



OFFICE OF THE INDEPENDENT
POLICE AUDITOR
BAY AREA RAPID TRANSIT

MONTHLY REPORT

SEPTEMBER 2025

EXECUTIVE SUMMARY

During September 2025, six new complaints were received—two through OIPA and four by the BART Police Department's (BPD) Internal Affairs Bureau (IA). Eight investigations were concluded during the period: one by OIPA and seven by IA. At the close of the month, OIPA has 15 active investigations, monitoring eight IA investigations, and three complainant-initiated appeals under review.

OIPA identified concerns in IA case #2025-030 regarding the analysis of the use of force. OIPA requested additional investigation and analysis, and IA agreed to prepare an addendum to the Investigative Report to address these issues. Two OIPA investigations previously presented to the BPCRB are currently under appeal by the Chief of Police.

Also, during this month, disciplinary action was taken in one case by BPD, resulting in a Letter of Discussion for a sustained violation involving failure to activate a Body-Worn Camera (BWC). OIPA continues to emphasize the importance of BWC compliance and will present an informational agenda item at the November BPCRB meeting on BWC operation, policy requirements, and terminology.

OIPA remains committed to conducting thorough and timely investigations, identifying systemic issues, and promoting accountability and transparency.

QUANTITATIVE REPORT

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 **September 1, 2025 through September 30, 2025.**¹ *(The Quantitative Report includes all complaints received and administrative investigations initiated by both OIPA and the BART Police Department (BPD) Internal Affairs Bureau (IA)).*

	Sep '24	Oct '24	Nov '24	Dec '24	Jan '25	Feb '25	Mar' 25	Apr '25	May '25	Jun '25	Jul '25	Aug '25	Sep '25
Cases Filed	8	14	5	10	8	11	4	10	5	8	9	5	6
Open Cases²	113	115	118	119	118	114	107	107	90	89	83	71	69
Cases Closed	7	12	2	9	8	15	14	10	19	9	15	16	8
OIPA Cases Closed³	1	2	0	1	0	2	1	1	2	0	1	2	1
Appeals to OIPA⁴	0	0	1	0	0	0	1	0	1	0	0	0	0
Appeals by BPCRB⁵	0	0	1	0	0	0	0	0	0	0	0	0	0
Appeals by Chief of Police	0	0	0	0	0	0	0	0	0	0	0	0	2

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. 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.

	CURRENT TOTALS
OIPA Investigations Being Conducted	15
Complainant-Initiated Appeals to OIPA	3
Investigations Being Monitored by OIPA	8
Investigations Reviewed During Current Month by OIPA	15†

†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.

TYPES OF CASES FILED

Community Complaints (Formal)	6
Informal Complaints ⁶	0
Administrative Investigations	0
Inquiries ⁷	0
TOTAL	6

COMMUNITY COMPLAINTS RECEIVED PER DEPARTMENT⁸

OIPA	2
BART Police Department	4
TOTAL	6

COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During September 2025, OIPA received **2 Community Complaints (Formal)**:

OIPA # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 OIPA #25-36 (IA#2025-063)	Officer: • Arrest or Detention • Performance of Duty • Conduct Unbecoming an Officer • Policy/Procedure	OIPA is investigating.	62
2 OIPA #25- 33 (IA#2025-067)	Officer: • Force	OIPA is investigating.	66

During September 2025, BPD received **4 Community Complaints (Formal)**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 IA#2025-062	Officer: • Conduct Unbecoming an Officer	BPD is investigating.	68
2 IA#2025-065	Officers #1 & #2: • Force	BPD is investigating.	53
3 IA#2025-066	Officers #1 & #2: • Force • Conduct Unbecoming an Officer	BPD is investigating.	47
4 IA#2025-064	Officers #1-3: • Force • Arrest or Detention Officer #4: • Arrest or Detention	BPD is investigating.	53

During September 2025, BPD initiated **0 Administrative Investigation**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
N/A	N/A	N/A	N/A

COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD

During September 2025, OIPA resolved **1 Complaint**:

OIPA # (IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 OIPA #24-46 (IA#2024-107)	The complainant alleged that officers used excessive force to hold a person down on a gurney.	Officer #1: • Excessive/Unnecessary Use of Force - Exonerated • Policy/Procedure (report writing) – Sustained • Policy/Procedure (late BWC activation) - Sustained Officer #2: • Force – Policy/Procedure (report writing) - Sustained Officer #3: • Policy/Procedure (report writing) - Sustained	374	301

BPD resolved **0 Administrative Investigation**:

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

During September 2025, BPD resolved **7 Complaints**:

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 IA#2024-105	The complainant alleged an off-duty BART officer threatened the complainant with a gun and coerced a third party to make a citizen's arrest.	Officer: • Arrest or Detention – Administratively Closed • Conduct Unbecoming an Officer – Administratively Closed	383	321
2 IA#2024-110	The complainant alleged that officers misled him; improperly arrested him and used excessive force.	Officer #1 • Force – Exonerated • Force – Unfounded Officer #2 • Force – Exonerated • Conduct Unbecoming of an Officer- Unfounded • Arrest or Detention – Unfounded	357	288
3 IA#2024-112	The complainant alleged that an officer contacted him in the Park and Ride and was biased and discourteous.	Officer: • Conduct Unbecoming an Officer – Unfounded • Biased Based Policing – Unfounded	342	281

4 IA#2024-116	The complainant alleged officers did not properly ensure his safety after they responded to a call for service involving an altercation between the complainant and an unhoused individual.	Officer #1: • Biased-Based Policing – Unfounded • Performance of Duty – Unfounded • Performance of Duty – Sustained Officer #2: • Performance of Duty – Not Sustained Officer #3: • Biased-Based Policing – Unfounded • Performance of Duty – Unfounded • Conduct Unbecoming an Officer – Unfounded • Performance of Duty – Sustained	335	287
5 IA#2025-001	The complainant alleged improper detention and racial profiling by an officer during a fare evasion contact.	Officer: • Biased-Based Policing - Unfounded	315	261

6 IA#2025-005	The complainant reported that officers unlawfully arrested, searched, and confiscated her personal property. Complainant also alleged that officers failed to investigate a party she alleges harassed her and took false statements, filed inaccurate reports, and denied her request for a disability accommodation. Complainant further had concerns regarding the use of force.	Officer #1: • Arrest or Detention – Exonerated • Bias/Based – Unfounded Officer #2: • Performance of Duty – Sustained • Arrest or Detention – Exonerated • Bias-Based Policing – Unfounded • Policy/Procedure (acceptance of complaints) – Sustained	330	281
7 IA#2025-030	The complainant alleged that officers used unnecessary force when they grabbed him and twisted his hand while handcuffing.	Officers #1-3: • Force – Exonerated	205	157

DISCIPLINE ISSUED DURING REPORTING PERIOD

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

Case #	Nature of Sustained Allegation(s) *	Classification of Sustained Allegation(s)	Action Taken
1	The officer failed to activate their BWC.	Officer: • Policy/Procedure (BWC failure to activate) – Sustained	• Letter of Discussion

STAFF UPDATES

During this reporting period, OIPA Investigator Wyeth McAdam participated in Lexipol webinar training, “Cops & Cars: Managing Risk Through Behavior-Based Supervision.”

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.⁹ 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 Internal Affairs investigations and determined that case IA#2025-030 requires additional investigation to justify the findings and address the issues identified by OIPA. OIPA met with IA to discuss the Investigative Report, and in response, IA will conduct further analysis and prepare an addendum to the Investigative Report for OIPA’s review.

¹ 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.

*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).

² 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.

³ 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.

⁴ 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).

⁵ 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).

⁶ 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)).

⁷ 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.

⁸ 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.

⁹ 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.