



OFFICE OF THE INDEPENDENT  
**POLICE AUDITOR**  
BAY AREA RAPID TRANSIT

## **MONTHLY REPORT**

JUNE 2025

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This report is filed pursuant to the BART Civilian Oversight Model, Chapter 1-05 (B), which requires the Office of the Independent Police Auditor (OIPA) to submit reports to the BART Police Civilian Review Board (BPCRB). This report provides information for the period **June 1, 2025 through June 30, 2025.**<sup>1</sup> *(The Quantitative Report includes all complaints received and administrative investigations initiated by both OIPA and the BART Police Department (BPD) Internal Affairs Bureau (IA)).*

## QUANTITATIVE REPORT

	Cases Filed <sub>2</sub>	Open Cases <sub>3</sub>	Investigations Resolved	OIPA Investigations Concluded <sub>4</sub>	Cases Appealed to OIPA <sub>5</sub>	Cases Appealed by BPCRB <sub>6</sub>
May 2024	16	123	8	0	0	0
June 2024	8	123	8	1	0	0
July 2024	14	121	19	3	0	0
August 2024	7	112	18	1	0	0
September 2024	8	113	7	1	0	0
October 2024	14	115	12	2	0	0
November 2024	5	118	2	0	1	1
December 2024	10	119	9	1	0	0
January 2025	8	118	8	0	0	0
February 2025	11	114	15	2	0	0
March 2025	4	107	14	1	1	0
April 2025	10	107	10	1	0	0
May 2025	5*	90 <sup>†</sup>	19	2	1	0
June 2025	8	89	9	0	0	0

## TYPES OF CASES FILED

Community Complaints (Formal)	7
Informal Complaints <sup>7</sup>	0
Administrative Investigations	1
Inquiries <sup>8</sup>	0
<b>TOTAL</b>	<b>8</b>

## COMMUNITY COMPLAINTS RECEIVED PER DEPARTMENT<sup>9</sup>

OIPA	0
BART Police Department	7
<b>TOTAL</b>	<b>7</b>

\* Two cases (IA#2025-043 and IA#2025-040) were not previously reported as received during the month of May. These cases have been added the list of Cases Filed and summarized in this Monthly Report.

<sup>†</sup> One case (OIPA#2024-056) was not recorded as resolved during the month of May. This case has been subtracted from the number of Open Cases.

## COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During June 2025, BPD received **7 Community Complaints (Formal)**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> <b>(IA#2025-038)</b>	Officer: • Force • Conduct Unbecoming an Officer	BPD is investigating.	69
<b>2</b> <b>(IA#2025-039)</b>	Officer: • Conduct Unbecoming an Officer • Bias-Based Policing	BPD is investigating.	68
<b>3</b> <b>(IA#2025-041)</b>	Officer: • Conduct Unbecoming an Officer • Courtesy • Policy/Procedure	BPD is investigating.	62
<b>4</b> <b>(IA#2025-044)</b>	Officer: • Courtesy	BPD is investigating.	47
<b>5</b> <b>(IA#2025-045)</b>	Officer: • Force	BPD is investigating.	51
<b>6</b> <b>(IA#2025-046)</b>	Officer: • Conduct Unbecoming an Officer • Force	BPD is investigating.	45
<b>7</b> <b>(IA#2025-047)</b>	Officers #1 & #2: • Bias-Based Policing • Conduct Unbecoming an Officer	BPD is investigating.	42

During June 2025, BPD initiated **1 Administrative Investigation**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> (IA#2025-042)	Officers #1 - #3: • Policy/Procedure (traffic collision)	BPD is investigating.	63

### COMPLAINTS/INVESTIGATIONS INITIATED DURING A PRIOR REPORTING PERIOD

During May 2025, **1 Citizen Complaint** was received by OIPA but not previously reported:

Complaint # (OIPA Case #) (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> (OIPA#25-21) (IA#2025-040)	Officers: • Arrest/Detention • Performance of Duty • Policy/Procedure • Truthfulness	OIPA is monitoring the IA investigation.	80

During May 2025, **1 Citizen Complaint** was received by BPD but not previously reported:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> (IA#2025-043)	Officer: • Force	BPD is investigating.	101

## COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD

BPD concluded **1 Administrative Investigation:**

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<b>1 (IA#2023-095)</b>	Administrative investigation initiated by the police department for BPD officers use of force in a Taser incident.	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Force - Sustained</li> <li>• Body Worn Camera – Sustained</li> <li>• Policy/Procedure (Report Preparation) – Sustained</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer (Obscene Language) – Sustained</li> <li>• Force - Sustained</li> <li>• Body Worn Camera – Sustained</li> <li>• Policy/Procedure (Report Preparation) – Sustained</li> </ul>	690	644

During May 2025, BPD concluded **8 Complaints**:

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<b>1</b> <b>(IA#2023-029)</b>	The complainant alleged officers used excessive force and prepared an inconsistent report. The complainant also alleged that an officer threatened to get the subject fired by contacting their employer.	Officer #1: • Conduct Unbecoming – Not Sustained  Officers #2 & #3: • Force – Exonerated • Policy/Procedure – Exonerated • Arrest/Detention - Exonerated	866	822
<b>2</b> <b>(IA#2024-041)</b>	The complainant alleged that the officer did not have him sign a citation or inform him that he was being cited for a violation.	Officer: • Policy/Procedure – Supervisory Referral	465	398 <sup>‡</sup>
<b>3</b> <b>(IA#2024-065)</b>	The complainant alleged that officers used excessive force during his arrest for resisting after the complainant fare evaded.	Officer #1 & #2: • Force – Exonerated	427	363

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<sup>‡</sup> This investigation was tolled from May 5, 2025, to June 4, 2025, while the subject officer was on District approved leave.

<b>4</b> <b>(IA#2024-066)</b>	The complainant alleged that officers used excessive during a detention for fare evasion and the subsequent arrest for resisting. A witness alleged one officer acted unprofessionally when the witness asked about the nature of the arrest.	Officer #1: • Conduct Unbecoming an Officer – Not Sustained  Officer #2 - #4: • Force – Exonerated	406	360
<b>5</b> <b>(IA#2024-070)</b>	The complainant alleged that an officer used excessive force during a 5150 detention and acted unprofessional.	Officer: • Force - Exonerated • Conduct Unbecoming an Officer – Not Sustained	379	315
<b>6</b> <b>(IA#2024-074)</b>	The complainant alleged an officer acted unprofessionally by making inappropriate hand gestures at them.	Officer: • Conduct Unbecoming an Officer – Administratively Closed (no further investigation warranted)	377	315
<b>7</b> <b>(IA#2024-076)</b>	The complainant alleged an officer harassed him during a contact for fare evasion because the complainant is “Black.”	Officer: • Bias-Based Policing - Unfounded	355	309

<b>8</b> <b>(IA#2024-077)</b>	The complainant alleged that an officer racially profiled him for a fare evasion enforcement because the complainant is Latino and appears not unhoused.	Officer: • Bias-Based Policing – Unfounded	377	331
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## DISCIPLINE ISSUED DURING REPORTING PERIOD

During this reporting period, BPD took the following actions in a case where allegations of misconduct were sustained:

Case #	Nature of Sustained Allegation(s) §	Classification of Sustained Allegation(s)	Action Taken
1	The officer made an improper arrest for a subject failing to identify themselves.	Officer: • Performance of Duty – Sustained	• Letter of Discussion <sup>10</sup>
2	The officer improperly detained a subject for blocking free movement and activated their body worn camera late.	Officer: • Arrest or Detention – Sustained • Body Worn Camera - Sustained	• Letter of Discussion

§ Some details regarding the nature of sustained allegations may be withheld to avoid unintentionally breaching mandatory confidentiality requirements. In some instances, the relative infrequency of the alleged misconduct may tend to allow for identification of the subject officer in violation of the applicable CA Penal Code section (832.7).



3	The BPD employee made unauthorized recordings and untruthful statements.	BPD Employee: <ul style="list-style-type: none"> <li>• Conduct Unbecoming (Truthfulness) – Sustained</li> <li>• Policy/Procedure (Disgraceful Conduct and Use of Personal Communication Device) - Sustained</li> </ul>	<ul style="list-style-type: none"> <li>• Termination</li> </ul>
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In accordance with the BART Civilian Oversight Model (Model), OIPA investigates certain complaints, conducts complainant-initiated appeals, and 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 regarding 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	11
Complainant-Initiated Appeals	4
BPD-Initiated Appeals	0
Investigations Being Monitored	7
Investigations Reviewed During Current Month	21†

†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.

## ISSUES DETECTED

The Model provides that OIPA shall have authority to require follow-up investigations into any community complaint or allegation that is handled by BPD.<sup>11</sup> The OIPA Monthly Report will reflect information regarding monitored cases, investigations, and contacts with detail not to exceed that which is allowable under state law.

During this reporting period, OIPA completed its review of BPD complaint investigations and did not identify any cases requiring additional investigative steps. However, several observations were noted regarding specific cases.

One case, IA#2023-029, was closed beyond the statutory deadline. Several subject officers retired while the investigation was pending and were therefore unavailable for interviews. Nevertheless, based on the information available at the time, the investigation should have been closed sooner by Internal Affairs.

Another case, IA#2023-005, was tolled for an extended period due to an officer being on Industrial Leave. The case was ultimately closed, but the discipline related to the sustained findings is still pending. Both of these investigations originated in 2023 and were discussed

with Internal Affairs. They appear to be among the last cases from the previous backlog, which is now expected to be current as of the next reporting period.

Lastly, IA#2024-041 was an OIPA monitoring case that was closed during this reporting period before a discussion with the assigned OIPA investigator could occur. As part of ongoing efforts to improve the investigative process, Internal Affairs has agreed to contact OIPA prior to closing any case that OIPA is actively monitoring.

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

<sup>2</sup> This number includes all Community 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 community). This number also includes previously completed cases that have been re-opened during the current reporting period.

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

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

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

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

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

<sup>8</sup> 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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<sup>9</sup> It is important to note that OIPA does not separate community complaints it receives into “Formal” and “Informal” classifications. This chart reflects all community complaints received by OIPA and all Formal Complaints received by the BART Police Department.

<sup>10</sup> Letter of Discussion (second level of Informal Discipline): Letter of Discussion is conducted by a supervisor with the employee. The employee’s misconduct is shared with the employee and documented for up to one year. (Agreement Between SF BART and BPOA, July 1, 2018 – June 30, 2025).

<sup>11</sup> OIPA may submit recommendations to IA regarding minor clerical or record-keeping adjustments which are intended to maintain the integrity of the data collection and record-keeping processes at BPD. These are not considered by OIPA to be substantive recommendations requiring reporting herein.