

# Memorandum

San Francisco Police Department



**To:** Captain Anna Brown  
Commanding Officer  
Central Police Station

APPROVED      YES      NO

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**From:** Sergeant Sean O'Leary  
Acting Platoon Commander during the below incident  
Central - Mids

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**Date:** Sunday, February 07, 2010

**Subject:** Nomination of Patrol Special Officer Robert Burns #2595 for a  
Department Medal of Valor

**Issue:**  
Do the actions taken by Patrol Officer Robert Burns #2595 merit  
consideration and awarding of a Medal of Valor?

**Discussion:**  
FACTS: In the early morning hours of 2/7/2010, Patrol Special Officer Robert Burns #2595 (3A81) was on a self-assigned fixed post in front of 383 Bay Street, Club Suede, as part of his contractual obligation. He was monitoring a crowd of several hundred people outside Club Suede, knowing there were at least two hundred already within the club. With no notice, gunfire suddenly erupted in the street directly in front of him, between two armed men. Hundreds of screaming, scared people started running in all directions, trampling several people while leaving two gunshot victims down on the street and sidewalks. Patrol Special Officer Robert Burns fearing for his safety and the safety of the fleeing civilians in and about the street, seeing one of the gunmen starting to traverse a raised handgun in his direction, engaged the gunman with gun fire, wounding the gunman and ceasing the threat.

The steadfast, outstanding bravery demonstrated by Patrol Special Officer Robert Burns far exceeded that expected in the line of duty, as he stood his ground amid withering gunfire. Had he retreated to a position of cover and/or concealment, he would not have been subjected to censure, as it would have been considered reasonable, and survival and officer safety minded. The risk to life actually existed, inasmuch as he witnessed the actual shooting and murder of a man in his presence within 20 feet, AND he had time to assess and evaluate the clear and present risk to himself and hundreds of fleeing people in the street. His objective to preserve the lives of the citizens running all about, to cease the rapid gunfire and to arrest the gunmen justified the risk to his personal safety, as he felt duty bound to act and act decisively. In summary, a reasonable person in his position and circumstance would assume their life was in great danger.

# Memorandum

**Conclusion:**

Patrol Special Officer Robert Burns is a limited duty sworn officer who reports directly to the San Francisco Chief of Police, pursuant to the City Charter. His actions demonstrated outstanding bravery, selfless devotion to duty at great and real personal risk, and saved the lives/ prevented certain injury of several panicked partygoers. In the face of danger, he effected the arrest of a man that committed a particularly callous homicide in his presence.

**Recommendation:**

I respectfully submit this memorandum be reviewed, approved and submitted to the Awards Screening Committee pursuant to Department General Order 3.09.

**Attachments:**

SFPD Incident # 100125023

SFPD C.A.D. #S100380361