

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

**COMPLAINT DATE: 10/18/23**

**COMPLETION DATE: 10/29/24**

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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated the named officers unlawfully detained and handcuffed both of her juvenile daughters outside of their high school after they were involved in a fight. Her daughters had been attacked and were defending themselves and each other.

The named officers confirmed they responded to a call-for-service at a high school regarding a fight that had already occurred. While investigating, the school administration asked for the officers' assistance with a fight that had just broken out on the steps in front of campus. The officers went outside to break up the fight. They observed numerous individuals physically fighting just off the school property. The named officers ran to the closest individuals who were fighting to intercede. The officers grabbed the complainant's daughters because they were both pulling the hair of another individual and throwing punches. As named officer #2 attempted to pull one of the complainant's daughters away, that daughter struck named officer #2 on the left side of his neck and left cheek. Named officer #2 grabbed her by the left arm and placed her on the ground away from the fight. Named officer #1 explained that he detained the other daughter, who was also among those actively fighting. Named officer #1 stated he detained her based on reasonable suspicion of battery. Due to the chaotic scene and their efforts to detain the complainant's daughters, neither of the named officers was able to identify any other suspects.

Department records indicate that during the fight outside the high school, the named officers detained both the complainant's daughters for participating in a physical altercation. Named officer #1 described in the report that he observed both complainant's daughters were actively fighting with an unknown subject while multiple adults tried to separate them. One of the complainant's daughters was observed grabbing the braids of an unknown subject, while the unknown subject did the same.

Body-worn camera (BWC) footage showed the named officers running into a group of fighting individuals surrounded by numerous bystanders, school staff, students, and other witnesses. Footage showed that the juvenile detainees were yelling and apparently fighting another person and failed to comply with the named officers' commands. The footage showed the officers pull the detainees from the group and remove them from the scene.

Department General Order 5.03.02 (D) Investigative Detentions, Reasonable Suspicion to Detain, states that reasonable suspicion is a set of specific facts that would lead a reasonable person to believe that a crime is, was, or is about to occur and the person under suspicion is reasonably connected to the crime. Reasonable suspicion to detain is also established whenever there is any violation of law. Reasonable suspicion cannot be based solely on a hunch or instinct.

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The DPA attempted to obtain records and footage from the high school and school district, neither of which provided records after numerous requests and a subpoena. Additionally, DPA made numerous efforts to interview the involved juvenile detainees. The complainant, their guardian, failed to respond.

Based on the available evidence, the detention was lawful as the named officers had sufficient reasonable suspicion to detain the complainant's daughters, as they observed them in ongoing potentially criminal behavior.

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

**SUMMARY OF ALLEGATIONS #3-4:** The officers failed to comply with Department General Order 5.01, Use of Force

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that her two daughters were slammed to the ground and the named officers sat on top of the girls.

Named officer #1 stated that he used low-level, non-reportable force, specifically a control hold, on one of the complainant's daughters to gain her compliance and stop an ongoing physical altercation. Named officer #1 stated that he attempted to de-escalate by giving multiple commands and to stop the fight. He further said that he gave numerous verbal commands, which included, "break it up, get off, let go, and put your hands behind your back." While pulling one of the complainant's daughters away from the fight with her right arm, she continued to hold onto the other subject's hair. The named officer said that one of the complainant's daughters continued to resist by trying repeatedly to roll onto her back, pulling her arms into her body, and moving around on the ground while kicking her legs. Named officer #1 grabbed the juvenile with both hands around her waist and attempted to pull her away from where fight was still ongoing. Named officer #1 stated the juvenile kept pulling her arms into her body to stop him from placing her in handcuffs. She then attempted to stand up and refused to place her hands behind her back. Named officer #1 confirmed that he handcuffed the daughter in an attempt to de-escalate the situation and to prevent her from physically assaulting others. Named officer #1 stated that compliance was gained once a low level of force was used on one of the complainant's daughters. Medics were on scene and evaluated the complainant's daughter, who was later released to an adult family member.

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Named officer #2 confirmed that he used force on one of the complainant's daughters and stated that he complied with DGO 5.01. As he began to pull one of the juveniles away from the fight, the juvenile struck named officer #2 in the left side of his neck and left cheek. Named officer #2 immediately grabbed her by the left arm and placed her on the ground, away from the ongoing fight. While named officer #2 took one of the complainant's daughters to the ground, she expressed that she had pain to her left knee. She declined medical attention and was later released to an adult family member. After further investigation, the named officer #2 stated, he determined that she did not intentionally strike him during the incident, and he was not injured.

Department records indicated that although the lowest level type 1 (non-reportable) force was used, both named officers notified and briefed sergeants about the incident while on scene.

BWC footage showed that the scene was chaotic, with numerous bystanders, school staff, students, and witnesses surrounding a smaller group of fighting females. Video footage showed that each of the named officers was trying to control the scene, as those involved were grabbing hair and continuing to actively fight. BWC further showed that the named officers did take the complainant's daughters to the ground in an effort to separate them from the fight and gain control of their resistance. The complainant's daughters can be seen actively fighting and not following the commands of the named officers. The named officers handcuffed and took the complainant's daughters away from the fight.

BWC footage showed that the officers used minimally necessary force to gain compliance.

DGO 5.01 Use of Force, Section III-A states, "Officers may use 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..." Section IV B states, in part, "Physical controls, such as control holds, takedowns, strikes with personal body weapons, and other weaponless techniques are designed to gain compliance of and/or control over uncooperative or resistant subjects."

The DPA attempted to obtain records and footage from the high school and school district, neither of which provided records after numerous requests and a subpoena. Additionally, DPA made numerous efforts to interview the involved juvenile detainees. The complainant, their guardian, failed to respond.

Although the named officers' investigation later showed that the complainant's daughters were both victims in the fight, it was reasonable for officers to physically intercede to break up the fight and to detain the daughters until they sorted out the victims from the aggressors. The incident report prepared after the incident listed both daughters as victims.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant said that officers failed to arrest people unlawfully residing in a home he owns. The complainant resides out of state and periodically returns to the city to check on his San Francisco home. The complainant returned to his San Francisco home to find several individuals living at his home and some of his belongings missing. The police responded to the scene; however, despite the complainant's request, they failed to arrest the individuals residing in the home.

The named officer recalled responding and confirmed making the decision not to arrest the individuals. The named officer explained that when he arrived, he spoke with both the complainant and the individuals living in the home. The individuals informed the officers that they had signed a lease and believed they were living in the residence legally. The individuals provided the officers with what appeared to be a validly executed lease. The named officer confirmed that the complainant requested that the individuals be arrested. However, the named officer stated that based on his on-scene investigation, he believed that the individuals were also victims in the matter and did not believe they committed a crime by living there. The named officer did not believe that probable cause existed to arrest them and emphasized their compliance with the investigation and willingness to leave the premises.

Additionally, the named officer stated that there was otherwise no evidence that the tenants themselves burglarized the property or otherwise were involved in the missing items that the complainant alleged were stolen. The named officer consulted with a sergeant on scene, who agreed that an arrest of the individuals was not merited.

Body-worn camera (BWC) footage of the incident supported the officer's statements. The BWC footage showed the officers responded to the scene and conducted a thorough investigation. The BWC footage showed the named officer explain to the complainant why he was not going to arrest the individuals, as he did not believe the individuals committed a crime. The BWC footage corroborated that the individuals provided the officers with what appeared to be a validly executed lease.

DPA understands the complainant's frustration of returning to his home and finding unknown individuals residing there and his property missing. Based on the investigation completed by the officers, and the uniqueness of the situation, the named officer was justified in using his discretion to not arrest the individuals.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The named officer, as the assigned investigator, responded to the complainant's residence the next day. The complainant stated the named officer conducted a thorough investigation at his residence. However, after he left, he never heard back from him regarding the status of the investigation and did not confirm receipt when he sent the named officer additional evidence regarding the case.

The named officer confirmed his involvement in the case and stated that the case is still open and under investigation. DPA obtained documents reflecting the named officer's investigation in the alleged burglary and fraudulent lease. He confirmed that the complainant e-mailed him additional information regarding the case, but that the correspondence did not warrant a follow-up phone call, and that the complainant did not request further contact. Thereafter, the complainant contacted the Department to determine if the named officer had received his e-mail correspondence. The named officer attested that he attempted to contact the complainant through various mechanisms to no avail. Recently, however, the named officer contacted the complainant. The complainant informed the named officer that he only keeps his phone on for emergency situations.

Although DPA recognizes that the complainant may have been frustrated by not knowing the status of his case or whether the officer had received the e-mail correspondence, investigators, such as the named officer, have no duty to contact the complainant under these circumstances.

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

**SUMMARY OF ALLEGATION #3:** The officer failed to properly investigate.

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that after leaving his residence, the named officer failed to properly investigate the incident.

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The named officer stated that based on the statements made by the complainant and the current evidence obtained, probable cause did not exist at the time of questioning for him to make an arrest. He explained that with respect to several of the missing items, such as the complainant's artwork and firearms, the complainant could not provide any identifiers or markers which would enable the named officer to positively identify the belongings. Additionally, the named officer emphasized that despite the current lack of probable cause, the investigation is still on-going and noted that statute of limitations is a minimum of three years for the crimes at issue.

DPA obtained documents reflecting the named officer's investigation into the matter. The documents supported that the investigation is ongoing and that probable cause did not exist to make an arrest at the time of questioning.

The evidence proves that the alleged conduct did not occur.

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that prior to the above-described incident, his neighbors called the police regarding suspicious activity at his residence; however, officers failed to contact him regarding it.

DPA located calls for services at the residence to which SFPD officers responded. One call, made by a concerned neighbor, related to an open garage door to the otherwise vacant home. The neighbor found this suspicious, stating that they have never seen activity at this house. DPA obtained BWC footage reflecting the incident. The BWC footage reflected that several officers responded to the scene and investigated the incident by surveying the property, speaking with neighbors, and contacting someone they believed was responsible for the property. The officers were informed by a neighbor that the ownership to the home was in question and provided them with the contact information for the person they believed was responsible for the home. The officers contacted this individual. He informed them that he must have left the garage door open and that they could simply close it and leave the premises. The officers did so. In the second call for service, officers responded to the scene, did not observe suspicious activity, and were unable to contact anyone inside the residence.

DPA consulted a Subject Matter Expert (SME) in the Burglary Unit regarding an officer's duty to contact a homeowner in these situations. The SME explained that officers should, when time permits, attempt to contact the owner of the premises while on-scene. To obtain contact information for the homeowner, the

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SME explained, that officers could, but are not required to, check prior calls for service, and/or speak with neighbors. He opined that gathering homeowner information from neighbors is completely appropriate and that the information is deemed reliable intelligence. The SME reviewed the calls for service at issue and explained that they were handled appropriately by the responding officers. As mentioned above, he explained that the officers contacted a responsible party for the house and after speaking with him, the officers secured the premises and there was no further need to contact someone else. Overall, he stated that the officers' conduct was completely appropriate for this type of call, thorough, and within policy.

While DPA understands that the complainant is frustrated that officers did not contact him personally when the occurrences happened, the officers reasonably relied on information provided by a neighbor and were given instructions to secure the premises and leave. The officers did not have a duty to do anything further with respect to these calls.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that he is a licensed painting contractor who cleans up graffiti in the neighborhood as community service. He alleged that officers arrested him without cause when they encountered him painting over the graffiti.

The officers' body-worn camera footage was reviewed. The footage showed that the officers approached the complainant who had entered a MUNI track area and positioned himself between protective cement barriers. The complainant was standing behind one of the cement barriers with a stencil attached by blue painter's tape to the barrier and placed directly beneath the complainant. When the officers approached the complainant, they questioned whether he was removing the paint or putting it on. The complainant responded that he had painted "all of this" and used his fingers to point toward the areas he had painted. After the officers advised that he could not deface public property, the complainant removed a "No Genocide Portside" stencil attached to the cement barrier via blue painter's tape and placed it in a box with paint materials. Based on the complainant's statements and the tools in his possession, the named officer advised the complainant that he had probable cause to arrest the complainant for vandalism. The complainant was handcuffed, searched, and placed in the patrol vehicle. The officer photographed the graffiti and tools the complainant had in his possession at the time of the arrest. An incident report was prepared and was corroborated by the body-worn camera footage.

California Penal Code section 594(a), Malicious Mischief, is defined as the following, "Every person who maliciously commits any of the following acts with respect to any real or personal property not his or her own, in cases other than those specified by state law, is guilty of vandalism:

- (1) Defaces with graffiti or other inscribed material.
- (2) Damages.
- (3) Destroys.

Whenever a person violates this subdivision with respect to real property, vehicles, signs, fixtures, furnishing, or property belonging to any public entity, as defined by Section 811.2 of the Government Code, or the federal government, it shall be a permissive inference that the person neither owned the property nor had the permission of the owner to deface, damage, or destroy the property."

Additionally, California Penal Code section 594.2 (a), Possession of Vandalism or Graffiti Tools, states "Every person who possess a masonry or glass drill bit, a carbide drill bit, a glass cutter, a grinding stone,



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an awl, a chisel, a carbide scribe, an aerosol paint container, a felt tip marker, or other marking substance with the intent to commit vandalism or graffiti, is guilty of a misdemeanor.”

The DPA’s investigation revealed that the complainant provided inconsistent statements about his conduct. After a thorough review, DPA determined that the evidence showed that the complainant confessed to painting public property, identified the areas he had painted, and was found in possession of the painting tools. Although the complainant perceived the officer’s actions as unjust, the evidence proves that the officers’ arrest was justified, lawful, and proper because probable cause existed to arrest the complainant. To the extent the complainant wishes to raise defenses to the vandalism charge, the appropriate venue is criminal court.

**SUMMARY OF ALLEGATIONS #3-4:** The officers failed to properly search an arrestee or detainee.

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant alleged the officers did not properly search him after he was detained.

The officers’ body-worn camera footage showed that the officers conducted a field arrest search of the complainant after determining probable cause existed to arrest him for vandalism. A second search was conducted after the complainant arrived at the police station.

According to the Booking and Detention Manual, officers are required to personally conduct a thorough pat-down search before assuming custody of a prisoner, including during transportation, booking, transferring to the County Jail, processing, or transporting to a medical facility.

The body-worn camera footage confirmed that the officers searched the complainant in accordance with department policies. The evidence proves that the conduct alleged did not occur.

**SUMMARY OF ALLEGATIONS #5-#6:** The officers failed to properly care for, or monitor, a person in custody.

**CATEGORY OF CONDUCT: ND**

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**FINDING: U**

**FINDINGS OF FACT:** The complainant alleged the officers failed to properly fasten his seatbelt while in the patrol vehicle.

The Department's Seat Belt Policy is outlined in Department General Order (DGO) 9.04. The policy states the following regarding transporting arrested persons, "A person under arrest and being transported in a Department vehicle is required to be secured by a safety belt where provided by the vehicle manufacturer. Officers are exempt from this policy when:

1. The rear seat belts have been removed.
2. The prisoner is resisting or combative and the officer's safety would be jeopardized by attempting to secure a safety belt around the prisoner. If available, a wagon should be used to transport such prisoners.
3. The prisoner's size or build, coupled with vehicle configuration, create a hardship to accomplish the securing of the safety belt around the prisoner." (DGO 9.04.II.E.)

The body-worn camera footage was reviewed and showed that the complainant was buckled in a safety belt before the vehicle was turned on and in motion. More specifically, the officer explained that the complainant was not yet buckled in his seat because they were not ready to transport him from the station and were waiting for another officer. The video showed that the complainant's seatbelt was properly buckled once the officers were ready to begin the transport.

Although, the complainant perceived the officer's actions as unsafe, the vehicle was not in motion when the complainant sat in the vehicle unbuckled, the evidence confirmed that the officer's properly buckled the complainant's seatbelt prior to driving the vehicle. The evidence proves that the alleged conduct did not occur.

**SUMMARY OF ALLEGATIONS #7-#8:** The officers behaved or spoke inappropriately.

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant alleged the officers were dismissive and befuddled during his encounter with them.

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The body-worn camera footage was reviewed to evaluate the officers' behavior and actions towards the complainant. The footage showed the officers acted in a professional manner. The officers answered the complainant's questions when asked and were courteous toward the complainant. The body-worn camera footage did not show that the officers appeared confused nor dismissive toward the complainant in any manner.

The evidence proves that the conduct alleged did not occur.

**SUMMARY OF ALLEGATION #9:** The officer failed to properly investigate.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged the officer erroneously attributed a specific graffiti tag to the complainant and in the estimating damages in a criminal complaint filed in superior court.

Incident reports, body-worn camera footage, and the chronological of investigation report confirmed there was probable cause to arrest the complaint for misdemeanor vandalism. The officers caught complainant in the act of painting political slogans in a specific area on the MUNI tracks. The evidence showed that the complainant confessed to painting public property and identified the areas he had painted. He was found in possession of the painting equipment and tools. Although the complainant admitted to some but not all the painting in the immediate area, the named officer and District Attorney could reasonably infer he was responsible for all of it given that the graffiti contained similar political content and was in the immediate vicinity where the officers arrested the complainant. Moreover, the complainant was arrested with black spray paint, the same color of the graffiti he claimed should not be attributed to him.

To the extent that complainant disagrees with the content of the criminal complaint signed by the named officer, the appropriate place to raise defenses and challenge the complaint is during the criminal pretrial and trial process. Probable cause existed to arrest the complainant for vandalism and factual allegations set forth in the complaint that the named officer signed based on reasonable inferences from the evidence.

Although the complainant perceived the officer's actions as a neglect of duty, the evidence proves that the officer's alleged conduct was justified, lawful, and proper.

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1 Referral-Chase Center**

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

General Manager  
Chase Center  
1 Warriors Way, San Francisco, CA 94158

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant alleged in an online submission that the named officer reached over the nursing barrier and attempted to grab him inappropriately.

The named officer said that the allegation as presented by the complainant was not true.

The named officer stated that she was part of the San Francisco Police Department (SFPD) Crisis Intervention Team (CIT) Field Unit, which is primarily concerned with the safe, effective, and strategic engagement of subjects in crisis. CIT and various agencies responded and made contact with a veteran with a severe mental health condition to transition her from San Francisco General Hospital (SFGH) Psych Evaluation Services (PES) to the Veterans Affairs (VA) to receive mental health services.

The named officer said that while at SFGH PES, she reached out and tapped the complainant, and he pulled his left shoulder back and said, "Don't touch me." The named officer said the interaction with the complainant was short, and she told him that she was simply saying thank you.

The witness officer confirmed that she was assigned as an Officer to the SFPD CIT Field Unit. Once inside SFGH PES the officers on scene deactivated their Body Worn-Cameras (BWC) as per common practice. The witness officer stated that she recalled that the named officer extended her arm toward the complainant in a warm and friendly gesture. As she did this, she may have reached over the counter, but she said that she did not see the named officer try to go over a barrier. It is a counter with a small, mid-level door that swings open, and a clear ledge.

Department records supported the officers' accounts, which indicated that the teams responded to an Investigative Detail, which changed to a Psych Evaluation Hold.

Department General Order 2.01(9) states that any breach of peace, neglect of duty, misconduct or any conduct by an officer either within or without the State that tends to subvert the order, efficiency or discipline of the Department, or reflects discredit upon the Department or any member, or is prejudicial to the efficiency and discipline of the Department, although not specifically defined or set forth in Department policies and procedures, shall be considered unofficer-like conduct subject to disciplinary action.

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

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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officers arrested her without cause. The complainant stated she called the police because her mother's boyfriend attacked her. She stated she bit her mother's boyfriend on the hand in self-defense.

Witness #1 stated that the complainant was diagnosed with a mental condition and was on medication, but sometimes she does not take her medication. Witness #1 was in the kitchen cooking when the complainant came downstairs on the incident date. The witness' boyfriend got upset with the complainant for making a mess and not cleaning up. The complainant picked up a kitchen knife and attempted to stab the boyfriend. All three of them fell to the floor, and she and her boyfriend were able to get the knife out of the complainant's hand. However, the complainant bit her boyfriend on the hand three times, breaking the skin. The witness stated the complainant called the police and went outside to wait for them. The witness stated she also called the police. When the officers arrived, they spoke to her and her boyfriend. The named officers told her the complainant was being arrested and the complainant was transported to jail. The witness stated that the officers acted professionally and did nothing that concerned her.

Witness #2 stated that he had asked the complainant to clean up her mess, and she got upset and tried to stab him with a knife. He and his girlfriend were able to get the knife away from the complainant, but the complainant bit him on his left wrist, breaking the skin and causing it to bleed and become swollen. The witness stated the complainant ran upstairs and called the police. The girlfriend and he then called the police. The complainant went outside and waited for the police. When the named officers arrived, they spoke to him and his girlfriend and told the officers what happened. Witness #2 stated he was glad the officers came. Witness #2 stated he has been afraid of the complainant since she came to live with them. The complainant frequently accuses his girlfriend and himself of killing her children, but the complainant has no children, and she often becomes angry at them. Witness #2 stated he thought the officers, "handled it well."

Named Officer #1 stated that when they arrived on the scene, it was initially thought the complainant was the victim. During the investigation, probable cause was developed to arrest the complainant. Additionally, the injuries suffered by Witness #2 during the incident supported the arrest. Named Officer # 1 stated the complainant told him she was jumped by Witness #2, and eventually, Witness #1 joined in the attack against her. The complainant claimed that Witness #2 attacked her in the kitchen area, and she had to defend herself against his attack. She explained that she picked up a knife only to keep Witness #1 and Witness #2 away from her. The complainant removed herself from the kitchen, called 911, and waited outside for her safety. Witness #2 told him a verbal argument occurred when he told the complainant she

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needed to clean up after herself. The complainant became enraged at Witness #2 and started to yell in his face and push him in the chest. Witness #2 was able to convince the complainant to get out of his face, but the complainant stepped towards the kitchen counter and proceeded to grab a large kitchen knife off the counter. After grabbing the knife, the complainant advanced towards Witness #2 with the knife held over her head. Witness #2 was able to grab the complainant's arm to prevent her from stabbing him. With the help of Witness #1, they were able to wrestle the knife away from the complainant. Witness #1 told the named officer that she was in the kitchen cooking food at the time of the incident. The complainant became angry with Witness #2 after he told her she needed to clean up after herself. Witness #1 stated that she saw the complainant get into Witness #2's face and yell at him. Witness #1 saw the complainant shove Witness #2 a few times and then back away from Witness #2. Witness #1 saw the complainant grab a knife from the counter and advance towards Witness #2. Witness #1 stated that she had to grab the complainant's arm to prevent her from stabbing Witness #2. Witness #1 stated that she and Witness #2 were able to wrestle the knife away from the complainant, and the complainant ran to her room and called 911. Witness #1 called 911 shortly after the complainant called and informed Dispatch what just happened and the mental condition that the complainant suffered from.

Named Officer #2 stated the complainant was arrested because the complainant attempted to attack Witness #2 with a knife and then bit the victim, causing visible injuries. When Named Officer #2 arrived on the scene, the officer observed the complainant outside. Officer #2 located Witness #2, who had a visible bite mark on his hand.

Body-worn camera (BWC) footage showed the officers conducted a thorough investigation. The complainant was arrested because she tried to stab Witness #2 with a knife. Named Officer #1 is heard telling the complainant there are conflicting stories, and he knows the complainant feels she is the victim and that it will get sorted out. The complainant protests her innocence. The BWC corroborates the officers' actions.

SFPD documents showed that the named officer responded to a residence regarding a physical altercation between family members after two 911 calls. The named officers arrested the complainant for aggravated assault with a knife and elder abuse. The documents showed that witnesses were interviewed, and photographs were obtained of Witness #2's injuries and the knife.

Based on the corroborating statements given by Witness #1 and Witness #2, the fact that the complainant had attempted to attack Witness #2 using a weapon capable of causing bodily injury or death, and had bitten Witness #2's hand, the complainant was placed under arrest for Penal Code Sections 245(A)(1) and 242.

The named officers determined that the evidence favored Witness #1 and Witness #2's version of events and decided to arrest the complainant. They had probable cause to arrest the complainant.



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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 *Mirandize*.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated the officers did not provide a *Miranda* warning.

The named officers confirmed that they did not provide the complainant with *Miranda* warnings as they did not interrogate the complainant. When they initially responded, the complainant claimed she was the victim of the attack.

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

Based on the evidence, it does not appear that the complainant underwent a custodial interrogation warranting the giving of *Miranda* warnings. Thus, any failure to do so was proper.

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

**SUMMARY OF ALLEGATIONS #5-6:** The officers failed to activate a body-worn camera as required.

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated the named officers’ body-worn cameras were turned off.

The named officers stated that their body-worn cameras (BWC) were activated during the incident and that they complied with department policy.

The BWC footage showed the named officers’ cameras turned on and fully functioning throughout the incident. Therefore, the allegation has no merit.

The named officers fully complied with the Department’s body-worn camera policy.

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The evidence proves that the conduct alleged did not occur.

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant and his partner were walking on the sidewalk when he saw a bicyclist coming downhill toward them. The complainant said the bicyclist almost hit him. He jumped out of the way and told the named officer, who was standing nearby, what he would do about it. The complainant said the officer did nothing and was unwilling to help.

The complainant's partner stated that the named officer saw what happened but did not act or do anything.

The named officer stated that he neither saw the bicyclist nor witnessed the incident. He recalled the complainant telling him about not doing anything with the situation, so he asked him what he was talking about.

There was no report or any record that documented the incident.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant said he told the officer it was illegal for the bicyclist to ride his bicycle on the sidewalk. The complainant said the officer shrugged off what happened and said, "What do you want me to do? They're everywhere."

The named officer stated the complainant never complained about any bicyclist. He, however, recalled him saying that he should do something, so he asked him what his complaint was. The officer said the complainant then pointed to a group of cyclists situated at a street corner. Since there were many of them, he asked the complainant who among the cyclists he was referring to. The officer said the complainant and his companion walked away without saying more.

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There was no report or record of the contact.

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

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

**COMPLETION DATE: 10/10/2024**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged that he contacted SFPD and requested records pertaining to an incident that police responded to. The complainant stated that the individual he corresponded with via email incorrectly referred him to the Department of Police Accountability.

The named officer stated that on the day of the incident, he was working with SFPD's Media Relations Unit. As part of the Media Relations Unit, his responsibility was to assist members of the media by providing information on breaking news of police incidents and past incidents. The named officer stated that he received an email to SFPD's Media Relations Unit general email address from the complainant. The named officer stated that the complainant did not identify themselves as a member of media and provided information that he interpreted as a potential complaint against SFPD officers. The named officer stated he responded to the complainant's email and provided a link to the Department of Police Accountability's website along with a link to SFPD's Department General Orders.

DPA obtained a copy of the email correspondence between the named officer and the complainant. The email correspondence showed the complainant criticizing SFPD's response pertaining to a specific incident. The email also showed that the complainant requested specific officers' personnel records, complaints, reprimands, internal affairs investigations, along with policies and training materials. The named officer responded to the complainant by providing him a link to the Department of Police Accountability's website and a link to SFPD's department general orders.

The evidence showed that the information provided to the named officer during the email exchange could have been easily interpreted as a complaint against an officer(s). As such, forwarding the complaint to the Department of Police Accountability was within policy. It should be also noted that SFPD's Media Relations Unit does not handle records requests and those are accessible through SFPD's website.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that her niece got into a fight at school, so she wrote a letter to the mayor's office. She later received a call back from the named officer regarding the school fight. The named officer asked whether the complainant was the parent or guardian of the student, and the complainant confirmed she was not. Then, the named officer said he had already spoken with the parents, and they seemed happy with the police response. The named officer proceeded to tell her, "I don't know how many emails you shot at and to whom you shot them," and said there were many more important issues. The complainant stated that the named officer had a condescending and hostile tone.

The named officer stated that he called the complainant because he received an email from the mayor's office to follow up and address the concerns about the school fight. The officer confirmed asking if the complainant was the student's legal guardian, and the complainant answered no. He then told her that he could only give generic information but not specific information since she was not the student's parent or legal guardian. The complainant was upset and demanded that he gives her information about a minor for which she was not the legal guardian. The named officer denied saying anything about receiving other more important emails. He clarified that he was not hostile and did not swear, yell, or speak condescendingly or rudely during the conversation.

Department records show that the school fight happened, and that the complainant was not listed as the minor's legal guardian or parent. However, no department records capture the phone conversation between the named officer and the complainant.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant alleged that the named officer attempted to intimidate her by discussing his training with her.

The named officer denied telling the complainant about his training to intimidate her but stated that the complainant was upset that the school district was not telling her any information. He explained that the complainant spoke to him in a threatening and condescending tone, said she knew people in the mayor's office and told him she would go over the principal's head. The named officer explained that he then reminded her she violated the Department of Human Resources (DHR) Equitable, Fair, and Respectful Workplace Policy that she was required to treat him with respect, dignity, and civility as a city employee and that he would not stay on the phone while she vents her frustration on him.

The DHR's Equitable, Fair, and Respectful Workplace Policy reads, "The City and County of San Francisco (City) is committed to promoting and maintaining a safe and healthy working environment where every individual is treated with civility, dignity and respect...The City will not tolerate Disrespectful Behavior in any City workplace and seeks to intervene at the earliest sign or stage of Disrespectful Behavior to correct that misconduct and prevent its reoccurrence."

No Department records capture the phone conversation between the named officer and the complainant.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant further alleged that the named officer did not communicate the investigation and discipline process to her niece's parents.

The named officer stated that he explained the process of handling school fights to the parents. He said one family wanted information on obtaining a civil restraining order against one of the students. He then went to the San Francisco Unified School District's (SFUSD) website and explained briefly the Student and Family Handbook Chapters 5, 6 and 7 to them. He said he also spoke to the complainant about the handbook, and she expressed that she was upset that the school district was not responding to her concerns and that the principal was a liar and did not do anything about cyberbullying.

The SFUSD website did provide an overview of the Student and Family Handbook. It outlines the school district's expectations for student behavior, approach to discipline, and families' right to complain.

No Department records captured the phone conversation between the named officer and the complainant, nor policies on how much and what kind of information officers are required to communicate to the parents of minors regarding school incidents.

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



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**COMPLAINT DATE: 04/22/2024**

**COMPLETION DATE: 10/07/2024**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer threatened to arrest the complainant if he did not stop contacting his ex-partner.

The named officer stated that the complainant's ex-partner called him and told him that the complainant had been calling her repeatedly, leaving her voicemails, and showing up at her home and social events she attended. The complainant's ex-partner did not want to file a police report, but she wanted the named officer to informally intervene by contacting the complainant and explaining that if he continued his behavior, she would seek a restraining order against him. The named officer said that he spoke to the complainant and told him to stop contacting his ex-partner. The named officer stated that he did not intend to threaten or intimidate the complainant. The named officer stated that he intended to explain that the complainant's contact with his ex-partner was unwanted and harassing, and that it could potentially lead to the complainant's ex-partner seeking a restraining order or a criminal investigation against him.

DPA obtained an audio recording of the interview with the complainant and the named officer. The recording confirmed that the named officer told the complainant he would arrest him if his ex-girlfriend got a civil restraining order against him, and he then violated that restraining order.

A declaration filed by the complainant's ex-partner indicated that the complainant contacted her repeatedly after she ended their relationship, despite multiple requests for him to stop. Records indicated that the complainant continued to contact his ex-partner even after the named officer asked him to stop.

Evidence showed that the named officer acted appropriately by attempting to intervene on behalf of the complainant's ex-partner when he asked the complainant to stop contacting her. The named officer honored the ex-partner's wish to not have a police report because she did not want the complainant to be in police records. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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**SUMMARY OF ALLEGATION #2:** The officer misrepresented the truth.

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer initially told him he needed to talk to him about a “case,” but the named officer later told him that there was no case or restraining order against him.

The named officer stated that when he told the complainant he wanted to speak to him about a “case,” he was referring to the incidents that the complainant’s ex-partner had contacted him about. The named officer said that he was not referring to an official incident number or police report. The named officer stated that the complainant’s ex-partner did not want to file a police report, but that if she had, he would have written one.

DPA obtained a copy of the voicemail in question from the complainant. It confirmed that the named officer left the complainant a voicemail stating that he wanted to speak to him about a “case.” A separate audio recording indicated that the named officer told the complainant that he was not in trouble and there was no restraining order against him at the time of the phone call, but that a restraining order would be sought if he continued contacting his ex-partner.

Evidence showed that the named officer acted appropriately and did not make any material misrepresentations to the complainant.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** In an online anonymous complaint filed on behalf of their client, the complainant expressed concern that the department would not thoroughly investigate a misdemeanor battery report against a retired officer, particularly since the department has rehired the same officer.

The DPA investigated whether the officer who decides whether to assign a case to an investigator failed to ensure the matter was properly investigated due to the alleged influence of the battery suspect who had been rehired as part-time police officer a few months after the incident occurred. We questioned the officer who identified himself as solely responsible for assigning cases in the specialized Investigation Unit at the time the alleged misdemeanor battery occurred. He said that he did not review the incident report regarding the misdemeanor battery for potential assignment to an investigator when it occurred and that he found no evidence that the incident report was ever reviewed because misdemeanors are not typically reviewed for investigation assignment. The assigning officer explained that the misdemeanor battery alleged in the incident report did not meet the criteria for investigation assignment because misdemeanors charges are rarely investigated after the on-scene incident occurs. He underscored that the San Francisco Police Department (SFPD) has limited resources and is unable to investigate all felony crimes, either. Additionally, the officer checked the Investigation Unit's records to determine if any party involved in the incident had contacted the unit regarding the case but found no indication that contact had occurred. The officer denied any influence from external parties in the decision not to refer the case for investigation.

Investigators have discretion in determining which cases should be assigned for further investigation. SFPD Notice 20-107, Case Assignments for Investigation, allows officers to use many factors when determining if a case merits further investigation. The factors include staffing, the severity of the crime, whether violence was used, and the solvability of the crime. Cases may be classified as open and active at the discretion of supervising officers.

Despite the complainant's apprehension regarding potential bias affecting the investigation of the battery incident, the officer's actions were fully aligned with department policy. The officer's decision not to assign the case to an investigator was standard procedure due to both staffing constraints and the minor nature of the alleged battery the retired officer was accused of committing. Therefore, the DPA

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investigation concluded that the investigating officer's conduct was proper and within policy and that no evidence of improper influence was uncovered.

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

**CATEGORY OF CONDUCT: UA**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that he observed another vehicle run a stop sign at an intersection and honked his horn at the driver to alert them. Shortly thereafter, he stated that the named officer pulled him over, wrongfully accusing him of running the stop sign. The complainant denied running the stop sign and implicated the other driver. The named officer disagreed with him and verbally advised the complainant for the alleged violation.

The named officer confirmed conducting the traffic stop and interacting with the complainant. The named officer explained that he was working traffic patrol at the intersection when he observed what he clearly believed to be the complainant failing to stop at the crosswalk limit, in violation of the California Vehicle Code. The named officer stated that due to the complainant's failure to stop, the complainant nearly collided with another vehicle. He also heard both drivers honk at each other. The named officer conducted a traffic stop on the complainant. The named officer ran his license to ensure that he was in compliance and issued the complainant a verbal advisement for the violation. The named officer did not stop the other vehicle because he did not observe the other driver commit a traffic violation.

Other than the above-described statements, DPA was unable to obtain independent evidence as to what factually occurred leading up to the traffic stop. Thus, insufficient evidence exists to determine whether the complainant had run a stop-sign and whether the officer was, in fact, justified in conducting such stop.

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

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**SUMMARY OF ALLEGATION #2:** The officer failed to comply with Department General Order 2.04.

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that the named officer failed to provide him with information, or otherwise tell him how he could file a complaint against the officer.

The named officer stated that the complainant informed him that he was going to file a complaint against him. At the end of the interaction, the named officer attested that he provided him with his business card and directed him that the backside which contained information on how he could file a complaint with the DPA.

Due to the named officer's rank, a Commander, he was not equipped with a body-worn camera on said date, as current department policy does not require him to wear one. Thus, DPA does not have independent evidence reflecting the above-described exchange, and as such, DPA is unable to determine whether the officer provided such information or not.

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

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

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant's minor son and his father were involved in a physical altercation, the child left, and the complainant and her son's father went looking for their son. The complainant said she saw a police vehicle in the neighborhood, approached and told the officers that her child was missing. The police vehicle pulled away and pulled over her child's father. She saw the named officers handcuffing her child's father, ran to the area, asked what was going on, and "freaked out" a little bit. She went inside the vehicle to retrieve her cell phone, and the named officers told her not to, but she was inside already. The named officers grabbed her arms, put her arms behind her back, and told her to stop resisting. The complainant said she was not resisting. The officers tackled her and handcuffed her. She said her elbow was in a lot of pain, she was cited for resisting arrest and was transported to a hospital and later found out her elbow had been fractured. She said the officers used excessive force when arresting her. The Department of Police Accountability (DPA) attempted to obtain other evidence from the complainant, but she did not cooperate with DPA requests.

The named officers said a supervisor instructed them to search an area for a child abuse suspect. They were informed that the suspect was a security guard, known to carry a firearm, and had a description of his vehicle. While in their patrol vehicle, the complainant contacted the officers about her missing son, and they saw the suspect drive by. They stopped the suspect, and the complainant approached aggressively and asked where her son was as they were arresting the suspect. The named officers said they tried to de-escalate by informing the complainant that her son was fine and asking her to calm down and back up.

Named Officer #1 said the complainant walked to the passenger side of the stopped vehicle, opened the door, and started reaching inside. He ordered her to stop out of concern that she could be grabbing a weapon, and she did not comply. The named officers said there was a high possibility that a firearm was inside the vehicle. Named Officer #1 grabbed the complainant, pulled her out of the vehicle and moved her against it to control her, overcome her resistance, and place her under arrest. The complainant actively resisted and continued to reach inside the vehicle. Named Officer #2 said he assisted and grabbed the complainant's wrist and moved her arm behind her back. The officers struggled with the complainant and took her to the ground to control her and place her under arrest. The complainant did not comply with verbal commands, moved her arms underneath her and further resisted. The officers said they handcuffed the complainant and applied an appropriate amount of force when doing so. They said they used the lowest force possible to overcome the complainant's resistance and make a lawful arrest. The complainant complained of pain in her elbow and an ambulance was requested to the scene.

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An incident report documented that the named officers reported their use of force to a supervisor who responded to the scene. It also showed that the complainant complained of pain in her elbow, she was transported to a hospital and a doctor reported that the complainant had a fractured elbow.

Body-worn camera (BWC) footage showed that the complainant approached the scene of the traffic stop, yelled, and asked where her child was. The officers told the complainant that they knew where her child was, and asked her to calm down and relax, and to stay back and not escalate the situation. The complainant opened the passenger door to the stopped vehicle and started reaching inside. Named Officer #1 told the complainant to stop and tried to pull her out of the vehicle as she moved and continued to reach inside. He grabbed onto her arm and told her to put her hands behind her back and she did not comply. Named Officer #2 assisted with controlling the complainant and the named officers brought the complainant to the ground, asked for her hands, and ordered her to put her hands behind her back. The complainant had her arms tucked underneath her body and the officers pulled her arms out from under her and placed them behind her back. The complainant moved her body, pulled her arm away and cried out as the officers tried to control and handcuff her. The officers handcuffed the complainant, and she complained of pain in her elbow and knee and was transported to a hospital.

A witness officer stated that he did not see the officers use force on the complainant as he was on the other side of the stopped vehicle during the incident and only heard sounds of a struggle. He said he heard officers issue commands to the complainant during the incident including to stay back, stop, and to put her hands behind her back.

A Supervisory Use of Force Evaluation was completed for this incident which showed that the named officers used a control hold/take down and effected a detention where the subject displayed active resistance and verbal failure to comply. The reasons listed for the use of force were to affect a lawful arrest, detention, or search, to overcome resistance or to prevent escape, and to gain compliance with a lawful order. The evaluation determined that the use of force was within department policy.

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

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

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



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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he had registered to attend a computer security conference, but did not bring his badge to the venue. He said staff directed him to reprint his badge, but he refused to do so due to the cost involved. Staff called the police to remove him out of the registration area. The named officer told him to leave the venue. When the complainant was leaving, the officer started taking pictures of him and was in his personal space. The complainant asked the officer why he took pictures of him and the officer said he would have the complainant arrested. He provided the DPA with a copy of his online registration receipt.

The named officer stated he was initially flagged down by the security guard. Upon arrival, he observed the complainant and the security guard in a verbal argument. The security guard asked the complainant to leave the venue because the complainant did not have proper credentials and was not a registered attendee. The staff invited the complainant to retrieve his badge, but the complainant refused to do so.

The named officer confirmed that he had asked the complainant to leave the venue and escorted him towards the exit. However, the complainant was still passively resistive and delayed his exit by walking out slowly and stopping intermittently. The officer then decided to take a photo of the complainant to disseminate it to two other officers working at other entrances to prevent the complainant from re-entering the event. The officer said he had to get close to the complainant because he had re-entered the venue in violation of Penal Code 602 (“trespassing”). He ordered the complainant to “get out or you will be under arrest” because he was trespassing without proper credentials.

Department records show that there was a “suspicious person” call for service and the person was eventually advised to leave. An incident report was not written.

Body-worn camera footage showed that when the named officer arrived, a security guard was speaking with the complainant. The officer then escorted the complainant towards the exit. The footage captured that the complainant would stop intermittently during the walk out and turn around and put his phone up against the officer. After he left the venue, the complainant still wandered outside the entrance. Then the named officer took a photo of him and appeared to be sending it to another person. The complainant quickly walked back into the venue and questioned why the officer took a picture of him. The officer then

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walked over and told the complainant to get out or he would be under arrest because he was trespassing there. The officer then walked up to staff members and said the complainant might try other entrances.

The evidence collected proves that the complainant was trespassing at a private conference because he did not show proof that he was a registered attendee when requested. It was justifiable for the officer to escort him out of the venue and warn him of being arrested for trespassing if he re-enters the venue.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged that the named officer threatened to get him arrested and created a stressful and threatening situation.

The named officer stated that he was not threatening the complainant, but merely advising him of the consequences if he stayed on the premises. He gave the complainant, who was trespassing at the moment, a command and a consequence if he did not get out of the venue.

Department records show a suspicious person was at the location.

Body-worn camera footage captured the complainant being escorted out of the venue by the officer. However, he wandered in the area and re-entered it after. The officer then calmly told him to leave and warned if he re-enters, he would be arrested for trespassing.

The evidence shows that although the officer ordered the complainant to get out of the venue and told him he would get arrested if he re-enters it, that occurred because the complainant was indeed trespassing at a private conference without proof of registration. The officer was warning the complainant of a potential consequence in a calm tone. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful and proper.

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that there was racial tension in the interaction. He believed that he was discriminated because of his race, head covering, look, skin, religious practice and his old age.

The named officer denied discriminating the complainant based on his race, religion or age. He stated he could not even identify the complainant's race or age because the articles of clothing the complainant wore covered and obscured the majority of his face and body. Besides, the complainant did not carry any religious items, nor did he speak about his religion. Therefore, he could not even identify the complainant's religion. The officer said he was professional and very respectful with the complainant despite his behavior and cursing towards the officer.

Department records did not record any details of the incident.

Body worn camera footage captured that the complainant was wearing a sun hat, a face mask and layers of clothing which covered 90% of his skin and face. He did not have any religious clothing on or any items that could possibly reveal his age.

The evidence collected shows that it was nearly impossible to tell the race, religion or age of the complainant given how much clothes and coverage the complainant had on.

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

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

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

**COMPLETION DATE: 10/07/2024**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer improperly or unsafely used Department or City equipment.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated in an online complaint that an officer blocked the Light Rail Vehicle (LRV) for more than 25 minutes. The complainant identified the vehicle number.

The named officer confirmed that he responded to an A-priority call for service that involved an unknown male suspect who had thrown items at another civilian. The first unit on scene was alerted by citizens to a suspect who appeared to be in an altered mental status (AMS).

The named officer acknowledged that his vehicle, bearing the number complained about, was blocking the LRV. He stated that he had “parked” the vehicle at the location to assist a fellow officer in detaining a fleeing suspect. He arrived on the scene rapidly, ran out of the patrol vehicle as soon as he arrived and assisted in detaining the suspect. The police vehicle was blocking the LRV tracks for less than 10 minutes, and not over 25 minutes as alleged by the complainant.

Body-worn- camera (BWC) corroborated the named officer's statement. BWC showed that the named officer parked in the LRV lane, exited the vehicle and assisted with handcuffing the subject. BWC then showed that the vehicle was moved and parked in another area that allowed the LRV to operate.

Department Records and other evidence showed that the named officer had responded to an A-Priority call, and due to the exigent circumstances of the incident, he parked quickly to protect the officer involved in the detention and the public. While officers are performing the scope of their duties they are permitted to park where necessary. The evidence showed that the officer moved the car in a reasonable amount of time.

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: 05/28/2024**

**COMPLETION DATE: 10/02/2024 PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant was involved in a collision incident. He hit a man riding on a motorized scooter while driving through an intersection. The man was seriously injured and transported to a hospital for medical care. As a result, officers towed the complainant's vehicle to an impound facility, where it was stored for thirty-eight days before being released to the complainant. The complainant said he was able to obtain a waiver of storage fees except for the remaining three days. He said the named officer refused to grant a waiver for the remaining days without reason.

The named officer said the complainant's car was towed pursuant to a criminal investigation wherein the complainant was considered a suspect. The officer said vehicles involved in severe collisions are often towed and held for a significant amount of time once it is determined that a criminal investigation is needed. The officer said he did not know who granted the waiver. He said he cannot grant waivers but could recommend one if the situation fits specific criteria. He said he reviewed the waiver form and determined that the complainant did not qualify for a waiver.

SFPD Form 597, Recommendation For Reimbursement Of Impounded Vehicle, states, in part, the following:

Investigators should be aware that final determination of eligibility for a reimbursement lies with the tow hearing officer and that the owner or their authorized representatives may not be eligible for a voucher because of the below reasons:

Party not eligible if owner or person in possession of vehicle was charged with crime [(305(d)(1)].

Party not eligible if owner or person in possession of vehicle was contributorially negligent [305(d)(2)].

Party not eligible if owner or person in possession of vehicle cannot show evidence of insurance [305(d)(3)]

The evidence shows contributory negligence on the complainant's part. The Incident Report indicates an eyewitness witnessing the complainant not stopping or slowing down after hitting the other party. The complainant continued driving and parked his vehicle a block away from the scene of the collision. The Traffic Collision Report associated with the incident found the complainant at fault by driving through a red light when he entered the intersection in violation of section 21453(a) of the California Vehicle Code.

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

**COMPLAINT DATE: 05/28/2024**

**COMPLETION DATE: 10/02/2024 PAGE# 2 of 2**

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

**SUMMARY OF ALLEGATIONS #2-3:** The officers failed to properly care for, process, or book property.

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant said the officer lost his car keys. He said he needed to get a brand-new key for his vehicle.

Department records show Named Officer #1 asked the complainant's car keys while being interviewed at a police station. The complainant responded that the keys were in the vehicle.

Named Officer #1 acknowledged asking for the keys but said that he never went back to the vehicles and never had the keys.

The other officers who were questioned could not recall seeing or having the complainant's car keys.

The corresponding Inventory of Towed Vehicle that was completed for the tow indicates that the complainant's keys were never in the vehicle.

Body Worn Camera footage of the incident shows an officer conducting a pat search on the complainant before placing him in a police vehicle for transport to a district police station. During the pat search, the officer felt something in the complainant's pockets. The officer asked the complainant what the items were. The complainant responded that they were his car and house keys. The video shows the complainant was transported to the police station without anyone taking his keys.

The evidence proves that the conduct alleged did not occur.

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

**COMPLAINT DATE: 05/28/2024**

**COMPLETION DATE: 10/17/2024**

**PAGE# 1 of 2**

**SUMMARY OF ALLEGATION # 1:** The officer exhibited discourteous behavior or statements related to race or gender.

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** A burglary occurred inside a pharmacy store. Officers responded to the scene and eventually arrested the suspects, three of whom were African American females. During the investigation, officers transported and booked the suspects at a district police station. The anonymous complainant stated in the online complaint that while at the station, the named officer behaved discourteously by repeatedly calling the female suspects bitches.

Attempts to interview the female suspects yielded negative results. No one came forward to give a statement.

The named officer said she never had contact with the female suspects except when she transported them to jail. The officer stated that the contact during the transport was short, cordial, and polite. The officer stated that no verbal altercations took place.

A thorough review of the body-worn cameras associated with the incident shows that the named officer did not interact with any of the female suspects. The footage was also consistent with the officer's statement about her contact with the female suspects during the transport to jail.

The evidence proves that the conduct alleged did not occur.

**SUMMARY OF ALLEGATION # 2:** The officer exhibited biased policing or discrimination.

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant believed the named officer exhibited such discourteous because of their race or gender.

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

**COMPLAINT DATE: 05/28/2024**

**COMPLETION DATE: 10/17/2024**

**PAGE# 2 of 2**

The named officer stated she never interacted with the female suspects inside the station. The officer said she briefly talked to them during the transport to jail, but the conversation was cordial and polite. She stated that race was never a factor in the conversation or interaction.

Body-worn camera videos of the incident show the officer never talked or interacted with any female arrestees inside the station. The videos were also consistent with the officer's statement about her contact with the female suspects during the transport to the county jail.

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: 10/23/2024      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated the named officer exhibited rude behavior and sarcastically commented when he walked past him. The complainant said the named officer seemed to enjoy harassing people.

The named officer stated that he saw the complainant walk past the ticket machines and the customer service representative in the booth before stepping over the turnstile to evade fare. The named officer said he contacted the complainant and instructed him to return and pay the fare or speak to the customer service employee. After a brief conversation, the customer representative employee allowed the complainant to proceed through the emergency exit gate. Appreciating the complainant's acts for doing the right thing, the named officer said he commended the complainant, saying, "Nice work," when the latter walked past him. The named officer denied harassing anyone at the station.

The complainant failed to respond to the Department of Police Accountability (DPA)'s multiple contact attempts to gain additional information about the incident. DPA had no information about the time when the incident occurred, which would have allowed it to reasonably request surveillance video and identify the on-duty customer service representative. Inquiries made by DPA with the management of the train company yielded negative results. The service representative could not be identified.

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

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

**COMPLAINT DATE: 06/25/2024**

**COMPLETION DATE: 10/17/24 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 allegedly saw a person using water from a fire hydrant to wash cars in exchange for money. He called 9-1-1, but stated he did not want to speak to officers. Later that morning, he saw a police car parked on the side, but did not see any officers there. He added that the suspect was no longer on scene washing cars when the patrol car was there. However, the male came back after the patrol car drove off. The complainant believed the officer only gave the male a warning, which was not enough.

Named officer #1 and #2 confirmed responding to a vandalism call for service at different times. Named officer #1 stated that upon arrival, he observed a fire hydrant which did not appear “damaged” or “vandalized”. He does not recall seeing a hose attached to a fire hydrant. He said although he observed individuals near the location, he does not recall who or what they were doing. He subsequently went to a more urgent and higher priority call for service. He also does not recall giving any individuals an advisement because he does not recall what they were doing that would warrant an advisement.

Named officer #2 stated that when he arrived, there was no suspects in the area, but he did observe a fire hydrant with an attachment that looked like a hose. He said per the Computer Aided Dispatch (CAD) and San Francisco Fire Department (SFFD) rescue captain, a fire engine was to be dispatched to the scene. The fire engine would make the determination if the hose was or was not part of fire department property and would secure the fire hydrant. He explained that he had no training in removing a hose from a fire hydrant and did not have any tools to secure it. He did not give out any advisement or citations but notified Dispatch that the suspect was gone on arrival.

The CAD recorded that the complainant made a 911 call regarding a male opened a fire hydrant, attached his hose and washed his vehicle with water. It described the male suspect. The CAD also recorded the SFFD rescue captain would send out a fire engine to the location. Named officer #1 arrived on scene and closed the call with advisement. Named officer #2 subsequently arrived on scene and closed the call as suspect gone on arrival. There was no incident report or video footage that capture the incident.

There was no San Francisco Police Department general orders or information on website on misusing fire hydrants.

The SFFD website provides information regarding how the public can report emergency and non-emergency fire safety concerns and complaints.

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

**COMPLAINT DATE: 06/25/2024**

**COMPLETION DATE: 10/17/24 PAGE# 2 of 2**

The evidence collected shows that San Francisco Police Department officers were dispatched to the location; however, the officers either did not see any suspects on scene or does not recall seeing any criminal activities which corroborated the complainant's account. The evidence also shows that SFFD was the responsible agency which was notified via the 911 call in this incident and would send fire engine 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: 06/25/2024      COMPLETION DATE: 10/01/2024      PAGE# 1 of 3**

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

**CATEGORY OF CONDUCT: CRD**

**FINDING: U**

**FINDINGS OF FACT:** The complainant was assisting his girlfriend in loading her laundry into his vehicle when the named officer rudely told him to move because he was blocking traffic, or he would issue him a citation. The complainant said he was double-parked for a short period only, and there were other cars double-parked on the street.

The named officer stated that he observed the complainant's vehicle double parked, blocking traffic. He also recalled an ambulance double-parked, but the car was in an emergency and had its emergency lights activated. The officer asked the complainant to move his vehicle, but the complainant refused. He then issued the complainant a citation. He said he was professional in dealing with the complainant during the contact.

The officer's body-camera footage of the incident shows the complainant's car double-parked and blocking the traffic lane. The vehicle behind the complainant's car could be seen maneuvering around to get past him. The video did not show any inappropriate behavior or comments from the officer.

The evidence proves that the conduct alleged did not occur.

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

**COMPLAINT DATE: 06/25/2024      COMPLETION DATE: 10/01/2024      PAGE# 2 of 3**

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

**CATEGORY OF CONDUCT: CRD**

**FINDING: U**

**FINDINGS OF FACT:** The complainant alleged that the officer specifically honed in on him and chose to cite him even though other vehicles were double-parked on the street.

The officer stated he could not recall any other vehicle double-parked on the street except an ambulance in an emergency.

The officer's body-camera footage supported the officer's contentions. No other double-parked vehicles could be seen in the video except the officer's marked vehicle and the ambulance that was stopped for a short duration but ultimately moved along with emergency lights activated.

The evidence proves that the conduct alleged did not occur.

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

**COMPLAINT DATE: 06/25/2024      COMPLETION DATE: 10/01/2024      PAGE# 3 of 3**

**SUMMARY OF ALLEGATION #3:** The officer failed to comply with Department Notice 23-045.

**CATEGORY OF CONDUCT: ND**

**FINDING: IC(S)**

**FINDINGS OF FACT:** The named officer allegedly delayed activating his body-worn camera to record the incident as required.

The named officer explained that based on his training and understanding of Department policies, he was supposed to start recording when a member of the public became hostile. He said he activated his camera when the complainant started yelling at him, but before that, he said he had no reason to activate his camera.

DN 23-045, Activation of Body Worn Cameras, states in part:

Members shall ensure the entire event is captured during all mandated recording circumstances or their involvement at the incident is completed.

- For self-initiated activity, such as traffic stops, pedestrian stops, and other law enforcement activity, including Mental Health Evaluations (interviews and detentions), members shall begin recording prior to approaching the person, vehicle, or location.

Department records show the incident was a self-initiated activity from the officer. He contacted the complainant when he saw his vehicle double-parked on the street. The officer's body-worn camera footage of the incident shows that he activated his camera during the time when he was preparing the complainant's citation, not before he approached him or his vehicle as required by the preceding Department policy.

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

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

**COMPLAINT DATE: 06/27/2024**

**COMPLETION DATE: 10/01/2024 PAGE# 1 of 5**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant and her father went to a district police station to file a report about people hacking her devices and stealing her information. She spoke with the named officer, who came out to the lobby. The complainant said the officer denied her a police report.

The named officer stated the complainant had recently purchased a new cellphone and was assigned a new cell phone number by her phone carrier. The complainant believed someone had hacked her phone by creating an Instagram account, linking the account to her. The named officer said he carefully listed to the complainant and determined that no crime had been committed and her phone had not been hacked. The officer said he determined that the cellphone number provided by the complainant's new cellphone carrier was linked to another individual's Instagram account. The prior owner of the cell phone number attempted to log in to Instagram, causing the app to send a 2-factor security text to the phone number, of which the complainant was the new owner. The officer said the complainant clicked on the link and had full access to the person's Instagram account, which had no information or correlation personally linked to her. The named officer said the complainant asked for a report, but after explaining everything, she understood that her phone was never hacked and that a report was no longer needed. He did not write an incident report because no crime was committed.

The station keeper on duty said that she witnessed the contact, and that the complainant ultimately refused a report and left the station.

The named officer's body-worn camera footage of the contact appears consistent with his statement. It shows that the complainant understood the officer's explanation about her phone, and an incident report was no longer needed.

The evidence proves that the conduct alleged did not occur.

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

**COMPLAINT DATE: 06/27/2024**

**COMPLETION DATE: 10/01/2024 PAGE# 2 of 5**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant said the named officer refused to listen and downplayed everything she had said. She said the officer tried to cover his body-worn camera with his hand, made jokes, and told his superior a different version of what she had told him. The complainant added that the officer filed a false report.

The named officer said he never downplayed what the complainant had told him. He stated that he listened to the complainant and was empathic with her. He said he never laughed or made light of her concerns. He did not prepare an incident report because no crime had been committed; hence, a report was no longer necessary. The officer said he never covered his body-worn camera during the contact, that it was on his outermost clothing, and that his shirt pocket flap fell onto its lens at some point. He said he was unaware it was partially covered until later in their conversation.

The complainant's father, who accompanied her to the station, said he did not witness the officer making inappropriate comments and was unaware if the officer had turned off his body-worn camera. He said that no incident report was prepared and that he saw the officer pull out his body-worn camera from his pocket. He said it was never on the front or chest area of the officer. The named officer's supervisor said she did not witness the contact. She said the named officer never told him anything except that the complainant angrily walked out of the station. A witness officer said she had witnessed the contact and saw the named officer try to take a report from the complainant. The officer said the complainant refused the report and left the station. The officer added that the named officer was nice, helpful, and professional during the contact.

The named officer's body-worn camera footage of the incident controverts the complainant's claims. The footage did not show the officer behaving or speaking inappropriately. The footage shows an incident report no longer necessary because the officer believed no crime had occurred, which countered the complainant's claim of false report being filed. Finally, the footage shows that the officer had his camera activated and positioned in front of his body the entire time. Inadvertently, at some point, it was partially covered by his outer clothing but was never deliberately done for ulterior purposes.

The evidence proves that the conduct alleged did not occur.



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

**COMPLAINT DATE: 06/27/2024**      **COMPLETION DATE: 10/01/2024**    **PAGE# 3 of 5**

**SUMMARY OF ALLEGATION #3:** The officer failed to comply with DGO 10.11.

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant alleged that the officer turned off or deactivated his body-worn camera at some point in the contact.

The officer denied deactivating his body-worn camera.

The officer's body-worn camera footage of the incident shows he never deactivated his camera.

The evidence proves that the conduct alleged did not occur.

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant returned to the station the following week to file another report about her computer being hacked and her medical records being stolen. She spoke with the named officer in the station lobby. The complainant said the officer accused her of lying and filing a false report.

The named officer said she never accused the complainant of lying or filing a false report.

The on-duty station keeper who witnessed the incident stated that the named officer did not accuse the complainant of lying or filing a false police report.

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

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

**COMPLAINT DATE: 06/27/2024**

**COMPLETION DATE: 10/01/2024 PAGE# 4 of 5**

**SUMMARY OF ALLEGATION #5:** The officer failed to write an incident report.

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant said the officer refused to take her report.

The officer said the complainant had a problem with the report being taken on a prior visit to the station and wanted an officer to take her report. The officer said she instructed an officer to take their report.

Department records show an incident report was prepared.

The officer who prepared the incident report said the named officer instructed her to do it.

The evidence proves that the conduct alleged did not occur.

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

**COMPLAINT DATE: 06/27/2024      COMPLETION DATE: 10/01/2024    PAGE# 5 of 5**

**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 the DPA's jurisdiction. This complaint was partially forwarded to:

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

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

**COMPLAINT DATE: 07/01/2024**

**COMPLETION DATE: 10/01/2024**

**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 stated that the named officer failed to intervene and detain a group of individuals who assaulted a person (“the victim”) in the street.

The named officer stated that he observed the victim, who was approximately 100 feet away from the named officer, throw a drink at a group of three individuals. Two of the three individuals (“the suspects”) began fighting with the victim in the street. The named officer responded to the area and requested additional units over the radio. The fight concluded as the named officer approached, and the named officer escorted the victim out of the street and onto the sidewalk. The named officer took the victim’s statement and authored an incident report. The named officer stated that he did not detain the suspects because he was focused on getting the victim out of the street and onto the sidewalk for safety. By the time other units arrived to assist, the suspects had left the area.

Department records indicated that the named officer broadcast a fight over the radio and requested another unit. Records indicated that the named officer authored an incident report documenting the battery and his response. The incident report indicated that the suspects left the area before the named officer was able to speak with them.

Body-worn camera (BWC) footage confirmed that the named officer was at least 100 feet away when the incident began. BWC footage showed that the named officer responded to the area of the fight, and as the named officer got closer, the suspects stood up and began walking away, and the victim stood up and began following the suspects down the middle of the street. The suspects and victim were all yelling at each other as the victim followed the suspects. The named officer stepped in between the victim and the suspects and escorted the victim out of the street onto the sidewalk. Three supervisors arrived on scene shortly after the named officer and the victim stepped onto the sidewalk. BWC footage showed the complainant, a bystander, yelling that the suspects had beat up the victim and that the named officer let the suspects walk away. The victim repeatedly stated that nobody beat him up.

Evidence showed that the named officer observed a physical altercation and took appropriate action by requesting additional units and responding to the area. The named officer intervened by separating the victim from the suspects, escorting the victim to the sidewalk, offering medical attention, taking a

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

**COMPLAINT DATE: 07/01/2024**

**COMPLETION DATE: 10/01/2024**    **PAGE# 2 of 2**

statement, and writing an incident report. The named officer was by himself when this incident began and could not reasonably be expected to detain the suspects and speak to the victim at the same time.

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

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

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that the named officer improperly detained a person who had been assaulted by a group of individuals.

The named officer stated that the victim was not detained during this incident.

Department records indicated that the victim was listed as a victim of a battery in the incident report.

Body-worn camera (BWC) footage did not show the named officer take any action that would indicate that the victim was detained.

The evidence proves that the alleged conduct did not occur.

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

**COMPLAINT DATE: 06/28/2024**

**COMPLETION DATE: 10/07/2024**

**PAGE#1of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he went to a police station and was cooperative. He requested a report for an incident he was involve in. He stated that the report contained false information. He said the report inaccurately described him as driving when he was in fact walking. The complainant did not respond to requests for clarification and refused to be interviewed.

The named officer has retired and is no longer subject to Department discipline. He was unavailable for an interview.

Records indicated that the named officer responded to a call-for-service regarding a person with a gun. The named officer searched the area and investigated the incident. He prepared an incident report stating that the complainant was walking on a pedestrian freeway overpass. The report did not say that the complainant was driving. The named officer detained the complainant while another officer obtained statements from other parties on the scene via a certified interpreter. This information was included in the report.

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

The incident report was an accurate description of the events that occurred and the statements that were made.

The evidence proves that the conduct of the officer was justified, lawful, and proper.

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

**COMPLAINT DATE: 06/28/2024**

**COMPLETION DATE: 10/07/2024**

**PAGE#2of 2**

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

**CATEGORY OF CONDUCT:** Referral

**FINDING: IO1/IAD**

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

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

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

**COMPLAINT DATE: 07/05/2024**

**COMPLETION DATE: 10/17/24**

**PAGE#1 of 2**

**SUMMARY OF ALLEGATION #1-4:** The officers detained a person without reasonable suspicion.

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated the named officers detained him without cause and then left him at a hospital with no explanation.

SFPD documents showed that the complainant was the subject of a mental health detention. The complainant had been hitting metal shutters and cars with two metal poles while shouting at nearby City workers. The complainant was taken to hospital to be assessed by medical staff.

Body camera footage showed that the complainant was aggressive towards officers and repeatedly shouted for them to kill him. Officers restrained the resistant complainant and assisted medics to transport the complainant to a hospital for assessment.

The evidence showed that the complainant was agitated and demonstrated verbally and physically that he was possibly a danger to himself and others. The officers were within policy to detain him under a mental health detention.

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



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

**COMPLAINT DATE: 07/05/2024**

**COMPLETION DATE: 10/17/24**

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**SUMMARY OF ALLEGATION #5:** The officer prepared an incomplete or inaccurate incident report.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated the named officer wrote an inaccurate report as he believes he was detained without cause.

SFPD documents showed that the complainant was detained under a mental health detention as he had been attacking a building and vehicles with two poles. The complainant was taken to be assessed by medical staff.

Body camera footage showed that the description of the incident included in the report was accurate. The footage showed the complainant being aggressive and demanding that officers kill him and hurt him. The officers detained the complainant and assisted medics in transporting him to hospital for assessment.

The evidence shows that the report is accurate.

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

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

**COMPLAINT DATE: 07/05/2024    COMPLETION DATE: 10/24/2024    PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:** UF

**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 10/15/24.

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

**COMPLAINT DATE: 07/15/2024**

**COMPLETION DATE: 10/02/2024**

**PAGE# 1 of 3**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that the officers failed to conduct a complete and thorough investigation. The complainant alleged the officers did not obtain her statement and did not consider the positioning of the vehicles after the collision as evidence.

Department General Order 9.02 for Vehicle Crashes states that members shall treat all crashes as potential crime scenes. When officers investigate crashes involving injuries, they are to complete the entire Traffic Crash Report, including a diagram of the crash scene. (DGO 9.02.03.A.1.)

In conducting this investigation, the DPA reviewed the traffic crash report, body-worn camera footage, and scene photos. Police records show that the officers spent more than 50 minutes investigating the crash at the scene. Additionally, the officers' body-worn camera footage captured their investigation of the crash. When the officers arrived at the scene, the Emergency Medical Technicians (EMT) were treating the complainant while she was in conversation with her insurance company. The footage revealed that Officer #1 patiently waited while the complainant spoke with her insurance company about the incident and overheard her statement about what happened. After obtaining the complainant's version of the incident, Officer #1 left to obtain the statement from the other driver. The officers discussed the evidence and their next steps in the investigation, which included canvassing the area for surveillance videos, checking for dash cameras, and taking photos of the damaged vehicles. They concluded that the complainant and the other driver were both at fault due to differing statements and no independent evidence. Officer #1 documented the investigation in an incident report, including a crash scene diagram.

The body-worn camera footage confirmed that the officers thoroughly investigated the incident. Although the complainant perceived the investigation as inadequate, the evidence proved by a preponderance that the officers properly investigated the crash.

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

**COMPLAINT DATE: 07/15/2024**

**COMPLETION DATE: 10/02/2024**

**PAGE# 2 of 3**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: Unfounded**

**FINDINGS OF FACT:** The complainant reported that the responding officers were biased, lacked compassion and empathy, and acted aggressively. She also believed the officers should have obtained her statement after she received medical treatment. The complainant complained that the officer displayed an aggressive demeanor when he interrupted her while she was speaking and talking to her with raised voices.

The body-worn camera footage showed that the officers were professional and courteous throughout their encounter with the complainant. There was no indication that the officers lacked compassion or empathy, nor did they act aggressively toward the complainant. Officer #1 patiently stood by as the complainant spoke with her insurance company about the vehicle collision. Afterward, Officer #1 obtained the complainant's complete statement and informed her that both she and the other driver were at fault. The complainant disagreed with the officer's decision and continued to question why she was at partially at fault. Officer #2 informed the complainant that her insurance company would argue her case on her behalf but that based on the differing statements from the complainant and the other driver, the officers concluded that both parties were at fault.

The DPA understands that being involved in a vehicle crash can be stressful and frustrating. However, the body-worn camera footage confirmed that the officers were professional and direct with the complainant. Therefore, DPA's investigation determined that the conduct the complainant alleged her complaint did not occur.

**SUMMARY OF ALLEGATION #5:** The officer prepared an inaccurate incident report.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that the incident report was inaccurate because the named officer incorrectly indicated that the complainant was making a U-turn. According to the complainant, she attempted a three-point turn when the other driver overtook her on the roadway.

The body-worn camera footage revealed that the complainant told the officer she was making a three-point turn when the other driver tried to bypass her on her left. The traffic crash report also reflected the complainant's statement that she attempted to make a three-point turn. The officer wrote in the traffic

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
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crash report that the complainant violated CVC 22103, which prohibits U-turns in a residential district when any other vehicle is approaching. The officer also wrote in the report that the other driver violated CVC 21750(a), which requires that the driver of a vehicle overtaking another vehicle to pass on the left at a safe distance without interfering with the safe operation of the overtaken vehicle. The report also concluded that the officer could not determine a primary collision factor because there were two significant vehicle code violations.

Department Notice 23-102 regarding Reporting Writing Responsibilities states that thorough investigation(s) memorialized in a well-prepared incident reports are essential for follow-up investigations and successful prosecution. Officers are responsible for preparing incident reports that are complete and accurate when memorializing an incident. A properly completed incident report creates the foundation for any further legal action. (DN 23-102 Effective 6/27/2023).

The DPA's investigation revealed that the officer completed an accurate traffic crash report. The complainant disagreed with the officer's assessment that she violated CVC 22103 for making a U-turn, arguing that she was during a three-point turn, not a U-turn, when the crash occurred. However, the officer determined that a three-point turn is considered a turning maneuver with the intent to change the direction of travel, regardless of whether it is a U-turn, left turn, or overtaking another vehicle. The driver must ensure that the maneuver can be completed safely and reasonably clear. In this case, the officer could not determine a primary collision factor based on conflicting statements, areas of impact, and vehicle damages, leaving this decision to the auto insurance companies. Therefore, the evidence supports the conclusion that the officer prepared an accurate traffic crash report with no material errors and that the officer's conduct was proper.

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

**COMPLAINT DATE: 07/16/2024      COMPLETION DATE: 10/23/2024      PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: UA**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that he was improperly pulled over and issued a citation as he denied having made an illegal turn.

The named officer stated that he witnessed the complainant make a right turn on red in an intersection where a sign was posted prohibiting this. He informed the complainant of his violation and issued a citation for failure to obey turn signs.

The investigation included a review of the associated Department records which included the Computer Aided Dispatch report (CAD) and body-worn camera footage (BWC). Also reviewed was a copy of the citation and images of signage at the intersection where the illegal turn was alleged to have occurred. The CAD documented a traffic stop of the complainant approximately 3 blocks from the intersection where the violation was alleged to have occurred and noted that a citation was issued. BWC showed the named officer approach the complainant and advise that he made an illegal turn. A second officer corrected the named officer with respect to the street name where the violation occurred. The turn itself was not captured on BWC.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he asked for a supervisor, but the officer refused to call one to the scene.

The named officer stated that the complainant signed the citation and therefore the investigation was concluded, and the detention was over. Regardless a supervisor was requested and responded to the scene.

The CAD reflected that a sergeant was en route to the scene approximately 20 minutes after the stop and arrived on scene approximately 20 minutes after that, but the complainant was noted to be gone on arrival.

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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 07/16/2024      COMPLETION DATE: 10/23/2024      PAGE# 2 of 2**

BWC showed that the complainant repeatedly asked for a supervisor. Initially, the named officer responded that there was no reason to call a supervisor to the scene. Later, the second officer who was serving as a training officer for the named officer called for a supervisor. The complainant was advised that a supervisor would be coming, but that the officers needed to leave.

Given the fact that a supervisor was called and arrived on scene, the actions did not rise to the level of misconduct. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant alleged that the officers racially profiled him (an African American man driving with another African American man) as a white driver in front of him had not been pulled over. The complainant stated that the windows of his car, aside from the windshield, were tinted.

The named officers denied having racially profiled the complainant, stated that they did not see the complainant's race prior to the traffic stop, and denied disregarding a white driver to focus instead on the complainant.

BWC showed that the complainant suggested he was racially profiled as soon as he was asked to sign the citation and the officer repeatedly denied that this was the case.

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

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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 07/19/2024**

**COMPLETION DATE: 10/07/2024**

**PAGE# 1 of 2**

**SUMMARY OF ALLEGATIONS #1-2:** The officers drove improperly.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated he observed a marked patrol vehicle, occupied by the named officers, drive improperly when a vehicle stopped and blocked traffic. The patrol vehicle drove around the stopped vehicle, cutting off another driver and nearly hitting the other driver. The officers did not activate the patrol vehicle's emergency lights or siren.

Department records document that the named officers were assigned to the marked patrol vehicle identified by the complainant.

Body-worn camera (BWC) was not required to be activated during this incident, so DPA could not obtain any BWC footage.

DPA obtained station surveillance video evidence that captured the alleged incident. A minivan pulled up next to the curb and stopped briefly to pick up two passengers partially blocking the pedestrian crosswalk. The police vehicle stopped in the intersection momentarily behind the minivan. One of the passengers motions to the officers with his arm/hand to go around just before he enters the vehicle. There was sufficient clearance for the police vehicle to pass the stopped vehicle in its lane of travel without incident. The police vehicle did not cut off another driver, as the complainant stated. The video evidence does not capture any misconduct or improper driving by the subject officers.

Department General Order 2.01 states in relevant part that officers “shall use and operate Department vehicles and equipment in a reasonable and prudent manner . . .”

The station video surveillance does not corroborate the complainant’s allegations. Additionally, officers are not required to activate their emergency lights and sirens as they are not responding to a call for service or conducting any enforcement action. The video 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: 07/19/2024**

**COMPLETION DATE: 10/07/2024**

**PAGE# 2 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated the officers should have made the stopped vehicle move immediately and issued a citation to the driver.

Body-worn camera (BWC) was not required to be activated during this incident, so DPA could not obtain BWC.

DPA obtained station surveillance video evidence that captured the alleged incident. The video evidence does not capture any failure by the subject officers to take required action. The minivan pulled over to the curb, stopped briefly, and picked up two passengers without incident.

Department General Order 9.01.02 states, “Members enforcing traffic and parking laws should use discretion when enforcing violations. In exercising their discretion, members may use de-escalation techniques or disengage (such as giving a warning) to reduce the intensity the situation. Members shall not let the attitude, race, gender, disability status, sexual orientation, or socioeconomic status of a person influence their enforcement action.”

Officers are permitted to use discretion in the performance of their duties. The officers were not required to cite the driver of the minivan, nor did the driver’s action warrant a citation. The video 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: 07/24/2024**

**COMPLETION DATE: 10/23/24**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** In an online complaint, the complainant reported that his landlord, the master tenant where complainant resided, hired a document server who illegally entered the complainant's room while he was sleeping. The document server woke him up and forced him to sign documents related to an eviction lawsuit. The complainant wanted the officer to arrest his landlord for harassment and trespassing. However, the officer refused to do so.

The complainant notified DPA that he did not wish to be contacted regarding his complaint in order to provide additional information.

Department General Order 5.04 requires probable cause to arrest a private person for a crime that did not occur in the officer's presence. If there is no probable cause, the subject is free to leave.

The body-worn camera footage and police records shows that the named officer and his partner conducted a thorough investigation. They obtained statements from both the complainant and the master tenant whom the complainant identified as his landlord. Despite the document server not being present at the scene, the master tenant offered to provide the document server's name through his lawyer. Furthermore, the master tenant also presented a video from the document server, proving that the complainant was indeed served with paperwork and described what transpired during the service. The named officer explained to the complainant that criminal trespassing had not occurred and that the incident was a civil matter related to a landlord-tenant dispute. The complainant requested that the officers prepare an incident report to document the incident, which they did. The named officer also provided the complainant with a Community Boards card, a non-profit that assists community members with mediation.

The evidence confirmed that the officer's actions were proper and in compliance with department policy.

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

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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 07/27/2024**

**COMPLETION DATE: 10/23/24**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated he was riding his bicycle through a green light on a city street when a marked police vehicle ran the red light, nearly striking him. The complainant stated the marked vehicle only flashed its emergency lights as it went through the intersection. The complainant was unable to provide a description of the driver or any identifying marks on the vehicle.

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 officer(s) that were involved. The ID poll came back with negative results. Therefore, there was insufficient information to identify the officer.

DPA attempted to locate surveillance footage with negative results.

The identity of the alleged officer could not be established.

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

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**COMPLAINT DATE: 08/07/2024      COMPLETION DATE: 10/02/2024    PAGE# 1of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that the named officer approached him aggressively with his hand on his gun and inappropriately yelled at him.

The named officer stated that he was participating in a police escort and was blocking traffic when he signaled to the complainant to stop his vehicle. The complainant began to turn his vehicle, and the named officer placed both hands up and yelled at the complainant to stop. The named officer denied approaching the complainant with his hand on his gun.

Department records confirmed that the named officer was participating in a police escort when this incident occurred.

There were no known witnesses to this incident.

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

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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 08/07/2024      COMPLETION DATE: 10/02/2024    PAGE# 2 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that he asked the named officer for his name and star number, but the named officer pretended he couldn't hear him.

The named officer stated that he could not hear the complainant and did not hear him ask for his name or star number.

There were no known witnesses to this incident.

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

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

**COMPLAINT DATE: 08/07/2024**

**COMPLETION DATE: 10/03/2024**

**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 the named officer made inappropriate statements and behaved aggressively for no reason.

A witness echoed the complainant's statement that the named officer behaved and spoke inappropriately.

DPA attempted to identify the unknown officer via the Daily Equipment Sign-Out Sheet, but the identified vehicle was not signed out on the date of the incident. DPA also attempted to identify the unknown officer by polling the local district station. An ID poll describes the incident and asks that the Captain and/or members of the station to review the incident description and identify officer(s) that were involved. The ID poll came back with negative results.

DPA also attempted to identify the unknown officer by conducting a photo spread with the complainant and witness. The photo line-up produced negative results.

DPA searched for active surveillance cameras in the area of the incident as well with negative results.

The officer could not be reasonably identified.

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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 08/10/2024      COMPLETION DATE: 10/07/2024      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 officers failed to hold a pedestrian accountable when they deliberately obstructed traffic.

The complainant filed an anonymous online complaint. The information captured in the online submission was not enough for the Department of Police Accountability (DPA) to conduct a thorough investigation.

DPA sent an identification poll to the district station asking for assistance identifying the officers based on a description of the incident. No officers were identified through the poll.

DPA was unable to independently identify the officer/s based solely on information provided in the complainant's written statement. The statement did not describe the officers nor the police car. 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: 08/11/2024**

**COMPLETION DATE: 10/02/2024 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: N/A**

**FINDING: IO-1 to BART POLICE DEPARTMENT**

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

BART Police Department  
101 8<sup>th</sup> Street  
Oakland, CA 94607



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

**COMPLAINT DATE: 08/13/2024      COMPLETION DATE: 10/23/2024    PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that he was pulled over while driving and issued a citation. After this interaction, he continued driving and made a turn. The patrol car that had initially pulled him over drove up next to him and he and the named officer engaged in an exchange on which the officer told him not to argue or they would issue another ticket.

The named officer stated that he did not recall the interaction.

The investigation included a review of the associated Department records which included the Computer Aided Dispatch report (CAD) and body-worn camera footage (BWC) related to the traffic stop. Also reviewed was a copy of the citation. The CAD showed that the complainant's car was stopped and issued a citation. The citation showed that the reason for the stop was an unsafe lane change.

There was no BWC for the second interaction with the complainant.

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

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

**COMPLAINT DATE: 08/19/2024**

**COMPLETION DATE: 10/29/24**

**PAGE# 1of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that an officer deliberately reversed a patrol vehicle into him and caused an injury to the complainant's leg.

SFPD documents showed the complainant, on the date he provided for the incident, had called police to report that his ex-partner stole his credit cards and belongings. Later the same day, a passerby found the complainant on the street with an injury to his leg and called emergency services. The complainant stated that the person who had run him over had stolen his belongings. Four days later, the complainant called police from a hospital to report that he had been run over by a police officer. The responding officers investigated but reported that they could find no evidence of any interaction between police and the complainant on the day he claimed to have been struck. There was no evidence found that the complainant had been run over by officers.

An identification poll was sent to the police station in the district of the alleged collision. No officer was identified as having interacted with or run over the complainant.

There is no further evidence available in this case.

No officer could be identified to have been involved.

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

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

**COMPLAINT DATE: 08/05/2024**

**COMPLETION DATE: 10/07/2024 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/IAD**

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

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

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

**COMPLAINT DATE: 08/21/2024**

**COMPLETION DATE: 10/23/2024 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant was walking her dog when she came across two male officers walking towards her. The complainant stated that when they were about to pass each other, one of the named officers, using a police code, implied to the other that she was a prostitute.

The anonymous complainant did not want to be contacted. Hence, no additional details regarding the complaint or the identity of the officers could be obtained.

Because the complainant could not identify the specific officers involved, the Department of Police Accountability (DPA) sent an identification poll to the district station. An identification poll describes the incident and asks that the Captain and/or members of the station review the incident and identify the officers who were involved. The identification poll came back with negative results. Therefore, there was insufficient information to identify the officer.

The officer could not be reasonably identified.

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

**COMPLAINT DATE: 08/22/2024**

**COMPLETION DATE: 10/23/24 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/MTA**

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

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

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

**COMPLAINT DATE: 08/21/2024**

**COMPLETION DATE: 10/07/2024 PAGE# 1 of 4**

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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant said he was driving his vehicle and officers stopped him for no reason. The complainant said the officer immediately threatened to arrest him and tow his car instead of explaining the reason for the stop. He said that the officer never asked for his driver license and detained him for 45 minutes. The complainant initially said he did not commit a traffic infraction because he turned right at a stop sign after coming to a complete stop. He later said that he turned right on a green light.

Dispatch records showed that the named officers conducted a traffic stop.

Body-worn camera footage (BWC) showed that the named officers made a traffic stop and Named Officer #1 approached the driver's side window and told the complainant, who was sitting in driver's seat, that he pulled him over because he made a right turn on a red light where there was a sign present that said no turn on red. The complainant said that he stopped and put his signal on and that the officer stopped him because he wanted to.

Images of the intersection showed that there is a 'no turn on red' sign present.

California Vehicle Code 22101(d) states "[w]hen an official traffic control device is placed as required in subdivisions (b) or (c), it is unlawful for a driver of a vehicle to disobey the directions of the official traffic control device."

The credibility of the complainant is diminished because objective evidence of the incident contradicts the account supplied by the complainant. Records showed that the traffic stop took place at a lighted intersection with a "no turn on red" sign. One officer immediately explained the reason for the stop and asked the complainant for his license. Neither officer threatened to tow the complainant's car or arrest him. Additionally, the detention lasted only 15 minutes.

The evidence showed the complainant was stopped because the officers alleged that he committed a traffic violation. The officers had reasonable suspicion to detain the complainant for the traffic violation they said they witnessed.

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

**COMPLAINT DATE: 08/21/2024**

**COMPLETION DATE: 10/07/2024 PAGE# 2 of 4**

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

**SUMMARY OF ALLEGATIONS #2-3:** The officers issued a citation without cause.

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant said he was driving his vehicle, stopped at a stop sign and then completed a turn. He later said that he had a green light when making the turn. He alleged the named officers stopped him in his vehicle and later issued him a traffic ticket without cause for failing to stop at a stop sign.

Body-worn camera footage (BWC) showed that Named Officer #1 told the complainant that he pulled him over because he made a right turn on a red light where there was a sign present that said no turn on red. The complainant said that he stopped and put his signal on and that the officer stopped him because he wanted to.

BWC footage showed that Named Officer #1 asked the complainant for his proof of insurance and the complainant failed to provide it. BWC footage showed Named Officer #2 completed a citation for failing to obey street signs and for not having insurance, advised the complainant of the violations and issued him the citation.

Images of the intersection showed that there is a 'no turn on red' sign present.

California Vehicle Code 22101(d) states “[w]hen an official traffic control device is placed as required in subdivisions (b) or (c), it is unlawful for a driver of a vehicle to disobey the directions of the official traffic control device.”

California Vehicle Code 16028(a) states “[u]pon the demand of a peace officer pursuant to subdivision (b) or upon the demand of a peace officer or traffic collision investigator pursuant to subdivision (c), every person who drives a motor vehicle upon a highway shall provide evidence of financial responsibility for the vehicle that is in effect at the time the demand is made. The evidence of financial responsibility may

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

**COMPLAINT DATE: 08/21/2024**

**COMPLETION DATE: 10/07/2024 PAGE# 3 of 4**

be provided using a mobile electronic device. However, a peace officer shall not stop a vehicle for the sole purpose of determining whether the vehicle is being driven in violation of this subdivision.”

The credibility of the complainant was diminished because objective evidence of the incident contradicts the account supplied by the complainant. The officers had probable cause to issue the complainant a ticket for a traffic violation they said they witnessed and for failing to provide proof of insurance for the vehicle.

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

**SUMMARY OF ALLEGATIONS #5-6:** The officers knowingly engaged in biased policing or discrimination.

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant said he was driving his vehicle, a luxury vehicle, and officers pulled him over and detained him for approximately forty-five minutes. He alleged that the officers discriminated against him and pulled him over because of his race.

Dispatch records showed that the named officers conducted a traffic stop.

Body-worn camera footage (BWC) showed that the named officers conducted a traffic stop and named Officer #1 approached the driver’s side window of the complainant’s vehicle and advised the complainant that he pulled him over because he had made a right turn on a red light where there was a sign present that said no turn on red. Named Officer #1 spoke with Named Officer #2 regarding the violation and how the complainant turned right at a red light in front of them where there was a large sign that said “no right on red.” The BWC footage did not show any evidence of biased policing. The footage showed the traffic stop lasted about 16 minutes.

Images of the intersection showed that there is a ‘no turn on red’ sign present.



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

**COMPLAINT DATE: 08/21/2024**

**COMPLETION DATE: 10/07/2024 PAGE# 4 of 4**

California Vehicle Code 22101(d) states “[w]hen an official traffic control device is placed as required in subdivisions (b) or (c), it is unlawful for a driver of a vehicle to disobey the directions of the official traffic control device.”

The credibility of the complainant is diminished because objective evidence of the incident contradicts the account supplied by the complainant.

The named officers performed a traffic stop on the complainant’s vehicle for a traffic violation. There was no evidence of biased policing.

The evidence proves that the conduct alleged did not occur.

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

**COMPLAINT DATE: 08/26/2024**

**COMPLETION DATE: 10/07/2024 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that he called police regarding lawlessness by riders on dirt bikes and ATVs and that officers did not respond.

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 conducting a computer query sector search for all calls for service based on the date and location provided by the complainant. DPA was unable to identify any calls for service matching the information provided by the complainant.

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: 08/29/2024**

**COMPLETION DATE: 10/02/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that the named officer inappropriately told her that he would not respond if she called police in the future.

Body-worn camera (BWC) footage showed that the named officer did not speak inappropriately to the complainant during their interaction. The named officer did not tell the complainant that he would not respond in the future. The named officer was courteous as he attempted to explain to the complainant that he was conducting police business.

The evidence proves that the alleged conduct did not occur.

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

**COMPLAINT DATE: 08/29/2024**

**COMPLETION DATE: 10/02/2024**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATIONS #1-5:** The officers misrepresented the truth.

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that an officer on scene misrepresented the truth by telling a detainee that she had called the police on him.

Body-worn camera (BWC) footage showed that none of the officers on scene stated that the complainant had called the police. BWC footage showed that the detainee accused the complainant of calling the police on him, and the officers on scene told him that she had not.

The evidence proves that the alleged conduct did not occur.

**SUMMARY OF ALLEGATIONS #6-10:** The officer engaged in retaliatory behavior.

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that the officer on scene who misrepresented the truth about her calling the police did so to retaliate against her.

Body-worn camera (BWC) footage showed that the complainant's allegation that an officer misrepresented the truth was unfounded. The evidence proves that the alleged conduct did not occur.

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

**COMPLAINT DATE: 08/29/2024**

**COMPLETION DATE: 10/23/2024**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The complaint raises matters outside the Department of Police Accountability's jurisdiction.

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/FBI**

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

Federal Bureau of Investigation  
San Francisco Office  
450 Golden Gate Avenue, #413  
San Francisco, CA 94103

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

**COMPLAINT DATE: 09/03/2024**

**COMPLETION DATE: 10/29/24**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant believed his neighbors had been surveilling him from their windows for a prolonged period, and he reported that he was frustrated by their ongoing harassment. He contacted the police. When he reported his concerns to the responding officers, the complainant perceived that the officers were dismissive and directed hostility at the complainant. The complainant said they had hoped the officers would assist him in maintaining peace and tell the neighbors to refrain from harassing him. However, the complainant perceived that the officers enabled and emboldened the neighbors instead of helping him.

The records from the Department of Emergency Management show that the complainant made a 911 call late at night, expressing concerns that his neighbors were watching him every time he stepped outside. During the call, the dispatcher explained that the police have no authority to dictate the actions of individuals in their own homes. In response to the call, officers were dispatched to assess the situation and speak with the complainant. Upon investigation, they concluded that there was no evidence of criminal activity; rather, the issue stemmed from a disagreement with the neighbor regarding their tendency to look out the window. The officers spent about 15 minutes at the location.

The body-worn camera footage revealed that the officers conducted a thorough investigation while behaving courteously and professionally. They obtained a statement from the complainant and informed him that no crime had occurred. Officer #1 offered to introduce the complainant to his neighbors, which the complainant accepted. Officer #1 clarified that he was not mediating the contact but merely providing an introduction. Officer #2 then spoke to the neighbors who agreed to meet with the complainant in hopes of diffusing the situation. Unfortunately, what was intended to be a friendly meeting escalated into a heated argument between the parties and did not result in a resolution despite the officers' good faith efforts.

The evidence demonstrated that the officers were neither dismissive nor hostile. Although they determined that no crime had occurred, they went the extra mile and tried to resolve a neighbor dispute by introducing the two parties and mediating a discussion. The evidence proves that the officers' conduct was proper and appropriate.

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

**COMPLAINT DATE: 09/06/2024**

**COMPLETION DATE: 10/02/2024 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: 09/06/2024**

**COMPLETION DATE: 10/29/24**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATION # 1:** The officer was inattentive to duty.

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** An anonymous complainant reported that officers spent approximately 50 minutes (from 6:00 a.m. to 6:50 p.m.) at a coffee chain that serves food, expressing concern that this conduct could be a misuse of taxpayer money. While the complainant did not obtain the officers' names or star numbers, he did provide the police vehicle numbers.

The Department of Police Accountability (DPA) obtained police records that identified that the vehicles the complainant identified were assigned to specialized units rather than patrol units on the date in question. Since DPA could not identify the officers based on the information the complainant provided, DPA sent ID Polls to the specialized units. An ID poll asks the commanding officer to review the incident description and identify the involved officers. The ID polls DPA issued to two specialized units came back with negative results. Because the officers could not be identified, there was insufficient information to investigate the complaint.

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

It should be noted that police officers are allowed to take meal breaks.



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

**COMPLAINT DATE: 09/04/2024**

**COMPLETION DATE: 10/29/24**

**PAGE#1of 3**

**SUMMARY OF ALLEGATION #1:** The officer made an arrest without cause.

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he was falsely arrested for burglary in the absence of any evidence that he had committed a crime.

The named officer stated he was dispatched to investigate a trespassing. Upon arrival, a witness approached and said that the complainant had stolen packages from an apartment complex lobby. The witnesses had a video clip of the theft and showed it to the named officer. The named officer stated that other witnesses also provided evidence that the complainant had stolen packages from the apartment complex lobby.

SFPD documents showed that police were called for a report of a trespasser. On arrival, three witnesses identified the complainant as the trespasser and stated he had stolen packages from an apartment complex lobby. The witnesses provided video evidence of the theft to officers.

Body camera footage showed that the named officer, along with other officers, arrived on scene and was told by witnesses that the complainant had stolen packages. The witnesses showed the officers footage of the theft and, with this evidence, the named officer arrested the complainant.

The named officer, along with other officers, gathered evidence from witnesses and from a video camera before arresting 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: 09/04/2024**

**COMPLETION DATE: 10/29/24**

**PAGE#2of 3**

**SUMMARY OF ALLEGATION #2:** The officer misused police authority.

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that he was falsely arrested for burglary. While riding in the patrol car, the officer then asked for a bribe. The complainant stated that the named officer asked the complainant to pay a bribe by saying the words, "I view this as a business transaction."

The named officer denied the allegation and stated that the complainant had taken his statement out of context.

SFPD documentation showed that the named officer arrested the complainant and transported him to jail.

Body camera footage showed that, while transporting the complainant to jail, the named officer stated that he viewed taking the complainant to jail as a business transaction, as he was providing a service by bringing the complainant to justice. At no point did the named officer ask for, or in any way imply, that he wanted a bribe.

The evidence clearly showed the named officer's comment referred to doing his job as a police officer by taking a criminal suspect to jail in the comments that he made. There is no evidence of any bribe or attempt

The evidence proves that the conduct alleged did not occur.

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

**COMPLAINT DATE: 09/04/2024**

**COMPLETION DATE: 10/29/24**

**PAGE#3of 3**

**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 3<sup>rd</sup> Street

San Francisco, CA 94158

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

**COMPLAINT DATE: 09/09/2024**

**COMPLETION DATE: 10/17/24 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: 09/11/2024**

**COMPLETION DATE: 10/29/2024**

**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 complainants stated that the named officers failed to reopen a case regarding a restraining order violation that occurred in 2021.

Department records indicated that the complainants sent at least 14 emails to the named officers within a two-month period both before and during this DPA investigation. The complainants requested that the named officers investigate a list of previous civil and criminal cases filed with the San Francisco Police Department and with other police departments. The complainants also repeatedly requested that the named officers reopen a case regarding an alleged restraining order violation that occurred in 2021. Records indicated that the named officers informed the complainants several times that they considered the case closed and could not reopen it due to the statute of limitations. The named officers also addressed each of the complainants' other requests and explained that the San Francisco Police Department did not investigate civil matters and that the cases outside of San Francisco were not within San Francisco Police Department's jurisdiction. The named officers advised the complainants that there was no further need to contact them or any other member of the San Francisco Police Department regarding those cases. Records indicated that the complainants continued emailing the named officers and wrote that they would email every day until something was done.

Evidence showed that the named officers thoroughly explained to the complainants why they could not reopen their case.

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: 09/11/2024**

**COMPLETION DATE: 10/29/2024**

**PAGE# 2 of 2**

**SUMMARY OF ALLEGATION #3:** The SFPD failed to properly investigate.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainants stated that the San Francisco Police Department failed to assign their case for investigation.

Department records confirmed that the complainants' case was not assigned for investigation.

Department Notice 20-107 reads, "it is the policy of the Department to diligently investigate crimes in order to arrest and prosecute those responsible. However, the Department must manage its resources in a reasonable, effective and efficient manner. Therefore, the Investigations Bureau Lieutenants and the Station Investigation Team (SIT) Lieutenants shall review and evaluate each incident report that falls under their investigative jurisdiction prior to assigning cases to an Investigator." The Department Notice then provides a list of factors that should be considered when assigning cases for investigation and states that the Investigations Bureau Unit or SIT Lieutenant, and their commanding officer, retains discretion to assign cases for investigation.

The San Francisco Police Department retained discretion to assign or reassign the complainants' case for investigation.

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: 09/11/2024      COMPLETION DATE: 10/02/2024    PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant witnessed the driver of a black Sports Utility Vehicle (SUV) yell and berate a woman on the street. The complainant inferred that the driver was an officer of the San Francisco Police Department (SFPD) in an unmarked police vehicle. The complainant stated the officer then sped up to the next intersection, parked his car, and entered a white van. The woman approached the van and tried to talk to the officer. The complainant stated the officer continued to yell at the woman aggressively. The complainant attached a photo of the vehicle and asked not to be contacted.

The photo provided by the complainant showed a black SUV with a visible license plate number parked on the side of the street.

The Department of Police Accountability (DPA) sent an inquiry to Fleet Management about the vehicle. The response to the inquiry showed that the car did not belong to SFPD. An inquiry with the Department of Motor Vehicles showed that the vehicle was registered to a private individual, not by any police or law enforcement agency.

The evidence proves that the conduct alleged did not occur.

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

**COMPLAINT DATE: 09/15/2024**

**COMPLETION DATE: 10/02/2024 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 an officer made an inappropriate comment to the complainant as he jogged by.

The complainant filed an anonymous online complaint via the online portal and the complainant indicated that they did not want to be contacted. The information captured in the online submission was not enough for the Department of Police Accountability (DPA) to conduct a thorough investigation.

DPA sent an Identification Poll to the local station which resulted in negative results.

DPA was unable to independently identify the officer/s based solely on information provided in the complainant's written statement, which did not describe the officers. 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: 09/16/2024**

**COMPLETION DATE: 10/07/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1 to BART POLICE DEPARTMENT**

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

BART Police Department  
101 8<sup>th</sup> Street  
Oakland, CA 94607

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

**COMPLAINT DATE: 09/16/2024**

**COMPLETION DATE: 10/02/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/** San Francisco Office of the Chief Medical Examiner

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

San Francisco Office of the Chief Medical Examiner  
1 Newhall Street  
San Francisco, CA 94124

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

**COMPLAINT DATE: 09/17/2024**

**COMPLETION DATE: 10/29/24**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/IAD**

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

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

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

**COMPLAINT DATE: 09/20/2024**

**COMPLETION DATE: 10/29/24**

**PAGE 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated he was in a parking lot and an officer arrived in a patrol vehicle and spoke to him through the vehicle's window. The complainant could not hear what the officer said because the window was closed. The complainant did not know why the officer was there and alleged that the officer was harassing him.

The evidence failed to identify the involved officer or any conduct that constituted misconduct.

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

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

**COMPLAINT DATE: 09/25/2024**

**COMPLETION DATE: 10/25/24**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant reported that her ex-partner was involved in a vehicle crash using a vehicle registered in her name. She requested the incident report through the San Francisco Police Department's public records portal. However, when she checked the status of her request, it showed that the report was missing. The complainant believes the officer failed to prepare an incident report for the vehicle crash.

Police and tow records indicated a traffic collision report for the vehicle crash was prepared. The report showed that the complainant was the registered vehicle owner involved in the crash.

The evidence proves that the officer did prepare a traffic collision report and that the alleged conduct did not occur.

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

**COMPLAINT DATE: 09/26/2024      COMPLETION DATE: 10/17/2024      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1**

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

U.S. Park Police – San Francisco Field Office  
1217 Ralston Ave  
San Francisco, CA 94129

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

**COMPLAINT DATE: 09/26/2024**

**COMPLETION DATE: 10/29/24**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/RPD**

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

San Francisco Recreation & Parks Department  
SF Park Patrol Rangers  
501 Stanyan Street  
San Francisco, CA 94117

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

**COMPLAINT DATE: 09/27/2024**

**COMPLETION DATE: 10/17/24 PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** This complaint raised matters that were not rationally within the Department of Police Accountability (DPA) jurisdiction.

**CATEGORY OF CONDUCT:**

**FINDING: IO-2**

**FINDINGS OF FACT:** This complaint raised matters that were not rationally within the Department of Police Accountability (DPA) jurisdiction.



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

**COMPLAINT DATE: 10/01/2024**

**COMPLETION DATE: 10/07/2024**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:** N/A

**FINDING:** IO-1

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

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

**COMPLAINT DATE: 10/02/2024**

**COMPLETION DATE: 10/25/24 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: IO/1**

**FINDING: Referral/DEM**

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

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

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

**COMPLAINT DATE: 10/02/2024**

**COMPLETION DATE: 10/28/24**

**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 he called a police station to provide information regarding the fact that artificial intelligence gets hacked when ambulances are summoned. In addition, the complainant wanted to obtain the phone number of the drug task force. He stated he heard someone in the background tell the call taker to tell him, "Fuck you ", which he then repeated to the complainant and then hung up.

Because 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 officer(s) that were involved. The ID poll came back with negative results. Therefore, there was insufficient information to identify the officer.

The identity of the alleged officer could not be established.

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

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

**COMPLAINT DATE: 10/07/2024      COMPLETION DATE: 10/25/2024      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that his report of a crime was not investigated, resulting in him being unable to gain compensation.

SFPD documents showed that on two occasions the complainant filed a report with police officers. The officers took the report and the complainant's written statement, which was consistent with what he said he had reported. The reports were filed in line with department policy.

SFPD policy DN 20-107 states: The Investigations Bureau Unit or SIT Lieutenant, and their commanding officer, retains the discretion to assign any case for investigation if they believe an investigation is warranted. The Department may consider factors such as staffing and solvability when deciding whether to investigate a case.

There was no requirement for the Department or any officer to investigate the complainant's report.

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: 10/09/2024**

**COMPLETION DATE: 10/29/24 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/SFMTA**

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

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

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

**COMPLAINT DATE: 10/09/2024**

**COMPLETION DATE: 10/24/2024**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The complaint raises matters outside the Department of Police Accountability's jurisdiction.

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/IAD**

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

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

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

**COMPLAINT DATE: 10/22/2024      COMPLETION DATE: 10/24/24      PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The 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.