OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Joyce M. Hicks Executive Director

October 12, 2016

President Suzy Loftus and Members of the San Francisco Police Commission

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

Dear President Loftus and San Francisco Police Commissioners.

Statistical reports, Summary of Complaints Received in September 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 September 2016, a comprehensive statistical report, a pending case list, and a how complaints were received report for the period January 1, 2016 through September 30, 2016 and for comparison purposes, the same reports for the period January 1, 2015 through September 30, 2015.

Mediation of Complaints in September 2016

The OCC mediated four cases in September 2016 with a total of 40 cases mediated from January 1, 2016 through September 30, 2016. The OCC mediated four cases in September 2015 with a total of 41 cases mediated from January 1, 2015 through September 30, 2015.

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

In September 2016, Acting Chief of Police Toney Chaplin proposed discipline in four cases investigated by the OCC and determined by the OCC Director Joyce M. Hicks to have sustainable allegations. The OCC's findings and recommended discipline and the Chief's proposed discipline are as follows:

1. In violation of DGO 5.08, Non-Uniformed Officers, and DGO 9.01, Traffic Enforcement, a plainclothes officer issued the complainant who was double parked, a citation for impeding the flow of traffic and for failing to provide proof of insurance. Since the complainant's violations did not create an exigency, the plainclothes officer should have instead called for a marked backup unit to cite the complainant.

The OCC Director recommended a written reprimand and retraining.

The Chief of Police imposed an admonishment and retraining.

WEBSITE: http://www.sfgov.org/occ

San Francisco Office of Citizen Complaints September 2016 Monthly Statistical Report October 12, 2016 Page **2** of **2**

According to the Police Commission Disciplinary Penalty and Referral Guidelines, the penalty for Class D misconduct is a written reprimand for a first offense.

2. In violation DGO 5.03, Investigative Detentions, a sergeant failed to issue the complainant a certificate of release after the complainant was handcuffed and then released.

The OCC Director recommended a written reprimand.

The Chief of Police imposed an admonishment and retraining.

According to the Police Commission Disciplinary Penalty and Referral Guidelines, the penalty for Class D neglect of duty misconduct is a written reprimand for a first offense.

3. In violation of Department General Order 5.04, Arrests by Private Persons, the officer failed to prepare an incident report after the complainant requested a private person's arrest.

The OCC Director recommended a written reprimand.

The Chief of Police imposed a written reprimand and retraining.

According to the Police Commission Disciplinary Penalty and Referral Guidelines, the penalty for Class D neglect of duty misconduct is a written reprimand for a first offense.

4. In violation of DGO 2.01, an officer wrote an inaccurate traffic citation an inaccurate traffic collision report by citing an incorrect vehicle code section.

The OCC Director recommended a written reprimand.

The Chief of Police determined the violation was a training failure.

According to the Police Commission Disciplinary Penalty and Referral Guidelines, the penalty for Class D neglect of duty misconduct is a written reprimand for a first offense.

Joyce M. Hicks

Executive Director
Office of Citizen Complaints

CASES RECEIVED

September 2016

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



Case #	Received	Synopsis of Case
0412-16	09/01/2016	INAPPROPRIATE BEHAVIOR AND COMMENTS
0414-16	09/01/2016	FAILURE TO TAKE REQUIRED ACTION
0417-16	09/01/2016	INAPPROPRIATE BEHAVIOR
0418-16	09/02/2016	UF DURING OIS/INAPPROPRIATE BEHAVIOR
0419-16	09/06/2016	DETENTION/ARREST/INAPP BEHAVIOR/FAILURE TO TAKE REQUIRED ACTION
0420-16	09/06/2016	UA
0421-16	09/06/2016	CITATION/INAPP BEHAVIOR/INTERFERING WITH RIGHTS OF ONLOOKERS
0422-16	09/07/2016	DETENTION/BEHAVIOR/FORCE
0423-16	09/08/2016	INACCURATE TRAFFIC COLLISION REPORT
0424-16	09/09/2016	USE OF FORCE/TOW
0425-16	09/09/2016	REFUSED TO TAKE REPORT AND RUDE PHONE MANNERS
0429-16	09/09/2016	FAILURE TO INVESTIGATE
0426-16	09/09/2016	FAILURE TO INVESTIGATE STALKING AND HACKING
0427-16	09/09/2016	INACCURATE INCIDENT REPORT/FAILED TO ACCOMMODATE DISABILITY
0430-16	09/10/2016	CITATION WITHOUT CAUSE/INAPPROPRIATE BEHAVIOR-COMMENTS
0431-16	09/11/2016	INAPPROPRIATE BEHAVIOR
0432-16	09/11/2016	FAILURE TO TAKE REQUIRED ACTION
0428-16	09/12/2016	USE OF FORCE DURING ARREST
0433-16	09/12/2016	UNWARRANTED ACTION
0434-16	09/14/2016	MISUSE OF POLICE AUTHORITY
0435-16	09/14/2016	DETENTION/SEARCH
0436-16	09/14/2016	MISREPRESENTING THE TRUTH
0437-16	09/16/2016	DID NOT RESPOND IN TIMELY MANNER/FAILED TO TAKE REQUIRED ACTION

Case #	Received	Synopsis of Case
0438-16	09/16/2016	UF ON COMP'S SON AT BAYVIEW STATION
0439-16	09/16/2016	FAILURE TO TAKE REQUIRED ACTION
0440-16	09/16/2016	FAILURE TO DRIVE PROPERLY
0441-16	09/16/2016	ENTRY/BIASED POLICING
0442-16	09/19/2016	BARRING VISITATION BY COMP AT HOSPITAL/HUSBAND BEATEN
0443-16	09/22/2016	INAPPROPRIATE COMMENTS
0444-16	09/23/2016	DETENTION WITHOUT CAUSE/UNNECESSARY FORCE
0445-16	09/23/2016	HARASSMENT/MISUSE OF POLICE AUTHORITY
0446-16	09/23/2016	DETAINING AT GUNPOINT
0447-16	09/23/2016	FAILURE TO TAKE REQUIRED ACTION
0457-16	09/24/2016	FAILURE TO TAKE REQUIRED ACTION/INAPPROPRIATE BEHAVIOR
0448-16	09/26/2016	INAPPRORIATE BEHAVIOR/COMMENTS AND INACCURATE REPORT
0449-16	09/26/2016	PULLED WEAPON AND CHASED INTO STREET
0450-16	09/27/2016	KNOCKED ON CAR WINDOW/SCARED THE DOG
0451-16	09/27/2016	INAPPROPRIATE COMMENTS
0452-16	09/28/2016	INAPPROPRIATE BEHAVIOR AND CITATION W/O CAUSE
0453-16	09/28/2016	DETENTION WITHOUT JUSTIFICATION
0454-16	09/29/2016	DISMISSIVE AND FAILED TO INVESTIGATE
0455-16	09/29/2016	RUDE, DISMISSIVE, FAIL TO INVESTIGATE
0456-16	09/29/2016	DISMISSIVE AND FAILED TO INVESTIGATE
0458-16	09/29/2016	INAPPROPRIATE BEHAVIOR
0459-16	09/29/2016	INAPPROPRIATE BEHAVIOR/CLETS MISUSE
0460-16	09/30/2016	FAILURE TO TAKE REQUIRED ACTION
0461-16	09/30/2016	ISSUING A CITATION WITHOUT CAUSE

COMPREHENSIVE STATISTICAL REPORT

January 2016 - September 2016

OFFICE OF CITIZEN COMPLAINTS
CITY AND COUNTY OF SAN FRANCISCO

CASE YEAR	JAN	FEB	MAR	1ST	APR	MAY	Nor	2ND	JMF	AUG	SEP	3RD	OCT	NOV	DEC	4TH	YTD
CASES OPENED	ED	ALBIHALA COOPER NATIONAL APPARAMENT POOLS					THE THE PROPERTY OF THE PROPER	William Andrews Louis Company of the			COMMENT OF THE CONTRACT OF THE						
2016	43	09	49	152	52	59	48	159	47	56	47	150	0	0	0	0	461
CASES MERGED/VOIDED/WITHDRAWN	ED/VOID	ED/WIT	HDRAW	Z			CONCESSION OF SAME AND SAME AN		**************************************				COLUMN DESIGNATION OF THE PROPERTY OF THE PROP				
2016	3	5	2	10		0	0			2	AND THE PROPERTY AND TH	4	0	0	0	0	15
CASES CLOSED, BY YEAR CASE WAS FILED	ED, BY YE	AR CAS	SE WAS I	TLED					The state of the s			And a section of the	CARACTER DE L'ARACTER DE L'ARAC			ATT THE TAXABLE TO SERVICE A STATE OF THE SERVICE O	A PROPERTY OF THE PROPERTY OF
2014	de de marco e manda de la marco de mandre de del proposition de mandre de descripción de mandre	5		L. TOTAL CONTRACTOR CO	0	0	0	0	0	0	0	0	0	0	0	0	7
2015	33	37	43	113	31	25	25	81	23	4	15	42	0	0	0	0	273
2016	4	16	18	38	22	22	13	57	15	27	10	52	0	0	0	0	147
TOTAL	38	58	62	158	53	47	38	138	38	89	25	131	0	0	0	0	427
CASES OUTSIDE JURISDICTION	IDE JURIS	DICTIC	N.														
2015	3		0	4	0	0	0	0	0	-	0	-	0	0	0	0	5
2016	3	10	10	23	T .	6	7	27	4	13	_	18	0	0	0	0	89
TOTAL	9	=	10	27	=	6	7	27	4	14	1	19	0	0	0	0	73
CASES SUSTAINED	AINED	-	A TO CALL AND THE STANDARD STA				data to a second management of the second se										
2015		9	10	17	3	5	9	14		٢	4	12	0	0	0	0	43
TOTAL	A THE REAL PROPERTY OF THE PRO	9	10	17	3	2	9	14	-	7	4	12	0	0	0	0	43

CASES PENDING, BY YEAR CASE WAS FILED	VSIVE S	IAHSI Ear <i>c</i> /	TICAL RI ASE WAS	EPORT													
CASE YEAR	JAN	FEB	FEB MAR	IST	APR MAY	MAY	ND	2ND	JUL	AUG	SEP	3RD	120	NOV	DEC	4TH	YTD
2011	0	0	0	0	0	0	0	0	0	0	2	2	0	0	0	0	2
2013	0	0	0	0	0	0	0	0	0	0	2	2	0	0	0	0	2
2014	0	0	0	0	0	0	0	0	0	0	7	7	0	0	0	0	7
2015	0	0	0	0	0	0	0	0	0	0	91	91	0	0	0	0	91
2016	0	0	0	0	0	0	0	0	0	0	314	314	0	0	0	0	314
TOTAL	0	0	0	0	0	0	0	0	0	0	416	416	0	0	0	0	416



HOW COMPLAINTS WERE RECEIVED January 2016 - September 2016

RECEIVED	JAN	FEB	MAR	1ST	APR	MAY	1	2ND	Tin	AUG	SEP	3RD	1	NOV	DEC		1
IN PERSON	12	14	8	34	13	19	13	45	21	18	17	99		0	0		
LETTER	4	4	2	10		0		2	0		0	_		0	0		
MAIL	3	10	10	23	_	6		24	9	n	6	18		0	0		
ONLINE	11	12	∞	31	10	11		26	5	15	6	29		0	0		
OTHER	0	0	0	0	4	3		7		0	0	_		0	0		
PHONE	11	17	17	45	10	16		48	10	18	Ξ	39		0	0		
SFPD	2	3	4	6	3	_		7	4	_		9	0	0	0		
TOTAL	43	99	49	152	52	59	48	159	47	99	47	150		0	0	0	461

COMPREHENSIVE STATISTICAL REPORT

January 2015 - September 2015

OFFICE OF CITIZEN COMPLAINTS
CITY AND COUNTY OF SAN FRANCISCO

CASE YEAR	JAN	FEB	MAR	1ST	APR	MAY	Nn	2ND	IUL	AUG	SEP	3RD	OCT	NOV	DEC	4TH	YTD
CASES OPENED	.D		and the state of t	An elektronomenhaldelekum, elektronomenhaldelekum en elektronomen elek			And depositions to seem and depositions to the seems of the seems and depositions are depositi	THE RESIDENCE OF THE PROPERTY		The state of the s	entre for the contract of the	 Open generalski ili till kan handala delitik ili til alam nåven i kni 	As the color has been been been as a set of the color of		And grave and dealer to be a substitute of the s	make where more than the second second repulse to the second	
2015	59	59	62	180	61	45	64	170	55	64	55	174	0	0	0	0	524
CASES MERGED/VOIDED/WITHDRAWN	ED/VOID	ED/WIT	HDRAW	W.	ELECTRICAL SECTION AND ASSESSMENT OF THE SECTION ASSESSMENT OF T			CONTRACTOR OF SOCIALS AND LANCE OF A LANCE OF STREET, STREET, STREET, STREET, STREET, STREET, STREET, STREET,			COALS A DOOS A RECOGNIST WINDOW SUITE SERVICE	one from a limited and of the class in NAO (1899) NAV a distribution of			Andrews of the half built of the half the name of	tals a more any on a more agreement agreement and a second account and a second account agreement agreemen	AN ARA A LA LA ARA ARA ARA ARA ARA ARA ARA
2015	2	3	_	9	0	2	2	4		4	3	6	0	0	0	0	19
CASES CLOSED, BY YEAR CASE WAS FILED	D, BY YE	BAR CA	SE WAS	FILED	ALL THE WAY OF THE PARTY OF THE	No. of the contraction of the co	And the state of t				THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NAMED IN COLUMN TWI	O	COLOR STREET, CO	The state of the s	The state of the s		
2013		2	0	Э	0	0	0	0	0	0	0	0	0	0	0	0	3
2014	33	42	43	118	34	30	37	101	33	19	16	89	0	0	0	0	287
2015	5	18	15	38	26	8	27	19	35	35	33	103	0	0	0	0	202
TOTAL	39	62	28	159	09	38	64	162	89	54	49	171	0	0	0	0	492
CASES OUTSIDE JURISDICTION	DE JURIS	SDICTIC	NC							- The state of the							
2014	2			4	0	0	0	0	0	0	0	0	0	0	0	0	4
2015	n	12	5	20	11		12	24	7	9	_	24	0	0	0	0	89
TOTAL	\$		9	24		Tenderseason and tender	12	24	L	9	_	24	0	0	0	0	72
CASES SUSTAINED	INED		A STATE OF THE STA	AND THE			COMMISSION OF THE PROPERTY AND A SECURE OF THE PROPERTY OF THE		AMBRICA WINNING ACTOR MINISTERS A ACT STATES A 10 TOWNS AND	A STREET, STRE		Andrew and the second s	AND THE PARTY OF STREET STREET, STREET	ANALOGO NEVERTANOS NEV			And the second s
2014	2		5	8	8	7	4	19	0	3	4	_	0	0	0	0	34
2015	0	0	0	0	0	0	0	0	0		0		0	0	0	0	
TOTAL	2	_	5	∞	∞	_	4	19	0	4	4	8	0	0	0	0	35

COMPREHENSIVE STATISTICAL REPORT

CASES PENDING, BY YEAR CASE WAS FILED

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CASE YEAR	JAN	JAN FEB MAR	MAR	1ST	APR	MAY	NOC	2ND	INT	AUG	SEP	3RD	OCT	NOV	DEC	4TH	YTD
2011	0	0	0	0	0	0	0	0	0	0	2	2	0	0	0	0	2
2013	0	0	0	0	0	0	0	0	0	0	2	2	0	0	0	0	7
2014	0	0	0	0	0	0	0	0	0	0	41	41	0	0	0	0	41
2015	0	0	0	0	0	0	0	0	0	0	322	322	0	0	0	0	322
TOTAL	0	0	0	0	0	0	0	0	0	0	367	367	0	0	0	0	367

HOW COMPLAINTS WERE RECEIVED

January 2015 - September 2015



RECEIVED	JAN	FEB	MAR	1ST	APR	MAY	JUN	2ND	AUL			3RD	OCT			4TH	YTD
IN PERSON	27	23	22	72	26	15	31	72	20			71	0			0	215
LETTER	0	4	0	4		0	7	c	-			5	0			0	12
MAIL	7	4	∞	19	13	5	7	25	Ξ			27	0			0	7.1
ONLINE	9	7	co	16	0	2	2	4	_			7	0			0	27
OTHER	0	-	2	33	0	0		_	*****			2	0			0	9
PHONE	18	17	23	58	17	19	19	55	18			52	0			0	165
SFPD	_	3	4	∞	4	4	2	10	n	2	S	10	0	0	0	0	28
TOTAL	29	59	62	180	61	\$	49	170	55			174	0		1 1	0	524

