

San Francisco Bay Area Rapid Transit District

2150 Webster Street, P. O. Box 12688, Oakland, CA 94604-2688



COMMITTEE MEETING AGENDA

Monday, August 8, 2022

4:00 PM

via Teleconference Only. Zoom Link:

<https://us06web.zoom.us/j/83253444089>

BART Police Citizen Review Board

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
2150 Webster Street, P. O. Box 12688, Oakland, CA 94604-2688

NOTICE OF MEETING AND AGENDA
BART POLICE CITIZEN REVIEW BOARD
August 8, 2022
4:00 p.m.

A regular meeting of the BART Police Citizen Review Board (BPCRB) will be held on Monday, August 8, 2022, at 4:00 p.m., via teleconference only.

Please note, pursuant to all necessary findings having been made by the Board of Directors of the San Francisco Bay Area Rapid Transit District (for itself as well as all subordinate legislative bodies) to continue remote public meetings in the manner contemplated under urgency legislation Assembly Bill No. 361, public participation for this meeting will be via teleconference only.

Presentation materials will be available at least 72 hours prior to the BPCRB Meeting at <https://bart.legistar.com/Calendar.aspx> (click on “Agenda”).

You may join the BPCRB Meeting via Zoom by calling (833) 548-0282 (Toll Free) and entering access code 832 5344 4089; logging in to Zoom.com and entering access code 832 5344 4089; or typing the following Zoom link into your web browser:

<https://us06web.zoom.us/j/83253444089>

If you wish to make a public comment:

- 1) Submit written comments via email to CitizenReviewBoard@bart.gov, using “public comment” as the subject line. Your comment will be provided to the BPCRB and will become a permanent part of the file. Please submit your comments as far in advance as possible. Emailed comments must be received before 9:00 am, on August 8, 2022, in order to be included in the record.
- 2) Call (833) 548-0282 (Toll Free), enter access code 832 5344 4089, dial *9 to raise your hand when you wish to speak, and dial *6 to unmute when you are requested to speak; log in to Zoom.com, enter access code 832 5344 4089, and use the raise hand feature; or join the BPCRB Meeting via the Zoom link (<https://us06web.zoom.us/j/83253444089>) and use the raise hand feature.

Public comment is limited to three (3) minutes per person.

AGENDA

1. Call to Order.
 - a. Roll Call.
 - b. Pledge of Allegiance.
2. Reporting Out Announcement from BART Police Citizen Review Board (BPCRB) Subcommittees. For Discussion.
3. Approval of Minutes of the Meetings of June 13, 2022, and July 11, 2022. For Action.

Attachments: [Approval of Minutes of the Meetings of June 13, 2022, and July 11, 2022](#)
4. Chief of Police's Report(s). For Discussion.
 - a. BART Police Department's Monthly Reports for June 2022.
Attachments: [BART Police Department's Monthly Reports for June 2022](#).
5. Independent Police Auditor's Report(s). For Discussion and Action.
 - a. Office of the Independent Police Auditor (OIPA) Monthly Report for July 2022.
Attachments: [OIPA Monthly Report - July 2022](#)
6. Public Comment. (Limited to 3 minutes per speaker.) (An opportunity for members of the public to address the BPCRB on matters under their jurisdiction and not on the agenda.)
7. Closed Session.
 - a. Public Employee Discipline/Dismissal/Release (Arbitration Outcome) in OIPA Case #20-07. For Discussion and Action. Govt. Code §54957.

All BPCRB closed session votes will be announced at the beginning of the next regular meeting.

8. Adjournment

BART provides service/accommodations upon request to persons with disabilities and individuals who are limited English proficient who wish to address Board matters. A request must be made within one and five days in advance of Board meetings, depending on the service requested. Please contact the Office of the District Secretary at (510) 464-6083 for information.

Pursuant to Govt. Code §54953.5, the audio recording of the open session portions of this public meeting shall be subject to inspection pursuant to the California Public Records Act (CPRA). Requests for information under the CPRA should be filed with the BART Office of the District Secretary.

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
2150 Webster Street, P.O. Box 12688, Oakland, CA 94604-2688
BART Police Citizen Review Board Meeting Minutes
Monday, June 13, 2022

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held Monday, June 13, 2022, convening at 4:03 p.m. via teleconference, pursuant to Assembly Bill No. 361. The meeting was called to order by Chairperson Erin Armstrong; Mag Tatum, Recording Secretary.

Vice Chairperson Erin Armstrong gave instructions on the virtual meeting, accessing the presentation materials online, Public comments, and Members' remarks.

1. Call to Order.

The regular meeting was convened at 4:03 p.m. by Chairperson Erin Armstrong.

Members Present:

Members Christina Gomez, Dana Lang, Pete Longmire, Les Mensinger, Laura Pagey, George Perezvelez, David Rizk, William White, and Erin Armstrong.

Absent:

Members Pedro Babiak and Todd Davis.

The Pledge of Allegiance was recited.

Member Laura Pagey entered the meeting.

2. Approval of Minutes of the Meeting of May 9, 2022.

Member Mensinger moved that the Minutes of the Meeting May 9, 2022, be approved. Member Lang seconded the motion, which carried by roll call vote. Ayes – 8: Members Gomez, Lang, Mensinger, Pagey, Perezvelez, Rizk, White, and Armstrong. Noes – 0. Abstain – 0. Absent – 3: Members Babiak, Davis, and Longmire.

Member Pete Longmire entered the meeting.

3. Reporting Out Announcement from the Closed Session of May 9, 2022.

Chairperson Armstrong announced that the Board voted to accept the findings in the Office of the Independent Police Auditor (OIPA) Case #22-17.

Chairperson Armstrong announced that the Board voted to accept the findings in OIPA Case #22-17; for Allegations of Racial Animus and Bias Based Policing. Accepts – 6: Members Armstrong, Lang, Longmire, Pagey, Perezvelez, and White. Rejects – 0. Abstain – 1: Member Davis.

Chairperson Armstrong announced that the Board voted to accept the findings in OIPA Case #22-17; for Allegations of Conduct Unbecoming. Accepts – 4: Members Armstrong,

Longmire, Pagey, and Perezvelez. Rejects – 2: Members Lang and White. Abstain – 1: Member Davis.

4. Dissenting Opinion Memo for Office of the Independent Police Auditor (OIPA) Case #22-17 (Members Dana Lang and William White’s Request).

Member Lang and White presented information regarding Dissenting Opinion Memo for Office of the Independent Police Auditor (OIPA) Case #22-17. The item was discussed.

5. Reporting Out Announcement from BART Police Citizen Review Board (BPCRB) Subcommittees.

Chairperson Armstrong and Member Rizk presented information for various BART Police Citizen Review Board (BPCRB) Subcommittees. The item was discussed.

6. Chief of Police’s Reports.

a. BART Police Department’s Monthly Reports for April 2022.

Chief of Police Ed Alvarez presented the BART Police Department’s Monthly Reports for April 2022. The reports were discussed.

b. BART Police Department’s Report on California Assembly Bill 481 - District Specialized or Military Equipment Policy/Ordinance.

Chief of Police Ed Alvarez presented information about BART Police Department’s Report on California Assembly Bill 481 - District Specialized or Military Equipment Policy/Ordinance. The item was discussed and continued to a future BPCRB meeting.

7. Independent Police Auditor’s (OIPA) Report.

a. Office of the Independent Police Auditor Monthly Report for May 2022.

Russell Bloom, Independent Police Auditor, presented OIPA Monthly Report for May 2022. The report was discussed.

b. Use of the Term of “Excited Delirium” and its effects on Racial Equity.

Patrick Caceres, Independent Police Investigator, presented the Use of the Term of “Excited Delirium” and its effects on Racial Equity. The item was discussed.

8. Update on the Upcoming Election of Officers.

Chairperson Armstrong presented information regarding the upcoming Election of Officers at the July 11, 2022, BPCRB meeting. The item was discussed.

Member Pete Longmire addressed the Board, with final remarks regarding his resignation.

Director Mark Foley and various BPCRB members addressed the Board and provided farewell remarks.

9. Public Comment.

Chairperson Armstrong called for Public Comment. No comments were received.

10. Closed Session.

- a. To Consider Public Employee Discipline/Dismissal/Release in OIPA Case (s) Number #21-02 and 21-15. Govt. Code §54957.

Chairperson Armstrong announced that the Board would enter closed session under Item 10-A (Public Employee Discipline/Dismissal/Release in OIPA Case Numbers #21-02 and 21-15) of the Regular Meeting agenda and that the closed session votes if any, would be announced in open session at the beginning of the next regular BPCRB meeting.

11. Adjournment.

The Meeting was adjourned at 6:17 p.m. in honor of Member Pete Longmire's many years of service and participation on the BART Police Citizen Review Board.

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
2150 Webster Street, P.O. Box 12688, Oakland, CA 94604-2688
BART Police Citizen Review Board Meeting Minutes
Monday, July 11, 2022

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held Monday, July 11, 2022, convening at 4:05 p.m. via teleconference, pursuant to Assembly Bill No. 361. The meeting was called to order by Chairperson Erin Armstrong; Mag Tatum, Recording Secretary.

Vice Chairperson Erin Armstrong gave instructions on the virtual meeting, accessing the presentation materials online, Public comments, and Members' remarks.

1. Call to Order.

The regular meeting was convened at 4:05 p.m. by Chairperson Erin Armstrong.

Members Present:

Members Pedro Babiak, Todd Davis, Christina Gomez, Dana Lang, Les Mensinger, George Perezvelez, and Erin Armstrong.

Absent:

Members Laura Pagey, David Rizk, and William White.

The Pledge of Allegiance was recited.

2. Reporting Out Announcement from the Closed Session of June 13, 2022.

Chairperson Armstrong announced that the Board voted unanimously to accept the findings in OIPA Case(s) #21-02 and #21-15, from the June 13, 2022, Closed Session.

3. Chief of Police's Reports.

a. BART Police Department's Monthly Reports for May 2022.

Chief of Police Ed Alvarez presented the BART Police Department's Monthly Reports for May 2022. The reports were discussed.

b. BART Police Department's Bulletin No. 22-238: Removal of the Term "Excited delirium".

Chief of Police Ed Alvarez presented Bulletin No. 22-238: Removal of the Term "Excited delirium". The item was discussed.

c. BART Police Department's Report on California Assembly Bill 481 – Draft Lexipol Policy 711(Redlines) - Specialized and Military Type Equipment.

Chief of Police Ed Alvarez presented information about BART Police Department's Report on California Assembly Bill 481 – Draft Lexipol Policy 711(Redlines) - Specialized and Military

Type Equipment. The item was discussed.

Director Robert Raburn and Aleta Dupree addressed the Board.

4. Independent Police Auditor's (OIPA) Report.

a. Office of the Independent Police Auditor Monthly Report for June 2022.

Independent Police Auditor Russell Bloom presented OIPA Monthly Report for June 2022. The report was discussed.

Aleta Dupree addressed the Board.

5. Review of Draft BART Citizen Oversight Model (Redlines).

Chairperson Armstrong presented information about the Draft BART Citizen Oversight Model (Redlines). The item was discussed.

Member Lang moved that the Draft BART Citizen Oversight Model (Redlines), be approved. Member Mensinger seconded the motion, which carried by roll call vote. Ayes – 6: Members Davis, Gomez, Lang, Mensinger, Perezvelez, and Armstrong. Noes – 0. Abstain – 1: Member Babiak. Absent – 3: Members Pagey, Rizk, and White. Vacant – 1.

6. BPCRB Participation in the 2022 Annual National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference (September 11, 2022, through September 15, 2022, Fort Worth, Texas).

Chairperson Armstrong presented information about the 2022 Annual National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference. The item was discussed.

7. National Association for Civilian Oversight of Law Enforcement (NACOLE) 2022 Organizational Membership - Disposition of Proxy for Board meetings.

Chairperson Armstrong presented information about the National Association for Civilian Oversight of Law Enforcement (NACOLE) 2022 Organizational Membership - Disposition of Proxy for Board meetings. Chairperson Armstrong will be submitting the 2022 Proxy Vote Authorization form, on behalf of the Board. The item was discussed.

8. Annual Election of BPCRB Officers.

Chairperson Armstrong brought the matter of Election of BPCRB Officers before the BPCRB and opened the floor for nominations for Chair. Member Mensinger nominated Member Armstrong for Chair of the BART Police Citizen Review Board (BPCRB) for the term 2022-2023. Nominations were closed. Member Mensinger moved that Member Armstrong be elected BPCRB Chair for the term 2022-2023. Member Lang seconded the motion, which was carried by a unanimous roll call vote. Ayes – 7: Members Babiak, Davis, Gomez, Lang, Mensinger, Perezvelez, and Armstrong. Noes – 0. Abstain – 0. Absent – 3: Members Pagey, Rizk, and White. Vacant – 1.

Newly re-elected BPCRB Chairperson Armstrong shared comments on the upcoming year.

Chairperson Armstrong brought the matter of Election of BPCRB Officers before the BPCRB and opened the floor for nominations for Vice Chair. Member Mensinger nominated Member Gomez for Vice-Chair of the BART Police Citizen Review Board (BPCRB) for the term 2022-2023. Nominations were closed. Member Mensinger moved that Member Gomez be elected BPCRB Vice-Chair for the term 2022-2023. Member Lang seconded the motion, which was carried by a unanimous roll call vote. Ayes – 7: Members Babiak, Davis, Gomez, Lang, Mensinger, Perezvelez, and Armstrong. Noes – 0. Abstain – 0. Absent – 3: Members Pagey, Rizk, and White. Vacant – 1.

Newly elected BPCRB Vice-Chairperson Gomez shared comments on the upcoming year.

9. Public Comment.

Chairperson Armstrong called for General Public Comment.

Aleta Dupree addressed the Board.

10. Adjournment.

The Meeting was adjourned at 5:43 p.m.

BART POLICE DEPARTMENT



June 2022

MONTHLY REPORT



Bay Area Rapid Transit Police Department

101 8th St, Oakland, CA, 94607 (510) 464-7000 www.bart.gov/police

June 2022 Performance Measurement Review - **Systemwide**

PART 1 UCR Crime	2017	2018	2019	2020	2021	YTD 2021	YTD 2022	PCT %
Homicide	0	3	2	0	0	0	2	-%
Rape	8	3	7	5	8	3	4	+33%
Robbery	290	345	378	252	143	71	92	+30%
Aggravated Assault	125	130	112	95	71	31	50	+61%
Violent Crime Subtotal	423	481	499	352	222	105	148	+41%
Burglary (Structural)	15	18	16	12	11	4	14	+250%
Larceny & Auto Burglary	2,593	2,565	3,177	1,038	882	349	475	+36%
Auto Theft	420	348	247	100	134	37	87	+135%
Arson	4	4	4	4	5	0	8	-%
Property Crime Subtotal	3,032	2,935	3,444	1,154	1,032	390	584	+50%
TOTAL	3,455	3,416	3,943	1,506	1,254	495	732	+48%

Part 1 Crimes: Top Five Stations

June 2022

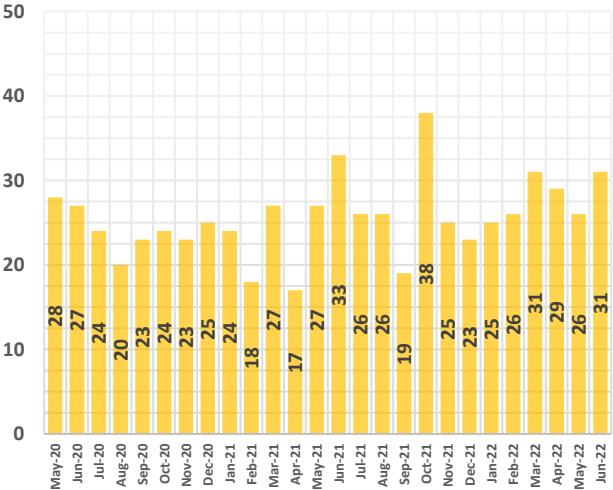
R60/RIS A40/SLS M40/CCS M90/DCS M10/OWS

Full Year 2021

A30/COS A60/HAS M10/OWS A10/LMS A20/FVS

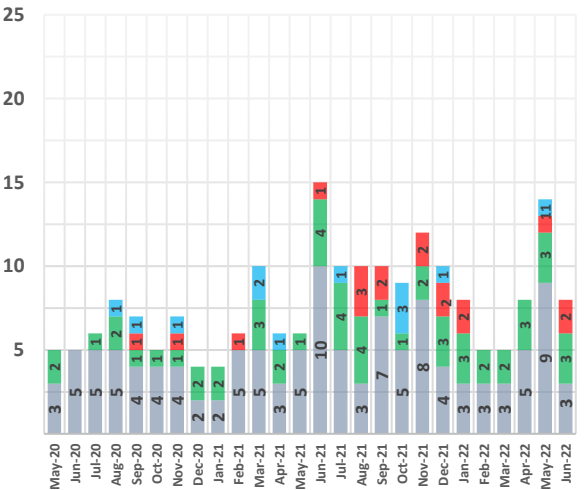
BATTERY & ASSAULT ON BART

Battery, Simple Assaults



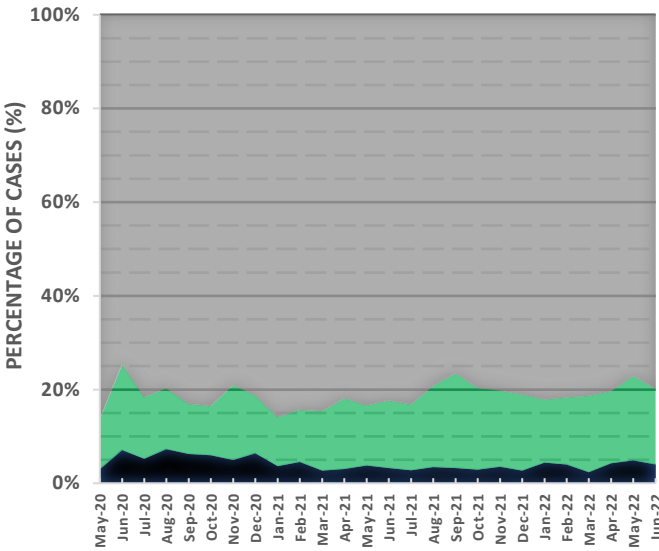
BICYCLE THEFT

Alameda Contra Costa San Francisco San Mateo Santa Clara



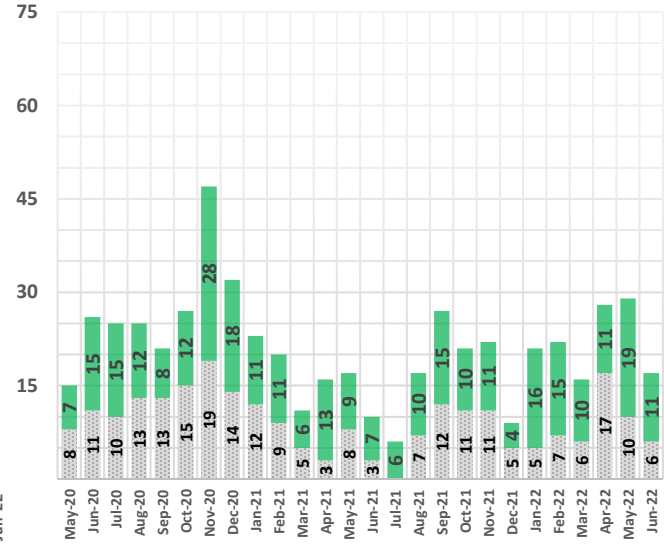
PART 1 CRIME OVERALL

Violent Crimes Property Crimes All other cases



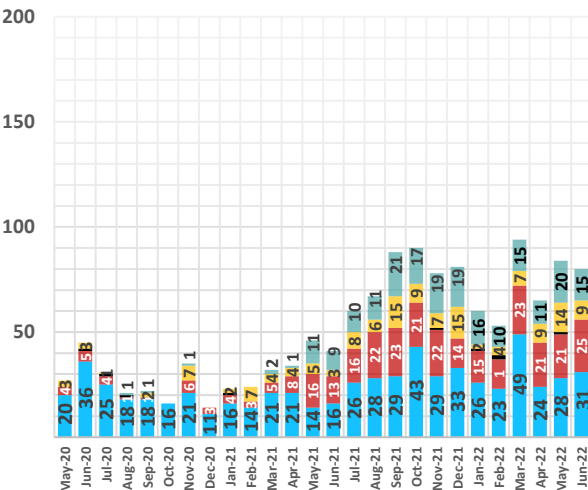
ELECTRONIC THEFT

Robbery Theft



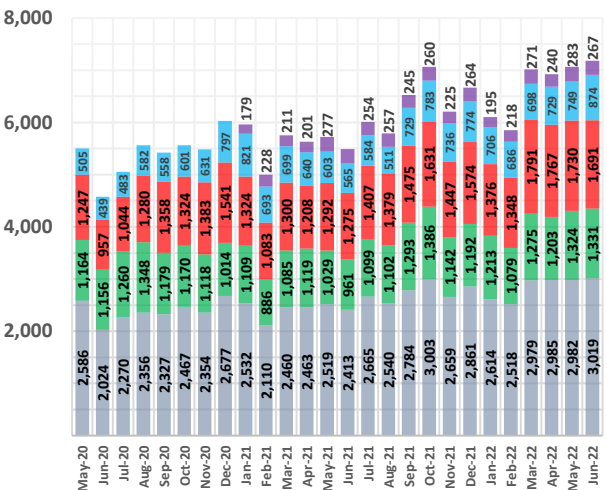
VEHICLE CRIME

Break-in Catalytic Wheel/Tires License Plate Vehicle Theft



CALLS TO DISPATCH

Alameda Contra Costa San Francisco San Mateo Santa Clara



Preface: The data is retrieved from the BART Police Database and remains unaudited until corrections. Numbers may differ from the reported data in the Uniform Crime Reporting (UCR) program.

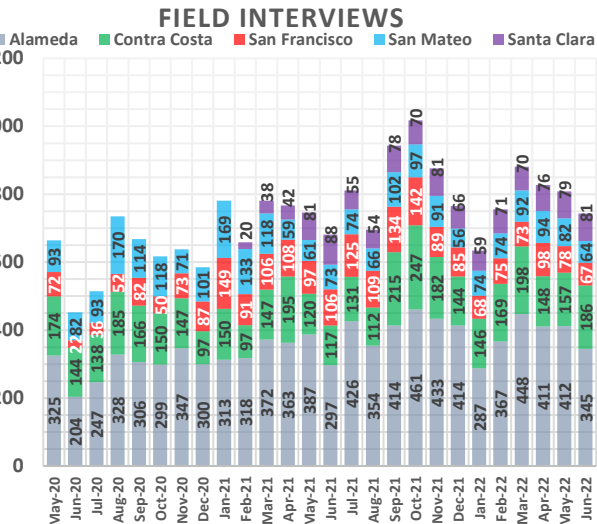
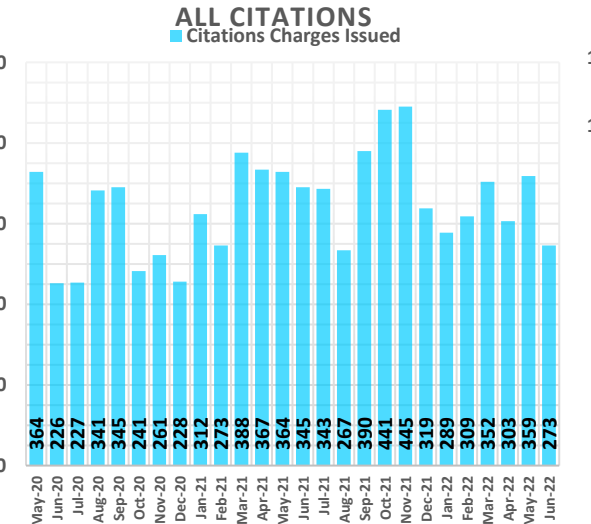
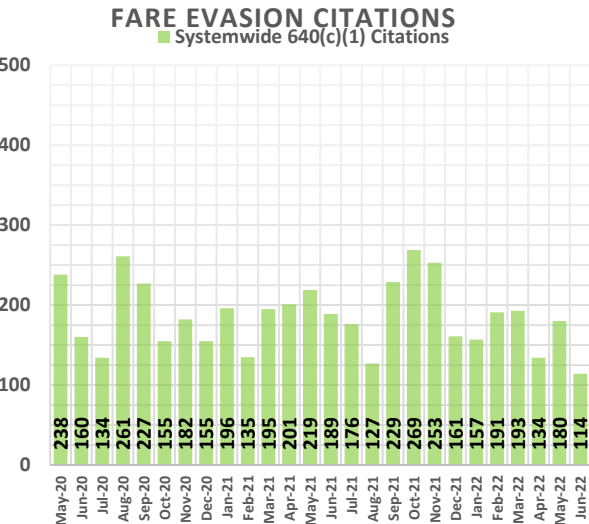
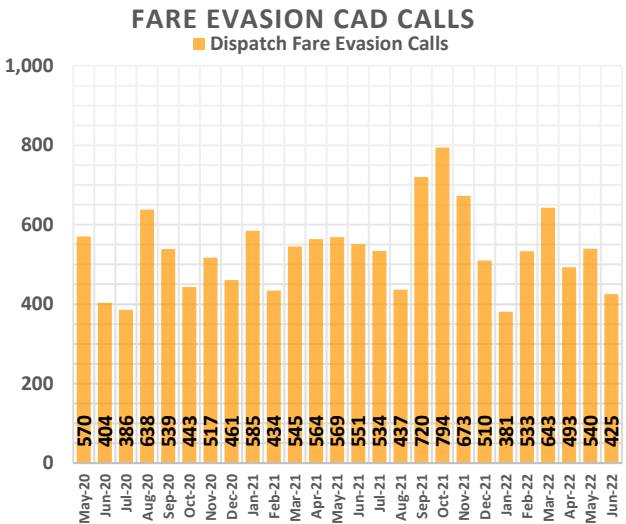
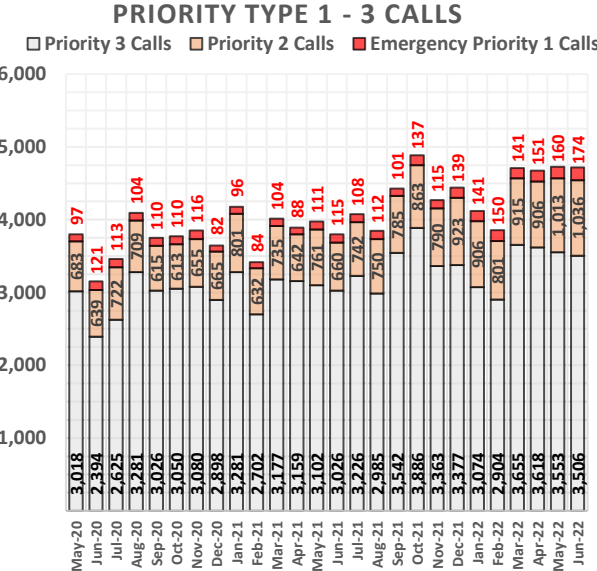
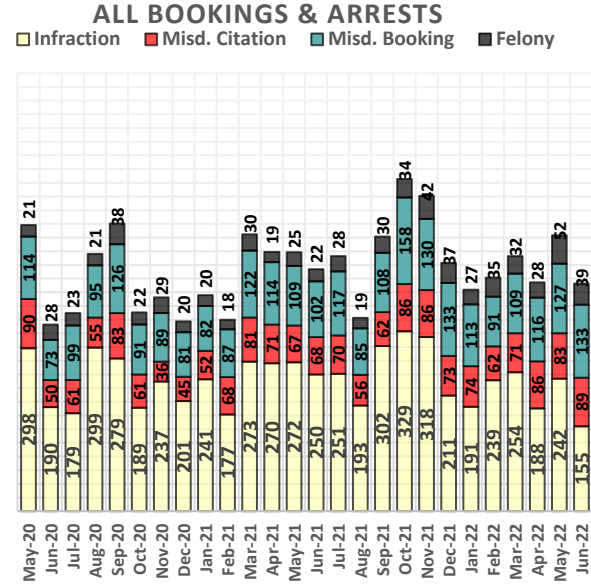
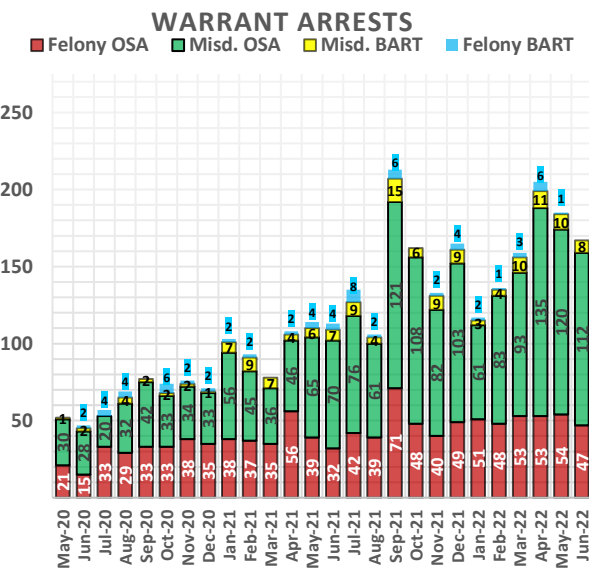
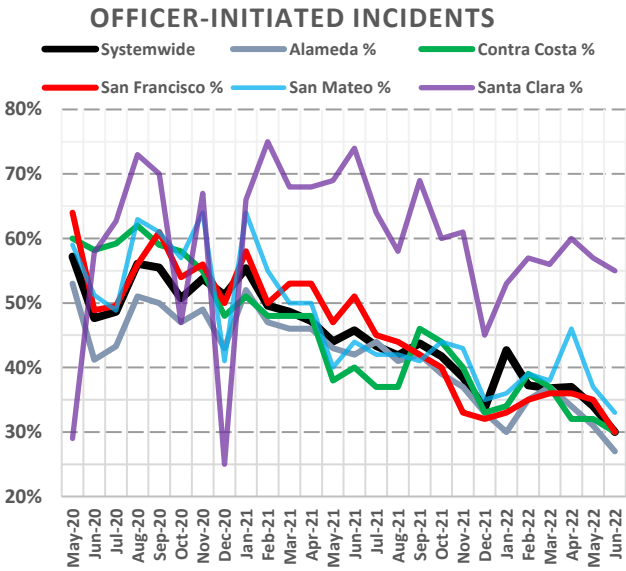
Late reporting, the reclassification or unbounding of crimes, can affect crime statistics. Overtime costs are projected numbers. Information provided on the reports are subject to change.



Bay Area Rapid Transit Police Department

101 8th St, Oakland, CA, 94607 (510) 464-7000 www.bart.gov/police

June 2022 Performance Measurement Review - **Systemwide**



Preface: The data is retrieved from the BART Police Database and remains unaudited until corrections. Numbers may differ from the reported data in the Uniform Crime Reporting (UCR) program.

Late reporting, the reclassification or unfounding of crimes, may affect statistics. Infraction citations consist of all individual charges. Felony arrests, misdemeanor arrests and citations are based on each instance per individual

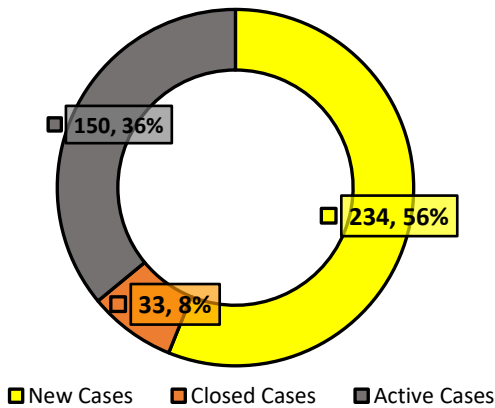


Bay Area Rapid Transit Police Department

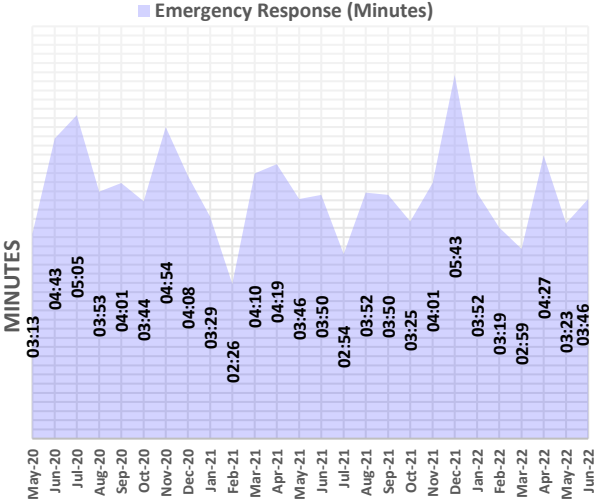
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June 2022 Performance Measurement Review - **Systemwide**

INVESTIGATIVE ASSIGNMENTS

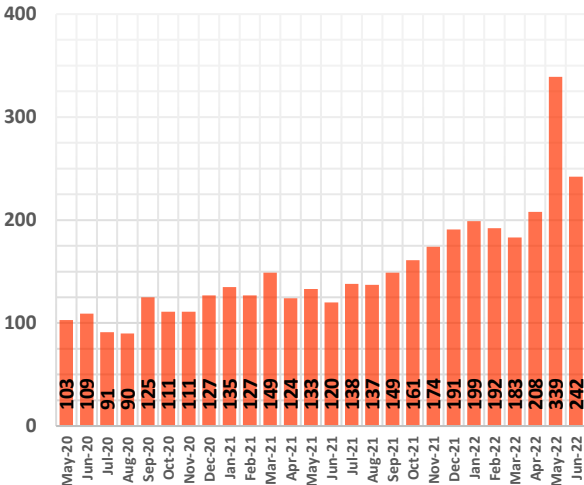


RESPONSE TIME (PRIORITY 1)



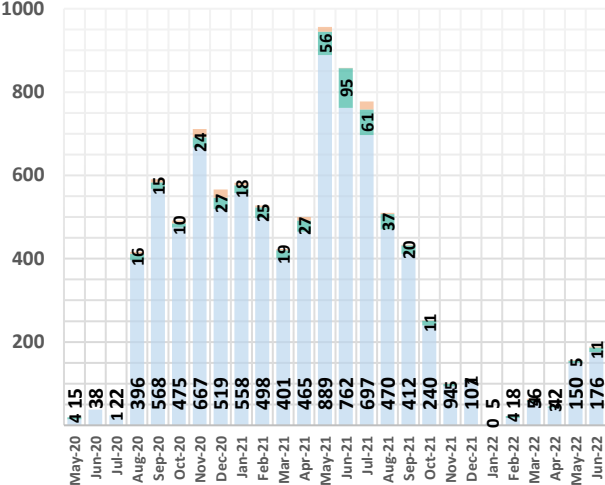
POLICE TRAIN HOLDS

Holds over 5 Minutes



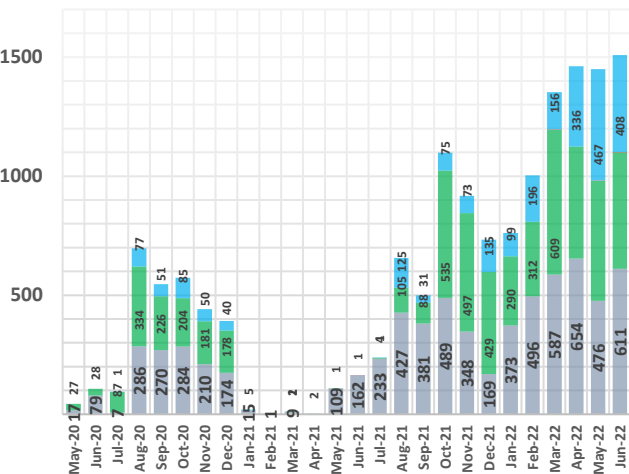
PROOF OF PAYMENT CITATIONS

Adult Juvenile Juvenile Fare Evasion



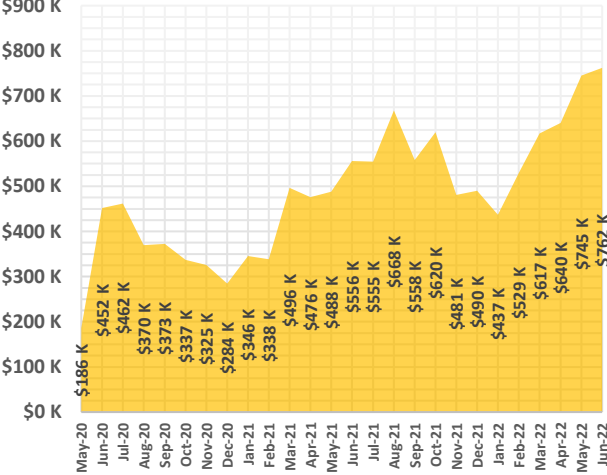
PARKING CITATIONS

Alameda Contra Costa San Francisco San Mateo Santa Clara



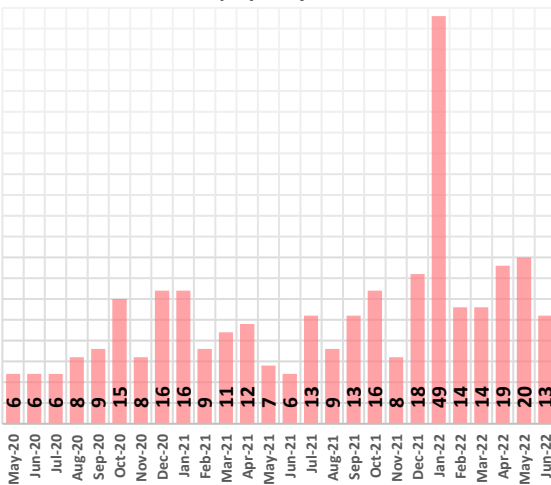
OVERTIME UTILIZATION

(IN THOUSANDS)



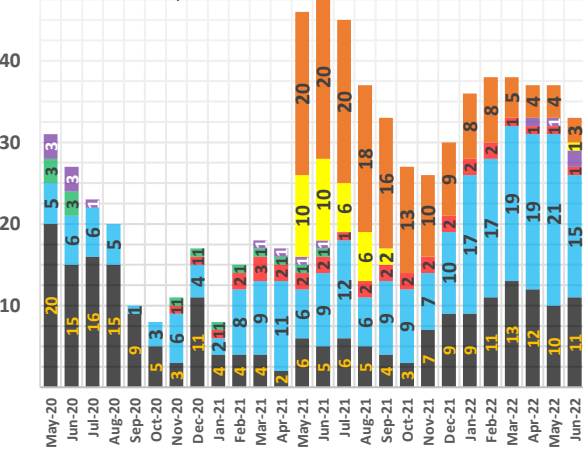
EMPLOYEE INJURIES

Employee Injuries



VACANCIES

Officer CSO/FIO Records Intervention Specialist RPG Dispatch Ambassador



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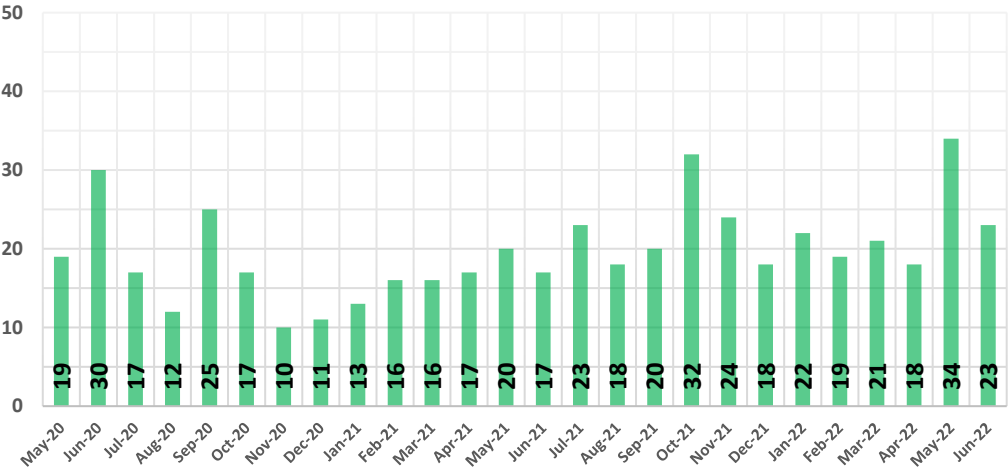


Bay Area Rapid Transit Police Department

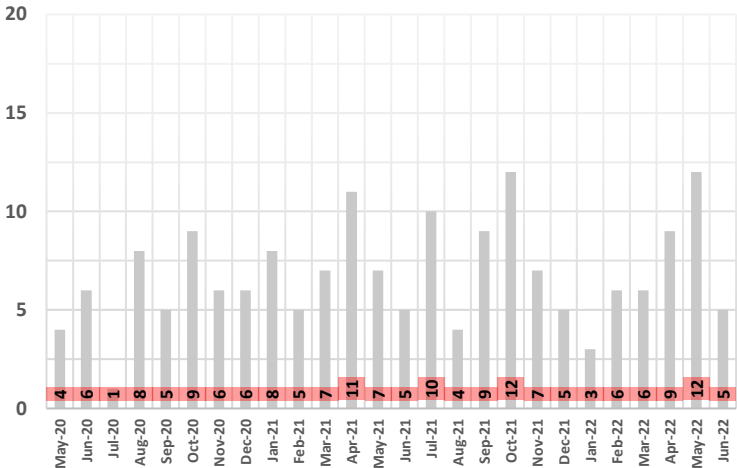
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June 2022 Performance Measurement Review - **Systemwide**

AB716 - PROHIBITION ORDERS

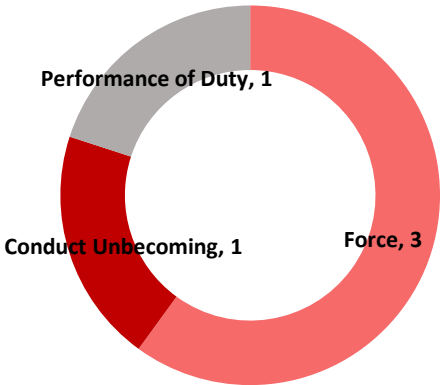


INTERNAL AFFAIRS COMPLAINTS



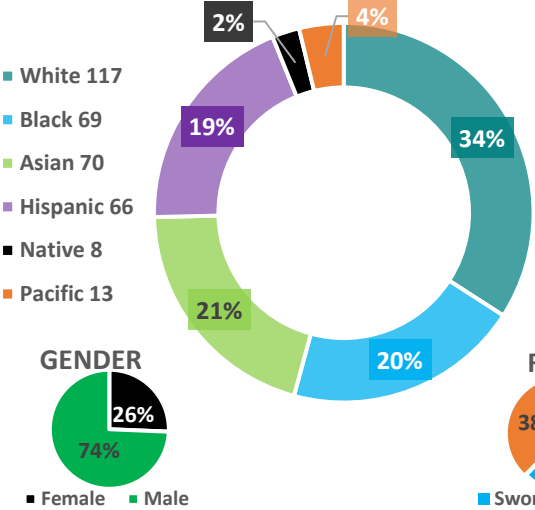
June 2022

IA COMPLAINTS RECEIVED¹

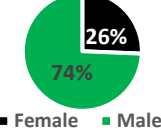


1: Each incident could contain more than one allegation. This chart reflects the most significant allegation per

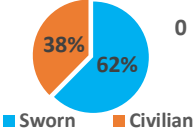
DEPARTMENT ETHNIC DIVERSITY



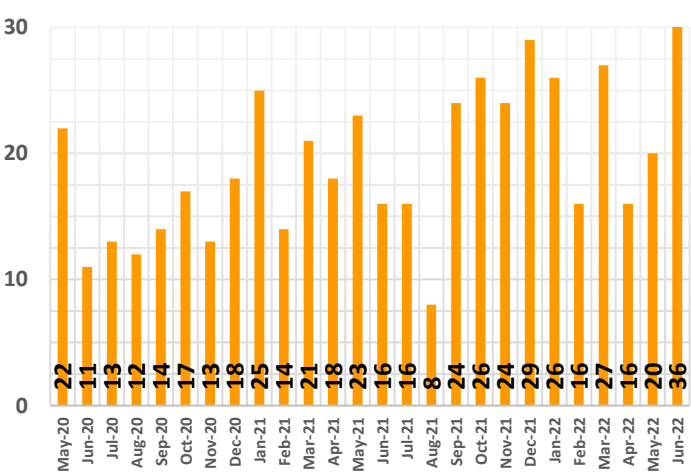
GENDER



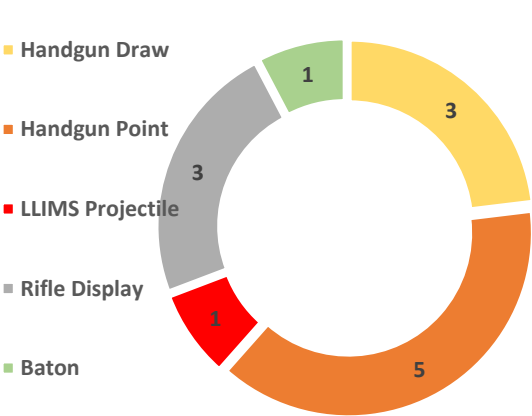
ROLE



USE OF FORCE INCIDENTS

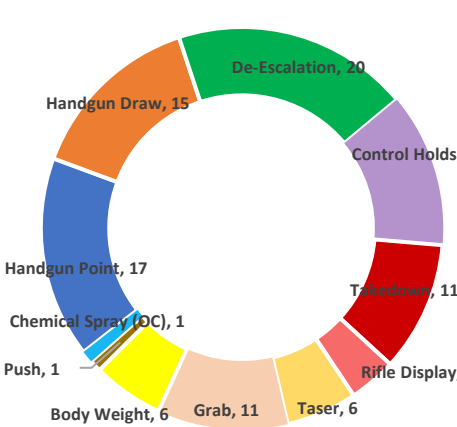


INCIDENT FORCE OPTIONS USED²



3: Some incidents involved the use of multiple force options. If two officers involved in the same incident used the same force option, this data would reflect both officers. As an example, if two officers used control holds in the same incident, this data would reflect two separate control holds.

TYPES OF FORCE USED³



2: Each incident could contain more than one force option. This chart reflects most significant force options used per incident.



Bay Area Rapid Transit Police Department

101 8th St, Oakland, CA, 94607 (510) 464-7000

www.bart.gov/police

June 2022

Performance Measurement Review - **Systemwide**

BART PD Uses of Force													
Use of Force Incidents	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2022 CY	26	16	27	16	20	36							141
2021 CY	25	14	21	18	23	16	16	8	24	26	24	29	244
2020 CY	22	21	16	11	22	11	13	12	14	17	13	18	190
2019 CY	27	20	17	30	21	19	27	27	26	21	14	28	277
2022 YTD	26	42	69	85	105	141							
2021 YTD	25	39	60	78	101	117	133	141	165	191	215	244	
2020 YTD	22	43	59	70	92	103	116	128	142	159	172	190	
2019 YTD	27	47	64	94	115	134	161	188	214	235	249	277	

BART PD Dispatch Communications Center													
Dispatch Center Calls	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2022 Calls for Service	6,087	5,802	7,138	6,936	7,080	7,191							40,234
2022 Priority 1 Calls	141	150	141	151	160	174							917
2022 Medical Emergencies	302	255	286	277	309	353							1,782
2022 Avg P1 Response Time	03:52	03:19	02:59	04:27	03:23	03:46							03:38
2021 Calls for Service	5,966	5,076	5,827	5,706	5,756	5,491	6,017	5,807	6,530	7,031	6,184	6,670	72,061
2021 Priority 1 Calls	96	84	104	88	111	115	108	112	101	137	115	139	1,310
2021 Medical Emergencies	266	191	193	193	197	181	209	195	228	232	199	294	2,578
2021 Avg P1 Response Time	03:29	02:26	04:10	04:19	03:46	03:50	02:54	03:52	03:50	03:25	04:01	05:43	03:49
2020 Calls for Service	7,470	6,753	6,086	4,242	5,583	4,770	5,319	6,008	5,715	5,835	5,678	5,499	68,958
2020 Priority 1 Calls	191	167	138	96	97	121	113	104	110	110	116	82	1,445
2020 Medical Emergencies	306	295	273	173	168	166	176	156	154	125	160	178	2,330
2020 Avg P1 Response Time	04:02	04:12	03:20	03:15	03:13	04:43	05:05	03:53	04:01	03:44	04:54	04:08	04:02
2019 Calls for Service	7,523	7,785	7,829	7,698	7,449	6,676	6,746	7,182	6,770	7,138	6,301	7,643	86,740
2019 Priority 1 Calls	203	181	202	204	202	213	205	199	222	205	192	192	2,420
2019 Medical Emergencies	361	310	370	321	396	360	318	323	339	329	329	381	4,137
2019 Avg P1 Response Time	05:16	05:10	04:49	04:40	03:52	06:17	04:38	06:45	05:34	05:30	04:57	03:47	05:06



Bay Area Rapid Transit Police Department

101 8th St, Oakland, CA, 94607 (510) 464-7000

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June 2022

Performance Measurement Review - **Systemwide**

BART PD Enforcement Contacts													
Felony Arrests	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2022 Felony Arrest	27	35	32	28	52	39							213
2021 Felony Arrest	20	18	30	19	25	22	28	19	30	34	42	37	324
2020 Felony Arrest	51	23	24	21	21	28	23	21	38	22	29	20	321
2019 Felony Arrest	35	41	27	29	35	25	33	43	38	25	32	22	385
2022 Felony Arrest YTD	27	62	94	122	174	213							
2021 Felony Arrest YTD	20	38	68	87	112	134	162	181	211	245	287	324	
2020 Felony Arrest YTD	51	74	98	119	140	168	191	212	250	272	301	321	
2019 Felony Arrest YTD	35	76	103	132	167	192	225	268	306	331	363	385	
Misdemeanor Arrests	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2022 Misd. Arrest	113	91	109	116	127	133							689
2021 Misd. Arrest	82	87	122	114	109	102	117	85	108	158	130	133	1,347
2020 Misd. Arrest	124	101	103	81	114	73	99	95	126	91	89	81	1,177
2019 Misd. Arrest	138	169	147	142	127	101	108	119	92	115	89	118	1,465
2022 Misd. Arrest YTD	113	204	313	429	556	689							
2021 Misd. Arrest YTD	82	169	291	405	514	616	733	818	926	1,084	1,214	1,347	
2020 Misd. Arrest YTD	124	225	328	409	523	596	695	790	916	1,007	1,096	1,177	
2019 Misd. Arrest YTD	138	307	454	596	723	824	932	1,051	1,143	1,258	1,347	1,465	
Cite & Releases	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2022 Cite & Release	74	62	71	86	83	89							465
2021 Cite & Release	52	68	81	71	67	68	70	56	62	86	86	73	840
2020 Cite & Release	68	50	67	72	90	50	61	55	83	61	36	45	738
2019 Cite & Release	107	138	112	83	64	72	62	74	47	81	52	83	975
2022 Cite & Release YTD	74	136	207	293	376	465							
2021 Cite & Release YTD	52	120	201	272	339	407	477	533	595	681	767	840	
2020 Cite & Release YTD	68	118	185	257	347	397	458	513	596	657	693	738	
2019 Cite & Release YTD	107	245	357	440	504	576	638	712	759	840	892	975	
Field Interviews	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2022 Field Interview	634	756	881	827	808	743							4,649
2021 Field Interview	809	659	781	767	746	681	811	695	943	1,017	876	765	9,550
2020 Field Interview	719	787	585	346	665	464	538	766	696	629	663	603	7,461
2019 Field Interview	841	1,011	868	945	765	571	608	714	696	810	561	699	9,089
2022 Field Interview YTD	634	1,390	2,271	3,098	3,906	4,649							
2021 Field Interview YTD	809	1,468	2,249	3,016	3,762	4,443	5,254	5,949	6,892	7,909	8,785	9,550	
2020 Field Interview YTD	719	1,506	2,091	2,437	3,102	3,566	4,104	4,870	5,566	6,195	6,858	7,461	
2019 Field Interview YTD	841	1,852	2,720	3,665	4,430	5,001	5,609	6,323	7,019	7,829	8,390	9,089	
Combined Contacts	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2022 Monthly Enf. Contacts	848	944	1,093	1,057	1,070	1,004							6,016
2021 Monthly Enf. Contacts	963	832	1,014	971	947	873	1,026	855	1,143	1,295	1,134	1,008	12,061
2020 Monthly Enf. Contacts	962	961	779	520	890	615	721	937	943	803	817	749	9,697
2019 Monthly Enf. Contacts	1,121	1,359	1,154	1,199	991	769	811	950	873	1,031	734	922	11,914
2022 Enf. Contacts YTD	848	1,792	2,885	3,942	5,012	6,016							
2021 Enf. Contacts YTD	963	1,795	2,809	3,780	4,727	5,600	6,626	7,481	8,624	9,919	11,053	12,061	
2020 Enf. Contacts YTD	962	1,923	2,702	3,222	4,112	4,727	5,448	6,385	7,328	8,131	8,948	9,697	
2019 Enf. Contacts YTD	1,121	2,480	3,634	4,833	5,824	6,593	7,404	8,354	9,227	10,258	10,992	11,914	



Bay Area Rapid Transit Police Department
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June 2022 Performance Measurement Review - **Systemwide**

BART PD Warrant Arrests													
Warrant Arrests	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2022 BART Felony	2	1	3	6	1	0							13
2022 BART Misdemeanor	3	4	10	11	10	8							46
2022 Outside Felony	51	48	53	53	54	47							306
2022 Outside Misdemeanor	61	83	93	135	120	112							604
2022 Monthly Total	117	136	159	205	185	167							969
2022 YTD Total	117	253	412	617	802	969							
2021 BART Felony	2	2	0	2	4	4	8	2	6	0	2	4	36
2021 BART Misdemeanor	7	9	7	4	6	7	9	4	15	6	9	9	92
2021 Outside Felony	38	37	35	56	39	32	42	39	71	48	40	49	526
2021 Outside Misdemeanor	56	45	36	46	65	70	76	61	121	108	82	103	869
2021 Monthly Total	103	93	78	108	114	113	135	106	213	162	133	165	1,523
2021 YTD Total	103	196	274	382	496	609	744	850	1,063	1,225	1,358	1,523	
2020 BART Felony	0	2	0	0	0	2	4	4	0	6	2	2	22
2020 BART Misdemeanor	4	3	1	0	1	2	0	4	2	2	2	1	22
2020 Outside Felony	21	27	18	7	21	15	33	29	33	33	38	35	310
2020 Outside Misdemeanor	75	53	37	8	30	28	20	32	42	33	34	33	425
2020 Monthly Total	100	85	56	15	52	47	57	69	77	74	76	71	779
2020 YTD Total	100	185	241	256	308	355	412	481	558	632	708	779	
2019 BART Felony	4	2	2	4	0	2	0	0	0	6	0	0	20
2019 BART Misdemeanor	2	12	3	5	0	3	7	10	2	1	3	7	55
2019 Outside Felony	21	37	27	19	16	14	29	15	18	25	25	20	266
2019 Outside Misdemeanor	72	75	87	76	61	43	60	56	69	71	86	65	821
2019 Monthly Total	99	126	119	104	77	62	96	81	89	103	114	92	1,162
2019 YTD Total	99	225	344	448	525	587	683	764	853	956	1,070	1,162	



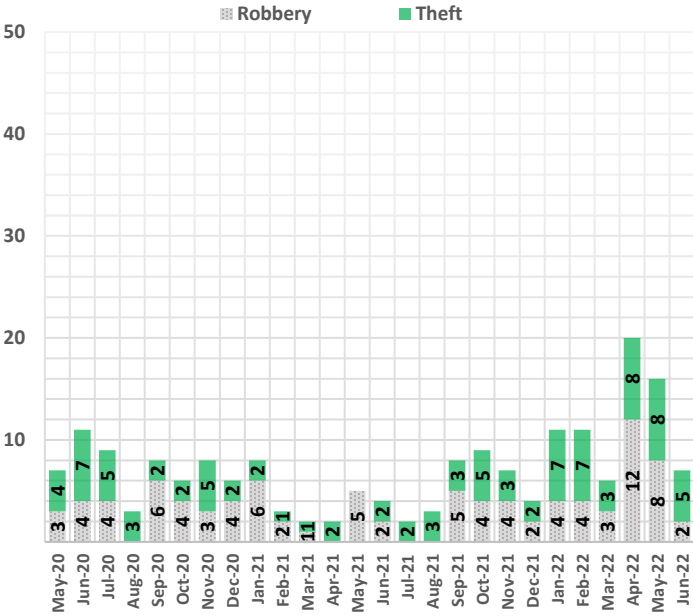
Bay Area Rapid Transit Police Department

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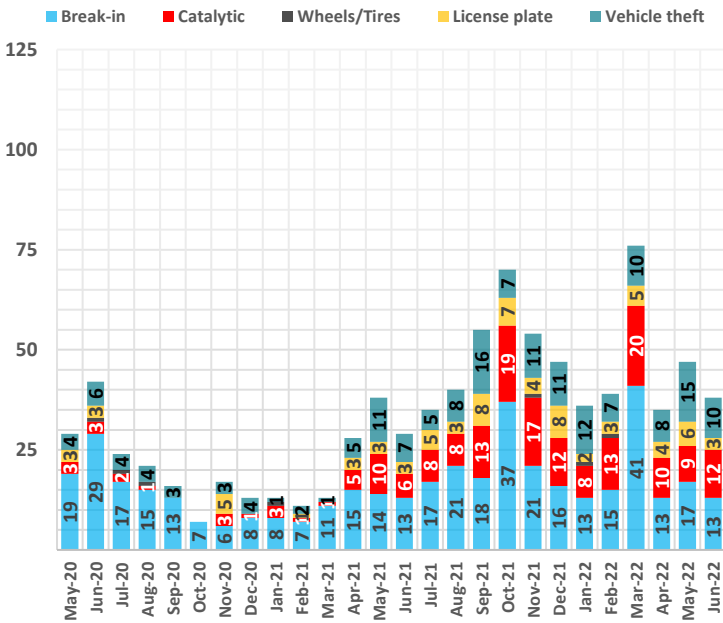
June 2022 Performance Measurement Review - **Alameda County**

PART 1 UCR Crime	2018	2019	2020	2021	YTD 2021	YTD 2022	PCT %
Homicide	2	1	0	0	0	1	-%
Rape	3	2	3	2	1	2	+100%
Robbery	211	229	122	64	32	53	+66%
Aggravated Assault	87	52	54	34	14	19	+36%
Violent Crime Subtotal	303	284	179	100	47	75	+60%
Burglary (Structural)	11	13	9	6	4	4	0%
Larceny & Auto Burglary	1,262	1,634	577	472	170	259	+52%
Auto Theft	201	149	56	85	27	52	+93%
Arson	3	5	2	2	0	2	-%
Property Crime Subtotal	1,477	1,801	644	565	201	317	+58%
TOTAL	1,780	2,085	823	665	248	392	+58%

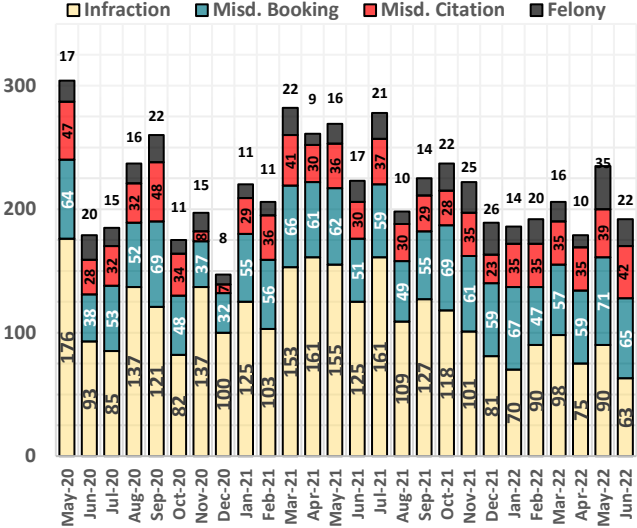
ALAMEDA ELECTRONIC THEFT



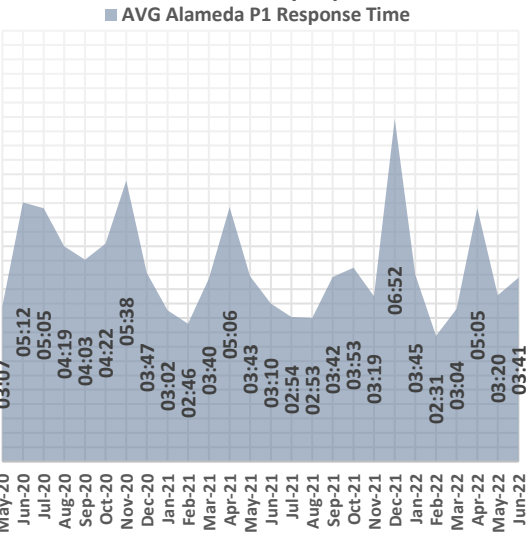
ALAMEDA VEHICLE CRIME



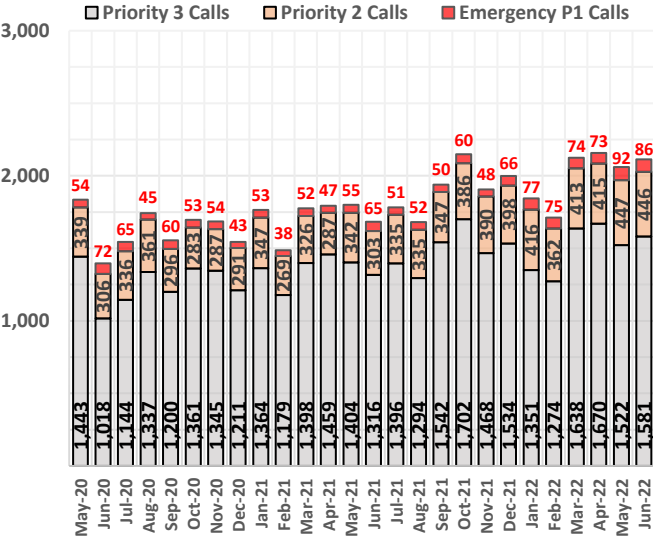
ALAMEDA ARRESTS & CITATIONS



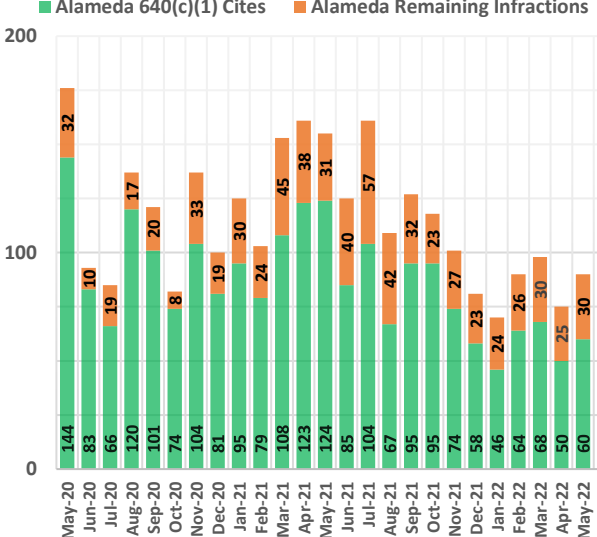
RESPONSE TIME (P1) AVG



ALAMEDA PRIORITY 1 - 3 CALLS



ALAMEDA FARE EVASION



Preface: The data is retrieved from the BART Police Database and remains unaudited until corrections. Numbers may differ from the reported data in the Uniform Crime Reporting (UCR) program.

Late reporting, the reclassification or unfounding of crimes, may affect statistics. Infraction citations consist of all individual charges. Felony arrests, misdemeanor arrests and citations are based on each instance per individual



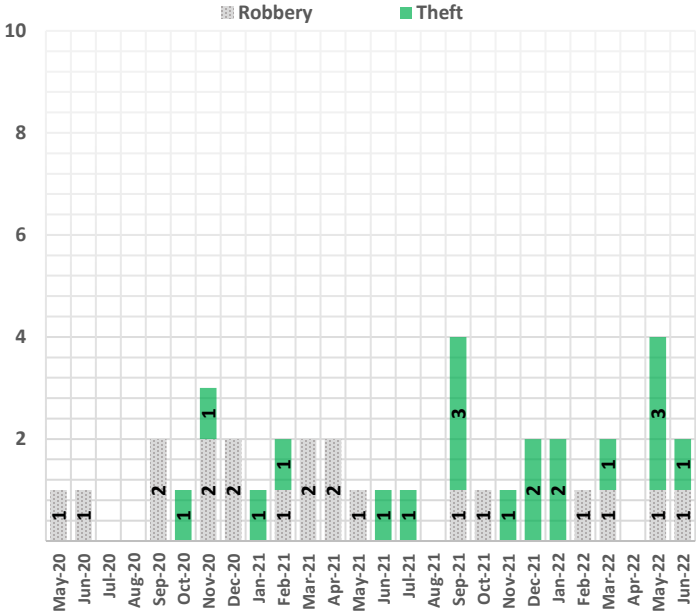
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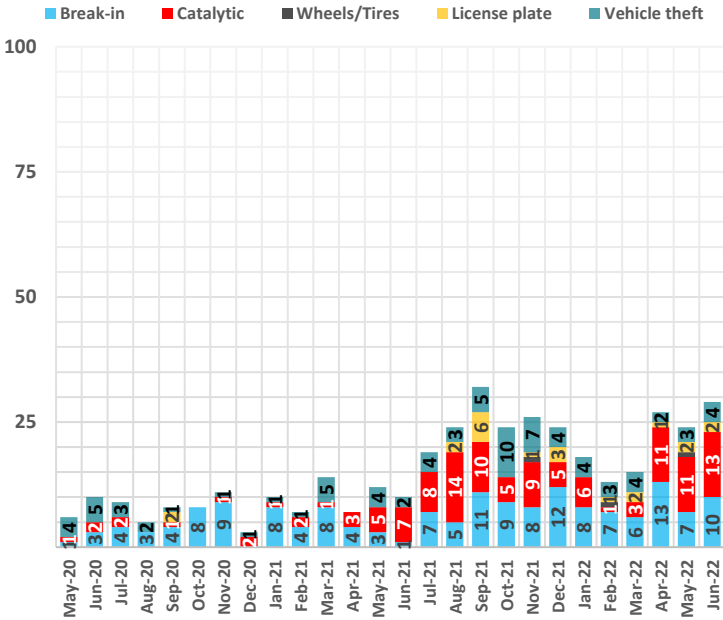
June 2022 Performance Measurement Review - Contra Costa County

PART 1 UCR Crime	2018	2019	2020	2021	YTD 2021	YTD 2022	PCT %
Homicide	1	0	0	0	0	0	-%
Rape	0	4	0	4	1	2	+100%
Robbery	29	34	23	19	13	8	-38%
Aggravated Assault	20	23	17	19	8	12	+50%
Violent Crime Subtotal	50	61	40	42	22	22	0%
Burglary (Structural)	1	2	1	1	0	4	-%
Larceny & Auto Burglary	669	592	202	226	81	140	+73%
Auto Theft	124	81	40	46	13	20	+54%
Arson	1	0	0	0	0	4	-%
Property Crime Subtotal	795	675	243	273	94	168	+79%
TOTAL	845	736	283	315	116	190	+64%

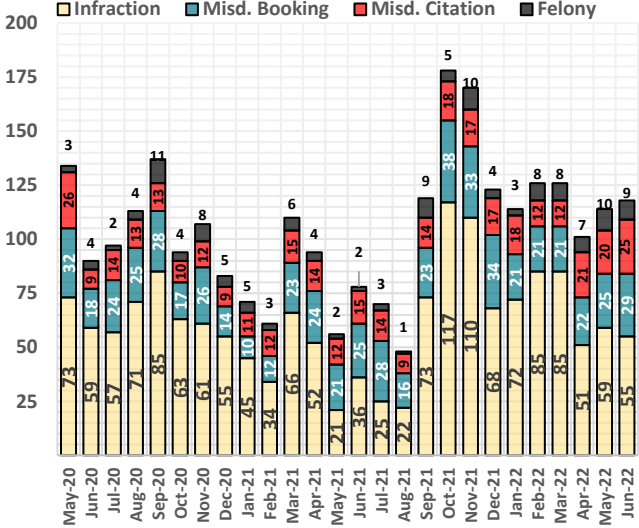
CONTRA COSTA ELECTRONIC THEFT



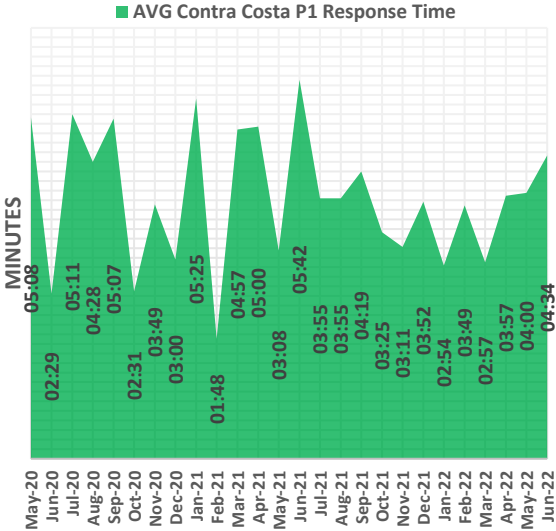
CONTRA COSTA VEHICLE CRIME



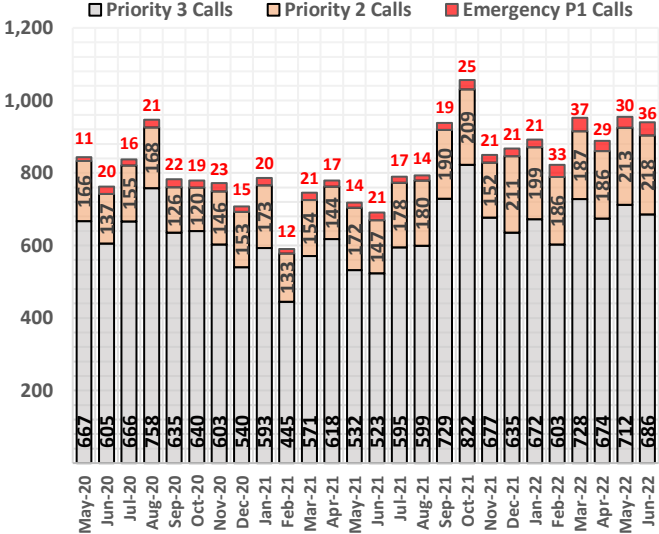
COCO ARRESTS & CITATIONS



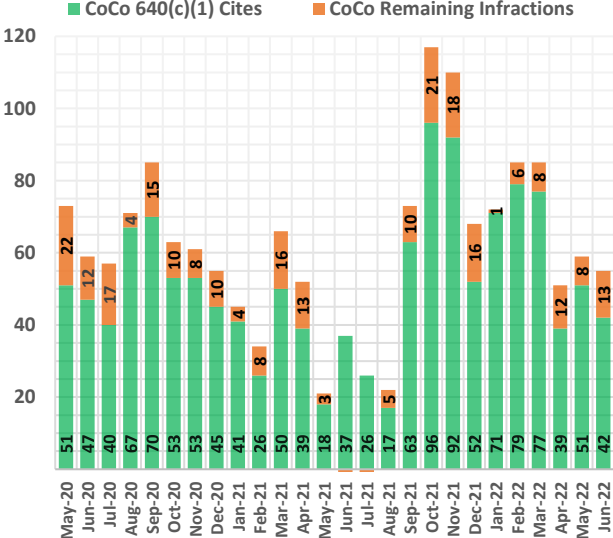
RESPONSE TIME (P1) AVG



COCO PRIORITY 1 - 3 CALLS



COCO FARE EVASION



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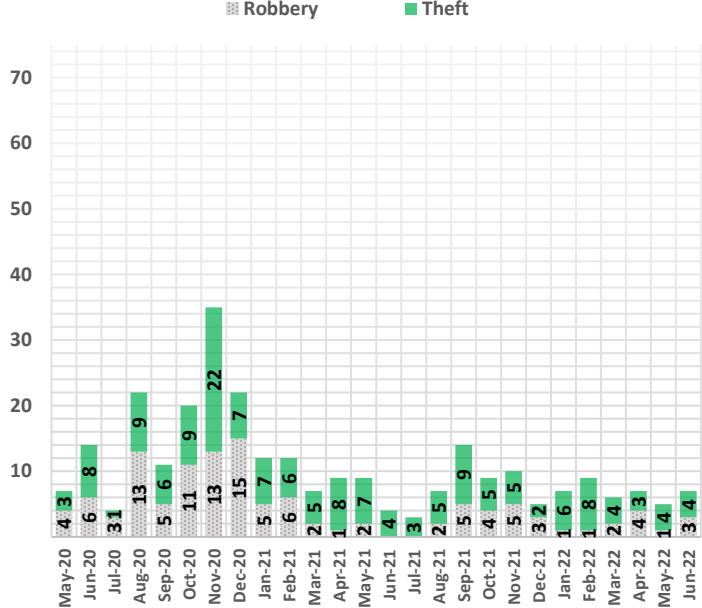
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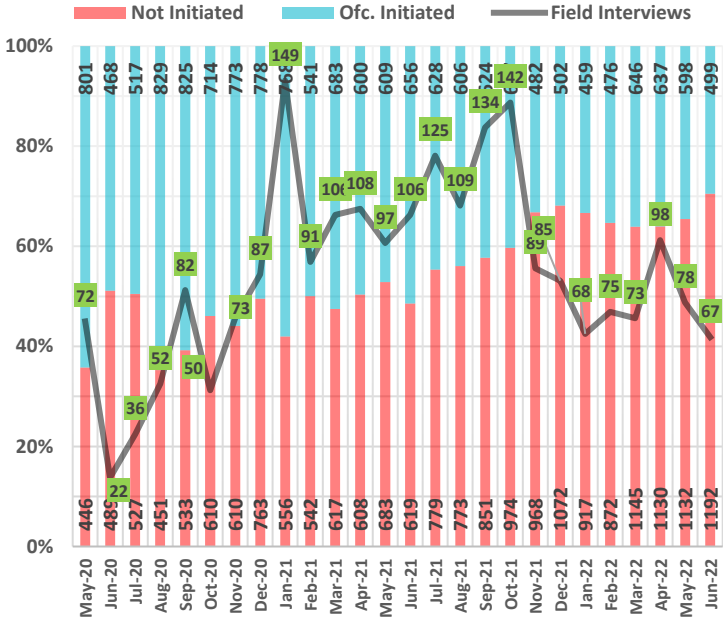
June 2022 Performance Measurement Review - San Francisco County

PART 1 UCR Crime	2018	2019	2020	2021	YTD 2021	YTD 2022	PCT %
Homicide	0	0	0	0	0	1	-%
Rape	0	0	4	1	0	0	-%
Robbery	97	104	101	47	19	20	+5%
Aggravated Assault	18	28	19	16	7	5	-29%
Violent Crime Subtotal	115	132	124	64	26	26	0%
Burglary (Structural)	6	4	1	3	0	4	-%
Larceny & Auto Burglary	473	619	200	103	52	44	-15%
Auto Theft	1	1	0	0	0	0	-%
Arson	0	0	1	2	0	1	-%
Property Crime Subtotal	480	624	202	108	52	49	-6%
TOTAL	595	756	326	172	78	75	-4%

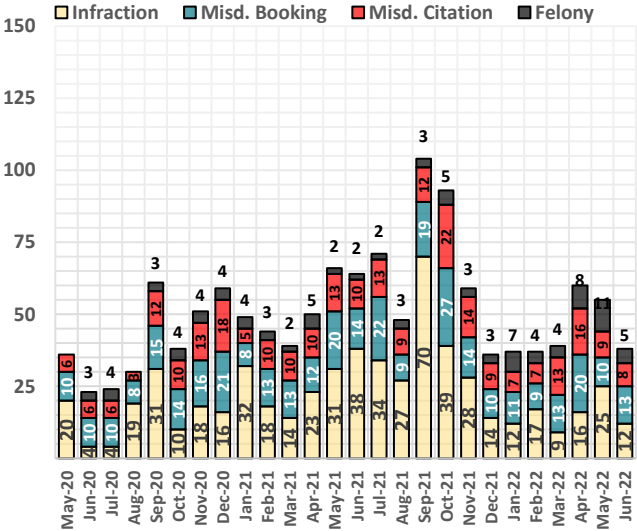
SAN FRANCISCO ELECTRONIC THEFT



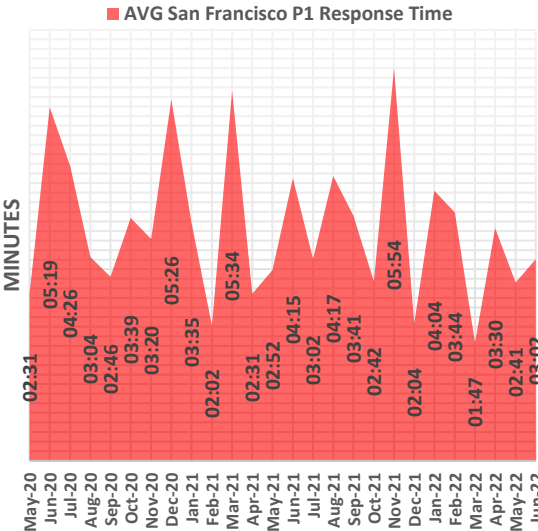
SF OFFICER-INITIATED INCIDENTS



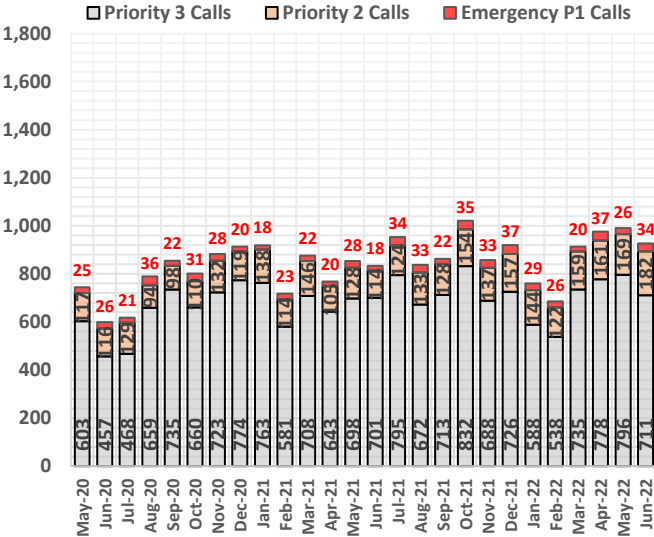
SF ARRESTS & CITATIONS



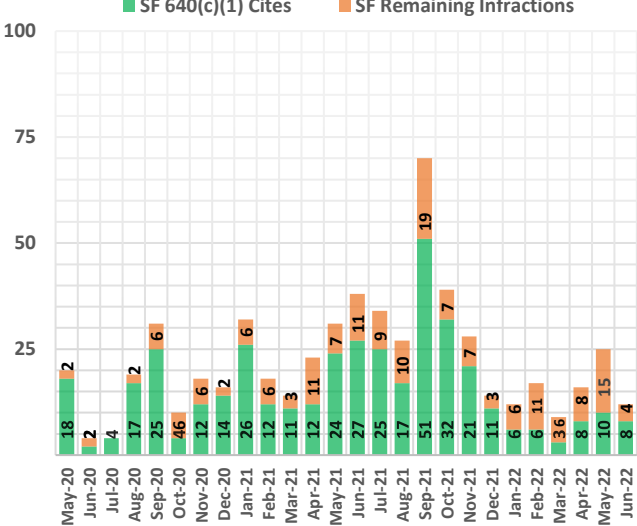
RESPONSE TIME (P1) AVG



SF PRIORITY 1 - 3 CALLS



SAN FRANCISCO FARE EVASION



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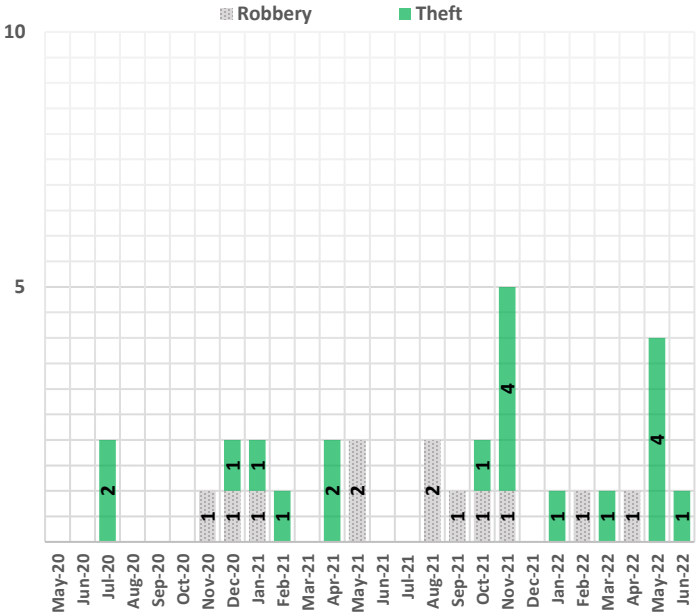
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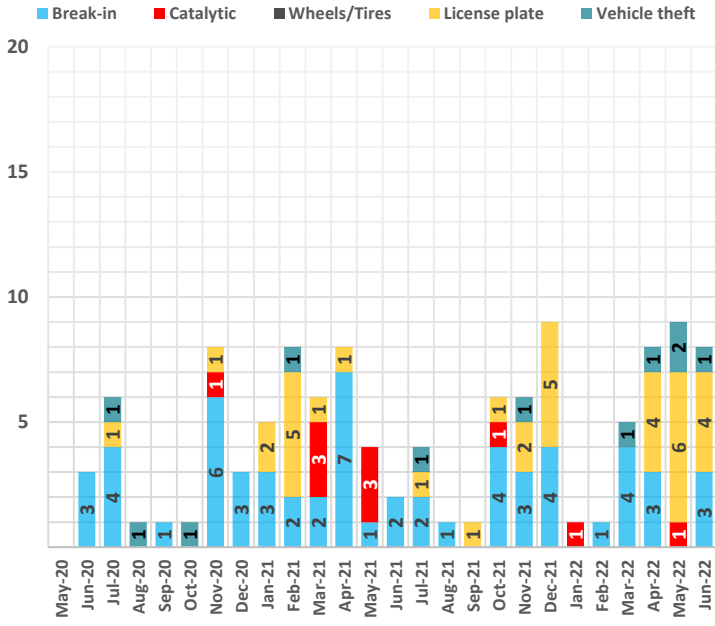
June 2022 Performance Measurement Review - **San Mateo County**

PART 1 UCR Crime	2018	2019	2020	2021	YTD 2021	YTD 2022	PCT %
Homicide	0	0	0	0	0	0	-%
Rape	0	1	1	1	1	0	-100%
Robbery	8	13	6	10	5	7	+40%
Aggravated Assault	5	8	4	2	2	2	0%
Violent Crime Subtotal	13	22	11	13	8	9	+13%
Burglary (Structural)	0	0	1	1	0	1	-%
Larceny & Auto Burglary	161	332	75	81	46	30	-35%
Auto Theft	19	13	4	3	1	5	+400%
Arson	0	0	1	1	0	1	-%
Property Crime Subtotal	180	345	81	86	47	37	-21%
TOTAL	193	367	92	99	55	46	-16%

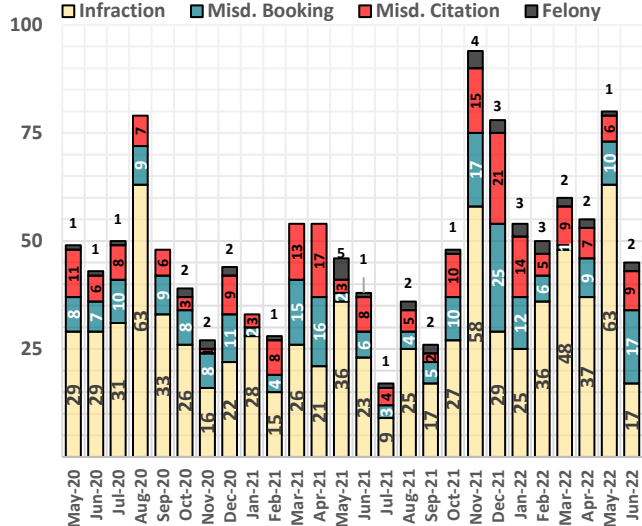
SAN MATEO ELECTRONIC THEFT



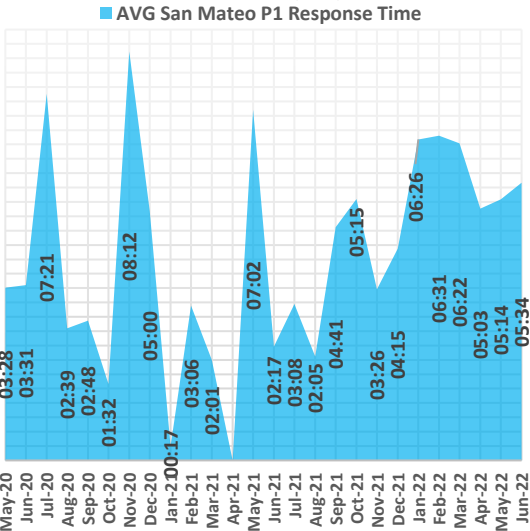
SAN MATEO VEHICLE CRIME



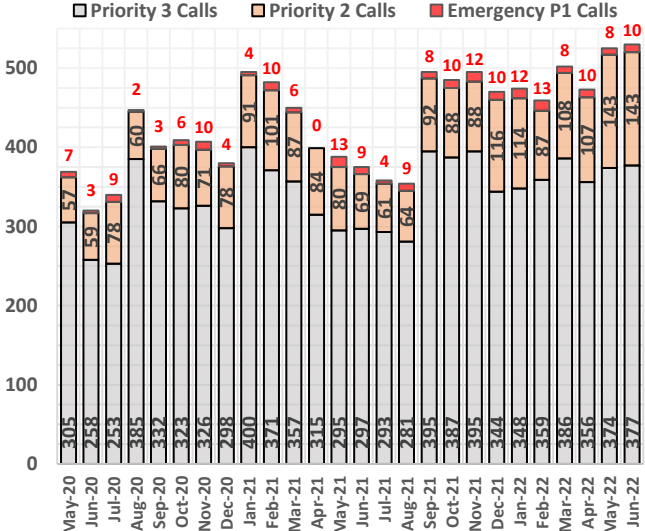
SMC ARRESTS & CITATIONS



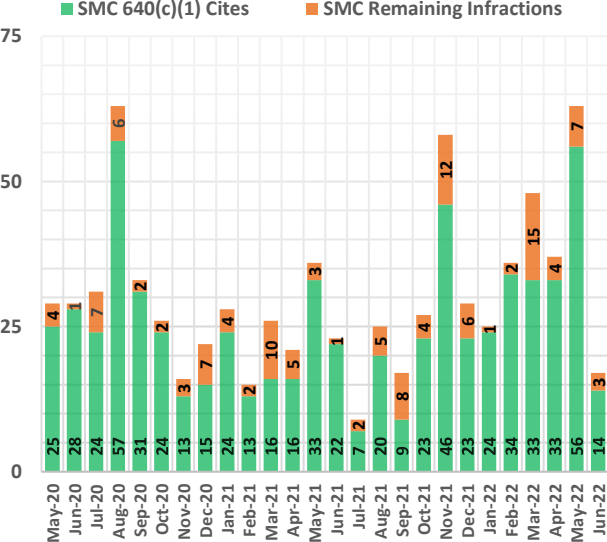
RESPONSE TIME (P1) AVG



SMC PRIORITY 1 - 3 CALLS



SMC FARE EVASION



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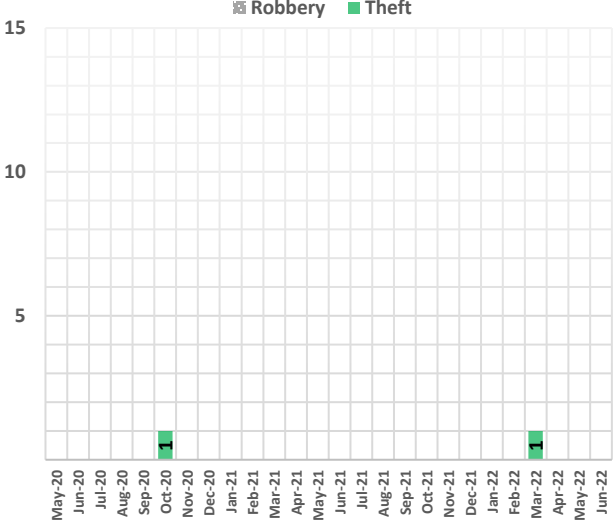
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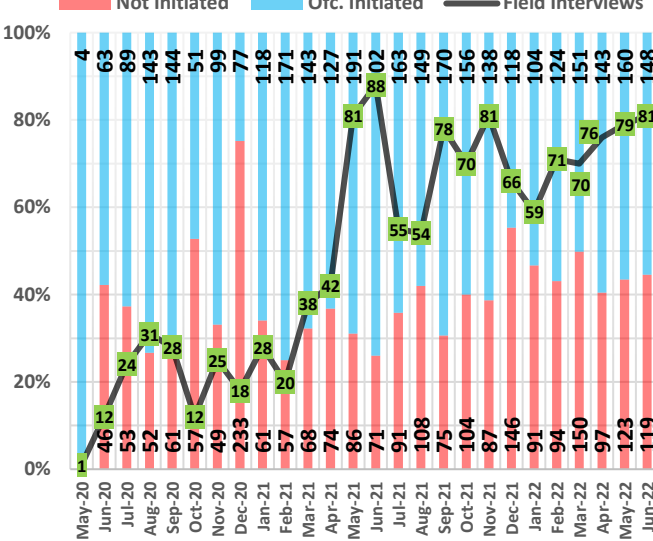
June 2022 Performance Measurement Review - Santa Clara County

PART 1 UCR Crime	2018	2019	2020	2021	YTD 2021	YTD 2022	PCT %
Homicide	-	-	-	0	0	0	-%
Rape	-	-	-	0	0	0	-%
Robbery	-	-	-	2	1	0	-100%
Aggravated Assault	-	-	1	0	0	1	-%
Violent Crime Subtotal	0	0	1	2	1	1	0%
Burglary (Structural)	-	-	-	0	0	0	-%
Larceny & Auto Burglary	-	-	1	0	0	0	-%
Auto Theft	-	-	-	0	0	0	-%
Arson	-	-	-	0	0	0	-%
Property Crime Subtotal	0	0	1	0	0	0	-%
TOTAL	0	0	2	2	1	1	0%

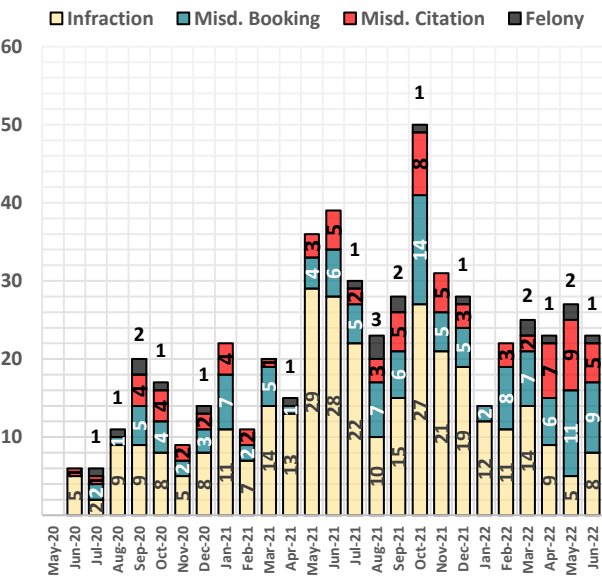
SANTA CLARA ELECTRONIC THEFT



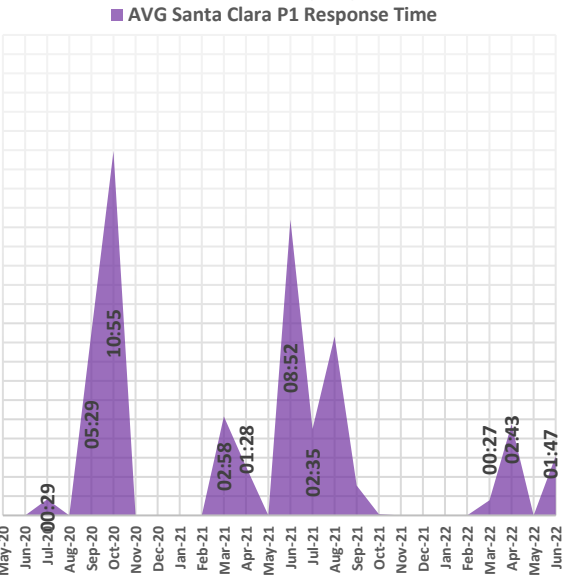
SCC OFFICER-INITIATED INCIDENTS



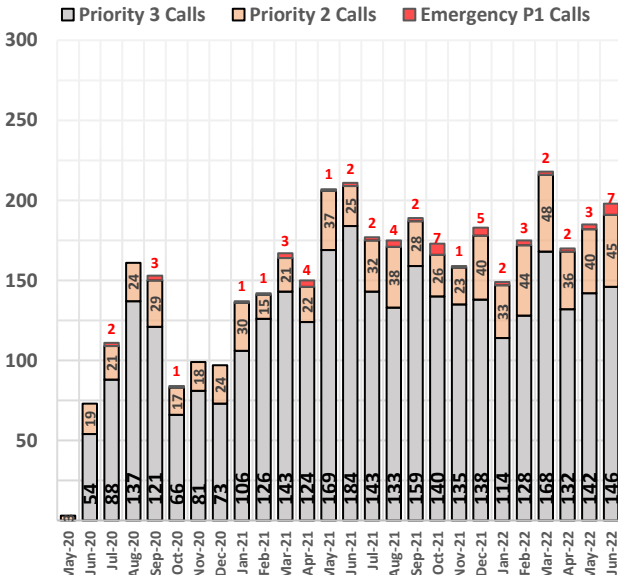
SCC ARRESTS & CITATIONS



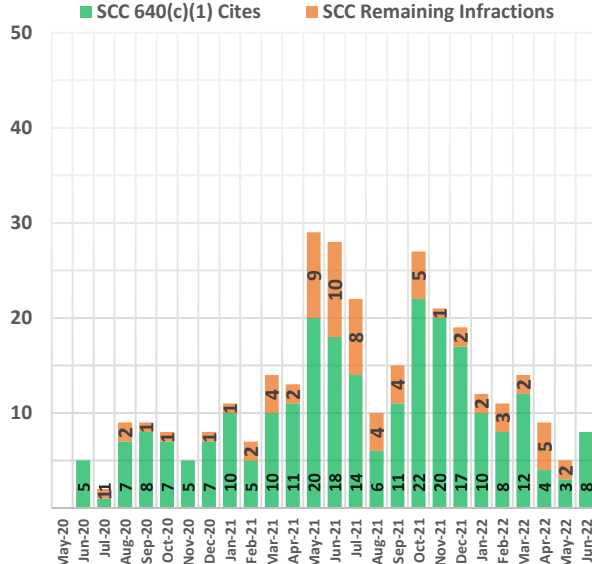
RESPONSE TIME (P1) AVG



SCC PRIORITY 1 - 3 CALLS



SCC FARE EVASION



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Internal Affairs Division Acronyms

Admin: Administrative

OIPA Investigation: Office of the Independent Police Auditor is conducting the investigation

S.R.: Supervisor Referral

Tolled: Internal Affairs Investigation is on hold (paused)

Allegation Types

Arrest or Detention

BBP: Bias Based Policing

CUBO: Conduct Unbecoming an Officer

Courtesy

Force

POD: Performance of Duty

Policy Complaint

Policy/Procedure

Racial Animus

Reporting Misconduct

Search or Seizure

Service Review

Supervision

Truthfulness

Workplace Discrimination/Harassment

BART Police Department - Office of Internal Affairs

Investigation Log

IA#:	DATE OCC'D	DATE REC'D	ALLEGATION	MISC	INVESTIGATOR	STATUS	5 Month Date	Due Date
IA2018-001	1/3/2018	1/3/2018	Force (OIS)		Lt. Salas	Tolled	6/4/2018	
IA2018-060	7/22/2018	7/23/2018	Service Review		Lt. Salas	Tolled	12/23/2018	
IA2020-017	2/15/2020	2/15/2020	Force		Sgt. Spears	Tolled	7/16/2020	2/15/2021
IA2021-055	7/21/2021	7/21/2021	CUBO		Sgt. Turner	In Progress	12/20/2021	7/21/2022
IA2021-056	7/18/2021	7/27/2021	Force/ Arrest & Detention		Sgt. Spears	In Progress	12/26/2021	7/27/2022
IA2021-057	7/28/2021	7/28/2021	Bias Based Policing		Sgt. Spears	In Progress	12/27/2021	7/28/2022
IA2021-058	7/16/2021	8/2/2021	Force, BBP, POD, CUBO		Sgt. Turner	Tolled	1/1/2022	8/2/2022
IA2021-059	8/16/2021	8/16/2021	Force		Sgt. Turner	In Progress	1/15/2022	8/16/2022
IA2021-060	8/14/2021	8/14/2021	Force, CUBO		Sgt. Turner	In Progress	1/13/2022	8/14/2022
IA2021-061	8/19/2021	8/19/2021	CUBO		Sgt. Spears	In Progress	1/18/2022	8/19/2022
IA2021-062	4/6/2021	9/2/2021	Force, POD		Sgt. Turner	In Progress	2/1/2022	9/2/2022
IA2021-063	9/16/2021	9/16/2021	Force		Sgt. Turner	In Progress	2/15/2022	9/16/2022
IA2021-064	9/16/2021	9/20/2021	Force		Sgt. Turner	In Progress	2/19/2022	9/20/2022
IA2021-065	9/15/2021	9/20/2021	Force		Sgt. Spears	In Progress	2/19/2022	9/20/2022

IA2021-066	9/22/2021	9/22/2021	Bias-Based Policing	clear by video request sent to oipa on 11/1/21	Sgt. Spears	Pending Approval	2/21/2022	9/22/2022
IA2021-067	9/22/2021	9/22/2021	Bias-Based Policing		Sgt. Turner	In Progress	2/21/2022	9/22/2022
IA2021-068	9/12/2021	9/14/2021	CUBO		Sgt. Spears	In Progress	3/1/2022	9/14/2022
IA2021-069	9/23/2021	9/27/2021	Bias-Based Policing		Sgt. Spears	In Progress	3/1/2022	9/27/2022
IA2021-070	9/24/2021	9/24/2021	Force		Sgt. Turner	In Progress	2/23/2021	9/24/2022
IA2021-073	3/29/2021	10/4/2021	Force		Sgt. Spears	In Progress	3/5/2022	10/4/2022
IA2021-074	9/25/2021	10/1/2021	Force, Arrest/Detention, Policy/Procedure	Retained by OIPA #21-19	OIPA	OIPA Investigation	3/2/2022	10/1/2022
IA2021-076	10/13/2021	10/13/2021	Force		Sgt. Turner	In Progress	3/14/2022	10/13/2022
IA2021-077	10/8/2021	10/12/2021	Bias Based Policing		Sgt. Turner	In Progress	3/13/2021	10/12/2022
IA2021-078	10/15/2021	10/15/2021	BBP, CUBO		Sgt. Turner	In Progress	3/16/2021	10/15/2022
IA2021-079	10/11/2021	10/13/2021	Arrest/Detention		Sgt. Spears	In Progress	3/22/2022	10/13/2022
IA2021-080	10/14/2021	10/20/2021	CUBO		Sgt. Spears	In Progress	3/22/2022	10/20/2022
IA2021-081	12/31/2019	10/13/2021	Force		Sgt. Turner	Tolled	3/14/2022	10/13/2022
IA2021-083	10/15/2021	10/15/2021	Force		Sgt. Spears	In Progress	3/16/2021	10/15/2022
IA2021-084	10/21/2021	10/21/2021	POD		Sgt. Turner	In Progress	3/22/2022	10/21/2022

IA2021-085	10/26/2021	10/26/2021	Force, BBP Arrest/Detention		Sgt. Spears	In Progress	3/27/2022	10/26/2022
IA2021-086	10/27/2021	11/1/2021	Force	Retained by OIPA #21-24	OIPA	OIPA Investigation	4/2/2022	11/1/2022
IA2021-087		11/1/2021	POD, Truthfulness, Policy/Procedure, CUBO		Sgt. Turner	In Progress	4/2/2022	11/1/2022
IA2021-088	10/31/2021	10/31/2021	Force		Sgt. Spears	In Progress	4/1/2022	10/31/2022
IA2021-089	11/1/2021	11/1/2021	Force		Sgt. Spears	In Progress	4/2/2022	11/1/2022
IA2021-090	11/4/2021	11/8/2021	Force		Sgt. Spears	In Progress	4/9/2022	11/8/2022
IA2021-091	11/10/2021	11/12/2021	POD	OIPA Intake #21-24, Possible Admin Closure	Sgt. Turner	In Progress	4/13/2022	11/12/2022
IA2021-092	11/12/2021	11/16/2021	Force, Arrest/Detention		Sgt. Spears	In Progress	4/17/2022	11/16/2022
IA2021-093	11/2/2021	11/10/2021	Arrest/Detention		Sgt. Spears	In Progress	4/30/2022	11/10/2022
IA2021-095	6/29/2016	10/25/2021	POD	Possible Admin Clourse	Sgt. Spears	In Progress	3/26/2022	10/25/2022
IA2021-096	12/5/2021	12/8/2021	Force		Sgt. Turner	In Progress	5/9/2022	12/8/2022
IA2021-097	12/3/2021	12/17/2021	POD, CUBO Policy/Procedure (Report Writing), Axon Camera		Sgt. Spears	In Progress	5/23/2022	12/17/2022

IA2021-099	11/24/2021	11/26/2021	CUBO		Sgt. Spears	In Progress	5/28/2022	11/26/2022
IA2021-102	10/2/2021	10/15/2021	POD, Policy/Procedure (Report Writing)	OIPA Intake #21-21	Sgt. Spears	In Progress	3/16/2022	10/15/2022
IA2022-001	1/13/2022	1/18/2022	Force		Sgt. Turner	In Progress	6/19/2022	1/18/2023
IA2022-002	1/1/2022	1/4/2022	POD	Retained by OIPA #22-01	OIPA	In Progress	6/5/2022	1/4/2023
IA2022-003	1/24/2022	1/26/2022	CUBO		Sgt. Spears	In Progress	6/28/2022	1/26/2023
IA2022-004	2/3/2022	2/4/2022	Force, CUBO, POD		Sgt. Turner	In Progress	7/6/2022	2/4/2023
IA2022-005	2/8/2022	2/8/2022	Search/Seizure, CUBO, Axon	OIPA Intake #22-09	Sgt. Spears	In Progress	7/10/2022	2/8/2023
IA2022-006	2/8/2022	2/8/2022	POD, CUBO, Axon		Sgt. Spears	In Progress	7/10/2022	2/8/2023
IA2022-008	12/4/2020	2/10/2022	Arrest/Detention, Policy/Procedure	Retained by OIPA #22-04	OIPA	OIPA Investigation	7/12/2022	2/10/2023
IA2022-009	2/8/2022	2/9/2022	Arrest/Detention, Force, CUBO	OIPA deferred to IA #22-03	Sgt. Turner	In Progress	7/11/2022	2/9/2023
IA2022-010	2/20/2022	3/2/2022	Arrest/Detention, Search or Seizure, CUBO, BBP		Sgt. Turner	In Progress	8/1/2022	3/2/2023
IA2022-011	3/2/2022	3/3/2022	POD, CUBO		Sgt. Turner	In Progress	8/2/2022	3/3/2023
IA2022-012	3/12/2022	3/12/2022	BBP, CUBO		Sgt. Spears	In Progress	8/13/2022	3/12/2023

IA2022-013	3/8/2022	3/8/2022	Force, BBP		Sgt. Turner	In Progress	8/13/2022	3/8/2023
IA2022-014	Unknown	3/14/2022	Unknown	OIPA deferred to IA #22-10	Sgt. Spears	In Progress	8/13/2022	3/14/2023
				Inquiry				
IA2022-015	3/20/2022	3/21/2022	Force, CUBO		Sgt. Spears	In Progress	8/20/2022	3/21/2023
IA2022-016	4/7/2022	4/7/2022	POD, CUBO	OIPA deferred to IA #22-12	Sgt. Spears	In Progress	9/6/2022	4/7/2023
IA2022-017	4/9/2022	4/12/2022	POD		Sgt. Turner	In Progress	9/11/2022	4/12/2023
IA2022-018	12/30/2019	4/10/2022	Arrest/Detention, Policy/Procedure, Force, CUBO	OIPA deferred to IA #22-15	Sgt. Turner	In Progress	9/9/2022	12/30/2020
IA2022-019	4/11/2022	4/11/2022	BBP	OIPA deferred to IA #22-14	Sgt. Spears	In Progress	9/10/2022	4/11/2023
IA2022-020	4/12/2022	4/12/2022	BBP, Policy/Procedure	OIPA deferred to IA #22-16	Sgt. Turner	In Progress	9/13/2022	4/12/2023
IA2022-022	4/17/2022	4/17/2022	CUBO, BBP, Axon		Sgt. Spears	In Progress	9/17/2022	4/17/2023
IA2022-023	3/14/2022	3/14/2022	Force, CUBO		Sgt. Spears	In Progress	8/13/2022	3/14/2023
IA2022-024	4/22/2022	4/22/2022	CUBO		Sgt. Turner	In Progress	9/21/2022	4/22/2023
IA2022-025	4/25/2022	4/25/2022	BBP & POD, Axon		Sgt. Spears	In Progress	9/24/2022	4/25/2023
IA2022-026	5/4/2022	5/5/2022	CUBO		Sgt. Turner	In Progress	10/4/2022	5/5/2023
IA2022-027	4/30/2022	4/30/2022	Force		Sgt. Spears	In Progress	10/9/2022	4/30/2023
IA2022-028	5/11/2022	5/11/2022	CUBO	S.R.?	Sgt. Turner	In Progress	10/11/2022	5/11/2023

IA2022-029	4/19/2022	5/10/2022	CUBO, Policy/Procedure	OIPA deferred to IA #22-20	Sgt. Spears	In Progress	10/9/2022	5/10/2023
IA2022-030	11/22/2021	5/12/2022	POD, CBO		Sgt. Turner	In Progress	10/11/2022	5/12/2023
IA2022-031	4/21/2022	4/21/2022	Force		Sgt. Spears	In Progress	10/15/2022	4/21/2023
IA2022-032	5/17/2022	5/17/2022	Force		Sgt. Turner	In Progress	10/17/2022	5/17/2023
IA2022-033	5/14/2022	5/20/2022	CUBO		Sgt. Turner	In Progress	10/19/2022	5/20/2023
IA2022-034	5/24/2022	5/24/2022	POD		Sgt. Spears	In Progress	10/23/2022	5/24/2023
IA2022-035	5/24/2022	5/24/2022	Force, BBP		Sgt. Spears	In Progress	10/23/2022	5/24/2023
IA2022-036	5/26/2022	5/26/2022	POD		Sgt. Turner	In Progress	10/26/2022	5/26/2023
IA2022-037	5/23/2022	5/30/2022	Force		Sgt. Spears	In Progress	10/30/2022	5/30/2023
IA2022-038	5/30/2022	5/31/2022	Force, BBP		Sgt. Spears	In Progress	10/30/2022	5/31/2023
IA2022-039	5/24/2022	5/24/2022	Force		Sgt. Turner	In Progress	10/23/2022	5/24/2023
IA2022-040	6/1/2022	6/1/2022	Force, POD, Axon, Policy/Procedure, CUBO		Sgt. Turner	In Progress	11/5/2022	6/1/2023
IA2022-041	6/6/2022	6/7/2022	CUBO, Workplace Discrimination/ Harrassment		Sgt. Turner	In Progress	11/6/2022	6/7/2023
IA2022-042	6/3/2022	6/3/2022	Force		Sgt. Spears	In Progress	11/2/2022	6/3/2023
IA2022-043	6/2/2022	6/8/2022	Force	Retained by OIPA #22-25	OIPA	OIPA Investigation	11/7/2022	6/8/2023

IA2022-044	6/15/2022	6/16/2022	POD		Sgt. Spears	In Progress	11/15/2022	6/16/2023
IA2022-045	5/4/2022	6/22/2022	Force, BBP, POD		Sgt. Turner	In Progress	11/21/2022	6/22/2023
IA2022-046	6/21/2022	6/22/2022	CUBO		Sgt. Turner	In Progress	11/22/2022	6/22/2023
IA2022-047	6/29/2022	6/30/2022	CUBO, POD, Policy/Procedure	OIPA deferred to IA #22-26	Sgt. Spears	In Progress	11/29/2022	6/30/2023
IA2022-048	6/23/2022	6/23/2022	CUBO, POD		Sgt. Turner	In Progress	12/4/2022	6/23/2023
IA2022-049	6/15/2022	7/2/2022	CUBO, POD		Sgt. Spears	In Progress	12/1/2022	7/2/2023

BART Watch - 2022

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Crime in Progress	23	15	31	24	29	24							146
Disruptive Behavior	277	253	332	306	313	332							1,813
Drug Use	150	121	202	225	212	225							1,135
Human Trafficking	2	2	0	2	1	4							11
Illegally Parked Vehicle	2	2	2	5	2	2							15
Aggressive Panhandling	6	5	10	10	9	12							52
Report a Crime Tip	7	9	8	5	4	6							39
Robbery/Theft	5	6	7	5	11	11							45
Sexual Assault/Lewd Behavior	6	2	8	10	9	4							39
Suspicious Activity	45	29	51	45	50	40							260
Unattended Bag or Package	6	10	17	15	15	5							68
Unsecure Door	8	5	4	2	9	4							32
Vandalism	20	32	41	34	35	37							199
Welfare Check	64	62	90	87	94	107							504
Unwanted Sex Harassment	5	3	3	3	3	5							22
Total	626	556	806	778	796	818							4,380
Text-a-Tip	1,557	1,511	1,970	2,288	2,528	2,528							12,382

Total Downloads: **101,278**



Office of the
**INDEPENDENT
POLICE AUDITOR**

BAY AREA RAPID TRANSIT DISTRICT

MONTHLY REPORT

July 2022

Issue date: August 8, 2022

This report is filed pursuant to the BART Citizen Oversight Model, Chapter 1-05 (B), which requires the Office of the Independent Police Auditor (OIPA) to submit reports to the BART Police Citizen Review Board (BPCRB). This report provides information for the period **July 1, 2022 through July 31, 2022.**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)).*

QUANTITATIVE REPORT

	Cases Filed ²	Open Cases ³	Investigations Resolved	OIPA Investigations Concluded ⁴	Cases Appealed to OIPA ⁵	Cases Appealed by BPCRB ⁶
July 2021	10	81	3	0	0	0
August 2021	4	78	7	1	0	0
September 2021	10	81	8	2	0	0
October 2021	15	88	7	0	0	0
November 2021	8	87	11	1	0	0
December 2021	6	87	6	0	1	0
January 2022	4	84	7	1	0	0
February 2022	6	81	9	1	0	0
March 2022	6	73	14	1	0	0
April 2022	10	79	6	1	0	0
May 2022	14	86	6	1	0	0
June 2022	8	87	7	1	0	0
July 2022	10	91	5	0	0	0

TYPES OF CASES FILED

Citizen Complaints (Formal)	10
Informal Complaints ⁷	0
Administrative Investigations	0
Inquiries ⁸	0
TOTAL	10

CITIZEN COMPLAINTS RECEIVED PER DEPARTMENT⁹

OIPA	3
BART Police Department	7
TOTAL	10

COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During July 2022, **3 Citizen Complaints** were received by OIPA:

Complaint # (OIPA Case #) (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (OIPA #22-27) (IA2022-050)	Officers #1-3: <ul style="list-style-type: none"> • Force • Arrest/Detention • Conduct Unbecoming an Officer Officers #2-3: <ul style="list-style-type: none"> • Policy/Procedure (Documentation) 	OIPA notified BPD which initiated an investigation.	33
2 (OIPA #22-28) (IA2022-055)	Officer #1: <ul style="list-style-type: none"> • Truthfulness 	OIPA notified BPD which initiated an investigation.	21
3 (OIPA #22-29) (IA2022-056)	Officers #1-4: <ul style="list-style-type: none"> • Policy/Procedure 	OIPA notified BPD which initiated an investigation.	9

During July 2022, **5 Citizen Complaints (Formal)** were received by BPD:

Complaint # IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2022-049)	Officers #1-2: <ul style="list-style-type: none"> • Performance of Duty • Conduct Unbecoming an Officer • Policy/Procedure (AXON Camera) 	BPD initiated an investigation.	37
2 (IA2022-051)	Officer #1: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer • Performance of Duty 	BPD initiated an investigation.	38
3 (IA2022-052)	Officer #1: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer • Performance of Duty 	BPD initiated an investigation.	26
4 (IA2022-053)	Officers #1-6: <ul style="list-style-type: none"> • Force 	BPD initiated an investigation.	34
5 (IA2022-054)	Officer #1: <ul style="list-style-type: none"> • Courtesy 	BPD initiated an investigation.	18

COMPLAINTS/INVESTIGATIONS RECEIVED DURING PRIOR REPORTING PERIOD

During June 2022, **2 Citizen Complaints (Formal)** were received by BPD but not previously reported:

Complaint # IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2022-047)	Officers #1-4: • Force	BPD initiated an investigation.	39
2 (IA2022-048)	Officer #1: • Performance of Duty • Conduct Unbecoming an Officer	BPD initiated an investigation.	46

COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD

During July 2022, **5 Citizen Complaints** were concluded by BPD:

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 (IA2021-056)	Officers used excessive force during a detention.	Officer #1: • Force – Exonerated	378	344
2 (IA2021-057)	One employee targeted subject because of subject's race and sexual orientation and the employee was rude to the complainant.	Employee #1: • Bias-Based Policing – Unfounded • Conduct Unbecoming an Officer – Unfounded	376	349
3 (IA2021-058)	Officer contacted complainant based on complainant's race, officers used excessive force during the detention, one officer's report did not accurately reflect officer's actions, and one supervisor failed to properly address complaints of misconduct.	Officers #1-3: • Force – Exonerated Officer #1: • Performance of Duty – Not Sustained Officer #2: • Bias-Based Policing – Unfounded Officer #3: • Performance of Duty – Sustained	371	339
4 (IA2021-061)	Officer contacted and harassed complainant based on complainant's race.	Officer #1: • Bias-Based Policing – Unfounded • Conduct Unbecoming an Officer – Not Sustained	354	339

5 (IA2021-065)	Officers used excessive force during a detention.	Officers #1-2: • Force – Exonerated	322	297
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DISCIPLINE ISSUED DURING REPORTING PERIOD

During July 2022, BPD took the following actions in cases where one or more allegations of misconduct were sustained:

Case #	Nature of Sustained Allegation(s) *	Classification of Sustained Allegation(s)	Action Taken
1	Supervisor did not properly address a misconduct complaint.	Officer #1: • Performance of Duty	Officer #1: • Oral Counseling ¹⁰

ADDITIONAL NOTES

In accordance with the BART Citizen 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 with regard to 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	7
Complainant-Initiated Appeals	0
BPD-Initiated Appeals	0
Investigations Being Monitored	75
Investigations Reviewed During Current Month	12†

†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.

The Model provides that OIPA shall have authority to require follow-up investigation into any citizen complaint or allegation that is handled by BPD.¹¹ The OIPA Monthly Report will reflect information regarding monitored cases with detail not to exceed that which is allowable under state law. The investigations reviewed by OIPA during the period did not generate any notable recommendations for revisions or additional investigation.

¹ In addition to reporting on complaints received by the BART Police Department, the Citizen Oversight Model requires reporting on all complaints received by the "Citizen Board, Office of the District Secretary, and 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).

As complaints received by the BART Police Citizen 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.

² This number includes all Citizen 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 citizen). This number also includes previously completed cases that have been re-opened during the current reporting period.

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

⁴ This number includes all cases completed by OIPA during the reporting period for which OIPA's findings are required by the BART Citizen Oversight Model to be submitted to the BART Police Citizen 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.

⁵ 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 Citizen Oversight Model, Chapter 1-04 (E).

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

⁷ 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)).

⁸ 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.

⁹ It is important to note that OIPA does not separate citizen complaints it receives into "Formal" and "Informal" classifications. This chart reflects all citizen complaints received by OIPA and all Formal Complaints received by the BART Police Department.

¹⁰ Oral Counseling (third level of pre-discipline): An oral counseling may be the next step of the informal process. It is documented in a memorandum to the employee entitled "Oral Counseling." Prior to issuance, the supervisor should discuss the performance or infraction in detail with the employee. The purpose of the discussion is for the employee to be made aware of the unacceptable behavior. An employee who is covered by a collective bargaining agreement and who may be issued an Oral Counseling is entitled to appropriate association representation. An Oral Counseling is pre-disciplinary, however, if the employee fails to correct the behavior, there will be cause to move to progressive discipline.

¹¹ 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.