

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

NOTICE OF MEETING AND AGENDA
BART POLICE CITIZEN REVIEW BOARD
September 9, 2019

A Meeting of the BART Police Citizen Review Board (BPCRB) will be held on Monday, September 9, 2019 at 4:00 p.m. This meeting shall consist of a simultaneous teleconference call at the following locations:

BART Board Room Kaiser Center 20th Street Mall – Third Floor 2040 Webster Street Oakland, CA 94612	Home2 Suites by Hilton Chicago McCormick Place 123 East Cermak Road, Suite 200 Chicago, Illinois 60616	Hilton East Brunswick Hotel & Executive Meeting Center 3 Tower Center Boulevard, East Brunswick, New Jersey, 08816
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AGENDA

1. Call to Order.
 - a. Roll Call.
 - b. Pledge of Allegiance.
2. Approval of Minutes of the Meeting of August 12, 2019. For Discussion and Action.
3. Update on Ad Hoc Subcommittee to Review BART Police Department’s Policy #310, Officer Involved Shootings and Deaths. For Discussion and Action.
4. Update on the Chief of Police Selection Process. (Chair Rizk’s request.) For Discussion.
5. Implementation of Subcommittee on Public Outreach. (Vice Chair Armstrong’s request.) For Discussion and Action.
6. National Association for Civilian Oversight of Law Enforcement (NACOLE) 2019 Organizational Membership - Disposition of Proxy for Board meetings. (Member Perezvelez’s request.) For Discussion and Action.
7. Chief of Police’s Report. For Discussion and Action.
 - a. BART Police Department Monthly Report for July 2019.
8. Independent Police Auditor’s Report. For Discussion and Action.
 - a. Office of the Independent Police Auditor (OIPA) Monthly Reports for July 2019 and August 2019.
9. 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.)
10. Closed Session (Room 303, Board Conference Room).
 - a. To Consider Public Employee Discipline/Dismissal/Release in OIPA Case #18-44. Govt. Code §54957.
11. 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 the open session portions of this 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 94604-2688

BART Police Citizen Review Board Meeting Minutes
Monday, August 12, 2019

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held Monday, August 12, 2019, at 4:00 p.m. in the BART Board Room, 2040 Webster Street, Oakland, California. The meeting was called to order by Chairperson David Rizk; Mag Tatum, Recording Secretary.

1. Call to Order.

The regular meeting was convened at 4:00 p.m. by Chairperson Rizk.

Members Present: Members Erin Armstrong, Kenneth Loo, Les Mensinger, George Perezvelez, Pete Longmire, Robert Pirone, William White and David Rizk.

Absent: Members Zachary Bruno and Christina Gomez. Darren White entered the meeting later.

The Pledge of Allegiance was recited.

2. Approval of Minutes of the Meeting of July 8, 2019.

Member Pirone moved that the Minutes of the Meeting of July 8, 2019 be approved; Member Mensinger seconded the motion, which carried by unanimous voice vote. Ayes – 8: Members Armstrong, Loo, Mensinger, Perezvelez, Longmire, Pirone, W. White, and Rizk. Noes – 0. Absent – 3: Members Bruno, Gomez, and D. White

Darren White entered the meeting.

3. Discussion of District Secretary's Office Memo Regarding the BPCRB Bylaws and Board of Directors Approval Process.

Byron Toma, Attorney, from the Office of the General Counsel, gave a presentation on BPCRB Bylaws and Board of Directors Approval Process. The item was discussed.

Member Perezvelez moved that the BPCRB Bylaws be forwarded to the BART Board of Directors for approval; Member Mensinger seconded the motion, which carried by voice vote. Ayes – 8: Members Loo, Mensinger, Perezvelez, Longmire, Pirone, D. White, W. White, and Rizk. Noes – 1: Member Armstrong. Absent – 2: Members Bruno and Gomez.

4. Update on Ad Hoc Subcommittee to Review BART Police Department's Policy #310, Officer Involved Shootings and Deaths.

Chairperson Rizk called for an update on the ad hoc subcommittee. The report was presented by Member Rizk. Chairperson Risk would like to meet with the Police Unions.

Member Mensinger recommended changes to BPD Policy #310 section 310.8 and section 310.12. The item was discussed and scheduled to come back to the next BPCRB meeting.

5. Discussion of Implementation of 2-3 Plan (BPCRB Member Mensinger’s request).

Member Les Mensinger presented the 2-3 Plan. The report was discussed.

6. Chief of Police’s Report.

a. BART Police Department’s Monthly Report for June 2019.

Interim Police Chief Ed Alvarez presented the BART Police Department’s Monthly Report. The report was discussed.

7. BPCRB Off-site Station Tours and Training.

Chairperson Rizk called for an update on BPCRB Off-site Station Tours and Training. The item was discussed.

Member Rizk moved that the BPCRB Off-site Station Tours and Training schedule be approved; Member Perezvelez seconded the motion, which carried by a unanimous voice vote. Ayes – 9: Members Armstrong, Loo, Mensinger, Perezvelez, Longmire, Pirone, D. White, W. White, and Rizk. Noes – 0. Absent - 2: Members Bruno and Gomez.

8. Public Comment.

Chairperson Rizk called for Public Comment.

Ms. Asale Chandler addressed the BPCRB.

Chairperson Rizk announced that the Board would enter closed session under Item 9-A (Public Employee Discipline/Dismissal/Release in OIPA Case #18-42) of the regular meeting agenda, and that the Board would reconvene in open session at the conclusion of the closed session.

The Meeting recessed at 5:20 p.m.

The Meeting reconvened in Closed Session at 5:31 p.m.

9. Closed Session.

a. To reconsider Public Employee Discipline/Dismissal/Release in OIPA Case #18-42. Govt. Code §54957.

Board Members present:

Members Erin Armstrong, Kenneth Loo, Les Mensinger, George Perezvelez, Pete Longmire, Robert Pirone, Darren White, William White and David Rizk.

Board Members absent:

Members Zachary Bruno and Christina Gomez.

10. Adjournment.

The Meeting reconvened in Open Session at 5:40 p.m.

Chairperson Rizk announced that the Board voted unanimously to accept the findings in OIPA Case #18-42.

The Meeting was adjourned at 5:41 p.m.

DRAFT

310.5 INVESTIGATION PROCESS

- If more than one officer is directly involved in the shooting, the directly involved officers shall ~~should~~ be separated as soon as possible and shall ~~should~~ remain separated and shall not ~~communicate~~ directly or indirectly among themselves regarding the incident until after they have given a statement to the investigators.

310.8 MEDIA RELATIONS

The Department recognizes that providing the public with timely, accurate, and impartial factual information about shooting incidents and related investigations promotes transparency and public trust in the Department and advances the agency's public safety mission. Public statements therefore must be objective, factual, and demonstrate respect for all people. The release of information shall be in accordance with Policy 346, Media Relations. In providing timely, accurate, and objective information to the public about the incident, the Department shall comply with Policy 346.

Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Watch Commander, Criminal Investigations Division Commander and Media Relations in the event of inquiries from the media. The department shall take reasonable steps to notify the Citizen Review Board chair (or his or her designee) and vice chair or their designees of the Citizen Review Board and the Office of the Independent Police Auditor prior to making public statements regarding the incident or any related investigation.

~~It will be the policy of this department to not release the identities of involved officers absent their consent or as required by law. Moreover, The department will notify the involved officer(s) prior to releasing their identity to the media.~~ No involved officer shall be subjected to contact from the media (Government Code § 3303(e)) and no involved officer shall make any comments to the press unless authorized by the Chief of Police or a Bureau Deputy Chief.

Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

310.12 RETURN TO ACTIVE DUTY

The following checklist ~~guideline~~ outlines the protocol which should be followed to facilitate the involved officer's return to active duty after an officer involved shooting where death-/serious bodily injury occurs.

- The involved officer(s) are not cleared for regular patrol duties until the results of the mandatory drug testing individually clears the involved officer(s).
- The involved officer(s) successfully completes an individual session with an independent, department approved, Department-approved psychologist, and the psychologist concludes in a written report that the involved officer(s) does not pose a threat to themselves or to the public.
- ~~The Chief of Police, or designee, may keep the officer(s) from active duty if they believe that placing the employee on active duty poses an unreasonable safety risk to the Department, employees, or the public~~The Chief of Police, or designee, may exercise discretion in placing the officer(s) on administrative leave for any of the following reasons:
 - The safety of the officer(s)
 - The mental well-being of the officer(s)
 - To facilitate and to preserve the integrity of the investigation
 - Public safety concerns
 - To preserve public confidence and trust
 - If a preliminary determination, based on all of the evidence and facts known to the Department at the time, appears to show that it is more likely than not that the officer's conduct was not in compliance with policy. (Such a determination, or the absence of any such determination, by the Chief or designee shall not be

considered, or given any weight whatsoever, by the Chief, investigators, or any other oversight authority, when making a later determination regarding policy compliance in any criminal or disciplinary investigation.)

- ~~; or will unduly undermine public trust and confidence in the Department, public safety, or any investigation(s) into the underlying incident.~~
- The Chief of Police, or designee, shall consult advise with the victim(s) and/or their families, the victim liaison, and the BART PD Citizen Review Board in an open meeting, prior to returning the officer(s) to active duty.
- The Department liaison will advise the family of the decedent prior to returning the officer(s) to active duty.
- The Chief of Police, or designee, may keep the officer(s) from active duty, if a preliminary determination based on all of the evidence and facts known to the Department at the time, appears to show that it is more likely than not that the officer's conduct was not in compliance with policy. Such a determination (or the absence of any such determination) by the Chief or designee shall not be considered, or given any weight whatsoever, by the Chief, investigators, or any other oversight authority, when making a later determination regarding policy compliance in any criminal or disciplinary investigation.
- A member of Staff should consult with the involved officer(s) individually to confirm that they feel ready to return to full duty.
- The involved officer(s) shall successfully complete a firearms qualification with the Department Rangemaster.

BART POLICE CITIZENS REVIEW BOARD

MEMORANDUM

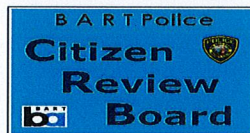
TO: BART Police Citizen Review Board Members **DATE:** September 9, 2019
FROM: George D. Perezvelez, District 9 - BPCR B Representative
SUBJECT: NACOLE Proxy Vote Form and Designation

The following form is for the designation of a proxy to take effect during the National Association for Civilian Oversight of Law Enforcement (NACOLE) officer board vote during the 2019 conference. This is an institutional vote and will have the responsibility of electing the office of President, Vice-President and three At Large Board Members. The BPCR B needs to empower one individual to carry the proxy. This will need to be voted on at a regular meeting of the BPCR B.

Thank you,
George D. Perezvelez
District 9 - BPCR B Representative

Attachment

cc: BPCR B Members
Police Department
District Secretary's Office
Office of the Independent Police Auditor





2019 PROXY VOTE AUTHORIZATION

Article VII, C.2 of the NACOLE Bylaws provides that all regular members shall be entitled to vote in elections for Officers and Board of Directors and shall not cast more than one vote per office if they have been a regular/organizational member in good standing with dues fully paid at least 30 days prior to the election.

The undersigned,

Name (print) Address

- A Regular Member in good standing or
 A Designated Organizational Member in good standing

and being unable to attend the Annual Membership Meeting, hereby appoints NACOLE voting member,

Name (Print) Address

also, a member in good standing, to cast my proxy vote during the election of officers and members of the Board of Directors at the Annual NACOLE Conference to be held September 25, 2019 in Detroit, MI.

Signed Date Telephone No.

Witness Date Telephone No.

Please mail or email this form to be received no later than September 16, 2019. Forms may also be delivered in person during the Annual Conference, no later than 5:00 pm (Eastern), Tuesday, September 24, 2019.

Anthony Finnell, Chair,
NACOLE Election Committee
P. O. Box 87227, Tucson, AZ 85754
or email: info@NACOLE.org

(Form Revised: 5/28/19)

BART POLICE DEPARTMENT



July 2019

MONTHLY REPORT

BPD Monthly Reports

July 2019

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 – A. Sandoval
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: **07/31/19**
 Vacancy Factor: **0.0**

	Pos'n Code	Job Title	FY20		As of 07/01/19	On Leave		
			Adopted	Reclass		Filled	or TMD	Vacant
NON-SWORN (Rep)	027	Community Service Officer	59		59	40	4	19
	035	Fare Inspection Officer	20		20	12		8
	068	Crime Analyst	1		1	-		1
	045	Police Admin Specialist	12		12	10		2
	048	Police Dispatcher	18		18	14		4
	200	Administrative Analyst	1		1	-		1
	098	Revenue Protection Guard	18		18	16	-	2
	836	Police Sup./CAD/RMS Admin***	6		6	5	-	1
#	778	Police Officer	90		90	70	10	20
		In Academy = 19						-
		Field Training = 2						-
	788	Senior Police Officer	98		98	84	2	14
	798	Master Police Officer	10		10	10	-	-
	838	Police Sergeant	34		34	25	2	9
	888	Police Lieutenant	13		13	13		-
	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		-
DEPARTMENT TOTAL			389	-	389	307	18	82

Notes:
 FY20 Ofc - 19
 FIO - 4
 AA - 1
 FY20 Capital 4/1/2020 Ofc - 3

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.

BART PD DIVERSITY MONTHLY REPORT

As of 7/31/19

+

<u>ETHNICITY</u>		<u>S</u>		<u>C</u>	
White	36% 110	38%	79	31%	31
Black	20% 60	19%	40	20%	20
Asian	21% 66	17%	36	30%	30
Hispanic	21% 65	23%	47	18%	18
American/ Indian	0% 0	0%	0	0%	0
Native Hawaiian/Pac Island	2% 6	2%	4	2%	2
Total:	100% 307	100%	206	100%	101
<u>DEMOGRAPHIC</u>		<u>S</u>		<u>C</u>	
Female	22% 63	9%	19	44%	44
Male	79% 244	91%	187	56%	57
Total:	100% 307	100%	206	100%	101
<u>CLASSIFICATION</u>					
Sworn	67% 206				
Civilian	33% 101				
Total:	100% 307				

CRISIS INTERVENTION TRAINING AS OF: July 31, 2019

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	0	1	0	0	#DIV/0!	#DIV/0!
Deputy Chiefs	3	3	0	3	3	100%	100%
Lieutenants	13	13	0	11	10	77%	91%
Sergeants	34	25	9	25	25	100%	100%
Officers	198	164	34	135	127	77%	94%
Dispatchers	18	14	4	14	10	71%	71%
CSOs/FEI	79	52	27	52	42	81%	81%
Crisis Outreach Coordinator	1	1	0	1	1	100%	100%
Total	347	272	75	241	218	80%	90%

Personnel Positions that are not designated to attend CIT Training

	Total	Filled	Vacant
Revenue Protection Guards	18	16	2
Police Administrative Specialists	12	10	2
Police Sup./CAD RMS Admin	6	5	1
Civilian Managers/Analyst	4	3	1
Manager Sec Prog	1	1	0
Sub Total	41	35	6
TOTAL PERSONNEL	388	307	81

FAIR AND IMPARTIAL / BIASED BASED TRAINING AS OF July 31, 2019

Personnel Positions	Total Positions	Filled Positions	Vacant Positions	Eligible to Attend (Not in Academy or Field Training)	Total of Filled Positions Trained	Percentage of Total Filled Positions Trained	Percentage of Eligible Filled Positions
Chief	1	0	1	0	0	#DIV/0!	#DIV/0!
Deputy Chiefs	3	3	0	3	3	100.0%	100.0%
Lieutenants	13	13	0	10	10	76.9%	100.0%
Sergeants	34	25	9	25	25	100.0%	100.0%
Officers	198	164	34	135	135	82.3%	100.0%
CSOs/FEI	79	52	27	52	45	86.5%	86.5%
Total	328	257	71	225	218	84.8%	96.9%

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

	Total	Filled	Vacant
Dispatchers	18	14	4
Crisis Outreach Coordinator	1	1	0
Revenue Protection Guards	18	16	2
Police Administrative Specialists	12	10	2
Police Sup./CAD RMS Admin	6	5	1
Civilian Managers/Analyst	4	3	1
Manager Sec Prog	1	1	0
Sub Total	60	50	10
TOTAL PERSONNEL	388	307	81

POLICE ROADWAY PROTECTION TRAINING AS OF: July 31, 2019

Personnel Positions	Total Positions	Filled Positions	Vacant Positions	Eligible to Attend (Not in Academy, FTO, or IND/Leave)	Total of Filled Positions Trained	Percentage of Total Filled Positions Trained	Percentage of Eligible Filled Positions
Chief	1	0	1	0	0	#DIV/0!	#DIV/0!
Deputy Chiefs	3	3	0	3	3	100.0%	100.0%
Lieutenants	13	13	0	10	10	76.9%	100.0%
Sergeants	34	25	9	25	25	100%	100.0%
Officers	198	164	34	135	135	82.3%	100.0%
CSOs/FEI -Not Required	79	52	27	52	45	86.5%	86.5%
Total	328	257	71	225	218	84.8%	96.9%

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

	Total	Filled	Vacant
Dispatchers	18	14	4
Crisis Outreach Coordinator	1	1	0
Revenue Protection Guards	18	16	2
Police Administrative Specialists	12	10	2
Police Sup./CAD RMS Admin	6	5	1
Civilian Managers/Analyst	4	3	1
Manager Sec Prog	1	1	0
Sub Total	60	50	10
TOTAL PERSONNEL	388	307	81

Use of Force Incidents - 2019

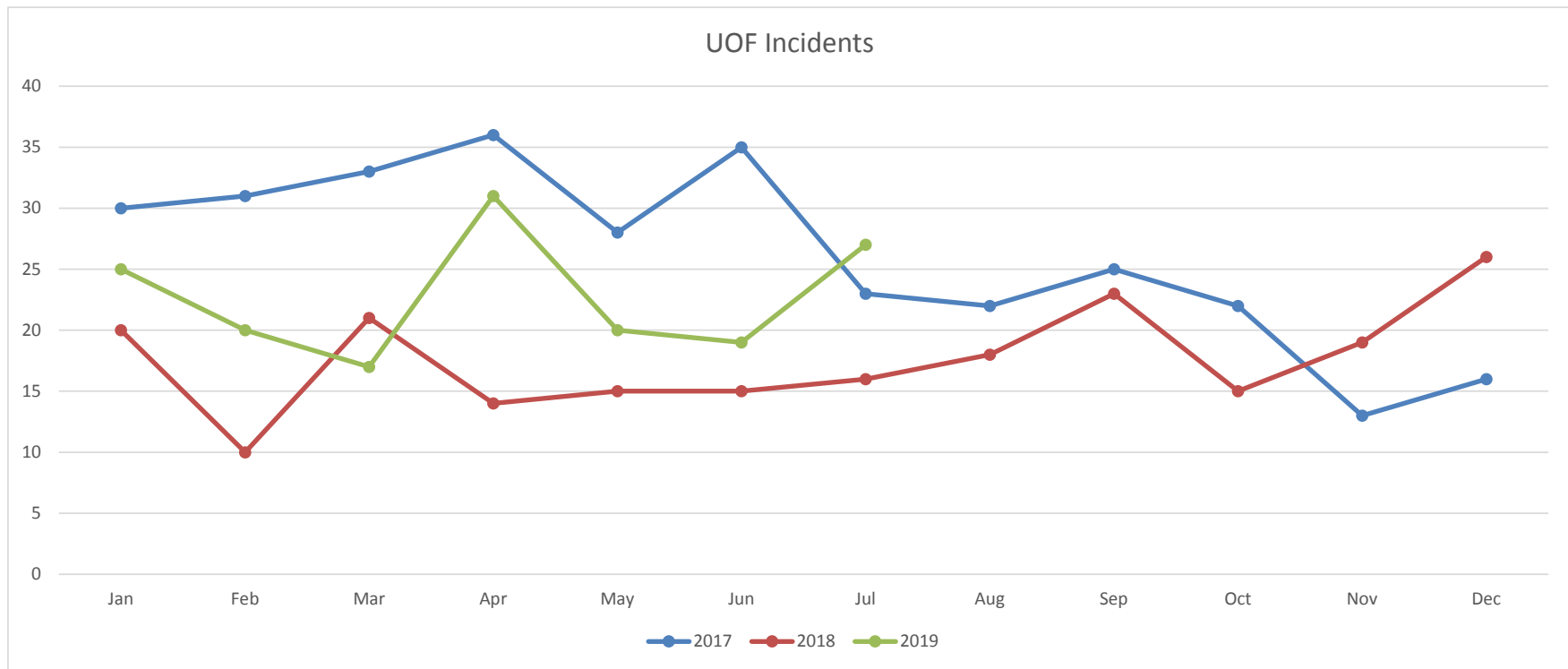
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2019	25	20	17	31	20	19	27						159
YTD 2019	25	45	62	93	113	132	159						

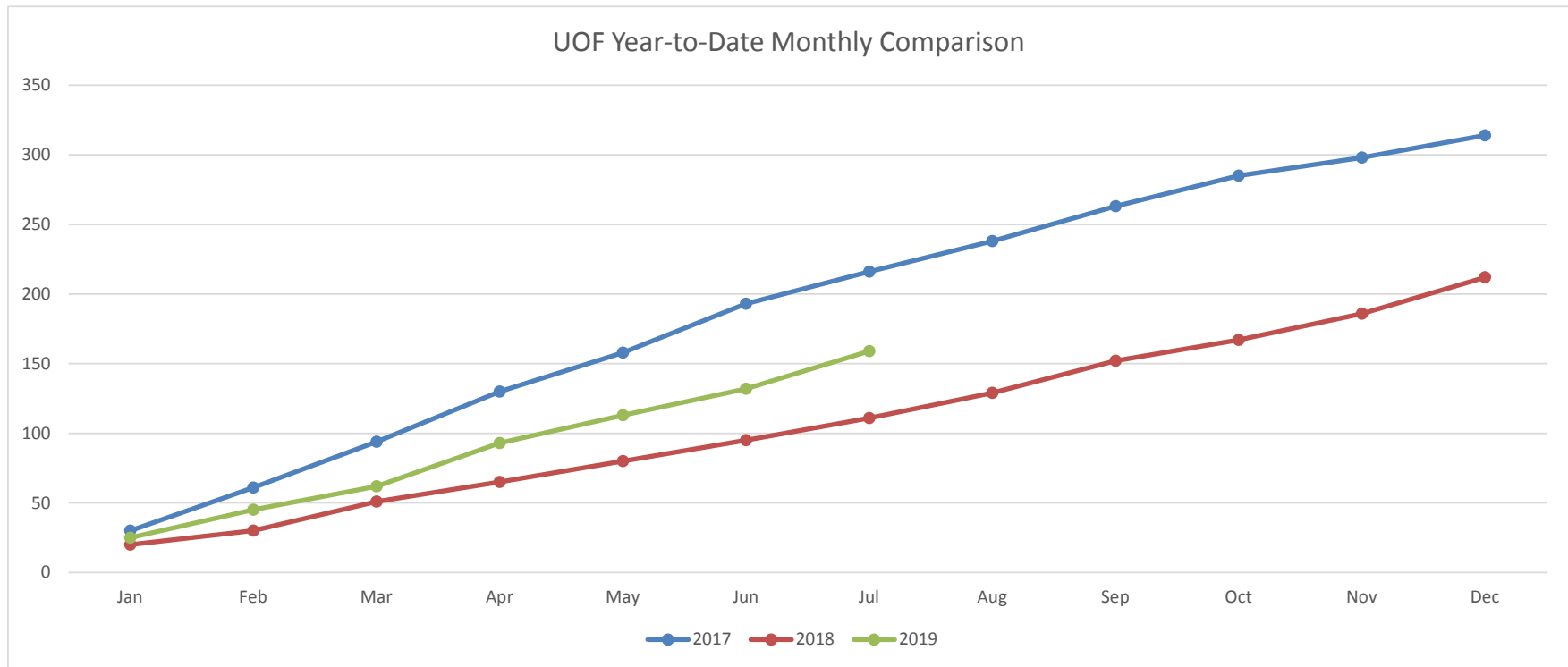
Use of Force Incidents - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2018	20	10	21	14	15	15	16	18	23	15	19	26	212
YTD 2018	20	30	51	65	80	95	111	129	152	167	186	212	

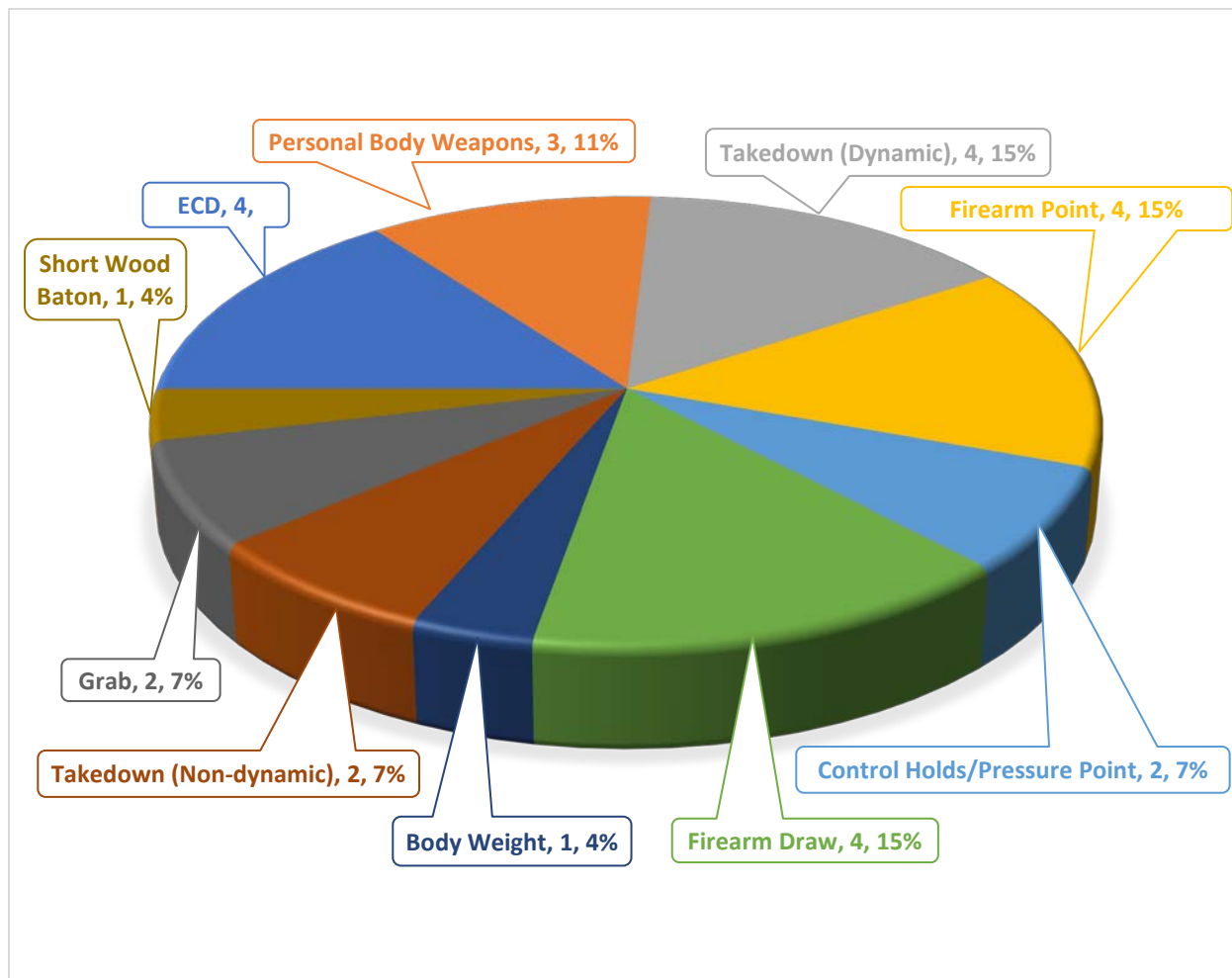
Use of Force Incidents - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2017	30	31	33	36	28	35	23	22	25	22	13	16	314
YTD 2017	30	61	94	130	158	193	216	238	263	285	298	314	



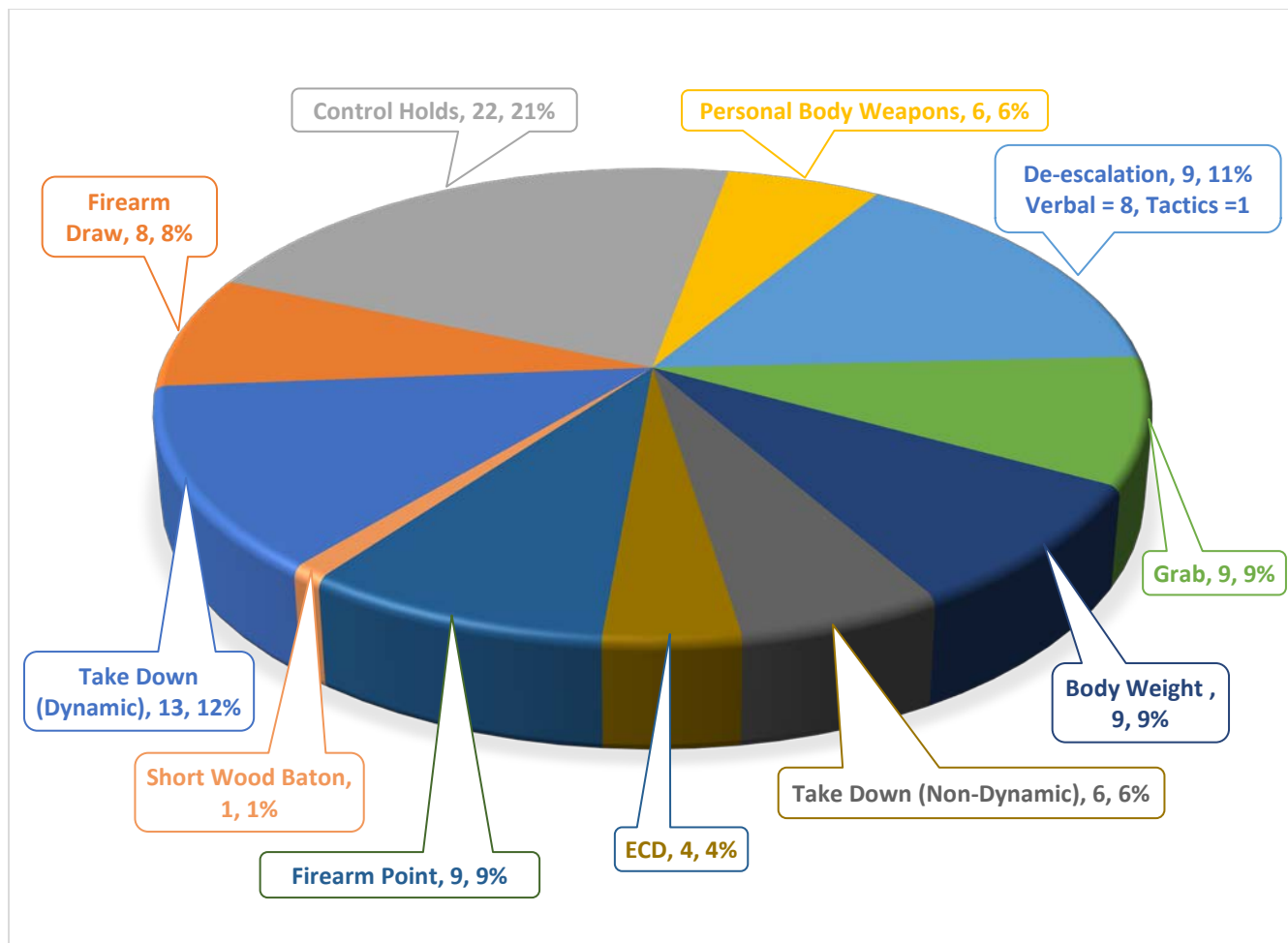


Force Options Used (Incident Count), July 2019



*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, July 2019 (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 - 2019

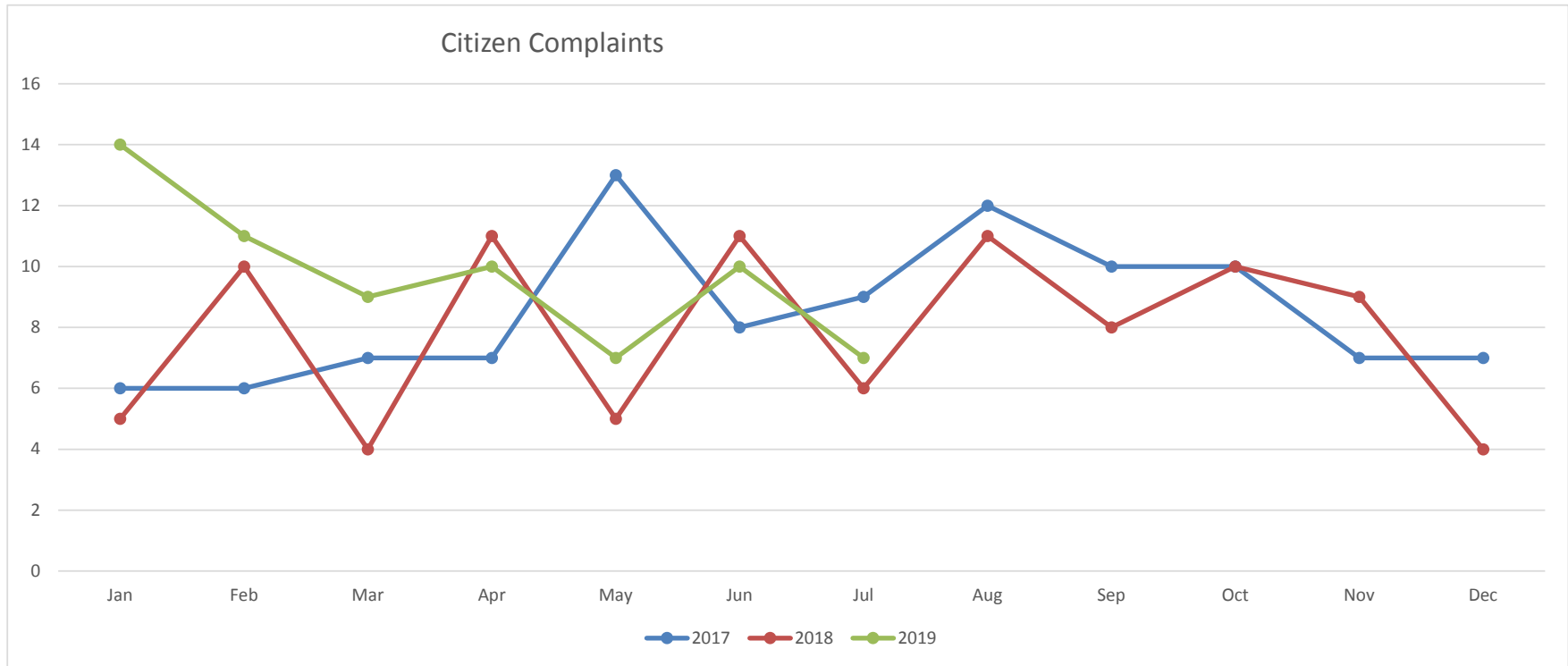
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2019	14	11	9	10	7	10	7						68
YTD 2019	14	25	34	44	51	61	68						

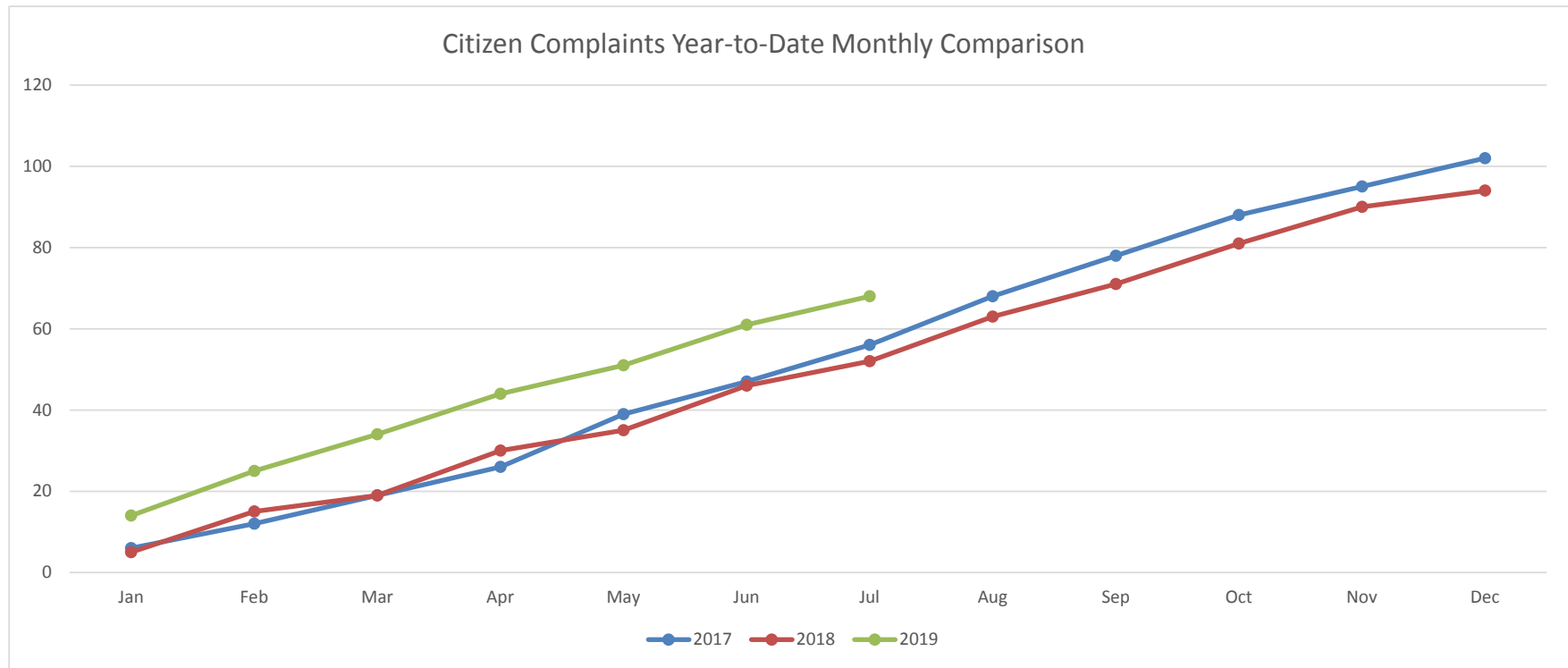
Citizen Complaints - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2018	5	10	4	11	5	11	6	11	8	10	9	4	94
YTD 2018	5	15	19	30	35	46	52	63	71	81	90	94	

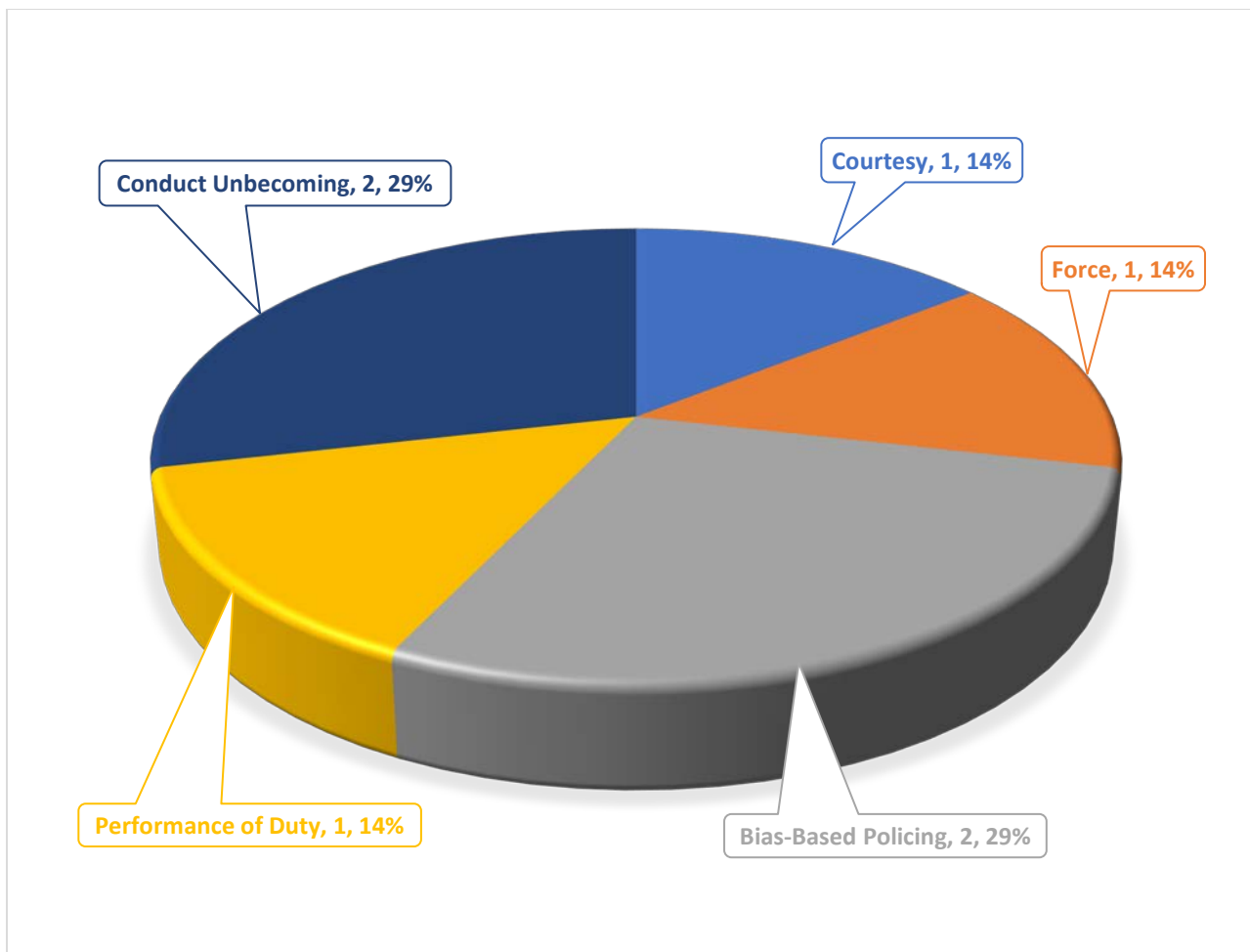
Citizen Complaints - 2017

	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	





Complaints Received (Incident Count), July 2019



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 - July 2019								
IA	DATE							
CASE #	OCC'D	REC'D	ALLEGATION	MISC	INVESTIGATOR	STATUS	5 MONTH DATE	DUE DATE
IA2017-040	01/31/17	5/18/2017	Force		Sgt. McNack	Tolled	10/17/17	
			Force					
IA2018-001	01/03/18	1/3/2018	Force (OIS)		Sgt. T. Salas	Tolled	06/04/18	
IA2018-032	UNK	4/20/2018	BBP, POD, CUBO	Deferred to OIPA #18-16		Tolled	9/23/2018	
IA2018-043	43257	6/6/2018	Force		Sgt. McNack	Tolled	43409	
IA2018-060	43303	7/23/2018	Service Review		Lt. Franklin	Tolled	43457	
IA2018-081	9/26/2018	9/27/2018	CUBO	Lt. Scott	Sgt. McNack	Awaiting training recommendation	2/26/2019	9/27/2019
IA2018-093	10/23/2018	10/23/2018	Performance of Duty	Deferred to OIPA #18-42		OIPA Investigation	3/24/2019	10/23/2019
IA2018-095	10/31/2018	10/31/2018	Force, Arrest/Detention	Deferred to OIPA #18-44		OIPA Investigation	4/1/2019	10/31/2019
IA2018-100	11/11/2018	11/11/2018	Bias-Based Policing, CUBO, Force		Sgt. T. Salas	In Progress	4/12/2019	11/11/2019
IA2019-001	1/1/2019	1/2/2019	Force		Sgt. T. Salas	In Progress	6/3/2019	1/2/2020
IA2019-005	1/11/2018	1/8/2019	CUBO	Admin Closure	Sgt. T. Salas	In Progress	6/9/2019	1/8/2020
IA2019-006	8/9/2018	1/15/2019	POD	Patrol Candidate	Sgt. McNack	Awaiting training recommendation	6/16/2019	1/15/2020
IA2019-007	1/7/2019	1/7/2019	CUBO		Sgt. T. Salas	In Progress	6/16/2019	1/7/2020
IA2019-008	1/17/2019	1/18/2019	Force	Admin Closure	Sgt. T. Salas	In Progress	6/19/2019	1/18/2020
IA2019-012	1/28/2019	1/29/2019	POD	OIPA Intake #19-02	Sgt. T. Salas	In Progress	6/30/2019	1/29/2020
IA2019-013	1/28/2019	1/29/2019	POD, Policy/Procedure		Sgt. McNack	In Progress	6/30/2019	1/29/2020
IA2019-014	1/31/2019	1/31/2019	BBP, CUBO		Sgt. McNack	In Progress	7/2/2019	1/31/2020
IA2019-016	1/18/2019	2/5/2019	POD		Sgt. T. Salas	In Progress	3/9/2019	2/5/2020
IA2019-019	1/2/2019	1/18/2019	Force		Sgt. McNack	In Progress	7/13/2019	1/18/2020
IA2019-021	2/11/2019	2/11/2019	Force		Sgt. T. Salas	In Progress	7/23/2019	2/11/2020
IA2019-024		2/17/2019	CUBO		Sgt. McNack	In Progress	7/19/2019	2/17/2020
IA2019-025	2/21/2019	2/25/2019	Force, CUBO		Sgt. McNack	In Progress	7/23/2019	2/25/2020
IA2019-034	3/7/2019	3/13/2019		Deferred to OIPA #19-10		OIPA Investigation	3/13/2019	3/13/2020
IA2019-036	1/27/2019	3/18/2019	Force, Arrest/Detention	Deferred to OIPA #19-11		OIPA Investigation	8/17/2019	3/18/2020
IA2019-037	3/18/2019	3/18/2019		OIPA Intake #19-12 Admin Closure	Sgt. McNack	In Progress	8/17/2019	3/18/2020
IA2019-039	3/22/2019	3/22/2019	CUBO	Clear by video	Sgt. T. Salas	In Progress	8/21/2019	3/22/2020
IA2019-041	3/26/2019	3/25/2019	Force, Policy/Procedure	Deferred to OIPA #19-13		OIPA Investigation	8/17/2019	3/25/2020
IA2019-042	1/27/2019	3/29/2019	POD, CUBO, Policy/Procedure		Sgt. McNack	In Progress	8/28/2019	3/29/2020
IA2019-043	2/13/2019	2/13/2019	Force		Sgt. McNack	In Progress	9/1/2019	2/13/2020
IA2019-045		4/3/2019	Arrest/Detention	Inquiry	Lt. Franklin	In Progress	9/2/2019	4/3/2020
IA2019-050	4/11/2019		Per Chief, regarding how department handled a call for service	Service Review	Sgt. T. Salas	In Progress	5/12/2019	12/31/1900

IA	DATE							
CASE #	OCC'D	REC'D	ALLEGATION	MISC	INVESTIGATOR	STATUS	5 MONTH DATE	DUE DATE
IA2019-052	4/16/2019	4/16/2019	Force, CUBO		Sgt. McNack	In Progress	9/15/2019	4/16/2020
IA2019-053	4/17/2019	4/17/2019	CUBO, BBP	Admin Closure	Sgt. McNack	In Progress	9/16/2019	4/17/2020
IA2019-054	4/17/2019	4/17/2019	Force, CUBO	Deferred to OIPA #19-15		OIPA Investigation	5/12/2019	4/17/2020
IA2019-056	4/29/2019	4/30/2019	POD, CUBO	SR sent to Sgt. Lee on 05/17/19	Sgt. T. Salas	In Progress	5/30/2019	4/30/2020
IA2019-057	4/29/2019	4/29/2019	Arrest/Detention BBP, CUBO	Deferred to OIPA #19-17		OIPA Investigation	9/28/2019	4/29/2020
IA2019-060	4/8/2019	5/6/2019	Arrest/Detention Force, Axon, CUBO	Deferred to OIPA #19-19		OIPA Investigation	9/10/2019	5/6/2020
IA2019-061	5/11/2019	5/11/2019	Force		Sgt. T. Salas	In Progress	10/10/2019	5/11/2020
IA2019-062	5/16/2019	5/16/2019	Force		Sgt. T. Salas	In Progress	10/15/2019	5/16/2020
IA2019-063	5/7/2019	5/16/2019	Force		Lt. Franklin	In Progress	10/15/2019	5/16/2020
IA2019-064	12/7/2018	5/22/2019	POD		Sgt. T. Salas	In Progress	10/21/2019	5/22/2020
IA2019-065	5/22/2019	5/23/2019	Bias- Based Policing	Clear by video	Sgt. T. Salas	In Progress	10/22/2019	5/23/2020
IA2019-066	4/8/2019	5/8/2019	CUBO		Sgt. McNack	In Progress	10/7/2019	5/8/2020
IA2019-067	5/16/2019	5/16/2019	Force		Sgt. McNack	In Progress	10/15/2019	5/16/2020
IA2019-068	6/3/2019	6/3/2019	Force		Sgt. McNack	In Progress	11/2/2019	6/3/2020
IA2019-069	6/4/2019	6/4/2019	CUBO		Sgt. McNack	In Progress	11/3/2019	6/4/2020
IA2019-070	6/6/2019	6/6/2019	POD	OIPA Intake #19-21	Sgt. McNack	In Progress	10/15/2019	6/6/2020
IA2019-071	6/6/2019	6/11/2019	Bias-Based Policing CUBO		Sgt. McNack	In Progress	11/10/2019	6/11/2020
IA2019-072	6/5/2019	6/6/2019	Force		Sgt. McNack	In Progress	11/12/2019	6/6/2020
IA2019-073	6/13/2019	6/14/2019	Bias-Based Policing	OIPA Intake #19-22	Sgt. McNack	In Progress	11/13/2019	6/14/2020
IA2019-074	6/25/2019	6/25/2019	Force		Sgt. T. Salas	In Progress	11/25/2019	6/25/2020
IA2019-077	5/16/2019	5/16/2019	Axon Camera		Sgt. T. Salas	In Progress	10/15/2019	5/16/2020
IA2019-078	6/29/2019	7/2/2019	BBP, POD	Clear by video	Sgt. T. Salas	In Progress	12/1/2019	7/2/2020
IA2019-079	4/20/2019	7/2/2019	CUBO		Sgt. T. Salas	In Progress	12/1/2019	7/2/2020
IA2019-080	6/28/2019	7/1/2019	Bias-Based Policing		Sgt. T. Salas	In Progress	11/30/2019	7/1/2020
IA2019-081	Unk	6/25/2019	POD	OIPA Intake #19-23	Sgt. T. Salas	In Progress	11/24/2019	6/25/2020
IA2019-082	7/5/2019	7/5/2019	Force		Sgt. McNack	In Progress	12/4/2019	7/5/2020

PART 1 CRIMES	2014	2015	2016	2017	2018	YTD July		% change from '19
						2018	2019	
Homicide	0	1	1	0	3	3	1	-67%
Rape	2	3	4	8	3	3	3	0%
Robbery	153	161	232	290	349	188	220	17%
Aggravated Assault	71	73	93	125	130	77	65	-16%
Violent Crime Subtotal	226	238	330	423	485	271	289	7%
Burglary (Not Including Auto)	7	4	12	15	18	10	10	0%
Larceny	2597	2325	2217	2593	2590	1514	1762	16%
Auto Theft	522	480	480	420	354	232	134	-42%
Arson	0	0	1	4	4	3	1	-67%
Property Crime Subtotal	3126	2809	2710	3032	2966	1759	1907	8%
TOTAL	3352	3047	3040	3455	3451	2030	2196	8%



BART Police Performance Measurements

July 2019

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Top 5 Stations For Part 1 Crimes

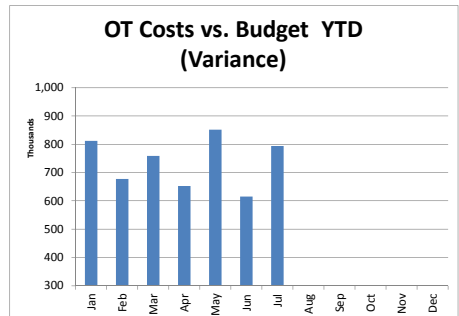
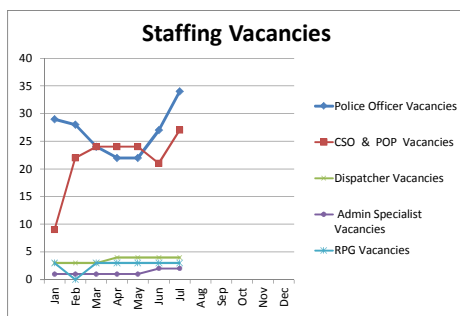
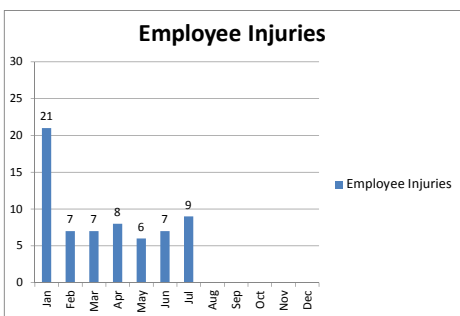
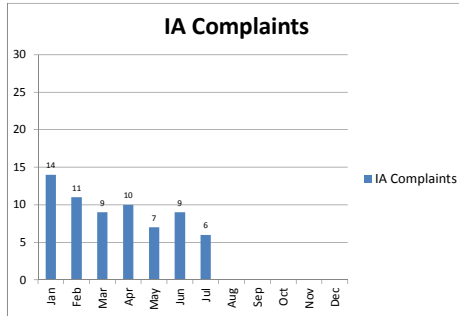
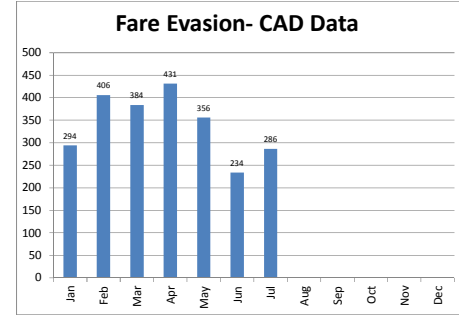
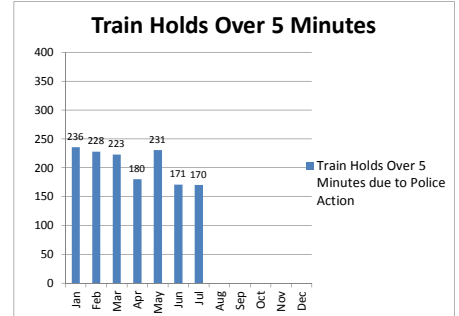
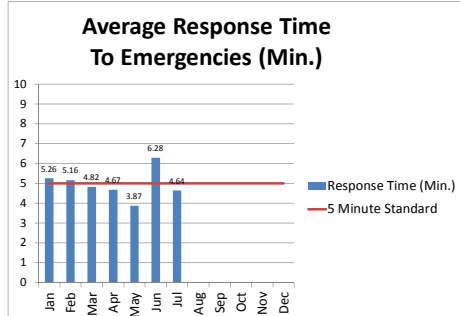
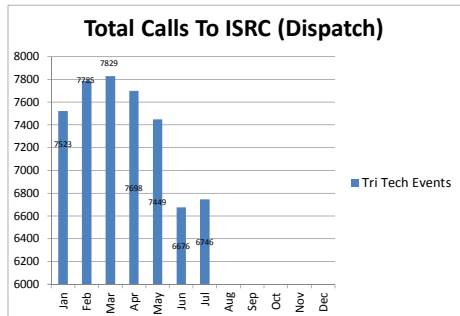
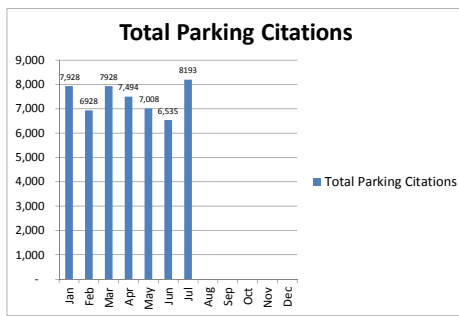
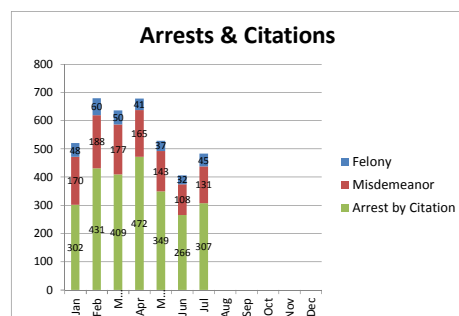
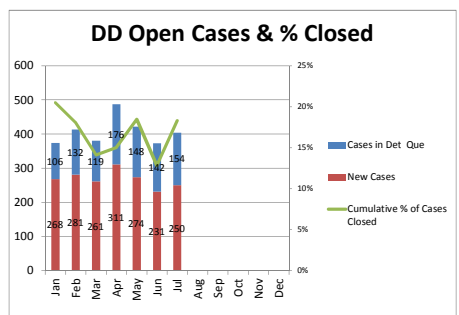
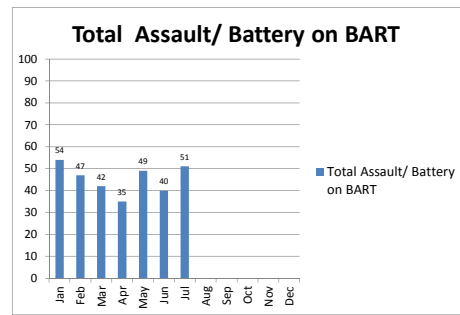
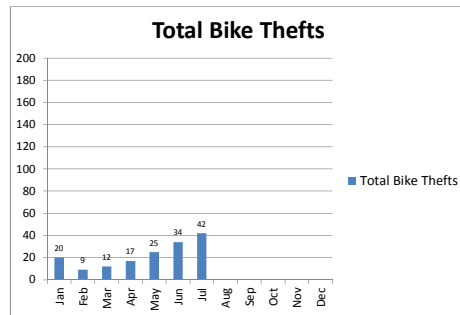
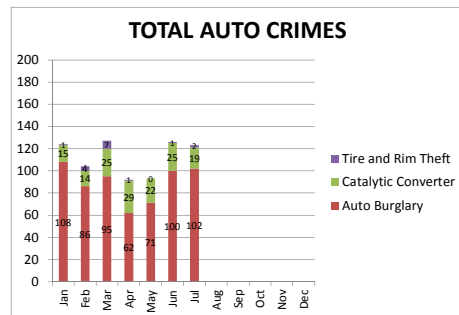
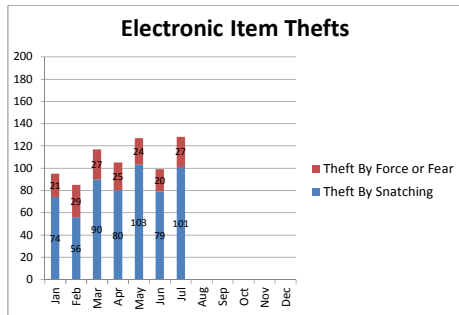
2019 Current Month

Coliseum
Daly City
Fruitvale
MacArthur
Bay Fair

Most Frequent all of 2018 2018 YEAR

Coliseum
West Oakland
Hayward/ San Leandro
Richmond
Fruitvale

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



PART 1 CRIMES	2017	2018	YTD July		% change from '18
			2018	2019	
Homicide	0	2	2	1	-50%
Rape	6	3	3	1	-67%
Robbery	191	215	110	139	26%
Aggravated Assault	73	87	50	32	-36%
Violent Crime Subtotal	270	307	165	173	5%
Burglary (Not Including Auto)	8	11	6	7	17%
Larceny	1471	1283	781	920	18%
Auto Theft	266	199	131	76	-42%
Arson	2	3	1	1	0%
Property Crime Subtotal	1747	1496	919	1004	9%

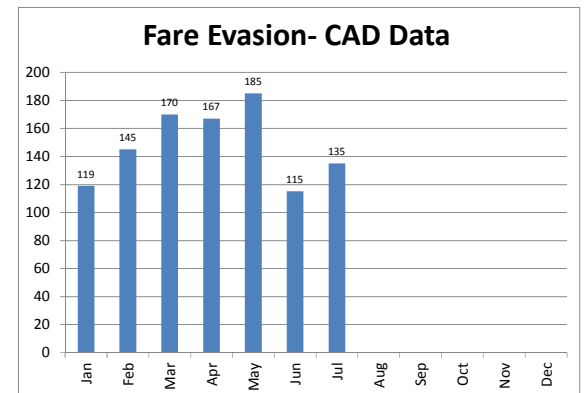
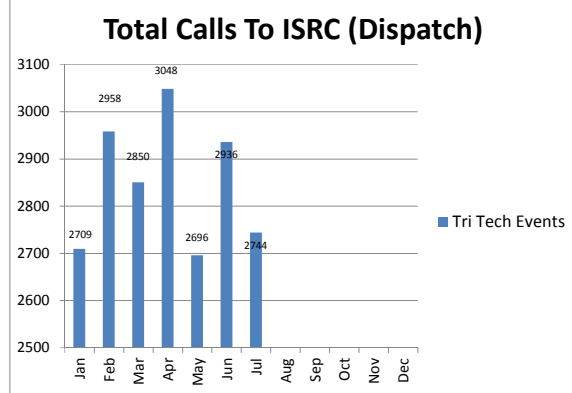
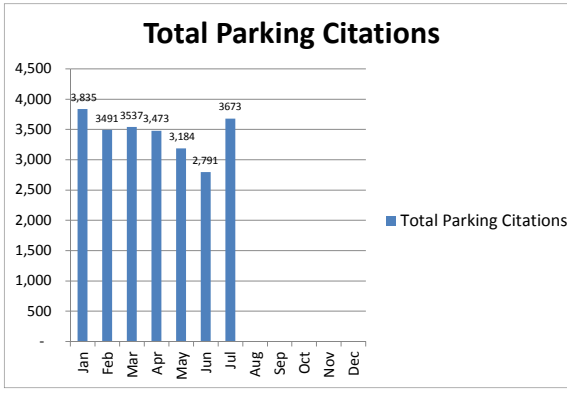
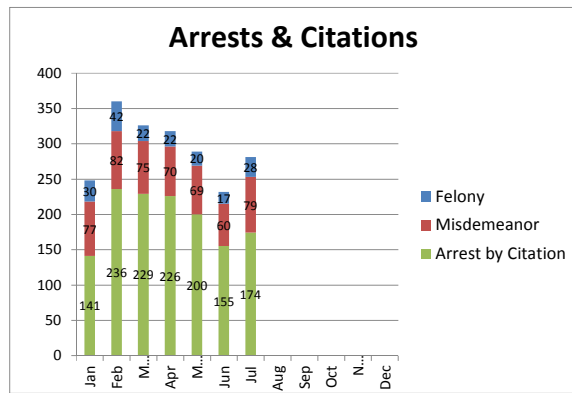
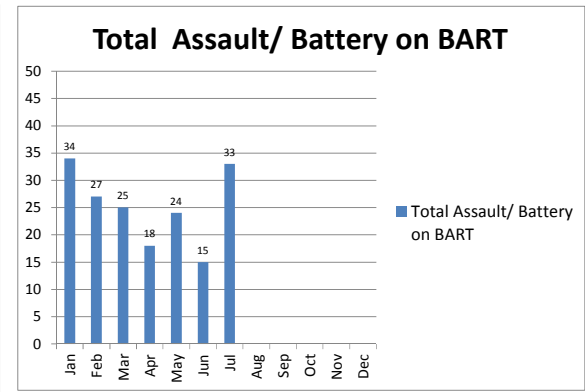
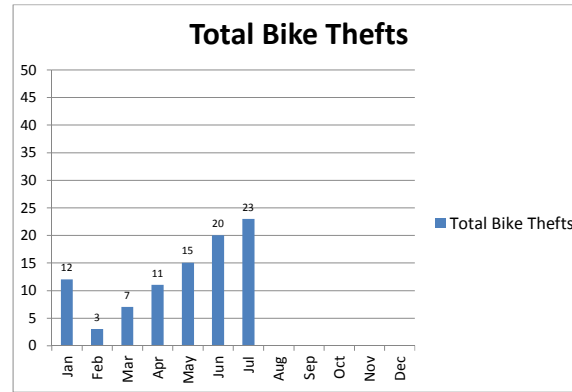
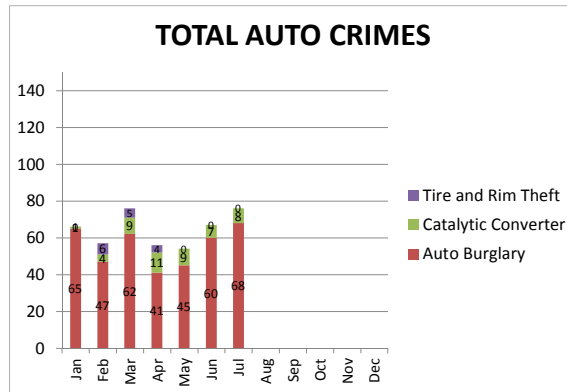
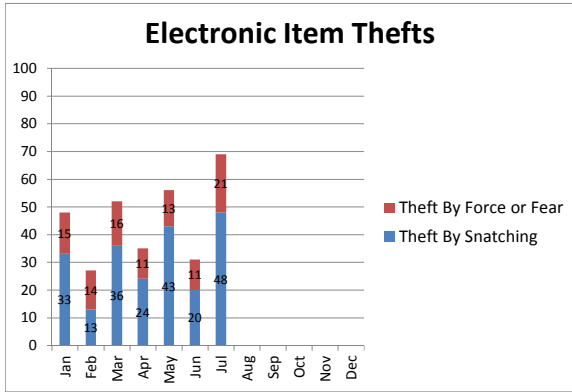


BART Police Performance Measurements

Alameda County Crime Statistics

July 2019

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PART 1 CRIMES	2017	2018	YTD July		% change from '18
			2018	2019	
Homicide	0	1	0	0	0%
Rape	1	0	0	2	200%
Robbery	35	29	20	21	5%
Aggravated Assault	23	20	14	11	-21%
Violent Crime Subtotal	59	50	34	34	0%
Burglary (Not Including Auto)	2	1	1	0	-100%
Larceny	675	670	400	364	-9%
Auto Theft	134	135	85	53	-38%
Arson	3	1	1	0	-100%
Property Crime Subtotal	814	807	487	417	-14%
TOTAL	873	857	521	451	-13%

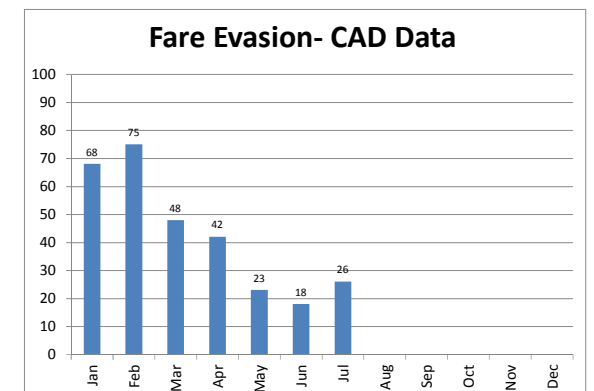
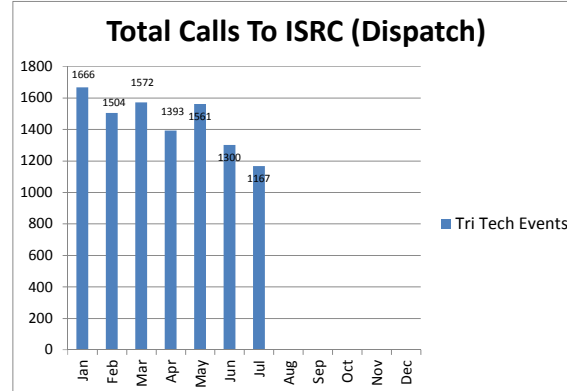
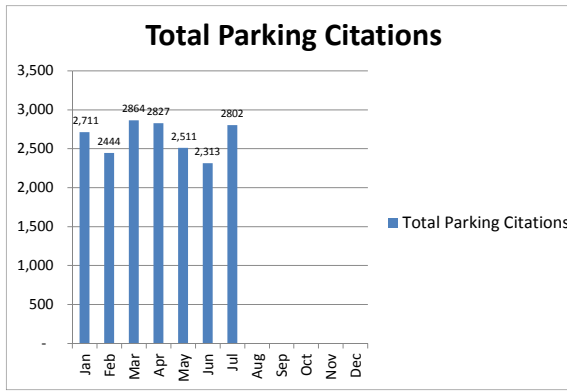
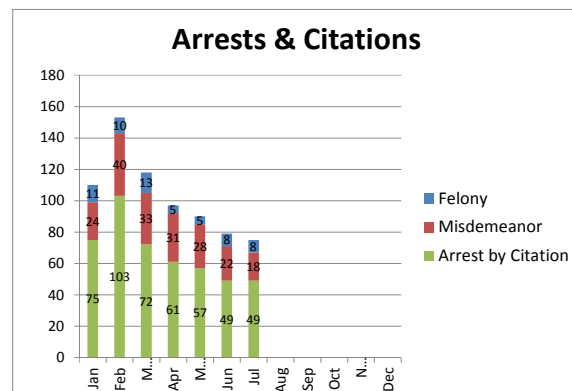
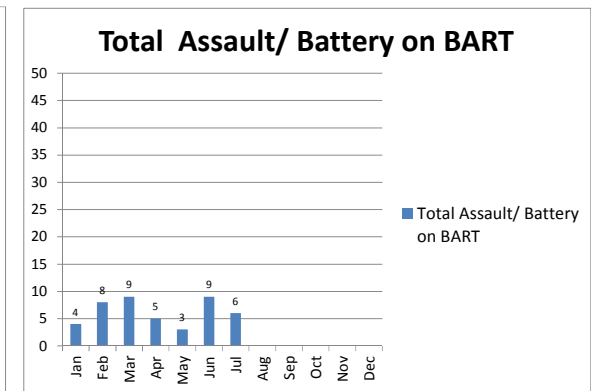
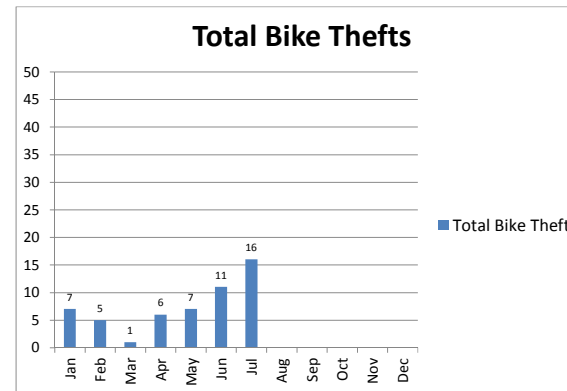
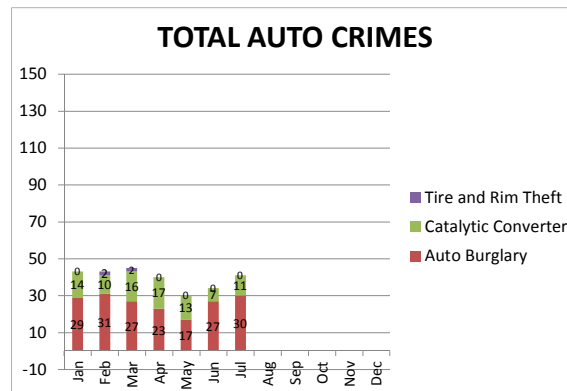
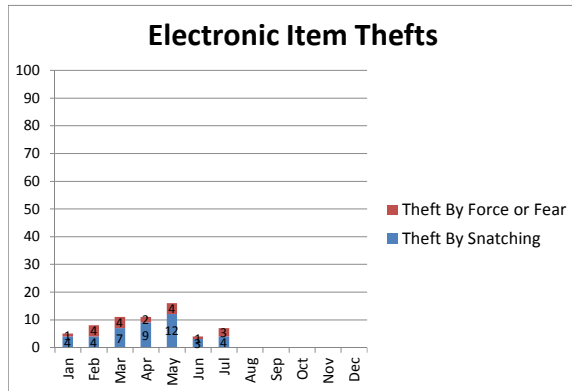


BART Police Performance Measurements

Contra Costa County Crime Statistics

July 2019

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PART 1 CRIMES	2017	2018	YTD July		% change from '18
			2018	2019	
Homicide	0	0	0	0	0%
Rape	0	0	0	0	0%
Robbery	49	97	56	54	-4%
Aggravated Assault	23	18	10	20	100%
Violent Crime Subtotal	72	115	66	74	12%
Burglary (Not Including Auto)	5	6	3	2	-33%
Larceny	244	476	231	358	55%
Auto Theft	2	1	1	0	-100%
Arson	0	0	0	0	0%
Property Crime Subtotal	251	483	235	360	53%
TOTAL	323	598	301	434	44%

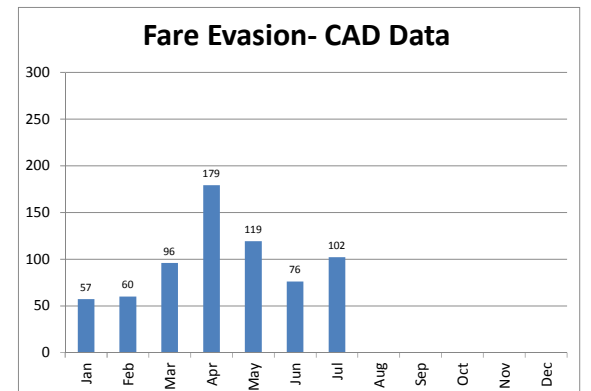
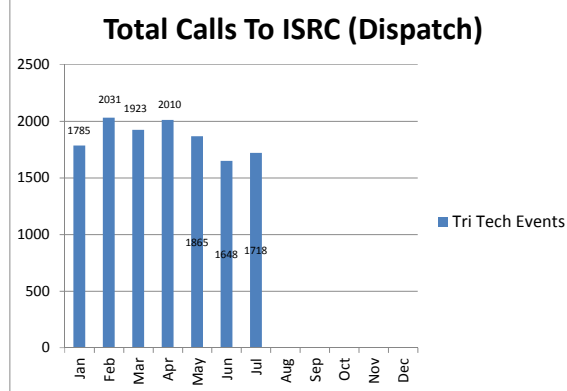
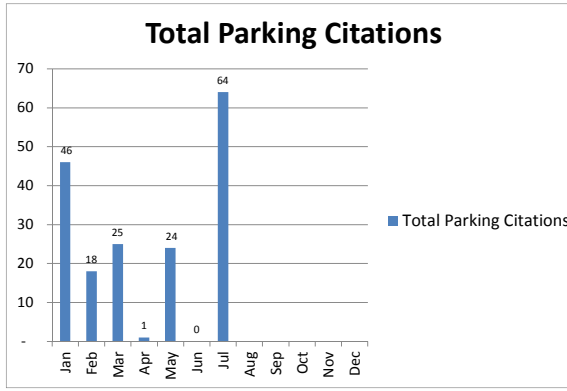
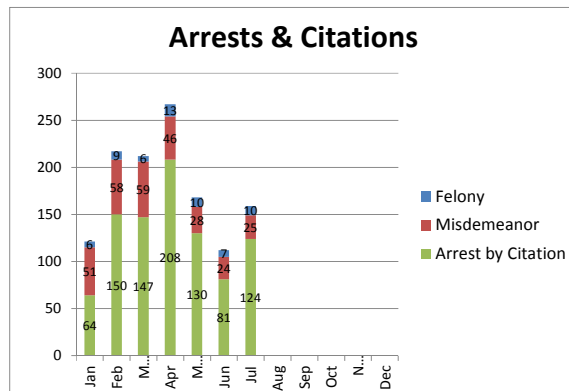
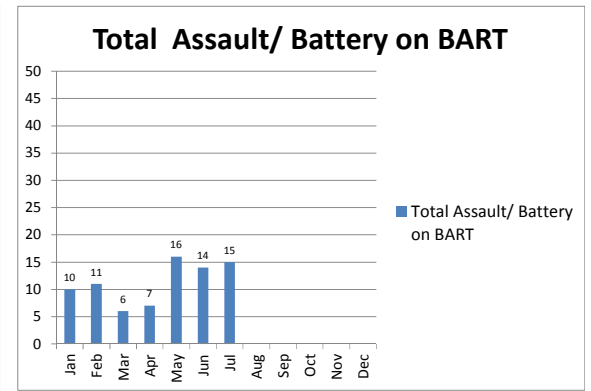
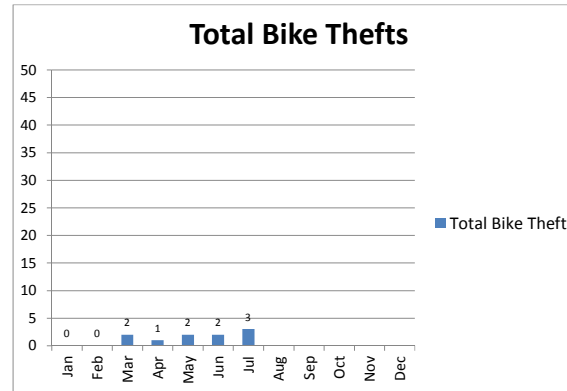
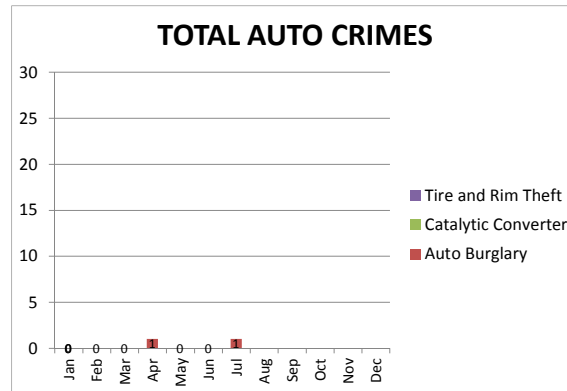
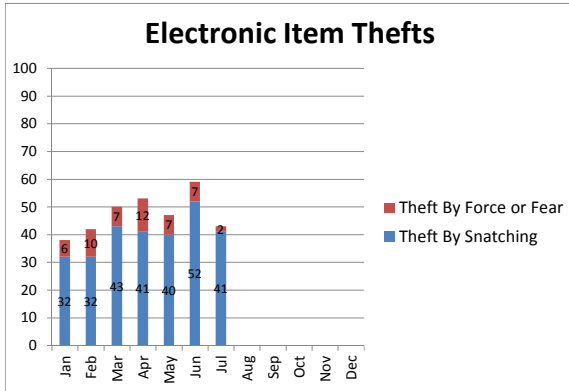


BART Police Performance Measurements

San Francisco County Crime Statistics

July 2019

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PART 1 CRIMES	2017	2018	YTD July		% change from '18
			2018	2019	
Homicide	0	0	0	0	0%
Rape	1	0	0	0	0%
Robbery	15	8	4	6	50%
Aggravated Assault	6	5	3	3	0%
Violent Crime Subtotal	22	13	7	9	29%
Burglary (Not Including Auto)	0	0	0	1	-100%
Larceny	208	161	104	167	61%
Auto Theft	18	19	14	5	-64%
Arson	0	0	0	0	0%
Property Crime Subtotal	226	180	118	173	47%
TOTAL	248	193	125	182	46%

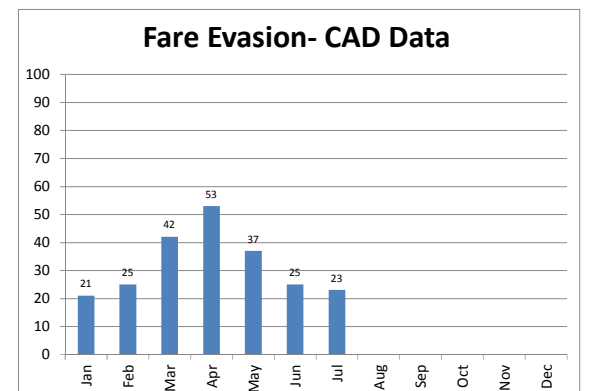
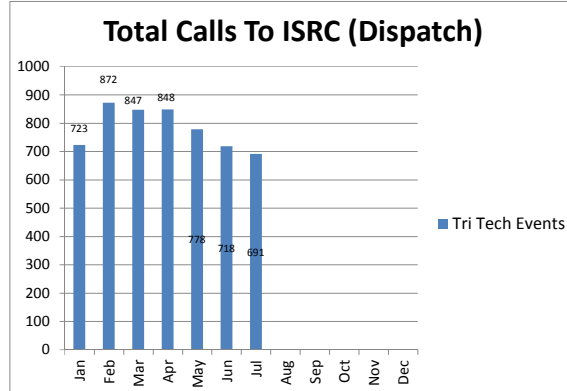
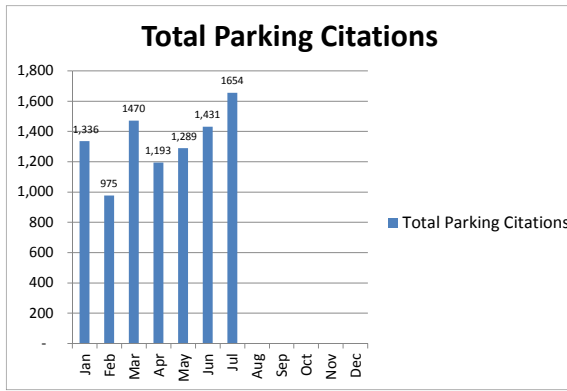
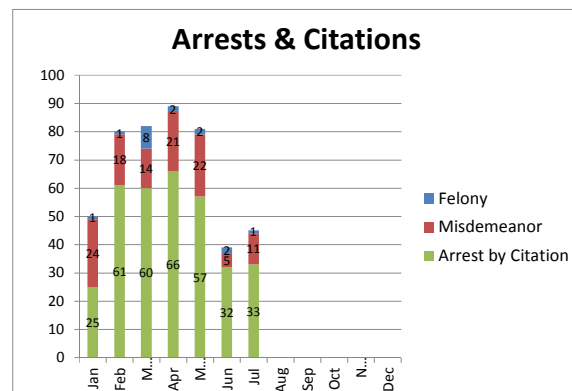
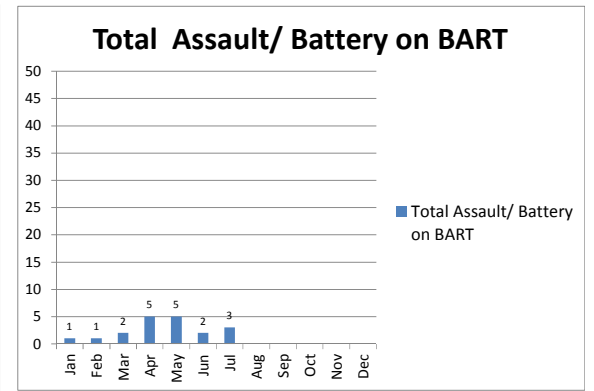
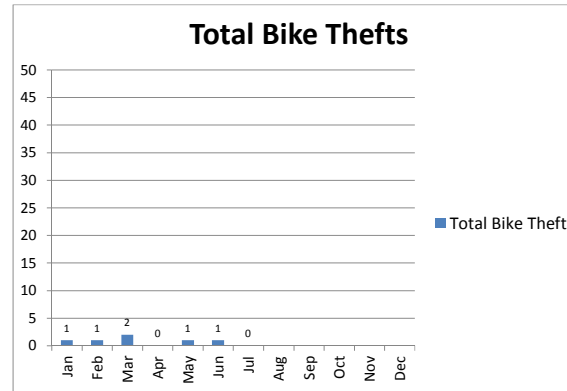
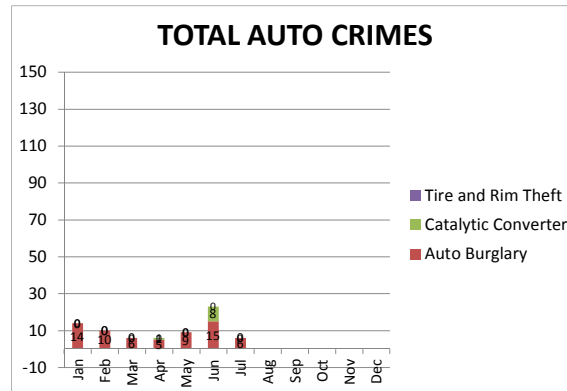
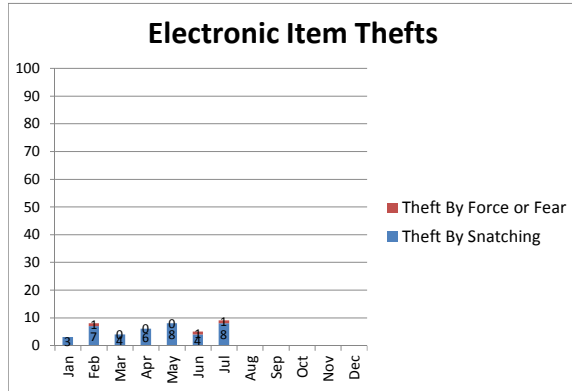


BART Police Performance Measurements

San Mateo County Crime Statistics

July 2019

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Enforcement Contacts - 2019

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Felony Arrest	48	60	50	41	37	32	45						313
YTD 2019	48	108	158	199	236	268	313						
Misd. Arrest	170	188	177	165	143	108	131						1,082
YTD 2019	170	358	535	700	843	951	1,082						
Cite & Release	302	431	409	472	349	266	307						2,536
YTD 2019	302	733	1,142	1,614	1,963	2,229	2,536						
Field Interview	814	945	804	891	701	510	541						5,206
YTD 2019	814	1,759	2,563	3,454	4,155	4,665	5,206						

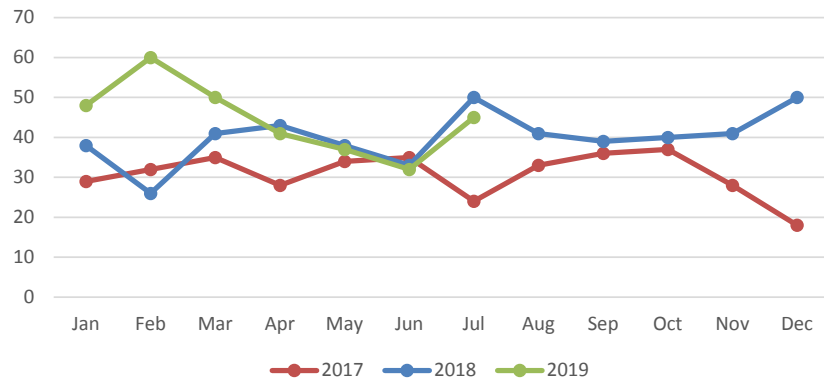
Enforcement Contacts - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Felony Arrest	38	26	41	43	38	33	50	41	39	40	41	50	480
YTD 2018	38	64	105	148	186	219	269	310	349	389	430	480	
Misd. Arrest	88	109	123	90	117	142	108	127	119	160	144	129	1,456
YTD 2018	88	197	320	410	527	669	777	904	1,023	1,183	1,327	1,456	
Cite & Release	396	405	457	175	280	235	199	236	151	206	144	176	3,060
YTD 2018	396	801	1,258	1,433	1,713	1,948	2,147	2,383	2,534	2,740	2,884	3,060	
Field Interview	512	581	581	476	527	513	491	605	433	570	489	463	6,241
YTD 2018	512	1,093	1,674	2,150	2,677	3,190	3,681	4,286	4,719	5,289	5,778	6,241	

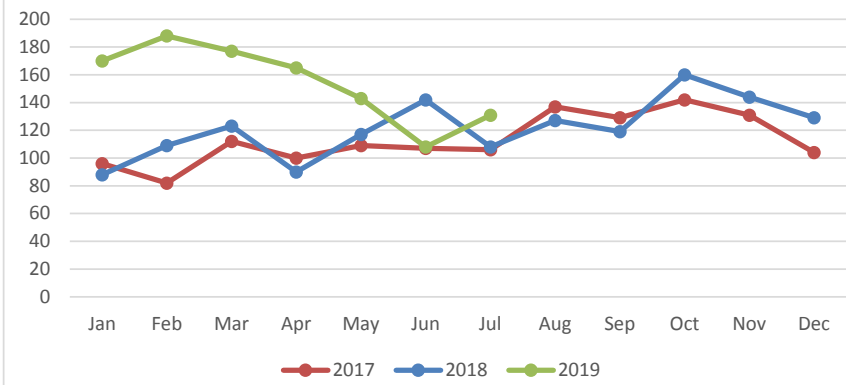
Enforcement Contacts - 2017

	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	

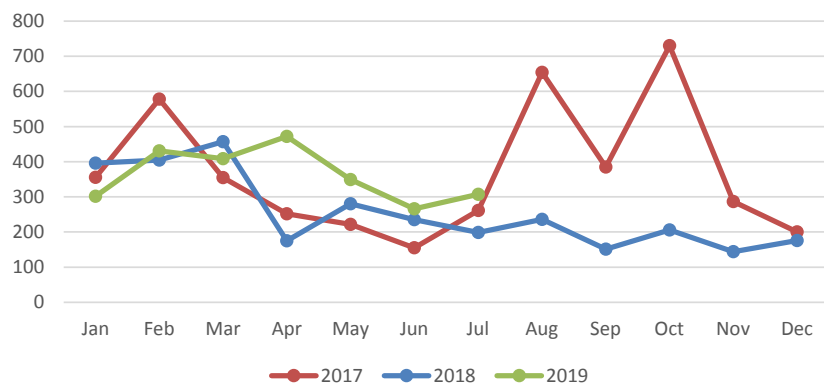
Felony Arrests



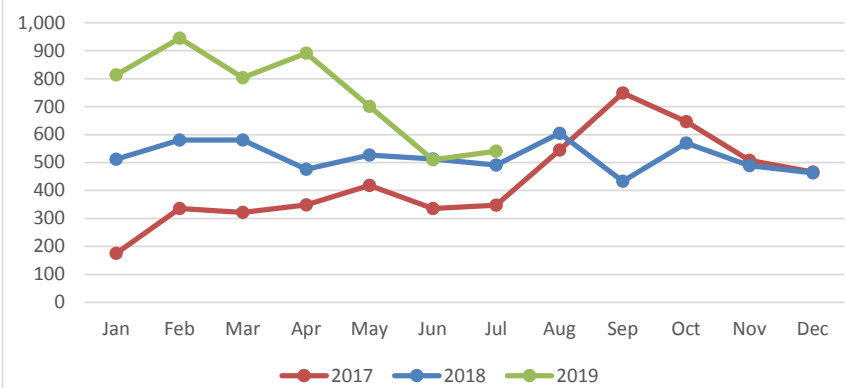
Misdemeanor Arrests



Cite & Release



Field Interviews



Parking Enforcement - 2019

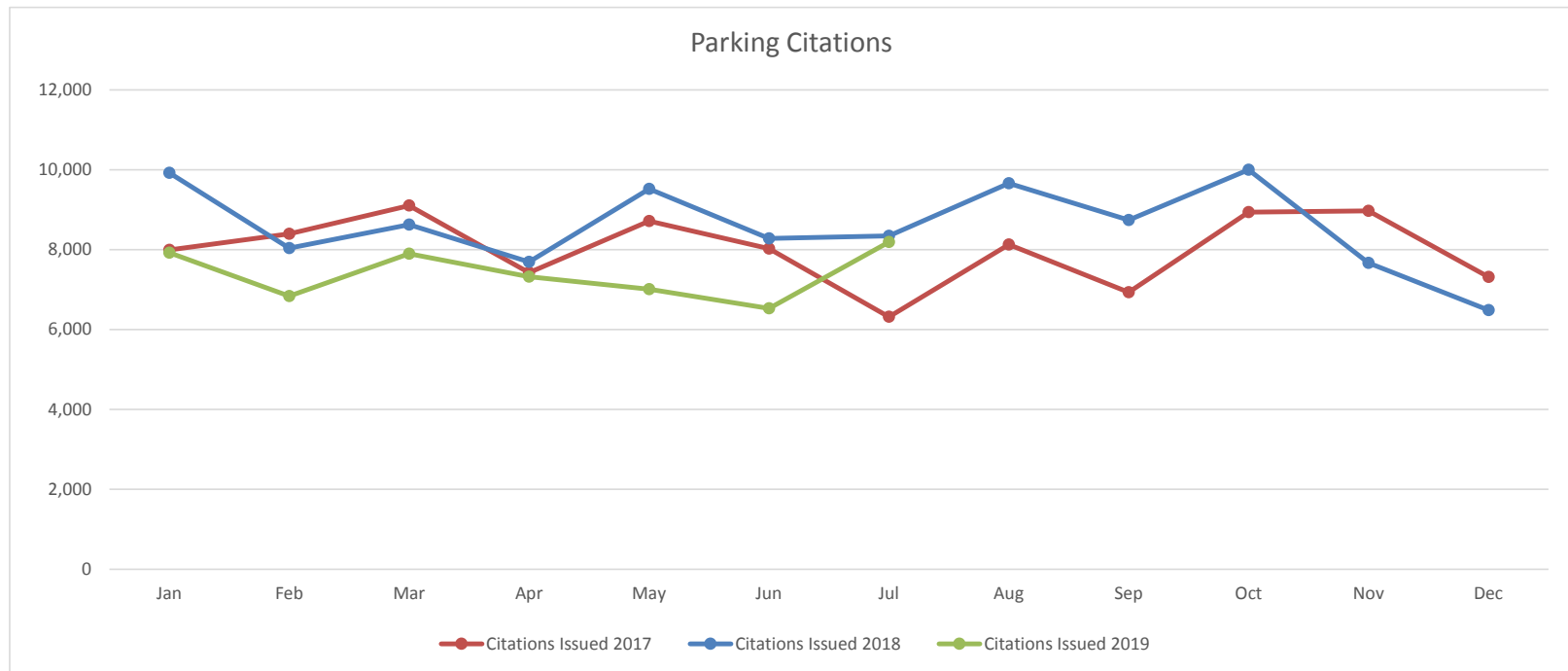
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Citations Issued	7,927	6,837	7,897	7,322	7,010	6,530	8,191						51,714
YTD 2019	7,927	14,764	22,661	29,983	36,993	43,523	51,714						
Contested	1,654	1,605	1,838	1,386	1,803	1,447	1,808						11,541
YTD 2019	1,654	3,259	5,097	6,483	8,286	9,733	11,541						
Dismissed	1,039	983	1,155	890	1,127	890	1,160						7,244
YTD 2019	1,039	2,022	3,177	4,067	5,194	6,084	7,244						

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	9,520	8,281	8,344	9,661	8,744	10,001	7,671	6,488	103,003
YTD 2018	9,925	17,967	26,596	34,293	43,813	52,094	60,438	70,099	78,843	88,844	96,515	103,003	
Contested	2,121	1,808	2,152	1,782	1,827	2,053	1,958	2,211	2,060	2,314	1,925	1,667	23,878
YTD 2018	2,121	3,929	6,081	7,863	9,690	11,743	13,701	15,912	17,972	20,286	22,211	23,878	
Dismissed	1,502	1,200	1,448	1,160	1,152	1,294	1,223	1,438	1,309	1,489	1,197	1,037	15,449
YTD 2018	1,502	2,702	4,150	5,310	6,462	7,756	8,979	10,417	11,726	13,215	14,412	15,449	

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	



Warrant Arrests

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2019												
BART Felony Warrants	3	2	1	2	0	1	0					
BART Misdemeanor Warrants	2	13	3	5	0	3	7					
O/S Felony Warrants	24	39	32	17	16	14	29					
O/S Misdemeanor Warrants	81	73	82	101	61	42	64					
Monthly Total	110	127	118	125	77	60	100					
YTD Total	110	237	355	480	557	617	717					
2018												
BART Felony Warrants	2	1	3	0	2	1	2	2	2	0	1	0
BART Misdemeanor Warrants	3	3	2	2	6	4	1	4	5	7	2	4
O/S Felony Warrants	12	10	16	29	29	8	16	14	10	21	17	23
O/S Misdemeanor Warrants	40	37	68	55	60	36	67	51	41	69	62	67
Monthly Total	57	51	89	86	97	49	86	71	58	97	82	94
YTD Total	57	108	197	283	380	429	515	586	644	741	823	917
2017												
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
Monthly Total	66	65	77	77	83	64	69	84	77	94	83	45
YTD Total	66	131	208	285	368	432	501	585	662	756	839	884



San Francisco Bay Area Rapid Transit Police Department Criminal Investigations Division Monthly Summary Report July, 2019

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/probation violation by the district attorney	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 Aug 9, 2019
250	154	19	76	39	26	11	34%	625

Submitted By: Sgt. J. Power S-49

Date: 08/09/2019

San Francisco Bay Area Rapid Transit Police Department

Criminal Investigations Division

July, 2019

Detective Closure Rate

	Total number of cases assigned to detectives previous 12 months (Aug 2018 - July 2019)	Number of cases that are still being investigated by detectives	Number of cases that all current leads have been exhausted	Percentage of cases that all current leads have been exhausted	Number of cases closed by arrest or identification of suspect	Percentage of cases closed by arrest or identification of suspect	Percentage of Open Cases
	3025	796	495	16%	1715	57%	26%
D39	33	0	7	21%	26	79%	0%
D51	257	0	39	15%	215	84%	0%
D75	20	0	0	0%	20	100%	0%
D31	292	73	41	14%	177	61%	25%
D55	337	110	111	33%	115	34%	33%
D27	342	22	86	25%	226	66%	6%
D54	409	82	59	14%	265	65%	20%
D10	334	45	40	12%	247	74%	13%
D52	451	74	12	3%	364	81%	16%
Robbery	439	365	53	12%	21	5%	83%
D70	111	25	47	42%	39	35%	23%

CASES IN DETECTIVE QUEUE

	Total	Past 60 days
D55	72	18
D31	73	10
D27	17	1
D54	40	1
D10	36	20
D52	63	49
Robbery	296	296
D70	28	1

Submitted by: Sgt. John J. Power #S49
Date: Aug 9, 2019

Assembly Bill 716 - 2019

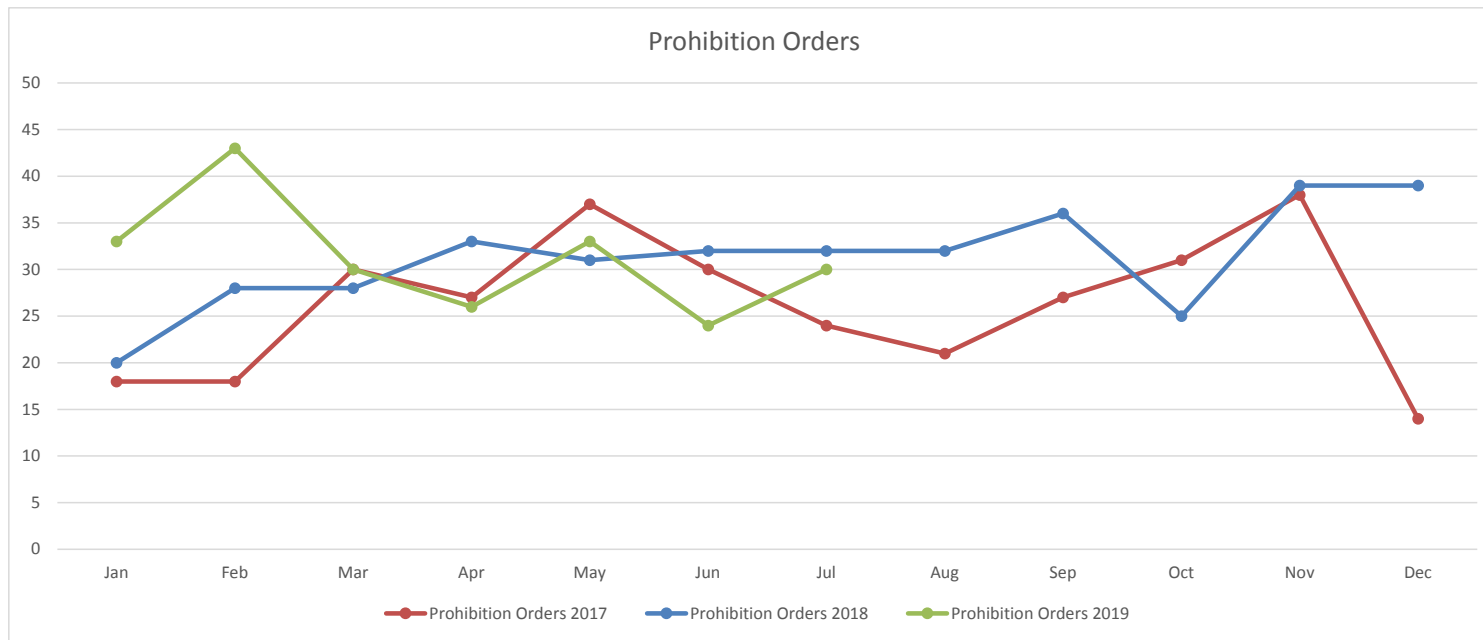
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Prohibition Orders Issued	33	43	30	26	33	24	30						219
YTD 2019	33	76	106	132	165	189	219						

Assembly Bill 716 - 2018

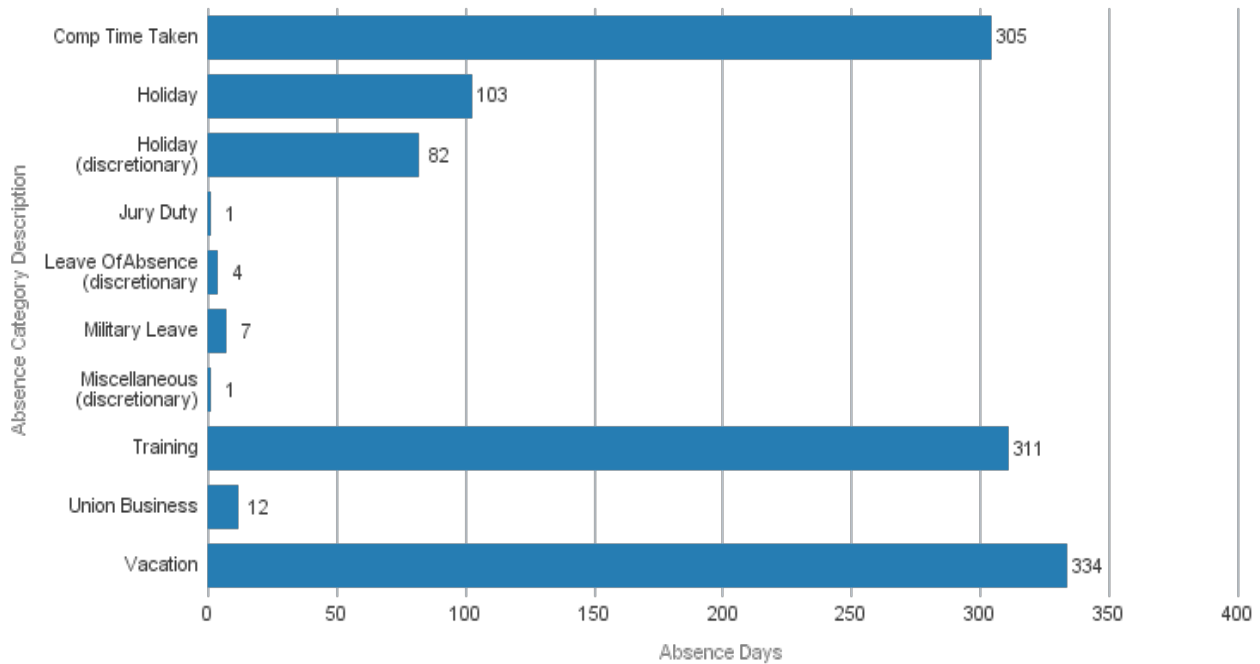
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Prohibition Orders Issued	20	28	28	33	31	32	32	32	36	25	39	39	375
YTD 2018	20	48	76	109	140	172	204	236	272	297	336	375	

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	

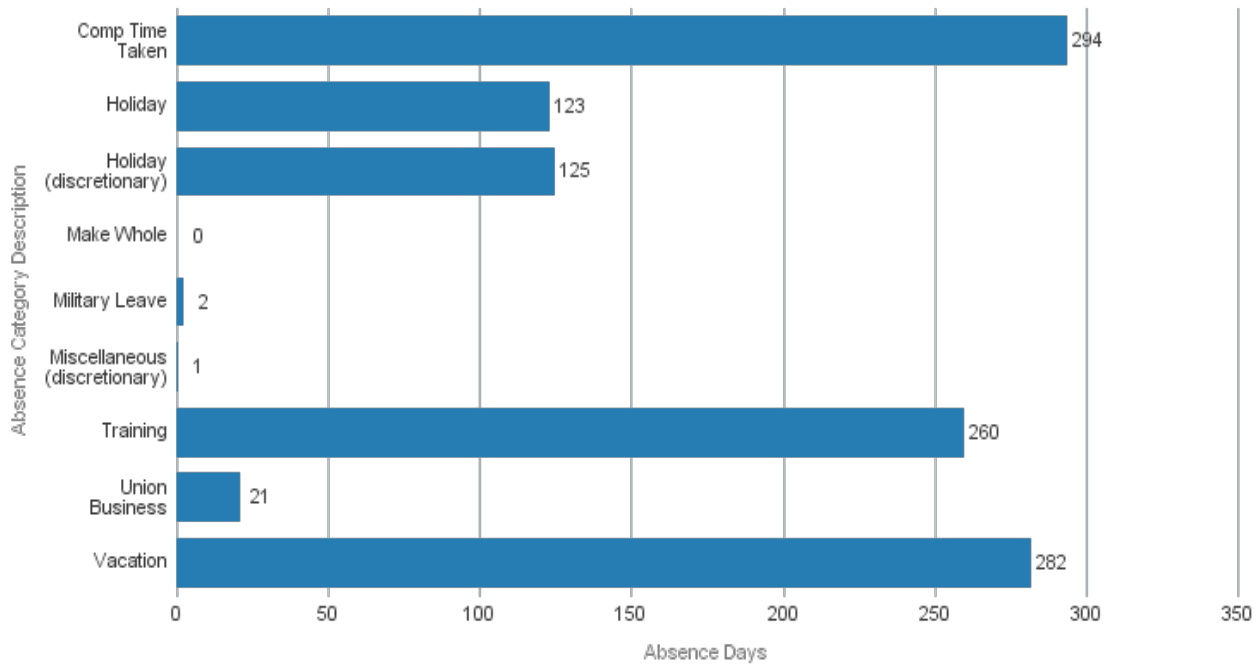


Scheduled Absence Overview - July 2019



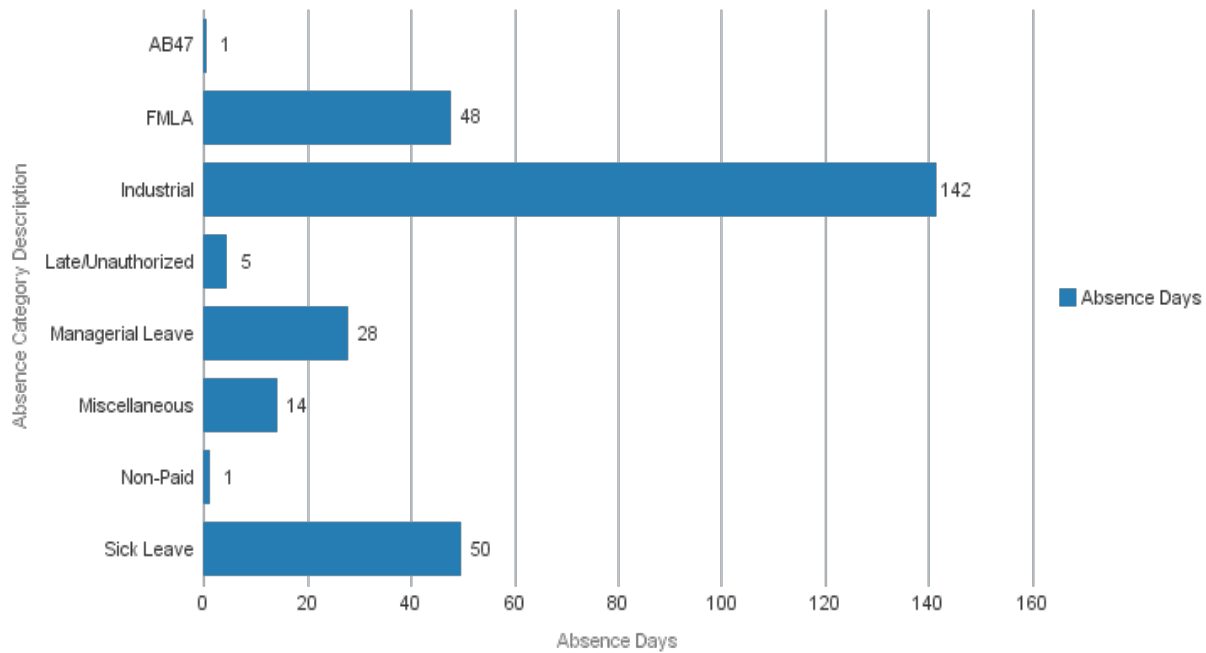
Absence Category Description	Absence Hours	Absence Days	% Total
Comp Time Taken	3,157	305	26%
Holiday	954	103	9%
Holiday (discretionary)	796	82	7%
Jury Duty	8	1	0%
Leave OfAbsence (discretionary)	42	4	0%
Military Leave	70	7	1%
Miscellaneous (discretionary)	8	1	0%
Training	2,740	311	27%
Union Business	145	12	1%
Vacation	3,427	334	29%
Grand Total	11,347	1,160	100%

Scheduled Absence Overview - July 2018



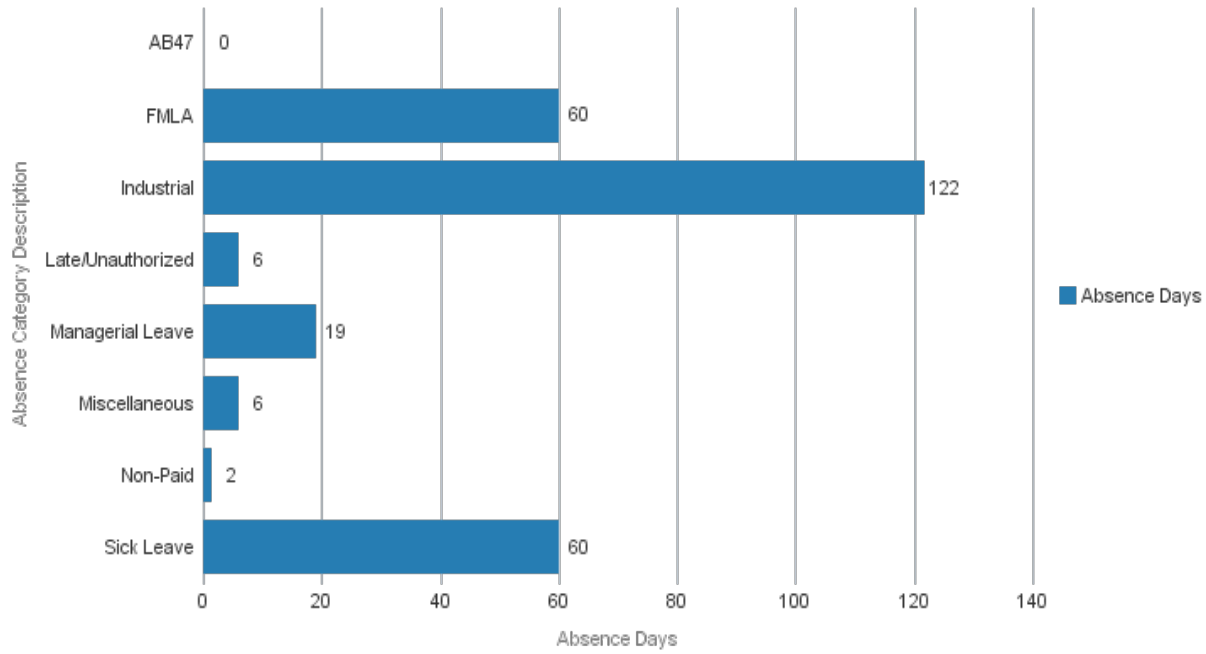
Absence Category Description	Absence Hours	Absence Days	% Total
Comp Time Taken	2,940	294	27%
Holiday	1,176	123	11%
Holiday (discretionary)	1,263	125	11%
Make Whole	5	0	0%
Military Leave	20	2	0%
Miscellaneous (discretionary)	8	1	0%
Training	2,375	260	23%
Union Business	232	21	2%
Vacation	2,837	282	25%
Grand Total	10,857	1,107	100%

Unscheduled Absence Overview - July 2019



Absence Category Description	Absence Hours	Absence Days	% Total
AB47	8	1	0%
FMLA	484	48	17%
Industrial	1,474	142	49%
Late/Unauthorized	47	5	2%
Managerial Leave	280	28	10%
Miscellaneous	162	14	5%
Non-Paid	14	1	0%
Sick Leave	504	50	17%
Grand Total	2,973	288	100%

Unscheduled Absence Overview - July 2018



Absence Category Description	Absence Hours	Absence Days	% Total
AB47	2	0	0%
FMLA	620	60	22%
Industrial	1,232	122	44%
Late/Unauthorized	61	6	2%
Managerial Leave	190	19	7%
Miscellaneous	50	6	2%
Non-Paid	15	2	1%
Sick Leave	591	60	22%
Grand Total	2,760	275	100%

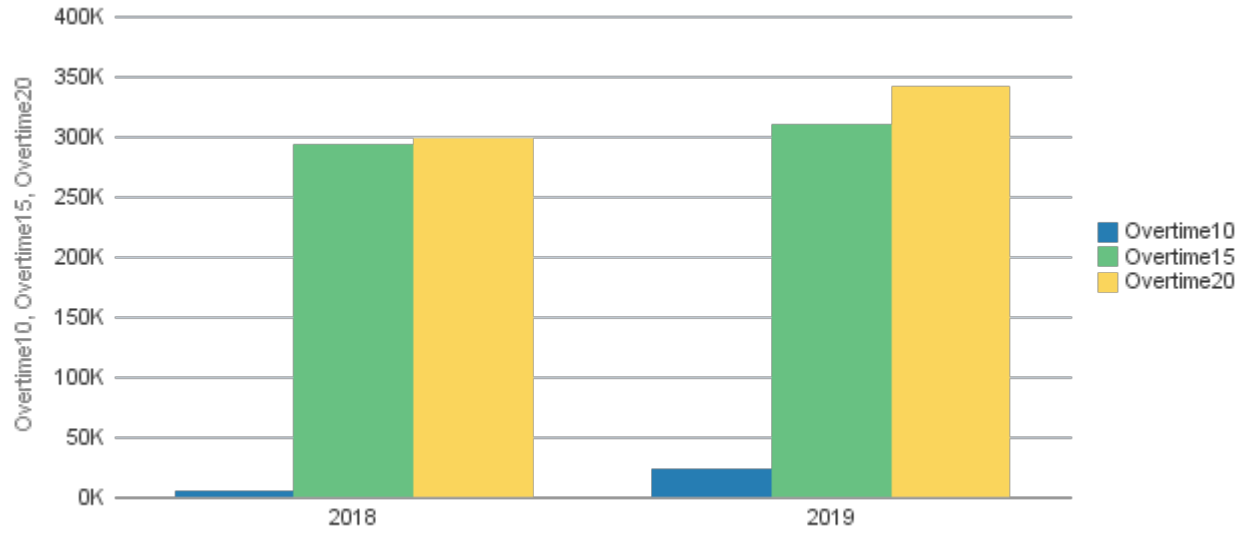
BART PD OVERTIME MONTHLY REPORT

July 2019

Activity Name	Activity ID	2018			2019		
		Overtime10	Overtime15	Overtime20	Overtime10	Overtime15	Overtime20
Adv Officer Training	ADVOF	0	0	5,184	1,664	20,977	15,081
BART Labor	BLABR	0	234	0	0	732	0
BF OT Admin Leave BPD	BFALV	0	1,638	4,793	0	0	0
BF OT Discr Day BPD	BFDSC	0	0	2,086	127	577	0
BF OT Industrial Leave BPD	BFILV	21	9,547	17,201	0	0	1,086
BF OT Minimum Rest	BFRST	0	904	153	0	161	1,341
BF OT Patrol TRN	BFTRN	0	3,593	3,103	0	1,243	2,547
BF OT Recovery Day	BFRCV	0	15,010	19,806	640	9,260	22,401
BF OT Training BPD	BFTRN	0	3,593	3,103	0	1,243	2,547
BF OT Vacancy BPD	BFVCN	0	25,941	39,221	6,051	39,659	72,030
BF OT Vacation BPD	BFVAC	526	52,258	76,829	6,155	59,255	85,761
BF Sick/FMLA/Brvment	BFSLV	321	17,337	22,045	2,229	13,696	28,544
Boardroom Security	BRDRM	0	0	1,044	48	320	1,430
COPPS Project/Event	COPPS	0	458	0	0	1,327	0
COS CSO Parking Detail	CEPLN	0	496	0	0	0	0
Coliseum Events	CEOPS	0	2,681	4,665	1	12,834	5,273
Court Appearance	COURT	0	704	0	174	1,343	0
Def Tac Instructor TRN	DEFTR	0	0	0	501	1,948	2,146
Detectives Unit OT	INVST	9	10,635	11,093	272	14,177	10,203
E-BART SECURITY	EBSEC	957	20,150	16,377	0	0	0
EMS/OWS Pltfrm Detail	PLTFM	480	9,617	5,176	1,175	8,552	3,770
Evidence Collection	EVIDN	0	1,575	1,153	0	0	0
Explorer Advisors	EXPLR	0	2,196	0	0	2,495	1,358
Final Design	FDSGN	0	2,083	0	0	4,106	4,980
Held Over/Late Case	HLDOV	0	16,774	722	0	21,389	639
IA Unit Overtime	IAUNT	0	1,308	0	0	4,878	0
Jnt Terrorism Tskfrce	JTTFO	0	0	0	0	1,496	0
K-9 Team Training	K9TTR	383	1,034	421	0	0	0
K9 PATROL TEAMS	K9TMS	0	0	0	0	555	0

Labor Negotiations	LBRNG	0	216	0	0	0	0
MTC SECURITY	MTCSC	0	0	0	0	447	0
Meeting Attendance	MTNGS	0	2,993	270	0	2,118	0
Mgr of Sec Programs	SECPR	0	1,495	0	0	0	0
Movie / Film Support	MOVIE	0	0	0	186	0	0
Movie permits	MOVIE	0	0	0	186	0	0
Operating	OPER	0	0	0	0	9,803	0
	OPRTN	1,642	17,246	13,412	1,408	15,098	11,041
P&T Unit Overtime	PTUNT	0	14,127	8,893	0	16,269	11,168
Platform Installation	PLTIN	0	0	517	0	0	0
Police Admin OT	PADMN	154	9,532	2,364	105	7,398	2,593
Ptrl Special Enforcement	SPECL	532	30,439	20,022	1,321	25,874	42,206
Range Staff Training	RANGE	0	0	0	0	0	869
Rev Protection Unit OT	RVPRT	0	575	0	0	0	0
SF STA CLN SEC	DSFCS	256	6,967	7,571	0	3,714	6,896
SWAT Team Expenses	SWATT	0	1,006	0	501	652	0
SWAT Team Training	SWATT	0	1,006	0	501	652	0
Special Events	SPEVN	0	0	0	0	240	0
Training	TRNNG	0	0	1,968	0	0	0
Training Other	TRNOT	0	2,184	1,785	0	4,567	3,426
Union Business	UNBUS	0	6,089	6,271	0	978	1,303
Grand Total		5,281	293,641	297,246	23,244	310,032	340,639
July			596,168			673,916	

Overtime10, Overtime15, Overtime20



Communications Center - 2019

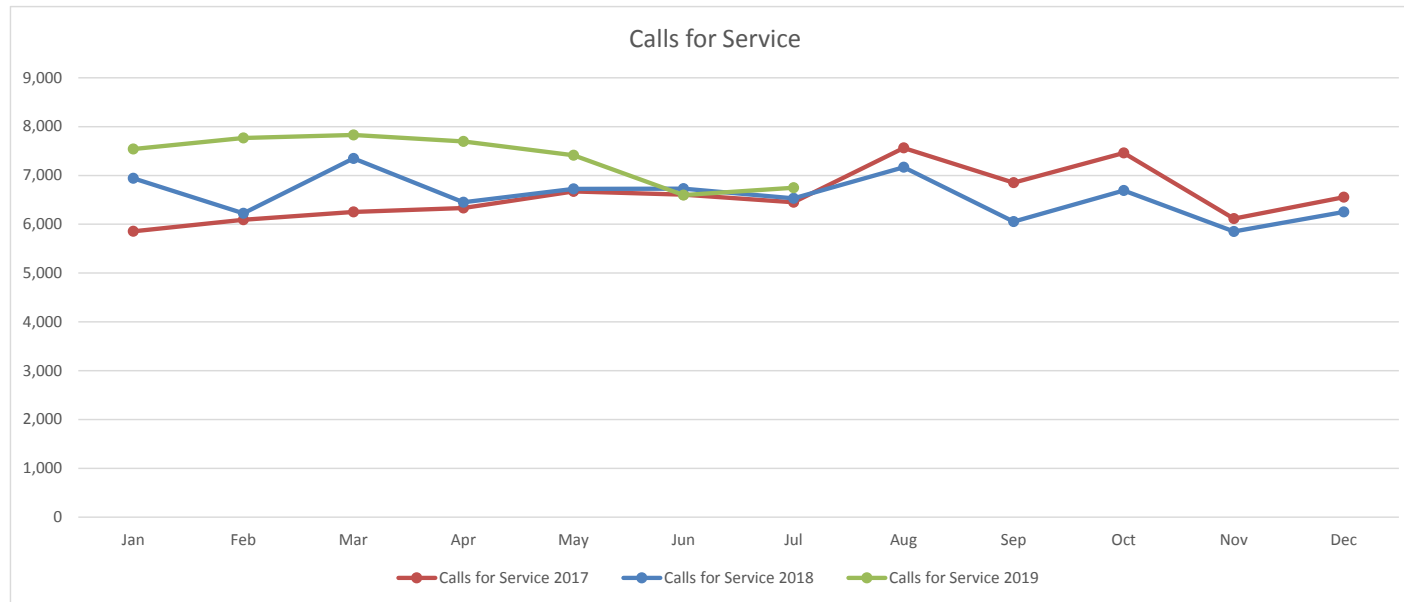
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Calls for Service	7,540	7,765	7,829	7,698	7,415	6,598	6,746						51,591
YTD 2019	7,540	15,305	23,134	30,832	38,247	44,845	51,591						
Priority 1 Calls	203	181	202	204	202	213	205						1,410
YTD 2019	203	384	586	790	992	1,205	1,410						
Medical Emergencies	361	310	370	321	396	360	318						2,436
YTD 2019	361	671	1,041	1,362	1,758	2,118	2,436						

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	6,724	6,729	6,529	7,168	6,055	6,690	5,852	6,252	78,963
YTD 2018	6,941	13,163	20,512	26,964	33,688	40,417	46,946	54,114	60,169	66,859	72,711	78,963	
Priority 1 Calls	192	180	183	214	214	216	223	202	190	209	200	199	2,422
YTD 2018	192	372	555	769	983	1,199	1,422	1,624	1,814	2,023	2,223	2,422	
Medical Emergencies	414	310	344	373	386	375	341	405	342	361	321	362	4,334
YTD 2018	414	724	1,068	1,441	1,827	2,202	2,543	2,948	3,290	3,651	3,972	4,334	

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	



BART Watch - 2019

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Crime in Progress	160	124	129	119	121	139	133						925
Disruptive Behavior	1760	1539	1703	1419	1527	1377	1405						10,730
Drug Use	676	636	616	505	576	623	576						4,208
Human Trafficking	15	5	12	5	8	1	5						51
Illegally Parked Vehicle	27	25	19	32	20	15	18						156
Panhandling	203	178	119	124	134	116	151						1,025
Report a Crime Tip	31	47	47	35	22	40	26						248
Robbery/Theft	91	38	50	53	40	49	39						360
Sexual Assault/Lewd Behavior	79	44	48	62	88	51	83						455
Suspicious Activity	248	204	186	212	209	211	211						1,481
Unattended Bag or Package	48	72	73	55	66	38	66						418
Unsecure Door	5	11	12	17	16	22	20						103
Vandalism	116	109	107	78	104	103	61						678
Welfare Check	299	385	403	425	385	283	316						2,496
Total	3758	3417	3524	3141	3316	3068	3110						23,334

Total Downloads: 77,413

Total Reports Made

Anonymous: 40.26%

Non-Anonymous: 59.74%

Statistics

Statistics	Six Week Average	08/19-08/25	08/12-08/18	08/05-08/11	07/29-08/04	07/22-07/28	07/15-07/21
Alerts Sent	0.17	0	0	1	0	0	0
Description	<i>The total number of alerts sent.</i>						
Incoming Reports	419.83	467	403	410	455	416	368
Description	<i>The number of reports sent from users.</i>						
Replies to Reports	655.33	686	632	609	751	662	592
Description	<i>The number of replies sent to users from ELERTS EPICenter console.</i>						

Report Type	# of Reports (all time)	
Disruptive Behavior (A)	28252	41.81%
[none selected]	7816	11.57%
Suspicious Activity (A)	5391	7.98%
Panhandling (A)	5310	7.86%
Crime in Progress (A)	3637	5.38%
Other (D)	3082	4.56%
Drug Use (A)	2298	3.40%
Vandalism (A)	2234	3.31%
Panhandling or Disruptive Behavior (D)	1967	2.91%
Unattended Bag or Package (A)	1580	2.34%
Welfare Check (A)	1463	2.16%
Report a Crime Tip (A)	1215	1.80%
Sexual Assault / Lewd Behavior (A)	1046	1.55%
Illegally Parked Vehicle (A)	1003	1.48%
Robbery / Theft (A)	789	1.17%
Unsecure Door (A)	403	0.60%
Human Trafficking (A)	78	0.12%
Text-a-Tip (A)	13	0.02%
Total	67577	100 %
(A) Active Disabled (D)		

Identification	Total
Anonymous	40.29 %
Description	<i>Reports sent anonymously.</i>
Non-Anonymous	59.71 %
Description	<i>Reports sent non-anonymously.</i>

App Statistics (including tests)	
Total Messages (iOS)	96001
Description	<i>Reports and replies via iOS devices.</i>
Total Messages (Android)	41921
Description	<i>Reports and replies via Android devices.</i>
Total Messages (SMS)	13
Description	<i>Reports and replies via SMS.</i>

TEST-THIS IS ONLY A TEST	# of Reports (all time)
TEST Report Total	8328

Top SMS Users	
Phone Number	Number of Reports
7817383461	6
7029071486	1
4849860547	1
5103685574	1
6312137467	1
5109789702	1
5108215151	1
9178090953	1



Office of the
**INDEPENDENT
POLICE AUDITOR**

BAY AREA RAPID TRANSIT DISTRICT

MONTHLY REPORT

July 2019

Issue date: September 9, 2019

This report is filed pursuant to the BART Citizen Oversight Model, Chapter 1-05 (B), 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 **July 1, 2019 through July 31, 2019**.¹

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 ²	Open Cases ³	OIPA Investigations Concluded ⁴	Cases Appealed to OIPA ⁵	Cases Appealed by BPCRB ⁶
July 2018	8	54	0	0	0
August 2018	14	64	1	0	0
September 2018	9	69	1	0	0
October 2018	10	69	1	0	0
November 2018	13	69	1	0	0
December 2018	5	62	0	0	0
January 2019	15	64	1	0	0
February 2019	12	60	1	0	0
March 2019	14	57	1	0	0
April 2019	14	57	0	0	0
May 2019	10	56	2	0	0
June 2019	9	61	1	0	0
July 2019	11	61	0	0	0

TYPES OF CASES FILED

Citizen Complaints (Formal)	7
Informal Complaints ⁷	2*
Administrative Investigations	2
Inquiries ⁸	1
TOTAL	12

CITIZEN COMPLAINTS RECEIVED PER DEPARTMENT⁹

OIPA	1
BART Police Department	6
TOTAL	7

* One Formal Complaint was received by OIPA and was reclassified as an Informal Complaint by BPD after discussion with the complainant.

COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During July 2019, **6 Citizen Complaints (Formal)** were received by BPD:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2019-078)	Officer #1: • Bias-Based Policing	BPD initiated an investigation.	69
2 (IA2019-080)	Officer #1: • Bias-Based Policing	BPD initiated an investigation.	70
3 (IA2019-082)	Officer #1: • Force	BPD initiated an investigation.	66
4 (IA2019-084)	Officer #1: • Conduct Unbecoming an Officer	BPD initiated an investigation.	48
5 (IA2019-087)	Officer #1: • Performance of Duty	BPD initiated an investigation.	41
6 (IA2019-088)	Officer #1: • Courtesy	BPD initiated an investigation.	41

During July 2019, **1 Informal Complaint** was received by BPD:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Investigation Initiated
1 (IA2019-085)	Officer #1: • Conduct Unbecoming an Officer	BPD initiated a Supervisor Referral. ¹⁰	47

COMPLAINTS/INVESTIGATIONS INITIATED DURING A PRIOR REPORTING PERIOD

During June 2019, **1 Citizen Complaint (Formal)** was received by OIPA but not previously reported:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (OIPA #19-23) (IA2019-081)	Officer #1: • Performance of Duty	OIPA notified BPD which initiated an investigation.	76

During June 2019, **1 Informal Complaint** was received by BPD but not previously reported:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2019-083)	Officer #1: • Bias-Based Policing	BPD initiated an investigation.	74

During June 2019, **1 Administrative Investigation** was initiated by BPD but not previously reported:

Complaint # (IA Case #)	Nature of Allegations	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2019-079)	Officer #1: <ul style="list-style-type: none"> • Force • Arrest or Detention • Conduct Unbecoming an Officer • Policy/Procedure (Documentation) • Policy/Procedure (TASER) 	BPD initiated an investigation.	74

During May 2019, **1 Administrative Investigation** was initiated by BPD but not previously reported:

Complaint # (IA Case #)	Nature of Allegations	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2019-077)	Officer #1: <ul style="list-style-type: none"> • Policy/Procedure (AXON Camera) 	BPD initiated an investigation.	116

Also, during the month of July 2019, BPD classified the following OIPA intake as an **Inquiry** and administratively closed the complaint: #IA2019-086 (after the complainant withdrew the complaint).¹¹

COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD

During July 2019, **5 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 (IA2018-081)	Officer acted unprofessionally and failed to conduct a thorough investigation related to a call for service.	Officer #1: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer – Unfounded • Performance of Duty – Unfounded 	347	299

2 (IA2018-090)†	Officers improperly contacted complainant based on complainant's race and one officer made a rude comment during the detention.	Officers #1-2: • Bias-Based Policing – Unfounded • Policy/Procedure – Exonerated Officer #2: • Policy/Procedure (AXON Camera) – Sustained	327	247
3 (IA2018-108)	Employee improperly contacted complainant based on race.	Employee #1: • Bias-Based Policing – Administratively Closed ¹²	276	217
4 (IA2019-006)	Officer failed to conduct a thorough investigation.	Officer #1: • Performance of Duty – Not Sustained	237	188
5 (IA2019-055)	Employee failed to provide sufficient assistance during a call for service.	Employee #1: • Performance of Duty – Administratively Closed	141	92

During July 2019, **3 Informal Complaints** were addressed by BPD:

Complaint # (IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 (IA2019-075)	Employee was rude and disrespectful to complainant.	Employee #1: • Conduct Unbecoming – Supervisor Referral	75	6
2 (IA2019-076)	Officers were rude to arrestee and to bystanders during a law enforcement contact.	Employee #1: • Conduct Unbecoming – Supervisor Referral	75	5
3 (IA2019-085)	Officer grabbed complainant unnecessarily.	Officer #1: • Conduct Unbecoming an Officer – Supervisor Referral	47	3

*This investigation was deferred to OIPA and was and completed in June 2019 (OIPA Case #18-40). It remained pending for Internal Affairs (IA) prior to presentation of the report by OIPA to the BART Police Citizen Review Board in closed session at its July 2019 regular meeting and has now been marked as completed by IA.

During July 2019, **1 Administrative Investigation** was concluded by BPD:

Investigation # (IA Case #)	Nature of Allegations	Disposition	Days Elapsed Since Investigation Initiated	Days Taken to Address Allegation
1 (IA2018-113)	Officer used unnecessary or excessive force, failed to document all TASER activations, failed to activate body camera in a timely manner, and used inappropriate language during a law enforcement contact.	Officer #1: <ul style="list-style-type: none"> • Force – Exonerated • Conduct Unbecoming an Officer – Sustained • Policy/Procedure (TASER) – Not Sustained • Policy/Procedure (AXON Camera) – Not Sustained 	257	203

Also, during the month of July 2019, BPD classified the following each of the following cases as an **Inquiry** and administratively closed the complaints: #IA2019-015 (after a misunderstanding was clarified) and #IA2019-038 (after IA investigators provided additional contextual information which caused the complainant to withdraw the complaint).

DISCIPLINE ISSUED DURING REPORTING PERIOD

During July 2019, BPD took the following actions in cases where one or more allegations of misconduct were sustained:

Case #	Nature of Sustained Allegation(s)	Classification of Sustained Allegation(s)	Action Taken
1	Officer failed to properly document a law enforcement contact.	Officer #1: <ul style="list-style-type: none"> • Policy/Procedure (AXON Camera) 	Officer #1: <ul style="list-style-type: none"> • Non-documented
2	Officer failed to properly document a law enforcement contact.	Officer #1: <ul style="list-style-type: none"> • Policy/Procedure (AXON Camera) 	Offices #1: <ul style="list-style-type: none"> • Letter of Discussion

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	9
Complainant-Initiated Appeals	0
BPD-Initiated Appeals	0
Investigations Being Monitored	21
Investigations Reviewed During Current Month	11†

† 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.¹³

¹ 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.

² 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 OIPA previously completed cases that have been re-opened during the current reporting period.

³ 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.

⁴ 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.

⁵ 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).

⁶ 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).

⁷ 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)).

⁸ BPD policy provides that if a person alleges or raises an issue that does not constitute a violation of Department policy, procedure, rules, regulations, or the law, the Department will classify the issue as an inquiry.

⁹ 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.

¹⁰ A Supervisor Referral refers to an instance involving an Inquiry or an Informal Complaint. An assigned supervisor addresses the issue informally with the involved employee and documents the content of the conversation with a memorandum to IA.

¹¹ Administrative Closure refers to allegations that are received and documented; however, the Chief of Police or his/her designee determines, based on a preliminary investigation, that further investigation is not warranted. Under these circumstances, the complaint will be Administratively Closed and documented in a summary memorandum to the case file. Employees will be documented as witnesses only, not as subjects to the complaint. Internal Affairs will send a letter to the complainant notifying them that the case was closed following a preliminary investigation.

¹² Administrative Closure is defined as follows in the BPD Policy Manual: Allegations that are received and documented; however, the Chief of Police or his/her designee determines, based on a preliminary investigation, that further investigation is not warranted. Under these circumstances, the complaint will be Administratively Closed and documented in a summary memorandum to the case file. Employees will be documented as witnesses only, not as subjects to the complaint. Internal Affairs will send a letter to the complainant notifying them that the case was closed following a preliminary investigation.

¹³ 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

August 2019

Issue date: September 9, 2019

This report is filed pursuant to the BART Citizen Oversight Model, Chapter 1-05 (B), 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 **August 1, 2019 through August 31, 2019.**¹

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 ²	Open Cases ³	OIPA Investigations Concluded ⁴	Cases Appealed to OIPA ⁵	Cases Appealed by BPCRB ⁶
August 2018	14	64	1	0	0
September 2018	9	69	1	0	0
October 2018	10	69	1	0	0
November 2018	13	69	1	0	0
December 2018	5	62	0	0	0
January 2019	15	64	1	0	0
February 2019	12	60	1	0	0
March 2019	14	57	1	0	0
April 2019	14	57	0	0	0
May 2019	10	56	2	0	0
June 2019	9	61	1	0	0
July 2019	11	61	0	0	0
August 2019	9	62	1	0	0

TYPES OF CASES FILED

Citizen Complaints (Formal)	2
Informal Complaints ⁷	5
Administrative Investigations	2
Inquiries ⁸	0
TOTAL	9

CITIZEN COMPLAINTS RECEIVED PER DEPARTMENT⁹

OIPA	1
BART Police Department	1
TOTAL	2

COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During August 2019, **1 Citizen Complaint** was received by OIPA:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (OIPA #19-31) (IA2019-089)	Officers #1-2: <ul style="list-style-type: none"> • Force • Arrest/Detention Officer #2: <ul style="list-style-type: none"> • Courtesy 	OIPA notified BPD which initiated an investigation.	27

During August 2019, **1 Citizen Complaint (Formal)** was received by BPD:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2019-095)	Officer #1: <ul style="list-style-type: none"> • Policy/Procedure 	BPD initiated an investigation.	31

During August 2019, **5 Informal Complaints** were received by BPD:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Investigation Initiated
1 (IA2019-092)	Officer #1: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer 	BPD initiated a Supervisor Referral. ¹⁰	24
2 (IA2019-093)	Officer #1: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer 	BPD initiated a Supervisor Referral.	24
3 (IA2019-094)	Officer #1: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer 	BPD initiated a Supervisor Referral.	20
4 (IA2019-096)	Officers #1-2: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer 	BPD initiated an investigation.	19
5 (IA2019-097)	Employee #1: <ul style="list-style-type: none"> • Performance of Duty 	BPD initiated a Supervisor Referral.	13

During August 2019, **2 Administrative Investigations** were initiated by BPD:

Investigation # (IA Case #)	Nature of Investigation	Action Taken	Days Elapsed Since Investigation Initiated
1 (IA2019-090)	Officer #1: <ul style="list-style-type: none"> • Policy/Procedure 	BPD initiated an investigation.	29
2 (IA2019-091)	Officer #1: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer 	BPD initiated an investigation.	25

COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD

During August 2019, **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 #18-01) (IA2018-093)	Officers failed to take appropriate action in response to a call for service.	Officers #1-4: • Performance of Duty – Exonerated	321	286

During August 2019, **7 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 (IA2018-109)	Officer failed to provide sufficient assistance and failed to complete a police report.	Officer #1: • Policy/Procedure (Report Preparation) – Exonerated • Performance of Duty – Not Sustained	272	234
2 (IA2019-001)	Officer used excessive force during arrest.	Officer #1: • Force – Exonerated	250	225
3 (IA2019-003)	Officers improperly treated complainant as a criminal suspect and failed to thoroughly investigate the call for service. One officer struck complainant with a car door.	Officers #1-2: • Conduct Unbecoming an Officer – Unfounded Officer #1: • Performance of Duty – Unfounded Officer #2: • Force – Unfounded	245	207
4 (IA2019-005)	Officers improperly detained, arrested and searched complainant and falsified reports.	Officers #1-3: • Conduct Unbecoming an Officer – Administratively Closed ¹¹ Officers #1-2: • Search or Seizure – Administratively Closed Officer #2: • Arrest or Detention – Administratively Closed Officer #3 • Performance of Duty – Administratively Closed	244	219

5 (IA2019-007)	Officer spoke disrespectfully to a transgender person.	Officer #1: • Conduct Unbecoming an Officer – Unfounded	245	232
6 (IA2019-013)	Officer failed to provide medical attention and did not take appropriate law enforcement action.	Officer #1: • Performance of Duty – Unfounded	223	210
7 (IA2019-095)	Officer improperly discharged a firearm and struck a dog.	Officer #1: • Policy/Procedure – Administratively Closed	31	17

DISCIPLINE ISSUED DURING REPORTING PERIOD

During August 2019, BPD took the following actions in cases where one or more allegations of misconduct were sustained:

Case #	Nature of Sustained Allegation(s)	Classification of Sustained Allegation(s)	Action Taken
1	Officer failed to properly document a law enforcement contact.	Officer #1: • Policy/Procedure (AXON Camera)	Officer #1: • Oral Counseling
2	Officer failed to properly document a law enforcement contact.	Officer #1: • Policy/Procedure (AXON Camera)	Officer #1: • Supervisor Addressed Through Training

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	0
BPD-Initiated Appeals	0
Investigations Being Monitored	22
Investigations Reviewed During Current Month	13†

†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.¹²

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⁴ 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.

⁵ 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).

⁶ 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).

⁷ 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)).

⁸ BPD policy provides that if a person alleges or raises an issue that does not constitute a violation of Department policy, procedure, rules, regulations, or the law, the Department will classify the issue as an inquiry.

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