

## OCC Hearing Procedures

<http://sf-police.org/index.aspx?page=2576>

The following is the step-by-step procedure that is followed after a complaint is filed with the [Office of Citizen Complaints](#).

1. Complaint made with OCC.
2. OCC investigates complaint. If OCC sustains the charges, the case is forwarded to SFPD Internal Affairs Division (IAD). The OCC Director advises IAD whether a case should be heard before the Police Commission because of serious misconduct warranting a suspension exceeding ten days.
3. The IAD Lieutenant evaluates case and makes recommendation to the Captain of IAD.
4. The case is forwarded to the Captain of IAD who evaluates and makes a recommendation to the Chief of Police.
5. If, after reviewing the case and recommendations, the Chief agrees with the OCC that discipline is warranted, the Chief determines whether to hold a Chief's hearing or to file charges with the Police Commission. If the Chief disagrees with the OCC about filing charges with the Police Commission, the Police Department and the OCC begin discussions aimed at resolving their disagreement. If after meeting and conferring, the Police Chief and the OCC Director still cannot agree, the OCC Director may independently file charges with the Police Commission.
6. If the Chief opts for a Chief's hearing, IAD serves the named member with the notice of proposed discipline and
  - (a) The member accepts proposed discipline (case is closed)
  - (b) The member requests hearing (case is open)
    - (i) After the Chief's hearing, the Chief may decide that discipline is not warranted (case is closed) or may impose discipline (case is closed unless member appeals to the Police Commission).
    - (ii) If the member appeals to the Police Commission, see steps 7(a) and (b), below.
7. If the Chief opts for a hearing before the Police Commission, IAD serves the named member with the charges and
  - (a) If the Commission sustains the charges and imposes discipline the case is closed unless the named member challenges the Commission's decision by writ to the Superior court.

- (b) If the Commission does not sustain the allegations, the case is closed.