearms were proper and within the scope of his duties.

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 05/14/2024**

**COMPLETION DATE: 07/13/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:** UA

**FINDING:** NF

**FINDINGS OF FACT:** The complainant submitted a complaint form that contained no description of a contact with police or a complaint, nor any date of an involved incident. In a further contact with the DPA, the complainant provided no additional information regarding a complaint nor any identification of an incident or officer.

Department records indicated the complainant has had numerous contacts with police in the past year.

The officer cannot reasonably be identified.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/12/24**

**COMPLETION DATE: 07/08/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/IAD**

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

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/13/2024**

**COMPLETION DATE: 07/22/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-2**

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



**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/14/2024**

**COMPLETION DATE: 07/13/2024**

**PAGE# 1 of 2**

**SUMMARY OF ALLEGATIONS #1-2:** The officers engaged in unwarranted action.

**CATEGORY OF CONDUCT:** UA

**FINDING:** PC

**FINDINGS OF FACT:** The complainant stated that the named officers did a wellness check on him without cause.

Department records indicated that the complainant mailed two recent letters to SFPD, addressed to a specific uninvolved officer, requesting that she maintain a personal relationship with the complainant's friend. Records indicated that the complainant had contacted the uninvolved officer in the past at her home and via the internet. Records indicated that the uninvolved officer was concerned about the complainant's repeated attempts to contact her.

Body-worn camera (BWC) footage showed that the named officers knocked on the complainant's door with a DPH clinician. The named officers identified themselves as members of the Crisis Intervention Team and told the complainant that they were there to check on him because they were concerned about the complainant's letters. The named officers asked the complainant if there was anything they could do to help, and he agreed to talk to the clinician.

The evidence showed that the named officers acted properly and within policy when they conducted a wellness check on the complainant.

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/14/2024**

**COMPLETION DATE: 07/13/2024**

**PAGE# 2 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he wrote letters expressing concern for his friend, but the officers ignored his concerns.

Department records indicated that the complainant mailed two recent letters to SFPD, addressed to a specific uninvolved officer. Records indicated that the letters were regarding a personal matter, and one of the letters specifically stated, "Not police related." Records indicated that in both letters, the complainant requested that the specific uninvolved officer maintain a personal relationship with the complainant's friend.

Body-worn camera (BWC) footage showed that the complainant told the named officers that the letters were regarding "a personal thing" and that he addressed the letters to SFPD because it was the only way he knew how to reach the uninvolved officer. BWC showed that the complainant did not ask the named officers to take any action involving the complainant's friend.

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/17/2023**

**COMPLETION DATE: 07/08/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF/W**

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/18/2024**

**COMPLETION DATE: 07/01/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: Referral/ IAD**

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

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/20/2024**

**COMPLETION DATE: 07/26/2024 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: M**

**FINDINGS OF FACT:** By mutual agreement of the complainant and the named officer, the complaint was mediated and resolved in a non-disciplinary manner on 7/19/24.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/20/2024**

**COMPLETION DATE: 07/23/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that a person, possibly a police officer, honked aggressively at him and mocked him. The complainant described the car as a civilian vehicle but believed the person to be an officer because he had red lights on his car and an all-black uniform with possible police patches.

Because the complainant could not identify the specific officer involved in the interaction, DPA sent an ID Poll to the district station. An ID poll describes the incident and asks that the Captain and/or members of the station review the incident description and identify the officer(s) that were involved. The ID poll came back with negative results. Therefore, there was insufficient information to identify the officer.

The Department of Police Accountability canvassed the area for surveillance cameras with negative results.

The identity of the alleged officer could not be established.

No findings are made if the officer cannot reasonably be identified or the officer has left the Department and is, therefore, no longer subject to discipline.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/21/2024**

**COMPLETION DATE: 07/08/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:** ND

**FINDING:** NF/W

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/24/2024**

**COMPLETION DATE: 07/13/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant reported that the officer activated his siren at the complainant to startle him as he walked through the crosswalk.

Since the complainant could not identify the specific officers involved in the interaction, DPA sent an ID Poll to the district station where the incident occurred. An ID poll describes the incident and asks that the Commanding Officer review the incident description and identify officers that were involved. The ID poll came back with negative results. There was insufficient information to identify the officer for the DPA to conduct further investigation.

There were no witnesses at the time of the incident.

No finding outcomes occur when an officer cannot reasonably be identified.



**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/25/2024**

**COMPLETION DATE: 07/22/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-2**

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/26/2024**

**COMPLETION DATE: 07/08/2024 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/SFSO**

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

San Francisco Sheriff's Office  
Internal Affairs Division  
25 Van Ness Ave #350  
San Francisco, CA 94102

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/26/2024**

**COMPLETION DATE: 07/15/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: UA**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that officers stopped him without cause as he tried to enter a grocery store.

DPA searched for records and sent a poll to the district police station asking for identification of involved officers based on a description of the incident. No officers were identified through the poll. Therefore, there was insufficient information to investigate the complaint.

A no finding outcome occurs when DPA cannot complete an investigation because the officer cannot reasonably be identified.

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

**CATEGORY OF CONDUCT: UA**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that officers stopped him on a sidewalk and searched his backpack for no reason. The officers returned the backpack to him after searching it and left the area.

DPA searched for records and sent a poll to the district station asking for identification of involved officers based on a description of the incident. No officers were identified through the poll. Therefore, there was insufficient information to investigate the complaint.

A no finding outcome occurs when DPA cannot complete an investigation because the officer cannot reasonably be identified.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/27/2024**

**COMPLETION DATE: 07/08/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/IAD**

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

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 6/30/2024**

**COMPLETION DATE: 07/08/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/DEM**

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

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 07/02/2024**

**COMPLETION DATE: 07/08/2024 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/SFSO**

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

San Francisco Sheriff's Office  
Internal Affairs Division  
25 Van Ness Ave #350  
San Francisco, CA 94102

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 07/02/2024**

**COMPLETION DATE: 07/13/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-2**

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 06/26/2024**

**COMPLETION DATE: 07/29/2024 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The anonymous complainant alleged that undercover officers were stalking the complainant and used sirens inappropriately.

The Department of Accountability (DPA) was unable to independently identify the officers based on information provided in the complainant's statement, which did not describe the officers, the complainant, or dates of the behavior. The complaint that DPA received indicated the complainant did not wish to be contacted. There was insufficient information to investigate the complaint.

A no finding outcome occurs when DPA cannot complete an investigation because the officers cannot reasonably be identified.



**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 07/02/2024**

**COMPLETION DATE: 07/13/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-2**

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 07/02/2024**

**COMPLETION DATE: 07/15/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/IAD**

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

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 07/03/2024**

**COMPLETION DATE: 07/26/2024**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer drove a City vehicle in a grossly negligent or reckless manner.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged that he observed multiple tactical police vehicles traveling at unnecessarily excessive speeds.

Department records document that multiple law enforcement units were responding to a Priority A call for service of shots fired at law enforcement. The records document that law enforcement officers were fired upon by an individual they were attempting to evict from his residence. The records also document that three law enforcement officers were trapped in the building with the shooter.

Officers did not violate Department policy by driving at excessive speeds to a call for shots fired.

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 07/05/2024**

**COMPLETION DATE: 07/30/2024**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to write an incident report.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officers failed to write a report about the crimes he was reporting to them.

SFPD documents showed that the named officer responded to the complainant's address but did not write an incident report.

Body camera footage showed the named officers speaking to the complainant at his apartment. The complainant listed issues he was having, including gas leaking from the ceiling causing hallucinations and wires in his bed. Officers try to engage the complainant in these matters and tell him that they cannot see the wires or anywhere that gas would be getting into his apartment. The complainant then accuses officers of wanting to shoot him. The officers then decide to leave. The complainant follows and tries to prevent the officers from leaving by holding the elevator.

The footage shows that the crimes the complainant was trying to report to police were not founded in reality. The named officers did not have to complete an incident report for this matter.

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 07/06/2024**

**COMPLETION DATE: 07/13/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that he was driving his vehicle in traffic getting on an onramp when a rideshare driver blocked traffic and dropped off passengers. The complainant's father, a passenger in his vehicle, asked the rideshare driver what was going on. An officer standing nearby shouted out to his father and inappropriately reprimanded him and told him to relax while acknowledging that the rideshare driver was wrong.

The alleged incident took place in an area outside of the San Francisco Police Department's jurisdiction.

The identity of the alleged officer could not be established.

No finding outcomes can occur when the complainant does not provide needed evidence or when an officer cannot reasonably be identified.

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that the officer failed to take any action in controlling traffic when the rideshare driver was illegally blocking traffic on the onramp.

The alleged incident took place in an area outside of the San Francisco Police Department's jurisdiction.

The identity of the alleged officer could not be established.

No finding outcomes can occur when the complainant does not provide needed evidence or when an officer cannot reasonably be identified.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 07/08/2024**

**COMPLETION DATE: 07/26/2024**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer failed to properly investigate

**CATEGORY OF CONDUCT:** ND

**FINDING:** NF/W

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 07/05/2024**

**COMPLETION DATE: 07/22/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** In a written complaint, the complainant stated he was stalked, threatened, harassed, and extorted by all officers at a district station. The complainant failed to state how he was being stalked or harassed or when and where this behavior occurred. The complainant failed to provide additional requested information that would assist in the identification of the responsible officers or the circumstances in which he is complaining.

The identity of the alleged officers could not be established.

No findings are made if the officer cannot reasonably be identified or the officer has left the Department and is, therefore, no longer subject to discipline.