

Did deputy chief's son get favorable treatment?

No report filed in incident involving rookie police officer

Jaxon Van Derbeken, Chronicle Staff Writer
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police are investigating a 911 domestic abuse call alleging threatening conduct by the rookie officer son of a deputy police chief - an incident that was not documented with a police report, The Chronicle has learned.

The call Saturday morning drew several officers to an apartment, where they found off-duty patrol officer James Tacchini, the son of patrol Deputy Chief Stephen Tacchini, in a dispute with his girlfriend.

Although a police report on the incident was not filed, an internal memo detailing the events was forwarded to Police Chief Heather Fong on Monday, and she ordered a criminal probe of the incident. In addition, Fong ordered an internal investigation into the way the department dealt with the matter.

Meanwhile, the 23-year-old officer has been placed on administrative duty.

The case echoes the 2002 scandal involving the rookie officer son of then-Assistant Chief Alex Fagan Sr. - a street brawl followed by accusations of favoritism and cover-up.

According to reports of those present and a computer log of the call obtained by The Chronicle, officers from the police station serving the South of Market area were summoned to a residence at 2:26 a.m.

The report came from a friend of a woman who recounted that she had been threatened by an off-duty officer whom she had been dating. The caller said the woman had locked herself in a bedroom and the officer was in the bathroom.

Police then spent more than an hour at the apartment in the 300 block of King Street, but left without having written any official report of the incident after the woman insisted she was not threatened or abused in any way.

That decision came after an acting night commander consulted with Deputy Chief Tacchini about what to do about his rookie son, according to department sources who spoke on condition they not be named because of

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the sensitivity of the case.

Deputy Chief Tacchini did not return a call seeking comment Tuesday.

"This matter is being investigated," Chief Fong said Tuesday, stressing that Deputy Chief Tacchini will be excluded from any active role in the probe. "He has no role in this investigation - we will investigate it regardless of who is involved."

Fong added: "Everything that is documented is being evaluated and assessed, so we can find the facts to determine what occurred and why certain decisions were made."

Mayor Gavin Newsom learned of the matter on Tuesday, according to his spokesman Nathan Ballard. "The mayor backs the police chief's decisions," Ballard said.

The case has some similarities to the scandal that grew out of a November 2002 street incident in which two men claimed they were attacked over a bag of steak fajitas by a group of off-duty officers that included the son of then-Assistant Chief Fagan. The officers were never arrested despite being spotted leaving the scene.

That incident prompted allegations that Fagan's rookie son, Alex Fagan Jr., and the other officers enjoyed favorable treatment, eventually leading to an ill-fated grand jury indictment of Fagan Sr. and several other command staff members on charges of conspiring to cover up the incident. The indictments were later either dismissed by prosecutors or tossed out by a judge as unsubstantiated.

According to other documents and accounts obtained by The Chronicle in the Tacchini case, the incident began when a male friend of a woman called 911 at 2:26 a.m. to relay the account she gave him of having been threatened by her new boyfriend.

The caller added that the man involved was a San Francisco police officer and both had been drinking, according to a summary of the incident on the department's computer-assisted dispatch log.

Two police officers and a station sergeant from SFPD's Southern Station initially arrived at the scene on King Street. A police computer dispatch log records them at the scene by 3:16 a.m., 50 minutes after the 911 call.

Once at the scene, according to an account provided to The Chronicle, Sgt. John Braganolo met the younger Tacchini, 23 - who was nearly finished with his field training at Southern Station and whose father is the newly promoted head of the SFPD's patrol bureau.

When the sergeant arrived, Tacchini was in the process of leaving, according to the account.

Tacchini was immediately instructed to give up his weapon - which, under department policy, he is not supposed to carry when he has been drinking. He told the sergeant that "he was having problems with his girlfriend" - problems that he said began at a nightclub earlier in the evening.

Tacchini recounted how he believed she was flirting with another woman at the club, but she insisted that the two were just talking.

Once back at his girlfriend's apartment, Tacchini said, he locked himself in the bathroom and called to get a ride home from someone else. The woman, he said, repeatedly asked him to come out and talk to her. He responded by telling her to go to sleep and that he was leaving. Tacchini denied any physical contact with the woman.

The woman told the police that nothing happened, relating that she and Tacchini were out at a club and decided to return to her apartment because she noticed Tacchini was not having a good time.

She later said that Tacchini was a "great guy and she did not know what happened to cause all this."

More than an hour after police reportedly arrived, at 4:22 a.m., the case was closed without a police report being completed. Tacchini was not tested for alcohol consumption.

The decision came after the acting night supervisor, Lt. Larry Minasian, responded to the scene and was briefed about what had occurred, according to the account.

Minasian, after purportedly speaking to Deputy Chief Tacchini, explained to the woman that, based on her account, no criminal activity occurred and that the matter was being handled administratively by the department. Minasian did not return a call for comment.

The woman repeatedly and adamantly emphasized there was no criminal activity, according to the account. She wrote her own account of what occurred for police at the scene, noting that Tacchini "got upset" and locked himself in the bathroom.

"James was very upset and told me to stay in my bedroom ... and the police came," she wrote.

The woman's male friend made the 911 call and later arrived at the apartment. He wrote in his own account to police that she called him at home at 2 a.m., was hysterical and told him she felt threatened and wanted his help. "She told me James had pushed her at one point in the evening, that is why she felt threatened, I told her to stay in her apartment," the woman's friend wrote.

He then wrote that he called police over her objections because he "had to" after she, at one point, seemed to have run down the hall of her apartment and the phone line went dead.

He said he then went to the woman's apartment to check on her.

Authorities within the department, speaking on condition of anonymity, said the matter was mishandled and created an appearance of cover-up.

"I think that there is an incident report that should have been made," said one of the authorities said. "This

thing was bungled."

The department has a strong policy about reporting and documenting any allegations of domestic abuse or violence, yet no report was generated.

"Members shall investigate and write an incident report for any crime that involves domestic violence," the department general order states. "This includes threats ..."

In this case, the woman's friend had written a statement to police that indicated that she had told him that she had been pushed by Tacchini earlier that night, something she later denied in her own statement.

Fong said Tuesday she had reviewed an account from someone at the scene that prompted questions in her mind.

"It wouldn't be appropriate for me," she said, to reveal what may have been of concern. "It would not be appropriate to start critiquing" what happened. "I want a complete investigation regarding what happened and the statements of all the parties involved."

E-mail Jaxon Van Derbeken at jvanderbeken@sfchronicle.com.

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2008/01/23/MN2EUJ21F.DTL>

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