

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**  
300 Lakeside Drive, P. O. Box 12688, Oakland, CA 94604-2688  
(510) 464-6000

**NOTICE OF MEETING AND AGENDA**  
**BART POLICE CITIZEN REVIEW BOARD**

June 11, 2018

A Meeting of the BART Police Citizen Review Board (BPCRB) will be held on Monday, June 11, 2018, at 4:00 p.m. The Meeting will be in the BART Board Room, Kaiser Center 20<sup>th</sup> Street Mall – 2040 Webster Street, Oakland, California. **(Please note: Although the address of the Board Room has changed it is still in the same location.)**

**AGENDA**

1. Call to Order.
2. Call for Quorum.
3. Pledge of Allegiance Recital.
4. Approval of Minutes of Prior Board Meeting. For Discussion and Action.
5. Presentation of Certificate of Appreciation to Cydia Garrett for Service as a BPCRB Member.
6. Chief of Police's Report. For Discussion and Action.
  - a. BART Police Department (BPD) Monthly Report for April 2018
  - b. Effect of Pending Internal Investigations on Promotional Opportunities for BPD Personnel
  - c. Annual Use of Force Report
7. Statements by BPCRB Public-At-Large Applicants.
8. BPCRB Participation in BPD Commendation Process. For Discussion and Action.
9. BPCRB Onboarding and Training Syllabus Subcommittee Status. For Discussion and Action.
10. BPD Administrative Leave Process (Criteria for Returning an Officer to Full Duty Pending Completion of an Officer-Involved Shooting Investigation). For Discussion and Action.
11. Use of Force Policy Training Status. For Discussion and Action.
12. BPD Media Communications and Information Policy. For Discussion and Action.
13. BPCRB Training Program. (The curriculum to be addressed will not satisfy AB 1234 training requirements for legislative body members).
  - a. Beat Review and Public Safety Outlook
14. Independent Police Auditor's Report. For Discussion and Action.
  - a. Office of the Independent Police Auditor (OIPA) Monthly Report for April and May 2018

- 15.** General Discussion and Public Comment. Limited to 3 minutes per speaker.  
(An opportunity for members of the public to address the BPCRB on matters under their jurisdiction and not on the agenda).
- 16.** Closed Session.
  - a. To Consider Public Employee Discipline/Dismissal/Release in OIPA Case #17-39.  
Govt. Code §54957
  - b. To Consider Public Employee Discipline/Dismissal/Release in OIPA Case #17-42.  
Govt. Code §54957
- 17.** Adjournment.

Please refrain from wearing scented products (perfume, cologne, after-shave, etc.) to this meeting, as there may be people in attendance susceptible to environmental illnesses.

BART provides service/accommodations upon request to persons with disabilities and individuals who are limited English proficient who wish to address Board matters. A request must be made within one and five days in advance of Board meetings, depending on the service requested. Please contact the Office of the District Secretary at (510) 464-6083 for information.

BPCRB Meeting Agenda materials will be made available to the public at the meeting and may also be accessed and downloaded 72 hours prior to the meeting at <http://www.bart.gov/about/bod/advisory/crb> (click on “Agenda”).

Pursuant to Govt. Code §54953.5, the audio recording of this open and public meeting shall be subject to inspection pursuant to the California Public Records Act (CPRA). Requests for information under the CPRA should be filed with the BART Office of the District Secretary.

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**  
300 Lakeside Drive, P.O. Box 12688, Oakland, CA 94604-2888

BART Police Citizen Review Board  
Monday, May 14, 2018

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held on Monday, May 14, 2018 convening at 4:00 p.m. in the BART Board Room, 344 20<sup>th</sup> Street, Oakland, California.

Members Present: Chairperson George Perezvelez, Vice Chairperson William White, Kenneth Loo, Darren White, Les Mensinger, Aman Sebahtu, and Cydia Garrett.

BART Staff: BART Police Department (BPD) Chief of Police Carlos Rojas, BPD Deputy Chief Lance Haight, BPD Lieutenant Kevin Franklin, BPD Officer Stephen Christ, Independent Police Auditor Russell Bloom, Independent Police Investigator Patrick Caceres, Senior Administrative Analyst Sarah Celso, Senior Administrative Analyst LaTonia Peoples-Stokes, Interim District Secretary Patricia Williams, BPD Temporary Staff Assistant Sharon Kidd.

Others Present: BART Director Debora Allen, BART Director Robert Raburn, Members of the Public.

Agenda items discussed:

1. **Call to Order.**  
The regular meeting was called to order at 4:09 p.m. by Chairperson George Perezvelez.
2. **Call for Quorum.**  
Chairperson George Perezvelez, Vice Chairperson William White, Kenneth Loo, Darren White, Les Mensinger, and Cydia Garrett were present, amounting to a quorum.
3. **Pledge of Allegiance Recital.**  
The pledge of allegiance was recited.
4. **Approval of Minutes of Prior Board Meeting. For Discussion and Action.**  
A motion to approve the minutes for the Prior Board Meeting was made by Mr. W. White and seconded by Mr. Mensinger. The motion passed unanimously.
5. **General Discussion and Public Comment. Limited to 3 minutes per speaker. (An opportunity for members of the public to address the BPCRB on matters under their jurisdiction and not on the agenda.)**  
Mr. Sebahtu entered the meeting at 4:11 p.m.

Chairperson Perezvelez called for Public Comment. The following individuals addressed the BPCRB regarding the BPD Officer-Involved Shooting on January 3, 2018:

Bomani Mayfield  
Karmeisha Edwards  
Asale Chandler

Chairperson Perezvelez addressed members of the public and then public comment continued with statements from the following person:

Yolanda Banks

Chairperson Perezvelez addressed members of the public and then public comment continued with statements from the following person:

An unidentified member of the public addressed the BPCRB.

Mr. D. White addressed members of the public and then public comment continued with statements from the following person:

An unidentified member of the public addressed the BPCRB.

Mr. Bloom addressed members of the public and then public comment continued with statements from the following people:

Crystal Hamilton  
Kokayi Mayfield  
Aniyah Mayfield  
Maziah Hamilton  
Leilah Eguin  
An unidentified member of the public  
Nahlea Watkins  
Cat Brooks

Chairperson Perezvelez addressed members of the public.

**6. Chairperson's Report. For Information Only.**

- a. National Association for Civilian Oversight of Law Enforcement (NACOLE) Annual Conference Attendance

Chairperson Perezvelez discussed this item. He asked that members of the BPCRB that are interested in attending the Conference inform him and Senior Administrative Analyst of the BART Office of the Independent Police Auditor (OIPA) Sarah Celso.

- 7. BPCRB Participation in BPD Commendation Process. For Discussion and Action.**  
With unanimous consent, the BPCRB skipped this Agenda Item. It will be agendaized for the next BPCRB meeting.

**8. Chief of Police's Report. For Discussion and Action.**

- a. BPD Monthly Report for March 2018  
Chief Rojas presented the BPD Monthly Report for March 2018 and he answered questions from the BPCRB.
- b. Effect on Pending Internal Investigations on Promotional Opportunities for BPD Personnel  
*This sub-item was skipped by Chief Rojas.*
- c. Hiring/Staffing Status  
Chief Rojas provided an updated on the hiring/staffing status for BPD.
- d. Annual Use of Force Report  
*This sub-item was skipped by Chief Rojas.*

Deputy Chief Haight provided an update to the BPCRB pertaining to questions from the previous BPCRB meeting regarding use of force data, and he answered a question from the BPCRB.

A motion to adjourn the meeting into closed session was made by Chairperson Perezvelez and seconded by Mr. Loo. The motion passed with four in favor, two against, and one abstention.

Vice Chairperson Mr. W. White called for the meeting to be adjourned in memory of Mr. Julius Turman, former president of the San Francisco Police Commission. There was no objection by the BPCRB.

Ms. Garrett exited the meeting at 5:51 p.m.

Mr. Sebahtu exited the meeting at 5:52 p.m.

The BPCRB did not convene into Closed Session – Agenda Item #14 – as quorum was not met.

Agenda Items #9 through #14 are expected to be agendized for the June 11, 2018 BPCRB meeting.

**9. BPCRB Onboarding and Training Syllabus Subcommittee Status. For Discussion and Action.**

**10. BPD Administrative Leave Process (Criteria for Returning an Officer to Full Duty Pending Completion of an Officer-Involved Shooting Investigation.) For Discussion and Action.**

**11. Use of Force Policy Training Status. For Discussion and Action.**

**12. BPD Media Communications and Information Policy. For Discussion and Action.**

**13. Independent Police Auditor's Report. For Discussion and Action.**

a. OIPA's Monthly Reports for April 2018

**14. Closed Session.**

a. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #17-39. Gov. Code §54957

**15. Adjournment.**

Chairperson Perezvelez called for the meeting to be adjourned.

The meeting was adjourned at approximately 5:53 p.m.

DRAFT

# BART POLICE DEPARTMENT



April 2018

MONTHLY REPORT

## BPD Monthly Reports

April 2018

Report	Responsible
01 – Industrial Leave*	SSD – J. Morgan
02 – Vacancy	SSD – F. Cheung
03 – Diversity	SSD – F. Cheung
04 – Training	PS&T – P. Kwon
05 – Use of Force	PS&T – K. Franklin
06 – Citizen Complaints	PS&T – K. Franklin
07 – Internal Affairs Log	PS&T – K. Franklin
08 – Performance Measures	SSD – K. Dam
09 – Enforcement Contacts	SSD – K. Dam
10 – Parking Enforcement	POD – J. DeVera
11 – Warrant Arrests	SSD – K. Dam
12 – Detectives Assignments	SSD – J. Power
13 – Detectives Closure Rate	SSD – J. Power
14 – Assembly Bill 716	POD – M. Williamson
15 – Absence Overview	SSD – C. Vogan
16 – Overtime	SSD – F. Cheung
17 – Communications Center	SSD – G. Hesson
18 – BART Watch	SSD – C. Vogan

\*Not included in Year-End or Monthly BPCRB Reports



**BART Police Department (07) Staffing Status**

As of: **05/09/18**  
 Vacancy Factor: **0.0**

	Pos'n Code	Job Title	FY18 Adopted	Reclass	As of 05/09/18	Filled	On Leave or TMD	Vacant
NON-SWORN (Rep)	027	Community Service Officer	63		63	45	5	18
	045	Police Admin Specialist	12		12	10	-	2
	048	Police Dispatcher	16		16	15	1	1
	098	Revenue Protection Guard	19		19	16	1	3
	836	Police Sup./CAD/RMS Admin**	6		6	6	-	-
SWORN	778	Police Officer	62		62	55	6	7
		In Academy = 6						-
		Field Training = 2						-
	788	Senior Police Officer	105		105	84	5	21
	798	Master Police Officer	14		14	10	-	4
	838	Police Sergeant	34		34	29	4	5
	888	Police Lieutenant	10		10	10	1	-
	898	Police Deputy Chief	3		3	3		-
	980	Police Chief	1		1	1		-
Non-Sworn (Non-Rep)	SF100	Mgr of Security Programs**	1		1	-		1
	000065	Emergency Preparedness Mgr.	1		1	1	-	-
	000074	Crisis Outreach Coordinator	1		1	1		-
	000081	Accreditation Manager	1		1	1	-	-
	AF200	Sr. Administrative Analyst	1		1	1		-
<b>DEPARTMENT TOTAL</b>			<b>350</b>	<b>-</b>	<b>350</b>	<b>288</b>	<b>23</b>	<b>62</b>

Notes

Add people on TMD to the filled position

EBART - Ofc 5, CSO 4

Fare Evasion - 6 CSOs, 1 PAS

Note: BART Police Department has 17 Attrition Float positions, of which 10 are Police Officers (778), 5 are Community Service Officers (027) and 2 are Police Dispatchers (048).

- > "On Leave" category does not include personnel on Admin Leave.
- > Mgr of Security Programs position is currently filled by a Police Lieutenant\*\*

## BART PD DIVERSITY MONTHLY REPORT

As of 5/9/18

+

<u>ETHNICITY</u>		<u>S</u>		<u>C</u>	
White	38% 108	43%	78	31%	30
Black	21% 61	21%	39	23%	22
Asian	20% 59	16%	31	29%	28
Hispanic	19% 55	18%	41	15%	14
American/ Indian	0% 0	0%	0	0%	0
Native Hawaiian/Pac Island	1% 5	2%	3	2%	2
<b>Total:</b>	<b>100% 288</b>	<b>100%</b>	<b>192</b>	<b>100%</b>	<b>96</b>
<u>DEMOGRAPHIC</u>		<u>S</u>		<u>C</u>	
Female	22% 63	9%	18	47%	45
Male	78% 225	91%	174	53%	51
<b>Total:</b>	<b>100% 288</b>	<b>100%</b>	<b>192</b>	<b>100%</b>	<b>96</b>
<u>CLASSIFICATION</u>					
Sworn	67% 192				
Civilian	33% 96				
<b>Total:</b>	<b>100% 288</b>				

**CRISIS INTERVENTION TRAINING AS OF: May 1, 2018**

Personnel Positions	Total Positions	Filled Positions	Vacant Positions	(Not in Academy or Field Training) Eligible to Attend Training	Total of Filled Positions Trained	Percentage of Total Filled Positions Trained	Percentage of Eligible Filled Positions Trained
Chief	1	1	0	1	0	0%	0%
Deputy Chiefs	3	3	0	3	3	100%	100%
Lieutenants	10	10	0	9	9	90%	100%
Sergeants	34	30	4	30	30	100%	100%
Officers	181	149	32	136	135	91%	99%
Dispatchers	16	15	1	12	12	80%	100%
Dispatch Supervisors	2	2	0	2	2	100%	100%
CSOs	63	45	18	44	44	98%	100%
Crisis Outreach Coordinator	1	1	0	1	1	100%	100%
<b>Total</b>	<b>311</b>	<b>256</b>	<b>55</b>	<b>238</b>	<b>236</b>	<b>92%</b>	<b>99%</b>

**Personnel Positions that are not designated to attend CIT Training**

	Total	Filled	Vacant
Revenue Protection Guards	19	16	3
Police Administrative Specialists	12	10	2
Police Sup./CAD RMS Admin	4	4	0
Civilian Managers/Analyst	3	3	0
<b>Sub Total</b>	<b>38</b>	<b>33</b>	<b>5</b>
<b>TOTAL PERSONNEL</b>	<b>349</b>	<b>289</b>	<b>60</b>

**FAIR AND IMPARTIAL / BIASED BASED TRAINING AS OF May 1, 2018**

<b>Personnel Positions</b>	<b>Total Positions</b>	<b>Filled Positions</b>	<b>Vacant Positions</b>	<b>Eligible to Attend (Not in Academy or Field Training)</b>	<b>Total of Filled Positions Trained</b>	<b>Percentage of Total Filled Positions Trained</b>	<b>Percentage of Eligible Filled Positions</b>
Chief	1	1	0	1	0	0.0%	0.0%
Deputy Chiefs	3	3	0	3	3	100.0%	100.0%
Lieutenants	10	10	0	10	10	100.0%	100.0%
Sergeants	34	30	4	30	30	100.0%	100.0%
Officers	181	149	32	142	142	95.3%	100.0%
CSOs	63	45	18	43	40	88.9%	93.0%
<b>Total</b>	<b>292</b>	<b>238</b>	<b>54</b>	<b>229</b>	<b>225</b>	<b>94.5%</b>	<b>98.3%</b>

Personnel Positions that are not designated to attend FAIR AND IMPARTIAL Training

	<b>Total</b>	<b>Filled</b>	<b>Vacant</b>
Dispatchers	16	15	1
Dispatch Supervisors	2	2	0
Crisis Outreach Coordinator	1	1	0
Revenue Protection Guards	19	16	3
Police Administrative Specialists	12	10	2
Police Sup./CAD RMS Admin	4	4	0
Civilian Managers/Analyst	3	3	0
<b>Sub Total</b>	<b>57</b>	<b>51</b>	<b>6</b>
<b>TOTAL PERSONNEL</b>	<b>349</b>	<b>289</b>	<b>60</b>

**POLICE ROADWAY PROTECTION TRAINING AS OF: May 1, 2018**

<b>Personnel Positions</b>	<b>Total Positions</b>	<b>Filled Positions</b>	<b>Vacant Positions</b>	<b>Eligible to Attend (Not in Academy, FTO, or IND/Leave)</b>	<b>Total of Filled Positions Trained</b>	<b>Percentage of Total Filled Positions Trained</b>	<b>Percentage of Eligible Filled Positions</b>
Chief	1	1	0	1	0	0.0%	0.0%
Deputy Chiefs	3	3	0	3	3	100.0%	100.0%
Lieutenants	10	10	0	10	10	100.0%	100.0%
Sergeants	34	30	4	30	30	100%	100.0%
Officers	181	149	32	141	139	93.3%	98.6%
CSOs-Not Required	63	45	18	40	40	88.9%	100.0%
<b>Total</b>	<b>292</b>	<b>238</b>	<b>54</b>	<b>225</b>	<b>222</b>	<b>93.3%</b>	<b>98.7%</b>

Personnel Positions that are not REQUIRED to attend Police Roadway Protection Training

	<b>Total</b>	<b>Filled</b>	<b>Vacant</b>
CSOs	63	45	18
Dispatchers	16	15	1
Dispatch Supervisors	2	2	0
Crisis Outreach Coordinator	1	1	0
Revenue Protection Guards	19	16	3
Police Administrative Specialists	12	10	2
Police Sup./CAD RMS Admin	4	4	0
Civilian Managers/Analyst	3	3	0
<b>Sub Total</b>	<b>120</b>	<b>96</b>	<b>24</b>
<b>TOTAL PERSONNEL</b>	<b>412</b>	<b>334</b>	<b>78</b>

## Use of Force Incidents - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2018	20	10	15	9									54
YTD 2018	20	30	45	54									

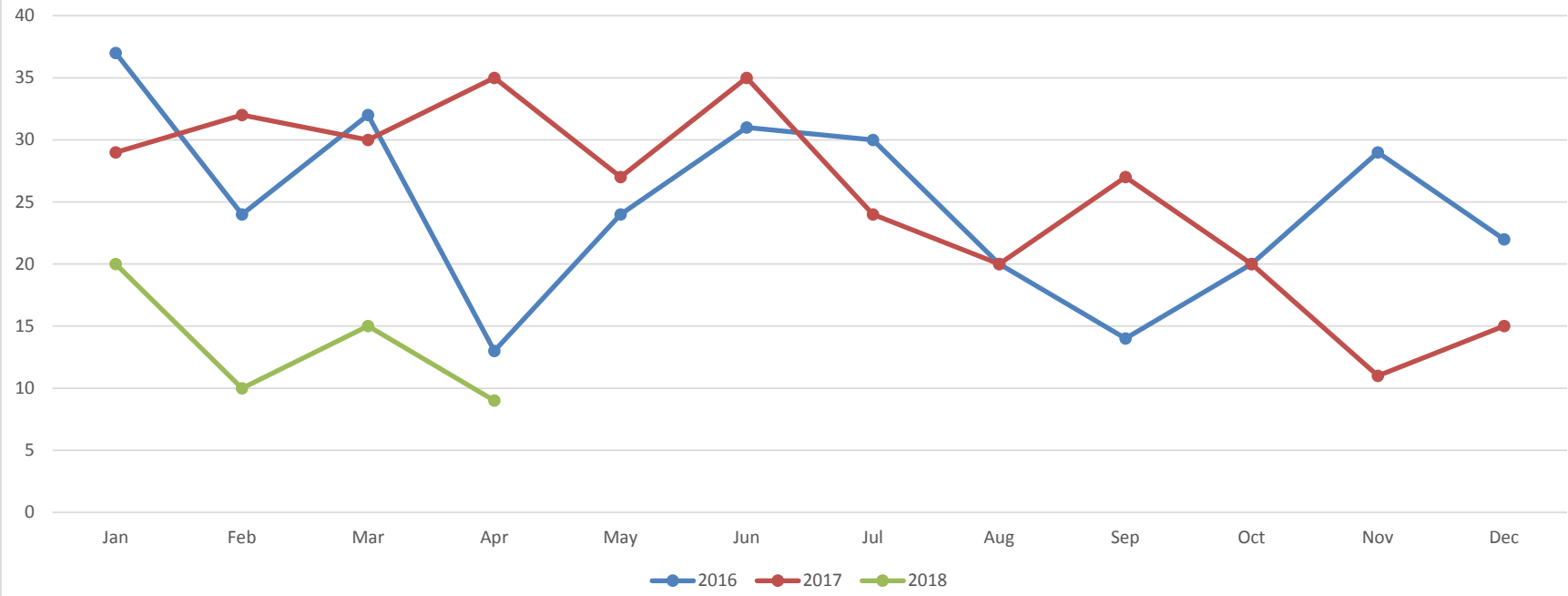
## Use of Force Incidents - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2017	29	32	30	35	27	35	24	20	27	20	11	15	305
YTD 2017	29	61	91	126	153	188	212	232	259	279	290	305	

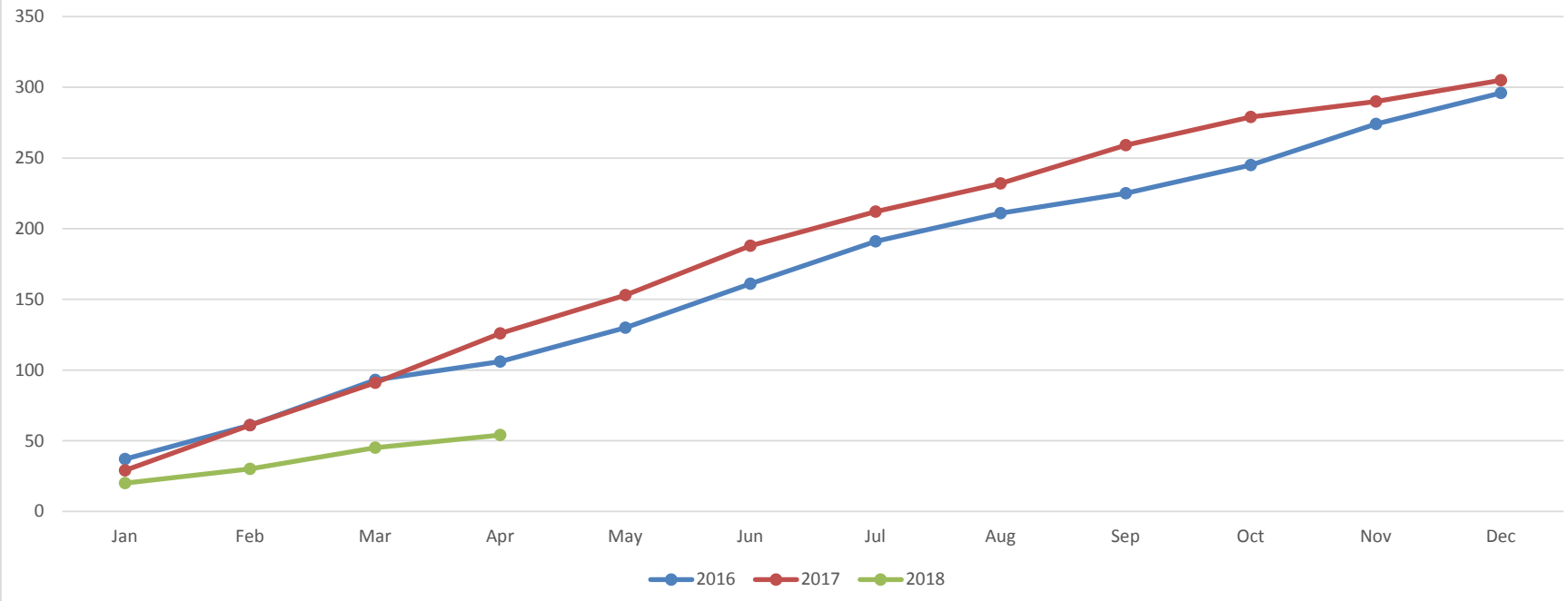
## Use of Force Incidents - 2016

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2016	37	24	32	13	24	31	30	20	14	20	29	22	296
YTD 2016	37	61	93	106	130	161	191	211	225	245	274	296	

UOF Incidents

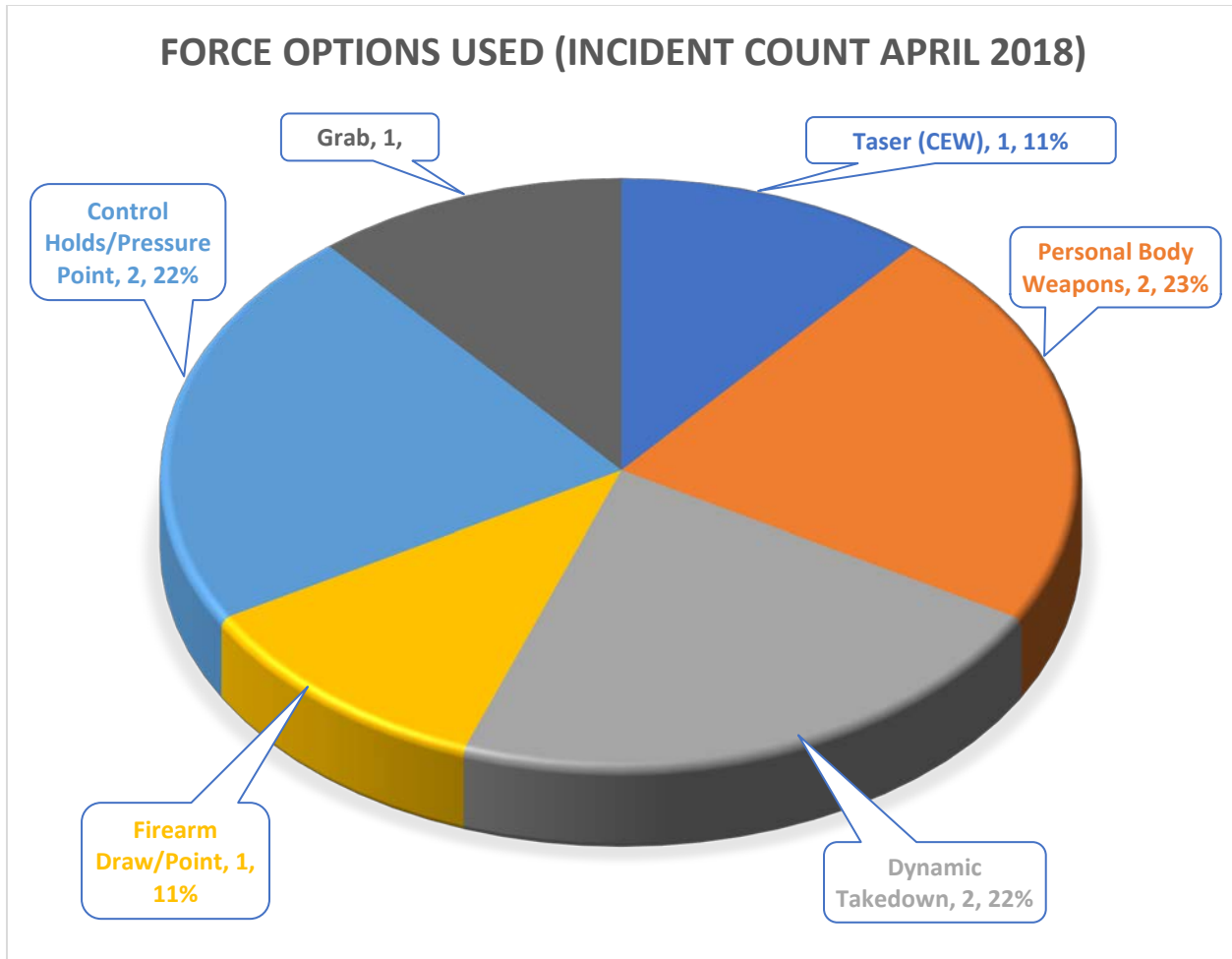


UOF Year-to-Date Monthly Comparison



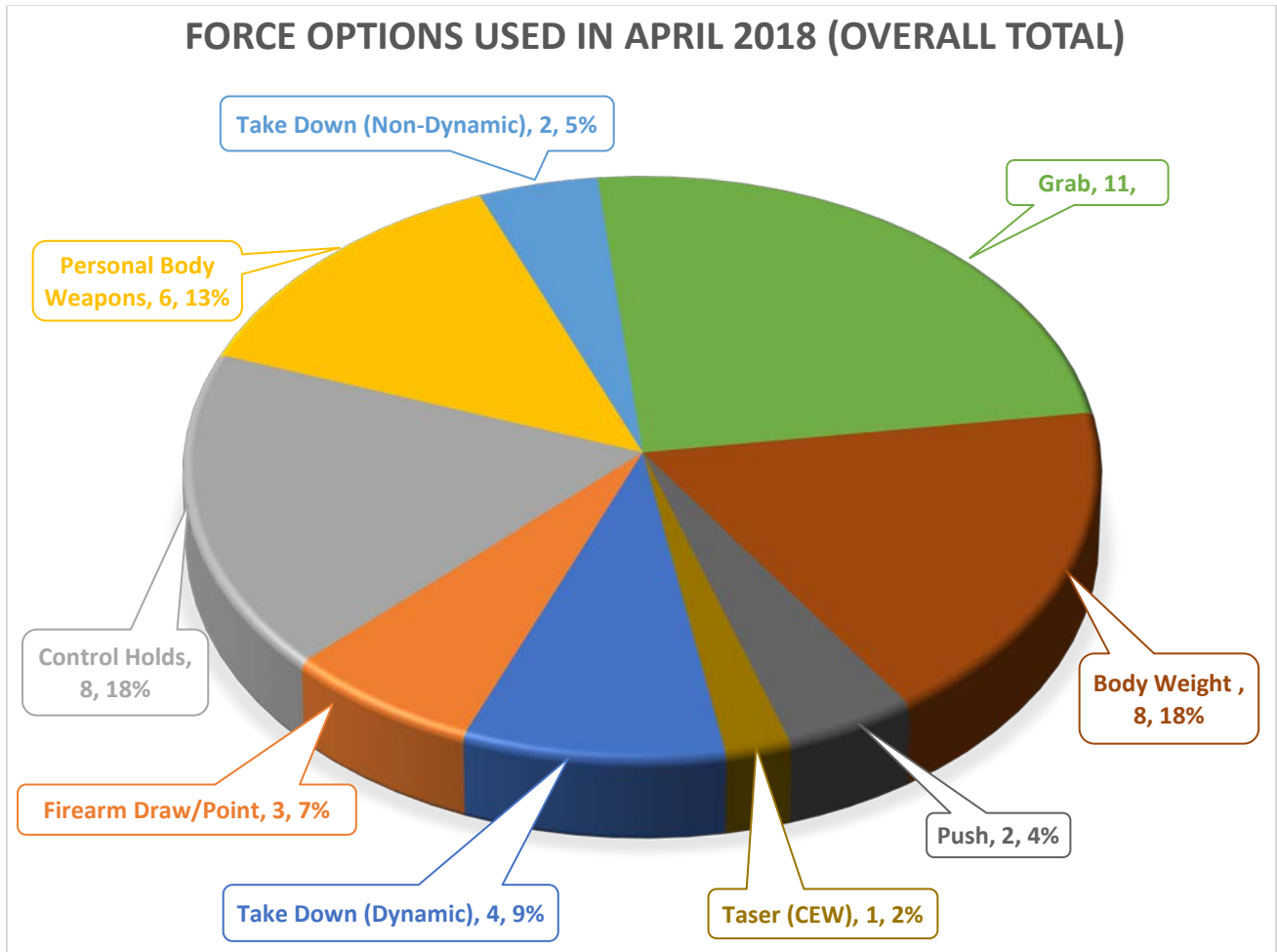


Force Options Used (Incident Count), April 2018



\*Each incident could contain more than one force option used. This pie chart reflects the most significant force option used per incident.

## Types of Force Used, April 2018 (Overall Total)



\*Some incidents involved the use of multiple force options. If two officers involved in the same incident used the same force option, this data would reflect both officers. As an example, if two officers in the same incident used control holds, this data would reflect two separate control holds.

# Citizen Complaints - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2018	5	10	4	11									30
YTD 2018	5	15	19	30									

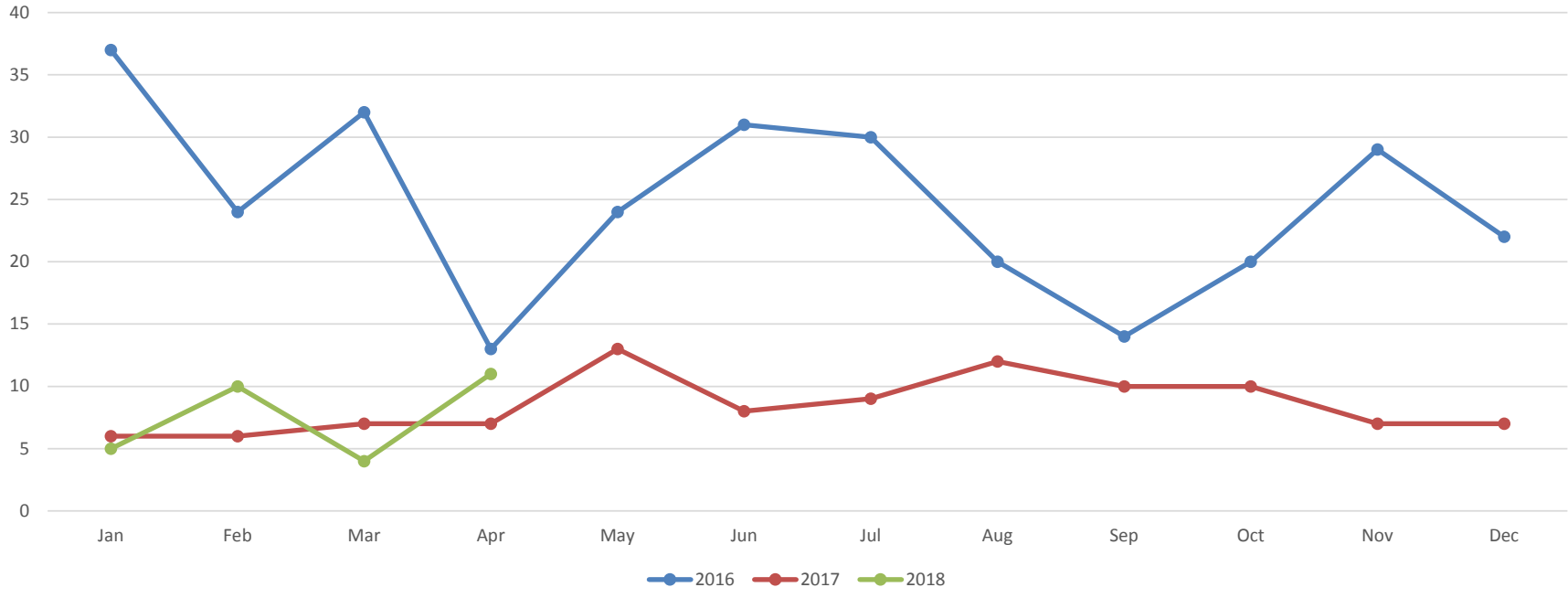
# Citizen Complaints - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2017	6	6	7	7	13	8	9	12	10	10	7	7	102
YTD 2017	6	12	19	26	39	47	56	68	78	88	95	102	

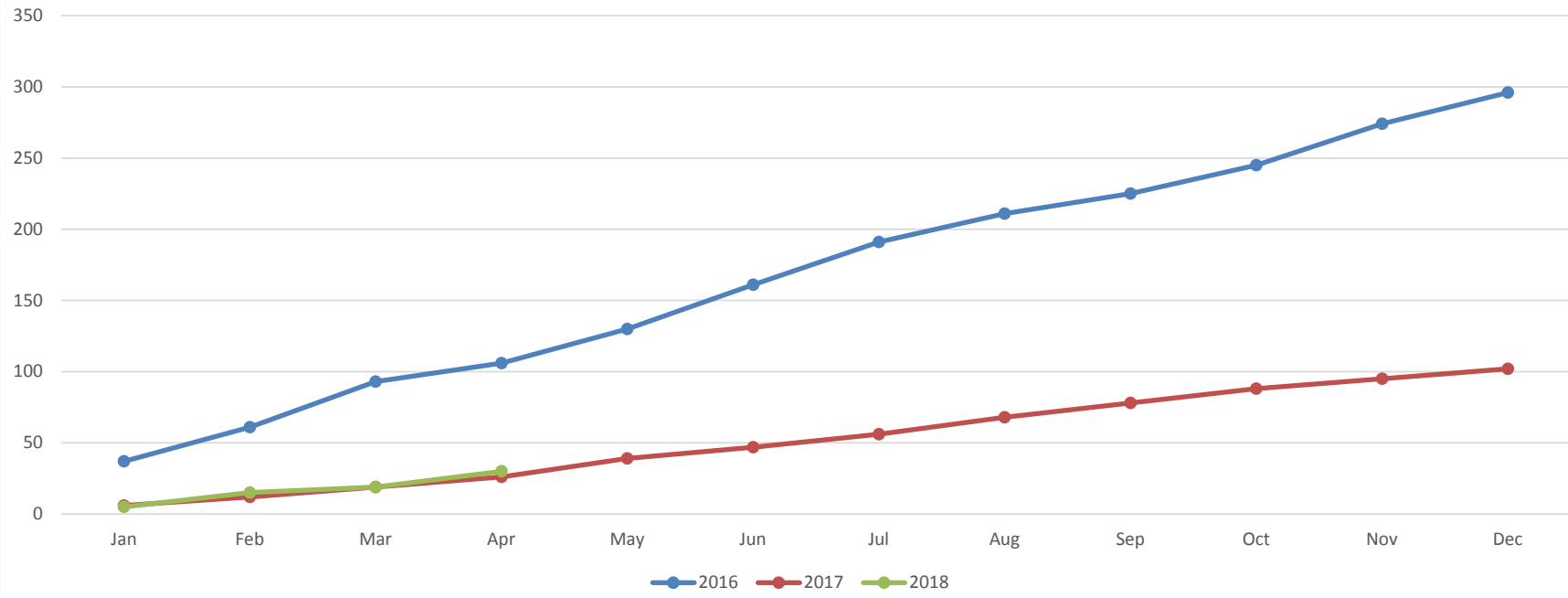
# Citizen Complaints - 2016

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2016	10	3	13	7	7	10	6	9	8	7	8	6	94
YTD 2016	10	13	26	33	40	50	56	65	73	80	88	94	

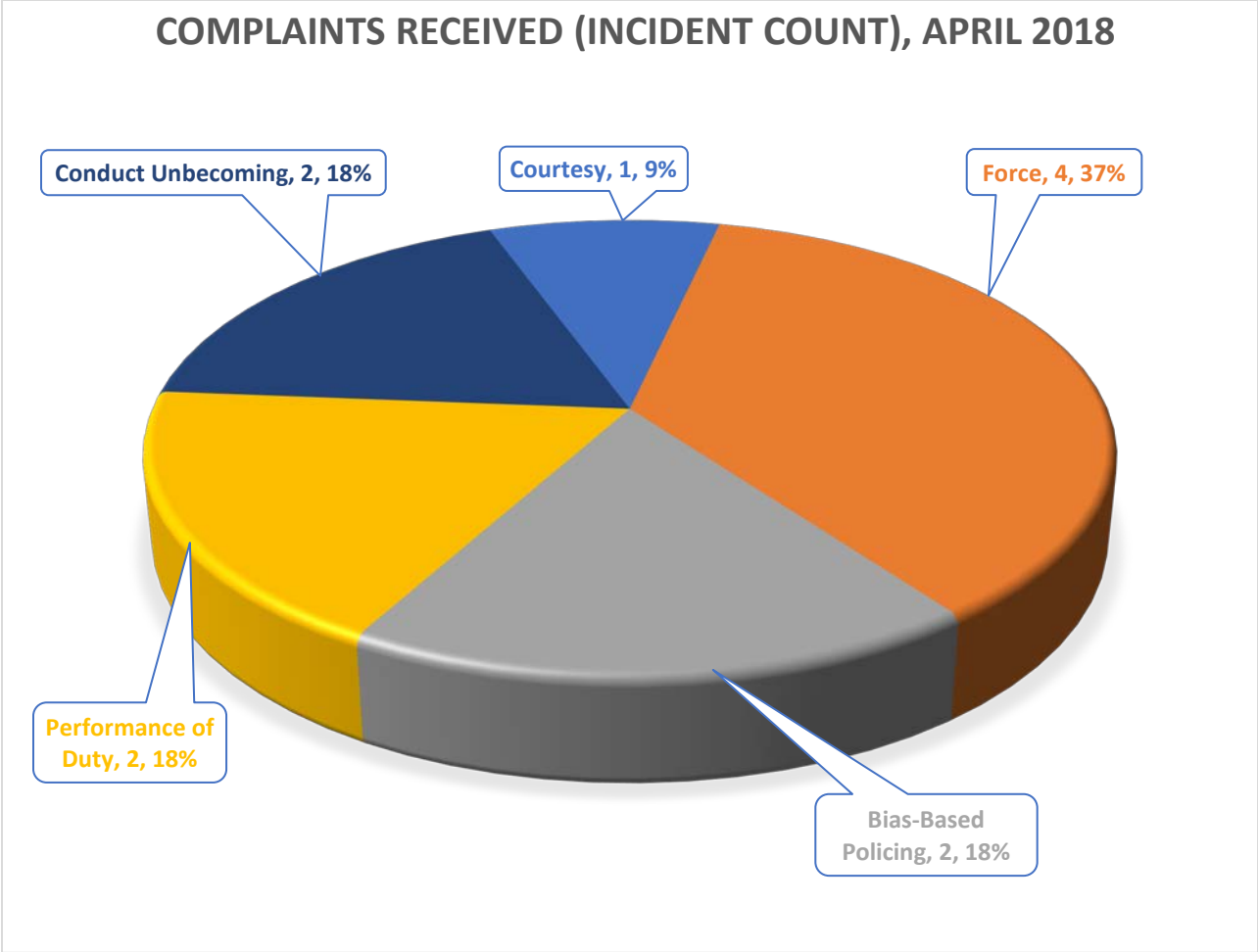
Citizen Complaints



Citizen Complaints Year-to-Date Monthly Comparison



Complaints Received (Incident Count), April 2018



Each incident could contain more than one allegation. This pie chart reflects the most significant allegation per incident.

**BART Police Department - Office of Internal Affairs**

**Investigation Log - April 2018**

IA	DATE		ALLEGATION	FINDING	INVESTIGATOR	DUE DATE	COMPLETED DATE
	CASE #	OCC'D					
IA2016-071	07/29/16	7/29/2016	Force, Bias, Arrest		Lt. Kwon	12/28/16	
			Force, Bias, Arrest		(Tolled)	01/27/17	
			Force, Bias, Arrest				
			Force, Bias, Arrest				
IA2017-040	1/31/2017	5/18/2017	Force		Sgt. Togonon	10/17/2017	
			Force		Tolled		
IA2017-081	8/31/2017	8/31/2017	CUBO		Sgt. T. Salas	1/30/2018	Submitted L21
			CUBO				
			CUBO				
IA2017-093	10/4/2017	10/4/2017	Force	Admin	Sgt. T. Salas	3/5/2018	Submitted L21
IA2017-095	10/13/2017	10/18/2017	Performance of duty		Sgt. T. Salas	4/10/2018	
			Force/Search				
IA2017-096	10/20/2017	10/23/2017	Bias Based Policing		Sgt.T. Salas	3/24/2018	
					Sgt. Fueng		
IA2017-097	10/13/2017	10/18/2017	CUBO	Deferred to OIPA #17-39	Sgt. Togonon	3/19/2018	
			Bias-Based Policing				
IA2017-101	10/30/2017	10/31/2017	Performance of Duty		Sgt. T. Salas	3/22/2018	Submitted L21
IA2017-102	11/3/2017	11/3/2017	Performance of Duty		Sgt. Togonon	4/4/2018	Submitted L21
					Sgt. Henderson		
IA2017-105	11/15/2017	11/16/2017	Performance of Duty		T. Salas	5/8/2018	
			Bias-Based Policing				
			Policy (Axon)				
IA2017-110	11/28/2017	11/28/2017	Policy/Procedure	Service Review	Lt. Kwon		
IA2017-111	11/10/2017	11/10/2017	Force		Sgt. Salas	5/1/2018	
IA2017-114	12/12/2017	12/13/2017	Force, Bias, CUBO		Sgt. T. Salas	5/14/2018	
IA2017-115	12/20/2017	Unk	Force, CUBO		Sgt. McNack	5/21/2018	
			Policy/Procedure				
IA2017-117	12/17/2017	12/28/2017	Performance		Sgt. Togonon	5/29/2018	
			Arrest/ Detention				
IA2017-118	12/25/2017	1/2/2018	Force		Sgt. T. Salas	6/3/2018	
IA2018-001	1/3/2018	1/3/2018	Force (OIS)		Sgt. T.Salas	6/4/2018	
					Tolled		
IA2018-002	1/4/2018	1/4/2018	CUBO	Admin Closure	Sgt. McNack	6/4/2018	
IA2018-003	1/28/2018	1/8/2018	Arrest/Detention		Sgt. T. Salas	7/8/2018	
IA2018-005	1/12/2018	1/12/2018	Bias/CUBO		Sgt. McNack	6/13/2018	
IA2018-007	1/26/2018	1/26/2018	Force	Admin Closure	Sgt. McNack	7/4/2018	
IA2018-009	2/1/2018	2/8/2018	Bias		Sgt. McNack	7/10/2018	
IA2018-010	2/1 2/2 2018	2/12/2018	CUBO		Sgt. T. Salas	7/14/2018	
			CUBO				
IA2018-011	2/12/2018	2/13/2018	Arrest/Detention, Force, Bias, CUBO	Deferred to OIPA #18-03	Sgt. T. Salas	7/16/2018	
IA2018-012	2/2/2018	2/14/2018	Arrest/Detention, POD	Admin Closure	Sgt. McNack	7/16/2018	

IA	DATE						
CASE #	OCC'D	REC'D	ALLEGATION	FINDING	INVESTIGATOR	DUE DATE	COMPLETED DATE
			Arrest/Detention, POD				
			Arrest/Detention, POD				
IA2018-013	2/7/2018	2/10/2018	Force/Policy/Procedure		Sgt. McNack	7/22/2018	
			Policy/Procedure				
IA2018-014	2/17/2018	2/20/2018	Performance of Duty		Sgt. McNack	7/23/2018	
IA2018-015	2/18/2018	2/20/2018	Performance of Duty, CUBO		Sgt. T. Salas	7/22/2018	
IA2018-016	2/25/2018	2/26/2018	Policy/Procedure, POD	Service Review	Sgt. T. Salas	7/28/2018	



PART 1 CRIMES	2013	2014	2015	2016	2017	YTD April		% change from '17
						2017	2018	
Homicide	1	0	1	1	0	0	0	#DIV/0!
Rape	0	2	3	4	8	6	2	-67%
Robbery	209	153	161	232	290	110	92	-16%
Aggravated Assault	57	71	73	93	121	34	43	26%
<b>Violent Crime Subtotal</b>	<b>239</b>	<b>199</b>	<b>200</b>	<b>279</b>	<b>347</b>	<b>150</b>	<b>137</b>	<b>-9%</b>
Burglary (Not Including Auto)	25	7	4	12	15	1	6	500%
Larceny	2524	2597	2325	2217	2593	792	770	-3%
Auto Theft	483	522	480	480	420	132	128	-3%
Arson	0	0	0	1	4	1	3	200%
<b>Property Crime Subtotal</b>	<b>3032</b>	<b>3126</b>	<b>2809</b>	<b>2710</b>	<b>3025</b>	<b>926</b>	<b>907</b>	<b>-2%</b>
<b>TOTAL</b>	<b>3271</b>	<b>3325</b>	<b>3009</b>	<b>2989</b>	<b>3372</b>	<b>1076</b>	<b>1044</b>	<b>-3%</b>

#DIV/0 - Not Calculable \*Aggravated Assault table updated to conform to UCR totals \*



# BART Police Performance Measurements

## April 2018

**Disclaimer--\*\***The data is drawn from the BART Police Department TriTech computer database, and they are unaudited. The numbers may not match the official monthly totals reported to the FBI through the Uniform Crime Reporting (UCR) program. Late reporting, the reclassification or unfounding of crimes, can affect crime statistics. The statistics contained in the on the Performance Measurements are **subject to change, updates, and corrections. \*\***

### Top 5 Stations For Part 1 Crimes

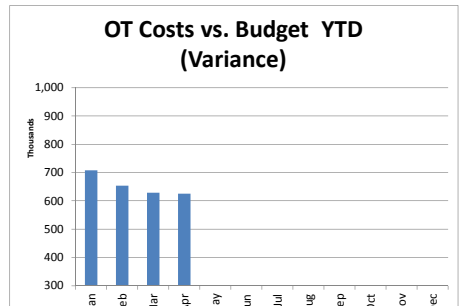
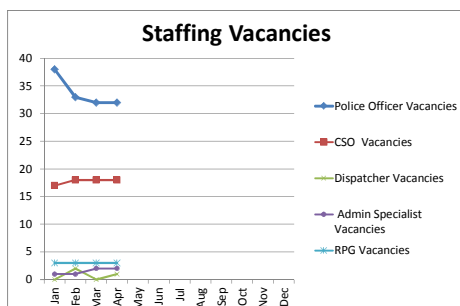
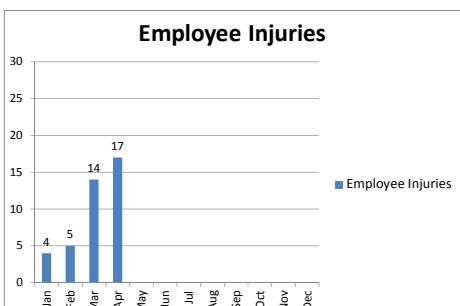
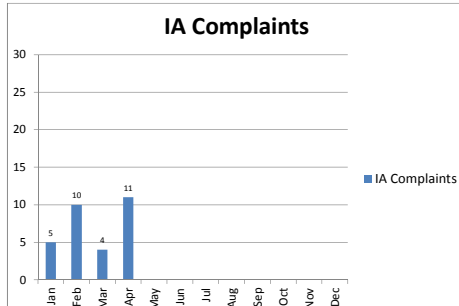
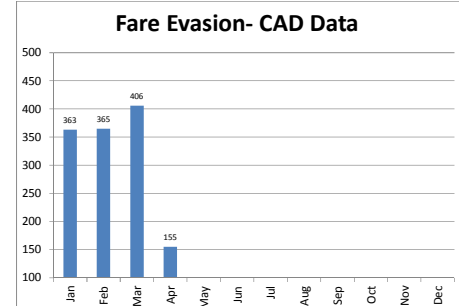
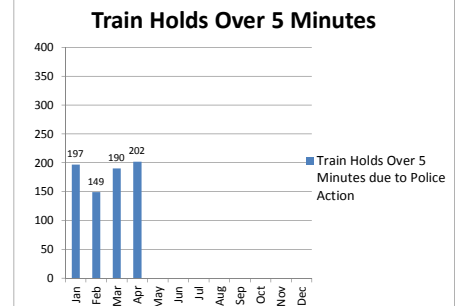
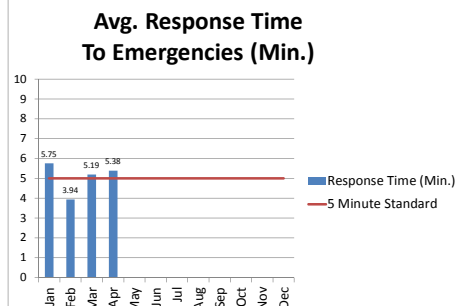
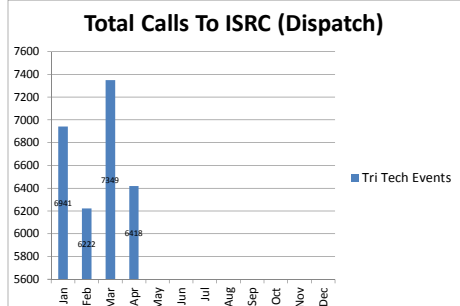
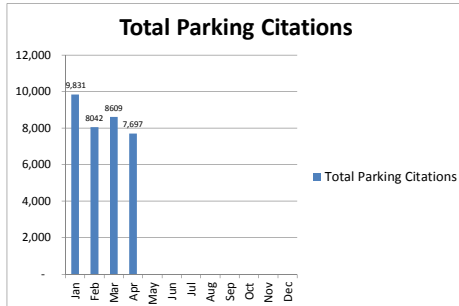
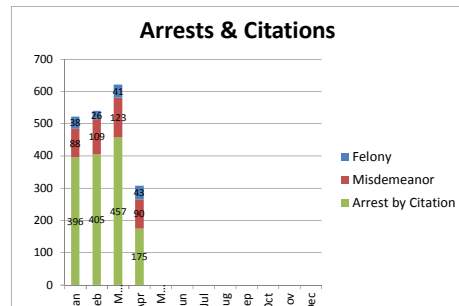
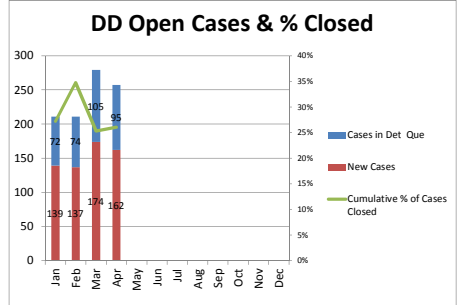
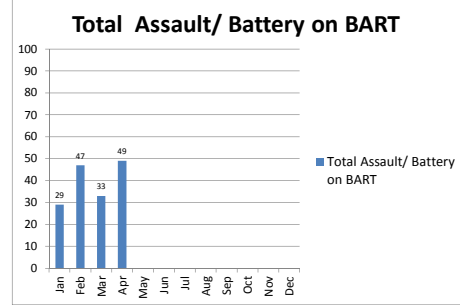
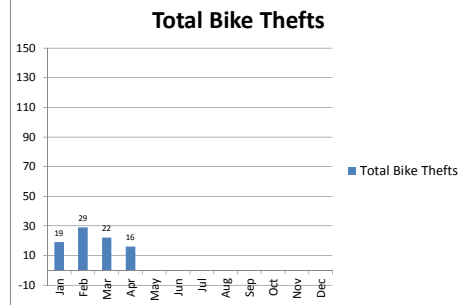
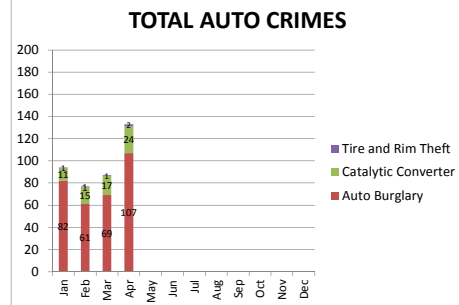
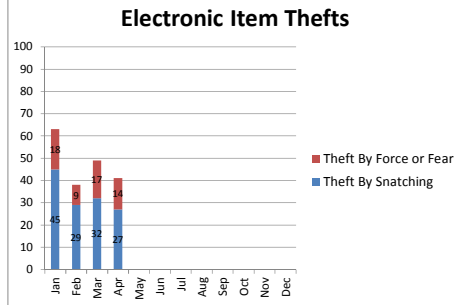
**Most Frequent 2017**  
**2018 Current Month**

Hayward  
MacArthur  
Fruitvale  
Coliseum  
Lake Merritt

**Most Frequent all of 2017**  
**2017 YEAR**

Coliseum  
Bay Fair  
West Oakland  
Fruitvale  
East Dublin

This list was obtained by adding the highest totals listed in the Part 1 crimes data.



# Enforcement Contacts - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Felony Arrest	38	26	41	43									148
YTD 2018	38	64	105	148									
Misd. Arrest	88	109	123	90									410
YTD 2018	88	197	320	410									
Cite & Release	396	405	457	175									1,433
YTD 2018	396	801	1,258	1,433									
Field Interview	512	581	581	476									2,150
YTD 2018	512	1,093	1,674	2,150									

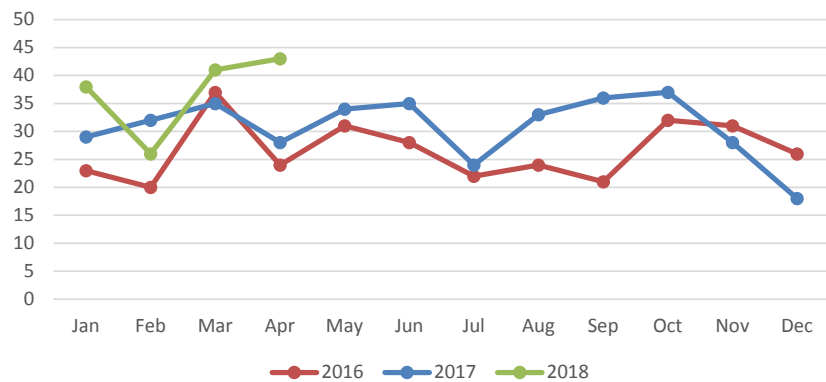
# Enforcement Contacts - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Felony Arrest	29	32	35	28	34	35	24	33	36	37	28	18	369
YTD 2017	29	61	96	124	158	193	217	250	286	323	351	369	
Misd. Arrest	96	82	112	100	109	107	106	137	129	142	131	104	1,355
YTD 2017	96	178	290	390	499	606	712	849	978	1,120	1,251	1,355	
Cite & Release	356	578	355	252	222	155	261	654	385	730	287	200	4,435
YTD 2017	356	934	1,289	1,541	1,763	1,918	2,179	2,833	3,218	3,948	4,235	4,435	
Field Interview	175	336	322	349	418	336	348	545	749	646	508	466	5,198
YTD 2017	175	511	833	1,182	1,600	1,936	2,284	2,829	3,578	4,224	4,732	5,198	

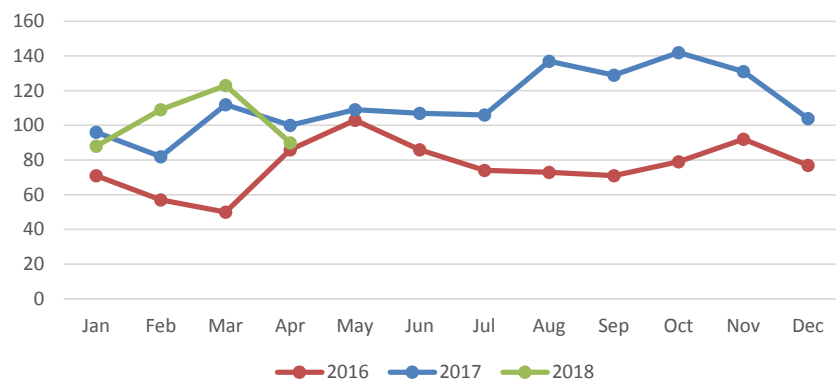
# Enforcement Contacts - 2016

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Felony Arrest	23	20	37	24	31	28	22	24	21	32	31	26	319
YTD 2016	23	43	80	104	135	163	185	209	230	262	293	319	
Misd. Arrest	71	57	50	86	103	86	74	73	71	79	92	77	919
YTD 2016	71	128	178	264	367	453	527	600	671	750	842	919	
Cite & Release	424	538	443	195	591	195	314	162	239	229	229	246	3,805
YTD 2016	424	962	1,405	1,600	2,191	2,386	2,700	2,862	3,101	3,330	3,559	3,805	
Field Interview	175	501	219	469	482	422	350	490	372	425	444	355	4,704
YTD 2016	175	676	895	1,364	1,846	2,268	2,618	3,108	3,480	3,905	4,349	4,704	

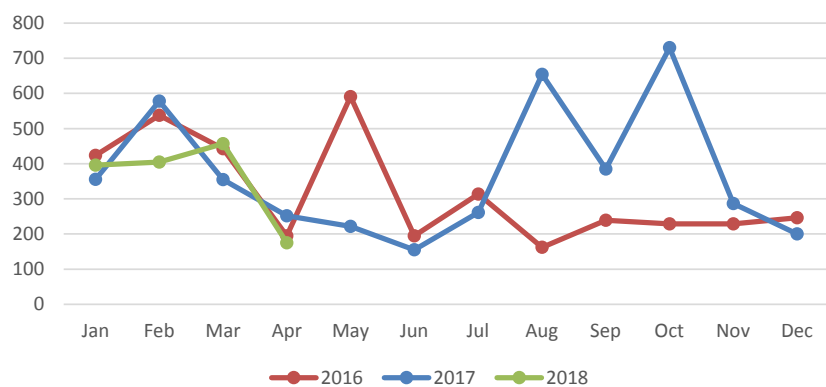
### Felony Arrests



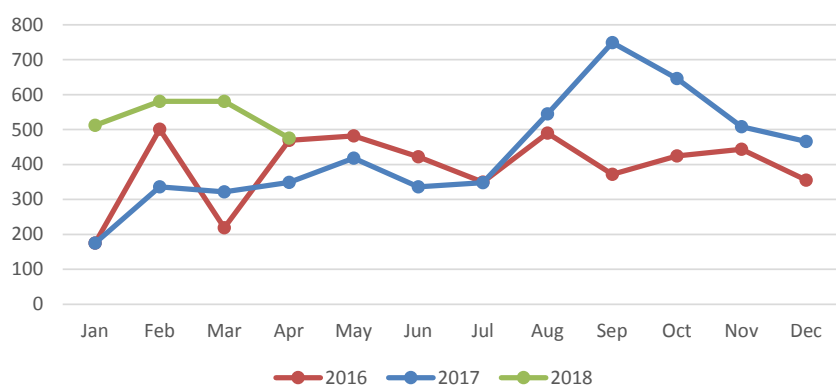
### Misdemeanor Arrests



### Cite & Release



### Field Interviews



# Parking Enforcement - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Citations Issued	9,925	8,042	8,629	7,697									34,293
YTD 2018	9,925	17,967	26,596	34,293									
Contested	2,121	1,808	2,152	1,782									7,863
YTD 2018	2,121	3,929	6,081	7,863									
Dismissed	1,502	1,200	1,448	1,160									5,310
YTD 2018	1,502	2,702	4,150	5,310									

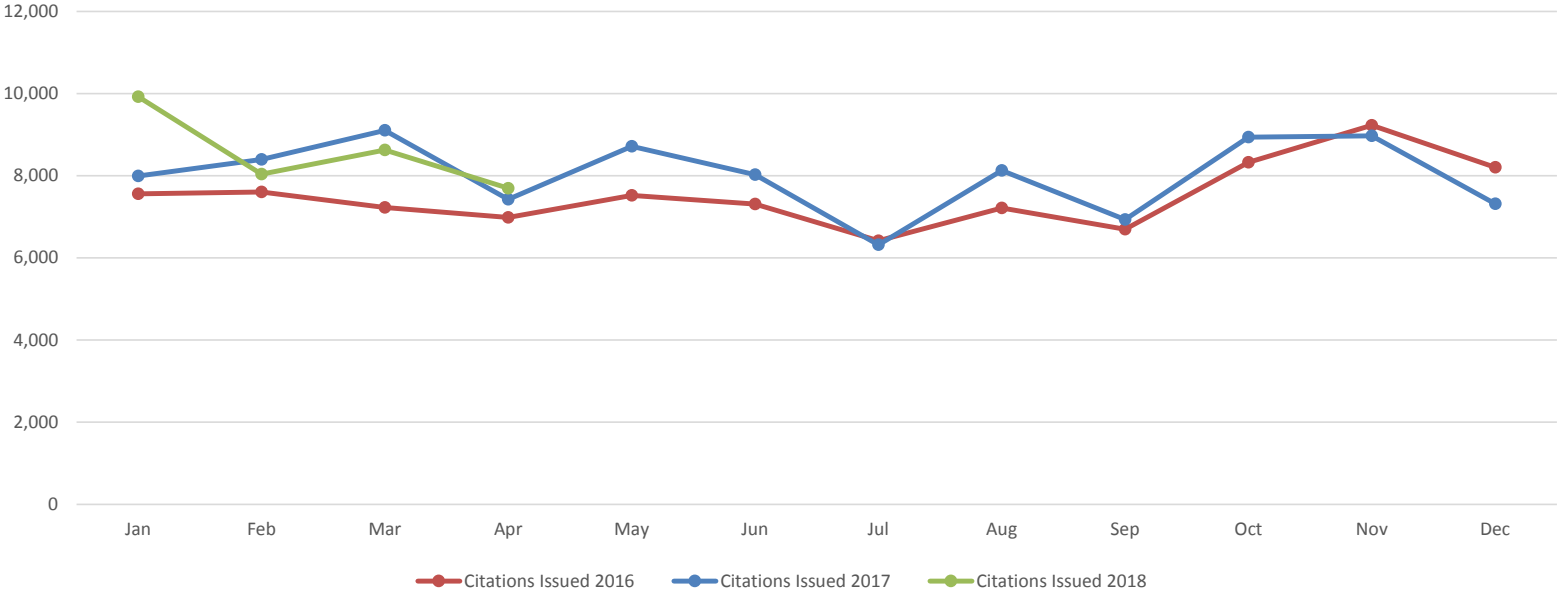
# Parking Enforcement - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Citations Issued	7,997	8,400	9,104	7,424	8,716	8,028	6,318	8,131	6,933	8,939	8,973	7,316	96,279
YTD 2017	7,997	16,397	25,501	32,925	41,641	49,669	55,987	64,118	71,051	79,990	88,963	96,279	
Contested	1,324	1,673	1,761	1,796	1,912	1,681	1,587	1,734	1,578	1,793	1,556	2,116	20,511
YTD 2017	1,324	2,997	4,758	6,554	8,466	10,147	11,734	13,468	15,046	16,839	18,395	20,511	
Dismissed	821	1,000	1,136	1,223	1,288	1,070	998	1,115	937	1,107	940	1,375	13,010
YTD 2017	821	1,821	2,957	4,180	5,468	6,538	7,536	8,651	9,588	10,695	11,635	13,010	

# Parking Enforcement - 2016

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Citations Issued	7,559	7,608	7,225	6,988	7,521	7,312	6,419	7,218	6,698	8,326	9,229	8,205	90,308
YTD 2016	7,559	15,167	22,392	29,380	36,901	44,213	50,632	57,850	64,548	72,874	82,103	90,308	
Contested	1,211	1,297	1,112	938	1,289	1,248	1,179	1,063	979	1,259	1,433	1,139	14,147
YTD 2016	1,211	2,508	3,620	4,558	5,847	7,095	8,274	9,337	10,316	11,575	13,008	14,147	
Dismissed	722	788	688	738	847	772	668	649	602	690	855	733	8,752
YTD 2016	722	1,510	2,198	2,936	3,783	4,555	5,223	5,872	6,474	7,164	8,019	8,752	

### Parking Citations



# Warrant Arrests

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>2018</b>												
BART Felony Warrants	2	1	3	0								
BART Misdemeanor Warrants	3	3	2	2								
O/S Felony Warrants	12	10	16	29								
O/S Misdemeanor Warrants	40	37	68	55								
<b>Monthly Total</b>	<b>57</b>	<b>51</b>	<b>89</b>	<b>86</b>								
<b>YTD Total</b>	<b>57</b>	<b>108</b>	<b>197</b>	<b>283</b>								
<b>2017</b>												
BART Felony Warrants	1	2	1	1	2	3	1	5	1	1	1	0
BART Misdemeanor Warrants	6	4	3	5	9	2	6	17	10	3	8	3
O/S Felony Warrants	20	19	20	18	18	15	10	9	18	16	14	6
O/S Misdemeanor Warrants	39	40	53	53	54	44	52	53	48	74	60	36
<b>Monthly Total</b>	<b>66</b>	<b>65</b>	<b>77</b>	<b>77</b>	<b>83</b>	<b>64</b>	<b>69</b>	<b>84</b>	<b>77</b>	<b>94</b>	<b>83</b>	<b>45</b>
<b>YTD Total</b>	<b>66</b>	<b>131</b>	<b>208</b>	<b>285</b>	<b>368</b>	<b>432</b>	<b>501</b>	<b>585</b>	<b>662</b>	<b>756</b>	<b>839</b>	<b>884</b>
<b>2016</b>												
BART Felony Warrants	0	0	0	1	0	0	0	0	0	0	1	1
BART Misdemeanor Warrants	11	18	8	3	3	4	0	0	0	0	2	3
O/S Felony Warrants	16	28	23	12	6	9	15	12	8	20	17	11
O/S Misdemeanor Warrants	53	35	35	34	48	35	41	32	30	28	33	62
<b>Monthly Total</b>	<b>80</b>	<b>81</b>	<b>66</b>	<b>50</b>	<b>57</b>	<b>48</b>	<b>56</b>	<b>44</b>	<b>38</b>	<b>48</b>	<b>53</b>	<b>77</b>
<b>YTD Total</b>	<b>80</b>	<b>161</b>	<b>227</b>	<b>277</b>	<b>334</b>	<b>382</b>	<b>438</b>	<b>482</b>	<b>520</b>	<b>568</b>	<b>621</b>	<b>698</b>



# San Francisco Bay Area Rapid Transit Police Department Criminal Investigations Section Monthly Summary Report April 2018

## Detective Assignments

Total number of cases assigned to detectives during the month	Number of cases that are still being investigated by detectives	Number of cases that all current leads have been exhausted	Number of cases that were sent to the district attorney's offices for a review	Number of cases that the district attorney's offices has not made a final disposition	Number of cases that were charged by the district attorney / probation violation	Number of cases that were not charged by the district attorney's offices	Percentage of cases that the district attorney's offices filed charges	Total number of cases that are assigned to a detective as of May 9, 2018
<b>162</b>	<b>95</b>	<b>16</b>	<b>81</b>	<b>40</b>	<b>29</b>	<b>12</b>	<b>36%</b>	<b>92</b>

**Submitted By: Sgt. J. Power S-49**

**Date: 05/09/2018**



# San Francisco Bay Area Rapid Transit Police Department

## Criminal Investigations Section

### April 2018

#### Detective Closure Rate

Total number of cases assigned to detectives previous 12 months (May 2017 - April 2018)	Number of cases that are still being investigated by detectives	Number of cases that all current leads have been suspended	Number of cases that were sent to the district attorney's offices for a review (suspect identified)	Percentage of cases closed by identification of suspect	Percentage of cases suspended	Percentage of cases Open
<b>1877</b>	<b>144</b>	<b>393</b>	<b>1308</b>	<b>70%</b>	<b>21%</b>	<b>8%</b>

Charles	<b>D39</b>	225	23	38	163	<b>72%</b>	<b>17%</b>	<b>10%</b>
Johnson	<b>D51</b>	271	56	32	182	<b>67%</b>	<b>12%</b>	<b>21%</b>
Lahanas	<b>D75</b>	140	6	11	113	<b>81%</b>	<b>8%</b>	<b>4%</b>
Plumley	<b>D31</b>	357	10	76	268	<b>75%</b>	<b>21%</b>	<b>3%</b>
Medeiros	<b>D55</b>	495	24	129	337	<b>68%</b>	<b>26%</b>	<b>5%</b>
Krehbiel	<b>D27</b>	266	9	89	157	<b>59%</b>	<b>33%</b>	<b>3%</b>
Davis	<b>D54</b>	123	16	18	88	<b>72%</b>	<b>15%</b>	<b>13%</b>

#### CASES IN DETECTIVE QUEUE

		<i>Total</i>	<i>Past 60 days</i>
Charles	<b>D39</b>	5	0
Johnson	<b>D51</b>	23	1
Lahanas	<b>D75</b>	4	0
Medeiros	<b>D55</b>	21	0
Plumley	<b>D31</b>	13	2
Krehbiel	<b>D27</b>	9	0
Davis	<b>D54</b>	15	1

Submitted by: Sgt. John J. Power #S49  
Date: May 9, 2018

D51 currently out on industrial leave. Cases to be re-

## Assembly Bill 716 - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Prohibition Orders Issued	20	28	28	33									109
YTD 2018	20	48	76	109									

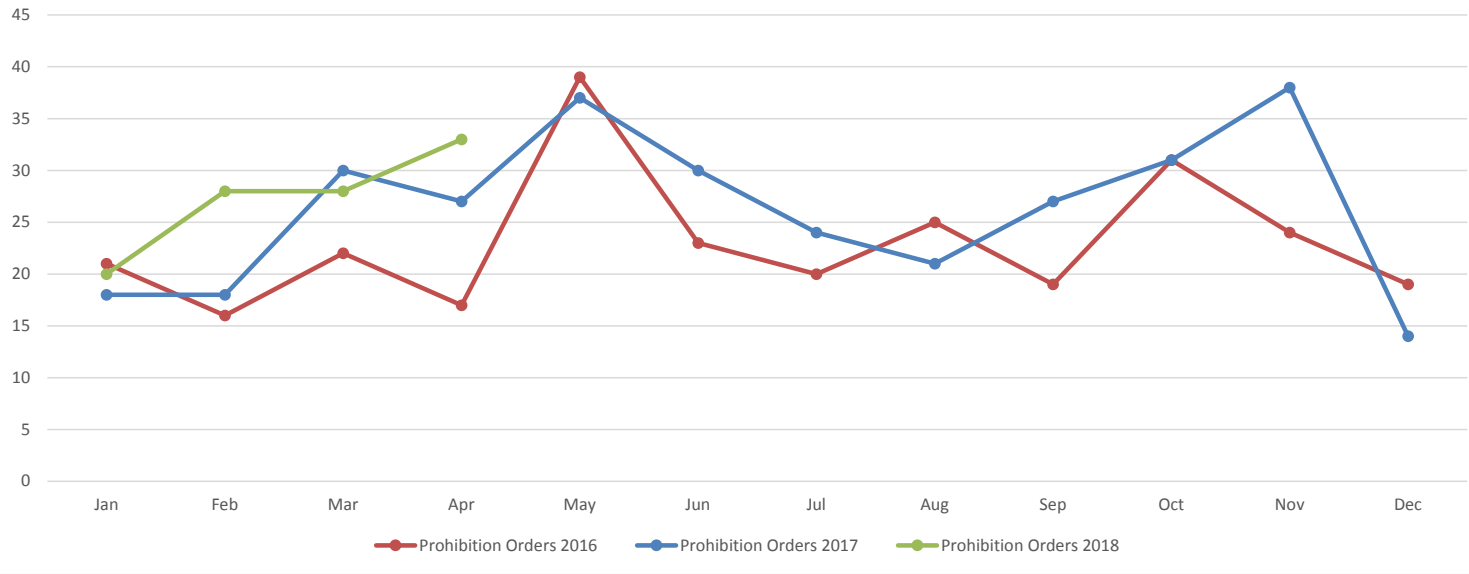
## Assembly Bill 716 - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Prohibition Orders Issued	18	18	30	27	37	30	24	21	27	31	38	14	315
YTD 2017	18	36	66	93	130	160	184	205	232	263	300	315	

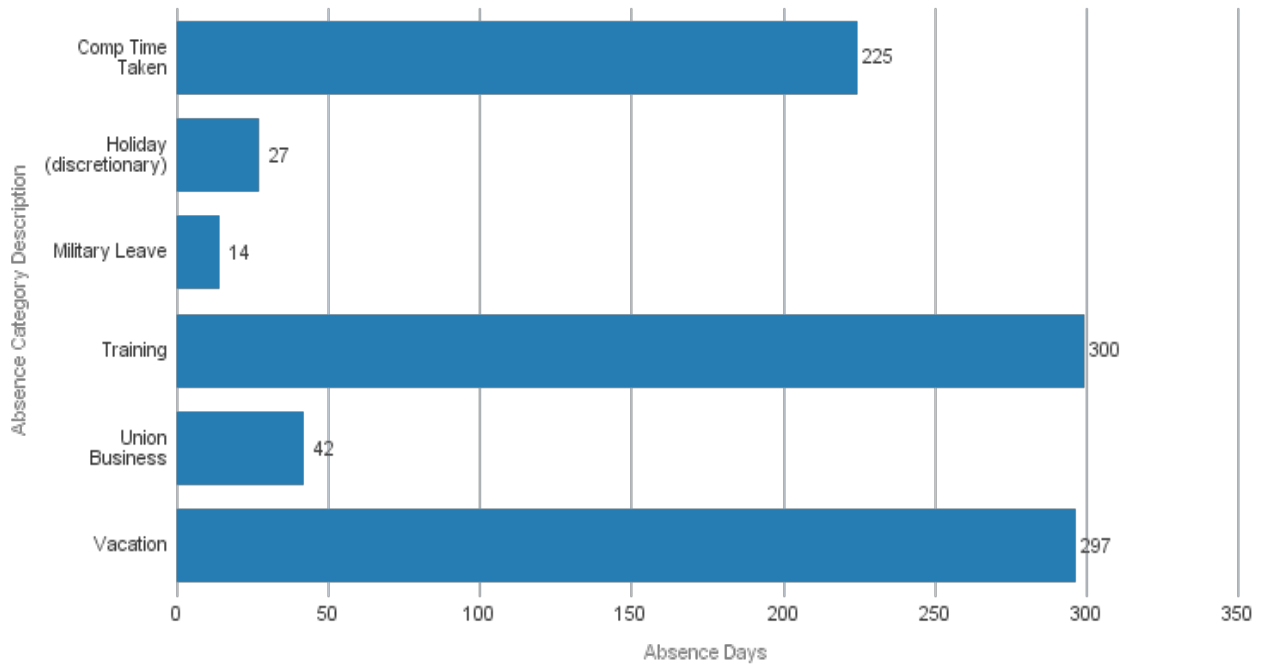
## Assembly Bill 716 - 2016

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Prohibition Orders Issued	21	16	22	17	39	23	20	25	19	31	24	19	276
YTD 2016	21	37	59	76	115	138	158	183	202	233	257	276	

Prohibition Orders

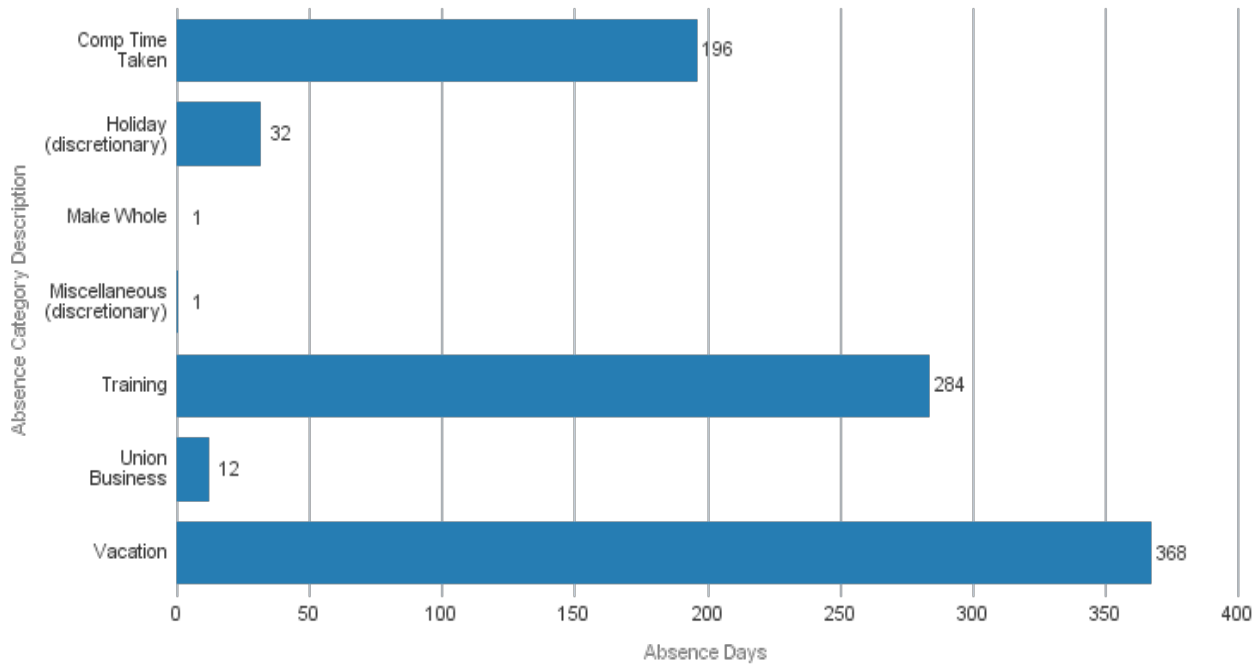


## Scheduled Absence Overview - April 2018



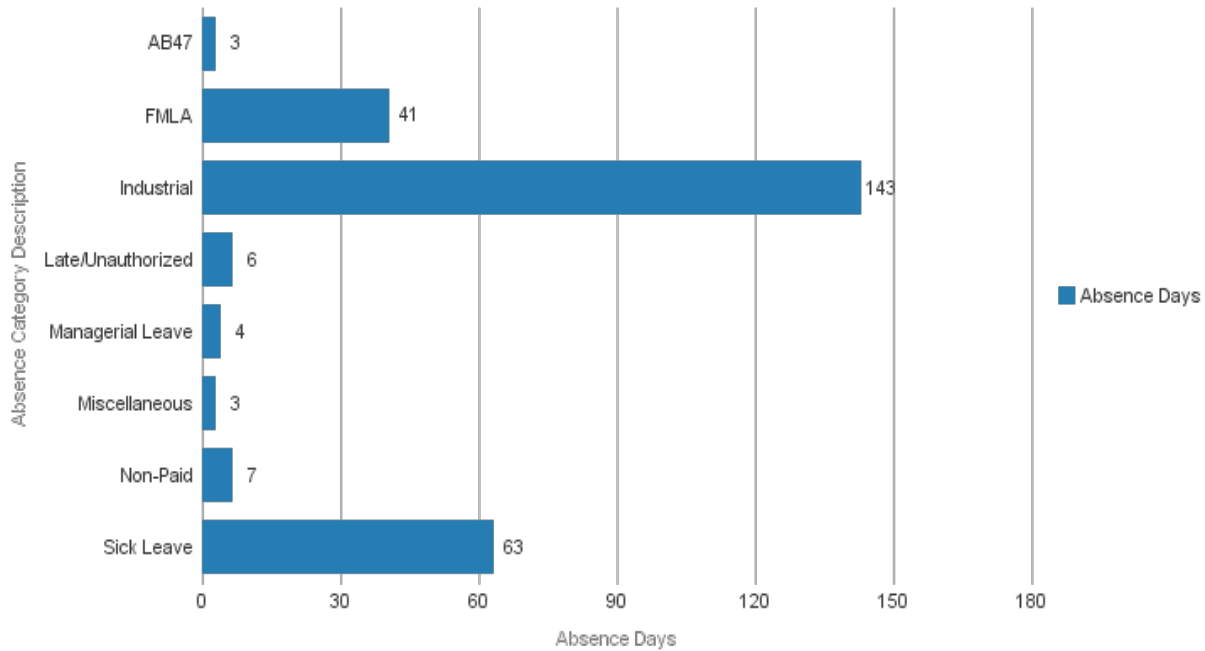
Absence Category Description	Absence Hours	Absence Days	% Total
Comp Time Taken	2,315	225	25%
Holiday (discretionary)	264	27	3%
Military Leave	168	14	2%
Training	2,756	300	33%
Union Business	448	42	5%
Vacation	2,946	297	33%
<b>Grand Total</b>	<b>8,897</b>	<b>904</b>	<b>100%</b>

## Scheduled Absence Overview - April 2017



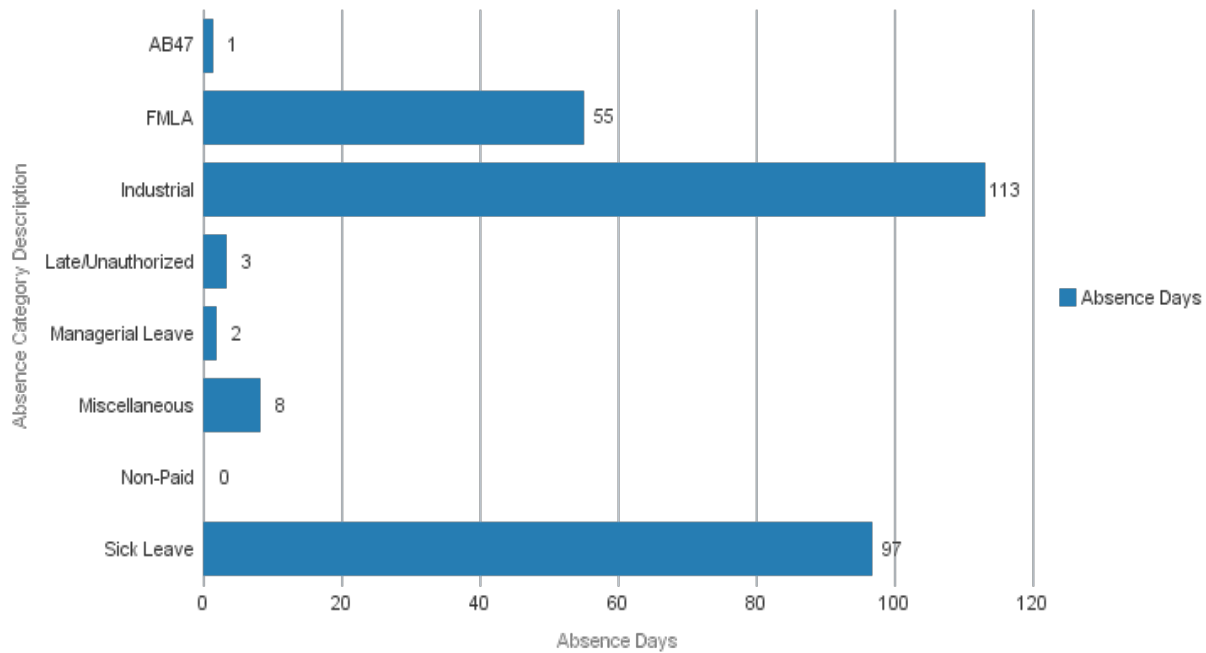
Absence Category Description	Absence Hours	Absence Days	% Total
Comp Time Taken	1,976	196	22%
Holiday (discretionary)	332	32	4%
Make Whole	6	1	0%
Miscellaneous (discretionary)	8	1	0%
Training	2,657	284	32%
Union Business	122	12	1%
Vacation	3,673	368	41%
<b>Grand Total</b>	<b>8,775</b>	<b>893</b>	<b>100%</b>

## Unscheduled Absence Overview - April 2018



Absence Category Description	Absence Hours	Absence Days	% Total
AB47	27	3	1%
FMLA	434	41	15%
Industrial	1,491	143	53%
Late/Unauthorized	67	6	2%
Managerial Leave	40	4	1%
Miscellaneous	32	3	1%
Non-Paid	55	7	2%
Sick Leave	672	63	24%
<b>Grand Total</b>	<b>2,819</b>	<b>270</b>	<b>100%</b>

## Unscheduled Absence Overview - April 2017



Absence Category Description	Absence Hours	Absence Days	% Total
AB47	16	1	1%
FMLA	539	55	20%
Industrial	1,190	113	40%
Late/Unauthorized	34	3	1%
Managerial Leave	20	2	1%
Miscellaneous	80	8	3%
Non-Paid	1	0	0%
Sick Leave	969	97	35%
<b>Grand Total</b>	<b>2,849</b>	<b>281</b>	<b>100%</b>

# BART PD OVERTIME MONTHLY REPORT

**April 2018**

Activity Name	Activity ID	2017			2018		
		Overtime10	Overtime15	Overtime20	Overtime10	Overtime15	Overtime20
Administration	ADMIN	0	641	0	0	0	0
Adv Officer Training	ADVOF	14	1,425	4,419	1	19,597	18,672
BART Labor	BLABR	0	376	599	0	5,332	1,955
BF OT Admin Leave BPD	BFALV	0	441	0	0	449	1,204
BF OT Discr Day BPD	BFDSC	0	2,245	3,760	0	723	1,808
BF OT Industrial Leave BPD	BFILV	428	8,419	11,394	1,231	10,270	35,590
BF OT Minimum Rest	BFRST	336	88	1,576	0	362	1,041
BF OT Patrol TRN	BFTRN	0	1,834	1,222	0	2,981	0
BF OT Recovery Day	BFRCV	0	9,658	12,533	0	13,460	20,676
BF OT Training BPD	BFTRN	0	1,834	1,222	0	2,981	0
BF OT Vacancy BPD	BFVCN	542	4,208	12,064	623	20,906	18,509
BF OT Vacation BPD	BFVAC	462	28,728	45,651	1,056	24,397	46,419
BF Sick/FMLA/Brvment	BFSLV	0	14,893	12,877	481	12,400	27,485
Boardroom Security	BRDRM	0	1,190	2,798	0	0	2,709
Bus Bridge Services	BUA15	0	508	646	0	0	0
COPPS Project/Event	COPPS	0	763	1,075	0	0	0
Civil Unrest	PRTST	0	190	0	0	0	301
Coliseum Events	CEOPS	0	13,248	14,085	0	9,473	7,287
Court Appearance	COURT	0	0	0	0	330	0
Crowd Ctrl for Spec	CROWD	0	1,863	2,165	0	0	0
Detectives Unit OT	INVST	0	2,894	1,185	0	1,922	2,404
E-BART SECURITY	EBSEC	0	0	0	0	4,876	5,557
EMS/OWS Pltfrm Detail	PLTFM	376	9,400	9,867	16	6,513	11,366
Evidence Collection	EVIDN	0	1,288	122	0	1,646	0
Explorer Advisors	EXPLR	0	383	1,179	224	2,111	0
Final Design	FDSGN	0	1,191	0	0	1,598	8,206
Held Over/Late Case	HLDOV	0	18,221	1,756	0	12,080	1,036
IA Unit Overtime	IAUNT	0	5,155	5,242	0	1,904	0
Jnt Terrorism Tskfrce	JTTF0	0	486	798	0	778	1,764



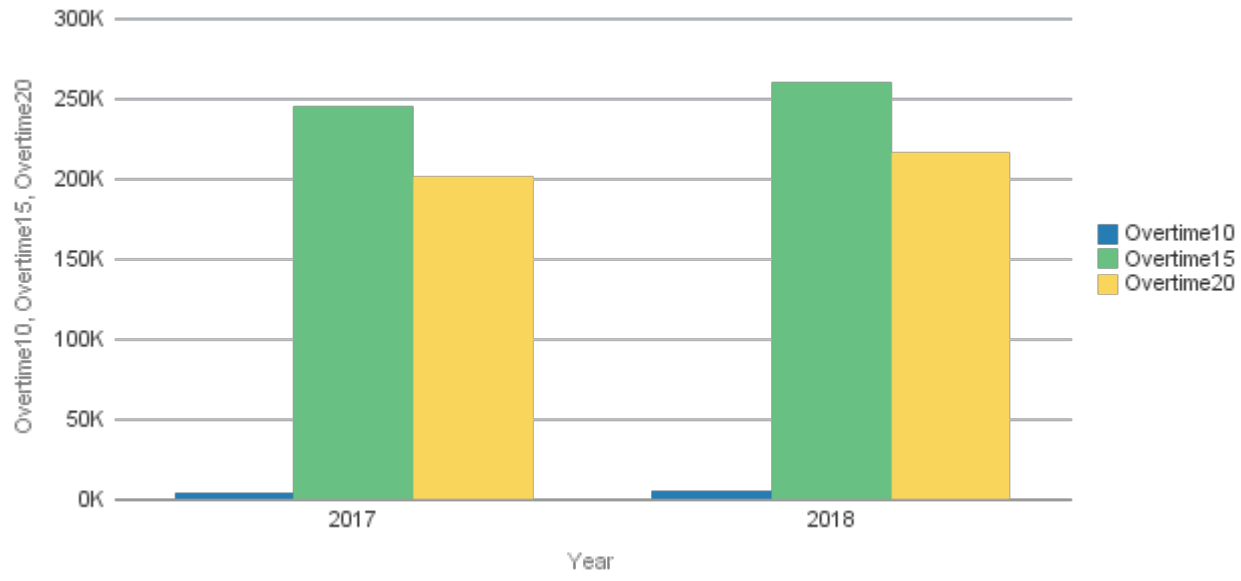
K-9 Team Training	K9TTR	0	0	0	0	1,878	611
Labor Negotiations	LBRNG	0	0	0	0	481	489
MTC SECURITY	MTCSC	0	0	0	0	925	215
Meeting Attendance	MTNGS	293	2,417	0	0	1,193	1,819
Mgr of Sec Programs	SECPR	0	589	0	0	2,398	0
Movie / Film Support	MOVIE	0	0	0	0	0	536
Operating	OPRTN	559	15,138	11,550	1,365	13,052	18,695
P&T Unit Overtime	PTUNT	0	16,611	5,591	819	19,909	10,760
Police Admin OT	PADMN	1,576	13,497	5,547	0	5,144	1,432
Ptrl Special Enforcement	SPECL	972	47,231	32,933	0	23,943	18,246
Raiders - Walkway	RAIDR	0	0	1,323	0	0	0
Raiders Game Cleanup	RAIDR	0	0	1,323	0	0	0
Range Staff Training	RANGE	0	0	623	0	1,844	2,775
Rev Protection Unit OT	RVPRT	0	433	0	0	0	0
SF STA CLN SEC	DSFCS	0	0	0	187	5,001	11,414
SWAT Team Expenses	SWATT	0	530	0	0	0	2,106
SWAT Team Training	SWATT	0	530	0	0	0	2,106
Special Events	SPEVN	0	1,618	1,293	0	0	1,295
Training	TRNNG	0	0	0	0	1,631	1,306
Training Other	TRNOT	0	4,281	1,945	3	8,593	3,023
Trma Resp Team TRN	TRTTR	0	0	0	0	0	714
Union Business	UNBUS	0	0	0	0	5,713	11,141
Walnut Creek Transit Village	C154A	0	0	0	0	5,349	0
<b>Total</b>		<b>5,558</b>	<b>234,444</b>	<b>210,366</b>	<b>6,007</b>	<b>254,143</b>	<b>302,667</b>

**April 2018**

**450,368**

**562,817**

### Overtime10, Overtime15, Overtime20



# Communications Center - 2018

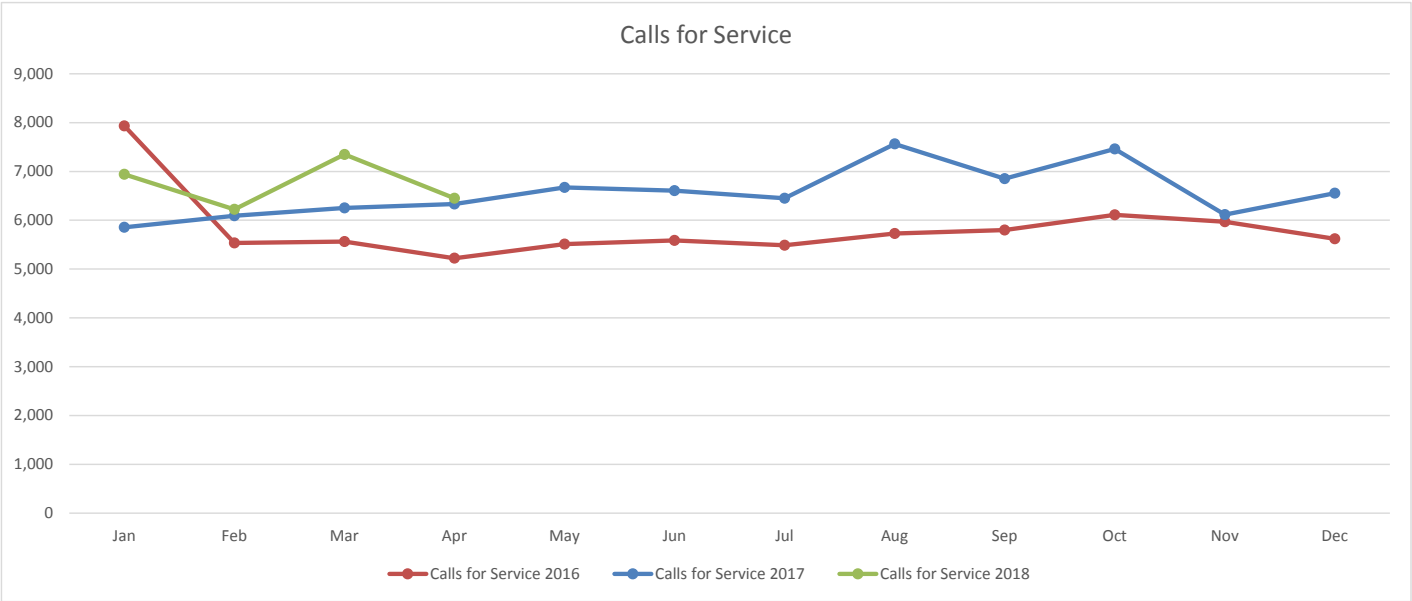
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Calls for Service	6,941	6,222	7,349	6,452									26,964
YTD 2018	6,941	13,163	20,512	26,964									
Priority 1 Calls	192	180	183	214									769
YTD 2018	192	372	555	769									
Medical Emergencies	414	310	344	373									1,441
YTD 2018	414	724	1,068	1,441									

# Communications Center - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Calls for Service	5,855	6,093	6,250	6,331	6,670	6,605	6,448	7,562	6,850	7,460	6,117	6,553	78,794
YTD 2017	5,855	11,948	18,198	24,529	31,199	37,804	44,252	51,814	58,664	66,124	72,241	78,794	
Priority 1 Calls	214	192	194	182	209	234	210	185	174	204	154	176	2,328
YTD 2017	214	406	600	782	991	1,225	1,435	1,620	1,794	1,998	2,152	2,328	
Medical Emergencies	425	327	357	344	367	385	376	344	356	387	387	463	4,518
YTD 2017	425	752	1,109	1,453	1,820	2,205	2,581	2,925	3,281	3,668	4,055	4,518	

# Communications Center - 2016

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Calls for Service	7,934	5,536	5,563	5,221	5,511	5,587	5,488	5,726	5,797	6,111	5,970	5,621	70,065
YTD 2016	7,934	13,470	19,033	24,254	29,765	35,352	40,840	46,566	52,363	58,474	64,444	70,065	
Priority 1 Calls	177	151	171	154	177	156	180	181	177	178	178	157	2,037
YTD 2016	177	328	499	653	830	986	1,166	1,347	1,524	1,702	1,880	2,037	
Medical Emergencies	305	277	334	315	305	304	281	278	334	313	307	389	3,742
YTD 2016	305	582	916	1,231	1,536	1,840	2,121	2,399	2,733	3,046	3,353	3,742	



# BART Watch - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Suspicious Activity	235	212	213	262									922
Crime in Progress	177	151	194	257									779
Illegally Parked Vehicle	24	24	16	38									102
Vandalism	60	68	102	67									297
Unattended Bag or Package	44	50	44	42									180
Sexual Assault/Lewd Behavior	36	71	52	29									188
Report a Crime Tip	60	44	51	54									209
Robbery/Theft	28	22	21	35									106
Unsecure Door	19	7	14	9									49
Disruptive Behavior	1167	1111	1408	1314									5,000
Panhandling	172	177	223	155									727
<b>Total</b>	<b>2022</b>	<b>1937</b>	<b>2338</b>	<b>2262</b>									<b>8,559</b>

Total Downloads: 46,758

Total Reports Made

Anonymous: 39.93%

Non-Anonymous: 60.07%

## Statistics

Statistics	Six Week Average	05/21-05/27	05/14-05/20	05/07-05/13	04/30-05/06	04/23-04/29	04/16-04/22
Alerts Sent	0.00	0	0	0	0	0	0
Description	<i>The total number of alerts sent.</i>						
Incoming Reports	387.00	385	375	394	401	360	407
Description	<i>The number of reports sent from users.</i>						
Replies to Reports	368.33	346	317	430	390	366	361
Description	<i>The number of replies sent to users from ELERTS EPICenter console.</i>						

Report Type	# of Reports (all time)	
Disruptive Behavior (A)	16985	41.50%
Panhandling (A)	3947	9.64%
[none selected]	3712	9.07%
Suspicious Activity (A)	3549	8.67%
Other (D)	3080	7.53%
Crime in Progress (A)	2424	5.92%
Panhandling or Disruptive Behavior (D)	1967	4.81%
Vandalism (A)	1330	3.25%
Unattended Bag or Package (A)	1047	2.56%
Report a Crime Tip (A)	805	1.97%
Illegally Parked Vehicle (A)	735	1.80%
Sexual Assault / Lewd Behavior (A)	662	1.62%
Robbery / Theft (A)	403	0.98%
Unsecure Door (A)	255	0.62%
Human Trafficking (A)	15	0.04%
Text a Tip (A)	8	0.02%
Total	40924	100 %
(A) Active   Disabled (D)		

Identification	Total
Anonymous	39.91 %
Description	<i>Reports sent anonymously.</i>
Non-Anonymous	60.09 %
Description	<i>Reports sent non-anonymously.</i>

App Statistics (including tests)	
Total Messages (iOS)	50138
Description	<i>Reports and replies via iOS devices.</i>
Total Messages (Android)	25267
Description	<i>Reports and replies via Android devices.</i>
Total Messages (SMS)	3
Description	<i>Reports and replies via SMS.</i>

TEST-THIS IS ONLY A TEST	# of Reports (all time)
TEST Report Total	5737

Top SMS Users	
Phone Number	Number of Reports
5103685574	1
5108215151	1
4849860547	1

**BART Police  
Use of Force  
Annual Report**

**2017**

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This report contains data and analysis of use of force incidents,  
compiled by the Patrol Operations Bureau.

## Report Content

Use of Force Policy 300.9 requires the following:

*At least annually, the Patrol Division Commander should prepare an analysis report on Use of Force incidents. The report should be submitted to the Chief of Police, the Office of the Independent Police Auditor, and the BART Police Citizen Review Board. The report should not contain the names of officers, suspects or case numbers, and should include:*

- (a) The identification of any trends in the Use of Force by members.*
- (b) Training needs recommendations.*
- (c) Equipment needs recommendations.*
- (d) Policy revision recommendations.*

This report will also incorporate the following statistics as they relate to the above topics:

1. Types of force used
2. Cause for use of force
3. Service being rendered at time of use of force
4. Suspect custody status
5. Suspect injuries
6. Officer injuries



### Year in Review

A significant revision was made to the Use of Force Policy in 2017, through the collaborative efforts of the Department, the BART Police Citizen Review Board, The Office of the Independent Police Auditor, and the BART Police Officers and Managers Associations.

The policy revision was initiated by the Department following a Police Executive Research Forum (PERF) publication, *Guiding Principles on Use of Force*. The Department reviewed recommendations made by PERF, compared the recommendations to current Department policy, and considered potential changes to existing policy.

A tiered documentation system for use of force incidents was introduced into the policy, for efficiency. An essential element for this tiered reporting system to be viable is that officers consistently record incidents on officer worn body cameras. The consideration to modify the policy was reviewed by OIPA, recommended for approval by the BPCRB, and approved by the Chief of Police.

The collaborative effort resulted in a revised Use of Force policy which was reviewed by OIPA, recommended for approval by the BPCRB, and approved by the Chief of Police. The policy revision was adopted in July 2017. The policy revision includes the following:

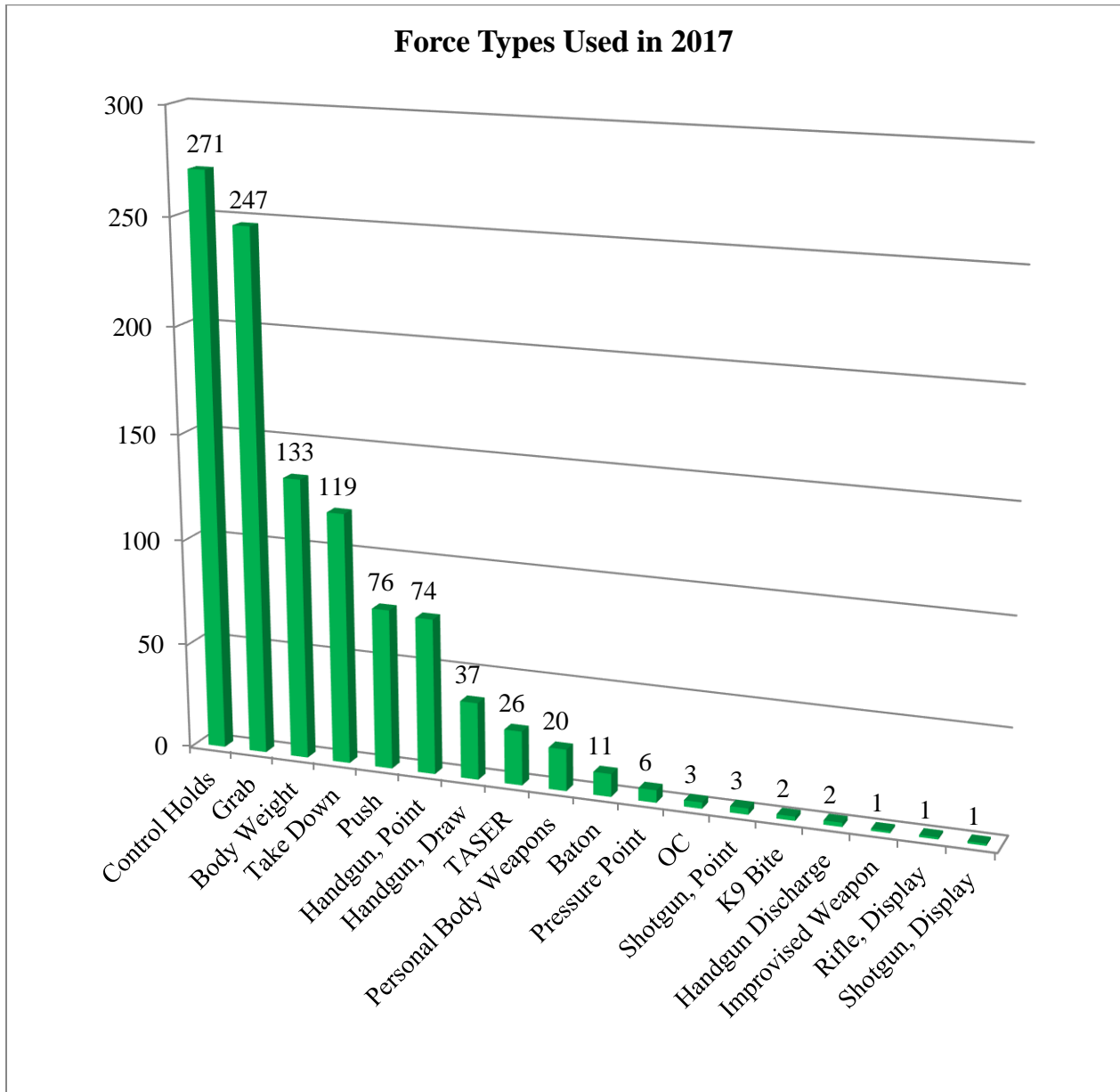
- *The BART Police Department's highest priority is safeguarding the life, dignity, and liberty of all persons. Officers shall demonstrate this principle in their daily interactions with the community they are sworn to protect and serve. The Department is committed to accomplishing this mission with respect and minimal reliance on the use of force by using rapport-building communication, crisis intervention, and de-escalation tactics before resorting to force, whenever feasible. This Department policy builds upon the Supreme Court's broad principles in Graham v. Connor (1989) 490 U.S. 386 and is more restrictive than the constitutional standard and state law.*
- *Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose. Officers must strive to use the minimal amount of force necessary.*
- *Minimal amount of force necessary - The lowest level of force within the range of objectively reasonable force that is necessary to effect an arrest or achieve a lawful objective without increasing the risk to others.*
- *The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.*

## BART Police Use of Force, 2017 Annual Report

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- *Officers shall use de-escalation techniques whenever feasible and appropriate: to potentially reduce or eliminate the need to use force; and to prevent injuries to the subject, the public and the officer(s). Use of de-escalation techniques must allow for the fact that officers are often forced to make split-second decisions, with limited information, and in circumstances that are tense, uncertain and rapidly evolving.*
- *A tiered documentation system for use of force incidents.*

**REPORT TOPIC: TRENDS IN THE USE OF FORCE**

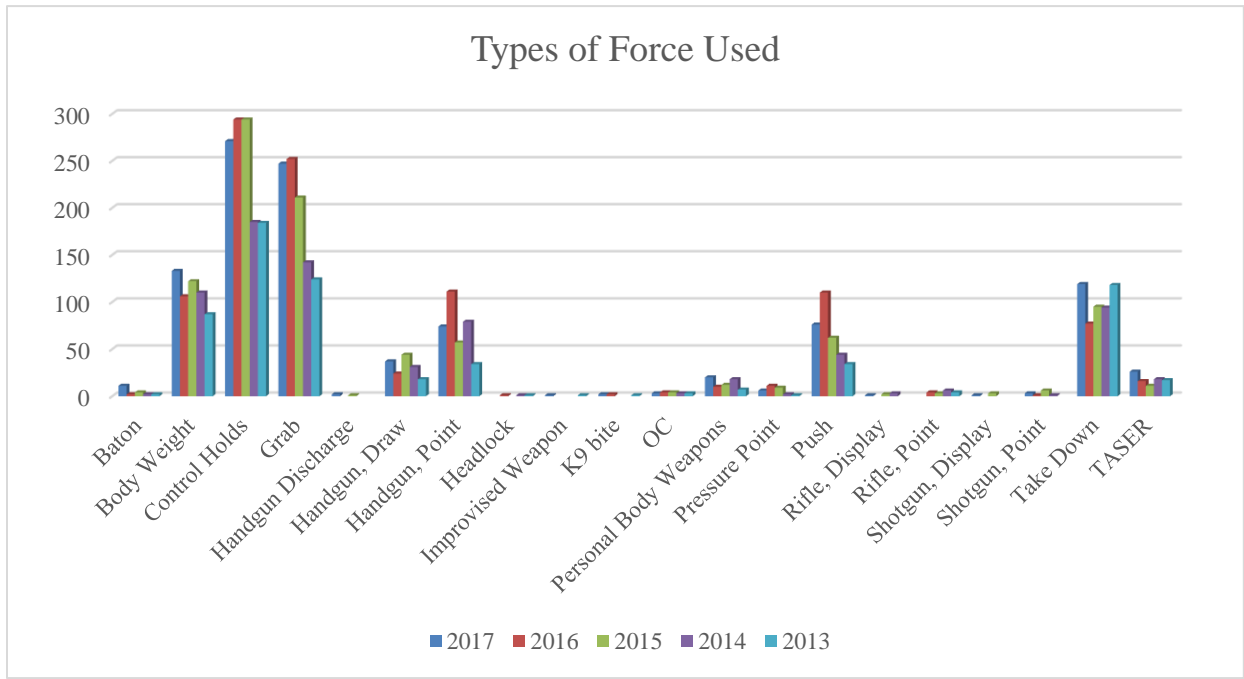


\*There were 306 incidents where force was used; however, some incidents involved the use of multiple force types, and/or the same force type used by multiple officers.

This data shows that the most frequently used force options are the low-level options such as control holds and grabs. Officers appear to be using the minimal amount of force necessary in most situations.

The following data compares year to year totals of the types of force used. The data appears to show that the type of force used has not significantly varied from year to year.

## BART Police Use of Force, 2017 Annual Report



The following data indicates that there was no significant increase or decrease in the number of use of force incidents, compared to the prior two years. There was a 3% increase in comparison to 2016, but a 2.6% decrease in comparison to 2015.

### Use of Force Incidents - 2017

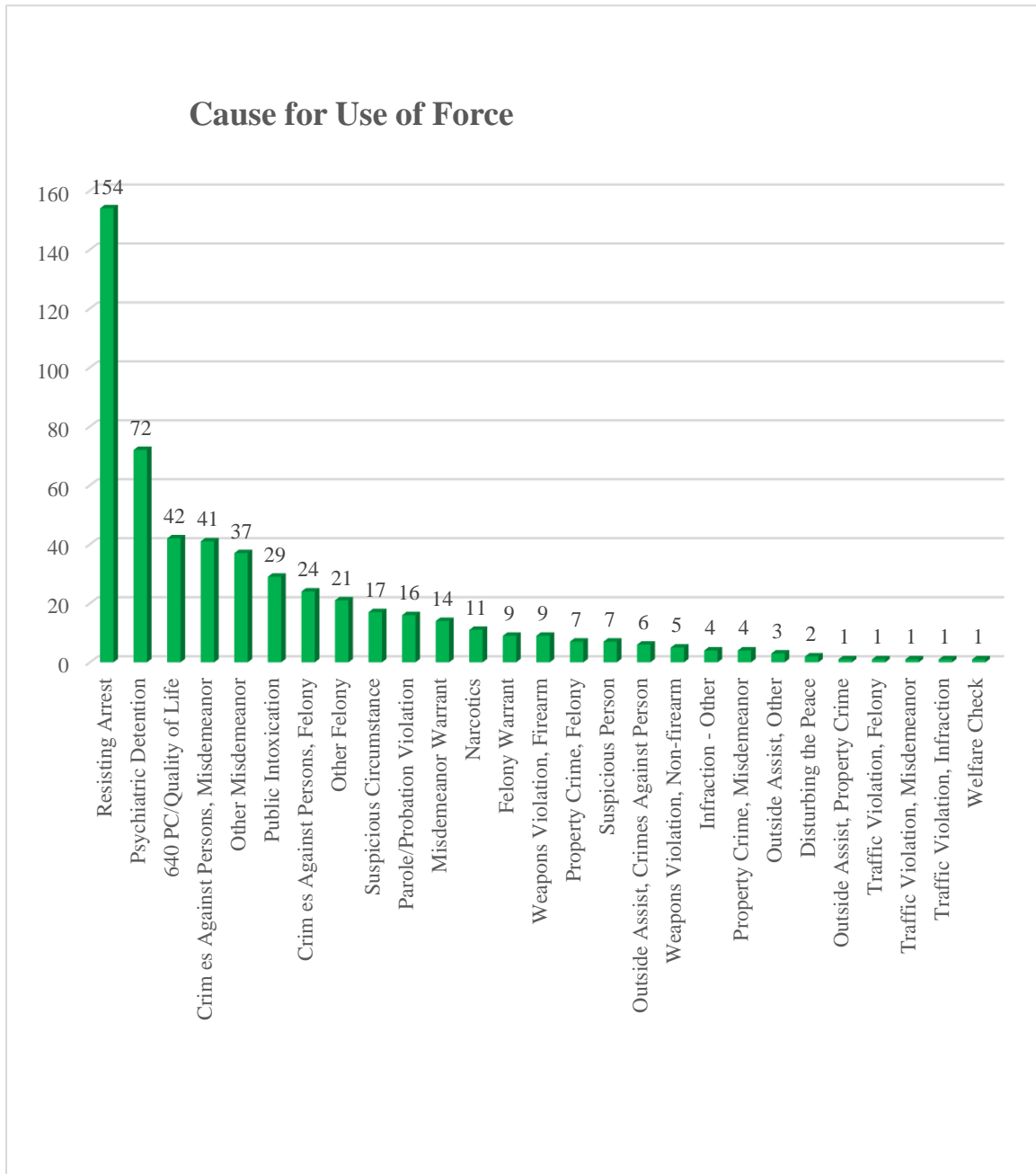
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2017	29	32	30	35	27	35	24	20	27	20	11	15	305
YTD 2017	29	61	91	126	153	188	212	232	259	279	290	305	

### Use of Force Incidents - 2016

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2016	37	24	32	13	24	31	30	20	14	20	29	22	296
YTD 2016	37	61	93	106	130	161	191	211	225	245	274	296	

### Use of Force Incidents - 2015

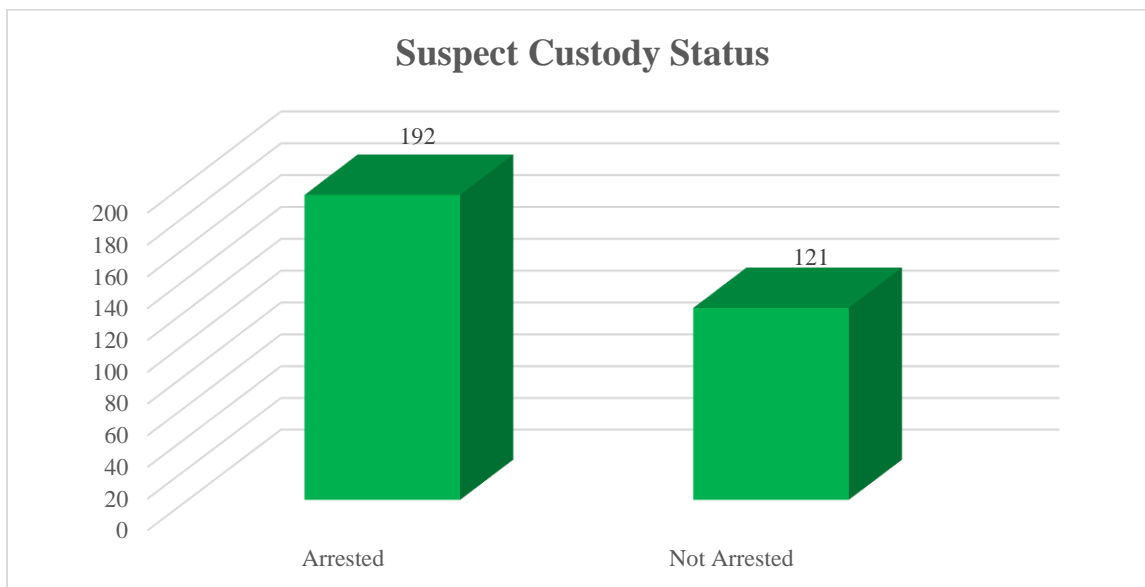
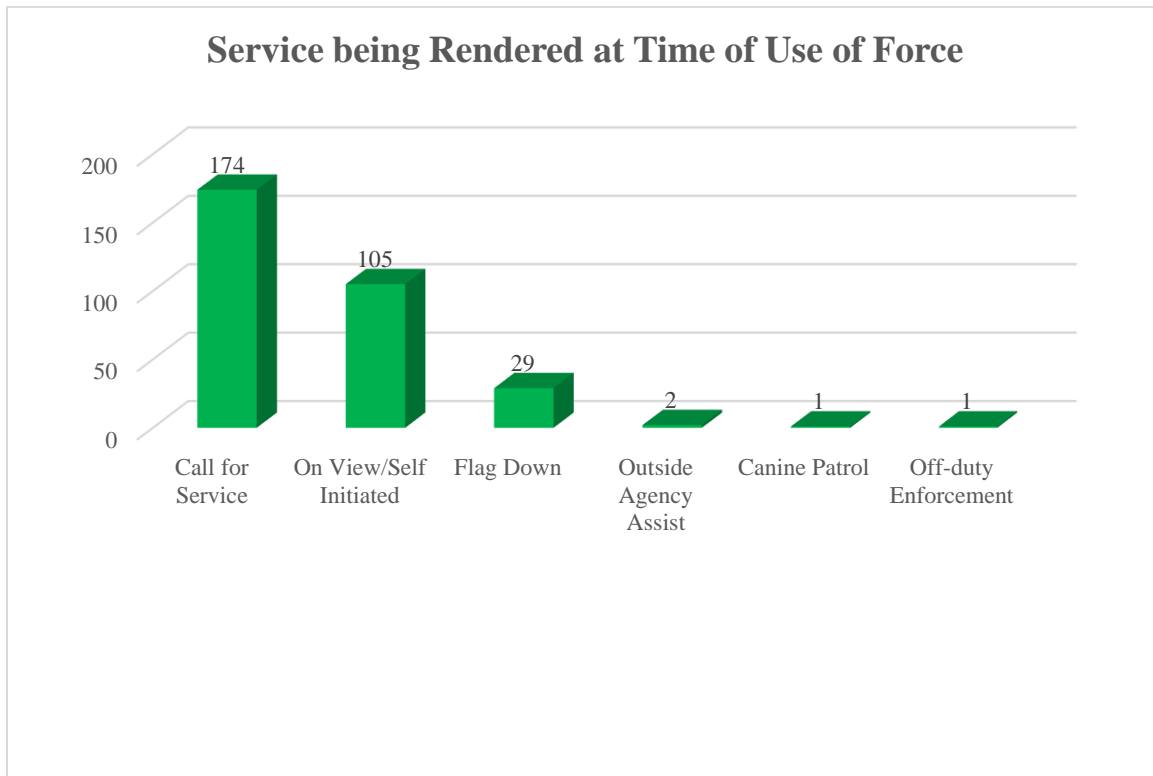
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2015	17	19	34	20	24	22	30	29	30	28	33	27	313
YTD 2015	17	36	70	90	114	136	166	195	225	253	286	313	



Annual Officer Training in 2018 will re-emphasize the importance for officers to tactically control initial contacts with persons in effort to avoid having to use force. When officers use verbal skills, correct body positioning, and sound tactics to exert control, persons are less able and less likely to attempt to flee or physically resist an officer.

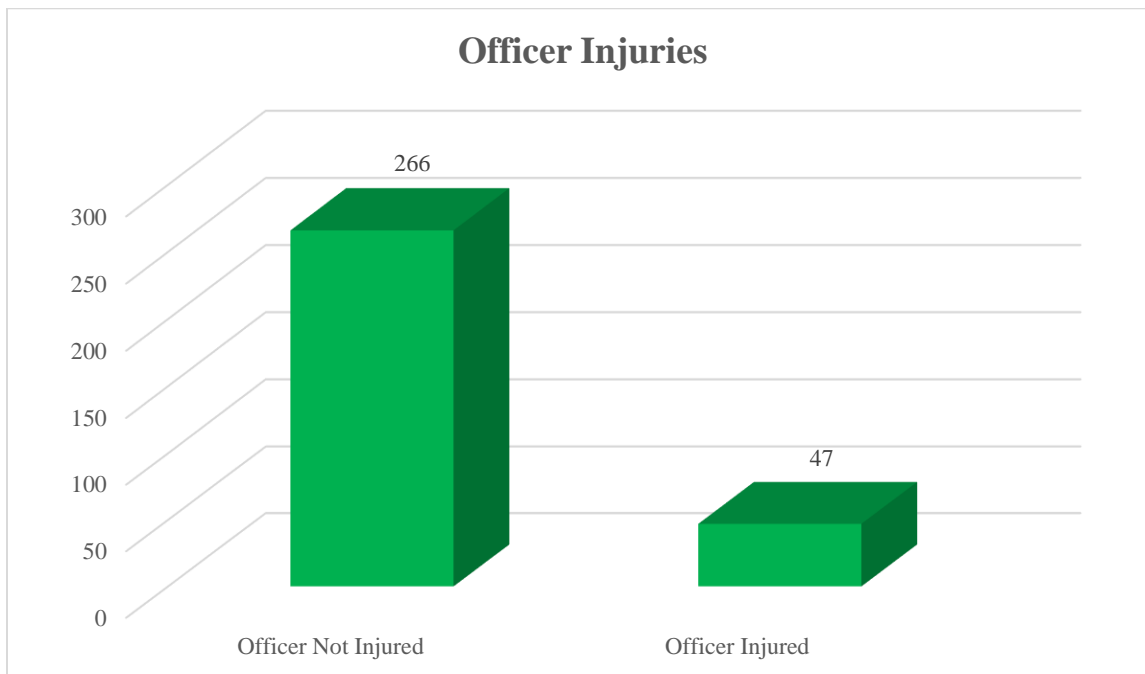
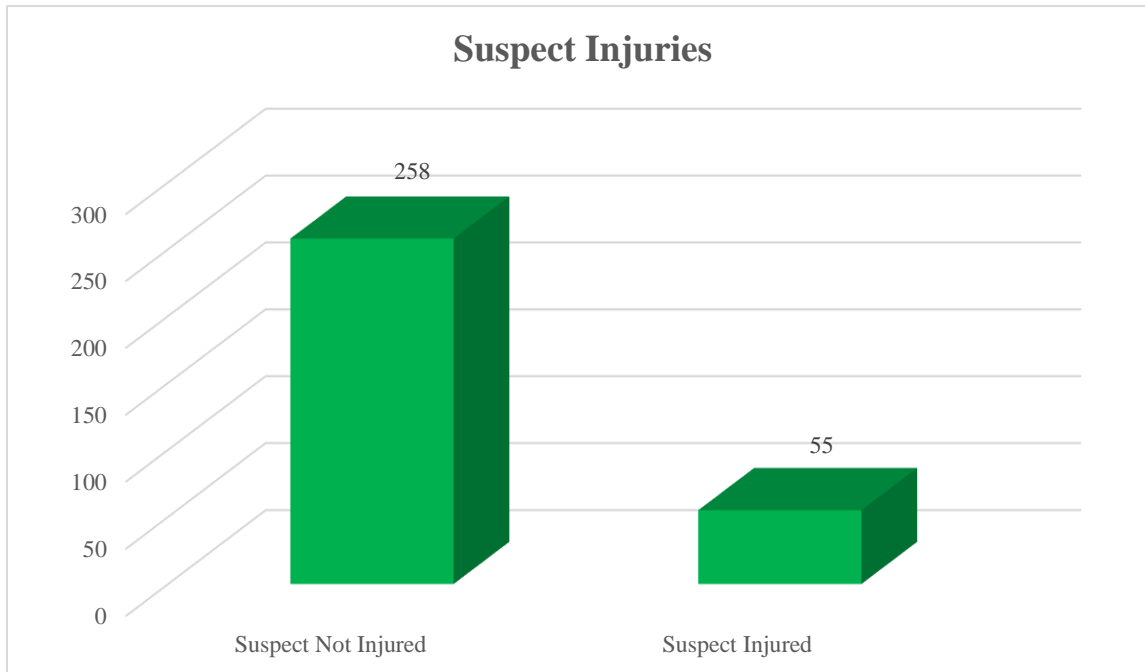
Annual Officer Training in 2018 will also include a review of Crisis Intervention Training, which includes de-escalation tactics and skills to potentially reduce use of force when interacting with persons in crisis and/or persons with mental health issues.

## BART Police Use of Force, 2017 Annual Report



Note: this data shows that 38% of instances when force was used, the suspect was not arrested. The Department would like OIPA to consider reviewing these instances to possibly identify any patterns or trends related to the level of force used upon suspects who were ultimately released from custody.

## BART Police Use of Force, 2017 Annual Report



Note: this data indicates that suspects were not injured in 83% of use of force incidents and officers were not injured in 85% of incidents. This is an indication that officers are using minimal force upon suspects.

## **REPORT TOPIC: TRAINING**

Supervisors received training on the Use of Force policy update (July 2017) in Staff Meetings and the Patrol Managers Meeting.

All officers received training on the policy as well. Training was conducted by supervisors, and verification of training completion was confirmed with a signature log for each Zone. Officers were also required to acknowledge receipt of the new policy in our on-line Lexipol policy manual update.

Deputy Chief Haight participated in Zone meetings with Chief Rojas to answer questions about the policy.

With the adoption of the policy update, the Department created a mechanism to track the use of de-escalation techniques by officers in the BlueTeam software database. Supervisors were instructed to select the de-escalation force option whenever an officer used de-escalation techniques. The BlueTeam software prompts the supervisor to designate whether the force option was effective or not. Unfortunately, supervisors have not been indicating in BlueTeam when de-escalation has been used. This will be rectified for all incidents going forward in 2018. Additional training will be provided, and use of the de-escalation force option will be monitored throughout the year.

The following training will be reviewed with supervisors and officers in 2018:

- Review of policy related to de-escalation
- Review of BlueTeam software functionality (for supervisors)
- Command Staff training on Use of Force investigation and review

## **REPORT TOPIC: EQUIPMENT**

A significant equipment issue related to Use of Force incidents was identified and resolved in 2017. The issue was with AXON Flex body worn cameras. Frequently, during a physical altercation, the wire connecting the camera to the battery would become disconnected, resulting in the camera powering off, and in some cases the video footage prior to the disconnection would also be lost. To resolve this issue, the Department replaced all AXON Flex body cameras with the AXON 2 body camera, which has the camera and battery integrated in a single unit with no connection wire. The Department purchased 220 new AXON 2 cameras and issued the cameras to all sergeants and offices prior to January 1, 2018.



## **REPORT TOPIC: POLICY RECOMMENDATIONS**

After the July 2017 policy update, there was a request for clarification on the threshold when officers need to notify a supervisor that they have used force. Clarification language has been drafted and is in final review.

Independent Police Auditor Russell Bloom also recommended that the force level and associated documentation requirement should be determined by a supervisor instead of the involved officer. To that end, the following amendment language has been drafted, adoption pending:

### *300.5.1 NOTIFICATION TO SUPERVISORS*

*Supervisory notification shall be made as soon as practicable following any application of force.*

### *300.5.2 USE OF FORCE INVESTIGATION, DOCUMENTATION, AND REVIEW*

*Upon receiving notification of a use of force, a supervisor who was not involved in the use of force incident, will determine the level of investigation and documentation.*

## Addendum to the 2017 Annual Use of Force Report

The BART Police Citizen Review Board reviewed the 2017 Annual Use of Force Report and asked for the following additional data:

- Data regarding the number of use of force incidents following the implementation of a new Use of Force Policy in July 2017. There was question as to whether the new policy led to a reduction in the use of force.
- Demographic data regarding persons involved in a use of force incident.

I. Following the implementation of the revised Use of Force Policy in July of 2017, there was a noticeable decrease in the percentage of incidents that resulted in use of force.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Enforcement Contacts plus 5150 Contacts	727	1100	905	832	852	707	818	1456	1395	1647	1039	894
Use of Force Incidents	29	32	30	35	27	35	24	20	27	20	11	15
Percentage	4.0	2.9	3.3	4.2	3.2	5.0	2.9	1.4	1.9	1.2	1.1	1.7

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Calls for Service	5855	6093	6250	6331	6670	6605	6448	7562	6850	7460	6117	6553
Use of Force Incidents	29	32	30	35	27	35	24	20	27	20	11	15
Percentage	0.50	0.53	0.48	0.55	0.40	0.53	0.37	0.26	0.39	0.27	0.18	0.23

II. As for the total number of use of force incidents, there was no significant increase or decrease, in comparison to the prior two years. There was a 3% increase in comparison to 2016, but a 2.6% decrease in comparison to 2015.

### Use of Force Incidents - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2017	29	32	30	35	27	35	24	20	27	20	11	15	305
YTD 2017	29	61	91	126	153	188	212	232	259	279	290	305	

### Use of Force Incidents - 2016

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2016	37	24	32	13	24	31	30	20	14	20	29	22	296
YTD 2016	37	61	93	106	130	161	191	211	225	245	274	296	

### Use of Force Incidents - 2015

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2015	17	19	34	20	24	22	30	29	30	28	33	27	313
YTD 2015	17	36	70	90	114	136	166	195	225	253	286	313	

## Addendum to the 2017 Annual Use of Force Report

- III. Regarding demographics of persons upon whom force was used, it is noted that there are no direct conclusions that should be drawn from the data alone. The data does not quantify the threshold for what constitutes a use of force, in comparison to other police departments. Nor does that data consider the type of force used, level of force used, and/or if the force resulted in injury.

It is very important to note that each use of force incident is independently investigated to determine if the officer had legal justification to use force, if the level of force was appropriate, and if the officer was within policy. Each Use of Force Investigation Report is reviewed through the Chain of Command, by the Use of Force Review Board, and is also accessible for review by the Office of the Independent Policy Auditor. The Police Department and the Office of the Independent Police Auditor do a thorough review of use of force.

The Citizen Review Board has asked for the following data:

Age Groups of Involved Persons	Number of Persons	Percentage
12-17	30	8.8
18-24	81	23.8
25-29	82	24.1
30-34	34	10.0
35-39	36	10.6
40-44	23	6.8
45-49	19	5.6
50-54	8	2.4
55-59	13	3.8
60-64	2	0.6
65-69	3	0.9
no data	9	2.6
Total	340	

## Addendum to the 2017 Annual Use of Force Report

Ethnicity/Gender of Involved Persons	Number	Percentage
Black Males	173	50.9
Black Females	50	14.7
Hispanic Males	43	12.6
White Males	37	10.9
Other Male	9	2.6
Hispanic Females	5	1.5
White Females	5	1.5
Pacific Islander Males	3	0.9
Unknown, Unknown	3	0.9
Asian Males	2	0.6
Native American Males	2	0.6
Hispanic Transgender	1	0.3
Indian Male	1	0.3
Middle Eastern Male	1	0.3
Native American Female	1	0.3
Other Female	1	0.3
Other Transgender	1	0.3
White Transgender	1	0.3
Black Transgender	1	0.3
Total	340	

\* There were 305 Use of Force incidents in 2017, and IAPro returned data for 340 persons associated with the 305 incidents. Some incidents involved more than one subject upon whom force was used.

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## Media Relations

### 346.1 PURPOSE AND SCOPE

This policy provides guidelines for media releases and media access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities.

### 346.2 RESPONSIBILITIES

Media and Public Affairs (M&PA) should handle any police case with the media that impacts system operation, such as any emergency or incident that cause train delays or system closures. That does not preclude authorized department representatives from dealing with the media and/or M&PA on information that is law-enforcement sensitive and/or could compromise an ongoing-police investigation.

District policy requires that M&PA be the clearinghouse for all information that is given to the news media. This will be strictly adhered to by the department and requires a timely effort by Command Officers and Sergeants to advise M&PA, the Chief and the Deputy Chiefs of any police dealings with reporters.

Only police managers may prepare a department News Release form. This form is located on the G:\drive under New Police Forms/News Release. Before a news release is e-mailed, faxed, or otherwise distributed to news providers, it must be reviewed and approved by M&PA, even during non-business hours. Contact information for M&PA approvers is available in the Communication Center.

If reasonable attempts to reach an M&PA employee, and a public-safety concern demands a speedy distribution of a department news release, the Command Officer, Sergeant, or supervisor may send it to media sources, but he/she will also e-mail a copy of the department news release to M&PA, the Chief and the Deputy Chiefs.

The aforementioned procedure does not preclude department managers from granting or authorizing interviews to reporters, especially for an ongoing case where a public-safety concern exists. As soon as practicable following such interviews, an e-mail or voice message will be sent to M&PA, the Chief and the Deputy Chiefs. The message must include: who was interviewed; by whom and the news agency; and a synopsis of what was disclosed to the reporter(s).

Compliance with this policy will ensure that M&PA, the Chief and the Deputy Chiefs are apprised of any communication that the department has with news reporters, so that M&PA and the department are on the same page as to what has been disclosed to the media and what information should not be divulged.

#### 346.2.1 MEDIA REQUEST

Any media request for information or access to a law-enforcement situation shall be referred to the designated department-media representative, or if unavailable, to the first available supervisor. Prior to releasing any information to the media, employees shall consider the following:

# Bay Area Rapid Transit Police Department

## BART PD Policy Manual

### *Media Relations*

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- In situations involving multiple law-enforcement agencies, every reasonable effort should be made to coordinate media releases with the authorized representative of each involved agency prior to the release of any information by this department.
- Under no circumstance should any member of this department make any comment(s) to the media regarding any law-enforcement incident not involving this department without prior approval of the Chief of Police.

#### **346.3 MEDIA ACCESS**

Authorized members of the media shall be provided access to scenes of disasters, criminal investigations, emergencies and other law enforcement activities subject to the following conditions (Penal Code § 409.5(d)):

- (a) The media representative shall produce valid press credentials that shall be prominently displayed at all times while in areas otherwise closed to the public.
- (b) Media representatives may be prevented from interfering with emergency operations and criminal investigations.
  1. Reasonable effort should be made to provide a safe staging area for the media that is near the incident and that will not interfere with emergency or criminal investigation operations. All information released to the media should be coordinated through the department Media and Public Affairs Manager or other designated spokesperson.
  2. Whenever the presence of media or other aircraft pose a threat to public or officer safety or significantly hampers incident operations, the field supervisor should consider requesting a Temporary Flight Restriction (TFR). All requests for a TFR should be routed through the Watch Commander. The TFR request should include specific information regarding the perimeter and altitude necessary for the incident and should be requested through the appropriate control tower. If the control tower is not known, the Federal Aviation Administration should be contacted (14 CFR 91.137).
- (c) No member of this department who is under investigation shall be subjected to media visits or interviews without the consent of the involved employee (Government Code § 3303(e)).
- (d) Media interviews with individuals who are in custody should not be permitted without the approval of the Chief of Police and the express consent of the person in custody.

A tactical operation should be handled in the same manner as a crime scene, except the news media shall be permitted within the outer perimeter of the scene, subject to any restrictions as determined by the supervisor in charge. Department members shall not jeopardize a tactical operation in order to accommodate the news media. All comments to the media shall be coordinated through a supervisor or the Media and Public Affairs Manager.

# Bay Area Rapid Transit Police Department

## BART PD Policy Manual

### *Media Relations*

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#### 346.3.1 PROVIDING ADVANCE INFORMATION

To protect the safety and rights of officers and other persons, advance information about planned actions by law enforcement personnel, such as movement of persons in custody or the execution of an arrest or search warrant, should not be disclosed to the news media, nor should media representatives be invited to be present at such actions except with the prior approval of the Chief of Police.

Any exceptions to the above should only be considered for the furtherance of legitimate law enforcement purposes. Prior to approving any exception the Chief of Police will consider, at minimum, whether the release of information or presence of the media would unreasonably endanger any individual, prejudice the rights of any person or is otherwise prohibited by law.

#### 346.4 SCOPE OF INFORMATION SUBJECT TO RELEASE

The department will maintain a daily information log of significant law enforcement activities that shall be made available, upon request, to media representatives through the Administrative Services bureau. This log will generally contain the following information:

- (a) The date, time, location, case number, type of crime, extent of injury or loss, city of residency and names of individuals (except confidential informants) involved in crimes occurring within this jurisdiction unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation
- (b) The date, time, location, case number, name, birth date and charges for each person arrested by this department unless the release of such information would endanger the safety of any individual or jeopardize the successful completion of any ongoing investigation
- (c) The time and location of other significant law enforcement activities or requests for service with a brief summary of the incident subject to the restrictions of this policy and applicable law

At no time shall identifying information pertaining to a juvenile arrestee, victim or witness be publicly released without prior approval of a competent court.

Information concerning incidents involving certain sex crimes and other offenses set forth in Government Code § 6254(f) shall be restricted in accordance with applicable statutory provisions.

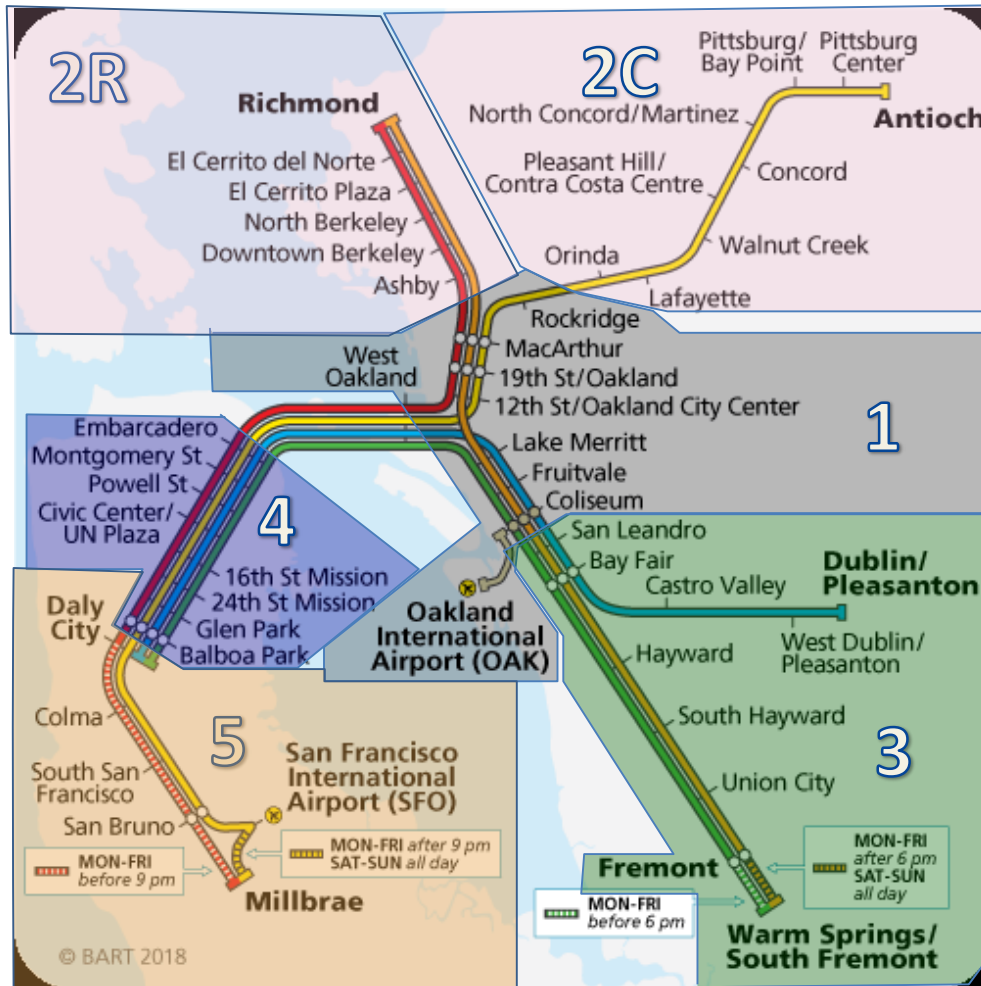
Identifying information concerning deceased individuals shall not be released to the media until notification of next of kin or otherwise cleared through the Coroner's Office.

Any requests for copies of related reports or additional information not contained in this log shall be referred to a records bureau clerk, or if unavailable, to the records bureau supervisor. Such requests will generally be processed in accordance with the provisions of the Public Records Act (Government Code § 6250, et seq.)

#### 346.4.1 RESTRICTED INFORMATION

It shall be the responsibility of the authorized employee dealing with media requests to ensure that restricted information is not inappropriately released to the media by this department. When

# Zone/Beat Structure



## Zone 1

- 10: Fruitvale, Coliseum, Airport Connector
- 11: Lake Merritt, Oakland West, 12<sup>th</sup> Street
- 13: 19<sup>th</sup> Street, MacArthur, Rockridge
- 14: Cover Beat

## Zone 2R

- 20: Ashby, Berkeley
- 21: Richmond, EC Del Norte
- 22: North Berkeley, EC Plaza

## Zone 2C

- 25: Orinda, Lafayette, Walnut Creek
- 26: Pleasant Hill, Concord
- 27: North Concord, Pittsburg/Bay Point
- 28: eBART Transfer, Pittsburg Center, Antioch

## Zone 3

- 30: San Leandro, Bay Fair
- 31: South Hayward, Union City
- 32: Fremont, Warm Springs
- 34: Hayward, Castro Valley
- 35: West Dublin, East Dublin
- 36: Fremont, Warm Springs (swing shift only)

## Zone 4

- 40: Embarcadero, Montgomery, Powell
- 41: Embarcadero, Montgomery, Powell
- 42: Civic Center, 16th Street, 24th Street
- 43: Civic Center, 16th Street, 24th Street

## Zone 5

- 50: Glen Park, Balboa Park, Daly City, Colma
- 51: Colma, South SF, San Bruno, Millbrae
- 52: SF Airport

Minimum Staffing for Officers working day shift in Patrol: 23  
 Minimum Staffing for Officers working swing shift in Patrol: 24  
 Minimum Staffing for Sergeants on days/swings in Patrol: 4

K9 Officers: 3 on days, 3 on swings  
 CAP Team Officers: 6 (schedule varies)

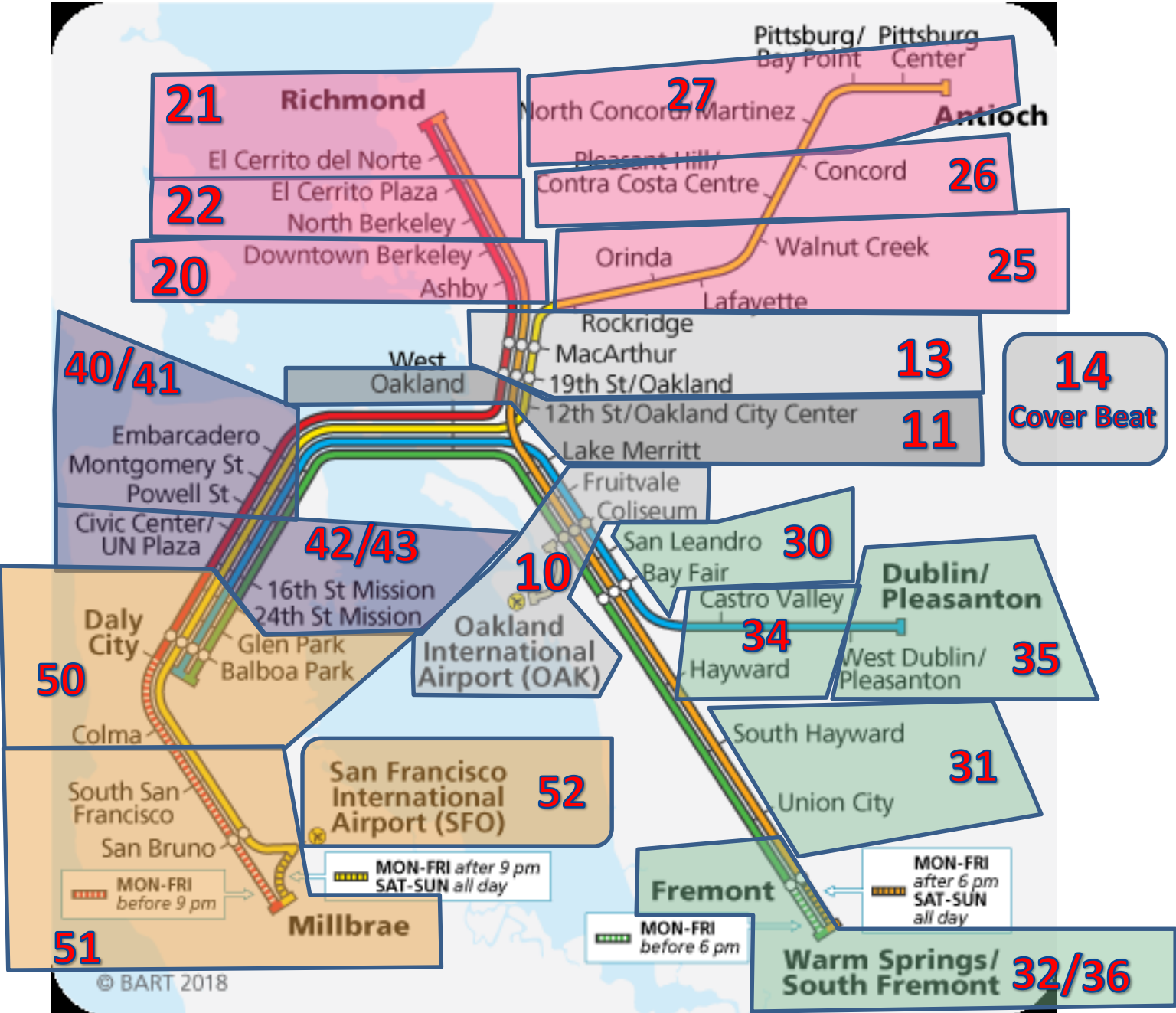
K9 Sergeant: 1  
 CAP Sergeant: 1

CSO's in Patrol, day shift: 12  
 Special Parking CSO Team: 10

CSO's in Patrol, swing shift: 3

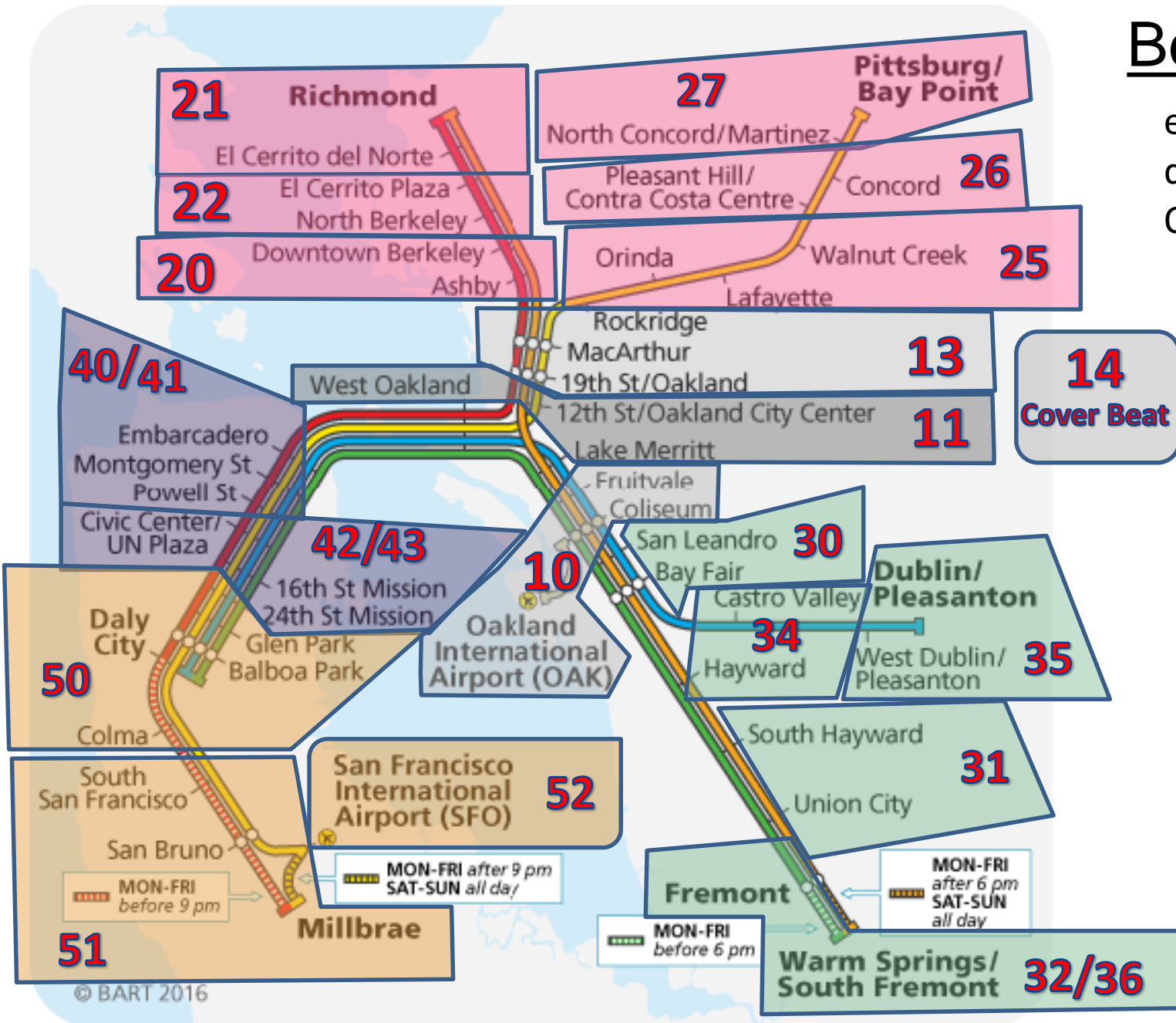


# Beat Map



# Beat Map

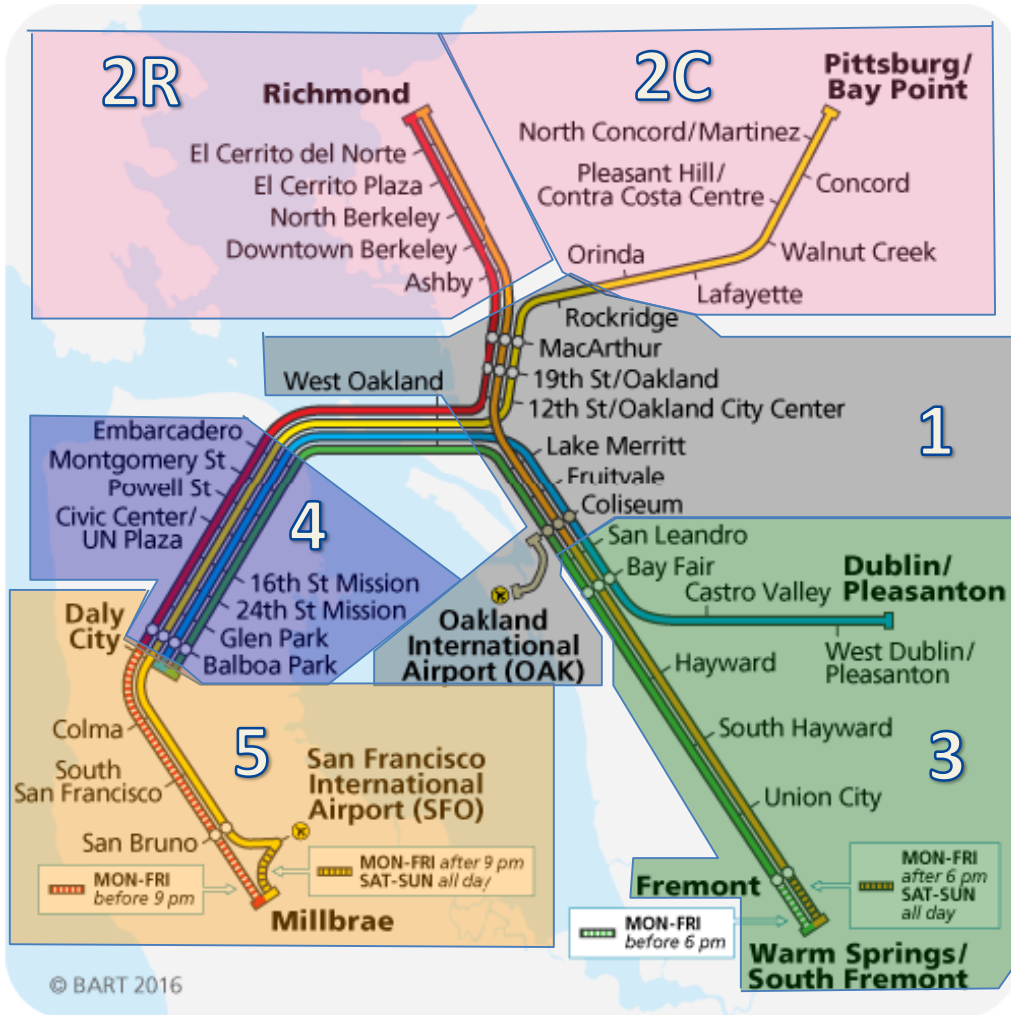
each beat number designates one Patrol Officer



Officers working day shift in Patrol:	22
Officers working swing shift in Patrol:	23
Sergeants on days/swings in Patrol:	4

K9 Officers: 4 on days, 4 on swings:	K9 Sergeant: 1
CAP Team Officers: 7 (schedule varies)	CAP Sergeant: 1
CSO's day shift Patrol: 17	CSO's swing shift Patrol: 3
CSO's Parking Team: 10	CSO's Fare Inspection: 6

# CSO Deployment/Assignments



## Zone 1

- 3 CSOs assigned

## Zone 2R

- 1 CSO assigned

## Zone 2C

- 1 CSO, reports to Concord
- 1 CSO, reports to Pittsburg/Bay Point
- 1 CSO, graveyard Antioch

## Zone 3

- 2 CSOs

## Zone 4

- 2 CSOs on day shift
- 2 CSOs on swing shift

## Zone 5

- 2 CSOs

## Special Parking Enforcement Team

- 10 CSOs

## Fare Inspection Team

- 6 CSOs

## COPPS Unit

- 1 CSO

## Non-Patrol CSO Assignments:

- 4 CSOs assigned to Video Recovery
- 2 CSOs assigned to Evidence
- 2 CSOs assigned to Vehicle Fleet
- 1 CSO assigned to Computer Systems
- 1 CSO assigned to Training
- 1 CSO Call Taker in Dispatch



Office of the  
**INDEPENDENT  
POLICE AUDITOR**

BAY AREA RAPID TRANSIT DISTRICT

# MONTHLY REPORT

April 2018

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Issue date: May 14, 2018

This report is filed pursuant to the BART Citizen Oversight Model, Chapter 1-05 (A), which requires the Office of the Independent Police Auditor (OIPA) to submit reports to the BART Police Citizen Review Board (BPCRB). This report provides information for the period **April 1, 2018 through April 30, 2018.**<sup>1</sup>

The Quantitative Report includes all complaints received and administrative investigations initiated by both OIPA and the BART Police Department (BPD) Internal Affairs Division.

## QUANTITATIVE REPORT

	Cases Filed <sup>2</sup>	Open Cases <sup>3</sup>	OIPA Investigations Concluded <sup>4</sup>	Cases Appealed to OIPA <sup>5</sup>	Cases Appealed by BPCRB <sup>6</sup>
April 2017	8	42	1	0	0
May 2017	13	47	1	0	0
June 2017	11	44	1	0	0
July 2017	13	48	0	0	0
August 2017	12	35	0	0	0
September 2017	12	31	1	0	0
October 2017	11	33	0	0	0
November 2017	11	32	0	1	0
December 2017	9	34	1	0	0
January 2018	7	32	0	0	0
February 2018	10	34	0	1	0
March 2018	6	35	1	0	0
April 2018	13	49	0	0	0

### TYPES OF CASES FILED

Citizen Complaints (Formal)	11
Informal Complaints <sup>7</sup>	0
Administrative Investigations	2
<b>TOTAL</b>	<b>13</b>

### CITIZEN COMPLAINTS RECEIVED PER DEPARTMENT<sup>8</sup>

OIPA	5
BART Police Department	6
<b>TOTAL</b>	<b>11</b>

## COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During April 2018, **5 Citizen Complaints (Formal)** were received by OIPA:

Complaint # (OIPA Case #) (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (OIPA #18-15) (IA2018-028)	Officers #1-4: • Force • Courtesy	OIPA notified BPD, which deferred investigation to OIPA.	26
2 (OIPA #18-13) (IA2018-029)	Officers #1-2: • Courtesy	OIPA notified BPD, which initiated an investigation.	28
3 (OIPA #18-14) (IA2018-031)	Officers #1-2: • Conduct Unbecoming an Officer  Officer #3: • Policy Complaint	OIPA notified BPD, which initiated an investigation.	27
4 (OIPA #18-16) (IA2018-032)	Officer #1: • Bias-Based Policing • Conduct Unbecoming an Officer • Performance of Duty	OIPA notified BPD, which deferred investigation to OIPA.	24
5 (OIPA #18-17) (IA2018-033)	Officers #1-4: • Force	OIPA notified BPD, which deferred investigation to OIPA.	21

During April 2018, **6 Citizen Complaints (Formal)** were received by BPD:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2018-023)	Officers #1-2: • Performance of Duty	BPD initiated an investigation.	39
2 (IA2018-024)	Officer #1: • Conduct Unbecoming an Officer  Employee #1: • Performance of Duty	BPD initiated an investigation.	31
3 (IA2018-025)	Officer #1: • Force	BPD initiated an investigation.	33

4 (IA2018-027)	Employee #1: • Bias-Based Policing	BPD initiated an investigation.	24
5 (IA2018-034)	Officers #1-2: • Conduct Unbecoming an Officer	BPD initiated an investigation.	33
6 (IA2018-035)	Officer #1: • Force • Bias-Based Policing	BPD initiated an investigation.	14

During April 2018, **2 Administrative Investigations** were initiated by BPD:

Investigation # (IA Case #)	Nature of Investigation	Action Taken	Days Elapsed Since Investigation Initiated
1 (IA2018-026)	Officer #1: • Criminal • Conduct Unbecoming an Officer	BPD initiated an investigation.	30
2 (IA2018-030)	Officer #1: • Conduct Unbecoming an Officer • Policy/Procedure	BPD initiated an investigation.	24

## DISCIPLINE ISSUED DURING REPORTING PERIOD

No discipline was issued during the month of April 2018.

## ADDITIONAL NOTES

In accordance with the BART Citizen Oversight Model (Model), OIPA investigates certain complaints, conducts complainant-initiated appeals, and also monitors and/or reviews complaint investigations conducted by BPD. Though potentially work-intensive, some complaint investigation reviews are completed informally, with any concerns being addressed through a conference with BPD's Internal Affairs investigators. Noting the various kinds of work that OIPA undertakes with regard to complaints and investigations, the following chart includes some of the pending cases in which OIPA is involved as of the end of this reporting period.

Investigations Being Conducted	8
Complainant-Initiated Appeals	1
BPD-Initiated Appeals	0
Investigations Being Monitored	17
Investigations Reviewed During Current Month	18†

†This number does not include all OIPA reviews, as OIPA commonly looks at a variety of cases in the Internal Affairs database to obtain updates on both pending and completed investigations.



The Model provides that OIPA shall have authority to require follow-up investigation into any citizen complaint or allegation that is handled by BPD. The OIPA Monthly Report will reflect information regarding monitored cases with detail not to exceed that which is allowable under state law. The investigations reviewed by OIPA during the period did not generate any notable recommendations for revisions or additional investigation.<sup>9</sup>

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<sup>1</sup> In addition to reporting on complaints received by the BART Police Department, the Citizen Oversight Model requires reporting on all complaints received by the “Citizen Board, Office of the District Secretary, and other District departments.” As complaints received by the BART Police Citizen Review Board are customarily directed to OIPA for further action, such complaints are included in the Quantitative Report above; OIPA is also made aware of additional complaints about the BART Police Department by the Office of the District Secretary or other District departments.

<sup>2</sup> This number includes all Citizen Complaints filed against members of the BART Police Department, as well as Administrative Investigations generated internally by BART Police Department members (as opposed to being filed by a citizen). This number also includes previously completed cases that have been re-opened during the current reporting period.

<sup>3</sup> This number indicates all investigations that are open as of the end of the reporting period. It includes Citizen Complaints (regardless of whether the investigation is being conducted by OIPA, the BART Police Department, or both) and Administrative Investigations.

<sup>4</sup> This number includes all cases completed by OIPA during the reporting period for which OIPA’s findings are required by the BART Citizen Oversight Model to be submitted to the BART Police Citizen Review Board. It therefore includes independent investigations, as well as reviews of completed BART Police Department investigations initiated via appeal from a complainant. Unless otherwise noted, it does not include reviews of BART Police Department investigations initiated at the discretion of OIPA, which happen commonly and do not always generate a formal report; it also does not include reviews conducted by OIPA of complaint investigations where the complaint was filed with OIPA but did not fall under OIPA’s investigative jurisdiction.

<sup>5</sup> This number refers to appeals filed with OIPA by complainants who have been issued the findings of the BART Police Department’s internal investigation into their complaint regarding on-duty incidents. OIPA has a responsibility to review such appeals pursuant to the BART Citizen Oversight Model, Chapter 1-04 (E).

<sup>6</sup> This number refers to all appeals initiated by the BART Police Citizen Review Board after receiving and reviewing the findings issued by OIPA in a given case. The routes of all such appeals are described in detail in the BART Citizen Oversight Model, Chapter 1-04 (B) (iv-v).

<sup>7</sup> The BART Police Department defines an Informal Complaint as, “A comment on the actions of a Department employee, where the reporting party expressly states that he or she does not feel that the matter should be formally investigated with the understanding that an Informal Complaint does not hold the potential to result in disciplinary action against the employee.” (BART Police Department Policy Manual, Policy 1020.1.1(d)).

<sup>8</sup> It is important to note that OIPA does not separate citizen complaints it receives into “Formal” and “Informal” classifications. This chart reflects all citizen complaints received by OIPA and all Formal Complaints received by the BART Police Department.

<sup>9</sup> OIPA may submit recommendations to IA regarding minor clerical or record-keeping adjustments which are intended to maintain the integrity of the data collection and record-keeping processes at BPD. These are not considered by OIPA to be substantive recommendations requiring reporting herein.





Office of the  
**INDEPENDENT  
POLICE AUDITOR**

BAY AREA RAPID TRANSIT DISTRICT

# MONTHLY REPORT

May 2018

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Issue date: June 11, 2018

This report is filed pursuant to the BART Citizen Oversight Model, Chapter 1-05 (A), which requires the Office of the Independent Police Auditor (OIPA) to submit reports to the BART Police Citizen Review Board (BPCRB). This report provides information for the period **May 1, 2018 through May 31, 2018**.<sup>1</sup>

The Quantitative Report includes all complaints received and administrative investigations initiated by both OIPA and the BART Police Department (BPD) Internal Affairs Bureau.

## QUANTITATIVE REPORT

	Cases Filed <sup>2</sup>	Open Cases <sup>3</sup>	OIPA Investigations Concluded <sup>4</sup>	Cases Appealed to OIPA <sup>5</sup>	Cases Appealed by BPCRB <sup>6</sup>
May 2017	13	47	1	0	0
June 2017	11	44	1	0	0
July 2017	13	48	0	0	0
August 2017	12	35	0	0	0
September 2017	12	31	1	0	0
October 2017	11	33	0	0	0
November 2017	11	32	0	1	0
December 2017	9	34	1	0	0
January 2018	7	32	0	0	0
February 2018	10	34	0	1	0
March 2018	6	35	1	0	0
April 2018	13	49	0	0	0
May 2018	6	51	1	0	0

### TYPES OF CASES FILED

Citizen Complaints (Formal)	5
Informal Complaints <sup>7</sup>	0
Administrative Investigations	1
<b>TOTAL</b>	<b>6</b>

### CITIZEN COMPLAINTS RECEIVED PER DEPARTMENT<sup>8</sup>

OIPA	1
BART Police Department	4
<b>TOTAL</b>	<b>5</b>

## COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During May 2018, **1 Citizen Complaint (Formal)** was received by OIPA:

Complaint # (OIPA Case #) (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (OIPA #18-20) (IA2018-038)	Officer #1: • Arrest or Detention	OIPA notified BPD, which initiated an investigation.	34

During May 2018, **4 Citizen Complaints (Formal)** were received by BPD:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2018-036)	Officer #1: • Bias-Based Policing • Arrest or Detention • Conduct Unbecoming an Officer	BPD initiated an investigation.	41
2 (IA2018-037)	Employees #1-2: • Conduct Unbecoming	BPD initiated an investigation.	41
3 (IA2018-039)	Officer #1: • Conduct Unbecoming an officer	BPD initiated an investigation.	27
4 (IA2018-041)	Officer #1: • Conduct Unbecoming an Officer	BPD initiated an investigation.	22

During May 2018, **1 Administrative Investigation** was initiated by BPD:

Investigation # (IA Case #)	Nature of Investigation	Action Taken	Days Elapsed Since Investigation Initiated
1 (IA2018-040)	Officer #1: • Policy/Procedure	BPD initiated an investigation.	26

## COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD

During May 2018, **1 Citizen Complaint** was concluded by OIPA:

Complaint # (OIPA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 (OIPA #17-39)	Officer unlawfully detained subjects based on their race, and officer unnecessarily raised voice during detention.	Officer #1: • Bias-Based Policing – Unfounded • Arrest or Detention – Sustained • Courtesy – Sustained	236	204

During May 2018, **4 Citizen Complaints (Formal)** were concluded by BPD:

Complaint # (IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 (IA2017-101)	Employees did not appropriately respond to a request for law enforcement assistance and did not provide complainant with identifying information upon request.	Employee #1: • Conduct Unbecoming – Not Sustained  Employee #2: • Conduct Unbecoming – Sustained  Employees #1-2: • Performance of Duty – Sustained	233	207
2 (IA2018-002)	Officer sexually assaulted complainant.	Unknown Officer #1: • Conduct Unbecoming an Officer – Unfounded	158	140
3 (IA2018-012)	Officer improperly arrested complainant and did not properly investigate the underlying incident.	Officer #1: • Arrest or Detention – Exonerated • Performance of Duty – Unfounded	117	99
4 (IA2018-014)	Officer did not take appropriate law enforcement action in response to a call for service and did not provide an escort as requested by complainant.	Officer #1: • Performance of Duty – Sustained • Conduct Unbecoming an Officer – Unfounded	111	93

#### DISCIPLINE ISSUED DURING REPORTING PERIOD

No discipline was issued during the month of May 2018.

## ADDITIONAL NOTES

In accordance with the BART Citizen Oversight Model (Model), OIPA investigates certain complaints, conducts complainant-initiated appeals, and also monitors and/or reviews complaint investigations conducted by BPD. Though potentially work-intensive, some complaint investigation reviews are completed informally, with any concerns being addressed through a conference with BPD's Internal Affairs investigators. Noting the various kinds of work that OIPA undertakes with regard to complaints and investigations, the following chart includes some of the pending cases in which OIPA is involved as of the end of this reporting period.

Investigations Being Conducted	7
Complainant-Initiated Appeals	1
BPD-Initiated Appeals	0
Investigations Being Monitored	11
Investigations Reviewed During Current Month	12 <sup>†</sup>

<sup>†</sup>This number does not include all OIPA reviews, as OIPA commonly looks at a variety of cases in the Internal Affairs database to obtain updates on both pending and completed investigations.

The Model provides that OIPA shall have authority to require follow-up investigation into any citizen complaint or allegation that is handled by BPD. The OIPA Monthly Report will reflect information regarding monitored cases with detail not to exceed that which is allowable under state law. The investigations reviewed by OIPA during the period did not generate any notable recommendations for revisions or additional investigation.<sup>9</sup>

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<sup>6</sup> This number refers to all appeals initiated by the BART Police Citizen Review Board after receiving and reviewing the findings issued by OIPA in a given case. The routes of all such appeals are described in detail in the BART Citizen Oversight Model, Chapter 1-04 (B) (iv-v).

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with the understanding that an Informal Complaint does not hold the potential to result in disciplinary action against the employee.” (BART Police Department Policy Manual, Policy 1020.1.1(d)).

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