



BAY AREA RAPID TRANSIT POLICE DEPARTMENT
Kevin Franklin, Chief of Police
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MEMORANDUM

TO: Chief Kevin Franklin via the Chain of Command
FROM: Lieutenant Wendy Sanchez
DATE: January 7, 2025
SUBJECT: Policy Updates for BPCRB review

The Policy Review Committee met and approved the following policy for department review and acceptance. Please provide the necessary notification to the BPCRB at your convenience. The modifications to the policies are included below:

Policy 311 Firearms – legislative impact update SB53; storage at residence and vehicles

Policy 320 Domestic Violence – legislative impact update SB 899; amended law requiring service of orders

Policy 334 Public Alerts – updated pursuant to Government Code 8594.15; removing Yellow alert and procedures

Policy 342 Information Technology Use – legislative impact update SB 524; use of artificial intelligence in preparation of reports

Policy 344 Report Preparation - legislative impact update SB 524, use of artificial intelligence in preparation of reports

Policy 461 Defensive Tactics – updated language

Policy 471 Automated License Plate Readers – clarifying “public agency” per DOJ bulletin

Policy 602 Sexual Assault Investigations – legislative impact update SB 733; non-testing of SAFE kits

Policy 804 Property and Evidence – legislative impact update AB 383; relinquished firearms PC § 29810

Policy 806 Records Division – legislative impact update SB 899; requirements entered to AFS

Policy 1020 Personnel Complaints – legislative impact update SB 734; prohibits punitive action under CA Racial Justice Act of 2020 (PC § 745)

Respectfully,

A handwritten signature in cursive script that reads "Wendy Sanchez".

Wendy Sanchez #21
Lieutenant Support Services
Bay Area Rapid Transit Police Department

Lexipol Release Notes

311 Firearms

December 2025

This policy has been updated because legislative action impacts its content. 2023 CA SB 53, effective Jan. 1, 2026, amended provisions related to firearm storage at a residence, which includes hotels, time-shares, recreational vehicles, and other areas under the custody and control of the person who keeps a firearm. Changes include:

- **STORAGE AT HOME** has been renamed **ADDITIONAL GUIDELINES FOR STORAGE**, content has been updated for clarity, and serial commas and citations have been added.
- **STORAGE IN VEHICLES** has been renamed **ADDITIONAL GUIDELINES FOR STORAGE IN VEHICLES** to better reflect the content.

320 Domestic Violence

December 2025

This policy has been updated because legislative action impacts its content. 2023 CA SB 899, effective Jan. 1, 2026, amended law by requiring the service of orders to be documented in a domestic violence incident report prepared by a law enforcement agency. Changes include:

- In **REPORTS AND RECORDS**, content has been updated to include the new requirement.

Unrelated to the legislative update, additional changes include:

- In **RECORD-KEEPING AND DATA COLLECTION**, content has been updated for clarity.

334 Public Alerts

December 2025

This policy has been updated pursuant to Government Code 8594.15. The statutory provisions for the Yellow Alert are repealed effective Jan. 1, 2026. Changes include:

- **YELLOW ALERT** and the related subsections **CRITERIA FOR YELLOW ALERT** and **PROCEDURE FOR YELLOW ALERT** have been deleted in their entirety.

344 Report Preparation

December 2025

This policy has been updated because legislative action impacts its content. 2025 SB 524, effective Jan. 1, 2026, requires official reports prepared by members of a law enforcement agency that is generated by using artificial intelligence, either fully or partially, to include specified information. Additionally, the new law requires the first draft created to be retained for the same length of time as the official report and requires an audit trail to be maintained. Changes include:

- **ARTIFICIAL INTELLIGENCE IN PREPARATION OF REPORTS** and its subsection **ARTIFICIAL INTELLIGENCE AUDIT TRAIL** have been added to address the new requirements.

474 Automated License Plate Readers (ALPRs)

December 2025

A review of this policy has resulted in an update to one section. California Department of Justice Information Bulletin No. 2023-DLE-06, clarified that the definition of "public agency," as it relates to Automated License Plate Reader (ALPR) data, is limited to state or local agencies, including law enforcement agencies, and does not include out-of-state or federal law enforcement agencies. Changes to this policy include:

- In **RELEASING ALPR DATA**, release limitations have been updated, and the Edit Level has been changed from "Best Practice" to "State."

602 Sexual Assault Investigations

December 2025

This policy has been updated because legislative action impacts its content. 2025 SB 733, effective Jan. 1, 2026, amends law regarding the non-testing of sexual assault kits when a sexual assault survivor is undecided on whether to report the assault to law enforcement at the time of a medical examination. The new law addresses custody of the kits, non-testing notices, and ensuring the kit is sent to a crime lab if the sexual assault survivor later requests testing. Changes include:

- **NON-TESTING OF SAFE KITS** has been added as a new subsection in **COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE**.

802 The Communications Center

October 2025

This policy has been updated because legislative action impacts its content. 2025 CA AB 645, effective Jan. 1, 2026, amended law for public safety agencies that provide 9-1-1 call services for emergency medical response to provide prearrival medical instructions to 9-1-1 callers requiring medical assistance, (e.g., administration of naloxone, airway and choking medical instructions, CPR, childbirth) by Jan. 1, 2027. Instructions must be approved by the local Emergency Medical Services (EMS) agency and be implemented consistent with the medical protocols and procedures adopted by the public safety agency. Agencies may satisfy the requirements by contracting with another public safety agency to provide prearrival medical instructions. Public safety agencies dispatching peace officers to the scene of an emergency does not constitute call processing services for emergency medical response for the purposes of this requirement. Changes to this policy include:

- In **COMMUNICATIONS CENTER SUPERVISOR**, content has been updated to include the new requirement, a text entity and serial comma have been added, punctuation has been corrected, gendered pronouns have been removed, and the Edit Level has been changed from "Best Practice" to "State." The subsection name is based on a text entity and may vary depending on how you answered the General Information Questionnaire.
- In **ADDITIONAL PROCEDURES**, a procedure has been removed because it is now addressed in **COMMUNICATIONS CENTER SUPERVISOR**, and a serial comma has been added.
- The Guide Sheet has been updated.

804 Property and Evidence

December 2025

This policy has been updated because legislative action impacts its content. 2025 AB 383, effective Jan. 1, 2026, amended Penal Code § 29810, which addresses which statutes subject convicted individuals, including adjudicated juveniles, to relinquishment of their firearms. Changes include:

- **RELINQUISHED FIREARMS** has been updated with direction to Penal Code § 29810 which outlines the relevant provisions that subject a person to relinquishment of their firearms, capitalization has been corrected, and a text entity and serial commas have been added.

806 Records Division

December 2025

This policy has been updated because legislative action impacts its content. 2023 CA SB 899, effective Jan. 1, 2026, added requirements for information to be entered into the Automated Firearms System (AFS). Agencies are required to submit information about each firearm that is relinquished or surrendered to law enforcement under state law. Changes include:

- **RECORDS BUREAU** has been updated to include the additional requirements to be entered into AFS. Additionally, this subsection has been updated to address the monthly reporting requirements to the California Department of Justice for domestic violence-related calls. The subsection name is based on a text entity and may vary depending on how you answered the General Information Questionnaire.

1020 Personnel Complaints

December 2025

This policy has been updated because legislative action impacts its content. 2025 CA SB 734, effective Jan. 1, 2026, prohibits a punitive action from being undertaken against a peace officer on the basis of a court finding made in a challenge brought under the California Racial Justice Act of 2020 (Penal Code § 745) and prohibits those findings from being introduced for any purpose in any administrative appeal of a punitive action. Changes include:

- **LIMITATIONS ON INVESTIGATIONS** has been added as a new subsection in **ADMINISTRATIVE INVESTIGATIONS**, to address the new law and to include some content from **ADMINISTRATIVE INVESTIGATION PROCEDURES**. KMS automatically adds all new subsections to the bottom of the section so as not to alter any agency-specific customization. To move the new subsection to the location Lexipol recommends (below **SUPERVISOR RESPONSIBILITIES**), first accept all updates. Then, while in the edit mode, hold the cursor over **LIMITATIONS ON INVESTIGATIONS**, right-click for options, and select the option "Move." The subsection titles will appear. Select **SUPERVISOR RESPONSIBILITIES** and click "Move" once more. You will be prompted to select "Move Above" or "Move Below." Select "Move Below." KMS will refresh, the new subsection will be in the correct location, and the other subsections will be renumbered. Your agency can also accept all updates without relocating the subsection, but that is not recommended.
- In **ADMINISTRATIVE INVESTIGATION PROCEDURES**, some content has been moved to **LIMITATIONS ON INVESTIGATIONS**, serial commas have been added, and gendered pronouns have been removed.
- **POST-DISCIPLINE APPEAL RIGHTS** has been updated to include the prohibitions of introducing evidence regarding a court finding of a peace officer violation of the California Racial Justice Act of 2020 in any administrative appeal of a punitive action, and a serial comma has been added.