



Office of the Independent Police Auditor

MONTHLY REPORT

May 2026

Issue Date: July 13, 2026



COMPLAINT TRENDS



INVESTIGATIONS



ACCOUNTABILITY



I. EXECUTIVE SUMMARY

During May 2026, the Office of the Independent Police Auditor (OIPA) continued its review of a complaint concerning the hiring process that resulted in the appointment of a senior BART Police Department (BPD) executive. As part of that review, OIPA requested records associated with the hiring process and background investigation. Human Resources produced responsive records within its possession and advised that certain records associated with the background investigation were maintained by the BART Police Department.

Subsequent requests for those records were referred for legal review, resulting in ongoing discussions regarding OIPA's access to materials it believes are necessary to complete a thorough and independent assessment of the hiring process. The matter has highlighted unresolved questions regarding OIPA's ability to obtain records it believes are necessary to fulfill its oversight responsibilities under the Civilian Oversight Model.

Throughout this process, OIPA has sought to balance legitimate confidentiality interests with the practical requirements of meaningful civilian oversight and has remained committed to resolving the matter through cooperation and collaboration. As of the close of the reporting period, discussions regarding access to the requested records remained ongoing and the matter had not yet been resolved.

The issue extends beyond any single review and raises broader considerations regarding transparency, accountability, and the ability of civilian oversight agencies to access information necessary to carry out their responsibilities. OIPA remains committed to pursuing a fact-based review, following established processes, and promoting public confidence in the integrity of the oversight system.

Inez M. Gonzalez
Independent Police Auditor

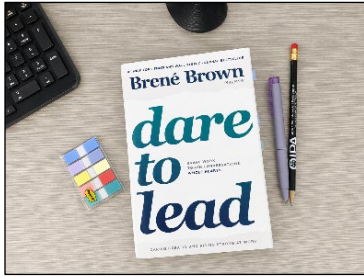
II. OIPA STAFF ACTIVITIES AND COMMUNITY OUTREACH

Site Visits: Riding Trains and the Public Transit Experience in San Francisco



OIPA staff spent a day in San Francisco focused on the passenger experience utilizing various transit services. The trip included coordinated travel via BART to the Powell Street Station and transfers to the San Francisco MUNI, as well as conversations with BART transit personnel at 19th Street Station. The experience helped to inform OIPA's oversight work by strengthening our understanding of the operational context in which BART Police Department personnel and other District employees serve the public.

Dare to Lead Training



Independent Police Administrator Sarah Celso began participating in BART's *Dare to Lead*, a six part training series running through July 2026. Based on the work of Brené Brown, the series focuses on leadership development, communication, trust, and relationship building through interactive learning, discussion, and opportunities for professional growth. The training encourages participants to engage in meaningful conversations, build stronger workplace relationships, and develop skills that support effective leadership.

Implementation of DocuSign for Officer Interview Notifications



OIPA implemented the use of DocuSign to electronically provide interview notices and advisements to BPD officers. The new process streamlines document delivery and acknowledgment by eliminating the need for officers to print, sign, scan, and return forms, resulting in a more efficient and consistent workflow. DocuSign also provides a centralized record of notifications and acknowledgments, enhancing OIPA's administrative workflows and recordkeeping practices.

III. OIPA COMPLAINTS BY MONTH

During May 2026, OIPA received 1 new case and closed 3 investigations. OIPA did not receive any administrative closure requests from BPD IA. OIPA conducted a review of a total of 22 closed BPD cases.

| May 2026 | |
|-------------------------------------------------------|----|
| Cases Filed with OIPA | 1 |
| OIPA Cases Closed | 3 |
| Appeals to OIPA | 0 |
| Appeals by BPCRB | 0 |
| Appeals by BPD Chief of Police | 0 |
| BPD Cases Reviewed by OIPA for Administrative Closure | 0 |
| BPD Closed Cases Reviewed | 22 |

IV. OIPA CURRENT TOTAL INVESTIGATIONS

As of the end of May 2026, OIPA had nine active investigations. There are no BPD Internal Affairs investigations being monitored by OIPA and two complaints are pending appeals by BPD.

| TOTALS | |
|--------------------------------------------|---|
| OIPA Active Investigations | 9 |
| Complainant-Initiated Appeals to OIPA | 0 |
| BPD Investigations Being Monitored by OIPA | 0 |
| Complaint Appeals by BPD | 2 |

The table below provides details on the 9 active OIPA investigations. In terms of complexity, the majority of cases are classified as moderate (Level 2), with two cases classified as higher complexity (Level 3) and no investigations as lower complexity (Level 1). OIPA continues to ensure that investigations are conducted in a timely manner and that the most serious complaints receive appropriate attention and resources.

| OIPA ACTIVE INVESTIGATIONS | | | | | | | |
|----------------------------|-------------|---------------|---------------------------------------|----------|----------|------------|----------------------|
| | Case Number | Date Received | Primary Allegation | 90 Days | 180 Days | Complexity | Status |
| 1 | #25-60 | 12/08/25 | Excessive Force | 03/08/26 | 06/06/26 | 2 | In Progress |
| 2 | #25-61 | 12/19/25 | Improper Detention | 03/19/26 | 06/17/26 | 2 | In Progress |
| 3 | #25-62 | 12/31/25 | Supervision | 03/31/26 | 06/29/26 | 3 | In Progress |
| 4 | #26-05 | 01/27/26 | Conduct Unbecoming an Officer | 04/27/26 | 07/26/26 | 2 | In Progress |
| 5 | #26-12 | 03/20/26 | Bias-Based Policing | 06/18/26 | 09/16/26 | 2 | In Progress |
| 6 | #26-16 | 04/16/26 | Conduct Unbecoming an Officer | 07/15/26 | 10/13/26 | 2 | In Progress |
| 7 | #26-18 | 04/23/26 | Improper Arrest | 07/22/26 | 10/20/26 | 2 | In Progress |
| 8 | #26-19 | 04/17/26 | Hiring Process | 07/16/26 | 10/14/26 | 3 | Pending Legal Review |
| 9 | #26-21 | 05/22/26 | Bias-Based Policing (fare inspection) | 08/20/26 | 11/18/26 | 1 | In Progress |

V. OIPA NEW COMPLAINTS

During May 2026, OIPA received **1 community complaints**.

| OIPA Case Number | Allegations | Investigator Assigned | Received Date |
|------------------|-----------------------------------------------------------------------------------------------------------------------------|-----------------------|---------------|
| 1 OIPA #26-21 | Officers: <ul style="list-style-type: none"> Bias-Based Policing Policy/Procedure (fare inspection) | Wyeth McAdam | 05/22/26 |

VI. OIPA INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD

During May 2026, OIPA completed **2 Investigations and 1 Administrative Closure**.

OIPA #25-56 (IA2025-092): OIPA exonerated two officers for improper detention and improper use of a fingerprint reader and exonerated the third officer for improper detention and force. OIPA recommended that BPD adopt a policy requiring officers to provide Dispatch with status updates from arrival through clearance.

OIPA #26-01 (OIPA2026-001): OIPA sustained allegations related to detention, supervision, and professional conduct, and found the bias-based policing allegations unfounded.

OIPA #26-08 (OIPA2026-003): OIPA administratively closed a complaint regarding an allegedly improper fare evasion citation issued at the Downtown Berkeley BART Station that resulted in an excessive fine. OIPA determined there was insufficient information to establish whether misconduct occurred. However, OIPA and the BPCRB recommended that BPD clarify on the BART website the distinction between proof-of-payment violations and fare evasion citations and explain who determines the associated fine amounts.

| | | |
|-------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 OIPA #25-56 (IA2025-092) | The complainant alleged that officers improperly detained him for fare evasion and used improper force. He questioned the length and conditions of the detention, as well as the use of a fingerprint reader to identify him. | |
| | OIPA Investigative Findings | Officers #1 & #2: <ul style="list-style-type: none"> • Improper Detention – Exonerated • Policy/Procedure (use of a fingerprint reader) – Exonerated Officer #3: <ul style="list-style-type: none"> • Improper Detention – Exonerated • Force – Exonerated Recommendations: <p>A) Three training points:</p> <ol style="list-style-type: none"> 1. Radio Communication (Policy 310), notify Dispatch at the start of a detention and clear the call with a proper disposition. 2. De-escalation & Clear Commands (Policy 300), when feasible, use clear commands and de-escalation techniques to gain voluntary compliance before initiating control holds. 3. Supervisory Review of Use of Force Documentation (Policy 300), supervisor should ensure that all uses of force, including Level 1 control and escort techniques, are fully documented in incident reports. <p>B) Policy Review: BPD should revise policy to reflect that officers notify Dispatch when they arrive on scene,</p> |

| | | | |
|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|
| | | initiate a police contact or detention, clear the scene, and become available for assignment. | |
| | Date Received: | 11/30/25 | Days Taken to Complete Investigation: |
| | Date Completed: | 05/01/26 | 153 |
| 2 OIPA #26-01 (OIPA2026-001) | The complainant alleged that officers improperly detained him and his girlfriend for fare evasion, possibly based on profiling or bias, and that one officer communicated unprofessionally. OIPA added an allegation that a supervisor failed to closely supervise a subordinate. | | |
| | OIPA Investigative Findings | <p>Officer #1:</p> <ul style="list-style-type: none"> • Detention – Sustained • Policy/Procedure (neglect of duty to closely supervise subordinate) – Sustained • Bias-based Policing – Unfounded <p>Officer #2:</p> <ul style="list-style-type: none"> • Detention – Sustained • Policy/Procedure (discourteous and disrespectful) – Sustained • Bias-based Policing – Unfounded <p>Recommendations:</p> <p>A) Two Service Reviews:</p> <ol style="list-style-type: none"> 1. OIPA recommends that BPD assess whether live closed circuit television fare-evasion monitoring increases misidentification risk and compare it with in-person fare-gate enforcement for accuracy, deterrence, efficiency, and Policy 440 compliance. 2. OIPA recommends that BPD evaluate and ensure that CAD call types and dispositions are updated to accurately reflect on-scene events and outcomes, improving data integrity, RIPA/stop-data reporting, supervision, and civilian oversight. <p>B) Training: OIPA recommends that BPD provide refresher training on investigative detentions under Policy 440 to sworn personnel. The training should also address supervisory authority, clear communication, and coordinated officer action during field contacts</p> <p>C) Evaluation: OIPA recommends that BPD evaluate the Berryessa BART Station's North Emergency Exit for improvements that could reduce preventable fare-evasion contacts.</p> | |
| Date Received: | 01/06/26 | | 122 |

| | | | | |
|---------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------|----|
| | Date Completed: | 05/07/26 | Days Taken to Complete Investigation: | |
| 3 OIPA #26-08 (OIPA2026-003) | The complainant alleged that while at the Downtown Berkeley BART Station, he was improperly issued a citation for fare evasion that resulted in an excessive fine. | | | |
| | OIPA Investigative Findings | Officer: <ul style="list-style-type: none"> Policy/Procedure – Administratively Closed (insufficient information) Recommendation: OIPA and the BPCRB recommended that BPD clarify on the BART.gov website (https://www.bart.gov/about/police/proofofpayment) the difference between a proof-of-payment violation and a fare evasion citation. Additionally, OIPA and the BPCRB recommended adding language clarifying who determines the fine amounts for these penalties. | | |
| | Date Received: | 02/21/26 | Days Taken to Complete Investigation: | 70 |
| | Date Completed: | 05/01/26 | | |

VII. APPEAL CASES

Two investigations conducted by the OIPA were previously appealed by the BPD Chief of Police and are currently pending. A summary and status of those 2 investigations is listed below:

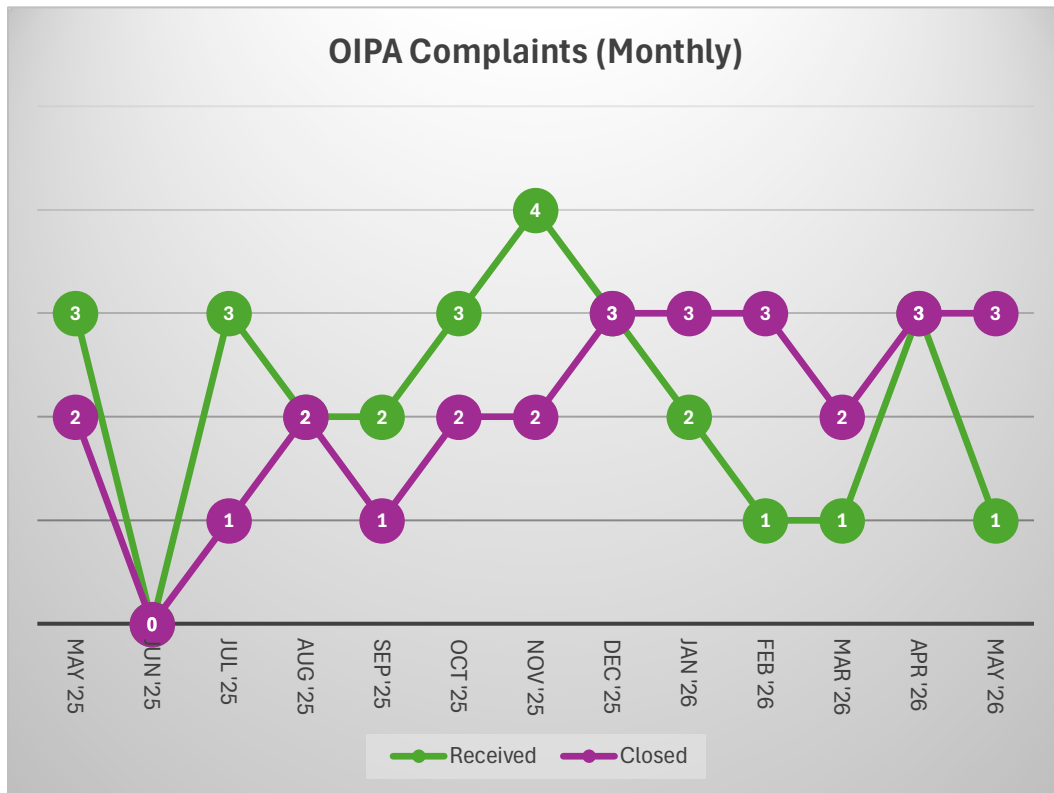
OIPA #24-45

Date of Complaint: October 11, 2024
Date Closed: August 8, 2025
Date Appealed: September 24, 2025
Hearing Date: November 6, 2025
By Whom: Chief of Police
Status: Pending General Manager
Elapsed Days from Appeal: 250

OIPA #24-46

Date of Complaint: October 28, 2024
Date Closed: September 8, 2025
Date Appealed: October 13, 2025
Hearing Date: November 6, 2025
By Whom: Chief of Police
Status: Pending General Manager
Elapsed Days from Appeal: 250

VIII. TREND ANALYSIS

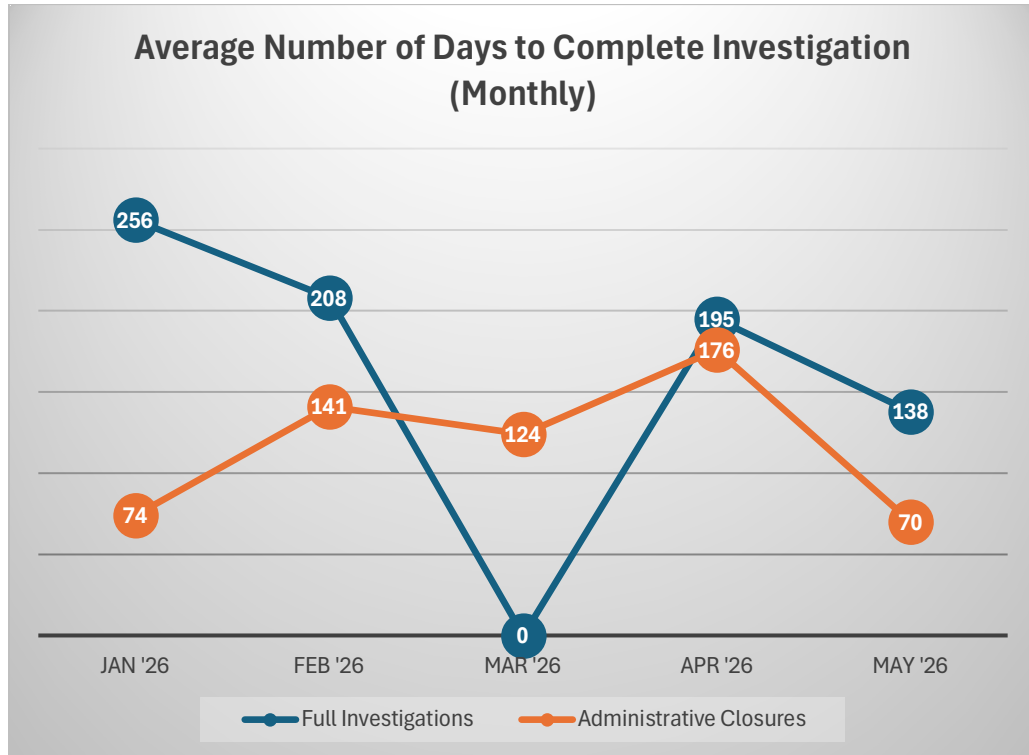


Graph 1

Graph 1 shows the number of complaints received by OIPA compared to the number of complaints closed each month from May 2025 through May 2026. During May 2026, OIPA received one new complaint and closed three investigations, continuing the trend of closing more cases than were received. Over the reporting period, complaint intake remained relatively consistent, generally ranging from one to four complaints per month, while case closures remained steady, reflecting OIPA's continued efforts to reduce its investigative caseload.

TOTAL OIPA COMPLAINTS RECEIVED AND CLOSED

| | May 2026 | May 2025 | Apr. 2026 |
|-----------------------|----------|----------|-----------|
| Cases Filed with OIPA | 1 | 3 | 3 |
| OIPA Cases Closed | 3 | 2 | 3 |



*There were no full investigations closed in March 2026.

Graph 2

Graph 2 shows the number of days required to complete full investigations and administrative closures each month from January through May 2026. During May 2026, OIPA completed full investigations in an average of 138 days and completed one administrative closure in 70 days. While the completion time for full investigations fluctuated during the reporting period due to the small number and complexity of cases closed each month, administrative closures generally required less time. Completing administrative closures more efficiently allows OIPA to devote additional investigative resources to full investigations, helping reduce overall completion times.

TYPES OF OIPA COMPLAINTS CLOSED

| | May 2026 | May 2025 | Apr. 2026 |
|-------------------------|----------|----------|-----------|
| Full Investigations | 2 | 1 | 2 |
| Administrative Closures | 1 | 1 | 1 |

IX. POLICY REVIEW

BPD POLICY 451 – BODY WORN CAMERA

In May 2026, OIPA reviewed proposed revisions to BPD Policy 451 (Body-Worn Cameras) and provided recommendations intended to incorporate policy changes previously identified through OIPA's investigative and policy review processes. OIPA submitted its proposed revisions and is awaiting final review and approval by the BPD Chief of Police.

BPD POLICY 1019 - EARLY WARNING SYSTEM

OIPA and BPD Command Staff met as the Early Warning System (EWS) Administrative Review Board on June 2, 2026. The review period for the meeting was April 1, 2025, through March 31, 2026.

Two officers reached the threshold for review based on use of force incidents occurring within a 12-month period. Supervisory reviews examined the circumstances of each incident to identify any patterns, trends, training deficiencies, or other indicators of problematic behavior.

The reviews found that the officers' uses of force were justified, effective, and within policy, and no recommendations for additional training or intervention were identified. The incidents reviewed primarily involved high-risk encounters, including reports of firearms, weapons, and assaults.

In addition to use of force reviews, the EWS Administrative Review Board reviewed alerts involving body-worn camera policy violations, preventable vehicle collisions, complaints, and a negligent Taser discharge.

The BWC reviews identified issues related to delayed camera activation and the absence of available footage, while vehicle collision reviews involved both preventable and non-preventable incidents. One negligent Taser discharge was reviewed and addressed through corrective action. No additional interventions were recommended during this reporting period.

During the meeting, OIPA recommended that BPD revise existing BPD Policy 1019.4 Administrative Review Board to formally recognize and include OIPA as a member of the quarterly Review Board.

X. BPD NEW COMPLAINTS*

During May 2026, BPD received **3 Community Complaints (Formal)**.

| IA Case # | Nature of Complaint | Action Taken | Received Date |
|-----------------|-------------------------------------------------------------------------|-----------------------|---------------|
| 1 IA2026-016 | Officers #1 & #2: <ul style="list-style-type: none">Force | BPD is investigating. | 05/05/26 |
| 2 IA2026-017 | Officer: | BPD is investigating. | 05/08/26 |

| | | | |
|-------------------------------|-----------------------------------------------------------------------------------|-----------------------|----------|
| | <ul style="list-style-type: none"> • Conduct Unbecoming an Officer | | |
| 3 IA2026-018 | Officer: <ul style="list-style-type: none"> • Courtesy | BPD is investigating. | 05/19/26 |

XI. BPD NEW INTERNALLY INITIATED INVESTIGATIONS*

During May 2026, BPD opened **0 Administrative Investigations (Internally Generated)**:

| IA Case # | Nature of Complaint | Action Taken | Date Initiated |
|-----------|---------------------|--------------|----------------|
| N/A | N/A | N/A | N/A |

XII. BPD INVESTIGATIONS CONCLUDED DURING THIS REPORTING PERIOD*

A. During May 2026, BPD completed **6 Investigations**:

| (IA Case #) | Nature of Complaint | Disposition | Received Date | Days Taken to Complete Investigation |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------------------------|
| 1 IA2025-045 | The complainant alleged officers used unnecessary/excessive force hurting his arm/wrist during an arrest. | Officers #1-5: <ul style="list-style-type: none"> • Force – Administrative Closure (by BWC review) | 06/21/26 | 322 |
| 2 IA2025-075 | The complainant alleged an officer made an unprofessional comment meant to insult and antagonize the complainant after a fare dispute. | Officer: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer – Administrative Closure (by BWC review) | 10/20/25 | 197 |
| 3 IA2025-087 | The complainant alleged that officers discriminated against her based on her age and race during an initial detention for fare evasion. She also | Officers #1-3: <ul style="list-style-type: none"> • Arrest/Detention – Administrative Closure (by BWC review) | 11/27/25 | 163 |

| | | | | |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----|
| | alleged that, during the detention, an officer conducted an improper search by inappropriately touching her chest. | <ul style="list-style-type: none"> Force – Administrative Closure (by BWC review) <p>Officer #1:</p> <ul style="list-style-type: none"> Bias-Based Policing – Administrative Closure (by BWC review) Search – Administrative Closure (by BWC review) | | |
| 4 IA2026-006 | The complainant alleged that he was unlawfully detained and cited after being contacted by officers regarding a disturbance on the train. | <p>Officer:</p> <ul style="list-style-type: none"> Arrest/Detention – Administrative Closure (by BWC review) Search/Seizure – Administrative Closure (by BWC review) | 02/19/26 | 76 |
| 5 IA2026-011 | The complainant alleged that a BPD detective unlawfully detained her while serving a warrant, failed to allow her to dress properly, and mocked her during transport. She further alleged that the arrest was improper. | <p>Officer:</p> <ul style="list-style-type: none"> Arrest/Detention – Exonerated Conduct Unbecoming an Officer – Unfounded Policy/Procedure (BWC) – Exonerated | 12/30/25 | 141 |
| 6 IA2026-015 | The complainant alleged that a BPD officer failed to appear at a preliminary criminal hearing despite having received a subpoena from the officer's previous employing agency. | <p>Officer:</p> <ul style="list-style-type: none"> Policy/Procedure – Supervisory Referral | 04/28/26 | 24 |

B. During May 2026, BPD resolved **11 Administrative Investigation (Internally Generated)**:

| IA Case # | Nature of Complaint | Disposition | Days Elapsed Since Complaint Filed | Days Taken to Complete Investigation |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|------------------------------------|--------------------------------------|
| 1 IA2025-081 | An officer shared, via text message, an AI-generated video depicting a fellow BPD officer and the Chief of Police in a religious and culturally offensive manner. | Officer: <ul style="list-style-type: none"> Conduct Unbecoming an Officer – Sustained | 11/27/25 | 174 |
| 2 IA2025-088 | An officer shared, via text message and showed, an AI-generated video depicting a fellow BPD officer and the Chief of Police in a religious and culturally offensive manner. The officer failed to report the existence of the video to a supervisor or command-level officer. | Officer: <ul style="list-style-type: none"> Conduct Unbecoming an Officer – Sustained | 12/05/25 | 166 |
| 3 IA2025-090 | An officer received and then showed an AI-generated video depicting a fellow BPD officer and the Chief of Police in a religious and culturally offensive manner. The officer failed to report the existence of the video to a supervisor or command-level officer. | Officer: <ul style="list-style-type: none"> Conduct Unbecoming an Officer – Sustained | 12/05/25 | 166 |
| 4 IA2025-091 | An officer received an AI-generated video depicting a fellow BPD officer and the Chief of | Officer: <ul style="list-style-type: none"> Conduct Unbecoming an Officer – Sustained | 12/05/25 | 166 |

| | | | | |
|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|----------|-----|
| | Police in a religious and culturally offensive manner. The officer failed to report the existence of the video to a supervisor or command-level officer. | | | |
| 5 IA2025-097 | An officer shared, via text message, an AI-generated video depicting a fellow BPD officer and the Chief of Police in a religious and culturally offensive manner. The officer failed to report the existence of the video to a supervisor or command-level officer. | Officer: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer – Sustained | 12/09/25 | 162 |
| 6 IA2025-098 | An officer viewed, via cellphone, an AI-generated video depicting a fellow BPD officer and the Chief of Police in a religious and culturally offensive manner. The officer failed to report the existence of the video to a supervisor or command-level officer. | Officer: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer – Not Sustained | 12/09/25 | 165 |
| 7 IA2025-099 | An officer viewed, via cellphone, an AI-generated video depicting a fellow BPD officer and the Chief of Police in a religious and culturally offensive manner. The officer failed to report the existence of the video to a supervisor or | Officer: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer – Not Sustained | 12/09/25 | 165 |

| | | | | |
|--------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|----------|-----|
| | command-level officer. | | | |
| 8 IA2025-100 | An officer shared, via text message, an AI-generated video depicting a fellow BPD officer and the Chief of Police in a religious and culturally offensive manner. The officer failed to report the existence of the video to a supervisor or command-level officer. | Officer: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer – Sustained | 12/11/25 | 160 |
| 9 IA2025-101 | An officer received, via text message, an AI-generated video depicting a fellow BPD officer and the Chief of Police in a religious and culturally offensive manner. The officer failed to report the existence of the video to a supervisor or command-level officer. | Officer: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer – Sustained | 12/11/25 | 160 |
| 10 IA2025-104 | An officer viewed, via cellphone, an AI-generated video depicting a fellow BPD officer and the Chief of Police in a religious and culturally offensive manner. The officer failed to report the existence of the video to a supervisor or command-level officer. | Officer: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer – Sustained | 12/09/25 | 162 |
| 11 IA2025-105 | An officer was shown, an AI-generated video depicting a fellow BPD officer | Officer: <ul style="list-style-type: none"> • Conduct Unbecoming an | 12/09/25 | 162 |

| | | | | |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--|--|
| | and the Chief of Police in a religious and culturally offensive manner. The officer failed to report the existence of the video to a supervisor or command-level officer. | Officer – Unfounded | | |
|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--|--|

XIII. ALL DISCIPLINE ISSUED DURING REPORTING PERIOD*

During this reporting period, BPD took the following action in **3 cases** where allegations of misconduct was sustained:

| IA Case # | Nature of Sustained Allegation(s) ⁱ | Classification of Sustained Allegation(s) | Action Taken |
|-------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 IA2025-039 | An officer failed to activate his BWC as required during a law enforcement contact. | Officer: <ul style="list-style-type: none"> Policy/Procedure (BWC non-activation) | Letter of Discussion |
| 2 OIPA #25-32 (IA2025-057) | An officer failed to contact the guardian of a potential juvenile crime victim after being requested to provide assistance. | Officer: <ul style="list-style-type: none"> Neglect of Duty – Sustained | Informal Counseling (Previously reported in the April monthly report. The action taken has been corrected from a Letter of Discussion to Informal Counseling.) |

| | | | |
|---------------------------------------|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>3 IA2025-082</p> | <p>An officer created an AI-generated deep fake video and shared it with other officers.</p> | <p>Officer:</p> <ul style="list-style-type: none"> • Racial Animus – Sustained • Performance of Duty – Sustained • Workplace Discrimination/Harassment – Sustained • Conduct Unbecoming an Officer – Sustained • Policy/Procedure (Speech, Expression, & Social Networking) – Sustained | <p>Termination (Pending a Skelly Hearing which is the required meeting for a police officer that gives them notice of serious discipline being considered and a chance to respond before a final decision is made.)</p> |
|---------------------------------------|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

XIV. ISSUES DETECTED

The Civilian Oversight Model provides OIPA with the authority to require follow-up investigations into any community complaint or allegation handled by BPD and to access information necessary to conduct independent oversight. During May 2026, OIPA identified two issues requiring reporting. First, OIPA identified concerns last month regarding BPD's closure of IA2025-038 and discussed those concerns with BPD Command Staff. As a result of those discussions, the investigative findings will be further addressed in a July meeting with Internal Affairs and the Independent Police Auditor. OIPA will report any further developments regarding IA2025-038, as appropriate.

Second, during its review of OIPA #26-19, a complaint concerning the hiring process that resulted in the appointment of a senior BPD executive, OIPA identified unresolved questions regarding its ability to obtain records it believes are necessary to conduct a thorough and independent review. Discussions regarding access to the requested records remained ongoing as of the close of the reporting period.

XV. LEGAL CLAIMS, LAWSUITS, AND SETTLEMENTS

MONTHLY STATUS REPORT OPEN BPD CLAIMS

The following update serves as a status report for May 2026.

OIPA reviews legal claims, lawsuits, settlements, and adverse judgments involving BPD personnel to ensure allegations of misconduct are thoroughly investigated and to identify any potential systemic issues involving BPD practices or policies. OIPA is actively reviewing the claims list and attempting to identify patterns of behavior that can be addressed through training or corrective action. Currently, OIPA has identified no concerns regarding the current claims.

| BART Claim No. | Plaintiff | Date of Loss | Location | Court Case No. | Plaintiff Attorney | Defense Attorney | Status |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------------------------------------|-------------------|-----------------------------|-------------------------------------|------------------------------------------------------------|
| B240030 | Joseph Banks | 9/12/23 | Embarcadero Station | CGC-24-619300 | In pro per | Allen, Glaessner, Hazelwood & Werth | Pending; no trial date set |
| Summary | After getting in an altercation with another patron, Banks alleges that BPD officers who arrived on scene, used force, falsely detained him, and questioned him based on his race. | | | | | | |
| B230052 | James Robinson | 3/08/24 | Aboard train at Fruitvale | 3:24-cv-08788-TLT | Law Offices of John Vanucci | Allen, Glaessner, Hazelwood & Werth | Trial is set for Sept. 2027 |
| Summary | Plaintiff was using an outlet on a train and refused BPD orders to unplug. He was escorted off the train and out of Fruitvale Station. He alleges excessive force by BPD during detention. | | | | | | |
| B240150 | LaToya Henry | 5/21/24 | Fruitvale Station | 3:25-cv-05780-LIC | Pointer & Buelna | Castillo Moriarty Robinson | Conditional settlement was reached last month for \$60,000 |
| Summary | Plaintiff is the mother of a juvenile who fare evaded out of Fruitvale during fare evasion enforcement. She resisted being detained and was taken to the ground by BPD officers. | | | | | | |
| B250079 | Roscoe Duncan | 8/12/24 | Fruitvale Station Alameda Superior | 24CV095242 | In pro per | Castillo Moriarty Robinson | No court date has been set |
| Summary | Plaintiff intentionally fare evaded out of the station and claimed he was a sovereign citizen and not subject to our laws. He refused to provide identification and was arrested and taken to jail. | | | | | | |
| B250054 | Chunwen Chen | 12/05/24 | Oakland, CA Alameda Superior | 25CV137442 | Lawrence Wong | Law Offices of Damien Morozumi | Pending |
| Summary | Plaintiff was involved in a motor vehicle accident with BPD. The accident was an intersection collision where plaintiff attempted to make left turn in front of oncoming BPD vehicle. | | | | | | |
| B250063 | Johar Johar | 12/28/24 | Oakland, CA | 25CV134991 | Venardi Zurada | Law Offices of Damien Morozumi | Mediation scheduled for 8/27/26 |
| Summary | Plaintiff was involved in a major three car motor vehicle accident with BPD. The accident was an intersection collision where two BPD vehicles were responding Code 3 to West Oakland Station and collided with one another. | | | | | | |
| B260001 | John Murphy | 11/02/25 | MacArthur Station | - | - | - | Pending |
| Summary | Claimant is alleging that after he was arrested, BPD lost or destroyed his personal belongings that were secured and placed into holding. | | | | | | |

ⁱ Some details regarding the nature of sustained allegations may be withheld to avoid unintentionally breaching mandatory confidentiality requirements in violation of the applicable CA Penal Code section (832.7).

* The data contained in this report as it pertains to the BPD was provided by the BPD and was not independently verified by the OIPA. The OIPA assumes no responsibility for any discrepancies in the data.