

## Agenda: Item 8

Taxi Commission v. Ikarouien, Permit # Re-Hear Case for Violations of Rules 6.A.1, 6.D.1, 6.D.2, 6.D.3, MPC § 1141, California Penal Code §§ 211, 243(d), and 591.5 and Uphold Summary Suspension Pending Re-Hearing [ACTON]

CITY AND COUNTY OF  
SAN FRANCISCO



TAXI COMMISSION  
MAYOR GAVIN C. NEWSOM

COMMISSIONERS TELEPHONE (415) 554-7737

PAUL GILLESPIE, PRESIDENT, ext. 3  
PATRICIA BRESLIN, VICE PRESIDENT  
RICHARD BENJAMIN, COMMISSIONER, ext. 1  
TOM ONETO, COMMISSIONER, ext. 6  
MIN PAEK, COMMISSIONER, ext. 7  
SUSAN SUVAL, COMMISSIONER, ext. 5  
ARTHUR TOM, COMMISSIONER, ext. 4

JORDANNA THIGPEN, EXECUTIVE DIRECTOR

**TAXI COMMISSION**  
CITY AND COUNTY OF SAN FRANCISCO

**ORDER TO APPEAR**  
**NOTICE OF ADMINISTRATIVE**  
**ACTION ON PERMIT**

TO Hakim Ikarioven

BUSINESS Yellow Cab Coop

LOCATION 1200 Mississippi Street San Francisco, CA 94107

You are hereby notified that the annexed complaint has been filed with the taxi commission of the City and County Of San Francisco, and you are hereby cited to appear in person before the Hearing Officer of the Taxi Commission on

Tuesday January 13, 2009 AT 6:30 p.m.

in room 400, City Hall, #1 Dr. Carlton B. Goodlett Place, San Francisco, CA to show cause why your permits:

Driver Public Passenger Vehicle For Hire#088608

heretofore granted to you, should not be subjected to the administrative action and for the reasons set forth in said complaint.

**BY ORDER OF THE TAXI COMMISSION,**

SAN FRANCISCO, CA December 5, 2008  
Date

  
Executive Director

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5 SAN FRANCISCO TAXI COMMISSION  
6 CITY AND COUNTY OF SAN FRANCISCO

7  
8 COMPLAINT

9 1. Complaint is hereby made against Hakim Ikariouen, P-44 Permit # 86602, that said permit  
10 holder has conducted himself in a disorderly manner and violated provisions of the Municipal  
11 Police Code and Taxicab/Ramped Taxi Rules and Regulations as described below.

12  
13 2. On January 19, 2008, at 1:20 AM, Mr. Ikariouen was operating Yellow Taxicab # 1186 in  
14 the City and County of San Francisco, California. He was waiting at the Nikko Hotel. Ms. Janice  
15 [REDACTED] came out of the hotel to the taxi line and into Mr. Ikariouen's taxicab vehicle. She  
16 wanted to be driven to her home at [REDACTED], San Francisco, California. Mr. Ikariouen took  
17 the route of Market, to Upper Market, to Taraval and made a right turn on 19<sup>th</sup> Avenue.

18 3. Mr. Ikariouen drove past [REDACTED] Avenue without stopping and Ms. [REDACTED] became  
19 alarmed. She told him he was going the wrong way, and they began to argue about the fare. She told  
20 him she wasn't going to pay him. Mr. Ikariouen stopped the taxicab at 19<sup>th</sup> Avenue and Kirkham  
21 and ordered her out of the cab. Ms. [REDACTED] told Mr. Ikariouen she was going to call the police.  
22 She exited the taxicab vehicle and dialed 911. Mr. Ikariouen exited the vehicle and tried to grab the  
23 cell phone out of her hands. They struggled for the cell phone and then Mr. Ikariouen put both  
24 hands around Ms. [REDACTED]'s neck and strangled her. He pushed her to the ground and she  
25 dropped the cell phone. He picked it up and stated "I'm going to take your phone as payment." He  
26 then walked off with the phone and entered the vehicle again. Ms. [REDACTED] got off the ground,  
27 entered the vehicle, and tried to grab the phone away from him. (See Exhibit A: Declaration of  
28 Janice [REDACTED]; Exhibit B: SFPD Incident Report # 080065557.)

1 4. During part of these incidents, Ms. [REDACTED] cellular phone was on and recorded a  
2 portion of the incidents. Police came to the area in response to Ms. [REDACTED]'s cellular phone call,  
3 and a cellular phone call from an individual who was passing by the area and heard Ms. [REDACTED]  
4 screaming.

5  
6 5. Mr. Ikariouen was summarily suspended by the Taxi Detail on April 30, 2008. (Exhibit C:  
7 Summary Suspension and Complaint.)

8 6. Ms. [REDACTED] suffered physical and psychological injury from the trauma that was inflicted  
9 upon her by Mr. Ikariouen. She filed for a restraining order in San Francisco County Superior  
10 Court, and the Order was granted on August 20, 2008. (Exhibit D: Restraining Order After  
11 Hearing.)

12  
13 7. Municipal Police Code § 1141 provides that "in any case of disagreement between the driver  
14 and passenger of a motor vehicle for hire relative to the legal fare to be paid, the driver shall convey  
15 the passenger to the nearest police station, where the officer in charge shall immediately decide the  
16 case, and if the decisions in favor of the passenger, the driver shall convey the passenger from the  
17 police station to his original destination without additional charge; if the passenger is about to leave  
18 the City by railroad, steamboat or otherwise, the police officer on duty at the depot or wharf shall  
19 decide the case."

20 8. California Penal Code § 243(d) states "battery is any willful and unlawful use of force or  
21 violence upon the person or another... (d) when a battery is committed against any person and  
22 serious bodily injury is inflicted on the person, the battery is punishable by imprisonment in the  
23 county jail not exceeding one year or imprisonment in the state prison for two, three, or four years."

24  
25 9. California Penal Code § 591.5 states "a person who, unlawfully and maliciously removes,  
26 injuries, destroys, or damages any wireless communication device with the intent to prevent the use  
27 of the device to summon assistance or notify law enforcement or any public safety agency of a  
28 crime is guilty of a misdemeanor."

1 10. California Penal Code § 211 states "robbery is the felonious taking of personal property in  
2  
3 the possession of another, from his person or immediate presence, and against his will,  
4 accomplished by means of force or fear."

5  
6 11. Rule 6.D.1 provides that "no taxicab driver shall speak in an obscene, boisterous, loud,  
7 threatening, or abusive manner while in the course of their employment as a taxicab driver."

8 12. Rule 6.D.2 provides that "no taxicab driver shall threaten, harass, or abuse any other person  
9 while in the course of their employment as a taxicab driver."

10  
11 13. Rule 6.D.3 provides that "no taxicab driver shall attempt to use any physical force against  
12 any person except in self-defense or in defense of another."

13 14. Section 6 of the Taxicab/Ramped Taxi Rules and Regulations of the Taxi Commission is  
14 devoted to Drivers. Rule 6.A.1 provides that drivers shall "comply with the provisions of the  
15 Charter, Police Code, Planning Code, and Traffic Code of the City and County of San Francisco,  
16 the California Vehicle Code, California's Worker's Compensation Laws and these Taxicab  
17 Regulations." Mr. Ikariouen violated several rules and several provisions of the Municipal Police  
18 Code and the Penal Code, including MPC § 1141, CPC §§ 211, 243(d), and 591.5, and Rules 6.D.1,  
19 6.D.2, 6.D.3. Additionally, San Francisco County Superior Court issued a restraining order against  
20 him. Mr. Ikarouien's P-44 permit should be REVOKED and he should be prohibited from driving a  
21 taxicab vehicle in San Francisco for a minimum of ten years, if not longer.

22  
23 15. A hearing will be scheduled for 11:30 AM on October 3, 2008 in Room 408 of City  
24 Hall, 1 Dr. Carlton B. Goodlett, San Francisco, CA, 94102. The Commission will present Sgt. Ron  
25 Reynolds and Janice [REDACTED] as witnesses.

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# EXHIBIT A

DECLARATION OF JANICE [REDACTED]

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1. I am over the age of 18 and I am a citizen of the United States.
2. My name is Janice [REDACTED], and I decline to state my address, but I am a resident of California.
3. On or about January 19, 2008, I decided to meet a friend who was staying at a hotel downtown. After meeting with my friend at the hotel, I left the hotel around 1:00 AM by myself and I took a Yellow Cab # 1186 that was waiting in front of the hotel. Before I got into the taxicab, I asked if the driver would take me to [REDACTED] and he confirmed that he would. I got into the cab and he proceeded to go to my former home address of [REDACTED] [REDACTED] San Francisco, CA. It was late and I was tired so I leaned my head up against the right rear passenger side of the car. The driver, a Middle Eastern male who was under 6', with dark hair, and who spoke with an accent, took a route towards the Twin Peaks /St. Francis Woods area to take me home.
4. As we approached my neighborhood, I realized my surroundings were different and stated, in essence, "excuse me sir, you just passed my apartment, I live back there", but the driver kept going and told me, in essence, "NO! YOU LIVE THIS WAY!!" in a very stern voice as he went in the same direction heading northbound on 19th Avenue. I stated again, in essence, "I don't live this way, I live back at [REDACTED] and he exclaimed, in essence, "NO! YOU LIVE THIS WAY!!" and I replied, in essence, "if you're not going to take me home, I am not going to pay you for going the wrong way". It got really quiet and the driver made a right turn at Judah Street, so I thought he was going to turn around and take me home, but the driver made another right turn on 18th Avenue and started to drive really slow, and then he took another right on Kirkham Street and by this time he was driving really slow in a very dark area. The driver was very angry and irate at this point. He stated, in essence, "You're going to pay me!" and I told him I wasn't going to pay him for going the wrong direction and especially if he wasn't going to take me back to my apartment. At the corner of 18th Avenue and Kirkham Street he slammed on the brakes and stated, in essence, "get the fuck out of the cab bitch!" I told him that it wasn't right and I was going to call the police because I was afraid and fearful at that point due to his anger. I took my cellular phone out of my purse to

1 started dialing 911 for the police, but they did not answer. I became fearful and exited the  
2 taxicab vehicle. At that point I was in total fear and I didn't know if my call to 911 had gone  
3 through or not since they didn't answer and a recording was playing.

4 5. The driver put the cab into park, got out of the cab, and came after me. He came right up in  
5 front of me and tried to grab the phone to prevent me from calling 911 and he was screaming  
6 at me to give him his money. While he was attempting to take my cell phone, he was also  
7 trying to take my purse for payment. When he couldn't get the phone or my purse, he put  
8 both of his hands around my neck and throat and started choking and strangling me. I was  
9 trying desperately to get away at that point. Using his hands against my neck, he threw me to  
10 the ground, and I hit the concrete sidewalk. I landed on my left elbow, and in the process  
11 of the fall I let go of my cell phone and purse. He picked up the cell phone since it was  
12 closest to him and said "I'm going to take your phone as my payment."

13 6. He picked up the cell phone and ran back to the taxicab. He got inside and prepared to leave.  
14 I didn't want to leave my cell phone because it has personal identifying information of  
15 myself, family, friends and professional business contacts, so I got up from the ground and  
16 opened the front passenger door of the taxicab vehicle. I struggled with him to get my phone  
17 back, which was in his hands and I eventually was able to grab it and as I started to get away  
18 from him he got back out of the taxicab and came after me again and attacked me again. I  
19 was screaming for help and was able to get away so I ran away down the street away from  
20 the cab. I was crying and screaming for help at that point. I didn't see which way he drove  
21 away since I was trying to get away from him.

22 7. I called 911 after the attacks as I was trying to get away and spoke with an operator. Then my  
23 phone wouldn't work. As I was running towards 19th Avenue, a man came up to assist me  
24 and he dialed 911. The police came and I made a report of what had happened. I was  
25 hyperventilating from fear and panic and it was hard to give the report.

26 8. I went home and spent the entire next two days, Sunday and Monday, which was a holiday,  
27 in bed because I was suffering from pain and emotional trauma due to what had happened.  
28 On Tuesday I went to Kaiser and saw a doctor. I was spitting up a small amount of blood,  
had neck, back and arm pain and sought additional treatment for that. Additionally, I had



1 bruises on my neck, throat and elbow from when he choked and strangled me and threw me  
2 to the ground. I was diagnosed with cervical, thoracic, lumbosacral, and elbow/forearm  
3 sprains/strains and post traumatic stress syndrome.

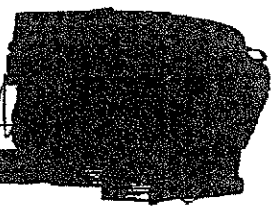


4 9. Since the driver knew my address, I was concerned he might try to come back. I am very  
5 terrified of him because of the events of that evening. For those reasons, I moved out of my  
6 apartment in San Francisco to stay with a friend in another city.

7 10. It was only later I learned that when I had tried to call 911 initially, and thought that it had  
8 not dialed and reached the operator, in fact it had gone through. I have reviewed the  
9 recordings from 911, and it is an accurate recording of the events that occurred that night. I  
10 also reviewed a recording of the second call made by the male who assisted me that night,  
11 and that is also an accurate recording. The tape recording is enclosed.

12 11. On August 20, 2008, I obtained a restraining order against the driver, who I know to be  
13 Hakim Ikariouen, in San Francisco Superior Court. Mr. Ikariouen came to the hearing  
14 unaccompanied by anyone and gave a description of the events that was not accurate  
15 whatsoever.

16 12. I have a lot of fear about riding in taxicabs and I have great fear my attacker is going to come  
17 after me again and come to my place of work, residence or follow me and attack me again  
18 after this incident. I have suffered greatly as a result of this attack and I don't believe this  
19 driver should ever have a chance to do this to another passenger in his vehicle.

20 13. I declare under penalty of perjury under the laws of the State of California that the  
21 foregoing is true and correct.

22 Signed:   
23   
24 Janice 

Date: 9/23/08

26  
27 Executed in San Francisco, California  
28

EXHIBIT B

Report Type: Supplemental

# INCIDENT REPORT

080065557

Incident Number <b>080-065-557</b>	Occurrence from Date/Time 01/19/08 01:40	Occurrence to Date/Time	Reported Date/Time 03/14/08 15:00	CAD Number 080190296
Type of Incident <b>Assault, Aggravated, W/ Force -04014</b>				
Location of Occurrence At Intersection with/Premise type <b>18th Av Kirkham Street, (Not Sidewalk)</b>				
Confidential Report? <input type="checkbox"/>	Arrest Made? <input type="checkbox"/>	Suspect Known? <input checked="" type="checkbox"/>	Suspect Unknown? <input type="checkbox"/>	Non-Suspect Incident? <input type="checkbox"/>
Domestic Violence? (Type of Weapon Used) <input type="checkbox"/>				Reporting Unit 2E100
Location Sent <b>850 Bryant St St</b>				
How Cleared?	Reported to Bureau	Name	Star	Date/ Time
				Elder Victim <input type="checkbox"/>
				Gang Related? <input type="checkbox"/>
				Juvenile Subject? <input type="checkbox"/>
				Prejudice Based? <input type="checkbox"/>

080065557

DECLARATION

I declare under penalty of perjury, this report of 3 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** Signature: *[Signature]*

Reporting Officer <b>Reynolds, Ronald E</b>	Star 137	Station Taxi	Watch 0700-1700	Date 03/19/08 18:02:27
Reviewing Officer <i>[Signature]</i>	STAR at 4:02A	Station	Watch	Date
OIC <i>[Signature]</i>	STAR	Station	Watch	Date

Related Case: [ ]    Re-Assigned to: [ ]    Assigned to: **5G200**    Assigned by: [ ]  
Copies to: **6G200**    Add'l Copies: [ ]

VICTIM

Code [ ]	Name (Last, First Middle) [ ] Janice	Alias
Day Phone [ ]	Type Home	Home Address [ ]
City San Francisco	State CA	Zip Code 94116-
Night Phone [ ]	Type [ ]	Work Address [ ]
City [ ]	State [ ]	Zip Code [ ]
DOB / Age [ ] / [ ]	DOB Unk. <input type="checkbox"/>	or age between and [ ] and [ ]
Race U	Sex F	Height 5'02
Weight 130	Hair Color BRO	Eye Color BRO
Confidential Person <input type="checkbox"/>	Violent Crime Notification <input type="checkbox"/>	293 PC Notification <input type="checkbox"/>
Star	Follow-up Form YES <input type="checkbox"/>	Statement YES <input type="checkbox"/>
Relationship to Subject Stranger/None	School (if Juvenile)	Injury/Treatment
Other Information/If Interpreter Needed Specify Language		

ADDITIONAL INFORMATION

Code S	Name (Last, First Middle) [ ] Karouen, Hakim	Alias
Day Phone [ ]	Type Cell	Home Address [ ]
City Berkeley	State CA	Zip Code 94703-
Night Phone [ ]	Type [ ]	Work Address [ ]
City San Francisco	State CA	Zip Code 94107-
DOB Unknown <input type="checkbox"/>	Date of Birth [ ]	Age 40
Race	Sex M	Height
Weight	Hair Color	Eye Color
SPNO	J/D# (if Juv.)	ID Type/Jurisdiction/Number OT 55406
ID Type/Jurisdiction/Number	ID Type/Jurisdiction/Number	ID Type/Jurisdiction/Number
Book Section #1	Book Section #2	Book Section #3
Book Section #4	Book Section #5	Booking Location
Warrant #	Court #	Action #
Dept	Enroute to	CWB Check
Star	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	Star
Mass Arrest Code	M X-Rays <input type="checkbox"/>	School (if Juvenile)
<input type="checkbox"/> CA Form Booked	Copy Attached	
Other Information: Citation/Warrant/Booking Charge(s)/Missing Person-Subject Description; Scars, Marks, Tattoos		
Driver of Yellow Cab 1188		

00000001

### PROPERTY LISTINGS

E 1	Code/No EVD 1	Item Description Taxicab weigh bill				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star) RR 13	From Where Yellow Cab Coop						
	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							

PROPERTY LISTINGS ON 09/26/08 11:17 AM BY 95032186

**080065557**

**NARRATIVE**

A record check revealed that the driver of Yellow Cab 1186 on 01/19/2008 was (S) Ikariouen/Hakim. This was confirmed by Yellow Cab Coop records and weigh bill (E1). This report was forwarded to General Work Detail.



Printed by SFPD on Sep 26, 2008 at 11:26:51  
**AUDIT RECORD**

San Francisco Police Department  
INCIDENT REPORT

080065557

Report Type: *SUPPLEMENT*

080065557

Incident Number 080-065-557	Occurrence from Date/Time 1/19/08 01:40	Occurrence to Date/Time	Reported Date/Time 2/6/08 13:30	CAD Number 080190296
Type of Incident Assault, Aggravated, On Police Officer, W/ Force -04074				
Location of Occurrence At Intersection with/Premise type 18TH AVE KIRKHAM Street, (Not Sidewalk)				
Confidential Report? <input type="checkbox"/>	Arrest Made? <input type="checkbox"/>	Suspect Known? <input type="checkbox"/>	Suspect Unknown? <input checked="" type="checkbox"/>	Non-Suspect Incident? <input type="checkbox"/>
Domestic Violence? <input type="checkbox"/> (Type of Weapon Used)				Reporting Unit 3100
Location Sent COUNTER REPORT				
How Cleared?	Reported to Bureau	Name	Star	Date/Time
			Elder Victim? <input type="checkbox"/>	Gang Related? <input type="checkbox"/>
			Juvenile Subject? <input type="checkbox"/>	Prejudice Based? <input type="checkbox"/>

DECLARATION

I declare under penalty of perjury, this report of 2 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 11B CERTIFIED 5 YEAR/POST Signature: *[Signature]*

Reporting Officer <i>[Signature]</i>	Star 1403	Station Taraval Station	Watch 0600-1600	Date 2/6/08
Reviewing Officer <i>[Signature]</i>	STAR	Station Taraval Station	Watch 06/16	Date 2/7/08
OIC <i>[Signature]</i>	STAR	Station Taraval Station	Watch 0530-1530	Date 2/6/08
Related Case	Related Case	Re-Assigned to	Assigned to 5G200	Assigned by MD/1463
		Copies to 5G200	Add'l Copies TAXI/1	

R / V I C T I M

Code RV 1	Name (Last, First Middle) [REDACTED], JANICE	Alias
Day Phone	Type Refused	Home Address REFUSED
Night Phone	Type Refused	Work Address REFUSED
DOB / Age [REDACTED] / 35	DOB or age between and Unk. [ ]	Race U
Sex F	Height 5'02	Weight 130
Hair Color BRO	Eye Color BRO	ID Type Jurisd. ID No.
Confidential Person <input type="checkbox"/>	Violent Crime Notification <input type="checkbox"/>	293 PC Notification <input type="checkbox"/>
Star	Follow-up Form YES [ ]	Statement YES [ ]
School (if Juvenile)	Injury/Treatment	Other Information/If Interpreter Needed Specify Language

Printed by [unclear] on [unclear] - [unclear]

Code S	Name (Last, First Middle) UNKNOWN,	Alias
Day Phone	Type	Home Address
Night Phone	Type	Work Address
DOB Unknown [ ]	Date of Birth 02	Age
or age between and	Race	Sex
Height	Weight	Hair Color
Eye Color	SFNO	ID Type/Jurisdiction/Number
Book Section #1	Book Section #2	Book Section #3
Book Section #4	Book Section #5	Booking Location
Warrant #	Court #	Action #
Dept	Enroute to	CWB Check
Star	Warrant Violation(s)	Ball
Mirandized	Star	Date
Time	Statement	
Citation #	Violation(s)	Appear Date/Time
Location of Appearance	Book/Cite Approval	Star
Mass Arrest Code	M X-Rays	School (if Juvenile)
CA Form Booked	Copy Attached	
Other Information: Citation/Warrant/Booking Charge(s)/Missing Person-Subject Description; Scars, Marks, Tattoos		

080065557

San Francisco Police Department  
PROPERTY LISTINGS

E 1	Code/No EVD 1	Item Description STATEMENT				Brand	Model	
	Serial No.	Gun Make	Caliber	Color	Narcotics Lab No.	Quantity	Value	
	Seized by (Star) 1403	From Where (RM) [REDACTED]						
	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							
	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							

Printed by [unclear] on 09/26/08 at 11:17 AM  
ARREST RECORDS

San Francisco Police Department  
NARRATIVE

080065557

On 02/06/08, (R/V) [REDACTED] came into Taraval Police Station to file this supplemental report. Refer to (E1) statement written by [REDACTED]

[REDACTED] advised me that she is extremely fearful of the suspect in this incident, a San Francisco Yellow Cab driver and is attempting to seek a restraining order; however, she has been unable to identify the suspect.



Printed by J. Garcia on 02/06/08 at 11:20:48  
ADMIN EX-100105



SAN FRANCISCO POLICE DEPARTMENT

INCIDENT REPORT STATEMENT

INCIDENT NO. 0100025557

PAGE 4 of 5

NAME (LAST, FIRST, MIDDLE) OF PERSON GIVING STATEMENT: [REDACTED] JONIC E

DOB / AGE: [REDACTED]

RESIDENCE PHONE (DAY/NIGHT): [REDACTED]

BUSINESS PHONE (DAY/NIGHT): [REDACTED]

RESIDENCE ADDRESS (CITY IF NOT SAN FRANCISCO): [REDACTED]

ZIP CODE: [REDACTED]

BUSINESS ADDRESS (CITY IF NOT SAN FRANCISCO): [REDACTED]

ZIP CODE: [REDACTED]

DATE OF STATEMENT: 2/6/08

TIME STARTED: 11330

TIME COMPLETED: 1400

LOCATION WHERE STATEMENT TAKEN: AT SCENE  OTHER: CO.F

STATEMENT TAKEN BY (NAME / STAR): DONATI 1403

IN PRESENCE OF: [REDACTED]

Due to the nature of the report/incident - assault/batter I would like to request my personal information be removed from the report and remain confidential. Since I was assaulted by cab driver #1186, I fear for my life and have been in contact with Detective William Siebert in trying to get help to hold the cab driver responsible for this crime and I've been trying to get a restraining order on the cab driver because I am afraid of what else he may do to me or my property. I now carry mace with me at all times and I am constantly looking over my shoulders to ensure I am safe and aware of my surroundings. This whole thing has been a very traumatic experience for me. I have saved my cell phone cover which the cab driver had in his possession so the CSI team can get prints off of it, but I was told it doesn't matter and wouldn't help my case.

The Sgt. taking my statement asked me "Do you need an ambulance and I said I did not and would seek treatment on my own which I did on 11/22/08 at 2pm at the Kaiser Injury Clinic because the injury started to worsen and I am currently still under the care of a doctor. It was very dark that night, so this is why Sgt. Lee did not see redness to my throat or any other part of my body, but I did have marks and bruising which photos were taken down at the Station on 11/24/08. Sgt. Lee also stated in the report that I admitted I had been drinking and he could smell a strong alcoholic odor from my breath.

DECLARE, UNDER PENALTY OF PERJURY, THIS STATEMENT OF [REDACTED] IS TRUE AND CORRECT, BASED ON MY PERSONAL KNOWLEDGE.

SIGNATURE OF PERSON GIVING STATEMENT: [REDACTED]

SAN FRANCISCO POLICE DEPARTMENT

INCIDENT REPORT STATEMENT

INCIDENT NO. 080065557

NAME (LAST, FIRST, MIDDLE) OF PERSON GIVING STATEMENT: [REDACTED], JANICE

DOB / AGE: [REDACTED]

RESIDENCE PHONE (DAY / NIGHT): [REDACTED]

BUSINESS PHONE (DAY/NIGHT): [REDACTED]

RESIDENCE ADDRESS: [REDACTED] SAN FRANCISCO ZIP CODE: [REDACTED]

BUSINESS ADDRESS: [REDACTED] ZIP CODE: [REDACTED]

DATE OF STATEMENT: 2/6/08

TIME STARTED: [REDACTED]

TIME COMPLETED: [REDACTED]

LOCATION WHERE STATEMENT TAKEN: [REDACTED]

STATEMENT TAKEN BY (NAME / STAR): [REDACTED]

IN PRESENCE OF: [REDACTED]

page 85

Sgt. Lee asked me "have you been drinking?" and my reply was "yes, I had 2 drinks." I had 2 mixed drinks a couple of hours before the incident occurred. mixed drinks usually give me bad breath or a strong <sup>alcohol</sup> odor when mixed with a sweet mix.

When Sgt. Lee reported to the scene, I could barely talk since I was crying, frightened and hysterically crying to the point of almost hyperventilating. It was difficult for me to answer Sgt. Lee's questions because I just encountered a very traumatizing event.

There was also another patrol car that reported to the scene and as I was standing next to Sgt. Lee on the sidewalk, there was one Sgt. described as 'Asian' who was laughing while looking at me & Sgt. Lee. He made me feel bad because it seemed as though he & Sgt. Lee were making fun of me. I asked the Sgt. in the patrol car if he was laughing at me and he shook his head. Just because I was hysterically crying doesn't mean the situation should be taken lightly. I asked Sgt. Lee if they thought ~~to~~ something was funny and he replied "no."

SAN FRANCISCO POLICE DEPARTMENT

I DECLARE, UNDER PENALTY OF PERJURY, THIS STATEMENT OF [REDACTED] IS TRUE AND CORRECT, BASED ON MY PERSONAL KNOWLEDGE.

SIGNATURE OF PERSON GIVING STATEMENT: [REDACTED]

MAR. 12. 2008 1:32PM

YELLOW CAB COOP  
YELLOW CAB COOPERATIVE, INC

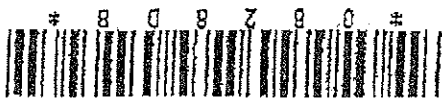
NO. 9252 P. 2

ID # 2084	Driver TKARILLEN, HAKIM			GAS	Gals.	\$
Date 3/12/08	Vehicle License No. BH09206	Cab No. 1186	Medallion No. 1186	GATES	120	\$ 00
MA #	Odometer (Enter Mileage Only) 535256			Company Revenue		\$
Time Out 4:50 PM	Total Miles	Paid Miles	Trips	Units	Driver Revenue	
Time In	In	Out			\$	
Hours Worked					Gross Turn In	\$ 70
					Signature <i>[Signature]</i>	

109 *in*

TRIP	No. Pass.	Time		FROM	TO	AMOUNT	TIPS
		OUT	IN				
1	1	4:50	5:10	YELLOW CAB	24th Mission	8 00	
2	2	5:10	6:10	18th Mission	POST-POLK	11 00	
3	1	5:40	6:10	POLK - BUSH	Lombard SCOTT	8 60	
4	2	6:10	6:30	Lombard - Laguna	2th - Folsom	11 00	
5	1	6:30	6:50	2th - Folsom	Jackson - Hyde	8 00	
6	2	6:00	7:15	Hyde - Jackson	POST-JACKSON	6 60	
7	3	7:20	7:35	POST-PAWLL	Box Nassau	8 20	
8	3	7:50	8:10	Box PAWLL	4th MARKET	9 30	
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1/19/08 3:33 AM *Came in -*



# EXHIBIT C



# SAN FRANCISCO POLICE DEPARTMENT TAXICAB DETAIL

RECEIVED

April 30, 2008

JUN 05 2008

SAN FRANCISCO  
TAXI COMMISSION

Mr. Hakim Ikariouen  
Yellow Cab Company.  
1200 Mississippi St.  
San Francisco, CA 94107  
415-282-3737

**Subject: Summary Suspension of Public Vehicle For Hire Permit.**

Dear Hakim Ikariouen:

Pursuant to Sec. 1090 (c) of the Municipal Police Code, NOTICE IS HEREBY GIVEN that on: April 30, 2008, the Taxicab Detail has summarily suspended your Driver of Public Vehicle for Hire Permit and Taxi Permit.

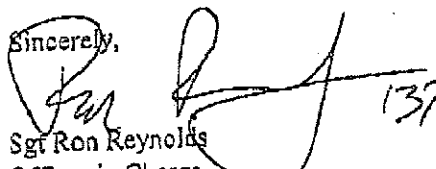
You have the right to appeal this suspension to the Taxicab Commission. Written notice of appeal must be filed with the Director of the Taxicab Commission at 25 Van Ness, Room 420, San Francisco, California 94102, within ten (10) DAYS AFTER RECEIPT OF THIS LETTER. You are entitled to a hearing on your appeal within thirty (30) days after the filing of the notice of Appeal.

**YOU ARE HEREBY ORDERED** to immediately surrender your badge, "A" card and Taxicab Photo Identification to the Taxicab Detail within 5 days of receipt of this notice.

Should you have any questions or need further information, please contact the Taxi Commission at (415) 503-2180.

**Attachments:**

- 1) Copy of Formal Complaint
- 2) SFPD # 080065557

Sincerely,  
  
 Sgt Ron Reynolds  
 Officer in Charge  
 San Francisco Police Taxi Detail

4/30/08  
Date

  
 Permit Holder

RECEIVED

MAY 27 2008

SAN FRANCISCO  
CALIFORNIA

## COMPLAINT

STATE OF CALIFORNIA  
City & County of San Francisco

Complaint is hereby made against:

Hakim Ikariouen # 044-86602

Engaged in the business of:

Driver Public Vehicle

At the address of 1200 Mississippi St., San Francisco, in the said City & County, that the said business was conducted by Hakim Ikariouen in an unlawful, disorderly and improper manner as follows, to wit:

On 01/19/2008, at 0120 hrs, Mr. Ikariouen was operating Yellow Taxicab# 1186 in the City and County of San Francisco, California. Mr. Ikariouen picked up Janice [REDACTED] at the Nikko Hotel. [REDACTED] had been drinking with friends at the hotel and was going home alone. [REDACTED] wanted to be driven to her home at [REDACTED]. Ikariouen started driving to Market, to Upper Market to Taraval and made a right turn on 19<sup>th</sup> Ave. Ikariouen drove past [REDACTED] and continued north bound on 19<sup>th</sup> Ave. [REDACTED] became alarmed and told Ikariouen that he was going the wrong way. They started to argue. [REDACTED] told Ikariouen she wasn't going pay him. Ikariouen abruptly stopped the taxicab at 19<sup>th</sup> Ave and Kirkham and ordered [REDACTED] out of the taxicab. [REDACTED] told Ikariouen she was going to "call the cops". She exited the taxicab and dialed 911. Ikariouen exited the taxi and tried to grab [REDACTED] cell phone. They struggled for the cell phone and then Ikariouen put both of his hands around [REDACTED] neck and strangled her. He then pushed her to the ground and she lost control of her cell phone. Ikariouen let go of [REDACTED] s neck and picked up the cell phone. Ikariouen then stated, "I'm going to take your phone as payment". Ikariouen then walked off with [REDACTED] s cell phone and sat in his taxicab. [REDACTED] got off the ground and enter the taxicab to try and recover her personal property. She grabbed her cell phone from Ikariouen's hands and started screaming. Ikariouen let go of the cell phone and [REDACTED] exited the taxicab. People started coming to [REDACTED] s aid and Ikariouen left the area. Police were called by a stranger and the police arrived and prepared a police report. This case is currently being reviewed by the San Francisco District Attorneys Office for a criminal complaint against Ikariouen.

*Municipal Police Code 1141 states:*

In any case of disagreement between the driver and passenger of a motor vehicle for hire relative to the legal fare to be paid, the driver shall convey the passenger to the nearest police station, where the officer in charge shall immediately decide the case, and if the decisions in favor of the passenger, the driver shall convey the passenger from the police station to his original destination without additional charge; if the passenger is about to leave the City by railroad, steamboat or otherwise, the police officer on duty at the depot or wharf shall decide the case.

*Municipal Police Code 1090(a) (vii) states:*

(a) Revocation for Cause. Any permit issued under this article may be suspended or revoked by the Police Commission for good cause after a noticed hearing. "Good cause" hereunder shall include, but shall not be limited to, the following:

(viii) The permit tee violated the Traffic Code of the City and County of San Francisco or the Vehicle Code or related laws of the State of California.

*Municipal Police Code 1090(c) states:*

(c) Suspension by the Chief of Police. The Chief of Police may suspend summarily any permit issued under this Article pending a disciplinary hearing before the Police Commission when in the opinion of said Chief of Police the public health or safety requires such summary suspension, Any affected permit tee shall be given notice of such summary suspension in writing delivered to said permit tee in person or by registered letter.

*California Penal Code section 243(d) states:*

Battery is any willful and unlawful use of force or violence upon the person of another.

(d) When a battery is committed against any person and serious bodily injury in inflicted on the person, the battery is punishable by imprisonment in the county jail not exceeding one year or imprisonment in the state prison for two, three, or four years.

*California Penal Code 591.5 states:*

A person, who unlawfully and maliciously removes, injures, destroys, or damages any wireless communication device with the intent to prevent the use of the device to summon assistance or notify law enforcement or any public safety agency of a crime is guilty of a misdemeanor.

*California Penal Code 211 states:*


Robbery is the felonious taking of personal property in the possession of another, from his person or immediate presence, and against his will, accomplished by means of force or fear.

*Taxicab/Ramped Taxi Rules and Regulations 6.A. 1. states:*

Every licensed permit holder shall comply with the provisions of the Charter, Police Code, Planning Code and Traffic Code of the City and County of San Francisco, The California Vehicle Code, California Worker's Compensation Laws and these Taxicab Regulations. The provisions of all ordinances and regulations applicable to the San Francisco International Airport, San Francisco City and County Department of Agriculture and Weights and Measures and all other governmental jurisdictions through which the permit holders traverse.


The SFPD Taxi Detail believes that Mr. Ikariouen demonstrated irresponsible assaultive criminal behavior and poor judgment regarding his handling of a fare dispute in San Francisco. He resorted to violence and theft to resolve the dispute. He physically and emotionally injured a young female that will probably never take a taxicab ride again. The District Attorney is currently reviewing this case to see if criminal charges can be filed against Ikariouen. Therefore, the Taxi Detail requested that the Taxi Commission start administrative disciplinary proceedings against Hakin Ikariouen for being a danger to the public safety, criminal behavior, assault, theft and for not being in compliance with the Taxicab/Ramped Taxi Rules and Regulations, the San Francisco Municipal Police Code and the California Vehicle Code.

Dated: May 2, 2008

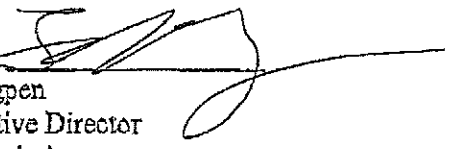
  
Sgt. Ron Reynolds  
O.I.C. Taxicab Detail



Dated: May 2, 2008

Approved by:   
Lt. Jeanne Schlotz # 4020  
Commanding Officer Permits Bureau

Dated: May 2, 2008, 2008

Approved by:   
Jordanna Thigpen  
Acting Executive Director  
Taxicab Commission

Supporting Documents:

- 1) SFPD Incident Report # 080065557
- 2) Chronological of investigation

# EXHIBIT D

RECEIVED

18

AUG 26 2008

SAN FRANCISCO  
TAXI COMMISSION

**CH-140** Restraining Order After Hearing to Stop Harassment

Clerk stamps ~~ENDORSED~~ Form is filed.  
**FILED**  
San Francisco County Superior Court  
AUG 20 2008  
GORDON PARK-LI, Clerk  
BY: KEVIN B. DOUGHERTY  
Deputy Clerk

1 Your name (person asking for protection):  
JANICE [REDACTED]

Your address (skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead):  
\_\_\_\_\_  
\_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your telephone (optional): ( \_\_\_\_\_ )

Your lawyer (if you have one): (Name, address, telephone number, and State Bar number): Andrew Klimenko  
(124812) 1438 MARKET ST.  
SF, CA 94102

Fill in court name and street address:  
Superior Court of California, County of  
**SAN FRANCISCO TRIAL COURTS**  
400 McALLISTER ST., ROOM 103  
SAN FRANCISCO, CA 94102-4872

2 Name of person to be restrained:  
HAKIM KARILOV

Fill in case number:  
Case Number:  
CCH-08-568190

Description:  
Sex:  M  F Height: 5' 10" Weight: 170 Race: MIDDLE EASTERN  
Hair Color: BLD/BLACK Eye Color: BLACK Age: 40 Date of Birth: 10-4-67

3 Hearing

There was a hearing:  
on (date): 8-20-08 at (time): 9:00  a.m.  p.m. Dept.: 218 Rm: \_\_\_\_\_  
COMMISSIONER WILLIAM R. GARGANO made the orders at the hearing.  
(Name of judicial officer)

These people were at the hearing:  
a.  Plaintiff (the person in 1) c.  Plaintiff's lawyer (name): ANDREW KLIMENKO  
b.  Defendant (the person in 2) d.  Defendant's lawyer (name): \_\_\_\_\_

4 This is a Court Order

You must obey all the orders indicated below. If you do not obey this Order, you can be arrested and charged with a crime. And you may have to go to jail, pay a fine of up to \$1,000, or both.

5 Expiration Date

This Order, except for an award of lawyer's fees, expires at:  
(time): \_\_\_\_\_  a.m.  p.m. or  midnight on (date): August 21, 2011  
If no date is present, this Order expires three years from the date of issuance.

**This is a Court Order.**  
Restraining Order After Hearing to Stop Harassment (CLETS) (Civil Harassment)

Your name: \_\_\_\_\_



Case Number:

CCH-08-58190

**6**  **Personal Conduct Orders**

You must *not* do the following things to the people listed in ① and ⑪:

- a.  Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.
- b.  Contact (directly or indirectly), telephone, send messages, mail, or e-mail.
- c.  Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ⑪. (If item c is not checked, the court has found good cause not to make this order.)

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case does not violate these orders.

**7**  **Stay-Away Order**

You must stay at least (specify): 50 yards away from:

- a.  The person listed in ①
- b.  The people listed in ⑪
- c.  The home of the persons in ① and ⑪
- d.  Jobs or workplaces of the persons in ① and ⑪
- e.  Vehicle of person in ①  Vehicles of persons in ⑪
- f.  The protected children's school or child care
- g.  Other (specify): \_\_\_\_\_

This stay-away order does not prevent the person in ② from going to or from that person's home or place of work.

**8**  **No Guns or Other Firearms**

You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

**9**  **Turn In or Sell Guns or Firearms**

You must:

- Sell to a licensed gun dealer or turn in to police any guns or firearms that you possess or control. This must be done within 24 hours of being served with this order.
- File a receipt with the court within 48 hours of receiving this order that proves guns have been turned in or sold. (You may use CH-145 for this.)

**10**  **Other Orders (specify):** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**11**  **Other Protected Persons**

List of the full names of all family and household members protected by these orders:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This is a Court Order.**

**Restraining Order After Hearing  
to Stop Harassment (CLETS)  
(Civil Harassment)**



Your name: \_\_\_\_\_

Case Number:

CCH-08-568190

### Instructions for the Protected Person

To the person in ① (Write the name of the person in ①):

JANICE \_\_\_\_\_

⑫  **Delivery to Law Enforcement**

If the court issues restraining orders, by the close of business on the date this Order is made, you or your attorney must deliver a copy of this Order and any proof of service forms to each law enforcement agency listed below:

Name of Law Enforcement Agency:  
SAN FRANCISCO POLICE DEPT.  
ATTN: LEGAL DIVISION, RM. 575

Address (City, State, Zip)  
850 BRYANT STREET, ROOM 575  
SAN FRANCISCO, CA 94110

⑬  **No Fee for Service of Order by Law Enforcement**

The sheriff or marshal will serve this Order without charge because:

- a.  The Order is based on stalking.
- b.  The Order is based on a credible threat of violence.
- c.  The person in ① is entitled to a fee waiver.

Date: 8-20-08

*William R. Gargano*  
Judicial Officer

**WILLIAM R. GARGANO**  
Commissioner

### Warnings and Notices to the Restrained Person in ②

#### You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get a gun while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to police any guns or firearms that you have or control in accordance with item ⑨ above. The court will require you to prove that you did so. If you do not obey this Order, you can be charged with a crime.

### Instructions for Law Enforcement

This Order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an Order of that jurisdiction by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the Order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.

(Clerk will fill out this part)

#### Clerk's Certificate

Clerk's Certificate  
[seal]

I certify that this Restraining Order After Hearing to Stop Harassment (CLETS) is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

### This is a Court Order

Restraining Order After Hearing  
to Stop Harassment (CLETS)  
(Civil Harassment)