

January 23, 2011

Captain Anne Mannix  
SFPD -Northern Station  
1125 Fillmore Street  
San Francisco, CA 94115

Re: Officer Kevin Byrne  
Badge No. 4218

Dear Captain Mannix:

This office represents Mr. Virgilio Candari, owner of the Luz Hotel, 725 Geary Street, San Francisco.

On Saturday afternoon, January 22, 2011, Officer Kevin Byrne, Badge No. 4218, of your Station, came to the Luz Hotel. The desk clerk summoned Mr. Candari to speak with Officer Byrne.

Officer Byrne inquired about the occupants of Room 15 and asked to see copies of the ID's of that room's occupants. When Mr. Candari approached the bulletin board which contained the ID's of registered guests, Officer Byrne pushed him away in a violent gesture. Mr. Candari is a slender man, not in good health. He was intimidated and frightened by this physical pushing. Officer Byrne then demanded the key to Room 15, and intimidated Mr. Candari into giving him the master key to all rooms. Officer Byrne then went to Room 15, where he used the master key to open the door. Mr. Candari then asked for and received the return of the master key. Officer Byrne entered the room by himself, and after a while inside the room, emerged with that room's occupant—one "D-Boy"—under arrest.

Back in the office, Officer Byrne asked Mr. Candari about Room 12, and bullied Mr. Candari into giving him the master key again. Officer Byrne went to Room 12, knocked, and receiving no answer, returned to the office. He did not use the master key to enter Room 12. He returned the master key to Mr. Candari, and left the Hotel with his arrestee, "D-Boy."

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Mr. Candari has taken great pains to cooperate with the SFPD in all matters, and has instructed all staff members to give the police full cooperation. The Hotel has a good relationship with the Police Department. Normally, when it has been necessary for the police to come to the Hotel, it is officers from Central Station who come. Those officers have always been courteous, and the Hotel staff have been pleased to cooperate with them fully. Central Station has a good relationship with the Hotel.

This is not the first time that Officer Byrne has come to the Hotel and behaved inappropriately. About 2 or 3 months ago, he came to the Hotel at the changing of the desk clerk shift, and demanded ID's from both desk clerks. When one of them produced his ID, Officer Byrne informed him—erroneously--that he was on probation and subject to search. He did not, however, actually search the man. When the second clerk asked to go to his room to get his ID, Officer Byrne told him that it would not be necessary. Hotel management still does not understand the reason for that visit.

Mr. Candari was upset for several hours after Officer Byrne's visit of January 22. His blood pressure was highly elevated and he suffered hyperventilation. Mr. Candari does not plan any legal action or formal complaints about this matter—other than this letter to you. On his behalf, I respectfully ask you to talk with Officer Byrne and do what you can to correct his manners. I do not want to see Mr. Candari this upset again. Also, if you would be so kind, I believe that a letter from you to Mr. Candari, apologizing for Saturday's incident, would go a long way towards healing this situation.

Mr. Candari wants the same good relationship with your Station as he has with Central Station. If the Hotel can be of service to you in any way, please call Mr. Candari at the Hotel (415-928-1917) or call me (cell phone:                      ). If you have any questions, please call me. Thank you.

Very truly yours,

Michael McCloskey