

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Joyce M. Hicks
Executive Director

July 6, 2016

President Suzy Loftus and Members of the San Francisco Police Commission

Re: Office of Citizen Complaints Statistical Reports, Summary of Cases Received in May 2016, Mediation of Complaints in May 2016, Adjudication of Sustained Complaints in May 2016, and Companion Reports

Dear President Loftus and San Francisco Police Commissioners,

Statistical reports, Summary of Complaints Received in May 2016 and Companion Reports

In compliance with San Francisco City Charter section 4.127 and Police Commission Resolution number 97-04 that require the Office of Citizen Complaints (OCC) to provide the Police Commission with a monthly summary of complaints received including the number and type of complaints filed, attached please find a summary of cases received in May 2016, a comprehensive statistical report, a pending case list, and a how complaints were received report for the period January 1, 2016 through May 31, 2016 and for comparison purposes, the same reports for the period January 1, 2015 through May 31, 2015.

Mediation of Complaints in May 2016

The OCC mediated five cases in May, 2016 with a total of 24 cases mediated from January 1, 2016 through May 31, 2016. The OCC mediated three cases in May 2015 with a total of 22 cases mediated from January 1, 2015 May 31, 2015.

Chief's Proposed Discipline on OCC Sustained Complaints in May 2016

In May, 2016, then Chief Gregory P. Suhr made findings and proposed discipline in two cases and Interim Chief of Police Toney Chaplin proposed discipline in one case investigated by the OCC and determined by the OCC Director Joyce M. Hicks to have sustainable allegations. The OCC's findings and the Chief's proposed discipline are as follows:

1. In violation of DGO 5.20, Language Access Services for Limited English Proficient Persons (LEP), an officer failed to advise the complainant of her right to a Russian-speaking interpreter causing him to provide inadequate police services to the complainant. **The officer was admonished and retrained.**

2. A sergeant was sustained for three counts of neglect of duty as follows:
 - a. Seizing a cell phone belonging to the complainant but failing to prepare a property receipt form and to issue the complainant a property receipt in a timely manner, in violation of DGO 6.15, property processing.
 - b. Handcuffing the complainant but failed to issue him a Certificate of Release, in violation of DGO 5.03.
 - c. Failing to properly process property by seizing a cell phone belonging to the complainant but not documenting the seizure of this evidence or establishing and documenting a chain of custody, in violation of DGO 6.02 and the SFPD Field Training Manual.

The sergeant received a written reprimand and retraining.

3. In violation of DGOs 1.03 and 2.01 an officer failed to investigate and failed to make required written reports of a crime or incident requiring police attention. Complainant complained that the complained of officer inadequately responded to her request for assistance after in her absence and on civil standby other officers permitted her ex-boyfriend into her apartment and he took her property. The complained of officer admitted the complainant told him that her ex-boyfriend had taken some of her belongings during a civil standby. Instead of investigating the complainant's allegation of theft, the officer referred her to the district station and to the OCC. The officer failed to investigate the alleged theft of the complainant's property and failed to document the incident in an incident report. **The officer received a written reprimand and retraining.**

Joyce M. Hicks



Executive Director
Office of Citizen Complaints

Attachments

CASES RECEIVED
May 2016

THE POLICE COMMISSION
OFFICE OF CITIZEN COMPLAINTS
CITY AND COUNTY OF SAN FRANCISCO



Case #	Received	Synopsis of Case
0203-16	05/03/2016	FAILURE TO TAKE REQUIRED ACTION/INAPPROPRIATE BEHAVIOR
0204-16	05/02/2016	THREATENING/HARASSING BEHAVIOR
0205-16	05/03/2016	INAPPROPRIATE BEHAVIOR/BIASED POLICING
0206-16	05/03/2016	ARREST/INTERFERED WITH ONLOOKERS/TIGHT CUFFS
0207-16	05/03/2016	DETENTION WITHOUT JUSTIFICATION
0208-16	05/04/2016	INACCURATE REPORT
0209-16	05/04/2016	CITATION
0210-16	05/04/2016	INAPPROPRIATE BEHAVIOR
0211-16	05/05/2016	DETENTION AND ARREST WITHOUT CAUSE
0212-16	05/05/2016	INAPPROPRIATE BEHAVIOR/DETENTION
0213-16	05/05/2016	INFORMATION ONLY
0214-16	05/05/2016	FAILED TO TAKE REQUIRED ACTION
0215-16	05/05/2016	DETENTION/BIASED POLICING
0216-16	05/06/2016	HARSH LANGUAGE/BEHAVIOR
0217-16	05/06/2016	UNNECESSARY FORCE
0218-16	05/06/2016	INAPPROPRIATE COMMENTS/BEHAVIOR
0219-16	05/04/2016	INAPPROPRIATE COMMENTS
0220-16	05/09/2016	INAPPROPRIATE BEHAVIOR/ARREST WITHOUT CAUSE
0221-16	05/09/2016	INAPPROPRIATE BEHAVIOR
0222-16	05/09/2016	INAPPROPRIATE BEHAVIOR/FAILURE TO WRITE REPORT
0223-16	05/10/2016	BIASED POLICING/INTIMIDATING BEHAVIOR/UNNECESSARY FORCE
0224-16	05/11/2016	FAILURE TO WRITE AN ACCURATE REPORT
0225-16	05/12/2016	INAPPROPRIATE BEHAVIOR

Case #	Received	Synopsis of Case
0226-16	05/11/2016	INAPPROPRIATE COMMENTS
0227-16	05/13/2016	UNNECESSARY FORCE/DETENTION
0228-16	05/13/2016	CITATION WITHOUT CAUSE/RACIAL PROFILING
0229-16	05/13/2016	HARASSMENT/FAILURE TO INVESTIGATE/BIASED POLICING
0230-16	05/13/2016	FAILURE TO TAKE REQUIRED ACTION
0231-16	05/13/2016	FAILURE TO TAKE REQUIRED ACTION
0232-16	05/16/2016	PROFANITY AND DETENTION WITHOUT JUSTIFICATION
0233-16	05/16/2016	ARREST WITHOUT CAUSE
0234-16	05/16/2016	FALSE CHARGES
0235-16	05/16/2016	FAILURE TO INVESTIGATE
0236-16	05/16/2016	FAILED TO TAKE REQUIRED ACTION
0237-16	05/18/2016	INAPPROPRIATE COMMENTS
0238-16	05/18/2016	OFFICERS CHASED, BEAT MAN WITH BATONS
0239-16	05/19/2016	FAILED TO RESPOND TO ROBBERY REPORT
0240-16	05/04/2016	DETENTION/FORCE/BIASED POLICING
0241-16	05/20/2016	INAPPROPRIATE COMMENTS/BEHAVIOR
0242-16	05/19/2016	UNWARRANTED CITE
0243-16	05/19/2016	UNWARRANTED ARREST
0244-16	05/19/2016	INAPPROPRIATE BEHAVIOR
0245-16	05/20/2016	INFORMATION ONLY
0246-16	05/21/2016	INFORMATION ONLY
0247-16	05/20/2016	CITE/BEHAVIOR
0248-16	05/23/2016	STRIP SEARCH WITHOUT CAUSE
0249-16	05/25/2016	INAPPROPRIATE, RACIST COMMENT/BEHAVIOR
0250-16	05/23/2016	SHOPPING WHILE ON DUTY
0251-16	05/20/2016	INAPPROPRIATE BEHAVIOR/COMMENTS

Case #	Received	Synopsis of Case
0252-16	05/24/2016	UNNECESSARY FORCE
0253-16	05/25/2016	INFORMATION ONLY
0254-16	05/26/2016	FAILURE TO TAKE REQUIRED ACTION
0255-16	05/26/2016	INAPPROPRIATE BEHAVIOR
0256-16	05/27/2016	FAILURE TO TAKE REQUIRED ACTION/INAPPROPRIATE BEHAVIOR
0257-16	05/27/2016	CITATION WITHOUT JUSTIFICATION
0259-16	05/27/2016	INAPPROPRIATE & INTIMIDATING BEHAVIOR
0260-16	05/28/2016	IMPROPER DRIVING
0261-16	05/30/2016	WRITING AN INACCURATE CITATION/CITATION WITHOUT CAUSE
0270-16	05/31/2016	FAILED TO TAKE REQUIRED ACTION

