

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

**COMPLAINT DATE: 06/20/2024      COMPLETION DATE: 07/01/25      PAGE# 1 of 3**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged the named officer #1 did not conduct a full and proper investigation into her claim that the reporting party was in violation of a stay-away order. The complainant requested that the named officer #1 check surveillance footage and verify both restraining orders. She expressed that the named officer #1 failed to consider her documentation and position adequately before detaining her.

The named officer #1 reported that he took statements from the reporting party and the complainant. He saw the complainant within a restricted distance and location from the reporting party. When approached, the complainant stated she also had a restraining order against the reporting party. The named officer #1 conducted a records check on both parties and confirmed that the complainant had an active stay-away order against her from the reporting party and the incident location. However, the stay-away order the complainant provided to the named officer #1 against the reporting party was inactive. The complainant claimed she was working at a nearby building, and the named officer #1 spoke to employees at the building. The building employees stated that the complainant was not formally employed at that location. The named officer #1 also sought surveillance footage from security personnel and the reporting party's employer to further corroborate the events. Based on the information provided to him at the time, the officer concluded that the complainant was in clear violation of the stay-away order.

The body-worn camera (BWC) footage corroborates the officer's statement. The BWC shows the named officer #1 and his partner speaking with both parties. While the officer's partner primarily took the complainant's statement, named officer # 1, spoke with the complainant, the reporting party, and staff from the building where the complainant claimed to work. The building employees confirmed that the complainant was not officially employed and was only attempting to pursue employment through their department. Multiple restraining order forms were provided to the named officer's partner, but none confirmed that the complainant was allowed to work within the restrained distance from the reporting party.

The Computer-Aided Dispatch (CAD) showed that the reporting party called for police assistance, alleging that the complainant violated a restraining order. The incident report confirmed that officers were dispatched to the scene for this reported violation. The officers initially detained the complainant to investigate her claim that she also had a restraining order against the reporting party and to verify her

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stated reason for being in the area. After confirming that the complainant had no valid restraining order and that the stay-away order against her remained active, the complainant was arrested.

Department General Order 2.01, Rule 16, states that when a member is assigned to an investigation and is at the scene of an incident, they shall immediately assume responsibility to ensure a thorough and complete investigation is conducted.

Despite the complainant's allegation of failure to investigate, the body-worn camera footage confirmed that the named officer conducted a complete and thorough investigation.

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

**SUMMARY OF ALLEGATION #2:** The named officer made an arrest without cause.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that the named officer #1 relied solely on incorrect information, and she should not have been arrested.

The named officer #1 denied the allegation, stating that he had investigated the restraining order violation reported by both the complainant and the reporting party. The reporting party had a valid restraining order, and the complainant did not. Additionally, the named officer #1 attempted to verify the complainant's employment status, but the staff at a building within the restricted distance of the restraining order—where the complainant claimed to work—could not confirm that she was an authorized employee.

The officer's body-worn camera footage corroborated the officer's statement.

Based on the verified restraining order and the complainant's disputed employment status, the named officer had probable cause to arrest the complainant for violating the restraining order. Therefore, the evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that the named officer #2 was dismissive and rude, despite her requests for a thorough investigation. Additionally, the officer made an inappropriate comment, saying, "...we all get '86 from somewhere."

DPA reviewed Body-worn camera footage from multiple officers. The named officer #2 was professional yet direct. The footage confirmed that he used the term "being '86ed" in response to the complainant's statement that the reporting party had been "86ed" from the area. The named officer #2 explained to the complainant that the term is commonly used to refer to individuals who are barred from specific locations, and he clarified that his comment was not directed at her personally.

Although the named officer #2 should not have mirrored the complainant's words, the words alone do not rise to the level of misconduct. He clarified that his remark was not directed at the complainant, indicating that his intention was not to be rude or dismissive.

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

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

**CATEGORY OF CONDUCT:** ND

**FINDING:** IE

**FINDINGS OF FACT:** The complainant stated that she called the police about a robbery of her home-grown strawberries. She said officers arrived, but they did not file a police report or provide a written explanation for their response.

The named officer said he was a solo officer responding to the call. He explained it was very difficult to determine exactly what the issue was. The complainant was unable to specify what the problem was or how he could have helped her. The officer confirmed he did not prepare a police report because he was unable to gather enough necessary information from the complainant to file a complete report. During his contact with the complainant, she appeared to be erratic and was unable to provide pertinent information in order for him to complete a report.

Department records show that no incident reports were written for the event.

Computer-Aided Dispatch (CAD) audio indicates that the complainant called 9-1-1 multiple times about an ongoing theft of strawberries at her home, even after the named officer left the scene. The complainant initially stated that she did not need any officers but later changed her mind and requested that officers be dispatched to her home.

There was no body-worn camera (BWC) footage that captured the incident or conversation between the officer and the complainant.

Department General Order (DGO) 1.03 (Duties of Patrol Officers) reads, “make written reports on crimes observed or brought to their attention that have not been previously reported.”

DGO 2.01 states, “while on duty, members shall make all required written reports of crimes or incidents requiring police attention.”

Both the complainant and the named officer, as well as the CAD records, agree that the complainant called the police, and the named officer responded to the scene. The department records show that no incident report was written. However, the named officer stated that he was unable to collect the necessary information to complete a report.

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No BWC recorded the interaction between the complainant and the officer.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer did not include his name, signature, or badge number in the report. However, later, the complainant admitted that she did not request them.

The named officer confirmed that he did not write an incident report and informed the DPA that the complainant did not request his name and badge number.

Department records indicate that no incident report was written, and no records captured the conversation between the two.

There was no body-worn camera footage regarding this incident.

The evidence indicates that, since no incident report was filed and the complainant did not request the officer's name and badge number, the officer did not record this information for the complainant.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IC/S**

**FINDINGS OF FACT:** The named officer was dispatched to the complainant's residence regarding a petty theft call for service as a solo officer; however, he did not activate his BWC to capture the incident.

The officer stated that, to the best of his recollection, he activated his BWC while en route to the location as required and often does. However, the officer was unable to provide the footage upon further request.

SFPD Legal confirmed they could not find any BWC for the officer after thorough searches in two separate attempts.

Computer-Aided Dispatch (CAD) audio indicates that the complainant called 911 multiple times about an ongoing theft of strawberries at her home, even after the named officer left the scene. The complainant initially stated that she did not need any officers but later changed her mind and requested that officers be dispatched to her home.

DGO 10.11 (Body Worn Cameras, Procedure, Section C. Authorized Use) states, "all on-scene member equipped with a BWC shall activate their BWC equipment to record in the following circumstances: ...2. Consensual encounters where the member suspects that the member of the public may have knowledge of criminal activity as a suspect, witness, or victim..."

The evidence indicates that the officer was dispatched to the scene, aware that there might have been criminal activity and that the complainant was a victim. However, the officer did not activate his BWC to record the encounter.

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

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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that officers wrongfully detained her and accused her of shoplifting from a grocery store.

Three officers were involved in the incident, referred to throughout this summary report as “named officer #1, named officer #2, and named officer #3.”

The evidence reflected that named officer #1 (named officer above) was working on a theft abatement assignment at a grocery store. This store had been experiencing retail theft daily, prompting the theft abatement operation by the San Francisco Police Department (SFPD or Department). Named officer #1’s responsibilities were to identify, observe, and apprehend any theft suspects within the store. Named officer #1 stated that the complainant became a subject of interest after a store employee observed her place items into her personal bag. The incident report reflected that the store employee was “confident” that he observed the complainant conceal items within her purse. The store employee relayed the information to the store’s Asset Protection manager, who informed named officer #1. Named officer #1 observed the complainant himself and corroborated these concerns, as he said that he observed the complainant place another item into her bag.

Named officer #1 characterized the complainant’s actions as “an overt act of shoplifting,” because while she paid for the items in her *shopping cart*, she made no attempt to pay for the items in her *purse* and had thereafter bypassed all the points of sale. Based on the above witness statements, as well as his personal observations, named officer #1 believed he had both reasonable suspicion and probable cause to detain the complainant for theft. Additionally, the store manager signed a citizen’s arrest, indicating he wanted the complainant arrested for the alleged theft. Accordingly, at named officer #1’s direction, named officers #2 and #3 detained the complainant.

An officer can detain a subject if reasonable suspicion exists that criminal activity is taking place or about to take place. Reasonable suspicion is a lower threshold than probable cause and must be based on specific and articulable facts. Officers may detain a person upon reasonable suspicion even if it turns out later they were mistaken about the alleged criminal activity.

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Based on the store manager's description of what he saw, as well as named officer #1's observations, the officers had reasonable suspicion to detain the complainant even though a later search did not find "direct evidence" of the crime. The complainant was ultimately released from the scene.

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



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**SUMMARY OF ALLEGATIONS #2-3: The officers used unnecessary or excessive force.**

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the above-named officers used excessive force on her, causing several injuries. The complainant stated that the officers surrounded her, threw her to the ground, and held her to the ground with their body weight.

The evidence showed that the named officers (named officers #2 and #3) did engage in reportable uses of force against the complainant. Named officers #2 and #3 stated that they approached the complainant to detain her and advised her that she was under arrest. The officers attempted to grab her arms while ordering her to put down her bags. The officers said that the complainant immediately became both verbally and physically resistant. They stated that the complainant screamed and pulled her arms away from their grasp. Named officer #3 instructed her to stop resisting and attempted to place her hands behind her back to handcuff her. The complainant continued to resist the detention by yelling and twisting her body away from the officers. Amidst the resistance, named officer #2 placed a handcuff on her left wrist. However, the officers stated that she jerked her hand forward, escaping the handcuff. The officers regained control of the complainant and continued to attempt to place her in handcuffs. Named officer #3 stated that the complainant reached her left leg back around his leg while twisting her lower body to avoid being placed in handcuffs. The officers then pulled her to the ground and placed her on her stomach. The officers placed the complainant in handcuffs without further incident. The complainant continued to scream and informed the officers that she was claustrophobic. The officers placed her in a position of recovery in response to her protests. The officers confirmed that she had sustained abrasions on her knees due to the use of force incident.

The named officers denied throwing the complainant on the ground and emphasized that she was strategically lowered to the ground due to her level of active resistance. Named officer #1 approached the scene after the complainant was handcuffed and taken to the ground for restraint. Named officer #1 stated that he saw named officer #2 place light pressure on her hip with his knee in what he believed was a precautionary measure to prevent her from kicking officers due to her behavior. Later in the incident the complainant requested medical assistance and was transported for medical treatment.

The sergeant in charge of the theft abatement operation responded to the scene and conducted a supervisory use of force evaluation as required by Department policy. The evaluation found that the officers' use of force was within policy.

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Body-worn camera footage (BWC) of the incident captured the use of force. The BWC showed named officers #2 and #3 calmly approaching the complainant and attempting to take control of her arms while informing her that she was under arrest. The BWC showed that the complainant pulled her left arm away from an officer's grasp. The officers calmly provided her with verbal instructions to stop resisting. The footage showed the complainant continuing to resist their efforts to detain her. It appeared that the complainant tensed her arms while screaming that she had done nothing wrong. The officers decided to put her on the ground. The complainant dropped her body weight, and the officers instructed her to lay on the ground and to stop resisting. The complainant complied. The officers restrained her while on the ground and placed her in handcuffs. The complainant was visibly upset and no longer physically resistant. The officers aided the complainant to her feet and brought her to the security office for further investigation.

Officers are permitted to utilize objectively reasonable force, based on the totality of the circumstances, when attempting to effectuate an arrest. The evidence here showed that the officers were effectuating a valid arrest and that the complainant actively resisted their efforts to detain and place her in handcuffs. The evidence showed that the officers utilized the minimal amount of force necessary to achieve their stated objective. The officers ceased using force when the complainant was no longer resistant and in handcuffs.

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

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**SUMMARY OF ALLEGATIONS #4-5: The officers conducted an improper search or seizure.**

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the officers improperly searched her bag and her person.

The named officers confirmed that they conducted searches of her bag and person. Named officer #1 stated that he searched the complainant's purse incident to a lawful arrest, consistent with the law, which allows officers to search an arrestee's area within their immediate control for weapons or evidence of the crime. Based on facts outlined above, he had probable cause to believe that evidence of the theft would be located within the complainant's purse. Named officer #1 said that they located the suspected items within the purse, further supporting probable cause to arrest her.

Following the search and recovery of the items (which unbeknownst to the officers before the search were free items and thus no theft occurred), the named officers conducted a "pat-search" of her person for safety purposes because they anticipated removing her handcuffs while they continued the investigation. Additionally, named officer #2 emphasized that the pat-search was conducted in compliance with Penal Code 490.5(4)(6), which authorizes an officer to conduct a search of a person arrested for shoplifting or theft to look for the items believed to be stolen.

BWC corroborated that the officers conducted both a search of the complainant's purse as well as a pat-down of her person.

As articulated by named officers #1 and #2, the officers were within their right to conduct these searches. The officers had reasonable suspicion to detain the complainant and probable cause to arrest her. The officers were permitted pursuant to both federal and state laws, as well as Departmental policies, to conduct a limited search of her belongings as well as her person.

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

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**SUMMARY OF ALLEGATIONS #6-8: The officers behaved or spoke inappropriately.**

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that overall, the named officers treated her unprofessionally and poorly, like a “criminal.”

The named officers all denied treating the complainant poorly and unprofessionally. The officers maintained that they treated her professionally and with respect. The officers stated that they made multiple attempts to de-escalate the situation and to accommodate her needs during the investigation. The officers, “in the interest of justice,” decided to release her from the scene after their investigation was complete.

BWC does not reflect that the officers treated the complainant unprofessionally or improperly. The officers detained the complainant to effectuate a lawful arrest as they had reason to believe a crime had been committed. Additionally, the officers were within policy when they utilized force against the complainant to achieve their lawful objective. Moreover, the footage did not show the officers being rude towards the complainant but trying to calmly explain to her why they had detained her, what they had observed that led to the situation, and trying to assure her that she would not be physically going to jail. The officers remained calm and tried to de-escalate the situation.

The evidence proves that the conduct alleged did not occur.

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**SUMMARY OF ALLEGATIONS #9-11: The officers failed to comply with Department General Order 5.20 (Language Access Services for Limited English Proficient (LEP) Persons)**

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that when the officers approached her, she immediately informed them that she did not speak English and asked for an interpreter so she could understand what was occurring. However, she stated that the officers did not provide her with an interpreter until sometime thereafter.

The evidence showed that after the officers had restrained the complainant and cuffed her on the ground, she informed the officers that she did not speak English, several times. The complainant was visibly upset and the officers aided in standing her up and escorted her to the store office to complete their investigation. While escorting her to the office, the officers repeatedly tried to relay to her that she would not be going to jail and would be receiving a citation.

Shortly after getting to the office, the officers asked her what language she spoke and requested, twice, for Dispatch to summon an officer who spoke that language. No officer was available to translate. The officers then contacted the language line but decided shortly thereafter to simply release the complainant from the scene with no further police action.

The officers confirmed that they attempted to summon an officer certified in the complainant's preferred language. However, no officer was available. Named officer #1 further explained that an interpreter was not immediately requested due to their need to relocate from outside the front of the store to a secure location inside. They wanted to move her to a secure and private location away from the public before initiating a formal interview or investigation.

Department policy requires its members to take every reasonable step to ensure timely and accurate communication and access to all individuals regardless of national origin or primary language. When performing law enforcement functions, members shall provide free language assistance to LEP individuals whom they encounter or whenever an LEP person requests language services.

The evidence reflected a disconnect between the officers and the complainant. The officers here were faced with a situation where an individual informed them she had a language barrier. However, during this time, the complainant was yelling and resistant to the officers' lawful actions in detaining her outside

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the store. DPA acknowledges that the complainant felt that she had stolen nothing and was completely thrown off and caught by surprise, causing her actions, while the officers believed they were stopping an individual who otherwise appeared to be English speaking, pursuant to a legitimate shoplifting operation. The officers decided to wait until she was within a secure location to provide such language services, particularly because she was shouting and resistant outside the store. After extensive consideration of the evidence, DPA finds that insufficient evidence existed to determine whether, in light of the language in the policy as well as the current situation, it would have been practical for the officers to immediately pause their otherwise lawful enforcement actions to request such assistance when first notified of the language barrier.

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

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**SUMMARY OF ALLEGATION #12: The officer prepared an incomplete or inaccurate incident report.**

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant alleged that the named officer prepared an inaccurate incident report. The complainant pointed out what she believed were several inconsistencies and/or “lies” within the report, such as that she fell to the ground (versus the officers taking her to the ground), that she stole from the store, that she loitered without cause, and the duration of time the officers detained her.

The named officer attested that the report accurately stated that the detaining officers guided the complainant to the ground and that she was not thrown, as she suggested. The named officer admitted that the search of her person did not locate the items that were allegedly stolen. The store manager observed her placing related items into her bag, so officers believed she may have disposed of those items before the detention because they were perishable items. The named officer attributed the discrepancy to the complainant being out of his line of sight for roughly 20-30 minutes, providing her with an opportunity to discard the items. When detaining the complainant, the officer emphasized that the officers were acting pursuant to a lawful detention. After the search of her person did not produce direct physical evidence of a theft, the officers released the complainant. The named officer admitted that the certificate of release completed by the officers documented an inaccurate duration of the detention. He attested that the mistake was a clerical error.

DPA finds that there is insufficient evidence to determine whether the named officer engaged in misconduct when generating the incident report. The named officer narrated what occurred based on the lawful detention and subsequent release of the complainant. The footage, as mentioned above, also did not show the officers throwing the complainant to the ground. However, discrepancies existed in the documentation, namely the duration of the detention. DPA is unable to determine by a preponderance, given the evidence, whether the mistake was a clerical error or one made intentionally or recklessly, warranting a finding a wrongdoing.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PF**

**FINDINGS OF FACT:** The complainant, who requested anonymity, stated that the officer seized his phone and then lost it.

The Incident Report associated with the event documented that plainclothes officers were involved in an auto burglary/robbery operation, made two arrests, searched a vehicle, and seized items. At the district station, the named officer took possession of two cell phones for his case file. His Chronological Investigation Report reflected that he seized them in order to obtain a search warrant and conduct data extraction.

DO 6.15, Property Processing states in part that the member who first receives or takes property is responsible for it until the item is processed as property for identification and is received at the district station or the Property Control Division.

The named officer acknowledged seizing the two phones. He said that based on his training and experience, he knew that auto burglars often use their cell phones before, during, and after committing auto burglaries. He stated that auto burglars use cell phones to contact their co-conspirators about potential meeting times before the crime and to discuss possible areas in which they plan to commit the burglary. He said they also use their cell phones during the commission of the crimes as flashlights as an effective and low-profile way to see inside vehicles, which are possible targets. He said that auto burglars often photograph their stolen property and attempt to sell it online or contact potential fence operators to sell the stolen goods. He said he left the phones charging on a power bank inside his office. Months thereafter, he attempted to access them but discovered that they had gone missing. He looked for them with negative results. He believed somebody might have mistakenly taken the phones and booked them as evidence in a case.

The named officer further stated that the power bank, where the phones were being charged, was in a locked safe in his office. However, he indicated that other phones seized by other investigators were also charged on the same charging banks. He said there were instances when phones of similar models or types were being charged simultaneously. He said a mistake or mix-up could happen, and that somebody could grab the wrong phone. He believed that was likely what happened to the complainant's phone. Somebody



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might have taken it and booked it into evidence in a case. The named officer said he was unsure whether there was any other way to secure the phones. He stated that they do not maintain any logs and have no clear policy to follow regarding cell phones seized in furtherance of an investigation.

Upon learning that the property was lost, the named officer immediately wrote a memorandum to his supervisor, documenting the incident.

The evidence proves that the alleged conduct occurred, but it was not prohibited by Department policy or procedures. DGO 6.15, which had not been updated since 1994, provides a process on what to do when property is seized, such as issuing property receipts, conducting computer queries, and providing guidance on how to handle and safely package the property. It does not, however, provide a method or approach for how an investigator should maintain property such as mobile devices which are often kept in the possession of an investigator until a search warrant is granted.

In this case, the Department had no adequate guidelines on how the named officer should safely secure the phone while it was under his care. There was no log or record maintained, and no guidelines in place for him to follow once the phone was ready to be forwarded to the appropriate mobile device forensic unit for data extraction. To remedy such gaps and ensure safekeeping of properties held during an investigation, DPA recommends that DGO6.15 be updated to contain guidelines and recordkeeping methods on evidence that investigators possess in furtherance of an investigation. It should also contain guidelines for investigators to follow once they have completed working with the evidence.

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** During the course of the Department of Police Accountability (DPA) investigation, the question was raised as to whether the named officer had failed to obtain a search warrant to extract data on the seized phones within a reasonable time.

The San Francisco Police Department (Department) utilizes a specific technology to access data on mobile devices. The named officer said he never prepared a search warrant because the phones had an update on their software. He needed to wait for the technology used by the Department to catch up with

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the software updates before preparing the warrant. He stated that the technology had no definitive timeframe, and the data extraction depended on its ability to keep up. Sometimes they had to wait for

months before data could be extracted. He stated that during the period when the phones were in his possession and being charged on the power banks, he asked his other investigators and investigative units whether they had successfully extracted data from cell phones associated with their cases. All inquiries yielded negative results.

The named officer stated that he knew that a search warrant must be served within ten days, but he was unsure when the service period began. Specifically, he was unsure whether the period starts when he gives the phone to the unit responsible for extracting data, or when the phone is plugged into the technology device used by the Department, or when the technology successfully gains access to the phone. This was the reason he did not immediately author a search warrant. The named officer stated he had not been given adequate direction on this aspect and thought it would be safer to figure everything out once the technology was able to access the phones. He recalled asking CSI about the matter on one occasion. He was told that it would be fine as long as the phone was plugged in for data extraction within the 10-day period for the service of the search warrant.

#### **5.16.02 POLICY**

A. Under the Fourth Amendment of the United States Constitution and the California Constitution, individuals are granted protections against unreasonable searches and seizures. The Fourth Amendment states, “the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.” Members shall comply with all constitutional and statutory requirements when obtaining, executing, and returning search warrants.

#### **5.16.05 PROCEDURES FOR SERVING AND RETURNING THE WARRANT**

A. A search warrant shall be executed and returned within 10 days of issuance. After 10 days, unless executed, the warrant is void. The date of issuance is calculated as day zero.

Here, the named officer had probable cause to seize the phones and conduct data extraction as part of his investigation into the case. The foregoing policies required him to obtain a search warrant for the extraction and to serve and return the warrant within ten days. However, the time for him to do so was dependent on the Department's ability to access the phones using the technology that had to conform to

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the phones' current software. The phones' operating system had undergone an update that needed the technology to calibrate and tailor itself in order to gain access. With no definitive timeframe, the Department sometimes takes months to perform data extraction on targeted devices. The named officer's

decision not to author a search warrant pending the Department's ability to access and extract data on the phones was therefore justifiable.

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

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**SUMMARY OF ALLEGATION #1:** The officer failed to comply with Department General Order 5.01.

**CATEGORY OF CONDUCT: UF**

**FINDING: IC(S)**

**FINDINGS OF FACT:** The complainant stated the named officer was arresting a homeless male. The homeless male attempted to headbutt the named officer to his temple. The complainant did not believe that the man actually struck named officer. The complainant stated the named officer then took the homeless male to the floor and proceeded to punch him multiple times and only stopped when the complainant shouted at the named officer.

SFPD records showed that the named officer reported that he had used force on the male after the male had headbutted the named officer to the temple. The documents detailed a single strike delivered by the named officer to the male's torso but do not mention two further strikes to the male's head. The documents note that the named officer was using his knee to hold the male down.

The named officer stated that an individual he arrested for violating a stay-away order resisted arrest by assaulting him. The named officer stated the headbutt did make contact and that he was struck in the head. The named officer used a tactical maneuver to take the arrested person to the ground. On the ground, the officer struck him with his fist because the male continued to resist and was trying to get up. The officer restrained the arrested person by placing a knee on his sternum until he was complaint. The officer believed that his use of force was in policy and justified.

Body camera footage showed the named officer and his partner escorting the arrested man toward a patrol car. One officer held each of the man's arms. Just before reaching the patrol car, the man suddenly lunged his head toward the named officer's head. The footage does not clearly depict the headbutt strike, however comments made by both officers indicate that a strike did occur. The named officer quickly reacted by pushing the man's shoulder to reorient his torso, followed by an arm-bar strike to the side of his head. The officer then took the man to the ground, briefly pressing his hand onto the man's throat and his knee onto the man's sternum. The officer struck the male in the stomach with a closed right fist. The officer used a clenched fist to strike the male twice to the side of head while warning the man to never hit him again. The officer then verbally engaged with the complainant, who was shouting about the level of force being used. The named officer pressed his knee into the man's sternum and pulled up on his clothing, appearing to deepen the pressure. The male appears to engage in distressed breathing.

DGO 5.01 requires that officers assess the level of threat a person poses and use force accordingly. The

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male in this incident was handcuffed to the rear and lay on his side with his knees curled up defensively to the named officer's strikes. The male made no further attempts to strike or resist the named officer, but the named officer continued to strike him after the initial threat had been dealt with.

The DGO also forbids officers from using any form of carotid hold. The named officer clearly placed his thumb into the male's throat around the carotid artery area.

The DGO also warns officers about positional asphyxia and to be aware of a person's breathing when being restrained. The named officer deliberately applied pressure to the male's sternum causing the male to stop breathing.

After the takedown maneuver, aspects of the officer's use of force were unnecessary and disproportional to the level of threat the male was demonstrating while lying handcuffed on the floor.

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 comply with Department General Order 2.01, Rule 17.

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The DPA investigated whether the named officer failed to comply with an investigation into his use of force.

The named officer stated that the reason his initial account to a sergeant was not accurate compared to his body worn camera footage was due to him being hit in the head and being dazed. The named officer stated he watched his body camera footage before he wrote his report and corrected his account. The named officer could not account for why some strikes were still missing from the report.

SFPD documents showed that the named officer had used force including one strike and a hold on a male that had assault the named officer.

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Body camera footage showed the named officer struck the male four times including two times to the side of the head. These two strikes do not appear in the report and were not accounted to the reviewing

sergeant. The footage showed the named officer speaking to the reviewing sergeant. The named officer spoke only about the initial assault from the male and taking the male to the floor. The named officer did not mention any of the strikes he used on the male to the reviewing sergeant.

It is plausible that the named officer was dazed from strike to the head, in addition to experiencing visual and auditory exclusion symptoms from being in a confrontational and violent situation and this caused him to forget what had happened. The footage did not conclusively determine if the named officer was struck to the head by the male. It was not possible to determine the officer's intent.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The named officer is alleged to have failed to properly supervisor when conducting a use of force evaluation of a subordinate officer.

The named officer denied the allegation stating that he believed the use of force was within department policy. The named officer stated that he asked the officer he was evaluating to reassess his account as the initial account and the body camera footage did not align. The named officer did not agree that two strikes delivered to the head of a restrained person were in fact strikes. The named officer also did not notice that those strikes were not reported in the incident report. The named officer believed that the other officer placing his knee on the restrained person's sternum was in policy.

An expert witness concluded that the two strikes to the head were indeed strikes to the head and that the knee to the sternum was not an ideal placement or restraint from the officer.

Body camera footage was used by the named officer to evaluate the use of force. The footage showed a handcuffed male violently resisting by lunging toward an officer's head. The officer is then seen taking

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the male to the floor and placing his thumb into the male's throat. The male is restrained and laying on his side on the floor. The officer then strikes the male to the stomach one time before striking him twice to the head while making profane statements. The footage showed the officer turn the male over onto his

back before the officer placed his knee on the male's sternum and applied pressure that appeared to increase over time.

DGO 5.01 requires that officers assess the level of threat a person poses and use force accordingly. The male in this incident was handcuffed to the rear and lay on his side with his knees curled up defensively to the officer's strikes. The male made no further attempts to strike or resist the officer, but the officer continued to strike him after the initial threat had been dealt with. The named officer deemed this use of force as within policy.

The DGO also forbids officers from using any form of carotid hold. The officer clearly placed his thumb into the male's throat around the carotid artery area. The named officer made no mention of this use of force.

The DGO also warns officers about positional asphyxia and to be aware of a person's breathing when being restrained. The officer deliberately applied pressure to the male's sternum causing the male to stop breathing. The named officer stated that he believed the officer had no other choice but to use this hold and stated it was in policy.

It was unclear if the supervising officer was able to observe unnecessary or excessive force, given the technology available for reviewing footage and the time constraints for completing supervisory use of force evaluations.

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

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

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complainant was standing on a sidewalk when a police officer showed up and grabbed a nearby woman who struggled as officers handcuffed her. He said the named officer inappropriately had his hands on the woman's breast during the struggle.

The named officer stated that the woman arrested in this incident had been seen by officers on security footage selling narcotics. He was advised by other officers that she was keeping narcotics in her undergarments. She tried to run when he arrived at the scene. To stop her from escaping, the officer placed his arms around her from behind in a "bear hug," and she did not resist any further. Other officers quickly arrived to assist, and the woman was handcuffed. The officer stated that he did not grab the complainant's breast area during the arrest.

Body-worn camera (BWC) footage from this incident showed the named officer arrived at the scene, announced "Police," and the woman tried to run away. The officer grabbed her from behind by wrapping his arms around her arms and upper body. The footage showed she was wearing a bag across the front of her body. Other officers arrived to assist with the arrest and handcuffed her.

Security footage obtained by the Department of Police Accountability from the area showed that the woman tried to get away from the named officer; he grabbed her and her clothing from behind, got behind her, and wrapped his arms around her upper body, holding her. She moved one of her hands into her pants with her other arm on her chest, which was held by the named officer from behind. The footage did not show the named officer grab her breast or chest area inappropriately.

An incident report documented that narcotics were found by officers on the woman, and she was arrested for a narcotics-related violation.

The evidence proves that the conduct alleged did not occur.



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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant said a female bystander approached the woman as she was being arrested by a group of officers. The complainant stated the named officer told the woman to back up or he would punch her in the face. The complainant said the comment was inappropriate and threatening.

The named officer stated the woman was trying to get close to the arrestee's location and got very close to him in the process. He attempted to keep her away and prevent her from contacting the person being arrested. He said she was not listening to anything he was telling her and was causing a safety issue by yelling and interfering with the investigation. He was familiar with the woman from working in the area. After telling her multiple times to move away, he told her that if she did not leave, he would punch her in the face. He said he had no intention of punching her in the face and only said it to get her to leave.

Body-worn camera (BWC) footage for the incident showed a woman making commentary and getting close to the named officer and other officers who were completing the arrest. The woman attempted to come between the officers and the person being arrested. The named officer told the woman to back up several times and another officer tried to calm her down by distracting her. The named officer later said he would punch the woman in the face if she did not get away from him. The named officer made no gestures or movements indicating that he was about to strike the bystander. He also told the woman to back up multiple times and blocked her from the area where the arrestee was located. The woman then moved a safe distance. The named officer told the complainant, at the time, that the woman had no business getting involved and that he was merely trying to get her to leave the area.

While the evidence showed the named officer made the alleged comment to the woman, she was verbally and physically interfering with the arrest. Officers may use force to prevent individuals from interfering with an arrest. Although the officer could have chosen different words, the comments did not rise to the level of misconduct. The evidence indicated that the named officer's comment was intended to get the woman to move away for the safety of the involved officers. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IC/S**

**FINDINGS OF FACT:** The complainant alleged that the named officer called him a bum and behaved unprofessionally during their interaction.

The named officer said he spoke with the complainant during the incident, names were called by both sides, and looking back at the incident, he could have chosen better words during the conversation. He said some of the comments he made were inappropriate and that he and the complainant went back and forth with one another during the conversation. The officer acknowledged that he did not comply with the Department General Order. 2.01, General Rules of Conduct, during this incident.

Body-worn camera footage showed that the named officer called the complainant a “bum” multiple times, behaved inappropriately, and made targeted, demeaning comments during his interaction with the complainant.

A witness officer, who was a supervisor at the scene, said the other officer did not choose the best words when talking with the complainant and crossed a line he felt was inappropriate. The supervisor said he later spoke with the officer about the incident and told him that he needed to keep calm and not let people bother him.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that the named officer, who was a supervisor at the scene, lacked professionalism during the incident.

The named officer noticed the complainant and an officer engaging in conversation. He said the complainant appeared upset, and the other officer was annoyed. He said name-calling took place between them, but he did not hear everything that was said. The situation did not escalate to where he was concerned physical violence could take place between them. He tried to de-escalate by stepping in between the complainant and the officer and talking with the complainant to take his focus off the other officer.

He said the other officer did not choose the best words when talking to the complainant and crossed a line he felt was appropriate. He later spoke with the officer to try to guide his behavior, set expectations, and make sure something like that would not happen again. He told the officer that he needed to keep calm and not let people bother him, and the officer understood.

Body-worn camera (BWC) footage showed that the complainant and an officer were engaged in a contentious conversation where name-calling and rude comments were made. The named officer stood directly nearby during some of the conversation. BWC footage showed at different points that the named officer stepped in between the officer and the complainant and spoke to the complainant. BWC footage did not show the named officer admonish or speak to the officer about his behavior and commentary at the scene. BWC showed the named officer defending the officer who made belittling comments at the scene.

The other involved officer was interviewed and said that he had not been counseled or admonished at all for his involvement in the incident.

Department General Order 1.04, Duties of Sergeants, states in part that sergeants shall, "Have immediate control and supervision of assigned members." Additionally, it states sergeants shall, "Require all assigned members to comply with the policies and procedures of the Department, and take appropriate action when violations occur."

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While the evidence showed that the named officer made some effort to step in between the complainant and the officer during parts of the interaction, the named officer did not take any immediate action on scene with the officer to address his comments or behavior. There is no evidence to support his assertion that he later spoke to the officer to address the inappropriate behavior and comments.

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

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

**CATEGORY OF CONDUCT: UF**

**FINDING: U**

**FINDINGS OF FACT:** The complainant lodged a complaint regarding a traffic stop that resulted in his arrest. The complainant alleged that during this encounter the named officers improperly tripped him, which caused him to fall to the ground and sustain injuries.

The complaint involved three officers hereinafter referred to as named officer #1, named officer #2, and named officer #3.

Department records reflected that named officer #1, in a plain clothes capacity, conducted surveillance of the area, known as a “high crime area,” on the date in question. While conducting this surveillance, named officer #1 observed an idle vehicle with a registration that had been expired for more than 2 years. Thereafter, he observed activity from the individual (later determined to be the complainant) consistent with the illegal distribution of narcotics.

Named officer #1 contacted two uniformed officers (named officers #2 and #3 below) and requested their assistance in conducting a vehicle stop on the complainant based on the expired registration. He also advised them that he had reasonable suspicion to believe the complainant had recently engaged in narcotic sales and was in the process of committing these crimes.

Thereafter, named officer #2 and his partner, named officer #3, responded to the area, observed the vehicle, and conducted a traffic stop on the complainant for the expired registration. The officers also noted that the vehicle bore a fake registration sticker. Named officers #2 and #3 approached the vehicle and observed suspected narcotics in the complainant’s hand. The complainant admitted to the officers that the substance was narcotics. The officers ordered the complainant out of the vehicle.

Body-worn camera footage (BWC) showed that the officers asked the complainant whether they could conduct a pat-search, which he declined. The complainant then fled. The footage showed that as the complainant fled from the officers, he threw his belongings, including a satchel, and tripped over himself,

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causing him to fall to the ground. Thereafter, named officers #2-3 restrained the complainant and handcuffed him without further incident. The complainant received medical attention and was then transported to the County jail where he was booked for several violations.

BWC made clear that neither officer tripped the complainant nor otherwise caused him to fall to the ground. As mentioned, the footage showed the complainant tripping over himself and falling to the ground while fleeing from the officers. Additionally, the footage also captured the complainant admitting that he tripped on the curb because he could not get his falling pants up quickly enough.

The evidence proves that the conduct alleged did not occur.

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**SUMMARY OF ALLEGATIONS #3-4: The officers towed a vehicle without justification.**

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged that the officers towed his vehicle without cause.

It is undisputed that the officers had the complainant's vehicle towed. Named officer #2 said that he made the decision to tow the vehicle in large part pursuant to California Vehicle Code ("CVC") 22651(o)(1), as the registration had expired more than two years prior to the date of incident.

CVC 22651(o)(1) authorizes officers to impound or otherwise tow a vehicle when the registration is expired beyond 6 months, or the registration is incorrect or falsified.

Prior to initiating the traffic stop, Dispatch verified that the vehicle had an expired registration for more than 6 months. Thus, the officers were within their right to tow the complainant's vehicle.

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

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**SUMMARY OF ALLEGATION #5: The officer towed a vehicle without justification.**

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complainant specifically accused named officer #1 of improperly towing his vehicle.

As outlined above, named officer #1 called the traffic stop in for the expired registration. However, named officer #1 did not tow the vehicle or make the decision to tow the vehicle. That decision, as explained above, was made by the responding officers.

The evidence proves that the accused officer was not involved.



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**SUMMARY OF ALLEGATIONS # 6-7: The officers failed to take required action.**

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complainant alleged that the named officers failed to provide him with documentation regarding the vehicle tow.

Named officer #3 denied that he failed to provide the complainant with necessary documentation regarding the tow. Named officer #3 stated that he verbally informed the complainant where he could locate his vehicle after his release from jail, consistent with his practice when towing vehicles. Moreover, named officer #3 left a traffic form with the complainant's property at the jail, which provided information on where and how an individual can repossess their towed vehicle.

The Department confirmed that all property was returned to the complainant upon his release, including said form.

The evidence proves that the conduct alleged did not occur.

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**SUMMARY OF ALLEGATION # 8: The officer failed to take required action.**

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complainant specifically alleged that this named officer failed to provide him documentation concerning the vehicle tow.

As mentioned above, named officer #1 did not conduct the traffic stop himself, make the decision to tow the vehicle, or otherwise have any obligation to provide the complainant with details concerning the tow of his vehicle.

The evidence proves that the accused officer was not involved.

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**SUMMARY OF ALLEGATIONS #9-10: The officers knowingly engaged in biased policing or discrimination.**

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant alleged that the named officers to this allegation engaged in racial discrimination when they stopped him on said date.

The evidence showed that the officers conducted a lawful traffic stop for an expired registration more than 6 months old. Thereafter, the officers located narcotics and an illegal firearm and charged the complainant accordingly. The evidence did not suggest that the officers knowingly engaged in bias policing when they decided to stop the complainant or in any of their decision making throughout the incident.

The evidence proves that the conduct alleged did not occur.

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that the officers should have arrested the driver who struck her while she was in the crosswalk because the driver did not have a driver's license and that his vehicle was uninsured. She further alleged that the driver only received a citation because he cooperated with the officers. The complainant expressed frustration with the officers, feeling that, given the severity of the incident, there was a lack of appropriate consequences for the driver.

Officer #1 denied the allegation stating that the driver had a valid driver's license at the time of the vehicle accident and that the driver was cited for failing to yield to a pedestrian and having no insurance.

Officer #2 detained the driver and obtained his statement. Officer #2 also obtained statements from bystanders to determine if they witnessed the incident.

Department records and body-worn camera footage confirmed that the driver was licensed and that officers conducted a complete and thorough investigation of the vehicle accident.

Department General Order 9.02, Vehicle Crashes, states that officers must investigate and report all vehicle crashes involving bicycles and pedestrians.

Department General Order 5.06, Citation Release, guides officers in issuing citations to persons arrested for misdemeanor and infraction violations. In accordance with state law, officers must cite and release persons arrested for misdemeanor and infraction offenses, in lieu of arresting them and taking them into custody, unless one or more exceptions listed below apply.

1. The person arrested was so intoxicated that they could be a danger to themselves or to others.
2. The person arrested required medical examination or medical care or was otherwise unable to care for their safety.
3. The person was arrested under one or more of the circumstances listed in Section 40302 and 40303 of the California Vehicle Code.
4. There were one or more outstanding arrest warrants for the person.

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5. The person could not provide satisfactory evidence of personal identification.
6. The prosecution of the offense or offenses for which the person was arrested, of the prosecution of any other offense or offenses, would be jeopardized by immediate release of the person arrested.
7. There was a reasonable likelihood that the offense or offenses would continue or resume, or that the safety of persons or property would be imminently endangered by release of the person arrested.
8. The person arrested demanded to be taken before a magistrate or refused to sign a notice to appear.
9. There is a reason to believe that the person would not appear at the time and place specified in the notice. The basis for this determination shall be specifically stated.
10. The person was subject to Cal. Penal Code Section 1270.1. The form shall be filed with the arresting agency as soon as practicable and shall be made available to any party having custody of the arrested person, subsequent to the arresting officer, and to any person authorized by law to release the arrested person from custody before trial.
11. The person has been cited, arrested, or convicted for misdemeanor or felony theft from a store in the previous six months.
12. There is probable cause to believe that the person arrested is guilty of committing organized retail theft, as defined in subdivision (a) of Penal Code Section 490.4.

Although the complainant believed the driver should have been arrested and taken into custody for hitting her, the driver did not meet the criteria for a custodial arrest. The Department of Police Accountability's investigation confirmed that the officers conducted a thorough investigation and complied with department policy.

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

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**SUMMARY OF ALLEGATION #3: The officer behaved or spoke in a manner unbecoming an officer.**

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that the officer was dismissive, offered her little support, and mentioned a witness's account that did not align with her experience.

The named officer denied the allegation stating he was not dismissive and did not show any favoritism towards either party.

The officer's body-worn camera footage captured the entire incident. The officer remained professional, not dismissive, and showed no favoritism.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant reported that the vehicle crash report did not include information regarding a second pedestrian struck by the driver. The complainant did not have the contact information for the second victim.

The officer denied the allegation stating he did not receive any information regarding another victim, nor recall observing evidence to lead him to believe another collision had occurred. He also stated that no other victim approached the police on scene.

Body-worn camera footage showed officers obtaining statements from bystanders, witnesses, the complainant, and the driver and confirmed no second victim was identified.

The traffic collision report documented the vehicle crash investigation and did not include a second victim.

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

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

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainants, who are public defenders, stated that while reviewing the body-worn camera footage for their client, they saw a female bicyclist picking up an officer's equipment bag during a protest. An officer then started yelling at her and ordered her to release the bag. Subsequently, the named officer used excessive force by dragging the female bicyclist off her bike.

The named officer stated that he saw the female bicyclist holding a San Francisco Police Department (SFPD) issued ballistic helmet carrier bag, slowly coming up behind their police line and refusing to relinquish it to the officer who ordered her to let go. He stated that the bicyclist did not comply with the orders and refused to relinquish the bag as the initial officer attempted to take it from her.

The named officer said he then used a physical control hold on the bicyclist by grabbing her backpack strap and pulling her off her bicycle. He denied dropping her but admitted pulling her off the bike, which caused her to lose her balance and fall to the ground. The officer explained that he used the minimum amount of force necessary to make a lawful arrest, overcoming her resistance and preventing her escape.

Department records indicate several officers saw the bicyclist carrying an SFPD helmet bag and trying to leave with it. A few officers ordered her to release the bag, but she refused and resisted by holding on to it. The named officer then used a physical control hold. The documents show the use of force was recorded in the police report and reviewed by a supervisor.

Body-worm camera footage shows the female bicyclist picking up an SFPD helmet bag and slowly riding past the police line as a protest was ongoing. She stopped at a traffic light, and an officer observed her carrying the police bag. The officer told her to let go, but she asked why and refused despite attempts to pull the bag from her hands. The named officer then approached and grabbed her backpack. The footage recorded her falling to the ground.

Department General Order 5.01 states that if a subject resists actively, officers are justified in using "personal body weapons to gain advantage over the subject" or "pain compliance control holds, takedowns, and techniques to direct movement or immobilize a subject."

The evidence shows that the bicyclist took a police bag, tried to leave, and resisted by not following



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orders and pulling the bag away. Therefore, it was justified for the named officer to use a physical control hold by grabbing her backpack to prevent her from escaping.

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

**SUMMARY OF ALLEGATION #2: The officer did not comply with Department General Order 5.01.**

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainants stated in the written narrative that the named officer did not de-escalate the situation before using force on the first bicyclist.

Named officer #1 stated that other officers on scene had already attempted to give verbal de-escalation orders to the first female bicyclist; however, she refused. Due to the hostile nature of the protesters and the increased potential for violence if the situation escalated, he determined it was necessary to detain the bicyclist on her bicycle and retrieve the stolen police property.

Department records indicate that warnings were given to the bicyclist before force was used. It was recorded in the incident report that verbal commands were given several times to the bicyclist to give back SFPD property, but she refused.

Body-worn camera footage captured that another officer gave several verbal commands to the bicyclist to let go of the police property. However, she refused and put her foot on the pedal of the bicycle. She was already in the vicinity of the protest when it occurred. A few officers then went up to grab the bag; however, the bicyclist was still holding onto it tightly. The named officer finally walked up and pulled the backpack strap off the bicyclist, causing the bicyclist to fall to the ground.

The evidence collected proves that before the named officer's use of force, the bicyclist was already given time to comply with several verbal commands by another officer and physical attempts to retrieve the bag

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from a couple of other officers. De-escalation techniques were applied. However, due to the bicyclist's resistance and proximity to the protest, a reasonable force was deployed.

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

**SUMMARY OF ALLEGATIONS #3-5: The officers used excessive and unnecessary force.**

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The public defenders stated that their client, who was the second female bicyclist, approached the line of officers after seeing officers' interaction with the first bicyclist. Their client continued walking up the street with her bicycle and yelled at the officers to stop hurting the person on the ground. She was approached by Named Officer #1, who told her to turn around. The public defenders said she turned back; however, Officer #1 pushed her with her baton from behind as she was moving away. They added that the officers barricaded her against the building. The client became distressed and yelled for help while the officer continued to push into her ribs and chest. The client's hand or wrist inadvertently touched the officer's helmet. Then, Named Officer #1 and 2 used excessive force and took the second cyclist to the ground.

While on the ground, Named Officers #1, #2 & #3 restrained their client by controlling her legs and pinning her arms, and eventually put her in handcuffs. The complainants stated that the officers' response to their client is over the top and that SFPD's preparation for violence led to violence.

Named officers #1 and 2 stated in an interview that they both observed the second female bicyclist screaming for them to stop. The bicyclist screamed the question, "what the fuck is wrong with you?" to which Officer #1 answered twice, "she's got police property." Named officer #3 gave the bicyclist commands to get back; however, she did not comply and continued towards the police activity. Officer #3 said the bicyclist lifted the bicycle off the ground and attempted to walk around herself and Officer #2. Then the bicyclist became very agitated. The two officers gave her instructions to take different routes, but she did not follow.

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Named Officer #1 admitted to blocking the cyclist from moving forward with her baton. The officer stated the bicyclist began jumping up and down, waving her arm, and contacted Officer #1's helmet. The cyclist pulled her visor downward, causing her neck to twist at an unnatural angle. As the bicyclist appeared to have assaulted the officer, Officer #2 took her to the ground with the assistance of Officer #1 to overcome the bicyclist's resistance and effect an arrest. While the bicyclist was on the ground, Officer #2 placed her in handcuffs. Officer #1 offered her the option to sit up; however, the bicyclist was still kicking and spat at Officer #2.

Department records indicate that an active unlawful protest was occurring in the area, and officers formed a skirmish line on the side of the protest. The second female bicyclist saw the first bicyclist and approached the line of officers, yelling for them to stop. She became hysterical and started screaming that she was trying to get to work. Named Officers #1 and #2 told her to turn around and take other routes to work, and she did not do so. Instead, she screamed, "Help me! Help me!" and waved for attention. It was recorded on the incident report that the bicyclist grabbed Officer #1's protective riot helmet and pulled on it sharply and aggressively, causing the officer's neck to bend forward at an unnatural angle. The officer then conducted a leg sweep takedown, causing the bicyclist to fall to the ground. The officers placed her in handcuffs. The records also indicated that the officers have documented their use of force.

Body-worn camera footage captured that the bicyclist yelled from afar for the officers to stop. Several officers yelled for the bicyclist to back off; however, she continued to approach the line of officers. The bicyclist verbally confronted and questioned the officers. Then Named Officer #1 told her that the first bicyclist had taken police property. The bicyclist continued to walk and carry her bike, with the officer blocking her way, and ended up walking towards a building wall and in front of a construction site. Named Officers #1 and #2 suggested routes for her to take to get to work, but she did not take the suggestions. She became agitated quickly and started jumping up and down, waving for help. Named Officer #1 then said, 'get out of my face' while pushing the bicyclist's upper body with her hand and the baton. The body-worn camera footage captured that the bicyclist grabbed onto the top of named officer #1's helmet and yanked at it, causing the officer's head to tilt to the right. Named officers #1 and #2 then took the bicyclist down to the ground.

The camera footage captured that while the bicyclist was on the ground, the officers put handcuffs on her. Named Officer #1 told the bicyclist to stop moving around so she could sit her up. However, the bicyclist replied with curse words. She continued to kick at officers and spat at Named Officer #2 twice while the officers were holding onto her arms and legs. No officers were seen sitting on the bicyclist.

The DPA interviewed the witness who was the bicyclist in this case. She said that when she was initially walking her bike, she was actively participating in a work call with her earphones in and therefore could not hear any verbal commands. She admitted that she got emotional and distraught witnessing what she saw with the first bicyclist. The witness said Named Officer #1 pushed her against the building. She

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became distressed, panicked, and started screaming for help, wanting somebody to intervene. As she was waving her hands, one of her hands brushed the named officer's helmet. The bicyclist said Named Officer #1 used a leg to kick her in the legs, and she fell to the ground.

The witness admitted that she was resistant because she was panicking and wanted to stay on her stomach even after Officer #1 offered to sit her up. The witness said she was entirely in self-defense mode and spat towards Officer #2.

Department General Order 5.01 states that if a subject is actively resisting, an officer is justified to use "personal body weapons to gain advantage over the subject" or "pain compliance control holds, takedowns, and techniques to direct movement or immobilize a subject."

The evidence collected indicates that the bicyclist did not comply with the officers' multiple orders to turn back and suggestions to take alternative routes to work and continued to approach the line of officers. She became hysterical and started screaming, jumping up and down, waving for help, and eventually grabbing the top of named officer #1's helmet, causing the officer's neck to bend, which led to the takedown by officers to immobilize her. The bicyclist continued her active resistance by kicking and spitting at the officers, which led to her being pinned down by officers. The evidence indicates that the use of force was justifiable and reasonable in response to the bicyclist's actions.

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

**SUMMARY OF ALLEGATIONS #6-8: The officers did not comply with Department General Order 5.01.**

**CATEGORY OF CONDUCT: UOF**

**FINDING: PC**

**FINDINGS OF FACT:** The public defenders stated the named officers did not de-escalate the situation with the second bicyclist. They indicated none of the officers tried to calm the cyclists or defuse her visible distress.

Both Named Officers #1 and #2 stated that they first blocked the second bicyclist's path to keep her isolated from the active police incident that she was intentionally approaching. They both gave the bicyclist clear instructions to turn around and go another way. Following the bicyclist's detention, the

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officers attempted to calm her down by telling her that they wanted to get her into a comfortable position and asked her to cooperate with them. Officer #2 tried to calm the bicyclist by allowing her to identify the property that belonged to her, so that it would not get lost. Officer #3 stated that officers gave the bicyclist time and distance, as well as verbal commands, to back up before using force.

Department records indicate that the named officers issued the bicyclist repeated lawful orders to stop, blocked her path, and prevented her from proceeding towards the protest, but she refused to comply.

Body-worn camera footage captured that all named officers calmly explained the police activity to her, gave several verbal commands for the bicyclist to back off and take alternate routes, but the bicyclist did not comply. Instead, she became more emotional and started screaming. The officers moved horizontally to try to prevent the complainant from moving towards the line of officers and the protest. However, the bicyclist continued to close the distance on them. Later, Named Officer #1 offered to sit the bicyclist up so she could be more comfortable. Named officer #2 helped pick up property from the floor and asked the bicyclist if it belonged to her.

The evidence shows that all named officers attempted to de-escalate the situation by explaining to her what was happening, providing clear verbal commands and options to the bicyclist calmly and respectfully. By doing so, the officers attempted to create time and distance between them. The officers also offered to let the bicyclist sit more comfortably and assisted her in gathering her belongings.

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

**SUMMARY OF ALLEGATIONS #9-10: The officers failed to intercede.**

**CATEGORY OF CONDUCT: UF**

**FINDING: PC**

**FINDINGS OF FACT:** The complainants stated that the two named officers failed to intervene when another officer used unnecessary force on the bicyclist.

The DPA determined, as stated above, that no officers used unnecessary or excessive force on the bicyclist. Therefore, the two named officers were not required to intervene in this case.

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

**SUMMARY OF ALLEGATIONS #11-12: The officers failed to comply with Department General Order 5.17.**

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainants said in their written narrative that the two officers targeted the second female bicyclist while allowing other people free passage on the sidewalk.

Both named officers denied the claim by the public defenders. They clarified that the second bicyclist was detained because she was the sole person in the middle of the street after a lawful dispersal order was given and still refused to heed officers' instructions. The bicyclist's intent was apparent as she approached officers who were arresting the first bicyclist while screaming for officers to stop. Based on the bicyclist's behavior, it is reasonable to suspect that the second bicyclist was about to intervene in the first bicyclist's arrest. The officers stated that they did not witness anyone else appear, approach them, or display any intent to intervene in the arrest.

Department records show that the second bicyclist was detained because she interrupted an active arrest of the first bicyclist despite being ordered to disperse.

Body-worn camera footage captured that the second bicyclist interrupted an active arrest by screaming at officers to stop and continued to approach the line of officers after being given instructions to stop. BWC showed that a couple of people were walking by in the area or making comments; however, they did not yell, scream, or actively prevent the detention from occurring.

SFPD DGO 5.17 states, "The guiding principle of the San Francisco Police Department is its commitment to treating all people with dignity, fairness, and respect. It is crucial for members to carry out their duties in a manner free from bias and eliminate any perception of policing that appears biased."

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The evidence indicates that officers did not target the second bicyclist while allowing other people to pass freely. The bicyclist was detained because she was actively trying to prevent officers from arresting the first bicyclist and then became resistant when officers gave her orders to disperse.

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

**SUMMARY OF ALLEGATIONS #13-14: The officers failed to comply with Department General Order 2.01.**

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainants stated that the two officers violated the DGO by omitting the extent of force by Named Officer #1 and embellishing the second bicyclist's resistance in the police report. One of the complainants explained that Officer #1 did not document that she repeatedly shoved the bicyclist with her baton, which influences the starting point of a criminal action. He also alleged that the officer described the bicyclist as "hysterical," which is a historically gendered term in the police report.

Named Officer #1 clarified that due to the aggressive and frantic movements of the bicyclist, she used Type I – non-reportable use of force. She explained that DGO 5.01 only requires that more intense use of force be documented in written form. Named Officer #2 denied the claim and said his statement in the police report is a summary of the incident. Regarding Officer #1 using the term "hysterical" to describe the bicyclist, Officer #1 quoted two dictionaries' definitions, which merely described the word as uncontrollably emotional and showing extreme and unrestrained emotion. She felt it most aptly described the bicyclist's demeanor, and no gender bias implications were intended.

Dictionaries describe the word "hysterical" as uncontrollably emotional and irrational from fear, and emotion, or showing unrestrained emotions without describing or implying genders.

The police report narrative, authored by Named Officer #1, documented that Officers #1 and #2 were directed to the second bicyclist because the bicyclist was yelling and approaching the scene. She informed

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the cyclist of the police activity and that she was not allowed to come any closer. Both officers' narratives documented that the bicyclist became hysterical and started screaming. It was also noted that the bicyclist grabbed Officer #1's riot helmet and yanked at it aggressively, attempted to push her way past, and that Officer #1 used her hand to push the bicyclist back. Both documented the handcuffing and the takedown.

Body-worn camera footage captured the second bicyclist interrupting police activity by yelling "Stop" from a distance. The officers explained to her what was happening and offered her different routes to avoid the scene. She refused to listen, became hysterical, and continued to attempt to pass through the officers. Officer #1 used her riot baton horizontally to push against the bicyclist and to prevent her from further advancing. The bicyclist put her hand on top of the officer's helmet, causing the officer's neck to bend. The officers used a takedown technique to bring the bicyclist to the ground.

DGO 5.01 reads, "the use of hands or equipment to stop, move, direct or otherwise exercise control of a person or situation" that is "reasonably unlikely to cause pain or injury" is considered non-reportable force.

DGO 2.01 states, "No member shall knowingly ...submit false, inaccurate, materially incomplete, or improper Department records."

The witness admitted in an interview that she yelled, "stop" when she observed officers handling the first bicyclist and became distressed and panicked. She said as she was waving her hands for help, one of her hands brushed Officer #1's helmet, and then she was brought to the ground.

The collected evidence shows that although the named officers did not document the use of a baton to push against the advancing bicyclist, they did not submit a false, inaccurate, or materially incomplete police report because the use of a baton is considered a non-reportable force. Furthermore, the term 'hysterical' has no underlying gendered meaning in dictionaries and therefore, accurately describes the demeanor of the bicyclist.

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



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**SUMMARY OF ALLEGATION #15: The officers failed to comply with Department General Order 2.01.**

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainants stated that a supervising officer was dishonest and drafted a misleading chronology report, writing that a female officer told the second bicyclist to back up and omitting that the officer repeatedly shoved the bicyclist and the detail that the bicyclist turned around when she first encountered the officer. The complainant also alleged that the supervising officer repeated that the bicyclist “grabbed” the officer’s helmet, when the video does not support this claim.

The named officer stated that he does not remember seeing what could be described as the female officer repeatedly shoving the bicyclist with her baton. He recalled that the bicyclist was acting belligerent, refused to obey lawful orders, attempted to force her way past, and physically assaulted the officer.

Department records indicate that the supervising officer did write that a female officer told the bicyclist to back up and did not write that the officer repeatedly shoved the bicyclist or that she turned around. The report documented that the bicyclist grabbed the officer’s helmet, causing the officer’s head and neck to bend.

The body-worn camera footage shows that several officers instructed the bicyclist to back up, but she continued to proceed towards the line of officers. The female officer went up to prevent her from further advancing. The bicyclist slightly retreated; however, she continued to try to pass through the officers while lifting her bicycle, saying her office was just right ahead. The BWC also captured the bicyclist grabbing onto the officer’s helmet, causing the officer’s head to bend as previously stated.

The evidence shows that the report was an honest and accurate summary of the event.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant claimed that a security guard at his workplace pointed a firearm at him during an incident two years ago. He reported the incident to the shop manager. Soon after, the named officer, who is the brother of the security guard, called him. The complainant stated that the officer told him to let the matter go and said something like, “you’re a big boy. Don’t make a big fuss about it. It’s not a big deal.” The officer was very dismissive.

The complainant stated that he called the police the next day, and two officers arrived to investigate. He believed one of the officers called the named officer. The named officer then went to the shop and followed him to a department store, videotaped and took pictures of him. The complainant stated he would provide the DPA with videos and photos of the officer, witness contact information, a screenshot of the officer's call record, and other relevant details; however, he did not do so, despite multiple requests to do so.

The named officer stated that he does not recall the specifics, as the incident happened almost two and a half years ago. He admitted that the owner of the security company is his older brother, but he has never spoken with the complainant on the phone. He denied following the complainant into a department store or taking videos or photos of him.

Two witness officers stated that they did not contact the named officer regarding the incident.

Department records show that only the two witness officers were dispatched to the scene. The work phone record for the named officer involved in the incident was obtained and reviewed. These records did not include the complainant’s phone number, and there was no record of the officer’s GPS location. Additionally, no photos or videos were taken on those dates.

There was no body-worn camera footage from the named officer for the incident.

The evidence collected indicates that the named officer did not contact, follow, or take videos or photos of the complainant; therefore, no retaliatory behavior can be recorded. Thus, on the balance of probabilities, the evidence suggests that the alleged conduct did not occur or that the accused officer was not involved.

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**SUMMARY OF ALLEGATION #2: The officer engaged in retaliatory behavior.**

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that the named officer retaliated by following him and taking videos and photos of him because the complainant was whistleblowing about the security officer of the officer's brother's company.

The named officer stated that there is absolutely no merit or evidence to suggest that he has retaliated against the complainant in any way, shape, or form.

There is no evidence to support the allegation that the officer followed the complainant or took photos or videos of the complainant, as stated in the previous allegation.

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

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**SUMMARY OF ALLEGATIONS #1:** The officer improperly used physical control.

**CATEGORY OF CONDUCT:** UF

**FINDING:** PC

**FINDINGS OF FACT:** The complainant was on the way to fill up their vehicle's gas tank when they were startled by the sudden activation of a patrol vehicle's lights and sirens behind them. The complainant recalled two officers exiting the patrol car and approaching their vehicle. The complainant described one officer with his hand on his weapon near the passenger side of the vehicle and the other officer contacting the complainant by opening their driver side doors. The complainant exited the car and demanded the officers provide a reason for their actions. The complainant said the named officer told her that the vehicle was involved in a felony and that they were being detained. When the officer asked the complainant to turn off the vehicle, the complainant refused which resulted in the officer manhandling the complainant and putting her into handcuffs.

Several police records were reviewed including the Department of Emergency Management computer-aided dispatch (CAD) records as well as the related incident reports. The records showed the complainant's vehicle was involved in a felony evasion incident a few days earlier. As a result, there was an outstanding felony warrant for the vehicle involved in the evasion.

The incident report was corroborated by the officer's body-worn camera footage. The body-worn camera footage showed that the named officer followed the complainant's vehicle into a gas station and activated the patrol vehicle's lights and sirens. The named officer and his partner advised the occupants that they were being detained. The named officer told the complainant that the vehicle was wanted for being involved in a crime. The complainant, visibly upset, fired questions at the officers and demanded an immediate response. When the named officer ordered the complainant to turn off the vehicle, the complainant refused. The officer then warned the complainant that she would be handcuffed if she continued to resist. The complainant continued to be argumentative with the officer and was consequentially placed into handcuffs. The body-worn camera showed the complainant tense and brace whilst the officer attempted to place the complainant into handcuffs. The resistance was noticed by the complainant's minor child who had pleaded with the complainant to remain calm and to listen to the officers. The footage showed that the named officer requested a double cuff for the complainant, but it was apparently not available. Within a few short minutes, the back-up officers arrived on scene and were able to place the double cuffs on the complainant.

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The policy on ‘Use of Force and Proper Control of a Person’ is outlined in Department General Order (DGO) 5.01. The purpose of the policy is to guide an officer’s decision’s regarding the use and application of force to ensure such applications are used only to effect arrest or lawful detentions or to bring a situation under legitimate control and assist the Department in achieving its highest priority. More specifically, Department General Order 5.01.05, describes the various levels of resistance and the proportionality of use of force. Specifically, the complainant bracing and tensing were forms of active resistance such that pain compliance control holds, takedowns and techniques to direct movement or immobilize a subject would be a proportionate response per the policy.

The DPA’s investigation confirmed that the officer applied reasonable force on the complainant to effect a lawful detention. The complainant described the officer’s actions as being manhandled; however, the evidence showed the actions were applied proportionately to the level of resistance demonstrated by the complainant’s physical and verbal resistance. Thus, the evidence proves that the alleged conduct occurred, and the conduct was justified, lawful, and proper.

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant acknowledged that they were being detained because the vehicle was involved in a crime. However, when the complainant inquired as to what crime the vehicle was involved in, the officer did not immediately provide that information to her.

The body-worn camera footage showed the named officer initially explained to the complainant that the occupants of the vehicle were being detained because the vehicle was involved in a felony. When the complainant demanded the officer immediately provide her with information about the crime the vehicle was involved in, the officer explained that he would provide that to her at a later time, an answer that complainant did not appear to accept. Later, another officer provided the complainant with an explanation with what was happening at the scene, namely, that the vehicle was involved in a felony evasion incident.

The DPA’s investigation confirmed that the officer’s actions complied with department policy. The named officer had reasonable cause to detain the complainant and provided a reason for the detention as

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soon as was practical. (DGO 5.03.04.A.). The evidence proves that the alleged conduct occurred, and the conduct was justified, lawful, and proper.

**SUMMARY OF ALLEGATION #3:** The officer failed to advise the complainant of their *Miranda* rights.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant alleged that she should have been advised of her *Miranda* rights despite that officer telling her otherwise.

During its investigation, DPA was unable to locate evidence to substantiate the complainant's allegation that she discussed the appropriateness of a *Miranda* advisement with the named officer. Absent a custodial interrogation, the officer was not required to *Mirandize* the complainant. (*Miranda v. Arizona* (1966) 384 U.S. 436. The evidence suggests that the named officer's intended to tow the vehicle as evidence, not interrogate its occupants. Therefore, a *Miranda* advisement was not required. The evidence proves that the alleged conduct occurred, and the conduct was justified, lawful, and proper.

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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant said he was grabbed by officers and accused of robbing someone with an airsoft gun. He told the officers that they had the wrong person, but he was detained anyway.

The named officers stated they were dispatched to a store where there was a report of a man with a gun. The 9-1-1 dispatcher provided a description of the suspect as a black male, 30 to 40 years of age, 5'9" to 6' tall, medium build, wearing an orange neon vest, grey beanie hat, a diamond grill on his teeth, and in possession of a handgun in his waistline. The dispatcher also provided a direction of travel for the suspect.

The named officers attended the location where the suspect was last seen and saw a black male, wearing an orange DPW vest, a light grey beanie hat, a black hoodie, black pants, and with a diamond and gold mouth grill. The officers detained the individual, who later identified himself as the complainant. The named officer explained that, based on the description provided, they believed the complainant was the suspect in the incident. The suspect was suspected of violating Cal. Penal Code section 25400(a)(2) that refers to the crime of carrying a concealed firearm without a permit.

After the complainant was detained, the named officers spoke with a store employee, who reconfirmed the description of the suspect as provided by the 9-1-1 dispatcher earlier. Still, they declined to participate in a cold show. The store employee said they saw the individual had a black handgun in the right rear waistline of his pants.

Computer-Aided Dispatch (CAD) records and audio recordings documented the description of the suspect provided by the store employee to the 9-1-1 call taker, as well as the description provided by the dispatcher to the named officers. The description matched the description provided by the named officers.

Department records corroborate the accounts of the named officers.

Body-worn camera footage (BWC) documented the detention of the complainant by the named officers. The footage showed that the complainant fit the description provided by the store employee, including the gender, race, height, and age, as well as the fact that he was wearing an orange neon vest, a grey beanie, and had a diamond and gold grill on his teeth.

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Department General Order (DGO )5.03.03(B) (Investigative Detentions) states, “A detention is a seizure of a person by an officer that results from submission to unequivocal verbal commands, physical restraint, and/or words or conduct by an officer resulting in a reasonable person believing that they are not free to leave or otherwise disregard the officer.”

DGO 5.03.03(C) states, “Reasonable suspicion to detain or pat search are based on an objective analysis of the totality of the circumstances known at the time of the detention or pat search, including observations, training and experience, and information from eyewitnesses, victims and/or other members.”

DGO 5.03.03(D) states, “Reasonable suspicion is a set of specific facts that would lead a reasonable person to believe that a crime is, was, or is about to occur and the person under suspicion is reasonably connected to the crime. Reasonable suspicion to detain is also established whenever there is any violation of law. Reasonable suspicion cannot be based solely on a hunch or instinct.”

The evidence shows that the named officer had reasonable suspicion to detain the complainant based on the fact that he matched the description of the suspect.

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: PC**

**FINDINGS OF FACT:** The complainant stated that after he was detained, the named officer searched him.

The named officer stated that she did search the complainant. The officer noted that the 9-1-1 caller observed a handgun in the waistline of the suspect at the store. The description of the suspect matched the description of the complainant. As such, the officer said that she had a factual basis to suspect that the complainant had a concealed firearm and therefore posed a danger to the officer. Therefore, she conducted a limited search for the weapon.



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BWC footage showed that the named officer conducted a pat search on the complainant for a firearm.

DGO 5.03.03(E) states, "Reasonable Suspicion to Conduct a Pat Search - A pat search allows officers to safely pursue their investigation without fear of violence, not to discover evidence of a crime. Two conditions must be met before a pat search is permitted:

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

The evidence shows that the named officer did search the complainant. However, the complainant was legally detained, and the officer possessed specific and articulable facts that caused them to believe that the complainant was armed and dangerous.

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

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

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that after he was detained, the named officer searched him.

The named officer denied conducting a search on the complainant. He said another officer conducted a search.

BWC footage corroborated the officer's account.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant opined that he was racially profiled because the officers were white or Asian. Additionally, the officers engaged in biased policing because they told him he had a grill on his teeth.

The named officers denied racially profiling the complainant or engaging in biased policing. The officers stated that they were provided a description of a suspect with a gun. Part of that description included the suspect's race and that the suspect had a diamond and gold grill on their teeth. The complainant matched these details of the description, as well as the height, build, age, clothing, and last seen location of the suspect.

The officers stated that the detention and search of the complainant was solely based on the information provided by the 9-1-1 caller.

CAD and BWC evidence indicate that the officers acted based on information and facts provided by the store employee, rather than any personal bias.

The evidence proves that the conduct alleged did not occur.

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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer conducted an illegal property search on her residence. She said that the warrant was unlawful because the target of the warrant had not resided at her address for approximately 10 months. The complainant failed to respond to requests for further information.

The named officers stated that they confirmed the complainant's residence as the subject of the warrant's address by conducting physical surveillance and cell phone location surveillance. The subject had also registered his cell phone at the complainant's address. A search warrant was obtained based on an investigation that showed the subject was residing at the complainant's address and was keeping firearms inside the residence, when he was prohibited from possessing firearms. A judge signed the search warrant. The subject was seen exiting the complainant's residence and fleeing from officers. The subject was taken into custody and found to have a firearm and a key to the complainant's residence. The officers served the search warrant and found an assault weapon, firearm-related items, and indications that he was residing at the location, such as a wallet with cards in his name.

The search warrant showed that a Superior Court Judge authorized officers to enter and search the complainant's residence for firearms and firearm-related items, evidence that the subject was living at the address, proof of gang affiliation, and to obtain a buccal swab from the subject for DNA comparison.

The Incident Report, authored by Named Officer #2, recorded the service of the warrant, and the narrative concurred with the officer's account of the search. The report documented that officers found two loaded firearms, including a loaded assault weapon, magazines, ammunition, narcotics, a medical card in the subject's name atop a bedroom dresser, and an SF Jail ID bracelet for the subject found in a closet.

Body-worn camera footage showed the officers serving the warrant. Also present were federal officers from the Bureau of Alcohol, Tobacco, Firearms, and Explosives. The footage corroborates the named officers' accounts, and the record of the search found in the Incident Report.

Department General Order 5.16.02 (Search Warrants) states that under the Fourth Amendment of the United States Constitution, probable cause is required to obtain a search warrant. The officers had confirmed probable cause to believe that the subject was currently residing at the complainant's address

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via surveillance techniques. Furthermore, the subject was seen exiting the address before the search warrant was served and was found in possession of a key to the property.

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

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

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complaint stated that the named officer conducted an illegal property search on her residence. She said that the warrant was unlawful because the target of the warrant had not resided at her address for approximately 10 months.

The named officer stated he authored the search warrant, which a judge signed. However, he was off duty when the warrant was served.

Department records and body-worn camera footage confirmed that the named officer was not present when the search warrant was served.

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

**SUMMARY OF ALLEGATION #5:** The officer engaged in retaliatory behavior.

**CATEGORY OF CONDUCT: CUO**

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**FINDING: U**

**FINDINGS OF FACT:** The complainant said that the named officer obtained the search warrant as retaliation for the complainant previously making a complaint against the named officer. The complainant failed to respond to requests for further information.

The named officer denied retaliatory behavior. He noted that the search warrant was obtained as part of an investigation into the subject of the warrant, who was found to be in possession of firearms illegally. He also pointed out that he did not author the search warrant.

The search warrant confirmed the named officer's account.

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

**SUMMARY OF ALLEGATIONS #6-9:** The officers intentionally damaged property.

**CATEGORY OF CONDUCT: UA**

**FINDING: U**

**FINDINGS OF FACT:** The complainant said that the named officer caused about \$500 worth of damage when they conducted the search of her residence. She confirmed she was not present when the search took place. The complainant failed to respond to requests for further information.

The named officer denied causing any damage during the search.

Body-worn camera footage showed that the officers present did not damage any property during the search. Named officer #4 was not present.

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

**SUMMARY OF ALLEGATIONS #10-13:** The officers displayed threatening, intimidating, or harassing behavior.

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**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that she has noticed police officers sitting in front of her residence for the past month. She considered this behavior harassment. The complainant failed to respond to requests for further information.

The named officer confirmed that physical surveillance was conducted at the location to verify that the subject was residing at the property. This information was used to support the application for a search warrant.

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

**SUMMARY OF ALLEGATION #14:** The officer behaved or spoke inappropriately.

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that the named officer told her he was from the Gang Task Force, so he could do anything he wanted. The complainant was unclear about when this exchange occurred, as she later stated that she was not present when the officers searched her residence. The complainant failed to respond to requests for further information.

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The named officer denied ever making that comment to the complainant.

Body-worn camera footage showed that the complainant was not present when the officer served the search warrant.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that his wife asked him for his iPad password a third time while he was asleep. He refused to disclose the password. The wife became annoyed, hit the complainant with the iPad, and threw his phone against the wall. The complainant then pushed the wife and claimed she did not hit the wall. The wife then called the police. When the police arrived, the complainant said they did not listen to his story because he does not speak English and only listened to his wife. He believed the officers showed bad judgment and were unprofessional because they did not ask him about his intent to commit domestic violence or whether he had consumed any alcohol or drugs. He stated that the officer eventually arrested him.

Named Officer #1 stated he interviewed the complainant, who said that he did not hit his wife initially but pushed her away and slapped her hand to reach the charging cable connected to his phone. The officer asked the wife whether the complainant had consumed any alcohol, and she said he had not.

Named Officer #2 interviewed the wife, who stated that the complainant refused to give her the password to a tablet she needed for work. An argument ensued, and during the argument, the complainant struck the wife on the upper chest with his closed fists. The officer stated that he looked for evidence, specifically the cellphone in question, which appeared to be undamaged. He obtained approval from a supervising officer regarding the incident and determined that there was probable cause to arrest the complainant. Named Officer #2 added that he filled out all the required domestic violence (DV) forms.

A witness officer confirmed discussing the case with Named Officer #2 and agreed that the complainant should be placed under arrest for domestic violence-related charges.

Computer Aided Dispatch (CAD) shows that the wife called the police because her husband was attacking her. The incident report indicates that Officer #1 interviewed the complainant via Language Line, who admitted striking his wife on her hands to get her to release the charging cord of his cell phone. It recorded that the wife stated the husband did not consume alcohol or use any drugs. The documents also recorded all the completed DV forms.



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Body-worn camera (BWC) footage captured that both officers asked the wife whether the complainant had been drinking, and she replied “No.” Officer #1 took a statement from the complainant via Language

Line and asked him to describe what had happened. The BWC shows that although the complainant denied hitting his wife initially, he later admitted pushing her away to get to his phone and hitting her on the hands. The footage also shows that the officer checked his phone for any damage and found none.

The evidence proves that the officers took statements from both parties involved and requested an interpreter for the complainant, who admitted to hitting his wife. The officers looked for evidence, asked appropriate questions, obtained approval from a supervisor, and determined probable cause to arrest the complainant for a domestic violence offense.

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

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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated he was arrested even though he told the officer he did not hit his wife.

Named Officer #1 interviewed the complainant, who admitted that he pushed his wife and slapped her hand during the conflict.

Named Officer #2 stated that the wife told him the complainant struck her chest multiple times.

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Department records indicate that the wife called the police for domestic violence, and the complainant told Officer #1 that he slapped his wife's hand to reach his phone charger. They also show that the complainant was arrested for Penal Code 243(e)(1) domestic battery.

Body-worn camera footage confirms that the complainant was arrested for a domestic violence offense.

Penal Code section 243(e)(1) defines "domestic battery" as using force or violence against a cohabitant... A conviction is a misdemeanor punishable by... up to one year in county jail.

The evidence proves the complainant used force against his wife, which is a punishable misdemeanor under PC section 243(e)(1).

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant later added to his complaint that the officers did not arrest his wife when he told the officers that his wife did not let him sleep.

Named Officer #1 stated that being unable to sleep because the other person keeps them awake is not an arrestable offense.

Named Officer #2 indicated that it is reasonable for two people living together to wake each other up occasionally to ask for something, and that is not a criminal matter.

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Department records indicate that the wife was not arrested.

Footage from the body-worn camera showed that the complainant did not request a citizen's arrest of his wife for preventing him from sleeping.

There are no laws stating that preventing someone from sleeping is a criminal offense.

The evidence collected shows that the complainant did not make any citizen's arrest, and that failing to let the other person sleep is not a criminal act.

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

**SUMMARY OF ALLEGATION #7: The officer failed to properly care for or monitor a person in custody.**

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he felt cold but was not allowed to put on his jacket. Instead, he was instructed to wear a prisoner's outfit and was not given a blanket. He said the officer increased the temperature for him while he was in jail.

The named officer stated that when officers were preparing to transport him to the station, the complainant asked for a jacket. He told the complainant that there were sweaters and pants available for him to change into at the station. The officer said that the complainant verbally expressed feeling cold at the station, and he responded by providing clothing and raising the heat in the jail.

Department records did not document any conversations regarding this issue.

Body-worn camera footage showed that the complainant only wanted to put on some clothes before being taken to the station and was wearing a short-sleeved T-shirt. The named officer stated the station had

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shirts, sweaters, and pants. Then, the complainant asked, ‘What about socks?’ The complainant initially said he felt cold during the jail intake process. Later footage shows that the complainant was wearing long-sleeved jail clothing and pants while in custody.

Departmental policies required officers to provide jackets or blankets to people in custody.

The evidence indicates that the complainant said he was cold after being taken into custody. The officer responded by providing extra clothing and increasing the temperature in the jail.

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

**SUMMARY OF ALLEGATION #8: The officer failed to provide medical treatment.**

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant alleged in the complaint that a sheriff told the named officer to send him to the hospital for his high blood pressure, but the officer did not do so. The sheriff eventually gave him medications every 4-5 hours. The complainant stated that no medical professionals checked on him, despite his not having requested one.

The named officer stated that a sheriff's deputy commented on whether the complainant should go to the hospital after seeing his blood pressure level while the triage nurse was assessing him. The nurse determines whether he has been medically cleared to be accepted into the county jail or if he needs to be transported to a hospital for treatment. The officer said he left the decision to the triage nurse because he was not a medical professional. The officer stated he did not provide any medical treatment for the complainant because he did not request any immediate medical attention.

Department records indicate that the complainant responded “No” when asked if he required immediate medical attention upon checking into jail.

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Body-worn camera footage captured that a jail intake officer asked if the complainant required immediate medical attention, and he said no. BWC did not capture the check-up by a triage nurse.

The evidence proves that the complainant told the officer he did not require immediate medical attention when he was taken into custody. The complainant stated that no medical professionals checked on him, while the officer claimed that a triage nurse checked his blood pressure and decided not to send him to the hospital.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant added to his complaint that while inside the police station, the named officer told him that he had arrested him to prevent the Simpson's case from happening again, which the complainant felt was inappropriate. He said the officer also told him he would be released the same day he was arrested, that he would be arraigned, see the judge, and then be released. However, he was not released that same day.

The named officer confirmed that he had informed the complainant about the Simpson case. He explained that the complainant did not seem to understand why he was arrested. He then explained that there is zero tolerance for domestic violence. He also gave a brief but well-known example of a domestic violence incident that he thought the complainant would have heard of. The named officer also confirmed he advised the complainant on the jail process. He told him that once in prison, he would hopefully see a judge, get a court date, and be released within a day or two. The officer also mentioned he was not entirely sure of the exact days. This was intended to help ease the complainant's worries about what would happen next, as the complainant stated he had never been to jail before.

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Department records did not include the conversation between the two that took place inside the jail.

Body-worn camera footage also did not capture the conversation.

The evidence collected indicates that although the officer made the comments alleged by the complainant, they were not inappropriate or egregious and do not warrant disciplinary action.

The evidence shows that the alleged conduct took place; however, it was justified, lawful, and proper.

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant had been released from jail and upon his return to his residence, he learned that the landlord had changed the locks on his door. He went through the back door to enter his unit. Shortly after, the named officer responded to his residence. The complainant informed the officer that the landlord changed his locks and that the landlord had previously assaulted/battered him and stole his belongings. The complainant alleged that he requested to file a police report regarding these crimes. The complainant stated that the named officer refused to generate a report and made inappropriate comments such as assault and battery are not crimes and should be handled civilly.

The named officer confirmed responding to this incident. He explained that a call for service was generated alleging that a neighbor - later determined to be the complainant- was breaking into the building unlawfully. The named officer noted that prior to this incident, officers had responded to this residence for various calls for services pertaining to the complainant. Additionally, the officer knew that an eviction process against the complainant was underway. The named officer spoke with the complainant with the objective of calming the ongoing dispute between the complainant and his landlord/neighbors, which had required multiple police responses. The named officer confirmed that the complainant informed him that his landlord changed his locks, turned off his electricity, and stole his items. The complainant repeatedly emphasized to the named officer that he needed electricity. The named officer informed him that he could not turn on his electricity. The complainant momentarily shut the door and re-opened the door, alleging that his landlord assaulted him.

The named officer stated that he recommended that the complainant file a civil complaint, as the issues between he and his landlord were continuous and civil in nature. Additionally, the named officer stated that the criminal accusations the complainant made against his landlord had already been documented in a police report several days prior and that the complainant was listed as the suspect in the open investigation. He explained his suggestion and comments to handle the matter civilly were appropriate, as his intentions were to provide the complainant with an alternative resource for help.

The body-worn camera footage (BWC) corroborated that the complainant was primarily concerned with the fact that his landlord had cut off his electricity, but then later made criminal accusations. The named officer instructed the complainant to file a civil complaint so he could obtain help against the landlord and

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characterized the issues as civil matters. Department records also showed, as pointed out by the named officer, that a police report had already been generated several days prior involving the same criminal accusations the complainant had made that day.

Although the named officer stated that the matters complained of were civil in nature, given the context of their entire communication, the well documented and on-going issues between the complainant and the landlord, and the fact that the officer did not want to further discuss an open investigation in which the complainant was a suspect, the named officer's comments and suggestion to seek a civil remedy as an alternate route was reasonable and appropriate.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** As outlined above, the complainant alleged that the named officer did nothing in response to his concerns and failed to generate a report about the alleged crimes.

As previously stated, a police report reflecting such allegations had already been filed several days prior and the named officer attested that it would have undermined the on-going investigation into that incident if he had taken further action on the date of this incident.

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



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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated she was denied entry on a bus because the bus driver informed her that she had insufficient funds on her commuter card. She said she recently put money on the card, and therefore, she should not have been denied entry. She stated she called the police, and when they arrived, the named officer told her she could walk to her destination. The complainant felt that this comment was unprofessional and inappropriate.

The named officer denied making the alleged comment.

Witness officers stated they did not hear the named officer make the alleged comment.

Department records indicate that the named officer responded to a call for service at a transit terminal regarding a fight/dispute (no weapons) over transit fare.

The Department of Police Accountability attempted to obtain body-worn camera footage; however, the footage was not available.

The Department of Police Accountability attempted to obtain footage from the transit station; however, the footage was not available.

Video surveillance footage from the bus showed the complainant attempting to board the bus but was denied by the bus driver when her transit card was declined due to a lack of funds. The footage showed the complainant becoming angry and argumentative with the bus driver. The bus driver asked her to leave the bus several times, but she declined. The complainant informed the bus driver that she was going to call the police. Shortly thereafter, officers arrived and escorted the complainant off the bus. The complainant began acting in a hostile manner by arguing with the officers in a raised voice, insisting that she had money on her card. The complainant then shouted, "Take me to jail," and offered her wrists for the officers to place her in handcuffs. The footage did not capture the named officer making the alleged comment; however, the bus subsequently left the station, leaving the complainant and the officers on the platform, ending the audio recording.

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Video surveillance footage, which did not record the incident in its entirety, did not capture the named officer making the alleged comment to the complainant. Since body-worn camera footage was not available, the entire interaction was not captured on video. However, the comment on its face does not rise to the level of mandated discipline.

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

**SUMMARY OF ALLEGATIONS #2-5:** The officers failed to activate body-worn cameras 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 stated he did not violate Department General Order 10.11 because it was a civil dispute between a passenger and a bus driver over funds on a transit card. He stated that the complainant was never detained and that the interaction was of a non-criminal nature.

Named Officer #2 stated that when he arrived on the bus deck, it appeared that the situation had already been resolved.

Named Officer #3 stated activation of her body-worn camera was not necessary because the incident was not one of the thirteen circumstances listed in Department General Order 10.11 requiring activation.

Department records indicate that the named officers responded to a call for service regarding a fight/dispute (no weapons) over transit fare.

The San Francisco Police Department was unable to locate body-worn camera footage related to this incident.

Video surveillance footage from the bus showed the complainant arguing and behaving in a hostile manner in the presence of the officers.

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

**COMPLAINT DATE: 02/10/2025**

**COMPLETION DATE: 07/03/25**

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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 . . . 11. During any encounter with a member of the public that becomes hostile. . . 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 en route and before arriving on scene . . .”

Officers responded to a call for service listed as a fight or dispute (no weapons) involving a dispute over transit fare. Department General Order 10.11 required activation because the complainant was hostile upon their arrival. In addition, Department General Order 23-045 explicitly required the named officers to activate their body-worn cameras while en route.

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: 02/24/2025      COMPLETION DATE: 07/07/25      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: UA**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that the named officer tore a temporary plate off her vehicle and then issued her a ticket for having no valid plates on the car. She stated that her temporary plates were on the vehicle just before she parked it. She stated that no one else had motivation to remove her license plate.

The named officer, who was identified on the citation, said he was working as a patrol sergeant on the date the citation was issued. The officer stated that he did not recall anything specific about the vehicle or the parking ticket. He said that he did not recall tearing off or removing a temporary license plate from the complainant's vehicle.

Footage from the body-worn camera (BWC) of the named officer shows the named officer in his vehicle writing a citation. The footage begins after the officer obtained the car Vehicle Identification Number. The BWC did not show the named officer removing a temporary plate from the vehicle, nor did it show the back of the car, where the complainant said the temporary plate was displayed. There were no other witnesses.

While the complainant's license plate could have been stolen prior to the officer's arrival, the body-worn camera footage does not capture the entire incident.

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.

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

**COMPLAINT DATE: 02/26/2025      COMPLETION DATE: 07/01/25      PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant reported that he and partner were drinking an adult beverage in front of a hotel when the officer aggressively approached them and told them not to drink in public. He believed the officer was trying to bully him. He further reported that the officer told the complainant's friend, "I'm going to tear your ass apart."

The officer admitted contacting the complainant and his partner. The officer recalled that the complainant and his partner were drinking in public in the "Hospitality Zone" an area that Mayor Daniel Lurie wanted to be safe zone for attendees to walk to events at the Moscone Center. Hotel security asked the complainant and friend to get off their property because of they were drinking alcohol, but they would not leave. The officer approached the complainant to see if he could assist in getting them to leave. The officer denied threatening or bullying the complainant and his partner.

There was no body-worn camera for this incident and the complainant admitted to drinking and being "tipsy." Because there was no independent evidence, the Department of Police Accountability concluded that the evidence was insufficient to determine what transpired between the officer and the complainant.

The evidence fails to prove that the alleged conduct occurred.

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

**COMPLAINT DATE: 02/26/2025      COMPLETION DATE: 07/01/25      PAGE# 2 of 2**

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

**CATEGORY OF CONDUCT: UF**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant reported that the officer put his hands on him and punched him in the chest, but not very hard, and not hard enough to leave a bruise.

The officer denied the allegation. He said that although he assisted a hotel security guard in getting the complainant to leave the area, he did not punch or have physical contact with the complainant.

No body worn camera footage was located and the complainant admitted that he and his partner had been drinking alcohol and were “tipsy.”

The DPA concluded that due to the lack of independent and/or reliable evidence, the alleged conduct was not proven by a preponderance of evidence.

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

**COMPLAINT DATE: 02/28/2025**

**COMPLETION DATE: 07/11/25    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's family member called the police and reported that he was acting erratically. The complainant stated that officers responded to his residence and detained him for a mental health evaluation. The complainant was transported to a hospital, and he believed that the officers did not have justification to detain him.

The named officer detained the complainant for a mental health evaluation. She stated that the complainant was a danger to himself and that she had justification to detain him based on the facts, interviews completed, and evidence from the incident. The named officer met with the complainant, who talked to her and other officers about his religion. She noticed his hand appeared to be injured, and he declined medical help. The named officer spoke with the complainant's family members during the incident, who expressed concern for his well-being. Family members told the named officer that the complainant had punched things, broken bottles in the backyard, and had possibly injured his hand. The officer was also told that the complainant threw eggs at a family member's vehicle and said he would get a "bullet" if the family member retaliated.

Dispatch records showed a call for a well-being check. The reporting party advised that their family member had punched the wall and thrown glass bottles.

Body-worn camera (BWC) footage showed the complainant's family members expressing concern for the complainant's wellbeing, as he was hurting himself by punching things. Family members told officers the complainant had also damaged an appliance and broke glass bottles. The complainant confirmed to officers that he had punched holes in walls. The complainant was detained for a mental health evaluation by officers and transported by medical personnel.

Department records documented that officers detained the complainant for a mental health evaluation because investigation showed that he was a danger to himself. The records documented reports that the complainant had punched walls, broken things, and threatened his family. Officers photographed items the complainant was reported to have punched in the residence, including a damaged door, as well as bottles the complainant broke in the yard.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
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**COMPLAINT DATE: 02/28/2025**

**COMPLETION DATE: 07/11/25 PAGE# 2 of 2**

Under California law, police officers have the authority to determine if an individual presents a danger to himself or others or is gravely ill.

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: 02/28/2025**

**COMPLETION DATE: 07/01/25**

**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 stated that the named officer detained him for a mental health evaluation without any justification. The complainant said he believed his mother or brother had called the police on him.

Computer-aided Dispatch records and 9-1-1 call audio recordings indicate that several individuals independently requested police assistance. They described the complainant acting erratically, shouting in the street for his machete, throwing items out of the house, and waving a saw at people. The complainant's description was passed to the officers attending the scene.

Body-worn camera (BWC) footage showed that the named officer attended the scene with other officers and spoke to the complainant on the sidewalk. The complainant denied doing anything wrong. He told the officers that there had been an argument over the dishes. He explained he was looking for his machete because he weeds the backyard, but someone was refusing to give it to him. He then informed the officers that the incident was a result of his religious beliefs.

BWC showed that the named officer detained the complainant, handcuffed him, and placed him in a patrol car. Officers explained to the complainant that he would be taken to the hospital, as they believed he posed a danger to others.

BWC then showed the named officer locating and interviewing the reporting parties and other witnesses. These individuals provided information that corroborated the 9-1-1 calls. The named officer was also told that the complainant is believed to suffer from mental health issues. No one wanted to press any criminal charges against the complainant. The complainant was not present during these interviews.

During the BWC footage, the named officer clearly explains why he detained the complainant. He stated that the complainant was a danger to others. The complainant was walking around with a saw, punching walls, and acting erratically. The officer said he was informed that the complainant has undiagnosed mental health conditions and has a confirmed history of previous mental health detentions.

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
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**COMPLAINT DATE: 02/28/2025**

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The Welfare and Institutions Code section 5150 allows a peace officer to detain someone experiencing a mental health crisis to facilitate observation and evaluation in a designated facility. The individual must meet one of the following criteria. They must be a danger to self, a danger to others, or gravely disabled and unable to care for their basic needs.

The named officer had grounds to detain the complainant under the Section 5150 legislation. Information from several witnesses about the complainant's aggressive behavior, use of a weapon, and possible mental health issues was sufficient to provide the grounds for detention.

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

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

**COMPLAINT DATE: 03/05/2025      COMPLETION DATE: 07/08/25      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 her client was arrested but not charged or convicted. Nevertheless, a district police station posted her client's mug shot in a social media platform violating California Penal Code Section 13665. The complainant requested that SFPD and the social media platform take down the post five years after the posting. However, she reported that the post is still up, violating Assembly Bill 994 a statute that expanded the complainant's client's protection. The complainant demanded that the post be taken down.

The Department of Police Accountability conducted an investigation. A sergeant currently in charge of the district station's social media platform who did not post the mug shot confirmed that the post was active. However, upon learning of the issue, promptly deleted it from the district station's social media account and instructed a subordinate officer to scroll and remove all photos from the account that were published in violation of the state law.

The DPA concluded that social media post was left up inadvertently by another officer whose identity could not be established. However, when the officer-in-charge was notified of the issue during the DPA investigation, the post was promptly removed.

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: 03/07/2025**

**COMPLETION DATE: 07/24/25**

**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 the named officer failed to arrest a person who had been engaging in sexual acts outside the complainant's home. The complainant stated the named officer failed to check the person's ID and missed that the person was wanted on a warrant.

The named officer stated that he was not provided the full details of the allegations when he responded to the scene initially. The named officer attempted to contact the complainant but was unable to. Without further details, the named officer did not have any authority to demand the person's ID as no crime had been alleged. When the named officer was recalled to the scene, he was able to meet with the complainant and gain the pertinent information to take action.

SFPD Documents showed that the complainant called about a person committing sexual acts. The documents showed that the named officer responded but was not able to contact the complainant and left. The named officer returned and took a report from the complainant and arrested the person who had committed sexual acts.

Body camera footage shows that the named officer explained to the complainant that the officer was not provided the full description of the complainant's report of the suspect's actions when he was dispatched to the call. The complainant provided the named officer with a full account of the events he had reported. The named officer is then seen arresting the person who had committed the reported sexual acts.

Audio from the 911 call and dispatch showed that the complainant had reported details of the alleged of sexual acts, but this was not relayed to the named officer.

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

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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 03/11/25      COMPLETION DATE: 07/11/25      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:

DEM Division of Emergency Communications  
1011 Turk Street  
San Francisco  
CA 94102

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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 03/11/2025**

**COMPLETION DATE: 07/31/2025**

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

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant lodged a complaint against the named officer who issued her a ticket for smoking in a prohibited area near a bus stop. The complainant stated that the named officer approached her while she was waiting at the bus stop and accused her of smoking in the prohibited area. The complainant admitted smoking but denied being in violation of the law as she felt she was far away from the restricted area. Additionally, the complainant felt that even if she had in fact been in the prohibited area, issuing her a ticket for such a violation was excessive and unnecessary.

Department records confirmed that the named officer issued her a citation. The named officer was assigned as a foot-beat officer aiding the Department of Public Works with code enforcement. During this assignment, the named officer stated that he observed the complainant smoking in the vicinity of the bus stop, in violation of a Municipal Code. He approached the complainant to educate her on her actions and advised her that she was violating the code. He asked the complainant to be respectful of others waiting for the bus and to either stop smoking or move to an area where smoking was permitted. The named officer stated that the complainant believed she was allowed to smoke in the area and refused to comply. Due to this, the named officer stated he felt it was necessary to cite her for violating the code.

The named officer admitted that he has discretion with respect to whether to cite an individual for this type of violation and typically does not cite individuals because they cease their actions after his advisements. However, that did not occur here.

The Municipal Code prohibits smoking in service waiting areas, which are described as any area designed to be or regularly used by one or more persons to receive or wait to receive service, including the ticketing, boarding, and waiting areas of public transit systems such as buses, trains, and trolleys.

The body-worn camera (“BWC”) footage showed the complainant sitting in proximity to the bus stop waiting area among others who appeared to also be waiting for the bus. The footage also showed the complainant smoking as the officer approached her and during their initial interaction. The footage showed the complainant admitting to being at the bus stop but criticizing the officer for not allowing her time to move.

While it is not common practice to cite individuals for such a violation, as the officer mentioned, the officer nonetheless had probable cause to cite the complainant. The complainant admitted smoking and

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the evidence showed the complainant at or near the bus stop when doing so. Although it is not clear whether the officer provided her with ample time to comply with his orders, the named officer had discretion as to whether to cite her.

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

**SUMMARY OF ALLEGATION #2: The officer engaged in retaliatory behavior.**

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant believed that the named officer may have cited her for smoking in retaliation for a past interaction during which she verbally challenged him. The complainant stated that a few days prior to the date of incident described above, she observed the named officer behave inappropriately by shoving a man in a wheelchair. The complainant yelled out to him, criticizing his behavior.

The named officer did not recall an interaction with a male in a wheelchair or with the complainant. The named officer stated that he was not working on the date she accused him of this behavior. The named officer did not recall any previous interactions with the complainant before he cited her. The named officer maintained that he cited her because she did not comply with his verbal advisements/instructions regarding smoking in the bus area.

DPA could not locate any evidence or documentation reflecting the interaction with a man in the wheelchair or the complainant to allow DPA to assess the complaint. While DPA found that based on the evidence presented, the named officer had probable cause to cite the complainant, DPA finds that insufficient evidence exists to determine whether the named officer engaged in retaliatory behavior when he cited her.

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

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
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**COMPLAINT DATE: 03/11/2025**

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**SUMMARY OF ALLEGATION #3: The officer displayed threatening, intimidating, or harassing behavior.**

**CATEGORY OF CONDUCT: CUO**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that during the interaction involving the smoking citation the named officer was rude and attempted to intimidate her. She explained that the officer threatened to arrest her and that because she was seated on her walker, he had his pelvis inappropriately in her face while speaking with her.

The named officer denied being rude or otherwise acting inappropriately towards the complainant. The named officer admitted that he informed her that if she refused to sign the citation, he would place her under arrest. However, the named officer believed the comments were appropriate and professional in this circumstance. He also denied intentionally invading her space in any way and believed he stood at a respectable distance from her when handing her the citation to sign.

BWC footage of the incident does not reflect the officer being unnecessarily rude towards the complainant. The named officer did warn the complainant that if she refused to sign the citation, he would arrest her, but the comment alone does not rise to the level of misconduct as he had probable cause to cite her. Additionally, the footage did not show that the officer intentionally or inappropriately stood too close to the complainant during the incident but that the complainant was at eye level to his pelvis area as she was sitting on her walker while speaking to him.

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



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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that after the smoking citation incident, she saw the named officer a few times during which he made inappropriate comments to her about her disability and made threats that he would “see her in court.”

The named officer regularly works in the area and confirmed that he had observed the complainant on multiple occasions after the smoking citation interaction. However, he maintained that he had never approached or initiated any further contact with her. He said that the complainant, however, approached him on multiple occasions making comments that she would hire a lawyer and “see him in court.” He denied ever making comments regarding her disability or referencing her use of a walker.

DPA was unable to locate any evidence reflecting such interactions. Without additional, independent evidence, DPA is unable to determine whether the officer made such comments or engaged in wrongdoing.

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

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

**COMPLAINT DATE: 03/25/2025      COMPLETION DATE: 07/01/25      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 visited the airport to pick up a relative and went into the rideshare parking lot by mistake. He parked in a handicap stall and tried to move, but there was a long line, so he was pulled over. The officer approached him, but did not ask for his driver's license, insurance, or vehicle registration. The complainant believes the officer's behavior was unlawful.

The officer confirmed that she approached the complainant and only requested whether or not the complainant had a handicap placard, which he did not. The officer further stated that she subsequently issued him a parking citation which does not require a driver's license number, insurance, and registration to complete.

The Department of Police Accountability reviewed the parking citation. The parking citation form includes the date, time, make, model and color of the vehicle, the license plate number, location of the violation, officer's comments, issuing officer's name and star number, and the parking violation. The parking citation form does not require a driver's license number, insurance information, or vehicle registration because a driver does not need to present that information when an officer issues the parking citation.

Moving violation citations require that the driver sign the citation and promise to appear before a magistrate whereas a parking violation citation does not. The driver does not have to be present inside the vehicle to receive a parking citation. The parking citation is attached to the vehicle and the moving violation is attached to the driver.

Department General Order 9.01.03 (C) (2) states that parking violations provide members with reasonable suspicion to hold the vehicle and detain any persons inside. If the vehicle is attended, members may inform the person regarding the violation and allow the person to make a correction. If members decide to issue a citation for a parking violation, unless there are independent facts connected to criminal activity, members shall not prolong the detention for longer than reasonably necessary to write a citation.

The evidence proves that the officer's action was proper. The complainant admitted he was parked in a handicap stall conduct for which the officer issued him a parking citation. Parking citations do not require driver's license numbers, insurance, and vehicle registration documents. If the officer would have

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requested the complainant's driver's license, insurance, and vehicle registration she would have unlawfully prolonged the detention.

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

**SUMMARY OF ALLEGATION #2:** The officer issued a citation without cause.

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated the named officer issued him a citation, and when he asked why she was citing him, she ignored his question.

The named officer denied the allegation, stating she issued the complainant a parking citation for violating California Vehicle Code (CVC) section 22507.8 (A), Handicap Parking, after he admitted he did not have a handicap placard. The officer informed the complainant that because he was parked in a handicap stall without having a valid placard displayed, she was issuing him a citation.

Department records showed that the Ground Transportation Investigation Manager at San Francisco International Airport (the Airport) sent a memo explaining the ongoing enforcement of American Disability Act placard regulations at the airport. The Airport requested assistance from SFPD to investigate those violations.

The complainant admitted to parking in a handicap stall, in violation of CVC 22507.8 as cited.

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

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

**CATEGORY OF CONDUCT: CUO**

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**COMPLAINT DATE: 03/25/2025      COMPLETION DATE: 07/01/25      PAGE# 3 of 3**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that the officer believed he was a rideshare driver, but he was not. He tried to explain to the officer that he shared the car with another person, but she did not allow him to elaborate. He said that the officer mocked him when she spoke to her partner, giggling; however, he was unable to hear what she said.

The officer stated that she believed the complainant was likely an active rideshare driver based on his presence in the parking lot and data from an airport visualization tool that tracks vehicle activity. However, regardless of whether he was a rideshare driver, the primary violation was parking in a handicap stall without a valid handicap placard.

The complainant felt that the officer was mocking him when she spoke to her partner and laughed. However, there were no facts to support his perception, as he admitted he did not know what the officer had said to her partner when she laughed. Furthermore, the complainant's status as a rideshare driver was not relevant to the citation he received for the handicapped parking violation.

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

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**COMPLAINT DATE: 03/27/2025**

**COMPLETION DATE: 07/11/25**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that an officer exhibited aggressive and rude behavior while driving, including abruptly cutting the complainant off in his patrol vehicle.

The complainant provided the Department of Police Accountability (DPA) with a patrol car number and DPA located the officer who signed that vehicle out on the incident date. The officer confirmed that he was driving that patrol car but did not recall driving in the area identified by the complainant or interacting with any vehicles or drivers on the roadway.

Body-worn camera footage did not capture this alleged interaction.

No witnesses were identified.

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

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

**COMPLAINT DATE: 04/02/2025      COMPLETION DATE: 07/27/25      PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he requested permission to make a public comment at the Police Commission meeting. Then the named officer sent him an email inviting him to be a panelist on the webinar, but he did not understand what the webinar involved. He clarified that he was not a panelist, only a member of the public. He mentioned that there were three numbers in the invitation email, which made it needlessly complicated and confusing. He also claimed that the email failed to explain what to do if people cannot sign in or how to contact the named officer.

The officer explained that the complainant was sent a WebEx invite to attend the public comment session for the Police Commission meeting. He said there is no way to designate an invitee as a panelist or attendee, and the invitee receives the invite regardless of whether they are making public comment or serving as a panelist. The officer provided a screenshot of the WebEx setup page to the DPA. He stated the complainant did not have a role as a panelist, but he changed his status to attendee once he called in.

Regarding the three numbers to dial in the invitation email, the officer clarified that he has no control over what the WebEx invite looks like or what it contains. He mentioned he runs the meeting from city hall and cannot also provide tech support for WebEx. However, he offered to conduct a test run for the complainant on the day of the meeting.

The WebEx screenshot provided by the named officer shows that the officer chose to host a webinar for the meeting on WebEx. Then, the page displays a space to enter the email addresses of the panelists, but not for guests or other invitees.

Department records show that the officer sent a WebEx invite for a webinar to the complainant, indicating that the complainant was invited as a panelist. The invite included a webinar number, password, and a separate password specifically for the panelist. Department records also show that the officer provided an alternative way to join the meeting via telephone and offered to do a practice run before the meeting. The complainant and the officer had been exchanging emails for at least days before the meeting began.

The evidence collected shows that since the officer selected the meeting to be a webinar, there was no other way but to invite the complainant as a panelist. The numbers that appear on the invite are required by WebEx to join the specific meeting and are not controllable by the officer. The evidence shows that the named officer made every reasonable effort to accommodate the complainant's request to enter the

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY  
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**COMPLAINT DATE: 04/02/2025      COMPLETION DATE: 07/27/25      PAGE# 2 of 2**

meeting and has been in communication with the complainant to provide support.

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

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COMPLAINT SUMMARY REPORT**

**COMPLAINT DATE: 04/06/2025      COMPLETION DATE: 07/22/2025      PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the named officer behaved and spoke inappropriately during a call for service regarding a restraining order she allegedly violated.

The complainant and her neighbor have on-going issues, often resulting in police involvement. On the date of the incident, the complainant's neighbor - the reporting party - called the police alleging that the complainant violated a restraining order. The complainant installed cameras within the shared garage facing her own vehicle to ensure none of her property was tampered with by the neighbors. The complainant alleged that the named officer informed her that she violated the restraining order by using the camera and inappropriately and mistakenly instructed her on the way she could use her own property - the camera.

The evidence showed that the complainant and her neighbor share a garage and that both parties installed cameras in the garage: one above the complainant's car, and one above the neighbor's vehicle. The evidence also showed that a restraining order was in effect at the time of the call for service which restricted the complainant from harassing, intimidating, or making any direct or indirect contact with the neighbor and her family. The evidence showed that the neighbor called the police and reported that the complainant had harassed, intimidated, and made indirect contact with her and her family, violating the order. The neighbor informed the police that the prior night, the complainant had made inappropriate gestures toward her camera - evidence which she showed the officers. Additionally, the neighbor alleged that the complainant had set up barriers to prevent her from backing her vehicle out of the shared garage. When she moved such barriers, the complainant sounded the alarm on her camera to intimidate and harass her. The alarm sound was also captured and shown to the officers by the neighbor. Moreover, the neighbor alleged that the complainant thereafter spoke to her through the camera to let her know she was being watched.

Body-worn camera footage of the incident showed that the officers verified the terms of the restraining order, assessed the shared garage, and viewed video footage from the neighbor. The officers determined



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that the complainant violated the order by indirectly contacting the neighbor and using the sound alarm on the camera to intimidate and harass her and her family. The named officer contacted the complainant and informed her that she violated the restraining order by using the camera to intimidate and harass them. The footage did not show that named officer informing the complainant that she could not use the camera, but rather, that she could not use the camera to harass and intimidate her neighbor. After a contentious conversation with the complainant, the officers left the scene.

As mentioned above, the named officer did not tell or instruct the complainant that she could not use or install a camera within the garage. The named officer opined, based on the evidence that was presented to him at the time, that the way in which the complainant had *used* the camera, namely, to set off the sirens, was harassment and in violation of the restraining order. The named officer did not engage in misconduct by providing his opinion.

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

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**COMPLAINT DATE: 04/08/2025**

**COMPLETION DATE: 07/08/2025    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 went to her previous apartment to collect her security deposit, and the manager issued her a check. The complainant noticed that the amount on the check was less than she expected. As a result, the two had a verbal altercation. The complainant called 9-1-1 for police assistance. The named officer and her partner arrived to investigate. The complainant stated that the named officer raised her voice at her, did not allow her to speak, and exhibited a bad attitude.

The named officer stated that the complainant was agitated and yelling. The complainant pointed her finger at the named officer's face, prompting the named officer to tell her to put her finger down. The named officer stated that she spoke with the manager, who explained that he had deducted money from the security deposit for repairs done in the unit the complainant had vacated. The complainant refused to accept the reduced amount. The named officer stated that when she spoke with the complainant, the complainant did not allow her to explain the situation, refused to listen, and refused to accept the reduced check. The named officer recalled at one point raising her voice, asking the complainant to allow her to finish speaking before chiming in. She raised her voice so the complainant could focus on the issue at hand. The named officer stated that the complainant ignored her safety and boundaries by repeatedly stepping up to her and poking her finger at her face. The named officer stated that she needed to yell at the complainant to stop her interruptions.

The named officer's partner confirmed that the named officer advised the complainant to listen to her before speaking and to stop interrupting. The named officer explained the amount on the check, but the complainant continued to interrupt her, making it difficult for the named officer to explain and do her job. The partner officer stated that the complainant stopped interrupting when the named officer raised her voice. He said that speaking to the complainant in a normal tone of voice would have invited more interruptions, and that using a raised voice was necessary and in accordance with the Department's policies.

Computer-Aided Dispatch records showed that the named officer and her partner responded twice to the scene to assist the complainant.

Body-worn camera footage (BWC) was consistent with the officers' accounts. The complainant repeatedly interrupted the named officer as she attempted to explain the situation. At one point in their

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conversation, the named officer raised her voice at the complainant. However, the Department of Police Accountability (DPA) finds that this action did not constitute misconduct under the circumstances.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant called 9-1-1 a third time for assistance regarding the issue with her security deposit. On this occasion, approximately 2 hours after the first call, two new officers (the named officer here and his partner) responded. The complainant stated that this named officer accused her of getting close to him and hit her hand. She further stated that the officer did not allow her to enter the building to get her mail.

The named officer stated that he spoke with the complainant and asked what he could do for her. The complainant asked them to speak with the manager. He told her to stay outside as she was not allowed inside the building, to avoid further conflict between the parties. The named officer said the manager provided them with pictures of the damage to the complainant's apartment unit and the check that the complainant had previously refused to accept. When he went down to talk to the complainant again, he saw her in the lobby getting her mail. The named officer stated that he did not stop her from getting her mail. Instead, he advised her to let the United States Postal Service forward her mail to her current address. The named officer stated that they attempted to explain to the complainant that her dispute with management was a civil matter that needed to be pursued in the civil courts. He stated that the complainant became increasingly agitated, louder, and came into proximity with him. At one point, she placed her hand close to his face while speaking. He stated that he gently moved her hand away and told her not to place it close to his face. He explained to her numerous times that the check was less than her initial deposit because the management had made repairs to her door. He said the complainant admitted not fixing the door but disagreed with the amount charged for the repair.

The named officer's partner stated that after speaking with the manager, the named officer located the complainant in the lobby and escorted her outside. He stated that as the named officer continued to talk to the complainant, she became agitated with his explanation. At one point, he observed the named officer gently move the complainant's hand out of his face and told her not to put it in his face.

BWC appeared consistent with the officers' accounts. The video showed the named officer was professional and patient in resolving the complainant's situation.

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

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**COMPLAINT DATE: 04/10/2025**

**COMPLETION DATE: 07/14/25**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that he called 9-1-1 after having been threatened by a man with a knife. The complainant waited for police response from his nearby office and provided the dispatcher with this address. Notwithstanding this, the complainant stated that there was an inadequate police response and lack of meaningful follow-up when he contacted the non-emergency line.

The named officer stated that he responded to this call for service and parked in front of the complainant's office with his emergency lights activated but nobody waved him down or approached his vehicle. Dispatch advised him that they did a call-back to the 9-1-1 caller and received no answer. The named officer stated that he walked to the front door of the shop and pulled on the door handle which was locked.

The Computer Aided Dispatch report showed that the named officer was first on scene at the address provided by the complainant. The officer arrived within thirteen minutes of being dispatched to the scene. The officer asked dispatch to contact the complainant, but the call went to voicemail. The officer commented that no one was flagging him, that the shop was locked, and he was unable to locate the complainant. The call was then closed.

There was no body-worn camera footage available for this incident and the non-emergency line is not recorded.

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

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**COMPLAINT DATE: 04/14/2025**

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**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:

DEM Division of Emergency Communication  
1011 Turk Street  
San Francisco, CA 94102

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**COMPLAINT DATE: 04/22/2025      COMPLETION DATE: 07/08/25      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant stated that the named officer refused to help him because he had previously reported the officer to the Department of Police Accountability (DPA) in the past.

The named officer denied being present during the alleged interaction and stated that the complainant had not had him investigated previously by DPA.

DPA records do not show prior complaints by the complainant against the named officer.

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

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**COMPLAINT DATE: 04/22/2025      COMPLETION DATE: 07/22/25      PAGE# 1 of 2**

**SUMMARY OF ALLEGATIONS # 1-4:** The officers failed to make an arrest.

**CATEGORY OF CONDUCT: ND**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant stated that approximately ten months earlier his ex-girlfriend had sprayed him with a fire extinguisher. He stated that at the time he asked to press charges against the ex-girlfriend, but officers on scene did not allow him to do so.

The Computer Aided Dispatch (CAD) report for this incident reflected that a call for service was made for a well-being check. A female neighbor was noted to be screaming, it sounded like things were being thrown around, and a fire alarm was going off in the building. Five officers were identified as responding to the scene. The CAD documented that there was no merit to the fire and that the complainant had been sprayed in the face with a fire extinguisher. The call was listed as a verbal fight having closed as "handled."

Because of the amount of time that had passed since the incident, body-worn camera footage (BWC) was no longer available for any of the four named officers.

None of the named officers recalled the incident.

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

**SUMMARY OF ALLEGATION # 5:** The officer failed to take required action.

**CATEGORY OF CONDUCT: ND**



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**FINDING: U**

**FINDINGS OF FACT:** The named officer was also present on scene as backup and his BWC was available for review. He stated that he knew the complainant from prior experience and engaged in conversation on scene with him that was congenial. At no point during this contact did the complainant ever ask him to place another individual under arrest.

The BWC is consistent with the named officer's account. The complainant can be heard expressing anger and frustration about his relationship with the person who sprayed him in the face but cannot be heard saying he wants to press charges against her.

The evidence proves that the conduct alleged did not occur.

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**SUMMARY OF ALLEGATION #1:** The officer conducted an improper search or seizure.

**CATEGORY OF CONDUCT: UA**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that officers searched his place of business without a warrant and without telling him why they were there.

SFPD documents showed that the named officer was conducting an operation with other law enforcement agencies at the complainant's business. The document stated that the officer was conducting the search under California law 2805 CVC.

Body camera footage showed the named officer approached the complainant at his business and explained to the complainant why they were there and under what law they were allowed to search his business. The named officer informed the complainant that he was not in trouble and could continue operating his business while they searched. The search was limited and lasted 30 minutes.

California Vehicle Code 2805 gives law enforcement involved in vehicle crime investigations the ability to search certain businesses, including repair shops, without a warrant.

Th officers were acting within the law while conducting this search.

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

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**COMPLAINT DATE: 04/30/2025**

**COMPLETION DATE: 07/27/25**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant was at the airport waiting for a flight when an airport employee approached and started questioning him. He felt that the person was rude, condescending, and had harassed him. He called 9-1-1 for police assistance. The complainant stated that the named officers failed to help him resolve the issues with the airport employee who was harassing him. He did not specifically request to make a complaint against the worker. However, he said the officer should have taken some action beyond looking at his harasser before leaving the scene.

The first named officer responded to the call for service regarding the complainant being harassed. He said the complainant was irate, agitated, yelling, and refused to provide any details regarding the alleged harassment. He told the complainant he would speak to the employee. Since the complainant was uncooperative, he could not determine if any crime occurred or if the complainant wanted to file a complaint against the employee. The second named officer said his interaction with the complainant was limited, and the complainant did not request that he resolve any issues. He only verified the complainant's flight information and thanked the complainant.

Dispatch records showed the complainant made a call for service regarding people working at the airport who were harassing him.

Security footage showed that the first named officer responded to the complainant's location and spoke with the complainant. The complainant appeared animated during the interaction. The second named officer arrived shortly thereafter, and the complainant showed him what appeared to be a cell phone, which he looked at.

There was no body-worn camera (BWC) footage for the incident.

While it was unfortunate that the complainant felt harassed during the incident, the named officers fulfilled their responsibility by responding to the call-for-service and contacting the complainant. The complainant did not detail any crime and admitted he did not request to file a formal complaint against the employee. Further action by the named officers was unnecessary. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: IE**

**FINDINGS OF FACT:** The complainant said the named officer was rude and aggressive during their interaction.

The named officer said the complainant was irate, agitated, and was yelling during their interaction. The named officer said he behaved professionally, did not raise his voice, and was not rude when speaking with the complainant.

Dispatch records showed the complainant made a call-for-service regarding people working at the airport who were harassing him.

Security footage showed that the named officer responded to the complainant's location and spoke with the complainant. The named officer appeared calm, and at times, the complainant appeared animated during the interaction. The footage did not have any audio recorded.

There was no body-worn camera (BWC) footage for the incident.

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

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/IAD**

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

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

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

**COMPLAINT DATE: 04/30/2025      COMPLETION DATE: 07/08/25      PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant saw a police officer kick an unhoused person while telling the person to leave the area. The complainant was concerned for the unhoused person, intervened, and spoke to the police officer. The police officer ran toward the complainant, was aggressive, squared up, and asked him what he was going to do.

The Department of Police Accountability (DPA) was unable to locate any evidence of the described event through a search of department records.

The DPA attempted to obtain security footage of the alleged incident with negative results.

DPA sent an identification poll to the police division relevant to the described incident. No officer was identified through the poll.

A no finding outcome occurs when the Department of Police Accountability cannot complete an investigation because the officer cannot reasonably be identified.

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

**CATEGORY OF CONDUCT: UF**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant saw a police officer kick an unhoused person while telling the person to leave the area. The complainant was concerned for the unhoused person, intervened, and spoke to the police officer. During their interaction, the police officer bumped his face up against the complainant, slapped the complainant in the mouth, and knocked off his hat.

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**COMPLAINT DATE: 04/30/2025      COMPLETION DATE: 07/08/25      PAGE# 2 of 2**

The Department of Police Accountability (DPA) was unable to locate any evidence of the described event through a search of department records.

The DPA attempted to obtain security footage of the alleged incident with negative results.

DPA sent an identification poll to the police division relevant to the described incident. No officer was identified through the poll.

A no finding outcome occurs when the Department of Police Accountability cannot complete an investigation because the officer cannot reasonably be identified.

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant asked the police officer for his name and star number during their encounter, and the officer failed to provide either.

The Department of Police Accountability (DPA) was unable to locate any evidence of the described event through a search of department records.

The DPA attempted to obtain security footage of the alleged incident with negative results.

DPA sent an identification poll to the police division relevant to the described incident. No officer was identified through the poll.

A no finding outcome occurs when the Department of Police Accountability cannot complete an investigation because the officer cannot reasonably be identified.

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**COMPLAINT DATE: 05/08/2025**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated she called the police because her neighbor continuously left the shared hallway window open, causing the common areas to become too cold. Additionally, she stated that her neighbor had sprayed cleaning chemicals by her door. The complainant felt that the named officer was not appropriate because he believed her neighbor and felt that she was the problem tenant.

The named officer stated he attempted to explain to the complainant that the issue with her neighbor was civil and should be handled by her landlord. He noted the complainant refused to listen to him and continuously interrupted him by demanding police action. He stated he informed the complainant that probable cause did not exist and explained civil legal remedies. The named officer noted that he did not act unprofessionally and only changed his tone when the complainant refused to stop yelling at her neighbor and listen to him.

The witness officer stated the named officer was not inappropriate and did not side with either party. She said he was very neutral in explaining to the complainant what both parties would need to do to try to resolve their issue. She stated it took some time for the named officer to go through his explanation because the complainant kept interrupting.

Department records indicate that the named officer responded to a call for service regarding a fight/dispute (no weapons) between neighbors.

The Department of Police Accountability attempted to obtain body-worn camera footage; however, the footage was not available.

The fact that the named officer allegedly sided with the complainant's neighbor does not rise to the level of discipline.

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



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**SUMMARY OF ALLEGATIONS #2-3:** The officers failed to activate body-worn cameras 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.

The named officers admitted they inadvertently forgot to activate their body-worn cameras.

Department records indicate that the named officers responded to a call for service regarding a fight/dispute (no weapons) between neighbors.

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 . . . 11. During any encounter with a member of the public that becomes hostile. 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 en route and prior to arriving on scene . . ."

Department policy required the named officers to activate their body-worn cameras while en route to the scene, as they responded to a fight or dispute between neighbors, which could have required law enforcement activity. Additionally, the complainant was hostile toward her neighbor, which further necessitated the activation of the named officers' body-worn cameras. The named officers accepted responsibility and admitted they failed to activate their body-worn cameras as required.

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

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**COMPLAINT DATE: 05/20/2025      COMPLETION DATE: 07/16/25      PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant was involved in an altercation with another resident. She alleged he spat at her, and she tried to kick him. She called 9-1-1 and reported the incident, and officers responded to her building. She alleged that the named officer called her a liar and was rude to her after he watched security footage of the incident.

Dispatch records showed a call-for-service regarding an assault and battery incident.

Security footage of the incident showed that the complainant was involved in a verbal exchange with another resident. The complainant can be heard shouting profanities at another resident, who was preparing food in a common area kitchen. The footage showed the complainant approaching the kitchen and entering partway to kick her leg through the doorway. The footage did not show if the other resident spat at her.

Body-worn camera (BWC) footage showed that the named officer viewed security footage of the incident and spoke with the complainant. The named officer told the complainant that the footage showed her walk over to a room where the other resident was located and kick at him. The complainant denied kicking the other resident. The officer said they could show her the video and that she was lying. The officer and the complainant watched the security footage together. The complainant said she kicked inside the room but that her kick did not make contact with the other resident. Another officer advised her that attempting to kick someone was still a crime.

The evidence showed that the complainant kicked into a room where the other party was located. The named officer spoke in a direct manner when he told the complainant she was lying and gave her an opportunity to explain or correct her statement. The named officer's behavior did not constitute misconduct.

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

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**COMPLAINT DATE: 05/20/2025      COMPLETION DATE: 07/16/25      PAGE# 2 of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant was involved in an altercation with another resident. She alleged he spat at her, and she tried to kick him. The complainant alleged that the named officer tried to intimidate her by telling her that if he had to come back to the residence again, he would arrest her.

Dispatch records showed a call for service regarding an assault and battery incident.

Security footage of the incident showed that the complainant was involved in a verbal exchange with another resident. The footage showed the complainant walking up to a doorway and kicking in the other resident's direction. The footage did not show if the other resident spat at her.

Body-worn camera (BWC) footage showed that the named officer told the complainant that if he had to return that day, the complainant and the other resident would be arrested for a continuing offense.

While the named officer told the complainant she could be arrested for a continuing offense if he had to return, the named officer's behavior did not constitute intimidation and did not rise to the level of misconduct.

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

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

**CATEGORY OF CONDUCT: ND**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that he observed numerous officers riding dirt bike motorcycles on the beach in a single-file line. The complainant said that the officers were riding in an unsafe manner because there were people on the beach. Although no one had to move out of the way of the officers, the speed of the motorcycles was approximately 35 miles per hour.

The named officers stated that they were conducting a Peace Officer Standards and Training (P.O.S.T.) approved motorcycle training course. The two named officers were present, along with other participants from neighboring jurisdictions. They stated that the use of the beach was intended to provide students with knowledge of how to navigate safely in the sand and that all training was conducted safely, with the public's safety in mind.

Department records showed that the two named officers were the instructors of a nine-day Motorcycle Course, which was "designed to prepare officers mentally and physically in a safe and effective manner in operating the duo motor bike in an urban and off-road situation." In addition to a one-hour beach ride, the course schedule included trail rides, stair riding, cone weaving, and other techniques. The Department's "Honda Unit" is comprised of two squads of riders trained in slow-speed maneuvering, stairs, trails, beaches, formation riding, and crowd control techniques, and is often sought out to train other police departments in the Bay Area.

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

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant called police because his tenant had allowed unauthorized individuals to enter a shared garage space on the property. Two officers responded, but the complainant alleged that they were dismissive, indifferent, and did not address his core concern.

The Computer Aided Dispatch (CAD) for the incident showed that the named officers responded to a call for service for a “fight no weapon.” It was noted that the tenant brought uninvited guests into the home who began inspecting the property as if preparing to perform work. Upon arrival the officers were advised to speak with the co-complainant, complainant’s sister (as the complainant and his father had gone to the hospital). The CAD reflected that the officers subsequently advised the co-complainant that the matter was civil in nature.

Body-worn camera footage (BWC) showed that the named officers arrived on scene and spoke first with the co-complainant and then with the tenant. (The complainant was not present during the interaction with the named officers). The co-complainant explained that her father had viewed a security video of the tenant bringing people into the garage and taking photos of equipment. The tenant had stated that the guests were present to inspect a plumbing issue but declined to explain why photographs were taken. The tenant alleged that the property owners (complainant and/or his family) had repeatedly knocked on the tenant’s door late at night causing him stress and fear. The officers clarified that if the garage is designated as a common area, tenants may invite guests freely unless a lease explicitly states otherwise. The officers emphasized that the matter was civil, not criminal, and encouraged both parties to use written communication (text/email) to maintain a documented record and avoid confrontation.

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

**SUMMARY OF ALLEGATION #3:** The officer failed to write an incident report.

**CATEGORY OF CONDUCT: ND**

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

**COMPLAINT DATE: 05/30/2025      COMPLETION DATE: 07/14/25      PAGE# 2 of 2**

**FINDING: PC**

**FINDINGS OF FACT:** The complainant stated that the officers did not provide an incident number, nor did they appear to take notes or generate documentation during the interaction.

BWC showed that the officers clarified that if the garage is designated as a common area, tenants may invite guests freely unless a lease explicitly states otherwise. The officers emphasized that the matter was civil, not criminal, and encouraged both parties to use written communication (text/email) to maintain a documented record and avoid confrontation.

Department General Order 2.01(9) (“Written Reports”) provides that while on duty members shall make all required written reports of crimes or incidents requiring police attention. Here, because the matter was civil in nature, the named officer was not required to prepare an incident report.

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

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

**COMPLAINT DATE: 06/03/2025      COMPLETION DATE: 07/07/25      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant provided limited information and stated that officers do not speak well.

The complainant failed to follow up with requests for clarification and therefore did not provide additional requested information that would assist in the identification of the responsible officer (s).

The identity of the alleged officer could not be established.

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

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

**COMPLAINT DATE: 06/03/2025**

**COMPLETION DATE: 07/07/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant provided limited information and stated that officers exhibited rude and negligent behavior.

The complainant failed to follow up with requests for clarification and therefore did not provide additional requested information that would assist in the identification of the responsible officer (s).

The identity of the alleged officer could not be established.

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



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

**COMPLAINT DATE: 06/03/2025**

**COMPLETION DATE: 07/11/25**

**PAGE# 1 of 1**

**INFORMATION ONLY**

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

**CATEGORY OF CONDUCT:**

**FINDING:**

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

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

**COMPLAINT DATE: 06/05/2025      COMPLETION DATE: 07/11/25      PAGE# 1 of 1**

**SUMMARY OF ALLEGATIONS #1-2:** The officers failed to promptly respond to a scene.

**CATEGORY OF CONDUCT: ND**

**FINDING: NF/W**

**FINDINGS OF FACT:** The complainant requested that the complaint be withdrawn.

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

**COMPLAINT DATE: 06/09/2025**

**COMPLETION DATE: 07/08/25    PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The SFPD failed to handle an assigned radio call.

**CATEGORY OF CONDUCT: ND**

**FINDING: U**

**FINDINGS OF FACT:** The complainant heard his family member providing his personal identification information without his consent to someone on the phone and called 9-1-1 to report identify theft. The complainant waited several hours for officers to respond, and no officers showed up.

The Department of Police Accountability (DPA) was unable to locate any evidence of the complainant's described call through a search of dispatch records.

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

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

**COMPLAINT DATE: 06/13/2025**

**COMPLETION DATE: 07/27/25**

**PAGE# 1 of 2**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant wrote in an online complaint that he went into a police station and told an officer that his bag had been stolen while he was sleeping in front of a hotel. He alleged that the officer gave him a fraudulent case number, which is the same one another officer gave him a day ago. The complainant provided a name and badge number for the officer at the police station. It was unclear from the narrative whether the complainant tried to report two thefts of his bag over two days, or if he reported one theft twice. The information about the thefts was identical, except that the location was three blocks apart. It was also unclear from the narrative why the complainant believed the report number was fraudulent. The complainant did not respond to DPA's multiple requests for an interview for additional details.

DEM records show that the complainant called 9-1-1 to report the theft of his backpack. The location of the call was three blocks from the hotel named by the complainant. Officers attended, took an incident report, and located video footage of the suspect taking the backpack while the complainant was asleep.

Department records showed that the case number the complainant provided, the one that he alleged was fraudulent, documented the police attendance to the complainant's 9-1-1 call. This occurred the day before the complainant attended the police station. The number shows an actual case and is not a fraudulent number.

Department records show that the officer's name and badge number that the complainant provided do not appear in any rosters of the San Francisco Police Department. There is no record of a person by the name provided being employed by the city.

The evidence showed that the report number provided to the complainant was not fraudulent. The complainant failed to provide the additional requested evidence that would allow for an effective investigation to be conducted, and therefore, the officer cannot reasonably be identified.

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

**COMPLAINT DATE: 06/13/2025**

**COMPLETION DATE: 07/27/25**

**PAGE# 2 of 2**

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

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

**COMPLAINT DATE: 06/17/2025      COMPLETION DATE: 07/22/25      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:** UA

**FINDING:** NF/W

**FINDINGS OF FACT:** The complainant requested that the complaint be withdrawn.

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

**COMPLAINT DATE: 06/20/2025**

**COMPLETION DATE: 07/22/25    PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/DEM**

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

Department of Emergency Services  
Internal Affairs Division  
1011 Turk Street  
San Francisco, CA 94102

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

**COMPLAINT DATE: 06/24/2025**

**COMPLETION DATE: 07/27/25**

**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 he was the subject of a traffic stop for illegally double-parking in an active lane. He reported that during the encounter, the Named Officer engaged in unprofessional conduct by yelling at him in a hostile tone, which unnecessarily escalated the situation.

Department records indicate that the Named Officer briefly initiated a traffic stop involving the complainant. The complainant was not cited.

Body-worn camera footage showed the Named Officer cautioning the complainant for parking in an active traffic lane. The Named Officer maintained a firm yet professional demeanor throughout the interaction.

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



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

**COMPLAINT DATE: 06/25/2025      COMPLETION DATE: 07/27/25      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 3rd Street  
San Francisco, CA 94158

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

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

**COMPLETION DATE: 07/07/25    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: 06/28/25**

**COMPLETION DATE: 07/01/25 PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/US Park Rangers**

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

US Park Rangers  
Golden Gate National Recreation Area  
Building 201, Fort Mason  
San Francisco CA 94123

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

**COMPLAINT DATE: 06/30/20**

**COMPLETION DATE: 07/11/25**

**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:

DEM Division of Emergency Communications  
1011 Turk Street  
San Francisco  
CA 94102

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

**COMPLAINT DATE: 06/30/25**

**COMPLETION DATE: 07/11/25    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 Department  
Internal Affairs Division  
25 Van Ness Avenue Suite 350  
San Francisco, CA 94102

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

**COMPLAINT DATE: 07/03/2025**

**COMPLETION DATE: 07/31/25    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 stated that he was walking in his neighborhood and witnessed an officer driving recklessly on a slow street.

Because the complainant did not identify a specific officer, the Department of Police Accountability (DPA) sent an identification poll to the district station. An identification poll asks officers and supervising officers to review an incident description to identify the officers involved in the interaction. No officer was identified through the poll. Therefore, there was insufficient information to investigate the complaint.

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

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

**COMPLAINT DATE: 07/05/25**

**COMPLETION DATE: 07/16/25**

**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  
Bayview Police Station Captain  
201 Williams Ave  
San Francisco, CA 94124

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

**COMPLAINT DATE: 07/07/2025      COMPLETION DATE: 07/08/25      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/SFMTA**

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

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



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

**COMPLAINT DATE: 07/07/2025**

**COMPLETION DATE: 07/27/25**

**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: 07/05/2025**

**COMPLETION DATE: 07/18/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: IO/1**

**FINDING: Referral/Bayview Police Station**

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

Bayview Police Station  
201 Williams Avenue  
San Francisco, CA 94124

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

**COMPLAINT DATE: 07/07/2025**

**COMPLETION DATE: 07/16/25**

**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 reported that she bit him, which she asserts was a false report.

Dispatch records showed the named officer was involved in a call regarding a psychiatric evaluation and hold.

Body-worn camera (BWC) footage associated with the incident shows the named officer assisting in moving the complainant out of a roadway as a parade was taking place in the area. The complainant was acting erratically and struggled with the officer, who told her she was a danger to herself. The footage shows the complainant biting the named officer's arm. BWC footage also shows the bite wound.

The named officer completed a statement in an incident report, detailing that the complainant had bitten his forearm. The report indicates that the officer was treated at a hospital for the wound.

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: 07/07/2025**

**COMPLETION DATE: 07/24/25**

**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 reported that she bit him, which she asserts was a false report.

Dispatch records showed the named officer was involved in a call pertaining to a person screaming, exposing themselves, and saying they will defecate and urinate on property.

Body-worn camera (BWC) footage associated with the incident shows officers responding to the call and contacting the complainant. The complainant threw a punch at an officer when they tried to speak with her. Officers grabbed the complainant, moved her to the ground, and placed her into handcuffs. The named officer commented that the complainant bit him. The footage showed a bite mark injury on the named officer's wrist.

The named officer completed a statement in an incident report, which documented that the complainant bit his wrist. The named officer was transported to a hospital for treatment.

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: 07/08/2025      COMPLETION DATE: 07/15/25      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 complainant stated that the named officers failed to collect surveillance footage that covered an alleged assault.

SFPD documents stated that the staff on scene did not have access to the footage, but they provided a number for the person who did.

Body-worn camera footage showed that the named officers explained to the complainant that they can not just take the footage and need to ask to view it. The officers spoke to a staff member who told them he could not view the footage but provided a phone number for a staff member of staff who had access.

The named officers made efforts to view the footage and were provided with a phone number to be able to access the footage at a later time.

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

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

**COMPLAINT DATE: 07/08/25      COMPLETION DATE: 07/14/25      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:

California Highway Patrol  
Internal Affairs Division  
601 North 7<sup>th</sup> Street  
P.O. Box 942898  
Sacramento CA, 94298

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

**COMPLAINT DATE: 07/11/2025**

**COMPLETION DATE: 07/14/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: ND**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant alleged that he investigated a high-profile, decades old cold murder case and at that time provided evidentiary information about the identity of the suspect involved in the case to the named officer. The complainant alleged that despite the evidence being provided to the named officer, the case is still unsolved.

The named officer retired and is no longer subject to Department discipline. Therefore, no finding can be made.

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

**COMPLAINT DATE: 07/14/25      COMPLETION DATE: 07/15/25      PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: IO-1/SFSO**

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

San Francisco Sheriff's Department  
Investigative Services  
25 Van Ness Avenue Suite 350  
San Francisco  
CA 94102



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

**COMPLAINT DATE: 07/15/2025**

**COMPLETION DATE: 07/27/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT: CUO**

**FINDING: NF**

**FINDINGS OF FACT:** The complainant stated that he was waiting in traffic to pick up a friend at the airport. The complainant was driving in the far-right lane closest to the curb when the officer yelled at them and instructed them to move out and circle the airport, then return. The complainant tried to explain to the officer that their friend was standing nearby and was making their way to the vehicle, but the officer wasn't helpful. The officer said something to the complainant about not crossing over the solid white lines and basic traffic rules. The officer threatened to issue a citation to the complainant. At one point, the officer looked into the windshield area and started calling out the VIN numbers of the complainant's vehicle. The complainant picked up his friend and drove off. The complainant stated he did not receive a citation. The complainant was unable to identify the officer.

The witness stated she was standing approximately 50-100 feet away when she made eye contact with the complainant in his vehicle and observed the officer interacting with the complainant. The complainant was stopped at the curb, and the witness walked towards the car. The witness did not hear the entire conversation, but she heard the officer yelling at the complainant that he needed to move on. The officer appeared to be "upset." The complainant was trying to explain that he was picking her up, and she was right there. The officer mentioned not crossing the white lines, and the complainant asked for clarification, but the officer did not provide it. The officer mentioned something about citing the complainant and pulled something out of his pocket that she thought might be a citation book, but she was not sure. The officer did not issue a citation. The complainant got out of his vehicle, put her luggage in the trunk, and then got in the car. She told the complainant, "Let's just go," and they drove off. The complainant was upset and confused about the interaction and did not believe he had done anything wrong. The witness was unable to identify the officer.

Because the complainant or his witness could not identify the specific officer involved in the interaction, DPA sent an ID Poll to the assigned Bureau. An ID poll describes the incident and asks the Captain and/or station members to review the incident description and identify the officer(s) involved. The ID poll yielded negative results. Therefore, there was insufficient information to identify the officer. The identity of the officer involved 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: 07/15/2025**

**COMPLETION DATE: 07/27/25**

**PAGE# 1 of 1**

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

**CATEGORY OF CONDUCT:**

**FINDING: Referral/IAD**

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

San Francisco Police Department Internal Affairs  
1245 Third Street  
San Francisco, CA 94158

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

**COMPLAINT DATE: 07/15/2025      COMPLETION DATE: 07/31/25      PAGE# 1 of 1**

**SUMMARY OF ALLEGATION #1:** The officer conducted an improper search or seizure.

**CATEGORY OF CONDUCT:** UA

**FINDING:** NF/W

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

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

**COMPLAINT DATE: 07/21/2025      COMPLETION DATE: 07/22/25      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.