**Summarize**

[**2001-10-04 Dishonesty Comm134 redaction index.pdf**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=1)

[**Page 1**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=1)

* The letter is from the San Francisco Police Commission to the Employee Relations Unit and the Employees' Retirement System.
* The letter references a resolution (Resolution No. 54-04) that was adopted by the Commission on June 23, 2004.
* The resolution concerns the resignation of Officer Laurence B. Barker, who was charged with misconduct.
* The misconduct charge specifically references a violation of Rule 9 of Department General Order 2.01.

[**Page 2**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=2)

* The letter confirms that the Police Department received the resignation of Officer Laurence B. Barker, effective June 11, 2004.
* The resignation was accepted with the condition that Barker's services were unsatisfactory and he did not resign in good standing.
* The resolution continues the charges against Barker off calendar.
* The letter is signed by Lieutenant Edward Geeter, the Secretary of the San Francisco Police Commission.
* The letter is copied to several individuals, including Attorney J. Akins, Captain M. Gonzalez, and Captain T. O'Neill.

[**Page 3**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=3)

* The letter references a resolution adopted by the San Francisco Police Commission concerning the resignation of Officer Laurence B. Barker.
* Barker was charged with misconduct and resigned in lieu of termination.
* The resolution keeps the charges against Barker off calendar.
* The letter is addressed to the Employee Relations Unit and the Employees' Retirement System.

[**Page 4**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=4)

* The letter is from Earl J. Disselhorst, an attorney representing Laurence Barker.
* Disselhorst is notifying all parties involved in the case that he will be unavailable from June 28th through July 19, 2004.
* He will not be able to receive notices, appear in court, or respond to requests during this time.
* The letter references a case that establishes that scheduling a conflicting proceeding without good cause is sanctionable conduct.

[**Page 5**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=5)

* The letter is from the San Francisco Police Commission to Earl Disselhorst, an attorney representing Officer Lawrence Barker.
* The Commission is postponing the disciplinary hearing for Barker, which was originally scheduled for April 26, 2004.
* The postponement is due to the expiration of the current Commissioners' terms of appointment.
* The Commission will reassign the case to a new Commissioner and set a new date for the hearing, which will be sometime in May.
* Disselhorst and Barker will be notified of the new date.

[**Page 6**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=6)

* The document is a defense subpoena from the City and County of San Francisco.
* The subpoena commands Lt. John Hennessey to appear before the Police Commission as a witness in the trial against Officer L. Barker.
* The subpoena specifies the date, time, and location of the trial.
* The subpoena is signed by Lt. Edward Geeter, the secretary of the Police Commission.

[**Page 7**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=7)

* The document references General Order 3.83 Section 11, D-7, which requires a member to comply with a subpoena.
* The subpoena is directed to Captain Thomas O'Ngill, who is commanded to appear before the Police Commission.
* The trial is against Officer L. Barker, who is being defended by Captain O'Ngill.
* The subpoena specifies the date, time, and location of the trial.
* The subpoena is signed by Lt. Edward Geeter, the secretary of the Police Commission.

[**Page 8**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=8)

* The document is a notice of unavailability from Earl J. Disselhorst, the attorney for Officer Laurence B. Barker.
* Disselhorst will be unavailable from December 24, 2003 to January 2, 2004, and from February 27 to April 5, 2004.
* During this time, he will not be able to receive notices, appear in court, or respond to requests.
* The document references a case, Tenderloin Housing Clinic v. Sparks, which states that scheduling a conflicting proceeding without good cause is sanctionable conduct.
* The document is dated December 15, 2003.

[**Page 9**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=9)

* The document is a proof of service, which declares that the notice of unavailability of counsel was served to various parties.
* The notice was served by mail, overnight courier, fax, and hand delivery.
* The recipients include the San Francisco Police Commission, the attorney for the San Francisco Police Department, and Lieutenant Edward Geeter.
* The document is signed by Earl Disselhorst and dated December 15, 2003.

[**Page 10**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=10)

* The document is a letter from the San Francisco Police Commission to Chief of Police Prentice Sanders.
* The letter references a resolution that was adopted by the commission concerning the resignation of Officer Laurence B. Barker, who was charged with misconduct.
* The resolution assigns Commissioner Wayne Friday to conduct the taking of evidence in the disciplinary charges against Barker.
* The letter is signed by Lieutenant Edward Geeter, the secretary of the Police Commission, and dated July 29, 2002.

[**Page 11**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=11)

* The letter sets the date for the taking of evidence on disciplinary charges against Officer Lawrence B. Barker as Wednesday, July 24, 2002.
* The location for the hearing is Room 551, Thomas J. Cahill Hall of Justice, 850 Bryant Street, San Francisco.
* Barker and/or his counsel or representative must be in attendance unless excused by Lieutenant Edward Geeter, the Police Commission Secretary.
* Barker is instructed to check with Lieutenant Geeter prior to any appearance before the Police Commission.
* The letter is copied to Captain T. O'Neill, Attorney J. Murphy, and Attorney J. Akins.

[**Page 12**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=12)

* The letter references charges against Officer Laurence B. Barker, star number 1040.
* The charges are for conduct which undermines the good order and discipline of the department and brings discredit on the department.
* The charges are in violation of Rule 9 of Department General Order 2.01 of the San Francisco Police Department.
* The letter is from Fred H. Lau, Chief of Police of the San Francisco Police Department.

[**Page 13**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=13)

* The letter details the specific charges against Officer Barker.
* Barker is accused of leaving work early on October 4, 2001, under the pretense of attending an authorized meeting.
* Instead, Barker went to a restaurant to purchase food, with the intention of returning to work to eat before the meeting.

[**Page 14**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=14)

* Specification No. 2 incorporates paragraphs 1-6 from Specification No. 1.
* Barker claims he was involved in a car accident while driving his personal vehicle.
* He reports that a gray pick-up truck hit his car from behind and then fled the scene.
* A traffic officer investigated the scene and inspected Barker's car.
* The damage to Barker's car appeared to be a cylindrical indentation in the center of the rear bumper and some scuff marks.
* An accident reconstruction expert concluded that the damage was not consistent with the scenario described by Barker.

[**Page 15**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=15)

* The accused, Officer Laurence B. Barker, is charged with misconduct for providing false and misleading information to the traffic officer investigating his alleged car accident.
* The misconduct is in violation of Rule 9 of Department General Order 2.01, which prohibits any conduct that undermines the order, efficiency, or discipline of the department.

[**Page 16**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=16)

* The San Francisco Police Commission has adopted a resolution concerning the resignation of Officer Laurence B. Barker.
* The resolution references the charges of misconduct against Barker, which are detailed in the letter.
* The letter is addressed to the Employee Relations Unit and the Employees' Retirement System.

[**Page 17**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=17)

* Fred H. Lau, the Chief of Police, is the complainant in the case against Officer Laurence B. Barker.
* Lau declares under penalty of perjury that he has read the charges and believes them to be true.
* The declaration was made in San Francisco on July 4, 2002.

[**Page 18**](https://casetext.com/api/ai-assistant/proxy/document-uploads/e9b1643464a75a7c869c1cc58e7c1338/content#page=18)

* The document is a proof of service of charges against Officer Laurence B. Barker.
* Lt. David Berhoffer personally served the charges to Barker on July 11, 2002.
* The charges were served at the RMS Unit in San Francisco.
* Berhoffer declares under penalty of perjury that the information is true and correct.
* The charges were filed with the Police Commission on July 12, 2002.

[**2001-10-04 Dishonesty Comm134.pdf**](https://casetext.com/api/ai-assistant/proxy/document-uploads/35091f2a1a5588f325368517cfdd4317/content#page=1)

[**Page 1**](https://casetext.com/api/ai-assistant/proxy/document-uploads/35091f2a1a5588f325368517cfdd4317/content#page=1)

* The San Francisco Police Commission has identified records related to a complaint against Officer Laurence Barker from October 4, 2001.
* The document cites various California laws that justify the redaction of certain information from these records.
* Reasons for redaction include: Protecting personal data or information of the officer, complainants, or witnesses Protecting confidential medical, financial, or other information Ensuring the physical safety of the officer or others
* The document also references laws that restrict access to criminal offender record information and intelligence information.

[**Page 2**](https://casetext.com/api/ai-assistant/proxy/document-uploads/35091f2a1a5588f325368517cfdd4317/content#page=2)

* The document references California Code of Civil Procedure § 129, which protects photographs of a deceased person taken by the coroner.
* It also cites California Government Code §§ 7927.700, 7927.705, and 7930.100, which protect against the unwarranted invasion of privacy.
* California Welfare & Institutions Code § 5328 and § 827, as well as California Government Code § 6254(k), are cited to protect confidential mental health and juvenile records.
* The document also references California Government Code §§ 7927.705, 7930.110, and Evidence Code § 954, which protect attorney-client privilege.
* Finally, the document cites California Evidence Code 1040(b)(2), California Penal Code § 832.7(g), and California Penal Code § 832.7(h) to justify the redaction of certain information.

[**1997-12-31 Dishonesty Comm133 redaction index.pdf**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=1)

[**Page 1**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=1)

* The letter is from the San Francisco Police Commission to various city departments.
* Sidney Chan is the president of the Police Commission, and Connie Perry is the vice president.
* The letter references a resolution that was adopted on June 6, 2001, regarding disciplinary charges against Police Officer Peter D. Ma.
* The charges against Ma include "Unwarranted Action" for issuing citations to a civilian without justification.

[**Page 2**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=2)

* Officer Peter Ma has resigned from the San Francisco Police Department, effective May 17, 2001.
* The Police Commission has decided to continue the charges against Ma off calendar.
* Commissioners Chan, Herrera, Friday, and Quaranta voted in favor of the resolution, while Commissioner Perry was absent.
* Lieutenant Edward Geeter, the secretary of the Police Commission, signed the letter.
* The letter was copied to Attorney J. Akins, the Personnel, Payroll, and Health Service System departments, Captain A. Fagan, and Officer Ma.

[**Page 3**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=3)

* The document is a subpoena from the Police Commission to the Honorable the Police Commission of the City and County of San Francisco.
* The subpoena is in relation to the case of Peter Ma, who is referenced as the "within-named."
* The subpoena was served by a police officer, who certified that he personally showed the writ of subpoena to the within-named.
* The subpoena was filed in the office of the Police Commission.

[**Page 4**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=4)

* The document is a letter from the San Francisco Police Commission to various city departments.
* The letter references a resolution that was adopted regarding disciplinary charges against a police officer, Peter D. Ma.
* The letter mentions several individuals, including Sidney Chan (President of the Police Commission), Connie Perry (Vice President), and Peter D. Ma (the officer in question).
* The letter requests that Peter Ma appear before the Police Commission on May 21, 2001 at 9:30 PM in Room 551 of the Hall of Justice.

[**Page 5**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=5)

* The text references Captain Alex Fagan of the San Francisco Police Department's Northern Station.
* Fagan did not respond to calls and was unable to be contacted.

[**Page 6**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=6)

* The document is a summons for Officer Daniel Simone to appear before the Police Commission.
* The summons is for a trial related to a charge against Officer Peter Ma.
* The trial is scheduled for May 21, 2001 at 7:00 PM in Room 55 of the Hall of Justice.
* The summons is issued on behalf of the San Francisco Police Department's Office of Citizen Complaints.
* The document is signed by the secretary of the Police Commission.

[**Page 7**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=7)

* The document is a subpoena issued by the Police Commission of the City and County of San Francisco.
* The subpoena is in relation to the matter of Peter Ma, a police officer.
* The subpoena is for Officer Daniel Simone, who is to be informed of the contents of the subpoena.
* The subpoena was filed in the office of the Police Commission on May 20, 2001.
* The document is signed by Stephan Thorne, a sergeant with the San Francisco Police Department.

[**Page 8**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=8)

* The document is a letter from the San Francisco Police Commission to various city departments.
* The letter references a resolution that was adopted regarding disciplinary charges against Officer Peter Ma.
* The letter mentions several individuals, including Sidney Chan (President of the Police Commission), Connie Perry (Vice President), and Peter Ma (the officer in question).
* The letter was issued on May 14, 2001.

[**Page 9**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=9)

* The document is a subpoena issued by the Police Commission of the City and County of San Francisco.
* The subpoena is in relation to the matter of Peter Ma, JWF COO-274.
* The subpoena is directed to Officer Chad Compas, and informs him of the contents of the subpoena.
* The subpoena was filed in the office of the Police Commission on a Thursday.

[**Page 10**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=10)

* The letter is from the San Francisco Police Commission to various city departments.
* The letter references a resolution that was adopted regarding disciplinary charges against Officer Peter D. Ma.
* Sidney Chan, the president of the Police Commission, and Connie Perry, the vice president, are mentioned in the letter.
* The hearing date for the charges against Officer Ma is scheduled for Monday, May 21, 2001 at 9:30 am in room 551 of the Thomas J. Cahill Hall of Justice.
* Officer Ma is required to attend the hearing unless excused by the Police Commission Secretary, Lieutenant Edward Geeter.
* Officer Ma is instructed to wear proper court attire, not a uniform, and to check his firearm with the station keeper at Southern Station.

[**Page 11**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=11)

* The letter is from the San Francisco Police Commission.
* It announces a special meeting to take evidence on disciplinary charges against Officer Peter D. Ma.
* The meeting is scheduled for three days: Monday, May 21, Tuesday, May 22, and Wednesday, May 23, 2001.
* The meeting will take place at the Thomas J. Cahill Hall of Justice in room 551.
* Commissioner Wayne Friday will preside over the meeting.

[**Page 12**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=12)

* The document is a response and opposition to a motion to compel discovery
* It includes declarations from counsel and the Office of Citizen Complaints (OCC) director
* Exhibits A-C are also included
* The hearing is scheduled for February 13, 2001 at 10:30 A.M.

[**Page 13**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=13)

* The Police Commission has the power to create and enforce rules regarding discovery
* Section A8.343 of the Charter of the City and County of San Francisco vests the Police Commission with the power to discipline members of the San Francisco Police Department
* The Commission is empowered to promulgate hearing rules
* The Police Commission has adopted rules that outline the duty of the OCC to provide evidentiary materials

[**Page 14**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=14)

* The Police Commission's Standing Order Governing Discovery is the governing document for proceedings before the Police Commission
* The OCC has complied with the Standing Order
* Rule I (1)(a) of the Standing Order requires the OCC to make a good-faith effort to provide the accused officer with documents
* The OCC Complaint Work Summary is exempt from discovery as it is an "evaluative summary"

[**Page 15**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=15)

* The OCC has complied with the Standing Order Governing Discovery by providing the accused officer with 35 entries from the Complaint Work Summary
* The OCC has also provided the accused officer with taped interviews and all exculpatory evidence
* The accused officer is not entitled to post-interview summaries as they are cumulative of the taped interviews
* Post-interview summaries would reveal work product impressions, opinions, or conclusions

[**Page 16**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=16)

* The document references state law and the Commission's Standing Order Governing Discovery
* The accused officer's reliance on Thompson v. Superior Court is misplaced
* Thompson concerns the disclosure of interview notes in the absence of a tape-recorded interview
* In the instant case, the accused officer already possesses the entire witness statement on tape
* The document also references In re Gary G., which addresses the preservation of an investigator's rough interview notes

[**Page 17**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=17)

* The document argues that the accused officer's request for post-interview summaries is unreasonable
* The accused officer already has access to the unedited, tape-recorded statements of the complainant and witnesses
* The document argues that summaries would not contain any new factual material, and would only reveal the summarizer's thought processes and opinions
* The document also argues that the accused officer has not met the "need and specificity" requirement for additional discovery
* The document references several cases that are inapposite to the current situation

[**Page 18**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=18)

* The document argues that the accused officer has not provided specific reasons for why the investigator's work summary would contain relevant evidence
* The document states that all factual and exculpatory information has already been provided to the accused officer
* The document argues that the OCC Investigative Hearing Rules do not apply to Police Commission hearings
* The document distinguishes between the OCC fact-finding hearing and the Police Commission's evidentiary proceeding

[**Page 19**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=19)

* The document references a 1988 court case that affirmed the legitimacy of OCC investigative hearings
* The document argues that the confidentiality provisions of Penal Code §832.5 et seq. do not bar complainants and their representatives from viewing documents and taking part in the hearings
* The document argues that the Police Commission's Standing Order Governing Discovery is separate from the Investigative Hearing Rules

[**Page 20**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=20)

* The document argues that the Investigative Hearing Rules do not apply to Police Commission hearings
* The document argues that even if the rules did apply, they would not compel the disclosure of the work summary
* The document argues that the work summary is confidential under Section 606.2 of the Investigative Hearing Rules
* The document argues that the Accused Officer's assertion that the work summary should be discoverable is incorrect
* The document argues that no confidential information is incorporated into the Sustained Case Report
* The document states that the Police Commission does not generally receive a copy of the Sustained Case Report

[**Page 21**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=21)

* The Office of Citizen Complaints (OCC) has provided the accused officer, Peter D. Ma, with all the evidence needed to prepare a defense.
* The accused officer is requesting a document that is exempt from disclosure according to the Police Commission Standing Order.
* The OCC is asking the Police Commission to deny the accused officer's request.
* Jean Held, an attorney for the OCC, submitted the letter on February 7, 2001.

[**Page 22**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=22)

* The letter is from the San Francisco Police Commission to various city departments.
* The letter references a resolution that was adopted regarding disciplinary charges against a police officer, Peter D. Ma.
* Sidney Chan, the president of the Police Commission, and Connie Perry, the vice president, are mentioned in the letter.

[**Page 23**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=23)

* Jean W. Field, an attorney licensed in California, is representing the Office of Citizen Complaints and the San Francisco Police Department in Case No. C00-296.
* The Chief of Police has filed charges against Officer Peter Ma for misconduct, specifically for issuing citations without justification.
* Jean W. Field reviewed the entire investigative file and provided all relevant evidentiary material to the Accused Officer's attorney.
* The evidentiary material includes tape recordings and documents from various agencies.
* Jean W. Field also provided a photocopy of 35 entries from the Investigator's Work Summary that contained additional factual information.

[**Page 24**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=24)

* The remainder of the Work Summary is exempt from disclosure according to the Police Commission's Standing Order.
* The Work Summary contains summaries of interviews and documents, notes from supervisors, and analysis from various individuals.
* The Accused Officer's attorney has never been provided with an unredacted Work Summary.
* In one case, Commissioner Sidney Chan reviewed the Work Summary and released a redacted version.
* The Accused Officer's attorney demanded notes from the OCC attorney, which were eventually produced despite confidentiality laws.

[**Page 25**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=25)

* The document declares that the information provided is true and correct, except for matters stated on information and belief.
* The document was executed on February 7, 2001 in San Francisco, California.
* Jean Wfield, an attorney for the Office of Citizen Complaints, is the signatory.

[**Page 26**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=26)

* The document references a case involving Peter D. Ma, an accused officer.
* The declaration is made by Mary C. Dunlap, the Director of the Office of Citizen Complaints.
* Dunlap is opposing a motion to compel discovery.

[**Page 27**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=27)

* Dunlap has experience with complex civil and administrative litigation.
* The defense counsel is seeking to compel discovery of the "Complaint Work Summary."
* Dunlap argues that the thoughts, impressions, and opinions of OCC staff members are not discoverable.
* The "Complaint Work Summary" is a complete record of all investigative and other steps taken in a case.

[**Page 28**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=28)

* The "Complaint Work Summary" contains a summary of each interview, as well as the reasoning of the investigator and others reviewing the case.
* The Director of OCC reviews each case closure and uses the "Complaint Work Summary" to determine the correctness of the proposed findings.
* The Director has the power to change proposed findings to ensure they are correct and consistent with the facts.
* The Director relies on the input of the investigator, supervisor, chief investigator, and staff attorney to make these determinations.

[**Page 29**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=29)

* The OCC Director is focused on establishing a process that results in reasoned, consistent, and accurate resolutions to citizen complaints.
* The "Complaint Work Summary" is instrumental to this goal, as it contains the thoughts, impressions, and opinions of those involved in the case.
* The OCC is required by law to investigate each complaint fairly and impartially.

[**Page 30**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=30)

* The OCC Director argues that making the reasoning, discussion, and commentary about findings discoverable to defense counsel would disrupt the OCC's process.
* The Director compares this potential requirement to judges routinely requiring District Attorney or City Attorney offices to provide work product-privileged materials to opponents.
* The OCC already provides "Complaint Work Summary" entries to defense counsel, which contain any factual matter that could be exonerating.

[**Page 31**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=31)

* The document discusses the importance of keeping the "Complaint Work Summary" confidential, as it contains thoughts, impressions, opinions, and ideas of OCC staff members.
* The document argues that releasing this information would negatively affect the OCC's ability to reason, discuss, and dispose of case-related issues.
* The document expresses concern that if the information is made discoverable, investigators will have to stop writing down their reasoning, which would lead to unrecorded guesswork and unreasoned resolutions.
* The document mentions that OCC investigative staff have been trained to keep this information confidential for at least 4.5 years.

[**Page 32**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=32)

* The document argues that it is impracticable and not sensible to separate facts from reasoning, as they are both necessary for effective case management.
* The document states that making the "Complaint Work Summary" discoverable would interfere with effective supervision and case management.
* The document argues that the "Complaint Work Summary" must contain both types of material (facts and reasoning) in order to be effective.

[**Page 33**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=33)

* The document discusses the process of case review that has been in place at the Office of Citizen Complaints (OCC) for at least 4.5 years.
* The document acknowledges the possibility of errors or untruths in the "Complaint Work Summary," as well as the possibility of OCC staff members misstating or fabricating evidence.
* However, the document notes that there has been no case in which evidence provided by the OCC has been found to be misstated or fabricated.
* The document argues that the officer named in any sustained allegation has the right to access all evidence, which safeguards against any potential fabrication by the OCC.

[**Page 34**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=34)

* The document discusses the role of the Police Commission in upholding or rejecting disciplinary charges.
* The Commission is responsible for determining what evidence is admissible in a hearing or trial.
* The document notes that the OCC "Complaint Work Summary" is not typically admitted as evidence unless it is provided in advance to the officer and their defender.
* The document argues that the practice of keeping records of thoughts, impressions, and ideas is a common legal practice, and that if the OCC were structured differently, these records would be considered "attorney work product" and would not be discoverable by the officer or their defender.

[**Page 35**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=35)

* The document discusses the role of the OCC in investigating complaints against SFPD officers.
* The document references the City Charter, which requires that the OCC have one investigator for every 150 SFPD officers.
* The document argues that the OCC's "Complaint Work Summary" should be protected from discovery by the defense, as it contains thoughts, impressions, and opinions that would be considered "attorney work product" in other contexts.
* The document argues that the Police Commission's rule limiting discovery of the OCC's "Complaint Work Summary" is consistent with discovery practices in San Francisco's civil and criminal courts.

[**Page 36**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=36)

* The document references a criminal prosecution case (#5, #8) in which the defense requested the OCC's "Complaint Work Summary" for discovery.
* The author of the document, an officer of the court, testified in front of Judge Bouliane to argue against the defense's request.
* The author emphasized the potential negative consequences of allowing the defense access to the OCC's "Complaint Work Summary," including the loss of accountability and rationality in the OCC's investigative findings.

[**Page 37**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=37)

* The author argues that the OCC's internal investigative hearing rules are separate from the Commission's hearing rules, and therefore the defense's request for the "Complaint Work Summary" is not valid.
* The author also points out that the OCC only grants investigative hearings in a small number of cases each year, and that the defense's citation of the OCC's rules is not relevant to the Commission's decision.

[**Page 38**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=38)

* The author argues that the defense's request for discovery is misleading and erroneous, as it is not relevant to the Commission's disciplinary process.
* The author declares that the information provided is true to the best of their knowledge.
* The document is signed by Mary C. Dunlap.

[**Page 39**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=39)

* The document outlines the process for discovery and motions at disciplinary proceedings.
* The Police Department is required to make a good faith effort to provide the accused officer with certain materials at least 30 days before the proceeding.
* These materials include documents related to the disciplinary charges, documents that may exonerate the accused, and contact information for relevant witnesses.

[**Page 40**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=40)

* The document further specifies that the Police Department must provide the accused with access to audio and video recordings, as well as physical evidence.
* The Police Department's obligation to provide discovery is ongoing, and any new documents that come into their possession must be made available to the accused.
* If the accused feels they have not been given adequate discovery, they must file a written motion for further discovery at least 14 days before the proceeding.
* The accused must first attempt to resolve the dispute with the responsible agencies before filing the motion.

[**Page 41**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=41)

* The text outlines the process for requesting discovery materials from the police department
* Requests must be made in writing to the Chief of Police, the Director of the Office of Citizen Complaints, or the Police Commission Secretary
* Discovery motions must include: A list of materials the accused wants produced Proof of compliance with section I 3 Description of any discovery deficiencies Explanation of why additional discovery is needed
* The Police Commission has discretion to direct the police force or Office of Citizen Complaints to provide materials
* The Police Commission may review confidential documents in camera
* Documents not produced to the accused will be kept under seal

[**Page 42**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=42)

* The text outlines the process for filing motions in a disciplinary case
* Motions must be filed in writing at least 21 days before the date set for taking evidence
* Oral motions are not allowed unless formal approval is obtained
* Motions must be typed, double-spaced, and include the caption of the proceeding
* Motions cannot exceed 15 pages
* Motions must include: The problem or procedural defect prompting the motion Facts and legal principles supporting the motion A concise statement of the relief sought
* Opposing parties can file written opposition up to 7 days before the proceeding
* Motions are usually resolved on the first day of the proceeding

[**Page 43**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=43)

* The text clarifies that if a commissioner does not act on a motion, it is automatically denied
* Parties should be prepared to proceed on the merits of the case regardless of any motions filed
* Motions to dismiss charges and exclude witnesses are exceptions to the general rules Motions to dismiss can only be ruled on after the Police Department rests its case Motions to exclude witnesses can be made orally at the start of the hearing
* Failure to comply with these rules is grounds for denying a motion

[**Page 44**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=44)

* The letter is in response to a request for additional discovery in OCC Case No. 1106-97
* The letter lists the materials that have already been provided, including: A copy of the Sustained Case Report Tape-recorded interviews with various officers A laboratory report

[**Page 45**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=45)

* The letter states that the request for original documents cannot be fully complied with because there are no known originals of the questioned documents
* The OCC is willing to grant access to some original handwriting samples, but wants to ensure their integrity and safe return
* The letter also lists additional evidentiary materials that are being provided, including a witness list, complaint form, and personnel histories for several officers

[**Page 46**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=46)

* The text contains multiple references to interactions with various individuals, including Sgt. Sullivan, property control personnel, and the complainant
* The investigator's work summary includes entries detailing efforts to determine officers' work schedules, requests for citations, and conversations with various individuals
* There are multiple references to untaped telephone calls and conversations with the complainant
* The summary also mentions a summary of the personnel schedule for Officer Peter D. Ma

[**Page 47**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=47)

* The text references multiple untaped conversations with various individuals, including Lt. O'Leary, the complainant, and Steve Johnson
* The San Francisco Police Commission's Standing Order Governing Discovery is cited, which states that "evaluative summary containing opinions, impressions and conclusions" are not subject to discovery
* The author of the letter, Jean Field, asserts that the Investigator's Work Summary does not contain any factual information not otherwise available to the accused officer
* Field acknowledges the recipient's objection to the current rule regarding discovery, but reiterates that the rule is still in effect

[**Page 48**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=48)

* The document outlines the San Francisco Police Commission's investigative hearing rules and procedures
* It defines various terms, such as "Proper Conduct," "Sustained," and "Policy Failure"
* The document also addresses the severability of the rules, and clarifies that the use of singular and plural terms, as well as masculine and feminine gender, are interchangeable
* The document was last amended by the Police Commission on November 20, 1986

[**Page 49**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=49)

* The document defines additional terms, such as "Complainant," "Investigator," and "San Francisco Police Department Member"
* It outlines the calculation of time periods for notices, and the requirements for written notices
* The document also specifies the rights of the complainant and the named member following an investigation
* It defines "Discourtesy" and explains the circumstances that would lead to a "No Finding"
* Finally, the document outlines the qualifications for Investigative Hearing Officers

[**Page 50**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=50)

* The document outlines the qualifications for Investigative Hearing Officers (IHOs), including experience in judicial, administrative, or quasi-judicial roles, as well as experience in labor relations or related fields
* It describes the process for selecting IHOs, which includes publishing a notice in a newspaper and accepting resumes
* The document also specifies the conditions that would disqualify someone from being an IHO, such as being involved in a civil action against a police department or being a sworn peace officer
* Finally, the document outlines the process for appealing the appointment or removal of an IHO

[**Page 51**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=51)

* The document outlines rules for a hearing, including the selection and disqualification of a hearing officer (IHO).
* The IHO is responsible for informing all parties that technical, legal rules of evidence do not apply, and may summon individuals to provide statements.
* The IHO is not allowed to engage in ex parte communications with the complainant, director, or investigator.
* The IHO must maintain confidentiality of all information and material acquired from the director.
* The IHO's decision on factual matters is final.
* The director, investigator, complainant, and named member are allowed to be present at the hearing, as well as a police commissioner for evaluation purposes.

[**Page 52**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=52)

* The document outlines the rights of the complainant and the named member of the department to have a representative present at the hearing.
* The document also specifies that media and members of the general public are not allowed to attend the hearing.
* Witnesses are only allowed to be present during their own statement, unless the IHO decides that their presence will facilitate the fact-finding process.
* The document emphasizes the importance of confidentiality, stating that the hearing cannot be referenced in any subsequent civil or criminal proceedings.
* The IHO has the authority to exclude disruptive individuals from the hearing.
* If the complainant or named member fails to appear, the IHO may continue with the hearing, but the absent party may submit a written statement if they can show good cause.
* The document also outlines the process for requesting an interpreter.

[**Page 53**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=53)

* The document outlines the rules for evidence, stating that technical legal rules do not apply.
* Relevant evidence is admissible, but hearsay evidence is only allowed to supplement or explain other evidence.
* The document also specifies that the rules of privilege apply as required by statute.
* The IHO has the authority to compel the appearance of witnesses and the production of documents.
* The document also outlines the rights of the named member and the complainant to call and question witnesses, introduce exhibits, and rebut evidence.

[**Page 54**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=54)

* The document discusses matters that are deemed confidential, such as the names, addresses, and phone numbers of witnesses.
* It also specifies that investigators' notes, opinions, and impressions are confidential.
* The document outlines the procedure for requesting an investigative hearing, which must be submitted in writing within ten days of notification.
* The document also specifies when an investigative hearing is to be held, such as when there has been an undue lapse of time or when there is additional evidence.
* Finally, the document discusses the discovery of evidence by the parties involved.

[**Page 55**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=55)

* The document outlines the rules for requesting and conducting an investigative hearing.
* It specifies that the Director of the Office of Citizen Complaints has the authority to convene an investigative hearing.
* The document also outlines the scope of the investigative hearing, which may vary depending on the case.
* It discusses the process for requesting a postponement or continuation of the hearing.
* Finally, the document specifies that all investigative hearings are to be tape recorded and made part of the confidential records of the O.C.C.

[**Page 56**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=56)

* The document discusses the confidentiality of the Investigative Hearing Officer's (IHO) decision, which is not a public document.
* The IHO's decision is to contain a detailed summary of the evidence and findings of fact.
* The Director is not allowed to disregard the IHO's conclusions on a fact question.
* The Director is responsible for forwarding the IHO's decision to the named member and the complainant.
* The Director is also responsible for evaluating the facts in light of departmental rules and determining whether to sustain or not sustain a complaint.
* The document outlines the different categories of conduct that can be used to evaluate a complaint.
* Finally, the document specifies the timeline for notifying all parties of the IHO's decision.

[**Page 57**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=57)

* The document outlines various rules for the Office of Citizen Complaints (OCC) hearing.
* It discusses different types of conduct that can be considered improper, such as neglect of duty, racial/sexual/ethnic slurs, discourtesy, and policy/supervisory/training failures.
* The document also outlines the process for making findings of proper or improper conduct, and the consequences of each.
* Finally, the document authorizes the Director to transmit confidential records to the Chief of Police in order to pursue disciplinary action.

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* The document is a notice of motion and motion for pretrial discovery compliance order.
* It references the case of Officer Peter D. Ma, who is being represented by attorney Katherine M. Mahoney.
* The motion is directed to the attorney for the San Francisco Office of Citizen Complaints (OCC) and the secretary of the Police Commission.
* The motion requests that the Police Commission compel discovery of the entire OCC "Complaint Work Summary" in the case, which has only been partially produced.

[**Page 59**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=59)

* The motion is based on the attached Declaration of Counsel, the Memorandum of Points and Authorities, and any oral evidence that may be presented at the hearing.
* The motion is dated January 31, 2001 and submitted by Katherine M. Mahoney, the attorney for Officer Peter D. Ma.

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* Katherine M. Mahoney is an attorney licensed to practice law in California and is representing Officer Peter D. Ma.
* The Office of Citizen Complaints (OCC) has filed five allegations of misconduct against Officer Ma, including issuing citations without justification.
* The allegations stem from incidents in 1997.
* Mahoney requested discovery from the OCC in October 2000, but the response she received in December 2000 had large portions blacked out.
* Mahoney argues that all information in the "Complaint Work Summary" is relevant to Officer Ma's case and should be disclosed in full.

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* The author has litigated this issue multiple times before the Police Commission and in Chief's Hearings.
* Assistant Chief Prentice E. Sanders has consistently ordered the OCC to produce the entire document to the author.
* In one case, Commissioner Sidney Chan reviewed the "Complaint Work Summary" and provided the author with a redacted version.
* In another case, the author learned of additional pages that were not initially provided, which were eventually reviewed by a special master and given to the author in redacted form.
* Currently, Police Commission President Dennis Herrera is reviewing the "Complaint Work Summary" in two cases.
* The author believes the information in the "Complaint Work Summary" is relevant to the charges against the accused officer.

[**Page 62**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=62)

* The author declares that the information provided is true and correct, except for matters stated on information and belief.
* The document was executed on January 31, 2001 in San Francisco, California.
* Katherine M. Mahoney is the attorney for the accused officer, Peter D. Ma.

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* The document argues that the Office of Citizen Complaints has failed to comply with state and federal requirements for complete production of discovery.
* The author references several cases to support the argument that discovery in administrative proceedings should be determined on a case-by-case basis.
* The author argues that prosecutors have a constitutional and statutory obligation to provide complete disclosure to defendants, including evidence that is exculpatory, mitigating, or would reduce a penalty.

[**Page 64**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=64)

* The document references California Penal Code Section 1054.1, which requires the prosecuting attorney to disclose all relevant evidence to defendants or their attorneys.
* The document specifically mentions the importance of the "Complaint Work Summary" in relation to Officer Ma's case, as it contains information that may be favorable to his defense.
* The document cites Thompson v. Superior Court as a case that establishes that witness interview notes are discoverable.

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* The document discusses the importance of witness interview notes in relation to the reciprocal discovery rules outlined in Section 1054.3 of the California Penal Code.
* The document cites several cases (In re Gary G., People v. Williams, and McCarthy v. Superior Court) that support the argument that witness interview notes should be disclosed to the defense.
* The document argues that the "Complaint Work Summary" should be disclosed to Officer Ma's defense team, as it may contain summaries of witness interviews that are relevant to his case.

[**Page 66**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=66)

* The document argues that the Office of Citizen Complaints (OCC) has failed to provide discovery that was requested informally by the accused officer, Peter D. Ma.
* The document references the Police Commission's Standing Order Governing Discovery and Other Motions, which the accused officer has complied with.
* The document notes that the OCC has only provided 28 out of at least 50 pages of the requested "Complaint Work Summary," and that large parts of the pages provided are obliterated.
* The document argues that the requested information is discoverable under the OCC's own rules, specifically Section 606.2 and 606.4 of the OCC's Investigative Hearing Rules and Procedures.
* The document argues that the "Sustained Case Report" contains confidential information that should be discoverable by the accused officer.

[**Page 67**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=67)

* The investigator argues that Officer Ma's behavior demonstrates a reckless disregard for the obligations of a police officer.
* Officer Ma is accused of forging other peace officers' signatures, perjuring himself, and violating his oath of office.
* The investigator argues that there is a preponderance of evidence that Officer Ma intentionally issued false and forged citations in order to retaliate against a complainant.

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* The investigator argues that the OCC report contains confidential information, which makes it discoverable under the agency's own rules.
* Officer Ma requests the Police Commission order the OCC to produce the "Complaint Work Summary" in its entirety.
* Katherine M. Mahoney, the attorney for Officer Ma, submits the request on his behalf.

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* The San Francisco Police Commission adopted a resolution regarding disciplinary charges against Officer Peter D. Ma.
* Sidney Chan, the president of the Police Commission, and Connie Perry, the vice president, both signed the letter.
* The letter is addressed to various city departments, including the Office of Citizen Complaints (OCC), the Police Department, and the City Attorney's Office.

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* The letter is a request for discovery from the OCC and the Police Department in the case against Officer Peter D. Ma.
* The request includes a list of nine items, such as statements from the officer, witness information, physical evidence, and reports from experts.

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* The document is a discovery request related to the case of Peter D. Ma.
* The request is for examination of all photographs, video tapes, motion pictures, composites, or likenesses shown to witnesses in order to establish the identity of officers suspected of the allegations charged.
* The request also includes all notes or reports of investigators related to the case, as well as any exculpatory evidence in the possession of the OCC, the Police Department, or any other person or agent available to the OCC.
* The letter is signed by Katherine M. Mahoney, General Counsel for the San Francisco Police Officers' Association.

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* Exhibit B is a letter from the San Francisco Police Commission to various city departments.
* The letter references a resolution that was adopted regarding disciplinary charges against Peter D. Ma.
* Sidney Chan, President of the Police Commission, and Connie Perry, Vice President, are both mentioned in the letter.

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* The document contains a complaint work summary for the case of Wright vs. Ma.
* The summary lists three dates of activity: 12/23/97, 12/24/97, and 12/30/97.
* On 1/16/98, the complainant called to advise that the court referee dismissed the extortion charge against Ma.

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* The document references two citations, #3 and #12, which may be related.
* The complainant suspects Peter Ma, now with the San Francisco Police Department, of being involved.
* The summary lists two dates of activity: 1/22/78 and 1/26/98.
* On 1/26/98, the investigator reviewed the file and listened to a tape from 12/23/97.
* The complainant called to inquire about the status of the investigation and was advised that it was still open.

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* The summary references two officers, Mercer #1948 and Mannina #1174, who may have been involved in issuing citations.
* The investigator attempted to verify whether the officers were working on the days the citations were issued, but was unable to find any records.
* The investigator spoke with several individuals, including Lt. Keohane, Dolly (Captins Clerk), and Jeff Roth, in an attempt to gather more information.
* Ultimately, the investigator concluded that neither officer was working on the days the citations were issued.

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* The investigator spoke with Loverne (Fiscal) to request a copy of 10B assignments, but was told it would be unmanageable to copy.
* The investigator then spoke with the complainant's attorney, Alan Davis, who inquired about the status of the investigation.
* The investigator informed Davis that the investigation was pending and that there was no new information to report.
* The investigator also photocopied some business cards.

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* The investigator, Heppe, records various activities on different dates in February 1998.
* On 2.2.98, 2.3.99, and 2.4.98, the investigator spoke with the complainant, who had follow-up questions.
* On 2.6.98, the complainant told the investigator that the DMV had informed her of another ticket in the mail.
* On 2.9.98, the investigator requested citations for two tickets, as well as the before and after tickets for three other citations.
* On 2.10.98, the investigator spoke with the complainant's attorney, Alan Davis, who gave permission for the investigator to speak with the complainant.

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* The investigator, Heppe, records various activities on different dates in February 1998.
* On 2.10.98, 2/19/98, and 2-20-98, the investigator communicated with different individuals, including usjania.
* On 2.25.98, the complainant called to inquire about the status of her case, and the investigator informed her that it was still under investigation.
* On 3.2.98, the investigator recorded two separate activities.

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* The investigator, Heppe, continues to record various activities in March 1998.
* On 3.2.98, the investigator spoke with an individual identified as "#2" about employee parking.
* "#2" informed the investigator that employers can either park across the street or in a parking lot.
* The investigator records two additional activities on 3.3.98 and 3.11.98, but no further details are given.

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* The investigator, Heppe, calls the Property Division and is referred to the Supply Room.
* Victor Rothenberg, an employee in the Supply Room, informs the investigator that they distribute citation books to stations.
* The investigator sends Victor a fax with two citation numbers, #7 and #8, to determine which station received the book.
* Victor later calls back and requests that the investigator come in person to go through records.
* The investigator schedules a visit for 3/17/98 with Cheri Toney.

[**Page 81**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=81)

* The document references OCC # 1106-97 and Name Inv. #2
* It contains a complaint work summary from Heppe
* The summary is found on page 9 of the document
* There are two dates mentioned: 3.13.98 and 3.17.98
* On 3.13.98, someone went to HoJ Rm G22 GAA with Cheri to locate books issued to a station
* On 3.17.98, there seems to be mention of some sort of lottery

[**Page 82**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=82)

* The document references a call made to Northern Station
* Srat. Sullivan is mentioned as the person who was spoken to
* It is stated that no log books are kept at the station
* The document mentions a "Special Receipt" that is supposed to be signed by the officer
* Ada Wong from Traffic is mentioned as someone who was spoken to
* Wong states that they are not receiving the "Special Receipts"
* A message was left for Sargent Sullivan

[**Page 83**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=83)

* The document references a conversation with Cheri, who informs the author that there are 25 individual citations in each book
* Victor from the Property/Supply Room is mentioned, but he is unable to provide information on the number of citation books in a box
* Mike Lujan from Traffic is mentioned as someone who can provide information on the citation numbering system
* Lujan explains that there are 20 books in a box, with 500 citations in total
* Lujan also explains how the citation numbering system works

[**Page 84**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=84)

* The author drives to the location of the incident
* They identify handicap signs in a parking lot
* They also locate a bus zone
* The author notes that the area is busy with vehicle traffic and limited street parking
* There is store parking on one side and a parking lot on the other
* The parking lot appears to be open to the general public

[**Page 85**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=85)

* Tony Cae of the Department of Public Transportation (DPT) calls to request copies of citations
* Cae reports that she has searched for the citations but they have not been received
* Cae requests that the original citations be submitted along with copies of the citations in question

[**Page 86**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=86)

* The complainant calls to inquire about the status of the case
* The complainant identifies Peter Ma as the employee in question
* The complainant expresses concern about her safety
* The investigator informs the complainant that the investigation is still open
* The investigator runs a personnel history for Peter Ma, which reveals that he has been with the SFPD since 1995
* The investigator also runs a personnel schedule for Peter Ma to determine his work assignments during the time period in question

[**Page 87**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=87)

* The complainant calls again to inquire about the status of the investigation
* The investigator informs the complainant that the investigation will take another month to complete
* The complainant requests a copy of the resolution and cover letter
* The complainant provides new information, alleging that Peter Ma had a crush on her and was stealing from her employer
* The complainant claims that Peter Ma was fired as a result
* The complainant also implicates a friend of Peter Ma's in the case

[**Page 88**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=88)

* The document references a complaint work summary
* The investigator is identified as "HEPPE"
* The document lists several dates, including 12/1/98, 12/3/98, and 2/16/99
* The document mentions a voice mail message left by the complainant
* The complainant also called back and mentioned that her attorney had contacted her

[**Page 89**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=89)

* The document references a complaint work summary
* The investigator is identified as "HEPPE"
* The document lists three dates: 10/20/49, 10/26/99, and 10/28/99
* The document mentions a call from "Somp" on 10/13/99
* The document references a report made by the complainant against Peter D. Ma for taking food from a deli without paying
* The complainant reported the incident to a security guard

[**Page 90**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=90)

* The document references a security guard who reported Ma to an assistant manager
* The complainant alleges that Ma threatened her after she reported him
* Ma was fired, but returned to the store with a union representative
* The complainant never returned to the store

[**Page 91**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=91)

* The document references a complaint work summary for OCC # NAME #2 INV. HEPPE, case number 1106-97.
* The document records activity on two dates: 11/18/99 and 11/19/99.
* On 11/19/99, Denis O'Leary called to advise that he would be sending Lau and would speak to commanding officers about the complaint history.
* O'Leary also requested a memo to the Chief, which the author of the document agreed to provide.
* The author also notes that they put a copy of the 293 in the mail.

[**Page 92**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=92)

* The document records activity on two dates: 11/22/99 and 11/23/99.
* On 11/23/99, the author called the complainant and advised her that Peter D. Ma had been interviewed.
* The complainant shared some follow-up information, including that she had worked with Ma at a store for around four years, but they did not work in the same department.
* Ma worked in the #3, #12 department.

[**Page 93**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=93)

* The document records activity on two additional dates: 12/6/99 and 12/7/99.
* On 12/6/99, the author interviewed two people who could provide information about Ma.
* The author also identified three departments that Ma worked in: #2, #3, and #12.

[**Page 94**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=94)

* The document records activity on four dates: 1/6/00, 1/7/00, 1/10/00, and 1/11/00.
* On 1/6/00, the author mentions a vest and "COLICIC" (an acronym that is not defined in the document).
* On 1/7/00, the author writes "all" and "NO. KA" (an abbreviation that is not defined in the document).
* On 1/10/00, the author mentions an interview and "KK" (an abbreviation that is not defined in the document).
* On 1/11/00, the author records a conversation with "Ram PS" about officer Ma, confirms a date and time for an interview, and mentions a call from Denis O'Leary.

[**Page 95**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=95)

* The document records activity on three dates: 1/11/00, 1/12/00, and 1/13/00.
* On 1/11/00, the author records a conversation with "Ket" (an abbreviation that is not defined in the document).
* On 1/12/00, the author does not record any specific activity.
* On 1/13/00, the author records a call from Denis O'Leary, who has received permission to review officer Ma's academy records and is requesting the file.

[**Page 96**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=96)

* The document records activity on three dates: 1/24/00 and 2/1/00.
* On 1/24/00, the author records a call from a complainant who is concerned about a letter she received from the Public Defender's office.
* The author explains that the only relation between the letter and her complaint is that officer Ma's name appears on the citations.
* On 1/24/00, the author also records receiving a handwriting sample from Denis O'Leary.
* On 2/1/00, the author records a note that simply says "KH."

[**Page 97**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=97)

* The document records activity on three dates: 2/1/00, 2/3/00, and 2/7/00.
* On 2/1/00, the author records receiving a call from Clara Levers, who is assisting Patricia Fisher with the examination of documents.
* Levers requests a confidentiality statement for her signature.
* Fisher calls to confirm Levers' involvement.

[**Page 98**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=98)

* The document records activity on three dates: 3/21/00, 3/22/00, and 3/24/00.
* On 3/21/00, the complainant refuses to go on tape, expressing fear for her life.
* On 3/22/00, the author records a phone conversation with the complainant, asking questions about the case.
* On 3/24/00, the author records that 15% of the work is complete.

[**Page 99**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=99)

* The document records activity on one date: 4/5/00.
* The author prepares for an investigation into citations.
* The author calls the Department of Transportation (DPT) and speaks to Steve Johnson.
* Johnson agrees to investigate the citations and get back to the author.

[**Page 100**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=100)

* The document records activity on one date: 1/31/01.
* The author, Katherine M. Mahoney, serves a notice of motion and motion for prehearing discovery compliance order.
* The document is mailed to Jean Field, Esq. at the Office of Citizen Complaints.
* Mahoney declares the information in the document to be true and correct.

[**Page 101**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=101)

* The letter is from the San Francisco Police Commission to various city departments.
* It references a resolution that was adopted regarding disciplinary charges against Officer Peter D. Ma.
* Sidney Chan is the president of the Police Commission, Connie Perry is the vice president, and Wayne Friday is a commissioner.
* Commissioner Friday is assigned to conduct the taking of evidence in the disciplinary charges against Officer Ma.
* The date for the taking of evidence will be set at a later time.

[**Page 102**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=102)

* The letter is informing Officer Peter D. Ma of the date and location for the taking of evidence on the charges filed against him.
* The taking of evidence will take place on Wednesday, October 18, 2000, at 5:30 p.m. in the Thomas J. Cahill Hall of Justice.
* Officer Ma is required to attend unless excused by the Police Commission Secretary, Lieutenant Manuel Barretta.
* Officer Ma is also instructed to check with Lieutenant Barretta prior to any appearance before the Police Commission.
* The letter is signed by Sergeant Edward Geeter, the Acting Secretary of the Police Commission.
* Copies of the letter were sent to Attorney J. Field of the Office of Citizen Complaints and Captain A. Fagan of the Northern Police District.

[**Page 103**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=103)

* The letter is from the San Francisco Police Commission to the San Francisco Police Department.
* The letter references a disciplinary charge against Officer Peter D. Ma for "Unwarranted Action" (issuing citations to a civilian without justification).
* The charge is in violation of Department General Order 2.01, Rule 9.
* The letter is signed by Fred H. Lau, Chief of Police.

[**Page 104**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=104)

* The letter details the charges against Officer Peter D. Ma, including his star number and station assignment.
* The victim claims she received four parking citations that she did not commit, and that she did not receive any notice of the violations on her car.
* One of the citations is in question because the officer who allegedly wrote it was off-duty at the time and denies writing or signing it.

[**Page 105**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=105)

* Three citations are mentioned, each with different dates and violations.
* The first citation is for parking in a bus zone, the second and third for parking in a handicap zone.
* In each case, the officer who allegedly wrote the citation denies doing so.
* The victim claims she knows the accused officer from a previous job, and that he threatened her with bodily harm after she complained about him.

[**Page 106**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=106)

* The accused officer denies knowing the victim or writing the citations.
* However, evidence suggests that the accused officer wrote and submitted the citations, signing other officers' names and star numbers to them.
* This conduct is considered a violation of Department General Order 2.01, which prohibits misconduct and unofficer-like conduct.

[**Page 107**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=107)

* The San Francisco Police Commission adopted a resolution regarding disciplinary charges against Officer Peter D. Ma.
* Sidney Chan, the president of the Police Commission, and Connie Perry, the vice president, are both mentioned in the letter.
* The letter requests that various city departments take appropriate action in response to the resolution.

[**Page 108**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=108)

* The letter references a resolution that was adopted by the San Francisco Police Commission.
* The resolution concerns disciplinary charges against Officer Peter D. Ma.
* Sidney Chan (president of the Police Commission) and Connie Perry (vice president) are both mentioned in the letter.
* The letter requests that various city departments take appropriate action in response to the resolution.

[**Page 109**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=109)

* The letter from the San Francisco Police Commission references a resolution that was adopted regarding disciplinary charges against Officer Peter D. Ma.
* Sidney Chan (president of the Police Commission) and Connie Perry (vice president) are both mentioned in the letter.
* The letter requests that various city departments take appropriate action in response to the resolution.

[**Page 110**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=110)

* The letter from the San Francisco Police Commission references a resolution that was adopted regarding disciplinary charges against Officer Peter D. Ma.
* Sidney Chan (president of the Police Commission) and Connie Perry (vice president) are both mentioned in the letter.
* The letter requests that various city departments take appropriate action in response to the resolution.

[**Page 111**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=111)

* The letter references an accused officer who wrote unwarranted citations using false names and star numbers.
* The officer's conduct is said to violate Department General Order 2.01 of the San Francisco Police Department.
* Rule 9 of Department General Order 2.01 is quoted, which defines misconduct as any behavior that disrupts the department or reflects poorly on it.
* The letter is submitted by the Office of Citizen Complaints.

[**Page 112**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=112)

* Fred H. Lau, the Chief of Police, is the complainant in this case.
* Lau verifies that he has read the charges and believes them to be true.
* The verification is executed in San Francisco on October 57, 2000.

[**Page 113**](https://casetext.com/api/ai-assistant/proxy/document-uploads/2cdf8498b9402d7e9c5eaaf8c2fffcd5/content#page=113)

* The document references File No. JWF C00-296, which concerns disciplinary charges against Peter D. Ma, a police officer.
* Lt. Mary Stasko personally served the charges to Ma on October 6, 2000 at Northern Station.
* Stasko declares under penalty of perjury that the information is true and correct.
* The charges were filed with the Police Commission on October 11, 2000.

[**1997-12-31 Dishonesty Comm133.pdf**](https://casetext.com/api/ai-assistant/proxy/document-uploads/9b766edda097253b09a62b06a19b107e/content#page=1)

[**Page 1**](https://casetext.com/api/ai-assistant/proxy/document-uploads/9b766edda097253b09a62b06a19b107e/content#page=1)

* The San Francisco Police Commission has identified records related to a complaint against Officer Peter Ma from 1997.
* The document outlines various California laws that justify the redaction of certain information from these records.
* Reasons for redaction include: Protecting personal data or information of the officer Preserving the anonymity of complainants and witnesses Protecting confidential medical, financial, or other information Ensuring the physical safety of the officer or others
* The document also references laws that restrict access to criminal offender record information and investigatory or security files.

[**Page 2**](https://casetext.com/api/ai-assistant/proxy/document-uploads/9b766edda097253b09a62b06a19b107e/content#page=2)

* The document references California Code of Civil Procedure § 129, which protects photographs of a deceased person taken by the coroner.
* It also cites California Government Code §§ 7927.700, 7927.705, and 7930.100, which protect against the unwarranted invasion of privacy.
* California Welfare & Institutions Code § 5328 and § 827, as well as California Government Code § 6254(k), are cited to protect confidential mental health and juvenile records.
* The document also references California Government Code §§ 7927.705, 7930.110, and Evidence Code § 954, which protect attorney-client privilege.
* Finally, the document cites California Evidence Code 1040(b)(2), California Penal Code § 832.7(g), and California Penal Code § 832.7(h) to justify the redaction of certain information in order to preserve confidentiality or protect the criminal discovery process.

[**1994-06-06 Dishonesty SFPD193 redaction index.pdf**](https://casetext.com/api/ai-assistant/proxy/document-uploads/1c3751a71c128abffc46fe776c4388b4/content#page=1)

[**Page 1**](https://casetext.com/api/ai-assistant/proxy/document-uploads/1c3751a71c128abffc46fe776c4388b4/content#page=1)

* The document references records related to an incident involving peace officer Guillermo Amigo on June 6, 1994.
* The records include documents related to Internal Affairs Report OCC 0430-94.
* Redactions have been made to the records based on nine different exemptions, which are detailed in the document.
* The exemptions include reasons such as protecting personal information, preserving anonymity, and preventing danger to individuals.

[**Page 2**](https://casetext.com/api/ai-assistant/proxy/document-uploads/1c3751a71c128abffc46fe776c4388b4/content#page=2)

* The document references three California Government Code sections that exempt records from disclosure, including records of complaints, investigations, and intelligence information.
* The document also references California Code of Civil Procedure § 129, which protects photographs of a deceased person's body.
* Two California Welfare & Institutions Code sections are mentioned, which protect mental health records and juvenile records.
* The document also references California Government Code §§ 7927.705 and 7930.110, which protect attorney-client privilege.
* Finally, the document references California Evidence Code 1040(b)(2) and California Penal Code § 832.7(g) and (h), which protect official information and personnel records.

[**1994-06-06 Dishonesty SFPD193.pdf**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=1)

[**Page 1**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=1)

* The document is from the San Francisco Police Department, specifically from Chief of Police Anthony D. Ribera.
* The document references a recommendation made by the Office of Citizen Complaints (OCC) and the Management Control Division (MCD) regarding an officer's unwarranted actions.
* Both the OCC and MCD found the officer's actions to be "sustained" (i.e. the complaint was valid).
* The recommendation is to issue a written reprimand to Officer Guillermo Amigo.
* Chief Ribera concurs with the recommendation.
* The document is dated January 17, 1995.

[**Page 2**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=2)

* The document is a letter from Chief of Police Anthony D. Ribera to John Parker, the Interim Director of the Office of Citizen Complaints (OCC).
* The letter references OCC case #430-94, which concerns a complaint of unwarranted action by an officer.
* The complaint was classified as "sustained" and the officer received a written reprimand from the Chief of Police on May 2, 1995.
* Lieutenant William Davenport, the Commanding Officer of the Management Control Division (MCD), is also mentioned in the letter.

[**Page 3**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=3)

* The document references a recommendation made by the Office of Citizen Complaints (OCC) and the Management Control Division (MCD) regarding an officer's unwarranted actions.
* Chief of Police Anthony D. Ribera concurs with the recommendation to issue a written reprimand to the officer in question, Guillermo Amigo.
* The document also includes the case number (OCC #0430-94) and the date of the Chief's decision (1/19/95).

[**Page 4**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=4)

* The document is a case evaluation by Lt. Davenport from the Management Control Division (MCD).
* The case concerns an accusation against Officer Guillermo Amigo for unwarranted action.
* The accusation stems from an incident on 6/6/94 in which Amigo detained a person as a possible narcotics suspect.
* The accuser also alleges that Amigo threw away his marijuana pipe, which Amigo denies (except for admitting to throwing the pipe down a sewer).
* The recommendation is to sustain the accusation and issue a written reprimand to Amigo.

[**Page 5**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=5)

* Chief Ribera concurs with the recommendation to issue a written reprimand to Amigo.
* The reprimand is for violating Rules II.A, B., and C. of General Order Q-4, which require officers to document and receipt any property taken from a person.
* Amigo initially requested a hearing, but later withdrew the request and accepted the proposed discipline.

[**Page 6**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=6)

* Officer Guillermo Amigo is being reprimanded for violating General Order Q-4.
* The reprimand is specifically for not following the rules for booking property for identification or safekeeping.
* Chief Ribera urges Amigo to follow department rules more carefully in the future, and warns that further violations will result in stronger disciplinary measures.
* The letter is to be placed in Amigo's personnel file.

[**Page 7**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=7)

* The Office of Citizen Complaints and the Management Control Division have recommended that a written reprimand be issued to Officer Guillermo Amigo for unwarranted action.
* Chief Ribera concurs with the recommendation.
* The case number is #0430-94.
* John Parker, the interim director, is the one who submitted the recommendation to Chief Ribera.

[**Page 8**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=8)

* The complainant alleges that Officer Amigo took his pipe while he was waiting at a bus stop.
* A second police car arrived and the officer in that car told Officer Amigo to release the complainant.
* The incident occurred on June 6, 1994 at 2310 hours at the intersection of Market Street and Van Ness Avenue in San Francisco.

[**Page 9**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=9)

* The Office of Citizen Complaints (OCC) and the Management Control Division (MCD) have investigated the allegations against Officer Amigo.
* The OCC and MCD have found that Officer Amigo's actions were unwarranted and have recommended that he receive a written reprimand.
* Chief Ribera concurs with the recommendation and has submitted the complaint to the Police Commission.

[**Page 10**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=10)

* The document is a report of investigation from the OCC regarding a complaint against Officer Amigo.
* The incident in question occurred on June 6, 1994 at the intersection of Market Street and Van Ness Avenue in San Francisco.
* The complainant alleges that Officer Amigo took his pipe and only released him after another officer intervened.
* The OCC has assigned case number 0430-94 to the complaint.

[**Page 11**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=11)

* The document is from the Chief of Police, Anthony D. Ribera, to John Parker, the interim director of the OCC.
* Chief Ribera concurs with the recommendation made by the OCC and the Management Control Division to issue a written reprimand to Officer Amigo.
* The reprimand is in response to the unwarranted actions taken by Officer Amigo during the incident on June 6, 1994.

[**Page 12**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=12)

* The document outlines the findings of the Office of Citizen Complaints (OCC) and the Management Control Division
* Officer Amigo is found to have engaged in "unwarranted action" by confiscating the complainant's pipe and not issuing a property receipt
* Evidence includes the complaint, member response forms, and tape-recorded interviews
* Chief Ribera concurs with the recommendation to issue a written reprimand to Officer Amigo

[**Page 13**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=13)

* Officer Amigo is accused of detaining a man on suspicion of involvement in a narcotics transaction
* Amigo's partner questions whether the man is the right suspect, but Amigo proceeds to search the man's pockets
* Amigo finds a pipe and accuses the man of possessing marijuana
* Another officer arrives and tells Amigo that the man is not the suspect, at which point Amigo releases the man and leaves with the pipe
* Officer Gonzalez, a witness, denies speaking to the complainant or confiscating the pipe
* Officer Amigo claims that he and Gonzalez were acting as backup for a buy-bust operation

[**Page 14**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=14)

* Officer Recinos describes his experience with buy-bust operations in the area
* Recinos notes that most of the drug sellers in the area are Latin, but that there are occasionally white and African American sellers as well
* Recinos explains how he broadcasts descriptions of suspects after making a buy

[**Page 15**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=15)

* Officer Amigo is mentioned as a back-up officer for buy-bust operations
* A specific incident is recounted where Officer Amigo and Officer Gonzalez detained a white male
* Officer Amigo is accused of taking a pipe from the complainant's pocket and not returning it
* Officer Amigo claims he thought the pipe was a knife and that he told the complainant he would not be getting it back
* The pipe was later thrown in a storm drain

[**Page 16**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=16)

* Officer Amigo failed to issue a receipt or document the confiscation of the pipe in an incident report
* Department General Order Q-4 is referenced, which states that confiscated property should not be returned to the owner unless ordered by the court
* General Order Q-4 also requires that a member complete form SFPD 315 and give the original to the person from whom the property was received

[**Page 17**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=17)

* The document references the need to place a duplicate copy of form SFPD 315 in the property envelope or attach it to the property tag
* An incident report must be prepared for each incident of property being booked
* Officer Amigo is found to have neglected his duty by not following department policy regarding confiscated contraband

[**Page 18**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=18)

* The document references OCC case number 0430-94
* Charles K. Gallman and Jo Falker are listed as the individuals who investigated and approved the case
* Gallman is the Interim Director and Falker is an Investigator

[**Page 19**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=19)

* The complaint was received on June 2, 1994 at 2:54pm
* The complaint is against SFPD personnel, specifically Guillermo Amigo
* The incident occurred at Market and Van Ness in District 7
* The incident took place on June 6, 1994 at 11:10am
* There is no criminal case pending in relation to this matter
* Amigo is a uniformed officer with the rank of B

[**Page 20**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=20)

* The document references a recommendation made by the Office of Citizen Complaints (OCC) and the Management Control Division
* The recommendation is to issue a written reprimand to Officer Guillermo Amigo
* Chief Anthony D. Ribera concurs with the recommendation

[**Page 21**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=21)

* The document describes an encounter between an individual and a police officer.
* The officer searched the individual's pockets, but did not take their wallet or ID.
* The officer found a small pipe and accused the individual of possessing marijuana.
* The individual clarified that the pipe was empty.
* The officer then left, taking the pipe with them without issuing a receipt.
* The individual was able to get the officer's car number, 485.
* The document references a recommendation by the Office of Citizen Complaints and the Management Control Division to issue a written reprimand to the officer, Guillermo Amigo.
* Chief Ribera concurs with the recommendation.

[**Page 22**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=22)

* The document requests information from the officer in question, Guillermo Amigo, about his use of a SFPD vehicle on 6/6/94.
* The document asks for details about the officer's location and activities on that day.
* The document also requests information about the officer's interaction with the individual, including what prompted the contact and whether the officer confiscated the individual's pipe.
* The document asks if there are any witnesses to the incident and whether an oral interview would be helpful.
* The document also requests any additional statements from the officer.

[**Page 23**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=23)

* Complaint #430-94 is referenced.
* The document mentions an undercover narcotics buy that had just occurred.
* The officer detained the individual because the description matched the buy officer's description.
* A search revealed a marijuana pipe.
* The individual was released after the pipe was thrown in the gutter.
* No report was written.

[**Page 24**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=24)

* The document requests information from Officer Gonzales about an incident on 6/6/94.
* Specifically, the document asks for details about the officer's location, activity, and role in the incident.
* The document also requests information about any contact the officer had with a complainant, including whether any property was confiscated.
* The document notes that there are no witnesses and that an oral interview is not necessary.
* The document is signed and dated 07-07-94.

[**Page 25**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=25)

* The response from the Office of Citizen Complaints confirms that the officer did not speak to the complainant.
* The response also states that the officer believed the complainant was involved in a narcotics transaction.
* The response denies any other allegations or concerns.
* The response is dated 07-26-94 and includes the case number SFPD OCC 0430-94.

[**Page 26**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=26)

* The document establishes procedures for booking property not connected with an arrest or crime.
* The document lists seven categories of property that can be booked for identification or safekeeping.
* The document is from the San Francisco Police Department and is dated 08/03/82.

[**Page 27**](https://casetext.com/api/ai-assistant/proxy/document-uploads/af817ce6ed40532c606e8c8a462471fb/content#page=27)

* The document outlines three categories of property that will not be returned to the owner unless ordered by the court: contraband, weapons, and destructive devices.
* The document provides instructions for how officers should document and book property for safekeeping or identification.
* The document is signed by Chief of Police Cornelius P. Murphy.