

Office of the Independent Police Auditor

# MONTHLY REPORT

March 2026



COMPLAINT TRENDS



INVESTIGATIONS



ACCOUNTABILITY

## I. EXECUTIVE SUMMARY

The March 2026 Monthly Report highlights OIPA's continued efforts to strengthen its operations through policy development, interdepartmental collaboration, and more efficient case management practices.

Upon assuming the role of Independent Police Auditor, a priority was establishing open lines of communication with key stakeholders, including leadership from the BART Police Officers' Association and the BART Police Managers Association. During those initial discussions, a key issue raised was the potential reintroduction of Administrative Closures in cases where Body-Worn Camera (BWC) evidence is sufficient to fully address the allegations.

Consistent with that commitment, OIPA developed and implemented its Administrative Closure Policy, the first formal policy established within the office, providing clear guidance for investigators and promoting consistency in case handling. Under this policy, OIPA has begun resolving investigations through administrative closure where BWC evidence fully addresses the complaint and no additional misconduct or policy violations are identified.

In coordination with the BART Police Department's Internal Affairs Division, OIPA has also taken an active role in reviewing cases submitted for administrative closure by Internal Affairs leadership. This collaborative approach ensures that closures are appropriate, evidence-based, and consistent with both OIPA and BPD policy standards.

The ability of both OIPA and Internal Affairs to utilize BWC evidence in this manner has proven to be an effective tool in addressing case management challenges. This approach allows for the timely resolution of complaints that are clearly disproven or unsupported by the evidence, while preserving investigative resources for more complex or substantiated matters. It also promotes fairness by ensuring that cases are resolved and classified in accordance with the evidence, avoiding the unnecessary designation of officers as subjects in matters where no misconduct is identified.

From an operational perspective, this process enables investigators to focus their efforts on cases that warrant comprehensive review, improving overall efficiency, timeliness, and the quality of investigative outcomes.

*Inez M. Gonzalez*  
Independent Police Auditor

## II. OIPA STAFF ACTIVITIES AND COMMUNITY OUTREACH

### Women's History Month Event



During BART's Women's History Month, Inez Gonzalez participated in a panel discussion hosted by BART's Employee Resource Group on March 19 in the BART Headquarters Boardroom. She joined BART General Counsel Jeana Zelan and Deputy Chief of the BART Police Department's Progressive Policing and Community Engagement Bureau Antwinette Turner for a conversation moderated by Michelle Robertson. Panelists shared perspectives from their leadership roles and professional experiences at BART, reflecting the 2026 Women's History Month theme, "Leading the Change: Women Shaping a Sustainable Future."

### Autism Awareness Engagement Event



On March 20, 2026, IPA Gonzalez and Investigator McAdam attended a BART-hosted Autism engagement event. Families attended and children with autism participated in structured activities, including delivering presentations and recording BART train announcements. BART staff hosted informational tables on system operations, and BPD K-9 units were present for community interaction. The event focused on accessibility, familiarity with the system, and positive engagement with BART personnel and the neurodivergent public. This event reflects OIPA's role in promoting inclusive public safety within the BART system.

### Sensory Orientation Event for Low Vision and Blind Riders



On March 25, 2026, OIPA staff volunteered at BART's *Sensory Orientation Event for Low Vision and Blind Riders*, an interactive program designed to help participants navigate the system in a safe, supportive environment. The event was an interactive program designed to familiarize participants with the BART system in a safe, supportive environment. Attendees could practice getting a Clipper card, navigating the station and a stationary train, learn about accessibility features, and engage directly with BART staff to build confidence and independence when using transit. OIPA's participation supports ongoing efforts to assess BART Police interactions with riders with disabilities and to inform policy, training, and service recommendations that promote equitable access and safety.

### III. OIPA COMPLAINTS BY MONTH

During March 2026, OIPA received one new case and closed two investigations. No appeals were filed with OIPA, and there were no appeals by the BPCRB or the BPD Chief of Police during this reporting period. As part of its oversight responsibilities, OIPA reviewed and agreed with the administrative closure of seven BPD cases and conducted a review of a total of fourteen closed BPD cases.

March 2026	
Cases Filed with OIPA	1
OIPA Cases Closed	2
Appeals to OIPA	0
Appeals by BPCRB	0
Appeals by BPD Chief of Police	0
BPD Cases Reviewed by OIPA for Administrative Closure	7
BPD Closed Cases Reviewed	14

## IV. OIPA CURRENT TOTAL INVESTIGATIONS

As of the end of March 2026, OIPA had eight active investigations. There are no BPD Internal Affairs investigations being monitored by OIPA at that time.

TOTALS	
OIPA Active Investigations	8
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 eight 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 two 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	#25-56	11/30/25	Excessive Force	02/28/26	05/29/26	2	In Progress
2	#25-60	12/08/25	Excessive Force	03/08/26	06/06/26	2	In Progress
3	#25-61	12/19/25	Improper Detention	03/19/26	06/17/26	2	In Progress
4	#25-62	12/31/25	Supervision	03/31/26	06/29/26	3	In Progress
5	#26-01	01/06/26	Improper Detention	04/06/26	07/05/26	3	In Progress
6	#26-05	01/27/26	Conduct Unbecoming an Officer	04/27/26	07/26/26	2	In Progress
7	#26-08	02/21/26	Policy/Procedure (Fare Evasion Citation)	05/21/26	08/21/26	1	In Progress
8	#26-12	03/20/26	Bias-Based Policing	06/18/26	09/16/26	2	In Progress

## V. OIPA NEW COMPLAINTS

During March 2026, OIPA received **1 Community Complaint** involving allegations of bias-based policing and a violation of policy/procedure in the enforcement of fare evasion.

OIPA Case Number	Allegations	Investigator Assigned	Received Date
<b>1</b> <b>OIPA #26-12</b>	Officer: <ul style="list-style-type: none"> <li>Bias-Based Policing</li> <li>Policy/Procedure</li> </ul>	Wyeth McAdam	03/20/26

## VI. OIPA INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD

During March 2026, OIPA completed **2 Investigations**.

OIPA #25-43 (IA2025-068):

The complainant alleged she was improperly detained for fare evasion at Powell Street Station despite paying her fare. OIPA administratively closed the case after reviewing body-worn camera footage, finding insufficient evidence to support the allegations against the involved officers.

OIPA #25-54 (IA2025-086):

The complainant alleged officers were rude while she and her husband were attempting to use the elevator due to health or disability needs. OIPA administratively closed the case, finding no articulable misconduct and insufficient information despite reasonable investigative efforts.

<b>1</b> <b>OIPA #25-43</b> <b>IA2025-068</b>	The complainant alleged that officers improperly detained her for fare evasion at the Powell Street BART Station. The complainant stated that she was wrongly accused of failing to pay her fare however she paid her fare and did not “piggyback,” as alleged by an officer.	
	<b>OIPA Investigative Findings</b>	<p>Officers #1:</p> <ul style="list-style-type: none"> <li>Detention – Administratively Closed (Insufficient Evidence; by BWC recording)</li> <li>Conduct Unbecoming an Officer – Administratively Closed (Insufficient Evidence; by BWC recording)</li> </ul> <p>Officers #2 &amp; #3:</p> <ul style="list-style-type: none"> <li>Detention – Administratively Closed (Insufficient Evidence; by BWC recording)</li> </ul>

	<b>Date Received:</b>	10/03/25	<b>Days Taken to Complete Investigation:</b>	147
	<b>Date Completed:</b>	02/27/26		
<b>2 OIPA #25-54 IA2025-086</b>	The complainant alleged officers were rude to her and her husband when they had to find a way to bring our cart upstairs and needed to use the elevators due to health and/or disability issues.			
	<b>OIPA Investigative Findings</b>	Officers #1 & #2: <ul style="list-style-type: none"> <li>• Conduct – Administratively Closed (No Articulate Misconduct; Insufficient Information Despite Reasonable Efforts)</li> </ul>		
	<b>Date Received:</b>	11/19/25	<b>Days Taken to Complete Investigation:</b>	101
	<b>Date Completed:</b>	02/27/26		

## 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 two investigations is listed below:

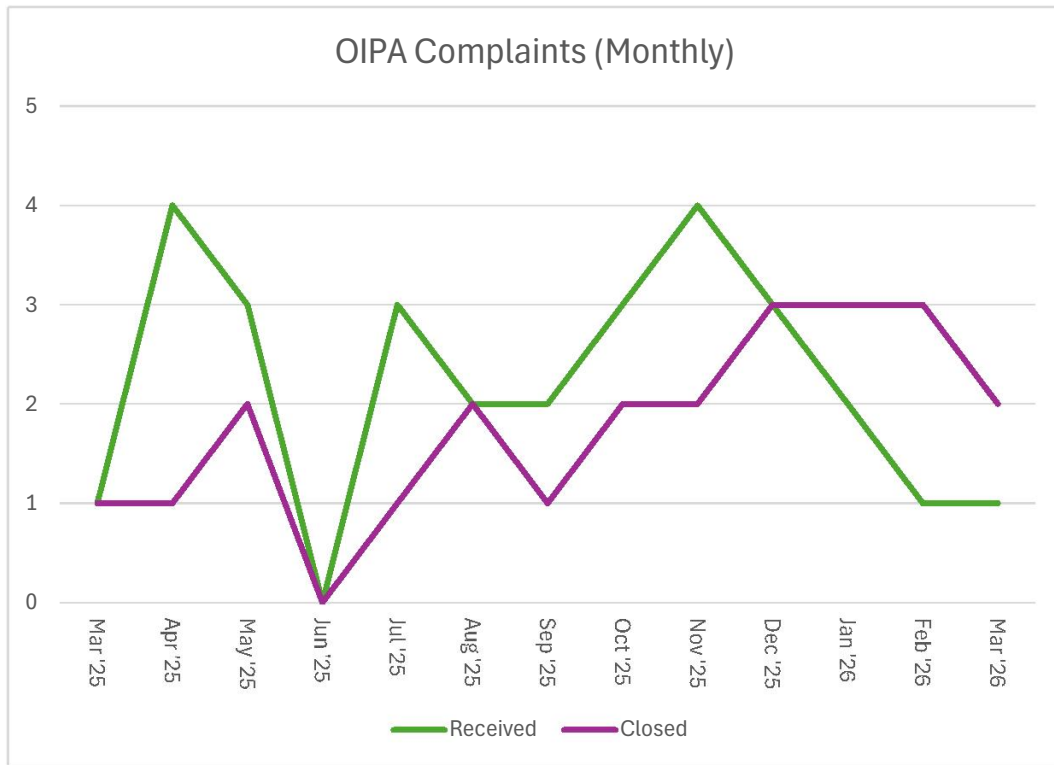
### **OIPA #24-45**

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: 187

### **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: 187

## VIII. TREND ANALYSIS

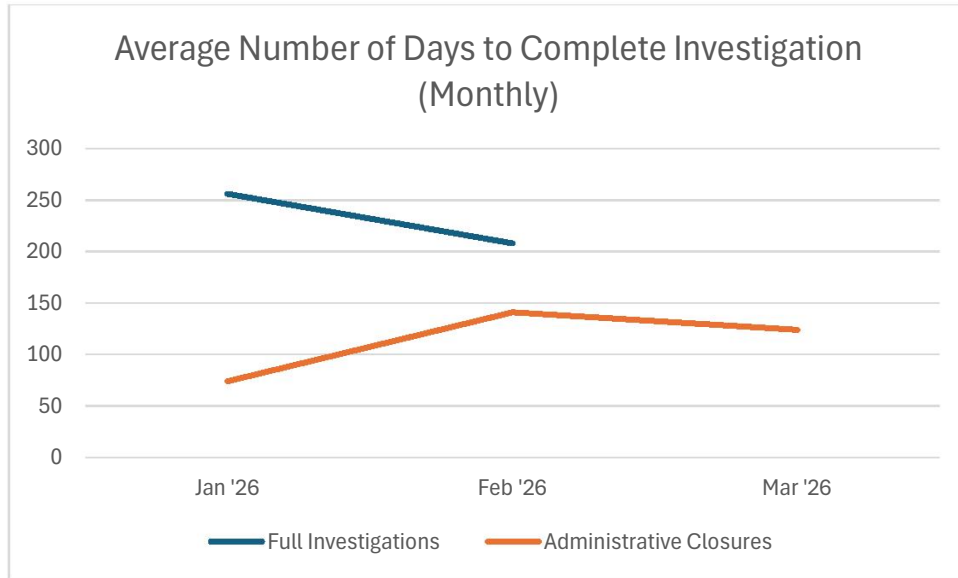


Graph 1

Graph 1 shows monthly OIPA complaints received and closed from March 2025 through March 2026. Complaint intake fluctuates throughout the year, with peaks in April and November 2025, while closures generally trend upward toward the end of 2025 and into early 2026, at times matching or exceeding the number of cases received, indicating recent periods of reduced backlog.

### TOTAL OIPA COMPLAINTS RECEIVED AND CLOSED

	Mar. 2026	Mar. 2025	Feb. 2026
Cases Filed with OIPA	1	1	1
OIPA Cases Closed	1	2	3



Graph 2

Graph 2 shows the average number of days to complete investigations from January through March 2026, comparing full investigations and administrative closures. Full investigations show a decreasing trend over time, while administrative closures increased in February before declining slightly in March, remaining consistently shorter in duration than full investigations.

**TYPES OF OIPA COMPLAINTS CLOSED**

	Mar. 2026	Mar. 2025	Feb. 2026
Full Investigations	0	1	2
Administrative Closures	2	0	1

**IX. POLICY REVIEW**

**EARLY WARNING SYSTEM (EWS)**

The Model language describes the role and responsibilities of OIPA in the Early Warning Intervention System (EWI or EWS). OIPA has met with BPD on a quarterly basis to review data and specific cases involving officers flagged in the EWS. On March 3, 2026, OIPA met in person with BPD Command Staff to discuss officers listed in the EWS. Following the meeting, OIPA made several suggestions to improve the process going forward. One suggestion was to provide the list of officers and cases in advance so that OIPA can review and prepare ahead of the meeting. Additionally, OIPA requested that BPD collect and share additional data prior to meetings to support more informed discussions when comparing officers to their peers. The EWS remains a work in progress, and OIPA and BPD will continue to meet

quarterly to improve and strengthen the process, with the goal of identifying officers who may benefit from intervention or additional training before issues arise.

**BODY WORN CAMERA (BWC)**

When officers properly activate their BWC, both OIPA and IA are able approve the investigation for administrative closure.

However, OIPA has observed that when officers do not properly activate their BWC, the District may be exposed to increased legal liability. These errors can be costly and may also prevent officers from being fully exonerated from allegations of misconduct.

In an effort to improve the quality and consistency of BWC activation, and based on OIPA’s investigations, OIPA continues to recommend the following policy changes:

- A. Add language addressing belt-mounted camera placement to improve audio and video quality.
- B. Require activation of BWC during welfare checks and train car sweeps.

**X. BPD NEW COMPLAINTS\***

During March 2026, BPD received **4 Community Complaints (Formal)**.

IA Case #	Nature of Complaint	Action Taken	Received Date
1 IA#2026-007	Sergeant <ul style="list-style-type: none"> <li>• Performance of Duty</li> </ul>	Supervisory Referral.	03/01/26
2 IA#2026-008	Dispatcher <ul style="list-style-type: none"> <li>• Policy/Procedure</li> </ul>	BPD is investigating.	03/03/26
3 IA#2026-009	Officer <ul style="list-style-type: none"> <li>• Policy/Procedure</li> </ul>	Supervisory Referral.	03/13/26
4 IA#2026-010	Officer #1 <ul style="list-style-type: none"> <li>• Force</li> </ul> Officer #2 <ul style="list-style-type: none"> <li>• Arrest or Detention</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure (BWC)</li> <li>• Force</li> </ul>	BPD is investigating.	03/18/26

## XI. BPD NEW INTERNALLY INITIATED INVESTIGATIONS\*

During March 2026, BPD opened **1 Administrative Investigations (Internally Generated)**:

IA Case #	Nature of Complaint	Action Taken	Date Initiated
AI2026-001	<p>Civilian Supervisor</p> <ul style="list-style-type: none"> <li>Supervision</li> </ul> <p>Crisis Intervention Specialist</p> <ul style="list-style-type: none"> <li>Performance of Duty</li> <li>Policy/Procedure (fraud, waste, and abuse)</li> </ul>	BPD is investigating.	03/04/26

## XII. BPD INVESTIGATIONS CONCLUDED DURING THIS REPORTING PERIOD\*

A. During March 2026, BPD completed **13 Investigations**:

(IA Case #)	Nature of Complaint	Disposition	Received Date	Days Taken to Complete Investigation
1 IA#2025-022	A sergeant alleged another officer used excessive force when kneeling a handcuffed subject in his thigh.	<p>Officer:</p> <ul style="list-style-type: none"> <li>Force – Exonerated</li> </ul>	03/15/25	353 (case was tolled for approximately ten months while the subject officer was on approved Industrial Leave)
2 IA#2025-025	The complainant alleged that officers and a sergeant improperly detained and cited her for littering. The complainant further alleged that the sergeant and officers used excessive force against them during the detention.	<p>Sergeant</p> <ul style="list-style-type: none"> <li>Force – Administratively Closed (by BWC recording review)</li> </ul> <p>Officers #1-#3:</p> <ul style="list-style-type: none"> <li>Force – Administratively Closed (by BWC recording review)</li> <li>Arrest or Detention – Administratively Closed (by BWC recording review)</li> </ul>	04/02/25	337

		<ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Administratively Closed (by BWC recording review)</li> </ul>		
<b>3</b> <b>IA#2025-036</b>	The complainant alleged they witnessed that officers improperly detained a juvenile for fare evasion and then subsequently unlawfully arrested the juvenile for non-cooperation with the detention.	<p>Sergeant:</p> <ul style="list-style-type: none"> <li>• Arrest or Detention – Administratively Closed (by BWC recording review)</li> </ul> <p>Officers #1 &amp; #2:</p> <ul style="list-style-type: none"> <li>• Arrest or Detention – Administratively Closed (by BWC recording review)</li> </ul>	04/09/25	346
<b>4</b> <b>IA#2025-028</b>	The complainant alleged officers used excessive force during the detention for riding his bike in the station and possessing an open container of alcohol.	<p>Sergeant:</p> <ul style="list-style-type: none"> <li>• Force – Administratively Closed (by BWC recording review)</li> </ul> <p>Officers #1 - #3:</p> <ul style="list-style-type: none"> <li>• Force – Administratively Closed (by BWC recording review)</li> </ul>	04/10/25	330
<b>5</b> <b>IA#2025-039</b>	The complainant alleged that an officer improperly detained her over a fare dispute and made unprofessional comments.	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer - Unfounded</li> <li>• Bias-Based Policing – Unfounded</li> <li>• Body Worn Camera – Sustained</li> </ul>	6/04/25	290
<b>6</b> <b>IA#2025-049</b>	The complainant alleged an unidentified officer yelled at her because she had her service dog with her on the station platform.	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Bias-Based Policing – Administratively Closed (lacks necessary information to investigate)</li> </ul>	6/17/25	288

<p><b>7</b> <b>IA#2025-047</b></p>	<p>The complainant alleged that officers racial profiled her to enforce fare evasion.</p>	<p>Officers #1 &amp; #2</p> <ul style="list-style-type: none"> <li>• Bias-Based Policing – Administratively Closed (by BWC recording review)</li> <li>• Conduct Unbecoming an Officer – Administratively Closed (by BWC recording review)</li> </ul>	<p>6/30/25</p>	<p>264</p>
<p><b>8</b> <b>IA#2025-055</b></p>	<p>The complainant alleged officers improperly detained him and used excessive force. The complainant further alleged that his cellphone was damaged during the detention.</p>	<p>Sergeants #1 &amp; #2:</p> <ul style="list-style-type: none"> <li>• Force – Administratively Closed (by BWC recording review)</li> <li>• Conduct Unbecoming an Officer - Administratively Closed (by BWC recording review)</li> <li>• Policy/Procedure - Administratively Closed (by BWC recording review)</li> </ul> <p>Officer:</p> <ul style="list-style-type: none"> <li>• Force – Administratively Closed (by BWC recording review)</li> <li>• Conduct Unbecoming an Officer - Administratively Closed (by BWC recording review)</li> <li>• Policy/Procedure Administratively Closed (by BWC recording review)</li> </ul>	<p>7/31/25</p>	<p>243</p>
<p><b>9</b> <b>IA#2025-066</b></p>	<p>The complainant alleged that during a fare evasion enforcement contact, officers used excessive force and subsequently</p>	<p>Officer #1 &amp; Officer #2:</p> <ul style="list-style-type: none"> <li>• Force – Administratively Closed (by BWC recording review)</li> </ul>	<p>9/24/25</p>	<p>188</p>

	arrested him for resisting and delaying officers.			
<b>10 IA#2025-083</b>	The complainant alleged that officers unnecessarily detained him in handcuffs for fare evasion.	Officer #1 & Officer #2: <ul style="list-style-type: none"> <li>Arrest/Detention – Administratively Closed (by BWC recording review)</li> </ul>	11/30/25	96
<b>11 IA#2026-004</b>	The complainant alleges he was stopped and detained illegally while officers were conducting an investigation and that they did not articulate reasonable suspicion.	Officer #1 & Officer #2: <ul style="list-style-type: none"> <li>Performance of Duty – Supervisor Referral</li> </ul>	02/13/26	19
<b>12 IA#2026-007</b>	The complainant alleges a sergeant was off his beat for over 30 minutes in front of another former officer's home.	Sergeant: <ul style="list-style-type: none"> <li>Performance of Duty – Supervisor Referral</li> </ul>	03/01/26	3
<b>13 IA#2026-009</b>	The complainant alleges a K9 officer was traveling in a marked BART Police vehicle traveling at a speed of more than 90 mph.	Officer: <ul style="list-style-type: none"> <li>Policy/Procedure – Supervisor Referral</li> </ul>	03/13/26	7

B. During March 2026, BPD resolved **0 Administrative Investigation (Internally Generated)**:

<b>IA Case #</b>	<b>Nature of Complaint</b>	<b>Disposition</b>	<b>Days Elapsed Since Complaint Filed</b>	<b>Days Taken to Complete Investigation</b>
N/A	N/A	N/A	N/A	N/A

### XIII. ALL DISCIPLINE ISSUED DURING REPORTING PERIOD\*

During this reporting period, BPD took the following action in **1 case** where allegations of misconduct was sustained:

Case #	Nature of Sustained Allegation(s) <sup>i</sup>	Classification of Sustained Allegation(s)	Action Taken
IA2025-018	Officers failed to activate their BWC when the subject of the contact was initially detained.	Officer #1: <ul style="list-style-type: none"> <li>Policy/Procedure (BWC late activation) – Sustained</li> </ul> Officer #2: <ul style="list-style-type: none"> <li>Policy/Procedure (BWC late activation) – Sustained</li> </ul>	Letters of Discussion

### XIV. ISSUES DETECTED

The Model provides that OIPA has the authority to require follow-up investigations into any community complaint or allegation handled by BPD.

For March 2026, failure to properly activate officer BWCs continues to be an issue. This month, IA2025-018 resulted in discipline in the form of Letters of Discussion for two officers who activated their cameras late during a contact.

Additionally, IA2025-039 resulted in a sustained finding for the subject officer for failing to properly activate his camera as required by policy. Due to the officer’s failure to activate his BWC during the incident, OIPA disagrees with IA’s findings on the allegations determined to be unfounded. OIPA is working with BPD to address this matter in this case.

### XV. LEGAL CLAIMS, LAWSUITS, AND SETTLEMENTS

#### MONTHLY STATUS REPORT OPEN BPD CLAIMS

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

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.						
<b>B230052</b>	<b>James Robinson</b>	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.						
<b>B240155</b>	<b>Travis Sims</b>	3/25/24	Warms Spring Station	4:25-cv-03277-DMR	Pointer & Buelna	Castillo Moriarty Robinson	Case was settled for \$99,999
Summary	Plaintiff was intoxicated and showing signs of not being able to care for himself. BPD officers went to detain him, Sims resisted and they fell to the ground. Plaintiff knocked out some crowns in his mouth and suffered facial lacerations.  A Release of All Claims has been secured. Once payment to plaintiff's counsel is issued, a dismissal will be filed and this case will be closed.						
<b>B240150</b>	<b>LaToya Henry</b>	5/21/24	Fruitvale Station	3:25-cv-05780-LIC	Pointer & Buelna	Castillo Moriarty Robinson	A Mandatory Settlement Conference has been rescheduled for 6/24/26
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.						
<b>B250079</b>	<b>Roscoe Duncan</b>	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.						
<b>B250054</b>	<b>Chunwen Chen</b>	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.						
<b>B250063</b>	<b>Johar Johar</b>	12/28/24	Oakland, CA	25CV134991	Venardi Zurada	Law Offices of Damien Morozumi	Pending
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.						
<b>B260001</b>	<b>John Murphy</b>	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.						

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<sup>i</sup> 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.