

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 10/19/2019      DATE OF COMPLETION: 04/17/25      PAGE# 1 of 8**

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

**CATEGORY OF CONDUCT:      CU      FINDING:      IC      DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant was stopped by the named officer. The complainant states that the officer was rude and spoke to him inappropriately.

The body-worn camera footage for this incident was obtained and reviewed. The footage showed the interaction between the named officer and the complainant, who engaged in numerous disagreements. The named officer shouted while moving within a few inches of the complainant, who was backed up against the wall. The complainant appeared to believe the officer was going to assault him due to the officer's actions.

The named officer was interviewed about this allegation. He stated that he did not shout at the complainant but raised his voice to be heard over him. The officer did not believe his words or actions were inappropriate.

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

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

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

**FINDINGS OF FACT:** The complainant was stopped by the named officer. The complainant stated that the named officer grabbed hold of his braided hair. The complainant believed the named officer did this due to the complainant's race.

The body-worn camera footage for this incident was obtained and reviewed. The footage showed the named officer asking the complainant if items in his hair had come out. The complainant did not answer the officers' questions. The named officer then placed his hands on the complainant's hair before stating

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 10/19/2019      DATE OF COMPLETION: 04/17/25      PAGE# 2 of 8**

that the items had not come out. The items were shiny, possibly metal, and braided into the complainant's hair.

The named officer was interviewed about this allegation. The officer stated that the complainant was under arrest and being taken into custody. Taking a person into custody requires jewelry and other items to be removed for the safety of the arrested person and the officers. The officer stated he was trying to determine if the items in the complainant's hair had come out because he would need to remove them if they had.

Braided hair is often associated with non-white individuals. The officer did tug on the complainant's braids. However, the officer also had a legitimate reason to determine whether the items had to be removed before the complainant could be booked.

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

**SUMMARY OF ALLEGATION #3:** The officer failed to provide medical treatment.

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

**FINDINGS OF FACT:** The complainant stated that after being arrested, the named officer failed to provide medical treatment when requested.

San Francisco Police documents were obtained and reviewed in relation to this incident. The documents showed that medics were called and responded to the station where the complainant was being held. The documents also revealed that the medics took the complainant to the hospital.

Body camera footage of the incident was obtained. The footage showed the complainant asking for medical attention and the named officer and his colleague requesting that medics attend to the complainant.

The named officer was interviewed about the allegation. The named officer stated that medical treatment was provided to the complainant, and the complainant was escorted to the hospital to be treated by medical professionals.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 10/19/2019    DATE OF COMPLETION: 04/17/25    PAGE# 3 of 8**

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

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

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

**FINDINGS OF FACT:** The complainant was handcuffed by the named officer. The complainant stated that the handcuffs were too tight, and the officer did not fix them.

San Francisco Police documents were obtained and reviewed. The documents stated that the officers checked the complainant's handcuffs and even offered to loosen them for him. The documents also stated that medics checked the handcuffs and determined that they were not cutting off circulation in the complainant's wrists.

Body camera footage was obtained and reviewed. The footage showed the officers checking the complainant's handcuffs. It also showed a medic checking the handcuff and confirming that it was not too tight.

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

**SUMMARY OF ALLEGATION #5:** The officer conducted an improper search or seizure.

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

**FINDINGS OF FACT:** The named officer is alleged to have conducted an improper pat search.

San Francisco Police documents were obtained and reviewed. The documents do not mention the search conducted by the named officer.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 10/19/2019      DATE OF COMPLETION: 04/17/25      PAGE# 4 of 8**

The body-worn camera from the incident was obtained and reviewed. The footage showed the complainant being stopped by an officer while in a vehicle. The complainant was allowed to search the car for the key, including the footwells, before being removed from it. The named officer then stated that she would give the complainant a quick pat search before placing her hands on the complainant and conducting a search.

The named officer was interviewed in relation to the allegation. The officer stated that pat searches could be conducted only when the person consents, or the officer reasonably suspects the person has a weapon. The named officer noted that the complainant was allowed to search the car as she did not believe he had a weapon. The named officer stated she searched the complainant as it was standard practice to search anyone removed from a vehicle.

It is well-settled that a pat search may only be conducted upon reasonable suspicion that a lawfully detained person is armed and dangerous: “A police officer may temporarily detain and pat search an individual if he believes that criminal activity is afoot, that the individual is connected with it, and that the person is presently armed.” (*People v. Lindsey* (2007) 148 Cal.App.4th 1390, 1395, citing *Terry v. Ohio* (1968) 392 U.S. 1, 30. See also *People v. Adam* (1969) 1 Cal.App.3d 486, 491 [“Before [an officer] places a hand on the person of a citizen in search of anything, he must have constitutionally adequate reasonable grounds for doing so. In the case of the self-protective search for weapons, he must be able to point to particular facts from which he reasonably inferred that the individual was armed and dangerous.”].)

An ordinary traffic stop is an investigatory detention, i.e., a “*Terry* stop.” (*In re H.M.* (2008) 167 Cal.App.4th 136, 142, citing *People v. Durazo* (2004) 124 Cal.App.4th 728, 734.) A *Terry* stop is justified if it is based on at least reasonable suspicion that the individual has violated the Vehicle Code or some other law. (*Ibid*, citing *Durazo*, *supra*, 124 Cal.App.4th at 734–735 [*H.M.* and *Durazo* both involved pedestrians who violated the Vehicle Code.] While a police officer may legally stop a motorist, he suspects of violating the law for the purpose of issuing a citation, “he may not routinely search him or her for weapons without specific articulable facts furnishing grounds to believe the motorist may be armed.” (*People v. Williams* (1992) 3 Cal.App.4th 1100, 1104, citing *People v. Superior Court (Simon)* (1972) 7 Cal.3d 186, 206; *People v. Maxwell* (1988) 206 Cal.App.3d 1004, 1008.) Therefore, in order to pat down the complainant, the officer needed objectively reasonable, specific facts that he was armed and dangerous. The named officer possessed no such facts.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 10/19/2019      DATE OF COMPLETION: 04/17/25      PAGE# 5 of 8**

**SUMMARY OF ALLEGATION #6:** The officer misrepresented the truth.

**CATEGORY OF CONDUCT:      CU      FINDING:      IC      DEPT. ACTION:**

**FINDINGS OF FACT:** The officer was accused of misrepresenting the truth on official forms.

San Francisco Police Department documents were obtained and reviewed. The documents showed the named officer stated the person he had stopped for possible DUI offenses refused to perform tests that the officer asked him to do. The documents also showed that the named officer stated he admonished the complainant about his rights and responsibilities with respect to certain DUI tests.

Body camera footage was obtained and reviewed in relation to this incident. The footage showed the named officer began to ask the detained person the preliminary DUI questions. The complainant answered several questions and then refused to participate further in the interview. The named officer wrote in one particular document, under oath, that he had admonished the person regarding the PAS test and had given the implied consent admonition required in California. Body-worn camera footage proved these facts to be untrue at the time the document was executed.

The named officer was questioned about this allegation. The named officer stated that the person detained refused to take any of the DUI tests, so the questions and tests were not completed. The named officer said they did not believe they had misrepresented the truth.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 10/19/2019      DATE OF COMPLETION: 04/17/25      PAGE# 6 of 8**

**SUMMARY OF ALLEGATION #7:** The officer wrote an inaccurate report.

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

**FINDINGS OF FACT:** The named officer is alleged to have written an inaccurate report while investigating a DUI stop.

San Francisco Police Department documents were obtained and reviewed. The documents show that the named officer stated the detained person had refused to take all tests, including Field Sobriety Tests and Preliminary Alcohol Screening.

Body-worn camera footage was obtained and reviewed. The footage showed the named officer beginning to ask the preliminary questions for FSTs. The detained person answered several questions before he became upset with the officer and refused to answer further questions. The footage showed the officer stopping when the detained person said he refused. The named officer did not admonish the detained person or explain the tests and procedures. The named officer did not offer the PAS test to the detained person.

The named officer was interviewed about this allegation. The officer stated that he believed that the detained person's statement that he refused everything meant he refused any tests, even those that had not been offered to him.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 10/19/2019      DATE OF COMPLETION: 04/17/25      PAGE# 7 of 8**

**SUMMARY OF ALLEGATION #9:** The officer failed to comply with DGO 10.11 and DB 18-256.

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

**FINDINGS OF FACT:** The named officer is alleged to have failed to comply with DGO 10.11 and DB 18-256, which related to body-worn camera use.

Body-worn camera footage for this incident was obtained and reviewed. The footage was split into four parts as the named officer's camera was turned off and on again four times. The footage shows there was a gap in the recording of over an hour. The officer activated his BWC late.

DGO 10.11 sets forth the general requirements and guidelines for when officers should, must, or should not be recording events with their BWC. Department Bulletin 18-256 provided some clarity, especially as it relates to self-initiated activity. The named officer was not responding to a call for service. This was self-initiated activity. Therefore, DB 18-256 required the named officer to activate his BWC *before* he approached the detained driver. It reads, "members shall begin recording prior to approaching the person, vehicle, location." The named officer did not begin recording until he was already speaking with the person.

The named officer was interviewed about this allegation. The named officer believed he had complied with Department policy.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 10/19/2019      DATE OF COMPLETION: 04/17/25      PAGE# 8 of 8**

**SUMMARY OF ALLEGATION #10:** The officer failed to appear at a judicial, administrative, or legislative proceeding, a DPA or IAD interview, or a Department required training or qualification.

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

**FINDINGS OF FACT:** The named officer is alleged to have failed to appear at an administrative interview when requested to attend.

The named officer was interviewed about this allegation. The named officer provided cause for why he had not attended the interview.

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



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

**COMPLAINT DATE: 02/12/2024**

**COMPLETION DATE: 04/22/25**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant worked at a shelter for unhoused individuals. She stated that on multiple occasions (but specified two dates) the named officer had responded to her worksite but had failed to assist with the removal of clients.

The named officer stated that he had responded to the site hundreds of times, but while the site was under the care of the complainant's employer, he was repeatedly denied access to conduct well-being checks, burglary incidents, robbery incidents, etc. He stated that staff routinely refused to assist police in minor incidents, would demand services and then refuse police entry to assist and provide those services. With respect to specific incident dates provided by the complainant, the named officer denied he was present on one of the dates as he was on leave. For the other specific incident date, the named officer stated that the request was to remove a person who he believed was a legal tenant and he was uncertain at the time of the legality of the request and the actions he was permitted to take regarding the situation. He stated that he requested a higher-ranking member to respond and at the time was fully convinced the incident was a civil matter.

Department records confirmed that the named officer was on leave during the second date specified by the complainant. DPA reviewed calls for service at the site around the timeframe identified by the complainant and found only one in which the named officer was dispatched. The Computer Aided Dispatch showed that the reporting party requested assistance with the removal of a tenant.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that on the occasions that the named officer responded to her worksite he was rude and dismissive.

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

**COMPLAINT DATE: 02/12/2024**

**COMPLETION DATE: 04/22/25**

**PAGE# 2 of 2**

The named officer stated that while the site was under the care of the complainant's employer, he was repeatedly denied access to conduct well-being checks, burglary incidents, robbery incidents, etc. He stated that staff routinely refused to assist police in minor incidents and would frequently make racist, sexist and ignorant remarks all while demanding services and then refusing police entry to assist and provide those services. The named officer also stated that he was frustrated by the incongruent direction and lack of clarity received from the various City agencies during the Covid pandemic.

Department records confirmed that the named officer was on leave during the second date specified by the complainant. DPA reviewed calls for service at the site around the timeframe identified by the complainant and found only one in which the named officer was dispatched. The Computer Aided Dispatch showed that the reporting party requested assistance with the removal of a tenant.

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

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

**COMPLAINT DATE: 02/14/2024**

**COMPLETION DATE: 04/10/25**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complainant, an uninvolved third party, witnessed officers asking two unhoused individuals to remove their tent. The complainant opined that the order violated the Eight Amendment and was directly correlated with the Asian-Pacific Economic Cooperation (APEC) in which efforts were made to keep the city streets clear. The complainant noted that debris was picked up by the Department of Public Works.

The DPA conducted additional computer research to identify the incident in question. After several attempts, a computer aided dispatch (CAD) record was located. In summary, the CAD record revealed that someone had made a complaint in the area where the unhoused individuals were located which necessitated a police response. The responding officers requested that the Department of Public Works pick up debris in the area.

Additional research regarding APEC was conducted which showed that the APEC event concluded months prior to the incident in question. Therefore, the complainant's conclusion that the order to remove unhoused individuals was related to APEC was speculative.

The DPA investigation showed that the officers responded to a call for service. Department Notice 23-202 states that officers may only enforce Section 647(e) regarding Illegal Lodging if the individual has erected a tent, tarp, or other structure which, according to the complainant's statement, did occur. Although the complainant perceived the incident as unlawful and as an order resulting from APEC, the evidence proves that the conduct alleged did not occur.

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

**COMPLAINT DATE: 02/14/2024**

**COMPLETION DATE: 04/10/25**

**PAGE# 2 of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant called a district station to speak with a higher-ranking officer to complain about the officers that removed a tent belonging to two unhoused individuals. The complainant stated that the named officer acted unprofessionally by hanging up on him.

The named officer denied the complainant's allegation. The named officer recalled having a conversation about tent removals and that the complainant being upset with the fact that the police department was involved in it. The named officer assured the complainant that the officers' involvement was lawful and within Department policy. The named officer stated the complainant's demeanor started to become confrontational and the conversation started to escalate in tenor. In response, the named officer offered to take the complainant's formal complaint about the incident, but the complainant refused and wanted to argue about whether the officers acted morally. Again, the named officer offered to take the complaint and also provided the complainant with information on how to file a complaint on his own. The officer believed the conversation was unproductive because of the complainant's aggressive tone and concluded the interaction after providing the complainant with complaint filing information.

Department General Order (DGO) 2.01.03 outlines the policy regarding Public Courtesy. It states that when acting in the performance of their duties, members shall, when answering the telephone, identify themselves including their name, rank, unit, station, or bureau, and inquire how they may be of service. Members should also treat the public with courtesy and respect and not direct discourteous or profane language at the members of the public.

This incident took place over the telephone and as a result there was no independent evidence nor witnesses to prove or disprove either party's recollection of the incident. The complainant alleged the named officer hung up the telephone because he was unprofessional whereas the named officer denied acting unprofessionally. The named officer said that he de-escalated the situation by concluding the call once the tenor of the conversation rose and the complainant refused to accept the officer's offer to file a formal complaint. Therefore, the DPA concluded the evidence was insufficient to prove or disprove that the alleged conduct occurred.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 02/27/2024**

**DATE OF COMPLETION: 04/07/25**

**PAGE# 1 of 4**

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

**CATEGORY OF CONDUCT: ND FINDING: IC/S DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant who was working outside with a crew called 911 because a resident, whom he believed to be drunk, drove at a high rate of speed into an active construction zone and almost struck the complainant and his staff. The complainant further alleged that thereafter, the resident verbally threatened the complainant and his workers with violence and that the officers did not investigate the criminal threats nor the DUI and did not take any enforcement action.

The named officers stated the incident was investigated after obtaining statements from both the complainant and the resident. The officers admitted that they did not detain the resident, speak to any witnesses, or seek surveillance cameras. The named officer acknowledged that the complainant wanted the resident to be arrested and requested a field sobriety test. However, the officer determined that the incident was primarily a verbal dispute and there was no property damaged, and no one was injured. The officers also noted that they did not observe any signs of intoxication in the resident, which led them to forego conducting a field sobriety test.

CAD records indicate that the complainant called 911 to report a threat involving an intoxicated resident. This resident drove through the complainant's worksite and verbally threatened both the complainant and his employees, stating that he would "kick all their asses." Dispatch broadcast a description of the resident and the resident's vehicle. The CAD also shows that the named officer commented that no crime was committed, the resident walked away, a CAD number was provided to the complainant, and no further police action was required.

The body-worn camera footage revealed that construction cones and several large work trucks were blocking off a residential street. Multiple employees were present, actively working at the site, while a parking control officer patrolled the area. The footage confirmed that the officer interviewed both parties involved in the incident. The complainant explained that the resident had recklessly driven through the worksite, disregarding the safety of the employees, and had threatened to physically harm them. The complainant alleged that the resident was intoxicated and requested his arrest for making threats and driving under the influence.

In contrast, the resident admitted that he had driven through the worksite but denied threatening the complainant. Instead, he claimed that threats had been directed at him. Neither officer interviewed any

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 02/27/2024**

**DATE OF COMPLETION: 04/07/25**

**PAGE# 2 of 4**

witnesses present at the scene. Later, the resident confessed to the named officer's partner that he had approached the worksite and "confronted them." When the named officer instructed the resident to stay away from the complainant and his crew to allow them to work, the resident became argumentative and defiant. Despite this behavior, neither officer took any further action, even as the resident refused to agree to leave the crew alone. The footage showed that the officers ultimately walked away from the scene, disengaging from the resident.

Department General Order 1.03 outlines the duties and responsibilities of officers assigned to patrol duties. The order specifies that officers must identify serious crimes occurring in their assigned areas that could have been discovered through reasonable diligence. They are also required to create written reports for any crimes they observe or that are reported to them, as long as these crimes have not been previously documented. Additionally, officers are responsible for gathering information about potential witnesses.

DGO 1.03 (3) states, that it would "be considered neglect of duty if they fail to discover serious crimes committed in their areas which could have been discovered through the exercise of reasonable diligence." DGO 1.03 (5)(d) states that patrol officers are required to "make written reports on crimes observed or brought to their attention that have not been previously reported. Book all property and evidence in their custody prior to reporting off-duty."

The DPA's investigation found that the officer failed to properly investigate the report of criminal threats and driving while under the influence as well as the potential crimes of reckless driving and assault with a deadly weapon, namely, a vehicle. The officer did not ensure that he and his junior partner interviewed the eyewitness at the scene nor ask the complainant the necessary follow-up questions to determine whether a crime had occurred.

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

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

**CATEGORY OF CONDUCT:** ND      **FINDING:** IC/S      **DEPT. ACTION:**

**FINDINGS OF FACT:** The complainant reported that the named officer failed take any enforcement action or write a report.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 02/27/2024**

**DATE OF COMPLETION: 04/07/25**

**PAGE# 3 of 4**

The named officer confirmed that the complainant wanted the resident arrested, but he refused because he determined that no crime had occurred. He did not offer the complainant a private person's arrest because, based on his investigation, he saw no reason to do so. The officer stated that he declined the complainant's request for an incident report because a CAD (Computer-Aided Dispatch) record was sufficient to document the call. He further explained that if a crime had occurred, he would have detained the resident, obtained the resident's information, and prepared an incident report.

The body-worn camera footage showed that the resident contacted the officer after they arrived at the scene. The resident introduced himself only by his first name and stated that he did not have his identification card when asked by the partner of the named officer. Despite remaining on the scene for the investigation, there were no further attempts made to verify the resident's identity. The named officer informed the complainant that there was no merit to the claims of criminal threats, which meant that no arrest could be made. He further explained that he would advise the resident to leave the complainant and his staff alone so they could continue their work. The complainant then asked whether the officer would prepare an incident report. The officer declined to do so, stating that he would provide the CAD number instead. The complainant appeared visibly frustrated by the officer's refusal to make an arrest and to prepare a report.

The body-worn camera footage also showed the officer advised the resident to leave the workers alone, but the resident became argumentative, disputing everything the officer said in a slurred speech. At one point, the resident told the officer that he did not have to leave the workers alone. The officer concluded the interaction by walking away.

Department General Order 2.01, General Rules of Conduct, require officers to make all required written reports. Rule 9, states as follows, in relevant part:

While on duty, members shall make all required written reports of crimes or incidents requiring police attention.

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Any member who chooses not to document an incident or statement may be required to justify their decision at a later time when requested to do so by a higher authority and may be subject to discipline.

Here, the named officer violated Department General Order 2.01, Rule 9, by not writing an incident report as required by Department General Order 5.04.04 which states in part, "if probable cause exists,

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 02/27/2024**

**DATE OF COMPLETION: 04/07/25**

**PAGE# 4 of 4**

such that an arrest should be made, accept the private person's arrest and book or cite the individual as appropriate (see DGO 5.06, "Citation Release"). If probable cause does not exist, officers are to accept the arrest and then advise the individual that they are free to leave. "In the event of no arrest or citation, the member shall advise and explain the situation to both parties and shall document the incident in a report."

Pursuant to DGO 5.04 the named officer was required, at a minimum, to advise the complainant of his right to make a private persons arrest and to write an incident report regarding the reported incident even if there was no probable cause to make an arrest.

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: 06/20/2024      COMPLETION DATE: 04/03/25      PAGE# 1 of 4**

**SUMMARY OF ALLEGATIONS #1-2:** The officers conducted an improper search or seizure.

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that officers searched him and his car without cause or permission.

The officers said they were required to tow the car because it had been unregistered for more than a year. The officers said they were required to search the car before towing it to create an inventory of its contents. The named officers further stated that he stopped the complainant in a high crime area, at night, with a female companion suspected of being a sex worker. The named officers stated that from their knowledge, people engaged in sexual activities in that area were often armed with weapons. The named officers also had reason to believe the complainant was potentially armed and dangerous. The lighting was dark, and the complainant was wearing baggy pants.

SFPD documents showed that the complainant and his companion were searched and that the officer had information indicating that the complainant was potentially armed. The vehicle was also searched prior to being towed.

Body camera footage showed that the named officers approached the vehicle, which was parked in a dimly lit area with two occupants inside. The occupants were partially undressed, and the vehicle was unregistered. The footage showed the named officers running checks on the complainant and discovering information indicating that the complainant might be armed. The named officers searched the complainant and his companion. They searched the vehicle as it was to be towed for improper registration. Weapons were found in the vehicle and booked for safekeeping. Suspected marijuana packaged in small envelopes was booked as evidence. The complainant was cited and released.

The searches were within policy as the officers had justifiable beliefs that the occupants could be armed. The vehicle search was also within policy as officers are required to search and inventory the contents of vehicles prior to towing.

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: 06/20/2024      COMPLETION DATE: 04/03/25      PAGE# 2 of 4**

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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he was issued with a citation without cause.

The named officer stated that the citation was issued because the complainant's vehicle was not registered and was over a year out of date. The named officer also stated that the complainant had cannabis in his vehicle in a bag next to weight scales which was enough to suspect that the complainant was selling cannabis illegally.

SFPD documents showed that the complainant was issued a citation for having an unregistered vehicle and sale of cannabis.

Body camera footage showed that the named officer conducted checks on the complainant's vehicle and confirmed that the registration was expired. The footage also showed that the named officer found cannabis and a scale in the complainant's backpack that was in the complainant's vehicle.

The named officer was justified in issuing a citation for both the vehicle registration and the cannabis.

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: 06/20/2024      COMPLETION DATE: 04/03/25      PAGE# 3 of 4**

**SUMMARY OF ALLEGATIONS #4-5:** The officers failed to properly care for, process, or book property.

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that named officers took his driver's license and vehicle title and never returned them to him.

The named officers stated that another officer was the officer in charge of the investigation and was responsible for the safe return of the complainant's property. The other officer admitted that he was the lead investigator, and the responsibility fell on him.

SFPD documents showed that the named officers were not the lead officers on this incident and that another officer was the lead officer on this incident.

The named officers were not responsible for the complainant's property and another officer took responsibility for the loss of the complainant's property.

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

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

**COMPLAINT DATE: 06/20/2024      COMPLETION DATE: 04/03/25      PAGE# 4 of 4**

**SUMMARY OF ALLEGATION #6:** The officer failed to properly care for, process, or book property.

**CATEGORY OF CONDUCT: ND**

**FINDING: IC/S**

**FINDINGS OF FACT:** The complainant stated that the named officer took his driver's license and vehicle title and never returned them to him.

The named officer stated that he was responsible for making sure the complainant got his belongings back after the investigation as concluded. The named officer believed he had given the complainant his property back.

SFPD documents showed that the named officer reviewed the complainant's property but did not state what happened to the property.

Body camera footage showed that the named officer along with other officers took the complainant's property as part of their investigation. The property was placed in the police vehicle and then left there. The named officer concluded his investigation and sent the complainant on his way without returning the property.

This appears to be a mistake on the named officer's behalf. The named officer was responsible for the complainant property and should have made sure that it was returned to the complainant once the investigation was completed.

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: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 1 of 21**

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

**CATEGORY OF CONDUCT: UA**

**FINDING: IC/S**

**FINDINGS OF FACT:** The complainant stated that he and the passenger of his vehicle were unlawfully arrested when they were placed in handcuffs and placed in the back of a police vehicle after the named officer initiated a traffic stop.

The named officer (Field Training Officer of the witness officer) stated that the driver and the passenger were both agitated and verbally assaultive with raised voices from the onset of the traffic stop. She stated the detention of the driver and the passenger was lawful, further noting that the driver was detained when she conducted a traffic stop. She stated that initially, the passenger was free to leave as she only stopped the driver for a traffic violation. The named officer stated she decided to remove the driver and the passenger, put them into handcuffs, and place them in separate patrol vehicles while they completed the citation. She stated she made this decision due to the officer's safety risks of calling family members to the scene. She believed the passenger called family members for malicious reasons because of her initial non-compliance. She stated she instructed the witness officer (her trainee) to handle the driver, and she dealt with the passenger. The named officer stated she did not know, nor was it communicated to her that another officer on the scene asked the driver if he could call anyone who could get the car because it would possibly be towed.

The witness officer (the trainee of the named officer) stated that the complainant and the passenger were both agitated and verbally assaultive with raised voices from the onset of the traffic stop. He stated that the detention of the complainant and the passenger was lawful, further noting that the complainant was detained when he conducted a traffic stop. He stated that initially, the passenger was free to leave as she only stopped the driver for a traffic violation. The witness officer stated the ensuing detention was lawful because the complainant and the passenger obstructed and delayed his duties, violating Penal Code §148, and felt the complainant and the passenger were calling family to come to the scene to "take care of business." He stated he was concerned that a crowd or a mob might form and may bring weapons and use force. The witness officer stated he was unaware that another officer had told the complainant that it would be fine if he called a family member to get the car due to the possibility of it being towed.

Department records indicate that the named and witness officers conducted a traffic stop after observing the complainant run a red light, violating the California Vehicle Code (CVC). The complainant (driver) admitted openly that he ran the red light. The named officer discovered that the complainant's license was

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 2 of 21**

actively suspended, and he or the passenger (registered vehicle owner) did not have insurance as required by the CVC. While the named officer (Field Training Officer) was supervising the witness officer to complete the citation, the complainant and the passenger began shouting, stating they were calling family members to come to the scene. The record indicated that due to officer safety concerns and de-escalation, the named officer separated the driver and passenger by placing them in handcuffs and the back of separate patrol vehicles. The witness officer removed the complainant from the driver's side, put him into handcuffs, and conducted a pat search with negative results. The witness officer then placed the complainant in the back of another patrol vehicle. The named officer removed the passenger and put her in the back of her patrol vehicle while she and the witness officer investigated. The complainant was issued a citation for multiple traffic violations. The passenger was issued a Certificate of Release, and the vehicle was left in a legal parking space because the passenger was also not licensed to drive.

San Francisco Police Department personnel records showed that the named officer was a trainee in his third week of Phase One training.

Body-worn camera footage showed the named and witness officers conducting a traffic stop on the vehicle driven by the complainant. The car was occupied by one passenger sitting in the front passenger seat. From the onset, the complainant (driver), especially the passenger, showed signs of agitation by yelling and verbally engaging with the named and witness officer, especially the named officer. The named officer engaged verbally with the passenger and the driver for several minutes before she and the witness officer returned to their patrol vehicle to complete the citation and other paperwork.

The footage showed, shortly thereafter, a second patrol vehicle arriving with two additional officers who stood by the detained vehicle and occupants. As the named and witness officers completed the citation, yelling, mainly the passenger, was consistently heard from the car. The officer standing by the complainant told the complainant, "That's fine," when the complainant told him that he would have someone come get the car if it was going to be towed. The other officer standing by approached the named officer and informed her that the passenger was never issued a California driver's license and that they were calling the driver's mom to get the vehicle. The named officer told him (the other officer) not to let them call anyone. The other officer told his partner, who was standing by the driver, not to let him call his mom. She informed him they would not have the vehicle towed, and she did not want anyone to come to the scene when the driver and the passenger were so amped up. She stated she did not know who they were calling and how many people were calling. Immediately thereafter, the named officer informed the witness officer that they would detain the driver and passenger due to their erratic behavior.

The footage continued and showed the witness officer asking the complainant to step out of the vehicle, and then he conducted a cursory pat search with negative results. The complainant told the named and witness officers that the witness officer was conducting an illegal search. The named officer informed the complainant that the witness officer was looking for weapons. The witness officer told the complainant that he was being searched for weapons because he was going to place him in the back of a patrol vehicle.

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 3 of 21**

However, the complainant mentioned that another officer said he could call his mom, who was on the phone with the complainant at that time. After the witness officer conducted the pat search, he handcuffed the complainant without complaint that the handcuffs were too tight. The witness officer then placed the complainant in the backseat of a patrol vehicle. The named officer asked the passenger from the car to step out, and she moved the passenger against a wall with minimal force. The passenger offered slight resistance; however, it was without incident. The named officer did not pat search the passenger before placing her in the back of the patrol vehicle.

The footage continued, showing the named and witness officers returning to their patrol vehicle and completing the citation and paperwork. While the complainant was in the back seat of a patrol vehicle, he informed another officer that his cuffs were too tight. The other officer immediately readjusted the handcuffs, and the complainant appeared satisfied as he did not complain that his handcuffs were too tight. Once the citation and paperwork were completed, the witness officer released the complainant from the back of the car and removed his handcuffs. The complainant then complained that his handcuffs continued to be tight even after the adjustment. The complainant signed the citation and briefly verbally engaged with the named officer. The vehicle was left parked in a legal parking spot, and the complainant and the passenger walked away.

California Penal Code §148 states in the relevant part, “Every person who willfully resists, delays, or obstructs any . . . peace officer . . . in the discharge or attempt to discharge any duty of his or her . . . employment . . .”

Department General Order 5.03 (Investigative Detentions) states in the relevant part that an officer must have reasonable suspicion to lawfully detain an individual. It states, “Reasonable suspicion is a set of specific facts that would lead a reasonable person to believe that a crime, is, was, or it 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.”

While the initial detention may have been justified, the prolonged nature of the detention turned the encounter into a de facto arrest. The named officer failed to diligently pursue a means of investigation reasonably designed to confirm or dispel her suspicions quickly, thus exceeding the bounds of the investigative stop.

Department General Order 5.03 states in the relevant part that a “de facto arrest occurs when an officer takes unreasonable or unnecessary actions during an investigative detention. A lawful temporary detention may become an unlawful de facto arrest in violation of the Fourth Amendment, making the detention unlawful. The following combination of factors may elevate an investigative detention into a de facto arrest: an unreasonably lengthy detention, the use of restraints without officer safety justification,

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 4 of 21**

the use of force beyond what is necessary to effect the detention, and the transportation of a detainee without valid consent.”

Erratic behavior combined with suspicious activity can be used as a basis to detain a person. (See *People v. Sawkow* (1984) 150 Cal.App.3d 999.) In this case, the named officer stated on BWC that she placed the female passenger in the back of the police car because she was "unruly" and was going to call people down to the scene. Yelling and cursing are not criminal activity, and calling people to take the car because they believe it would be towed does not justify the detention in this matter. There has to be "criminal activity afoot." (*Terry v. Ohio* (1968) 392 U.S. 1.) Here, the passenger was yelling and cursing at the officer, which was the only reason they were detained.

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

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

**CATEGORY OF CONDUCT: UA**

**FINDING: SF**

**FINDINGS OF FACT:** The complainant stated that he and the passenger of his vehicle were unlawfully arrested when they were placed in handcuffs and placed in the back of a police vehicle after the named officer conducted a traffic stop.

The named officer (the Trainee of the named officer) stated that the complainant and the passenger were both agitated and verbally assaultive with raised voices from the onset of the traffic stop. He stated that the detention of the complainant and the passenger was lawful, further noting that the complainant was detained when he initiated a traffic stop. He stated that initially, the passenger was free to leave as she only stopped the driver for a traffic violation. The named officer stated the ensuing detention was lawful because the complainant and the passenger obstructed and delayed his duties, violating Penal Code §148, and felt the complainant and the passenger were calling family to come to the scene to “take care of business.” He stated he was concerned that a crowd or a mob might form and may bring weapons and use force. The named officer stated he was unaware that another officer had told the complainant that calling a family member to get the car would be acceptable due to the possibility of being towed.

The witness officer, who was the named officer’s Field Training Officer (FTO), stated that the driver and the passenger were both agitated and verbally assaultive with raised voices from the onset of the traffic stop. She stated that the detention of the complainant and the passenger was lawful, further noting that the



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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 5 of 21**

complainant was detained when she conducted a traffic stop. She stated that initially, the passenger was free to leave as she only stopped the driver for a traffic violation. The witness officer stated she decided to remove the complainant and the passenger, put them into handcuffs, and place them in separate patrol vehicles while they completed the citation. She stated she made this decision due to the officer's safety risks of calling family members to the scene. She believed the passenger called family members for malicious reasons because of her initial non-compliance. She stated she instructed the named officer to handle the driver, and she dealt with the passenger. The witness officer stated she did not know, nor was it communicated to her, that another officer on scene asked the driver if he could call anyone who could get the car because it was going to be possibly towed.

Department records indicate that the named and witness officers conducted a traffic stop after observing the complainant run a red light, violating the California Vehicle Code (CVC). The complainant (driver) admitted openly that he ran the red light. The witness officer discovered that the complainant's license was actively suspended, and he or the passenger (registered vehicle owner) did not have insurance as required by the CVC. While the witness officer (Field Training Officer) was supervising the named officer to complete the citation, the complainant and the passenger began shouting, stating they were calling family members to come to the scene. The record indicated that due to officer safety concerns and de-escalation, the witness officer decided to separate the driver and passenger by placing them in handcuffs and placing them in the back of separate patrol vehicles. The named officer removed the complainant from the driver's side, put him into handcuffs, and conducted a pat search with negative results. The named officer then placed the complainant in the back of another patrol vehicle. The witness officer removed the passenger and put her in the back of her patrol vehicle while he and the named officer investigated. The complainant was issued a citation for multiple traffic violations. The passenger was issued a Certificate of Release, and the vehicle was left in a legal parking space because the passenger was also not licensed to drive.

San Francisco Police Department personnel records showed that the named officer was a trainee in his third week of Phase One training.

Body-worn camera footage showed the named and witness officers conducting a traffic stop on the vehicle driven by the complainant. The car was occupied by one passenger sitting in the front passenger seat. From the onset, the complainant (driver), and especially the passenger showed signs of agitation by yelling and verbally engaging with the named and witness officer, especially the witness officer. The witness officer engaged verbally with the passenger and the driver for several minutes before she and the named officer returned to their patrol vehicle to complete the citation and other paperwork.

The footage showed, shortly thereafter, a second patrol vehicle arriving with two additional officers who stood by the detained vehicle. As the named and witness officers completed the citation, yelling, mainly the passenger, was consistently heard from the car. The officer standing by the complainant told the complainant, "That's fine," when the complainant told him that he would have someone come get the car

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 6 of 21**

if it was going to be towed. The other officer standing by approached the witness officer and informed her that the passenger was never issued a California driver's license and that they were calling the driver's mom to get the vehicle. The witness officer told him (the other officer) not to let them call anyone. The other officer told his partner, who was standing by the driver, not to let him call his mom. She informed him that they were not going to have the vehicle towed, and she did not want anyone to come to the scene when the driver and the passenger were so amped up. She stated she did not know who they were calling and how many people were calling. Immediately thereafter, the witness officer informed the named officer that they would detain the driver and passenger due to their erratic behavior.

The footage continued and showed the named officer asking the complainant to step out of the vehicle, and then he conducted a cursory pat search with negative results. The complainant told the named and witness officers that the named officer was conducting an illegal search. The witness officer informed the complainant that the named officer was looking for weapons. The named officer told the complainant that he was being searched for weapons because he was going to place him in the back of a patrol vehicle. However, the complainant mentioned that another officer said he could call his mom, who was on the phone with the complainant at that time. After the named officer conducted the pat search, he handcuffed the complainant without complaint that the handcuffs were too tight. The named officer then placed the complainant in the backseat of a patrol vehicle. The witness officer asked the passenger from the car to step out, and she moved the passenger against a wall with minimal force. The passenger offered slight resistance; however, it was without incident. The witness officer did not pat-search the passenger before placing her in the back of the patrol vehicle.

The footage continued, showing the named and witness officers returning to their patrol vehicle and completing the citation and paperwork. While the complainant was in the back seat of a patrol vehicle, he informed another officer that his cuffs were too tight. The other officer immediately readjusted the handcuffs, and the complainant appeared satisfied as he did not complain that his handcuffs were too tight. Once the citation and paperwork were completed, the named officer released the complainant from the back of the car and removed his handcuffs. The complainant then complained that his handcuffs continued to be tight even after the adjustment. The complainant signed the citation and briefly verbally engaged with the witness officer. The vehicle was left parked in a legal parking spot, and the complainant and the passenger walked away.

California Penal Code §148 states in the relevant part, "Every person who willfully resists, delays, or obstructs any . . . peace officer . . . in the discharge or attempt to discharge any duty of his or her . . . employment . . ."

Department General Order 5.03 (Investigative Detentions) states in the relevant part that an officer must have reasonable suspicion to lawfully detain an individual. It states, "Reasonable suspicion is a set of specific facts that would lead a reasonable person to believe that a crime, is, was, or it about to occur and the person under suspicion is reasonably connected to the crime. Reasonable suspicion to detain is also

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 7 of 21**

established whenever there is any violation of law. Reasonable suspicion cannot be based solely on a hunch or instinct.”

While the initial detention may have been justified, the prolonged nature of the detention turned the encounter into a de facto arrest. The named officer failed to diligently pursue a means of investigation reasonably designed to confirm or dispel her suspicions quickly, thus exceeding the bounds of the investigative stop.

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

The evidence shows that the named officer unnecessarily handcuffed the driver and placed him into a marked patrol vehicle. However, due to the named officer’s recruit status, it is appropriate to conclude that his actions were due to adequate supervision by his field training officer.

The evidence proves that the alleged conduct occurred and was the result of inadequate supervision.

**SUMMARY OF ALLEGATION #3:** The officer conducted an improper search and seizure.

**CATEGORY OF CONDUCT: UA**

**FINDING: SF**

**FINDINGS OF FACT:** The complainant stated that the named officer unlawfully conducted a pat search on his person.

The named officer (the trainee of the witness officer) stated that he never observed weapons while interacting with the complainant or the passenger. He noted that the witness officer (his Field Training Officer) did not direct him to conduct a pat search on the complainant; however, he said he conducted a cursory pat search because the driver was under arrest and would be placed in the back of the patrol

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 8 of 21**

vehicle. He stated that because the complainant was going to be placed in the back of a patrol vehicle, he was trained to conduct a cursory pat search to look for weapons to prevent him from hurting himself or officers. The named officer also stated that he knew he would not transport the complainant because he was only issuing a citation. However, he noted that the complainant was under arrest. The named officer also stated that he believed the complainant was armed with a weapon because he was overly agitated at a simple traffic stop. He stated that due to the complainant's demeanor, he felt unsafe, and if he took him out of the vehicle, the complainant may attack him. The named officer concluded that he conducted a pat search mainly because of the complainant's behavior, which was consistent with his training at the Academy. The named officer stated that the witness officer observed him conducting the pat search, and she did not intervene. She only stopped him when he was almost finished because it prolonged the stop's duration.

The witness officer, the named officer's Field Training Officer (FTO), stated she did not observe any weapons in the complainant's vehicle. She stated she observed the named officer conduct a pat search on the complainant and did not intervene as an FTO to stop the pat search because the pat search was lawful. She stated that she was trained at the Academy that any individual placed in the back of a patrol vehicle must be searched for weapons. In addition, the witness officer stated that the complainant was under arrest for a "cite and release" and was not considering transporting him to jail. She stated that based on the complainant's demeanor and actions, he could have had a knife concealed. She also noted that the complainant challenged her a few times. Another reason the witness officer justified the pat search was because the complainant was wearing baggy clothing. She stated she did not see a bulge because he was wearing baggy clothing and that she'd made numerous arrests and recovered multiple firearms from people who wore baggy clothing. The witness officer stated she did not conduct a pat search on the passenger.

Department records indicate that the named and witness officers conducted a traffic stop after observing the complainant run a red light, violating the California Vehicle Code (CVC). The complainant (driver) admitted openly that he ran the red light. The witness officer discovered that the complainant's license was actively suspended, and he or the passenger (registered vehicle owner) did not have insurance as required by the CVC. While the witness officer (Field Training Officer) was supervising the named officer to complete the citation, the complainant and the passenger began shouting, stating they were calling family members to come to the scene. The record indicated that due to officer safety concerns and de-escalation, the witness officer decided to separate the driver and passenger by placing them in handcuffs and placing them in the back of separate patrol vehicles. The named officer removed the complainant from the driver's side, put him into handcuffs, and conducted a pat search with negative results. The named officer then placed the complainant in the back of another patrol vehicle. The witness officer removed the passenger and put her in the back of her patrol vehicle while he and the named officer investigated. Department records do not document that the witness officer pat-searched the passenger. The complainant was issued a citation for multiple traffic violations. The passenger was issued a

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 9 of 21**

Certificate of Release, and the vehicle was left in a legal parking space because the passenger was also not licensed to drive.

San Francisco Police Department personnel records showed that the named officer was a trainee in his third week of Phase One training.

Body-worn camera footage showed the named and witness officers initiate a traffic stop on the vehicle driven by the complainant. The car was occupied by one passenger sitting in the front passenger seat. From the onset, the complainant (driver), and especially the passenger showed signs of agitation by yelling and verbally engaging with the named and witness officer, especially the witness officer. The witness officer engaged verbally with the passenger and the driver for several minutes before she and the named officer returned to their patrol vehicle to complete the citation and other paperwork.

The footage showed, shortly thereafter, a second patrol vehicle arriving with two additional officers who stood by the detained vehicle. As the named and witness officers completed the citation, yelling, mainly the passenger, was consistently heard from the car. The officer standing by the complainant told the complainant, "That's fine," when the complainant told him that he would have someone come get the car if it was going to be towed. The other officer standing by approached the witness officer and informed her that the passenger was never issued a California driver's license and that they were calling the driver's mom to get the vehicle. The witness officer told him (the other officer) not to let them call anyone. The other officer told his partner, who was standing by the driver, not to let him call his mom. She informed him they would not have the vehicle towed, and she did not want anyone to come to the scene when the driver and the passenger were so amped up. She stated she did not know who they were calling and how many people were calling. Immediately thereafter, the witness officer informed the named officer that they would detain the driver and passenger due to their erratic behavior.

The footage continued and showed the named officer asking the complainant to step out of the vehicle, and then he conducted a cursory pat search with negative results. The complainant told the named and witness officers that the named officer was conducting an illegal search. The witness officer informed the complainant that the named officer was looking for weapons. The named officer told the complainant that he was being searched for weapons because he was going to place him in the back of a patrol vehicle. However, the complainant mentioned that another officer said he could call his mom, who was on the phone with the complainant at that time. After the named officer conducted the pat search, he handcuffed the complainant without complaint that the handcuffs were too tight. The named officer then placed the complainant in the backseat of a patrol vehicle. The witness officer asked the passenger from the car to step out, and she moved the passenger against a wall with minimal force. The passenger offered slight resistance; however, it was without incident. The witness officer did not pat-search the passenger before placing her in the back of the patrol vehicle.

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 10 of 21**

The footage continued, showing the named and witness officers returning to their patrol vehicle and completing the citation and paperwork. While the complainant was in the back seat of a patrol vehicle, he informed another officer that his cuffs were too tight. The other officer immediately readjusted the handcuffs, and the complainant appeared satisfied as he did not complain that his handcuffs were too tight. Once the citation and paperwork were completed, the named officer released the complainant from the back of the car and removed his handcuffs. The complainant then complained that his handcuffs continued to be tight even after the adjustment. The complainant signed the citation and briefly verbally engaged with the witness officer. The vehicle was left parked in a legal parking spot, and the complainant and the passenger walked away. Neither the complainant nor the passenger wore baggy clothing.

Department General Order 5.03 states in relevant part that officers “may conduct a pat search for weapons when: 1) The person is lawfully detained for an investigative purpose; and 2) The officer has specific and articulable facts causing them to believe the suspect is armed and dangerous. The validity of a pat search depends on the totality of the circumstances and turns on whether a reasonably prudent officer would be warranted in the belief that the officer’s safety, or that of others was in danger.” In addition, it states “the underlying detention must be legal.”

The San Francisco Police Department Field Training Manual outlines important factors when officers conduct a pat search. It states in the relevant part, “If the original stop of the subject is lawful and the officer has reasonable belief that the person stopped may possess a weapon: 1) The officer has a right to make a pat-down or limited weapons search.

San Francisco Police Department Arrest and Control Manual addresses whether or not an officer can conduct a search on individuals for non-arrest transports. It states in the relevant part, “Non-arrest transports may pose a special problem. It is suggested that officers who transport individuals as a courtesy, within department guidelines, conduct a consent search for weapons prior to allowing the subject in their vehicle.”

Evidence shows that the complainant and passenger were handcuffed and placed in the back of a patrol vehicle because the named officer felt they were verbally assaultive and called relatives to come to the scene for nefarious reasons. It is clear that the complainant or the passenger would not be arrested and transported to jail. Still, they were merely separated from each other in order for the named and witness officers to complete the traffic citation and send them on their way. Department policies specifically address non-arrest transports, which could be applied in this circumstance. In this incident, Department policy dictates that consent to a search should have been received before searching. It is clear from the named officer’s body-worn camera footage that he only searched the complainant because he was going to put him in a patrol vehicle. The named officer stated this to the complainant as he conducted the pat search over the complainant’s objections.

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 11 of 21**

Evidence also shows that the named and witness officers did not initially believe the complainant was armed with a weapon as they did not perform a cursory pat search for weapons upon contact. From the onset, the complainant and passenger showed signs of agitation by raising their voices and verbally attacking the named and witness officers. The named and witness officers also observed the clothing of the complainant and the passenger as they interacted with them for several minutes. The named and witness officers both justified the pat search by stating that the complainant could have been armed with a weapon because he and the passenger were verbally assaultive, and that the complainant was wearing baggy clothing. The named and witness officers used these factors as part of the lawful basis to justify a pat search. The complainant's and the passenger's behavior were consistent throughout the encounter, and it was only after 23 minutes that the witness officer decided to separate them. Nothing transpired in the 23 minutes that would leave a reasonable person to believe that the driver acquired a weapon during the course of the traffic stop. Two officers stood by the complainant's vehicle while the named and witness officers were in their car preparing the citation. As seen on the body-worn camera, the two officers on standby never indicated to the named and witness officers that they believed the complainant was armed with a weapon. Also, the complainant was not wearing baggy clothing.

In addition to the above, evidence shows that the named and witness officers stated the pat search was lawful because the complainant was under arrest. There is no evidence that the complainant was under arrest. Body-worn camera footage clarifies that the witness officer intended to separate the complainant and passenger so she and the witness officer could complete the citation. There was no intention of transporting the complainant or passenger to jail. In addition, if the pat search were justified as claimed by the named and witness officer because the complainant was under arrest, the witness officer would have conducted a full search of the complainant, not just a cursory pat search.

The evidence proves that the alleged conduct occurred and was the result of inadequate supervision.

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

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer applied handcuffs too tightly.

The named officer stated he placed handcuffs on the complainant in a way consistent with his training at the Academy. He checked the proper degree of tightness and double-locked the handcuffs. He stated that when he handcuffed the complainant, he did not complain that the handcuffs were too tight.

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 12 of 21**

Department records indicate that the named officer conducted a traffic stop after observing the complainant run a red light, violating the California Vehicle Code (CVC). The complainant (driver) admitted openly that he ran the red light. The witness officer discovered that the complainant's license was actively suspended, and he or the passenger (registered vehicle owner) did not have insurance as required by the CVC. While the witness officer (Field Training Officer) was supervising the named officer to complete the citation, the complainant and the passenger began shouting, stating they were calling family members to come to the scene. The record indicated that due to officer safety concerns and de-escalation, the witness officer decided to separate the driver and passenger by placing them in handcuffs and placing them in the back of separate patrol vehicles. The named officer removed the complainant from the driver's side, put him into handcuffs, and conducted a pat search with negative results. The named officer then placed the complainant in the back of another patrol vehicle. The witness officer removed the passenger and put her in the back of her patrol vehicle while he and the named officer investigated. The complainant was issued a citation for multiple traffic violations. The passenger was issued a Certificate of Release, and the vehicle was left in a legal parking space because the passenger was also not licensed to drive.

Body-worn camera footage corroborated the named officer's statement.

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

**SUMMARY OF ALLEGATION #5:** The officer improperly used physical control.

**CATEGORY OF CONDUCT: UF**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that the named officer applied handcuffs too tightly.

The named officer stated she did not place the complainant into handcuffs.

Department records indicate that the named officer conducted a traffic stop after observing the complainant run a red light, violating the California Vehicle Code (CVC). The complainant (driver) admitted openly that he ran the red light. The named officer discovered that the complainant's license was actively suspended, and he or the passenger (registered vehicle owner) did not have insurance as required by the CVC. While the named officer (Field Training Officer) was supervising the witness officer to complete the citation, the complainant and the passenger began shouting, stating they were calling family



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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 13 of 21**

members to come to the scene. The record indicated that due to officer safety concerns and de-escalation, the named officer decided to separate the driver and passenger by placing them in handcuffs and placing them in the back of separate patrol vehicles. The witness officer removed the complainant from the driver's side, put him into handcuffs, and conducted a pat search with negative results. The witness officer then placed the complainant in the back of another patrol vehicle. The named officer removed the passenger and put her in the back of her patrol vehicle while she and the witness officer investigated. The complainant was issued a citation for multiple traffic violations. The passenger was issued a Certificate of Release, and the vehicle was left in a legal parking space because the passenger was also not licensed to drive.

Body-worn camera footage corroborated the named officer's statement.

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

**SUMMARY OF ALLEGATION #6:** The officer improperly used physical control.

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer applied handcuffs too tightly.

The named officer stated that another officer placed the complainant in handcuffs and then placed him in the back of the patrol vehicle. The named officer said he was acting as backup for the primary officers, and he stood by the complainant while the primary officers completed their citation. He stated that the complainant notified him that the handcuffs were too tight, so he readjusted the complainant's handcuffs, followed his training, checked for the proper degree of tightness, and double-locked them. He stated that when he initially checked the degree of tightness after the complaint, he noted that the handcuffs were not excessively tight. However, he made a slight adjustment. He stated that after he readjusted the complainant's handcuffs, he did not complain that they were too tight until he was taken out of the patrol vehicle and was uncuffed.

Department records indicate that the primary officers conducted a traffic stop after observing the complainant run a red light, violating the California Vehicle Code (CVC). The complainant (driver) admitted openly that he ran the red light. The primary officers discovered that the complainant's license was actively suspended, and he or the passenger (registered vehicle owner) did not have insurance as required by the CVC. While the primary officers completed the citation, the complainant and the passenger began shouting, stating they were calling family members to come to the scene. The record

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 14 of 21**

indicated that due to officer safety concerns and de-escalation, one of the primary officers decided to separate the driver and passenger by placing them in handcuffs and placing them in the back of separate patrol vehicles. One of the primary officers removed the complainant from the driver's side, put him into handcuffs, and conducted a pat search with negative results. He then placed the complainant in the back of the named officers' patrol vehicle. The other primary officer removed the passenger and put her in the back of her patrol vehicle while the primary officers investigated. The complainant was issued a citation for multiple traffic violations. The passenger was issued a Certificate of Release, and the car was left in a legal parking space because the passenger was also not licensed to drive.

Body-worn camera footage corroborated the named officer's statement.

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

**SUMMARY OF ALLEGATION #7:** The officer used unnecessary or excessive force.

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer slammed his girlfriend into a wall.

The named officer stated she told the passenger to place her hands behind her back. However, the passenger turned towards her, and the officer turned her back around. She stated it felt like the passenger was leaning against her, so she slightly pushed her back. The named officer also stated the passenger was intoxicated and off balance. She denied slamming the complainant against a wall.

Department records indicate that the named officer conducted a traffic stop after observing the complainant run a red light, violating the California Vehicle Code (CVC). The complainant (driver) admitted openly that he ran the red light. The named officer discovered that the complainant's license was actively suspended, and he or the passenger (registered vehicle owner) did not have insurance as required by the CVC. While the named officer (Field Training Officer) was supervising the witness officer complete the citation, the complainant and the passenger began shouting, stating they were calling family members to come to the scene. The record indicated that due to officer safety concerns and de-escalation, the named officer decided to separate the driver and passenger by placing them in handcuffs and placing them in the back of separate patrol vehicles. The witness officer removed the complainant from the driver's side, put him into handcuffs, and conducted a pat search with negative results. The witness officer then placed the complainant in the back of another patrol vehicle. The named officer removed the

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 15 of 21**

passenger and put her in the back of her patrol vehicle while she and the witness officer investigated. The complainant was issued a citation for multiple traffic violations. The passenger was issued a Certificate of Release, and the vehicle was left in a legal parking space because the passenger was also not licensed to drive.

The body-worn camera corroborated the named officer's statement. The passenger was not slammed into a wall.

Department General Order 5.01 states in the relevant part that officers must use a minimal amount of force that is reasonable.

Evidence shows that the named officer used minimal force to place the passenger of the vehicle into handcuffs. The body-worn camera did not show the named officer slamming the passenger into a wall, as alleged by the complainant.

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

**SUMMARY OF ALLEGATION #8:** The officer behaved or spoke inappropriately.

**CATEGORY OF CONDUCT: CUO**

**FINDING: IC/S**

**FINDINGS OF FACT:** The complainant stated that the named officer acted unprofessionally in her communication with him.

The named officer (Field Training Officer) stated she did not violate Department General Order 2.01, requiring officers to treat members of the public with courtesy and respect. She said she spoke to the complainant in the manner she did because she was defending herself based on his statement by telling her to "shut up." She stated she did not use profane language, and she had to patrol that area every night, so she had to show some form of defense for herself. She stated that her interaction with the complainant "absolutely" set a good example for her trainee because he has to protect himself or at least show some form of authority when dealing with someone who is unruly. The named officer described her exchange with the complainant as "verbal judo."

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 16 of 21**

Department records indicate that the named officer conducted a traffic stop after observing the complainant run a red light, violating the California Vehicle Code (CVC). The complainant (driver) admitted openly that he ran the red light. The named officer discovered that the complainant's license was actively suspended, and he or the passenger (registered vehicle owner) did not have insurance as required by the CVC. While the named officer (Field Training Officer) was supervising the witness officer complete the citation, the complainant and the passenger began shouting, stating they were calling family members to come to the scene. The record indicated that due to officer safety concerns and de-escalation, the named officer decided to separate the driver and passenger by placing them in handcuffs and placing them in the back of separate patrol vehicles. The witness officer removed the complainant from the driver's side, put him into handcuffs, and conducted a pat search with negative results. The witness officer then placed the complainant in the back of another patrol vehicle. The named officer removed the passenger and put her in the back of her patrol vehicle while she and the witness officer investigated. The complainant was issued a citation for multiple traffic violations. The passenger was issued a Certificate of Release, and the vehicle was left in a legal parking space because the passenger was also not licensed to drive.

Body-worn camera footage showed the named officer verbally engaging with the complainant, who was agitated about the length of time it took to process the citation. The footage showed the complainant tell the named officer to shut up, with the named officer responding, "No, I'm not going to shut up . . . make me." The driver then stated, "You have a gun." The named officer responded that she would take it off, and the complainant said, "Maybe off duty." The named officer then replied, "So you hit women?"

Department General Order 2.01 (General Rules of Conduct) states in the relevant part that officers shall "Treat the public with courtesy and respect . . ."

Department General Order 3.13 (Field Training Program) and Department Notice 24-014 (Field Training Update) states in the relevant part, "[T]he Field Training Program strives to provide trainee officers the ability to acquire knowledge, skills and abilities to become competent and effective police officers who are committed to Safety with Respect."

California POST-Certified Field Training Program Guide defines the role of the Field Training Officer. It states in the relevant part that "FTOs have significant additional responsibilities over and above their law enforcement duties when assigned to train a new officer. In addition to performing in an exemplary manner, FTOs must slow their pace to review the purpose and detail of every new encounter. FTO's must guide trainees through a comprehensive curriculum that requires the blending of knowledge and skill." It also states, "FTOs must always conduct themselves in a professional manner. They must teach and reinforce department policy and procedures. FTOs who focus on values and teach real-life lessons will have a profound impact on the trainee's success. They should remember that trainees will be a product of what they are taught and of the behavior that is demonstrated to them. FTOs should attempt to set the highest standards in all areas of their performance . . . FTOs must be positive role models! They must lead

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 17 of 21**

by example exhibiting integrity, honesty, and ethical behavior. Maintaining a professional demeanor and appearance; adhering to department rules and regulations; supporting the department's vision, mission, and values . . .”

San Francisco Police Department Field Officer 40-hour Training Course defines the functions and roles of FTOs. It states that the FTO must act as a role model by leading, teaching by example, and modeling appropriate behavior.

The named officer was unprofessional and should be held to the highest standards as an FTO. Her “verbal judo” was not a valid excuse to behave as she did. As a Field Training Officer, she is required to perform in an exemplary manner and have the ability to provide trainees with the skills to become a police officer who is committed to safety and respect. The named officer did not set a good example for her trainee as to how to conduct himself with agitated individuals.

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

**SUMMARY OF ALLEGATION #9:** The officer failed to comply with the Department’s Stop Data Collection requirement.

**CATEGORY OF CONDUCT: ND**

**FINDING: SF**

**FINDINGS OF FACT:** The Department of Police Accountability discovered through its investigation that the named officer failed to record Stop Data as required.

The named officer stated that as a Phase One trainee, it was his responsibility to enter Stop Data. He could not remember if he entered Stop Data, but he conceded that it would be safe to assume It was not entered if there was no record of it.

San Francisco Police Department personnel records showed that the named officer was a trainee in his third week of Phase One training.

The San Francisco Police Department Legal Division could not locate Stop Data associated with this incident.

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 18 of 21**

Department Notice 23-159 “mandates reportable stop information be entered into Benchmark Stop Data Systems (BSDS).

Department Notice 23-198 “mandates reportable stop information be collected.”

The named officer did not enter Stop Data into BSDS as required.

The evidence proves that the alleged conduct occurred and was the result of inadequate supervision.

**SUMMARY OF ALLEGATION #10:** The officer failed to properly supervise.

**CATEGORY OF CONDUCT: ND**

**FINDING: IC/S**

**FINDINGS OF FACT:** During its investigation, the Department of Police Accountability discovered that the named officer, a Field Training Officer, failed to properly supervise her trainee (the witness officer), who was on Week 3 of Phase 1 field training. The named officer observed the Trainee conduct an unlawful pat search and failed to ensure he entered Stop Data, as required.

The named officer stated she observed the witness officer conduct a pat search on the complainant. She stated she did not intervene and believed the pat search was lawful. She further stated that as a field training officer (FTO), it was not her responsibility to ensure that her trainee entered stop data into the appropriate database.

The witness officer (the trainee of the named officer) stated that the named officer observed him conducting a pat search and that she did not intervene.

A subject matter expert (SME) was interviewed regarding the role and responsibilities of an FTO. The SME stated that the FTO is responsible for teaching the trainee to follow the law and Department policies and procedures, supervising them, and doing things the right way. The SME also stated that in Phase One of training, the trainees are not expected to know anything.

San Francisco Police Department personnel records showed the trainee was in his third week of Phase One training.

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 19 of 21**

Department records indicate that the named and witness officers conducted a traffic stop after observing the complainant run a red light, violating the California Vehicle Code (CVC). The complainant (driver) admitted openly that he ran the red light. The named officer discovered that the complainant's license was actively suspended, and he or the passenger (registered vehicle owner) did not have insurance as required by the CVC. While the named officer (Field Training Officer) was supervising the witness officer complete the citation, the complainant and the passenger began shouting, stating they were calling family members to come to the scene. The record indicated that due to officer safety concerns and de-escalation, the named officer decided to separate the driver and passenger by placing them in handcuffs and placing them in the back of separate patrol vehicles. The witness officer removed the complainant from the driver's side, put him into handcuffs, and conducted a pat search with negative results. The witness officer then placed the complainant in the back of another patrol vehicle. The named officer removed the passenger and put her in the back of her patrol vehicle while she and the witness officer investigated. The complainant was issued a citation for multiple traffic violations. The passenger was issued a Certificate of Release, and the vehicle was left in a legal parking space because the passenger was also not licensed to drive.

Body-worn camera footage showed the named and witness officer effect a traffic stop on the vehicle driven by the complainant. The car was occupied by one passenger sitting in the front passenger seat. From the onset, the complainant (driver), especially the passenger, showed signs of agitation by yelling and verbally engaging with the named and witness officer, especially the named officer. The named officer engaged verbally with the passenger and the driver for several minutes before she and the witness officer returned to their patrol vehicle to complete the citation and other paperwork.

The footage showed, shortly thereafter, a second patrol vehicle arriving with two additional officers who stood by the detained vehicle. As the named and witness officers completed the citation, yelling, mainly the passenger, was consistently heard from the car. The officer standing by the complainant told the complainant, "That's fine," when the complainant told him that he would have someone come get the car if it was going to be towed. The other officer standing by approached the named officer and informed her that the passenger was never issued a California driver's license and that they were calling the driver's mom to get the vehicle. The named officer told him (the other officer) not to let them call anyone. The other officer told his partner, who was standing by the driver, not to let him call his mom. She informed him they would not have the vehicle towed, and she did not want anyone to come to the scene when the driver and the passenger were so amped up. She stated she did not know who they were calling and how many people were calling. Immediately thereafter, the named officer informed the witness officer that they would detain the driver and passenger due to their erratic behavior.

The footage continued and showed the witness officer asking the complainant to step out of the vehicle, and then he conducted a cursory pat search with negative results. The complainant told the named and witness officers that the witness officer was conducting an illegal search. The named officer informed the complainant that the witness officer was looking for weapons. The witness officer told the complainant

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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 20 of 21**

that he was being searched for weapons because he was going to place him in the back of a patrol vehicle. However, the complainant mentioned that another officer said he could call his mom, who was on the phone with the complainant at that time. After the witness officer conducted the pat search, he handcuffed the complainant without complaint that the handcuffs were too tight. The witness officer then placed the complainant in the backseat of a patrol vehicle. The named officer asked the passenger from the car to step out, and she moved the passenger against a wall with minimal force. The passenger offered slight resistance; however, it was without incident. The named officer did not pat search the passenger before placing her in the back of the patrol vehicle.

The footage continued, showing the named and witness officers returning to their patrol vehicle and completing the citation and paperwork. While the complainant was in the back seat of a patrol vehicle, he informed another officer that his cuffs were too tight. The other officer immediately readjusted the handcuffs, and the complainant appeared satisfied as he did not complain that his handcuffs were too tight. Once the citation and paperwork were completed, the witness officer released the complainant from the back of the car and removed his handcuffs. The complainant then complained that his handcuffs continued to be tight even after the adjustment. The complainant signed the citation and briefly verbally engaged with the named officer. The vehicle was left parked in a legal parking spot, and the complainant and the passenger walked away.

Department General Order 3.13 (Field Training Program) and Department Notice 24-014 (Field Training Update) state in the relevant part, “[T]he Field Training Program strives to provide trainee officers the ability to acquire. Knowledge, skills and abilities to become competent and effective police officers who are committed to Safety with Respect.”

California POST-Certified Field Training Program Guide defines the role of the Field Training Officer. It states in the relevant part that “FTOs have significant additional responsibilities over and above their law enforcement duties when assigned to train a new officer. In addition to performing in an exemplary manner, FTOs must slow their pace to review the purpose and detail of every new encounter. FTO's must guide trainees through a comprehensive curriculum that requires the blending of knowledge and skill.”

San Francisco Police Department Field Officer 40-hour Training Course defines the functions and roles of FTOs. It states that the FTO is the first in the trainee’s command. In addition, it states that an intervention by the FTO would be appropriate if the FTO observed the trainee misapplying the law or violating civil rights.

Evidence showed that the named officer observed her trainee conduct an unlawful pat search for weapons before placing him into the back of a patrol vehicle. In addition, her trainee, who was only three weeks into his first training phase, failed to enter Stop Data. As an FTO, especially for a new trainee, it was the named officer’s responsibility to intervene when her trainee conducted an illegal pat search and ensured that he entered Stop Data as required.



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

**COMPLAINT DATE: 07/04/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 21 of 21**

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: 07/10/2024**

**COMPLETION DATE: 04/02/25**

**PAGE# 1 of 4**

**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to write an incident report.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that her vehicle experienced a mechanical issue, leading her to accidentally drive into a residential building. She expressed frustration that the named officers did not prepare an incident report but instead left her an index card with her information on it.

The named officers reported that they responded to a call regarding the complainant driving into a garage pillar in a residential building. Upon arriving at the scene, they found the complainant inside an ambulance, receiving a medical evaluation. The complainant was medically cleared and did not sustain any injuries so the officers facilitated an exchange of information between the involved parties. They collected the insurance details for each party and assisted in sharing this information with the complainant and the property manager. Both officers wrote relevant information on a card that was given to the complainant so she could report the incident to her insurance company.

The computer aided dispatch (CAD) record indicates that the complainant called 9-1-1 to report that her brakes failed, causing her to hit a pillar in the garage of a residential building. The fire department and named officers were dispatched to the scene. The crash did not create a hazard on the street, traffic was not blocked, the complainant was unharmed, and there was no gas leak. The officers determined that the vehicle crash only resulted in property damage and facilitated an exchange of information between the complainant and the property manager.

The Body-Worn Camera (BWC) footage shows Officer #1 speaking with the complainant immediately after she exited the ambulance. The complainant did not report any injuries and was able to walk. Officer #1 informed the complainant that their role was to assist with the information exchange between she and the property manager of the building. Both officers obtained and provided information to the complainant and property manager to facilitate the exchange of information. The complainant was provided with an index card with the property manager's information on it for the complainant to provide to her insurance company. At no point did the complainant request an incident report for the accident.

Department General Order (DGO) 9.02.02 (A) states that it is the policy of the San Francisco Police Department to investigate and report the following types of vehicle crashes:

1. All traffic crashes resulting in death or injury.
2. All hit and run traffic crashes resulting in death, injury or property damage.
3. All runaway vehicle crashes resulting in death, injury, or property damage.
4. All traffic crashes involving a city-owned vehicle or damage to city owned property.

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

**COMPLAINT DATE: 07/10/2024**

**COMPLETION DATE: 04/02/25**

**PAGE# 2 of 4**

5. All school bus crashes.
6. All traffic crashes involving an arrest.
7. When the driver of any involved vehicle is suspected of being under the influence of alcohol or drugs.
8. All traffic injury crashes involving bicycles and pedestrians.
9. All Autonomous Vehicle (AV) injury and non-injury crashes, where vehicle was physically driven or remotely monitored, shall be documented on a CHP 555 report.

Additionally, DGO 9.02.02 (B) states that members need not investigate or report non-injury (property damage) vehicle crashes that do not include any of the above-listed criteria.

The investigation revealed that the complainant was involved in a vehicle crash without injuries, resulting in only property damage; therefore, the officers were not required to investigate or create an incident report.

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

**SUMMARY OF ALLEGATION #3:** The officer conducted an improper search or seizure.

**CATEGORY OF CONDUCT: UA**

**FINDING: TF**

**FINDINGS OF FACT:** The complainant reported that the officer removed items from her glove compartment and left them on the driver's seat and on the garage floor. She stated that she did not give the officer permission to search her vehicle. She believed he had entered her garage and her vehicle looking for her driver's license but instead found her insurance card.

The officer reported that when he and his partner arrived on the scene, the complainant was being evaluated by medics. Although she had already informed dispatch that she was uninjured, he was unsure if that was accurate. Since there was still a possibility that she could be transported, he decided to retrieve her insurance information from her vehicle to ensure she met the requirement outlined in the California Vehicle Code to provide insurance at the scene of a collision. Furthermore, DGO 09.02.03 states that officers should ensure proper collision information is exchanged. Understanding that insurance information needed to be exchanged to manage the civil matter, he opened the car door and then the glove compartment. He retrieved the insurance information and transcribed it onto an index card, leaving it on the driver's seat before closing the door. He then provided the insurance information and the property manager's phone number to his partner to facilitate the exchange of information.

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

**COMPLAINT DATE: 07/10/2024**

**COMPLETION DATE: 04/02/25**

**PAGE# 3 of 4**

The officer was not required to activate his body-worn camera for the entirety of the incident. As a result, there was no body-worn camera footage of when the officer entered the glove compartment to retrieve the complainant's insurance information.

The complainant did not have a reasonable expectation of privacy in the garage where the crash occurred because she did not live there. Therefore, her allegation that the officer's entry to the garage was an improper search is without merit. That said, the Department of Police Accountability concluded that reaching into the closed glove compartment of the vehicle is a search under the Fourth Amendment. Under the automobile exception to the warrant requirement, police officers who have probable cause to believe a vehicle contains evidence or contraband, may conduct a warrantless search of any area of the vehicle in which the evidence or contraband can be found. (*US v. Ross* (1982) 456 U.S. 798, 799-800.) A number of other exceptions to the warrant requirement may authorize a vehicle search such as if the owner consents to the search, when conducting a search incident to arrest or an inventory search when the vehicle is seized/towed, or when the vehicle is an instrumentality of a crime. None of those exceptions apply here.

In 2019, the California Supreme Court overruled prior state case law and held that warrantless entry to a vehicle to locate registration and other identification is not permitted by federal constitutional law. (*People v. Lopez* (2019) 8 Cal.5th 353.) Accordingly, the DPA concluded that officers may not enter to obtain insurance information, either.

Moreover, the community caretaking exception to the warrant requirement applies to inventory searches, not in the post-accident context.

That said, the DPA has determined that the allegation should be deemed a training failure rather than misconduct. For non-injury traffic accidents, police officers are required under DGO 9.02.03.L, to "ensure the proper exchange of the Collision Information Form (SFPD 19) and, if necessary, assist each party with its completion." The evidence demonstrated that the named officer went into the glove compartment to fulfill his obligation to help the parties exchange information not realizing that he needed an exception to the warrant requirement to enter the complainant's vehicle. Because this was a civil matter, he did not realize that the San Francisco Police Department (SFPD) policies and training regarding criminal investigatory vehicle searches applied in the context of a non-criminal traffic accident.

Notably, the DPA interviewed a SFPD subject matter expert on the Fourth Amendment. He explained the officers are not specifically trained on search and seizure laws as they apply in the context of non-criminal traffic accidents. The focus is on criminal investigatory searches of vehicles. Therefore, the DPA concluded that inadequate training led to this outcome. We note that the intrusion was minimal, and that

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

**COMPLAINT DATE: 07/10/2024**

**COMPLETION DATE: 04/02/25**

**PAGE# 4 of 4**

the officer did not intend to violate the complainant's constitutional rights. He intended to help the complainant by retrieving her insurance information while she was being evaluated by medics. The officer's good faith mistake was the product of inadequate training, not misconduct.

**SUMMARY OF ALLEGATION #4:** The officer conducted an improper search or seizure.

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complainant reported that the officer entered the garage and searched her vehicle without permission.

The officer reported that his partner retrieved the complainant's insurance information from her car. He stated that the insurance information was obtained to comply with DGO 9.02.03.

Body-worn camera footage confirms that the officer did not enter the complainant's vehicle to retrieve her insurance information. The officer was provided an index card that already had the complainant's insurance information on it. The officer then called the property manager and provided the complainant's information to her. The officer also described the property damage he observed and said that he was facilitating the exchange of information between she and the complainant. While on the phone with the property manager he entered the garage and confirmed there was no structural damage and that there was damage to the garage door.

Department General Order 9.02.03 states that officers on scene of non-injury vehicle crashes must ensure the proper exchange of collision information.

The evidence proves that the alleged conduct did not occur as reported by the complainant. The complainant did not live in the building and did not have a reasonable expectation of privacy in the garage as required under the Fourth Amendment to challenge a search. Moreover, this officer did not enter the complainant's vehicle to obtain insurance information. His partner did. Therefore, the allegation to this officer is unfounded.

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

**COMPLAINT DATE: 07/24/2024      COMPLETION DATE: 04/01/2025      PAGE# 1 of 3**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant, on behalf of an elderly male, called the police to report that the upstairs tenants to the building the male owned were flooding the area, causing damage to his vehicles parked in the garage. She alleged that despite knowing that the male is elderly and requires extra time to answer the door, the named officer's drove-by without even coming to the door.

The named officers recalled the incident. Before responding to the call, they were aware of the ongoing issue between the complainant, the elderly male, and the tenants residing upstairs. The named officers stated that while Dispatch did inform them that the elderly male was disabled, Dispatch did not inform them that he required extra time to answer the door or provide them with any specific impairments that would have made them believe that. When the officers responded to the scene, the officers had Dispatch conduct a call-back with negative results. They left a message for the elderly male. They waited a few minutes prior to departing.

The named officers did not knock on the door or attempt to make contact in another way because the call-backs went unanswered. The named officers believe they waited enough time before departing the scene, even considering that he may be disabled, because he did not answer the phone. They also stated that given it was in the middle of the night, they did not want to knock on the door in the event he went to sleep. The named officers, having knowledge of this ongoing issue, had already informed the elderly male and the complainant that they need to seek civil remedies and go through the eviction process, which is outside the Department's jurisdiction.

The Computer Aided Dispatch (CAD) report showed that Dispatch informed the named officers that the male was disabled and requested units to meet with him inside his unit prior to contacting the tenants. However, the CAD also showed that the named officers had Dispatch conduct a call-back, which went unanswered. A message was left alerting the male that the named officers were on scene. Shortly thereafter, the named officers left the scene.

DPA understands that the named officers could have used alternative methods such as knocking on the door. However, the named officers were not required to do anything further as they responded to the scene, had Dispatch do a call-back to alert the elderly male that they were there, and waited a few minutes prior to departing.

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

**COMPLAINT DATE: 07/24/2024      COMPLETION DATE: 04/01/2025      PAGE# 2 of 3**

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** Several hours later, the complainant called the police again regarding the tenant's behavior. The complainant stated that the named officers responded to the scene and texted the elderly male that they were not coming to the door and left. She was upset again that the named officers did not come to the door and or did not wait enough time for him to respond to the door given his age and physical limitations.

The named officers confirmed responding to the call for service. The named officers did not recall whether Dispatch informed them of the male's physical or mental impairments, or that he required additional time. They made several attempts to contact the complainant. They attempted a call-back with negative results, and they knocked on the door with no answer. Additionally, they did not observe any visible water damage or anything else noteworthy. The named officers could not recall the exact amount of time they waited for a response, but felt it was enough time. The named officers attested that they were not required to make additional attempts for contact and believed the attempts they made were sufficient. The named officers also noted that even if he could not have answered the door due to his physical limitations, he could have answered the phone call. Without making contact or observing water damage as alleged, the named officers stated they could not do anything more.

The Computer Aided Dispatch (CAD) report confirmed that the named officers responded to the scene and made several attempts to contact the complainant and the elderly male. The report showed that the officers requested a call-back and knocked on the door with negative results and that they did not observe any water damage.

The named officers made efforts to contact the complainant and the elderly male before departing the scene, both by having Dispatch call back and knocking on the door.

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

**COMPLAINT DATE: 07/24/2024      COMPLETION DATE: 04/01/2025      PAGE# 3 of 3**

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: 07/31/2024**

**COMPLETION DATE: 04/22/25**

**PAGE# 1 of 3**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant said that several years ago, they reported being brutally beaten, and the named officer made them feel they were delusional, crazy, and making up things based on their mental status.

The named officer stated that he did not recall the incident; however, he did confirm that he was on duty on the date of the report. He advised that department records showed that he responded to a call-for-service regarding a kidnapping.

Department of Emergency Management (DEM) and police records showed that the named officer called the complainant. The complainant answered the call, said they were at the hospital, and disconnected the call.

No body-worn camera footage could be located because the call-for-service occurred several years ago.

DGO 2.01, Rule 14, Public Courtesy, states that when acting in the performance of their duties, while on or off duty, officers shall treat the public with courtesy and respect and not use harsh, profane or uncivil language.

There is insufficient evidence to confirm or refute the complainant's or the officer's accounts.

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

**SUMMARY OF ALLEGATION #2:** The officer failed to investigate an incident as presented.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

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

**COMPLAINT DATE: 07/31/2024**

**COMPLETION DATE: 04/22/25**

**PAGE# 2 of 3**

**FINDINGS OF FACT:** The complainant tried to report sex trafficking and domestic violence incidents. The complainant stated that the named officer communicated that he did not have enough evidence to pursue an investigation and then apologized for not taking the complainant seriously.

The named officer said that his role in the investigation was to notify the victim of forensic laboratory and toxicology results. The named officer confirmed that he reached out to the complainant to advise of the toxicology and DNA results. He also stated that he informed the complainant that a sergeant would need a meeting regarding the complainant's interview. The named officer said he stayed in contact with the sergeant who was going to interview the complainant; however, the interview did not take place.

The named officer said that he didn't tell the complainant that the incident report was incomplete, nor did he make any similar comments regarding the incomplete report. He also denied telling the complainant that there was not enough evidence to prosecute. The named officer further stated that he did not call the complainant to apologize for not taking the complainant seriously.

Department Records indicated that the named officer was assigned to the case and did conduct an investigation.

The Chronological Report of Investigation showed that the Medical Examiner's office stated that no DNA profiles were obtained during an examination of the complainant. The report documented multiple attempts to contact the complainant. The named officer recommended that the case be deemed inactive pending further investigation.

Department Notice 20-107 (Case Assignments for Investigation) states, in relevant part, that when assigning cases for investigation, staffing levels and the following factors should be considered:

- The severity of the crime (violence during the commission of a crime is a major contributor to the severity of the crime).
- The solvability of the crime.
- The presence or lack of physical evidence.
- The presence or lack of video footage.
- The victim(s) or witness(es) willingness or reluctance to cooperate with the investigation (the lack of cooperation by a victim or witness does not automatically disqualify the case from being successfully investigated and prosecuted).
- The victim(s) or witness(es) ability to appear in court.
- Whether the case is part of a crime series.
- Other articulable reason for assignment. staffing levels and factors such as the severity of the crime should be considered.

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

**COMPLAINT DATE: 07/31/2024**

**COMPLETION DATE: 04/22/25**

**PAGE# 3 of 3**

The evidence established that the named officer conducted a full investigation of available evidence.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 04/11/2023      DATE OF COMPLETION: 04/10/25      PAGE# 1 of 3**

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

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

**FINDINGS OF FACT:** The complainant visited a police station to report a former romantic partner who the complainant alleged had violated a restraining order that had expired three years earlier. The complainant claimed that the restrained person had possessed a firearm and had violated the terms of the restraining order and that the reporting officer inaccurately recorded the incident details in the incident report. For example, the complainant complained that his telephone number was incorrect and that there should have been two different incidents codes listed on the incident report to ensure it was routed to the appropriate investigating unit. He further complained that the matter was incorrectly referred to the Special Investigations Division. The complainant alleged that these errors resulted in a delayed investigation and infringed upon the complainant's rights as a victim.

The incident report shows the officer categorized the incident as a protective order violation, recorded the complainant's telephone number and email address, summarized the complainant's statement, included details about the temporary restraining order as well as the case number for a related complaint that the complainant had filed with his former partner's employer. The incident report was approved by a supervising officer who was present when the complainant reported the matter and then forwarded to the Special Investigations Division for further investigation.

The investigation revealed that while the complainant believed that administrative errors resulted in a significant delay in the investigation and infringed upon his rights as a victim, the minor errors he identified were not material and do not rise to the level of misconduct. It is important to note that the complainant reported the violation three years after the temporary restraining order (TRO) had expired, which contributed to the delay in the investigation. The named officer's decision to refer to this matter as a restraining order violation, as opposed to a firearm's offense, was reasonable and appropriate, given that complainant had no evidence that the former partner possessed a firearm during the brief time the protective order was active. Furthermore, the complainant acknowledged that he personally contacted the Special Investigations Division. Thus, if the case had been assigned for further follow-up, the investigator could have contacted the complainant, and a supplemental incident report could have been created. Moreover, there was enough accurately recorded information in the report that would have made it easy

for investigators or prosecutors to contact the complainant if they wished to do so. Based on the totality of circumstances, the evidence proves the officer's conduct was justified, lawful, and proper.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 04/11/2023      DATE OF COMPLETION: 04/10/25      PAGE# 2 of 3**

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

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

**FINDINGS OF FACT:** The complainant reported that the supervising officer failed to accept his report and incorrectly asserted that crimes committed during the validity of a protective order were not chargeable once the protective order expired.

The supervising officer denied the complainant's allegations and explained that the complaint was documented in an incident report created by another officer and that the supervising officer reviewed and approved the report. The supervising officer clarified that sworn members of the Department cannot enforce expired restraining orders. However, if the restrained party—regardless of the status of the restraining order—commits a crime, officers can take a report regarding that crime. This procedure was followed in this case. Furthermore, the supervising officer stated that because the complainant's allegations involved a law enforcement officer in another jurisdiction, the report was forwarded to the Special Investigations Division for further investigation.

The DPA's investigation revealed that the complainant provided inadequate information for the officers to assume a crime occurred. Court records shows that when the restraining order was active, the restrained party was prohibited from carrying a firearm while the order was active and that the restrained party turned in their private firearms to the San Francisco Police Department when the order was issued. Because the restrained party was a law enforcement officer in another jurisdiction which duty required them to carry a firearm, the person asked for exemption to the firearm prohibition while the order was valid but then the restraining order expired before a hearing could be held.

Importantly, the incident report states that the complainant did not witness the alleged restraining order violation and did not know when the violation allegedly occurred, and the complainant provided no information to the DPA to suggest this information was inaccurate. It is apparent that the complainant was speculating when he reported to police that his former partner violated the protective order based solely on the fact that the former partner sought a firearm exemption to the protective order, and a hearing on that issue did not occur. In light of evidence, the supervising officer properly referred the matter to the Special Investigations Division because the former officer was a law enforcement officer in another jurisdiction.

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 04/11/2023      DATE OF COMPLETION: 04/10/25      PAGE# 3 of 3**

Other police records confirmed the case was referred to Special Investigations Division and that the case was not assigned to an investigator. Cases that are not assigned are administratively filed as open/inactive and may be activated when new information is presented.

Finally, after questioning the named officer, the DPA concluded that the complainant likely misinterpreted or misunderstood the conversation with the supervising officer. The named officer approved the incident report that the complainant submitted and denied refusing to take the report as the complainant contended. The documentary evidence corroborates the supervising officer's accounts. The report was then forwarded to Special Investigations Unit and assigned, or not, based on that unit's assignment criteria. Although the complainant perceived the officer's actions as negligent, this was not the case. The supervising officer's conduct was justified, lawful, and proper.

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

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

**COMPLETION DATE: 04/17/25**

**PAGE# 1 of 6**

**SUMMARY OF ALLEGATIONS #1-3:** The officers failed to follow the pursuit policy.

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that her husband and child were the victims of a hit-and-run during the course of a police vehicle pursuit. She stated the pursuit may not have been necessary and that the named officers may have violated the Department's vehicle pursuit policy.

Named Officer #1 stated he did not engage in a vehicle pursuit. He stated that while driving his patrol vehicle to fill it with gas near the end of his shift, he observed a vehicle driving erratically through traffic. He stated he did not pursue the vehicle or activate the lights and siren. Named Officer #1 stated that he informed dispatch of the location of the vehicle in case it was the vehicle referenced on the radio that was involved in a hit and run. He stated that dispatch reported the car was stolen. Named Officer #1 took the precautionary measure to call up on the radio to call off any pursuit as he was a superior officer, although he stated he was unsure if one was occurring because he did not see any patrol cars in the vicinity.

Named Officer #2 stated that dispatch broadcast a description of the stolen vehicle in the area where he and his partner, Witness Officer #1, were patrolling. He mentioned that shortly thereafter, he and his partner observed the stolen vehicle and followed it to confirm that it was indeed the wanted vehicle, which it was. Named Officer #2 reported that the overhead lights and siren were activated to affect a traffic stop. He indicated that the stolen vehicle failed to yield and fled at a high rate of speed. He turned off the lights and siren while his partner broadcast the vehicle's information and direction of travel. Moments later, he observed the vehicle run a red light, resulting in a collision with another car. The stolen vehicle continued to flee. Named Officer #2 stated he stopped his vehicle to assist the occupants of the impacted vehicle. Named Officer #2 denied engaging in a vehicle pursuit.

Named Officer #3 stated that he and his partner, Witness Officer #2, heard dispatch announce that a stolen vehicle was involved in a hit and run. He observed the stolen vehicle stopped behind several cars, and they approached it. However, the suspect noticed their patrol vehicle and fled once again. He noted that he saw the suspect vehicle collide with another car. For the safety of the occupants of the hit vehicle, he immediately stopped to render aid to those involved. Named Officer #3 denied engaging in a pursuit of the vehicle.

Witness Officer #1 stated he and Named Officer #2 were not involved in a vehicle pursuit. He stated that Named Officer #2 attempted to affect a traffic stop, and the vehicle did not yield. He noted the attempted

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

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

**COMPLETION DATE: 04/17/25**

**PAGE# 2 of 6**

traffic stop was terminated, and they never followed the stolen vehicle because they stopped at the intersection where the first collision occurred to render aid.

Witness Officer #2 stated he and Named Officer #3 were patrolling in the area where a stolen vehicle was reported. He said they responded to the area and discovered a car was the subject of a hit-and-run by the stolen vehicle. Another unit was on scene and assisted with the collision. Witness Officer #2 stated that he observed the suspect vehicle was stopped in traffic on the next block. Named Officer #3 approached the stolen vehicle approximately three car lengths away. Before they could initiate a high-risk traffic stop, the suspect vehicle accelerated, proceeding to cut between two lanes of traffic, making contact with another vehicle. The suspect fled the scene out of view while they rendered aid to the occupants of the car that was hit. Witness Officer #2 stated he and Named Officer #3 did not participate in a vehicle pursuit.

Department records indicate that Named Officer #2 and his partner responded to an area where a stolen vehicle was reported. While in the area, the officers observed the stolen vehicle, and upon approach, they activated their lights and siren. The stolen vehicle fled at a high rate of speed for about one block, where it collided with a vehicle that was not the complainant's vehicle. The record noted that this was the first of three collisions. Named Officer #2 and his partner stopped at the initial collision and took statements from the victims of the hit and run. The record stated that the stolen vehicle continued another block where it collided with the complainant's vehicle and another vehicle simultaneously. The stolen vehicle continued traveling and fled the scene. Named Officer #3 and his partner responded to the second collision site involving two vehicles, one being the complainant's vehicle. They took statements and created a traffic report for the second collision victim (not the complainant). Named Officer #2's partner completed a traffic collision report for the complainant.

Body-worn camera (BWC) footage showed Named Officer #2 and his partner attempting to affect a traffic stop for a short distance. They stopped and exited their vehicle to assist another car that the fleeing suspect hit. The location of this hit and run (first of three) occurred approximately one block from where Named Officer #2 and his partner attempted to affect the traffic stop. They did not continue to pursue the fleeing vehicle.

Additional BWC footage showed Named Officer #3 and his partner assisting the second hit-and-run victim (not the complainant). Witness Officer #2 informed the driver of the second hit and run that they were not allowed to chase the suspect vehicle because it was only for property damage. The footage showed the complainant speak with Named Officer #3, who asked if she could get a report, and he asked her to stay with her vehicle and informed her that a unit would respond. Named Officer #3 contacted dispatch to advise the primary handling district station that an additional hit-and-run victim was in need of assistance.



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

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

**COMPLETION DATE: 04/17/25**

**PAGE# 3 of 6**

Department General Order 5.05 (Emergency Response and Pursuit Driving) states in relevant part that an “officer in an emergency vehicle may initiate a pursuit of an individual . . . suspected of a violent felony .

. . An officer shall not initiate a pursuit of an individual suspected of a non-violent felony, misdemeanor, property crime, or vehicle code violation . . .”

The named officers did not participate in a vehicle pursuit. The initial officers attempted to conduct a vehicle stop on a reported stolen vehicle. The stolen vehicle failed to yield and hit the first vehicle approximately one block from where the attempted traffic stop occurred. The initial officers discontinued the traffic stop attempt and stopped to render aid to the victims of the first hit-and-run. The secondary responding officers observed the stolen vehicle stuck in traffic, and before they attempted to conduct a traffic stop, the stolen vehicle fled, striking two cars. The secondary officers did not pursue and stopped to assist the second occupants of the hit vehicle. Named Officer #1 was not part of the incident but called dispatch when he observed the suspect vehicle driving erratically.

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

**SUMMARY OF ALLEGATION #4-7:** The officers failed to take required action.

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that her husband and child were the victims of a hit-and-run during the course of a police vehicle pursuit. She said that after the collision, officers told her husband to stay with the vehicle and that officers would make contact. She stated her husband waited for two hours despite speaking with officers on the scene who told him someone would get to him shortly. The complainant stated additionally that her husband called the police non-emergency line a few times and was eventually given the option to drive to the police station to file a report, which is what occurred.

Named Officer #1 stated he was the initial officer who attempted to affect a traffic stop on the stolen vehicle; however, due to the initial collision, he stopped, rendered aid, and conducted an investigation on the hit-and-run he observed. He presumed the unit that responded to the second collision location would document those collisions. That unit was from a different district. He stated that after learning that the complainant’s husband was awaiting a unit from his district, his partner, Named Officer #2, requested dispatch to forward the call for service to the district that was handling the second collision site. The call

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

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

**COMPLETION DATE: 04/17/25**

**PAGE# 4 of 6**

for service was then removed from his district's pending calls for service. Named Officer #1 stated that when he returned to the station to work on the collision report he observed (first collision), a sergeant advised him and Named Officer #2 that the other district was handling the second hit and run collision, but the other district denied handling the third collision involving the complainant's husband. He stated that at that point, the call for service was redirected to his district. Named Officer #1 stated that the complainant's husband must have been frustrated based on the length of time he waited for police after speaking to an officer on scene and then being redirected between district stations. Named Officer #1 stated that in the interest of handling the report as expeditiously as possible, he contacted the complainant's husband by phone and asked him if he could respond to the police station, which he did.

Named Officer #2 stated he was assisting with the first hit-and-run incident and was never involved with the second collision site. He stated that he was notified of a call for service regarding the second collision site but was aware that another unit from a different district responded. Named Officer #2 informed dispatch that the second collision scene was to be handled by the unit from the other district station. A sergeant advised him that the other district station was handling the second collision site. After a significant amount of time, he learned from dispatch that the call for service at the second collision site was still pending. He stated his partner, Named Officer #1, called the complainant's husband and advised him to respond to the station.

Named Officer #3 stated the incident was initiated by a unit from a different district. He said he never contacted the complainant's husband as he was unaware he was present. He stated this incident involved a total of four separate radio channels, multiple units from separate districts, although the incident occurred in one district, which was not his district. He stated the dispatch records showed a unit from another district was to meet with the complainant's husband for a report. Shortly thereafter, dispatch records indicated that a unit from his district was to respond. Named Officer #3 stated that he and his partner, Named Officer #4, were never advised to return to the scene, and if they had been informed, they would have responded and met with the parties involved.

Named Officer #4 stated he could not monitor the radio traffic regarding whether a unit responded to the hit and run because the radio traffic was on a channel from a different district station. He stated that he was later informed that an incident report was taken, but he did not know the details. He said there was likely confusion because each district has a main channel to monitor calls for that district. Information regarding any follow-up to this incident would have been broadcast over a different channel, not the one which he monitored.

Department records indicate that Named Officers #1 and #2 responded to an area where there was a report of a stolen vehicle. While in the area, the officers observed the stolen vehicle, and upon approach, they activated their lights and siren. The stolen vehicle fled at a high rate of speed for about one block, where it collided with a vehicle that was not the complainant's vehicle. The record noted that this was the first of three collisions. Named Officers #1 and #2 stopped at the initial collision and took statements from the

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

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

**COMPLETION DATE: 04/17/25**

**PAGE# 5 of 6**

victims of the hit and run. The record stated that the stolen vehicle continued another block where it collided with the complainant's vehicle and another vehicle simultaneously. The stolen vehicle continued traveling and fled the scene. Named Officers #3 and #4 responded to the second collision site involving two vehicles, one being the complainant's vehicle. They took statements and created a traffic report for the second collision victim (not the complainant). A traffic collision report for the complainant was completed by Named Officer #2.

Dispatch audio indicated that Named Officer #3 requested a unit from the station that conducted the initial attempted traffic stop to respond to the complainant's location. Approximately thirty minutes later, the complainant's husband contacted dispatch, indicating that he was still waiting for an officer to respond. Dispatch advised the complainant's husband to remain with the vehicle and informed him that officers were tied up at that moment. Approximately one hour later, the complainant's husband contacted dispatch, who told him that they were unable to locate a record of him contacting them. After speaking with a supervisor, dispatch informed him that sergeants were attempting to determine which station would respond (the hit and run took place on the boundary of two district stations operating on different radio channels). Dispatch apologized to the complainant's husband for the delay. Dispatch asked the complainant's husband to remain with the vehicle. Dispatch records also showed inaccurate entries attributed to another hit-and-run occurring at the same time in a different part of the city, including inaccurate entries attributed to specific officers.

Body-worn camera (BWC) footage showed Named Officers #1 and #2 attempting to affect a traffic stop for a short distance. They stopped and exited their vehicle to assist another vehicle that was hit by the fleeing suspect. The location of this hit-and-run (first of three) occurred approximately one block from where Named Officers #1 and #2 attempted to affect the traffic stop. They did not continue to pursue the fleeing vehicle.

Additional BWC footage showed Named Officers #3 and #4 assisting the second hit-and-run victim (not the complainant). Named Officer #4 informed the driver of the second hit and run that they were not allowed to chase the suspect vehicle because it was only for property damage. The footage showed the complainant speak with Named Officer #3, who asked if she could get a report, and he asked her to stay with her vehicle and informed her that a unit would respond. Named Officer #3 contacted dispatch to advise the primary handling district station that an additional hit-and-run victim was in need of assistance.

It is unfortunate that the complainant's husband waited for an extended period at the scene of the hit-and-run and was then told to drive to the police station to complete a police report. Department records showed that the hit-and-run incident occurred at the border of two district stations, which communicate on different radio channels. This likely led to miscommunication or confusion amongst the officers. In addition, it appears from dispatch records that dispatch may have been confused since transmissions from another incident were intermingled with this incident, as well as the dispatcher not finding a record of the

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

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

**COMPLETION DATE: 04/17/25**

**PAGE# 6 of 6**

complainant's husband's prior calls for assistance. Although officers could have been more diligent, this conduct does not rise to the level of discipline.

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

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

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

**COMPLETION DATE: 04/17/25**

**PAGE# 1 of 3**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated she went to the police station to report a restraining order violation. She stated that the named officer did not collect video evidence she showed him at the station and failed to attach it to the incident report.

The named officer stated he encountered the complainant at the police station because she wanted to report a restraining order violation. He stated he asked questions, listened, and addressed her concerns appropriately, even though the complainant may not have agreed with his form of questioning. He stated the complainant showed him a video of a vehicle leaving a driveway and passing a parked vehicle. The named officer noted that the incident report was not incomplete. He stated he did not collect the video evidence because the complainant said she would provide him with a copy of the video, and he would subsequently write a Supplemental Report upon receipt.

Department Records indicate that the complainant filed a report at the police station. The complainant has a restraining order against an across-the-street neighbor of the property she manages. The complainant lives in a different city. The restraining order prevents the neighbor from coming within five yards of her vehicle. The complainant reported that she was inside the gate of the property she manages when she observed the neighbor getting into his car and driving past her unoccupied vehicle. The complainant believed the neighbor violated the restraining order and thereby requested a report. The record additionally stated that the named officer was not on scene to take accurate measurements and therefore unable to determine if the neighbor was in violation of the restraining order.

The court-certified restraining order states that the neighbor must stay five yards away from the complainant and her vehicle when she is at the San Francisco address.

Body-worn camera showed the named officer patiently speaking with the complainant in a professional manner. The complainant explained to the named officer that she has a restraining order against an individual living across the street from the property she manages. She informed the named officer that the individual cannot come within five yards of her person or vehicle. She told the named officer that the individual violated the restraining order because he turns right to exit his driveway, which causes him to come within five yards of her parked vehicle. The complainant stated that the individual should only turn left when leaving his driveway to avoid passing her car.

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

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

**COMPLETION DATE: 04/17/25**

**PAGE# 2 of 3**

It is unclear whether the officer failed to obtain video footage from the complainant, as he stated that the complainant was going to provide it.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated she encountered the named officer on two occasions; once in person and once on the phone. She said that she reported that a neighbor, who lives across the street from the residence in which she is the landlord, continued to violate a restraining order by driving past her car, which is parked outside the residence she manages. She informed the named officer that the restraining order prohibited the neighbor from being within five yards of her vehicle. The complainant believed that the neighbor should only turn one direction when leaving his residence so as not to pass her vehicle as it comes within five yards, which is in violation of the restraining order. She stated the named officer behaved inappropriately because he was gaslighting her and became defensive when she described the length of five yards. In addition, the complainant said the named officer was inappropriate when he asked her if her neighbor was a free person and inquired about her schedule as to when she visits the property so he can be informed when he can turn left or right out of his driveway.

Department Records indicate that the complainant filed a report at the police station. The complainant has a restraining order against an across-the-street neighbor of the property she manages. The complainant lives in a different city. The restraining order prevents the neighbor from coming within five yards of her vehicle. The complainant reported that she was inside the gate of the property she manages when she observed the neighbor getting into his car and driving past her unoccupied vehicle. The complainant believed the neighbor violated the restraining order and thereby requested a report. The record additionally stated that the named officer was not on scene to take accurate measurements and therefore unable to determine if the neighbor was in violation of the restraining order.

The court-certified restraining order states that the neighbor shall stay five yards away from the complainant and her vehicle when she is at the San Francisco address.

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

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

**COMPLETION DATE: 04/17/25**

**PAGE# 3 of 3**

Body-worn camera showed the named officer patiently speaking with the complainant in a professional manner. The complainant explained to the named officer that she has a restraining order against an individual living across the street from the property she manages. She informed the named officer that the individual cannot come within five yards of her person or vehicle. She told the named officer that the individual violated the restraining order because he turned right to exit his driveway, which caused him to come within five yards of her parked vehicle. The complainant stated that the individual should only turn left when leaving his driveway to avoid passing her car. The interaction on the phone was not captured on the body-worn camera.

Based on the evidence, it is unclear if the named officer made inappropriate comments. The evidence fails to prove or disprove that the alleged conduct occurred.

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

**COMPLAINT DATE: 9/14/2024**

**COMPLETION DATE: 04/15/25**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged that the San Francisco Police Department failed to prevent an unpermitted/unsanctioned event from occurring and failed to intervene when participants relocated the event to a different street. The complainant stated the actions of the Department, or lack thereof, were negligent because the Department failed to adjust to the evolving circumstances.

The unsanctioned sporting event draws hundreds of participants and spectators who gather annually on a specific street bordering a popular park. The event involves spectators watching stunts performed at high speeds on a steep incline. Although the event is unpermitted, the San Francisco Police Department's (SFPD) prepares for and responds to the event to assist the community with crowd control and other public safety measures.

Significant media coverage was focused on the Department's preparations in the weeks preceding the event.

Police Preparations and Actions:

- Advance warnings – SFPD issued public warnings ahead of the event, stating intentions to prevent the event and cautioning participants about potential arrests.
- Street closures – On the day of the event, SFPD set up barricades along the street to deter participants from using the traditional route.

A review of the event operation orders showed that SFPD prepared for the event to occur at traditional location. The Department requested barricades from the Department of Public Works for the operational period. There was no mention of the Department barricading other streets in those orders. According to the operational orders, the officers assigned to the event were tasked with enforcing the law, facilitating pedestrian and vehicular traffic, and providing crowd management. Officers were instructed to protect the First Amendment of all participants and adhere to all Department policies regarding arrests, crowd management, citation issuance, and use of force.



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

**COMPLAINT DATE: 9/14/2024**

**COMPLETION DATE: 04/15/25**

**PAGE# 2 of 2**

Body-camera footage showed several officers were assigned to standby at the barricaded projected event location to prevent the incident from taking place at its traditional location. The footage also showed the presence of both uniformed and plainclothes officers providing crowd management, as well as officers managing the flow of traffic. With respect to neighboring streets, officers had closed off vehicle traffic and positioned police vehicles and barricades at specific intersections to prevent participants from extending the unsanctioned event across several blocks.

The investigation showed that, despite the Department's extensive preventative efforts and measures, participants and spectators circumvented the barricades by moving one block over from the projected annual location, where the event continued despite a heavy police presence. The Department of Police Accountability recognizes that the unsanctioned event is an extremely fluid event. Overwhelming evidence showed the Department completely blocked the annual projected event location. In addition, the evidence showed that the Department pivoted and repositioned their remaining resources to the other event location to ensure public safety insofar as rerouting traffic flow and having a uniformed presence at the new event location without sacrificing the stability of the Department's positioning at the annual projected location. The complainant perceived the Department's inability to prevent the unsanctioned event from occurring as negligent; however, operational orders showed that the Department's efforts effectively disrupted and prevented the unsanctioned event from occurring at the annual location. Furthermore, the Department was able to adjust and apply available resources to manage the quickly changing event. Officers moved to the unplanned event location to enforce the law, facilitate pedestrian and vehicular traffic, and provide crowd management.

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

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

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

**COMPLETION DATE: 04/10/25**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated his neighbor's car was unlawfully towed.

Department records indicate that the complainant's neighbor ("suspect") struck another vehicle, causing damage, and failed to provide the other driver with proper documentation as required by the California Vehicle Code. Additionally, the suspect provided the other driver with an expired insurance card for a different vehicle. The officers determined that the suspect was involved in a hit-and-run incident, in violation of the California Vehicle Code. Consequently, the vehicle was towed.

Body-worn camera footage showed the named officers speak with the victim of the "hit-and-run," who stated that the suspect driver did not provide his name, phone number, or picture ID. The victim stated the suspect only provided an expired insurance card for a different vehicle. The footage also showed the named officers speaking with the suspect at a different location, who stated that he had provided his name to the victim. However, he claimed that the victim was acting strangely, and he didn't feel safe, so he left the scene. The suspect admitted to not calling the police once he returned home. The suspect's vehicle was towed.

Department General Order 9.06 (Vehicle Tows) permits officers to tow vehicles pursuant to the California Vehicle Code.

California Vehicle Code §22655.5 states in relevant part that officer may remove a vehicle from public or private property when they have "probable cause to believe that the vehicle is itself evidence which tends to show that a crime has been committed or that the vehicle contains evidence, which cannot readily be removed, which tends to show that a crime has been committed."

California Vehicle Code §20002 states in relevant part that the failure to provide a driver's license and vehicle registration upon an accident is a misdemeanor.

Based on the statements of the parties, as well as body-worn camera footage, it is clear that the suspect left the scene of an accident without providing the other driver with the required documents, as specified in the California Vehicle Code. The suspect's acknowledgement that he did not provide the required documentation nor call the police after the fact provided the officers with probable cause to believe that

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

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

**COMPLETION DATE: 04/10/25**

**PAGE# 2 of 2**

the suspect was involved in a hit-and-run. Therefore, the officers acted properly and within Department policy by towing the suspect's vehicle.

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

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

**COMPLAINT DATE: 09/21/2024**

**COMPLETION DATE: 04/01/25**

**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 alleged that after leaving the concert he was spoken to discourteously by two different officers while waiting to cross the street. The complainant gave a general description of the officers but did not obtain their names or star numbers.

DPA reviewed the roster of officers assigned to the concert at the time of the incident. Based on the physical description of the officers provided by the complainant, DPA identified multiple officers and interviewed all officers who closely matched the description provided by the complainant. The officers denied any involvement in the incident and stated that they did not witness any other officers engaging in the behavior the complainant described. Additionally, there was no body-worn camera footage for the incident.

Therefore, the evidence was insufficient to either prove that the officers that DPA identified were involved in the incident or that they engaged in the behavior the complainant described.

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

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

**COMPLETION DATE: 04/15/25**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATIONS #1-3:** The officers conducted an improper search or seizure.

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that his friend's apartment was searched by the named officers without a warrant and without his friend being present, after the friend had refused permission to search the apartment. The complainant did not witness a search. None of the witnesses provided by the complainant responded to any form of contact or provided any further evidence.

The named officers denied searching the apartment. The officers acknowledged they asked permission to search the apartment and were denied access. The named officers stated they then left and did not return. The named officers did not attempt to get a warrant to search the apartment.

SFPD records stated that the named officers went to the apartment and asked to search the apartment but were refused access. The records stated that the named officers left and did not search the apartment.

Body camera footage showed that the named officers went to the apartment and spoke to the occupant. The named officers asked the occupant if they could search the apartment. The occupant told them they could not search the apartment without a warrant. The named officers then left.

There was no other footage found or provided.

There is no evidence that the named officers conducted a search as alleged.

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

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

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

**COMPLETION DATE: 04/24/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that police failed to contact them when they arrested a family member and towed his car. The family had trouble locating their relative and the car tow caused other difficulties for the entire family.

Department of Emergency Management (DEM) showed that officers responded to a report of a pick-up truck double-parked next to a building and two apparently drunk occupants.

Department Records showed that when officers arrived, two individuals were in a double-parked truck playing loud music. The officers observed open alcohol containers inside the car, which was still running. The car was registered to one of the occupants.

California law and Department rules authorize officers to tow cars when arresting a person for various vehicle code violations, including driving under the influence, and when lawfully arresting a person whose car is illegally parked. Department General Order (DGO) 9.06(I)(A), authorizes officers to tow vehicles when authorized pursuant to Division 11, Chapter 10, Article 1 of the California Vehicle Code (Section 22650, et seq.) and various sections of the San Francisco Traffic Code. DGO 9.06(II)(A)(1) also states, *"Permissible circumstances. It is the policy of the Department that officers may tow a vehicle driven by, or in the control of, a person arrested and taken into custody when the vehicle is needed for evidence."* There is no requirement for officers to inform family members of an arrest or vehicle tow.

The evidence established that the named officer was not required to inform an arrested person's family members about his arrest or the tow of his car.

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: 10/01/2024**

**COMPLETION DATE: 04/15/2025**

**PAGE# 1 of 4**

**SUMMARY OF ALLEGATION #1:** The officer used unnecessary or excessive force.

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he was involved in an altercation on the street and somebody pushed him. The complainant stated that he got mad and threw a chair, and after he threw the chair, the named officer grabbed him and threw him to the ground.

The named officer stated that he arrived on scene and observed the complainant throw a chair at a group of people. The named officer stated that two other officers grabbed the complainant first, and the complainant actively resisted. The named officer grabbed the complainant's clothing and assisted the other two officers in taking the complainant to the ground and handcuffing him.

Two witness officers stated that they arrived on scene and observed the complainant throw a metal chair at a group of people. The witness officers ordered the complainant to stop, but the complainant failed to comply and attempted to pick up another chair. The witness officers grabbed the complainant in control holds, and the complainant tensed his muscles and attempted to pull away. The witness officers stated that the named officer assisted them in taking the complainant to the ground to effect an arrest, to overcome the complainant's resistance, and in defense of others.

Body-worn camera (BWC) footage from this incident was consistent with the officers' description of the events.

Department records indicated that this call came out as an A-Priority "fight with no weapons." Records indicated that the named officer arrived and observed the complainant throw a metal chair at a group of people. Records indicated that the complainant began to pick up another chair, so the named officer and two other officers used a takedown on the complainant and handcuffed him. The complainant was medically assessed on scene and was transported to the hospital. Records indicated that all three officers reported their use of force to a supervisor and documented it in their reports.

Department General Order 5.01, Use of Force, allows officers to use reasonable force to effect a lawful arrest, to overcome resistance or to prevent escape, to prevent the commission of a public offense, in defense of others or in self-defense, and to gain compliance with a lawful order. Physical control holds

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

**COMPLAINT DATE: 10/01/2024      COMPLETION DATE: 04/15/2025      PAGE# 2 of 4**

and takedowns are authorized to gain compliance of and/or gain control over uncooperative or resistant subjects when necessary.

Evidence showed that the named officers used reasonable force to effect a lawful arrest, overcome the complainant's resistance, and prevent the complainant from assaulting others.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that the named officer laughed at him and told him he would have to wait for medical attention because he was not a priority.

The named officer stated that he did not laugh at the complainant. The named officer said that he told the complainant that paramedics were going to check on him and made sure the complainant was medically assessed.

The named officer's BWC footage showed that the named officer did not behave or speak inappropriately to the complainant during this incident. BWC showed that the named officer told the complainant that an ambulance was on its way and that paramedics would check him out. BWC showed that the named officer alerted paramedics that the complainant needed medical attention and suggested that the complainant be seen first. BWC showed that the named officer did not laugh at the complainant during this incident.

The evidence proves that the alleged conduct did not occur.

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

**CATEGORY OF CONDUCT: UA**



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

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

**COMPLETION DATE: 04/15/2025**

**PAGE# 3 of 4**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer arrested him without cause.

The named officer stated that when he arrived on scene, the officers who had arrived first told him that the complainant had thrown a chair at a group of people in their presence. The named officer stated the complainant was originally under arrest for a felony assault because he threw the chair, but after some deliberation the named officer cited the complainant for misdemeanor battery and released him at the hospital.

Witness officers stated that there was probable cause to arrest the complainant because they observed the complainant commit an assault in their presence.

BWC footage from this incident showed the complainant throw a chair at a group of people in the presence of responding officers. BWC footage showed that the victim told the named officer that the complainant had punched him and stomped on him before the officers' arrival. The victim told the named officer that his finger was injured when the complainant threw the chair at him.

Department records indicated that the named officer cited the complainant for battery and released him at the hospital.

Evidence showed that the complainant threw a chair at a group of people in the presence of responding officers, and the named officer appropriately cited the complainant for battery.

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

**SUMMARY OF ALLEGATION #4:** The officer failed to properly investigate.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

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

**COMPLAINT DATE: 10/01/2024      COMPLETION DATE: 04/15/2025      PAGE# 4 of 4**

**FINDINGS OF FACT:** The complainant stated that the named officer failed to take his statement regarding the incident.

The named officer stated that when he arrived on scene, the complainant was already handcuffed. The named officer stated that other officers informed him that the complainant had thrown a chair at a group of people in their presence. The named officer stated that he had probable cause to arrest the complainant and decided not to Mirandize and interview the complainant.

The named officer's BWC footage was consistent with the named officer's statement and showed that the named officer did not interview the complainant.

Evidence showed that the named officer had probable cause to arrest the complainant and was not required to Mirandize and interview 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: 10/2/24**

**COMPLETION DATE: 4/14/25**

**PAGE# 1 of 5**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that officers failed to conduct a proper investigation because they did not obtain surveillance footage that was available at the time of her accident. In addition, the complainant stated that the officers failed to investigate whether or not the witness to the collision was associated with the driver and was pretending to be an independent witness. She stated that the officers should have asked to see the witness's vehicle and recorded the vehicle's information in the police report.

Named Officer #1 stated she responded solo to an urgent call for service regarding a bicycle versus a vehicle collision. Upon arrival, she observed the complainant and her bike on the ground. She stated she spoke with the complainant, the driver, and a witness independently. Named Officer #1 stated that Officers #2 and #3 arrived as backup. She said that they assisted in searching for surveillance cameras while she attended to the complainant and spoke with the driver and witness. Named officer #1 stated that the other named officers informed her that they were unable to locate surveillance footage.

Named Officer #1 also stated that she spoke with the independent witness, who reported being in her own vehicle behind the driver who struck the complainant. The witness informed Officer #1 that the intersection was clear when the driver proceeded through a stop sign. She stated the complainant sped through the intersection on her bike, resulting in a collision. Officer #1 said she did not suspect or have concerns regarding the witness colluding with the driver. She stated that it appeared as if they were not familiar with each other. Regarding the collection of the witness's vehicle information, Officer #1 noted that this type of information is generally not recorded in a Traffic Collision Report.

Named Officers #2 and #3 stated they canvassed for cameras and informed Officer #1 that a camera was located.

Department records indicate that the named officers responded to a traffic collision involving a vehicle and a bicyclist.

The Traffic Collision Report indicates that Officer #1 responded to a collision between a vehicle and a cyclist. The driver who struck the bicyclist reported that he stopped at a stop sign and proceeded through the intersection when it was clear. A witness independently corroborated the driver's statement. The complainant, who was riding a bicycle, stated that she stopped at the stop sign and, when she proceeded through the intersection, was struck by a vehicle. The report noted that the complainant complained of

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

**COMPLAINT DATE: 10/2/24**

**COMPLETION DATE: 4/14/25**

**PAGE# 2 of 5**

pain and was subsequently transported to the hospital. The report concluded that, based on the totality of all the evidence, the complainant was at fault for the collision, having failed to stop at a stop sign.

Through its investigation, the Department of Police Accountability (DPA) discovered a surveillance camera on a local business that could have captured the collision. Notably, the camera was not immediately apparent to the investigator upon first glance. DPA attempted to obtain surveillance footage; however, the footage was no longer available as this complaint was received several months after the incident.

The Department of Police Accountability attempted to obtain body-worn camera footage; however, the San Francisco Police Department was unable to locate any footage associated with this incident.

Based on the conflicting statements regarding the video surveillance footage, there is insufficient evidence to support either way that the named officers located a surveillance camera. Additionally, Traffic Collision Reports are not considered crime reports, and documentation of a witness's vehicle is generally not recorded unless it is involved in the collision. There is no evidence to suggest that the witness and the driver of the vehicle knew each other, except for the complainant's suspicion.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that the driver of the vehicle that struck her did not have a license, as noted in the Traffic Collision Report. She said the named officer should not have allowed him to drive away from the scene.

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

**COMPLAINT DATE: 10/2/24**

**COMPLETION DATE: 4/14/25**

**PAGE# 3 of 5**

The named officer stated that the driver who collided with the bicyclist did not leave the scene after the investigation. She noted that the vehicle was legally parked, and then his brother or friend came to the scene and informed her that he would transport the car for the driver. The named officer acknowledged that the Traffic Collision Report indicates that the driver of the vehicle drove the car away; however, she reiterated that a friend or brother of the driver drove the car from the scene, not the driver.

The Traffic Collision Report, authored by the named officer, lists the driver's license number of the vehicle's driver as "UNKNOWN." The report also notes that the car was driven from the scene by Party 2, the driver.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that the named officer prepared an inaccurate report for multiple reasons. Firstly, she noted that the report inaccurately reflected that her bicycle was not damaged, when in fact there was a crack a few inches below her seat. Secondly, the complainant alleged the named officer wrote incorrect information in her report that a doctor informed her that the complainant did not suffer significant injuries and was treated and medically released. The complainant stated that the information documented is not correct, as she broke both of her ankles and was transferred to another hospital and not released. Thirdly, the complainant alleged that no photographs were taken of her bicycle.

The named officer stated she did not observe any damage to the complainant's bicycle. She stated she did not take the bike apart and inspect it with a fine-toothed comb. Regarding the second allegation, the named officer stated that she called the hospital to get an update on the complainant's condition. She stated she wrote down what she was told by the doctor with whom she spoke. She denied fabricating information. Lastly, the named officer stated she took photographs, documented them in her report, and booked them into evidence. She stated she is unsure why the photos were not located.

The Traffic Collision Report indicates that the complainant's bicycle sustained no damage and also contains information from a doctor at the hospital where the complainant was transported, stating that the complainant did not suffer significant injuries and was treated and medically released. Additionally, the

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

**COMPLAINT DATE: 10/2/24**

**COMPLETION DATE: 4/14/25**

**PAGE# 4 of 5**

report notes that the named officer used her department-issued cell phone to take photographs of the vehicles and the scene. It further notes that upon her return to the police station, she transferred the images to a CD and booked them into evidence.

The damage to the bicycle noted by the complainant would be very difficult to see; therefore, it is reasonable that the named officer did not note the crack. Additionally, it is possible that the information the named officer received from the hospital was inaccurate; however, the named officer is not responsible for the statements made by a doctor. Lastly, the named officer stated and documented in her report that she took photographs at the scene of the accident.

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

**SUMMARY OF DPA ALLEGATIONS #6-8:** The officers failed to activate a body-worn camera as required.

**CATEGORY OF CONDUCT: ND**

**FINDING: IC/S**

**FINDINGS OF FACT:** The Department of Police Accountability discovered during its investigation that the named officers did not activate their body-worn cameras as required by Department policy.

Named Officer #1 admitted she did not activate her body-worn cameras as required. She stated she must have forgotten because she rushed out of the police station to respond to a nearby collision involving a bicyclist.

Named Officers #2 and #3 stated that they were not required to activate their body-worn cameras because they arrived on the scene after observing Officer #1 at the scene of a traffic collision. They stated that upon arrival, they asked Officer #1 if her body-worn camera was activated, and she responded that it was not. Both officers stated that due to Officer #1's response, they presumed she concluded her investigation, and therefore there was no need for them to activate. Named Officers #2 and 3 also stated that they

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

**COMPLAINT DATE: 10/2/24**

**COMPLETION DATE: 4/14/25**

**PAGE# 5 of 5**

canvassed for cameras as part of their administrative duties, as the call for service was already coded as controlled (Code 4) by the time they arrived on the scene.

Department records indicate that Officer #1 responded to a call for service regarding a collision between a vehicle and a bicyclist. It also showed that Officers #2 and #3 arrived on the scene as backup and were on the scene for 48 minutes.

Department General Order 10.11.03.C. states in part, "All on-scene members equipped with BWC shall activate their BWC equipment to record the following circumstances . . . 12. In any situation when the recording would be valuable for evidentiary purposes . . . Failure to activate a BWC as outlined in this order shall subject a member to an administrative investigation and, if warranted, appropriate discipline."

Department Notice 23-045 states in part, "When responding to calls for service with a potential for law enforcement activity or any of the mandatory recording circumstances to occur, members shall begin recording by pressing the Event button while enroute and prior to arriving on scene . . ."

Named Officer #1 admitted she violated Department policy by failing to activate her body-worn camera as required. Although Named Officers #2 and 3 may not have been dispatched to the scene, they placed themselves there as backup. They should have activated their body-worn cameras, as they were involved in an active call for service and conducting an investigation by canvassing for evidence. Both named officers allege that their canvassing for cameras was "administrative" and did not require them to activate. Named officers #2 and 3 were on scene for 48 minutes, and the lack of activation was in violation of Department General Order 10.11, as officers are required to activate "[i]n any situation when the recording would be valuable for evidentiary purposes."

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 10/02/2024      DATE OF COMPLETION: 04/10/25      PAGE # 1 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that the named officer compromised an investigation by failing to wear protective gloves while handling evidence.

The named officer is no longer with the San Francisco Police Department and is not subject to discipline.

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated he was assaulted by two individuals who caused him to suffer serious injuries. He stated that one suspect brandished a knife in a threatening manner. The complainant stated that the named officer did not treat him fairly and was insensitive when she informed him that he may need to pay for a restraining order and that she did not find a knife in the suspect's vehicle. He stated this comment made him feel like she did not believe him.

Department records indicate that the complainant was assaulted by two individuals, one of whom threatened the complainant with a knife. After physically assaulting the complainant, the suspects drove away. At a later time, other officers observed the two suspects and subsequently took them into custody, where they were booked in the county jail. The named officer was later assigned to investigate this incident. The records indicate that the District Attorney declined to prosecute due to insufficient evidence.

The complainant may have perceived that the named officer doubted his account when she reported that a knife was not found in the suspect vehicle. However, her statement reflects findings of the investigation.



**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 10/02/2024      DATE OF COMPLETION: 04/10/25      PAGE # 2 of 2**

Additionally, it was reasonable to inform the complainant that he may be required to pay a fee for a restraining order.

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: 10/07/2024**

**COMPLETION DATE: 04/17/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant submitted a complaint via the City's Whistleblower Program stating they had been the victim of sexual assault in City-sponsored housing and that the police took no action about the reports made to them. Attempts to interview the complainant were not successful.

Department records showed multiple contacts between the complainant and SFPD officers for various incidents. None of the incidents involves allegations of sexual assault as described by the complainant.

Body-worn camera (BWC) evidence of the contacts shows the complainant made no mention to the named officers of any sexual assault. One incident involved the complainant being the victim of an assault/battery involving an employee of the complex where the complainant resides. The subject in that incident was issued a citation for damaging the complainant's cell phone after the complainant recorded the subject smoking a cigarette outside the complex and verbally confronted the subject without apparent reason. The other incident involved a fight without a weapon.

The evidence shows that the named officers did attend the scene and took appropriate enforcement action.

The evidence proves that the conduct alleged did not occur.

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

**COMPLAINT DATE: 10/15/2024      COMPLETION DATE: 04/11/25      PAGE# 1 of 4**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that she was in a vehicle crash and the named officer faulted her for the crash despite evidence indicating the other driver was responsible. Additionally, the complainant alleged that the officer dismissed the complainant's statement regarding the crash and said they could look into the street light cameras to determine fault, but they never did so.

Department General Order 9.02, Vehicle Crashes, establishes guidelines for managing traffic crashes scenes and set forth policy and procedure for the investigation and reporting of traffic crashes. The policy states as follows in relevant part: The San Francisco Police Department investigates and reports all traffic crashes resulting in death or injury. Members shall render first aid, if necessary, complete the entire Traffic Crash Report, including a diagram of the crash scene, canvass the area for the presence of video surveillance cameras at surrounding businesses, etc. and provide camera location information to investigators, and secure witnesses.

The named officer stated that she complied with department policy regarding vehicle crashes by taking the necessary procedural steps to conduct her investigation using the information provided to her on scene and in the Computer Aided Dispatch record. The officer stated that the complainant's full statement was not taken at the scene because she was extremely uncooperative. As the officer attempted to interview her, the complainant yelled profanities at the officer despite the latter's efforts to obtain a complete statement from the complainant. The officer explained to the complainant that due to her refusal to answer questions the officer would have to document in the report that she was uncooperative.

The traffic crash report and body-worn camera footage showed that the named officer conducted a thorough investigation. She obtained contact information and statements from all involved parties at the scene. The complainant admitted to the officer and her partner that she was driving over the speed limit but refused to answer any additional questions. As a result, the officer was unable to obtain a complete statement from her, as the complainant was uncooperative.

Despite this challenge, the officer did manage to gather a statement from the paramedics regarding the injuries sustained by the complainant and her passenger. Additionally, the officer took photographs of the scene and booked them as evidence, and identified the location of a surveillance camera that may have captured events leading to the crash.

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

**COMPLAINT DATE: 10/15/2024      COMPLETION DATE: 04/11/25      PAGE# 2 of 4**

Based on all the statements collected, she concluded that speeding was the primary factor contributing to the collision. The body-worn camera footage also shows another officer informing the complainant that they would secure the streetlight camera footage for the investigation.

The evidence confirmed that the officer conducted a thorough and complete investigation at the scene and complied with department policy. Additionally, the traffic crash did not meet the criteria for a traffic investigation assignment; therefore, the surveillance footage from the street light camera was not obtained.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that the officer displayed unprofessional behavior and retaliated against her by unfairly finding complainant at fault for the crash. The complainant believed that her visible distress during the incident played a role in this treatment.

The named officer denied the allegation stating that the complainant's complete statement was not taken at the scene because she was extremely uncooperative and yelled profanities at her despite her efforts to obtain a complete statement from her.

Body-worn camera footage supports the officer's account. It shows that the officer remained professional throughout the encounter and concluded that the complainant was at fault for the vehicle crash, as the complainant admitted to speeding.

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

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

**CATEGORY OF CONDUCT: ND**

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

**COMPLAINT DATE: 10/15/2024      COMPLETION DATE: 04/11/25      PAGE# 3 of 4**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated the officer's report did not include her statement and contained mistakes and lies.

The officer admitted that she inadvertently documented the wrong information for the complainant; however, she prepared a supplemental correction to address all known errors. The officer disputed the other inaccuracies identified by the complainant.

The police records confirmed that the complainant's information was inaccurate on the initial report; however, the officer prepared a supplemental report and corrected those errors. There were no other inaccuracies in the report. The complainant was transported from the scene and made allegations of inaccuracies in report that she did not witness or were based on opinion.

The investigation revealed that the officer's traffic crash report was not a verbatim record of the statements obtained during the investigation; however, that in and of itself does not rise to the level of misconduct. Furthermore, the officer corrected the record, and the complete statements and investigation were memorialized on the officer's body-worn camera footage.

The evidence shows that given the complainant's behavior at the scene and the complexity of the vehicle crash, the officer adequately performed her report writing duties and complied with department policy.

**SUMMARY OF ALLEGATION #4:** The officer failed to supervise.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that the named officer failed to perform his duties and approved an inaccurate report.

According to Department General Order 1.04, sergeants are responsible for ensuring that all assigned members follow the department's policies and procedures. They must also take appropriate action when

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

**COMPLAINT DATE: 10/15/2024      COMPLETION DATE: 04/11/25      PAGE# 4 of 4**

violations occur. In addition, sergeants are required to review the arrests and reports of their subordinates to ensure they are appropriate and complete.

The traffic crash reports, and body-worn camera footage showed that the named officer was at the scene and provided guidance and support to the officer. The complainant did not give her identification to the named officer, which meant he could not have known that her contact information was incorrect. Nonetheless, the reporting officer corrected her error, and the named officer signed and approved both the initial and supplemental reports with these corrections.

The evidence shows that the named officer properly performed his duty as a sergeant and complied with department policy.

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

**COMPLAINT DATE: 10/23/2024**

**COMPLETION DATE: 04/29/25**

**PAGE# 1 of 3**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant contacted the Traffic Collision Investigation Unit (TCIU) to obtain information regarding an incident involving a family friend. The complainant called approximately three times and left messages for a return call. The complainant eventually received a call back from the named officer, but the named officer refused to provide the complainant with the direct contact information for the investigating officer or any additional information related to the incident or investigation. The complainant expressed his frustration with the named officer, and the named officer responded by telling the complainant he had an attitude. The complainant discontinued the call because he thought that the named officer was unhelpful, and the inability to provide any information was unprofessional.

The named officer confirmed that he spoke with the complainant, a family friend, in response to the voicemails that were received. The named officer explained to the complainant that he was unable to discuss the incident, and that no information would be provided to anyone that was not a family member or next of kin. The named officer believed that the complainant's attitude changed because the complainant was upset that the officer had refused to provide him with any information. The officer described the complainant's behavior as becoming aggressive in tone and verbally abusive. According to the officer, the protocol for the release of information involving a personal injury or death traffic collision reports in California is governed by California Vehicle Code (CVC) Section 20012 which states in part the following:

All required accident reports, and supplemental reports, shall be without prejudice to the individual so reporting and shall be for the confidential use of the Department of Motor Vehicles and the Department of the California Highway Patrol, except that the Department of the California Highway Patrol or the law enforcement agency to whom the accident was reported shall disclose the entire contents of the reports... to any person who may have a proper interest therein, including, the driver or drivers involved, or the guardian or conservator thereof, the parent of a minor driver, the authorized representative of a driver, or to any named person injured therein, the owners of vehicles or property damaged thereby, persons who may incur civil liability, including liability based upon a breach of warranty arising out of the accident, and any attorney who declares under penalty of perjury that he or she represents any of the above persons.

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

**COMPLAINT DATE: 10/23/2024**

**COMPLETION DATE: 04/29/25**

**PAGE# 2 of 3**

The named officer stated that after his conversation with the complainant concluded he called the victim's family member, his point of contact, to inform him of their conversation. The officer reiterated to the family member that he did not release any information to the complainant, and the complainant became upset.

The Department of Police Accountability contacted the victim's family member to verify the information provided by the named officer. In that conversation, the family member confirmed that the named officer called and informed him that he had recently spoken to the complainant. The family member recalled the officer telling him that the complainant became upset with him because the officer had refused to provide any information to him. The family member confirmed that he had not previously authorized the complainant to contact the TCIU on the family's behalf; however, the family member was aware that the complainant wanted to help their family. The family member said that the officer mistook the complainant's behavior as prying, whereas the family thought it was helpful. That being said, the family member confirmed that he was TCIU's point of contact with the incident, and everything related to the case was being relayed to him, he encouraged the named officer to continue to contact him about the investigation.

Department General Order 2.01, General Rules of Conduct, Public Courtesy states the following (DGO 2.01.8.):

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

- a. When answering the phone, identify themselves, including their name, rank, unit, station, or bureau, and inquire how they may be of service.
- b. Treat the public with courtesy and respect and not direct discourteous or profane language at members of the public.
- c. Address the public using pronouns and titles of respect appropriate to the individual's gender identity as expressed by the individual.
- d. Not demean or degrade individuals referencing their race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, mental or physical disability, or socioeconomic status.
- e. When requested, the member shall promptly and politely provide their name, star number and assignment.



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

**COMPLAINT DATE: 10/23/2024**

**COMPLETION DATE: 04/29/25**

**PAGE# 3 of 3**

The facts surrounding this tragic incident garnered significant media attention. The complainant, a family friend, wanted to assist the grieving family by obtaining information on their behalf to facilitate the flow of information. The officer was guided by specific laws regarding the release of information and the lack of prior authorization given by the family members resulted in this complaint. The DPA understands the motivation behind the complainant's intent, as well as the named officer's actions in preserving the confidentiality and privacy of the investigation into the incident. Although the complainant perceived the officer's actions as unhelpful and unprofessional, the evidence provided by the named officer showed the officer had not been given any permission to release information to anyone else other than the family member and next of kin. Therefore, the evidence proved that the conduct alleged occurred, but it was lawful and proper.

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

**COMPLAINT DATE: 10/25/2024**

**COMPLETION DATE: 04/22/25**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The complaint raises matters outside 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:

California Highway Patrol  
Office of Investigations  
601 North 7<sup>th</sup> Street  
PO Box 942898  
Sacramento, CA 94298

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

**COMPLAINT DATE: 10/26/2024**

**COMPLETION DATE: 04/11/2025**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IC/S**

**FINDINGS OF FACT:** Two complainants stated that they observed the named officer utilize a police vehicle's megaphone to inappropriately repeat, "Free the hostages!" at a peaceful pro-Palestine demonstration.

The named officer acknowledged that while he was on duty, wearing full uniform and driving a marked patrol vehicle, he utilized his vehicle's megaphone to repeat, "Free the hostages!" when he arrived on scene at a "Pro-Palestine" demonstration. The named officer stated that he was "not sorry" and argued that he was making a moral statement and not a political one.

Two witness officers stated that they heard the named officer repeat, "Free the hostages!" on the vehicle's megaphone when he drove past the demonstrators.

Multiple civilian witnesses stated that they observed the incident and were very upset by the named officer's behavior.

Department records indicated that the named officer responded to a B-priority "Pro-Palestine" demonstration.

Department General Order 2.01, General Rules of Conduct, Section 28, Political Activity, states, "Members/employees shall not, while on duty or while acting as a representative of the Department, endorse or oppose political candidates or issues or participate in political campaigns."

Evidence showed that the named officer improperly initiated counter-protest activity while on duty, in his uniform, utilizing Department equipment, and responding to a call for service.

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: 11/13/2024**

**COMPLETION DATE: 04/29/25**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer failed to properly care for, process, or book property.

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant reported that he visited a police station to renew his identification and that the named officer received the complainant's identification card along with the necessary documents for the renewal process. The complainant further alleged that after he left the station, he realized his identification card was missing and believed that the named officer forgot to return his original identification card. When the complainant contacted the station and returned to inquire about the missing identification card, he was informed that it could not be located.

The named officer acknowledged helping the complainant with the identification renewal process but denied having kept or lost the complainant's identification card. He explained that he returned the complainant's identification card along with the application, as the complainant would need both for the next steps in the application process. The officer did not recall any irregularities during their interaction and was unaware that the complainant's identification card was missing until the issue was later reported.

Police records confirmed that the complainant contacted the station about his missing identification card. The staff looked for the complainant's lost identification card but could not locate it.

No body-worn camera (BWC) footage was available as non-uniformed administrative personnel are not equipped with BWC.

Given the conflicting statements and the lack of BWC footage, the DPA concluded that the evidence was insufficient evidence to either prove allegations made in the complaint.

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

**COMPLAINT DATE: 11/15/2024**

**COMPLETION DATE: 04/19/25**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IC/S**

**FINDINGS OF FACT:** The complainant was driving and got into a collision with another vehicle. He sustained a minor injury and later went to the hospital on his own. Officers responded to the scene, provided him with a case number, and advised him that a police report for the collision would be available for him to request. The complainant requested a copy of the police report but was advised that it could not be located. The complainant stated that he needed to provide his vehicle insurance company a copy of the report. The complainant was unaware of what happened to the report and why no one with the SFPD could locate it. The complainant submitted photos of the scene and screenshots of his email correspondence with SFPD regarding his report request.

The named officer and his partner responded to a vehicle collision, took statements from the parties involved, and obtained information for a report. He confirmed that a written report was required per department policy for this collision, since there were injuries involved, and that he was the officer responsible for writing the report. He requested a case number for the collision, which was provided to the parties involved, who were advised that they could request a copy of the report. He stated that he wrote a report for the collision during his shift, submitted it for supervisor review, and once it was approved, printed out a copy and forwarded it to the appropriate division.

The named officer stated that he looked for a copy of the report or any evidence of it on his computer and was unable to find anything. He could not recall the supervisor who reviewed and approved the report, nor could he recall any witnesses who may have witnessed him writing the report. He did not know how the report went missing or why no one could locate it. He said he did everything he was supposed to do regarding completing the report, and after he left it to be delivered to the appropriate division, he had no control over what happened to it.

Department records showed that the named officer was dispatched and responded to a vehicle collision involving injury, and that a case number was created.

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

**COMPLAINT DATE: 11/15/2024      COMPLETION DATE: 04/19/25      PAGE# 2 of 2**

Body-worn camera footage for the incident showed that the named officer and his partner responded to a two-vehicle collision, took statements from the complainant and other involved parties, and other officers responded and assisted with taking photos and measurements for the report. Two people told the named officer that they had sustained burns (from the vehicle airbags that deployed), and the complainant expressed to the named officer's partner that he had a minor injury to his head. Another officer provided the named officer with the notes he took from the scene and told him that he would email him photographs he took. The named officer and his partner provided the drivers with the case number for the report.

The Department of Police Accountability attempted to obtain a copy of the traffic collision report; however, the SFPD was unable to locate it after an exhaustive search was completed.

DGO 9.02 Vehicle Crashes, states in part that "It is the policy of the San Francisco Police Department to investigate and report the following types of vehicle crashes: "1. All traffic crashes resulting in death or injury." DGO 9.02.03.A. states in part, "Report – When investigating crashes involving injuries, always complete the entire Traffic Crash Report, including a diagram of the crash scene."

The evidence showed that the named officer violated department policy when he failed to complete a traffic collision report for this vehicle crash involving injury. While the named officer asserted that he wrote the report, there is no evidence to support his assertion.

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: 11/19/2024**

**COMPLETION DATE: 04/10/2025**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that she was looking for a place to stop while driving down the street when the named officer contacted her. The complainant said the named officer yelled at her and threatened to issue her a citation.

The named officer stated that the complainant was double-parked and traffic had stalled behind her. The named officer said that people were stuck in the middle of the intersection. Vehicles were honking at her, and she disregarded their commands to move her car forward. The named officer stated that he waved his hands, instructing the complainant to move her car forward. She refused to move and disregarded his request, prompting him to approach her and yell for her to move her vehicle, as she evidently could not hear his request due to all her windows being rolled up. The named officer stated the complainant continued to ignore his commands, threw her hands in the air, and shrugged her shoulders as if he were being a nuisance. Other vehicles had to go around her and drive into the bus and taxi lanes, which they were not supposed to do. The named officer stated there was a bus in the opposite lane, and the vehicles behind the complainant had to cut off the bus to pass around her, almost causing an accident. The named officer stated that when the complainant finally moved her vehicle, he instructed her to pull over and that he was going to issue her a citation. The complainant ignored her and drove away from the scene.

A witness officer present at the scene stated that the complainant was double-parked and refused to move her vehicle. The witness officer stated that the named officer was approximately twenty feet away from the complainant when he instructed the complainant to move. The witness officer said the named officer had to raise his voice due to the distance so that the complainant could hear him. He stated that the named officer was professional and that he did not observe any inappropriate behavior.

There were no Department records or body-worn camera footage available.

The evidence showed that the complainant refused to move her car and due to the fact her windows were up and the heavy volume of traffic, the named officer speaking to the complainant in an elevated voice to give instructions appeared reasonable. The evidence proved that the alleged conduct occurred. However, the conduct was justified, lawful, and proper.

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

**COMPLAINT DATE: 11/23/2024**

**COMPLETION DATE: 04/22/25**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that her landlord called officers to her apartment and that the officers issued her a citation without cause.

Officers were dispatched to a trespassing call. Records showed that the complainant had recently been evicted. The property owner showed the named officer the court order for eviction, which was executed by sheriff's deputies prior to the incident. The property owner asked for the complainant to be arrested, so the named officer issued the complainant a citation for trespassing. The citing officer stated that Department rules required him to issue a citation.

Body camera footage showed the named officer meeting with the property owner and reviewing the previously executed eviction paperwork. The owner of the property asked for a citizen's arrest; the named officers then issued a citation to the complainant.

The officer had evidence that a crime had taken place, appropriately accepted the property owner's private person arrest, and therefore had justification to issue a citation.

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: 11/23/2024**

**COMPLETION DATE: 04/22/25**

**PAGE# 2 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** On a separate date, the complainant called for police assistance regarding past occurrences at the apartment. She stated that the named officer failed to take any action for her reports against her landlord for carbon monoxide leaks.

SFPD documents showed that the named officer took a report documenting the complainant's allegations against her landlord. The named officer also provided advice to the complainant.

The named officer completed a report on civil matters regarding the habitability of an apartment.

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: 11/24/2024**

**COMPLETION DATE: 04/22/25**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer failed to investigate his report of fraud.

SFPD records showed that the complainant filed a report regarding a damaged computer system.

The named officer stated that the complainant did not provide any evidence to link the alleged suspect to the alleged crime. The named officer stated the allegations were most likely a civil matter and not a criminal matter. The named officer came to an agreement with the complainant to contact the alleged suspect as a courtesy, but the complainant approached the alleged suspect himself. The complainant then represented to the suspect that he was acting on behalf of the named officer. The complainant alleged the officer told him to approach the suspect, which the named officer denied. Based on the complainant's misrepresentations, the named officer questioned the complainant's credibility and stopped the investigation.

Email communication between the complainant, the named officer and the alleged suspect showed that the complainant asserted that he was investigating under the direction of the named officer. He said that the named officer instructed him to visit suspect's home. The named officer replied that he had not told the complainant to take any action. The emails showed the named officer explained to the complainant why the investigation was not going any further.

There was no requirement for SFPD to investigate this case; however, the named officer took it upon himself to do an initial investigation. The named officer then decided that the complainant was not a credible witness and closed his 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: 11/24/2024**

**COMPLETION DATE: 04/22/25**

**PAGE# 2 of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer called him a liar.

The named officer stated that he said the complainant was lying. The named officer stated that the complainant took actions on his own accord to investigate an alleged suspect of a crime. The complainant then told the suspect that the named officer had told him to take that action. The named officer told the suspect and the complainant that what the complainant said was a lie and he did not instruct the complainant to take any such action.

Email correspondence between the named officer, the complainant and the suspect show that the complainant did take action as part of his investigation and did tell the suspect that the named officer had told him to do it. The emails also showed that the named officer did tell both the complainant and the suspect that this was a lie and that he had not and would never tell the complainant to take such action.

The officer used the word “lie” to correct misrepresentations and false statements made by the complainant in writing on a communication to the suspect that gave the appearance that the complainant was acting on the officer’s behalf. One of the false statements included an allegation that the officer engaged in criminal conduct. The officer's choice of words to correct the false was appropriate.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 12/5/2024      DATE OF COMPLETION: 04/11/25      PAGE# 1 of 3**

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

**CATEGORY OF CONDUCT:** CUO

**FINDING:** NF

**FINDINGS OF FACT:** The complainant observed a person wrapped in a blanket laying on the ground from a window in their residence. The complainant called the non-emergency police telephone line to make a complaint because the person on the ground was blocking an entrance to an alleyway. The complainant did not initially request that the officers contact them when they responded to the complainant's initial call. After a few hours had passed, the complainant called back the non-emergency line to advise that the same person had moved and was now sitting on a sidewalk. The complainant requested police contact for this call but was advised that officers would not be able to take action since the person was not blocking anything. The complainant became upset and alleged that the officer did not have proper knowledge of the Sit/Lie law and was discourteous to the complainant.

The Civil Sidewalks Ordinance, Section 168(B) of the San Francisco Penal Code, commonly known as the "Sit/Lie" Ordinance, states that it is unlawful to sit or lie on public sidewalks of commercial districts or corridors between the hours of 7:00 a.m. and 11:00 p.m. The stated intent of the law is to improve public sidewalk conditions for the merchants of the area, create tools for police to engage with persons who are not breaking the law but are publicly acting out, provide tangible services for those experiencing conditions that cause them to be continual offenders of the Sit/Lie ordinance, and to increase public safety.

The Department of Police Accountability (DPA) conducted a computer records check using the information provided by the complainant which yielded results for the initial call for service. The computer-aided dispatch (CAD) record showed that officers responded to the call about the person lying in the street, but the person was no longer there. Furthermore, officers were not dispatched to the complainant's follow-up call because the call was canceled, and the complainant was referred to the 3-1-1 call center for further information. The records did not identify the person with whom the complainant spoke regarding the Sit/Lie law. As a result, DPA sent two Identification Polls (ID Poll) to a District Station and an Operations Center because the complainant did not identify a specific officer or civilian

involved in the incident. As background, an ID Poll describes the incident and asks the Captain and/or their designee to review the incident description and identify officers that were involved. In this matter,

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 12/5/2024      DATE OF COMPLETION: 04/11/25      PAGE# 2 of 3**

the Captain and/or their designee stated that they were unable to identify any officer or civilian involved. Therefore, there was insufficient information to identify the person involved.

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

**SUMMARY OF ALLEGATION #2:** The officer failed to maintain required knowledge.

**CATEGORY OF CONDUCT:** ND

**FINDING:** NF

**FINDINGS OF FACT:** DPA sent two Identification Polls (ID Poll) to a District Station and an Operations Center because the complainant did not identify a specific officer or civilian involved in the incident. As background, an ID Poll describes the incident and asks the Captain and/or their designee to review the incident description and identify officers that were involved. In this matter, the Captain and/or their designee stated that they were unable to identify any officer or civilian involved. Therefore, there was insufficient information to identify the person involved.

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

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

**CATEGORY OF CONDUCT:** ND

**FINDING:** NF

**FINDINGS OF FACT:** DPA sent two Identification Polls (ID Poll) to a District Station and an Operations Center because the complainant did not identify a specific officer or civilian involved in the incident. As background, an ID Poll describes the incident and asks the Captain and/or their designee to review the incident description and identify officers that were involved. In this matter, the Captain and/or their designee stated that they were unable to identify any officer or civilian involved. Therefore, there was insufficient information to identify the person involved.

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

**DEPARTMENT OF POLICE ACCOUNTABILITY  
COMPLAINT SUMMARY REPORT**

**DATE OF COMPLAINT: 12/5/2024      DATE OF COMPLETION: 04/11/25      PAGE# 3 of 3**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/DEM**

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

Division of Emergency Communications  
Josu Garmendia, Operations Manager  
Department of Emergency Management  
1011 Turk Street, San Francisco, CA 94102

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

**COMPLAINT DATE: 12/13/2024**

**COMPLETION DATE: 04/01/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The anonymous complainant stated that officers failed to respond to calls for police assistance. The complainant failed to provide any further information.

The named officers said they did not remember the incident as it occurred over a year ago and was minor. The named officers stated that according to police documents they did respond and dealt with the situation.

SFPD documents showed that officers were dispatched to the scene and arrived within a reasonable amount of time. The documents showed that the named officers reported handling the incident.

There is no body camera footage as the time between the incident and the complaint was longer than the required retention period for footage, according to SFPD policy.

The documents showed that the named officers did respond to the complainant's call. There is no evidence suggesting they did not.

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

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

**COMPLAINT DATE: 01/10/2025**

**COMPLETION DATE: 04/29/25**

**PAGE# 1 of 3**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant said her mother was crossing a street when she was struck by a vehicle and injured. The complainant stated that the named officer should have interviewed her mother at the hospital and checked on her injuries instead of only interviewing her inside the ambulance at the collision scene. She alleged that obtaining her mother's statement when she was injured inside the ambulance was not an appropriate way to get her statement.

The named officer took the complainant's mother's statement at the scene. He stated he later explained to the complainant that he was the initial investigating officer, and any further interviews following the completion of his report would be the responsibility of an investigator, if one were assigned. The officer said that, in his experience, statements are best obtained at the scene and just after a collision, when memory is freshest. He stated that per Department policy, he was not obligated to interview the complainant's mother at the hospital or follow up regarding the details of the injuries. He stated that follow-up interviews are conducted by other officers if a case is assigned for investigation.

Body-worn camera (BWC) footage for the incident showed that the named officer obtained a statement about the crash from the complainant's mother while she was in an ambulance. The complainant's mother told the named officer what happened and responded to the named officer's questions. A paramedic advised the named officer that the complainant's mother was complaining of shoulder pain with a limited range of motion. The complainant's mother told the named officer that her left shoulder hurt, as well as other parts of her left side, including her arm, hip, and leg.

Department records showed that the named officer's traffic collision report of the incident included a statement from the complainant's mother regarding the collision and that she had pain to her left side.

The evidence showed the named officer took a statement from the complainant's mother at the scene and inquired about her injuries and complaints of pain. Department policy did not require him to follow up further at the hospital.

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



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

**COMPLAINT DATE: 01/10/2025**

**COMPLETION DATE: 04/29/25**

**PAGE# 2 of 3**

**SUMMARY OF ALLEGATION #2:** The officer prepared an incomplete or inaccurate incident report.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant's mother was struck by a vehicle and injured when crossing a street on foot. The named officer investigated the crash and wrote an incident report. The complainant alleged the named officer did not consider her mother's statement, he inaccurately concluded that her mother was at fault, and that the diagram of the collision in the report does not align with the report's conclusion. The complainant also alleged that the named officer falsely documented in the report that her mother lacked any injuries.

The complainant submitted photos of her mother, which showed bruises to her left arm and chest. The complainant submitted medical records that showed her mother had a fractured upper arm bone near the shoulder and underwent surgery.

The named officer has received training regarding investigating traffic collisions and has written numerous traffic collision reports during his employment as a police officer. The named officer said the investigation included the parties' statements, which were both considered, and any physical evidence available. He looked at the vehicle involved and did not see any damage to its front end. He also said there were no security cameras in the area that may have captured the incident, and no independent witnesses observed the crash, and when he was viewing his body-worn camera footage, he heard the complainant's mother say she heard screeching noises before being hit, but he did not recall seeing any tire marks on the ground.

He did not observe any physical injuries to the complainant at the time of his investigation, nor did he see any bruising as shown in the photos the complainant submitted. Paramedics advised the named officer that the complainant's mother had shoulder pain. He said he did not determine the cause of the crash based on the complainant's mother's lack of visible injuries. The named officer determined that the complainant's mother was at fault for the collision based on his initial investigation. He said that the sketched diagram of the crash in his report was not to scale and shows the area of impact and other approximate measurements. He said the complainant's interpretation of the diagram is her opinion, and he assumed she is not a trained traffic collision investigator.

The named officer's incident report included statements from both involved parties, including that the complainant's mother believed that she was struck twice. The named officer noted that the complainant's

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

**COMPLAINT DATE: 01/10/2025**

**COMPLETION DATE: 04/29/25**

**PAGE# 3 of 3**

mother had pain in her left side and lacked visible injuries. The named officer concluded the complainant's mother entered the crosswalk when the driver of the vehicle had already entered and traveled more than halfway into the intersection. The named officer concluded that the primary collision factor in this incident was a violation of California Vehicle Code 21950(b) which details in part that a pedestrian cannot suddenly leave a curb or other place of safety and walk or run into the path of a vehicle that is so close as to constitute an immediate hazard.

Body-worn camera footage (BWC) for the incident showed that the named officer took statements from the driver of the vehicle and the complainant's mother, made phone calls to individuals who were noted by dispatch to see if they were witnesses to the crash, and looked at the vehicle for any damage. The complainant's mother informed the named officer that she saw a vehicle coming, thought it would stop at the stop sign, she entered the intersection, and was subsequently struck two times by the vehicle. No bruising or other visible injuries were seen on the complainant's mother, who was lying on a gurney in an ambulance. A paramedic told the named officer that the pedestrian complained of shoulder pain and limited range of motion. Other officers searched for security cameras in the area and took photographs.

The officer conducted an initial investigation and documented the complainant's mother's statement, including her complaint of pain and the lack of visible injuries. The officer's conclusions in a traffic collision report are based on the officer's perceptions, credibility assessments, and interpretation of the available evidence. The officer's conclusions in the traffic collision report were reasonable.

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

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

**COMPLAINT DATE: 01/12/2025      COMPLETION DATE: 04/29/25      PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that his tenant violated his civil restraining order against her. Officers responded but refused to enforce the order and arrest the tenant.

The named officers stated that they responded to the scene, spoke with both parties, and reviewed the order and video footage provided by the complainant. Ultimately, they determined there was no probable cause to arrest the tenant as she acted reasonably and did not attempt to approach the complainant.

Department records showed that the named officers responded to a restraining order violation call for service. Court documents reflected that a restraining order was granted, which ordered the tenant to stay three yards away from the complainant when they both were present on the property. Attached to the Incident Report was a copy of video footage taken by the complainant as well as an email from the complainant to the tenant. The video footage showed the tenant emerging briefly from her bedroom into the hall, looking in (without entering) the kitchen, and then returning to her room.

Body-worn camera footage (BWC) showed the named officers speaking with each party and reviewing the restraining order. One of the officers called a supervisor while on scene, and they explained to the complainant that they would be writing up a report of the incident but would not arrest the tenant as she had no intent to violate the order.

“Probable cause to arrest exists when the totality of the circumstances or ‘total atmosphere’ of the case would cause a person of ordinary care and prudence to entertain an honest and strong suspicion that the person to be arrested is guilty of a crime.” (POST LD 15, Laws of Arrest, version 4.16 (rev. April 2022).)

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

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

**CATEGORY OF CONDUCT: ND**

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

**COMPLAINT DATE: 01/12/2025      COMPLETION DATE: 04/29/25      PAGE# 2 of 2**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the officer lied in the narrative section of the incident report by saying that the tenant told the officers that she did not know that the complainant was in the kitchen when she came out of her room. In addition, the complainant disputed all three reasons listed in the incident report supporting the determination not to arrest the tenant.

The named officer stated that he prepared the incident report, and the narrative was accurate and factual based on his observations and recollections of the statements and evidence provided on scene by all involved parties. He noted that his body-worn camera (BWC) footage captured the tenant stating that she did not know who was in the kitchen when she heard the noise. Concerning the three reasons supporting the officers' decision not to arrest the tenant, the named officer stated that the tenant acted reasonably in trying to ascertain the cause of the noise from the kitchen by investigating, that the tenant did not say anything to the complainant when she saw him inside the kitchen which showed an effort by her not to escalate the situation, and that the tenant returned to her bedroom without further incident. These three reasons were important because the named officer believed they were clear indications that the tenant had no intent to violate the restraining order.

Department records showed that the named officer prepared the incident report.

The complainant's video footage showed the tenant emerging briefly from her bedroom into the hall, looking in (without entering) the kitchen, and then returning to her room.

BWC confirmed that the tenant told the named officer that she did not know who was in the kitchen.

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

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

**COMPLAINT DATE: 01/23/2025**

**COMPLETION DATE: 04/10/25**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The anonymous complainant, who wished not to be contacted, stated that an unknown officer failed to act when an individual threatened him after he asked the individual to move away from a doorway.

Because the complainant could not identify the specific officer involved in the interaction, the Department of Police Accountability (DPA) sent Identification Polls (ID Poll) to two district stations. An ID Poll describes the incident and asks the captain and/or members of the station to review the incident description and identify the officer(s) that were involved. The ID Polls came back 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.

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The anonymous complainant, who wished not to be contacted, stated that he asked an individual to move away from a doorway. The complainant stated that an unknown officer spoke to him inappropriately when the officer informed him that he should not have asked the individual to leave but instead should have called the police non-emergency number.

Because the complainant could not identify the specific officer involved in the interaction, the Department of Police Accountability (DPA) sent Identification Polls (ID Poll) to two district stations. An ID Poll describes the incident and asks the captain and/or members of the station to review the incident description and identify the officer(s) that were involved. The ID Polls came back with negative results.

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

**COMPLAINT DATE: 01/23/2025**

**COMPLETION DATE: 04/10/25**

**PAGE# 2 of 2**

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: 01/28/2025**

**COMPLETION DATE: 04/15/25**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PF**

**FINDINGS OF FACT:** The complainant stated that the San Francisco Police Department is harassing him and his family by responding to his residence with guns drawn over 40 times last year due to false reports to 9-1-1. This is the second complaint the complainant has made, following his initial complaint a year ago. Two new ‘swatting’ incidents happened after his last complaint.

Department records indicate that numerous 9-1-1 calls were placed to the Department of Emergency Management regarding violence at the complainant’s address, which led to police responding to his address twice. Both incidents were deemed false.

The San Francisco Police Department (SFPD) issued a new Department Bulletin 25-019 with updated guidelines regarding Swatting incidents, following the last complaint, which was deemed a policy failure by the Department of Police Accountability. The complainant filed this new complaint two months prior to the issuance of the new SFPD policy, and therefore, no officers have violated any department policies.

The new Department Bulletin provides some guidelines to identify, assess, and report swatting calls.

The evidence shows that false 9-1-1 calls were made to the emergency departments targeting the complainant’s address. However, there is no evidence that the calls originated from the San Francisco Police Department. The evidence proves that the alleged conduct occurred but was justified by a lack of Department policy or procedures, and DPA had made recommendations that the policy or procedure be added or created.

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

**CATEGORY OF CONDUCT: CUO**

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

**COMPLAINT DATE: 01/28/2025**

**COMPLETION DATE: 04/15/25**

**PAGE# 2 of 2**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that he later went to the police station and informed the staff that he knew who had made the false 9-1-1 reports. However, the staff would not listen to him nor tell him who made the calls.

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

There were no witnesses at the time of the incident.

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



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

**COMPLAINT DATE: 01/28/2025**

**COMPLETION DATE: 04/15/2025**

**PAGE# 1 of 2**

**SUMMARY OF ALLEGATIONS #1-2:** The officers engaged in unwarranted action.

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged that the named officers denied him entry to his apartment despite showing them his ID, which matched the address of the building. The complainant said the officers told him his ID was not proof that he resided in the building and threatened to arrest him for trespassing. The complainant stated that, aside from his ID, he provided documents to prove his residency, but the named officers showed no interest in them.

Named Officer #1 stated that upon arrival at the scene, he spoke with the complainant, who provided him with his California identification card and said that he was a resident of the building. After listening to the complainant, he spoke with the front desk clerk. The front desk clerk referred Named Officer #1 to his manager, who was on the phone with the clerk. The manager informed him that the complainant was not a resident but could enter the building as a visitor if accompanied by a resident. The named officer said the complainant refused to call anyone in the building. The complainant wanted him to force the front desk to let him enter the building. The officer refused because the matter was not criminal but civil in nature, he had no paperwork showing that the complainant was on the lease, and the front desk clerk stated that the complainant was neither a resident nor on the residents' list. The named officer said he could not recall the complainant wanting to show additional paperwork as proof.

Named Officer #2 stated that according to the front desk clerk, the complainant was neither a resident nor on the lease. He recalled the complainant wanting them to look into emails from the Adult Protective Services, but the complainant never presented such emails, despite having opportunities during the contact to do so. He stated that the complainant presented no additional paperwork to support his claim that he was a resident, except for his identification card.

The computer-aided dispatch (CAD) record of the incident indicated that the complainant was not on the list of residents but was considered a visitor of one of the tenants in the building. It further suggested that the building personnel said the complainant could enter the building if accompanied by a resident or tenant.

Department records indicate that a similar incident occurred a few months earlier. The complainant, who had allegedly instigated a dispute with an unknown staff member at the front desk, was denied entry and became upset. He reported that the staff threatened to physically assault him. The officers who investigated

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

**COMPLAINT DATE: 01/28/2025      COMPLETION DATE: 04/15/2025      PAGE# 2 of 2**

the incident determined that no assault had occurred and were unable to ascertain whether the complainant was a resident of the building.

The Department of Police Accountability (DPA) obtained the body-worn camera (BWC) footage of the incident. The BWC footage was consistent with the statements the named officers provided to DPA.

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

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

**COMPLAINT DATE: 01/29/2025**

**COMPLETION DATE: 04/29/25**

**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 she was the victim of a stalking crime in which the suspect was identified as a former neighbor who admitted to placing a tracking device on the complainant's car. That individual was arrested, and a civil restraining order was issued against him. The complainant believes that the individual who *placed* the tracking device is not the same individual who *owns* the tracking device and wanted the named officer to prepare a search warrant with respect to device ownership. The complainant stated that the named officer was unwilling to help the complainant with this and told her that he is not spending any further time on her case as he has others that need attention.

The named officer confirmed that he was the lead investigator on the complainant's case and that initially he was reluctant to obtain a search warrant as he did not believe the case met the criteria for issuance as outlined in the penal code. He sought outside opinions from departmental experts. Opinions were divided, but the complainant was insistent, so he ultimately drafted a search warrant and brought it before a judge where it was denied. The named officer stated that he explained the situation to the complainant and explained that he was unwilling to "shop" the search warrant around to other judges. The complainant ignored his comments and continued to email him with suggestions of how he should proceed. The named officer stated that he was unwilling to follow the complainant's other suggestions because they were equally problematic, and most would involve him either perjuring himself or compromising his personal and professional ethics.

The complainant provided copies of an email exchange between the complainant and the named officer in which the complainant provided suggestions regarding alternate ways of obtaining information regarding the tracking device and the named officer responded that due to the volume of cases and limited staffing that he would be ending the criminal investigation of the case.

Department records show the named officer conducted an appropriate and reasonable investigation following established procedures and protocols for a criminal investigation that resulted in the suspect being criminally prosecuted. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

**COMPLAINT DATE: 02/01/2025**

**COMPLETION DATE: 04/10/2025**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that the officer driving a specific patrol vehicle failed to use a turn signal before turning.

DPA's investigation identified the two named officers through Department records as being the officers using the vehicle in question on the date and time of the incident.

Named Officer #1 did not recall an encounter with the complainant as alleged.

Named Officer #2 did not recall an encounter with the complainant as alleged.

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

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

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

**COMPLAINT DATE: 02/01/2025**

**COMPLETION DATE: 04/10/2025**

**PAGE# 2 of 2**

**FINDINGS OF FACT:** The facts from the previous section are hereby incorporated for reference. The complainant stated that he stopped his vehicle in a lane of traffic next to a specific patrol vehicle to remind the officers to use their turn signal, and the driver of the patrol vehicle told the complainant he would cite him for blocking traffic if he did not move.

Named Officer #1 did not recall an encounter with the complainant as alleged.

Named Officer #2 did not recall an encounter with the complainant as alleged.

Even if the named officers had engaged with the complainant as alleged, it was appropriate to advise the complainant that he was blocking a lane of traffic, and it would have been appropriate to cite the complainant if he had not moved.

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

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

**COMPLAINT DATE: 02/06/2025      COMPLETION DATE: 04/01/25      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated in a complaint referred to DPA that officers from two district police stations had failed to respond to complaints regarding an unhoused individual using the complainant's private property to use drugs and sleep.

DPA attempted to reach the complainant by telephone and mail but was unsuccessful.

Without additional details, DPA had insufficient information to conduct an investigation.

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

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

**COMPLAINT DATE: 02/10/2025**

**COMPLETION DATE: 04/10/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated they were the victim of an assault, and the suspect was not arrested.

Department records document that the suspect was not on the scene when officers arrived and could not be located. Records showed that the case was not assigned for further investigation.

Body-worn camera (BWC) evidence shows the suspect was gone when officers arrived on the scene and could not be found.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated the officer did not write a report.

Department records show the named officer wrote a complete report. The incident report is consistent with what is shown in the BWC. BWC shows the officer interviewing the complainant. A witness was also interviewed.

The evidence proves that the conduct alleged did not occur.

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

**COMPLAINT DATE: 02/12/2025**

**COMPLETION DATE: 04/10/2025**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant observed a marked vehicle parked on a street corner sidewalk, blocking pedestrians and a wheelchair ramp. Moments later, an officer contacted him and asked what he could do to help him. The complainant told the officer that he had been wrongly parked and that he should serve as an example to the public by parking his vehicle correctly. The officer replied that he had parked the car on the sidewalk because that part of the sidewalk was dirty and that he did not want people to walk on it. The complainant stated that the officer could have parked the vehicle on the street, where there was ample space to park legally. The complainant failed to identify the officer but was able to note down the vehicle number.

DPA contacted SFPD's Fleet Management Unit in an attempt to identify which division/district the vehicle in question belonged to. Fleet Management advised that the license plate number was not associated with any of SFPD's vehicles.

The complainant provided DPA footage of the contact taken from his cell phone, but the video was inaccessible. DPA the complainant, asked for a viewable copy, but the complainant failed to respond to the request.

Because the complainant could not identify the specific officer involved in the interaction, DPA sent an ID Poll to the corresponding district station where the incident happened. 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 officer could not reasonably be identified.



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

**COMPLAINT DATE: 02/26/2025**

**COMPLETION DATE: 04/29/25**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated officers did not arrest his landlord following an assault.

Department records indicate that the complainant's landlord summoned the police because the complainant assaulted him when he confronted the complainant, who was vandalizing cameras and maliciously cutting the power to the multi-unit building. Officers viewed surveillance footage showing the complainant painting over several cameras near the electrical boxes. Officers responded two times, hours apart, at the landlord's request. The landlord reported that several tenants feared the complainant and the possibility of power being shut off again. The landlord reported that he stationed himself by the electrical boxes when the complainant ran towards him with arms straight out, punching him one time in the shoulder area. The landlord further stated that the complainant chased him and elbowed him in the head. Officers on the scene contacted the complainant. However, he refused to open his door or provide a statement and only communicated with them on the fire escape. The landlord wanted the complainant prosecuted.

Body-worn camera footage documented the complainant's landlord's report that the complainant assaulted him after he found the complainant tampering with the power box and cameras in the apartment building. Several officers made multiple attempts to speak with the complainant face to face; however, he either did not respond or refused to answer his door. The complainant only spoke (and screamed) to the officers from the fire escape and repeatedly alleged he was assaulted by his landlord, whom he wanted arrested. In addition, he stated that he had video of the assault but never produced it to the officers. The complainant refused a citizen's arrest verbally and refused to sign the Private Person's Arrest Form. Officers could not convince the complainant to open his door and subsequently left the scene.

Department General Order 5.03 (Arrests by Private Persons) states in relevant part that the requesting party must sign a Private Person's Arrest Form or document the verbal affirmative response to make a private person's arrest on body-worn camera. In addition, it states, "When receiving an arrest from a private person, the decision to cite or book the suspect shall be made upon further investigation of SFPD and not the arresting person's preference. SFPD has a duty to investigate allegations raised by a private person."

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

**COMPLAINT DATE: 02/26/2025      COMPLETION DATE: 04/29/25      PAGE# 2 of 2**

California Penal Code §836(a)(1) states in the relevant part that an officer may arrest a person if a public offense is committed in their presence, unless it is a felony.

The complainant alleged that he was the victim of a misdemeanor assault. He was offered multiple times to open his door and sign a Private Person's Arrest Form, speak with the officers, and personally identify the suspect. The complainant failed to cooperate and affirmatively stated to officers that he did not want to request a citizen's arrest, but repeatedly stated he wanted his landlord arrested. Officers attempted to conduct a thorough investigation by speaking with the complainant; however, he refused to open his door and share a video he purported to have documenting the assault. Had the complainant requested a private person's arrest, the named officer did not have the necessary authority to make an arrest. In addition, the Named Officer complied with state law by not arresting the landlord because the alleged misdemeanor assault was not committed in the officer's presence.

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

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

**COMPLAINT DATE: 02/24/2025**

**COMPLETION DATE: 04/10/25**

**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 anonymous complainant alleged that officers refused to come to his residence and enforce trespassing laws.

The complaint was referred to the Department of Police Accountability (DPA) from a separate agency and did not include any contact information for the complainant. The officers who refused to come to the residence were not identified.

There is insufficient information for DPA to conduct an investigation.

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

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

**COMPLAINT DATE: 02/27/2025**

**COMPLETION DATE: 04/10/25**

**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 rode their scooter in a bike lane when suddenly, and without warning, an officer operating a city vehicle entered a bike lane inappropriately. In disbelief, the complainant shook their head at the officer. In response, the complainant stated the officer made a profane statement and then sped off in an evasive manner as the complainant asked for the officer's name and badge number.

The Department of Police Accountability conducted a computer records check using the information provided by the complainant which yielded negative results. As a result, DPA sent an Identification Poll (ID Poll) to verify the officer information provided by the complainant because the complainant was unable to identify a specific officer involved in the incident. An ID Poll describes the incident and asks the Captain and/or their designee to review the incident description and identify officers that were involved. The ID Poll came back with negative results based on the vehicle information provided by the complainant. Therefore, there was insufficient information to identify the person involved.

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

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

**COMPLAINT DATE: 02/28/2025      COMPLETION DATE: 04/01/2025      PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT:** UA

**FINDING:** PC

**FINDINGS OF FACT:** The complainant was detained for a mental health evaluation. The complainant stated that his brother had called the police because he was holding a machete earlier in their house. The complainant said that after being detained by the officers, paramedics transported him to a local hospital. He believed the detention was without justification.

The computer-aided dispatch (CAD) of the incident showed that the complainant's brother called 911 for assistance because the complainant punched him in the stomach when he confronted the complainant about the incident that occurred earlier in their house with their mother. The brother did not want to press charges but wanted the complainant to get professional help for his mental health condition.

The incident report showed that earlier in the day, the complainant's mother saw him in their kitchen holding a machete. She asked the responding officers to conduct a mental health evaluation on the complainant. When the officers returned to talk to her again, she told them she saw the complainant banging their banister with a crowbar, breaking a Ring camera, throwing things to the backyard, and spray-painting the word Allah. She further reported that the complainant was walking around the house with a machete and saying that he could use it to hurt himself while pointing the machete at his chest.

After investigation, the officers believed the complainant was experiencing a mental health crisis and was a danger to himself and others. The named officer completed the mental health detention form and had the complainant transported to a local hospital

The Department of Police Accountability obtained body-worn camera (BWC) footage of the incident. The footage appeared consistent with what was documented in the incident report. The footage showed the complainant admitting to punching his brother when the latter talked to him about what happened in their house. At some point during the detention, the complainant made irrational statements and repeatedly yelled at bystanders on the sidewalk. The footage also showed that the complainant's mother was concerned about his mental state and well-being. She reported how the complainant walked around the house with a machete, breaking things and throwing them out. She felt that the complainant was agitated and was scared of what he might do because of his unstable psychological state of mind and violent behavior in the past. The footage further showed that some members of a nearby mosque wanted a restraining order against the complainant for apparent disturbances the complainant had done inside the mosque.

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

**COMPLAINT DATE: 02/28/2025      COMPLETION DATE: 04/01/2025      PAGE# 2 of 2**

The evidence showed the complainant's actions put him at risk of harming himself or others. The named officer's decision to detain the complainant for a mental health evaluation was within the guidelines of Department policy and procedure.

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

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

**COMPLAINT DATE: 02/06/2025      COMPLETION DATE: 04/10/25      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant reported that the officer prevented him from filing a report against Adult Protective Services and threatened to arrest him.

The DPA attempted to contact the complainant for additional information; however, the complainant did not respond. There was insufficient information to identify the officer for the DPA to conduct further investigation.

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

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

**COMPLAINT DATE: 03/04/2025      COMPLETION DATE: 04/29/25      PAGE# 1 of 1**

**SUMMARY OF ALLEGATIONS #1-3: The officers displayed threatening, intimidating or harassing behavior.**

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant filed an online complaint stating that officers harassed him and his immigrant family regarding a burglary incident and provided one of the officers' names and unit numbers. However, when the DPA requested more information, the complainant was unwilling to provide the details and was verbally abusive.

Department records indicate that a reporting party called the police regarding a burglary that happened earlier that day. The computer-aided dispatch (CAD) shows the officers who responded. The reporting party advised that he was able to get his stolen property back and did not seek further action from the police. It records that the complainant later called dispatch and asked about the incident and the officers' names and then started cursing at 9-1-1 dispatchers.

Body-worn camera footage captured that the named officers responded to the scene, spoke professionally with the reporting party, searched the scene for evidence, and left. The footage did not show that the officers had any interaction with the complainant or his family.

The evidence proves that the named officers did not harass the complainant or his family. The evidence proves that the conduct alleged did not occur or that the accused officers were not involved.



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

**COMPLAINT DATE: 03/06/2025**

**COMPLETION DATE: 04/17/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/SFPD**

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

San Francisco Police Department  
Northern Station  
1125 Fillmore Street  
San Francisco, CA 94115

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

**COMPLAINT DATE: 03/07/2025**

**COMPLETION DATE: 04/01/25**

**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 called a taxicab and waited for it outside. After a taxi arrived, a police officer showed up and told the complainant they had called the taxi for two people they were with. The two people boarded the taxi and drove away, and the police officer left in a patrol vehicle with another officer. The complainant called the taxicab company back and was advised her taxi had been canceled. The complainant alleged the officers commandeered her taxi for the two passengers, which was inappropriate.

The Department of Police Accountability (DPA) was unable to locate any evidence of the described event through a search of department records.

DPA sent an identification poll to the police division relevant to the described incident. No officer was identified through the poll. Therefore, there was insufficient information to investigate the complaint.

A no finding outcome occurs when the Department of Police Accountability cannot complete an investigation because an officer cannot reasonably be identified.

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

**COMPLAINT DATE: 03/18/2025**

**COMPLETION DATE: 04/17/2025**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATIONS #1 - 2:** The officers engaged in unwarranted action.

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that four officers responded to her house regarding a domestic dispute. The complainant stated that two of the officers did not allow her to use the bathroom.

DPA made multiple attempts to contact the complainant for additional information, but the attempts produced negative results.

The Computer-Aided Dispatch (CAD) record of the incident showed that the named officers responded to a well-being check. They found the complainant in need of using the bathroom and that the incident was a verbal dispute between the complainant and her husband.

DPA obtained body-worn camera footage of the incident. The footage showed the named officers found the complainant seated on a couch on the second floor of the house. She appeared distraught, saying something incomprehensible. The named officers asked her what was going on and what assistance she needed them to provide. The named officers had difficulty understanding what the complainant was saying, prompting Named Officer #2 to go down and talk to the husband, who stated that the complainant had called 911 by mistake. The husband stated that there was no emergency and that she would be okay once he took her to the bathroom. After understanding the situation, the named officers allowed the husband to go up and assist the complainant in using the bathroom. The footage did not show the named officer stopping or preventing the female from using the bathroom.

The evidence proves that the conduct alleged did not occur.

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

**COMPLAINT DATE: 03/05/2025**

**COMPLETION DATE: 04/17/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that they were walking home in their neighborhood when a police car pulled next to them, and an officer began arguing about why they shouldn't walk in the street, even though no cars were driving in the street. The complainant alleged that the officer stalked and harassed them because of their race. The complainant did not respond to the Department of Police Accountability's (DPA) inquiry for additional information regarding their complaint.

The DPA was unable to locate any evidence of the described event through a search of department records.

DPA sent an identification poll to the police division relevant to the described incident. No officer was identified through the poll. Therefore, there was insufficient information to investigate the complaint.

A no finding outcome occurs when the Department of Police Accountability cannot complete an investigation because the officer cannot reasonably be identified.

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

**COMPLAINT DATE: 03/20/2025**

**COMPLETION DATE: 04/10/25**

**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 anonymous complainant stated in an online complaint that people were smoking and planting marijuana every night at a residence. The complainant did not respond to the Department of Police Accountability's (DPA) inquiry for additional information regarding their complaint.

The DPA was unable to locate any information related to the complainant's statement through a search of Police Department records.

A no finding outcome occurs when the Department of Police Accountability cannot complete an investigation because the officer cannot reasonably be identified.

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

**COMPLAINT DATE: 03/24/2025**

**COMPLETION DATE: 04/29/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant reported that officers failed to provide assistance when he was drugged.

The DPA made several attempts to reach the complainant for additional information regarding his complaint, but the complainant did not respond or otherwise participate in the investigation.

Due to the lack of sufficient information, it was not possible to locate the incident or identify the officer involved. No finding outcomes occur when an officer cannot reasonably be identified.

**Unknown Officer**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant reported that officers followed him.

The DPA made several attempts to reach the complainant for additional information regarding his complaint, but these attempts went unanswered. Due to the lack of sufficient information, it was not possible to locate the incident or identify the officer involved. No finding outcomes occur when an officer cannot reasonably be identified.

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

**COMPLAINT DATE: 03/24/2025      COMPLETION DATE: 04/10/25      PAGE# 1 of 1**

**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 the named officer wore his baseball cap backward which the complainant considered improper. The complainant stated that the incident report was inaccurate because the named officer stated he was in full uniform. The complainant stated that the baseball cap being worn backward constitutes a failure to be in full uniform.

Body worn-camera footage shows the named officer wearing his baseball cap backward as he arrived on scene during an initial investigation. The named officer can be seen wearing an SFPD insignia uniform shirt, SFPD uniform trousers, a department issued ballistic vest, and his star and name plate clearly displayed.

SFPD DGO 10.01 on Uniform and Equipment allows the wearing of a service cap but does not indicate that it must be worn in a particular orientation.

The purpose of the uniform rules is for officers to be clearly identifiable as police officers.

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

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

**COMPLAINT DATE: 03/27/2025**

**COMPLETION DATE: 04/10/2025**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The complainant stated SFPD officers provided escort for buses for a sporting event and that this was a waste of City resources.

**CATEGORY OF CONDUCT:** Policy/Procedure

**FINDING:** NF/W

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



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

**COMPLAINT DATE: 03/28/2025      COMPLETION DATE: 04/17/25      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 partially forwarded to: San Francisco Police Department.

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

**COMPLAINT DATE: 04/01/2025**

**COMPLETION DATE: 04/10/25**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant alleged that officers refused to prepare a police report.

The complaint was referred to the Department of Police Accountability (DPA) from a separate agency and did not include any contact information for the complainant. The officers who refused to prepare a police report were not identified.

There is insufficient information for DPA to conduct an investigation.

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

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

**COMPLAINT DATE: 04/01/2025**

**COMPLETION DATE: 04/10/25**

**PAGE# 2 of 2**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/DEM**

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

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

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

**COMPLAINT DATE: 04/02/2025**

**COMPLETION DATE: 04/17/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that he was walking on the street to avoid drug activities on the sidewalk. An officer drove by and told him, "Hurry up! Get the fuck off the street!" The complainant did not know the name or badge number of the officer but provided a generic description of the officer and the officer on the passenger side.

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

There were no witnesses at the time of the incident.

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

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

**COMPLAINT DATE: 04/02/2025      COMPLETION DATE: 04/10/25      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: 04/04/2025      COMPLETION DATE: 04/15/25      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/DEM**

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

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: 04/04/2025      COMPLETION DATE: 04/15/25      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: 04/05/2025**

**COMPLETION DATE: 04/17/2025**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: UA**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant was crossing the street and was using his cell phone when an officer in a police vehicle used his microphone and told him to stop using his phone. The complainant complied and continued crossing the street. At some point, when he was in front of the police vehicle, the officer suddenly turned on his siren, causing a painful pitch to his left ear that did not go away for a few hours. The officer then made a left turn on a red light and turned off his siren as he drove away.

The complainant was not sure if the officer or the vehicle was from the San Francisco Police Department or from another law enforcement agency. He said he could not recall the license plate, vehicle number, or any logo or mark on the vehicle.

The officer could not reasonably be identified.



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

**COMPLAINT DATE: 04/07/2025**

**COMPLETION DATE: 04/29/25**

**PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The complainant raises matters not rationally within Department of Police Accountability's jurisdiction.

**CATEGORY OF CONDUCT:**

**FINDING: IO-2**

**FINDINGS OF FACT:** The complainant raises matters not rationally within Department of Police Accountability's jurisdiction.

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

**COMPLAINT DATE: 4/10/2025      COMPLETION DATE: 04/15/25      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: 04/11/2025      COMPLETION DATE: 04/17/25      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.

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

**COMPLAINT DATE: 04/14/2025      COMPLETION DATE: 04/17/25      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 Sheriff's Office Internal Affairs  
25 Van Ness Avenue Suite 350  
San Francisco, CA 94102

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

**COMPLAINT DATE: 04/15/25**

**COMPLETION DATE: 04/17/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/SFSD**

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

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

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

**COMPLAINT DATE: 04/15/2025      COMPLETION DATE: 04/17/25      PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The complainant raises matters not rationally within Department of Police Accountability's jurisdiction.

**CATEGORY OF CONDUCT:**

**FINDING: IO-2**

**FINDINGS OF FACT:** The complainant raises matters not rationally within Department of Police Accountability's jurisdiction.

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

**COMPLAINT DATE: 04/16/2025**

**COMPLETION DATE: 4/22/25**

**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: 04/20/2025**

**COMPLETION DATE: 04/29/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: Referral/Chief's Office**

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

San Francisco Police Department  
Chief's Office  
1245 Third Street  
San Francisco, CA 94158



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

**COMPLAINT DATE: 04/21/2025**

**COMPLETION DATE: 04/29/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-2**

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