

# CONFIDENTIAL – DO NOT DUPLICATE

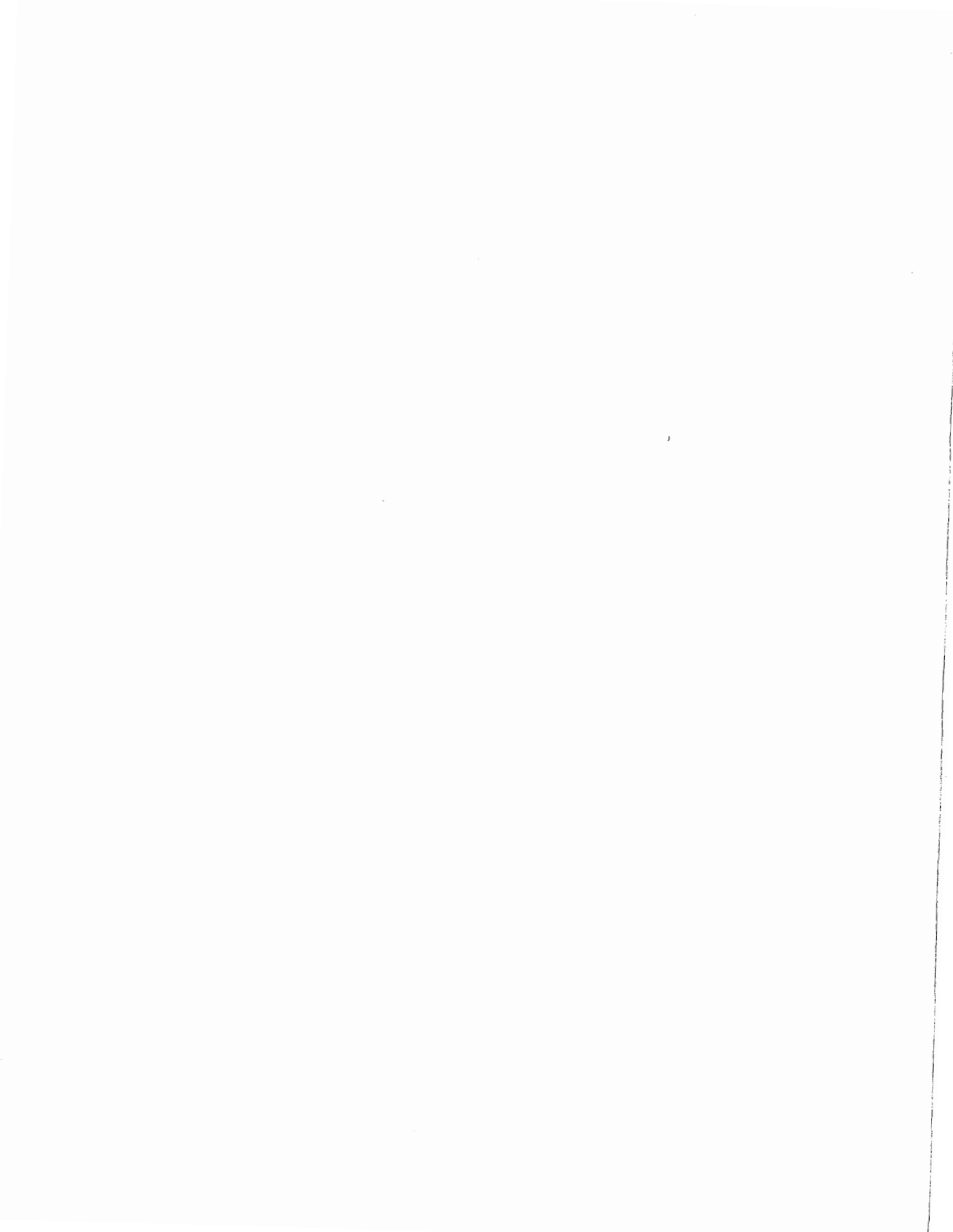
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Case #2024-0002

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Reporting Officer: Mike Thim, Sergeant ID: 5466 Division: Internal Affairs

Approved By: Nathan Chambers, Acting Lieutenant  Date of Report: April 18, 2024



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**San Diego Police Department  
Investigator's Report**

**Date of Incident:** January 1, 2024  
**Time of Incident:** 1840 Hours  
**Location of Incident:** 3300 Imperial Avenue, San Diego  
**Subject:** Citizen's Complaint Investigation I.A. # 2024-0002


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**CONFIDENTIAL:** THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR CITY ATTORNEY.

**COMPLAINANT:** 

**SUBJECT OFFICER:** **Hagen, Michael J., POII, ID #1148**  
Date of Hire: 03-05-20  
S.D.P.D., Central Division – 2<sup>nd</sup> Watch  
(619) 744-9500 (W)  
W/M, AGE: 

**WITNESS OFFICERS:** 

Reporting Officer: Mike Thim, Sergeant ID: 5466 Division: Internal Affairs  
Approved by: Acting Lieutenant Nathan Chambers  <sup>7621</sup> Date of Report: April 18, 2024

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## SUMMARY:

On January 1, 2024, Officer Michael Hagen conducted a traffic stop on a vehicle being driven by [REDACTED]. During the stop, Officer Hagen asked [REDACTED] to exit the vehicle. He conducted a pat down of [REDACTED] and his vehicle. Officer Hagen issued [REDACTED] a citation for window tint, and he was released at the scene.

[REDACTED] made an in-person complaint to Acting Sergeant [REDACTED] on **January 1, 2024**. On January 8, 2024, [REDACTED] called Internal Affairs and added "racial profiling" to his complaint.

There were two third-party complaints made regarding this event. One was made by [REDACTED] and the other by [REDACTED]. Neither [REDACTED] nor [REDACTED] were witnesses to the event. [REDACTED] was also [REDACTED] Community Support Person and requested to be present during my interview with [REDACTED].

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## ALLEGATIONS:

### 1. DISCRIMINATION

██████ alleged Officer Hagen stopped him based on his race.

### 2. SEARCH

██████ alleged Officer Hagen searched him and his vehicle.

### 3. PROCEDURE

██████ alleged his handcuffs were applied too tightly.

### 4. PROCEDURE

██████ alleged Officer Hagen was discourteous and yelled at him.

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## INVESTIGATION:

On January 4, 2024, I was assigned this complaint.

On January 25, 2024, I downloaded and reviewed the Body Worn Camera (BWC), videos for Officer Hagen, Officer [REDACTED] Officer [REDACTED] and Acting Sergeant [REDACTED]

On January 25, 2024, I downloaded the event history and call for service data associated with this complaint.

On January 25, 2024, I interviewed the complainant, [REDACTED]

On February 5, 2024, I sent a subject officer notification to Officer Hagen and his command.

On February 5, 2024, I conducted witness interviews with Officer [REDACTED] Officer [REDACTED] and Acting Sergeant [REDACTED]

On February 12, 2024, I obtained a copy of the citation Officer Hagen issued to [REDACTED]

On February 26, 2024, I interviewed subject Officer Hagen.

On February 26, 2024, I requested Communications conduct a check for the "hot call" event that delayed Officer Hagen's traffic stop.

On February 28, 2024, I received a copy of the call for service for the "hot call" event.

As part of my review of this complaint, I reviewed the BWC video for Officer Hagen associated with this event and learned the following:

### **Officer Hagen's BWC Video**

- 01:38 Officer Hagen is driving his vehicle and his BWC is in buffer mode. The time indicated on the BWC is 1839 hours. Officer Hagen begins using the laptop computer in his vehicle. Due to the glare, I was unable to determine what computer system was being accessed or what he was typing.
- 02:00 Officer Hagen activates his BWC and uses the radio to broadcast the traffic stop.
- 02:25 Officer Hagen approaches the driver's side of the vehicle. As he approached, I could see the vehicle's windows were tinted, and the driver's window was only rolled down approximately 8 inches and is also tinted.
- 02:27 Officer Hagen greets [REDACTED] by saying, "Hey, how you doing man? I'm Officer Hagen, San Diego PD." [REDACTED] hands Officer Hagen his driver's license through the window. Officer Hagen continues, "I'm stopping you because you got super dark window tint." [REDACTED] looks at

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Officer Hagen but does not respond. He then turns his body away from Officer Hagen towards the center of the vehicle. Officer Hagen asks, "Hey man what are you looking for, your reg?" He uses his flashlight to attempt to illuminate the inside of the vehicle. [REDACTED] does not respond to the question and turns back in Officer Hagen's direction holding some paperwork.

- 02:44 Officer Hagen asks, "Are you aware in California you're not allowed to have window tint like this?" [REDACTED] responds by saying, "The car came like this man." Officer Hagen says, "Ok, when did you buy it?" [REDACTED] responds, "This is the way the car came." Officer Hagen asks, "When did you buy it though?" [REDACTED] responds, "I bought it a year ago." Officer Hagen asks, "Have you been stopped at all since?" [REDACTED] responds, "No." Officer Hagen again explains to [REDACTED] that in California it is illegal to have tint on the front windows and windshield. [REDACTED] tells him the windshield isn't tinted and Officer Hagen tells him its "dark." [REDACTED] repeats that the car came that way from the dealership.
- 03:17 Officer Hagen asks, "Is this car registered to you sir?" [REDACTED] stares at him and says, "You have my ID, you ran my tags already bro." Officer Hagen says, "Yeah." [REDACTED] says, "You have my ID, right? So, you know the car is registered to me." Officer Hagen responds, "Ok, all right. And then uh, are you carrying any weapons on you or anything I need to know about?" [REDACTED] responds, "I'm not answering any questions bro. You want to write me a ticket, write me a ticket." Officer Hagen asks, "You don't want to answer questions about weapons? Why not?" At this point Officer Hagen and [REDACTED] have an exchange where [REDACTED] is asserting if he was stopped for window tint then Officer Hagen should just write him a ticket for the window tint. Officer Hagen explains he is asking safety questions and again asks [REDACTED] if he has any weapons in the car. [REDACTED] tells Officer Hagen, "I don't have to answer the question, you know I don't have to answer that question." This conversation continues for approximately one minute with [REDACTED] asking if Officer Hagen is going to write him a ticket and telling him he doesn't have to answer any questions about weapons and Officer Hagen inquiring about weapons in the vehicle.
- 04:32 Officer Hagen uses his radio to ask for a cover unit.
- 04:34 [REDACTED] appears to be looking in the center console. Officer Hagen tells him, "Can you stop reaching around?" [REDACTED] responds, "I'm trying to get the information you want; you don't want it?" Officer Hagen says, "I want your insurance, which it looks like you have that right there." [REDACTED] hands the insurance paperwork to Officer Hagen.
- 04:56 Officer Hagen again inquires about weapons and [REDACTED] again asserts he does not have to answer any questions about weapons.
- 05:15 [REDACTED] retrieves his cell phone from a holder and begins looking at it.
- 05:37 [REDACTED] turns his cell phone towards Officer Hagen and appears to be recording the interaction. They continue arguing, with Officer Hagen asking about weapons and [REDACTED] refusing to answer questions about weapons. Officer Hagen asks [REDACTED] if there is a reason he went through a red light at 19<sup>th</sup> Street and Imperial Avenue. [REDACTED] denies going through a red light. [REDACTED] inquires why he wasn't stopped at 19<sup>th</sup> and Imperial if he went through a red light and Officer Hagen tells him there was a "hot call." They have a back-and-forth conversation

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where [REDACTED] asserts that he cannot be stopped at 33<sup>rd</sup> Street when the red-light violation was at 19<sup>th</sup> Street. Officer Hagen states he can do that. [REDACTED] asks, "So, are you going to write me a ticket for running through a red light on 19<sup>th</sup>?" Officer Hagen says, "Possibly, would you like me to write you tickets?" [REDACTED] responds, "That's fine, I'm going to go to court and fight it." They then proceed to talk about whether [REDACTED] is telling the officer how to do his job. There are several points during this timeframe where [REDACTED] and Officer Hagen stop talking and are staring at each other.

- 07:18 Officer Hagen tells [REDACTED] he can see his heart rate is elevated and his blood pressure is spiking, and he can see the veins in his neck. [REDACTED] responds by telling him he doesn't want to deal with him. [REDACTED] says, "So what, what does that mean?" Officer Hagen tells him he is also breathing heavily. [REDACTED] says, "So what does that mean?" Officer Hagen tells him he is giving him cues he is nervous, "extremely nervous, more so than the average person that gets stopped by the police." [REDACTED] tells him, "I'm not worried about it bro." Officer Hagen tells him he is worried about it.
- 07:44 Officer Hagen tells [REDACTED] he is going to wait until he gets another officer there and [REDACTED] says, "that's fine." Officer Hagen asks, "Until then can we have a conversation?" [REDACTED] responds, "No, I don't want to talk to you." At this point [REDACTED] is holding his phone in his left hand and transitions it into his right hand. He then moves his left hand down toward the driver's side door. Officer Hagen asks him, "What are you reaching for?" [REDACTED] says, "I'm rolling up my window." Officer Hagen tells him he cannot roll up his window because then he can't see him. They argue about this, and [REDACTED] asks, "So you're telling me I can't roll up my window, it's against the law to roll up my window?" [REDACTED] is now holding his phone in his left hand again, apparently recording. Both of [REDACTED] hands are visible (one on the phone and the other on the steering wheel). Officer Hagen says, "I'm telling you right now, yes, lawfully, do not roll up your window, because I won't be able to see you. Do you understand that?" [REDACTED] tells him several times, "That's fine, yeah that's fine." From this point, Officer Hagen and [REDACTED] stare at each other in silence until a cover officer arrives.
- 08:26 The first cover officer (Officer [REDACTED] arrives, and Officer Hagen tells him, "Hey [REDACTED] over on this side. We're gonna have him step out." [REDACTED] says, "No you're not, I'm not getting out." Officer Hagen can be heard saying, "Yes." [REDACTED] can be seen shaking his head from side to side. Officer Hagen says, "I'm going to have you step out." [REDACTED] responds, "I don't have to get out bro." Officer Hagen tells [REDACTED] "Step out of the car, step out of the car." [REDACTED] responds, "No." Officer Hagen tells him, "Yes." [REDACTED] responds, "I don't have to get out the car bro." Officer Hagen tells him, "Look I've been very nice to you." [REDACTED] tells Officer Hagen, "I don't care about you being nice bro." Officer Hagen responds, "Yeah neither do I." [REDACTED] tells Officer Hagen, "I'm a grown ass man bro." Officer Hagen responds, "Yeah that's why I'm telling you to step out of the car." [REDACTED] says, "No" and Officer Hagen replies, "Yes." [REDACTED] asks, "Are you gonna snatch me out? Are you telling me to get out under the threat of arrest?" Officer Hagen tells him, [REDACTED] says, "Ok, I'll get out".
- 08:54 [REDACTED] reaches down with his right hand and releases his seatbelt while still holding his cell phone pointed at Officer Hagen with his left hand. He opens the door and exits under his own

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power. Officer Hagen says, "Thank you. When you step out, your seatbelt's on, (his seatbelt was still hanging off his left side), when you step out, face away from me please, and put your hands behind your back." [REDACTED] was holding his cell phone in his left hand when he exited the car and the phone appeared to have the phone application open, but I was not able to see if it was actively recording. Officer Hagen removes the phone from [REDACTED] hand. He appears to grasp the phone by the edges of the frame and tells [REDACTED] "We can keep it recording." He hands the phone to Officer [REDACTED] who places it on the roof of the vehicle.

- When Officer Hagen applies the handcuffs, he places a finger between [REDACTED] wrist and the handcuffs on both hands, he then double locks both handcuffs. Officer Hagen's BWC is activated for the handcuffing.
- 09:26 Officer Hagen asks [REDACTED] if he has anything sharp on him and [REDACTED] refuses to answer the question. [REDACTED] did not physically resist any portion of the handcuffing or subsequent search. The handcuffing application was "compliant handcuffing," thus not requiring Officer Hagen to use force to overcome any resistance.
- 09:44 Officer Hagen begins what appears to be a pat down of [REDACTED]. He is patting the exterior of [REDACTED] clothing. He does not remove any clothing or reach into any pockets of [REDACTED] clothing. [REDACTED] asks for Officer Hagen's business card and Officer Hagen tells him he will provide him with his name and ID number when he is done.
- 09:59 Officer Hagen asks [REDACTED] to walk over to the front of his police car with Officer [REDACTED]. [REDACTED] says, "Can I get my phone?" Officer Hagen uses his flashlight to illuminate the inside of [REDACTED] vehicle. [REDACTED] says, "I don't consent to you searching my car bro." Officer Hagen retrieves [REDACTED] cell phone from the roof of the vehicle and again appears to be holding it by the edges of the frame and hands it to [REDACTED] saying, "Here's your phone, you have it in your hands? I'm gonna let go." [REDACTED] repeats several more times that he does not consent to Officer Hagen searching his car. Officer Hagen completes what appears to be a pat down of [REDACTED] vehicle to include the center console and glove box. He remains in areas that would be within the reach of the driver.
- 11:22 At this point Officer Hagen is done searching [REDACTED] vehicle and returns to his police car. In the background, on the radio, a request for a sergeant to respond to the traffic stop (at 3300 Imperial) is heard. He utilizes the computer in his vehicle and has accessed the "SDLaw" database. Officer Hagen receives a phone call and stops the recording mode on his BWC.

## Officer [REDACTED] BWC Video:

Officer [REDACTED] BWC is recording before he is on scene with Officer Hagen. He meets Officer Hagen at the driver's door of [REDACTED] vehicle and is there when he eventually steps out of the vehicle. Officer Hagen hands [REDACTED] cell phone to Officer [REDACTED] who also holds it by the edges of the frame, tells [REDACTED] it can remain recording, and places it on the roof of the vehicle. When Officer Hagen hands [REDACTED] his phone, [REDACTED] places his fingers across the screen of the phone. If the phone was recording, there is a likelihood this might have been what stopped the recording.

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- 04:15 [REDACTED] is standing at the hood of Officer Hagen's vehicle with Officer [REDACTED]. He has been given his phone back. He looks at his phone and tells Officer [REDACTED] he (Officer [REDACTED]) turned his phone off. Officer [REDACTED] tells him he did not, and [REDACTED] again repeats that he stopped his phone from recording.
- 05:08 [REDACTED] requests a sergeant and Officer [REDACTED] says, "I'll get you a sergeant." [REDACTED] says, "Thank you." Officer [REDACTED] uses his radio to request a sergeant. He tells [REDACTED] that a sergeant is on the way. [REDACTED] thanks him and says he appreciates his professionalism.
- 06:24 Officer [REDACTED] is seen walking up behind [REDACTED]. There is more conversation about the phone being turned off. [REDACTED] places his phone on the trunk of his vehicle and begins manipulating it. Officer [REDACTED] tells him he has every right to record, but not to call someone to the traffic stop as it is an officer safety issue.
- 10:37 [REDACTED] says, "The handcuffs is cutting into my skin." This is the first time he complains about the handcuff application. To this point [REDACTED] has placed his cell phone on the trunk of his vehicle a couple time and turned sideways to manipulate the phone. He checks the handcuffs and is seen placing a finger in between the handcuffs and wrist on both hands, ensuring there is proper spacing. He tells [REDACTED] he has big wrists.
- 10:54 Officer [REDACTED] is attempting to explain to [REDACTED] why the size of his wrists affects the fit of the handcuffs. [REDACTED] asks, "Are you the sergeant?" This redirects the conversation away from the handcuffs as Acting Sergeant [REDACTED] arrives, and [REDACTED] begins speaking to him.
- 10:57 [REDACTED] says, "Your officer pulled me over for window tint, and he walked up to my car, and he said, 'Do you have any weapons in your car?'" [REDACTED] relays the details of the stop and the back and forth between he and Officer Hagen regarding weapons and the fact that he doesn't have to answer those questions. [REDACTED] said Officer Hagen got "pissed off" and they told him he had to get out of the car. There is some back and forth between Acting Sergeant [REDACTED] and [REDACTED] regarding the difference between a search and a pat down. [REDACTED] again insists he did not consent to any search. During this same conversation, [REDACTED] says the windshield of the car is not tinted and that it came from the factory like that. Regarding the driver and passenger front windows he says, "it looks like there is window tint on there for me, right? I agree with that" but says that is the way he bought the car. [REDACTED] goes on to say he grew up in this same neighborhood and had a "lot of bad experiences with the police." He says he hasn't "been in anything, you guys don't know me, you guys haven't seen me around here." He said he dropped off a girl in downtown San Diego and is going home. He said if he "had anything" or felt he "had to go to jail" he wouldn't have stopped, but that is not his life anymore and he works every day. [REDACTED] says he will file a complaint against Officer Hagen.
- 15:33 He again says the handcuffs are tight and Officer [REDACTED] refused to loosen them. Acting Sergeant [REDACTED] confirms with Officer Hagen that he is done with his pat down.
- 16:10 He asks Officer [REDACTED] to take [REDACTED] out of handcuffs.

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Based on my review of Officer [REDACTED] BWC video, the total time [REDACTED] is in handcuffs (from the time they are double locked to the time they are removed) is 13 minutes and 20 seconds, including [REDACTED] pat down and the pat down of his vehicle.

## Acting Sergeant [REDACTED] BWC Video:

After asking Officer [REDACTED] to remove the handcuffs, Acting Sergeant [REDACTED] goes to his vehicle to retrieve some equipment. He returns to [REDACTED] to take his complaint.

- 09:04 [REDACTED] asks Acting Sergeant [REDACTED] for his name, which he provides and asks if he can record the conversation. Acting Sergeant [REDACTED] responds, "Of course." [REDACTED] again confirms he wants to make a complaint.
- 16:58 Officer Hagen is heard asking [REDACTED] about his current address. [REDACTED] says he doesn't have to answer that. Acting Sergeant [REDACTED] tells him Officer Hagen is issuing him a citation, so he needs a current address for the citation. [REDACTED] says he can get mail at the address provided.
- 18:27 Officer Hagen has moved his citation book to the hood of his vehicle.
- 18:44 Officer Hagen explains that [REDACTED] will need to sign the citation and [REDACTED] says he does not have to sign it. Acting Sergeant [REDACTED] tells him he needs to sign the citation or otherwise he is requesting to see a judge which means he will have to be taken into custody. [REDACTED] confirms with Acting Sergeant [REDACTED] that he would be arrested if he didn't sign the citation and he is told that is correct. [REDACTED] signs the citation. [REDACTED] thanks Acting Sergeant [REDACTED] for his professionalism and asks for Officer Hagen's name and ID, which he is provided.
- 20:07 [REDACTED] asks Officer Hagen who turned off his phone. Officer Hagen tells [REDACTED] that he [REDACTED] turned off the phone when he "put it up there (pointing to his vehicle)." [REDACTED] tells him that is not possible because it was, "locked on." Officer Hagen reiterates that no one turned off his phone.
- 20:36 [REDACTED] tells Officer Hagen, "I hope they fire you bro, I swear."
- 22:30 After receiving all the officer's ID numbers, [REDACTED] tells them to have a good night and returns to his vehicle.

In the online complaint [REDACTED] filed, in which she writes in first person for [REDACTED] she is not making a complaint. She indicates in the e-mail that she is the support person for [REDACTED] and she "helped" file the complaint. [REDACTED] was also present with myself and [REDACTED] during his interview. During the interview, I confirmed with [REDACTED] and [REDACTED] what his complaints were, and he confirmed I understood his allegations correctly.

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I also reviewed [REDACTED] complaint. In the complaint [REDACTED] submitted online, he makes several allegations. Most of these allegations are factually inaccurate, or speculative. [REDACTED] was not a witness to the event. However, he alleges:

***[REDACTED] was questioned before the officer gave a reason for the stop. He was pulled out of his vehicle and seized.***

This is factually inaccurate. Officer Hagen introduces himself, provides his name and identifies himself as a San Diego Police Officer. He immediately explains the reason for the stop. [REDACTED] was never "pulled" from his vehicle; he exited the vehicle under his own power.

***[REDACTED] vehicle was searched including his glove compartment, under his seat, and his console by the officer.***

This is included in [REDACTED] complaint and is part of this investigation.

***"1.49 Axon Body Worn Camera It appears that the officer did not activate his body worn camera. The light which indicator of activation was not visible."***

The officer activated his BWC within San Diego Police Department policy and the entire incident is recorded by multiple BWC's. The absence of a light is not indicative of activation as there are several settings officers can choose from, including a mode where no noise or light emits from the BWC.

***"1.49 (J)(I)(b) Axon Body Worn Camera The Event Mode shall be activated prior to actual contact. Body worn camera should have been activated once the officer began following the detainee well before 19th and Imperial. This would demonstrate if a red light was actually run."***

There is no requirement for officers to activate their BWC's when merely following a vehicle or contemplating a stop and this is one of the purposes of the "buffer" mode, to capture the 2 minutes of video prior to an activation. There is no guarantee activating the BWC would record a vehicle code violation (trying to record another moving vehicle run a traffic light while an officer is seated in a vehicle is highly unlikely).

***"Vehicle Code: 2806.5. (a) Officer began to ask investigative questions before advising detainee of why he was being stopped. This is a violation of the law."***

This is factually inaccurate. Officer Hagen introduces himself, provides his name and identifies himself as a San Diego Police Officer. He immediately explains the reason for the stop.

***"1.04 Stop/Detention and pat down procedures Officer claimed that [REDACTED]"***

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*was acting nervous and this does not warrant reasonable suspicion and a detention. No other reason for searching his vehicle was articulated to him by and of the officers. The officer never stated he was investigating a crime or had any reasonable suspicion to believe [REDACTED] had committed a crime. Yet his vehicle was searched including the glove compartment, under the seats, and the console. [REDACTED] was illegally searched and detained by Officer Hagen 1148."*

This is included in [REDACTED] complaint and is part of this investigation.

[REDACTED] stated he believed he should have been stopped at 19<sup>th</sup> and Imperial Avenue for the red-light violation that Officer Hagen alleged he committed, and he found it suspect that he was stopped further away. He said Officer Hagen mentioned a "hot call" as the reason for delaying the stop. In his interview, Officer Hagen also mentioned a "hot call" as the reason for not immediately making the stop. In his interview, Officer Hagen said, "At the time when I was about to conduct the traffic stop there was a hot call going on. I forget exactly what type of hot call, but essentially other units were being dispatched to the other part of the city, the radio was not clear at the time, so I didn't feel that it was a good time to conduct the traffic stop. From what I remember it was a transient problem. From what I remember it was squashed relatively quickly and I don't think it was even determined to be a crime."

I researched this with Communications and was able to locate the call Officer Hagen was referring to (Event [REDACTED]). The call occurred near the intersection of 10<sup>th</sup> Street and Market Street. This call was aired at 1835 hours and Officer Hagen conducted his traffic stop at 1840 hours after the "hot call" had been resolved sufficiently to allow normal radio traffic again. The CAD notes included the following information:

Time	Notes
18:35	[REDACTED] 10TH AVE/MARKET ST SD/( [REDACTED] NOW // RP IS PREGNANT // TRANSIENT WITH STICK THREATENING RP // M
18:36	TRANSIENT IS WMA, 60S, 6'2, MED, WRG: GRY HOODIE, CAMO SWEATPANTS // STICK // POSS 647F/11550
18:37	RP SAYS SHES BLEEDING BECAUSE SHE HIT HER FOOT WHILE TRYING TO GET AWAY // PMS REF // SAYS SHES LEAVING THE AREA // RP DISC
18:38	RP BECAME UNCOOP AND REF TO ANSWER FURTHER QUESTIONS // RP THEN ACCUSED DISP OF BEING A MACHINE
18:41	ON CB. NR, LBM
18:41	LVM
18:42	ABLE3 -- CHECKED A BLOCK IN ALL DIRECTIONS NOTHING SEEN
18:42	[REDACTED] C4

All interviews were audio recorded, unless otherwise noted, and the recordings will be maintained with the Internal Affairs file. The statements are "in essence" synopses of the interviews. (For exact and complete details of the interviews, refer to the audio recordings.)

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## Complainant Interview: [REDACTED]

On January 25, 2024, at 0800 hours, I interviewed [REDACTED] via telephone. When I conduct a telephone interview, I utilize an adapter that connects to both the recorder and phone handset, effectively recording both sides of the conversation. [REDACTED] advised me he had a support person and told me he would connect her via a three-way call. [REDACTED] consented to the interview being recorded. I began recording as he was setting up the three-way call. When [REDACTED] told me he had his support person, who identified herself as [REDACTED] online, I asked if they could both hear me, and they indicated they could. I began the interview. When I retrieved the recording to type [REDACTED] statement, I discovered only my voice could be heard on the recording. [REDACTED] response was very faint, and I was not able to hear his responses. I have independent recollection as to what [REDACTED] said and using the context of my questions and responses can accurately represent the interview. (For exact and complete details of the interview, refer to the audio recording.)

I was stopped by Officer Hagen on January 1, 2024, at about 6:40 pm. He stopped me at 33<sup>rd</sup> Street and Imperial. He said something when he first walked up that I didn't hear and then he told me he stopped me for having my window tinted. He said the front windshield was tinted. I bought the car like this, I didn't put any tint on. I was alone in the car. I had all the things I am required to give him ready. My license, registration and insurance. He said I ran a red light back at 19<sup>th</sup> Street. I asked him why he didn't stop me back there and he said something about a hot call. He asked about weapons in the car. I told him I don't have to answer any questions about that. He told me he could write me a bunch of tickets. He was yelling at me and kept asking about weapons and said I was nervous. Another officer got there, and he told me I had to get out of the car because I was overly nervous.

I asked him if I had to get out of the car under threat of arrest and he said yes, so I got out of the car. He handcuffed me and searched me. I told him I didn't consent to a search and then he started searching my car. I told him I didn't consent to him searching my car. He searched it anyway. I'm not on probation or parole. I think the officer ran my record before he stopped me. I was arrested 28 years ago for attempted murder. He didn't bring that up but that's what I think. I told the officer the handcuffs were too tight, and he told me I had big wrists. I asked for a sergeant. When the sergeant got there, it was a total of 4 officers, including the sergeant. I told the sergeant I wanted to make a complaint. The officer gave me a vague ticket for window tint. My complaint is I was racially profiled. He saw a black man in a sports car and that's why he stopped me. He was unprofessional and yelled at me. He didn't have a legal right to search my car. The handcuffs were too tight.

**This interview concluded at 0830 hours.**

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Approved by: Acting Lieutenant Nathan Chambers Date of Report: April 18 2024

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## Witness Officer Interview: Officer [REDACTED]

On February 5, 2024, at 0713 hours, I interviewed Officer [REDACTED] in the Internal Affairs interview room. The following is a transcription of the interview. (For exact and complete details of the interview, refer to the audio recording.)

I have been a police officer for about 4 years. [REDACTED] I was working on January 1<sup>st</sup> of this year. I went to cover on a stop at 3300 Imperial at about 6:30 pm. I saw my partners Officer Hagen and Officer [REDACTED] had a male detained in handcuffs out of his vehicle. Officer Hagen didn't tell me any information on the driver. The driver didn't physically resist anything he was asked to do, but he wasn't happy about being stopped. He was arguing about the reason for the stop which, I think was tinted windows and he was complaining about the search of the vehicle and how he was treated. I overheard Officer Hagen tell the driver why his vehicle was searched. He said it was because [REDACTED] refused to answer questions about weapons and that's the reason he took him out. [REDACTED] complained about his handcuffs. Officer [REDACTED] checked the handcuffs. He had [REDACTED] turn around and he used his fingers for spacing, if I remember correctly, he said they were fine. [REDACTED] wasn't really cooperative and wasn't really answering questions. He wasn't happy about the stop and being in handcuffs. Officer Hagen didn't tell me the reason for the pat down. A sergeant came out and he took a complaint from [REDACTED] [REDACTED] was cited and released at the scene.

**This interview concluded at 0718 hours.**

Reporting Officer: Mike Thim, Sergeant ID: 5466 Division Internal Affairs  
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## Witness Officer Interview: Acting Sergeant [REDACTED]

On February 5, 2024, at 0724 hours, I interviewed Acting Sergeant [REDACTED] in the Internal Affairs interview room. The following is a transcription of the interview. (For exact and complete details of the interview, refer to the audio recording.)

I have been a police officer for about 10 years [REDACTED]  
[REDACTED] I was working on January 1<sup>st</sup> and responded to 3300 Imperial Avenue after an officer requested a sergeant. None of the officers provided me with any information on the driver when I was on my way. When I arrived, [REDACTED] was already handcuffed because a weapons pat down had been conducted on the vehicle. [REDACTED] complaint was the probable cause for the stop, the search of the vehicle, the handcuffs were too tight and Officer Hagen's conduct. I remember when I arrived, I saw Officer [REDACTED] adjusting the handcuffs or checking them. I saw him put his finger through like we normally do to check. When I had been there for a bit, I was speaking with him and saw what the results of the pat down were, I directed them to take the handcuffs off. [REDACTED] was upset and angry but, for the most part, was compliant with what the officers asked him to do. I wouldn't describe him as un-compliant. Officer Hagen gave me a few reasons for the pat down. He said [REDACTED] was nervous, I forget what other things he said. He didn't give me the full breakdown of his reasoning. Once it went to a complaint, I didn't get a full reason for it, since I knew you would investigate it. At the end of the stop, [REDACTED] was issued a citation and released.

**This interview concluded at 0729 hours.**

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## Witness Officer Interview: Officer [REDACTED]

On February 5, 2024, at 0845 hours, I interviewed Officer [REDACTED] in the Internal Affairs interview room. The following is a transcription of the interview. (For exact and complete details of the interview, refer to the audio recording.)

I have been a police officer for about 6 years [REDACTED] I was working on January 1<sup>st</sup> and responded to cover on a stop at 3300 Imperial Avenue. When I arrived, Officer Hagen was speaking with the driver, [REDACTED] I remember Mike telling me to come over to him because he was going to be taking the driver out of the car. When I approached the door, I heard him tell [REDACTED] to exit the vehicle multiple times. [REDACTED] asked him if he was going to be arrested if he didn't step out of the car. Officer Hagen said yes [REDACTED] complied, stepped out of the vehicle and was placed in handcuffs by Officer Hagen. [REDACTED] was compliant with that process. [REDACTED] had a cell phone recording in his hand. Officer Hagen handed me the phone and I put it on top of the hood.

He was placed in handcuffs, and we walked over...and I stayed with [REDACTED] as Officer Hagen stayed with [REDACTED] vehicle. I had no interaction with Officer Hagen as far as the results of the stop or his probable cause, but I had it in good faith that Officer Hagen conducted what I believed to be a weapon pat down for whatever reasonable suspicion he had. The pat down was on [REDACTED] and his vehicle. When we handed [REDACTED] phone off when he was placed in handcuffs from my point, I held it by the edges, and I put it down very slowly. I was trying to hold it by the frame, so I didn't touch the screen. To my knowledge when I put the phone down it was still recording. I remember him asking for his phone and someone gave it back to him, but I don't remember who it was. When he grasped the phone in handcuffs it appeared that his finger or his hand, it's hard to grab the phone in handcuffs, and I'm not sure if the phone got turned off there or not.

Officer Hagen didn't provide me with any background on the driver of the car. Before Sergeant [REDACTED] got there, [REDACTED] complained about the handcuffs hurting his hands. I asked him to turn around so I could check. I remember checking them for tightness per our policy and procedure. He does have big wrists. I was able to get some finger movement in between the cuffs, but I was telling him he had big wrists. Then Sergeant [REDACTED] arrived and directed the discussion away from the handcuffs and directed my attention away as well, but I did check them. [REDACTED] was agitated; he was upset about being stopped. Officer Hagen was very respectful and never got mad at [REDACTED] It just seemed like everything [REDACTED] was being told he was very upset about. He was just verbally resistive, not physically.

I did not see Officer Hagen yell at [REDACTED] or be disrespectful or discourteous. I did not see anything on my BWC, and I don't recollect Officer Hagen telling me the reason for the pat down. I trusted in good faith in his reason that maybe he saw something before I got there. Sergeant

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██████ got there and spoke to ██████ Then he had me take his handcuffs off. ██████ wanted to make a complaint about the stop, and I guess Officer Hagen's actions. Officer Hagen was still working on writing him a citation. I don't remember the whole conversation between ██████ and the sergeant, I just stood by. At the end of the stop, ██████ was issued a citation for window tint and was provided with all our names and ID numbers, then he was released.

**This interview concluded at 0853 hours.**

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## Subject Officer Interview: Officer Michael Hagen

On February 26, 2024, at 0857 hours I interviewed Officer Michael Hagen in the Internal Affairs interview room. Also present was Officer Hagen's [REDACTED] representative, [REDACTED] along with Internal Affairs Sergeant Eric McCoolle. I read Officer Hagen the subject officer admonishment and he signed it. The following is a transcription of the interview. (For exact and complete details of the interview, refer to the audio recording.)

Q1- Sergeant Thim  
Q2- Sergeant McCoolle  
A1- Officer Hagen

Q1- How long have you been a San Diego Police officer?  
A1- Since October of 2020.

Q1- Do you have any prior law enforcement experience with any other agencies?  
A1- I was a police dispatcher for over a year on the East Coast in Nashua, New Hampshire.

Q1- What is your current assignment?  
A1- I am currently assigned to patrol within Central Division.

Q1- Were you working on January 1<sup>st</sup> of this year?  
A1- Yes

Q1- At some point during your shift did you come in contact with [REDACTED]  
A1- Yes.

Q1- Ok, can you tell me what the circumstances were surrounding that contact?  
A1- I completed a traffic stop on the vehicle he was in.

Q1- Do you remember what the probable cause for the stop was?  
A1- Yes, window tint violation.

Q1- Any other violations?  
A1- I observed him drive through a red light without stopping at the limit line at 19<sup>th</sup> and Imperial.

Q1- Just for clarification, the stop occurred at 33<sup>rd</sup> and Imperial and you observed a red-light violation at 19<sup>th</sup> and Imperial?  
A1- Yes.

Q1- So, you observed the red-light violation before noticing the window tint?

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A1- I observed the window tint first, and then the red-light violation.

Q1- So, we had a distance from 19<sup>th</sup> street to 33<sup>rd</sup> street. Was there a reason the stop wasn't made closer to the location of the red-light violation?

A1- Yes.

Q1- And what was that?

A1- At the time when I was about to conduct the traffic stop there was a hot call going on. I forget exactly what type of hot call, but essentially other units were being dispatched to the other part of the city, the radio was not clear at the time, so I didn't feel that it was a good time to conduct the traffic stop.

Q1- The hot call you are referring to was on Central's frequency?

A1- Yes, in the 520s.

Q1-Ok, do you remember anything about the call, what type of call? Obviously, you're indicating it's about the same time you made the stop, do you remember any of the details on the call?

A1- From what I remember it was a transient problem. From what I remember it was squashed relatively quickly and I don't think it was even determined to be a crime.

Q1-Once the air became clear is when you initiated the stop?

A1- Yes.

Q1- Prior to making contact with [REDACTED] were you aware of any criminal history or any officer safety issues related to him specifically other than the window tint and red-light violation?

A1- No.

Q1- When you contacted and were speaking with [REDACTED] what was his demeanor?

A1- He was very nervous throughout the whole contact and got increasingly nervous as I was talking with him.

Q1- Was he resistive to you at all?

A1- Verbally, he did not want to answer questions. His voice became louder, and he was verbally resistive.

Q1- Which questions did he not want to answer?

A1- Questions about any weapons in the car.

Q1- So you're indicating he's verbally not super cooperative with you, was he physically resistant in any way?

A1- No.

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Q1- Now that you've made the traffic stop and you've walked up and talked to [REDACTED] after initially speaking with him, did you become aware of any criminal history or officer safety issues?

A1- I became aware of officer safety issues.

Q1- What were those?

A1- There were several. I noticed that he did not want to answer the questions about weapons in the car, at one point he passed me his ID and his driver's license and then began reaching around in the car for his registration and insurance, which he provided me. Then, after that is when I asked him about the weapons. He was uncooperative with my questioning and then I requested another unit. As I was talking on my radio, after I had already been given his paperwork, he began reaching towards the center console again. Then I told him to stop, several other furtive movements were seen and there was no indication in my mind that he needed to provide me with anything else.

Q1- At some point during the stop you decided you needed to conduct a search or a pat down of [REDACTED] and his vehicle?

A1- Correct.

Q1- What were the things that you took into consideration that led you to that decision?

A1- The uncooperativeness with the specific line of questioning regarding weapons, the area we were in at 33<sup>rd</sup> and Imperial and the area that I first initially saw him at, 19<sup>th</sup> and Imperial are both high crime areas, involving violent crimes. At the actual stop, I could see he was increasingly nervous at the line of questions regarding weapons. I could literally see his vein pulsing through his neck and see his rate of respiration increase. And the furtive movements and reaching for things that I was not telling him to reach for and then I told him to stop reaching for things and he continued. While I was waiting with him, he actually began reaching towards the driver's side door and I told him to stop. I asked him what he was reaching for, and he said he was going to roll the window up. I told him not to do that, because the window was very dark and if he rolled up the window, I would not have been able to see inside his vehicle.

Q1- What was his response when you asked him to stop rolling the window up?

A1- He told me that he was going to roll it up. I told him not to do that and he ended up not rolling the window up.

Q1- At some point [REDACTED] is asked out of the vehicle?

A1- Correct.

Q1- Did he get out on his own power?

A1- Yes.

Q1- What happens when he gets out of the car?

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A1- He got out of the car and I had him face away from me, he's very large stature, and I placed him in handcuffs.

Q1- Was he physically compliant with what you're asking him to do? When you're asking him to turn around is he turning around?

A1- Yes.

Q1- When you applied the handcuffs did you take any steps to ensure they were applied correctly?

A1- Yes, I checked for tightness and double locked them.

Q1- Can you describe how you checked for tightness, what method you used?

A1- I put my finger along their wrist bone, and ensured I could fit my finger between the wrist bone and handcuff and from that point I double lock the handcuff.

Q1- That's what you did with [REDACTED]

A1- Yes.

Q1- In this instance were you able to get a finger in there?

A1- Yes.

Q1- Did [REDACTED] race factor into any decision you made to detain or pat him down or search him?

A1- No.

Q2 (Sergeant McCoolle)- You did go into it a little bit, but what indication, you used the term nervous, that's a description, what are you describing as this nervous behavior?

A1- He stuttered several times; he used the word "uh" like I'm using now. His voice elevated in pitch and noise level, he got louder, and I could see his pulse bulging out of his neck and the increased rate of respiration.

Q2 (Sergeant McCoolle)- You described the areas between 19<sup>th</sup> and Imperial and 33<sup>rd</sup> and Imperial as high crime areas. What indication did you have that [REDACTED] was involved in these crimes that happen in this area?

A1- Nothing directly tied to those areas and him.

Q2 (Sergeant McCoolle)- You said you decided to do what amounts to a weapons pat down of his vehicle, is that accurate?

A1- Yes.

Q2 (Sergeant McCoolle)- What information or what circumstances were present that made you believe he was concealing a weapon in that vehicle?

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A1- The indicators that we just talked about as far as the nervousness especially with the compiled furtive movements and reaching for things that I already had all of the information that I needed from him on the stop and then he continued to reach around his vehicle for things that I didn't know what he was reaching for. So, I believed that it may have been an attempt to reach for a weapon or conceal where a weapon might be.

Q2 (Sergeant McCoolle)- Was a weapon located during your pat down search?

A1- No.

**This interview concluded at 0910 hours.**

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## CONCLUSIONS:

### 1. DISCRIMINATION – UNFOUNDED

██████ alleged Officer Hagen stopped him based on his race.

On January 1, 2024, Officer Michael Hagen conducted a traffic stop on a vehicle being driven by ██████. During the stop, Officer Hagen asked ██████ to exit the vehicle. He conducted a pat down of ██████ and his vehicle. Officer Hagen issued ██████ a citation for window tint, and he was released at the scene.

#### **San Diego Police Department Policy 9.31 states, in part (Revised 02-19-20) :**

Non bias-based policing requires officers conducting investigative detentions, traffic stops, arrests, searches, and seizures to comply with standards of reasonable suspicion and probable cause in accordance with United States and California constitutional standards and Department procedures. Officers shall clearly document the specific facts and circumstances they relied upon in performing these actions.

Members shall not base any enforcement action, in whole or in part, on race, color, ethnicity, religion, national origin, age, disability, gender (to include gender identity and gender expression), lifestyle, sexual orientation, or similar personal characteristics, while conducting any law enforcement activity, including stops and detentions, except when engaging in the investigation of appropriate suspect-specific activity to identify a particular person or group. Members seeking one or more specific persons who have been identified or described in part by their race, color, ethnicity, religion, national origin, age, disability, gender identity, gender expression, or sexual orientation may rely, in part, on the specified identifier or description only in combination with other appropriate identifying factors and may not give the specified identifier or description undue weight.

██████ alleged his detention by Officer Hagen was based on his race. According to ██████ Officer Hagen, "saw a black man in a sports car and that's why he stopped me."

The first two minutes of Officer Hagen's BWC video shows him traveling east on Imperial Avenue. He drives straight and does not make any turns before conducting the traffic stop. The BWC is in buffer mode and the first discernable location seen on the video is the "El Amigo" tire shop located at 2995 Imperial Avenue. Immediately seen after that is the traffic light and sign for 30<sup>th</sup> Street and Imperial Avenue. Prior to coming to 30<sup>th</sup> Street and Imperial Avenue, it appeared he traveled approximately 4 or 5 blocks. There is no BWC buffer mode video recording or audio/video recording near the intersection of 19<sup>th</sup> Street and Imperial Avenue where Officer Hagen indicated he first observed the window tint and red-light violation. For this reason, I was unable to determine the position of Officer Hagen's vehicle in

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relation to [REDACTED] vehicle and thus unable to make a determination if he was able to see who was driving [REDACTED] vehicle prior to making to stop. From his position behind [REDACTED] vehicle, the fact that it was dark outside and the heavy tint on [REDACTED] rear window it is unlikely Officer Hagen would have been able to determine how many individuals were in the vehicle, let alone their race.

Officer Hagen activates his overhead emergency lights and initiates a traffic stop of the black Dodge Challenger being driven by [REDACTED]. As he approaches the vehicle, it is clear the rear windows and driver's side window of the vehicle are tinted.

[REDACTED] stated he believed he should have been stopped at 19<sup>th</sup> and Imperial Avenue for the red-light violation that Officer Hagen alleged he committed, and he found it suspect that he was stopped further away. He said Officer Hagen mentioned a "hot call" as the reason for delaying the stop. In his interview, Officer Hagen also mentioned a "hot call" as the reason for not immediately making the stop. In his interview, Officer Hagen said, "At the time when I was about to conduct the traffic stop there was a hot call going on. I forget exactly what type of hot call, but essentially other units were being dispatched to the other part of the city, the radio was not clear at the time, so I didn't feel that it was a good time to conduct the traffic stop. From what I remember it was a transient problem. From what I remember it was squashed relatively quickly and I don't it was even determined to be a crime."

I researched this with Communications and was able to locate the call Officer Hagen was referring to (Event [REDACTED]). The call occurred near the intersection of 10<sup>th</sup> Street and Market Street. This call was aired at 1835 hours and Officer Hagen conducted his traffic stop at 1840 hours after the "hot call" had been resolved sufficiently to allow normal radio traffic again. The CAD notes included the following information:

Time	Notes
18:35	[REDACTED] /10TH AVE/MARKET ST SD/( [REDACTED] NOW // RP IS PREGNANT // TRANSIENT WITH STICK THREATENING RP // M
18:36	TRANSIENT IS WMA, 60S, 6'2, MED, WRG: GRY HOODIE, CAMO SWEATPANTS // STICK // POSS 647F/11550
18:37	RP SAYS SHES BLEEDING BECAUSE SHE HIT HER FOOT WHILE TRYING TO GET AWAY // PMS REF // SAYS SHES LEAVING THE AREA // RP DISC
18:38	RP BECAME UNCOOP AND REF TO ANSWER FURTHER QUESTIONS // RP THEN ACCUSED DISP OF BEING A MACHINE
18:41	ON CB. NR, LBM
18:41	LVM
18:42	ABLE3 -- CHECKED A BLOCK IN ALL DIRECTIONS NOTHING SEEN
18:42	[REDACTED] C4

The above call reflects the radio was occupied during the time Officer Hagen indicated it was with a "hot call" and was consistent with his explanation of why he had to wait to affect the traffic stop.

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When he initially made contact with [REDACTED] Officer Hagen explains the reason for the traffic stop and receives [REDACTED] identification and registration. There is nothing Officer Hagen says verbally or anything in his actions that indicates [REDACTED] race was a basis for the traffic stop, pat down, or citation.

At least one of the reasons (tinted windows) Officer Hagen gave [REDACTED] for the stop is visible on the BWC video at the time Officer Hagen contacted [REDACTED] Officer Hagen issued [REDACTED] a citation for the window tint. From his position behind [REDACTED] vehicle, the fact that it was dark outside and the heavy tint on [REDACTED] rear window it is unlikely Officer Hagen would have been able to determine how many individuals were in the vehicle, let alone their race.

There is no evidence to show Officer Hagen improperly factored [REDACTED] race into his decision to stop, detain, search and cite [REDACTED]

This allegation is **UNFOUNDED**.

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## 2. SEARCH – SUSTAINED

█████ alleged Officer Michael Hagen searched his person and his vehicle.

On January 1, 2024, Officer Michael Hagen conducted a traffic stop on a vehicle being driven by █████. During the stop, Officer Hagen asked █████ to exit the vehicle. He conducted a pat down of █████ and his vehicle. Officer Hagen issued █████ a citation for window tint, and he was released at the scene.

### San Diego Police Department Policy 9.03 states in part (Revised 01-26-04):

Members shall obey all federal, state, county, and municipal laws.

### The Fourth Amendment, United States Constitution states:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

### The California Legal Update, "The Fourth Amendment and Search & Seizure", 19<sup>th</sup> Edition, states in part:

*The "Pat down" (or "Protective Search") of a Vehicle for Weapons: General Rule:* Whenever, during a lawful contact with an individual, an officer develops a "reasonable belief," based on **specific articulable facts**, that the suspect's vehicle may contain a weapon, anywhere within the passenger area of that vehicle that a weapon may reasonably be expected to be found may be checked for that purpose. (*Michigan v. Long* (1983) 463 U.S. 1032, 1049 [77 L.Ed.2nd 1201, 1220].)

### San Diego Police Department Procedure (Revised 08-27-21), states in part:

D. Pat Downs A "pat down" is a limited search for the purpose of finding weapons or other instruments that could be used against an officer. A pat down is not a search for evidence or contraband, and, absent consent, officers shall not use a pat down as a pretext to conduct an evidentiary search.

1. An officer may pat down any person who has been detained when the officer reasonably suspects that the person is carrying a concealed weapon or dangerous instrument and that a pat down is reasonable to protect the officer or others. The pat down may be conducted

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immediately upon making the stop or at any time during the stop whenever a "reasonable suspicion to pat down" appears.

2. "Reasonable suspicion for a valid pat down" is more than a vague hunch and less than probable cause. If a reasonably prudent officer, under the circumstances, would believe the officer's safety or that of other persons in the vicinity is in danger because a particular person might be carrying a weapon or dangerous instrument, a pat down is justified. The following list (which is not all-inclusive) contains some factors that should be considered in determining whether reasonable suspicion exists for a pat down.

Note: A single factor listed below, or even a cluster of factors, may or may not individually justify a pat down. An officer shall consider the totality of the circumstances present when deciding whether or not a pat down is reasonable.

- a. The person's appearance – their clothes may contain a bulge that suggests the presence of an object capable of inflicting injury.
  - b. The person's actions - he/she may have made a furtive movement as if to hide a weapon. The subject may be excessively nervous during the detention. The subject may be exhibiting threatening actions or words.
  - c. Prior knowledge – the officer may know that the subject has a prior record for weapons violations or assaultive behavior.
  - d. Location – the area may be sufficiently isolated so as to limit immediate police assistance if needed.
  - e. Time of day – darkness may inhibit visibility.
  - f. Police purpose – the officer's detention of the subject may be for an armed, serious, or violent offense.
  - g. Companions – the officer may have detained multiple subjects. If a weapon is found on one person, it may indicate a greater likelihood that a weapon may be found on others being detained.
3. Every officer who conducts a pat down must be prepared to document those specific factors that led the officer to conclude that "reasonable suspicion" existed before the pat down began. A mere statement that the officer feared for his/her safety is not sufficient. Instead, the officer shall cite specific factors listed above.
  4. Pat downs that reveal items reasonably believed to be weapons or other dangerous objects vary slightly from those that reveal items that are reasonably believed to be an otherwise seizable item.
    - a. Weapon or dangerous instrument - if, when conducting a pat down, the officer feels an object which the officer reasonably believes is a weapon or dangerous instrument or is a hard object which may contain such an item, the officer may reach into the area of the person's

Reporting Officer: Mike Thim, Sergeant ID: 5466 Division Internal Affairs

Approved by: Acting Lieutenant Nathan Chambers Date of Report: April 18 2024

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clothing where the object is located (i.e., a pocket, waistband, or sleeve) and remove the object.

b. Other seizable item - if, while conducting a pat down, an officer feels an object which the officer does not reasonably believe to be a weapon or dangerous instrument, but which he immediately recognizes as an item of contraband, based on the nature of the object felt, along with or in combination with other factors, the officer has probable cause to believe that a crime is being committed in the officer's presence, and the officer should tell the person he/she is under arrest for that crime. The officer may then conduct a full custody search incidental to arrest but must not take any step to examine the object before making the arrest. If a seizable item is not found, the person should be released.

Officer Hagen conducted a legal traffic stop for a Vehicle Code violation (26708a CVC). During the stop/detention, he contacted [REDACTED] who was the operator and owner of the vehicle. During the early stages of the contact, Officer Hagen inquires about weapons in the vehicle. [REDACTED] does respond to Officer Hagen's question in that he asserts he is not required to answer questions about weapons and if Officer Hagen's intention is to write him a citation, he requested he do so. Officer Hagen repeatedly asks about weapons in the vehicle and asks why [REDACTED] won't answer those questions and [REDACTED] again asserts that he is not answering those questions because he is not legally required to.

During the stop, Officer Hagen tells [REDACTED] he appears "extremely nervous" and says he can "see his heart rate is elevated and his blood pressure is spiking, and he can see the veins in his neck." Both Officer Hagen and [REDACTED] raise their voices during the contact, primarily when they are both attempting to talk over one another. There is no point where [REDACTED] or Officer Hagen is yelling and there is no point where either uses any profanity, with the exception of [REDACTED] stating he is, "a grown ass man". [REDACTED] appears visibly frustrated by the repeated questions regarding weapons.

During his interview, Officer Hagen and I had the following exchange:

Sergeant Thim- "Now that you've made the traffic stop and you've walked up and talked to [REDACTED] after initially speaking with him, did you become aware of any criminal history or officer safety issues?"  
Officer Hagen- "I became aware of officer safety issues."

Sergeant Thim- What were those?"

Officer Hagen- "There were several, I noticed that he did not want to answer the questions about weapons in the car, at one point he passed me his ID and his driver's license and then began reaching around in the car for his registration and insurance, which he provided me. Then, after that is when I asked him about the weapons. He was uncooperative with my questioning and then I requested another unit. As I was talking on my radio, after I had already been given his paperwork, he began reaching towards the center console again. Then I told him to stop, several other furtive movements were seen and there was no indication in my mind that he needed to provide me with anything else."

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Based on my review of Officer Hagen's BWC video, the sequence of events was:

Officer Hagen approaches the vehicle to speak with [REDACTED]. The driver's side window is rolled down approximately 8 inches. Officer Hagen introduces himself, and as he is doing this [REDACTED] is already handing his driver's license out the window. Officer Hagen begins his explanation of the reason for the stop as [REDACTED] reaches towards his center console. As he brings his hand back into view, he is holding multiple papers and Officer Hagen asks if he is looking for his "reg" (registration). As [REDACTED] looks through the paperwork he retrieved (in his lap), Officer Hagen explains it is illegal to have window tint on the front windows. During this exchange, [REDACTED] rolls his window all the way down and continues looking through the paperwork.

[REDACTED] hands Officer Hagen some papers as they continue to discuss the window tint. Officer Hagen inquires if he is the owner of the vehicle and [REDACTED] tells him he (Officer Hagen) has his ID and ran his tags. Officer Hagen says, "Yeah." [REDACTED] repeats again that Officer Hagen has the ID so, "you know the car is registered to me." Officer Hagen responds, "Ok, all right. And then uh, are you carrying any weapons on you or anything I need to know about?" [REDACTED] responds, "I'm not answering any questions bro. You want to write me a ticket, write me a ticket." Officer Hagen asks, "You don't want to answer questions about weapons? Why not?" At this point Officer Hagen and [REDACTED] have an exchange where [REDACTED] is asserting if he was stopped for window tint, then Officer Hagen should just write him a ticket for the window tint. Officer Hagen explains he is asking safety questions and again asks [REDACTED] if he has any weapons in the car. [REDACTED] tells Officer Hagen, "I don't have to answer the question, you know I don't have to answer that question." This conversation continues for approximately one minute with [REDACTED] asking if Officer Hagen is going to write him a ticket and telling him he doesn't have to answer any questions about weapons and Officer Hagen inquiring about weapons in the vehicle.

At this point, Officer Hagen asks for another unit. [REDACTED] appears to be looking in the center console. Officer Hagen tells him, "Can you stop reaching around?" [REDACTED] responds, "I'm trying to get the information you want; you don't want it?" Officer Hagen says, "I want your insurance, which it looks like you have that right there." [REDACTED] hands the insurance paperwork to Officer Hagen.

For clarification, prior to this there was no point where Officer Hagen asked for any identification or paperwork. [REDACTED] was voluntarily providing identification and the general paperwork (registration and insurance) usually requested by police officers during a traffic stop. The only comment he made to [REDACTED] prior to this when he reached around was to ask him if he was looking for his registration, not addressing the reaching around. He had not directed [REDACTED] not to reach around, nor had he inquired as to where any of the required documents might be located. There are certainly points during a traffic stop where a driver may need to reach into a compartment (glove box, center console etc.) for required/requested documents. These concerns can be addressed by asking for those documents and, at the same time asking where they are located. The "officer safety" concerns cited by Officer Hagen are those associated with traffic stops in general, absent additional information.

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When asked about specific articulable facts leading him to believe [REDACTED] was armed with a weapon at the time of the stop, Officer Hagen had the following responses during the interview:

Sergeant Thim- "At some point during the stop you decided you needed to conduct a search or a pat down of [REDACTED] and his vehicle?"

Officer Hagen- "Correct."

Sergeant Thim- "What were the things that you took into consideration that led you to that decision?"

Officer Hagen- "The uncooperativeness with the specific line of questioning regarding weapons, the area we were in at 33<sup>rd</sup> and Imperial and the area that I first initially saw him at, 19<sup>th</sup> and Imperial are both high crime areas, involving violent crimes. At the actual stop, I could see he was increasingly nervous at the line of questions regarding weapons. I could literally see his vein pulsing through his neck and see his rate of respiration increase. And the furtive movements and reaching for things that I was not telling him to reach for and then I told him to stop reaching for things and he continued. While I was waiting with him, he actually began reaching towards the driver's side door and I told him to stop. I asked him what he was reaching for, and he said he was going to roll the window up. I told him not to do that, because the window was very dark and if he rolled up the window, I would not have been able to see inside his vehicle.

Sergeant Thim- "What was his response when you asked him to stop rolling the window up?"

Officer Hagen- "He told me that he was going to roll it up. I told him not to do that and he ended up not rolling the window up."

Sergeant McCoolle- "You described the areas between 19<sup>th</sup> and Imperial and 33<sup>rd</sup> and Imperial as high crime areas. What indication did you have that [REDACTED] was involved in these crimes that happen in this area?"

Officer Hagen- "Nothing directly tied to those areas and him."

Sergeant McCoolle- "What information or what circumstances were present that made you believe he was concealing a weapon in that vehicle?"

Officer Hagen- "The indicators that we just talked about as far as the nervousness, especially with the compiled furtive movements and reaching for things that I already had all of the information that I needed from him on the stop and then he continued to reach around his vehicle for things that I didn't know what he was reaching for. So, I believed that it may have been an attempt to reach for a weapon or conceal where a weapon might be."

Officer Hagen conducted a legal stop/detention. In his interview, Officer Hagen described conducting a pat down of [REDACTED] and his vehicle. He cited "uncooperativeness with the specific line of questioning regarding weapons." However, [REDACTED] is under no legal obligation to answer questions regarding the presence of weapons in his vehicle. As part of his justification for the weapons pat down, Officer Hagen

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indicated that the area of the traffic stop was known for violent crimes. Yet, when Officer Hagen was asked in his interview if he had any information relating [REDACTED] to the violent crimes in this area, he responded, "Nothing directly tied to those areas and him." Officer Hagen also said, "I could see he [REDACTED] was increasingly nervous at the line of questions regarding weapons. I could literally see his vein pulsing through his neck and see his rate of respiration increase. And the furtive movements and reaching for things that I was not telling him to reach for and then I told him to stop reaching for things and he continued." The behaviors Officer Hagen described are something that should be of note as a matter of general officer safety. However, Officer Hagen failed to articulate any **specific articulable facts** that would reasonably indicate [REDACTED] was armed or concealing a weapon at the time of the stop. Officer Hagen's actions were not reasonable given the totality of circumstances and not within Department Policy or legal parameters.

This allegation is **SUSTAINED**.

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### 3. PROCEDURE – UNFOUNDED

█████ alleged his handcuffs were applied too tightly.

On January 1, 2024, Officer Michael Hagen conducted a traffic stop on a vehicle being driven by █████. During the stop, Officer Hagen asked █████ to exit the vehicle. He conducted a pat down of █████ and his vehicle. Officer Hagen issued █████ a citation for window tint, and he was released at the scene.

#### San Diego Police Department Policy 6.01 (10/07/20) states in part:

III. BACKGROUND Officers are responsible for the safety and well-being of all subjects who are taken into custody. It is an officer's duty to keep prisoners safe from harm and prevent their escape, while also protecting others and preserving evidence. Handcuffs are an effective security tool that officers should use to their full advantage. Refer to Department Procedure 3.08, Juvenile Procedures, for guidelines on transporting juveniles.

V. HANDCUFFING PROCEDURES A. All persons taken into custody who are 13 years of age or older shall be handcuffed. Persons who are detained during a police investigation may be handcuffed when that procedure reasonably appears necessary to ensure the safety of the officer and others. All persons shall be handcuffed with their hands behind them and with the backs of the hands together, unless this technique would hamper an investigation, or the prisoner has a physical condition or injury that precludes this technique. If exceptions are made, officers should use caution and good judgment.

C. Officers shall apply handcuffs tightly enough to control the subject and shall double lock the handcuffs as soon as practical. Over-tightening the handcuffs shall be avoided. **Inserting a fingertip between the handcuffs and the prisoner's wrist will ensure sufficient space and reduce the risk of injury.**

█████ submitted a third-party online complaint on █████ behalf. █████ was not a witness to the incident. █████ writes the complaint in first person as though █████ is writing the complaint. In the complaint, █████ writes "Use of force when he pulled me out of the car and handcuffed me." When I interviewed █████ (with █████ on the phone as well), he clarified he exited the vehicle under his own power and the complaint about the handcuffs was they were too tight.

Officer Hagen conducted a legal traffic stop for a vehicle code violation and as such was affecting a legal detention. During the detention, he asked █████ out of the vehicle and placed him in handcuffs. When Officer Hagen applied the handcuffs, he placed a finger between █████ wrist and the handcuffs on both hands, he then double locked both handcuffs. Officer Hagen's BWC was activated for

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the handcuffing. Later in the contact [REDACTED] again complained about his handcuffs being tight. Officer [REDACTED] immediately said he will check the handcuffs. He checked the handcuffs and is seen placing a finger in between the handcuffs and wrist on both hands, ensuring there is proper spacing. He told [REDACTED] he has big wrists.

To this point, [REDACTED] places his cell phone on the trunk of his vehicle a couple times and turns sideways to manipulate the phone. This requires both of his wrists to be bent at a sharp angle against the handcuffs. This is likely more uncomfortable than the intended positioning of the handcuffs. Officer [REDACTED] immediately said he will check the handcuffs. He checked the handcuffs and is seen placing a finger in between the handcuffs and wrist on both hands, ensuring there is proper spacing. He told [REDACTED] he has big wrists.

[REDACTED] is of large stature (6'5" and over 250 lbs) and has large wrists. This is visible when viewing Officer Hagen's BWC and comparing his wrist size to [REDACTED] wrists when he applied the handcuffs. The application of the handcuffs may indeed have been uncomfortable. However, they were applied correctly and in accordance with current training and Department Policy, which is designed to avoid injury. Additionally, another officer checked [REDACTED] handcuffs per his request. The officer used the same method and also found the handcuffs were applied correctly.

Handcuffs are an effective security tool used by law enforcement to ensure the safety of officers, the prisoner and others. Handcuffs are made of hardened steel and are not designed for comfort. Their use frequently causes irritation to the soft tissue of the wrists and hands. This irritation manifests itself in the form of redness, tissue indentations, pain, and in some cases, bruising to the affected areas.

Even when applied correctly, and double locked, there is a significant likelihood that the prisoner will experience some discomfort. This discomfort generally subsides with the passage of time once the handcuffs are removed. Department Procedure 6.01 states that the proper application of the handcuffs will reduce injury; it does not state it will eliminate the possibility of injury. The risk of substantial or long-term injury, however, is minimal.

Based on all of the above, there is no evidence to support [REDACTED] allegation that the handcuffs were applied too tightly. In fact, the evidence in the case, including the officers' statements, is definitive in proving this allegation is baseless and without merit.

Therefore, this allegation is **UNFOUNDED**.

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## 4. PROCEDURE – UNFOUNDED

█████ alleged Officer Hagen was discourteous and yelled at him.

On January 1, 2024, Officer Michael Hagen conducted a traffic stop on a vehicle being driven by █████. During the stop, Officer Hagen asked █████ to exit the vehicle. He conducted a pat down of █████ and his vehicle. Officer Hagen issued █████ a citation for window tint, and he was released at the scene.

### San Diego Police Department Policy 9.20 (Revised 03/20/2015) states in part:

Members shall be courteous to all persons. Members shall be tactful in the performance of their duties, shall control their tempers, exercise the utmost patience and discretion, and shall not engage in argumentative discussion even in the face of extreme provocation. Except when necessary to establish control during a violent or dangerous situation, no member shall use coarse, profane or violent language. Members shall not use insolent language or gestures in the performance of his or her duties. Members shall not make derogatory comments about or express any prejudice concerning race, religion, politics, national origin, gender (to include gender identity and gender expression), sexual orientation, or similar personal characteristics.

When Officer Hagen initiated the traffic stop, he approached the driver's door and greeted █████ identified himself by name and agency and stated the reason for the stop. He went on to explain the tinted window violation.

My review of Officer Hagen's BWC video shows that during the stop Officer Hagen tells █████ he appears "extremely nervous" and says he can, "see his heart rate is elevated and his blood pressure is spiking, and he can see the veins in his neck." Both Officer Hagen and █████ raise their voices during the contact, primarily when they are both attempting to talk over one another. There is no point where █████ or Officer Hagen is yelling and there is no point where either uses any profanity, with the exception of █████ stating he is, "a grown ass man". █████ appears visibly frustrated by the repeated questions regarding weapons.

In his interview, Officer █████ said █████ was agitated, he was upset about being stopped. Officer Hagen was very respectful and never got mad at █████. It just seemed like everything █████ was being told he was very upset about. He was just verbally resistive not physically. I did not see Officer Hagen yell at █████ or be disrespectful or discourteous." █████ is clearly frustrated by the stop and the line of questioning regarding weapons. Officer Hagen is calm and professional during the contact. There is nothing disrespectful or discourteous about his conduct.

This allegation is **UNFOUNDED**.

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## DOCUMENTATION:

The results of this investigation are based on the following items:

1. Body Worn Camera videos from Officer Hagen, Officer [REDACTED] Officer [REDACTED] and Acting Sergeant [REDACTED]
2. Event history and call for service associated with this complaint (Event #24010001098).
3. Audio Interviews with [REDACTED] Officers Hagen, [REDACTED] [REDACTED] and Acting Sergeant [REDACTED]
4. A copy of Officer Hagen's citation.
5. A copy of the event history for the unrelated hot call (Event [REDACTED])
6. [REDACTED] online complaint completed by [REDACTED]
7. [REDACTED] online third-party complaint form.

**CONFIDENTIAL: THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR CITY ATTORNEY.**

i. [REDACTED] ID # 781  
DATE 4/18/24

Reporting Officer: Mike Thim, Sergeant ID: 5466 Division: Internal Affairs  
Approved by: Acting Lieutenant Nathan Chambers Date of Report: April 18 2024

From: [REDACTED]  
Sent: Wednesday, January 24, 2024 1:46 AM  
To: [REDACTED] Community Review Board  
on Police Practices [REDACTED]

[REDACTED]

Subject: [EXTERNAL] Formal Complaints Against Officer Hagen #1148

Citizens Complaint (SDPD)  
Name of Person Complaining: [REDACTED] (HE is Not a Fourth Waiver)  
[REDACTED] contact information can be provided on request  
Support Person: [REDACTED]  
Contact: [REDACTED]

Date: January 1, 2024  
Time: 1900 hours  
Location: 3300 Imperial Avenue, San Diego, CA  
Officer Involved: Officer Michael Hagen ID# 1148, Acting Sergeant [REDACTED]  
[REDACTED] ID # [REDACTED]

[REDACTED] Incident Summary: (HE is NOT a Fourth Waiver)  
On January 1, 2024, I observed Officer Hagen tailing me from 12th to 33rd street and Imperial, where he initiated a traffic stop. Upon reaching my vehicle's window, I promptly provided Officer Hagen with my identification and proof of insurance. Following an exchange that escapes my recollection, Officer Hagen informed me that the reason for the stop was the tint on my front windshield.

Subsequently, Officer Hagen proceeded to inquire about the presence of weapons in my vehicle. I chose not to respond to these questions, exercising my right to remain silent. Officer Hagen displayed visible frustration and attempted to leverage his authority to compel my cooperation. Despite my repeated refusal to

answer, he insisted on the importance of responding. He then inserted that I ran a light at 19<sup>th</sup> Street and claimed that there was a HOT Call.

After a prolonged interaction, Officer Hagen called for backup and insisted that I exit the vehicle. I contested this request, asserting that the initial reason for the stop—window tint—did not warrant such an action. Officer Hagen persisted, emphasizing that my refusal to exit would result in arrest.

Upon the arrival of backup officers, I reluctantly complied under the threat of arrest. Subsequently, both officers instructed me to turn around, handcuffed me, and conducted a search of my vehicle. Despite expressing my non-consent to the search, Officer Hagen proceeded to search my car without evident probable cause or reasonable suspicion of criminal activity.

A sergeant arrived at the scene, and despite my complaints about the tightness of the handcuffs, I was informed that my wrists were deemed too large. Eventually, after an extended period, the sergeant ordered the removal of the handcuffs. It is noteworthy that my car was searched without the presence of probable cause or reasonable suspicion, solely based on the initial claim of window tint violation and a refusal to answer questions.

I received a window tinting ticket, which I contest as vague and lacking clear justification. The entire incident raises concerns about the legality and justification for the search and raises questions about the conduct of Officer Hagen and the responding officers.

Complaints: Support Person helped  
Officer Michael Hagen ID # 1148

1. Courtesy- he was rude and abrupt.
2. Use of force when he pulled me out of the car and handcuffed me.
3. Untruthfulness because when I told him he could not search my car, he lied and told me he could because of nervousness and my previous record from 28 years ago.

Tell me the law that makes it legal for an officer to allegedly stop somebody for a red light violation, tinted window and then search his car without consent based on the officer's assessment that the Black male looks nervous and had an incident on his criminal history that occurred 28 years ago.?

4. Abuse of authority officers have training and were provided new legislation and case law updates from the District Attorney's office. It is the duty of the officers to know the laws they enforce daily.

5. Violation of AB2773, did not tell me immediately why he stopped me before asking me any questions.

6. Violation of Fifth Amendment, right to remain silent.

7. Violation of Fourth Amendment, search, and seizures. He did not consent to search his vehicle. Illegal search of vehicle.

8. Violation of Fourteenth Amendment, nor deny any person within the United States jurisdiction the equal protection of the laws.

9. Prolonged traffic stop beyond its initial purpose.

Acting Sergeant [REDACTED] ID [REDACTED]

1. The Acting Sergeant failed to intervene and stop the prolonged detention and illegal search.

2. Courtesy because my handcuffs were too tight and the Acting Sergeant deemed my wrist were too large.

3. The Acting Sergeant allowed the prolonged stop to continue.

Thanks,

[REDACTED]

[REDACTED]

[REDACTED]

This email is to inform you that we received your complaint concerning [REDACTED] on January 1, 2024, involving San Diego Police Department officers. Your concerns regarding this incident are already under investigation by the San Diego Police Department, which includes investigating for any possible Department policy or procedure violations.

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

Sincerely,

SDPD Internal Affairs Unit  
[REDACTED]

[REDACTED]

This email is to inform you that we received your complaint concerning [REDACTED] on January 1, 2024, involving San Diego Police Department officers. Your concerns regarding this incident are already under investigation by the San Diego Police Department, which includes investigating for any possible Department policy or procedure violations.

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

Sincerely,

SDPD Internal Affairs Unit  
[REDACTED]

[REDACTED]

---

**From:** [REDACTED] on behalf of Commission on Police Practices [REDACTED]  
**Sent:** Monday, January 8, 2024 10:16 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: Webform submission from: File a Complaint

Good morning,

Please see the complaint below from [REDACTED]

If further information is needed, please let me know.

Thank you,

[REDACTED] (she/her)  
Administrative Aide I  
Office of the Commission on Police Practices Civic Center Plaza Building, 9th Floor – Suite [REDACTED]  
1200 Third Avenue  
San Diego, CA 92101  
Work Cell: [REDACTED]  
Email: [REDACTED]  
CPP website: <https://www.sandiego.gov/cpp>

- A world-class city for all-  
City of San Diego Strategic Plan Vision

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Thursday, January 4, 2024 3:58 PM  
**To:** [REDACTED]  
**Subject:** Webform submission from: File a Complaint

Submitted on Thu, 01/04/2024 - 15:57

== COMPLAINANT ==

**NAME:**  
[REDACTED]

**AGE:**  
[REDACTED]

**EMAIL:**  
[REDACTED]

HOME PHONE:

[REDACTED]

BUSINESS PHONE:

[REDACTED]

ADDRESS:

[REDACTED]

== OPTIONAL INFO ==

GENDER/IDENTITY/EXPRESSION:

Male

RACE/ETHNICITY:

Black

== INCIDENT ==

DESCRIPTION/COMPLAINT:

This is a third-party complaint. The person who was harmed is [REDACTED] he is currently traumatized and is requesting community support. This is a FORMAL complaint. The officer began following him from 4th Ave downtown San Diego. The actual stop occurred on 33rd and Imperial on 1/1/24 at approximately 7PM. [REDACTED] was questioned before the officer gave a reason for the stop. He was pulled out of his vehicle and seized. [REDACTED] vehicle was searched including his glove compartment, under his seat, and his console by the officer.

Law, Policy, and/or Procedure Analysis

1.49 Axon Body Worn Camera It appears that the officer did not activate his body worn camera. The light which indicator of activation was not visible.

1.49 (J)(I)(b) Axon Body Worn Camera The Event Mode shall be activated prior to actual contact. Body worn camera should have been activated once the officer began following the detainee well before 19th and Imperial. This would demonstrate if a red light was actually run.

Vehicle Code: 2806.5. (a) Officer began to ask investigative questions before advising detainee of why he was being stopped. This is a violation of the law.

1.04 Stop/Detention and pat down procedures Officer claimed that [REDACTED] was acting nervous and this does not warrant reasonable suspicion and a detention. No other reason for searching his vehicle was articulated to him by and of the officers. The officer never stated he was investigating a crime or had any reasonable suspicion to believe [REDACTED] had committed a crime. Yet his vehicle was searched including the glove compartment, under the seats, and the console.

[REDACTED] was illegally searched and detained by officer Hagen 1148. [REDACTED] was not given the legal requirement of why he was being stopped and it appears that the officer's body cam may not have been activated or activated in a timely manner when the officer decided to pursue [REDACTED]

LOCATION:

33rd and Imperial

DATE/TIME:

2024-01-01

7:00 PM

== SDPD PERSONNEL INVOLVED ==

\* PERSONNEL #1 \*

NAME:

Hagen 1148

GENDER:

Male

RACE:

White

BADGE NUMBER:

1148

ID NUMBER:

\* PERSONNEL #2 \*

NAME:

GENDER:

[webform\_submission:values:personnel\_2\_gender\_49]

RACE:

BADGE NUMBER:

ID NUMBER:

\* PERSONNEL #3 \*

NAME:

GENDER:

[webform\_submission:values:personnel\_3\_gender\_55]

RACE:

BADGE NUMBER:

ID NUMBER:

\* PERSONNEL #4 \*

NAME:

GENDER:

[webform\_submission:values:personnel\_4\_gender\_61]

RACE:

BADGE NUMBER:

ID NUMBER:

== WITNESS(ES) ==

\* WITNESS #1 \*

NAME:

ADDRESS:

HOME PHONE:

BUSINESS PHONE:

DATE OF BIRTH:

\* WITNESS #2 \*

NAME:

ADDRESS:

HOME PHONE:

BUSINESS PHONE:

DATE OF BIRTH:

\* WITNESS #3 \*

NAME:

ADDRESS:

HOME PHONE:

BUSINESS PHONE:

DATE OF BIRTH:

== PHOTO/VIDEO ==

UPLOAD PHOTO:

[webform\_submission:values:photo\_71]

DO YOU HAVE MORE PHOTOS OR A VIDEO OF THE INCIDENT?

No

== AGREEMENT ==

AGREE TO STATEMENT:

Yes

# Call For Service

Event ID: **E24010001098**

Event Created: **1/1/2024 6:40:10 PM**

## Call For Service

---

Event ID **E24010001098**  
Event Created **1/1/2024 6:40:10 PM**  
Dispatcher [REDACTED]  
Call Source **OFFICER**  
Received **1/1/2024 6:40:10 PM**  
Dispatched **1/1/2024 6:40:11 PM**  
Arrived **1/1/2024 6:40:12 PM**  
Cleared **1/1/2024 9:23:58 PM**  
Location **3300 Imperial Ave**  
City, State, Zip **SAN DIEGO, CA 92102**  
Beat **1512**  
Grid  
Jurisdiction **Logan Heights - San Diego**  
Map  
X Coordinate  
Y Coordinate  
Longitude **-117.122553**  
Latitude **32.706723**

Reporting Party  
Address **3300 Imperial Ave**  
City, State, Zip **SAN DIEGO, CA 92102**  
Phone  
Call type **TRAFFIC STOP WITH PLATE**  
Event Type **TRAFFIC STOP WITH PLATE**  
Reported Offense  
Verified Offense  
Tow Company  
Vehicle  
Vehicle License  
Disposition **O**  
Priority  
Classification  
Agency **SDPD - San Diego Police Dept**  
Cases

### Officers

SD1148 - HAGEN, MICHAEL  
[REDACTED]  
[REDACTED]

Notes 1/1/2024 18:40:11 \*\* VEH search completed at 01/01/24 18:40:11  
1/1/2024 18:40:11 Field Event  
1/1/2024 18:42:53 514V2 -- UT NONU  
1/1/2024 18:43:01 [REDACTED] -- FROM 1300 MAIN  
1/1/2024 18:46:25 \*\* Event Location changed from "3200 IMPERIAL AVE SD" to "3300 IMPERIAL AVE SD" at:  
01/01/24 18:46:25  
1/1/2024 18:46:26 \*\* LOI search completed at 01/01/24 18:46:26  
1/1/2024 21:23:58 \*\* Event E24010001098 closed.

**[REDACTED] - 417 - THREATENING W/WEAPON  
10TH AVE/MARKET ST SD**

**EVENT INFORMATION - [REDACTED]**

01/01/24

Event Type	Event ID	Priority	Status	Source	DGroup	Case Numbers	Disposition Code	Terminal	Dup No.	Calltaker ID
417	[REDACTED]	1	A	ANI/ALI	P5		K	tct10		[REDACTED]

**AGENCY INFORMATION**

Agency	Priority	DGroup	ESZ	Area	Added	Dispatched	Arrived	Closed	Close ID	Close Terminal	Event ID	Primary Unit	Situation	Comments
SDPD	1	P5	521	521	01/01/24 18:35:46	01/01/24 18:36:11	01/01/24 18:39:27	01/01/24 18:47:26	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		

**REMARKS**

Common  Agency Specific


**LOCATION INFORMATION**

[REDACTED] /10TH AVE/MARKET ST SD/[REDACTED] JWP2 -117.155778 32.7115988  
[REDACTED] /10TH AVE/MARKET ST SD/[REDACTED] NOW // RP IS PREGNANT // TRANSIENT WITH  
STICK THREATENING RP // M  
FYI SENT TO LD01  
TRANSIENT IS WMA, 60S, 6'2, MED, WRG: GRY HOODIE, CAMO SWEATPANTS // STICK // POSS 647F/11550  
[REDACTED] T4  
RP SAYS SHES BLEEDING BECAUSE SHE HIT HER FOOT WHILE TRYING TO GET AWAY // PMS REF // SAYS  
SHES LEAVING THE AREA // RP DISC  
RP BECAME UNCOOP AND REF TO ANSWER FURTHER QUESTIONS // RP THEN ACCUSED DISP OF BEING A  
MACHINE  
ON CB, NR, LBM  
LVM  
ABLE3 -- CHECKED A BLOCK IN ALL DIRECTIONS NOTHING SEEN  
c4

10TH AVE/MARKET ST SD

X-STREET 1: 10TH AVE  
X-STREET 2: MARKET ST

[Location Choices](#)



**CALLER INFORMATION**

**Name:** [REDACTED]  
**Phone:** [REDACTED]  
**Address:** 10TH AVE/MARKET ST SD

**SUPPLEMENTAL INFORMATION**

Person 0
Vehicle 0
Property 0
Contact Name 0
Incident Times 0



Report generated by:

User Liufau, aida (7089)  
Username [REDACTED]  
Department San Diego Police Dept. - CA  
Local Timezone America/Los\_Angeles  
Generated on May 14, 2024 5:40 AM

Evidence ID	ID	Title	Evidence Group	Owner Email	Owner	Uploaded by	Uploaded on	Recorded on	Duration	Category	Status	File Type	Source	Shared To	Shared From	Device Home
222264d6a bf04729bb 14f56e889 df6ee	240100010 98	complaint	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	01 Jan 2024 21:22:14	01 Jan 2024 18:54:26	22m 35s	Citation - Infraction or Vehicle Impound	Active	video	axonbody3	-	-	
bf8efcc53d 20466fa47 ac273fd10 e4b7	E2401000 1098	Axon Body 3 Video 20 24-01-01 1852 X603 1451D	[REDACTED]	[REDACTED]	Hagen, Michael (1148)	Hagen, Michael (1148)	01 Jan 2024 21:36:10	01 Jan 2024 18:52:51	24m 18s	Citation - Infraction or Vehicle Impound	Active	video	axonbody3	-	-	
377634060 12a425282 75ffd43ec7 4f42	240100010 98	3300 Imperial Ave.SD	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	04 Jan 2024 01:09:20	01 Jan 2024 18:50:10	26m 51s	Contact - No Further Action	Active	video	axonbody3	-	-	
807fad5ab a874e8c9c cfe5d8dab 6867a	E2401000 1098	3300 Imperial traffic cover for [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	01 Jan 2024 21:59:18	01 Jan 2024 18:45:56	31m 8s	Citation - Infraction or Vehicle Impound	Active	video	axonbody3	-	-	
57c5fc781 4184adbb9 2318cb259 80ace	E2401000 1098	Axon Body 3 Video 20 24-01-01 1839 X603 1451D	[REDACTED]	[REDACTED]	Hagen, Michael (1148)	Hagen, Michael (1148)	01 Jan 2024 21:29:20	01 Jan 2024 18:39:57	12m 1s	Citation - Infraction or Vehicle Impound	Active	video	axonbody3	-	-	