

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

COMPLAINT DATE: 11/01/2022

COMPLETION DATE: 08/13/2024

PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: NF

FINDINGS OF FACT: The complainant stated that on Halloween night, he noticed the usual crowd of skateboarders started getting larger. Fights erupted, and fireworks were being set off. The complainant decided to call 9-1-1. He stated that 50+ officers eventually showed up to break up the festivities after almost 4 hours. The complainant wanted to complain about SFPD's delayed response.

Both commanding officers retired during the case investigation.

Computer-aided dispatch (CAD) indicates that several calls were made regarding skateboarders in the area, and several units of officers were dispatched at different times. The incident report recorded that the named officers determined that it was unsafe for officers to move in and disperse the crowd initially due to the growing crowd and unruly behaviors. Later, additional officers responded to the scene. Then, the named officers believed that they had enough resources to disperse the crowd and effect arrest if necessary.

Other Department records show that both named officers have retired at different times during the investigation.

The evidence shows that the named officers have left the department and are, therefore, no longer subject to discipline.

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

COMPLAINT DATE: 10/16/2023 COMPLETION DATE: 08/13/2024 PAGE# 1 of 8

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

CATEGORY OF CONDUCT: UF

FINDING: PC

FINDINGS OF FACT: The complainant stated the officers used "aggressive force" on her juvenile daughter. The officers knocked her daughter down to the floor, causing her tooth to chip. Her daughter also sustained bruises with fingerprints on her arms, wrists, and face because of the contact.

The co-complainant, the complainant's 16-year-old daughter, stated she had gone into a restaurant to get some water and was kicked out. She was trying to get back into the restaurant to get her cell phone, but she got into a fight with an adult male who worked there. The male punched her in the face when she tried to go back inside the restaurant, and he called the police. She said she fought back. He was pushing her out, and she told him she just wanted her phone and wouldn't leave without it. The co-complainant stated she was outside in front of the restaurant when two male officers pulled up. She remembers they "used force". They arrested her for assaulting a grown man. As a result of the contact with officers, she stated her "front tooth broke," and she believes it was caused by the officers dropping her to the ground. The complainant stated she and her 14-year-old friend had been drinking alcohol that afternoon. The co-complainant stated the officers pinned her down on the ground and recalled one officer grabbing her and pulling on her arm.

DPA reviewed twelve (12) body-worn camera (BWC) videos that captured the incident. BWC evidence shows a juvenile female screaming, being combative, and resisting officers throughout the contact. Named Officer #2 allowed the co-complainant to remain uncuffed initially and detained her when she tried to walk away and then pulled away from him. The named officers noticed signs of intoxication (smelling of alcohol, etc.), and the co-complainant told officers she had been drinking. Named Officer #2 tells the co-complainant that she is detained. She responds, "No, I'm not detained!" Named Officer #2 grabs the co-complainant's left wrist, and it appears she then tries to hit the officer and starts fighting, struggling, pulling away, and trying to escape. Named Officer #1, who was interviewing one of the three victims the co-complainant had assaulted, observed the co-complainant stand up from a chair and attempted to walk away from Named Officer #2. When Named Officer #2 grabbed onto the co-complainant's arm to prevent her from fleeing the scene, she attempted to pull away from Named Officer #2 forcefully. Named Officer #1 had to step in to assist Named Officer #2 with the detention. The co-complainant is seen acting aggressively and actively attempting to get away from Named Officer #2 and screaming uncontrollably.

Named Officer #1 grabbed the co-complainant's right arm and placed it in a control hold to place her in handcuffs, but she continued to pull her arms away from the officers aggressively. The co-complainant

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

COMPLAINT DATE: 10/16/2023 COMPLETION DATE: 08/13/2024 PAGE# 2 of 8

actively resisted the officers' efforts to handcuff her, attempting to run away and pull her arms out of Named Officer #1's control hold. Due to the level of resistance offered by the co-complainant, Named Officer #1 used a department-trained leg sweep and took the co-complainant to the ground. The co-complainant continued to resist while on the ground by violently kicking her feet and pulling her arms away. While on the ground with the co-complainant, Named Officer #1 placed her right arm in a control hold and put it behind her back so Named Officer #2 could handcuff her. After placing her in handcuffs, she continued to kick her feet aggressively. Officer #1 advised the co-complainant multiple times to stop resisting, relax, and stop kicking and moving her feet. Named Officer #1 advised the co-complainant that he would sit her up if she stopped fighting them. She continued kicking her feet at the officers and Named Officer #1 placed the co-complainant's legs in a department-trained figure-four leg lock. Shortly after, a third officer arrived and relieved Named Officer #1.

Department records, including the Computer Aided Dispatch [CAD], Incident report, Citizen Arrest forms, and photographs of the co-complainant and victims, BWC footage, and video surveillance footage from the restaurant thoroughly document the incident.

Records show officers responded to a call for service at a bar/restaurant establishment regarding a female who was assaulting the staff at the restaurant and refusing to leave. A male victim/witness #1, an employee of the restaurant, told Named Officer #1 that he observed the co-complainant asking customers outside for cigarettes. Witness #1 stated he was standing in the front doorway when the co-complainant walked to the front door, pushed him out of the way, and entered the restaurant. The co-complainant then walked behind the counter where the cash register was, and when Witness #1 told the co-complainant she could not be there, she became upset, and one of the bartenders had to calm her down. The co-complainant momentarily sat in a chair inside the restaurant and was provided some water. She then got up from the chair, and one of the bartenders walked her out of the restaurant, but she requested the bartender come with her to meet her friends. The bartender declined, and the co-complainant became upset again. She then made derogatory remarks to the male employee.

The video surveillance evidence shows the co-complainant approaching the male employee, pushing him, and throwing approximately eight closed-fist punches at the male. At least two of the punches struck him; one landed on his forehead, and one landed on his left shoulder. Witness #1's daughter, who also works at the restaurant, separated the co-complainant from her father and stopped her from attacking her father. Witness #1 left the restaurant to gain distance from the co-complainant. His daughter closed the front gate to prevent the co-complainant from re-entering the restaurant.

Victim/Witness #2 stated the co-complainant walked into the restaurant and asked for liquor, and they refused to serve her alcohol. She became verbally aggressive towards the staff. The staff allowed her to sit in a chair and gave her water to de-escalate the situation. The co-complainant began making derogatory comments to Victim/Witness #2's father and walked out of the restaurant. Shortly after, she returned and

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

COMPLAINT DATE: 10/16/2023 COMPLETION DATE: 08/13/2024 PAGE# 3 of 8

attacked her father. Victim/Witness #2 separated the co-complainant from her father and, while doing so, was hit in her right rib cage by the co-complainant.

Victim/Witness #1 and Victim/Witness #2 stated they wanted to press charges against the co-complainant for battery. Each signed a Citizen arrest form against the complainant for battery, violating California Penal Code Section 242, which the officers accepted.

Officer #2 was approached by Victim/Witness #3, a restaurant customer. Witness #3 told Named Officer #2 that the co-complainant walked into the restaurant and appeared to be intoxicated and requested water. She was provided with water by staff to de-escalate the situation. The co-complainant then became enraged and began yelling at Victim/Witness #1 and began getting physical with Victim/Witness #1. Victim/Witness #3 observed staff attempt to get the co-complainant out, at which point Victim/Witness #3 assisted staff. The co-complainant pulled Victim/Witness #3's hair. Victim/Witness #3 stated she did not wish to press charges against the co-complainant.

Officer #1 could not obtain a statement from the co-complainant at the scene due to her constant screaming and inability to answer questions. The co-complainant was transported to a hospital for medical evaluation. Officers # 1 and 2 responded to the hospital to meet with the complainant and co-complainant. When the co-complainant arrived at the hospital, she was still screaming uncontrollably and not cooperating with hospital staff and had to be sedated to calm her down. The complainant stated that before her daughter fell asleep, her daughter could provide her with a partial statement of what happened.

The complainant stated her daughter told her she was uncertain about the chronological order of the events. At some point, she went inside a restaurant to use the bathroom. When she walked out of the bathroom, she was approached by an unknown Hispanic male who told her daughter, "I got some water for you." The unknown male proceeded to assault her daughter sexually. Her daughter told her that, at some point, she had walked inside the restaurant and asked for water. The manager told her she could not have any water. She then proceeded to ask customers for water, and one of the customers provided her with water. Her daughter told her the manager walked up to her and told her to get out of the restaurant, grabbed her water, threw it on the ground, and punched her in her right forehead.

A sergeant on scene conducted a supervisory use of force evaluation. The use of force by the named officers was found to be within department policy.

A cell phone video recording shows the co-complainant violently attacking staff outside the restaurant. The co-complainant is seen hitting, kicking, and pulling the hair of the three victims.

San Francisco Fire Department EMS records document the co-complainant was highly agitated, screaming and kicking. Verbal de-escalation tactics were attempted unsuccessfully. The patient was combative with all crew members and continued to display violent behavior with attempts to hit and kick

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

COMPLAINT DATE: 10/16/2023 COMPLETION DATE: 08/13/2024 PAGE# 4 of 8

providers. Verbal de-escalation tactics were attempted again and were unsuccessful. The patient was placed in soft restraints.

Hospital medical records document the patient was verbally and physically aggressive while at a restaurant. The police reported that the patient was assaulting patrons and staff. The patient was restrained and given medication by EMS. The medical records document the Visit Diagnoses as Acute alcohol intoxication, uncomplication, and Aggressive behavior of adolescents.

DGO 5.01.04 CONSIDERATIONS GOVERNING ALL USES OF FORCE (Effective 12/8/22):

A.USE OF FORCE MUST BE FOR A LAWFUL PURPOSE - Officers may use objectively reasonable force options in the performance of their duties, in the following circumstances:

1. To effect a lawful arrest, detention, or search.
2. To overcome resistance or to prevent escape.
3. To prevent the commission of a public offense.
4. In defense of others or in self-defense.
5. To gain compliance with a lawful order.
6. To prevent a person from injuring themselves. However, an officer is prohibited from using lethal force against a person who presents only a danger to themselves and does not pose an imminent threat of death or serious bodily injury to another person or officer.

B.USE OF FORCE EVALUATION - The United States Supreme Court in *Graham v. Connor* (1989) 490 U.S. 386 held that an officer's use of force must be objectively reasonable under the totality of circumstances known to the officer at the time. This General Order builds upon the broad principles in *Graham* by adding additional factors upon which an officer's use of force shall be evaluated. This General Order is more restrictive than the constitutional standard and state law. Officers must strive to use the minimal amount of force necessary.

1. The objective reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than 20/20 hindsight, and without regard to the officer's underlying intent or motivation.

2. Factors for evaluating the use of force include but are not limited to:

- a. Nature of the threat posed (see also DGO 5.01.02.D, "Proportionality," and 5.01.03.I, "Imminent Threat")
- b. The severity of the crime at issue;
- c. The level of resistance of the subject;
- d. The effort by the subject to evade arrest by flight;
- e. The time available to the officer to make decisions during circumstances that are tense, uncertain, and rapidly-evolving;

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

COMPLAINT DATE: 10/16/2023 COMPLETION DATE: 08/13/2024 PAGE# 5 of 8

- f. The availability of other feasible, less intrusive force options;
- g. The officer's tactical conduct and decisions preceding the use of force;
- h. Whether the officer has reason to believe that the subject is mentally ill, has a physical, developmental or cognitive disability, is emotionally disturbed or is under the influence of alcohol or drugs;
- i. Whether there was an opportunity to warn about the use of force prior to force being used, and if so, was such a warning given;
- j. Whether there was any assessment by the officer of the subject's ability to cease resistance and/or comply with the officer's commands;
- k. Specialized knowledge, skills, or abilities of subjects;
- l. Prior contact;
- m. Environmental factors, including but not limited to lighting, footing, sound conditions, crowds, traffic and other hazards; and
- n. Whether the subject's escape could pose a future safety risk.

Not all of the above factors may be present or relevant in a particular situation, and there may be additional factors not listed.

DGO 5.01.05 C defines active resistance as "Physically evasive movements to defeat an officer's attempt at control including bracing, tensing, running away, verbally or physically signaling an intention to avoid or prevent being taken into or retained in custody." Possible force options for active resistance are the "Use of personal body weapons to gain an advantage over the subject" or "Pain compliance control holds, takedowns, and techniques to direct movement or immobilize a subject."

DGO 5.01.05 D defines assaultive resistance as "Aggressive or combative; attempting to assault the officer or another person, verbally or physically displays an intention to assault the officer or another person.

DGO 5.01.07 describes Type I Non-reportable force as, "Type I force occurs when an officer's physical interaction with a subject (1) is reasonably unlikely to cause pain or injury; or (2) does not cause pain or injury; or (3) the subject does not report pain or injury." Applicable techniques include "The use of hands or equipment to stop, move, direct, or otherwise exercise control of a person or situation" or "Non-injurious physical control holds to gain compliance that are not reasonably likely to cause pain." Examples include "Officers hold the wrist of a subject in crisis in place while paramedics secure the subject in a 4-point restraint," "Officers nudge past people, in order to wedge through a crowd, "Two officers separate two agitated, arguing subjects, grabbing each subject above the elbow and guiding him away from the other combatant," or "During handcuffing, a suspect turns his torso as the officer makes physical contact. The officer grips the wrists of the subject firmly to prevent further movement by the subject."

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

COMPLAINT DATE: 10/16/2023 COMPLETION DATE: 08/13/2024 PAGE# 6 of 8

DGO 5.01.07 describes Type II force, in part, as “Force that (1) is reasonably likely to cause pain or injury; or (2) causes transitory physical pain or injury; or (3) the subject reports physical pain or injury.” Applicable techniques include “Arrest or Control pain compliance techniques” or “Type I physical interaction that results in pain or injury (observed or reported).” Examples include, “An officer uses a takedown technique to gain control of an actively resisting subject.”

The SFPD Arrest and Control Manual defines a control hold as “A method to physically controlling a suspect by manually applying pressure until the peace officer has control over the suspect.” The Manual provides examples of control holds, all of which are applied to a standing subject. The Manual defines a takedown as “A method for breaking the suspect’s balance and bringing the suspect to the ground so control can be established.”

The complainant did not witness the incident. Co-complainant had a poor recollection of the incident. Records obtained by DPA confirm that juvenile co-complainant was intoxicated. DPA found no competent evidence of sexual assault.

The evidence shows that the named officers used force to detain and handcuff the juvenile co-complainant, who demonstrated active resistance by physically and verbally refusing to comply with lawful orders when they detained her. The officers used less force than allowed in the policy to detain the complainant. The body-worn camera evidence is outcome-determinative.

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: 10/16/2023 COMPLETION DATE: 08/13/2024 PAGE# 7 of 8

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

CATEGORY OF CONDUCT: UF

FINDING: PC

FINDINGS OF FACT: The co-complainant stated the named officer applied the handcuffs too tight.

The SFPD Arrest & Control Manual, page 56, Handcuffing Guidelines state: Who should be handcuffed:

- When the subject is being arrested for a felony offense
- When the subject is a violent misdemeanant or a misdemeanant who exhibits a tendency to escape
- Nothing in the above shall preclude the use of handcuffs on any prisoner when their use is deemed necessary by the arresting officer.

SFPD Handcuffing Guidelines state: “Handcuff Tightness – The handcuffs should be applied between the ulnar bone and the base of the wrist. If the subject’s actions prevent correct application, the handcuffs should be rechecked as practical for excessive tightness or looseness. The handcuffs should be tight enough that they do not easily slide around the wrist. The handcuffs should not be so tight that they cut off circulation. One method of assessing how tight the handcuffs are is to place your index fingertip between the inside neck of the cuff and the subject’s wrists. If your fingertip just barely fits, the handcuffs are sufficiently tight.”

The body-worn camera (BWC) evidence shows the named officer applied the handcuffs in accordance with department policy and procedures. The officer double-locked the handcuffs and checked the handcuffs for the proper degree of tightness. The co-complainant was in a combative state and actively resisted, which likely resulted in the handcuffs feeling uncomfortable to the co-complainant, but the handcuffs were not too tight. The BWC evidence also captures a female officer placing her fingertips against the co-complainant’s right wrist above the handcuff, which shows that the handcuffs are not too tight and that she has room to move her wrists.

The body-worn camera evidence is outcome-determinative.

The evidence proves that the conduct alleged did not occur.

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

COMPLAINT DATE: 10/16/2023 COMPLETION DATE: 08/13/2024 PAGE# 8 of 8

SUMMARY OF ALLEGATIONS #4-5: The officers failed to comply with DGO 7.01.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated she was not notified of her daughter's arrest until after her daughter was at the hospital.

DGO 7.01 POLICIES AND PROCEDURES FOR JUVENILES DETENTION, ARREST, AND CUSTODY III. Procedures, B. Temporary Detention, 3: Parental Notification states: Take immediate steps to notify the juvenile's parent, guardian, or a responsible person that the juvenile is in custody and the place where he or she is being held. 10. MEDICAL ASSISTANCE AND SERVICES: Members shall ensure that juveniles who are obviously injured or ill are examined at SFGH prior to being booked. In the event of an emergency medical situation, an ambulance should be summoned immediately. Members shall make notification to the juvenile's parent, legal guardian, or responsible person (foster parent, boarding school, etc.), in the event of a serious illness or injury. (Also see DGO 5.09, Absentia Bookings and Prisoner Security.)

The body-worn camera (BWC) evidence captures the co-complainant repeatedly telling police and medical personnel she wants to call her mom. The evidence shows that a female officer on the scene obtained a phone number from the co-complainant and made two attempts to call the complainant, but she did not answer her phone. The BWC captures a sergeant on the scene asking the female officer if she received a response, and she responds she could not reach anyone. The sergeant on scene tells the officers he was able to get a number, which might be the mom's number. Officer #1 documented in the report that he could contact the complainant, notify her that her daughter was being transported to a hospital, and advise her of the incident. The BWC captures Named Officers #1 and 2 meeting with the complainant at the hospital.

The BWC is outcome determinative. The named officers complied with department policy in notifying the parent.

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: 10/20/2023

COMPLETION DATE: 08/13/2024

PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: IE

FINDINGS OF FACT: The complainant stated that he went to a local police station to file a police report. The complainant stated that the named officer failed to take his report.

The named officer stated that he could not recall the incident or speaking with the complainant.

DPA was unable to locate any corresponding records related to this incident. Additionally, no additional witnesses were identified by the complainant or the named officer.

The evidence fails to either prove or disprove that the alleged incident 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 treated him poorly during the interaction.

The named officer stated that he could not recall the incident or speaking with the complainant.

DPA was unable to locate any corresponding records related to this incident. Additionally, no additional witnesses were identified by the complainant or the named officer.

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

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

COMPLAINT DATE: 11/08/2023

COMPLETION DATE: 08/14/2024

PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: The officer's discourteous behavior or statements were related to ethnicity or race.

CATEGORY OF CONDUCT: CUO

FINDING: NF

FINDINGS OF FACT: The complainant's son was followed by a patrol vehicle while he was looking for street parking. After he parked his car, the complainant's son walked to the intersection to return to school. While the complainant's son waited to cross the crosswalk, a police vehicle stopped at the intersection. One of the officers in the vehicle rolled down their window and questioned what school her son attended. Before the complainant's son could respond, the light at the intersection turned green, and the police vehicle drove off. The complainant described that her son was distressed because of the incident. According to the complainant, her son was wearing his school's apparel, and she believed that the officer's question insinuated her son was not a student at the school because of his race.

The DPA conducted a computer records check using the vehicle information provided by the complainant. The records check yielded negative results, and it showed no record of the vehicle being utilized on the incident date. As a result, DPA sent an identification poll to the district station and assigned bureau asking for assistance identifying the 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 officers cannot reasonably be identified.

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

COMPLAINT DATE: 12/09/2023

COMPLETION DATE: 08/14/2024

PAGE# 1 of 2

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated in his online complaint that the officers did nothing when they responded to a trespass call. He alleged that the officers did not write an incident report, failed to issue a citation to the woman who forced her way into his house and refused to leave, and failed to act regarding the woman's boyfriend threatening and extorting him.

The officers denied the allegation stating that the woman who allegedly trespassed had left the scene before they arrived. While at the scene, the complainant mentioned that the woman's boyfriend had threatened and extorted him. The complainant showed Officer #2 a text conversation between the complainant and the woman's boyfriend that concerned a money dispute which, the officers determined, is a civil matter. After reviewing the text exchange and talking to the people on scene, the officers concluded that they lacked probable cause to make an arrest for either extortion or criminal threats. The officers noted that the woman's boyfriend who allegedly threatened the complainant via text was not at the scene to be questioned when the officers arrived. The complainant informed the officers that he and his witness were in the process of obtaining a restraining order against the woman and her boyfriend. The officers performed a civil standby to prevent the situation from becoming physical. Officer #2 did not recall the complainant requesting an incident report.

The Department of Emergency Management records confirmed that the complainant contacted 9-1-1 to report a verbal dispute and trespassing involving his former friend, a woman. Initially, the woman refused to leave. However, she left after the complainant provided a description of her and accused her boyfriend of extortion. After the couple left, the complainant canceled the call for service, but the officers still responded. They arranged a civil standby and permitted the woman to retrieve her belongings from the complainant's residence.

The body-worn camera footage captured the officers conducting a civil standby and investigating the complainant's report of threats and extortion from the woman's boyfriend. The complainant said he lacked proof of the extortion but claimed to have text messages demonstrating the threats. Officer #2 reviewed the text messages and concluded that they did not meet the elements of criminal threats. Additionally, the complainant's witness helped the woman retrieve her belongings from the house and confirmed the lack of evidence for extortion, as well as the fact that the woman's boyfriend never physically harmed them.

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

COMPLAINT DATE: 12/09/2023

COMPLETION DATE: 08/14/2024

PAGE# 2 of 2

The DPA investigation confirmed that the complainant chose to cancel the request for service because the trespasser had already left. Notwithstanding this, the officers responded to the scene and thoroughly investigated the allegations of trespassing, criminal threats, and extortion in accordance with department protocol. Subsequently, the officers acted reasonably when they determined that no crimes had occurred and that the matter was civil, not criminal, in nature. To prevent any potential physical altercation between the complainant and the alleged trespasser, the officers conducted a civil standby. They also documented the resolution of the incident in the Computer Aided Dispatch (CAD) record.

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

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

CATEGORY OF CONDUCT: CUO

FINDING: PC

FINDINGS OF FACT: The officer was extremely unprofessional and suspected the complainant was under the influence and dismissed the threatening text messages as "just you guys talking shit".

The officer denied telling the complainant that he was under the influence or making inappropriate comments.

The body-worn camera footage revealed that the officer used language similar to what was alleged in the complaint. However, it was noted that the officer just repeated the language the complainant first used. The DPA concluded officers comment was not inappropriate and did not rise to the level of misconduct. Additionally, after the complainant admitted to using methamphetamines instead of fentanyl, the officer reasonably asked the complainant if he was under the influence. Despite that, the officer remained attentive and professional, investigated the reported crimes and advised the complainant.

The DPA's investigation confirmed that the officer's overall behavior was professional and complied with department policy.

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: 12/08/2023

COMPLETION DATE: 08/14/2024

PAGE# 1 of 3

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant—manager of a café—stated that the named officers responded to two calls for service at their establishment regarding on-going altercations with an upstairs tenant. The complainant stated that the named officers did not adequately address the issues between the two parties.

The Computer Aided Dispatch (CAD) records reflected that the named officers responded to the establishment twice during the same evening regarding issues between the complainant and a nearby tenant. The first call for service alleged that the tenant threw one of the complainant's chairs into the street and the second call for service was pertaining to a potential fight where the tenant may have smashed his own guitar.

The named officers recalled responding to the two incidents and maintained that they did what they could given that the situation was largely civil in nature and not a criminal matter requiring official police action. They explained that during the first call for service, they spoke with the complainant and other café employees and attempted to contact the tenant, who would not come outside of his residence. They spoke with his roommate in hopes he would help them speak to the tenant, to no avail. They observed the chair and did not see any damage to the chair. The officers did not believe a crime occurred. One of the named officers provided them with community resources and advice to contact their landlord in hopes they could mediate the issues.

The named officers then responded to the second occurrence and spoke with both parties. Both parties expressed on-going issues and complained about each other. The named officers attempted to mediate the situation between the parties. They stated that neither party expressed they wanted anything official done, just for each party to leave the other alone. The named officers relayed this to each party and left the scene.

DPA obtained the officer's body-worn camera (BWC) footage which supported the named officers' characterization of their investigation. The BWC footage showed the named officers respond to the establishment twice on the same night regarding on-going disputes between the complainant and a tenant. The named officers attempted to mediate the situation between the two and provided them with advice, such as contacting the community boards and their landlord. The named officers specifically asked the parties what they would like to have done, and pursuant to their wishes, advocated for each party to leave the other party alone.

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

COMPLAINT DATE: 12/08/2023

COMPLETION DATE: 08/14/2024

PAGE# 2 of 3

DPA understands that persistent issues between the two parties can be frustrating. The named officers attempted to mediate the situation, which was largely civil in nature. Any potential failure to take official police action was proper given the circumstances.

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 write an incident report.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that during the second occurrence the tenant used a guitar to smash their back gate and that he specifically requested for the named officers to generate a report so he could provide documentation to the insurance company for property damage coverage. However, he said the named officers refused and failed to generate an incident report.

The named officers confirmed that they had not generated an incident report for the occurrence. They explained that the incidents did not warrant a report and that the details reported in the CAD were sufficient. Additionally, the named officers stated that the complainant did not ask them to write an incident report, nor did they recall him mentioning anything about documentation for an insurance company.

The BWC footage did not capture the complainant requesting the named officers to write an incident report. The BWC footage showed that when the named officers asked what he wanted done, the complainant indicated that he wanted the tenant to leave them alone and not enter the establishment's property. Additionally, the named officers reported the necessary information via a Computer Aided Dispatch (CAD) entry.

Even if the complainant requested a report at some point not captured on the BWC footage, the named officers' conduct in failing to generate a report was proper, as a report was not required by current Department policy.

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: 12/08/2023

COMPLETION DATE: 08/14/2024

PAGE# 3 of 3

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

CATEGORY OF CONDUCT: CUO

FINDING: U

FINDINGS OF FACT: The complainant stated that the named officer inappropriately told him and the other employees to “shut up,” when they were trying to tell him what had occurred.

The named officer stated that he could not recall whether used those specific words but admitted that there were points throughout the interaction that he had to escalate his tone to regain control of the conversation as the parties repeatedly spoke over him.

The BWC footage did not capture the named officer telling anyone to “shut up.” The BWC footage reflected that the named officer properly asked some of the individuals to “stop talking,” because they were speaking over each other, interfering with the officers’ attempts to provide information and mediate the situation. The evidence proves that the alleged conduct did not occur.

SUMMARY OF ALLEGATIONS #6-7: The officers knowingly engaged in biased policing or discrimination.

CATEGORY OF CONDUCT: CUO

FINDING: U

FINDINGS OF FACT: The complainant suspected that the named officers did not take action and acted inappropriately towards them because of his race.

The named officers adamantly denied engaging in bias policing or discrimination in any way.

The evidence previously referenced in the above sections does not support that the named officers knowingly engaged in bias policing or discrimination. The evidence showed that the named officers treated both parties equally, conducted an impartial investigation, and did not otherwise engage in any misconduct to support the complainant’s contention.

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

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

COMPLAINT DATE: 01/08/2024

COMPLETION DATE: 08/12/2024

PAGE# 1 of 10

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

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant stated that he was incorrectly detained for no reason.

The named officer stated he attended a call for service from the Street Crisis Response Team (SCRT), who stated that an individual was behaving erratically in public and had threatened members of the SCRT with a machete. When the officer arrived, he encountered the complainant standing on a raised pillar and steps. The complainant was shouting, yelling, and standing beside a sheathed machete and two metal poles. The officer tried to engage with the complainant, who ignored requests and orders from the officer. The officer then detained the complaint, initially for the crime of threatening the SCRT members with a weapon. Later, the officer decided to change the detention to a mental health hold as the complainant was a danger to others.

Several witness officers corroborated the named officer's account.

A witness, a paramedic for the San Francisco Fire Department, and a member of the SCRT said that she was called out to deal with a subject in a mental health crisis who was shouting at passersby. When she arrived at the scene, the complainant confronted her, shouting and yelling while holding a sheathed machete. She described how the officer arrived on the scene and tried to communicate with the complainant. The complainant refused to comply with any requests or orders, so the officers detained and handcuffed the complainant. She agreed that the officer was correct in detaining the complainant for a mental health hold as the complainant was a danger to others.

Department records, including the Computer Aided Dispatch (CAD), Incident report, photographs of the machete and poles, and the Mental Health Evaluation Form, corroborated the named officer's account.

Body-worn camera footage captured the complainant shouting and yelling as officers tried to talk to him. The complainant failed to comply with any of the officer's requests or commands and was detained and handcuffed. The footage showed that the complaint had a sheathed machete and two metal poles. The footage captured a conversation between the named officer and the SCRT paramedic about the best means to deal with the complainant, and both agreed that a mental health hold was the correct decision.

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: 01/08/2024

COMPLETION DATE: 08/12/2024

PAGE# 2 of 10

SUMMARY OF ALLEGATIONS #2-6: The officers failed to comply with Department General Order 5.01.

CATEGORY OF CONDUCT: UF

FINDING: IC(S)

FINDINGS OF FACT: The complainant said that when he was detained, several officers took him to the ground even though he was not resisting. He said he suffered some abrasions on his legs, and an officer stepped on his face. The complainant declined to provide any medical records.

Named Officer #1 said that he decided to detain and handcuff the complainant due to the serious nature of the call and his non-compliance with lawful orders. Officer #1 said he used a control hold to place the complainant into handcuffs. The complainant was actively resisting being placed in handcuffs, but Officer #1 managed to force the handcuffing “with a little struggle.” He said the complainant was surprisingly strong. Officer #1 said that he did not recall the complainant complaining of pain at the time, and the detention caused no injuries. He said that the force he used was not reportable. He later agreed that he and Officers #2 and #3 forced the complainant down onto the ground. He agreed that he and Officers #2, #3, #4, and #5 pinned the subject to the ground, and the complainant made two complaints of pain. Officer #1 still maintained he did not hear the complaints of pain and opined that the pain complaints were not specific enough.

Named Officer #2 said that he and other officers grabbed the complainant’s wrists to detain him on a mental health hold. Officer #2 said the complainant went limp and fell to the ground, offering passive resistance. As the complainant fell, Officer #2’s ankle was caught up with the complainant’s leg, and Officer #2 fell backward. He said by the time he stood up, the complainant was already in handcuffs. Officer #2 said he did not use force, hear any complaints of pain, or see any injuries resulting from the detention. Officer #2 later agreed that he and Officers #1 and #3 were interacting with the complainant but decided to force the subject to the ground. He also agreed that he restrained the complainant’s legs when he was being pinned to the ground by Officers #1, #3, #4, and #5. He opined that restraining someone’s legs in a prone position was not a use of force. He did agree that the complainant made two complaints of pain while being handcuffed.

Officer #3 said that other officers grabbed the complainant’s hands, and he tried to direct the complainant forward to assist with the detention and handcuffing process. He eventually held one of the complainant’s hands while several other officers were trying to apply handcuffs. Officer #3 denied using force and said the complainant did not complain about pain and was not injured. Officer #3 later agreed he and Officer #1 and #2 forced the complainant to the ground. He also agreed that he and Officers #1, #2, #4, and #5 pinned the subject on the ground. He said the complainant was actively resisting, was a strong individual, and officers were struggling to apply handcuffs. He opined that the detention location (on raised concrete

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

COMPLAINT DATE: 01/08/2024

COMPLETION DATE: 08/12/2024

PAGE# 3 of 10

steps) meant there was a prospect of injury to the complainant and the officers. Officer #3 gave evasive answers regarding whether the force he used was reportable.

Officer #4 said that he and Officer #1 detained the complainant with the help of other officers. He said the complainant was stronger than he appeared and offered passive resistance initially, and a struggle ensued as the officers tried to handcuff the complainant. He described the complainant as highly agitated, armed, and located on steps which caused a danger to officers and the complainant. Officer #4 said the complainant offered active resistance, but he did not recall any complaint of pain. The detention caused no injury. Officer #4 agreed that he and Officers #1, #2, #3, and #5 were involved in detaining the complainant on the ground while handcuffing. He said that it was necessary for five officers to restrain the complainant because it was safer. He opined that five officers forcing an actively resisting and fighting subject into handcuffs on the ground was a non-reportable force. Officer #4 did agree that the complainant made two complaints of pain but reiterated that he did not hear this at the time.

Officer #5 said the complainant was yelling, screaming, and refusing to obey orders. He said Officers #1, #2, and #4 grabbed the complainant's hands to try and handcuff the complainant. The complainant lost his balance, and the officers got the subject on the ground. Officer #5 then assisted because the complainant tried to push himself back up. Officer #5 used his left knee on the complainant's right shoulder to hold the complainant down in a prone position. At one point, the complainant managed to roll over toward Officer #1, so Officer #5 applied more pressure with his knee and forearm to hold the complainant face down. He said the complainant was actively resisting officers. Officer #5 said the complainant did make a complaint of pain but told officers he was uninjured. Officer #5 opined that the complaint of pain did not make sense as no techniques were used that would have caused pain. He described the force he used as Type 1 non-reportable force. Officer #5 said that the elevated platform raised the risk to everyone at the scene. He agreed that the propensity for injury with a non-compliant, actively resisting subject is always a concern, and this concern was greatly elevated because of the location.

A witness officer said the named officers tried to calm the complainant down, but the complainant refused to comply with requests or orders. The named officers detained the complainant to prevent injury to the complainant or the officers. She explained that the subject was on top of a concrete pillar, which made the situation dangerous for all involved. The witness officer said she did not see any officer use force; she only saw control holds. She said she did not hear any complaints of pain.

A witness, a paramedic for the San Francisco Fire Department, and a member of the SCRT described officers speaking with the complainant. When the complainant failed to comply with requests or orders, the officers came toward him and placed him in handcuffs. The witness said she did not think the officers were overly aggressive. She said she did not see any officers put a foot on the subject's head. Body-worn camera footage showed that Officers #1 and #2 initially took hold of the complainant's arms. The complainant (an elderly male) shouted he did not want to be handcuffed and sat down on the ground. When the officer tried to handcuff, the complainant actively resisted. Officers #1, #2, and #3 used a

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

COMPLAINT DATE: 01/08/2024

COMPLETION DATE: 08/12/2024

PAGE# 4 of 10

takedown on the complainant to force him into a prone position, lying on his front. Officer #1 grabbed the complainant's head and arm and pulled the complainant towards him down to the ground, while Officers #2 and #3 pushed the complainant from the other direction. While doing so, the complainant actively struggled against being taken down to the ground and shouted that the officers were hurting him.

Body-worn camera footage showed that once on the ground, Officer #1 used his body weight through his knee and hands on the complainant's left shoulder area to pin the complainant to the ground. Officer #2 initially tripped over but then pinned the complainant's legs. Officer #3 used his body weight through his knee to pin the complainant's left hip while pulling the complainant's left arm back to assist handcuffing. Officer #4 pulled the complainant's right arm back to facilitate handcuffing. Officer #5 used his body weight through his knee and forearm on the complainant's right shoulder and head area. At one point, Officer #5 lay entirely across the complainant. The complainant continued to actively resist the officers. He tried to get up and prevent the officers from pulling his arms behind him so they could handcuff him. The officers struggled to handcuff the complainant because of his resistance. While being held prone, the complainant shouted that the officers were hurting him.

Body-worn camera footage showed that no officer put their boot or foot on the complainant's head.

Body-worn camera footage showed that the officer asked the complainant if he was injured, and the complainant said he was not. The complainant had a small cut on his finger, which he said was caused by picking up trash earlier.

Body-worn camera footage of Officer #1 recorded the complainant talking to medical personnel and complaining officers attacked him and that he had pain in his back and shoulders.

The Incident Report (IR), authored by Officer #1, stated that the complainant failed to comply with requests and orders and was detained. Officers #1 and #2 approached and grabbed the complainant's arms. The complainant struggled to pull away from the officer's grasp. The IR records that "A temporary struggle ensued, and with the help of other units on scene, (the complainant) was placed in handcuffs."

The IR was recorded as not a Use of Force incident. Therefore, no Use of Force logs or Supervisor Use of Force Review Forms were completed.

Department General Order (DGO) (Use of Force), 5.01.03(E) states, "All uses of force are reportable except for Type I force. Types II, III, and IV force are reportable."

DGO 5.01.05(B) defines "passive non-compliance" as, "Does not respond to verbal commands but also offers no physical form of resistance." Possible force options for passive non-compliance are "Officer's strength to take physical control, including lifting/carrying," or "Pain compliance control holds, takedowns and techniques to direct movement or immobilize."

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

COMPLAINT DATE: 01/08/2024

COMPLETION DATE: 08/12/2024

PAGE# 5 of 10

DGO 5.01.05(C) defines “active resistance” as, “Physically evasive movements to defeat an officer’s attempt at control including bracing, tensing, running away, verbally or physically signaling an intention to avoid or prevent being taken into or retained in custody.” Possible force options for active resistance are the “Use of personal body weapons to gain an advantage over the subject” or “Pain compliance control holds, takedowns, and techniques to direct movement or immobilize a subject.”

DGO 5.01.07 describes “Type I Non-reportable” force as, “Type I force occurs when an officer’s physical interaction with a subject (1) is reasonably unlikely to cause pain or injury; or (2) does not cause pain or injury; or (3) the subject does not report pain or injury.” Applicable techniques include “The use of hands or equipment to stop, move, direct, or otherwise exercise control of a person or situation” or “Non-injurious physical control holds to gain compliance that are not reasonably likely to cause pain.” Examples include “Officers hold the wrist of a subject in crisis in place while paramedics secure the subject in a 4-point restraint,” “Officers nudge past people, in order to wedge through a crowd, “Two officers separate two agitated, arguing subjects, grabbing each subject above the elbow and guiding him away from the other combatant,” or “During handcuffing, a suspect turns his torso as the officer makes physical contact. The officer grips the wrists of the subject firmly to prevent further movement by the subject.”

DGO 5.01.07 describes “Type II force,” in part, as “Force that (1) is reasonably likely to cause pain or injury; or (2) causes transitory physical pain or injury; or (3) the subject reports physical pain or injury.” Applicable techniques include “Arrest or Control pain compliance techniques” or “Type I physical interaction that results in pain or injury (observed or reported).” Examples include, “An officer uses a takedown technique to gain control of an actively resisting subject.” DGO 5.01.09 requires officers to document reportable use of force in their incident report in very specific ways.

The SFPD Arrest and Control Manual defines a control hold as “[a] method to physically controlling a suspect by manually applying pressure until the peace officer has control over the suspect.” The Manual provides examples of control holds, all of which are applied to a standing subject. The Manual defines a takedown as “A method for breaking the suspect’s balance and bringing the suspect to the ground so control can be established.”

The evidence shows that the named officers used force to detain and handcuff the complainant, despite what some of the officers stated. However, the use of force was proper conduct. The complainant was agitated and aggressive, had threatened SCRT personnel, was armed with a machete and poles, had refused lawful orders, was in a dangerous location, and actively resisted officers. The officers used less force than allowed in the policy to detain the complainant.

However, the evidence also shows that the officer's use of force was reportable.

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

COMPLAINT DATE: 01/08/2024

COMPLETION DATE: 08/12/2024

PAGE# 6 of 10

Firstly, the force the five named officers used was likely to cause pain or injury or transitory pain or injury. Officer #5 agreed that the propensity for injury with a non-compliant, actively resisting subject is always a concern, and this concern was significantly elevated because of the location. The other named officers expressed concern about the potential danger of the location of the detention. However, other risk factors for injury or pain include the fact that the complainant was believed to be in a mental health crisis and the complainant was an elderly male. It is reasonable to conclude that one person actively resisting five people restraining them on the ground will likely cause at least transient pain or injury. When the risk factors of the mental health and age of the individual, coupled with the inherent dangers of the concrete stairs, it is reasonable to conclude that there is a likely risk of injury or pain.

Secondly, Officers #1, #2, and #3 used a takedown on the complainant. In other words, they broke the complainant's balance and took him to the ground to establish control. The fact that the takedown was from a sitting position is irrelevant to the SFPD manual definition. The complainant was actively resisting the officers and did not fall or lose his balance, as some of the named officers contended.

Thirdly, the complainant made three complaints of pain, all captured on the body-worn camera footage. The first complaint of pain was to officers after the takedown. The second complaint was made when five officers held down the complainant. The third complaint was to medical staff in the presence of Officer #1. All but one of the named officers said they did not hear the complaints of pain at the time. This is not credible. The complainant shouted that the officers were hurting him. Some officers said that the complaints of pain were not specific enough. Nothing in DGO 5.01 states that complaints of pain need to be specific. Therefore, the officers' use of force should have been recorded pursuant to the requirements of DGO 5.01.09.

A preponderance of the evidence proves that the alleged conduct occurred and that the conduct violated Department policy or procedure.

SUMMARY OF ALLEGATION #7: The officer applied handcuffs without justification.

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

COMPLAINT DATE: 01/08/2024

COMPLETION DATE: 08/12/2024

PAGE# 7 of 10

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant said he was handcuffed for no reason.

The named officer stated that he responded to a call whereby a subject had threatened SCRT personnel with a sheathed machete. When he arrived, the complainant was agitated and standing beside a sheathed machete and metal poles. Other officers decided that the complainant was detained for potential criminal offenses and a mental health hold. The named officer handcuffed the complainant after a short struggle. The officer explained he handcuffed the complainant to prevent any danger to the complainant or anyone else because of his behavior and the fact he was armed.

The SFPD Arrest and Control Manual states that officers can handcuff based on the subject's verbal and physical demeanor and medical considerations.

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

SUMMARY OF ALLEGATION #8: The officer intentionally damaged property.

CATEGORY OF CONDUCT: UA

FINDING: U

FINDINGS OF FACT: The complainant stated that the named officer knocked his glasses off and stepped on them, causing them to break.

The named officer denied breaking the complainant's glasses.

Body-worn camera footage showed that the complainant's glasses were undamaged and not knocked off his face during the incident.

The evidence proves that the conduct alleged did not occur.

SUMMARY OF ALLEGATIONS #9-11: The officers behaved or spoke inappropriately.

CATEGORY OF CONDUCT: CUO

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

COMPLAINT DATE: 01/08/2024

COMPLETION DATE: 08/12/2024

PAGE# 8 of 10

FINDING: IE

FINDINGS OF FACT: The complainant said that the named officers were disrespectful and laughed at him after he was handcuffed.

The named officer admitted that they did laugh but denied that the laughing was aimed at the complainant. They explained that during the struggle to handcuff, Officers #2 and #3 nearly mistakenly handcuffed themselves instead of the complainant. Also, during the struggle, Officer #1 fell over backward. The named offices said they laughed at each other for the handcuffing mix-up and the fall.

Body-worn camera footage captured the officers laughing at each other over Officer #1's fall and the handcuffing mistake.

Although the officers were not laughing at the complainant, it is ill-advised to laugh amongst each other, having just detained an elderly male for possible mental health issues. However, this behavior is insufficient to rise to the level of discipline.

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

SUMMARY OF ALLEGATION #12-13: The officers used profanity.

CATEGORY OF CONDUCT: CUO

FINDING: IC(S)

FINDINGS OF FACT: The complainant said that officers were disrespectful toward him.

Body-worn camera footage showed that the named officers used profanity toward the complainant. Officer #1 used profanity in his responses to a conversation with the complainant and when he told the complainant to calm down. Officer #2 once used profanity when telling the complainant to "shut up."

Both officers admitted they used profanity. Officer #1 said he did use profanity in four statements. He argued that the profanity was not aimed at the complainant. He opined it was a stressful situation. He was talking to the subject like a human being and was using "verbal judo" to communicate at the same level as the subject. Officer #2 said he used profanity for shock value to ensure compliance.

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

COMPLAINT DATE: 01/08/2024

COMPLETION DATE: 08/12/2024

PAGE# 9 of 10

Department General Order 2.01 General Rules of Conduct Rule 8 (b) states that when performing 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 SFPD Arrest & Control Manual section on tactical communication does not include profanity as a shock tactic to gain compliance, and the term “verbal judo” is not mentioned.

A preponderance of the evidence proves that the alleged conduct occurred and that the conduct violated Department policy or procedure.

SUMMARY OF ALLEGATION #14: The officer failed to properly investigate.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officer failed to investigate the incident properly and that he would not have been detained if the officer had investigated.

The named officer denied that he failed to investigate the incident. He stated he spoke to witnesses, observed the behavior of the complainant, noted the weapons, and made the decision to detain the complainant on a mental health hold. He seized the machete and two metal poles as part of the investigation.

Department documents and body-worn camera footage corroborated the named officer's account.

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

SUMMARY OF ALLEGATION #15: The officer failed to properly care for, process, or book property.

CATEGORY OF CONDUCT: ND

FINDING: PC

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

COMPLAINT DATE: 01/08/2024

COMPLETION DATE: 08/12/2024

PAGE# 10 of 10

FINDINGS OF FACT: When detained, the complainant said he had three metal poles. He received a property slip incorrectly stating that the officer seized two poles instead of three. The complainant provided a copy of the Property Receipt listing two metal poles.

The named officer stated that the complainant only had two poles.

Body-worn camera footage and police photographs show that the complainant had two poles at the scene.

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

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

CATEGORY OF CONDUCT: ND

FINDING: U

FINDINGS OF FACT: The complainant said that he asked officers at the scene to provide their names and star numbers.

Body-worn camera footage showed that the complainant never asked any officer to provide their name or star number. He did ask officers which station they were from, and this information was provided to him.

The evidence proves that the conduct alleged did not occur.

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

COMPLAINT DATE: 01/30/2024

COMPLETION DATE: 08/15/2024

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 stated that the San Francisco Police Department (SFPD) routinely fails to address an on-going issue of an unhoused male living in his vehicle outside their residence, causing disturbances.

DPA obtained several Computer Aided Dispatch (CAD) reports reflecting the calls for service regarding the unhoused male. Response outcomes ranged from officers advising the individual to officers that responded and saw no violations.

DPA interviewed a witness officer regarding the on-going issue and SFPD's overall response to unhoused individuals causing such issues. While the witness officer was not aware of the issue at the complainant's location, he referenced several policies and regulations that severely inhibit SFPD officers from taking any official police action against unhoused individuals sleeping in their vehicles. After reviewing the calls for service, he also stated that at the time the complaint was generated, habitually sleeping in a vehicle was not a crime and any such law prohibiting it was unenforceable.

The witness officer, however, stated that his district station is constantly working with several other agencies, departments, and community outreach to help aid with the homelessness issues. Additionally, he emphasized that the Department is currently waiting for legal directives considering recent Supreme Court rulings on enforcement of such laws.

While the legal landscape surrounding enforcement of laws pertaining to unhoused individuals is changing, at the time of the complaint and relevant calls for service, the officers were extremely limited in what they could do. The evidence obtained by DPA showed that the SFPD acted within Department policy and practice.

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: 02/13/2024

COMPLETION DATE: 08/15/2024

PAGE# 1 of 2

SUMMARY OF ALLEGATIONS #1-2: The officers misrepresented the truth.

CATEGORY OF CONDUCT: CUO

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officers responded to his home to conduct a civil standby on behalf of his wife who also had a Temporary Restraining Order (TRO) in effect against him at the time. The complainant stated that the named officers explicitly promised him that they were only there to aide his wife in retrieving her belongings and that they would then leave. Under this belief, the complainant opened the door, exited the residence, and agreed to allow the wife to enter the premises accordingly. However, the officers arrested him for violating the restraining order. The complainant felt the officers arrested him under false pretenses as he would not have otherwise opened the door.

The evidence reflected that a TRO was in effect against the complainant at the time and that the named officers, had in fact, showed up to his residence to conduct a civil standby on behalf of his wife so she could retrieve her personal property from the residence. The named officers' body-worn camera footage reflected that they had in fact promised the complainant that they were only there to conduct a civil standby and that once she was done gathering her belongings they would leave. However, a few minutes after the complainant exited the residences the Sergeant on-scene received a phone call appearing to call for the complainant's arrest and directed them to conduct an arrest for violation of a restraining order. The footage also showed the named officers explaining to the complainant that when they made such promises to him, they were unaware he would be arrested.

DPA understands that the complainant perceived the named officers' actions as misleading and untruthful, however, the evidence obtained did not suggest that the named officers were in fact there to conduct more than a civil standby and were truly unaware of the impending arrest when the comments at issue were made. Additionally, the named officers attempted to explain the misunderstanding to the complainant on-scene.

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: 02/13/2024

COMPLETION DATE: 08/15/2024

PAGE# 2 of 2

SUMMARY OF ALLEGATIONS #3-4: The officers made an arrest without cause.

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant also questioned the validity of the arrest. He stated that he was unaware the terms of the restraining order had prohibited him from texting his wife as a form of communication and as soon as he realized it was prohibited, he ceased doing so.

The evidence reflected that a valid TRO prohibited any form of communication was in place against the complainant at the time of arrest. Named officer #1 verified said order on-scene. Named officer #2, the Sergeant on-scene, directed named officer #1 to arrest the complainant as it had been previously demonstrated and documented in an earlier incident report that the complainant had violated the restraining order by texting his wife.

The evidence supported that probable cause existed for the named officers to arrest the complainant and the complainant also admitted to DPA that he violated the order--although unknowingly.

DPA understands the complainant's frustrations if he was in fact unaware of the terms, however, the complainant was properly served the order and being unaware of the terms does not invalidate the arrest. The named officers were within their discretion to arrest 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: 03/11/2024 COMPLETION DATE: 08/15/2024 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant encountered a passerby that recorded an unhoused person in a compromising position. Offended by the passerby's action, the complainant informed the passerby it was illegal to record someone without their permission and approached an officer to notify them of the situation. Rather than reprimand the passerby, the complainant alleged that the officer made inappropriate comments regarding their credibility and excused the passerby's actions as lawful.

According to the Department's General Rules of Conduct, 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)

The DPA made several attempts to contact the complainant to obtain additional information about the incident for clarification purposes, but the complainant did not respond.

The named officer was interviewed but was unable to recall the incident and interaction with the complainant. The named officer explained that he was assigned to a retail store and several people come up to the officer to ask a question or engage in small talk. The officer indicated that if the complainant was confrontational, he would have activated his body-worn camera.

The DPA's research showed that there was no body-worn camera footage, incident report, or computer-aided dispatch record of the incident.

Given the officer's limited recollection of the incident and the complainant's failure to provide additional information when requested, there was insufficient evidence to prove or disprove the allegation in the complaint.

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

COMPLAINT DATE: 04/08/2024

COMPLETION DATE: 08/15/2024

PAGE# 1 of 5

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated he called the police to report that multiple neighbors on his floor were stalking and harassing him because they followed him from an out-of-state homeless shelter five years prior. He stated the individuals stalked and harassed him by slamming doors and banging walls. The complainant stated the named officers did not conduct an investigation and did not allow him to provide them with the full details regarding his stalking allegation.

Named Officer #1 stated she met with the complainant, who believed all of his neighbors on his floor followed him from an out-of-state homeless shelter five years prior with the intent to stalk and harass him. She stated that when she asked the complainant about the stalking and harassment, he became angry and aggressive. She stated she asked him multiple times about specific events and actions by his neighbors to determine if his allegations met the legal requirement for stalking or harassment; however, she stated the complainant rambled on and only became more hostile. Officer #1 stated that Named Officer #2 attempted to establish rapport with the complainant. However, he was unsuccessful, as the complainant would not answer his questions and continued to grow irate. She stated after she explained to the complainant that his allegations of stalking and harassing did not meet the legal requirement of a crime, she realized the complainant was going to continue to ramble and repeat himself. Officer #1 stated that she had adequately investigated the allegations by speaking with the complainant to obtain more information and establish the legal elements of stalking. In addition, she stated that Officer #2 attempted to speak with one of the neighbors, who was an alleged stalker.

Named Officer #2 stated he spoke with the complainant, who alleged that multiple neighbors stalked him from an out-of-state homeless shelter five years prior. He stated he allowed the complainant to speak for approximately nine minutes, during which time he and Officer #1 attempted to elicit information that would establish requisite criminal elements. He stated the complainant was irate and unable to convey any criminal elements of stalking. Officer #2 stated that he had knocked on one neighbor's door to determine their involvement; however, they had not answered. He stated he did not knock on every door on the complainant's floor because it was very late at night, the complainant's statements were non-cohesive, and it would have been entirely unreasonable to disturb the peace of those he claimed was stalking him. In addition, he stated he had no reason to believe the complainant was credible based on his knowledge that the complainant is a known 9-1-1- abuser with calls that have no merit to any claim whatsoever. The named officer stated he correctly investigated the allegations of stalking and harassment.

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

COMPLAINT DATE: 04/08/2024

COMPLETION DATE: 08/15/2024

PAGE# 2 of 5

Department records indicate that the named officers responded to the complainant's residence regarding a report of multiple individuals stalking and harassing him. The officers cleared the scene and determined a crime did not occur, and the report was without merit. In addition, Department records document a pattern of meritless reports made by the complainant that are not based in reality.

Department of Emergency Management (DEM) records show the complainant frequently reports incidents without merit to 9-1-1.

Body-worn camera footage (BWC) showed the named officers speaking with the complainant and questioning him about the allegations of stalking and harassment. The footage showed the complainant repeatedly stating that, on an ongoing basis, many of his neighbors stalked and harassed him. He stated that multiple neighbors followed him from an out-of-state shelter five years prior. The complainant further stated that his neighbors harass and stalk him by slamming doors and hitting walls. The complainant requested that the officers get all his neighbors' names so he could file restraining orders. The footage showed the named officers unsuccessfully attempting to elicit specific information from the complainant. However, the complainant would become irate when the named officers attempted to explain to him that his report did not meet the legal requirements for a crime. Officer #2 knocked on a neighbor's door with negative results and suggested to the complainant that this matter would be better handled with the property management. Officer #2 informed the complainant that what he was reporting did not meet the elements of stalking and that he had other calls for service to attend to. The named officers left; however, the complainant was very angry and followed them down the stairs, repeating the multiple apartment numbers of his alleged stalkers.

The named officers conducted a proper investigation. They met with the complainant at his residence, where they listened to his allegations of stalking and harassment against several of his neighbors. Officer #2 also attempted to speak with a neighbor, albeit unsuccessfully. The complainant's allegations appear to be unfounded, and he has a history of making reports of matters that are not rational and without merit.

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: 04/08/2024

COMPLETION DATE: 08/15/2024

PAGE# 3 of 5

SUMMARY OF ALLEGATIONS #3-4: The officers behaved or spoke inappropriately.

CATEGORY OF CONDUCT: CUO

FINDING: PC

FINDINGS OF FACT: The complainant stated he called the police to report that multiple neighbors were stalking and harassing him because they followed him from a homeless shelter in another state five years ago. He stated the named officers were extremely rude by cutting him off and not allowing him to provide them with the full details regarding his stalking allegation.

Officer #1 stated she was not rude to the complainant. She stated she attempted to elicit information from the complainant to determine if a crime occurred; however, her questions only angered the complainant.

Officer #2 stated he was not rude and allowed the complainant to speak for approximately nine minutes. He stated he and named Officer #1 tried to ask questions that would better direct the interview.

Department records indicate that the named officers responded to the complainant's residence regarding a report of multiple individuals stalking and harassing him. The officers cleared the scene and determined a crime did not occur, and the report was without merit. In addition, Department records document a pattern of meritless reports made by the complainant that are not based in reality.

DEM records show the complainant is a frequent 9-1-1 reporter of incidents with no merit.

BWC showed the named officers speak with the complainant and question him about the allegations of stalking and harassment. The footage showed the complainant repeatedly stating that, on an ongoing basis, many of his neighbors stalked and harassed him. He stated that multiple neighbors followed him from an out-of-state shelter five years prior. The complainant further stated that his neighbors harass and stalk him by slamming doors and hitting walls. The complainant requested that the officers get all his neighbors' names so he could file restraining orders. The footage showed the named officers unsuccessfully attempting to elicit specific information from the complainant. However, the complainant would become irate when the named officers attempted to explain to him that his report did not meet the legal requirements for a crime. Officer #2 knocked on a neighbor's door with negative results and suggested to the complainant that this matter would be better handled with the property management. Officer #2 informed the complainant that what he was reporting did not meet the elements of stalking and that he had other calls for service to attend to. The named officers left; however, the complainant was very angry and followed them down the stairs, repeating the multiple apartment numbers of his alleged stalkers.

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

COMPLAINT DATE: 04/08/2024

COMPLETION DATE: 08/15/2024

PAGE# 4 of 5

Department General Order 2.01 states in the relevant part that officers must treat members of the public with courtesy and respect.

The named officers did not violate Department policy. BWC footage showed that the named officers behaved appropriately with the complainant. Clearly, the named officers attempted to elicit information from the complainant to establish a crime; however, their basic questioning angered the complainant.

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

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

CATEGORY OF CONDUCT: CUO

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officer placed a “disregard” on his phone calls to 911, therefore preventing him from reporting his allegations of stalking.

The named officer stated the officers who responded to the complainant’s residence requested a “disregard” on the call for service due to a determination by the officers that the complainant was mentally disturbed. She stated a “disregard is related to 911 calls when dispatch does not dispatch repeated calls from the same reporting party because it is determined that we no longer need to respond to a caller who is repeatedly calling regarding a non-criminal issue or regarding a complaint that is not based in reality.” She stated sergeants are allowed to place a disregard on 911 calls when a unit responds to a 911 call for service and determines through their investigation that the reporting party is repeatedly calling 911 (which is meant to be utilized to report emergencies) to make non-criminal complaints, complaints not based in reality, or is abusing the 9-1-1 system. The named officer stated she placed a “disregard” in this case because the unit that responded to the call for service determined that the reporting party was mentally disturbed, making statements not based on reality and calling 9-1-1 multiple times.

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

COMPLAINT DATE: 04/08/2024

COMPLETION DATE: 08/15/2024

PAGE# 5 of 5

Department records indicate that officers responded to the complainant's residence regarding a report of multiple individuals stalking and harassing him. The officers cleared the scene and determined a crime did not occur, and the report was without merit. In addition, Department records document a pattern of meritless reports made by the complainant that are not based in reality.

DEM records indicate that the patrol unit who responded to the complainant's residence requested a "disregard" on the call, which was acknowledged by a supervising officer, who was the named officer. In addition, DEM records show the complainant is a frequent 9-1-1 reporter of incidents with no merit.

BWC footage showed an officer requesting a "disregard" on the call for service after speaking with the complainant.

Evidence supports that the call for service lacked merit as it was not based in reality. The named officer did not violate Department policy by placing a "disregard" on the complainant's call for service.

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: 04/26/2024

COMPLETION DATE: 08/15/2024

PAGE# 1 of 5

SUMMARY OF ALLEGATIONS # 1-3: The officers detained a person at gunpoint without justification.

CATEGORY OF CONDUCT: UF

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officers unnecessarily pointed their firearms at her.

Department records indicated that the reporting party told dispatchers that a person matching the complainant's description waved a gun at him and his daughter as they walked by. This information was broadcast over the radio to responding officers. Department records indicated that when the complainant saw the officers approaching, she ran from the passenger side of her vehicle and got into the driver's seat. The named officers reported that they drew their firearms and pointed them at the complainant for their safety and the safety of the public because they believed she was in possession of a firearm and was attempting to flee in her vehicle. The named officers issued commands to the complainant to exit her vehicle. The complainant complied and was detained in handcuffs. The named officers reported their use of force to a supervisor.

Body-worn camera (BWC) footage was consistent with the above Department records.

Department General Order 5.01 states that an officer may point a firearm when an objectively reasonable officer, based on the totality of the circumstances, would believe there is a specific and articulable threat of serious bodily injury or death, or that the situation may escalate to justify the use of deadly force.

Based on the information provided to responding officers and the named officers' observations when they arrived on-scene, it was reasonable for the named officers to believe that the complainant posed a specific and articulable threat of serious bodily injury or death to the public and to responding officers.

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: 04/26/2024

COMPLETION DATE: 08/15/2024

PAGE# 2 of 5

SUMMARY OF ALLEGATIONS # 4-5: The officers detained a person without reasonable suspicion.

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officers detained her without cause.

Department records indicated that the reporting party told dispatchers that a person matching the complainant's description waved a gun at him and his daughter as they walked by. This information was broadcast over the radio to responding officers. Department records indicated that when the complainant saw the officers approaching, she ran from the passenger side of her vehicle and got into the driver's seat. Officers ordered the complainant to exit her vehicle, and the complainant complied and was detained in handcuffs. The named officers told the complainant that she was detained because she matched the description of someone who reportedly brandished a firearm. The officers did not locate a firearm on the complainant, and the reporting party could not be reached for additional information. The complainant was released from the scene.

Body-worn camera (BWC) footage was consistent with the other Department records and showed that the complainant matched the reporting party's description of the person who reportedly brandished a firearm. The description was very specific.

Evidence showed that the named officers had reasonable suspicion to detain the complainant because she was in the immediate area of a firearm brandishing that had just occurred, she matched the description of the suspect involved, and she quickly got into the driver's seat of her vehicle when she saw officers approaching.

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: 04/26/2024

COMPLETION DATE: 08/15/2024

PAGE# 3 of 5

SUMMARY OF ALLEGATIONS # 6-7: The officers used unnecessary or excessive force.

CATEGORY OF CONDUCT: UF

FINDING: U

FINDINGS OF FACT: The complainant stated that the named officers grabbed her, pulled her out of her car and either hit or kicked her, causing a bleeding gash on her leg.

Department records indicated that officers ordered the complainant to exit her vehicle, the complainant complied, and the named officers placed her in handcuffs without further incident.

Body-worn camera (BWC) footage showed that the complainant exited her vehicle on her own in compliance with the officers' commands, and the named officers grabbed the complainant's arms, turned her around, and handcuffed her as she stood next to her vehicle. BWC showed that the complainant did not have visible injuries and did not complain of injuries during this incident.

The named officers did not pull the complainant out of her car, did not hit or kick the complainant, and did not cause injury to the complainant during this incident as alleged.

The evidence proves that the alleged conduct did not occur.

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

COMPLAINT DATE: 04/26/2024

COMPLETION DATE: 08/15/2024

PAGE# 4 of 5

SUMMARY OF ALLEGATION #8: The officer conducted an improper search or seizure.

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officer coerced her into giving consent to search her vehicle.

The named officer said that the complainant initially denied consent to search her vehicle but then knowingly and voluntarily gave officers consent to search.

Department records indicated that the complainant provided her consent for the officers to search her vehicle.

Body-worn camera (BWC) footage showed that the complainant insisted that the officers search her car to prove that she did not have a firearm. BWC showed that the named officer asked the complainant if she was ok with the officers searching her car, and the complainant said “no.” The named officer told the complainant that they were going to freeze the vehicle, and the complainant said, “Ok search the car. Search it. Just search it. Search the car. Search the car. Go in and search the car.” An officer asked the complainant if she was sure she was ok with them searching her vehicle, and the complainant said, “I don’t have any guns. Search the car.”

Evidence showed that the complainant provided uncoerced consent for the officers to search her vehicle.

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: 04/26/2024

COMPLETION DATE: 08/15/2024

PAGE# 5 of 5

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

CATEGORY OF CONDUCT: CUO

FINDING: U

FINDINGS OF FACT: The complainant stated that an officer on scene made inappropriate comments about her.

Body-worn camera (BWC) footage showed that none of the officers on scene made inappropriate comments about the complainant.

The evidence proves that the alleged conduct did not occur.

SUMMARY OF ALLEGATION #10: The officer failed to provide required information.

CATEGORY OF CONDUCT: ND

FINDING: U

FINDINGS OF FACT: The complainant stated that unknown officers refused to provide the complainant with an incident number upon request.

Body-worn camera (BWC) footage showed that the complainant did not request an incident number from any of the officers on scene. BWC footage showed that an officer provided the complainant with a copy of the Certificate of Release which included the issuing officer's star number.

The evidence proves that the alleged conduct did not occur.

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

COMPLAINT DATE: 04/30/2024

COMPLETION DATE: 08/27/2024

PAGE# 1 of 3

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that his landlord trespassed into his backyard which led to a verbal dispute. The complainant called the police to report the alleged trespassing, followed the landlord to his vehicle, and prevented the landlord from driving away. The officers witnessed the landlord hit the complainant with his car. After a brief questioning the complainant was transported to the hospital, and the landlord was arrested. The complainant visited the district station where the incident occurred to provide evidence and a statement. Officer #2 told the complainant that he would be contacted after the paperwork was completed. The complainant believed the officers failed to investigate the trespassing, interview witnesses, and view the video recording of the incident.

The body-worn camera footage of the named officers was reviewed for the complaint. The officers responded to a call for service involving the complainant and his landlord. Upon arrival, the officers viewed the landlord driving his vehicle into the complainant. They handcuffed the landlord while Officer #1 assessed the complainant's injuries and interviewed him about the incident. The complainant reported that the landlord and an unknown woman unlawfully entered his home, and that the landlord fled when confronted. The complainant stood in front of the landlord's vehicle to block its departure, resulting in the landlord moving his vehicle forward and hitting him. The landlord claimed he acted in self-defense due to the aggression from the complainant. Additional witness statements confirmed that the landlord did not live at the property and was illegally subleasing it. One witness also observed the landlord drive his car into the complainant.

Department records were reviewed for the complaint. The incident report contained statements by the complainant, landlord, and witnesses. The complainant and landlord made conflicting statements regarding the incident witnessed by the officers. The landlord was arrested for felony assault instead of trespassing, the latter of which would have been a misdemeanor charge. The case was assigned to the investigation unit for further investigation. The police investigator submitted the case to the District Attorney's Office, which declined to prosecute. After the landlord's release from custody, the complainant contacted the police investigator. The complainant submitted video footage of the incident, text messages, and a lease agreement. The investigator consulted with the Assistant District Attorney, who indicated that the additional evidence would not have changed the decision not to file charges against the landlord.

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

COMPLAINT DATE: 04/30/2024

COMPLETION DATE: 08/27/2024

PAGE# 2 of 3

Based on the preponderance of the evidence, the officers conducted a complete and thorough investigation at the scene. The officers arrested the landlord for battery instead of trespassing, a low-level offense. The officers' actions were proper as they acted within their discretion.

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

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

CATEGORY OF CONDUCT: CUO

FINDING: IE

FINDINGS OF FACT: The complainant alleged that the officer laughed at the complainant while he attempted to file a report at a district police station.

The named officer stated that the complainant visited the district station to provide more information regarding his case. The on-duty sergeant was requested to speak with the complainant, who then told the complainant that he would need to speak with the investigator who was assigned to his case. The complainant became upset with the officers after he learned the landlord had been released from custody. When the named officer advised the complainant that the police do not release inmates, the complainant became increasingly agitated and would not stop screaming at the named officer and another member. The named officer was then advised by the on-duty sergeant to personally take the complainant's information for a supplemental report. However, the complainant exited the station after obtaining the named officer's name and star number.

The on-duty sergeant provided the complainant with the contact information for the unit and for the investigator assigned to the complainant's incident. The sergeant stated that he did not witness any officer laughing at the complainant during the exchange.

The lobby surveillance video from the district station was reviewed as part of the investigation. Although the footage contained no audio, it clearly showed the complainant engaging in a conversation with an officer at the front desk. However, the view of the interaction was largely obscured by the district station's computer monitor and a glare from the window. Only the complainant's responses were visible without obstruction.

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

COMPLAINT DATE: 04/30/2024

COMPLETION DATE: 08/27/2024

PAGE# 3 of 3

Given the varying perspectives of the interaction, and the fact that the officer's interaction with the complainant could not be seen, the evidence fails to prove or disprove that the alleged conduct occurred.

SUMMARY OF ALLEGATION #: 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 partially forwarded 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: 05/07/2024

COMPLETION DATE: 08/15/2024

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 reported that she had honked at the car in front of her for blocking traffic. Subsequently, an officer in a patrol car looked at her, drove alongside her car, and yelled, "Learn how to drive!" The complainant said that the officer was rude and that there was no need for him to insult her since she did nothing wrong. The complainant provided a general description of the officer but did not know the vehicle number.

The DPA was unable to independently identify the officer based solely on information provided by the complainant. The DPA sent an identification poll to the district station asking for assistance identifying the officer based on a description of the officer and incident. No officers were identified through the poll. Therefore, there was insufficient information to investigate the complaint. Therefore, the DPA was unable to make findings in this matter.

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: 05/09/2024

COMPLETION DATE: 08/15/2024

PAGE# 1 of 2

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

CATEGORY OF CONDUCT: CUO

FINDING: NF

FINDINGS OF FACT: The anonymous complainant filed an online complaint with the DPA. He alleged he was waiting to merge to the right lane to make a right turn legally. As he was waiting, a police car used its horn and pulled up next to him. The officer in the car said he was “holding up traffic” and later said through the loudspeaker, “Don’t be selfish,” as the officer sped off.

Since the complainant could not identify the specific officers involved in the interaction and provided a location that was not an intersection, the DPA could not identify a specific incident. DPA sent an ID Poll to the district station. 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.

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

CATEGORY OF CONDUCT: ND

FINDING: NF

FINDINGS OF FACT: The complainant stated that he witnessed someone make an illegal right turn and almost hit a pedestrian after the officer sped away. He complained that the officer was not consistent in his police actions.

Since the complainant could not identify the specific officers involved in the interaction or provide sufficient information, the DPA could not identify a specific incident. DPA sent an ID Poll to the district station. 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.

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

COMPLAINT DATE: 05/09/2024

COMPLETION DATE: 08/15/2024

PAGE# 2 of 2

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: 05/17/2024

COMPLETION DATE: 08/14/2024 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: CUO

FINDING: M

FINDINGS OF FACT: By mutual agreement of the complainant and a representative for SFPD, the complaint was mediated and resolved in a non-disciplinary manner on 7/22/24.

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

COMPLAINT DATE: 05/23/2024

COMPLETION DATE: 08/15/2024 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 has an ongoing dispute with her neighbor regarding the placement of trash cans and has a restraining order against her neighbor related to this issue. The complainant alleged that the named officer responded to her home but did not carefully read the order and failed to enforce it.

Department records documented that the named officer responded to a call for service regarding a neighbor dispute. The Computer Aided Dispatch report reflected that the complainant stated that her neighbor placed garbage bins near the complainant's vehicle which were knocked over by wind and hit the vehicle. The complainant felt this was done on purpose because she has a restraining order against the neighbor. The incident report, written by the named officer, reflected that the complainant stated she parked her car in front of the neighbor's house, the neighbor's garbage bins tipped over, and that there was no damage to the complainant's car. The named officer stated he reviewed the restraining order and determined that the neighbor did not violate it. He stated he was aware of the ongoing dispute between the neighbors and referenced four prior police reports regarding this issue.

DPA reviewed the restraining order which was in effect on the date of the incident. It orders in relevant part that the neighbor must always place her garbage cans in front of her home, must stay at least 50 yards away from the complainant and her vehicles, and must stay three yards away when all parties are present at home.

Body-worn camera (BWC) footage showed that when the named officer arrived three garbage bins (garbage, recycling and compost) were on the sidewalk at the curb in front of the neighbor's home. The blue recycling bin appeared to have fallen over into the street and had landed behind a vehicle. There were no other bins visible on the street. The named officer spoke with the complainant and her husband who explained that the garbage had been picked up early that morning, but the neighbor had left the bins there. The complainant confirmed that the wind had knocked the bin over, not the neighbor. The named officer reviewed the restraining order and the complainant's car, finding no damage.

The neighbor's garbage bins were in front of the neighbor's home on the day that garbage had been collected from the block. The bins were close to the complainant's car as they were at the edge of the sidewalk, and the complainant's car was parked on the street, but it was unknown whether the neighbor or the garbage collector placed the bins where they were when the named officer arrived on scene. Given

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

COMPLAINT DATE: 05/23/2024

COMPLETION DATE: 08/15/2024 PAGE# 2 of 2

this, it was not unreasonable for the named officer to determine that the restraining order had not been violated.

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

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

CATEGORY OF CONDUCT: CUO

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officer responded to her home and said “we’ve been here before,” which the complainant believed to be inappropriate.

Department records documented that the named officer responded to a call for service regarding a neighbor dispute. The Computer Aided Dispatch report reflected that the complainant stated that her neighbor placed garbage bins near the complainant’s vehicle which were knocked over by wind and hit the vehicle. The complainant felt this was done on purpose because she has a restraining order against the neighbor. The incident report, written by the named officer, reflected that the complainant stated she parked her car in front of the neighbor’s house, the neighbor’s garbage bins tipped over, and that there was no damage to the complainant’s car. The named officer stated he reviewed the restraining order and determined that the neighbor did not violate it. He stated he was aware of the on-going dispute between the neighbors and referenced four prior police reports regarding this issue.

Body-Worn Camera footage showed that the complainant stated that the neighbor liked to provoke them with the garbage bins. The named officer then asked whether the neighbor had said she was provoking, and the complainant said no, but added that they had experienced this issue with the neighbor before. The named officer said he had been at the residence on a previous occasion. The complainant and her husband smiled and agreed that the police had responded on previous occasions. The named officer then informed the couple that he was required to ask these questions.

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: 05/23/2024

COMPLETION DATE: 08/15/2024 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 7/31/24.

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 arrest an unhoused individual who had set up camp on private commercial property managed by the complainant.

The Computer-Aided Dispatch (CAD) report showed that the named officer was dispatched to investigate a reported trespasser.

Body-worn camera footage showed that the named officer met with the complainant's tenant, who advised that the unhoused individual was camping on privately owned land. The named officer spoke with the individual, who was on the outer side of a fence surrounding the property's parking lot. The officer indicated that he believed the area to be part of the sidewalk and public land. He advised the unhoused individual that the property owners did not want him to stay there, would likely keep calling the police, and suggested he relocate.

Department records showed that the named officer is no longer with the San Francisco Police Department.

No findings are made if the officer cannot reasonably be identified or if 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: 05/30/2024

COMPLETION DATE: 08/15/2024

PAGE# 1 of 2

SUMMARY OF ALLEGATIONS # 1-2: The officers detained a person without reasonable suspicion.

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant was making deliveries and noticed a police vehicle was following him. He pulled over to a parking spot to check a message on his phone. At some point, he saw the police car's emergency lights turned on and pulled up behind him. The complainant said named officer #1 told him they pulled him over because he was in a bicycle lane. The complainant said he was not and was legally parked on the side of the street. The complainant alleged that the named officers stopped him without cause.

The named officers stated they stopped the complainant because they observed him driving in a transit-only lane.

DPA obtained photographs of the area where the incident occurred. The photos showed that a right turn-only sign was posted on the northeast corner of the area in question. The photographs also showed the street in question had a designated transit-only lane (lane #1) and a right-turn lane (lane #2). Body-worn camera (BWC) footage showed that one named officer advised the complainant that he was required to turn right at two separate intersections and had failed to do so. Despite this, the named officers decided to advise the complainant and not issue a ticket.

Department General Order 9.01, Traffic Enforcement, states in part: "Enforcement - Members should act on moving violations of all applicable laws, regulations, and policies, while considering the totality of the circumstances, in any of the following circumstances, except any violations deprioritized in DGO 9.07.04, Restricting the Use of Pretext Stops: a. After witnessing a moving violation."

Additionally, Section 601 of the San Francisco Transportation Code states that except for buses, taxicabs, vehicles preparing to make a turn, vehicles entering into or exiting from a stopped position at the curb, and vehicles entering into or exiting from a driveway, no vehicle may operate in Transit-only areas.

The evidence showed that the named officers acted within the guidelines of Department General Order 6.01 and Section 601 of the San Francisco Transportation Code.

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

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

COMPLAINT DATE: 05/30/2024

COMPLETION DATE: 08/15/2024

PAGE# 2 of 2

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 alleged that the officers racially profiled him by stopping him for no reason.

The named officers denied the complainant's claims. The named officers said they stopped the complainant because he was in the transit-only lane and crossed the intersection when he was required to turn right. The named officers stated the complainant's race or ethnicity had nothing to do with the stop. They said they could not see the driver from the outside and did not know the complainant's race or ethnicity before the stop.

DPA obtained the named officers' body-worn camera (BWC) footage of the incident. The BWC footage of the incident did not show any acts from the named officers that signified they conducted the stop because of the complainant's race or ethnicity. Additionally, the named officers remained calm and professional during the entire stop.

The named officers witnessed the complainant commit a traffic violation. Per DGO 9.01, they had the right to stop the complainant and investigate.

The evidence proves that the conduct alleged did not occur.

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

COMPLAINT DATE: 06/17/2024

COMPLETION DATE: 08/15/2024

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 was sitting at a bus stop when an unknown black male asked for money. When he said that he did not have any, the man started beating him with a steel pipe, injuring his head. Someone called for police assistance, and paramedics brought him to a hospital. The complainant said that sometime after that, he had problems with his immigration status and got deported to his home country. When he returned years later, he went to a district police station and talked to a female officer to obtain a police report of the incident. The complainant said the officer refused to provide him with a copy of the report, saying she could not find any record of the incident. The complainant described the officer as Asian, about 5 feet 6 inches tall, 170 pounds, with eyeglasses and ponytail hair.

The complainant could not provide any documentation of the incident. He said he lost his things when he got deported.

Computer queries conducted to locate the incident yielded negative results. It appears that the Department has no record of the questioned incident. Hence, the officer involved could not provide any information to 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 involved officer. The ID poll came back with negative results. Therefore, there was insufficient information to identify the officer.

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

COMPLAINT DATE: 06/17/2024

COMPLETION DATE: 08/15/2024

PAGE# 1 of 2

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 partially forwarded 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: 06/17/2024

COMPLETION DATE: 08/15/2024

PAGE# 2 of 2

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

CATEGORY OF CONDUCT: UA

FINDING: NF

FINDINGS OF FACT: The complainant visited a district police station seeking a police report number and spoke with a Police Service Aide (PSA). During the visit, the complainant requested to speak with a supervisor. While awaiting the supervisor's arrival, two male officers approached the complainant in the lobby. The complainant alleged that after he explained the purpose of his visit, one of the officers provided him with a false police report number.

Due to the complainant's inability to specifically identify the officer involved in the alleged incident, the Department of Police Accountability (DPA) issued an Identification Poll (ID Poll) to the district station. An ID Poll is a procedural document that details the incident and requests that the station's Captain and/or personnel review the description to identify the officer(s) involved. The ID Poll returned negative results, indicating insufficient information to ascertain the identity of the officer in question. As a result, the investigation was unable to proceed with identifying the involved officer.

The officer could not be reasonably identified.

SUMMARY OF ALLEGATION #3: The officer failed to activate his body-worn camera as required.

CATEGORY OF CONDUCT: ND

FINDING: NF

FINDINGS OF FACT: The complainant alleged that the officer who provided him with a fake police report number failed to activate his Body Worn Camera (BWC) during their interaction. When asked why the BWC was not activated, the officer reportedly responded that recording was prohibited inside the station. The complainant expressed concern that the officer might have intended to use force against him, which, in his view, warranted the activation of the BWC.

As previously referenced, the Identification Poll (ID Poll) conducted to ascertain the identity of the involved officer yielded negative results. The officer could not be reasonably identified.

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

COMPLAINT DATE: 06/25/2024

COMPLETION DATE: 08/15/2024

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 she went to the Tenderloin Station to file a report. The officer working at the front desk was angry and rude to her. She screamed at the complainant with an attitude and always declined the complainant's request for a sergeant. The complainant provided a description and the officer's last name.

Department records do not show an officer with that last name, and since the complainant could not identify the specific officers involved, the DPA sent an ID Poll to the Tenderloin Station. An ID poll describes the incident and asks that the Commanding Officer review the incident description and identify the officers 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.

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

COMPLAINT DATE: 06/28/2024

COMPLETION DATE: 08/15/2024 PAGE# 1 of 1

SUMMARY OF ALLEGATIONS #1-4: The officers engage in unwarranted action.

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant stated that he was involved in a verbal dispute with his mother who is also a co-tenant at his residence. As a result, his mother contacted the police for assistance. The named officers shortly thereafter showed up and entered their house. The complainant said the named officers entered his home without his permission.

DPA obtained body-worn camera (BWC) footage of the incident. The BWC footage of the incident showed that the complainant's mother permitted the named officers to enter the residence.

A witness stated that he and the complainant's mother own the house where the complainant resides. He said that he was the one who called the police for assistance. The witness and the complainant's mother met the officers outside and permitted them to enter the house to talk to the complainant.

The case *Fernandez v. California* (2014) 571 U.S. 292, 294 establishes that police officers may search a jointly occupied premise if one of the occupants consents. In this incident, the complainant's mother, who was a co-tenant of the residence, granted permission for the officers to enter. The named officers entry into the residence was within the guidelines of state law and department policy.

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

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

COMPLAINT DATE: 07/01/2024

COMPLETION DATE: 08/15/2024

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 officers yelled at a disabled homeless person to cross the street quicker.

The complainant did not provide the DPA with their name or contact information and did not provide the DPA with sufficient identifying information for the involved officers.

The DPA attempted to identify the unknown officers by sending an ID Poll to the corresponding 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 officers that were involved. The ID poll came back with negative results.

The DPA was unable to obtain enough information to investigate this complaint. The identity of the alleged officers could not be established. The officers could not reasonably be identified.

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

COMPLAINT DATE: 07/02/2024

COMPLETION DATE: 08/15/2024

PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officers failed to take police action against a group of juveniles who were harassing him about his dog.

Department records indicated that multiple 911 callers reported that the complainant was abusing his dog.

Body-worn camera (BWC) footage showed that the named officers responded and conducted a wellbeing check on the complainant and his dog. Multiple bystanders were engaged in verbal arguments with the complainant when the named officers arrived. The named officers spoke to the bystanders about the incident and told them that they were going to do a wellbeing check on the complainant and his dog. The named officers told the bystanders that they could leave.

The evidence showed that the named officers acted properly and within policy when they conducted a wellbeing check on the complainant and his dog and when they allowed the bystanders to leave.

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: 07/04/2024

COMPLETION DATE: 08/15/2024

PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: U

FINDINGS OF FACT: The complainant stated the named officer was not professional in a restraining order issue.

The complainant failed to respond to multiple interview requests to provide specific information regarding her complaint.

The Department of Police Accountability could not locate any incidents involving the named officer with the complainant's restraining order.

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

COMPLAINT DATE: 07/09/2024

COMPLETION DATE: 08/15/2024

PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO-1/DEM

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

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

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

COMPLAINT DATE: 07/20/2024

COMPLETION DATE: 08/15/2024

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 3rd Street
San Francisco, CA 94158

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

COMPLAINT DATE: 07/11/2024

COMPLETION DATE: 08/15/2024

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 alleged that in 2021, he was locked out of his apartment and called the police for assistance to regain entry. When the officers arrived, the complainant reported that he told the property manager to provide the key to the officers so that they could open the door because he did not want the property manager to enter his apartment. The complainant alleged that the property manager ignored his request and entered his apartment anyway and that he told the officers he wanted her arrested for entering illegally. The officers reportedly just laughed and left the scene. The complainant further alleged that a similar situation happened again when the night manager let his son, whom he wanted removed from his front door, into his apartment. The complainant said that he wanted that manager arrested, but the officers refused. The complainant then called the District Attorney's Office to follow up on the two incidents and was told the police had not sent any cases regarding those matters.

The DPA conducted numerous computer queries to find a record of the incidents the complainant described, with negative results. The complainant did not provide the officers names, badge numbers, nor give a specific description of the officers. Therefore, more information was needed to investigate the complaint because there was no police record of the incidents the complainant described and the officers who allegedly engaged in the reported conduct could not be identified.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 07/12/2024 DATE OF COMPLETION: 08/26/2024 PAGE# 1 of 1

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

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

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

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

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

COMPLAINT DATE: 07/23/2024

COMPLETION DATE: 08/15/2024

PAGE# 1 of 1

SUMMARY OF ALLEGATION # 1: The officer failed to promptly respond to a scene.

CATEGORY OF CONDUCT: ND

FINDING: U

FINDINGS OF FACT: The complainant stated that he called 9-1-1 about being assaulted. However, officers would not respond appropriately. Officers said they were on scene but would not be visible to him. The complainant could not provide the specific time he called the police or any descriptions of any officers on the scene. The complainant stated that he had been calling 9-1-1 since childhood.

The DPA could not locate any incidents where the complainant called 9-1-1 on the date he provided, and from the location he provided. Department records indicate that the most recent incident involving the complainant had occurred in the previous year and was not related to his assault.

There were no witnesses at the time of the incident.

The evidence proves that the conduct alleged did not occur.

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

COMPLAINT DATE: 07/24/2024

COMPLETION DATE: 08/15/2024

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.

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

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: 07/24/2024 COMPLETION DATE: 08/15/2024 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: 07/29/2024

COMPLETION DATE: 08/15/2024

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: 07/20/2024

COMPLETION DATE: 08/26/2024

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 3rd Street
San Francisco, CA 94158

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

COMPLAINT DATE: 08/01/2024 COMPLETION DATE: 08/26/2024 PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO-1/APD

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

Antioch Police Department
300 L Street
Antioch, CA 94509

SUMMARY OF ALLEGATION #2: The 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: 08/12/2024

COMPLETION DATE: 08/15/2024

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 3rd Street
San Francisco, CA 94158

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

COMPLAINT DATE: 08/04/2024

COMPLETION DATE: 08/15/2024

PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO-1/UCSFPD

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

University of California San Francisco Police Department
654 Minnesota Street
San Francisco, CA 94143

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

COMPLAINT DATE: 08/12/2024

COMPLETION DATE: 08/14/2024

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 3rd Street
San Francisco, CA 94158

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

COMPLAINT DATE: 08/07/2024

COMPLETION DATE: 08/14/2024

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:

Alameda County Sheriff's Office
Internal Affairs Division
3 Park Place, 3rd Floor
Dublin, CA 94568

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

COMPLAINT DATE: 08/07/2024

COMPLETION DATE: 08/14/2024

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: 08/15/2024

COMPLETION DATE: 8/26/2024

PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: This complaint raises matters not rationally within the Department of Police Accountability's jurisdiction.

CATEGORY OF CONDUCT:

FINDING: IO-2

FINDINGS OF FACT: This complaint raises matters not rationally within the Department of Police Accountability's jurisdiction.