

MY NAME IS _____
FIRST MIDDLE LAST

I LIVE AT _____
STREET ADDRESS

I WANT TO COMMEND _____
OFFICER(S) NAME(S) IF YOU KNOW

CIRCUMSTANCES: _____

DATE

SIGNATURE

Mail to: San Diego Police Department
Chief's Office M.S. #700
1401 Broadway
San Diego, CA 92101

THE SAN DIEGO POLICE
DEPARTMENT



COMPLAINT/COMMENDATION
PROCEDURE

The San Diego Police Department recognizes that its officers are responsible to the public for their conduct. All members of the Department encourage citizens to report what they believe to be any acts of police misconduct.

The complaint must be made in good faith and the Department promises to respond swiftly, thoroughly and fairly to reports of alleged misconduct.

Not all of our contacts with the public are negative nor do they result in complaints. The majority of our contacts involve helping individuals and in some cases performing life saving acts.

If you feel strongly about an officer's performance either way, let us know.

*Jerry Sanders
Chief of Police*

DOES THAT MEAN THE POLICE DEPARTMENT WANTS COMPLAINTS?

Of course not. But if you are involved in or witness a police situation you feel is not right, we want to know about it. We realize that at times an officer's conduct may not be proper. When these cases are called to our attention, we promise a fair and impartial investigation.

WILL YOU LISTEN TO MY COMPLAINT?

Certainly. We want to find out what went wrong, if anything, so we can see that it does not happen again.

WHO SHOULD I GO TO FIRST?

You should bring your complaint to the attention of a police supervisor, if their is one at the incident in which you are involved. If not, you may request a police supervisor by calling 531-2000. You may also call the Citizen's Review Board Coordinator at 236-6296, or the Community Relations Storefront Office in your area:

Balboa Park	525-8244
Clairemont	581-9821
East San Diego Area	531-1580
Downtown Area	531-1544
Indochinese Assistance	531-1590
La Jolla	551-2352
Linda Vista	495-7895
Logan Heights Area	531-1572
Ocean Beach	531-1540
Pacific Beach	581-9920
Rancho Bernardo	538-8146
Rancho Penasquitos	538-8120
Southeast Area	527-3487
San Ysidro	690-8360

HOW WILL MY COMPLAINT BE INVESTIGATED?

Your case will be assigned to an appropriate police supervisor. During the investigation, you, the officer, and all witnesses will be interviewed. Where appropriate, physical evidence will be examined. At the conclusion of the investigation the Department will notify you of the results.

DO I HAVE TO COMPLAIN IN PERSON?

No. Unlike many other departments, the San Diego Police Department will accept a complaint over the telephone, by mail, or even from another party on your behalf.

WILL I HAVE TO WRITE OUT MY COMPLAINT?

No. We will take your complaint by telephone, in person, or by letter. After receiving your complaint, the Department will send you a copy of the form we prepare, briefly describing your version of what happened, and the allegations you made against the officer. This will insure that your complaint was accurately depicted and is being investigated.

WILL I BE TOLD HOW THE COMPLAINT CAME OUT?

Yes, we will send you a letter with the results at the completion of the investigation. We will arrive at one of five possible conclusions:

1. **SUSTAINED** - All or part of the act occurred.
2. **NOT SUSTAINED** - There was not enough evidence to clearly prove or disprove the allegation.
3. **UNFOUNDED** - The act did not occur.
4. **EXONERATED** - The act occurred, but was justified, legal and proper.

5. **COMPLAINANT NOT COOPERATING** - This conclusion is reached if you cannot be located for an interview, or if you refuse to cooperate with the investigation.

WHO WILL REVIEW THE POLICE DEPARTMENT'S INVESTIGATION?

Allegations of a serious nature will be reviewed by the Citizen's Review Board on Police Practices.

WHAT IF I AM NOT SATISFIED WITH THE RESULTS OF THE INVESTIGATION?

We sincerely hope that would not happen. If it did, you may contact the Citizen's Review Board coordinator at 236-6296.

WHAT WILL HAPPEN TO THE OFFICER?

That will depend on what they did. If the actions were improper, they would be subject to discipline. However, by Law (832.7 P.C.) we are prohibited from telling you what specific disciplinary action was taken against the officer.

ON THE OTHER HAND, WHAT IF I WISH TO COMPLIMENT AN OFFICER?

If you have experienced good service from a member or members of the San Diego Police Department, we want to hear about it! On the back of this pamphlet you will find a form you can use to let the officer(s) know that you appreciated what they did. Please put down all of the details you can remember. This includes dates, times and circumstances of the experience. If you need more space, please feel free to attach any additional sheets.

COMPLAINT

Name: [REDACTED]
Address: Riverside, Ca
Date: October 12, 1994
Loc: U.S.-Mexico border
LEA: U.S. Border Patrol

Complaint:

[REDACTED] was crossing the border with a group of men near the Imperial Beach area, when they were spotted by two Border Patrol agents. The men ran, but [REDACTED] was caught by one of the agents. The one who caught him told [REDACTED] "te gusta correr pendejo?", and began beating [REDACTED] about the face and head with his baton. Before [REDACTED] lost consciousness, he asked the agents for help, but they just left him there. When [REDACTED] awoke the next day, which he estimates to be about 11-12 hours later, he found himself at the bottom of a 25 to 30 foot ravine. He also realized he could not stand up, and that his back was badly broken. One of his hands was also broken, and the other was injured. [REDACTED] dragged himself to the nearest road, where some men were trimming trees, but could not get them to help him. Finally, a Border Patrol vehicle showed up and asked him what happened. When [REDACTED] told them that he was beaten and abandoned by two Border Patrol agents, the agents told [REDACTED] "no te creemos". ("we don't believe you"). When [REDACTED] insisted as to the extent of his injuries, the agents called an ETM, which transferred him to Chula Vista Hospital. After he was admitted, the hospital told [REDACTED] that he would need extensive surgery for his back injury, but that he would have to be transferred to Scripps Hospital in La Jolla. [REDACTED] estimates he was at Scripps approximately 15 days following his surgery.

COMPLAINT

Name: [REDACTED]
Address: Metropolitan Correctional Center(MCC)
San Diego, Calif., 92101

Date of incident: February 10, 1995
Location: San Clemente Checkpoint
LEA: U.S. Border Patrol

Complaint:

Mr. [REDACTED] admitted he was trying to smuggle several undocumented Mexican immigrants through the San Clemente checkpoint on the above date and time. However, he claims the Border Patrol agents used unnecessary and excessive force to arrest him. Mr. [REDACTED] claims that he only ran a very short distance when he jumped out of the car as he ran the checkpoint. He said two agents jumped him and wrestled him to the ground. The agents handcuffed him and began punching him in the face and head. At one point one of the agents pulled his head back by the hair and punched him hard in the face. The agents also kept banging his face into the ground, at least 6 or 7 times, according to Mr. [REDACTED]. Most of the 10 witnesses in the car witnessed the beating. Mr. [REDACTED] also claims the agents put a choke hold on him when he was taken to the San Clemente checkpoint and put in a cell. Because of the extensive injuries inflicted on Mr. [REDACTED] the Border Patrol had to transfer him to San Clemente Community Hospital. There is no mention of injuries on the I-213 report.

- ask every for reports on see [redacted] for stealing from other
- cops don't live in our neighborhoods, no investment? about mex's union
- go back to their white neighborhoods
- as taxpayers we should have a right to have a say as to who patrol our comm.
- escalate vs deescalate
- lying & fabricating report,

- FUNDRAISER
- [redacted] LEGAL DEF. FUND

~~Trial
 July 25th.
 Dept 9.
 postponed until
 Sept.~~

Nation of laws
 play off in rules?

(lack of supervision) caused not control officers

(Central Division) →

* (2) undercover

Court: 4/24/96 for

(2) white female officers: ①

②

* We demand that these racist cops be removed from our Community

accused of having stolen gun
cops lied in court - played tape recorder.

Judge threw out case

FEB 1ST.
incident

None: splashed muddy water on officer
attempt to arrest

"came out of woodwork" "in the back"

- used pepper spray


- called "cops now" for back-up

- felt threatened by

- May 9th Dept '9

11614

H/C's ag. vet's not taken seriously

 Trial:
is mockery of justice

- corrupt judges, lawyers + civil servants, + a criminal justice system that discriminates ag. the poor/wh of them should Chicanos expect.
- playing by the rules - we are a nation of laws

cc

H

HR & Commission

cc

~~UNLAWFUL~~
CASE

[REDACTED], CITY MGR.

ENCLOSED PLEASE FIND COPY OF FLYER
WE ARE PRESENTLY CIRCULATING [REDACTED]
[REDACTED] HILL, AS YOU
CAN SEE, WE ARE PRINTING THE NAMES OF
SOPD OFFICERS WE ARE ACCUSING OF TERRO-
RIZING, BEATING, ~~AND~~ LYING AND FALSIFYING
POLICE REPORTS TO COVER UP THEIR ABUSE
OF AUTHORITY AND RACIALLY MOTIVATED
ASSAULTS ON OUR PEOPLE.

I AM CALLING FOR ALL CHICANOS TO
BOYCOTT ALL SOPD ^{COMMUNITY} MEETINGS AND ACTIVITIES
UNTIL WE SEE SOPD SERIOUS ABOUT RESPECT-
ING CIVIL RIGHTS AND DIGNITY OF CHICANOS/
MEXICANOS.

MUNICIPAL COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
San Diego Judicial District

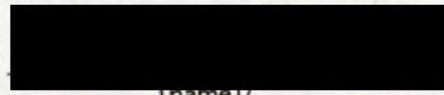
4 OF 4

COUNTY OF SAN DIEGO }
STATE OF CALIFORNIA }

ss.

RECEIPT AND INVENTORY

WARRANT NO. 21487
CASE NO. _____

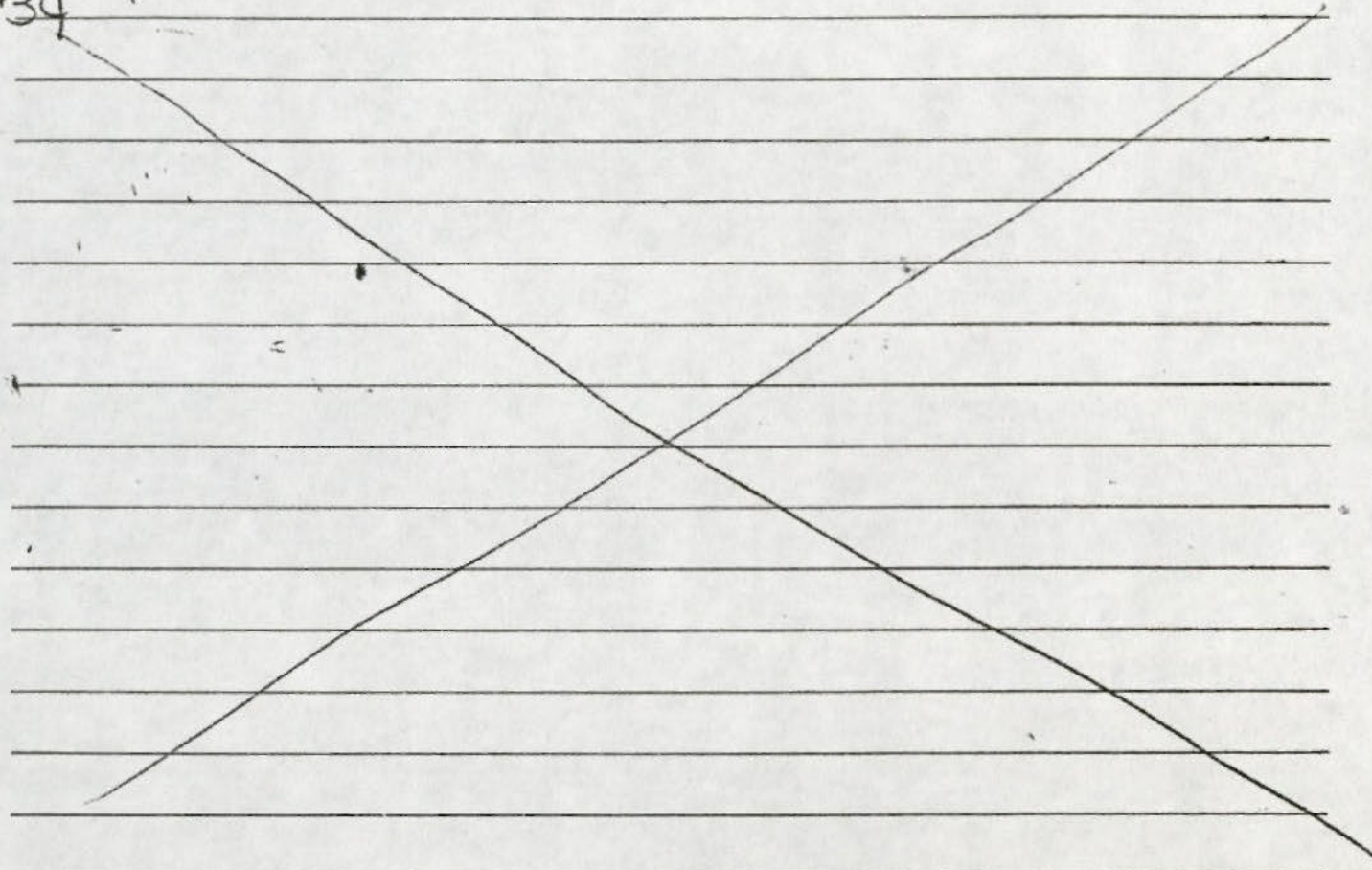


(name)

Receipt is hereby acknowledged, and the undersigned makes this Inventory, of the following property and things seized by him this day in the search of the premises described in said warrant and taken pursuant thereto, to wit: REAR TIN STORAGE SHED SNELL MANUFACTURING CO.

#33 1 BOX of 13 AUGUR BITS SUPERIOR EAST IRON STEEL

#34 1 " " " " " " " " " " " "



DATE: 1-4-96 TIME: 2030

SIGNED _____
DEPT. AGENCY SARPS II
BADGE NO. _____

I, _____, the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all property taken by me on the warrant.

Subscribed and sworn to before me
this _____ day of _____, 19____

Officer Executing Search Warrant

Title

3 OF 4

MUNICIPAL COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
San Diego Judicial District

COUNTY OF SAN DIEGO }
STATE OF CALIFORNIA }

ss.

RECEIPT AND INVENTORY

WARRANT NO. 21487
CASE NO. _____

(name)

Receipt is hereby acknowledged, and the undersigned makes this Inventory, of the following property and things seized by him this day in the search of the premises described in said warrant and taken pursuant thereto, to wit: FOUND IN REAR TIN STORAGE SHED:

- | | | | | | |
|-----|-----|-------------------------------|------------------|-----------------|---------------------------|
| #17 | (1) | HUSQVARNA | 266 SE | CHAIN SAW | SER. #1983036132 |
| #18 | (1) | TILE SAW | BLACK AND DECKER | | " 568789125 |
| #19 | (1) | SKILL SAW | 6 1/2" | | " 6699937 |
| #20 | (1) | POWER PLANE | PORTER CABLE | MODEL 653 | SER. #087946 |
| #21 | (1) | POWER GRINDER | BLACK & DECKER | MOD. #412 | SER. #6037 |
| #22 | (1) | POWER GRINDER | MAKITA | MOD. #GA70014 | SER. #46384E |
| #23 | (1) | ROUTER | BLACK & DECKER | | NO SERIAL # |
| #24 | (1) | POWER SAW | 7/4" | MAKITA | MOD. #5077B SER. #102008E |
| #25 | (1) | POWER DRILL SANDER | BELT CRAFTSMAN | MOD. #315.11721 | SER. #A3288 |
| #26 | (1) | POWER DRILL | MAKITA | MOD. #DP4700 | SER. #683A |
| #27 | (1) | JIG SAW | BOSCH | | SER. #060158163F |
| #28 | (1) | POWER DRILL | MILWAUKEE | | SER. #0480467919 |
| #29 | (1) | POWER SANDER | 1 PORTER & CABLE | MOD. #505 | SER. #036076 |
| #30 | (1) | POWER DRILL | MAKITA | | SER. #013626 |
| #31 | (1) | POWER DRILL | MILWAUKEE | MOD. 02221 | SER. #430104685 |
| #32 | (1) | SABER SAW | WIZARD | | SER. #A66F |

DATE: 4-9-96 TIME: 2:30

SIGNED _____

DEPT. AGENCY SDPD

BADGE NO. _____

I, _____, the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all property taken by me on the warrant.

Subscribed and sworn to before me

this _____ day of _____, 19____

Officer Executing Search Warrant

Title

2 OF 4

MUNICIPAL COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
San Diego Judicial District

COUNTY OF SAN DIEGO }
STATE OF CALIFORNIA } ss.

RECEIPT AND INVENTORY

WARRANT NO. 21487
CASE NO. _____

[REDACTED]
(name)

Receipt is hereby acknowledged, and the undersigned makes this Inventory, of the following property and things seized by him this day in the search of the premises described in said warrant and taken pursuant thereto, to wit:

ENTRYWAY:

- # 12 IMPACT TOOL - RT - MO#A
- # 13 PNEUMATIC GRINDER - Ser# 3051K204 -
- # 14 " " - Ser# ? - CARVED "SWM541"
- # 15 " " - Ser# NO1-44892
- # 16 CANVAS BAG - GRN/TAN

DATE: 1-4-96 TIME: 2030

SIGNED [REDACTED]
DEPT./AGENCY SDPD
BADGE NO. [REDACTED]

I, _____, the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all property taken by me on the warrant.

Subscribed and sworn to before me
this _____ day of _____, 19____

Officer Executing Search Warrant

Title

MUNICIPAL COURT OF CALIFORNIA, COUNTY OF SAN DIEGO
San Diego Judicial District

COUNTY OF SAN DIEGO }
STATE OF CALIFORNIA }

ss.

RECEIPT AND INVENTORY

WARRANT NO. 21487
CASE NO. _____

[REDACTED]
(name)

Receipt is hereby acknowledged, and the undersigned makes this Inventory, of the following property and things seized by him this day in the search of the premises described in said warrant and taken pursuant thereto, to wit:

1ST BEDROOM:

- # 1 REVOLVER, ~~THE~~ STANDARD, DOUBLE NINE, 22 CAL
SER # 1434654
- # 2 RIFLE - REMINGTON - MO # 7400 - Ser # 8026250
- # 3 AMMUNITION - 26 Rounds, 22 CAL
- # 4 SILVER COINS - MEXICAN SILVER - 82 COINS
- # 5 CAMERA - PENTAX (SIM PROPERTY) Ser # 4937419
- # 6 D+C PAPERS IN [REDACTED] S NAME
- # 7 KDL - # [REDACTED]
- # 8 SS. CARD - # [REDACTED]

LIVINGROOM:

- # ~~8~~ 9 TAX FORM # 540A IN [REDACTED] S NAME

DINING ROOM:

- # 10 D+C - [REDACTED]

ENTRYWAY:

- # 11 IMPACT WRENCH - RT - MO # A -

DATE: 4-9-80 TIME: 2030

SIGNED [REDACTED]
DEPT. / AGENCY SPD 0
BADGE NO. [REDACTED]

I, _____, the officer by whom this warrant was executed, do swear that the above inventory contains a true and detailed account of all property taken by me on the warrant.

Subscribed and sworn to before me
this _____ day of _____, 19____

Officer Executing Search Warrant

Title

1 IN THE MUNICIPAL COURT, SAN DIEGO JUDICIAL DISTRICT
2 COUNTY OF SAN DIEGO, STATE OF CALIFORNIA

3 SEARCH WARRANT

4 NO. 21487

5 The People of the State of California, to any sheriff,
6 constable, marshal, police officer, or any other peace officer in
7 the County of San Diego:

8 Proof, by affidavit, having been this day made before me by
9 Laurie Agnew, a peace officer employed by the San Diego Police
10 Department, that there is substantial probable cause for the
11 issuance of the search warrant pursuant to Penal Code Section 1524,
12 you are therefore commanded to make search at any time of the day,
13 good cause being shown therefore, the premises, including all
14 rooms, containers, storage areas, surrounding grounds, trash areas,
15 garages and outbuildings, assigned to or part of the business known
16 as [REDACTED] Tire Shop' located at [REDACTED], San Diego,
17 California, County of San Diego; The business is an oversized
18 garage constructed of aluminum with a driveway extending from [REDACTED]
19 Street through the middle of the business into the east alley of
20 [REDACTED] on the exterior side of the south wall of said
21 business is the business name and address; the residence is
22 contained in a two story single-family house, having a primarily
23 white-wood exterior with blue trim and white wrought iron bars on
24 the lower lever doors and windows; there is an enclosed front yard
25 with a chain link fence on top of a brick retaining wall with
26 overgrown shrubbery and trees throughout the front yard; said
27 residence is attached to the north wall of the subject business of
28 the same property utilizing the same address of [REDACTED]

FAD

1 with a sign bearing the name [REDACTED] Tire Shop, [REDACTED],
2 which is located in the southwest corner of said residence front
3 yard; and eight vehicles which are registered to [REDACTED] and
4 [REDACTED] including the passenger compartments, trunks, engine
5 compartments, living areas and all parts and containers therein or
6 part of the vehicles described as; 1) 1990 Ford Pickup Truck, white
7 in color bearing California License [REDACTED] 2) 1958 Edsel, unknown
8 color, California License [REDACTED] 3) 1993 Isuzu, unknown color,
9 bearing California License [REDACTED] 4) 1995 Ford Pickup Truck,
10 white in color, bearing California License [REDACTED] 5) 1987
11 Hyundai, unknown color, bearing California License [REDACTED] 6) 1979
12 Dodge, unknown color, bearing California License [REDACTED] 7) 1982
13 Chevrolet, unknown color, bearing California License [REDACTED] 8)
14 1993 Geo, unknown color, bearing California License [REDACTED] and
15 are believed to be parked at or near [REDACTED]; and, the
16 person known as [REDACTED], described as an Hispanic male, 56
17 years in age with a date of birth of August 2, 1939 being 5-ft 8-
18 inches in height, 180 pounds in weight, and believed to be
19 currently residing at the above described premises; and the person
20 known as [REDACTED], described as a Hispanic male, approximately 30-
21 years in age, being approximately 5-foot, 9-inches in height, 200
22 pounds in weight, and both believed to be currently working at the
23 above described premises,

24 for the following property;

25 To wit;

- 26 1) A Makita Cordless Saw, serial number 584859E, marked with
27 the letters 'FU' on the bottom,
28 2) A Makita Cordless Drill, Model Number 6095D, serial

- 1 number 0991779, with a charger, model number DC9700A,
2 with accompanying blue case.
- 3 3) A Makita Cordless Drill, model number 6012HD DC9.6,
4 serial number 1153258E.
- 5 4) A Skil Classic Drill, one-third horse-power, model number
6 6345, serial number RUY4, marked on the chuck with two
7 lines.
- 8 5) A Black and Decker five (5) inch bench grinder, model
9 number 7900, marked with 'V' on the left side of the
10 front base;
- 11 6) A Pentax Camera, serial number 49 37419, marked with an
12 'x' on the inside of the film receptacle.

13 documents, books, registration documents, sales contracts, leasing
14 agreements, cash receipts and other records relating to the sale or
15 purchase, leasing, renting, consigning, transferring and storing of
16 the above described property; documents and effects which tend to
17 show dominion and control over said premises, including
18 fingerprints, handwritings, documents, articles of personal
19 property, clothing and objects bearing a form of identification
20 such as person's name, photograph, social security number or
21 driver's license number; and to intercept all incoming phone calls
22 to said premises while the warrant is being executed; and , if you
23 find the same, or any part thereof, to bring it forthwith before me
24 at the Municipal Court of the San Diego Judicial District, County
25 of San Diego, State of California, or to

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27

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1 any other court in which the offense in respect to which the
2 property or things is triable, or retain such property in your
3 custody, subject to the order of this Court, pursuant to Section
4 1536 of the Penal Code, and to dispose of said property pursuant to
5 law when the property is no longer of evidentiary value.

6 Given under my hand and dated this 2nd day of January, 1996.

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Frank A Brown
Judge of the Municipal Court
San Diego Judicial District

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DATE: JAN 2 1996

Attest: A true copy,

JOHN PEDERSEN
JOHN PEDERSEN, Court Administrator



THE CITY OF

SAN DIEGO

POLICE DEPARTMENT • 1401 BROADWAY
SAN DIEGO, CALIFORNIA 92101 - 5729 • TELEPHONE (619) 531-2000

OFFICE OF
[REDACTED]
CHIEF OF POLICE

IN REPLYING
PLEASE GIVE
OUR REF. NO.

3000

February 19, 1997

Roberto Martinez
P.O. Box 126147
San Diego, CA 92112

Dear Mr. Martinez:

Enclosed is a copy of the citizen's complaint form which was prepared by the person who took your complaint. Please take a moment to review the form to see if we have expressed your complaint accurately.

The San Diego Police Department, Internal Affairs Unit, received your complaint on **February 18 1997**. In accordance with California Penal Code Section 148.6, you must read and sign the enclosed "information advisory". **After signing the form, please return it to Internal Affairs. A stamped, return envelope is provided for your convenience.** An investigation of your complaint can not be conducted until the enclosed form is signed and returned.

If you have any questions, feel free to contact the Internal Affairs Unit at (619) 531-2801. Ask to speak with the Duty Sergeant.

Sincerely,

[REDACTED]
Chief of Police

by: [REDACTED] Lieutenant
Internal Affairs Unit

BP:jcw



DIVERSITY
BRINGS US ALL TOGETHER



SAN DIEGO POLICE DEPARTMENT COMPLAINT CONTROL FORM

Internal Affairs Unit
Complaint Index No. **19** -

IA USE ONLY

COMPLAINANT

NAME Roberto Martinez DOB _____ SEX: M RACE: H HGT: _____ WGT: _____
 HOME ADDRESS _____ HOME PHONE: _____
 CITY _____ ST _____ ZIP _____ BUS. PHONE: 233-4114
 BUS. ADDRESS P.O. Box [REDACTED]
 CITY San Diego ST CA ZIP 92112
 COMPLAINT INJURED? Y N PHOTOS TAKEN? Y N
 PHOTOS TAKEN BY NAME & ID NUMBER: _____
 LIST ADDITIONAL COMPLAINANTS ON ARJIS 3 FORM

WITNESSES

NAME _____ DOB: _____ SEX: _____ RACE: _____
 HOME ADDRESS _____ HOME PHONE: _____
 CITY _____ ST _____ ZIP _____ BUS. PHONE: _____
 BUS. ADDRESS _____
 CITY _____ ST _____ ZIP _____
 NAME _____ DOB: _____ SEX: _____ RACE: _____
 HOME ADDRESS _____ HOME PHONE: _____
 CITY _____ ST _____ ZIP _____ BUS. PHONE: _____
 BUS. ADDRESS _____
 CITY _____ ST _____ ZIP _____
 WITNESS SEARCH CONDUCTED? YES NO
 LIST ADDITIONAL WITNESSES ON ARJIS 3 FORM

SDPD

ID Number: _____ Name: _____ Div: _____ Unit #: _____
 ID Number: _____ Name: _____ Div: _____ Unit #: _____
 ID Number: _____ Name: _____ Div: _____ Unit #: _____

INCIDENT

INCIDENT LOCATION: Linda Vista Road and Ulric Street
 DATE: 2-10-97 TIME: _____ CAD INCIDENT NUMBER (Example: 94070056149): _____
 COMPLAINT RECEIVED: IN PERSON _____ PHONE _____ LETTER ROUTE SLIP _____ OTHER _____
 CCF REC'D BY: ID#: [REDACTED] NAME: [REDACTED] Lt. DIV: I.A. DATE: 2-18-97 TIME: 0800
 COMPLAINT RESULT OF: INVEST. _____ ARREST _____ TRAF. CONT. _____ RADIO CALL _____ SERVICE REQ. _____ OTHER _____
 INVESTIGATING DIVISION: _____ INVESTIGATING SUPERVISOR: _____

COMPLAINANT SYNOPSIS

(See the attached letter)

MISC

INQUIRY ONLY CCF INVESTIGATION APPROVED BY: _____
 C.O.'S INITIALS _____ COMMANDING OFFICER _____

I.A. Use ONLY: I. A. Reviewed: _____ Date: _____
 Signature & ID Number

American Friends Service Committee

February 11, 1997

RECEIVED
U.S. - Mexico Border Program (USMBP)
97 FEB 14 PM 2:59

██████████, Chief
San Diego Police Department
1401 Broadway
San Diego, Ca 92101

Dear Chief ██████████,

This morning I interviewed several day laborers who congregate at a shopping center on Linda Vista Rd. near Ulric Street. They gather near the parking lot of the McDonald's Restaurant which is located on the shopping center property. They called me because they said that yesterday the U.S. Border Patrol converged on them with Bronco's, vans and even a helicopter.

The reason I am addressing this letter to you is because the day laborers stated that the whole incident was instigated by the SDPD. This was confirmed in a conversation I had with Deputy Chief Patrol Agent ██████████ this morning. ██████████ told me that they were only responding to a call from SDPD to investigate, or round up 25 "illegals" gathered at the above location. However, I believe that the SDPD officers involved requested a broader sweep of the surrounding Linda Vista neighborhood, because I had a student who also came in yesterday who lives in that area telling me that the SDPD was leading the Border Patrol around the neighborhood pointing to homes where "suspected" undocumented people might live. Indeed, I was told that several residents of that neighborhood were taken by Border Patrol.

Meanwhile, back in the McDonald's parking lot Border Patrol and SDPD officers were busy chasing several of the day laborers around the shopping center parking lot. A couple of the day laborers told me that whenever the SDPD would see workers running toward the back of the shopping center or another exit, SDPD patrol cars would race at high speed across the shopping center and would block the exits with their patrol cars and hold the workers for the Border Patrol. ██████████ told me that the entire operation resulted in the arrests of only 4 workers. The majority had legal documents.

The day laborers said that the SDPD has been setting this operation up since last Saturday when they began harassing the workers and ordering them off the shopping center property. Besides endangering innocent lives by racing across the parking lot to block the workers for the Border Patrol, they are harassing men who, not only live in the surrounding neighborhood, but patronize the stores in the shopping center, including the McDonald's, where we met and had coffee together early this morning.

From Rancho Bernardo to East San Diego to Linda Vista, notwithstanding, the famous Drywall issue, SDPD seems to have a problem living and working side by side with Mexican laborers, legal or illegal. It seems to go hand in hand with this country's effort to criminalize labor by targetting the very people who's

economic contributions help sustain California's hugh agriculture, tourist and service industry.

Obviously, these SDPD officers have too much time on their hands. Apparently, Linda Vista is so crime-free, that these officers can spend days at a time searching for undocumented immigrants and run point for the Border Patrol all over Linda Vista. I would be very interested to know what criteria these officers use to determine who is legal and who is undocumented, other than the color of their skin, of course.

Very soon you will be hearing about other serious, in fact outrageous, abuses by SDPD. Obviously, there are some SDPD officers who still believe that the Constitution of the United States does not apply to Chicanos or Mexicanos.

Sincerely,

Roberto L. Martinez, Director
U.S.-Mexico Border Program

cc David Valladolid, Chicano Federation
Scott Fulkerson, Citizens' Police Review Board
Internal Affairs



THE CITY OF

SAN DIEGO

POLICE DEPARTMENT • 1401 BROADWAY
SAN DIEGO, CALIFORNIA 92101 - 5729 • TELEPHONE (619) 531-2000

OFFICE OF
JERRY SANDERS
CHIEF OF POLICE

IN REPLYING
PLEASE GIVE
OUR REF. NO.
96-369

October 25, 1996

Mr. Roberto Martinez
American Friends Service Committee
U.S. - Mexico Border Program
P.O. Box 126147
San Diego, Calif. 92122

Dear Mr. Martinez:

The San Diego Police Internal Affairs Unit received your letter, dated October 22, 1996. The letter contained allegations of unnecessary force and improper conduct by bicycle team officers of the Southeastern Division. The complainants, Mr. [REDACTED] and Ms. [REDACTED] have already been interviewed in our office. Thank you for taking the time to share your information.

This complaint was documented by Sergeant [REDACTED] on the evening of October 9, 1996. The case was then assigned to Sergeant [REDACTED] of the Internal Affairs Unit on October 11, 1996, for investigation. If you personally witnessed events relevant to this investigation please telephone Sergeant Lobato at 531-2822.

We appreciate your concern in bringing this matter to our attention.

Sincerely,

[REDACTED]
Chief of Police

by: [REDACTED] Acting Lieutenant
Internal Affairs Unit



DIVERSITY
BRINGS US ALL TOGETHER



THE CITY OF

SAN DIEGO

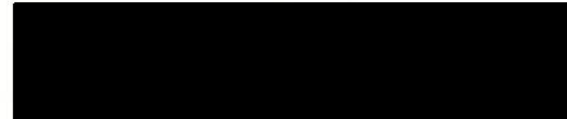
CITY MANAGER'S OFFICE

CITY ADMINISTRATION BUILDING • 202 C STREET • MS 9A • SAN DIEGO, CALIFORNIA 92101
(619) 236-6296 • FAX (619) 236-6067

CITIZENS' REVIEW BOARD
ON POLICE PRACTICES

January 29, 1997

Roberto Martinez
1129 G Street
San Diego, CA 92102



RE: Citizens' Review Board Case # 96-088 - Reviewed on January 14, 1997

Dear Mr. Martinez:

This letter is to inform you that your complaint against (an) Officer(s) of the San Diego Police Department has been reviewed by the Citizens' Review Board on Police Practices (Review Board).

The Review Board is empowered by San Diego City Charter Section 43(d) to review citizens' complaints against members of the San Diego Police Department, and evaluate the administration of discipline arising from such complaints. This review includes citizen complaints involving major allegations such as excessive force, false arrest, criminal conduct, racial and ethnic slurs, and discrimination. Additionally, the Chief of Police has empowered the Review Board to review all police involved shootings.

Please be advised that in reviewing your complaint and the investigation conducted by the Internal Affairs Division of the Police Department, this Board made the determination(s) as follows pertaining to your allegation(s) (see enclosure for definitions.):

Agree with Internal Affairs that your allegations in the Discrimination complaint category are Unfounded.

Agree with Internal Affairs that your allegation in the Arrest complaint category is Exonerated.

Agree with Internal Affairs that your allegations in the Procedure complaint category are Exonerated.

Agree with Internal Affairs that your allegation in the Courtesy complaint category is Sustained.



DIVERSITY
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January 29, 1997
Page 2

DEFINITIONS

The Review Board does not participate in determining discipline. You may be assured, however, that the Board's evaluations are given great consideration by the Police Department and the City Manager in administering discipline to officers in cases where discipline is warranted. The Review Board cannot disclose to the public any discipline administered as the result of sustained complaints because the personnel files of peace officers are confidential by State law.

The Review Board holds open public sessions the fourth (4th) Tuesday of each month at 6:30 p.m. at various locations throughout the community. Please call the Review Board's Coordinator, Elvia Sandoval, at (619) 236-6296 if you wish to know the location of the next meeting. The Board's action in your case exhausts our authority relating to this matter and, once a determination is made, the Review Board will not reconsider a complaint. Although individual complaints cannot be discussed in public session, please feel free to share your comments concerning general procedures with us.

Sincerely,



Chair

Enclosure

If you would like to have this letter translated in Spanish or Vietnamese, please call Elvia Sandoval at (619) 236-6296.

Y si desea esta carta en español llama a Elvia Sandoval a (619) 236-6296.

Neu qui vi muon la thu nay duoc dich sang tieng Viet, xin viu long dien thoai Elvia Sandoval o so (619) 236-6296.

DEFINITIONS

Complaint Categories:

- Force: including allegations of excessive force, unnecessary force and unjustified shootings.
- Arrest: including allegations of false arrest.
- Discrimination: including allegations of discrimination and racial/ethnic slurs.
- Criminal Conduct: including allegations of criminal conduct.
- Procedure: including allegations of improper procedure.
- Service: including allegations of no service and poor service.
- Courtesy: including allegations of discourtesy and abusive language.
- Conduct: including allegations of conduct unbecoming an officer.

Complaint Dispositions:

- Sustained: the investigation produced sufficient evidence to find that the officer(s) did commit the alleged act(s) of misconduct.
- Not Sustained: the investigation failed to produce sufficient evidence to find that the officer(s) did or did not commit the alleged act(s) of misconduct.
- Unfounded: the investigation produced sufficient evidence to find that the officer(s) did not commit the alleged act(s) of misconduct.
- Exonerated: the investigation produced sufficient evidence to find that the alleged act(s) occurred but was/were justified, legal and/or properly within Department policy.
- Misconduct Noted: the investigation evidenced violation(s) of Department policies/procedures not alleged in the complaint.



THE CITY OF
SAN DIEGO

POLICE DEPARTMENT • 1401 BROADWAY
SAN DIEGO, CALIFORNIA 92101 - 5729 • TELEPHONE (619) 531-2000

OFFICE OF
JERRY SANDERS
CHIEF OF POLICE

IN REPLYING
PLEASE GIVE
OUR REF. NO.
210

February 29, 1996

Roberto Martinez
1129 "G" Street
San Diego, CA 92101

Dear Roberto Martinez:

Effective January 1, 1996, the Penal Code for the State of California was amended. California Penal Code Section 148.6 makes it a misdemeanor for anyone to make a complaint against a police officer knowing that it is false. The new law also requires complainant(s) to read and sign an "information advisory" explaining this change.

The San Diego Police Department (Internal Affairs Unit) received your complaint on **February 29, 1996**. In accordance with California Penal Code Section 148.6, you must read and sign the enclosed information advisory. **After signing the form, please return it to Internal Affairs. A stamped return envelope is provided for your convenience.** An investigation of your complaint cannot be conducted until the enclosed form is signed and returned.

If you have any questions, feel free to contact the Internal Affairs Unit at (619) 531-2801. Ask to speak with the Duty Sergeant

Sincerely,

[Redacted]
Chief of Police

By: [Redacted], Lieutenant
Internal Affairs Unit



DIVERSITY
BRINGS US ALL TOGETHER



NORTH COUNTY CHAPLAINCY

Casa de los Hermanos

914 A N. HIGHWAY 101 ENCINITAS, CA 92024 (619) 436-0867 FAX: (619) 436-3947

An Ecumenical Ministry

February 27, 1996

Oswaldo I. Venzor
Executive Director

Ms. Amalia L. Meza
Deputy to United States Attorney
Imperial County Office Rm-204
321 South Waterman Avenue
El Centro, California 92243-2215

Dear Ms. Meza:

I am in receipt of your letter to Ms. [REDACTED] and after attending the last meeting I have to agree with her.

In the first place it was heavily stacked with establishment people. And early on it was evident to me, that though well intentioned there would be no change to the abuses at the border.

You will recall that in leaving, I said that the group was wasting its time establishing a sensitivity training program for INS employees. Testing should be done at the time they are being hired. In that fashion those with inbred racism and prejudice could be eliminated before they get to the border.

Many of us have experienced the futility of attending meetings that will not have any effective results.

Thank you,

[REDACTED]

cc: [REDACTED] Attorney
Consul General of Mexico, San Diego

[REDACTED] del Inmigrante

A



United Way/CHAD



THE CITY OF

SAN DIEGO

POLICE DEPARTMENT • 1401 BROADWAY
SAN DIEGO, CALIFORNIA 92101 - 5729 • TELEPHONE (619) 531-2000

OFFICE OF
[REDACTED]
CHIEF OF POLICE

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Sincerely,

[REDACTED]
Chief of Police

[REDACTED]
Lieutenant
Internal Affairs Unit



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Thank you,

[REDACTED]

cc:

[REDACTED] Attorney
Consul General of Mexico, San Diego

[REDACTED] del Inmigrante

[REDACTED] A



United Way / CHAD

COMPLAINT

NAME: Roberto Martinez
1129 'G' Street
San Diego, Ca 92101

Tel: 233-4114

DATE: Continuous: January 5, 1996 to present

AGENCY: SDPD

OFFICERS: [REDACTED]

VICTIMS: [REDACTED]

2 White female
officers

129 25th St.

San Diego, Ca 92102

Tel: 231-2950

COMPLAINT:

Prior to their arrest on January 5th., the [REDACTED] family claims undercover SDPD officers, led by Det. [REDACTED] harassed the family for 3-4 months trying to pressure them to buy stolen property. The family refused until, out of charity and compassion, gave in, not knowing the merchandise was stolen, and purchased a couple of items. The purchases triggered a full scale raid on the [REDACTED] residence and tire business, which is located adjacent to the house. The police ordered everyone, men, women, children - even customers onto the ground at gunpoint. They then proceeded to ransack the home looking for stolen goods. They took several personal belongings, including jewelry, coin collection and receipts they suspected were stolen. They accused the family of having drugs and guns. The police also asked everyone if they were "illegal". Mrs. [REDACTED] kept pleading for the officers to give her her medicine because she is diabetic, but the police refused. When daughter [REDACTED] called Det. [REDACTED] and asked her why they had to come into their home with guns, Det. [REDACTED] answered "we were on a dangerous mission". Det. [REDACTED] also called [REDACTED] a, "stupid bimbo". In the latest assault on the [REDACTED] home on Feb. 1st., six SDPD officers accused one of the [REDACTED] son's of being a suspect they were looking for. Two of the sons were helping Mr. [REDACTED] load some wire on his truck when the same two white female officers who have participated in all the raids and arrests of the [REDACTED] approached them. The two female officers called for back-up. I have been present at the last two and can identify the two female officers. In the latest incident, one of the sons, [REDACTED] accidentally stepped in a small pool of water and splashed one of the female officers. He repeatedly apologized to the lady officer, but she said it was "too late", and that he was under arrest. She became extremely upset and accused him of deliberately splashing her uniform. [REDACTED] then went inside. The officer began macing everyone in sight. When one of the officers tried to spray Mrs. [REDACTED] son [REDACTED] grabbed the mace can to protect his mother. I arrived after everyone was outside. As soon as I approached the back of the property where everyone was gathered, the two female officers left. The Sargeant in charge and another officer were quoted by the family as saying, "we have to get rid of this family". The family says that the 5-6 times the police have come to

their home or business they always claimed to be looking for someone. Once they gain access to the property, the police begin provoking a confrontation by making false accusations, or using any little pretext, such as the water splashing, to start arresting people. So far, almost every member of the family, except the eldest son, has either been arrested or charged with a crime. My personal opinion is that the SDPD is retaliating against the [REDACTED] family for the press conference we held in front of their home in January. This was confirmed at the Feb. 1st. arrests when the two white female officers commented to both sons, [REDACTED] and [REDACTED] with, " OK crybaby, where's the press now"? Why they began harassing them originally can only be explained by, what I believe, are racially motivated reasons. I personally plan to request the FBI and the Justice Department to investigate what I consider racism, retaliation and violence against Mexican families in Southeast San Diego by the SDPD. We have repeatedly complained and informed the SDPD about these problems.

These incidents, of which the [REDACTED] family is only one of many, raises serious questions as to how many other innocent people are in jail or are being harassed and having bogus charges put on them by this small group of police officers. If these officers hate Mexicans so much, why are they working Southeast? Who is supposed to be supervising them? And just as important, why is the District Attorney agreeing with all these bogus charges and falsified reports? The DA is being duped by these officers, and in the process, perpetuating the violation of civil rights of innocent people.

I firmly believe that civilian review boards are only a small part of the solution toward restoring confidence in the complaint process. However, it's going to take a lot more to restore confidence in our police department. Especially, when most of the complaints Latinos file come back unsustained or unfounded. As long as police and Border Patrol continue working together, distrust of the police can only get worse.

I also believe that the above mentioned police abuses can be attributed in part to the wave of anti-immigrant sentiment sweeping this country. In that respect, language, culture and citizenship status, continue to be obstacles to equal rights and equal justice for Latinos.

cc [REDACTED] Chief SDPD
[REDACTED] City Manager
[REDACTED] Human Relations Commission
[REDACTED] Raza Lawyers Assoc.
[REDACTED] CLU
Justice Department