

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

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SUMMARY OF ALLEGATIONS #1-4: The officers failed to comply with Department General Order 5.01.

CATEGORY OF CONDUCT: UF

FINDING: PC

FINDINGS OF FACT: The Department of Police Accountability (DPA) is mandated by the City Charter to investigate all officer-involved shootings (OIS) in San Francisco involving the Department. In this instance, an OIS occurred when a 9-1-1 caller reported a man armed with a large knife on the street. The caller described the suspect as a Black male in his 50s, wearing a black-and-red plaid shirt, yelling at bystanders, and waving a knife more than a foot long. At one point, a person on a scooter tried to pepper-spray him. The suspect stayed outside, screamed, and held the knife in his right hand before witnesses last saw him. Multiple police units responded, issued commands, and restricted pedestrian traffic. Medics staged nearby while officers attempted to de-escalate and control the situation.

Investigators obtained footage from multiple sources, including body-worn cameras (BWC), cell phone recordings from nearby witnesses, and stationary surveillance cameras positioned in the area. Together, these recordings provided a comprehensive and consistent account of the events. The video evidence corroborated both officers' and civilian statements, clearly showing the subject's repeated refusal to surrender a large hunting-style knife despite numerous opportunities. The footage further documented his increasingly erratic behavior, including abrupt movements, agitated gestures, and verbal hostility, culminating in his advance toward officers while still armed. The BWC audio recordings reinforced this evidence by capturing the officers' repeated attempts, led primarily by Named Officer #2, to de-escalate the confrontation. Officers issued calm but firm commands, urging the subject to put down the knife, comply with lawful orders, and avoid escalating the situation. Despite these persistent efforts, the subject rejected every appeal, choosing instead to heighten the danger to both the officers and the surrounding community. The combined video and audio evidence paints a clear picture of officers acting with measured restraint, while the subject's continued resistance and aggression drove the encounter toward a critical point.

The officers described the subject as yelling and waving a foot-long knife, prompting them to plan a W&I § 5150 detention for safety. Named Officer #1 fired approximately two rounds when the subject ran toward the less-lethal officers and later saw the knife strapped to the subject's wrist. Named Officer #2 attempted about 15 minutes of negotiations and coordinated a "line in the sand" with Named Officer #3, but when the subject charged directly at them with the knife, Named Officer #3 deployed an Extended Range Impact Weapon (ERIW), and Named Officer #2 fired until the threat ceased, later noting wrist

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wrappings on the knife. Named Officer #4 also spent about 10 minutes negotiating before deploying an ERIW as the subject charged, stating he would have continued until the Hostage Negotiation Team (HNT) arrived, if feasible. Named Officer #3 reinforced that he and Named Officer #2 established the “line in the sand” and explained that he fired two ERIWs as the subject advanced while using items as a shield, believing the subject was within 10 feet and posed an imminent danger.

Witnesses provided accounts of the incident as well as the subject's possible state of mind, given his mental health history. Witness #1, the initial caller, reported that the subject displayed erratic and threatening behavior while carrying a large “Rambo-style” knife, which caused pedestrians to avoid him, and corroborated a pepper-spray incident involving an unidentified scooter rider.

Witness #2 spoke with officers to share that he was familiar with the subject and described his mental health status as “a little loose.”

Witness #3, a security officer, stated that he heard officers give the subject commands to drop the knife for 10 to 15 minutes before hearing 12 to 15 rapid shots after the subject failed to comply.

Collectively, civilian witnesses corroborated that officers attempted de-escalation and perceived the subject as a public-safety threat.

Department General Order (DGO) 5.01.02(C) (Use of Force Policy and Proper Control of a Person) states, in part, “Officers shall, when feasible, employ de-escalation strategies and techniques to mitigate the need to use a higher level of force and to increase the likelihood of a peaceful resolution.”

DGO 5.01.04(C) states, in part:

“Barring exigent circumstances, the primary objective of the first responding officer(s) should be to observe the incident from a distance, assess the nature of the call, and gather the appropriate

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personnel or resources. When encountering a non-compliant or armed subject, officers shall, when feasible, use de-escalation strategies and techniques in an effort to reduce the need or level of force, including: 1. Make reasonable attempts to isolate and contain the subject; 2. Create time and distance from the subject by establishing a buffer zone (reactionary gap) and utilize cover to avoid creating an imminent threat that may require the use of force.”

DGO 5.01.03(D) defines *reasonable force* as:

“Force that would be objectively reasonable “from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force. Cal. Penal Code § 835a(a)(4).”

DGO 5.01.03 states:

“A threat of death or serious bodily injury is 'imminent' when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed. Cal. Penal Code § 835a(e)(2).”

DGO 5.01.04(A) states, in part, “Officers may use objectively reasonable force options in the performance of their duties, in the following circumstances: 1. To effect a lawful arrest, detention, or search. 2. To overcome resistance or to prevent escape. 3. To prevent the commission of a public offense. 4. In defense of others or in self-defense.”

DGO 5.01.05(E) describes life-threatening resistance as “Any action likely to result in serious bodily injury or death of the officer or another person.” DGO 5.01.05 describes possible force options for life-threatening resistance as “Utilizing firearms or any other available weapon or action in defense of self and others to stop the threat.”

DGO 5.01.08(G)(2)(a) states, in part:

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“An officer may discharge a firearm or use other deadly force in any of the following circumstances. The circumstances below apply to a discharge of a firearm or application of deadly force: i) In self-defense when the officer has reasonable cause to believe that they are in imminent danger of death or serious bodily injury; or ii) In defense of another person when the officer has reasonable cause to believe that the person is in imminent danger of death or serious bodily injury.”

DGO 5.01.08(G)(2)(b) states, “If feasible, and if doing so would not increase the danger to the officer or others, an officer shall give a verbal warning to submit to the authority of the officer before discharging a firearm or using other deadly force.”

The subject posed a clear and imminent threat by brandishing a large survival-style knife tethered to his wrist, preventing officers from easily disarming him. For about 20 minutes, officers attempted de-escalation and repeatedly ordered him to drop the weapon, but he refused, insisting the knife came from “God” and that he would not surrender it. He then escalated the encounter by leaving the containment area, quickening his pace toward officers, and ultimately charging at them while swinging the knife and using a milk crate and duffel bag as a shield. As he closed to within 10 to 15 feet, a distance where a knife attack could be lethal before officers could react, officers deployed less-lethal rounds, but they failed to stop his advance. The evidence shows that officers resorted to both less-lethal and lethal force only after these efforts failed and the subject continued to rush them with the weapon. Under the totality of the circumstances, the officers reasonably believed they had to use deadly force to protect themselves and others from imminent death or serious injury. Therefore, the evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

SUMMARY OF ALLEGATIONS #5-6: The officers engaged in unwarranted action.

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant, an attorney for the subject, reported that the named officers and an attorney from the District Attorney’s Office interviewed the subject in the hospital a few days after the court appointed him a Public Defender. During the interview, the subject was confused about his rights due to the officers and the District Attorney interviewing him as both a suspect in an active criminal case and a victim of an officer-involved shooting. The named officers claimed to be investigating both matters, but never clarified which questions related to which investigation.

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The complainant provided both audio and a transcription of the interview. In the interview, the subject was read his *Miranda Rights* and consented to proceed with the interview by both the officers and the District Attorney's Office.

Court records indicated that officers were unaware that the complainant had been formally appointed as counsel. The complainant argued that police violated the subject's *Sixth Amendment* rights under *People v. Messiah*, by questioning him at the hospital after counsel had already been assigned. The complainant further contended that his serious medical condition and use of painkillers could have made any statements involuntary, and that an excessive show of force escalated the situation without probable cause, as no one was injured, and he merely held a knife. The complainant sought suppression of her client's statements, the knife, and related evidence.

The court denied the motion, finding probable cause based on 9-1-1 reports of the subject threatening people with a knife, his presence at the reported location with the weapon, and his repeated refusals to drop it. The court concluded that escalation resulted from the subject's refusal to disarm rather than unlawful police conduct and noted that the subject appeared coherent and responsive during the interview, with statements consistent with the evidence.

Montejo v. Louisiana, in its relevant part, states that the appointment of counsel does not automatically bar police-initiated interrogation, so long as the defendant is given Miranda warnings and voluntarily waives the right to counsel. (See *Montejo v. Louisiana* (2009) 556 U.S. 778.)

Given that the complainant had not yet been interviewed, was hospitalized with extensive injuries, and had not been arraigned, the officers interviewed the subject only after he agreed. Consistent with the Court's ruling in *Montejo v. Louisiana*, the evidence shows that while the conduct occurred, the officers acted properly, and their actions were justified and lawful.

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SUMMARY OF ALLEGATIONS # 1-3: The officers failed to comply with Department Order 7.01.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that the officers did not inform her immediately when her juvenile child was detained. She indicated that it took approximately 45 minutes after her child's detention for the officers to notify her. Although the complainant understood that the detention and search of her juvenile child were lawful, she had concerns about the timing of the notification.

According to Department policy, when a juvenile is detained or transported by an officer, that officer is required to take immediate steps to notify the juvenile's parent, guardian, or a responsible person about the juvenile's custody status and the location where they are being held, transported, or temporarily detained. Officers may only transport a juvenile for lawful police purposes and must make parental notifications.

The only exception to this policy is in cases of exigency. The Department defines exigent circumstances as situations that necessitate deviation from standard procedures, such as threats to life, safety, or property, or the potential loss or destruction of evidence. This may include the physical loss of property, a witness, or a victim.

The officers involved explained that they had a search warrant for the complainant's child, her vehicle, and their shared residence. They noted that this incident involved firearms, which led them to believe that exigent circumstances were applicable. Thus, due to safety concerns regarding searching a residence and the potential loss or destruction of evidence, parental notification was delayed.

Department records and body-worn camera footage confirmed that the officers had a valid search warrant for the complainant's child, her vehicle, and their shared residence. Additionally, the footage documented that the complainant was informed about her child's detention, the search warrant, the reason for the transport, and the reason for the delayed parental notification.

The evidence indicated that the officers complied with Department policies, which allow for deviations in specific circumstances due to exigent circumstances. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

CATEGORY OF CONDUCT: UA

FINDING: IC/S

FINDINGS OF FACT: The complainant stated that the named officers conducted an illegal probation search. The officers pulled the individual over for a valid traffic violation. The officers learned that the driver was on probation but did not confirm if he had a search condition authorizing warrantless searches. The complainant stated that the officers searched the driver and his car without probable cause, consent, or knowledge of a probation search condition.

The DPA interviewed the officers and reviewed body-worn camera footage. Body-worn camera footage was consistent with the officers' statements.

The traffic stop was conducted by a field training officer and a recruit officer. The officers stated that they stopped the driver for running a stop sign and then learned that he was on probation. The officers researched the driver's probation status to see if he had a search condition. They ran computer queries and attempted to reach his probation officers by phone but were unsuccessful. The field training officer instructed the recruit officer to ask the driver if he had a search condition. The driver said he believed he had a search condition but that he was unsure. Body-worn camera footage showed that the driver expressing uncertainty about his probation status and suggesting that the recruit officer call his probation officer to ask if he had a search condition.

The recruit officer relayed to his field training officer that the driver disclosed having a search condition. The officers then searched the car and located a firearm. The driver was arrested and booked on firearms-related charges. At a preliminary hearing, evidence of the firearm was suppressed based on the unlawful search and the criminal case was dismissed.

The officers explained their decisions to search the car. The recruit officer stated that he searched the driver's car at his field training officer's direction. The field training officer believed that the driver verbally confirmed to the recruit officer that he had a search condition covering his person and car.

The DPA found that the vehicle search violated the driver's Fourth Amendment rights. Not all probationers are subject to warrantless searches. Officers are required to find out the scope of a probation search condition before searching. Individual probation terms define the allowable scope of any searches,

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and officers must have advance knowledge of search conditions to justify a warrantless search under the probation exception to the warrant requirement. Without such knowledge, the officers are not acting in reliance on a search condition, and the probation search is therefore improper. The officers searched the driver's car without knowledge of a probation search condition, and the search was therefore unreasonable.

A preponderance of the evidence proves that the conduct complained of did occur, and that, using as a standard the applicable regulations of the Department, the conduct was improper.

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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, a victim of a shooting, reported that he felt the sergeant was antagonizing and gaslighting him by focusing her interview on his previous arrest rather than the shooting incident itself. He also alleged that she wrongfully accused him of violating a restraining order concerning his girlfriend. Additionally, he stated that the sergeant antagonized his mother when she tried to get the police report over the phone.

The sergeant denied the allegation that she gave false information to the complainant. She explained that her job was to investigate the shooting and that it is normal to ask about the victim and their injuries and gather any other information related to the crime.

A recorded interview with the complainant in the hospital supported the sergeant's account, showing that she acted professionally, asked tough questions, and did not make inappropriate comments. Court records also confirm that the sergeant gave accurate information about the restraining order claim. Additionally, the sergeant stated that she told the complainant's mother she could obtain a copy of the incident report either online or at the police headquarters. According to Department policy, officers cannot release copies of incident reports to the general public; this task is handled by authorized personnel.

While the complainant perceived the sergeant's behavior and comments were inappropriate, the evidence shows that she acted professionally during her interview with him and properly informed his mother about obtaining the police report.

The evidence proves that the conduct alleged did not occur.

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

CATEGORY OF CONDUCT: ND

FINDING: U

FINDINGS OF FACT: The complainant reported that he received a piece of paper with an incorrect spelling of the sergeant's name, which prevented his mother from obtaining a copy of the incident report.

The sergeant stated that she visited the complainant twice in the hospital and gave him her business card, which included her name and star number.

A recorded interview with the complainant at the hospital supports this, confirming that he did receive her business card. Based on the preponderance of the evidence, the complainant was provided with the sergeant's correct name and star number.

The evidence proves that the conduct alleged did not occur.

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SUMMARY OF ALLEGATION #3: The officer failed to make an arrest.

CATEGORY OF CONDUCT: ND

FINDING: U

FINDINGS OF FACT: The complainant reported that the sergeant was aware of the suspect's name and location, as well as the existence of an outstanding arrest warrant, yet chose not to arrest him.

The sergeant reported that the suspect was arrested based on the outstanding warrant. Court records corroborated the sergeant's statement. The evidence shows that, although the suspect was not immediately arrested, he was arrested.

The evidence proves that the conduct alleged did not occur.

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

CATEGORY OF CONDUCT: UF

FINDING: PC

FINDINGS OF FACT: The officer drew his firearm and pointed it at the complainant's head.

The body-worn camera (BWC) footage shows the named officer drawing his firearm as he approached the driver's side of the vehicle, and pointing it, holding it low and steady at the driver while issuing commands. After some initial verbal resistance, the complainant complied and exited his vehicle.

Department records show that the complainant's vehicle was dispatched as being involved in a shooting by the California Highway Patrol (CHP). The alert included a description and temporary license plate number, and Dispatch broadcast the vehicle's location via a camera hit. The named officer documented his actions both in the incident report and to a superior officer (who deemed the use of force as proper).

Department General Order (DGO) 5.01 (Sec. III.A) states that officers shall use only the force that is objectively reasonable, necessary, and proportional to the threat or resistance of a subject. Additionally, (Sec. III.E) requires all uses of force to be reportable except for Type I force. Types II, III, and IV forces are reportable.

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

SUMMARY OF ALLEGATION #2: The officer failed to comply with Department General Order 5.01.

CATEGORY OF CONDUCT: UF

FINDING: U

FINDINGS OF FACT: The complainant stated they were handcuffed and slammed into a patrol vehicle, causing shoulder pain.

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Body-worn camera footage directly contradicted the complainant's account. The footage showed the complainant passively resisting the officer and being verbally combative. At no point did the officer push, shove, or use force beyond guiding the complainant. Instead, the officer maintained control and carefully assisted the complainant into the patrol car, using no visible aggression or excessive physical contact. The officer later inquired about the complainant's well-being as he was being transported to the station. The complainant made no expression of pain and instead said he was "irritated" by the situation.

Department records showed that the complainant, while at the station being released to the California Highway Patrol, requested medical attention and was transported from the station to the hospital through the custody of the California Highway Patrol.

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

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 the officer searched the vehicle without initially stating a reason and dismissing the complainant's questions/concerns.

Body-worn camera footage showed the officer did not provide the reason for the search, as he needed to secure the complainant in handcuffs. Throughout the incident, the complainant argued with the officers at the scene. The named officer told the complainant that someone would "come talk to him regarding the probable cause." Another officer at the scene explained that the California Highway Patrol reported shots fired from a vehicle with license plates matching the complainant's vehicle, which was the reason for the search. When the named officer searched the complainant's glove box, he located what appeared to be a firearm.

Department records showed that the California Highway Patrol broadcast a "be on the lookout" (BOLO) request to Dispatch. The CAD showed that CHP provided both the complainant's vehicle description and the license plates. The incident report also noted that dispatch notified the San Francisco Police

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Department of the California Highway Patrol's officer-safety advisory, which included a description matching the complainant's vehicle.

Police officers may search the passenger area of a car, but only in places where a weapon could be hidden, if specific facts and reasonable inferences give them reason to believe the suspect is dangerous and could quickly reach a weapon. (*People v. Bush* (2001) 88 Cal.App.4th 1048; *People v. Franklin* (1985) 171 Cal.App.3d 627; Cal. Pen. Code §833.5.)

Here, the named officer searched only the passenger compartment of the vehicle, and only for weapons.

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

SUMMARY OF ALLEGATION #4: The officer failed to properly care for, process, or book property.

CATEGORY OF CONDUCT: ND

FINDING: IE

FINDINGS OF FACT: The complainant stated that his vehicle was driven recklessly by the officer, leaving the car with a burnt clutch and visible scrapes.

The officer's body-worn camera was reviewed and was on during the duration of the transport. The footage showed the officer operating the vehicle in a normal manner.

The named officer stated that he seized the complainant's vehicle as evidence and personally drove it back to the station. He reported hearing a loud noise from the vehicle's exhaust but denied causing or being aware of any damage, the complainant later alleged. The officer also noted that the California Highway Patrol took control of the vehicle from the station.

Because the DPA cannot confirm whether the named officer caused the vehicle's damage or whether the damage occurred after CHP seized control of the car, the evidence neither proves nor disproves the alleged conduct.

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SUMMARY OF ALLEGATION #5: The officer failed to properly supervise.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The sergeant gave the order to drive the complainant's vehicle to the station.

Body-worn camera footage showed that the complainant's vehicle was stopped in a bus lane. The named officer determined that the car needed to be moved, as it was scheduled to be seized by the California Highway Patrol as evidence. The named officer inquired if any other member knew how to drive a stick, and once confirmed, the named officer gave permission for the officer to transport the vehicle to the station.

Department General Order 9.06 (Sec. II. A. 1) states that it is the policy of the Department that officers may tow a vehicle driven by, or in the control of, a person arrested and taken into custody when: (a) the vehicle is needed for evidence and (e) when the vehicle is not parked in a place that will be legal for at least 24 hours from the time of arrest. Furthermore, (Sec. II. A.5) gives the supervisory officer the authority to determine if an officer shall move a vehicle for further investigation.

Given the prolonged detention, ultimate arrest, inter-agency coordination, and investigative directives from CHP, towing the vehicle was necessary to comply with CHP's seizure request. The San Francisco Police Department preserved the car as evidence and maintained the chain of custody for potential forensic examination.

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

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant reported that his adult child was stalked and punched in the face by an individual. The complainant's son told the officers that he wished to press charges, but the individual was not arrested.

In an effort to gather additional information, DPA contacted the complainant's adult child to obtain his statement regarding the incident, but there was no response to the call.

According to Department General Order 5.04, which establishes policies regarding a member's obligation to receive a subject arrested by a private person and procedures regarding the arrest or release, the decision to cite or book the suspect must be based on a thorough investigation conducted by the SFPD, rather than solely on the preference of the individual who initiate the citizen's arrest. SFPD also has a duty to investigate allegations brought forth by a private person.

Officer #1 reported that he accepted the private person's arrest made by the complainant's adult child. He searched for CCTV footage but found none that captured the incident. He concluded that there was no probable cause to cite the suspect for battery, because the witnesses stated that the complainant's adult child had been the aggressor in the altercation.

Officer #2 corroborated Officer #1's statement, confirming that their investigation and decision not to arrest the individual was documented in the incident report.

The review of body-worn camera footage confirmed that the officers conducted a thorough investigation. They obtained statements from the complainant's adult child and the suspect, and two independent witnesses identified the complainant's adult child as the aggressor. After receiving the private person's arrest from the complainant's adult child, the officers informed the suspect that the complainant's adult child was pressing charges against him. However, after assessing the evidence, the officers explained to the suspect that he was free to leave the scene, and no arrest would be made at that time. That decision was within the officers' discretion per Department policy. The body-worn camera footage and the incident report confirm that the officers acted appropriately and in compliance with Department policy.

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SUMMARY OF ALLEGATION #1: The officer drove improperly.

CATEGORY OF CONDUCT: ND

FINDING: PF

FINDINGS OF FACT: The complainant stated that he observed a patrol car parked in the same red zone for an entire 24 hours. No officers inside or nearby appeared to be responding to any emergency. The complainant took a photo of the vehicle and provided the DPA with the patrol vehicle number.

The photo provided by the complainant shows a San Francisco Police Department (SFPD) patrol vehicle parked next to a red curb. It also shows the vehicle number on the side.

The location of the complaint is a downtown retail hub with no apparent on-street parking options.

The named officer confirmed that a Mobile Command Center was set up in an area after the civil unrest and “smash and grab” activity in 2020 and 2021, and he was the only SFPD member assigned there. The officer said that there are currently seven marked patrol vehicles assigned to and parked strategically around the area to provide a deterrent to criminal activity.

The officer does not remember when or for how long the vehicle was parked in that specific red zone. The vehicle might be moved several times within a 24-hour period, but it could also stay parked for more than 24 hours. The officer also explained that parking and maintaining vehicles in this neighborhood presents unique challenges due to the hotels, businesses, retail areas, and different zoning. He tries to be mindful of all these factors when positioning police vehicles.

Department records did not indicate any emergency calls around the area at the time of the incident.

California Vehicle Code section (CVC) 22500(c) reads, “A person shall not stop, park, or leave standing any vehicle whether attended or unattended...(c) Between a safety zone and the adjacent right-hand curb or within the area between the zone and the curb as may be indicated by a sign or red paint on the curb, which sign or paint was erected or placed by local authorities pursuant to an ordinance.”

SFPD Department General Order (DGO) 5.05 (Emergency Responses, Section B. Non-Emergency Response) states, “ the member shall respond directly to the assignment and observe all traffic laws and regulations.”

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SFPD Department Notice (DN) 25-011 (Parking Citations and Violations for City-Owned Vehicles) reads, "SFPD vehicles at meters will not be required to deposit money; however, vehicles will be responsible for the posted time limits on the meters... All other violations will be enforced as set forth in the California Vehicle Code, San Francisco Municipal Codes and the San Francisco Transportation Codes."

The evidence gathered proves that the patrol vehicle was parked in a red zone, which violated CVC section 22500(c), DGO 5.05, and DN 25-011 for not observing this traffic law. However, SFPD policies, procedures, or Operational Orders do not clearly indicate or designate any legal parking areas for officers or vehicles deployed at the Mobile Command Center.

The evidence proves that the alleged conduct occurred and that there are no Department policies or procedures governing it or providing a reasonable alternative. The DPA recommends that the policy or procedure be added or modified.

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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 alleged that officers responded to his residence and accused him of intentionally flooding his unit. Additionally, he stated that officers unlawfully broke down his front door and improperly entered and raided his unit.

The evidence, including, but not limited to, the Computer Aided Dispatch (CAD) report, Incident Reports, body-worn camera footage, and officer statements, showed the following: on the date of incident, the building manager called the police alleging that the complainant, "a known subject," was purposefully flooding the building. The officers responded to the scene accordingly.

The named officer, in his incident report, highlighted the complainant's documented history of police contacts and mental health holds. The officers had also previously responded to a call for service involving alleged water damage. The officers had knowledge of this before they responded to this incident.

On the date of incident, the officers responded to the building with the above information and investigated the allegations. The named officer met with the reporting party and observed flooding in the lobby and water actively falling from the ceiling. This indicated a water leak from the above floors. The leak was traced to the complainant's unit/bathroom. The reporting party believed that the complainant intentionally caused the water leak by leaving the bathroom water flowing, as he had done previously. The reporting party also opined that the complainant may have flooded his apartment because management was in the process of evicting him from the unit and property. The reporting party also informed the officers that the complainant was in the building but avoided all contact with management. He advised the officers that he would likely evade them, too.

The named officer confirmed that the leak was from the complainant's unit and felt that probable cause was established to arrest the complainant for felony vandalism. Two sergeants arrived on-scene and approved the arrest. The named officer attempted to contact the complainant several times by phone, with negative results. The named officer consulted with his sergeants who confirmed that the situation rose to the level of an exigent circumstances, which allowed the officers to enter his unit without consent and

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without a warrant. Accordingly, the officers formulated a plan: to make entry into the unit, conduct a well-being check on the complainant, and to further prevent damage or injury from running the water.

The officers requested the San Francisco Fire Department for assistance. Pursuant to their plan, the named officer knocked on the door and announced their presence. The officers pounded at the door several times while yelling loudly for him to respond and come to the door. Despite their attempts, the complainant did not comply. Due to the exigency of flooding inside the unit, the officers directed the Fire Department to make entry by breaching the door. After the first attempt to breach the door, the complainant began to yell from within the unit. The named officer ordered the Fire Department to momentarily pause their efforts. They provided verbal commands for him to open the door; however, he continued his non-compliance. The Fire Department then breached the door and the officers made entry into the unit, located the flood and the complainant, and conducted an arrest.

Pursuant to the Fourth Amendment, officers are generally required to obtain a warrant prior to entering a subject's home. However, there are several well-delineated exceptions to the warrant requirement. These exceptions include, but are not limited to, instances where an exigent circumstance is present. Applicable case law has made clear that the threat of serious and active property damage is considered an exigency and grounds for a warrantless entry by the police. Additionally, prior to entering, the named officer consulted with his sergeants who also determined that an exigent circumstance existed as there was flooding inside the unit and a non-responsive individual. This exigency authorized SFPD to enter the unit without a warrant.

Based on the above facts and the applicable case law, the warrantless entry into the unit was proper and justified. Additionally, ordering the Fire Department to breach the door to gain such access, in this circumstance, was also justified and proper. The evidence did not show that the officers raided his unit or otherwise conducted an unlawful search while inside.

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 detained a person at gunpoint without justification.

CATEGORY OF CONDUCT: UF

FINDING: PC

FINDINGS OF FACT: The complainant stated that the officers inappropriately had their guns pointed at him when they breached the door.

The evidence showed that when the Fire Department breached the door, named officer #1 exhibited his firearm and named officer #2 had his Extended Range Impact Weapon (ERIW) in a low-ready position. Neither officer utilized nor threatened to utilize the weapons.

Named officer #1 explained in his report that as he entered the complainant's apartment and before placing him into handcuffs, he drew and exhibited his firearm for the safety of himself and others. He elaborated that based on his training and experience, as well as knowledge of the complainant's current and past non-compliance, he may have been capable of obtaining a weapon inside his home. Named officer #2 confirmed that he was equipped with an ERIW on said date and that out of necessity. He placed the ERIW in a low-ready position until he made physical contact with the complainant. Named officer #2 explained that an ERIW (less lethal) is used as a de-escalation tool and that based on his training and experience, ERIWs can be an effective at gaining compliance from an otherwise non-compliant subject. Consistent with Department policy and training, named officer #2 believed that due to the complainant's well-documented history with the police, his current non-compliance, and the fact he remained inside an otherwise flooded unit, and that the complainant could have very likely had a weapon inside his unit, having an ERIW in the low-ready position was necessary and proper. Named officer #2 maintained that he did not point the ERIW directly at the complainant but pointed it towards the ground or aimed at low-ready facing the ground. Once he contacted the complainant, he removed the ERIW from the position.

Named officer #2 also explained that pursuant to Department policy, when there is reason to believe that an officer may need to utilize an ERIW even to de-escalate a situation and gain compliance, there should also be a "lethal cover officer," to cover the less-lethal officer, in the event the situation escalates. Accordingly, named officer #1, acting as the less-lethal cover officer, had his firearm exhibited when the Fire department breached the door. As mentioned above, neither officer utilized their weapons and holstered them shortly after entering the unit and contacting the complainant.

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DPA understands that having officers approach with weapons can be intimidating. However, given the current circumstances and the potential threat posed by the complainant, the officers were justified in having the ERIW in a low-ready position and exhibiting the firearm. Neither officer had to utilize the devices, however, there was reason to believe it may have been necessary. Therefore, deployment of the ERIC and lethal cover was proper under the Department policies and procedures.

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

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

CATEGORY OF CONDUCT: CUO

FINDING: PC

FINDINGS OF FACT: The complainant alleged that when his door was breached (as described above), glass shattered within his unit and was all over the floor by the front door. The officers directed the complainant to come forward to the door despite the glass. The complainant asked if he could put his shoes on first because he did not want to step on the glass. However, he alleged that the officer informed that he “did not need shoes,” and continued to command him to come forward to the front door. The complainant felt the named officer’s actions in not allowing him to get shoes while continuing the commands were inappropriate.

The named officer did not recall observing glass on the floor. However, he emphasized that given the circumstances of this situation, the exigency, a history of non-compliance, present non-compliance, safety and well-being of everyone involved, and the likelihood he could flee and or have a weapon inside his home, his repeated instructions to come forward and informing him that he did not need his shoes were proper.

The body-worn camera footage showed that when the Fire department had breached the door, glass was broken. The footage showed the named officer continuously commanding the complainant to come forward. However, the complainant, appearing distressed, yelled and moved backwards within his unit. The complainant did ask if he could get his shoes. The officer instructed him that he did not need the shoes and continued to demand him to move forward.

It is unclear whether the named officer observed the glass as the named officer appeared to focus solely on the complainant who was moving backwards within his unit (away from the officers). Additionally, while it would have been ideal for the officers to provide him with an opportunity to retrieve his shoes before stepping forward over broken glass, given the exigency, flight risk, and the fact he could have retrieved a weapon within his home, it was not feasible for the officers to do so. This situation required the officers to act quickly after they breached the door for the safety of everyone involved, including the complainant.

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

SUMMARY OF ALLEGATION #5: The officer made an arrest without cause.

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant alleged that the named officer arrested him for intentionally flooding the unit, which he denied.

The evidence confirmed that the named officer, with the approval of his sergeants, determined that probable cause existed to arrest the complainant for vandalism. After investigating the incident, the named officer determined that the water damage from the flooding amounted to thousands of dollars and constituted the crime of vandalism. The named officer also emphasized the complainant's previous criminal history with causing water damage and confirmed that the flood was coming from the complainant's unit. The named officer also noted that the complainant himself made incriminating statements as he claimed he was "washing his hair," although his hair appeared dry. Additionally, the named officer stated that they located several wet towels inside a basket which they believed were very likely to have been used by the complainant to dry the floor prior to police entry. The officers observed the bathtub was completely full and emphasized that the complainant could not explain why there was a large quantity of water leaking from his apartment if he was simply trying to wash his otherwise dry hair. Moreover, the named officer stated that the complainant could not provide them with a reasonable explanation for not responding to the police despite their numerous attempts to contact him. Accordingly, the named officer also arrested the complainant for resisting lawful police commands.

The body-worn camera footage showed that the named officer investigated the incident and consulted his sergeant before arresting the complainant. The footage also showed pertinent evidence, such as the water in the lobby leaking from his unit, a filled bathtub, and wet towels within his unit, as mentioned by the named officer. The footage also showed the complainant resisting the officers' lawful orders before allowing contact and upon the officers entering his unit. To arrest an individual, officers must establish probable cause. The probable cause standard requires officers to have a reasonable belief, supported by

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objective facts, that a crime *may* have been committed or is in progress. Probable cause does not require certainty.

The evidence showed that the named officer had probable cause to arrest the complainant for both vandalism and resisting their lawful orders.

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

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SUMMARY OF ALLEGATIONS #1-3: The officers failed to comply with Department General Order 5.01.

CATEGORY OF CONDUCT: UF

FINDING: PC

FINDINGS OF FACT: The complainant alleged that during a traffic stop, San Francisco Police Department officers used excessive force while placing him under arrest. Specifically, the complainant claimed that officers twisted his wrist using a control hold and applied force to the back of his head while he was handcuffed and positioned against a wall.

The named officers stopped the complainant for running a red light after seeing the vehicle fail to stop in violation of California Vehicle Code (CVC) section 21453(a). They conducted the traffic stop because they were uncertain if the red-light camera captured the vehicle's license plate. Named Officer #1 stated that he physically removed the complainant from the car after the complainant, whom the officer reported as being "agitated and noncompliant", refused to follow several verbal commands to exit his vehicle. Citing *Pennsylvania v. Mimms*, Penal Code sec. 148(a)(1), and CVC sec. 2800(a), the officer described using only low-level force, limited to verbal commands and placing a hand on the complainant's jacket, in accordance with SFPD policy and his academy training. Named Officer #2, who assisted in the complainant's removal, similarly noted the complainant's verbal aggression and refusal to comply. He applied Type I Non-Reportable Use of Force, using hand contact. Named Officer #3 stated he did not physically engage with the complainant but supported the actions of his colleagues as legally justified and aligned with departmental policy. He later issued a traffic citation but had no direct involvement in the use of force.

Body-worn camera footage showed that the complainant appeared upset and stated he felt disrespected by the officers for pulling him over. Named Officer #1 approached the driver's side and was immediately met with a verbal dispute, during which the complainant had not yet provided his driving information. Officer #1 ordered the complainant to exit the vehicle, citing his combative behavior. When the complainant refused, Officer #1 placed a hand on his arm and warned that force would be used if he did not comply. Officer #1 then physically removed the complainant from the vehicle with assistance from Named Officer #2. Named Officer #3 was seen assisting with handcuffing the complainant.

Department General Order 5.01 (Use of Force) outlines that officers may use only the amount of force that is objectively reasonable, proportional to the threat posed, and necessary to achieve a legitimate law

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enforcement objective. The directive distinguishes between Low-Level Force (Type I) and higher levels of force that require formal reporting.

Based on the officers' statements and body-worn camera footage, the actions such as giving verbal commands, placing a hand on the complainant's jacket, and guiding him out of the vehicle fit within the Type I (Non-Reportable Use of Force) category. While the conduct did occur, the evidence proved the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

SUMMARY OF ALLEGATIONS #4-6: The officers failed to take required action.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The officers failed to contact a supervisor upon request.

Named Officer #1 and Named Officer #2 acknowledged that the complainant asked to speak with a superior officer while they were trying to obtain the complainant's information for the citation. Because the complainant did not direct the request to him, Named Officer #3 did not respond. The named officers also stated that no departmental policy requires them to provide a supervisor upon request.

Body-worn camera footage showed that, because the traffic stop occurred at night, Named Officer #1 used his flashlight to illuminate the inside of the complainant's vehicle. The complainant immediately questioned the reason for the stop and told Named Officer #1 to remove the flashlight beam from his face. Named Officer #1 responded that he had not directed the light at the complainant's face. To demonstrate, he showed that the light was on his hand, then briefly pointed it at the complainant's face to illustrate the difference. The complainant continued to express displeasure with the light and requested to speak with a sergeant. Named Officer #1 declined the request and repeatedly ordered the complainant to step out of the vehicle.

Department General Order 2.01.01 states that any member/employee who observes any misconduct shall take appropriate action to immediately stop the misconduct. Upon observing or otherwise becoming aware of a suspected violation of the rules, procedures, or policies as set forth in this General Order, every

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Department member shall report any such violation to a superior officer. There is no specific departmental policy that outlines that a request to speak with a superior officer shall be fulfilled by an officer.

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

SUMMARY OF ALLEGATION #7: The officer failed to provide his or her name or star number

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant alleged that the officer failed to provide their name or star number.

The named officer denied this allegation and stated that his name and star number were verbally provided to the complainant.

Body-worn camera footage showed that the complainant requested that all of the officer's information be written down. The named officer (as well as the other officer at the scene) responded verbally to the request once the complainant was released from their custody at the scene. The complainant then proceeded to take pictures of the officers' uniforms with his phone.

Department General Order 2.01 (Rule 8 (e)) states that when requested, the member shall promptly and politely provide their name, star number, and assignment.

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

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SUMMARY OF ALLEGATION #8: The officer engaged in unwarranted action.

CATEGORY OF CONDUCT: UA

FINDING: IE

FINDINGS OF FACT: The complainant stated that the officer nearly hit the complainant with a police vehicle.

The named officer, who was driving, denied the allegation. He stated that the complainant stood on the passenger side of the patrol car and took photos of the officers while they sat inside. The officer said he drove away to disengage from the complainant and de-escalate the situation. Another officer in the vehicle also denied that the named officer came close enough to hit the complainant and even instructed the complainant to go back to the sidewalk before their car departed. The third officer could not recall that part of the incident.

Given that the officers' body-worn cameras stopped at the conclusion of the traffic stop, the footage provided did not show the patrol vehicle leaving the scene.

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

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

CATEGORY OF CONDUCT: CUO

FINDING: IC/S

FINDINGS OF FACT: The named officer was overseeing an arrest when the complainant advised him that the backpack in the arrestee's possession that was being searched belonged to her. The named officer responded by yelling and insulting the complainant. The named officer also used profanity throughout his conversation with the complainant. The complainant believed that the officer's behavior was inappropriate and rude.

The named officer acknowledged that he used profane language toward the complainant. However, he denied that he yelled and insulted her. The named officer believed that the complainant interjected themselves into a situation that they were not involved with. The named officer described the complainant's behavior as rude and verbally aggressive.

The named officer's body-worn camera showed the officer overseeing the arrest of an individual. While the subject's belongings were being searched, including a backpack that had been in his possession, the complainant is heard telling the officer that it was her backpack that they were searching through. The named officer's attention turned away from the subject's arrest and toward the complainant. The named officer told the complainant to back-up and when the complainant reiterated that the backpack belonged to her it sparked a verbal altercation between the named officer and the complainant. The complainant became visibly upset and defensive when the video showed the officer making comments to the complainant that she was worthless and that it wasn't the officer's fault that she was living on the street.

The footage also showed the subject of the arrest telling the named officer that he did not have to use profanity toward the complainant, but the named officer stated he had cause to because of how the complainant was behaving toward him. After the complainant disengaged and prior to leaving the scene, a random passerby reprimanded the named officer for his behavior toward the complainant. The named officer dismissed the passerby's commentary.

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Department General Order 2.01.08.B and 2.01.08.D states the following:

- **Public Courtesy** - Members/employees shall understand and follow the principles of Procedural justice and incorporate them into their professional work environment. These principles include giving members of the community a voice (opportunity to speak), fair/impartial treatment, respect, and providing a trustworthy process.

When acting in the performance of their duties, members/employees shall:

- Treat the public with courtesy and respect and not direct discourteous or profane language at members of the public.
- Not demean or degrade individuals referencing their race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, mental or physical disability, or socioeconomic status.

The investigation showed that the named officer was on scene to supervise other officers conducting an arrest. During the arrest, the complainant confronted the officer about the search of a backpack that resulted in a verbal altercation with the complainant. The officer's body-worn camera footage showed that the complainant eventually disengaged by walking away, but not before the officer used profanity and made insulting and demeaning comments toward her. Although the named officer denied behaving inappropriately, 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 ALLEGATIONS #2-3: The officers conducted an improper search and seizure.

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant informed the officers that they did not have consent to search her backpack after it was seized; however, they searched it anyway.

The incident report and the named officers indicated that the complainant's backpack was searched because it was in the subject's possession just before he was arrested. The body-worn camera footage confirmed that the complainant's backpack was in the subject's possession before the arrest and the bag was searched after the arrest.

The investigation showed that the named officers conducted a field arrest search of the subject and the subject's property that he was in possession of before the arrest. Field arrest searches are conducted to ensure the safety of the officers and subject prior to transporting the subject to a station or transferring the subject to the County jail. Although the complainant perceived the officer's actions as unlawful, the evidence shows that the officer's conduct was justified, lawful, and proper.

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

CATEGORY OF CONDUCT: ND

FINDING: NF/W

FINDINGS OF FACT: The named officers failed to review the restraining order against the suspect and failed to remove him from the building.

The complainant requested a withdrawal of the complaint.

SUMMARY OF ALLEGATIONS #3-4: The officer failed to write an incident report.

CATEGORY OF CONDUCT: ND

FINDING: NF/W

FINDINGS OF FACT: The complainant stated that the named officers did not write an incident report.

The complainant requested a withdrawal of the complaint.

SUMMARY OF ALLEGATIONS #5-6: The officers failed to properly investigate.

CATEGORY OF CONDUCT: ND

FINDING: NF/W

FINDINGS OF FACT: The named officers failed to investigate the incident as presented by the complainant.

The complainant requested a withdrawal of the complaint.

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SUMMARY OF ALLEGATIONS #1-3: The officers failed to comply with Department General Order or Department Bulletin.

CATEGORY OF CONDUCT: ND

FINDING: IE

FINDINGS OF FACT: An anonymous complaint was filed with the City's Whistleblower Program that stated an unknown member of the San Francisco Police Department inappropriately released an internal and sensitive photograph of an officer-involved shooting (OIS). The image was subsequently publicized online by a local media company. The complainant stated that the action violated department policy and that it was impossible for the media to have obtained the image without a police source.

Under California law, sensitive photos related to an officer-involved shooting are likely protected from disclosure if they are part of investigatory files or peace officer personnel records. The California Public Records Act and Penal Code section 832.7 provide exemptions and procedural safeguards to ensure that privacy, safety, and public interest concerns are appropriately balanced. Unless a compelling public interest justifies disclosure, the police agency may be prohibited from releasing such photos to the media.

Department records showed that an OIS occurred on the day the media company published a news article about the shooting.

The media company's website showed that an article was published on the day of the OIS, approximately six and a half hours after the shooting occurred. Included in the article was a photograph of the subject who was shot by police. The subject is seen holding and pointing the gun towards the camera, which appeared to be attached to a drone due to the angle at which the picture was taken.

The reporter who wrote the article declined to become involved in the investigation, stating that he did not reveal his sources.

Drone footage from the OIS investigation was reviewed, and it was found that the image used in the news article came from one of two video files taken from drones deployed at the scene.

The metadata from the computer storage program used to store video evidence was reviewed. This data showed that the three named officers were the only officers who accessed the two drone video files

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between the time the OIS occurred and when the news article was published. All three officers accessed both of the video files.

Named Officer #1 is the drone operator and Named Officers 2 and 3 were involved in the investigation surrounding the OIS incident. All three officers denied sending the footage or images from the footage to the media.

The named officers' Department email accounts and cell phones were reviewed, and there was no evidence that any of the officers contacted the media company or sent video or images of the drone footage to anyone.

The evidence shows that images from the OIS were sent to the media company, which published the picture a few hours after the shooting occurred. Although the named officers were the only officers to access the footage during the relevant time period, there is no evidence to show which officer, if any, sent the images to the press.

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

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated a mechanic refused to return her vehicle after she attempted to pay for services rendered. She called the police for assistance, and the named officer told her to have her daughter retrieve the car. She stated that the named officer should have helped her recover her vehicle immediately; however, due to his failure, she waited for an unnecessarily prolonged period of time.

The named officer stated that he responded to an auto body shop regarding a payment dispute, which he identified as a civil matter rather than a criminal one. He stated that he could have informed both parties that the issue was civil but chose instead to attempt mediation in the interest of resolving the conflict. The named officer stated the shop owner asked the complainant to leave the premises and refused further interaction after she threatened him with negative online reviews. The shop owner ultimately stated that he would allow the complainant's daughter to retrieve the vehicle, as he no longer wished to engage with the complainant directly. The named officer stated that he relayed this information to the complainant but did not suggest it as a solution. He noted the complainant did not agree to this arrangement; however, both parties accepted a resolution in which he acted as an intermediary by delivering the complainant's cash payment to the shop owner and providing the paperwork to the complainant. The named officer stated that he had no legal authority to compel the release of the vehicle but was able to facilitate its return through his efforts. He stated he believed his involvement was helpful to the complainant, as he voluntarily assisted in resolving a civil matter beyond his official duties.

Department records show that the named officer responded to a call for service involving a mechanic who refused to release a vehicle and requested that the complainant leave the premises.

Body-worn camera footage showed the named officer speaking with the complainant, who reported that the shop owner refused to release her vehicle despite her attempt to make a payment. The named officer then talked to the shop owner, who claimed the complainant had threatened him with negative online reviews, prompting him to ask her to leave his business. The shop owner stated he would allow the complainant's daughter to make the payment and retrieve the vehicle. The named officer relayed this solution to the complainant; however, she stated it was not an acceptable resolution. The named officer continued to mediate between both parties, and it was agreed that the named officer would deliver the complainant's cash payment to the shop owner and assist with the necessary paperwork. The named

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officer accompanied the complainant several blocks to her bank, where she withdrew cash. They returned to the shop, where the named officer completed the transaction and assisted with the paperwork. The complainant then received her vehicle and drove away.

The named officer did not have legal authority to compel the release of the vehicle to the complainant. Evidence shows that the named officer went beyond his required duties by taking extraordinary steps to mediate the dispute between the shop owner and the complainant, ultimately facilitating payment and assisting in the completion of the necessary paperwork to secure the vehicle's release.

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

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

CATEGORY OF CONDUCT: CUO

FINDING: U

FINDINGS OF FACT: The complainant stated that the named officer told the shop owner that she was "mental."

The named officer denied referring to the complainant as "mental."

Department records show that the named officer responded to a call for service involving a mechanic who refused to release a vehicle and requested that the complainant leave the premises.

Body-worn camera footage does not show the named officer referring to the complainant as "mental."

The evidence does not support a finding that the named officer behaved or spoke inappropriately.

The evidence proves that the conduct alleged did not occur.

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

CATEGORY OF CONDUCT: CUO

FINDING: U

FINDINGS OF FACT: The complainant stated that the named officer discriminated against her based on her disability by not immediately assisting her in retrieving her vehicle from a mechanic. She said that she has handicapped license plates and felt the officer's suggestion that her daughter retrieve the vehicle instead was discriminatory.

The named officer stated that the shop owner requested the complainant's daughter retrieve the vehicle and only conveyed this message to the complainant as an intermediary. He further said that he was unaware that the complainant's vehicle had handicapped plates until it was released to her and maintained that her disability did not influence his actions.

Department records show that the named officer responded to a call for service involving a mechanic who refused to release a vehicle and requested that the complainant leave the premises.

Body-worn camera footage showed the named officer taking extraordinary steps to assist the complainant in retrieving her vehicle. He acted professionally and respectfully, accompanied her to the bank to obtain cash, and facilitated the completion of necessary paperwork with the shop owner. The footage does not reflect any discriminatory conduct by the named officer.

The evidence does not support a finding that the named officer discriminated against the complainant due to her disability. Instead, the evidence indicates that the named officer went beyond his required duties by taking extraordinary steps to mediate between the shop owner and the complainant, facilitating payment and completion of the necessary paperwork for the vehicle's release.

The evidence proves that the conduct alleged did not occur.

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

CATEGORY OF CONDUCT: UF

FINDING: PC

FINDINGS OF FACT: The complainant stated he was waiting to cross the road on the way to work when a flashbang grenade was thrown towards him and exploded. Immediately after, five white male police officers jumped out of black unmarked SUVs and arrested a man standing next to him. The complainant stated he thought the use of a flashbang grenade was excessive force.

Department records and Computer-Aided Dispatch records (CAD) show that in the early hours of the day of the complainant's incident, officers were called to a different location, a residence, following reports of an aggravated assault with a gun. When officers arrived, they found a gunshot victim who had been shot three times by his brother. The victim identified his brother as the suspect, informed officers that the suspect had fled the scene, was still armed, and was suffering from mental health issues. A full search of the residence found that the suspect had multiple firearms and ammunition, including rifles and submachine guns. The complainant saw the officers arrest the suspect.

Department records, including an arrest planning document authored by the named officer, show that the police organized a search for the suspect in the shooting. As intelligence was developed, covert units were used to locate the suspect, with uniformed Tactical Units (TAC) on standby to effect an arrest. The plan included considerations that the suspect had access to assault weapons, and officers were unsure if the firearm used in the crime was outstanding or recovered.

Department records and CAD records showed that undercover officers observed the suspect walking around a downtown area of the city. One of the undercover officers was the named officer. While the subject was being followed, four TAC officers responded to the scene to make the arrest. The named officer deployed the flash bang grenade, and the subject was taken into custody without further incident. The incident report stated that the suspect made no complaint of pain and refused any medical attention.

The named officer stated he was assigned to apprehend a suspect who was wanted for a shooting. The officer said he was deployed with a team of other officers to operate covertly in plain clothes. He also explained that, as he was deployed covertly, he was not wearing a body-worn camera.

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The officer said that due to the current crime, the suspect's violent past, and the fact that it was assumed the suspect was still armed with a firearm, the plan was to use a Noise Flash Diversionary Device (NFDD) in conjunction with using TAC officers to make the arrest. An NFDD is colloquially known as a "flash bang grenade."

The officer said the covert team found the complainant walking on the streets and covertly followed the suspect until a good location was found to arrest him. An area with minimal foot traffic and no obstructions was selected as the best option for a safe arrest. The officer had a clear and unobstructed view of the immediate area around the suspect, saw that it was clear, and deployed the NFDD approximately five feet in front of the suspect. The officer explained he deployed the NFDD to provide the TAC officers with a tactical advantage to initiate an arrest. The officer said the suspect was taken into custody without further incident.

None of the covert officers were wearing a body-worn camera (BWC). However, the four TAC officers were wearing BWCs. The footage showed the TAC officers approach the scene in unmarked SUVs. As the SUVs come to a stop, a loud bang, a flash of light, and smoke are visible just in front of the vehicles. The officer immediately exited the vehicles and detained a male suspect.

Department Training material for the use of NFDD states that the purpose of such devices is, among others, to be "Used in any high-risk criminal apprehension" to "provide a tactical advantage by disorienting a suspect for a few seconds...reduce the possibility of injury to team members, hostages, and suspects...used as a deterrent for a suspect's potential actions." The criteria for deployment are, amongst others, "Diversion is needed to make an entry or an arrest...Felony or suspected felony incidents."

Department General Order 5.01.02(D) (Use of Force) states, "When determining the appropriate level of force, officers shall, when feasible, balance the severity of the offense committed and the level of resistance, based on the totality of the circumstances known to or perceived by the officer at the time, with the level of force used and its likely injury outcome. It is particularly important that officers apply proportionality and critical decision making when encountering an armed subject."

The evidence showed that the named officer deployed an NFDD. The deployment was conducted to gain a tactical advantage, enabling other officers to arrest a suspect safely. The suspect was wanted in connection with a violent felony shooting and was believed to be armed and dangerous at the time of the arrest. 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 was inattentive to duty.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that when the officer threw the flashbang grenade, the grenade landed between his feet. The complainant said the officer should have been more careful where he threw the grenade.

The officer said the covert team found the complainant walking on the streets and covertly followed the suspect until a good location was found to arrest him. An area with minimal foot traffic and no obstructions was selected as the best option for a safe arrest. The officer had a clear and unobstructed view of the immediate area around the suspect, saw that it was clear, and deployed the NFDD approximately five feet in front of the suspect.

The Department's NFDD training material includes multiple pictures of injury and damage caused by NFDDs when they are deployed too close to people. One photo shows what happened when an officer dropped an NFDD at his feet. The result caused considerable damage to the officer's boot and caused a burn and laceration to the foot inside.

The BWC footage from the TAC officers is partially obscured because they were inside their vehicles when the NFDD was deployed. However, the officers exited the vehicle seconds after the NFDD was used. The video shows that there is no one standing near the suspect. The closest bystander is approximately twenty to thirty feet away, standing and watching the incident unfold. The footage shows the NFDD canister on the ground a few feet away from the suspect as he is being arrested.

The BWC footage and department records show that no one was injured, and nothing was damaged during the deployment of the NFDD.

The evidence supports the officer's account that the NFDD was deployed five feet in front of the suspect, when it was clear of other people or obstructions.

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

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SUMMARY OF ALLEGATIONS #3-6: The officers displayed a weapon without justification.

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant said that the arresting officers did not have to have assault weapons drawn when they arrested the man standing next to him.

The named officers were the four TAC units tasked to take the suspect of the shooting into custody. All stated that they deployed with Department-issued rifles due to the risk assessment that took into consideration the suspect was wanted for attempted murder, had a long history of violent crime, and was believed to be armed and dangerous.

Department records and Computer-Aided Dispatch records (CAD) show that in the early hours of the day of the complainant's incident, officers were called to a different location, a residence, following reports of an aggravated assault with a gun. When officers arrived, they found a gunshot victim who had been shot three times by his brother. The victim identified his brother as the suspect, informed officers that the suspect had fled the scene, was still armed, and was suffering from mental health issues. A full search of the residence found that the suspect had multiple firearms and ammunition, including rifles and submachine guns. This is the same suspect the complainant saw the officers arrest that day.

Department records show that the police organized a search for the suspect in the shooting. As intelligence was developed, covert units were used to locate the suspect, with uniformed Tactical Units (TAC) on standby to effect an arrest. The plan included considerations that the suspect had access to assault weapons, and officers were unsure if the firearm used in the crime was outstanding or recovered.

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

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COMPLAINT DATE: 03/24/2025

COMPLETION DATE: 09/26/2025

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SUMMARY OF ALLEGATIONS #1-4: The officers failed to take required action.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant reported that her neighbor spat toward her, prompting her to spit back at him, which led to a verbal altercation. She claimed that the neighbor's minor child banged on her window and threw a large rock at her gate, breaking it. When she opened her door, the child challenged her to a fight, resulting in another verbal exchange.

When the police officers arrived, the neighbor was still insulting her and threatened to "take her down." The complainant did not want to press charges against the juvenile but wanted the juvenile's parent arrested for criminal threats. However, the officers determined that the verbal exchanges they witnessed between the complainant and her neighbor were not criminal threats as defined by Penal Code section 422 and chose not to arrest him. The complainant expressed dissatisfaction that no action was taken against her neighbor.

The DPA reviewed the Computer-Aided Dispatch (CAD) records, body-worn camera footage, and the incident report. The evidence confirmed that the verbal exchanges between the complainant and her neighbor did not rise to the level of a criminal threat, and the complainant's minor son was not present to receive a citation.

The evidence proves that the officers conducted a thorough investigation, documented the statements from both the complainant and her neighbor in an incident report, and adhered to department policies.

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 failed to take required action.

CATEGORY OF CONDUCT: ND

FINDING: NF

FINDINGS OF FACT: The complainant reported that she called the district station the next day to get a status on her case and to inform officers that she wanted to submit a video of the incident. The complainant was advised by an officer that the case was placed on hold because there was not enough evidence for an arrest and that they would contact her if they needed the video.

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

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

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COMPLAINT DATE: 03/07/2025 COMPLETION DATE: 09/12/25 PAGE# 1 of 2

SUMMARY OF ALLEGATIONS #1-2: The officers engaged in unwarranted action.

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant alleged that officers detained and questioned them about their vehicle's registration, photographed the VIN, and ran the vehicle's information. The complainant stated that the officers acted in an intimidating manner and prevented them from taking their vehicle until the VIN information was processed. They viewed the interaction as unnecessary and felt the officers placed undue pressure on them. The complainant felt detained even after officers said they were not, as they were not allowed to leave with their vehicle at the time.

Named Officer #1 and Named Officer #2 reported that while on routine patrol in an area known for stolen vehicles, they observed an unoccupied white Audi with a license plate lacking a visible state identifier. They initiated a self-directed check, photographed the VIN, and ran the plate through multiple states until confirming it was registered in South Carolina with no holds or warrants. When the complainant approached, the officers explained their actions but noted that the complainant refused to disclose the plate's state. Both officers emphasized that the complainant was never detained, was free to leave once the verification was complete, and that profiling was not possible since the vehicle was unoccupied when first observed. They denied pressuring or accusing the complainant, stated they acted professionally and respectfully, and affirmed that no searches or detentions occurred.

Body-worn camera (BWC) footage confirms the officers' account. It shows them noting the vehicle's plate lacked a state identifier, photographing the VIN, and explaining to the complainant that they could not clear the car until verifying it. The complainant raised concerns about their dogs, insisted they had done nothing wrong, and questioned why the officers focused on their car. The officers responded that it was the first vehicle they observed and emphasized they were performing routine verification. After confirming the plate was from South Carolina, they remarked that the matter could have ended more quickly had the complainant answered earlier.

Department General Order (DGO) 5.03.03 states that a consensual encounter occurs when a reasonable person would feel free to leave or to refuse to cooperate with the police, and no reasonable suspicion is required on the part of the officer. Consensual encounters may elevate to a detention based on the officer's actions that create a reasonable belief that the person is no longer free to leave. A detention does not occur

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when a police officer merely approaches an individual on the street and asks a few questions. Additionally, DGO 2.01(8) states that members shall treat the public with courtesy and respect.

The complainant described the officers' actions as intimidating and said they could not leave with their vehicle until the VIN check was complete. The officers, by contrast, characterized the encounter as a routine investigative step made necessary because the license plate lacked a state identifier, and they denied detaining the complainant or making accusatory remarks. Body-worn camera footage supports the officers' account, showing that the plate was not legible and that they ran the VIN to verify the vehicle. The footage also shows that although the officers pressed the complainant for cooperation, they made no explicit threats and did not detain the complainant.

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 failed to properly investigate.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant lodged a complaint regarding a dispute that ensued between her and another individual at a shared laundry facility. The complainant believed that the responding officers failed to properly investigate the incident described below.

The complainant stated that on the date of incident, she went to the neighborhood laundromat to do her sickly father's laundry. She momentarily left the laundromat and came back to observe that the individual had removed her wet clothes from the dryer and placed them aside. She confronted the woman who was with her minor son. The conversation between the two escalated quickly and the woman approached her closely and prevented her from getting her clothes. The complainant believed the woman was intoxicated. The complainant used her forearm to push the woman out of the way. The complainant stated that the woman threatened her that she had a gun she "would be willing to use." The complainant called her boyfriend who arrived on-scene. The woman continued to antagonize the complainant and eventually left the laundromat. The complainant tried to capture the incident on camera, but because she was nervous, she did not capture it all. The complainant called the police and the named officers responded. However, the complainant felt that the named officers failed to investigate properly such as failing to review pertinent video footage.

The named officers confirmed that they responded to the scene and met with the complainant and her boyfriend. The complainant informed them of what had occurred and told them that she felt threatened by the other woman. Named officer #1 reviewed two snippets of video footage captured by the complainant. Named officer #1 also spoke with her boyfriend who informed the officer that he had footage of the woman admitting she had been drinking. At that time, the named officers discussed the situation and formulated a plan moving forward. They discussed whether the incident – as described by the complainant – rose to the level of criminal threats as defined in Penal Code 422. The officers did not feel that the encounter met the necessary elements as there was not an imminency to the threat made by the woman as she said she had a "gun," and would be willing to use it. Notably, the officers pointed out that neither the complainant nor the boyfriend observed a weapon on the woman.

The officers thereafter decided to speak with the woman and responded to her residence. The officers met with the woman who explained her side of what had occurred. The officers stated they did not observe

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anything on her that appeared to be a weapon, and that the woman denied having a gun on her person. The officers also noted that she did not appear intoxicated. The woman expressed that she felt threatened by the complainant. The woman told officers that the complainant told her that if she touched the complainant's clothes again, the complainant would kill the woman. Both women wanted the other arrested. The officers explained the required elements of Penal Code section 422 (criminal threats) and determined that a crime had not been committed by either woman. After speaking with both parties and determining that a crime had not been committed, the officers felt that it would be best to try and mediate the situation by bringing both parties together to come to a common ground. The officers felt that using "community policing," tactics in this scenario were best since the parties lived in the same area and used the same laundry facility.

The officers admitted they did not review any footage from the laundry facility because they did not believe there would be any available footage. Even if there had been, there would not have been audio associated with the footage, which would have been the relevant evidence for the investigation. The officers felt they were able to conduct a proper investigation without such footage. Additionally, the footage taken by the complainant corroborated that parties engaged in a verbal altercation but did not show evidence of a crime.

California Penal Code 422 makes it unlawful to communicate a threat of death or great bodily injury to another person that places that person in a reasonable and sustained fear for their safety. The threat, however, must be "willful, serious, specific, clear," and the person making such threat must have the apparent ability or means to carry it out.

The evidence, such as the complainant's statements, body-worn camera footage, and officer testimony, showed that the named officers investigated the incident properly. The evidence showed that the officers responded, spoke with both parties, and properly evaluated the available evidence. The officers carefully considered whether the alleged threat made by the woman met the criteria for a 422 violation. The officers determined it had not and explained, at length, to the complainant why. Additionally, video footage from the laundromat was not necessary for the investigation as both parties admitted to engaging in a verbal dispute and making a threat about something in the future without evidence that either person had the apparent ability or means to carry the threat out. The statements did not amount to a violation of the Penal Code.

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

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SUMMARY OF ALLEGATIONS #3-4: The officers failed to make an arrest.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant felt that the named officers inappropriately pushed mediation as a resolution to the incident rather than arresting the woman.

The above facts are hereby incorporated by reference. As mentioned above, the officers carefully evaluated whether there was enough evidence to arrest the woman for criminal threats. As analyzed the above, the officers were correct in that the woman had not violated Penal Code section 422.

The officers maintained that they tried to explain this to the complainant and provided her examples of when a threat would meet the criteria for an arrest. The officers emphasized that pursuant to the community policing model, and the fact there was no arrest, they felt that offering mediation and attempting to mediate between the parties was the best course of action. Had they determined that a crime had been committed, they would have made an arrest.

Body-worn camera footage corroborated that based on the statements and evidence provided to the officers, the elements of a 422 had not been met and an arrest was not warranted. Additionally, attempting to mediate the dispute between the two was appropriate in the given circumstances.

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 knowingly engaged in biased policing or discrimination.

CATEGORY OF CONDUCT: CUO

FINDING: U

FINDINGS OF FACT: The complainant believed that the named officer profiled her and discriminated against her based on her attire and appearance.

The body-worn camera footage showed that during a conversation with the complainant, the named officer had made comments about her appearance. The footage showed that the named officer stated, “honestly, you have your face all covered up, in a Raiders outfit, you are all covered up, you could be scary to [the woman].”

The named officer recalled his statement. The named officer emphasized his prior experience in law enforcement focused on gang-related activity including gang related attire and markings. He noted that based on his training and experience certain clothing can be associated with certain gang-related activity and could be perceived as scary or intimidating to an individual. The named officer, however, was adamant that he did not mean anything harmful by his comment and was genuinely trying to relay to the complainant that the other woman also felt threatened by her and potential reasons why.

The footage corroborated the named officer’s statement that his comments were not intended to be rude and did not show that the officer knowingly engaged in biased policing. It was apparent from the footage that the named officer was having a difficult time in getting the complainant to understand that the other party had claimed to feel threatened by her as well, and that the named officer was trying to relay this possibility to her in a way in which he believed she could understand.

The footage did not reflect that the named officer discriminated against or profiled the complainant.

The evidence proves that the conduct alleged did not occur.

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SUMMARY OF ALLEGATION #6: The officer behaved or spoke inappropriately.

CATEGORY OF CONDUCT: CUO

FINDING: IE

FINDINGS OF FACT: The complainant stated that the named officer also made inappropriate comments to her such as “that she was being difficult,” and “that she looked really tense.”

The named officer did not recall telling the complainant that she was being difficult or appeared tense. However, if he did make that comment, he explained that it would not have been in a rude way, but rather that he was trying to get through to her that they could not arrest the other woman and tried very hard to get her to understand the other woman’s point of view.

The available body-worn camera footage did not reflect the named officer making such statements. However, due to the Department’s retention policy, many of the officers’ BWC footage had been deleted by the time DPA received this complaint. Thus, DPA is unable to determine with certainty whether this comment was made and in what context.

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

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SUMMARY OF ALLEGATIONS #7-8: The officers failed to take required action.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant believed that the named officers were obligated to report the woman to either Child Protective Services (CPS) or Adult Protective Services (APS) under the mandatory reporting requirements. The complainant highlighted that due to the woman's alleged intoxication, her irate behavior, and the fact she potentially had a weapon, she placed her disabled son in harm or was unable to properly care of him.

The named officers confirmed that they are aware of both CPS and APS and have utilized the services when necessary. Neither officer felt that the situation warranted a mandatory report to such agencies. They recalled that the woman's son was disabled and that he was getting upset at the dispute between the two parties, which is why the woman ultimately left the laundry facility and went home. The officers pointed out that the woman did not appear intoxicated to the point of concern and that there was no evidence she had a gun or otherwise was dangerous. Additionally, one of the on-scene officers observed her son, who appeared fine.

The body-worn camera footage corroborated the officers' statements. The evidence presented did not suggest that the named officers were required to report the incident to either CPS or APS- whichever applied. The woman calmly explained her view of the incident and did not appear intoxicated.

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

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SUMMARY OF ALLEGATIONS #1-3: The officers failed to take required action.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officers did not arrest suspects or interview witnesses that were on scene at an assault. The complainant also stated one officer did not take her case seriously.

SFPD records showed that the named officers responded to the scene and provided medical care to the injured reportees. The named officers took a report from the complainant. The investigating sergeant conducted a full investigation, including interviewing the complainant, identifying one of the offenders and issuing a warrant for their arrest. The investigating sergeant also took steps to identify another offender but was unable to.

Body camera footage showed that when the named officers arrived at the scene, the only people visible were the complainant, her mother and one other person. The officers spoke to all three parties. The people later identified as suspects were not present when the officers arrived.

The evidence showed that there were no people present to arrest or interview. The evidence also showed that one of the named officers did a full investigation.

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 prepared an incomplete or inaccurate incident report.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officer did not put the suspect of her crime in a police report.

SFPD documents showed that the suspect was not named in the police report. The suspect was later named by an investigating sergeant, and an arrest warrant was issued.

Body camera footage showed that the complainant told the named officer that the offenders were numerous females that she did not know and could not describe in detail. The complainant gave the name of a suspected participant in the crime to the named officer but did not state that he had taken part in the reported crime. The complainant referred to him as the person who had booked the location for a party.

The report accurately reflected the information that was provided to the named officer. The complainant did not tell the named officer that the name she gave to the officer was involved in the crime.

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

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

CATEGORY OF CONDUCT: ND

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FINDING: NF

FINDINGS OF FACT: The complainant stated the named officer failed to send officers to assist in with a civil issue.

The complainant could not provide a name or badge number for the officer.

An identification poll was sent to the station, but no officer was identified.

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

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DATE OF COMPLAINT: 07/24/2016 DATE OF COMPLETION: 09/16/2025 PAGE# 1 of 2

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

CATEGORY OF CONDUCT: **FINDING:** **NF** **DEPT. ACTION:**

FINDINGS OF FACT: The complainant reported that several years ago, he was arrested and taken to a county jail for processing. After waiting briefly outside, he was brought into the booking area, where he alleges he was physically assaulted, resulting in visible facial injuries and bruising on his body. Due to the significant amount of time that has passed since the incident, the complainant was unable to recall specific details regarding the individual(s) involved. Additionally, some of the complainant's statements were inconsistent and appeared inconsistent with reality.

The investigation included a review of the incident report and computer-aided dispatch (CAD) records which confirmed the complainant was arrested and transported to jail for booking. Several officers were also interviewed. However, none recalled physically assaulting the complainant, being present during the alleged assault, or witnessing anything related to the complainant's injuries. Additionally, no officer was able to identify who may have caused the injuries. SFPD did not have body-worn cameras at the time of the incident.

Due to the significant delay in reporting the incident, officers had limited recollection and were unable to provide further details that might have supported the investigation. No findings occur when an officer cannot be reasonably identified.

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

CATEGORY OF CONDUCT: **FINDING:** **IO-1/SFSO** **DEPT. ACTION:**

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

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that an Urban Alchemy employee tried to remove her from a dog park as retaliation for previous complaints she filed against Urban Alchemy staff. She said she called the police and reported that Urban Alchemy employees were dealing drugs after hours, but no action was taken against them; instead, the named officers ordered her to leave the park and cited her for trespassing.

Named Officer #1 stated he was called to the dog park by an employee of Urban Alchemy who reported that the complainant engaged in a verbal altercation with another park patron. He stated the employee wished to press charges against the complainant for trespassing, as she refused to leave as requested. Named Officer #1 noted the complainant informed him that she filed grievances in the past against employees of Urban Alchemy; however, he did not recall the complainant informing him that employees of Urban Alchemy were dealing drugs/narcotics.

Named Officer #2 stated she took appropriate action because the complainant never mentioned that Urban Alchemy employees were dealing drugs.

Department records show that the named officers responded to an assault call. They met with an Urban Alchemy employee who reported that the complainant was engaged in a verbal dispute with another patron at the dog park and refused to leave when asked. The employee indicated that he wanted the complainant cited for trespassing and subsequently signed a Citizen's Arrest Form. The named officers then spoke with the complainant, who stated she refused to leave because she believed the request was retaliatory due to her pending lawsuits against Urban Alchemy. The named officers informed her that if she did not go, she would be cited for trespassing. The complainant requested to be cited to have proof of police misconduct.

A Citizen's Arrest Form documents that an Urban Alchemy employee requested the complainant to be arrested (cited) for trespassing.

Body-worn camera footage captured an Urban Alchemy employee reporting to the named officers that the complainant engaged in a verbal altercation with another patron, who had since left. The employee stated that he asked the complainant to leave the park, but she refused to do so. He then signed a Citizen's Arrest

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Form for trespassing against the complainant. The named officers informed the complainant that if she did not leave, she would be cited for trespassing. The complainant told the officers that the employee was retaliating against her due to her pending lawsuits against Urban Alchemy and requested to be cited to have proof of police misconduct.

Urban Alchemy is contracted by the San Francisco Recreation and Parks Department to monitor and staff the park.

Penal Code section 602 states in relevant part that a person who willfully commits a trespass by occupying real property without the consent of the owner is guilty of a misdemeanor.

The named officers did not violate Department policy by refraining from taking action against the Urban Alchemy employee. They were not provided with any evidence indicating that the Urban Alchemy employee had broken any laws.

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

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

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officer issued her a citation for trespassing without cause.

The named officer stated that Urban Alchemy is responsible for operating and monitoring the dog park. He noted that an Urban Alchemy employee informed him that he had asked the complainant to leave the park, but the complainant refused to do so. The employee then signed a Citizen's Arrest Form for a misdemeanor not committed in his presence. The named officer stated he advised the complainant that failure to leave when asked would result in a citation. The complainant responded by requesting to be cited, and a citation was subsequently issued.

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Department records show that the named officers responded to an assault call. They met with an Urban Alchemy employee who reported that the complainant was engaged in a verbal dispute with another patron at the dog park and refused to leave when asked. The employee indicated that he wanted the complainant cited for Trespassing and subsequently signed a Citizen's Arrest Form. The named officers then spoke with the complainant, who stated she refused to leave because she believed the request was retaliatory due to her pending lawsuits against Urban Alchemy. The named officers informed her that if she did not go, she would be cited for trespassing. The complainant requested to be cited to have proof of police misconduct.

The Citizen's Arrest Form was signed by the Urban Alchemy employee against the complainant for trespassing.

Body-worn camera footage captured an Urban Alchemy employee reporting to the named officers that the complainant engaged in a verbal altercation with another patron, who had since left. The employee stated that he asked the complainant to leave the park, but she refused to do so. He then signed a Citizen's Arrest Form for trespassing against the complainant. The named officers informed the complainant that if she did not leave, she would be cited for trespassing. The complainant told the officers that the employee was retaliating against her due to her pending lawsuits against Urban Alchemy and requested to be cited to have proof of police misconduct.

Urban Alchemy is contracted by the San Francisco Recreation and Parks Department to monitor and staff the park.

Department General Order 5.04 states in relevant part that arrests by private persons may be made if a "public offense either attempted or committed in the presence of the private person or a misdemeanor, or felony committed in the presence of the private person." It further states, "A private person may arrest for public offenses not committed in the member's presence, and the member is required to receive a person so arrested."

Penal Code section 602 states in relevant part that a person who willfully commits a trespass by occupying real property without the consent of the owner is guilty of a misdemeanor.

The authorized caretaker of the dog park, the Urban Alchemy employee, asked the complainant to leave the park, and she refused. The employee signed a Citizen's Arrest Form, which requested officers to cite the complainant for trespassing. Department policy requires officers to issue a citation in this case. Had they not issued a citation, they would have violated Department policy.

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

SUMMARY OF ALLEGATION #4: The officer failed to provide required information.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officer issued her a citation for trespassing; however, the copy of her citation was not legible and appeared blank.

The named officer stated he did not intentionally provide the complainant with a nearly blank/illegible copy of the citation, nor was he aware of doing so. He noted that the citation was provided to the complainant before she signed and accepted her copy for review. The named officer stated that no questions about the citation were asked before the complainant signed, and at no point did the complainant inform him that the copy of the citation was illegible. He stated that after the complainant signed the citation, she willingly took the copy, folded it, and walked away.

Department records indicate that the complainant was issued a citation for trespassing.

The copy of the citation provided by the complainant appeared illegible with faint markings.

Body-worn camera footage showed the named officer writing clearly and legibly on the original copy of the citation. The footage does not show the legibility of the copy provided by the complainant, as he quickly ripped it from the original and handed it to the complainant.

It was unfortunate that the complainant's copy of the citation was illegible; however, this error does not appear to be intentional or malicious and does not warrant disciplinary action.

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 drove improperly.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated the named officer parked in a dangerous manner.

The named officer stated that police officers are exempt from parking restrictions when responding to a call for service. She said officers are exempt from the San Francisco Transportation Code.

Department records show that the named officers responded to an assault call. They met with an Urban Alchemy employee who reported that the complainant was engaged in a verbal dispute with another patron at the dog park and refused to leave when asked. The employee indicated that he wanted the complainant cited for Trespassing and subsequently signed a Citizen's Arrest Form. The named officers then spoke with the complainant, who stated she refused to leave because she believed the request was retaliatory due to her pending lawsuits against Urban Alchemy. The named officers informed her that if she did not go, she would be cited for trespassing. The complainant requested to be cited to have proof of police misconduct.

A Citizen's Arrest Form documents that an Urban Alchemy employee requested the complainant to be arrested (cited) for trespassing.

Body-worn camera footage showed the Named Officer double-park the patrol vehicle, blocking a lane of traffic.

California Vehicle Code section 22500 permits law enforcement officers to leave their vehicles in traffic.

The named officer was responding to a call for service regarding an assault. It would be unreasonable to expect an officer to locate legal street parking when responding to a call for service. The evidence proves that the alleged conduct occurred; however, the conduct was justified, lawful, and proper.

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

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CATEGORY OF CONDUCT: CUO

FINDING: U

FINDINGS OF FACT: The complainant stated that the named officers failed to take action on Urban Alchemy employees who sexually harassed her and asked her to leave a dog park. She stated the named officers profiled her and discriminated against her due to her low socioeconomic status, the color of her skin, and her status of Assigned Female at Birth (AFAB).

Named Officer #1 denied profiling the complainant. He stated that he was unaware of the complainant's socioeconomic status, medically assigned sex, or gender identity, and that even if he had been aware, it would not have influenced his actions. He further stated that the race of any individual involved in a police action does not affect how he conducts himself. Additionally, he noted that the Urban Alchemy employee expressed a desire to press charges and signed a Citizen's Arrest Form, which he accepted.

Named Officer #2 stated that the complainant's race, socioeconomic status, and sexual orientation or gender identity did not influence her actions. She indicated that she was not aware of any of these characteristics at the time, and affirmed that even if she had been, they would not have affected her conduct. Named Officer #2 explained that the complainant was asked to leave the park but refused to do so. As a result, Urban Alchemy completed a Citizen's Arrest Form for trespassing. She stated that named officer #1 accepted the citizen's arrest, and the complainant was subsequently cited and released.

Department records show that the named officers responded to an assault call. They met with an Urban Alchemy employee who reported that the complainant was engaged in a verbal dispute with another patron at the dog park and refused to leave when asked. The employee indicated that he wanted the complainant cited for Trespassing and subsequently signed a Citizen's Arrest Form. The named officers then spoke with the complainant, who stated she refused to leave because she believed the request was retaliatory due to her pending lawsuits against Urban Alchemy. The named officers informed her that if she did not go, she would be cited for trespassing. The complainant requested to be cited to have proof of police misconduct.

A Citizen's Arrest Form documents that an Urban Alchemy employee requested the complainant to be arrested (cited) for trespassing.

Body-worn camera footage captured an Urban Alchemy employee reporting to the named officers that the complainant engaged in a verbal altercation with another patron, who had since left. The employee stated that he asked the complainant to leave the park, but she refused to do so. He then signed a Citizen's Arrest

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Form for trespassing against the complainant. The named officers informed the complainant that if she did not leave, she would be cited for trespassing. The complainant told the officers that the employee was retaliating against her due to her pending lawsuits against Urban Alchemy and requested to be cited to have proof of police misconduct. Body-worn camera footage demonstrated that the named officers conducted themselves professionally and did not display any discriminatory behavior towards the complainant.

Urban Alchemy is contracted by the San Francisco Recreation and Parks Department to monitor and staff the park.

Department General Order 5.17 states in relevant part that officers must treat all people with dignity, fairness, and respect and carry out their duties in a manner free from bias.

The evidence does not support the allegation of bias, and there is no basis to determine whether the named officers treated the complainant in a biased manner.

The evidence proves that the conduct alleged did not occur.

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant alleged that the officer dismissed her evidence, which she said showed she was not home during the incident. She claimed the officer failed to investigate her proof and instead accepted the neighbor's allegations without review.

Body-worn camera footage showed the neighbor reporting an ongoing dispute. The neighbor alleged that the complainant approached her garage, screamed aggressively at her and her daughter, and held an unknown object. The officer noted his familiarity with their past conflicts, including a prior call from the complainant about the neighbor touching her doorbell. When contacted, the complainant denied the allegations, expressed frustration with repeated police visits, and reported receiving discriminatory notes from the neighbor. The officer reminded her that both parties could request police contact, explained the matter was part of a continuing civil dispute, and noted he had previously offered the same courtesy and provided resources for resolution.

Computer-Aided Dispatch (CAD) records confirmed that the complainant's neighbor made the call for service. The neighbor reported a verbal altercation, alleging the complainant acted aggressively, waved an item, and blocked access to the residence. The officer and backup officers responded to the scene. The officer closed the call as "verbal only, no crimes" and noted he had advised the neighbor at her request.

Department General Order 2.01, Rule 9 (Written Reports), requires officers to prepare written reports documenting criminal investigations or incidents where further law enforcement action may be necessary.

Based on the evidence, the named officer determined the call to be a verbal dispute with no evidence of a criminal offense and, therefore, handled the matter through advisement. Therefore, 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: PC

FINDINGS OF FACT: The complainant alleged that the officer was rude, hostile, and gaslit her during two police responses. In the first visit, she said the officer dismissed her evidence, which she claimed proved she was not home during the alleged incident. In the second response, after she called the non-emergency line, the officer returned with another officer. The complainant asked whether lying to the police was a crime and attempted to file a report about what she believed was her neighbor's false allegation. The complainant alleged that the officer accused her of misusing emergency resources, refused to take her report, and denied that the initial allegation of yelling at the neighbor had ever been made, which she described as gaslighting.

Body-worn camera footage from the first call showed the neighbor reporting that the complainant approached her garage, yelled aggressively at her and her daughter, and held an unknown object. The officer, familiar with prior disputes, spoke with the complainant, who denied the allegations, expressed frustration with repeated visits, and claimed the neighbor left her discriminatory notes. She became argumentative, and the officer ended the contact, noting it was a civil matter. On the second call, the complainant asked if lying to the police was a crime and sought to file a report. The named officer asked why she had not raised the issue earlier, explained that lying to police is a crime, and clarified that calling dispatch with that question was not an emergency.

CAD records confirmed that the first call was initiated by the neighbor, who alleged the complainant had acted aggressively and blocked access to her residence. The named officer responded as backup with her partner. The primary officer responded and cleared the call as "verbal only, no crimes," advising the neighbor per her request. The second CAD entry reflected the complainant's call for service, in which she alleged her neighbor lied to the police and requested to speak further with them. The named officer and her partner were dispatched. The call notes documented that the complainant was argumentative when told her concerns did not constitute a crime report, that she was advised not to call 911 for legal questions, and that she should instead follow up with the district station or pursue a restraining order.

Department General Order 2.01 (Rule 8 (b)) states that when acting in the performance of their duties, members shall treat the public with courtesy and respect and not direct discourteous or profane language at members of the public.

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The named officer was correct in telling the complainant that 9-1-1 is for emergencies only. CAD notes show that the complainant had, in fact, called 9-1-1 for a non-emergency question that could have been asked during the initial contact. Advising her to follow up with the local police station or to pursue a restraining order was an appropriate direction under the policy. The manner in which the named officer addressed the complainant was direct due to the complainant's repeated interruptions when the officers were responding to the calls for service. Therefore, 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

FINDING: PC

FINDINGS OF FACT: The officer refused to take a report for the neighbor's alleged false reporting of her.

Body-worn camera footage showed that the named officer told the complainant that the police are for emergencies, accused her of misusing emergency resources, and stated that she could not file a report because a crime hadn't occurred and that the issue pertained to a civil matter. When the complainant insisted that she had security camera evidence, the named officer told her they would not be filing a report for something she "made up in her head" to counter the verbal admonishment. The named officer's partner advised the complainant to pursue a restraining order if she wanted further protection.

SFPD Department General Order 2.01, Rule 9 (Written Reports), requires officers to prepare written reports for criminal investigations, allegations of criminal conduct, or when circumstances indicate that further review or enforcement action may be warranted. Matters determined to be civil in nature or lacking criminal elements generally do not require written reports. The evidence showed that the named officer did not file a report because the incident was assessed as a civil dispute and not a criminal matter, consistent with Department policy.

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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 stated that he was driving in the bus lane and was about to make a right turn into a parking garage. A motorcycle officer then pulled up behind him. He told the complainant that he was driving in the bus lane by crossing the solid white line. The officer then issued him a citation. The complainant said the DMV handbook and six different statutes said it was not illegal to cross a solid white line to prepare for a right turn into a garage. The complainant showed photos of his parking garage receipts to prove he was making a right turn into the parking garage.

Department records show that the complainant was cited for California Vehicle Code (CVC) section 21461(a) for failing to obey a traffic signal/drive in a bus and taxi-only lane.

Google Maps indicates that the lane next to the curb is a bus and taxi only lane painted in red, separated by a solid white line that transitions into a dashed line, and a sign has been posted that says, "Right lane, buses, taxis only at all times."

Body-worn camera footage shows that the named officer's motorcycle stopped in the bus and taxi lane, and then the complainant's vehicle cut in front of it before reaching the end of the solid white line.

CVC sec. 21461(a) reads, "it is unlawful for a driver of a vehicle to fail to obey a sign or signal defined as regulatory in the federal Manual on Uniform Traffic Control Devices, or a Department of Transportation approved supplement to that manual of a regulatory nature erected or maintained to enhance traffic safety ..."

The Department of Motor Vehicle Handbook (Section 6: Navigating the Roads) states, "[I]t is illegal to drive, stop, park or leave a vehicle in an area designated for public transit buses. Signs will be posted to indicate the lanes are for bus-only use. However, you may cross a bus lane to make a right turn."

CVC sec. 21655.1(a)(b) (Driving, Overtaking and Passing) reads:

"a person shall not operate a motor vehicle on a portion of a highway that has been designated as a transit-only traffic lane except in compliance with the directions of a peace officer or official traffic control

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device... This section does not apply to a driver who is required to enter a lane designated as a transit-only traffic lane in order to make a right turn...unless there are signs prohibiting turns across the lane or the lane is delineated by a physical separation...”

On the San Francisco Municipal Transportation Agency (MTA) website, the “Rules of When You Can Enter a Transit-Only Lane” clearly state, “when preparing to make a right turn, safely enter the transit-only lane as you approach the intersection or driveway (as you would with any right turn). Red transit lanes are often dashed approaching intersections to make it easier to see where you can enter the lane before making a turn.

The evidence collected proves that although it is legal to cross the bus and taxi-only lane to make a right turn, the SF MTA website makes it clear that drivers can only enter the lane through the dashed line, which the complainant did not.

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: PC

FINDINGS OF FACT: The complainant stated that after the officer told him he had crossed the solid white line, he was trying to explain the situation, but the officer interrupted his legal defense and did not give him an opportunity to speak. He believed the officer denied him his due process to defend himself.

Department records did not capture any conversations between the officer and the complainant. The back of the citation states drivers can dispute the citation in person by requesting a court date for a trial or by mail.

Body-worn camera (BWC) footage shows that the complainant told the officer he was turning into the garage. The officer then explained that he could enter the bus lane from the dashed line. The officer issued the complainant a citation. However, the BWC footage showed that the complainant was talking to the officer, but his voice was unintelligible, even to the officer, because his window was 80% closed. The officer then suggested the complainant take the matter to court, explained that signing the ticket is not an admission of guilt, and told him to handle the citation in one of the three ways he suggested.

The evidence gathered proves that the driver was encouraged to dispute the citation in person with the court or by mail, but not directly with the officer. The named officer explained to him on the scene that he could take the matter to court when formulating his legal defense and did not deny his due process rights to defend.

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

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SUMMARY OF ALLEGATIONS #1-4: The officers failed to properly investigate.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that she has been followed by groups of people believed to be sent from the Chinese government for many years. She suspected that several of her neighbors were Communist spies. She said that on the day of the incident, she heard a loud noise and believed her neighbors used a device to control her and unlock her doors in an attempt to harm her. Consequently, she called 9-1-1. She reported that her neighbor opened her door; however, the officers did not want to enter the neighbor's house. She said the officers told her they had no evidence that her neighbor had committed a crime, despite her witnessing the device, the unlocked door, and hearing the noise.

Named officer #1 stated that the complainant called 9-1-1, believing that her neighbor was a spy and had broken into her apartment, and she kept changing her stories during the call. The complainant told him she thought her neighbor was a special agent spy who had infiltrated the building's infrastructure and planned to destroy everything but did not mention any device used. All named officers stated that the complainant was uncooperative, as she would sometimes speak over the interpreter and the officers, and would not answer their questions. Officers #1 and #2 said she did not present any evidence at the scene, and they observed no signs of forced entry into her door. Officer #2 added that she scanned the nearby hallway for surveillance cameras but found none.

The Computer-Aided Dispatch (CAD) records indicated that the complainant called 9-1-1 to report her neighbor as a spy and attempting to break into her apartment, although she later changed her story. She refused to answer the dispatcher's questions and spoke nonstop in Mandarin or over the interpreter.

There are no other department records documenting the incident.

Body-worn camera footage captured that the complainant led the officers to her neighbor's door immediately upon their arrival, without explaining what had happened, and was stopped by the officers. The officer interviewed her via an interpreter; however, she loudly spoke over the interpreter and refused to answer the officers' questions or to allow them to check her door. She declined medical attention and did not produce any evidence that her neighbors had broken into her home. The footage also shows that no security cameras are installed near the apartment entrance.

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The evidence collected indicates that the officers spoke with the complainant, checked for evidence and security cameras, but found no proof that a crime had occurred.

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

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant's minor daughter was involved in a physical altercation with a teacher. The complainant said she was notified of the incident and went to the school, where she later called 911 for officer assistance. She said that the named officer failed to properly investigate the incident by not checking the school's surveillance cameras and naming her daughter as the suspect.

The named officer stated that he interviewed the complainant and her daughter. He also obtained a written statement from the daughter that was prepared before he arrived at the scene. The named officer stated that he interviewed the other party and a faculty member who witnessed the incident. He conferred with a supervisor on scene, who interviewed a second faculty member whose statement corroborated the information he had obtained during his investigation. He stated that he could not view the camera footage of the altercation because it was unavailable at the time.

The incident report showed that the officers on scene took the statements of both parties and witnesses who witnessed the incident. It appeared that the teacher blocked the complainant's daughter from entering the library to prevent a fight from occurring, as the complainant's daughter was determined to engage in a physical altercation with two male students. The complainant's daughter pushed the teacher out of her way, prompting the teacher to push her back and have her sit on a chair. The minor then grabbed the teacher by the neck and kicked her. A security officer arrived, and eventually the two were separated. The substitute principal and a staff member who witnessed the incident corroborated what the teacher had said, suggesting that the minor was the aggressor. Additionally, a supervisor on scene attempted to locate a video of the physical altercation, which was inaccessible at the time. He then asked the substitute principal to save the video.

The Department of Police Accountability obtained body-worn camera (BWC) videos of the incident as well as the corresponding incident report. The incident report was consistent with the BWC footage.

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Additionally, Department records showed that the case was forwarded to General Works for a follow-up investigation. It was determined during the follow-up investigation that the school's cameras did not capture the physical altercation.

The evidence showed that the named officer adequately investigated the incident, and the listing of the complainant's daughter as the suspect in the incident report after a thorough investigation was reasonable.

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

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

CATEGORY OF CONDUCT:

FINDING: IO-SFCA

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

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

CATEGORY OF CONDUCT: CUO

FINDING: PC

FINDINGS OF FACT: The complainant stated that she emailed the named officers requesting a police report of the incident. The complainant said the named officers never responded to her email which she found inappropriate.

Named officer #1 said that he was unable to read the email because it went to his junk folder. He said that as the commanding officer at that time of the concerned district police station, he answered emails but sometimes delegated such tasks to other personnel at the station. He stated that the complainant could have asked for a supervisor at the front desk or called the station to address her request for a police report, which would have been a more direct and effective way to address her concern.

Named officer #2 stated that he received the email but was unable to respond because it pertained to an issue that occurred outside his district coverage. He believed the commanding officer and staff of the concerned district police station, who were also on the email chain, were better positioned to respond to the email.

A review of the Department's policies reveals no explicit policy mandating a specific timeline or requirement for officers to respond to public emails.

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 complaint raises matters outside the DPA's jurisdiction.

CATEGORY OF CONDUCT: IO-1

FINDING: Referral/IAD

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

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

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

CATEGORY OF CONDUCT: ND

FINDING: NF

FINDINGS OF FACT: The complainant reported being threatened by a former partner during a move. According to the complainant, the threats were made within earshot of police officers. The complainant expected the officers to intervene and arrest the former partner. However, the officers did not take any action or make an arrest.

The complainant was unable to provide specific identifying information about the officers. To address this limitation, additional computer-based research was conducted, and the Department of Police Accountability (DPA) sent an identification poll (ID poll) to the nearest station in the area where the incident reportedly occurred, requesting assistance in identifying any officers who may have been present. Despite these efforts, the ID poll and supplementary research did not result in the identification of any involved officers. As a result, no findings could be made, as the officers in question could not be reasonably identified.

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

CATEGORY OF CONDUCT: ND

FINDING: U

FINDINGS OF FACT: The complainant stated that she heard a disturbance outside her window and called the police. To gain access to the area outside her window is through a shared garage. She believed that when the officers responded they unnecessarily delayed entry into the garage causing a faulty investigation into the incident. Rather than promptly enter the garage to the area in question, the officers asked her questions which may have allowed whoever or whatever was in the subject area to flee.

The evidence, including the Computer Aided Dispatch Report (CAD), Incident Reports, and Body-worn Camera Footage (BWC) showed that the complainant called the police to report that she heard someone on the property outside of her window. The named officers responded to the complainant's residence and met with the complainant to assess what had occurred. Prior to entering the garage, the officers ascertained whether the complainant had lawful access to the garage. The named officers asked if the garage was her garage and the complainant initially said no. However, upon further clarification and questioning by the officers, the complainant informed the officers that she was the property manager and that everyone in the building has keys. She explained that the garage is a communal garage and often used as a walkway by the residents. The evidence showed that the officers asked the appropriate questions prior to entering and thereafter conducted a walkthrough with the complainant. The named officers appropriately questioned her until they were sure they could lawfully enter the home.

The evidence proves that the conduct alleged did not occur.

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SUMMARY OF ALLEGATIONS #3-5: The officers failed to properly investigate.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officer failed to properly investigate the incident as the officers failed to adequately search the areas in question.

The above facts are hereby incorporated by reference. The evidence showed that after the named officers spoke with the complainant to ascertain what had occurred, the named officers accompanied the complainant to the area in question where she had heard disturbances. The complainant asked the named officers to look around the proximity to see if they could find some type of wire transmitting device or the like that could be responsible for such noises. The evidence showed that the named officers conducted a walk through with the complainant, listened to her concerns, and conducted a cursory look around the areas to see if they locate any such items. A more invasive search would not have been appropriate or necessary given the evidence presented at the time. Additionally, as mentioned above, the named officers asked all the appropriate investigative questions before taking any action.

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

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

COMPLAINT DATE: 05/11/2025

COMPLETION DATE: 09/23/2025

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SUMMARY OF ALLEGATION #5: The officer prepared an incomplete or negligently prepared report.

CATEGORY OF CONDUCT: ND

FINDING: U

FINDINGS OF FACT: The complainant stated that the named officer prepared an inaccurate report which included statements that made her appear out of touch with reality.

The named officer authored said incident report. The incident report narrative is consistent with the available evidence, such as the body-worn camera footage and the call for service generated by the complainant.

The evidence proves that the alleged conduct did not occur.

SUMMARY OF ALLEGATION #6: The complaint raises matters outside the Department of Police Accountability's jurisdiction.

CATEGORY OF CONDUCT:

FINDING: IO-1/IAD

FINDINGS OF FACT: This complaint raises matters outside the Department of Police Accountability's jurisdiction. This complaint was partially forwarded to:

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

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

COMPLAINT DATE: 05/13/2025 COMPLETION DATE: 09/16/25 PAGE# 1 of 4

SUMMARY OF ALLEGATION #1: The officer failed to comply with DGO 5.20.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant, who is Spanish-speaking, stated that a female driver ran a red light and hit her vehicle while she was driving her son. She said her husband arrived at the scene before the officers did. The husband then called the police, while she stayed in the vehicle to comfort her son. The complainant alleged that when the officers arrived, they only spoke to the husband and did not offer a Spanish interpreter. The complainant also said she did not request one.

Department records show that the other driver was the one calling 9-1-1 to report the non-injury traffic accident. The Computer-Aided Dispatch (CAD) did not indicate that anyone involved in the accident would need Spanish interpretation.

Body-worn camera (BWC) footage showed that the husband arrived before the police. When the officer arrived, he asked if they were okay, and the husband looked at his children and said, "Yeah," then continued talking with the officers in English. The husband did not mention that he was not involved in the accident, but the wife did. The complainant also did not show that she wanted to speak with the officer or request a Spanish interpreter.

The evidence demonstrates that because the complainant did not come forward to speak or request a Spanish interpreter, nor did her husband mention that she was involved in the accident, the officer would have had no way of knowing she needed Spanish interpretation or that she was the driver. Therefore, it was justified for the officer not to request a Spanish interpreter for the complainant.

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

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

COMPLAINT DATE: 05/13/2025 COMPLETION DATE: 09/16/25 PAGE# 2 of 4

SUMMARY OF ALLEGATION #2: The officer failed to provide medical attention.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officer did not speak to her to request an ambulance, check on her, or ask if she needed medical assistance.

The CAD indicates that this was a non-injury vehicle accident, and an ambulance was declined.

BWC footage shows that once the named officer arrived on scene, he asked if the complainant's party was okay. The husband responded positively after looking at his children. It captured that the complainant and the two sons were walking out of the vehicle and in the area, appearing uninjured. They did not approach the officers to request medical attention either.

The evidence shows that the first thing the named officer did upon arriving on scene was to check on the well-being of both parties and confirm injuries. The husband responded that they were fine, and therefore, an ambulance was not sent.

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

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

COMPLAINT DATE: 05/13/2025 COMPLETION DATE: 09/16/25 PAGE# 3 of 4

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant alleged that the officer did not speak with her to get her statement and only spoke with her husband and the other female driver.

The CAD shows that the female driver called 9-1-1 to report a non-injury vehicle accident. The officer advised the drivers to begin arranging a tow if the vehicle is not drivable and facilitated an exchange of information.

BWC shows that the complainant's husband was standing in front and speaking with the named officer throughout the interaction. He confirmed with the officer that they were okay, arranged for a tow, and would exchange information with the female driver. Throughout the interaction, the complainant did not appear to want to speak with officers on scene and was standing at least 10 feet away. Other officers on scene were directing traffic.

San Francisco Police Department (SFPD) Department General Order (DGO) 9.02 states, "when arriving at the scene of a non-injury vehicle crash, advise the involved parties that it is the policy of this department not to investigate or report vehicle crashes involving only property damage." The order outlines that officers would ensure the proper exchange of information between drivers and arrange for tows and direct traffic if necessary.

The evidence proves that the officers spoke with both parties, which are the husband and the female driver, to facilitate the exchange of information and arrange tows according to policy.

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

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

COMPLAINT DATE: 05/13/2025 COMPLETION DATE: 09/16/25 PAGE# 4 of 4

SUMMARY OF ALLEGATION #4: The officer failed to write an incident report.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that her husband asked the officers for a report, but they told the husband to exchange information with the other driver instead. The complainant later went to the Police Headquarters to find out that a traffic collision report was not prepared because she and the female driver exchanged information.

CAD records the incident as a non-injury vehicle incident.

Body-worn camera footage showed that the husband did not request a police report. The footage showed the officer asking if the two parties were able to exchange information and then confirmed if a tow was being arranged. He then explained to the two parties that law enforcement does not determine fault in this type of vehicle accident and advised them to contact the other party's insurance.

SFPD DGO 9.02 states, "It is the policy of this department not to investigate or report vehicle crashes involving only property damage." The order outlines that officers would ensure the proper exchange of information between drivers and arrange for tows and direct traffic if necessary. "If the individual insists on a report, the member should complete a CHP 555 report."

The evidence proves that officers are not required to prepare a report for a non-injury vehicle accident. Moreover, the husband did not request a report to be done to document the incident.

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

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

COMPLAINT DATE: 05/22/2025 COMPLETION DATE: 09/30/2025 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 contacted the Department of Emergency Management (DEM) to report someone attempting to enter their home - an incident the complainant believes occurs regularly - and requested police response. The complainant alleged that officers never responded because the named officer disregarded the call for service.

The named officer confirmed that the complainant had contacted DEM to request a police response due to a suspected attempted break-in. However, the officer stated that DEM records indicated the complainant frequently calls to report false emergencies. The officer explained that the call for service was disregarded at the direction of Dispatch after being informed of the call's nature and the complainant's history of making numerous false reports. The officer further noted that the complainant had placed dozens of such calls over the past few months, consuming valuable dispatcher time and resources that could have been directed toward actual emergencies.

The Department of Police Accountability (DPA) conducted additional research, confirming that the complainant made three calls to DEM on the date of the incident and a total of thirty-one calls over the previous twenty-two days. DEM had flagged the complainant's calls for additional scrutiny due to the high volume and false nature of previous reports.

Per Department Bulletin 19-106, patrol sergeants are responsible for directing unit activities, prioritizing pending assignments, ensuring efficient handling of calls, and acknowledging urgent situations requiring immediate supervision. They are also expected to review outstanding assignments to determine whether any require expedited responses.

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

COMPLAINT DATE: 05/22/2025 COMPLETION DATE: 09/30/2025 PAGE# 2 of 2

Based on the evidence, the complainant's call for service was disregarded due to the frequency and nature of past calls. The named officer acted in accordance with policy by prioritizing calls and managing unit assignments efficiently. Therefore, while the alleged conduct occurred, it was justified, lawful, and proper.

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

CATEGORY OF CONDUCT:

FINDING: IO-1/DEM

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

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

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

COMPLAINT DATE: 05/29/2025 COMPLETION DATE: 09/16/25 PAGE# 1 of 3

SUMMARY OF ALLEGATION #1: The officer knowingly engaged in biased policing or discrimination.

CATEGORY OF CONDUCT: CUO

FINDING: U

FINDINGS OF FACT: The complainant stated that the named officer pulled her over in her vehicle due to her race. The complainant acknowledged that she was driving without a rear license plate.

The named officer stated that he detained the complainant for driving without a rear license plate on her vehicle. The named officer stated he did not know the race of the complainant until after he had pulled her over. The named officer stated that race was not a factor in why he stopped the complainant.

SFPD documents showed that the complainant was stopped for not having a rear license plate. The complainant also had only a paper version of her driver license. The complainant was cited for driving without a rear license plate.

Body camera footage shows the named officer approaching the complainant's vehicle and explaining that he stopped her for not having a rear plate. The complainant immediately began yelling at the named officer, telling him that he was wasting her time. The footage shows the complainant did not have her physical driver license or registration on her. The named officer provided the complainant with a citation. The complainant continued to shout at the officer and call him racist.

There is no evidence that the traffic stop was racially motivated. The stop appears to have been for legitimate traffic enforcement violations admitted by the complainant.

The evidence proves that the alleged conduct did not occur.

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COMPLAINT SUMMARY REPORT**

COMPLAINT DATE: 05/29/2025 COMPLETION DATE: 09/16/25 PAGE# 2 of 3

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

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant stated that officers pulled her over without cause. She acknowledged to the DPA that her car did not have a rear plate affixed.

The named officer stated that he pulled the complainant over because she was driving a vehicle that did not have a rear license plate.

SFPD documentation showed that the complainant was pulled over for driving a vehicle without a rear license plate.

Body camera footage showed the named officer approaching the complainant's vehicle and explaining that he stopped her for not having a rear plate. The footage shows the complainant did not have her physical driver license or registration on her. The named officer issued the complainant a citation.

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

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

COMPLAINT DATE: 05/29/2025 COMPLETION DATE: 09/16/25 PAGE# 3 of 3

SUMMARY OF ALLEGATION #3: The officer failed to properly care for, process, or book property.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that the named officer took her paper driver's license and did not return it during a traffic stop. The complainant later confirmed that she had received her license in the mail.

SFPD documents showed that the named officer realized he had taken the license by mistake and mailed it back to the complainant. The accidental retention of a document does not rise to the level of misconduct. The officer remedied the mistake by mailing the license to the complainant.

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

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

COMPLAINT DATE: 05/28/2025

COMPLETION DATE: 09/16/25

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 alleged that the officer had wrongly detained him when he refused to provide his identification or prove ownership of the vehicle.

Body-worn camera footage showed that, upon arrival, officers observed the complainant removing items from a vehicle. Given the nature of the call, they requested his identification, which he initially refused to provide. The named officer informed him that he would be detained on suspicion of breaking into the vehicle and explained that verification of ownership was required because of the reported break-in. Although the complainant initially declined, he later offered to provide his “credentials” if necessary. He ultimately gave his identification to the named officer’s partner, who advised that the detention would remain in effect until ownership was confirmed.

The Computer-Aided Dispatch (CAD) records showed that the incident began with a text to 9-1-1 reporting suspicious activity on a residential street and described a man “rummaging through a vehicle with a flashlight.” Dispatch sent the named officer and his partner to the scene. The named officer contacted the complainant while his partner queried the complainant’s information. After verification, they determined the incident was accidental. The final disposition confirmed that the complainant was the registered owner of the vehicle and had simply been cleaning it.

Department General Order 5.03.04 states that when conducting an investigative detention, members are required to act with courtesy and professionalism in accordance with the General Rules of Conduct. Officers are expected to approach the person being stopped, identify themselves by name and rank, and provide an explanation for the detention as soon as it is practical and safe to do so. Members also have a duty to answer any questions the detained person asks regarding the 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: 05/28/2025 COMPLETION DATE: 09/16/25 PAGE# 2 of 2

SUMMARY OF ALLEGATIONS #2-3: The officers failed to provide his or her name or star number.

CATEGORY OF CONDUCT: ND

FINDING: U

FINDINGS OF FACT: The complainant claimed that the officers failed to provide their names and star numbers when requested.

Body-worn camera footage showed that when the complainant asked Named Officer #1 for Named Officer #2's name, while that officer was running the complainant's vehicle information inside the patrol vehicle, Named Officer #1 provided it promptly. Additionally, the complainant did not ask Named Officer #1 for his name and star number.

Department General Order 2.01.03, Rule 8(e), requires members to, when requested, promptly and politely provide their name, star number, and assignment.

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: 06/03/2025 COMPLETION DATE: 09/16/2025 PAGE #1 of 3

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

CATEGORY OF CONDUCT: CUO

FINDING: IE

FINDINGS OF FACT: Customs and Border Patrol (CBP) deputies at the San Francisco International Airport arrested the complainant for violating a restraining order. The deputies later handed her over to officers of the San Francisco Police Department (SFPD), who booked her at the San Mateo County Jail. She was able to post bail on the same day and was given a court date. The complainant returned to San Francisco from Oregon on the day of her court appearance but discovered that she was not listed on the court's calendar. A staff member informed her that her case was not on the calendar because they had just received the incident report of her arrest that morning. The clerk instructed her to check with the district station at the airport, which she did and spoke with the named officer. The complainant stated that the named officer made sexist comments by saying, "Maybe it's a girl thing," when they talked about getting her additional steps and resources. She found the remarks offensive. She said the officer also made racial comments by referring to the car that transported her to San Mateo County Jail as a paddy wagon.

The named officer stated that he saw the complainant talking loudly to another officer, so he walked over to assist. The complainant was upset because her case was not on the court's calendar. He informed the complainant that the SFPD was unaware of her case and that it was not their responsibility to send reports to courts in San Mateo. The named officer said the complainant believed it was their fault and demanded that they figure it out. The named officer stated that he could not recall making sexist or racial comments.

A witness officer stated that the named officer did not make such comments.

The complainant submitted cell phone videos showing her contacts with officers at the airport. The videos did not record her contact with the named officer.

There were no Department records of the contact. The evidence fails to prove or disprove that the alleged conduct occurred.

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

COMPLAINT DATE: 06/03/2025 COMPLETION DATE: 09/16/2025 PAGE #2 of 3

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

CATEGORY OF CONDUCT: CUO

FINDING: IE

FINDINGS OF FACT: The complainant asked for a supervisor and spoke with the named officer. The complainant said the officer attempted to contact the District Attorney's office about her case but refused to take further action to assist her. At one point, the complainant stated that she had informed him of her role as a supervisor at her office and that she would have taken action to resolve the situation. She told him she had a degree in criminal justice with an exceptional grade average. The complainant said the named officer replied to her, "I'm sure you would. I'm sure you would. That makes us different. You must be better than me." The complainant said that at one point, the named officer lunged at her but was held back by another officer.

The named officer stated that he could not reach anyone at the San Mateo County DA's office. He stated that the complainant believed he had an alternative phone number to contact them. However, he had none and lacked the resources to assist her further. He advised her to go to the DA's office to find more help and resources, but she refused, became angry, and told him that he was a useless, worthless, and unprofessional individual. He denied lunging at the complainant. He recalled the complainant mentioned that she works as a supervisor at her office and would do something to help a person in need of assistance. He replied, "I'm sure you would."

Witness officer #1 stated that the complainant was rude and yelling profanities. The witness officer said he walked in front of the complainant to de-escalate the situation.

Witness officer #2 stated that the named officer tried to assist the complainant by calling the DA's office. Witness officer #2 said that he did not witness the named officer lunge at the complainant.

The complainant's cell phone video footage neither showed the named officer lunging at the complainant nor making inappropriate comments.

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COMPLAINT SUMMARY REPORT**

COMPLAINT DATE: 06/03/2025 COMPLETION DATE: 09/16/2025 PAGE #3 of 3

The named officer's reply to the complainant did not rise to the level of misconduct.

There were no Department records of the contact.

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

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

COMPLAINT DATE: 06/03/2025 COMPLETION DATE: 09/30/2025 PAGE# 1 of 2

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 he heard officers knocking on his door. He told the officers that he needed to get dressed, but the officers insisted that he open the door, or they would break it down. When he partially opened it, he saw the named officer. The complainant alleged that the named officer then entered his apartment without cause.

The named officer said that the complainant was identified as the suspect who downloaded, searched, and accessed child pornographic images on the Internet. The provider of the Internet search engine that the complainant used to access the images alerted the National Center for Missing and Exploited Children (NCMEC), which, in turn, forwarded such information and images to the Department. The named officer said that he reviewed the images and determined they were child sexual abuse materials. The named officer said he and a group of officers responded to the complainant's apartment and executed a search warrant. They knocked on the door and announced themselves as police officers. The complainant slightly opened the door and said that he needed clothing to put on. The named officer said he entered the apartment, provided the complainant with clothes, and escorted him out. He had a search warrant and provided the complainant with a copy after his interview at a police station. The named officer stated that they seized the complainant's phone, hard drive, laptop computer, and an item (indicia) that contained the complainant's name and address. They provided the complainant with a property receipt for the seized items and had them booked into evidence and processed accordingly. The named officer stated that they activated their body-worn cameras (BWC) when they contacted the complainant and cleared his apartment. However, they deactivated when they searched the apartment to avoid capturing child sexual abuse materials.

The search warrant properly identified the complainant and provided an adequate description of his residence. It authorized the officers to search the residence for evidence of possession and/or distribution of child pornographic materials.

The Department of Police Accountability (DPA) obtained the incident report and BWC videos of the incident. The records were consistent with the statement the named officer provided to DPA. The BWC videos showed that the search warrant service was conducted appropriately, and no children were present during the incident. Non-recording during the search of the apartment was justified due to the sensitive

**SAN FRANCISCO DEPARTMENT OF POLICE ACCOUNTABILITY
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COMPLAINT DATE: 06/03/2025 COMPLETION DATE: 09/30/2025 PAGE# 2 of 2

nature of the case and the evidence the officers were trying to obtain at the time. The reason for deactivation was properly documented in the incident report.

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

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COMPLAINT SUMMARY REPORT**

COMPLAINT DATE: 06/03/2025

COMPLETION DATE: 09/09/2025

PAGE# 1 of 4

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that five people robbed him. He called 911 and asked for police assistance. The complainant said that no officers showed up to investigate the incident. He recalled approaching an officer who happened to be in the area. He told the officers what happened. The complainant said the officer took his statement but never investigated the robbery.

The named officers stated that they talked to the complainant, who said that he was robbed and assaulted by three suspects who then fled westbound on a nearby street. He said they canvassed the area to look for the suspects, but with negative results. They also spoke to an officer, who was on a fixed post, to see if he had witnessed or was aware of the robbery. The officer told them that no robbery had occurred, nor had anyone approached him reporting such an incident.

Named Officer #2 and another officer responded again to the area sometime thereafter to look for the suspects. He said he recalled the officer he was with going into the check-cashing store and talking to a staff member about the incident. The encounter, however, yielded negative results. He also called the complainant for additional details, but the complainant did not answer his phone. The officer he was with stated that he had no information or recollection of how the incident was investigated. He said that he responded multiple times to the area where the incident happened in response to various calls for service. He had responded to the check-cashing store on multiple occasions with Named Officer #2. However, he had no recollection of the incident in question.

A witness officer stated that he was on a fixed post near the area of the incident during the time the incident allegedly occurred. He did not witness any robbery happening in the area, and no one approached him to report such an incident. He recalled Named Officer #2 asking if he had observed a robbery. He told Named Officer #2 that he did not witness such a crime occurring.

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The Department of Police Accountability (DPA) obtained the corresponding incident report and body-worn camera footage of the incident. Both appeared consistent with the statements the named officers had provided to DPA and showed that the officers had adequately investigated the incident based upon the available information at the time.

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

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COMPLAINT SUMMARY REPORT**

COMPLAINT DATE: 06/03/2025

COMPLETION DATE: 09/09/2025

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

CATEGORY OF CONDUCT: ND

FINDING: U

FINDINGS OF FACT: The complainant alleged that no incident report was prepared.

Department records showed that the named officer drafted an incident report.

The evidence proves that the conduct alleged did not occur.

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

COMPLAINT DATE: 06/03/2025

COMPLETION DATE: 09/09/2025

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SUMMARY OF ALLEGATION #4: The officer failed to promptly respond to a scene.

CATEGORY OF CONDUCT: ND

FINDING: NF

FINDINGS OF FACT: The complainant stated that he called a couple of days after the incident to follow up and asked to meet with an officer. He said that no one responded or showed up to meet with him. The complainant, however, could not provide specific details. He could not recall the date, time, or location of the follow-up call.

There was no record or report of the call.

The case was not assigned for follow-up investigation, which the Department could reasonably do under the circumstances pursuant to Department policies.

The officer could not reasonably be identified.

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

COMPLAINT DATE: 06/04/2025 COMPLETION DATE: 09/26/2025 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 anonymous complainant reported that the officer did not assist at a vehicle versus bicycle accident when flagged down, stating, "As long as they exchange info, then it's fine," before driving away. The complainant noted that several other units responded to the incident and that he later saw the officer after they arrived back at the accident scene.

According to Department General Order 1.03, Patrol Duties, officers are required to respond promptly to assigned calls. However, it also states that when officers are in the vicinity of a serious incident, they are to respond and assist the unit assigned to the call. Department records indicate that the officer was dispatched and en route to another call when the complainant flagged him down. The Computer-Aided Dispatch (CAD) record indicated that the vehicle accident the complainant flagged the officer down for was a non-injury incident and after clearing his initial call, the officer was dispatched as backup to the vehicle accident.

While Department policy dictates that officers respond to serious incidents in their immediate vicinity, the officer's decision to inform the complainant that the parties should exchange information suggests that he did not believe the accident involved any injuries. The CAD confirms that the vehicle accident did not result in injuries; thus, the officer acted in accordance with Department policy by first proceeding to his assigned call.

The evidence indicates that the officer's actions did occur as alleged; however, the conduct was justified, lawful, and appropriate.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 06/05/2025 DATE OF COMPLETION: 09/30/2025 PAGE# 1 of 1

SUMMARY OF ALLEGATIONS #1-2: The officers failed to receive a private person's arrest.

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

FINDINGS OF FACT: The complainant was exercising his right to protest his Union during one of their regularly scheduled meetings from outside his Union's meeting hall with a loudspeaker and horn. The complainant said that he had been treated unfairly by his Union because they rarely referred him for new jobs, which resulted in a loss of income. The complainant intended to disrupt the Union meeting with his loudspeaker and horn. At some point, the complainant alleged that two Union members assaulted him while he was protesting and then retreated into the Union Hall. The complainant called police to have the incident documented with the expectation that the officers would locate and arrest the men responsible.

The incident report was corroborated by the officers' body-worn camera footage which documented the officers' investigation. The footage showed that the officers interviewed all the appropriate parties, canvassed the area for surveillance cameras, and searched for the people responsible based on the complainant's description. Unfortunately, there were no independent witnesses or surveillance cameras, and the officers were unable to locate the people matching the complainant's descriptions. As a result, the officers were unable to complete a private person's arrest.

Department General Order 5.04 states that if probable cause exists, such that an arrest should be made, accept the private person's arrest and book or cite the individual as appropriate (see DGO 5.06, "Citation Release"). If probable cause does not exist, officers are to accept the arrest and then advise the individual that they are free to leave. "In the event of no arrest or citation, the member shall advise and explain the situation to both parties and shall document the incident in a report."

The evidence showed that the officers were unable to make an arrest because they were unable to identify the suspects and they did not receive any evidence to corroborate the complainant's depiction of events. The officers prepared an incident report to document their investigation which was the appropriate action. Therefore, 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: 06/05/2025

COMPLETION DATE: 09/23/2025

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

CATEGORY OF CONDUCT: UA

FINDING: IE

FINDINGS OF FACT: The complainant was out shopping when the owner of a store accused the complainant of shoplifting. The complainant and the owner got into a verbal argument outside of the store where the complainant said the owner got in the complainant's face. The complainant said the named officer got in between the complainant and the owner while they were arguing to create distance between them. The complainant said as the officer tried to separate the parties the officer touched the complainant's right arm which was perceived as malicious.

The Department of Police Accountability (DPA) conducted computer research to verify and obtain evidence about the incident. However, the search yielded negative results.

The named officer was interviewed but was unable to recall the incident and interaction with the complainant. The named officer works foot patrol and explained that it is a very busy assignment, and he speaks to several people in the community during his shift. Although he was unable to recall the incident, the officer indicated that he would not have maliciously touched the complainant.

The DPA's investigation showed that there was no body-worn camera footage, incident report nor computer-aided dispatch record of the incident.

The investigation showed that there was a lack of evidence to substantiate the incident, given the officer's limited recollection, and the complainant's inability to recall additional incident information. Therefore, the evidence fails to prove or disprove that the alleged conduct occurred.

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

COMPLAINT DATE: 06/09/2025 COMPLETION DATE: 09/23/25 PAGE# 1 of 4

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

CATEGORY OF CONDUCT: CUO

FINDING: U

FINDINGS OF FACT: The complainant said a person assaulted and battered them. They reported the incident, the named officer responded to take the report, and when speaking with the complainant, smiled inappropriately at them while they were bleeding. The complainant also alleged that the named officer inappropriately joked in the incident report about some phrasing they used when giving their statement.

The named officer denied the allegation. He described his demeanor when interacting with the complainant as professional. He said he did not behave or speak inappropriately. He said the complainant used the word “bitch slap” when giving their statement, and he used that wording in the report to accurately document what they said and provided the definition so it could be easily understood by any other investigator who reviewed the report.

The incident report showed that the named officer documented the complainant’s statement accurately. He also provided a formal definition for the phrase in the report.

Body-worn camera (BWC) footage did not show the named officer smiling inappropriately at the complainant or speaking or behaving improperly. BWC footage showed the complainant used the above phrasing when describing the reported battery.

There was no evidence that the named officer behaved or spoke inappropriately.

The evidence proves that the conduct alleged did not occur.

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

COMPLAINT DATE: 06/09/2025 COMPLETION DATE: 09/23/25 PAGE# 2 of 4

SUMMARY OF ALLEGATION #2: The officer failed to make an arrest.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant said that a dog ran up to them at a park, and the dog owner yelled out not to touch the dog. The dog owner then approached and slapped the complainant in the face, resulting in injuries to the complainant's head and face. The complainant alleged that the named officer failed to arrest the individual who struck them in the face.

The named officer stated he was unable to corroborate whether the other individual committed a battery against the complainant. There were conflicting statements by the complainant and the other individual, and no independent witnesses or video footage of the incident. He stated that people in California have the legal right to defend real or personal property based on Judicial Council of California Criminal Jury Instructions No. 3476, and the individual said he had told the complainant to leave his dog alone and pushed the complainant away to protect his dog. The named officer said at the time of his investigation, he was not aware of the complainant's facial fracture that was later diagnosed.

Body-worn camera (BWC) footage showed that the complainant and the other individual provided conflicting statements to officers regarding what had occurred. Officers spoke to bystanders in the area and found no witnesses to the event or security cameras in the area. The officer took photographs of the complainant at the scene. The complainant was transported by medical personnel to a hospital.

The named officer documented both parties' statements in an incident report, noting that there were no independent witnesses or video footage to corroborate either specific account. The named officer documented that the complainant had a bloody nose and that they wanted to press charges. The named officer detailed that he was unable to establish probable cause to arrest the individual whom the complainant alleged had hit her in the face. A supplemental report taken later and made by another officer documented that the complainant had sustained a facial fracture.

Department General Order 5.04, Arrests by Private Persons, states in part that "When receiving an arrest from a private person, the decision to cite or book the suspect shall be made upon further investigation of SFPD and not the arresting person's preference. SFPD has a duty to investigate allegations raised by a private person."

The evidence showed that the named officer completed an initial investigation and was unable to establish probable cause of a battery.

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

COMPLAINT DATE: 06/09/2025 COMPLETION DATE: 09/23/25 PAGE# 3 of 4

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

SUMMARY OF ALLEGATION #3: The officer was inattentive to duty.

CATEGORY OF CONDUCT: ND

FINDING: IE

FINDINGS OF FACT: The complainant said the named officer gave them the wrong case number for the incident.

The complainant provided an image of a San Francisco Police Department Reportee follow-up form with the officer's name and a case number. The case number on the form was the incorrect case number when comparing it to the case number for the incident.

The named officer said he completed the follow-up form and provided the complainant with it. He said he did not intentionally provide the complainant with the wrong case number and said it was a mistake. He was not sure how he got the incorrect number and guessed that he may have misheard the case number when receiving it over the radio. He stated that it was an honest mistake on his part.

Body-worn camera footage for the incident showed the named officer providing the complainant with the follow-up form.

The evidence showed the named officer gave the complainant the wrong case number. It is unknown if it was done intentionally. The administrative error does not rise to the level of officer misconduct.

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

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

CATEGORY OF CONDUCT: ND

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

COMPLAINT DATE: 06/09/2025 COMPLETION DATE: 09/23/25 PAGE# 4 of 4

FINDING: U

FINDINGS OF FACT: The complainant said the named officer failed to document the severity of the violent crime she experienced in the incident report in order to let the other party get away with harming her.

The named officer denied the complainant's allegations. He stated that he documented the complainant's visible injury, complaint of pain and loss of consciousness, and he photographed her injury. He stated that he has no affinity for the other party involved, and he would not aid a violent offender in getting away with their crime. He stated that at the time of his investigation, he was not aware that the complainant had sustained a fractured bone in her face.

The incident report showed that the named officer documented that the complainant said they briefly lost consciousness after being slapped and that they had a bloody nose and a complaint of pain to their left eye socket area.

A supplemental report was written by another officer, which documented that the complainant's doctor advised that the complainant had sustained a facial bone fracture.

Body-worn camera footage showed that the named officer took the complainant's statement, took photographs of the complainant when on scene, asked them about losing consciousness, and what side of their face was hit. An ambulance was also requested to the scene for the complainant.

The evidence proves that the conduct alleged did not occur.

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

COMPLAINT DATE: 06/16/2025 COMPLETION DATE: 09/26/2025 PAGE# 1 of 5

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

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant stated that officers arrested him based solely on the unsupported allegations of his ex-wife.

The corresponding incident report showed that the complainant's ex-wife went to a district police station and reported a domestic violence incident. She provided a statement stating that two days earlier, the complainant called her and made threats to kill her if she did not allow him to see their children. In fear for her life, she called 911 for assistance. Officers responded to her house and conducted a well-being check on her and her children. She stated that the complainant had threatened to hurt her and other people in the past and that he had unregistered firearms. She recalled him brandishing a gun at her and seeing him punch a person. Based on her statement, the officers believed that she was scared of the complainant and believed his threat to be credible. The officer taking her report secured an Emergency Protective Order (EPO) and forwarded it to the district station covering the area where the complainant lived.

The supplemental incident report showed that Named Officer #1 briefed Named Officer #2 about the incident and the corresponding EPO. Named Officer #1 directed Named Officer #2 to arrest the complainant and serve him with the EPO. After reviewing the EPO and the associated incident report, Named Officer #2 believed there was probable cause to arrest the complainant for criminal threats. With the assistance of other officers, he arrested the complainant at his residence without further incident.

California Penal Code Section 422 states anyone who makes a threat to commit a crime that results in death or great bodily injury. Its key elements are (1) there must be a threat to commit a crime that would result in death or great bodily injury, (2) the person making the threat must have specific intent for it to be understood as a threat, (3) the threat, when viewed in context, must be so clear and direct that it leaves no room for doubt about the seriousness of the threat and the imminent prospect of its execution, and (4) the threat must cause the victim to reasonably place the person in fear for his or her life or safety of immediate family.

From the context of the ex-wife's statement, information gathered about the complainant's prior arrests for firearms violations, and documented domestic violence, it was reasonable for the officers to believe that the complainant had likely made criminal threats. He threatened to kill his ex-wife if the latter would

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

COMPLAINT DATE: 06/16/2025 COMPLETION DATE: 09/26/2025 PAGE# 2 of 5

not allow him to see their children. There was specific intent in the threats, and the complainant was in fear for her life and safety. Additionally, the incident report and the EPO contained information that the complainant possessed firearms or ammunition. A search conducted of the complainant's residence, pursuant to a search warrant, after the arrest validated this information. The search yielded a gun and firearm paraphernalia.

The Department of Police Accountability (DPA) obtained the Body-worn camera (BWC) videos of the arrest. The videos were consistent with the incident report and did not show any irregularity in the arrest.

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: 06/16/2025 COMPLETION DATE: 09/26/2025 PAGE# 3 of 5

SUMMARY OF ALLEGATION #3: The officer engaged in unwarranted action.

CATEGORY OF CONDUCT: UA

FINDING: U

FINDINGS OF FACT: The complainant alleged that the named officer arrested him in retaliation because of his advocacy work. He stated that the named officer ignored his statements and evidence during his arrest.

The named officer's BWC footage of the incident showed he was the officer in primary contact with the complainant. The footage showed he listened to the complainant's explanation, which was that he did not threaten his ex-wife and that the arrest was a form of retaliation from her, with whom he had already initiated a divorce. After patiently listening to the complainant, the named officer told him that they needed to take him to a police station for further investigation to clear things up. He advised him that if he wanted to make a statement, they had to read him his rights because he did not want him to make any incriminating statements, which the complainant seemed to understand. At one point, the complainant asked for his backpack, which contained paperwork he likely referred to as evidence in his complaint. The named officer complied and retrieved the backpack from his apartment in full view of the complainant.

The evidence proves that the conduct alleged did not occur.

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

COMPLAINT DATE: 06/16/2025 COMPLETION DATE: 09/26/2025 PAGE# 4 of 5

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

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant alleged that officers unlawfully searched his residence. He stated that officers raided his apartment and staged his anti-police work clothes on his bed.

Department records showed a search warrant was issued for the complainant's apartment after his arrest. As a result, the named officer led and directed a team of officers in conducting the search and seizure that yielded a gun and firearms paraphernalia. Thereafter, the officers processed the items and booked them into evidence.

DPA obtained the BWC videos of the search. The videos appeared consistent with what was documented in the supplemental incident report covering the search. The videos showed the named officer left a copy of the search warrant, officers meticulously searched every area in the apartment and secured seized items in property bags. At one point, as officers searched the complainant's bedroom, one of them came across the clothing while going over a pile of clothes placed on top of a bed. The officer looked at it for a moment and placed it back. Another officer also found a black bag with similar anti-police markings and put it on top of the pile of clothes.

The evidence shows there was no irregularity conducted in the search.

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: 06/16/2025 COMPLETION DATE: 09/26/2025 PAGE# 5 of 5

SUMMARY OF ALLEGATION #5: The officer made a material false statement.

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant stated that misrepresentations were made in the affidavit used to obtain the search warrant. He noted that the affidavit mentioned a 911 call as the reason for urgent intervention. However, there was no record or CAD of such a 911 call. He believed the urgency was fabricated to support the issuance of the search warrant.

The named officer's Statement of Probable Cause showed that he reviewed the incident report documenting criminal threats. The report indicated that officers responded to the ex-wife's residence and conducted a well-being check. It also showed that the complainant had threatened to shoot his ex-wife in the past and that he had unregistered firearms in his possession. The named officer recited such facts in his probable cause statement.

A Computer-Aided Dispatch (CAD) record showed that right after the complainant's threatening phone call, officers responded to the ex-wife's residence and conducted a well-being check. A separate CAD was also generated when the ex-wife went to a police station two days later and reported the threats.

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: 06/18/2025 COMPLETION DATE: 09/23/25 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: 06/16/2025

COMPLETION DATE: 09/10/25 PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO-1/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

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

COMPLAINT DATE: 06/24/2025 COMPLETION DATE: 09/23/25 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 alleged that an officer walked past them and called their partner a rude name. The complainant was later assaulted in the area and requested assistance from officers nearby. The complainant did not provide sufficient information to identify which officer had made the comment and did not respond fully to questions regarding the offending officer.

Officers in the area who were contacted by the complainant and their partner regarding the assault denied calling the complainant any names or hearing an officer do so.

Body-worn camera footage for the incident did not show officers making any rude comment to the complainant or the complainant's partner.

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

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

COMPLAINT DATE: 06/24/2025 COMPLETION DATE: 09/23/25 PAGE# 2 of 2

SUMMARY OF ALLEGATIONS #2-3: The officers failed to take required action.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant said that a person pushed them from behind, causing injuries. The complainant located officers nearby, requested help and medical assistance, and alleged that the officers initially refused to assist. The complainant said they had to ask the officers three times for help before one of the officers made a call for medical assistance.

The named officers said they were working in the area with another agency when they were flagged down by the complainant. They did not refuse to help the complainant and stated that they asked questions to obtain preliminary information regarding the crime and injury and called for an ambulance to respond. They said they did not see the suspect in the area. Other officers took over the investigation of the assault.

Department records showed a call for service regarding an assault and battery. The named officers advised dispatch that the scene was safe for medical personnel to arrive. Other officers were dispatched to the scene, and a case number was generated for the incident.

Body-worn camera (BWC) footage did not capture the complainant or their partner initially approaching officers for assistance. BWC footage showed that the named officers met with other officers who responded, advised them of the complainant's location, and the other officers contacted the complainant and took a report of the incident. BWC footage showed that an ambulance responding to the scene and Named Officer #1 spoke with one of the medics and briefed them on the complainant's location and complaint of pain.

The evidence showed that the named officers fulfilled their duties and obligations in this incident, as they called for an ambulance and assisted the responding officers and medical personnel with the incident.

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: 07/01/2025 COMPLETION DATE: 09/16/2025 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: M

FINDINGS OF FACT: By mutual agreement of the complainant and the named officer, the complaint was mediated and resolved in a non-disciplinary manner on 9/10/25.

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

CATEGORY OF CONDUCT: UA

FINDING: M

FINDINGS OF FACT: By mutual agreement of the complainant and the named officer, the complaint was mediated and resolved in a non-disciplinary manner on 9/10/25.

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

COMPLAINT DATE: 07/11/2025 COMPLETION DATE: 09/03/2025 PAGE# 1 of 2

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

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant, alleges that he was improperly cited while operating on airport property. The citation was issued for allegedly obstructing an intersection. The complainant denied blocking any intersection and believes the photograph taken by the issuing officer was misrepresentative and taken out of context. Furthermore, the complainant asserted that the officer did not make contact with him prior to issuing the citation, thus denying him an opportunity to contest the violation on site. Based on these concerns, the complainant believed the citation enforcement practices at the airport warrant further review.

The officer who issued the citation was interviewed during the investigation. The officer confirmed that the complainant was cited for obstructing an intersection marked with “KEEP CLEAR” signage. According to the officer, the complainant failed to ensure sufficient clearance before entering the intersection, thereby impeding the flow of traffic in violation of applicable regulations. The officer personally observed the violation and took a photo to preserve evidence of the violation. The citation was issued in accordance with the following provisions of the Airport Commission Rules and Regulations:

- **4.1(A) – Traffic Rule: California Vehicle Code §22526**, which states that “notwithstanding any official traffic control signal indication to proceed, a driver shall not enter an intersection or marked crosswalk unless there is sufficient space on the other side to accommodate the vehicle without obstructing the through passage of vehicles.”
- **4.1(C) – Failure to Comply with All Posted Signs and Road Markings**
- **4.7(A) – Failure to Comply with Permit Terms, Directives, and Requirements**

The officer further explained that he is authorized to stop vehicles and issue infraction citations at his discretion. While both administrative and infraction citations may be issued simultaneously under **Rule 14.0 – Enforcement and Administrative Appeal Procedure**, the officer noted that administrative

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

COMPLAINT DATE: 07/11/2025 COMPLETION DATE: 09/03/2025 PAGE# 2 of 2

citations are generally preferred, as appeals can be managed at the airport level rather than through San Mateo County Traffic Court.

At the time of the incident, the complainant was actively logged into two different platforms. Therefore, to ensure impartiality and avoid the appearance of favoritism toward any specific company, citations were issued under both

Additional information was obtained from the Airport's Ground Transportation Compliance Unit (GTCU) regarding enforcement procedures:

- Under the **Permit Agreement, Section 3.3(f)**, the permittee is responsible for informing its drivers of all applicable Airport Rules and Regulations. The agreement also requires permittees to either distribute a copy of the regulations to drivers or provide them with access to the official online version:
- If a driver is operating under multiple platforms at the time of a violation, administrative citations may be issued to each corresponding . This practice ensures neutrality and consistent enforcement across all authorized (currently four).
- Officers are trained that direct contact with drivers is not required at the time of the observed violation. This policy is intended to promote operational efficiency, avoid disruption of traffic flow, and maintain overall airport functionality.

The Department of Police Accountability (DPA) reviewed all materials submitted by both the complainant and the issuing officer. The evidence supports that the complainant's vehicle was observed obstructing an intersection marked with "KEEP CLEAR" signage. Although the complainant disputed the citation and expressed concern about the lack of officer contact, current enforcement protocols—endorsed by the GTCU—do not require immediate interaction with drivers.

The investigation determined that the citation was issued in accordance with established Airport Rules and Regulations and consistent enforcement procedures. Accordingly, the officer's actions were found to be lawful, justified, and within the scope of his authority.

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

COMPLAINT DATE: 07/14/2025

COMPLETION DATE: 09/03/2025

PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: M

FINDINGS OF FACT: By mutual agreement of the complainant and a representative for the San Francisco Police Department, the complaint was mediated and resolved in a non-disciplinary manner on 8/28/25.

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

COMPLAINT DATE: 07/14/2025 COMPLETION DATE: 09/23/2025 PAGE# 1 of 2

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant called the police to report threats made by her neighbor. However, officers had not responded to her residence until 12 hours after her call for service. During the 12 hours, she called Dispatch several times. Dispatch informed her that they were backed up and busy.

The original call for service generated by the complainant stated that the complainant believed that her landlord had turned all the neighbors against her and that her neighbor had told her to stay away from the building and that other neighbors “were saying things to her.” Dispatch had ultimately coded the call as a “priority C,” call for service. The Computer Aided Dispatch report (CAD) showed that the complainant had called to follow-up and Dispatch advised of delays. The CAD also showed that the named officer had not been assigned to the call until roughly 12 hours after the call had been made. Once dispatched, he promptly responded to the scene.

The Department of Emergency Management (DEM) assigns priority codes to each call for service which informs an officer of the seriousness/urgency of the call. The calls often range from “Priority A – Priority C.” Priority “A” is categorized as the highest level of priority indicating that a crime is in progress or there is an immediate threat to life and public safety, whereas a priority “C,” is used for incidents where a delay in police response will generally not adversely affect the outcome of the call for service as there is no immediate danger or imminent threat.

While DPA understands that waiting 12 hours for police response can be frustrating, DEM assigned the call for service as a Priority C, indicating that an imminent threat/emergency was not present. Additionally, when the officer had been assigned to the call, he responded quickly. Thus, any such delay in responding to the scene cannot be attributed to a neglect of duty on behalf of the named officer.

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: 07/14/2025 COMPLETION DATE: 09/23/2025 PAGE# 2 of 2

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

CATEGORY OF CONDUCT:

FINDING: IO-1/DEM

FINDINGS OF FACT: This complaint raises matters outside the Department of Police Accountability's jurisdiction. This complaint was partially forwarded to:

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

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

COMPLAINT DATE: 07/30/2025 COMPLETION DATE: 09/30/25 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated that he left his apartment one evening and returned home the next day to find his apartment door unlocked, despite having locked it before leaving. This has happened several times. The complainant stated that he has repeatedly called the police for updates (leaving multiple messages) but has never received a callback or been contacted by an assigned investigator.

The Incident Report documented that two officers responded to the complainant's home on the day he reported his door unlocked. They spoke with the complainant, who advised that nothing had been stolen, and the door was closed but unlocked. The officers provided the complainant with a follow-up form and a case number. A third officer was noted to have viewed the security footage and observed the complainant leave and arrive at the apartment; however, no other person was near his door during the time frame when the complainant was gone.

Department of Police Accountability (DPA) learned that this case had not been assigned to any investigative unit with SFPD, as the elements of burglary were not present, and no suspect was identified.

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: 08/01/2025 COMPLETION DATE: 09/25/25 PAGE# 1 of 2

SUMMARY OF ALLEGATIONS #1-3: The officers used unnecessary or excessive force.

CATEGORY OF CONDUCT: UF

FINDING: PC

FINDINGS OF FACT: The complainant said he was at an appointment with a federal agency, and the named officers arrived, grabbed, and handcuffed him. He was advised that he was getting arrested because he had an out-of-state warrant for his arrest. He alleged that the force the officers used to control him and place his hands behind his back was unnecessary.

Dispatch records showed a call from a federal department reporting a subject at their building who had a federal out-of-state warrant that was extraditable.

Body-worn camera footage shows the named officers approached the complainant, asked him to stand up and he did, and the officers held his arms and body while he was standing, placed his hands behind his back, and handcuffed him.

An incident report documents that the complainant was arrested for an active out-of-state warrant. The report includes the warrant number and violation, and that the officers received confirmation regarding the validity of the warrant.

Department General Order 5.01, Use of Force Policy and Proper Control of a Person, states in part that officers may use objectively reasonable force options in the performance of their duties when effecting a lawful arrest, detention, or search.

The evidence showed that the named officers conducted a lawful detention and did not use excessive or unnecessary force when handcuffing the complainant.

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

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

COMPLAINT DATE: 08/01/2025 COMPLETION DATE: 09/25/25 PAGE# 2 of 2

SUMMARY OF ALLEGATION #4: The officer made an arrest without cause.

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant stated he was arrested for an out-of-state arrest warrant and that the named officer did not have the authority to make the arrest.

Body-worn camera (BWC) footage showed that officers detained the complainant in the presence of federal officers, and the named officer advised the complainant that he had a warrant for his arrest from another state and that they were confirming the warrant with the Warrants Bureau. BWC footage showed an officer on the phone regarding the warrant, who asked for the warrant information and obtained a warrant number. The named officer told the complainant that he was under arrest.

A report documenting the incident showed that dispatch advised that the complainant was in a government building, had a confirmed out-of-state warrant that was extraditable, and there was a request for police to make the arrest. The report documented the arrest warrant number and violation, that the officers received confirmation regarding the warrant, and that the complainant was placed under arrest and transported to the county jail.

The evidence showed that the named officer had cause to arrest the complainant.

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

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

COMPLAINT DATE: 07/31/2025 COMPLETION DATE: 09/25/25 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: UA

FINDING: PC

FINDINGS OF FACT: The complainant alleged that the named officer improperly sought an Emergency Protective Order (EPO) because an active Temporary Restraining Order (TRO) issued by a different court was already in effect.

Department records show that the named officer responded to a call regarding an ongoing domestic violence case. The complainant's ex-boyfriend (other party) reported that the complainant sent, on multiple occasions, male escorts to his address. The other party stated that, as a result, he and his family members were threatened by the "pimp" of the escorts for harassing them and wasting their time. The named officer conducted a Lethality Assessment Questionnaire and found the other party's responses, qualifying him as a victim of high risk. The named officer contacted an on-call Superior Court Judge, who subsequently granted an EPO.

Department General Order (DGO) 6.08 (Domestic Violence) states in relevant part that a member "may obtain an EPO anytime reasonable cause exists for a member to believe that an adult or child is in immediate or present danger of domestic violence, . . . stalking . . . An EPO can only be issued by an on-call Superior Court Judge."

The complainant's alleged actions of sending male escorts to the other party's residence, during an active domestic violence case, can reasonably be interpreted as stalking and harassment. The other party's report of threats made by the escorts' purported "pimp," combined with the Lethality Assessment indicating a high risk, provided sufficient grounds for the named officer to seek an EPO. Department General Order 6.08 does not prohibit an officer from requesting an EPO when a TRO is already in effect. In addition, it was the Superior Court Judge, not the Named Officer, who ultimately issued the EPO.

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: 08/07/2025 COMPLETION DATE: 09/23/2025 PAGE# 1 of 3

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

CATEGORY OF CONDUCT: CUO

FINDING: U

FINDINGS OF FACT: The complainant arrived at his home where he resided for approximately five years to find that the building entrance was being boarded up and he was told he was not allowed to re-enter. The complainant got into a verbal altercation with the property manager and claimed he was being illegally evicted and had a right to reside on the property by the building owner in exchange for work. As a result, the complainant stated that he and the property manager got into a verbal altercation. The complainant said that the verbal altercation escalated after the complainant was headbutted by the property manager. The complainant reported the incident and told the officer that he wanted to make a private person's arrest. The complainant alleged that during their investigation, the named officer made inappropriate comments toward the complainant about their housing status.

The body-worn camera captured the officer's entire investigation of the incident. The officer arrived on scene and interviewed the complainant who claimed he was illegally evicted, refused re-entry, and headbutted by the property manager. The property manager alleged the complainant was the aggressor and denied headbutting the complainant. The property manager claimed the complainant got in his face and while wearing his hat, purposefully pushed the bill of his hat into the property manager's head therefore causing his own injury. The property manager also countered the complainant's eviction claims and advised that it was a multi-agency effort to clear the building of several squatters. The officer also spoke with witnesses and reviewed one of the witness's cell phone video as evidence. The cell phone video confirmed that a verbal altercation occurred between the complainant and the property manager, but the video did not show that the property manager headbutted the complainant as alleged. The named officer accepted the complainant's private person's arrest but did not issue citations due to the conflicting evidence. Additionally, the body-worn camera footage showed that the named officer was courteous, professional, and did not make any inappropriate statements as alleged.

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

8. Public Courtesy – Members/employees shall understand and follow the principles of Procedural Justice and incorporates them into their professional work environment. These principles include

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

COMPLAINT DATE: 08/07/2025 COMPLETION DATE: 09/23/2025 PAGE# 2 of 3

giving members of the community a voice (opportunity to speak), fair/impartial treatment, respect, and providing a trustworthy process.

When acting in the performance of their duties, members/employees shall:

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

The body-worn camera footage does not support the complainant's depiction of the officer's conduct. On the contrary, the evidence showed the officer was courteous and professional whilst conducting a thorough investigation. Therefore, the evidence proves the conduct alleged did not occur.

SUMMARY OF ALLEGATION #2: The officer used profanity.

CATEGORY OF CONDUCT: CUO

FINDING: U

FINDINGS OF FACT: The complainant alleged the named officer used profanity toward him.

The body-worn camera showed the officer arrived on scene as back-up after the primary officer had completed the investigation and was finishing paperwork to hand to the complainant. The complainant kept repeating that he had permission to live on the property. The named officer interrupted the complainant and told him to 'stop it' to which the complainant immediately replied, 'no, you stop it' and then alleged the investigating officer said he was lying. The video showed the named officer did not raise

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

COMPLAINT DATE: 08/07/2025 COMPLETION DATE: 09/23/2025 PAGE# 3 of 3

his voice, use profanity, or act in a manner unbecoming of an officer after he told the complainant to stop yelling at the investigating officer.

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

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

When acting in the performance of their duties, members/employees shall:

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

The body-worn camera footage does not support the complainant's representation of the officer's conduct. On the contrary, the evidence showed the officer remained professional and did not use profanity. Therefore, the evidence proves the conduct alleged did not occur.

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

COMPLAINT DATE: 08/09/25 COMPLETION DATE: 09/16/2025 PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO-1/Risk Management

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

San Francisco Police Department
Risk Management Division
1245 3rd Street
San Francisco, CA 94158

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

COMPLAINT DATE: 08/11/2025 COMPLETION DATE: 09/04/2025 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant had an altercation with a security guard of her building over stolen packages. She called 911 for police assistance. The complainant alleged in her complaint a delay in officer response.

The Computer-Aided Dispatch (CAD) associated with the incident indicated that the complainant was repeatedly advised about the delay in officer response. The named officer and his partner were initially en route to the scene, but as they proceeded to the location, they got preempted to take another critical call. The officers were en route again to the scene as backup and arrived at a reasonable time.

The evidence showed that the delay was not due to any negligence but was due how DEM and the Department had to prioritize calls for service at the time.

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

SUMMARY OF ALLEGATION #2: The officer failed to activate his body-worn camera as required.

CATEGORY OF CONDUCT: ND

FINDING: U

FINDINGS OF FACT: The complainant alleged that the officer failed to activate his body-worn camera.

DPA obtained Officer's BWC of the incident. It showed that he activated his camera from the time he arrived at the scene until the end of his investigation.

The evidence proves that the conduct alleged did not occur.

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

COMPLAINT DATE: 08/12/2025 COMPLETION DATE: 09/03/2025 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: PC

FINDINGS OF FACT: The complainant reported that he is the caretaker for his elderly mother. He stated the police arrived at her apartment and informed him that he needed to leave the building due to allegations of harassing the manager. When the police asked him to exit, he attempted to explain his situation, emphasizing that he was responsible for his mother's care. He expressed concern that his mother did not want his sister to take care of her because she feared being placed in a nursing home. The complainant was upset with the officers, feeling that they had left his mother alone, scared, and distressed, putting her in danger.

The body-worn camera footage showed that the officers spoke to both the complainant and the building manager, who signed a private person's arrest for trespassing as a precaution in case the complainant refused to leave. The footage showed the complainant eventually leaving the apartment to avoid arrest. It also showed the complainant's daughter remained on the premises to stay with her grandmother. The officers confirmed with management that emergency care for the complainant's mother was arranged before they departed.

Building management told police officers that the complainant was not on the lease and was not welcome at the building.

The DPA's investigation confirms that the officers acted appropriately. After being informed of his options, the complainant voluntarily left the premises. The officers made sure that the complainant's mother had interim care in place before they left.

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: 08/12/2025 COMPLETION DATE: 09/09/2025 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: NF

FINDINGS OF FACT: The anonymous complainant filed an online complaint to report that their neighbor behaves inappropriately and should have been kicked out the apartment building multiple times. The complainant is confused as to why officers refuse to detain this individual and often treat the situation lightly, especially when the neighbor acts foolishly.

The DPA reached out to the complainant to obtain more information about the incident. However, the complainant did not respond. Additionally, the complainant did not identify any specific officer, and the DPA was unable to confirm if they found a record of the incident based on the information provided in the online complaint. Due to this lack of evidence, there was insufficient information to proceed with an investigation.

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

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

COMPLAINT DATE: 08/11/2025 COMPLETION DATE: 09/30/2025 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: NF

FINDINGS OF FACT: The complainant stated that they went to a district police station to report retaliatory harassment, defamation, and intimidation by tenants in his building. The complainant stated that the officer whom he spoke with at the station refused to take his report.

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

The officer could not be reasonably identified.

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

COMPLAINT DATE: 08/18/2025 COMPLETION DATE: 09/16/25 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: The officer drove improperly.

CATEGORY OF CONDUCT: ND

FINDING: NF

FINDINGS OF FACT: The complainant stated in an online complaint that an officer recklessly drove a City vehicle on the street and also ran a red light.

The complainant filed an anonymous online complaint and provided no contact information. The information captured in the online submission was insufficient for the Department of Police Accountability (DPA) to conduct a thorough investigation.

DPA sent an Identification Poll to the District containing the location of the alleged misconduct, which resulted in no identification of an involved officer.

DPA was unable to independently identify the officer based solely on information provided in the complainant's written statement, which did not describe the officer. Therefore, there was insufficient information to investigate the complaint.

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

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

COMPLAINT DATE: 08/20/2025 COMPLETION DATE: 09/03/25 PAGE# 1 of 2

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

CATEGORY OF CONDUCT: UA

FINDING: NF

FINDINGS OF FACT: The complainant stated he was issued a “false” ticket for driving under the influence. The description and name of the officer did not match anyone on the Department roster.

San Francisco Traffic Court showed no ticket was issued to the complainant. Department records showed no correlating traffic stop recorded involving the complainant.

Because the complainant could not identify the specific officers involved in the interaction, the Department of Police Accountability (DPA) sent an Identification Poll (ID Poll) to the district station. 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 officers.

The identity of the officers 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.

SUMMARY OF ALLEGATION #2: The officer failed to properly care for, process, or book property.

CATEGORY OF CONDUCT: ND

FINDING: NF

FINDINGS OF FACT: The complainant stated that an officer demanded his driver’s license, took it, and failed to return it to him. The description and name of the officer did not match anyone on the Department roster.

Department records showed no correlating traffic stop recorded involving the complainant.

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

COMPLAINT DATE: 08/20/2025 COMPLETION DATE: 09/03/25 PAGE# 2 of 2

Because the complainant could not identify the specific officers involved in the interaction, the Department of Police Accountability (DPA) sent an Identification Poll (ID Poll) to the district station. 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 officers.

The identity of the officers 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: 08/21/2025 COMPLETION DATE: 09/16/2025 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: NF

FINDINGS OF FACT: According to the anonymous complainant, while they were riding a bicycle in a designated bike lane, a patrol vehicle exited an alleyway and nearly struck them. The complainant alleged that the officer driving the vehicle failed to yield the right-of-way and operated the vehicle improperly, nearly causing a collision.

The complainant did not provide the Department of Police Accountability (DPA) with specific details about the officer or the patrol vehicle involved. To overcome these limitations, the DPA sent an identification poll (ID poll) to the nearest station in the area where the incident allegedly occurred, requesting assistance in identifying any officers who might have been involved. Unfortunately, the identification poll returned negative results, and no officers were identified. Due to the lack of sufficient information and the complainant's anonymity, which prevented any follow-up for additional details, the officer involved could not be identified. Accordingly, no findings are made, as an officer cannot reasonably be identified.

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

COMPLAINT DATE: 08/22/2025 COMPLETION DATE: 09/17/25 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: CUO

FINDING: PC

FINDINGS OF FACT: The complainant stated the named officer yelled his name when he saw him at a BART plaza. The Department of Police Accountability attempted multiple times to make contact with the complainant to elicit further details of his complaint; however, the complainant was unreachable.

The named officer stated he observed the complainant illegally selling meat products on the sidewalk. When he exited his patrol vehicle, the complainant began picking up his items. He said he addressed the complainant by name and reminded him that he had just arrested him for the same thing a few days prior. He stated that the complainant then walked away.

Department records indicate that the complainant was arrested for selling stolen goods at the exact location of this incident.

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

The complainant's allegation, without further context, does not show officer misconduct or a violation of Department policy. In addition, the named officer's action of addressing the complainant by name did not constitute a violation of Department policy. This conduct was appropriate.

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: 08/22/2025 COMPLETION DATE: 09/30/25 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: CUO

FINDING: NF

FINDINGS OF FACT: The complainant stated that as they walked past officers with guns outside the police station, multiple officers cocked their weapons. The complainant asked an officer why they were parked on the sidewalk. The officer responded in an angry or disrespectful tone. As the complainant walked away, the officer made a provocative remark directed at him.

DPA was unable to independently identify the officer based solely on information provided by the complainant. A no finding outcome occurs when DPA cannot complete an investigation because the officer cannot be reasonably be identified.

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

COMPLAINT DATE: 08/22/2025 COMPLETION DATE: 09/30/25 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: CUO

FINDING: NF

FINDINGS OF FACT: The complainant alleged that two officers approached within a foot of him, shouted “BANG,” made a hand gesture mimicking a gun, and then laughed.

DPA was unable to independently identify the officer based solely on information provided by the complainant. A no finding outcome occurs when DPA cannot complete an investigation because the officer cannot be reasonably be identified.

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

COMPLAINT DATE: 08/23/2025 COMPLETION DATE: 09/03/25 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: 08/25/2025 COMPLETION DATE: 09/25/25 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: NF/W

FINDINGS OF FACT: The complainant filed a complaint stating that officers refused to investigate an assault on him. However, the complainant did not provide further information.

The complainant requested a withdrawal of the complaint later.

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

COMPLAINT DATE: 08/28/2025 COMPLETION DATE: 09/25/25 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: CUO

FINDING: NF

FINDINGS OF FACT: In an anonymous online complaint, the complainant stated an officer parked a patrol vehicle in a bicycle lane. The complainant did not provide any evidence of the alleged conduct such as a photograph.

Because the anonymous complainant did not identify the specific officer involved in the incident, the Department of Police Accountability (DPA) sent an Identification Poll (ID Poll) to a Unit Commander. An ID Poll describes the incident and asks the captain and/or members of the station to review the incident description and identify the officer(s) that were involved. The ID Poll came back with negative results.

The anonymous complainant did not provide DPA with contact information and indicated that they did not wish to be contacted and therefore DPA was unable to request additional information from the complainant.

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: 08/28/2025

COMPLETION DATE: 09/03/25

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 the Department of Police Accountability's jurisdiction.

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

COMPLAINT DATE: 08/28/2025

COMPLETION DATE: 09/03/25

PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: Referral/DEM

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

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

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

COMPLAINT DATE: 08/29/25

COMPLETION DATE: 09/03/2025

PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO-1/SFSU

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

San Francisco State University Police Department
Division of Campus Safety
1600 Holloway Ave
San Francisco, CA 941532

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

COMPLAINT DATE: 08/29/2025 COMPLETION DATE: 09/09/2025 PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO-2

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

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

COMPLAINT DATE: 09/02/2025

COMPLETION DATE: 09/17/2025

PAGE# 1 of 1

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

CATEGORY OF CONDUCT: CUO

FINDING: NF

FINDINGS OF FACT: The complainant observed an officer in an unmarked black and white car waiting for the traffic signal at an intersection. She heard the officer refer to an individual using a derogatory remark. The officer then drove away when the traffic signal turned green. The complainant identified the number on the vehicle that the officer was using.

Department inquiry yielded information that the vehicle was assigned to a district police station. The station's vehicle log did not indicate any unit or officer operated the vehicle that day.

Because the complainant could not identify the specific officer involved in the interaction, the Department of Police Accountability sent an Identification Poll to the district station. An identification poll describes the incident and asks that the captain and/or members of the station review the incident description and identify officer(s) that were involved. The identification poll came back with negative results.

Therefore, there was insufficient information to reasonably identify the officer.

**DEPARTMENT OF POLICE ACCOUNTABILITY
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 09/03/2025 DATE OF COMPLETION: 09/09/25 PAGE# 1 of 1

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

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

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

City of Laredo
Attn: City Council
1110 Houston Street
Laredo TX 78040

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

COMPLAINT DATE: 09/04/2025 COMPLETION DATE: 09/23/25 PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO-2

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

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

COMPLAINT DATE: 09/05/2025 COMPLETION DATE: 09/25/25 PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO-2

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

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

COMPLAINT DATE: 09/05/2025 COMPLETION DATE: 09/25/25 PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO-2

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

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

COMPLAINT DATE: 09/05/2025

COMPLETION DATE: 09/25/25

PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO-2

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

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

COMPLAINT DATE: 09/05/2025

COMPLETION DATE: 09/17/25

PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO-2

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

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

COMPLAINT DATE: 09/07/2025 COMPLETION DATE: 09/17/25 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: The complaint raises matters not rationally within DPA's jurisdiction.

CATEGORY OF CONDUCT:

FINDING: IO-2

FINDINGS OF FACT: This complaint raises matters not rationally within DPA's jurisdiction.

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

COMPLAINT DATE: 09/05/25

COMPLETION DATE: 9/16/2025

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: 09/08/2025 COMPLETION DATE: 09/16/25 PAGE# 1 of 1

SUMMARY OF ALLEGATION #1: The complaint raises matters not rationally within DPA's jurisdiction.

CATEGORY OF CONDUCT:

FINDING: IO-2

FINDINGS OF FACT: This complaint raises matters not rationally within DPA's jurisdiction.

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

COMPLAINT DATE: 09/08/2025

COMPLETION DATE: 09/16/25

PAGE# 1 of 1

SUMMARY OF ALLEGATION #: The complaint raises matters not rationally within DPA's jurisdiction.

CATEGORY OF CONDUCT:

FINDING: IO-2

FINDINGS OF FACT: This complaint raises matters not rationally within DPA's jurisdiction.

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

CATEGORY OF CONDUCT:

FINDING: IO-1/SFDA

FINDINGS OF FACT: This complaint raises matters not rationally within DPA's jurisdiction.

San Francisco District Attorney's Office
850 Bryant Street, Rm. 322
ATTN: Administration
San Francisco, CA 94103

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

COMPLAINT DATE: 09/09/2025

COMPLETION DATE: 09/23/25

PAGE# 1 of 1

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

CATEGORY OF CONDUCT: CUO

FINDING: IO-1

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

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

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

COMPLAINT DATE: 09/09/2025 COMPLETION DATE: 09/16/2025 PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: IO-1/IAD

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

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

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

COMPLAINT DATE: 09/12/2025 COMPLETION DATE: 09/23/2025 PAGE# 1 of 1

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

CATEGORY OF CONDUCT: ND

FINDING: NF/W

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

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

COMPLAINT DATE: 09/22/2025 COMPLETION DATE: 09/30/2025 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: 09/23/2025

COMPLETION DATE: 09/26/25

PAGE# 1 of 1

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

CATEGORY OF CONDUCT:

FINDING: Referral / IO-1

FINDINGS OF FACT: This complaint raises matters outside the DPA's jurisdiction. This complaint was a full referral to:

San Francisco Police Department
Mission District Station
630 Valencia Street
San Francisco, CA 94110