

# Summary of Investigations

BART Office of the Inspector General



March 6, 2025

# Five Reports

1. BART Would Benefit from Clearer Gift Giving Rules
2. Certain Labor Code Certifications Not Applicable to BART's Airport Connector
3. District's Permit Issuance Process Does Not Bypass Subject Matter Experts
4. Summary of Investigations into Allegations of Theft
5. Summary of Employee Misconduct Investigations





# Overview

10 investigations completed that addressed various allegations.

3: time theft

1: overtime abuse

1: retail theft

1: improper gift giving & receipt

1: vehicle misuse

1: use of District prestige & influence



# Eight Allegations Not Substantiated

## **Report: Summary of Investigations into Allegations of Theft**

We did not substantiate three of the four allegations related to this report. Of the three, two addressed time theft and one retail theft.

## **Report: Summary of Employee Misconduct Investigations**

We did not substantiate the three allegations related to this report. One addressed overtime abuse, one vehicle misuse, and one the use of the District's prestige and influence for private gain.

## **Report: Certain Labor Code Certifications Not Applicable to BART's Oakland Airport Connector (OAC)**

We did not substantiate that a contractor was noncompliant with labor code sections 7311.1 (a) and 7311.2. The Division of Occupational Safety & Health said it does not assert jurisdiction because comprehensive safety oversight is already in place.

## **Report: District's Permit Issuance Process Does Not Bypass Subject Matter Experts (SME)**

We did not substantiate that BART's new permitting process caused two instances of noncompliance with permit terms. The streamlined process has a built-in "Engineer Decision Chart" delegating workflow and approval to SMEs.

# Uncovering the Truth & Maintaining Confidentiality

## **BART OIG Conclusions**

Our conclusions are based on an extensive review of records and documentation, observations, and interviews.

## **BART OIG Role**

To uncover the facts and find the truth, which can mean obtaining evidence clearing the subject of wrongdoing. This is one of the reasons we maintain strict confidentiality over an investigation.

## **BART Investigation Value**

Unsubstantiated allegations demonstrate that the OIG takes concerns seriously and investigates them thoroughly, reinforcing transparency and accountability.

These investigations help reveal gaps in policies and processes, serve as deterrents, encourage ethical behavior, and contribute to trend analysis, helping refine investigative techniques and risk assessments.

# One Inconclusive One Substantiated

## **Report: BART Would Benefit from Clearer Gift Giving Rules**

It was inconclusive as to whether a contractor and two employees violated BART's gift giving rules because District policy lacked the information needed to determine whether there were code-of-conduct violations. BART agreed to our recommendations to bolster the Employee and Contractor Codes of Conduct with the necessary information.

## **Report: Summary of Investigations into Allegations of Theft**

We substantiated one of the four allegations related to this report by determining that a BART employee was leaving their duty station for extended periods yet claiming to work a full shift, a minimum loss of \$340. The employee resigned from BART and the General Counsel's Office is addressing our recommendation to seek restitution.

## **BART OIG Conclusions**

Our conclusions are based on an extensive review of records and documentation, observations, and interviews.





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