

Report Type: Initial

San Francisco Police Department
SFPD INCIDENT REPORT

110855975

I N C I D E N T	Incident Number 110-855-975	Occurrence from Date/Time 10/23/11 12:16	Occurrence to Date/Time 10/23/11 13:30	Reported Date/Time 10/23/11 14:22	CAD Number 112961937	
	Type of Incident Theft, Shoplifting, >\$400 -06364					
	Location of Occurrence 150 Stockton St At Intersection with/Premise Type Department Store District TEND					
	Confidential Report? <input type="checkbox"/>	Arrest Made? <input checked="" type="checkbox"/>	Suspect Known? <input type="checkbox"/>	Suspect Unknown? <input type="checkbox"/>	Non-Suspect Incident? <input type="checkbox"/>	Domestic Violence? <input type="checkbox"/> (Type of Weapon Used)
	Reporting Unit 3J11A					
	Location Sent 150 Stockton St District TEND					
How Cleared? 6	Reported to Bureau Tenderloin Station	Name Sgt Koniaris	Star 1919	Date/ 10/23/11	Time 15:30	
Elder Victim <input type="checkbox"/>	Gang Related? <input type="checkbox"/>	Juvenile Subject? <input type="checkbox"/>	Prejudice Based? <input type="checkbox"/>			

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O F F I C I A R I O N	I declare under penalty of perjury, this report of <u>6</u> pages is true and correct, based on my personal knowledge, or is based on information and belief following an investigation of the events and parties involved.				
	PROP 115 CERTIFIED 5 YEAR/POST		Signature: <i>Joe Toomey 786</i>		
	Reporting Officer Toomey, Joseph J	Star 786	Station Tenderloin Station	Watch 0600-1600	Date 10/23/11 17:26:28
	Reviewing Officer SGT. KEMPINSKI #1960	STAR	Station Tenderloin Station	Watch 1500-0100	Date 10/23/11
	OIC. E.J. COTA LEUTENANT 357	STAR	Station Tenderloin Station	Watch 15/01	Date 10/23/11
	Related Case	Related Case	Re-Assigned to	Assigned to 5D200	Assigned by JT 786
Copies to 5D200		Add'l Copies OR/1 2/12			

R / W I T N E S S	Code R/W 1	Name (Last, First Middle) Swain, Shanita	Alias										
	Day Phone (415) 362-3900	Type Work	Home Address Refused	City	State Zip Code								
	Night Phone	Type	Work Address 150 Stockton St	City San Francisco	State CA Zip Code 94108-								
	DOB / 6/7/79	Age 32	DOB Unk. <input type="checkbox"/>	or age between: and	Race B	Sex F	Height	Weight	Hair Color	Eye Color	ID Type DL	Jurisd. CA	ID No. B5927917
	Confidential Person <input type="checkbox"/>	Violent Crime Notification <input type="checkbox"/>	293 PC Notification <input type="checkbox"/>	Star	Follow-up Form YES <input checked="" type="checkbox"/>	Statement YES <input checked="" type="checkbox"/>	Relationship to Subject Stranger/None						
	School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language Loss Prevention Agent for Neiman Marcus										

B O O K E D	Code B 1	Name (Last, First Middle) Hayashi, Mary Chung	Alias Mary Kyung Chung									
	Day Phone [REDACTED]	Type	Home Address 336 Drummond Dr	City Hayward	State CA	Zip Code 94542-						
	Night Phone	Type	Work Address 22320 Foothill Blvd Suite 540	City Hayward	State CA	Zip Code 94541-						
	DOB Unknown <input type="checkbox"/>	Date of Birth 8/13/66	Age 45	or age between and	Race A	Sex F	Height 5'03	Weight 120	Hair Color BRO	Eye Color BRO		
	SFNO	J/D# (if Juvi.)	ID Type/Jurisdiction/Number DL CA C5679525	ID Type/Jurisdiction/Number	ID Type/Jurisdiction/Number							
	Book Section #1 NW 487(a) PC	Book Section #2	Book Section #3	Book Section #4	Book Section #5	Booking Location SFSO County Jail #1						
	Warrant #	Court #	Action #	Dept	Enroute to	CWB Check Gabriel	Star 067					
	Warrant Violation(s)	Bail	Mirandized <input type="checkbox"/>	Star	Date	Time	Statement <input type="checkbox"/>					
	Citation #	Violation(s)	Appear Date/Time	Location of Appearance								
	Book/Cite Approval Sgt Darcy	Star 185	Mass Arrest Code	M X-Rays <input type="checkbox"/>	School (if Juvenile)	<input checked="" type="checkbox"/> CA Form Booked Copy Attached						
	Other Information: Citation/Warrant/Booking Charge(s)/Missing Person-Subject Description; Scars, Marks, Tatoos email: assemblymember.hayashi@assembly.ca.gov											

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SFPD Records (415) 553-1286
ADDITIONAL REPORTEE

RP CODES: F -FOUND; N -NOTIFY; P -PARENT; R -REPORTEE; V -VICTIM; W -WITNESS

V I C T I M	Code V 1	Name (Last, First Middle) Neiman Marcus, .					Alias				
	Day Phone (415) 362-3900		Type Work	Home Address			City		State	Zip Code	
	Night Phone		Type	Work Address 150 Stockton St			City San Francisco		State CA	Zip Code 94108-	
	DOB/	Age	DOB Unk <input type="checkbox"/>	or age between AND	Race	Sex	Height	Weight	Hair Color	Eye Color	ID No.
	Confidential Person <input type="checkbox"/>	Violent Crime Notification <input type="checkbox"/>		293 PC Notification <input type="checkbox"/>		Star	F/U Form YES <input type="checkbox"/>		Statement YES <input type="checkbox"/>		Relationship to Subject
	School (if Juvenile)		Injury/Treatment				Other Information/If Interpreter Needed Specify Language				

Code	Name (Last, First Middle)					ALIAS				
Day Phone		Type	Home Address			City		State	Zip Code	
Night Phone		Type	Work Address			City		State	Zip Code	
DOB/	Age	DOB Unk <input type="checkbox"/>	or age between AND	Race	Sex	Height	Weight	Hair Color	Eye Color	ID No.
Confidential Person <input type="checkbox"/>	Violent Crime Notification <input type="checkbox"/>		293 PC Notification <input type="checkbox"/>		Star	F/U Form YES <input type="checkbox"/>		Statement YES <input type="checkbox"/>		Relationship to Subject
School (if Juvenile)		Injury/Treatment				Other Information/If Interpreter Needed Specify Language				

Code	Name (Last, First Middle)					ALIAS				
Day Phone		Type	Home Address			City		State	Zip Code	
Night Phone		Type	Work Address			City		State	Zip Code	
DOB/	Age	DOB Unk <input type="checkbox"/>	or age between AND	Race	Sex	Height	Weight	Hair Color	Eye Color	ID No.
Confidential Person <input type="checkbox"/>	Violent Crime Notification <input type="checkbox"/>		293 PC Notification <input type="checkbox"/>		Star	F/U Form YES <input type="checkbox"/>		Statement YES <input type="checkbox"/>		Relationship to Subject
School (if Juvenile)		Injury/Treatment				Other Information/If Interpreter Needed Specify Language				

Code	Name (Last, First Middle)					Alias				
Day Phone		Type	Work Address			City		State	Zip Code	
Night Phone		Type	WORK ADDRESS			City		State	Zip Code	
DOB/	Age	DOB Unk <input type="checkbox"/>	or age between AND	Race	Sex	Height	Weight	Hair Color	Eye Color	ID No.
Confidential Person <input type="checkbox"/>	Violent Crime Notification <input type="checkbox"/>		293 PC Notification <input type="checkbox"/>		Star	F/U Form YES <input type="checkbox"/>		Statement YES <input type="checkbox"/>		Relationship to Subject
School (if Juvenile)		Injury/Treatment				Other Information/If Interpreter Needed Specify Language				

SFPD377 B (03/03)

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San Francisco Police Department
SFPD PROPERTY LISTINGS

S / R 1	Code/No SAR 1	Item Description Skirt				Brand Vince	Model	
	Serial No. 822508904648	Gun Make	Caliber	Color BLK	Narcotics Lab No.	Quantity 1	Value \$1050.00	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers Booked at Tenderloin Station							
S / R 2	Code/No SAR 2	Item Description Pants				Brand Vince	Model	
	Serial No. 822508921591	Gun Make	Caliber	Color BLK	Narcotics Lab No.	Quantity 1	Value \$1150.00	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers Booked at Tenderloin Station							
S / R 3	Code/No SAR 3	Item Description Blouse				Brand Theory	Model	
	Serial No. 883591444336	Gun Make	Caliber	Color WHI	Narcotics Lab No.	Quantity 1	Value \$245.00	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers Booked at Tenderloin Station							
E / R 4	Code/No EVD 4	Item Description Written statement				Brand Neiman Marcus	Model	
	Serial No.	Gun Make	Caliber	Color WHI	Narcotics Lab No.	Quantity 1	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers Written by (R/W1) Swain. Retain by Sgt Koniaris.							
E / R 5	Code/No EVD 5	Item Description Citizen's Arrest form				Brand SFPD	Model	
	Serial No.	Gun Make	Caliber	Color WHI	Narcotics Lab No.	Quantity 1	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers Signed by (R/W1) Swain on (B1) Hayashi							
E / R 6	Code/No EVD 6	Item Description Surveillance Video				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity 1	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers Store video of the incident. Retained by Sgt Koniaris							
E / R 7	Code/No EVD 7	Item Description Property Receipt				Brand SFPD	Model	
	Serial No.	Gun Make	Caliber	Color WHI	Narcotics Lab No.	Quantity 1	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers Given to (R/W1) Swain for (S/R1-3) items							

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San Francisco Police Department
SFPD PROPERTY LISTINGS 6

E 8	Code/No EVD 8	Item Description Receipt				Brand Neiman Marc	Model	
	Serial No.	Gun Make	Caliber	Color WHI	Narcotics Lab No.	Quantity 1	Value	
	Seized by (Star) 1764	From Where						
	Additional Description/Identifying Numbers Printed by (R/W1) Swain on the items bought by Hayashi. Retained by Sgt Koniaris.							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							
	Code/No	Item Description				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star)	From Where						
	Additional Description/Identifying Numbers							

On 10/23/11, Ofc Sy #1764 and I responded to 150 Stockton St, (V1) Neiman Marcus, regarding a theft.

Upon our arrival, we met with (R/W1) Swain, Loss Prevention Agent for Neiman Marcus, who stated the following to us: At 1216 hrs., Swain received a telephone call from Sales Associate Sophorn regarding a suspicious person, (B1) Hayashi.

Swain began following and observing Hayashi. Hayashi selected a white blouse, two pairs of black pants, a leather dress, two pairs of red pants, one blue shirt, two pairs of jeans, a red dress and several other items.

Swain continued to observe Hayashi in the fitting room through the reverse louver on the fitting room door. After trying on and folding a pair of black pant on an ottoman, Hayashi exited the fitting room with a pair of red pants, two blue jeans, two pairs of leather pants and her purse. Hayashi left two shopping bags in the fitting room. Hayashi also left a white blouse, black leather shirt, and a black leather pants on the ottoman in the fitting room.

Hayashi made several more selection of items and returned to the fitting room. In the fitting room, Hayashi tried on a red shirt. After trying on the shirt, Hayashi placed the shirt on the hanger. Hayashi dropped the hanger and at the same time concealed the items that were on the ottoman into a Neiman Marcus shopping bag that she had in her possession.

Hayashi then exited the fitting room and purchased the red pants, gold blouse, and black top. Hayashi made no attempt to pay for the items concealed in her shopping bag. Hayashi walked to and boarded the down escalator to the first floor. Hayashi walked through the cosmetics department, then the handbag department and then to the Geary Street customer exit. Hayashi passed several operated and manned registers as she walked towards the exit, making no attempts to pay for the items in her possession that she did not purchase.

Hayashi was stopped by Swain and Loss Prevention Agent Wilski 10 feet outside of the store. After verbally identifying themselves, Hayashi was escorted to the Loss Prevention office without further incident.

Inside of the Loss Prevention office, Swain recovered the following items from Hayashi's shopping bag: (S/R1-3) black skirt, leather pants, and white blouse. The total amount of the recovered items was \$2445.00. SFPD was then contacted.

Swain arrested Hayashi for theft and then signed a (E5) Citizen's Arrest form on Hayashi. I accepted custody of Hayashi. Swain wrote out a (E4) statement regarding the incident. I gave Swain a case number and follow-up form.

Ofc Sy seized the (S/R1-3) black skirt, leather pants and white blouse as evidence. Ofc Sy gave (R/W1) Swain a (E7) Property Receipt for the stolen/recovered items. Ofc Sy also recovered a store copy of the (E8) receipt for the items Hayashi did purchase. Swain gave Ofc Sy a (E6) video of the incident.

Hayashi was transported to Tenderloin Station for further investigation. While being transported to Tenderloin Station, Hayashi asked to speak to a lawyer.

At Tenderloin Station I advised Sgt Darcy #185 and Sgt Koniaris #1919 of the incident. I advised Sgt

Koniaris that Hayashi wanted to speak to a lawyer. Sgt Koniaris did not interview Hayashi.

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A computer check on Hayashi showed that she had no previous arrest. A CWB check, Gabriel #067, showed no wants or warrants for Hayashi.

With the approval of Sgt Darcy, Hayashi was booked for grand theft (487(a) PC) at County Jail #1.

Ofc Sy booked the (E5) citizen's arrest form, (E7) property receipt and (S/R1-3) skirt, pants, and blouse. Sgt Koniaris took the following items for the case file: (E4) Swain's statement, (E6) video of the incident, and (E8) receipt of the items Hayashi purchased.

At the time of the incident, Hayashi had US currency and 2 Visa credit cards in her purse.