

OFFICE OF CITIZEN COMPLAINTS - USE BLACK INK ONLY!

1 Day, Date & Time Complaint Received
Fri. 2-4-00 5:28 PM.

Complaint Against: Personnel ☒ Policy ☐ Procedure ☐

How Received: Person ☒ Phone ☐ Letter ☐ SFPD ☐ Mail-In ☐ Other ☐ : (specify) _____

2 Primary Complainant: ☐ Co-Complainant

[REDACTED]

 Last Name First Name Middle Initial

HOME ADDRESS: [REDACTED]

 Street Apartment

[REDACTED] [REDACTED]
 City State Zip

WORK ADDRESS: _____

 Street Apartment

 City State Zip

3 Personal Information

Age: 22 Date of Birth: [REDACTED]

Sex: F

Ethnicity: B

Occupation: _____

4 Telephone Numbers:

Home: () [REDACTED]

Work: () _____

5 Location of Occurrence:

TURK & TAYLOR STS.

6 Type of Place 01 7 District I

8 Day, Date, & Time Of Occurrence: Fri. 2-4-2000 12:52

A.M. / P.M.
 (Circle one)

9 Incident Report or Citation No
[REDACTED]

10 SECONDARY COMPLAINANT? Yes ☐ No ☒ Witnesses? Yes ☒ No ☐ (If "Yes", attach separate sheet of paper.)

Taped Interview? Yes ☐ No ☒ Criminal Case Pending in Relation to this matter? Yes ☒ No ☐

11 Injuries Claimed? Yes ☒ No ☐ Injuries Visible? Yes ☒ No ☐ Drug/Alcohol Related? Yes ☒ No ☐

Photos Taken? Yes ☒ No ☐ By: Photo Lab ☐ O.C.C. ☐ Other: SFPD

Type of Injury: BACK OF HEAD, NECK, CHEST BRUISES & CUT MOUTH Medical Release Signed? Yes ☐ No ☐

12 Activity	13 Type	14 DISP.	15 Uniform Yes No	16 Rank	17 Member's Name & Star Number	18 Unit	19 Svc	20 Sex	21 Eth
<u>01</u>	<u>UF</u>	<u>NS</u>	<input checked="" type="checkbox"/>	<u>Q2</u>	<u>LUIS DEJESUS #247</u>	<u>BT3D</u>	<u>1</u>	<u>M</u>	<u>3</u>
[REDACTED]									
[REDACTED]									

Amended 3/12/01



Police Commission for the City and County of San Francisco
OFFICE OF CITIZEN COMPLAINTS



~CITIZEN COMPLAINT FORM~

INSTRUCTIONS FOR COMPLETION OF THE CITIZEN COMPLAINT FORM:

Please answer questions in blocks 2, 3, 4, 5, 8, 11, 15, 17, 20, 21 & 22. Leave all other blocks blank unless you know the information requested. Please **print** all information in **English**. If you do not have a telephone number, enter a message number or the number of a neighbor, friend or relative in block 4. If witnesses are available, write their names, addresses and telephone numbers on a separate sheet of paper and attach it to your complaint. Do not write them on the complaint form. If you do not know the officers name or badge number, include a complete physical description in the narrative (22). **Print** your narrative. Explain what happened from beginning to end. Be specific as to the nature of your complaint against each officer. Include who, what, where, when and why. If you need additional space, use separate sheets of paper and attach them to the complaint. **YOUR STATEMENT MUST BE A TRUE AND ACCURATE ACCOUNT OF THE INCIDENT** to the best of your knowledge and belief, and must be signed by you in block 25. If you have questions or need help, please call the OCC at (415) 597-7711 between 8:00 a.m. and 5:00 p.m., or leave a message with our answering service after 5:00 p.m. You may also contact your local neighborhood center for help. Interpreters can be provided at no charge.

填寫公民投訴書說明：

請回答第 2, 3, 4, 5, 8, 11, 15, 17, 20, 21 及 22 項問題。除非您知道我們所要求的資料，否則請將其他各項留空。所有資料，務請以**正楷填寫清楚**。如果您沒有電話號碼，請在第 4 項填上有可能聯絡您的電話號碼，或鄰居、親戚、朋友的號碼。如果有證人，請用另一張紙寫上他們的姓名，地址及電話，和投訴書夾在一起；切勿寫在投訴書上。如果你不知道涉及事件的警務人員姓名或編號，請將該員的身體特徵，以**正楷詳盡**寫在第 22 項上。請清楚說明事件的過程，及投訴的類別，包括涉及何人、何事、何處、何時及何由。如您認為投訴書不夠您填寫，可以另紙填寫資料，夾在投訴書上。您應根據您所知道及所相信的事實填寫資料，**必須真實及正確**；填妥請在第 26 項簽名。如有疑問或需要幫助，請在上午八時至下午五時，致電 (415) 597-7711「公民投訴組」，或在下午五時後，在該組的電話錄音機上留言。您亦可以與有免費翻譯員服務的「華埠建民中心」求助，電話 415-391-5099。

INSTRUCCIONES PARA LLENAR EL FORMULARIO DE QUEJAS DE LOS CIUDADANOS: Por favor conteste las preguntas de las casillas 2, 3, 4, 5, 8, 11, 15, 17, 20, 21 & 22. Deje sin contestar las demas preguntas a menos que sepa la información solicitada. El formulario debe ser contestado en **Ingles**. Si usted no tiene telefono escriba en la casilla 4 el número de un servicio de mensajes, o el de un vecino, amigo o pariente. Escriba en una hoja separada los nombres, direcciones y telefonos de los testigos (si los hay), y adjunte ésta información al formulario. En caso de que no conozca el nombre o número de insignia de los oficiales, incluya una descripción fisica completa (22). Describa los hechos en forma completa, sea especifico. Incluya quien, que, donde, cuando y porque. Su declaración debe ser un recuento exacto y verdadero del incidente y debe estar firmada por usted (25). Para pedir información o solicitar ayuda visite nuestras oficinas locales o llamenos al numero (415) 597-7711 de 8:00 AM - 5:00 PM. El servicio de interpretacion es gratis. Formularios tambien pueden ser obtenidos en La Raza Information Center-- (415) 863-0764.

PARAAN NG PAGSAGOT SA PORMANG ITO (CITIZEN COMPLAINT o REKLAMO NG MAMAMAYAN)
Mangyaring sagutin ang mga tanong sa blokeng 2, 3, 4, 5, 8, 11, 15, 17, 20, 21, at 22. Kung wala kayo ng impormasyon hinihingi dito, paki-iwanan blanko ang blokeng hindi masagot. **Paki-Ilmbag ang lahat na sagot ninyo.** Kung wala kayong telepono, paki-sulat lang ang inyong "message number", o ang numero ng inyong kapit-bahay, kaibigan, o kamaganak. Kung mayroon kayong mga saksi o testigo, isulat sa ibang papel ang kanilang mga pangalan, mga tirahan, at mga telepono at ikabit ito sa reklamo ninyo. Huwag gagamitin ang pormang ito. Kung hindi ninyo alam ang pangalan ng pulis o ang numero ng kanyang tsapa, isama sa inyong salaysay ang hitsura at pagmumukha ng pulis. Ilmbag ang inyong salaysay. Liwanagin lahat ang nangyari magmula sa umpisa hanggang sa katapusan. Tiyakin o siguraduhin ang inyong sinusumbong o renireklamo. Sabihin o ilarawan kung sino, ano, saan, kailan at bakit sa pangyayari. Kung kulang ang pagsusulatan dito gumamit ng ibang papel at ikabit ito sa sumbong ninyo. Sa inyong kaalaman at paniniwala, ang inilahad ninyong nangyari ay dapat lubos na katotohanan at walang kamali-mali at kailangan ninyong pirmahan ang sumbong ito sa blokeng bilang 25. Itanong sa amin kung alinman dito ang hindi maliwanag sa inyo. Kung kailangan ninyo ng tulong, paki-tawagan kami, OCC, telepono (415) 597-7711. Maaring tawagan din ninyo ang Philippines American Consul sa telepono (415) 626-0773 sa pagitan ng alas--otso ng umaga at alas--singko ng hapon o mag-iwan ng pahatid o "message" sa aming "answering service" paglampas dng alas--singko ng hapon.

NARRATIVE OF INCIDENT: _____

The following statement was taken from the complainant, [REDACTED] on February 4, 2000 at County Jail #9 by OCC Investigator Mark Scafidi.

Complainant went downtown to visit her aunt and collect some money to pay her mother's rent. A patrol car pulled-up and Officer Luis DeJesus #247 asked if she possessed any cocaine rocks and for her to open her mouth. Complainant noted that she had just had oral surgery and could not open her mouth as wide as the Officer DeJesus requested. Subsequently, Officer DeJesus, his partner [REDACTED] and two female officers brought her to the ground and forced her mouth open. Officer DeJesus inserted his pen down her throat and said, "Spit it out, Bitch!" Complainant began to resist the officers, as she could not breathe. Officer DeJesus then struck her four blows with his fists and once more with the butt-end of his flashlight.

Complainant was arrested for possession of cocaine rocks; the complainant denied possessing narcotics. Officers DeJesus and [REDACTED] transported the complainant from San Francisco General Hospital (SFGH) to the County Jail, during which time the officers taunted and threatened the complainant. The complainant also noted that these officers influenced the medical staff to not stitch up her mouth at SFGH as was originally planned.

(State law passed in 1995 mandates that the following statement be provided to, read and signed by persons filing complaints. The OCC encourages the filing of a complaint by anyone who believes he or she is a victim or a witness of improper police conduct or policies.)

ACKNOWLEDGEMENT OF COMPLAINANT (148.6 P.C.)

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED FOR AT LEAST FIVE YEARS. IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.

☐ I HAVE READ AND UNDERSTOOD THE ABOVE STATEMENT.

☐ THE ACKNOWLEDGMENT HAS BEEN READ TO THE COMPLAINANT.

Taken By (Name/#/Unit)/Date:

Closure Approval/Date:

MARK SCAFIDI

2.4.00

May Sandoz 3/28/01

0090-00

After you have completed this form, return it to the Office of Citizen Complaints by folding it along the lines below so that the address shows on the outside. Drop in any mailbox. NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES.

在您填妥本投訴書後，請沿摺線摺妥（地址在外），投入郵箱，寄回「公民投訴組」。在美國境內寄出，不需郵費。

Despues de completar la forma, doblela sobre las lineas marcadas y depositela en el buzón. No necesita estampilla (sello postal).

Matapos buuin ang pormang ito, tiklupin sa mga linyang nakatatak sa baba upang makita sa labas ang aming "address". Ihulog sa anumang buson o "mailbox". Hindi kailangan ng selyo kung ipadadala lang sa loob ng America.

OFFICES LOCATED AT:
480 Second Street, Suite 100
San Francisco, CA 94107



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL

FIRST CLASS MAIL PERMIT NO. 22978 SAN FRANCISCO, CA

POSTAGE WILL BE PAID BY ADDRESSEE

City and County of San Francisco
OFFICE OF CITIZEN COMPLAINTS
875 Stevenson Street, Room 125
San Francisco, CA 94103-0917

OCC # 90-00

[REDACTED]

Unnecessary Force: The officers used unnecessary force. #247, [REDACTED]

[REDACTED]

OCC CASE NO. 0090-00

COMMUNITY COLLEGES



USA
34

ATT Mark consid
Office of Citizen Complaints
480 Second Street Suite 100
San Francisco CA 94107

94107+1423



SF DPA - 0090-00 - 000006

Interview at [REDACTED]

Visited Dentist (UIC) bldg 20 2/3/00
[REDACTED]

went to [REDACTED] house

Tuck &
Taylor
talking at
Dennis.
anti
Jasli
Butty

- Q was upset b/c I would not open her mouth
- he asked to see if she had rocks in her mouth.
- you tried to open mouth wide but jaw was locked
- Q grabbed C by face and ^{brought} ~~was that~~ her to ground
- Q screamed, "spit it out, spit it out."
- Q held C's nose, put pen down throat to see further down throat C difficulty breathing

More Offs (3 more Offs) - one placed knee in your back and pulled her hand to hold C to ground - assist of Off.

I used knee on C's back of neck; holding chin & pulling hair

At Offs pulled on C's arms

^{crash}
2 rocks found 4 ft. away

Arresting Off punched ~~me~~ 4x in face and used flashlight, striking C's side of face
→ C passed out. (7 records)

(2)

C fought for consciousness: couldn't breath as
C struggled to get pen out of throat.
(7 min - struggle)

1 off took [redacted] down street (separated from
[redacted])

Arresting off (#247 - De Jesus ~~#111 Black~~)
- 2 off Cops guarding C and made threat -

- leave blood on front door step of off's house
- make C wait 4 hrs. in front of house
bec C won't see home for a long time
- run around Peters Hill - lost time
off's will regret
- took handcuffs off C and said "escape" - warn
to beat C again.

Store emp. returned the contact

Dr. at SFCH said stitching of mouth unnecessary
after off spoke to him.
Originally, Dr. was to stitch across mouth.

TTC → SFCH → CJA Transport off.

Q did not know off in car (De Jesus)

③

C on stomach

"Nobody's going to help you now!" (during pen in mouth)
Off said C swallowed it. (creak)

Batt and I flashlight and spot lights.
"Bitch, I said get it out."

Put C in patrol car - O off searched (k, tel book, bus. card, ring, pgs)
De Jesus showed rocks to C said, "list what I got. You're going to jail."

Treatment - braced neck, x-rays
mouth numb stitches per 3 LSS.

During Transport - should go to doctors now.
Off questioned C re 2 warrants - don't even think about O.R.
- are you scared, yet?

aut:

[REDACTED]

LW (3)

[REDACTED]

Sally got it
Cbs circulating per e-mail
Bitty said "wrong me"

[REDACTED] - no id. (4 pms)
" " - recognized C - not invid. (1)
[REDACTED] - " " (2)
" " - (NEVER SEEN C) (1)
[REDACTED] - not work right in scale (1)

2.4.00

Communications Tape

00:52:10

1/138 reported 919 Taylor/Zark

00:52:50

" another unit requested.

[REDACTED]

responding

[REDACTED]

- Code 4 for me

00:57:40

[REDACTED]

408 B/K bloody nose and 2nd of lacerations (left)

Zark/Taylor

01:01:00

blading stop: breathing machines reported to 408.

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

**ADDENDUM TO OCC COMPLAINT FORM**

You have the right to make a complaint against a police officer for any improper police conduct. California law requires this agency to have a procedure to investigate citizens' complaints. You have a right to a written description of this procedure. This agency may find after investigation that there is not enough evidence to warrant action on your complaint; even if that is the case, you have the right to make the complaint and have it investigated if you believe an officer behaved improperly. Citizen complaints and any reports or findings relating to complaints must be retained for at least five years. It is against the law to make a complaint that you know to be false. If you make a complaint against an officer knowing that it is false, you can be prosecuted on a misdemeanor charge.

I have read and understood the above statement.


Complainant/Date

OCC Complaint/Case #. 90-00

OCC-293D (1/96)

RMS-Original

San Francisco Police Department
INCIDENT REPORT

Incident Number	Reported Date/Time	Occurrence On/From Date/Time	Occurrence To Date/Time	CAD Number
[REDACTED]	02/04/2000 00:52	02/04/2000 00:52		[REDACTED]
Type Of Incident Cocaine, Base/Rock Offense - 16621				
Location Of Occurrence TURK/TAYLOR			Type Of Premise SIDE WALK	
Arrest Made Yes	Non-Suspect Incident	Suspect Known	Suspect Unknown	Reporting Unit 1J13D
Location Sent To : ON VIEW How Cleared : ADULT BOOKED Report Status : Signed			Assign To : 5N200 Copies To (Name Of Units) : NAR-2,DA,OR Assigned By : LD , 247	

C D F E F C I L C A R E R A T I O N	I declare under penalty of perjury, this report of <u>2</u> pages is true and correct, based on my personal knowledge, or is based on information and belief following an investigation of the events and parties involved.				
	Prop 115 Certified: 5 Yrs <input type="checkbox"/> Post Training <input checked="" type="checkbox"/> Signature: <u>Lucy Dora</u>				
	Reporting Officer DEJESUS, LUIS		Star 247	Station TTF	Watch 2100-0700
	Date 02/04/2000 06:03				
	Reviewing Officer <u>SGT M.C. CESARI</u>		Star 155	Station	Watch
	Date				
OIC Approval Officer LT. PAUL CHIGNELL #1250		Star 1280	Station TTF	Watch 2	Date 2/4/00
Report Status Signed		Juv. Involved	How Cleared ADULT BOOKED	Assigned To 5N200	Copy To

S U B J E C T	Code B - Booked	Name [REDACTED]	Alias			
	Home Phone	Home Address Refuse NO SF LOCAL, San Francisco, CA				
	Work Phone	Work Address Refuse				
	School (If Juvenile)	Sex Female	DOB [REDACTED]	Height 5' 00"	Weight 150 lbs	Eye Color Brown
	Hair Color Black					
	Race : Black		Other Information : WEARING DARK COLORED JACKET, BLUE JEANS			
	Age : 22		Where Booked : COUNTY JAIL 9			
	Charges : N/W 11351.5 H&S, 148 P.C.		Court Number : 167512,38460			
	Warrant Number(s) : [REDACTED]		Bail : \$15,211.00			
	CWB Check : AKAPO, 711		Book/Cite Approved By : SGT CESARI, 155			
Booked : Yes		Warrant Violations : 11352 H&S, P1556				

P R O P E R T Y	Property Code E - Evidence	Item SUSPECTED BASE ROCK COCAINE	Brand	Model
	Serial Number	Color WHITE		
	Quantity : 2		Narcotics Lab Number : 00175500	
	Seized By (Star) : 247		Seized From Where : [REDACTED]	
Description : TWO OFF WHITE COLORED ROCKS INDIVIDUALLY WRAPPED IN PLASTIC				

P R O P E R T Y	Property Code E - Evidence	Item US CURRENCY=\$ 94.00	Brand	Model
	Serial Number	Color		
	Value : \$94.00		Seized By (Star) : 2128	
	Seized From Where : [REDACTED]		Description : US CURRENCY IN DENOMINATIONS OF 4X \$ 20.00, 14X \$ 1.00	

San Francisco Police Department
INCIDENT REPORTN Topic: NARRATIVE
A
R
R
A
T
I
V
E

ON THE ABOVE DATE AND TIME [REDACTED] AND I WERE IN THE AREA OF TURK AND TAYLOR STREET. THIS AREA OF THE TENDERLOIN IS A CONSTANT SOURCE OF COMPLAINTS GENERATED BY RESIDENTS AND MERCHANTS IN THE AREA REGARDING NARCOTICS ACTIVITY. I HAVE MADE SEVERAL NARCOTICS RELATED ARRESTS IN THIS AREA.

I OBSERVED [REDACTED] STANDING ON THE SOUTH WEST CORNER OF TURK AND TAYLOR STREET. I APPROACHED [REDACTED] AND SAID HELLO. [REDACTED] RESPONDED AND SAID HELLO TO ME. I THEN ASKED [REDACTED] WHERE SHE WAS FROM AND SHE TOLD ME HUNTERS POINT. [REDACTED] THEN BEGAN TO MAKE SEVERAL SWALLOWING MOTIONS WITH HER THROAT. THIS ACTION IS VERY IMPORTANT TO US DUE TO THE FACT THAT I KNOW THROUGH MY TRAINING AND EXPERIENCE THAT NARCOTICS DEALERS OFTEN CONVEY NARCOTICS IN THEIR MOUTH. THIS ACTION MAKES EASY DESTRUCTION POSSIBLE WHEN APPROACHED BY POLICE. BELIEVING [REDACTED] WAS BEGINNING TO SWALLOW POSSIBLE NARCOTICS I IMMEDIATELY APPLIED PRESSURE TO HER MASTOID GLAND ON THE RIGHT SIDE WITH MY RIGHT HAND. [REDACTED] BECAME VERY COMBATIVE AND BEGAN TO PULL AWAY FROM ME AND TRY TO KICK AT ME. WE EVENTUALLY WENT TO THE GROUND AS [REDACTED] CONTINUED TO RESIST MY EFFORTS. SEVERAL OTHER TENDERLOIN UNITS RESPONDED AND I EVENTUALLY WAS ABLE TO REMOVE E1 TWO OFF WHITE COLORED ROCKS FROM [REDACTED] MOUTH. MEDIC # 13 RESPONDED DUE TO THE FACT THAT [REDACTED] WAS BLEEDING FROM THE INSIDE OF HER MOUTH. [REDACTED] WAS THEN TRANSPORTED TO CO J.

AT THE COMPANY SGT CESARI # 155 APPROVED AND SIGNED A SFPD 305 (STRIP SEARCH) FORM [REDACTED] SEARCHED [REDACTED] AND NO FURTHER NARCOTICS WERE FOUND. [REDACTED] HAD IN HER POSSESSION E2 US CURRENCY IN DENOMINATIONS CONSISTENT WITH MONEY EARNED THROUGH NARCOTICS SALES. GIVEN THE LOCATION BEING ONE KNOWN FOR ITS HIGH VOLUME OF NARCOTICS ACTIVITY, THE TIME OF NIGHT, [REDACTED] PRIOR NARCOTICS HISTORY AND THE US CURRENCY [REDACTED] HAD IN HER POSSESSION ALONG WITH THE LACK OF ANY SMOKING PARAPHANELIA [REDACTED] WAS CHARGED WITH POSSESSION FOR SALES. [REDACTED] WAS THEN ADMONISHED PER 11532(a) H&S. A COMPUTER CHECK REVEALED THAT [REDACTED] HAD THE ABOVE LISTED OUTSTANDING WARRANTS FOR HER ARREST. [REDACTED] WAS THEN TRANSPORTED TO COUNTY JAIL NINE. AT COUNTY JAIL NINE SHE WAS REFUSED MEDICAL CLEARANCE DUE TO THE FACT THAT SHE HAD AN OPEN CUT TO HER UPPER LIP ON THE INSIDE. [REDACTED] WAS TRANSPORTED TO M.E.H. [REDACTED] WAS THEN TRANSPORTED TO COUNTY JAIL NINE AND BOOKED AS PER ABOVE

I BOOKED ALL EVIDENCE AT THE COMPANY AND HAND CARRIED THE NARCOTICS TO THE NARC DROP AT 850 BRYANT STREET. A USE OF FORCE ENTRY WAS MADE INTO THE USE OF FORCE LOG.

REPORT SERVICE REQUEST

DATE 2.7.00

(FOR DEPARTMENT USE ONLY)

I HEREBY REQUEST ACCESS TO THE FOLLOWING INFORMATION THAT IS CONTAINED IN THE FILES OF THE REPORT MANAGEMENT SECTION. THIS DATA IS ESSENTIAL TO THE CONDUCT OF MY CURRENT ASSIGNMENT AND SHALL BE USED FOR POLICE PURPOSES ONLY.

UNIT/AGENCY <u>OCC</u>	NAME & I.D. NUMBER (PRINT) <u>MARK SCOFIDI</u>	# <u>117</u>	INITIALS (SIGN) <u>[Signature]</u>
REPORT NUMBER <u>[Redacted]</u>	VICTIM /SUSPECT (PRINT) <u>[Redacted]</u>	DATE OF INCIDENT <u>2.4.00</u>	S.F. NUMBER <u>[Redacted]</u>

<input type="checkbox"/> I'LL RETURN FOR REPORT AT: _____ (DATE & TIME)	<input checked="" type="checkbox"/> SEND TO: <u>OCC</u> (UNIT)	RMS USE ONLY <u>[Signature]</u> SFPD-27 (REV:6/99)
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SAN FRANCISCO POLICE

MUGSHOT PROFILE

NAME:

AKA:

AKA:

AKA:

MONIKER:

PHOTO#:

SF#:

JAIL#:

BOOKING DATE:

BOOKING TIME:

DATE OF BIRTH:

PLACE OF BIRTH:

SOCIAL SECURITY#:

CII#:

FBI#:

CA DRIVERS LIC#:

PHYSICAL DESCRIPTION

SEX:

RACE:

HEIGHT:

WEIGHT:

HAIR COLOR:

EYE COLOR:

GLASSES:

BUILD:

COMPLEXION:

EYE CHARACTERISTICS:

FACIAL HAIR:

HAIR LENGTH:

FEMALE

BLACK

500

155

BROWN

BROWN

MEDIUM

CLEAR

NORMAL

NONE

SHOULDER

SCARS/MARKS/TATTOOS

#1:

#2:

#3:

NOTES:

CHARGES

#1: 11351.5 HS

#2: 148 PC

#3:

#4:

#5:

#6:

#7:

#8:

#9:



Mary C. Dunlap
Director

March 17, 2000



RE: Case Number 90-00

Dear [REDACTED]:

Thank you for returning the two medical forms and the OCC Addendum. I am sending two new copies of the medical releases for you to complete, as you confused the release form for the San Francisco General Hospital (SFGH) with the one for your dentist.

My post-it notes label one form for the SFGH, which requires your initials, date and signatures of both you and a witness, and one form for your dentist. Please note, I do not know the name or address of your dentist so that I can send your dental records release request. Please provide your dentist's contact information, as illustrated on my post-it note, and return the forms to me in the self-addressed envelope. Also note, that I am returning the copy of your complaint, which is "your copy"; that is, yours to keep with your records.

Should you have any further question regarding these forms, please feel free to contact me directly at (415) 597-7717.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Mark Scafidi".

Mark E. Scafidi, OCC Investigator

TIBURON, INC.

UNIT HISTORY DETAIL FOR 1J13D
SAN FRANCISCO POLICE

PAGE 1

02/07/00
13:42

ON DUTY: 21:00:09 02/03/00 DAREA: 3B CONTROL: 3B MID: FK: U
OFF-DUTY: 06:59:58 02/04/00 TENDERLOIN - MOTORIZED PATROL
[REDACTED] DEJESUS LUIS P/0247 [REDACTED] [REDACTED]

02/04/00

00:22:51 0252 CLEAR HAN

00:23:57 DIS7 ON-VIEW S000350057 C/811 [REDACTED] TURK ST, REQ MAP FOR EVERETTE

00:24:17 DIS7 MISC 410 W/ MAP ETA 5 MIN

00:48:20 0252 CLEAR HAN

00:52:05 DIS7 ON-VIEW S000350115 B/917 TAYLOR ST/TURK ST, SH

00:52:50 DIS7 MISC REQ ANOTHER UNIT

00:53:50 DIS7 MISC C/4 SH FPR MPWE

01:17:49 TT03 REQCC 000142282 ASSIGNED

01:50:03 0252 CLEAR ARR

SP IA01

TIBURON, INC.

UNIT HISTORY DETAIL FOR 1J13D
SAN FRANCISCO POLICE

PAGE 2

02/07/00
13:42

01:55:09 DIS3 DISP-ENR S000350202 C/917 ELLIS ST/LEAVENWORTH ST, SF

01:59:36 DIS7 MISC 2 DET

01:59:40 DIS7 CLOC-ONS ELLIS/JONES

02:04:31 0252 QUERY N [REDACTED]

02:20:43 0252 CLEAR ADV

03:26:22 SUP2 BACK-ENR S000350282 B/917 [REDACTED] OFARRELL ST, SF

03:29:37 SUP2 CHGLOC CO J W/X, 1.4

03:32:01 DIS3 ONSCENE EM 2.0

03:32:39 0252 CLEAR HAN

03:44:31 DIS3 DISP-ENR S000350267 C/415 [REDACTED] TURK ST, SF #421

04:06:38 0252 QUERY R [REDACTED]

04:13:50 0252 CLEAR HAN

04:18:51 0252 QUERY N [REDACTED]

04:30:08 DIS3 OUT ----- CO/7A MEH/PRISONER WATCH

SP IA01

TIBURON, INC.

UNIT HISTORY DETAIL FOR 1J13D
SAN FRANCISCO POLICE

PAGE 3 (LAST) 02/07/00
13:42

05:16:34 DIS3 CHGLOC CJ9/W1/, 9.7/0516/

05:19:40 DIS3 ONSCENE EM:11.2

05:28:16 0252 OPER-OFF [REDACTED]

06:59:55 DIS3 CLEAR HAN

06:59:58 DIS3 OFF-DUTY

OPERATOR ASSIGNMENTS: 0252 [REDACTED]
DIS7 [REDACTED]
TT03 [REDACTED]

SF DPA - 0090-00 - 000018

AS OF 01:59:36: DIS7
SF 02
AS OF 03:32:01: DIS3
AS OF 04:30:08: DIS3
AS OF 06:59:55: DIS3

SF 1A01

TIBURON, INC. CABLE QUERY RESPONSE PAGE 1 02/07/00 13:39

00-014228-2A SAN FRANCISCO POLICE DEPARTMENT ASSIGNED TO:
NARCOTICS BUREAU

COMPNO: 000350115 INITIAL INCIDENT REPORT

POSSESSION OF BASE/ROCK COCAINE CODE: 16621

TIME OF OCCURRENCE: FRI 02/04/00 0052HRS
LOCATION OF OCCURRENCE: TURK ST AND TAYLOR ST
LOCATION SENT TO: ON VIEW UNIT REPORTING: 1J13D
DISTRICT OF OCCURRENCE: SOUTHERN REPORTING AREA: 180
TYPE PREMISE: SIDEWALK

REPORTED TO POLICE: FRI 02/04/00 0052
ENTERED INTO COMP : MON 02/07/00 0948 ENTERED BY: DDA

SUSPECT-1(BOOKED): [REDACTED]

SF IA01

TIBURON, INC. CABLE QUERY RESPONSE PAGE 2 02/07/00 13:39

5'00'' 150 LBS HAIR: BLACK EYES: BROWN
BOOKED AT: COUNTY JAIL NUMBER 1 BOOKING APPROVAL: CESARI/SGT/155
SECTION VIOLATED: 11351,5HS WARRANT/CITATION: 482823
(CONT) SECTION VIOLATED: 148PC WARRANT/CITATION: 508829
CT#167512, 38460 11352HS 1556PC 11352HS BAIL \$15,211

* NARRATIVE PURGED - CONTACT RECORD ROOM FOR COMPLETE REPORT *

REPORTING OFFICER(S): DEJESUS/LUIS/P/PTL/247
APPROVED BY: CESARI/SGT/155 ASSIGNED BY: CHIGNELL/LT/1250 02/07/00/0951

TYPE CLEARANCE: ARREST, BOOKED

SF DPA - 0090-00 - 000020

SP IA01

TIBURON, INC.

CABLE QUERY RESPONSE

PAGE 3

02/07/00

13:39

INCIDENT REPORT	ALREADY SENT TO TERMINAL
ACCIDENT REPORT	NOT IN COMPUTER
CRIME SCENE REPORT	NOT IN COMPUTER
NARCOTICS ANALYSIS REPORT	REPORT AVAILABLE VIA QNAR
ITEMS IN PROPERTY ROOM	REPORT AVAILABLE VIA QPRL
PHOTO LAB REPORT	NOT IN COMPUTER
CHILD ABUSE REPORT	NOT IN COMPUTER

SP IA01

TIBURON, INC.

CABLE QUERY RESPONSE

PAGE 4 (LAST) 02/07/00

13:39

SP IA01

SAN FRANCISCO POLICE DEPARTMENT
CRIME LABORATORY REPORTING SYSTEM
NARCOTICS ANALYSIS REPORTCASE NUMBER: 000142282
LAB NUMBER: 175500
ITEM: 01DATE RECEIVED: 02/05/2000
TIME RECEIVED: 06:21:09CRIMINALIST: TAN
RESULTS: COCAINE BASE (SCHEDULE 1)
QUANTITY: 1.04 GM
COMMENTS:

STATUS: DESTROY

SF 1A01

BOX: 0803 *

QNAR1000 REPORT SUCCESSFULLY RETRIEVED 000142282

SF 1A01

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

PROOF OF SERVICE**Mary C. Dunlap**
Director

TO: Captain Steve Tacchini, O.I.C., Tenderloin Task Force

RE: MEMBER RESPONSE FORM FOR OCC CASE # 90-00

FROM: Mark Scafidi, Investigator

DATE: February 6, 2001

MEMBER TO BE NOTIFIED: Officer [REDACTED] Named X Witness _____

COMMANDING OFFICER: Sign this Proof of Service and serve the attached Member Response Form and any attachments upon the named member when the member next reports to duty. If the member is designated as named, give the member a copy of the attached complaint. Witness members do not get a copy of the complaint, and none may be attached in that event. If the member is on D.P. or extended sick leave, but is medically able to complete the form, forward the Member Response Form to the member at his/her residence. The member must complete and return the Member Response Form to the OCC no later than February 26, 2001. Once the member has been served, return the original of the Proof of Service to the OCC and retain the File Copy for your file. **If you are unable to serve the member you shall notify the OCC investigator by phone no later than February 19, 2001.**

COMMANDING OFFICER'S PROOF OF SERVICE:Date received: FEB 08 2001
Date and Time served: FEB 11 2001 1600
Date returned to OCC: _____Reason for failure to serve:

Signature _____ Star No. _____

GARY JIMENEZ
LIEUTENANT, #1938**MEMBER'S ACKNOWLEDGMENT OF RECEIPT:** Your signature acknowledges receipt of the Member Response Form and the following attachments:X Complaint Form _____ None

[REDACTED]

[REDACTED]

Star No.

Date and Time Notified

RESPONSE TO INFORMATION REQUESTED

TO: Mark Scafidi

FROM: [REDACTED]

RE: OCC Case#: 90-00

1. I have no recollection of arriving on the scene.
 - a). I have no recollection.
 - b). not to my knowledge
 - c). I don't know
 - d). no
2. Not to me.
 - a). I don't know, I don't remember, I don't even know if I was there.
 - b). I don't know
 - c). no
 - d). I did not, and I don't know if anyone did.
 - e). I don't know the complainant, I don't remember having any contact with the complainant. I don't know if the complainant lost consciousness.
3. No, I don't remember anyone saying that to the complainant, or any one else.
4. No
5. I don't know

I don't know if there are any witnesses to this incident.

ADDITIONAL STATEMENTS: Apparently I am a named member because I responded to the location where the complainant was arrested. I do not have a copy of the CAD, and can not say for sure. I would hope that you have confirmed this prior to making me a named member. The complainant does not say that I was there, nor does she say that I was involved in her arrest. I do not believe that I was involved in her arrest.

Additionally, the complainant failed to sign and date the bottom of complainant form. The complaint form is also missing who received the complaint, date, unit and time. This is clearly a violation of 148.6 the Penal Code, which states that any person who "FALSELY ALLEGES POLICE MISCONDUCT, KNOWING THAT THE ALLEGATION IS FALSE, IS GUILTY OF A MISDEMEANOR". State Law REQUIRES that the person making a statement (complaint) against a peace officer MUST SIGN the statement. The complainant did not sign the complaint. The OCC did not properly complete the complaint form.

Finally, the OCC has clearly violated section 3304(d). This complaint was received by OCC Investigator Scafidi on 02/04/00 at 1728 hrs. I was not notified of the complaint until 02/11/01 at 1600 hrs. This is clearly a violation of my rights as a Peace Officer. I did not waive the one-year limit, this investigation is not multi-jurisdictional, and there is absolutely no reasonable extension for this delay.

Clearly I am a 'named member' because I am a woman, and responded to the scene. I feel that OCC is attempting to pad their statistics by making as many people 'named' as possible. The only acceptable resolution to this case is that the complaint against me be "UNFOUNDED".

SIGNED

A black rectangular redaction box covering the signature.

DATE: 02-19-01

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Mary C. Dunlap
Director

OFFICE OF CITIZEN COMPLAINTS MEMBER RESPONSE FORM

TO: [REDACTED]

RE: OCC CASE NO. 90-00

FROM: Mark Scafidi, Investigator

COMPLAINANT: [REDACTED]

DATE: February 6, 2001

DATE OF OCCURRENCE: February 4, 2000

RESPONSE DUE DATE: February 26, 2001

REPORT NO.: [REDACTED]

The OCC is conducting an investigation into the complaint referenced above. In order to facilitate the investigation, you are to provide a separate answer to each of the specific questions listed on the reverse side of this form.

You are to answer truthfully, candidly and to the best of your ability. **Failure to answer all questions even under advice of counsel or representative may be a violation of Department General Orders 2.01, 2.04, and 2.08, all of which require cooperation in an OCC investigation.** Administratively compelled statements shall not be used against you in a criminal investigation or proceeding. Your statements shall only be used for administrative proceedings.

Because this investigation could result in punitive action, all of the rights enacted in the Public Safety Officers' Procedural Bill of Rights apply. Specifically:

1. You may seek assistance from the representative of your choice in completing this form.
2. You are specifically authorized to complete answers to these questions while on duty.
3. You have the right to keep a copy of this form.

(OVER)

INFORMATION REQUESTED:

1. The Incident Report stated that, on February 4, 2000, at approximately 12:52 a.m., at Turk and Taylor Streets, the complainant, [REDACTED] (see attached mugshot), was observed making "several swallowing motions", which were believed to be her attempt to conceal narcotics. State your observations upon your unit's arrival on the scene.

- a. Other than the complainant's swallowing motion, did you observe anything which may reasonably have led you to believe that the complainant possessed narcotics? If so, explain.
- b. Had you any prior knowledge of or contact with the complainant? If so, explain.
- c. Who were the officers on the scene during the arrest of the complainant?
- d. Did you observe the complainant open her mouth for the officers to conduct a visual search? If so, state what occurred.

2. Did the complainant state at any time that she recently had oral surgery performed? If so, what did the complainant say?

- a. The incident report states that "several other Tenderloin Units" responded to assist the primary unit, and that the officers, eventually, were able to remove two off-white colored rocks from the complainant's mouth. State with specificity the struggle with the complainant, to which the incident report refers?
- b. State the individual roles and/or involvement of **each** officer at the scene during the struggle and alleged, forcible search of the complainant (e.g., physical holds used to control and/or search the complainant)
- c. Did you, or any other officer, strike the complainant with a fist or flashlight? If so, explain the circumstances justifying such action.
- d. Did you, or any other officer, use a pen or other object to insert and search down the throat of the complainant? If so, explain the details of what was done.
- e. Did the complainant, at any time of the physical struggle with the officers, appear to lose or approach losing consciousness?

3. The complainant stated that an officer remarked, "Spit it out, Bitch!" or words to that effect. Do you recall any officer making this or a similar statement to the complainant? If so, what statement was made and by whom?

4. The complainant stated that Officers Luis DeJesus #247 and [REDACTED] made several unwarranted statements to her, both during her detention and arrest. Do you recall any officer making rude or unprofessional comment(s) to the complainant? If so, state what was said and by whom?

5. Was any officer injured during this SFPD contact with the complainant? If so, identify the officer, state the nature of the injury, and how the injury occurred.

ARE THERE ANY WITNESSES TO THIS INCIDENT? IF SO IDENTIFY AND PROVIDE CONTACT INFORMATION.

WOULD AN ORAL INTERVIEW AID THIS INVESTIGATION?

IF YES, PLEASE EXPLAIN:

ADD ANY STATEMENT YOU FEEL IS NECESSARY FOR US TO CONSIDER IN THIS INVESTIGATION.

REASON FOR THIS REQUEST: Investigation of citizen complaint.

DOCUMENTS ATTACHED: Copy of OCC Complaint, SFPD Incident Report [REDACTED] and Complainant's Mugshot.

MEMBER'S SIGNATURE: _____ DATE: _____

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

PROOF OF SERVICE

Mary C. Dunlap
Director

TO: Captain Steve Tacchini, O.I.C., Tenderloin Task Force

RE: MEMBER RESPONSE FORM FOR OCC CASE # 90-00

FROM: Mark Scafidi, Investigator

DATE: February 6, 2001

MEMBER TO BE NOTIFIED: [REDACTED] Named X Witness _____

COMMANDING OFFICER: Sign this Proof of Service and serve the attached Member Response Form and any attachments upon the named member when the member next reports to duty. If the member is designated as named, give the member a copy of the attached complaint. Witness members do not get a copy of the complaint, and none may be attached in that event. If the member is on D.P. or extended sick leave, but is medically able to complete the form, forward the Member Response Form to the member at his/her residence. The member must complete and return the Member Response Form to the OCC no later than February 26, 2001. Once the member has been served, return the original of the Proof of Service to the OCC and retain the File Copy for your file. **If you are unable to serve the member you shall notify the OCC investigator by phone no later than February 19, 2001.**

COMMANDING OFFICER'S PROOF OF SERVICE:

Date received: FEB 08 2001
Date and Time served: FEB 12 2001 1600
Date returned to OCC: _____

Reason for failure to serve: _____

Signature [Signature] Star No. _____
GARY JIMENEZ
LIEUTENANT, #1938
FEB 12 2001

MEMBER'S ACKNOWLEDGMENT OF RECEIPT: Your signature acknowledges receipt of the Member Response Form and the following attachments:

_____ Complaint Form _____ None

[REDACTED] 2-12-01 0055 HES
Member's Signature Star No. Date and Time Notified

This complaint was received by OCC on Feb 4, 2000. I did not receive the questionnaire regarding this incident until Feb 12, 2001. Clearly this investigation will not be completed with the one-year time frame as mandated. Furthermore, waiting over a year to question Officers involved is an obvious attempt by OCC to cloud the memories of those Officers. In order to conduct an objective and unbiased investigation, the Officers should have been questioned immediately after the complainant's arrest as the complainant was.

It appears that OCC employee Mark Scafidi went to County Jail and met with the complainant immediately after her arrest in order to solicit a complaint. Even after meeting with the complainant, Scafidi failed to properly complete the complaint form. The complaint was not signed, and who took the complaint was not filled in. Furthermore, it appears Scafidi decided to disregard the 1995 law, which requires the complainant be warned that making a false complaint against a Police Officer is a crime, and can be prosecuted. One of the boxes which state that the complainant has read and understands that warning, or that warning was read to the complainant was not checked. Did the complainant know it is a crime to make a false complaint? That knowledge may have prevented this complaint altogether. Had I failed to properly fill out a form or not followed specific laws, OCC would have added the allegation and sustained it.

Nowhere in this complaint does the complainant refer to me. She does not use my name, star, or even describe anyone remotely looking like me. Even in OCC's added allegations, my name, star, or description is not mentioned. In fact, the only two "ID pending" allegations refer to female Officers as stated by the complainant. Once again Scafidi has failed to properly complete the form by not answering the "Sex" in the Officers description. This leaves me wondering how I could possibly be a "Named member" in this complaint. I can only reason that OCC is attempting to "Pad" their stats in order to show the Police Commission a high number of "Named members."

Information requested:

1. Since this complaint is well over a year old, and I have had thousands of contacts since then, I do not recall this specific suspect. Without speaking to other Officers in an attempt to refresh my memory, I don't recall if I was even there.
 - A) N/A
 - B) N/A
 - C) N/A
 - D) N/A
2. I do not recall this specific arrest.
 - A) N/A
 - B) N/A
 - C) N/A
 - D) N/A
 - E) N/A
3. N/A
4. N/A
5. N/A
6. I do not know.
7. I do not know
8. Once again, there is absolutely no factual or even speculated reason I am a "Named member" in this complaint. At the completion of this investigation, I would expect OCC to remove me from the "named member" status, or find "Unfounded" on any of the allegations added by OCC.

Since I received this questionnaire on Feb 12, 2001, and returned it to my Commanding Officer with in 21 days, I have complied with Department Bulletin 01-15 (01/04/01).

RECEIVED
TASK FORCE

2001 FEB 29 P 4: 55

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Mary C. Dunlap
Director

OFFICE OF CITIZEN COMPLAINTS MEMBER RESPONSE FORM

TO: [REDACTED]

RE: OCC CASE NO. 90-00

FROM: Mark Scafidi, Investigator

COMPLAINANT: [REDACTED]

DATE: February 6, 2001

DATE OF OCCURRENCE: February 4, 2000

RESPONSE DUE DATE: February 26, 2001

REPORT NO.: [REDACTED]

The OCC is conducting an investigation into the complaint referenced above. In order to facilitate the investigation, you are to provide a separate answer to each of the specific questions listed on the reverse side of this form.

You are to answer truthfully, candidly and to the best of your ability. **Failure to answer all questions even under advice of counsel or representative may be a violation of Department General Orders 2.01, 2.04, and 2.08, all of which require cooperation in an OCC investigation.** Administratively compelled statements shall not be used against you in a criminal investigation or proceeding. Your statements shall only be used for administrative proceedings.

Because this investigation could result in punitive action, all of the rights enacted in the Public Safety Officers' Procedural Bill of Rights apply. Specifically:

1. You may seek assistance from the representative of your choice in completing this form.
2. You are specifically authorized to complete answers to these questions while on duty.
3. You have the right to keep a copy of this form.

(OVER)

INFORMATION REQUESTED:

1. The Incident Report stated that on February 4, 2000, at approximately 12:52 a.m., at Turk and Taylor Streets, the complainant, [REDACTED] (see attached mugshot), was observed making "several swallowing motions", which were believed to be her attempt to conceal narcotics. State your observations upon your unit's arrival on the scene.

- a. Other than the complainant's swallowing motion, did you observe anything which may reasonably have led you to believe that the complainant possessed narcotics? If so, explain.
- b. Had you any prior knowledge of or contact with the complainant? If so, explain.
- c. Who were the officers on the scene during the arrest of the complainant?
- d. Did you observe the complainant open her mouth for the officers to conduct a visual search? If so, state what occurred.

2. Did the complainant state at any time that she recently had oral surgery performed? If so, what did the complainant say?

- a. The incident report states that "several other Tenderloin Units" responded to assist the primary unit, and that the officers, eventually, were able to remove two off-white colored rocks from the complainant's mouth. State with specificity the struggle with the complainant, to which the incident report refers?
- b. State the individual roles and/or involvement of **each** officer at the scene during the struggle and alleged, forcible search of the complainant (e.g., physical holds used to control and/or search the complainant)
- c. Did you, or any other officer, strike the complainant with a fist or flashlight? If so, explain the circumstances justifying such action.
- d. Did you, or any other officer, use a pen or other object to insert and search down the throat of the complainant? If so, explain the details of what was done.
- e. Did the complainant, at any time of the physical struggle with the officers, appear to lose or approach losing consciousness?

3. The complainant stated that an officer remarked, "Spit it out, Bitch!" or words to that effect. Do you recall any officer making this or a similar statement to the complainant? If so, what statement was made and by whom?

4. The complainant stated that Officers Luis DeJesus #247 and [REDACTED] made several unwarranted statements to her, both during her detention and arrest. Do you recall any officer making rude or unprofessional comment(s) to the complainant? If so, state what was said and by whom?

5. Was any officer injured during this SFPD contact with the complainant? If so, identify the officer, state the nature of the injury, and how the injury occurred.

ARE THERE ANY WITNESSES TO THIS INCIDENT? IF SO IDENTIFY AND PROVIDE CONTACT INFORMATION.

WOULD AN ORAL INTERVIEW AID THIS INVESTIGATION?

IF YES, PLEASE EXPLAIN:

ADD ANY STATEMENT YOU FEEL IS NECESSARY FOR US TO CONSIDER IN THIS INVESTIGATION.

REASON FOR THIS REQUEST: Investigation of citizen complaint.

DOCUMENTS ATTACHED: Copy of OCC Complaint, SFPD Incident Report [REDACTED] and Complainant's Mugshot.

MEMBER'S SIGNATURE [REDACTED]

DATE: 2/17/01

The following are my responses to OCC Complaint #90-00:

1. I do not recall being at the incident.
2. I do not recall being at the incident.
3. I do not recall hearing anything as I cannot recall being at the incident.
4. I do not recall hearing anything as I cannot recall being at the incident
5. I do not recall any officers being injured.

I cannot recall this incident. I do not recall being assigned to this call. If someone can provide information indicating that I was at the scene or assigned to the call, I would be happy to review it refresh my memory.

[REDACTED]

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

PROOF OF SERVICE

Mary C. Dunlap
Director

TO: Captain James Dudley, O.I.C., Park Station

RE: MEMBER RESPONSE FORM FOR OCC CASE # 90-00

FROM: Mark Scafidi, Investigator

DATE: February 6, 2001

MEMBER TO BE NOTIFIED: [REDACTED] Named X Witness _____

COMMANDING OFFICER: Sign this Proof of Service and serve the attached Member Response Form and any attachments upon the named member when the member next reports to duty. If the member is designated as named, give the member a copy of the attached complaint. Witness members do not get a copy of the complaint, and none may be attached in that event. If the member is on D.P. or extended sick leave, but is medically able to complete the form, forward the Member Response Form to the member at his/her residence. The member must complete and return the Member Response Form to the OCC no later than February 26, 2001. Once the member has been served, return the original of the Proof of Service to the OCC and retain the File Copy for your file. **If you are unable to serve the member you shall notify the OCC investigator by phone no later than February 19, 2001.**

COMMANDING OFFICER'S PROOF OF SERVICE:

Date received: _____

Reason for failure to serve: _____

Date and Time served: _____

Date returned to OCC: _____

Signature _____

Star No. _____

MEMBER'S ACKNOWLEDGMENT OF RECEIPT: Your signature acknowledges receipt of the Member Response Form and the following attachments:

____ Complaint Form

____ None

[REDACTED] Star No. _____

[REDACTED] Date and Time Notified 2-8-01

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Mary C. Dunlap
Director

OFFICE OF CITIZEN COMPLAINTS MEMBER RESPONSE FORM

TO: [REDACTED]

RE: OCC CASE NO. 90-00

FROM: Mark Scafidi, Investigator

COMPLAINANT: [REDACTED]

DATE: February 6, 2001

DATE OF OCCURRENCE: February 4, 2000

RESPONSE DUE DATE: February 26, 2001

REPORT NO.: [REDACTED]

The OCC is conducting an investigation into the complaint referenced above. In order to facilitate the investigation, you are to provide a separate answer to each of the specific questions listed on the reverse side of this form.

You are to answer truthfully, candidly and to the best of your ability. **Failure to answer all questions even under advice of counsel or representative may be a violation of Department General Orders 2.01, 2.04, and 2.08, all of which require cooperation in an OCC investigation.** Administratively compelled statements shall not be used against you in a criminal investigation or proceeding. Your statements shall only be used for administrative proceedings.

Because this investigation could result in punitive action, all of the rights enacted in the Public Safety Officers' Procedural Bill of Rights apply. Specifically:

1. You may seek assistance from the representative of your choice in completing this form.
2. You are specifically authorized to complete answers to these questions while on duty.
3. You have the right to keep a copy of this form.

(OVER)

INFORMATION REQUESTED:

1. The Incident Report stated that, on February 4, 2000, at approximately 12:52 a.m., at Turk and Taylor Streets, the complainant [REDACTED] (see attached mugshot), was observed making "several swallowing motions", which were believed to be her attempt to conceal narcotics. State your observations upon your unit's arrival on the scene.
 - a. Other than the complainant's swallowing motion, did you observe anything which may reasonably have led you to believe that the complainant possessed narcotics? If so, explain.
 - b. Had you any prior knowledge of or contact with the complainant? If so, explain.
 - c. Who were the officers on the scene during the arrest of the complainant?
 - d. Did you observe the complainant open her mouth for the officers to conduct a visual search? If so, state what occurred.
2. Did the complainant state at any time that she recently had oral surgery performed? If so, what did the complainant say?
 - a. The incident report states that "several other Tenderloin Units" responded to assist the primary unit, and that the officers, eventually, were able to remove two off-white colored rocks from the complainant's mouth. State with specificity the struggle with the complainant, to which the incident report refers?
 - b. State the individual roles and/or involvement of **each** officer at the scene during the struggle and alleged, forcible search of the complainant (e.g., physical holds used to control and/or search the complainant)
 - c. Did you, or any other officer, strike the complainant with a fist or flashlight? If so, explain the circumstances justifying such action.
 - d. Did you, or any other officer, use a pen or other object to insert and search down the throat of the complainant? If so, explain the details of what was done.
 - e. Did the complainant, at any time of the physical struggle with the officers, appear to lose or approach losing consciousness?
3. The complainant stated that an officer remarked, "Spit it out, Bitch!" or words to that effect. Do you recall any officer making this or a similar statement to the complainant? If so, what statement was made and by whom?
4. The complainant stated that Officers Luis DeJesus #247 and [REDACTED] made several unwarranted statements to her, both during her detention and arrest. Do you recall any officer making rude or unprofessional comment(s) to the complainant? If so, state what was said and by whom?
5. Was any officer injured during this SFPD contact with the complainant? If so, identify the officer, state the nature of the injury, and how the injury occurred.

ARE THERE ANY WITNESSES TO THIS INCIDENT? IF SO IDENTIFY AND PROVIDE CONTACT INFORMATION.

WOULD AN ORAL INTERVIEW AID THIS INVESTIGATION?

IF YES, PLEASE EXPLAIN:


ADD ANY STATEMENT YOU FEEL IS NECESSARY FOR US TO CONSIDER IN THIS INVESTIGATION.

REASON FOR THIS REQUEST: Investigation of citizen complaint.

DOCUMENTS ATTACHED: Copy of OCC Complaint, SFPD Incident Report [REDACTED] and Complainant's Mugshot.

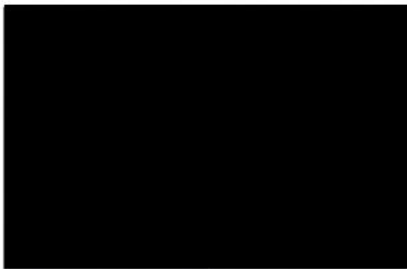
MEMBER'S SIGNATURE: [REDACTED]

DATE: 2-20-01

February 16, 2001
Response to OCC Case No. 90-00


1. Several officers were attempting to subdue the complainant.
 - 1a. No.
 - 1b. No.
 - 1c. The only person I remember at the scene is Officer DeJesus.
 - 1d. No.
2. I don't remember any statments made by the complainant.
 - 2a. Officer DeJesus and other officers were on the ground struggling to gain control of the complainant, who was physically resisting.
 - 2b. Of the several officers at the scene, I can only remember Officer DeJesus.
 - 2c. No.
 - 2d. I did not (1st part of question), and no (second part of question).
 - 2e. No.
3. No.
4. No.
5. I don't know.

I don't know if there were witnesses to this incident.
No.



2-20-01

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

PROOF OF SERVICE



Mary C. Dunlap
Director

TO: Captain Steve Tacchini, O.I.C., Tenderloin Task Force

RE: MEMBER RESPONSE FORM FOR OCC CASE # 90-00

FROM: Mark Scafidi, Investigator

DATE: February 6, 2001

MEMBER TO BE NOTIFIED: [REDACTED] Named X Witness _____

COMMANDING OFFICER: Sign this Proof of Service and serve the attached Member Response Form and any attachments upon the named member when the member next reports to duty. If the member is designated as named, give the member a copy of the attached complaint. Witness members do not get a copy of the complaint, and none may be attached in that event. If the member is on D.P. or extended sick leave, but is medically able to complete the form, forward the Member Response Form to the member at his/her residence. The member must complete and return the Member Response Form to the OCC no later than February 26, 2001. Once the member has been served, return the original of the Proof of Service to the OCC and retain the File Copy for your file. **If you are unable to serve the member you shall notify the OCC investigator by phone no later than February 19, 2001.**

COMMANDING OFFICER'S PROOF OF SERVICE:

Date received: FEB 08 2001
Date and Time served: 2/11/01 1600
Date returned to OCC: _____

Reason for failure to serve:

Signature

Star No.

GARY JIMENEZ
LIEUTENANT, #1938

MEMBER'S ACKNOWLEDGMENT OF RECEIPT: Your signature acknowledges receipt of the Member Response Form and the following attachments:

____ Complaint Form

____ None

Member's Signature

Star No.

Date and Time Notified

1. I DON'T RECALL THIS INCIDENT
 - a. I DON'T RECALL THIS INCIDENT.
 - b. I DON'T RECALL THIS INCIDENT.
 - c. I DON'T RECALL THIS INCIDENT.
 - d. I DON'T RECALL THIS INCIDENT.
2. I DON'T RECALL THIS INCIDENT.
 - a. I DON'T RECALL THIS INCIDENT.
 - b. I DON'T RECALL THIS INCIDENT.
 - c. I DON'T RECALL THIS INCIDENT.
 - d. I DON'T RECALL THIS INCIDENT.
 - e. I DON'T RECALL THIS INCIDENT.
3. I DON'T RECALL THIS INCIDENT.
4. I DON'T RECALL THIS INCIDENT.
5. I DON'T RECALL THIS INCIDENT.

NOT THAT I KNOW OFF.

I CAN ONLY ASSUME THAT [REDACTED] DID NOT SIGN HER COMPLAINT BECAUSE SHE READ THE ACKNOWLEDGEMENT OF COMPLAINT (148.6 PC) AND DID NOT WANT TO BE CHARGED WITH FILING A FALSE COMPLAINT.

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

PROOF OF SERVICE

Mary C. Dunlap
Director

TO: Captain Steve Tacchini, O.I.C., Tenderloin Task Force

RE: MEMBER RESPONSE FORM FOR OCC CASE # 90-00

FROM: Mark Scafidi, Investigator

DATE: February 6, 2001

MEMBER TO BE NOTIFIED: [REDACTED] Named X Witness _____

COMMANDING OFFICER: Sign this Proof of Service and serve the attached Member Response Form and any attachments upon the named member when the member next reports to duty. If the member is designated as named, give the member a copy of the attached complaint. Witness members do not get a copy of the complaint, and none may be attached in that event. If the member is on D.P. or extended sick leave, but is medically able to complete the form, forward the Member Response Form to the member at his/her residence. The member must complete and return the Member Response Form to the OCC no later than February 26, 2001. Once the member has been served, return the original of the Proof of Service to the OCC and retain the File Copy for your file. **If you are unable to serve the member you shall notify the OCC investigator by phone no later than February 19, 2001.**

COMMANDING OFFICER'S PROOF OF SERVICE:Date received: FEB 06 2001

Reason for failure to serve:

Date and Time served: _____

Date returned to OCC: _____

Signature _____

Star No. _____

MEMBER'S ACKNOWLEDGMENT OF RECEIPT: Your signature acknowledges receipt of the Member Response Form and the following attachments:

____ Complaint Form

____ None

[REDACTED]

Member's Signature

[REDACTED]

Star No.

2/9/01 0500

Date and Time Notified

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Mary C. Dunlap
Director

OFFICE OF CITIZEN COMPLAINTS MEMBER RESPONSE FORM

TO: [REDACTED]

RE: OCC CASE NO. 90-00

FROM: Mark Scafidi, Investigator

COMPLAINANT: [REDACTED]

DATE: February 6, 2001

DATE OF OCCURRENCE: February 4, 2000

RESPONSE DUE DATE: February 26, 2001

REPORT NO.: [REDACTED]

The OCC is conducting an investigation into the complaint referenced above. In order to facilitate the investigation, you are to provide a separate answer to each of the specific questions listed on the reverse side of this form.

You are to answer truthfully, candidly and to the best of your ability. **Failure to answer all questions even under advice of counsel or representative may be a violation of Department General Orders 2.01, 2.04, and 2.08, all of which require cooperation in an OCC investigation.** Administratively compelled statements shall not be used against you in a criminal investigation or proceeding. Your statements shall only be used for administrative proceedings.

Because this investigation could result in punitive action, all of the rights enacted in the Public Safety Officers' Procedural Bill of Rights apply. Specifically:

1. You may seek assistance from the representative of your choice in completing this form.
2. You are specifically authorized to complete answers to these questions while on duty.
3. You have the right to keep a copy of this form.

(OVER)

INFORMATION REQUESTED:

1. The Incident Report stated that, on February 4, 2000, at approximately 12:52 a.m., at Turk and Taylor Streets, the complainant, [REDACTED] (see attached mugshot), was observed making "several swallowing motions", which were believed to be her attempt to conceal narcotics. Other than the complainant's swallowing, while speaking to an officer, in the early morning, in a high narcotic's crime area, had you any other reason to believe she was attempting to destroy narcotics? If so, explain.

- a. Had you any prior contact with the complainant and/or prior knowledge of her narcotics history? If so, explain.
- b. During your initial contact with the complainant, was she asked to open her mouth to determine if she possessed cocaine rocks? If so, state what occurred.
- c. Who were the officers on the scene at the time it was determined that the complainant concealed and/or attempted to destroy narcotics?

2. The complainant stated that she tried to open her mouth voluntarily for the officers but her recent oral surgery prevented her from fully doing so. Did the complainant make any voluntary effort to permit an officer's looking into her mouth? If so, state what occurred.

- a. The incident report states that "several other Tenderloin Units" responded to assist your unit, and that the officers, eventually, were able to remove two off-white colored rocks from the complainant's mouth. State with specificity the struggle with the complainant, to which the incident report refers?
- b. State the individual roles and/or involvement of **each** officer at the scene during the struggle and alleged, forcible search of the complainant (e.g., physical holds used to control and/or search the complainant)
- c. Did you, or any other officer, strike the complainant with a fist or flashlight? If so, explain the circumstances justifying such action.
- d. Did you, or any other officer, use a pen or other object to insert and search down the throat of the complainant? If so, explain the details of what was done.
- e. Did you verify at any time during the detention or arrest of the complainant that she had had recent oral surgery? If so, explain how you ascertained this fact.
- f. Did the complainant, at any time of the physical struggle with the officers, lose or approach losing consciousness?

3. The complainant stated that an officer remarked, "Spit it out, Bitch!" or words to that effect. Do you recall any officer making this or a similar statement to the complainant? If so, what statement was made and by whom?

4. The complainant stated that you and Officer Luis DeJesus #247 made several unwarranted statements to her, both during her arrest and transportation to and from SFGH. Do you recall yourself or Officer DeJesus making rude or unprofessional comment(s) to the complainant?

5. Did you or Officer DeJesus make a statement, threatening to leave the complainant's blood on her own front steps, or words to that effect, to the complainant? If so, explain what was said and the reason for saying it.

- a. Did you or Officer DeJesus threaten to leave the complainant standing outside of her house for an extended period of time, stating that it would be a long time before she saw her home again,

or words to that effect? If so, explain what was said and the reason for saying it.

- b. While removing the handcuffs from the complainant, did you or Officer DeJesus state that you hoped the complainant would attempt to escape, providing a reason to beat her, or words to that effect? If so, explain what was said and the reason for saying it.

6. Complainant stated that the SFSD triage nurse recommended that the complainant being taken to SFGH for her mouth to be sutured. Do you recall the nurse making such a statement? If so, what did she say?

- a. Did any of the SFGH medical staff, at any time, indicate that the complainant may need stitches for her injuries? If so, who made the statement and what was said?
- b. Did either you or Officer DeJesus consult with the medical staff at SFGH regarding the need for the complainant to receive stitches to her injuries? If so, state what was said and by whom.
- c. Was any officer injured during the SFPD contact with the complainant? If so, identify the injured officer, the nature of the injury and how it was caused.

ARE THERE ANY WITNESSES TO THIS INCIDENT? IF SO IDENTIFY AND PROVIDE CONTACT INFORMATION.

WOULD AN ORAL INTERVIEW AID THIS INVESTIGATION?

IF YES, PLEASE EXPLAIN:

ADD ANY STATEMENT YOU FEEL IS NECESSARY FOR US TO CONSIDER IN THIS INVESTIGATION.

REASON FOR THIS REQUEST: Investigation of citizen complaint.

DOCUMENTS ATTACHED: Copy of OCC Complaint, SFPD Incident Report [REDACTED] and Complainant's Mugshot.

MEMBER'S SIGNATURE [REDACTED]

DATE: 2/9/01

INFORMATION REQUESTED:

1. I DID NOT CONTACT [REDACTED]
 - a. NO.
 - b. I DID NOT CONTACT [REDACTED]
 - c. THE ONLY OFFICER THAT I CAN RECALL BEING AT THE SCENE WAS OFF DEJESUS, BECAUSE I WAS WORKING WITH HIM.
2. I DID NOT OBSERVE THE INITIAL CONTACT BETWEEN OFF DEJESUS AND [REDACTED]
 - a. I AM UNABLE TO SPECIFY ABOUT THE STRUGGLE BETWEEN THE COMPLAINANT AND THE OTHER TENDERLOIN UNITS. I WAS WATCHING THE INTERSECTION OF TURK ST AND TAYLOR ST. I HEARD A STRUGGLE WHERE MY PARTNER AND [REDACTED] WERE STANDING. I LOOKED AND WAS ABOUT TO ASSIST MY PARTNER WHEN I HEARD SOMEONE YELL FROM THE East Side OF TAYLOR ST, JUST SOUTH OF THE INTERSECTION. I TURNED TO THE SOURCE OF THE NOISE AND SAW A BLACK FEMALE RUNNING TOWARD ME FROM ACROSS THE STREET. SHE TRIED TO RUN PAST ME TO WHERE OFF DEJESUS AND [REDACTED] WERE AT. I BLOCKED HER PATH AND ASKED HER WHAT SHE WAS DOING. SHE TOLD ME THAT SHE WANTED TO HELP HER FRIEND. I TOLD HER THAT SHE COULD STAND BY BUT NOT GET INVOLVED. SHE TRIED TO PUSH PAST ME AND I HAD TO PUSH HER BACK AND ORDER HER TO STAY BACK. THE BLACK FEMALE FINALLY WALKED BACK ACROSS THE STREET. BY THE TIME I WAS ABLE TO FOCUS MY ATTENTION ON [REDACTED] SHE WAS HANDCUFFED.
 - b. I DO NOT RECALL WHO WAS PRESENT OR WHAT THEY DID BECAUSE I DID NOT SEE WHAT HAPPENED DURING THE ARREST.
 - c. I DID NOT SEE THE ARREST.
 - d. I DID NOT SEE THE ARREST.
 - e. NO.
 - f. I DO NOT RECALL.
3. I DID NOT SEE THE ARREST AND I DO NOT RECALL ANYONE REMARKING, "SPIT IT OUT, BITCH!"
4. NO.
5. NO.
 - a. NO.
 - b. NO.
6. NO.
 - a. I DO NOT RECALL.
 - b. NO.
 - c. I DO NOT RECALL.

I DO NOT KNOW OF ANY WITNESSES.

I DO NOT BELIEVE AN ORAL INTERVIEW WOULD AID THIS INVESTIGATION.

MEMBER'S SIGNATURE: [REDACTED]

DATE: 2/9/01

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Mary C. Dunlap
Director

March 6, 2000

RE: Case No. 90-00

Dear [REDACTED]:

Please review the enclosed documents and complete the highlighted sections. Please note there are three (3) enclosed documents:

1. Addendum to OCC Complaint Form
2. Consent to Release Medical, Psychiatric, AIDS/ARC/HIV, Alcohol, or Drug Abuse Patient Records
3. Authorization for Release of Information

The OCC Addendum is to inform you of the importance and seriousness of your complaint. The consent form I will send to San Francisco General Hospital (SFGH) so that I may obtain your medical records from SFGH. The authorization form I will send to your dentist, for the release of your oral surgery records, upon your providing the name, address, and telephone number of your dentist and the date of treatment.

I would greatly appreciate your prompt return of the above-requested information. If you have any further questions regarding the processing of your complaint (enclosed herein) or the subsequent investigation, please call this office. I can generally be reached Monday through Friday from 8:00 A.M. to 3:00 P.M. at (415) 597-7711, ext. 15.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mark Scafidi".

Mark Scafidi, Investigator

H11 IN

OFFICE OF CITIZEN COMPLAINTS - USE BLACK INK ONLY!

1 Day, Date & Time Complaint Received
Feb 24-00 5:28 AM. 9000

Complaint Against: Personnel ☒ Policy ☐ Procedure ☐
 How Received: Person ☒ Phone ☐ Letter ☐ SFPD ☐ Mail-In ☐ Other ☐ : (specify) _____

2 Primary Complainant: ☐ Co-Complainant ☐

3 Personal Information
 Age: 22 Date of Birth: [REDACTED]
 Sex: F
 Ethnicity: B
 Occupation: _____

4 Telephone Numbers:
 Home: () [REDACTED]
 Work: () _____

5 Location of Occurrence:
TURK & TAYLOR STS.

6 Type of Place 01 7 District I

8 Day, Date, & Time Of Occurrence: Feb 24-2000 12:52 A.M. / ☒ P.M.
 (Circle one)

9 Incident Report or Citation No
[REDACTED]

10 SECONDARY COMPLAINANT? Yes ☐ No ☒ Witnesses? Yes ☐ No ☒ (If "Yes", attach separate sheet of paper.)
 Taped Interview? Yes ☐ No ☒ Criminal Case Pending in Relation to this matter? Yes ☐ No ☒

11 Injuries Claimed? Yes ☒ No ☐ Injuries Visible? Yes ☒ No ☐ Drug/Alcohol Related? Yes ☒ No ☐
 Photos Taken? Yes ☒ No ☐ By: Photo Lab ☐ O.C.C. ☐ Other: SFPD

Type of Injury: BACK OF HEAD, NECK, CHEST BRUISES & CUT MOUTH Medical Release Signed? Yes ☐ No ☐

12 Activity	13 Type	14 DISP.	15 Uniform Yes No	16 Rank	17 Member's Name & Star Number	18 Unit	19 Svc	20 Sex	21 Eth
<u>01</u>	<u>UF</u>		<input checked="" type="checkbox"/>	<u>02</u>	<u>LUIS DEJESUS #247</u>	<u>1513D</u>	<u>1</u>	<u>M</u>	<u>3</u>
			<input checked="" type="checkbox"/>		[REDACTED]				
					<u>I.D. PENDING</u>				

22

NARRATIVE OF INCIDENT: _____

The following statement was taken from the complainant [REDACTED] on February 4, 2000 at County Jail #9 by OCC Investigator Mark Scaffidi.

Complainant went downtown to visit her aunt and collect some money to pay her mother's rent. A patrol car pulled-up and Officer Luis DeJesus #247 asked if she possessed any cocaine rocks and for her to open her mouth. Complainant noted that she had just had oral surgery and could not open her mouth as wide as the Officer DeJesus requested. Subsequently, Officer DeJesus, his partner [REDACTED] and two female officers brought her to the ground and forced her mouth open. Officer DeJesus inserted his pen down her throat and said, "Spit it out, Bitch!" Complainant began to resist the officers, as she could not breathe. Officer DeJesus then struck her four blows with his fists and once more with the butt-end of his flashlight.

Complainant was arrested for possession of cocaine rocks; the complainant denied possessing narcotics. Officers DeJesus and [REDACTED] transported the complainant from San Francisco General Hospital (SFGH) to the County Jail, during which time the officers taunted and threatened the complainant. The complainant also noted that these officers influenced the medical staff to not stitch up her mouth at SFGH as was originally planned.

(State law passed in 1995 mandates that the following statement be provided to, read and signed by persons filing complaints. The OCC encourages the filing of a complaint by anyone who believes he or she is a victim or a witness of improper police conduct or policies.)

ACKNOWLEDGEMENT OF COMPLAINANT (148.6 P.C.)

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED FOR AT LEAST FIVE YEARS. IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.

☐ I HAVE READ AND UNDERSTOOD THE ABOVE STATEMENT.

☐ THE ACKNOWLEDGMENT HAS BEEN READ TO THE COMPLAINANT.

Complainant Signature/Date: _____

Taken By (Name/Unit)/Date: _____

Assigned Investigator/Date: _____

Closure Approval/Date: _____

MARK SCAFFIDI

2-4-00

POSTED
 4/29/2000

After you have completed this form, return it to the Office of Citizen Complaints by folding it along the lines below so that the address shows on the outside. Drop in any mailbox. NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES.

在您填寫本投訴書後，請沿摺線摺妥（地址在外），投入郵箱，寄回「公民投訴組」。在美國境內寄出，不需郵費。

Despues de completar la forma, doblala sobre las lineas marcadas y depositela en el buzón. No necesita estampilla (sello postal).

Matapos buuin ang pormang ito, tiklupin sa mga linyang nakatatak sa baba upang makita sa labas ang aming "address". Ihulog sa anumang busón o "mailbox". Hindi kailangan ng selyo kung ipadadala lang sa loob ng America.

OFFICES LOCATED AT:
480 Second Street, Suite 100
San Francisco, CA 94107

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL
FIRST CLASS MAIL PERMIT NO. 22978 SAN FRANCISCO, CA

POSTAGE WILL BE PAID BY ADDRESSEE

City and County of San Francisco
OFFICE OF CITIZEN COMPLAINTS
875 Stevenson Street, Room 125
San Francisco, CA 94103-0917

OCC # 90-00

■ Unnecessary Force: The officers used unnecessary force. #247, 165, I.D. Pending



Police Commission for the City and County of San Francisco
OFFICE OF CITIZEN COMPLAINTS



-CITIZEN COMPLAINT FORM-

INSTRUCTIONS FOR COMPLETION OF THE CITIZEN COMPLAINT FORM:

Please answer questions in blocks 2, 3, 4, 5, 8, 11, 15, 17, 20, 21 & 22. Leave all other blocks blank unless you know the information requested. Please **print** all information in **English**. If you do not have a telephone number, enter a message number or the number of a neighbor, friend or relative in block 4. If witnesses are available, write their names, addresses and telephone numbers on a separate sheet of paper and attach it to your complaint. Do not write them on the complaint form. If you do not know the officers name or badge number, include a complete physical description in the narrative (22). **Print** your narrative. Explain what happened from beginning to end. Be specific as to the nature of your complaint against each officer. Include who, what, where, when and why. If you need additional space, use separate sheets of paper and attach them to the complaint. **YOUR STATEMENT MUST BE A TRUE AND ACCURATE ACCOUNT OF THE INCIDENT** to the best of your knowledge and belief, and **must be signed** by you in block 25. If you have questions or need help, please call the OCC at (415) 597-7711 between 8:00 a.m. and 5:00 p.m., or leave a message with our answering service after 5:00 p.m. You may also contact your local neighborhood center for help. Interpreters can be provided at no charge.

填寫公民投訴書說明：

請回答第 2、3、4、5、8、11、15、17、20、21 及 22 項問題。除非您知道我們所要求的資料，否則請將其他各項留空。所有資料，務請以正楷填寫清楚。如果您沒有電話號碼，請在第 4 項填上有可能聯絡您的電話號碼，或鄰居、親戚、朋友的號碼。如果有證人，請用另一張紙寫上他們的姓名、地址及電話，和投訴書夾在一起；切勿寫在投訴書上。如果你不知道涉及事件的警務人員姓名或編號，請將該員的身體特徵，以正楷詳盡寫在第 22 項上。請清楚說明事件的過程，及投訴的類別，包括涉及何人、何事、何處、何時及何由。如您認為投訴書不夠您填寫，可以另紙填寫資料，夾在投訴書上。您應根據您所知道及所相信的事實填寫資料，必須真實及正確；填妥請在第 26 項簽名。如有疑問或需要幫助，請在上午八時至下午五時，致電 (415) 597-7711「公民投訴組」，或在下午五時後，在該組的電話錄音機上留言。您亦可以與有免費翻譯員服務的「華埠建民中心」求助，電話 415-391-5099。

INSTRUCCIONES PARA LLENAR EL FORMULARIO DE QUEJAS DE LOS CIUDADANOS: Por favor conteste las preguntas de las casillas 2, 3, 4, 5, 8, 11, 15, 17, 20, 21 & 22. Deje sin contestar las demas preguntas a menos que sepa la información solicitada. El formulario debe ser contestado en **Ingles**. Si usted no tiene telefono escriba en la casilla 4 el número de un servicio de mensajes, o el de un vecino, amigo o pariente. Escriba en una hoja separada los nombres, direcciones y telefonos de los testigos (si los hay), y adjunte ésta información al formulario. En caso de que no conozca el nombre o número de insignia de los oficiales, incluya una descripción física completa (22). Describa los hechos en forma completa, sea específico. Incluya quien, que, donde, cuando y porque. Su declaración debe ser un recuento exacto y verdadero del incidente y debe estar firmada por usted (25). Para pedir información o solicitar ayuda visite nuestras oficinas locales o llámenos al numero (415) 597-7711 de 8:00 AM - 5:00 PM. El servicio de interpretacion es gratis. Formularios tambien pueden ser obtenidos en La Raza Information Center-- (415) 863-0764.

PARAAN NG PAGSAGOT SA PORMANG ITO (CITIZEN COMPLAINT o REKLAMO NG MAMAMAYAN)
Mangyaring sagutin ang mga tanong sa bloking 2, 3, 4, 5, 8, 11, 15, 17, 20, 21, at 22. Kung wala kayo ng impormasyon hinihingi dito, paki-iwanan blanko ang bloking hindi masagot. **Paki-imbag ang lahat na sagot ninyo.** Kung wala kayong telepono, paki-sulat lang ang inyong "message number", o ang numero ng inyong kapit-bahay, kaibigan, o kamaganak. Kung mayroon kayong mga saksi o testigo, isulat sa ibang papel ang kanilang mga pangalan, mga tirahan, at mga telepono at ikabit ito sa reklamo ninyo. Huwag gagamitin ang pormang ito. Kung hindi ninyo alam ang pangalan ng pulis o ang numero ng kanyang tsapa, isama sa inyong salaysay ang hitsura at pagmumukha ng pulis. Iimbag ang inyong salaysay. Liwanagin lahat ang nangyari magmula sa umpisa hanggang sa katapusan. Tiyakin o siguraduhin ang inyong sinusumbong o renireklamo. Sabihin o ilarawan kung sino, ano, saan, kailan at bakit sa pangyayari. Kung kulang ang pagsusulat na dito gumamit ng ibang papel at ikabit ito sa sumbong ninyo. Sa inyong kaalaman at paniniwala, ang inilahad ninyong nangyari ay dapat lubos na katotohanan at walang kamali-mali at kailangan ninyong pirmahan ang sumbong ito sa bloking bilang 25. Itanong sa amin kung alinman dito ang hindi maliwanag sa inyo. Kung kailangan ninyo ng tulong, paki-tawagan kami, OCC, telepono (415) 597-7711. Maaring tawagan din ninyo ang Philippines American Consul sa telepono (415) 626-0773 sa pagitan ng alas--otso ng umaga at alas--singko ng hapon o mag-iwan ng pahatid o "message" sa aming "answering service" paglampas ng alas--singko ng hapon.

Fill In

OFFICE OF CITIZEN COMPLAINTS - USE BLACK INK ONLY!

1 Day, Date & Time Complaint Received
Feb 2-4-00 5:28 PM.

Complaint Against: Personnel ☒ Policy ☐ Procedure ☐
 How Received: Person ☒ Phone ☐ Letter ☐ SFPD ☐ Mail-In ☐ Other ☐ (specify)

2 Primary Complainant: ☐ Co-Complainant ☐

3 Personal Information
 Age: 22 Date of Birth [REDACTED]
 Sex: F
 Ethnicity: B
 Occupation: _____

4 Telephone Numbers:
 Home: [REDACTED]
 Work: [REDACTED]

5 Location of Occurrence:
TURK & TAYLOR STS.

6 Type of Place 01 7 District I

8 Day, Date, & Time Of Occurrence: Feb 2-4-2000 12:52 A.M. / (P.M.)
 (Circle one)

9 Incident Report or Citation No [REDACTED]

10 SECONDARY COMPLAINANT? Yes ☐ No ☒ Witnesses? Yes ☒ No ☐ (If "Yes", attach separate sheet of paper.)
 Taped Interview? Yes ☐ No ☒ Criminal Case Pending in Relation to this matter? Yes ☒ No ☐

11 Injuries Claimed? Yes ☒ No ☐ Injuries Visible? Yes ☒ No ☐ Drug/Alcohol Related? Yes ☒ No ☐
 Photos Taken? Yes ☒ No ☐ By: Photo Lab ☐ O.C.C. ☐ Other: SFPD
 Type of Injury: BACK OF HEAD, NECK, CHEST BRUISES & BUTT/INT Medical Release Signed? Yes ☐ No ☐

12	13	14	15	16	17	18	19	20	21
Activity	Type	DISP.	Uniform Yes No	Rank	Member's Name & Star Number	Unit	Svc	Sex	Eth
01	UF		✓	02	LUIS DEJESUS #247	STSD	1	M	3
			✓		[REDACTED]				
					<u>S.D. TENDAS UNKNOWN OFFICER(S)</u>				

Amended 3/24/01 GIB

22 NARRATIVE OF INCIDENT: _____

The following statement was taken from the complainant [REDACTED] on February 4, 2000 at County Jail #9 by OCC Investigator Mark Scafidi.

Complainant went downtown to visit her aunt and collect some money to pay her mother's rent. A patrol car pulled-up and Officer Luis DeJesus #247 asked if she possessed any cocaine rocks and for her to open her mouth. Complainant noted that she had just had oral surgery and could not open her mouth as wide as the Officer DeJesus requested. Subsequently, Officer DeJesus, his partner [REDACTED] and two female officers brought her to the ground and forced her mouth open. Officer DeJesus inserted his pen down her throat and said, "Spit it out, Bitch!" Complainant began to resist the officers, as she could not breathe. Officer DeJesus then struck her four blows with his fists and once more with the butt-end of his flashlight.

Complainant was arrested for possession of cocaine rocks; the complainant denied possessing narcotics. Officers DeJesus and [REDACTED] transported the complainant from San Francisco General Hospital (SFGH) to the County Jail, during which time the officers taunted and threatened the complainant. The complainant also noted that these officers influenced the medical staff to not stitch up her mouth at SFGH as was originally planned.

(State law passed in 1995 mandates that the following statement be provided to, read and signed by persons filing complaints. The OCC encourages the filing of a complaint by anyone who believes he or she is a victim or a witness of improper police conduct or policies.)

ACKNOWLEDGEMENT OF COMPLAINANT (148.6 P.C.)

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED FOR AT LEAST FIVE YEARS. IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.

☐ I HAVE READ AND UNDERSTOOD THE ABOVE STATEMENT. ☐ THE ACKNOWLEDGMENT HAS BEEN READ TO THE COMPLAINANT.

Complainant Signature/Date: _____	Taken By (Name/Unit)/Date: _____
Assigned Investigator/Date: <u>MARK SCAFDI 2-4-00</u>	Closure Approval/Date: _____

POSTED
3/24/01

After you have completed this form, return it to the Office of Citizen Complaints by folding it along the lines below so that the address shows on the outside. Drop in any mailbox. NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES.

在您填妥本投訴書後，請沿摺線摺妥（地址在外），投入郵箱，寄回「公民投訴組」。在美國境內寄出，不需郵費。

Despues de completar la forma, doblela sobre las lineas marcadas y depositela en el buzón. No necesita estampilla (selo postal).

Matapos buuin ang pormang ito, tiklupin sa mga linyang nakatatak sa baba upang makita sa labas ang aming "address". Ihulog sa anumang buson o "mailbox". Hindi kailangan ng selyo kung ipadadala lang sa loob ng America.

OFFICES LOCATED AT:
480 Second Street, Suite 100
San Francisco, CA 94107

BUSINESS REPLY MAIL
FIRST CLASS MAIL PERMIT NO. 22978 SAN FRANCISCO, CA.

POSTAGE WILL BE PAID BY ADDRESSEE

City and County of San Francisco
OFFICE OF CITIZEN COMPLAINTS
875 Stevenson Street, Room 125
San Francisco, CA 94103-0917

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

OCC # 90-00

Unnecessary Force: The officers used unnecessary force.

#247, 165, 1-B, Pending

UNNecessary C/P 0066



Police Commission for the City and County of San Francisco OFFICE OF CITIZEN COMPLAINTS



~CITIZEN COMPLAINT FORM~

INSTRUCTIONS FOR COMPLETION OF THE CITIZEN COMPLAINT FORM:

Please answer questions in blocks 2, 3, 4, 5, 8, 11, 15, 17, 20, 21 & 22. Leave all other blocks blank unless you know the information requested. Please **print** all information in **English**. If you do not have a telephone number, enter a message number or the number of a neighbor, friend or relative in block 4. If witnesses are available, write their names, addresses and telephone numbers on a separate sheet of paper and attach it to your complaint. Do not write them on the complaint form. If you do not know the officers name or badge number, include a complete physical description in the narrative (22). **Print** your narrative. Explain what happened from beginning to end. Be specific as to the nature of your complaint against each officer. Include who, what, where, when and why. If you need additional space, use separate sheets of paper and attach them to the complaint. **YOUR STATEMENT MUST BE A TRUE AND ACCURATE ACCOUNT OF THE INCIDENT** to the best of your knowledge and belief, and **must be signed** by you in block 25. If you have questions or need help, please call the OCC at (415) 597-7711 between 8:00 a.m. and 5:00 p.m., or leave a message with our answering service after 5:00 p.m. You may also contact your local neighborhood center for help. Interpreters can be provided at no charge.

填寫公民投訴書說明：

請回答第 2、3、4、5、8、11、15、17、20、21 及 22 項問題。除非您知道我們所要求的資料，否則請將其他各項留空。所有資料，務請以正楷填寫清楚。如果您沒有電話號碼，請在第 4 項填上有可能聯絡您的電話號碼，或鄰居、親戚、朋友的號碼。如果有證人，請用另一張紙寫上他們的姓名、地址及電話，和投訴書夾在一起；切勿寫在投訴書上。如果你不知道涉及事件的警務人員姓名或編號，請將該員的身體特徵，以正楷詳盡寫在第 22 項上。請清楚說明事件的過程，及投訴的類別，包括涉及何人、何事、何處、何時及何由。如您認為投訴書不夠您填寫，可以另紙填寫資料，夾在投訴書上。您應根據您所知道及所相信的事實填寫資料，必須真實及正確；填妥請在第 26 項簽名。如有疑問或需要幫助，請在上午八時至下午五時，致電 (415) 597-7711「公民投訴組」，或在下午五時後，在該組的電話錄音機上留言。您亦可以與有免費翻譯員服務的「華埠建民中心」求助，電話 415-391-5099。

INSTRUCCIONES PARA LLENAR EL FORMULARIO DE QUEJAS DE LOS CIUDADANOS: Por favor conteste las preguntas de las casillas 2, 3, 4, 5, 8, 11, 15, 17, 20, 21 & 22. Deje sin contestar las demas preguntas a menos que sepa la información solicitada. El formulario debe ser contestado en **Ingles**. Si usted no tiene telefono escriba en la casilla 4 el número de un servicio de mensajes, o el de un vecino, amigo o pariente. Escriba en una hoja separada los nombres, direcciones y telefonos de los testigos (si los hay), y adjunte ésta información al formulario. En caso de que no conozca el nombre o número de insignia de los oficiales, incluya una descripción física completa (22). Describa los hechos en forma completa, sea específico. Incluya quien, que, donde, cuando y porque. Su declaración debe ser un recuento exacto y verdadero del incidente y debe estar firmada por usted (25). Para pedir información o solicitar ayuda visite nuestras oficinas locales o llamenos al numero (415) 597-7711 de 8:00 AM - 5:00 PM. El servicio de interpretación es gratis. Formularios tambien pueden ser obtenidos en La Raza Information Center-- (415) 863-0764.

PARAAN NG PAGSAGOT SA PORMANG ITO (CITIZEN COMPLAINT o REKLAMO NG MAMAMAYAN)
Mangyaring sagutin ang mga tanong sa blokeang 2, 3, 4, 5, 8, 11, 15, 17, 20, 21, at 22. Kung wala kayo ng impormasyon hinihingi dito, paki-iwanan blanko ang blokeang hindi masagot. **Paki-imbag ang lahat na sagot ninyo.** Kung wala kayong telepono, paki-sulat lang ang inyong "message number", o ang numero ng inyong kapit-bahay, kaibigan, o kamag-anak. Kung mayroon kayong mga saksi o testigo, isulat sa ibang papel ang kanilang mga pangalan, mga tirahan, at mga telepono at ikabit ito sa reklamo ninyo. Huwag gagamitin ang pormang ito. Kung hindi ninyo alam ang pangalan ng pulis, o ang numero ng kanyang tsapa, isama sa inyong salaysay ang hitsura at pagmumukha ng pulis. Ilimbag ang inyong salaysay. Liwanagin lahat ang nangyari magmula sa umpisa hanggang sa katapusan. Tiyakin o siguraduhin ang inyong sinusumbong o renireklamo. Sabihin o ilarawan kung sino, ano, saan, kailan at bakit sa pangyayari. Kung kulang ang pagsusulat dito gumamit ng ibang papel at ikabit ito sa sumbong ninyo. Sa inyong kaalaman at paniniwala, ang inilalahad ninyong nangyari ay dapat lubos na katotohanan at walang kamali-mali at kailangan ninyong pirmahan ang sumbong ito sa blokeang bilang 25. Itanong sa amin kung alinman dito ang hindi maliwanag sa inyo. Kung kailangan ninyo ng tulong, paki-tawagan kami, OCC, telepono (415) 597-7711. Maaring tawagan din ninyo ang Philippines American Consul sa telepono (415) 626-0773 sa pagitan ng alas-otso ng umaga at alas-singko ng hapon o mag-iwan ng pahatid o "message" sa aming "answering service" paglampas ng alas-singko ng hapon.

OFFICE OF CITIZEN COMPLAINTS

COPY

CITY AND COUNTY OF SAN FRANCISCO

Mary C. Dunlap
Director

MEMORANDUM

DATE: February 16, 2000
TO: Deputy Daniel Rosen / Fax [REDACTED]
FROM: Mark Scafidi, Investigator
RE: Field Arrest Card
CASE NO.: OCC Case Nos. 90-00

Dear Deputy Rosen:

I am investigating a civilian complaint made by [REDACTED] against members of the SFPD. Would you please send or fax (597-7733) to the OCC a field arrest card for the arrestee named [REDACTED]. She was arrested on 2-4-00 and may be identified by the following:

Name: [REDACTED]

Arrest Date: 02-04-00

*Thank you -
you responded promptly to my request
but sent the field arrest card for
the arrest date of 2-28-00.*

Please send the arrest card for

2-4-00.

Thanks, again.

Your help is greatly appreciated.

Should you have any questions, please feel free to contact me directly at 597-7717.

Very truly yours,

Mark Scafidi
Investigator

THE POLICE COMMISSION
OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

COPY

RY FAX



Mary C. Dunlap
Director

MEMORANDUM

DATE: February 16, 2000
TO: Deputy Daniel Rosen / [REDACTED]
FROM: Mark Scafidi, Investigator
RE: Field Arrest Card
CASE NO.: OCC Case Nos. 90-00

Dear Deputy Rosen:

I am investigating a civilian complaint made by [REDACTED] against members of the SFPD. Would you please send or fax (597-7733) to the OCC a field arrest card for the arrestee named [REDACTED]. She was arrested on 2-4-00 and may be identified by the following:

Name: [REDACTED]

Arrest Date: 02-04-00
[REDACTED]

Your help is greatly appreciated.

Should you have any questions, please feel free to contact me directly at 597-7717.

Very truly yours,


Mark Scafidi
Investigator

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Mary C. Dunlap
Director

February 16, 2000

Hall of Justice (Identification Section)
850 Bryant St., Room 475
S.F., CA 94107

Attention: Ms. Louise Statzer

RE: OCC Case Numbers 90-00

Dear Ms. Statzer:

The Office of Citizen Complaints is conducting an investigation on the above-listed cases.

Please forward to my attention mug shot prints of the following:



Arrest Date 02-04-00

I am interested in the mugshot taken on or as near to the arrest date for the above arrestee.

Your assistance is greatly appreciated.

Very truly yours,


Mark Scafidi, Investigator

Enclosures: Information request form SFPD 9 (10/75)
Mug Shots

cc: OCC File

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Mary C. Dunlap
Director

OFFICE OF CITIZEN COMPLAINTS MEMBER RESPONSE FORM

TO: [REDACTED]

RE: OCC CASE NO. 90-00

FROM: Mark Scafidi, Investigator

COMPLAINANT: [REDACTED]

DATE: February 6, 2001

DATE OF OCCURRENCE: February 4, 2000

RESPONSE DUE DATE: February 26, 2001

REPORT NO.: [REDACTED]

The OCC is conducting an investigation into the complaint referenced above. In order to facilitate the investigation, you are to provide a separate answer to each of the specific questions listed on the reverse side of this form.

You are to answer truthfully, candidly and to the best of your ability. **Failure to answer all questions even under advice of counsel or representative may be a violation of Department General Orders 2.01, 2.04, and 2.08, all of which require cooperation in an OCC investigation.** Administratively compelled statements shall not be used against you in a criminal investigation or proceeding. Your statements shall only be used for administrative proceedings.

Because this investigation could result in punitive action, all of the rights enacted in the Public Safety Officers' Procedural Bill of Rights apply. Specifically:

1. You may seek assistance from the representative of your choice in completing this form.
2. You are specifically authorized to complete answers to these questions while on duty.
3. You have the right to keep a copy of this form.

(OVER)

INFORMATION REQUESTED:

1. The Incident Report stated that, on February 4, 2000, at approximately 12:52 a.m., at Turk and Taylor Streets, the complainant, [REDACTED] (see attached mugshot), was observed making "several swallowing motions", which were believed to be her attempt to conceal narcotics. State your observations upon your unit's arrival on the scene.

- a. Other than the complainant's swallowing motion, did you observe anything which may reasonably have led you to believe that the complainant possessed narcotics? If so, explain.
- b. Had you any prior knowledge of or contact with the complainant? If so, explain.
- c. Who were the officers were on the scene during the arrest of the complainant?
- d. Did you observe the complainant open her mouth for the officers to conduct a visual search? If so, state what occurred.

2. Did the complainant state at any time that she recently had oral surgery performed? If so, what did the complainant say?

- a. The incident report states that "several other Tenderloin Units" responded to assist the primary unit, and that the officers, eventually, were able to remove two off-white colored rocks from the complainant's mouth. State with specificity the struggle with the complainant, to which the incident report refers?
- b. State the individual roles and/or involvement of **each** officer at the scene during the struggle and alleged, forcible search of the complainant (e.g., physical holds used to control and/or search the complainant)
- c. Did you, or any other officer, strike the complainant with a fist or flashlight? If so, explain the circumstances justifying such action.
- d. Did you, or any other officer, use a pen or other object to insert and search down the throat of the complainant? If so, explain the details of what was done.
- e. Did the complainant, at any time of the physical struggle with the officers, appear to lose or approach losing consciousness?

3. The complainant stated that an officer remarked, "Spit it out, Bitch!" or words to that effect. Do you recall any officer making this or a similar statement to the complainant? If so, what statement was made and by whom?

4. The complainant stated that Officers Luis DeJesus #247 and [REDACTED] made several unwarranted statements to her, both during her detention and arrest. Do you recall any officer making rude or unprofessional comment(s) to the complainant? If so, state what was said and by whom?

5. Was any officer injured during this SFPD contact with the complainant? If so, identify the officer, state the nature of the injury, and how the injury occurred.

ARE THERE ANY WITNESSES TO THIS INCIDENT? IF SO IDENTIFY AND PROVIDE CONTACT INFORMATION.

WOULD AN ORAL INTERVIEW AID THIS INVESTIGATION?

IF YES, PLEASE EXPLAIN:

ADD ANY STATEMENT YOU FEEL IS NECESSARY FOR US TO CONSIDER IN THIS INVESTIGATION.

REASON FOR THIS REQUEST: Investigation of citizen complaint.

DOCUMENTS ATTACHED: Copy of OCC Complaint, SFPD Incident Report [REDACTED] and Complainant's Mugshot.

MEMBER'S SIGNATURE: [REDACTED]

DATE: 2/10/01

2/19/2001

OCC CASE NO. 90-00
COMPLAINT: [REDACTED]
INVESTIGATOR: MARK SCAFIDI

I CAN NOT ANSWER THE QUESTIONS REGARDING THIS INCIDENT BECAUSE I DO NOT RECALL IT. I READ THE POLICE REPORT AND ATTACHED DOCUMENTS PROVIDED AND NONE OF THEM INDICATE THAT I WAS PRESENT. IF YOU HAVE FURTHER DOCUMENTATION THAT SHOWS THAT I WAS AT THE SCENE PLEASE PROVIDE THAT INFORMATION SO IT MAY REFRESH MY RECOLLECTION OF THIS INCIDENT.

[REDACTED]

[REDACTED]
TENDERLOIN POLICE STATION

City and County of San Francisco
Chief of Police

Thomas J. Cahill Hall of Justice
850 Bryant Street
San Francisco, CA 94103

INVESTIGATOR MARK SCAFIDI

TO: OCC

OCC CASE # 90-00

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

PROOF OF SERVICE

RECEIVED
AT OCC

2001 FEB 13 P 3:33

Mary C. Dunlap
Director

TO: Captain P. J. Jackson, O.I.C., Bayview Station

RE: MEMBER RESPONSE FORM FOR OCC CASE # 90-00

FROM: Mark Scafidi, Investigator

DATE: February 6, 2001

MEMBER TO BE NOTIFIED: Officer Luis DeJesus, #247 Named X Witness _____

COMMANDING OFFICER: Sign this Proof of Service and serve the attached Member Response Form and any attachments upon the named member when the member next reports to duty. If the member is designated as named, give the member a copy of the attached complaint. Witness members do not get a copy of the complaint, and none may be attached in that event. If the member is on D.P. or extended sick leave, but is medically able to complete the form, forward the Member Response Form to the member at his/her residence. The member must complete and return the Member Response Form to the OCC no later than February 26, 2001. Once the member has been served, return the original of the Proof of Service to the OCC and retain the File Copy for your file. **If you are unable to serve the member you shall notify the OCC investigator by phone no later than February 19, 2001.**

COMMANDING OFFICER'S PROOF OF SERVICE:

Date received: 2-8-01

Reason for failure to serve:

Date and Time served: _____

Date returned to OCC: _____

Signature _____

Star No. _____

MEMBER'S ACKNOWLEDGMENT OF RECEIPT: Your signature acknowledges receipt of the Member Response Form and the following attachments:

_____ Complaint Form _____ None

Luis DeJesus
Member's Signature

247

Star No.

2-12-01 1600
Date and Time Notified

0-01-030

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Mary C. Dunlap
Director

OFFICE OF CITIZEN COMPLAINTS MEMBER RESPONSE FORM

TO: Officer Luis DeJesus, #247

RE: OCC CASE NO. 90-00

FROM: Mark Scafidi, Investigator

COMPLAINANT: [REDACTED]

DATE: February 6, 2001

DATE OF OCCURRENCE: February 4, 2000

RESPONSE DUE DATE: February 26, 2001

REPORT NO.: [REDACTED]

The OCC is conducting an investigation into the complaint referenced above. In order to facilitate the investigation, you are to provide a separate answer to each of the specific questions listed on the reverse side of this form.

You are to answer truthfully, candidly and to the best of your ability. **Failure to answer all questions even under advice of counsel or representative may be a violation of Department General Orders 2.01, 2.04, and 2.08, all of which require cooperation in an OCC investigation.** Administratively compelled statements shall not be used against you in a criminal investigation or proceeding. Your statements shall only be used for administrative proceedings.

Because this investigation could result in punitive action, all of the rights enacted in the Public Safety Officers' Procedural Bill of Rights apply. Specifically:

1. You may seek assistance from the representative of your choice in completing this form.
2. You are specifically authorized to complete answers to these questions while on duty.
3. You have the right to keep a copy of this form.

(OVER)

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Mary C. Dunlap
Director

OFFICE OF CITIZEN COMPLAINTS MEMBER RESPONSE FORM

TO: Officer Luis DeJesus, #247

RE: OCC CASE NO. 90-00

FROM: Mark Scafidi, Investigator

COMPLAINANT: [REDACTED]

DATE: February 6, 2001

DATE OF OCCURRENCE: February 4, 2000

RESPONSE DUE DATE: February 26, 2001

REPORT NO.: [REDACTED]

The OCC is conducting an investigation into the complaint referenced above. In order to facilitate the investigation, you are to provide a separate answer to each of the specific questions listed on the reverse side of this form.

You are to answer truthfully, candidly and to the best of your ability. **Failure to answer all questions even under advice of counsel or representative may be a violation of Department General Orders 2.01, 2.04, and 2.08, all of which require cooperation in an OCC investigation.** Administratively compelled statements shall not be used against you in a criminal investigation or proceeding. Your statements shall only be used for administrative proceedings.

Because this investigation could result in punitive action, all of the rights enacted in the Public Safety Officers' Procedural Bill of Rights apply. Specifically:

1. You may seek assistance from the representative of your choice in completing this form.
2. You are specifically authorized to complete answers to these questions while on duty.
3. You have the right to keep a copy of this form.

(OVER)

INFORMATION REQUESTED:

1. You reported that on February 4, 2000, at approximately 12:52 a.m., at Turk and Taylor Streets, you observed the complainant, [REDACTED] (see attached mugshot), make "several swallowing motions", which you believed to be her attempt to conceal narcotics. (See attached incident report.) Other than the complainant's swallowing, while speaking to an officer, in the early morning, in a high narcotic's crime area, had you any other reason to believe she was attempting to destroy narcotics? If so, explain.

- a. Had you any prior contact with the complainant and/or prior knowledge of her narcotics history? If so, explain.
- b. During your initial conversation with the complainant, did you ask her to open her mouth to determine if she possessed cocaine rocks? If so, state what occurred.
- c. Which other officers were on the scene when you deduced a probable cause belief that the complainant concealed narcotics?

2. The complainant stated that she tried to open her mouth voluntarily for you but her recent oral surgery prevented her from fully doing so. Did the complainant make any voluntary effort to permit your looking into her mouth? If so, state what occurred.

- a. Your incident report states that "several other Tenderloin Units" responded to assist you, and that you, eventually, were able to remove two off-white colored rocks from the complainant's mouth. State in detail the struggle with the complainant, to which your report refers?
- b. State the individual roles and/or involvement of **each** officer at the scene during the struggle and alleged, forcible search of the complainant (e.g., physical holds used to control and/or search the complainant, such as your mastoid gland technique)
- c. Did you, or any other officer, strike the complainant with a fist or flashlight? If so, explain the circumstances justifying such action.
- d. Did you, or any other officer, use a pen or other object to insert and search down the throat of the complainant? If so, explain the details of what was done.
- e. Did you verify at any time during the detention or arrest of the complainant that she had had recent oral surgery? If so, explain how you ascertained this fact.
- f. Did the complainant, at any time of the physical struggle with the officers, lose or approach losing consciousness?

3. The complainant stated that you told her to "Spit it out, Bitch!" or words to that effect. Do you recall making this or a similar statement to the complainant? If so, state the statement you made.

- a. Did any other officer make a statement, as that noted above? If so, identify the officer and the statement made.

4. The complainant stated that you and Officer [REDACTED] made several unwarranted statements to her, both during her arrest and transportation to and from SFGH. Do you recall yourself or Officer [REDACTED] making a rude or unprofessional comment to the complainant?

- a. Did you or Officer [REDACTED] make a statement, threatening to leave the complainant's blood on her own front steps, or words to that effect, to the complainant? If so, explain what was said and the reason for saying it.
- b. Did you or Officer [REDACTED] threaten to leave the complainant standing outside of her house for an extended period of time, stating that it would be a long time before we come

again, or words to that effect? If so, explain what was said and the reason for saying it.

- c. While removing the handcuffs from the complainant, did you or Officer [REDACTED] state that you hoped the complainant would attempt to escape, providing a reason to beat her, or words to that effect? If so, explain what was said and the reason for saying it.

5. Complainant stated that the SFSD triage nurse recommended that the complainant being taken to SFGH for her mouth to be sutured. Do you recall the nurse making such a statement? If so, what did she say?

- a. Did any of the SFGH medical staff, at any time, indicate that the complainant may need stitches for her injuries? If so, who made the statement and what was said?
- b. Did either you or Officer [REDACTED] consult with the medical staff at SFGH regarding the need for the complainant to receive stitches to her injuries? If so, state what was said and by whom.
- c. Were you, or any of the other officers, injured during the contact with the complainant? If so, identify the injured officer and the nature of the injury.

ARE THERE ANY WITNESSES TO THIS INCIDENT? IF SO IDENTIFY AND PROVIDE CONTACT INFORMATION.

WOULD AN ORAL INTERVIEW AID THIS INVESTIGATION?

IF YES, PLEASE EXPLAIN:

ADD ANY STATEMENT YOU FEEL IS NECESSARY FOR US TO CONSIDER IN THIS INVESTIGATION.

REASON FOR THIS REQUEST: Investigation of citizen complaint.

DOCUMENTS ATTACHED: Copy of OCC Complaint, SFPD Incident Report # [REDACTED] and Complainant's Mugshot.

MEMBER'S SIGNATURE:

Luis DeJesus

DATE: 2-23-01

1.) NO

a) NO

b) NO

c) [REDACTED]

2) NO

a) I IMMEDIATELY APPLIED PRESSURE TO HER MASTOID GLAND ON THE RIGHT SIDE WITH MY RIGHT HAND. SHE BECAME VERY COMBATIVE AND BEGAN TO PULL AWAY FROM ME AND TRY TO KICK AT ME. WE EVENTUALLY WENT TO THE GROUND AS SHE CONTINUED TO RESIST MY EFFORTS.

b) I APPLIED PRESSURE TO HER MASTOID GLAND ON THE RIGHT SIDE WITH MY RIGHT HAND. I DO NOT KNOW WHAT ANYBODY ELSE DID.

c) NO.

d) NO

e) NO

f) NO

3.) NO. I TOLD HER TO OPEN HER MOUTH, AND STOP RESISTING SEVERAL TIMES.

a) NO

4.) NO

a) NO

b) NO. NO.

5) I KNOW THAT SHE WAS REFUSED CLEARANCE INTO COUNTY JAIL NINE DUE TO A CUT TO HER UPPER LIP ON THE INSIDE

a) I HAVE NO IDEA

b) I DO NOT RECALL

c) NO. NOT THAT I AM AWARE OF.

I DO NOT KNOW

NO

NONE

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

PROOF OF SERVICE

Mary C. Dunlap
Director

TO: Captain Steve Tacchini, O.I.C., Tenderloin Task Force

RE: MEMBER RESPONSE FORM FOR OCC CASE # 90-00

FROM: Mark Scafidi, Investigator

DATE: February 6, 2001

MEMBER TO BE NOTIFIED: [REDACTED] Named X Witness _____

COMMANDING OFFICER: Sign this Proof of Service and serve the attached Member Response Form and any attachments upon the named member when the member next reports to duty. If the member is designated as named, give the member a copy of the attached complaint. Witness members do not get a copy of the complaint, and none may be attached in that event. If the member is on D.P. or extended sick leave, but is medically able to complete the form, forward the Member Response Form to the member at his/her residence. The member must complete and return the Member Response Form to the OCC no later than February 26, 2001. Once the member has been served, return the original of the Proof of Service to the OCC and retain the File Copy for your file. **If you are unable to serve the member you shall notify the OCC investigator by phone no later than February 19, 2001.**

COMMANDING OFFICER'S PROOF OF SERVICE:Date received: FEB 08 2001 2/12/01

Reason for failure to serve: _____

Date and Time served: 2/12/01 1600Date returned to OCC: 2/12/01

LT. JOE OUTTO #1277

Signature

Star No.

MEMBER'S ACKNOWLEDGMENT OF RECEIPT: Your signature acknowledges receipt of the Member Response Form and the following attachments:

____ Complaint Form ____ None

[REDACTED]

Member's Signature

[REDACTED]

Star No.

2/12/01 1600

Date and Time Notified

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

PROOF OF SERVICE

Mary C. Dunlap
Director

TO: Captain Steve Tacchini, O.I.C., Tenderloin Task Force

RE: MEMBER RESPONSE FORM FOR OCC CASE # 90-00

FROM: Mark Scafidi, Investigator

DATE: February 6, 2001

MEMBER TO BE NOTIFIED: [REDACTED] Named X Witness _____

COMMANDING OFFICER: Sign this Proof of Service and serve the attached Member Response Form and any attachments upon the named member when the member next reports to duty. If the member is designated as named, give the member a copy of the attached complaint. Witness members do not get a copy of the complaint, and none may be attached in that event. If the member is on D.P. or extended sick leave, but is medically able to complete the form, forward the Member Response Form to the member at his/her residence. The member must complete and return the Member Response Form to the OCC no later than February 26, 2001. Once the member has been served, return the original of the Proof of Service to the OCC and retain the File Copy for your file. **If you are unable to serve the member you shall notify the OCC investigator by phone no later than February 19, 2001.**

COMMANDING OFFICER'S PROOF OF SERVICE:

Date received: FEB 08 2001
Date and Time served: 2/19/01, 1100
Date returned to OCC: _____

Reason for failure to serve: _____

LT. DOUGLAS CARR #2026
Signature _____ Star No. _____

MEMBER'S ACKNOWLEDGMENT OF RECEIPT: Your signature acknowledges receipt of the Member Response Form and the following attachments:

☒ Complaint Form ☐ None

[REDACTED]
Member's Signature[REDACTED]
Star No.02/19/2001 1100
Date and Time Notified

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Mary C. Dunlap
Director

OFFICE OF CITIZEN COMPLAINTS MEMBER RESPONSE FORM

TO: [REDACTED]

RE: OCC CASE NO. 90-00

FROM: Mark Scafidi, Investigator

COMPLAINANT: [REDACTED]

DATE: February 6, 2001

DATE OF OCCURRENCE: February 4, 2000

RESPONSE DUE DATE: February 26, 2001

REPORT NO.: [REDACTED]

The OCC is conducting an investigation into the complaint referenced above. In order to facilitate the investigation, you are to provide a separate answer to each of the specific questions listed on the reverse side of this form.

You are to answer truthfully, candidly and to the best of your ability. **Failure to answer all questions even under advice of counsel or representative may be a violation of Department General Orders 2.01, 2.04, and 2.08, all of which require cooperation in an OCC investigation.** Administratively compelled statements shall not be used against you in a criminal investigation or proceeding. Your statements shall only be used for administrative proceedings.

Because this investigation could result in punitive action, all of the rights enacted in the Public Safety Officers' Procedural Bill of Rights apply. Specifically:

1. You may seek assistance from the representative of your choice in completing this form.
2. You are specifically authorized to complete answers to these questions while on duty.
3. You have the right to keep a copy of this form.

(OVER)

INFORMATION REQUESTED:

1. The Incident Report stated that, on February 4, 2000, at approximately 12:52 a.m., at Turk and Taylor Streets, the complainant, [REDACTED] (see attached mugshot), was observed making "several swallowing motions", which were believed to be her attempt to conceal narcotics. State your observations upon your unit's arrival on the scene.
 - a. Other than the complainant's swallowing motion, did you observe anything which may reasonably have led you to believe that the complainant possessed narcotics? If so, explain.
 - b. Had you any prior knowledge of or contact with the complainant? If so, explain.
 - c. Who were the officers on the scene during the arrest of the complainant?
 - d. Did you observe the complainant open her mouth for the officers to conduct a visual search? If so, state what occurred.
2. Did the complainant state at any time that she recently had oral surgery performed? If so, what did the complainant say?
 - a. The incident report states that "several other Tenderloin Units" responded to assist the primary unit, and that the officers, eventually, were able to remove two off-white colored rocks from the complainant's mouth. State with specificity the struggle with the complainant, to which the incident report refers?
 - b. State the individual roles and/or involvement of **each** officer at the scene during the struggle and alleged, forcible search of the complainant (e.g., physical holds used to control and/or search the complainant)
 - c. Did you, or any other officer, strike the complainant with a fist or flashlight? If so, explain the circumstances justifying such action.
 - d. Did you, or any other officer, use a pen or other object to insert and search down the throat of the complainant? If so, explain the details of what was done.
 - e. Did the complainant, at any time of the physical struggle with the officers, appear to lose or approach losing consciousness?
3. The complainant stated that an officer remarked, "Spit it out, Bitch!" or words to that effect. Do you recall any officer making this or a similar statement to the complainant? If so, what statement was made and by whom?
4. The complainant stated that Officers Luis DeJesus #247 and [REDACTED] made several unwarranted statements to her, both during her detention and arrest. Do you recall any officer making rude or unprofessional comment(s) to the complainant? If so, state what was said and by whom?
5. Was any officer injured during this SFPD contact with the complainant? If so, identify the officer, state the nature of the injury, and how the injury occurred.

ARE THERE ANY WITNESSES TO THIS INCIDENT? IF SO IDENTIFY AND PROVIDE CONTACT INFORMATION.

WOULD AN ORAL INTERVIEW AID THIS INVESTIGATION?

IF YES, PLEASE EXPLAIN:

ADD ANY STATEMENT YOU FEEL IS NECESSARY FOR US TO CONSIDER IN THIS INVESTIGATION.

REASON FOR THIS REQUEST: Investigation of citizen complaint.

DOCUMENTS ATTACHED: Copy of OCC Complaint, SFPD Incident Report [REDACTED] and Complainant's Mugshot.

MEMBER'S SIGNATURE: _____ DATE: _____

OCC Case No. 90-00

RECEIVED
AT OCC

2001 FEB 26 P 4: 25

Information Requested:

1. a. No, this happened prior to my arrival.
b. No, I had not.
c. This happened prior to my arrival, therefore I can not say.
d. No, this happened prior to my arrival.
2. No, not to me.
 - a. This happened prior to my arrival.
 - b. When I arrived on the scene, it was very chaotic and I recall that I monitored the hostile crowd that had gathered to assure the safety of the officers who were dealing with the arrested subject.
 - c. I had no contact with [REDACTED] at all while at the scene since I was busy monitoring the crowd.
 - d. No.
 - e. My focus was on the crowd to assure the safety of the officers dealing with the arrested subject.
3. No, I did not.
4. No, I do not.
5. Not that I know of.

I know of no witnesses to this incident.

An oral interview with me would be useless. I responded to an officer's request for assistance, and when I arrived I began monitoring the hostile crowd that had gathered. This was the extent of my involvement.

Member's Signature: _____

Date: 02/26/01

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

PROOF OF SERVICE

Mary C. Dunlap
Director

TO: Captain Steve Tacchini, O.I.C., Tenderloin Task Force

RE: MEMBER RESPONSE FORM FOR OCC CASE # 90-00

FROM: Mark Scafidi, Investigator

DATE: February 6, 2001

MEMBER TO BE NOTIFIED: [REDACTED] Named X Witness _____

COMMANDING OFFICER: Sign this Proof of Service and serve the attached Member Response Form and any attachments upon the named member when the member next reports to duty. If the member is designated as named, give the member a copy of the attached complaint. Witness members do not get a copy of the complaint, and none may be attached in that event. If the member is on D.P. or extended sick leave, but is medically able to complete the form, forward the Member Response Form to the member at his/her residence. The member must complete and return the Member Response Form to the OCC no later than February 26, 2001. Once the member has been served, return the original of the Proof of Service to the OCC and retain the File Copy for your file. **If you are unable to serve the member you shall notify the OCC investigator by phone no later than February 19, 2001.**

COMMANDING OFFICER'S PROOF OF SERVICE:

Date received: FEB 08 2001
Date and Time served: FEB 10 2001 1600
Date returned to OCC: _____

Reason for failure to serve: _____

Signature _____ Star No. _____

[Signature]
GARY JIMENEZ
LIEUTENANT, #1938

MEMBER'S ACKNOWLEDGMENT OF RECEIPT: Your signature acknowledges receipt of the Member Response Form and the following attachments:

_____ Complaint Form _____ None

[REDACTED]

Member's Signature

[REDACTED]

Star No.

2-10-01 1910 HRS
Date and Time Notified

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Mary C. Dunlap
Director

OFFICE OF CITIZEN COMPLAINTS MEMBER RESPONSE FORM

TO: [REDACTED]

RE: OCC CASE NO. 90-00

FROM: Mark Scafidi, Investigator

COMPLAINANT: [REDACTED]

DATE: February 6, 2001

DATE OF OCCURRENCE: February 4, 2000

RESPONSE DUE DATE: February 26, 2001

REPORT NO.: [REDACTED]

The OCC is conducting an investigation into the complaint referenced above. In order to facilitate the investigation, you are to provide a separate answer to each of the specific questions listed on the reverse side of this form.

You are to answer truthfully, candidly and to the best of your ability. **Failure to answer all questions even under advice of counsel or representative may be a violation of Department General Orders 2.01, 2.04, and 2.08, all of which require cooperation in an OCC investigation.** Administratively compelled statements shall not be used against you in a criminal investigation or proceeding. Your statements shall only be used for administrative proceedings.

Because this investigation could result in punitive action, all of the rights enacted in the Public Safety Officers' Procedural Bill of Rights apply. Specifically:

1. You may seek assistance from the representative of your choice in completing this form.
2. You are specifically authorized to complete answers to these questions while on duty.
3. You have the right to keep a copy of this form.

(OVER)

INFORMATION REQUESTED:

1. The Incident Report stated that, on February 4, 2000, at approximately 12:52 a.m., at Turk and Taylor Streets, the complainant, [REDACTED] (see attached mugshot), was observed making "several swallowing motions", which were believed to be her attempt to conceal narcotics. State your observations upon your unit's arrival on the scene.

- a. Other than the complainant's swallowing motion, did you observe anything, which may reasonably have led you to believe that the complainant possessed narcotics? If so, explain.
- b. Had you any prior knowledge of or contact with the complainant? If so, explain.
- c. Who were the officers on the scene during the arrest of the complainant?
- d. Did you observe the complainant open her mouth for the officers to conduct a visual search? If so, state what occurred.

2. Did the complainant state at any time that she had recent oral surgery performed? If so, what did the complainant say?

- a. The incident report states that "several other Tenderloin Units" responded to assist the primary unit, and that the officers, eventually, were able to remove two off-white colored rocks from the complainant's mouth. State with specificity the struggle with the complainant, to which the incident report refers?
- b. State the individual roles and/or involvement of **each** officer at the scene during the struggle and alleged, forcible search of the complainant (e.g., physical holds used to control and/or search the complainant)
- c. Did you, or any other officer, strike the complainant with a fist or flashlight? If so, explain the circumstances justifying such action.
- d. Did you, or any other officer, use a pen or other object to insert and search down the throat of the complainant? If so, explain the details of what was done.
- e. Did the complainant, at any time of the physical struggle with the officers, lose or approach losing consciousness?

3. The complainant stated that an officer remarked, "Spit it out, Bitch!" or words to that effect. Do you recall any officer making this or a similar statement to the complainant? If so, what statement was made and by whom?

4. The complainant stated that Officers Luis DeJesus #247 and [REDACTED] made several unwarranted statements to her, both during her detention and arrest. Do you recall any officer making rude or unprofessional comment(s) to the complainant? If so, state what was said and by whom?

5. Was any officer injured during this SFPD contact with the complainant? If so, identify the officer, state the nature of the injury, and how the injury occurred.

ARE THERE ANY WITNESSES TO THIS INCIDENT? IF SO IDENTIFY AND PROVIDE CONTACT INFORMATION.

WOULD AN ORAL INTERVIEW AID THIS INVESTIGATION?

IF YES, PLEASE EXPLAIN:

ADD ANY STATEMENT YOU FEEL IS NECESSARY FOR US TO CONSIDER IN THIS INVESTIGATION.

REASON FOR THIS REQUEST: Investigation of citizen complaint.

DOCUMENTS ATTACHED: Copy of OCC Complaint, SFPD Incident Report [REDACTED] and Complainant's Mugshot.

MEMBER'S SIGNATURE:

[REDACTED]

DATE: 2/14/01

1. I DO NOT RECALL THIS INCIDENT.

- a. NO, I DO NOT RECALL.
- b. NO, I DO NOT HAVE PRIOR KNOWLEDGE OR HAVE I HAD PRIOR CONTACT WITH THE COMPLAINANT.
- c. I DO NOT KNOW.
- d. NO, I DID NOT.

2. I DO NOT RECALL.

- a. I DO NOT RECALL.
- b. I DO NOT KNOW.
- c. NO.
- d. NO.
- e. I DO NOT KNOW.

3. NO, I DO NOT RECALL.

4. NO, I DO NOT RECALL.

5. I DO NOT KNOW.

NO, I DO NOT KNOW IF THERE ARE ANY WITNESSES TO THIS INCIDENT.

NO, AN ORAL INTERVIEW WOULD NOT AID THIS INVESTIGATION.

THE POLICE COMMISSION

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

01204

Mary C. Dunlap
Director**DATE:** February 16, 2000**TO:** Communications Division - Tapes Section (FAX [REDACTED])**FROM:** Mark Scafidi
Investigator, OCC 90-00**SUBJECT:** Request for Communications Data

I am currently investigating an O.C.C. complaint. I would like to review the data described as follows:

DATE: 02-04-00**TIME:** approximately 00:52 hours**NAME (IF AVAILABLE)** [REDACTED]**TELEPHONE NUMBER****MATERIAL REQUESTED** Communications Tape**DESCRIPTION OF THE INCIDENT**Incident Report # [REDACTED]
Comp. No. # 000350115

On 02-04-00 at approximately 12:52 a.m., complainant [REDACTED] was arrested by Officers [REDACTED] and Luis DeJesus for drug possession. There were several TTF units who responded to this call at Turk and Taylor Sts., as well as a paramedic unit.

Your assistance in providing the taped communication as well as the unit histories for these officers is greatly appreciated.

Thanks you for your assistance.

OCC CASE #: 90-00

Please call me if you have any questions. I can be reached at (415) 597-7717.

COMDATA.DOC



The annexed instrument is a true and correct copy of the original on file in my office.
Attest Certified Date: **MAR 14 2000**

MICHAEL HENNESSEY, Sheriff

by: **DEP. ALEXIS**

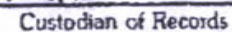
Custodian of Records

SAN FRANCISCO POLICE DEPARTMENT

FIELD ARREST CARD

B-966

JAIL NUMBER		LAST NAME		FIRST NAME		MIDDLE		SF NO.			
								CHI NO.			
								FBI NO.			
RACE	SEX	DOB	COUNTRY	CITIZEN	RESIDENCE ADDRESS	REASON NOT CITED	AGENCY	UNIT	CASEAD # (MUST BE FILLED IN)		
B	F			Y N			SF PD	3B 14C			
LOCATION OF ARREST					BOOKING LOCATION, DATE & TIME					FINGERPRINT CLERK DATE & TIME	
1000 MARKET ST.					CJ 9 02-28-2000						
DATE & TIME OF ARREST					MEDICAL TREATMENT PRIOR TO JAIL			MEDICALLY CLEARED	MEDICALLY SCREENED		
02-28-2000 2205								4			
					CHARGE 1	CLASS CODES	OFFICER ARRESTING 1	STAR	COURT RET		
					647(f) R.W.S. P.C.		BABBS	350	DEP	DATE	
					CHARGE 2	CWB CHECK					
						ARRESTING 2	O'CONNOR	313			
						CWB CHECK					
					CHARGE 3	APPROVED BY	SGT. DAWYDIAK	626			
						PD BOOKING					
					CHARGE 4	SEARCHED BY					
						TRANSPORT					
						NAME	CLASS	HOUSING			



SF DPA - 0090-00 - 000079

City and County of San Francisco

OFFICE OF THE SHERIFF



Michael Hennessey

SHERIFF

(415) 554-7225

COUNTY JAIL 1 FAX

To: MARK SCAFIDIDate: MAR 14 2000From: DEP. ALEXISPhone: [REDACTED]Fax: [REDACTED]Re: [REDACTED]Number of pages (including this page): 1Comments: REQUESTED INFORMATION

THE POLICE COMMISSION
OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO



Mary C. Dunlap
Director

MEMORANDUM

DATE: February 16, 2000
TO: Deputy Daniel Rosen / Fax [REDACTED]
FROM: Mark Scafidi, Investigator
RE: Field Arrest Card
CASE NO.: OCC Case Nos. 90-00

Dear Deputy Rosen:

I am investigating a civilian complaint made by [REDACTED] against members of the SFPD. Would you please send or fax (597-7733) to the OCC a field arrest card for the arrestee named [REDACTED]. She was arrested on 2-4-00 and may be identified by the following:

Name: [REDACTED]
[REDACTED]

Jail No:

Your help is greatly appreciated.

Should you have any questions, please feel free to contact me directly at 597-7717.

Very truly yours,


Mark Scafidi
Investigator

002

NO. 170

001

NO. 584


12:16

13:12

03/05/00

02/17/2000

SAN FRANCISCO POLICE DEPARTMENT **USE OF FORCE LOG** Reporting Period: Beginning 2/1/00 Ends 2/15/00
Mo Day Yr. Mo Day Yr.

DATE	CASE NUMBER	OFFICER USING FORCE NAME & STAR #	REVIEWING SUPERVISOR NAME & STAR #	PHYSICAL CONTROL	STRIKE BY FIST OR OBJECT	CHEMICAL AGENT/MACE/O.C.	BATON/STRIKE OR JAB	CAROTID RESTRAINT	FIREARM	SUSPECT INJURED	SUSPECT COMPLAINT OF INJURY	OFFICER INJURED DURING USE OF REPORTABLE FORCE	COMMENTS
2/13/00		DeJesus 247	Garcia 362	/						Yes No	Yes No	Yes No	Bleeding from gun location recent gun surgery. cleared SFGH
<div>FORWARD ONE COPY TO: BUREAU HEADQUARTERS. FORWARD COPY OF LOG AND INCIDENT REPORTS TO COMMANDING OFFICER, M.C.D. AND TRAINING DIVISION. 1ST AND 15TH OF EACH MONTH</div>													
 Lt. Timothy Foley Acting Capt. #1626		San Francisco Police Department Underleoin Task Force 1 Jones Street San Francisco, CA 94102											

San Francisco
Police
Department



FAX
Transmittal

Management Control Division

850 Bryant Street, Room 545
San Francisco, CA 94103

TO: Mark
O.C.C.

Date: 3/6/00
Time: 12:15 pm

Telephone Number:

No of Pages: 1
(other than this sheet)

Fax Number: [REDACTED]

FROM: Sonia - MCD

Telephone Number: [REDACTED]

Fax Number: [REDACTED]

Use of Force Log for TTF
Feb. 1-15, 2000

—WARNING—

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return this original message to us by the U.S. Postal Service at:

ROOM 545, 850 BRYANT STREET
SAN FRANCISCO, CA 94103

Thank you.

T 619

SAN FRANCISCO POLICE DEPARTMENT

FIELD ARREST CARD

JAIL NUMBER		LAST NAME		FIRST NAME		MIDDLE		SF NO.	
								CII NO.	
								FBI NO.	
RACE	SEX	DOB	COUNTRY	CITIZEN	RESIDENCE ADDRESS	REASON NOT CITED	AGENCY	UNIT	CASE/ID # (MUST BE FILLED IN)
B	F		U.S.	<input checked="" type="checkbox"/>	NO LOCAL		SF	15	
							PD	130	
LOCATION OF ARREST					BOOKING LOCATION, DATE & TIME			FINGERPRINT CLERK, DATE & TIME	
JUVENILE TAYLOR					COUNTY JAIL 9				
DATE & TIME OF ARREST					MEDICAL TREATMENT PRIOR TO JAIL			MEDICALLY CLEARED	
2-4-2000 0052 HRS								1 → 2	
CHARGE 1					CLASS CODES		OFFICER ARRESTING 1		STAR
N/W 11351.5 H3S					DEFE5125				247
CHARGE 2					CWB CHECK		AKC490		711
148 P.C.					ARRESTING 2		WESTBROOK		165
CHARGE 3 W# 5482823					CWB CHECK				
VIO: HS 11352(A) HS FTA OR					APPROVED BY		SGT CESARI		155
HS RVKD D20					PD BOOKING				
BAI: 15,000.00					SEARCHED BY		BARBERIA		1615
CHARGE 4 W# 00508829					TRANSPORT				
VIO: CO P1559 CO P21									
BAI: 211.00									
NAME					CLASS				
					NIED		4H		
					LO		10/12		



The enclosed instrument is a true and correct copy of the original on file in my office.

Arrest Certified, Date: **MAR 18 2000**

MICHAEL HENNESSEY, Sheriff

by: **DEP. ALAN**

Custodian of Records

SFHX: NARGS/ROBB/ADN/ACCESS CII: SAME FBI: WASH. ASSAULT

DATE		ACTIVITY								STAR #	
MEDICAL TRIAGE	PROPERTY/ CLOTHING	PHOTO ID	COL. PROJECT	2. MEDICAL SCREENING	JPS SCREEN	SUPERCITE REVIEW	MOVEMENT COORDINATOR	DELIVERED TO:	RECEIVED BY		
DATE 2-4	RACK # 1324	DATE	DATE	DATE 2/4	DATE	DATE	DATE 2/4	FACILITY	DATE 2/4/00		
TIME 12:30	BIN #	TIME 10:00	TIME 08:00	TIME 07:43	BY	TIME	TIME 12:15		TIME 20:32		
BY WCI		BY LB	BY	BY JAR	JPS REF Y N	BY	BY 1352	1	BY 1637		
<div style="border: 1px solid black; padding: 5px; text-align: center;"> RELEASING DEPUTY <u>PLYNN</u> STAR # <u>1017</u> TO WHOM RELEASED <u>Self</u> FID Computer <input checked="" type="checkbox"/> HIT <input type="checkbox"/> NO HIT </div>											
INTAKE		RELEASE		RIGHT INDEX PRINT							
				AUTHORITY FOR RELEASE Release To: <input checked="" type="checkbox"/> Self <input type="checkbox"/> Other Reason for Release: <u>CITE / DISC</u> By: <u>1637 NR</u> Date: <u>7/5/00</u>							
				PRISONER TELEPHO STAR SIGNATURE							



The annexed instrument is a true and correct copy of the original on file in my office.
Attest Certified. Date: MAR 18 2000

MICHAEL HENNESSEY, Sheriff
by: DEP. ALEXUS

Custodian of Records

THE POLICE COMMISSION

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

Mary C. Dunlap
Director

MEMORANDUM

DATE: February 16, 2000
TO: Deputy Daniel Rosen / [REDACTED]
FROM: Mark Scafidi, Investigator
RE: Field Arrest Card
CASE NO.: OCC Case Nos. 90-00

Dear Deputy Rosen:

I am investigating a civilian complaint made by [REDACTED] against members of the SFPD. Would you please send or fax (597-7733) to the OCC a field arrest card for the arrestee named [REDACTED]. She was arrested on 2-4-00 and may be identified by the following:

[REDACTED]
Arrest Date: 02-04-00
[REDACTED]

*Thank you -
You responded promptly to my request
but sent the field arrest card for
the arrest date of 2-28-00.*

Please send the arrest card for

Your help is greatly appreciated.

*2-4-00.**Thank, again.*

Should you have any questions, please feel free to contact me directly at 597-7717.

Very truly yours,

Mark Scafidi
Investigator

City and County of San Francisco

OFFICE OF THE SHERIFF

Michael Hennessey
SHERIFF

(415) 554-7225

COUNTY JAIL 1 FAX

To: MARK SCAFIDIDate: MAR 18 2000From: DET ALEX

Phone: [REDACTED]

Fax: [REDACTED]

Re: [REDACTED]

Number of pages (including this page): 2

Comments: _____

PC§ 148. Resist, Obstruct, Delay of Peace Officer or EMT

(a) (1) Every person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797) of the Health and Safety Code, in the discharge or attempt to discharge any duty of his or her office or employment, when no other punishment is prescribed, shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.

(2) Except as provided by subdivision (d) of Section 653t, every person who knowingly and maliciously interrupts, disrupts, impedes, or otherwise interferes with the transmission of a communication over a public safety radio frequency shall be punished by a fine not exceeding one thousand dollars (\$1,000), imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

(b) Every person who, during the commission of any offense described in subdivision (a), removes or takes any weapon, other than a firearm, from the person of, or immediate presence of, a public officer or peace officer shall be punished by imprisonment in a county jail not to exceed one year or in the state prison.

(c) Every person who, during the commission of any offense described in subdivision (a), removes or takes a firearm from the person of, or immediate presence of, a public officer or peace officer shall be punished by imprisonment in the state prison.

(d) Except as provided in subdivision (c) and notwithstanding subdivision (a) of Section 489, every person who removes or takes without intent to permanently deprive, or who attempts to remove or take a firearm from the person of, or immediate presence of, a public officer or peace officer, while the officer is engaged in the performance of his or her lawful duties, shall be punished by imprisonment in a county jail not to exceed one year or in the state prison.

In order to prove a violation of this subdivision, the prosecution shall establish that the defendant had the specific intent to remove or take the firearm by demonstrating that any of the following direct, but ineffectual, acts occurred:

- (1) The officer's holster strap was unfastened by the defendant.
- (2) The firearm was partially removed from the officer's holster by the defendant.
- (3) The firearm safety was released by the defendant.
- (4) An independent witness corroborates that the defendant stated that he or she intended to remove the firearm and the defendant actually touched the firearm.
- (5) An independent witness corroborates that the defendant actually had his or her hand on the firearm and tried to take the firearm away from the officer who was holding it.
- (6) The defendant's fingerprint was found on the firearm or holster.

(7) Physical evidence authenticated by a scientifically verifiable procedure established that the defendant touched the firearm.

(8) In the course of any struggle, the officer's firearm fell and the defendant attempted to pick it up.

(e) A person shall not be convicted of a violation of subdivision (a) in addition to a conviction of a violation of subdivision (b), (c), or (d) when the resistance, delay, or obstruction, and the removal or taking of the weapon or firearm or attempt thereof, was committed against the same public officer, peace officer, or emergency medical technician. A person may be convicted of multiple violations of this section if more than one public officer, peace officer, or emergency medical technician are victims.

(f) This section shall not apply if the public officer, peace officer, or emergency medical technician is disarmed while engaged in a criminal act.

(Amended by Stats. 1999, Ch. 853, Sec. 8. Effective January 1, 2000.)

(Amended by Stats. 1997, Ch. 464, Sec. 1. Effective January 1, 1998.)

HS§ 11351.5. Possession for Sale of Cocaine Base

Except as otherwise provided in this division, every person who possesses for sale or purchases for purposes of sale cocaine base which is specified in paragraph (1) of subdivision (f) of Section 11054, shall be punished by imprisonment in the state prison for a period of three, four, or five years.

(Amended by Stats. 1987, Ch. 1174, Sec. 3. Effective September 26, 1987.)

OFFICE OF CITIZEN COMPLAINTS - USE BLACK INK ONLY!

[illegible]

22

NARRATIVE OF INCIDENT:

The following statement was taken from the complainant, [REDACTED] on February 4, 2000 at County Jail #9 by OCC Investigator Mark Scafid.

Complainant went downtown to visit her aunt and collect some money to pay her mother's rent. A patrol car pulled-up and Officer Luis DeJesus #247 asked if she possessed any cocaine rocks and for her to open her mouth. Complainant noted that she had just had oral surgery and could not open her mouth as wide as the Officer DeJesus requested. Subsequently, Officer DeJesus, his partner [REDACTED] and two female officers brought her to the ground and forced her mouth open. Officer DeJesus inserted his pen down her throat and said, "Spit it out, Bitch!" Complainant began to resist the officers, as she could not breathe. Officer DeJesus then struck her four blows with his fists and once more with the butt-end of his flashlight.

Complainant was arrested for possession of cocaine rocks; the complainant denied possessing narcotics. Officers DeJesus and [REDACTED] transported the complainant from San Francisco General Hospital (SFGH) to the County Jail, during which time the officers taunted and threatened the complainant. The complainant also noted that these officers influenced the medical staff to not stitch up her mouth at SFGH as was originally planned.

(State law passed in 1995 mandates that the following statement be provided to, read and signed by persons filing complaints. The OGC encourages the filing of a complaint by anyone who believes he or she is a victim or a witness of improper police conduct or policies.)

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☐ I HAVE READ AND UNDERSTOOD THE ABOVE STATEMENT.

☐ THE ACKNOWLEDGMENT HAS BEEN READ TO THE COMPLAINANT.

Complainant Signature/Date:

Taken By (Name/#/Unit)/Date:

Assigned Investigator/Date:

Closure Approval/Date:	
------------------------	--

MARK SCARFID

2.4.00

After you have completed this form, return it to the Office of Citizen Complaints by folding it along the lines below so that the address shows on the outside. Drop in any mailbox. NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES.

在您填妥本投訴書後，請沿摺線摺妥（地址在外），投入郵箱，寄回「公民投訴組」。在美國境內寄出，不需郵費。

Despues de completar la forma, doblala sobre las lineas marcadas y depositela en el buzón. No necesita estampilla (sello postal).

Matapos buuin ang pormang ito, tiklupin sa mga linyang nakatatak sa baba upang makita sa labas ang aming "address". Ihulog sa anumang buson o "mailbox". Hindi kailangan ng selyo kung ipadadala lang sa loob ng America.

OFFICES LOCATED AT:
480 Second Street, Suite 100
San Francisco, CA 94107

BUSINESS REPLY MAIL
FIRST CLASS MAIL PERMIT NO. 22978 SAN FRANCISCO, CA

POSTAGE WILL BE PAID BY ADDRESSEE

City and County of San Francisco
OFFICE OF CITIZEN COMPLAINTS
875 Stevenson Street, Room 125
San Francisco, CA 94103-0917

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

OCC # 90-00

Unnecessary Force: The officers used unnecessary force. #247, 165, ~~166~~ Pending ^{UNKNOWN OFFICER}



Police Commission for the City and County of San Francisco
OFFICE OF CITIZEN COMPLAINTS



~CITIZEN COMPLAINT FORM~

INSTRUCTIONS FOR COMPLETION OF THE CITIZEN COMPLAINT FORM:

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INSTRUCCIONES PARA LLENAR EL FORMULARIO DE QUEJAS DE LOS CIUDADANOS: Por favor conteste las preguntas de las casillas 2, 3, 4, 5, 8, 11, 15, 17, 20, 21 & 22. Deje sin contestar las demas preguntas a menos que sepa la información solicitada. El formulario debe ser contestado en **Ingles**. Si usted no tiene telefono escriba en la casilla 4 el número de un servicio de mensajes, o el de un vecino, amigo o pariente. Escriba en una hoja separada los nombres, direcciones y telefonos de los testigos (si los hay), y adjunte ésta información al formulario. En caso de que no conozca el nombre o número de insignia de los oficiales, incluya una descripción física completa (22). Describa los hechos en forma completa, sea específico. Incluya quien, que, donde, cuando y porque. Su declaración debe ser un recuento exacto y verdadero del incidente y debe estar firmada por usted (25). Para pedir información o solicitar ayuda visite nuestras oficinas locales o llámenos al numero (415) 597-7711 de 8:00 AM - 5:00 PM. El servicio de interpretación es gratis. Formularios tambien pueden ser obtenidos en La Raza Information Center-- (415) 863-0764.

PARAAN NG PAGSAGOT SA PORMANG ITO (CITIZEN COMPLAINT o REKLAMO NG MAMAMAYAN)
Mangyaring sagutin ang mga tanong sa bloke 2, 3, 4, 5, 8, 11, 15, 17, 20, 21, at 22. Kung wala kayo ng impormasyon hinihingi dito, paki-awan blanko ang bloke hindi masagot. **Paki-imbag ang lahat na sagot ninyo.** Kung wala kayong telepono, paki-sulat lang ang inyong "message number", o ang numero ng inyong kapit-bahay, kaibigan, o kamag-anak. Kung mayroon kayong mga saksi o testigo, isulat sa ibang papel ang kanilang mga pangalan, mga tirahan, at mga telepono at ikabit ito sa reklamo ninyo. Huwag gagamitin ang pormang ito. Kung hindi ninyo alam ang pangalan ng pulis o ang numero ng kanyang tsapa, isama sa inyong salaysay ang hitsura at pagmumukha ng pulis. Ilimbag ang inyong salaysay. Liwanagin lahat ang nangyari magmula sa umpisa hanggang sa katapusan. Tiyakin o siguraduhin ang inyong sinusumbong o renireklamo. Sabihin o ilarawan kung sino, ano, saan, kailan at bakit sa pangyayari. Kung kulang ang pagsusulat dito gumamit ng ibang papel at ikabit ito sa sumbong ninyo. Sa inyong kaalaman at paniniwala, ang inilalahad ninyong nangyari ay dapat lubos na katotohanan at walang kamali-mali at kailangan ninyong pirmahan ang sumbong ito sa bloke 25. Itanong sa amin kung alinman dito ang hindi maliwanag sa inyo. Kung kailangan ninyo ng tulong, paki-tawagan kami, OCC, telepono (415) 597-7711. Maaring tawagan din ninyo ang Philippines American Consul sa telepono (415) 626-0773 sa pagitan ng alas-otso ng umaga at alas-singko ng hapon o mag-iwan ng pahatid o "message" sa aming "answering service" paglampas ng alas-singko ng hapon.

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

RECEIVED
AT OCC

2001 APR -9 P 12:13



Mary C. Dunlap
Director

March 19, 2001

RE: OCC #90-00

Dear [REDACTED]:

I received your letter requesting both a copy of the Office of Citizen Complaints (OCC) complaint form and any pictures, which this office has kept on file, which may bear physical marks from your contact with the SFPD officers on February 4, 2000.

Enclosed please find a copy of the OCC form for your records. Office policy precludes my sending copies of the arrest mugshots to you; however, you may obtain the same colored photos from the SFPD records room. Ms. Theresa Nelson, from Prisoner Legal Services, may be able to assist you in obtaining these photos, as she has made recent inquiries into the status of your case with my office.

Please note that I have completed the investigation of your case and the OCC will send you a preliminary letter to your Dakota Street address in San Francisco within a week or so. Should you have any questions regarding the preliminary letter and/or its case findings, you may call or write the OCC for a case review or hearing to further discuss the case.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark Scafidi", written over a horizontal line.

Mark Scafidi, OCC Investigator

OFFICE OF CITIZEN COMPLAINTS - USE BLACK INK ONLY!

[illegible]

22

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☐ THE ACKNOWLEDGMENT HAS BEEN READ TO THE COMPLAINANT.

Complainant Signature/Date:

Taken By (Name/#/Unit)/Date:

Assigned Investigator/Date:

Closure Approval/Date:	
------------------------	--

MARK SCAPIDA

2.4.00

POSTED
3/24/01

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City and County of San Francisco
OFFICE OF CITIZEN COMPLAINTS
875 Stevenson Street, Room 125
San Francisco, CA 94103-0917

OCC # 90-00

Unnecessary Force: The officers used unnecessary force.

#247, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

UNKNOWN OFFICER



Police Commission for the City and County of San Francisco OFFICE OF CITIZEN COMPLAINTS



~CITIZEN COMPLAINT FORM~

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填寫公民投訴書說明：

請回答第 2、3、4、5、8、11、15、17、20、21 及 22 項問題。除非您知道我們所要求的資料，否則請將其他各項留空。所有資料，務請以正確填寫清楚。如果您沒有電話號碼，請在第 4 項填上有可能聯絡您的電話號碼，或鄰居、親戚、朋友的號碼。如果有證人，請用另一張紙寫上他們的姓名、地址及電話，和投訴書夾在一起；切勿寫在投訴書上。如果你不知道涉及事件的警務人員姓名或編號，請將該員的身體特徵，以正確詳盡寫在第 22 項上。請清楚說明事件的過程，及投訴的類別，包括涉及何人、何事、何處、何時及何由。如您認為投訴書不夠您填寫，可以另紙填寫資料，夾在投訴書上。您應根據您所知道及所相信的事實填寫資料，必須真實及正確；填妥請在第 26 項簽名。如有疑問或需要幫助，請在上午八時至下午五時，致電 (415) 597-7711「公民投訴組」，或在下午五時後，在該組的電話錄音機上留言。您亦可以與有免費翻譯員服務的「華埠建民中心」求助，電話 415-391-5099。

INSTRUCCIONES PARA LLENAR EL FORMULARIO DE QUEJAS DE LOS CIUDADANOS: Por favor conteste las preguntas de las casillas 2, 3, 4, 5, 8, 11, 15, 17, 20, 21 & 22. Deje sin contestar las demas preguntas a menos que sepa la información solicitada. El formulario debe ser contestado en Ingles. Si usted no tiene telefono escriba en la casilla 4 el número de un servicio de mensajes, o el de un vecino, amigo o pariente. Escriba en una hoja separada los nombres, direcciones y telefonos de los testigos (si los hay), y adjunte ésta información al formulario. En caso de que no conozca el nombre o número de insignia de los oficiales, incluya una descripción física completa (22). Describa los hechos en forma completa, sea específico. Incluya quien, que, donde, cuando y porque. Su declaración debe ser un recuento exacto y verdadero del incidente y debe estar firmada por usted (25). Para pedir información o solicitar ayuda visite nuestras oficinas locales o llamenos al numero (415) 597-7711 de 8:00 AM - 5:00 PM. El servicio de interpretacion es gratis. Formularios tambien pueden ser obtenidos en La Raza Information Center-- (415) 863-0764.

PARAAN NG PAGSAGOT SA PORMANG ITO (CITIZEN COMPLAINT o REKLAMO NG MAMAMAYAN) Mangyaring sagutin ang mga tanong sa blokeng 2, 3, 4, 5, 8, 11, 15, 17, 20, 21, at 22. Kung wala kayo ng impormasyon hinihingi dito, paki-iwanan blanko ang blokeng hindi masagot. Paki-ilmbag ang lahat na sagot ninyo. Kung wala kayong telepono, paki-sulat lang ang inyong "message number", o ang numero ng inyong kapit-bahay. Kaibigan, o kamaganak. Kung mayroon kayong mga saksi o testigo, isulat sa ibang papel ang kanilang mga pangalan, mga tahanan, at mga telepono at ikabit ito sa reklamo ninyo. Huwag gamitin ang pormang ito. Kung hindi ninyo alam ang pangalan ng opisyo o ang numero ng kanyang tsapa, isama sa inyong salaysay ang hitsura at pagmumukha ng pulis. Ilmbag ang inyong salaysay sa ibang papel at ikabit ito sa reklamo ninyo. Sa inyong kaalaman at paniniwala, ang inilalahad ninyong nangyari ay dapat lubos na katotohanan at walang kamali-mali at kailangan ninyong pirmahan ang sumbong ito sa blokeng 25. Itanong sa amin kung alinman dito ang hindi maliwanag sa inyo. Kung kailangan ninyo ng tulong, paki-tawagan kami, OCC, telepono (415) 597-7711. Maging tawagan din ninyo ang Philippines American Consul sa telepono (415) 626-0773 sa pagitan ng alas-otso ng umaga at alas-sngko ng hapon o mag-iwan ng pahatid o "message" sa aming "answering service" paglampas ng alas-sngko ng hapon.

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/04/00 **DATE OF COMPLETION:**03/12/01 **PAGE#** 1 of 3

SUMMARY OF ALLEGATION #1: [REDACTED]

CATEGORY OF CONDUCT: [REDACTED] **FINDING:** [REDACTED] **DEPT. ACTION:**

FINDINGS OF FACT: [REDACTED]

SUMMARY OF ALLEGATION #2-3: The officers used unnecessary force.

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

FINDINGS OF FACT: The complainant stated that unreasonable force was used to detain and arrest her. The officers denied the allegation, stating that mastoid pressure and restraint holds were used to subdue and search a resistant suspect. There was no other available witness to determine the nature and scope of the force used during this contact. Further, no positive identification was made as to the officers assisting in the restraint and search of the complainant.

REVISED 04/20/00

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/04/00 **DATE OF COMPLETION:**03/12/01 **PAGE#** 2 of 3

SUMMARY OF ALLEGATION #4: The officer used unnecessary force.

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

FINDINGS OF FACT: The named officer denied having any contact with the complainant during her initial detention and resistance to arrest. Rather, this officer stated that he provided crowd control, as was corroborated by other officers. The complainant recalled one officer separating her aunt from the crowd and walking her down the street, which coincides with the named officer's recollection of preventing one woman from reaching the officers, who were attempting to subdue the complainant, and escorting the woman away from the incident.

SUMMARY OF ALLEGATION #5: [REDACTED]

CATEGORY OF CONDUCT: [REDACTED] **FINDING:** [REDACTED] **DEPT. ACTION:**

FINDINGS OF FACT: [REDACTED]
[REDACTED]

REVISED 04/20/00

**OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT**

DATE OF COMPLAINT: 02/04/00 **DATE OF COMPLETION:**03/12/01 **PAGE#** 3 of 3

SUMMARY OF ALLEGATION #6-7: [REDACTED]

CATEGORY OF CONDUCT: [REDACTED] **FINDING:** [REDACTED] **DEPT. ACTION:**

FINDINGS OF FACT: [REDACTED]

SUMMARY OF ALLEGATION #8-9: [REDACTED]
[REDACTED]

CATEGORY OF CONDUCT: [REDACTED] **FINDING:** [REDACTED] **DEPT. ACTION:**

FINDINGS OF FACT: [REDACTED]
[REDACTED]

REVISED 04/20/00

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

March 28, 2001

COPY



Mary C. Dunlap
Director

[REDACTED]

RE: OCC Case No. 0090-00

Dear [REDACTED]

The Office of Citizen Complaints has conducted an investigation of the above-referenced complaint. A summary follows of the OCC's preliminary findings as to each allegation:

[REDACTED]

The allegation of **Unnecessary Force** against police officers for using unnecessary force is **Not Sustained**.

The allegation of **Unnecessary Force** against a police officer for using unnecessary force is **Unfounded**.

[REDACTED]

Please refer to the attached information for definitions of these findings. If you are not satisfied with the preliminary disposition indicated above, you have the right to request an investigative hearing on this complaint. (Please see information sheet, enclosed). The OCC strongly recommends that, to assist you in determining the grounds for a hearing, you call promptly to make an appointment with the investigator in your case, **Mark Scafidi** at **597-7711**, to discuss the preliminary findings and to review the evidence upon which the findings are based.

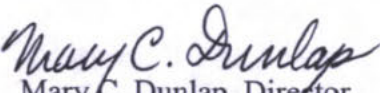
Page 2


OCC Case No. 0090-00

Your written request for a hearing must be mailed or delivered within ten (10) days of the date that you receive this letter to the following address:

**Office of Citizen Complaints
ATTN: Investigative Hearing Coordinator
480-2nd Street, Suite 100
San Francisco, CA 94107**

Sincerely,


Mary C. Dunlap, Director
MD/cw
Attachment Enclosed

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

March 28, 2001

Officer Luis DeJesus #247
Bayview Station

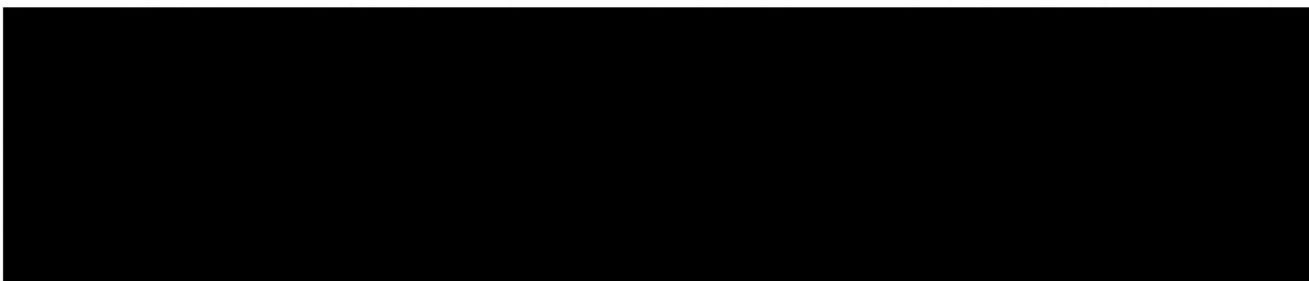
RE: OCC Case No. 0090-00

Dear Officer DeJesus:

The Office of Citizen Complaints has conducted an investigation of the above-referenced complaint. A summary follows of the OCC's preliminary findings as to each allegation:



The allegation of **Unnecessary Force** for using unnecessary force is **Not Sustained**.



Please refer to the attached information for definitions of these findings. If you are not satisfied with the preliminary disposition indicated above, you have the right to request an investigative hearing on this complaint. (Please see information sheet, enclosed). The OCC strongly recommends that, to assist you in determining the grounds for a hearing, you call promptly to make an appointment with the investigator in your case, **Mark Scafidi** at 597-7711, to discuss the preliminary findings and to review the evidence upon which the findings are based. Your written request for a hearing must be mailed or delivered within ten (10) days of the date that you receive this letter to the following address:

**Office of Citizen Complaints
ATTN: Investigative Hearing Coordinator
480-2nd Street, Suite 100
San Francisco, CA 94107**

Sincerely,

A handwritten signature in cursive script that reads "Mary C. Dunlap".

Mary C. Dunlap, Director
MD/cw
cc: Commanding Officer
Attachment Enclosed

COPY



Mary C. Dunlap
Director

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

March 28, 2001

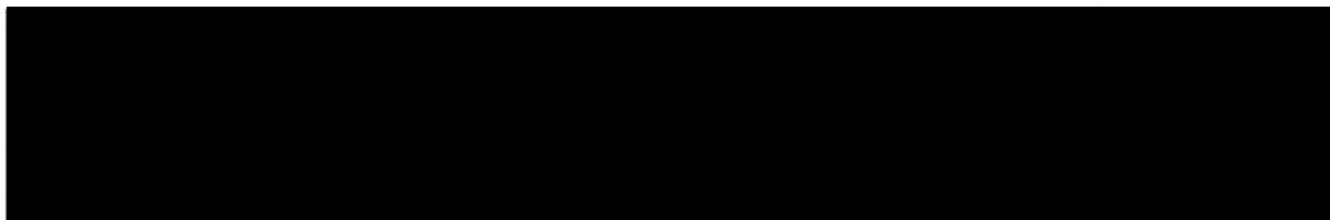
Officer [REDACTED]
Tenderloin Task Force

RE: OCC Case No. 0090-00

Dear [REDACTED]

The Office of Citizen Complaints has conducted an investigation of the above-referenced complaint. A summary follows of the OCC's preliminary findings as to each allegation:

The allegation of **Unnecessary Force** for using unnecessary force is **Unfounded**.



Please refer to the attached information for definitions of these findings. If you are not satisfied with the preliminary disposition indicated above, you have the right to request an investigative hearing on this complaint. (Please see information sheet, enclosed). The OCC strongly recommends that, to assist you in determining the grounds for a hearing, you call promptly to make an appointment with the investigator in your case, **Mark Scafidi** at 597-7711, to discuss the preliminary findings and to review the evidence upon which the findings are based. Your written request for a hearing must be mailed or delivered within ten (10) days of the date that you receive this letter to the following address:

Office of Citizen Complaints
ATTN: Investigative Hearing Coordinator
480-2nd Street, Suite 100
San Francisco, CA 94107

Sincerely,

Mary C. Dunlap
Mary C. Dunlap, Director
MD: cw
cc: Commanding Officer
Attachment Enclosed

COPY



Mary C. Dunlap
Director

OFFICE OF CITIZEN COMPLAINTS

CITY AND COUNTY OF SAN FRANCISCO

COPY



Mary C. Dunlap
Director

March 29, 2001

RE: OCC #90-00

Dear [REDACTED]

I received your letter requesting both a copy of the Office of Citizen Complaints (OCC) complaint form and any pictures, which this office has kept on file, which may bear physical marks from your contact with the SFPD officers on February 4, 2000.

Enclosed please find a copy of the OCC form for your records. Office policy precludes my sending copies of the arrest mugshots to you; however, you may obtain the same colored photos from the SFPD records room. Ms. Theresa Nelson, from Prisoner Legal Services, may be able to assist you in obtaining these photos, as she has made recent inquiries into the status of your case with my office.

Please note that I have completed the investigation of your case and the OCC will send you a preliminary letter to your [REDACTED] address in San Francisco within a week or so. Should you have any questions regarding the preliminary letter and/or its case findings, you may call or write the OCC for a case review or hearing to further discuss the case.

Sincerely,


A handwritten signature in cursive script, appearing to read "Mark Scafidi".


Mark Scafidi, OCC Investigator

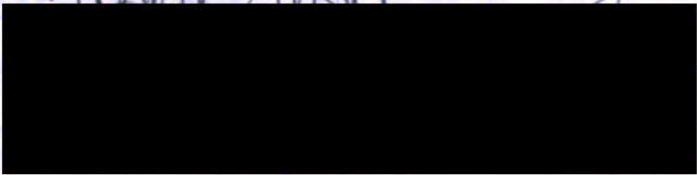
March 14, 2001

Dear Mr. Mark Considine

To Whome It May Concern:

I am writing this letter regarding I
 I filed out a complaint
Against An Officer ~~to~~ Dejesus on
February 5, 2000 with you. I would
like a copy of That Complaint and
If you have on ~~for~~ file A picture
of the Marks.

Please Send ~~these~~ this to
Me At 

Thank you


OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT

DATE OF COMPLAINT: 02/04/00 DATE OF COMPLETION: 03/12/01 PAGE# 1 of 3

Officer Luis DeJesus / Star #247

SUMMARY OF ALLEGATION #1: [REDACTED]

FINDINGS OF FACT: [REDACTED]

Officer Luis DeJesus / Star #247

Unknown Officer(s)

SUMMARY OF ALLEGATION #2-3: The officers used unnecessary force.


CATEGORY OF CONDUCT: UF FINDING: NS DEPT. ACTION:

FINDINGS OF FACT: The complainant stated that unreasonable force was used to detain and arrest her. The officers denied the allegation, stating that mastoid pressure and restraint holds were used to subdue and search a resistant suspect. There was no ^{other} available witness to determine the nature and scope of the force used during this contact. Further, no positive identification was made of the officers assisting in the restraint and search of the complainant. as to

MCD


OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT

DATE OF COMPLAINT: 02/04/00 DATE OF COMPLETION: 03/06/01 PAGE# 2 of 3






SUMMARY OF ALLEGATION #4: The officer used unnecessary force.

CATEGORY OF CONDUCT: UF FINDING: U DEPT. ACTION:

FINDINGS OF FACT: The named officer denied having any contact with the complainant during her initial detention and resistance to arrest. Rather, this officer stated that he provided crowd control, as was corroborated by other officers. The complainant recalled one officer separating her aunt from the crowd and walking her down the street, which coincides with the named officer's recollection of preventing one ~~woman~~ woman from reaching the officers, who were attempting to subdue the complainant, and escorting the woman away from the incident.



Officer Luis DeJesus / Star #247

SUMMARY OF ALLEGATION #5: 
CATEGORY OF CONDUCT:  FINDING:  DEPT. ACTION:FINDINGS OF FACT: 

m CD

OFFICE OF CITIZEN COMPLAINTS
COMPLAINT SUMMARY REPORT

DATE OF COMPLAINT: 02/04/00 DATE OF COMPLETION: 03/06/01 PAGE# 3 of 3

Officer Luis DeJesus / Star #247

SUMMARY OF ALLEGATION #6-7:

CATEGORY OF CONDUCT: FINDING: DEPT. ACTION:

FINDINGS OF FACT:

Officer Luis DeJesus / Star #247

SUMMARY OF ALLEGATION #8-9:

CATEGORY OF CONDUCT: FINDING: DEPT. ACTION:

FINDINGS OF FACT:

OCC HEARING REQUEST? YES[] NO[] RESULT: _____

NOTES: _____

MCD

OFFICE OF CITIZEN COMPLAINTS
COMPLAINT WORK SUMMARY

OCC CASE #.90-00
NAME: [REDACTED]
INV. NAME : Scafidi
PAGE # 1

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DATE & ACTIVITY	(DATE & SIGN AFTER FINAL ENTRY ON EACH PAGE)
2/4/00	<p>Interviewed Comp [REDACTED] (not taped because visit to CJ conducted over visiting room telephones) who stated that she went to see her [REDACTED] - home and address is on 293) downtown at Taylor and Turk Sts. when a patrol car pulled-up and an Off (Q2 Luis DeJesus #247) asked her to open her mouth to see if she possessed cocaine rocks. She complied but could not open it all the way given her just having oral surgery (jaw locked). Q2 DeJesus said to open wider and, when she couldn't comply, grabbed her mouth and took her to the ground. Two other Offs, believed to be female, assisted Q2 DeJesus by holding Comp's chin, face and hair, placing a knee on her neck and back, while other Offs held her limbs; Comp was face down on the ground. Q2 DeJesus took a pen and put it down her throat and yelled at the Comp to "Spit it out, Bitch. Spit it out." Comp experienced trouble breathing and resisted by moving her head away from the pen when Q2 DeJesus hit her w/ 4 blows w/ his fist and once w/ the butt of the flashlight, causing Comp to black out for 7 seconds. Entire struggle lasted about 7 minutes.</p> <p>An officer took [REDACTED] down the street away from the contact w/ Comp. Comp stated that she had gone to visit her [REDACTED] to collect \$77, owed by [REDACTED] to Comp, so Comp could pay Comp's [REDACTED] thru the [REDACTED].</p> <p>[REDACTED] There were store employees from 3 local stores witnessing the contact as well as an acquaintance of Comp's named [REDACTED].</p> <p>Comp was put into a patrol car and, eventually, transported by 2 W/F Offs in a van to TTF, then to CJ9. The Offs searched the Comp and took her property (pager, rings, address book, money, business card). The triage nurse told the Offs to take Comp to SFGH given her injuries; particularly the likelihood of stitches to the Comp's mouth. The arresting Offs (DeJesus and [REDACTED]) relieved the female Offs in the Comp's room and proceeded to threaten her stating they would leave her blood on her own front steps, stand Comp out in front of her house for 4 hrs. as it would be a long time before she saw it again and run her around [REDACTED] (a farewell tour of sorts). The Offs took her handcuffs off and stated they hoped she would attempt to escape so they could beat her. Comp had been told by 3 different doctors that stitching was required, but the Offs spoke to the last doctor and that doctor, subsequently, decided the stitches were no longer needed. The arresting Offs transported Comp back to CJ9 stating that they should visit the [REDACTED] now and run her</p>

OFFICE OF CITIZEN COMPLAINTS
COMPLAINT WORK SUMMARY

OCC CASE #:90-00
NAME: [REDACTED]
INV. NAME : Scafidi
PAGE # 2

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DATE & ACTIVITY	(DATE & SIGN AFTER FINAL ENTRY ON EACH PAGE)
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around, that she had 2 warrants to beat (Comp responded that both warrants had been recalled) and asked Comp if she was scared yet.	
---	--

Allegations and Rules:

UF - force used to search mouth / 4 fist blows and once w/
butt end of flashlight
DGO 5.01

Investigative Plan:

1. Contact wits ([REDACTED], shop owners on Turk/Taylor)
2. Run CAD for updated I.R., Unit and Complaint History
3. Obtain Original I.R.
4. Comp to drop-off medical records copy (also need release for medical information re dental appointment kept last Friday.
5. Obtain booking card and mugshot
6. Obtain Communications Tape
7. Interview Offs

File to Sup'vr Maxson to review allegations and the investigative plan for approval and submittal to the Admin Team.



OFFICE OF CITIZEN COMPLAINTS
COMPLAINT WORK SUMMARY

OCC CASE #:90-00
NAME: [REDACTED]
INV. NAME : Scafidi
PAGE # 3

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DATE & ACTIVITY	(DATE & SIGN AFTER FINAL ENTRY ON EACH PAGE)
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2/7/00	CAD run on I.R. [REDACTED] which reported Q2 Luis DeJesus #247 as the reporting officer. Comp arrested for resisting and drug possession.
--------	---

QCH reported Unit 1J13D (DeJesus and Thomas Westbrook #165) on scene and joined minutes later by Unit 1J11C (Q2s [REDACTED]). Minutes later Units 1J13C [REDACTED] and 1J12D (Q2s [REDACTED]) arrived. Unit 1J12C [REDACTED]

[REDACTED] called dispatch informing that an Off was bit and that the Comp had a bloody nose, then "bleeding pretty well stopped", and Comp was conscious and breathing. A query was made on the Comp and a [REDACTED] by Unit 1J13C.

QUH reports on all units above provided no new information.



2/16/00	I.R. [REDACTED] received w/ Q2 Luis DeJesus reporting that Comp was contacted and she began to swallow, as though to destroy evidence of drugs. Q2 DeJesus, assisted by other Tenderloin Units, wrestled Comp to the ground and located two white colored rocks from Comp's mouth. Comp was transported to SFGH due to her mouth was bleeding. At TTF, Sgt. Cesari #155 approved a SFPD 305 Strip Search of the Comp, conducted by [REDACTED] but nothing was found. Q2 DeJesus reasoned the Comp's arrest given her past history of narcotics arrests, the location Comp was found (Turk/Taylor Sts.), time of night (2000 hrs.), no smoking paraphanelia found on the Comp indicating drugs were for sale, and type of currency she possessed indicative of drug sales transactions. Paramedic #13 was also called to the scene to treat the Comp's bleeding mouth. Q2 DeJesus stated that Use of Force was entered into the TTF log.
---------	---

Requested today the Communications Tape, booking card, and mugshot for this case. A use of force of log will be requested in another day or so when its record will have been sent over to MCD.

File again submitted to Sup'vr Maxson for allegation approval and investigative plan review.



OFFICE OF CITIZEN COMPLAINTS
COMPLAINT WORK SUMMARY

OCC CASE #: 90-00
NAME: [REDACTED]
INV: Scafidi
PAGE: 4

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DATE & ACTIVITY (DATE & SIGN AFTER FINAL ENTRY ON EACH PAGE)

2/23/00--Allegations approved. Draft narrative, update all appropriate boxes. Logged priority "B" due 6/4/00.

Resubmit with draft narrative for intake review by D. Medley.

2.24.00 File to Donna Medley to review file, allegations and Investigative Plan in "B" priority case.

(MD)

2/28/00 Reviewed & approved. Reminder: use of force log.

-DLM

3/6/00 Use of force log requested from TTF from Sonia/MCD.

Communications Dept received identifying/confirming units and prospective unit (Cheryl Sampson) on scene.

TS CAD run on 2.3.00 as original run done on 2.4.00, and did not cover all units on this run/case.

Use of force log received and reported "use of force/control on Comp - bleeding from gum location - recent gum surgery - cleared SFCH." by SAs DeFuss/Wentbrook /chup.

OFFICE OF CITIZEN COMPLAINTS
COMPLAINT WORK SUMMARY

OCC CASE #:90-00
NAME: [REDACTED]
INV. NAME : Scafidi
PAGE # 5

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DATE & ACTIVITY	(DATE & SIGN AFTER FINAL ENTRY ON EACH PAGE)
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Letter sent to Comp requesting her signature on a medical release for SFGH and her dentist and an OCC Addendum form, along w/ a copy of her 293 complaint form.

293 submitted to morning report.

Next Step: Run PS for 2-3-00, 3rd, TTF and contact Prospective Wits/[REDACTED] proprietors at Turk/Taylor Sts.



3/16/00 Field Arrest Card received from SFSD for an arrest date of 2-28-00 when I requested the card for arrest date 2-4-00. I resubmitted my request w/ particular attention noted to the date of my request.



3/17/00 I received the signed OCC Addendum and 2 Medical Release forms (SFGH and Dentist) from the Comp; however, the Comp confused the SFGH form w/ that of her dentist's release form. I resent the forms to the Comp w/ explicit instructions on completing them and returning them to the OCC.

Comp sent a copy of the SFGH Patient Records in her possession which reported Comp had "lip laceration to upper gum line", "contusion/abrasion", and "neck strain" and that "intra oral ... not to be sutured." The identification of the primary M.D. and Page 2 information were illegible.



3/20/00 SFSD sent correct Field Arrest Card for 2-4-00 arrest of Comp. Arresting Offs DeJesus and [REDACTED] arrested Comp on the current charges of resisting an Off (PC 148) and Cocaine Possession (HS 11351.5), plus outstanding warrants (HS 11352).
Copied PC 148 and HS 11351.5 into file.



OFFICE OF CITIZEN COMPLAINTS
COMPLAINT WORK SUMMARY

OCC CASE #:90-00
NAME: [REDACTED]
INV. NAME : Scafidi
PAGE # 6

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DATE & ACTIVITY (DATE & SIGN AFTER FINAL ENTRY ON EACH PAGE)

3/20/00 T/C to Comp at [REDACTED], however, that number has been disconnected.

No telephone listing for either Comp or prospective wits,
[REDACTED]

Next Step: visit Turk & Taylor St. Merchants for wits, run PS for [REDACTED] for current contact information and/or visit [REDACTED] (Comp's reported home address).

[Signature]

4/4/00 T/C to [REDACTED] - cellular telephone number has been temporarily disconnected.

[Signature]

11/29/00 T/C from Comp re case status and Off's discipline, whom she saw recently assigned to the district in which she lives; message was delivered by Sup'vr Gallman.

[Signature]

11/30/00 T/C to Comp [REDACTED] - spoke to [REDACTED] who took a message for Comp to call OCC.

[Signature]

12/5/00 T/C from Comp who complained of Q2 DeJesus transferring to Bayview Station, close to her residence, and that this officer threatened to harm her. I provided the station telephone number so that she could share her concerns w/ the Capt. P.J. Jackson.
Comp to provide current contact information for her [REDACTED] and, if possible, for [REDACTED]/wit who is believed to be in jail.

[Signature]

1/23/01 T/C from Comp who provided [REDACTED] (prospective wit's) telephone no. [REDACTED]
Comp noted that her [REDACTED]/prospective wit will call tomorrow @ 1000 hrs.

[Signature]

2/6/01 MRFs drafted for Q2s [REDACTED]
[REDACTED]
[REDACTED] are to be mailed tomorrow w/ a due date of 2/26/01.

OFFICE OF CITIZEN COMPLAINTS
COMPLAINT WORK SUMMARY

OCC CASE #:90-00
NAME: [REDACTED]
INV. NAME : Scafidi
PAGE # 7

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DATE & ACTIVITY	(DATE & SIGN AFTER FINAL ENTRY ON EACH PAGE)
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Next step: Contact prospective wits [REDACTED]



2/9/01 MRF returned unserved on Q2 [REDACTED] who has been assigned to Park Station. MRF sent today to Co. F.

MRF served upon Q2 [REDACTED] on 2/8/01 by Lt. Swendsen.



2/15/01 Q2 [REDACTED] returned his MRF stating that he did not contact the Comp, though he was working w/ Q2 DeJesus on this occasion. Q2 [REDACTED] stated that he did not observe the initial encounter, arrest, or handcuffing of Comp because he was controlling the intersection at Turk/Taylor Sts. When Q2 [REDACTED] heard Comp's struggle w/ Q2 DeJesus, he was to assist when another B/F attempted to rush past Q2 [REDACTED] to assist Comp, her friend. Q2 [REDACTED] advised the woman that she could watch but not interfere. Q2 [REDACTED] stated that he heard no profanities/threats by the Offs at the scene, and that neither he or Q2 DeJesus made rude remarks/threats (i.e., spit it out bitch, blood on home steps, long time until you'll be back, want to beat her) to the Comp, either at the scene or the hospital. Q2 [REDACTED] did not recall if SFGH staff spoke of re-suturing Comp's mouth, but he said the SFSD Triage Nurse did not mention sutures/stitching needed for Comp's mouth.

MRF served on Q2s Luis DeJesus, [REDACTED]
[REDACTED]
[REDACTED] from 2/10/01 thru 2/12/01 w/ MRF due dates of 2/26/01.



2/16/01 [REDACTED] returned his MRF stating that he did not recall this incident.

[REDACTED] returned her MRF stating that she did not recall this incident.



2/21/01 QNAR query on Narcotics Analysis Report indicates that Cocaine Base of 1.04 gms was confirmed and destroyed.

OFFICE OF CITIZEN COMPLAINTS
COMPLAINT WORK SUMMARY

OCC CASE #:90-00
NAME: [REDACTED]
INV. NAME : Scafidi
PAGE # 8

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DATE & ACTIVITY	(DATE & SIGN AFTER FINAL ENTRY ON EACH PAGE)
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2/25/01	Q2 [REDACTED] returned MRF stating that she and several officers attempted to subdue the complainant; Q2 [REDACTED] recalled Q2 DeJesus being one of them. Q2 [REDACTED] did not know Comp from a prior contact. Q2 [REDACTED] did not recall Comp voluntarily opening her mouth for the Offs to inspect, nor did she recall an Off inserting a pen/penlight into Comp's mouth. Q2 [REDACTED] did not recall Comp losing consciousness. Q2 [REDACTED] did not recall an Off making a profane/rude remark. She was uncertain if an Off was injured during this contact.
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Q2 [REDACTED] returned MRF stating that he did not recall the incident and that the I.R. did not indicate he was there (the CAD does).

Q2 [REDACTED] returned MRF stating that he did not recall the incident and does not believe he was present.

Q2 [REDACTED] returned MRF stating that she did not recall being at this incident. Q2 [REDACTED] decried her being a named member and states, "Clearly I am a 'named member' because I am a woman, and responded to the scene." Does this quote indicate that [REDACTED] was at the scene but does not recall it? Or is this quote part of her rhetorical complaint for having being named?

MRF served upon [REDACTED] on 2/19/01 w/ return due date of 2/26/01.

[REDACTED]

T/C to [REDACTED] as provided by Comp - neither tel. no. is correct; that is, the first is an improper prefix and 2nd indicated incorrect code.

T/C to Comp at [REDACTED] - disconnected tel. no. (I was to leave message that [REDACTED] and Comp's [REDACTED] are not available wits by telephone w/o update phone information.)

OFFICE OF CITIZEN COMPLAINTS
COMPLAINT WORK SUMMARY

OCC CASE #:90-00
NAME: [REDACTED]
INV. NAME : Scafidi
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DATE & ACTIVITY	(DATE & SIGN AFTER FINAL ENTRY ON EACH PAGE)
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2/28/01	<p>Q2 Luis DeJesus #247 returned his MRF stating that he did not ask Comp to open her mouth (to see cocaine rocks), or know Comp from prior contact, or observe anything which led to her arrest, other than the swallowing motion. Q2 DeJesus stated that Comp did not voluntarily open her mouth and that he applied mastoid pressure which led to her resistance and their falling to the ground; Q2 DeJesus is unclear on the roles of any other Off at the time.</p> <p>Q2 DeJesus denied striking Comp or using pen/penlight or other object to search her mouth for narcotics. Q2 DeJesus was unaware of Comp's recent oral surgery but noted that she did not lose or approach losing consciousness during the contact. Q2 DeJesus denied using profanity (Bitch) but told her several times to not resist and open her mouth.</p>
---------	--

Q2 DeJesus denied making any unprofessional statements or threats to Comp; nor did Q2 [REDACTED] conduct himself improperly.

Q2 DeJesus stated that he was aware of Comp's cut to her upper lip (reason for SFGH referral) but had no idea/recall of consulting w/ SFGH medical staff re the need to suture Comp's lip. He was not aware of any Off being hurt during this contact.

Q2 [REDACTED] returned her MRF stating that she did not arrive onto the scene until after the struggle w/ the Comp occurred. Q2 [REDACTED] noted that she assisted w/ crowd control to assure officer safety during their contact w/ Comp, as it was a fairly chaotic scene. Q2 [REDACTED] had no direct contact w/ the Comp.

Q2 [REDACTED] stated that she recalled no profanity or unprofessional remarks made by the Off(s). She did not recall any Off sustaining injury as a result of this contact.

T/C to Susa/TTF Capt.'s Secretary who logged Q2 [REDACTED] MRF but it was not returned to her. Per her request, I sent a copy of the MRF inter-office mail and she will notify watch commander asap re missing service and return of MRF to OCC.



3/2/01	T/C message from Lt. Gary Jiminez/TTF stating that Sgt. Garcia, errantly, sat on the MRF, which was served upon Q2
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OFFICE OF CITIZEN COMPLAINTS
COMPLAINT WORK SUMMARY

OCC CASE #:90-00
NAME: [REDACTED]
INV. NAME : Scafidi
PAGE # 10

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DATE & ACTIVITY (DATE & SIGN AFTER FINAL ENTRY ON EACH PAGE)

[REDACTED], completed and returned to his superiors, to be forwarded to OCC. Lt. Jiminez requested a call re this matter.

T/C to Lt. Jiminez/TTF - LMOM on Lt.'s tel. no. [REDACTED] requesting a call back re the MRF, but to, in any case, forward the completed MRF to OCC a.s.a.p.



3/6/01 Q2 [REDACTED] returned his MRF stating that he did not recall the incident, as it had been too long since the incident occurred.

Letter sent to Comp re reply w/ wit contact information by 3/12/01 or the case will be closed w/ current information on file.

OCC Addendum also sent to Comp.



3/12/01 File forwarded to Sup'vr Maxson to review for closure w/ the following recommendations:

[REDACTED]

UF - Offs denied using any force (i.e., fist/flashlight blows), other than that reasonable to restrain Comp as she resisted the search of her mouth for narcotics. No available wits to determine what occurred. (NS)

Note 1: Comp stated that several Offs struggled w/ her and she believed that group of Offs to include Q2 DeJesus' partner, Q2 [REDACTED] Q2 [REDACTED] however, stated that he was directing crowd control and had no contact w/ the Comp, as was corroborated by other Offs' recollections. Further, Q2 [REDACTED] recalled preventing a B/F from rushing toward and reaching the Comp, which coincides w/ Comp's statement that one Off separated her aunt from the crowd and walked her down the street. Q2 [REDACTED] = (U).

Note 2: The investigation of I.D. Pending, as it relates to the other Offs involved in subduing the Comp, including 2

OFFICE OF CITIZEN COMPLAINTS
COMPLAINT WORK SUMMARY

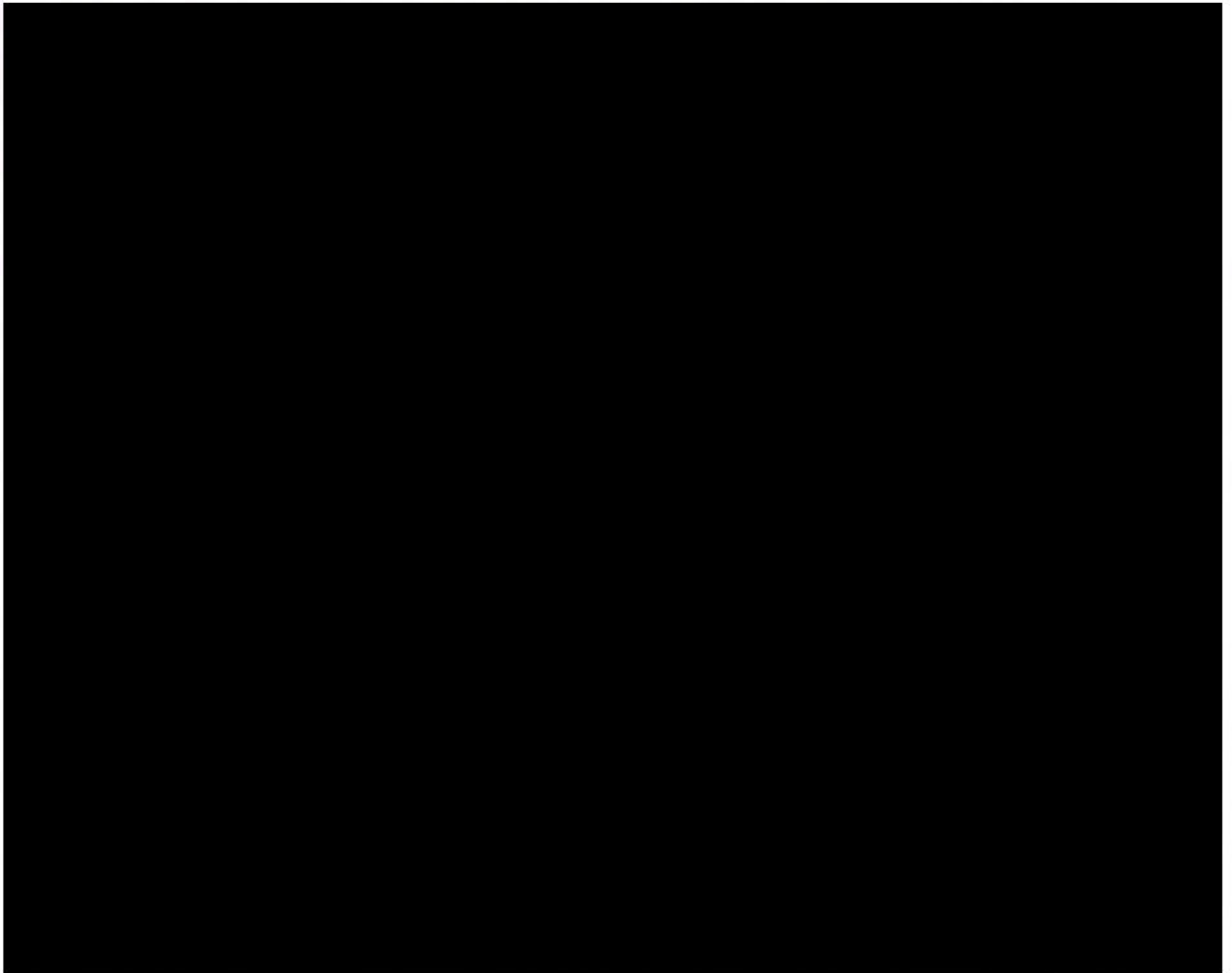
OCC CASE #:90-00
NAME: [REDACTED]
INV. NAME : Scafidi
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DATE & ACTIVITY	(DATE & SIGN AFTER FINAL ENTRY ON EACH PAGE)
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female Offs, did not result in a positive I.D. of the Offs, whether thru Comp's description/recollection or Offs indicating that they were involved (e.g., Q2 DeJesus stated that he did not know who or how any other Off assisted in the restraint of the Comp.

SS - Offs denied Q2 DeJesus using any profanity/sexual slur (i.e., Bitch) during his contact w/ Comp. No available wits to determine what Q2 DeJesus said during this contact. (NS)



3/12/01 - Concur w/ findings. to closure review *(signature)*
3/24/01 Concur. Jo M. Dunlap for closure. -DLM
3/26/01 Approved. MCD

IN AND FOR THE CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF POLICE ACCOUNTABILITY

CASE NUMBER: 90-00

CAD COMMUNICATIONS

1 *OR: This is Orin . This is Orin (Ray), Custodian of Records for the San Francisco Police*
2 *Department Communications Division. Today's date is February 29th, 2000. The following*
3 *recordings have been taken from police tapes dated February 4th, 2000.*
4

5 **D: DISPATCHER**

6 **PU: POLICE UNIT**

7 **FD: FIRE DEPARTMENT**
8

9 *Time 05210, date 2/4/00*

10 **PU: John 13 David**

11 **D: John 13 David**

12 **PU: 917 Taylor and Turk sufficient help.**

13 **D: 10-4.**
14

15 **PU: John 13 David 917 (inaudible) One more unit, please.**

16 **D: John 13 David requesting another unit, Turk and Taylor on a 917.**

17 **PU: John 11 Charlie coming 97**

18 **D: John 11 Charlie coming 97.**

19 **PU: John 12 Charlie to Turk and Taylor also**

20 **D: John 12 Charlie also.**

21 **PU: (Inaudible)**

22 **D: 1 John 13 Charlie 97.**
23

24 **PU: John 13 David, code 4 we've sufficient help (inaudible)**

25 **D: 1 John 13 David advising code 4 Taylor and Turk for now, sufficient help.**

1
2 PU: 1 John 12 Charlie.

3 D: go 12 Charlie

4 PU: Can I get a 408 for a 25-year-old female with a bloody nose and an officer with
5 lacerations. Both are controlled bleeding.

6 D: Hi, hold on a moment. Okay, yeah, you request 408 for 25-year-old X with a bloody
7 nose and an officer that has lacerations?

8 PU: 10-4 (inaudible)

9 D: Okay and is this [REDACTED] Eddy or Taylor and Turk?

10 PU: Turk and Taylor.

11 D: 10-4.

12 PU: (Inaudible) David

13 D: Units stand by unless you have an emergency. Okay and John 12 Charlie, this is you
14 requesting this from Turk and Taylor, correct?

15 PU: 10-4
16

17 [Phone ringing]

18 D: Hi, we need to add Taylor and Turk for a 25-year-old female for a bloody nose and for an
19 officer who was also bit.

20 FD: Okay. two patients?

21 D: Yeah and we're there.

22 PU: (inaudible)

23 FD: Is bleeding controlled.

24 D: Oh let me check. 15 12 Charlie?

25 PU: (inaudible with a 909 right now

1 D: Headquarters to 1 John 12 Charlie.

2 PU: Go for 12 Charlie.

3 D: Is your X breathing and conscious?

4 PU: Yeah, 10-4 and the bleeding looks like it's pretty much stopped.

5 D: Yeah, breathing and conscious and the bleeding is pretty well stopped.

6 FD: Okay, great. Thank you.

7 D: Uh-huh, bye-bye. (inaudible) 10 408.

8 PU: 10-4, thank you.

9 THIS CONCLUDES THIS RECORDING

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