

San Francisco Bay Area Rapid Transit District

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



COMMITTEE MEETING AGENDA

Monday, April 8, 2024

4:00 PM

This Meeting will be held in-person and via simultaneous teleconference, with an option for public participation via teleconference. Please note that the BPCRB agenda was revised. BART Board Room, 2150 Webster Street, 1st Floor, Oakland, CA 94612. Zoom Link: <https://us06web.zoom.us/j/85179518861>

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
April 8, 2024
4:00 p.m.

A regular meeting of the BART Police Citizen Review Board (BPCRB) will be held on Monday, April 8, 2024, at 4:00 p.m., in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612. This meeting shall consist of a simultaneous teleconference at the following locations:

BART Board Room
2150 Webster Street
1st Floor
Oakland, CA 94612

The Berkeley Public Library West Branch, Reserved Room (See Librarian for Room Location)
1125 University Avenue
Berkeley, CA 94702 The Warner Library

Reserved Room (See Librarian for Room Location)
121 North Broadway
Tarrytown, NY 10591

Please note that this meeting will be held in person in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612, and via teleconference at the locations listed above.

Please refrain from wearing scented products (perfume, cologne, after-shave, etc.) to these meetings, as there may be people in attendance susceptible to environmental illnesses.

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

You may attend the BPCRB Meeting in person or join via Zoom by calling (833) 548-0282 (Toll Free) and entering access code 851 7951 8861; logging in to Zoom.com and entering access code 851 7951 8861; or typing the following Zoom link into your web browser:

<https://us06web.zoom.us/j/85179518861>

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 a.m., on April 8, 2024, in order to be included in the record.
- 2) Complete a “Request to Address the BART Police Citizen Review Board” form (available at the entrance to the Board Room) and give it to the District Secretary’s Office staff before the Item is considered by the BPCRB.
- 3) Call (833) 548-0282 (Toll Free), enter access code 851 7951 8861, 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 851 7951 8861, and use the raise hand feature; or join the BPCRB Meeting via the Zoom link (<https://us06web.zoom.us/j/85179518861>) 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. Approval of Minutes of the Meeting of March 11, 2024. For Action.

Attachments: [Minutes of the Meeting of March 11, 2024](#)
3. 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.)
4. Reporting Out Announcement from BART Police Citizen Review Board (BPCRB) Subcommittees. For Discussion.
5. Review of Draft BPCRB - Public Outreach Standing Committee Event Schedule and Calendar for 2024 (Member Lang's Request). For Discussion.

Attachments: [Outreach Events Calendar, 2024 UPDATE, 12-18-23](#)
6. BPCRB Training - Principles of Oversight. For Discussion.

Attachments: [Civilian Oversight 101 BPCRB 4.8.24](#)
7. Chief of Police's Report(s). For Discussion.
 - a. BART Police Department's Monthly Report(s) for January 2024.
 - b. BART Police Department's 2023 Military Equipment Annual Report.
Attachments: [2024-01 Monthly Chief's Report CRB 03272024](#)
 [2023 Military Equipment Annual Report - FINAL](#)
8. Independent Police Auditor's Report(s) (Verbal Report Only). For Discussion.
9. Closed Session.
 - a. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor (OIPA) Case #22-16. Govt. Code §54957.
10. Open Session.
 - a. Announcement from Closed Session, if any.
11. Adjournment.

BART provides services/accommodations upon request to persons with disabilities and individuals who are limited English proficient and wish to address Board/Committee matters. A request must be made within one and five days in advance of Board/Committee 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, March 11, 2024

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held on March 11, 2024, convening at 4:05 p.m. in the following locations: BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612; and the Berkeley Public Library West Branch, 1125 University Avenue Berkeley, CA 94702, and The Warner Library Reserved Room (See Librarian for Room Location) 121 North Broadway Tarrytown, New York 10591. The meeting was called to order by Chairperson George Perezvelez; and Mag Tatum, Recording Secretary.

Chairperson George Perezvelez gave instructions on the in-person meeting, with an option for public participation via teleconference, 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 George Perezvelez.

Members Present in Oakland, CA: Members Torin Fischer, Dana Lang,
Lester. M. Mensinger, Gabriel Rodrigues,
Sonja Shephard, and George Perezvelez.

Member Present in Berkeley, CA: Member Todd Davis (via Teleconference).

Member Present in Tarrytown, NY: Member William White (via Teleconference).

Absent: Members Erin Armstrong and David Rizk.

The Pledge of Allegiance was recited.

2. Approval of Minutes of the Meeting of February 12, 2024.

Vice Chairperson Lang moved that the Minutes of the Meetings of February 12, 2024, be approved. Member Fisher seconded the motion, which was carried by a roll call vote. Ayes – 7: Members Fischer, Lang, Mensinger, Rodrigues, Shephard, White, and Perezvelez. Noes – 0. Abstain – 0. Absent – 3: Members Armstrong, Davis, and Rizk. Vacant – 1.

3. Public Comment.

Chairperson Perezvelez called for Public Comments. Aleta Dupree addressed the Board.

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

Chair Perezvelez and Vice-Chair Lang presented information regarding the various BART Police Citizen Review Board (BPCRB) Subcommittees.

5. Independent Police Auditor’s Report(s) (Verbal Report Only).

- a. Office of the Independent Police Auditor (OIPA) Monthly Report(s) for January 2024.

Russell Bloom, Independent Police Auditor, presented the OIPA Monthly Report (Verbal Report Only), and stated it will be discussed at a future BPCRB meeting.

Member Davis entered the meeting.

6. Chief of Police’s Reports.

- a. BART Police Department’s Monthly Report(s) for December 2023.
- b. Review of the February 2024 Policy Updates.
- c. BART Police Department’s Bulletin No. 24-62: San Francisco Community Justice Center (CJC) Collaborative Court Program.

Chief Kevin Franklin presented the BART Police Department’s Monthly Report(s) for December 2023, and the Review of the February 2024 Policy Updates, and the BART Police Department’s Bulletin No. 24-62: San Francisco Community Justice Center (CJC) Collaborative Court Program. The reports were discussed.

Chairperson Perezvelez called for Public Comments. Aleta Dupree addressed the Board.

Chairperson Perezvelez announced that the Board would enter into a closed session under Item 7-A (Public Employee Discipline/Dismissal/Release in OIPA Case #23-14 of the regular meeting agenda, and that the Board would reconvene in open session at the conclusion of the closed session.

The Meeting recessed at 5:11 p.m.

The Meeting reconvened in Closed Session at 6:05 p.m.

7. Closed Session.

- a. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor (OIPA) Case(s) #23-14. Govt. Code §54957.

Members Present in Oakland, CA:

Members Torin Fischer, Dana Lang, Lester. M. Mensinger, Gabriel Rodrigues, Sonja Shephard, and George Perezvelez.

Member Present in Berkeley, CA:

Member Todd Davis (via Teleconference).

Member Present in Tarrytown, NY:

Member William White (via Teleconference).

Absent:

Members Erin Armstrong and David Rizk.

8. Open Session.

The Meeting reconvened into an Open Session at 6:05 p.m.

Chairperson Perezvez announced that the Board voted to accept the findings in OIPA Case #23-14, with the following: Ayes – 6: Members Fischer, Lang, Mensinger, Rodrigues, Shephard, and Perezvez. Noes – 0. Abstain – 2: Members Davis and White. Absent – 2: Members Armstrong, and Rizk. Vacant – 1.

9. Adjournment.

The Meeting was adjourned at 6:05 p.m.

DRAFT

CALENDAR OF POTENTIAL EVENTS TO ATTEND - 2024

Recommendations to BPCRB - Public Outreach subcommittee

<u>JANUARY</u>	<u>Event</u>	<u>Date</u>	<u>Location</u>
	Oakland Lunar New Year Celebration		
<u>FEBRUARY</u>	Black Joy Festival & Parade	Feb. 25, 2024	Oakland
<u>MARCH</u>			
<u>APRIL</u>	Oakland First Fridays		
<u>MAY</u>			
<u>JUNE</u>	Hayward 3rd Thurs. Street Fair	June - date TBD	
	Berkeley Juneteenth Festival	June	BART PD -table/booth
<u>JULY</u>	Oakland Art & Soul Festival	July	BART PD -table/booth
<u>AUG</u>	National Night Out	August	Fruitvale & SF Powell St.
	Fremont Festival of the Arts	August	
	Pistahan Festival & Parade	August	
	Festival of India	August	Fremont
	Oakland Chinatown Street fest	August	Oakland
SEPT	Millbrae Art & Wine Festival	Sept	Millbrae
	Oakland Pride + Pridefest	Sept	Oakland
	Oakld Art & Soul & AfroComicCon	Sept	Oakland
	Autumn Moon Festival (SF)	Sept	San Francisco
	Lafayette Art & Wine Festival	Sept	Lafayette
OCT	Dia De Los Muertos	October	BART - Fruitvale
	BPD Trunk or Treat	October	Locations TBD
NOV	Rockridge District Rock & Soul		
DEC	Shop with a Cop	December	Walmart
	Fruitvale Posada Festival	December	BART - Fruitvale Plaza

Criteria to add to calendar (any of these may apply)

Event that allows networking with civic leaders and community;

Events that enable conversation to create awareness about BPCRB & Auditor's Ofc;

And/or, Opportunity to provide information table.

CIVILIAN OVERSIGHT 101

BART Police Citizen Oversight Board

Gianina Irlando
Immediate Past President, NACOLE

April 8, 2024



Agenda

- Overview
- Evolution of Civilian Oversight: 1920s – 1990s
- Oversight Models & Ranges of Authority
- Principles for Effective Oversight

Civilian oversight alone is not sufficient to gain legitimacy.

Without it, however, it is difficult, if not impossible, for the police to maintain the public's trust and push sustainable reform efforts forward.



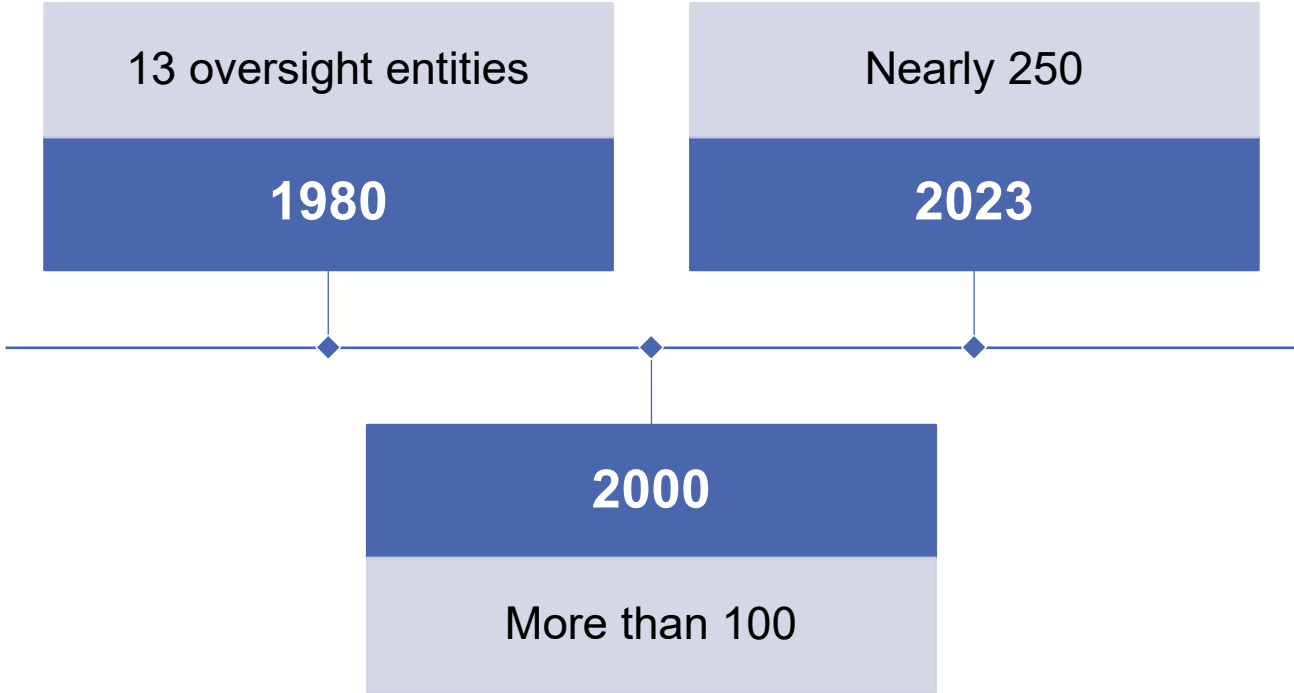
Civilian Oversight

A mechanism of facilitating civilians' involvement in holding the police accountable to the citizens they serve (Kim, 2022).

One or more individuals outside the sworn chain of command of a police department whose work focuses on holding that department and its officers and employees accountable (De Angelis, Rosenthal, Buchner (2016)

The independent, external, and ongoing review of a law enforcement agency, jail, or prison and its operations by individuals outside of the respective agency (Vitoroulis, McElhiney, & Perez, 2021).

Codified Civilian Oversight Entities in the U.S.

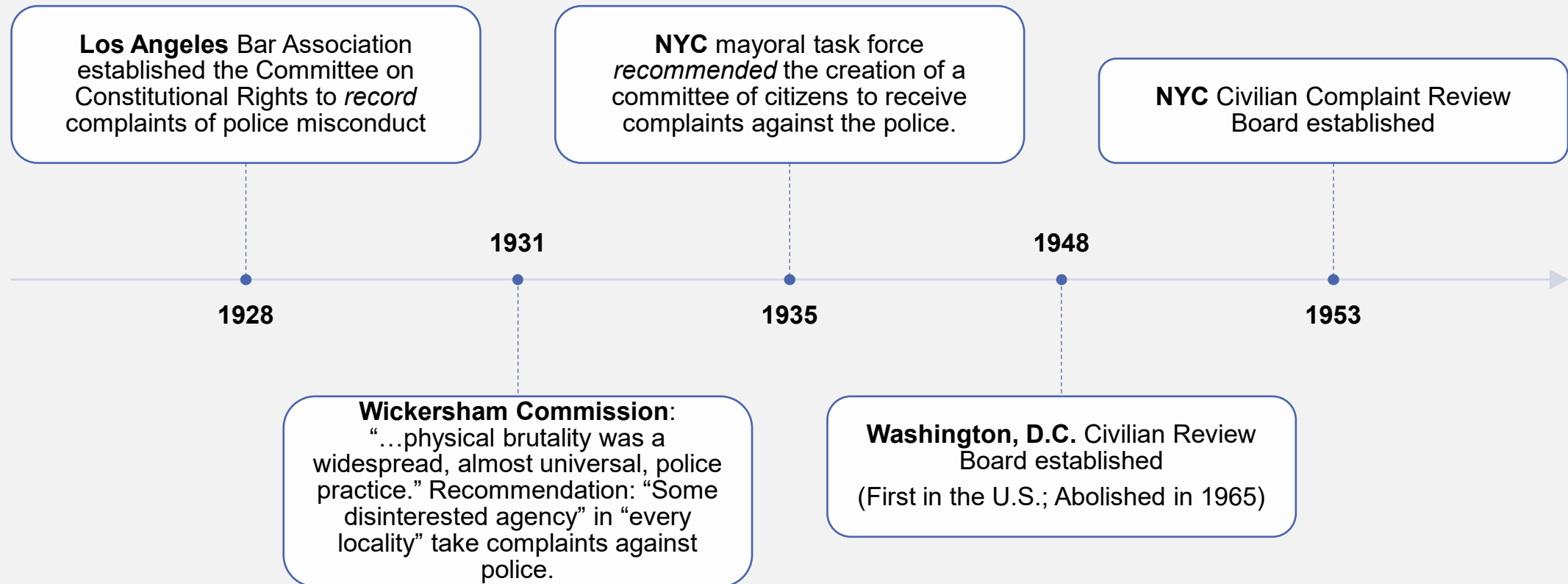


WHY OVERSIGHT?



EVOLUTION OF CIVILIAN OVERSIGHT: 1920s – 1990s

1920s – 1960s: Early Civilian Review Boards



1920s – 1960s: Early Civilian Review Boards

Philadelphia Police Review Board established by mayoral executive order
(Disbanded in 1967)

Kansas City, MO, Office of Community Complaints established by state statute.
(Oldest continuously operating oversight agency)

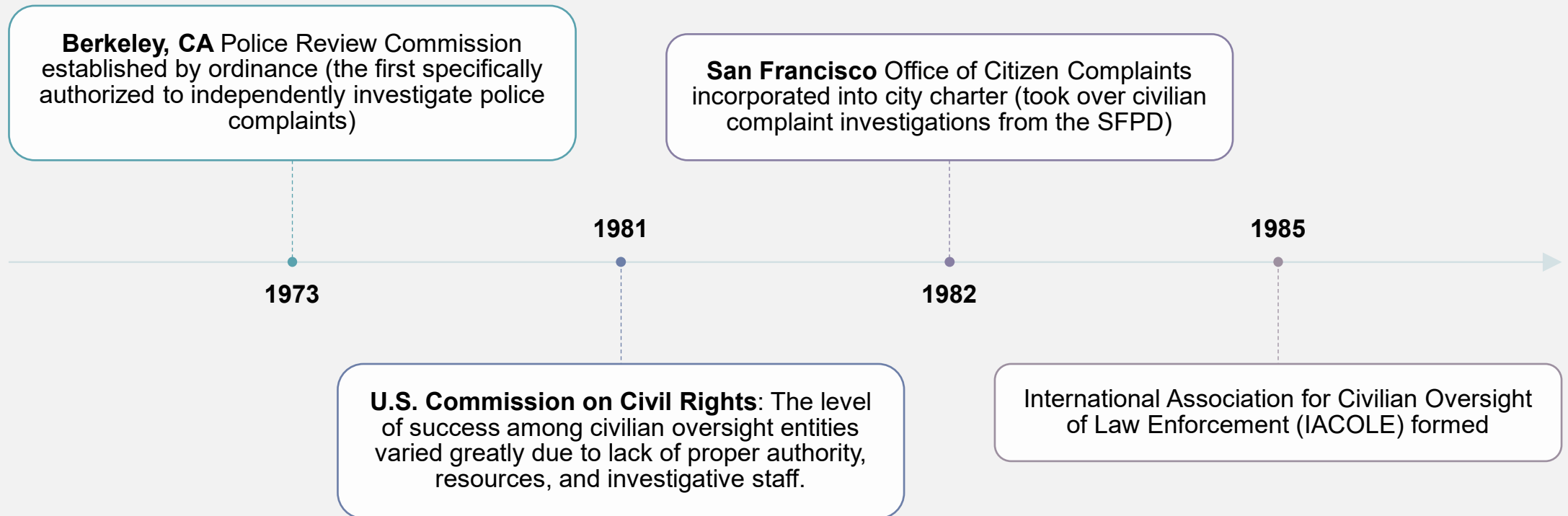
1958

1967

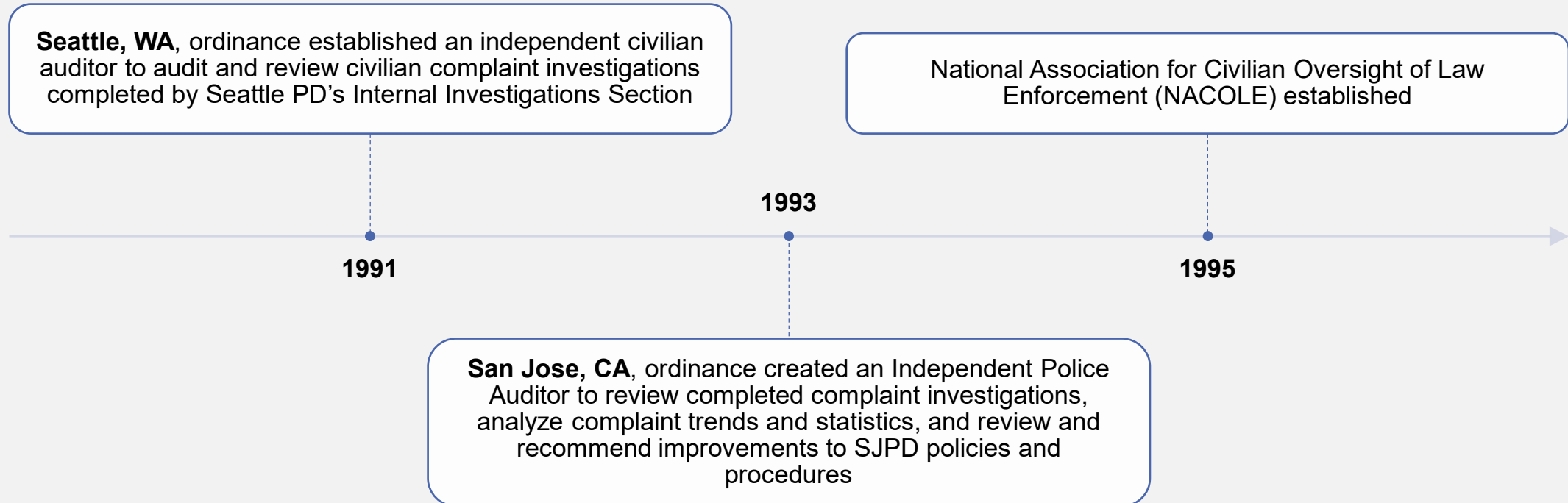
1969

Kerner Commission highlighted the “abrasive relationship between the police and minority communities” and recognized the lack of “effective mechanisms for handling complaints against the police.” Recommendation: “A specialized agency, with adequate funds and staff, be created separate from other municipal agencies to handle, investigate and to make recommendations on citizen complaints.”

1970s – 1980s: Emergence of Investigative Models



1990s: Expanded Powers, Independent Auditors/Monitors



Recent Years:
Reactive → Proactive

Reactive

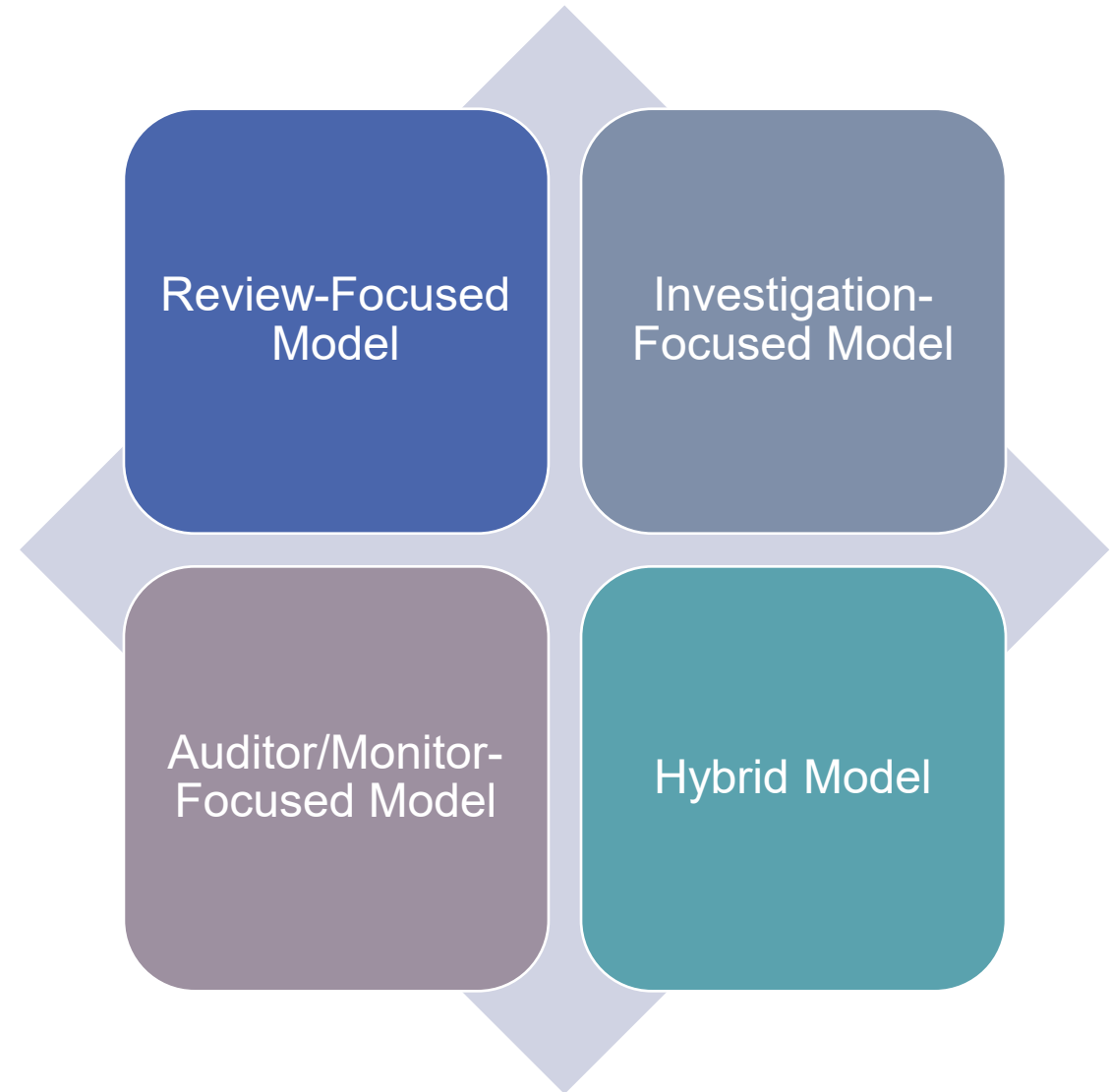
- Created after a high-profile incident or scandal
- Responds to complaints
- Emphasizes legalistic rules
- Uses adversarial, administrative process
- Recommended sanctions for officers
- Relies on deterrence

Proactive

- Identifies potential problems
- Focuses on organizational change
- Focus on prevention
- Builds partnerships with law enforcement
- Creates bridges between law enforcement and the community

OVERSIGHT MODELS AND RANGES OF AUTHORITY

Models of Civilian Oversight





Baltimore Civilian Review Board. Photo by the Capital News Service.

Review-focused Models

- Review completed complaint investigations
- Typically, a volunteer board/commission
 - Some/all members appointed by the mayor or city council
 - Authorizing legislation may designate seats to representatives from community groups
 - Staff support for administrative and clerical functions
- Public meetings in accordance with state law and union contracts

Range of Authority: Review-focused Models



Receive complaints and forward them to LE for investigation



Remand cases back to LE's internal affairs for further investigation



Hear appeals from complainants or subject officers



Recommend case dispositions, discipline, or revisions to departmental policies and procedures



Hold public forums



Conduct community outreach



Nashville's Community Oversight Board meets for the first time at the Metro courthouse on Tuesday, Feb. 12, 2019. *Shelley Mays, /Tennessean*

Investigation-focused Models

- Conduct investigations independently of internal affairs units OR replace internal affairs units
- Paid, professionally trained investigative staff
 - Along with a volunteer board/commission

Range of Authority: Investigation-focused Models



Conduct interviews, gather evidence, prepare investigative reports, make recommendations



May be limited to investigating only certain allegations



May be limited to investigating allegations based on the who filed the complaint



Greater access to LE records and databases compared to review-focused models



More likely to be authorized to subpoena documents and witnesses compared to other models

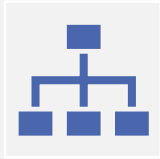


Office of Inspector General Public Safety's IG Lisa Judge presenting to the Seattle Community Police Commission (Facebook photo)

AUDITOR/MONITOR- FOCUSED MODELS

- Promote organizational change by addressing systemic issues, analyzing patterns and trends, and addressing policy and procedure deficiencies
- Paid staff (Inspector General, Police Monitor)

Range of Authority: Auditor/Monitor-focused Models



Broad mandates to audit, monitor, investigate, and review a wide range of LE policies, practices, and procedures
(e.g., complaints, discipline, training, staffing and recruitment, use of force, crime-prevention strategies)



Access to a broader range of department records and information; more direct access



Review/monitor complaint process to ensure fairness, thoroughness, and compliance with policies and procedures

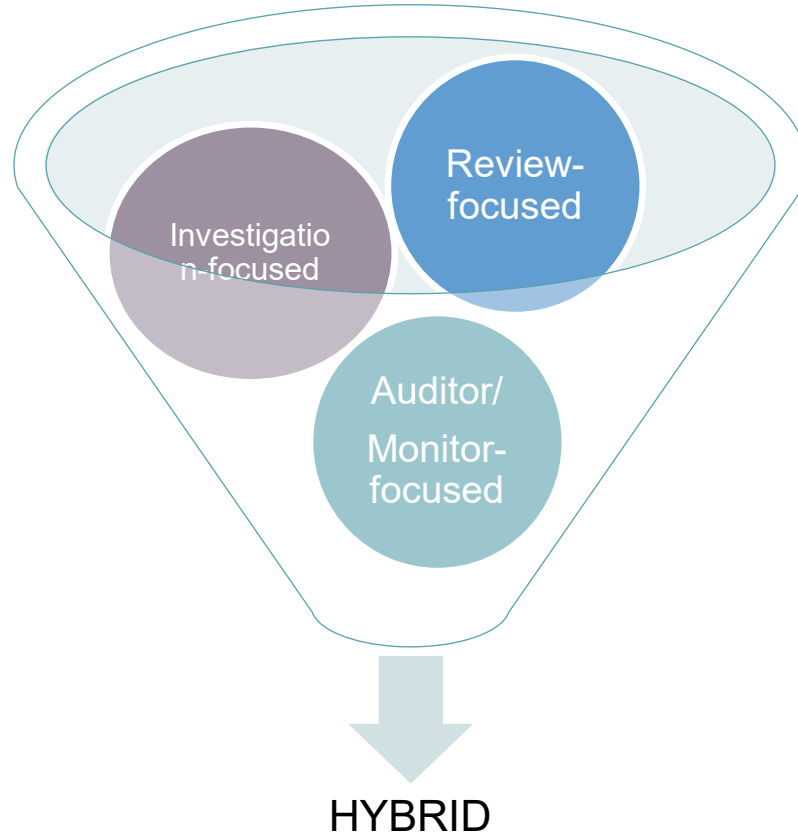


Audit civilian and internal complaints, reviewing various aspects (e.g., intake, classification, adjudication, discipline)



Actively participate in open investigations

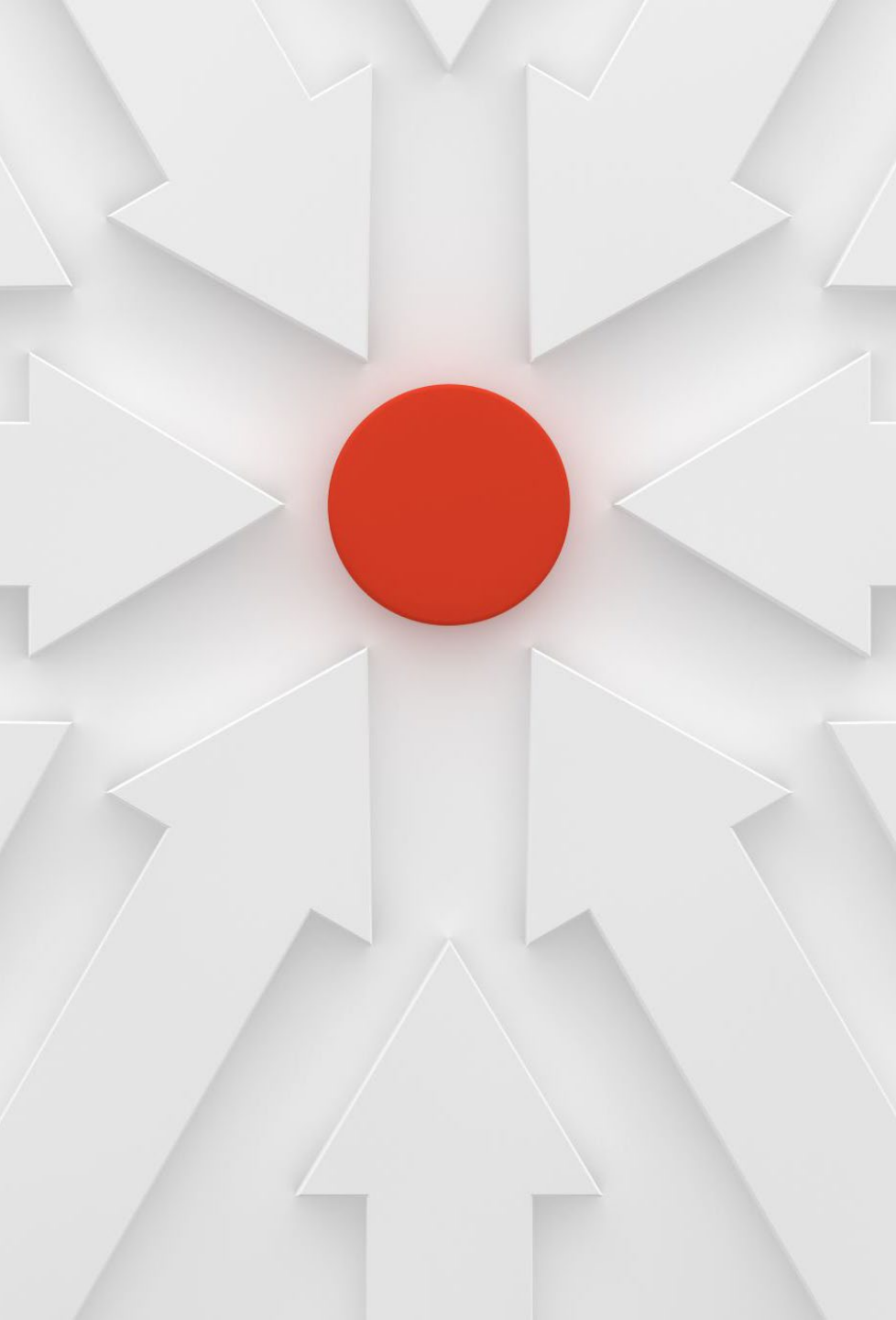
HYBRID MODELS



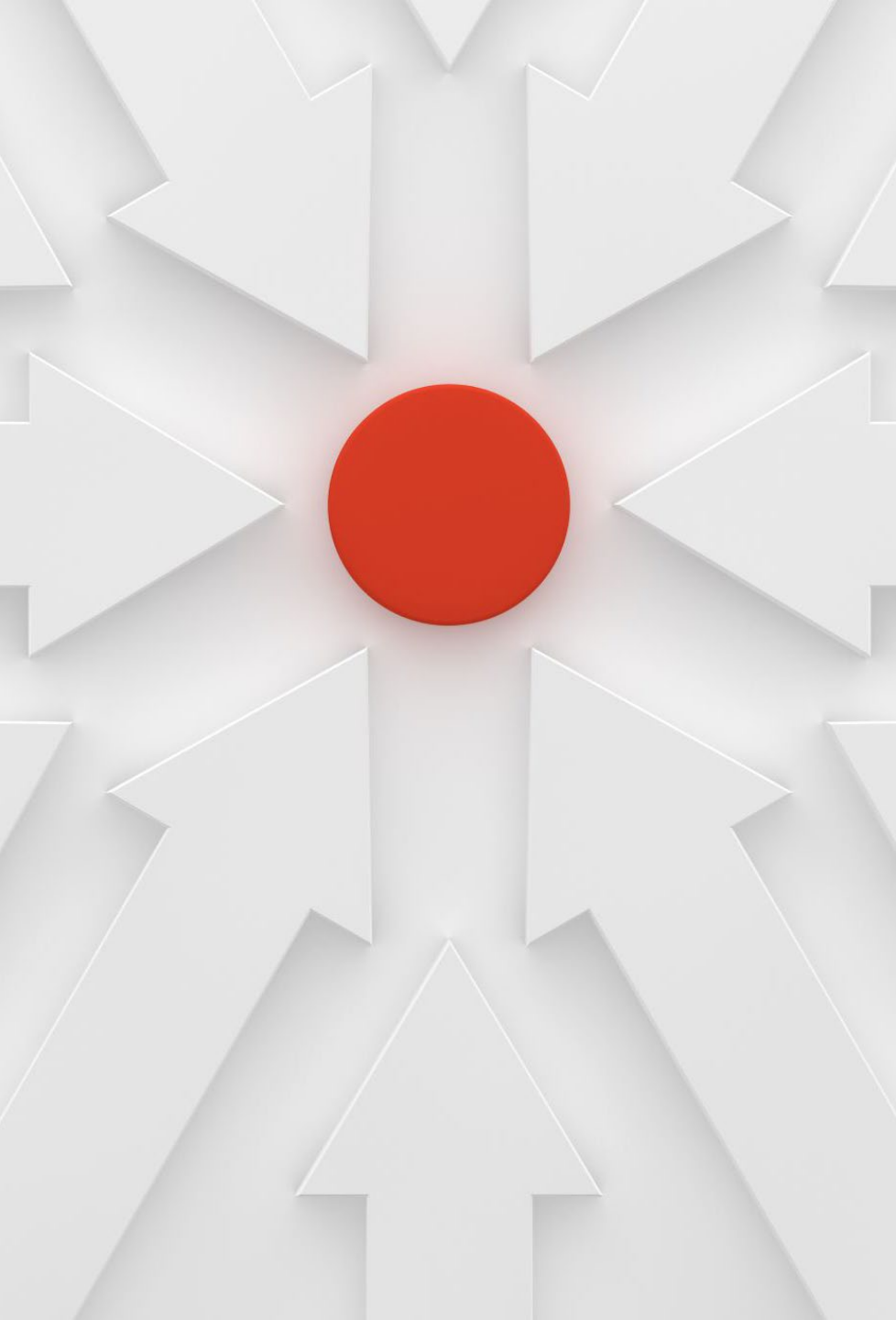
Hybrid Agency - One agency performing oversight functions of multiple models

Hybrid System – Multiple entities in a single jurisdiction providing oversight of the same LE department

PRINCIPLES FOR EFFECTIVE OVERSIGHT

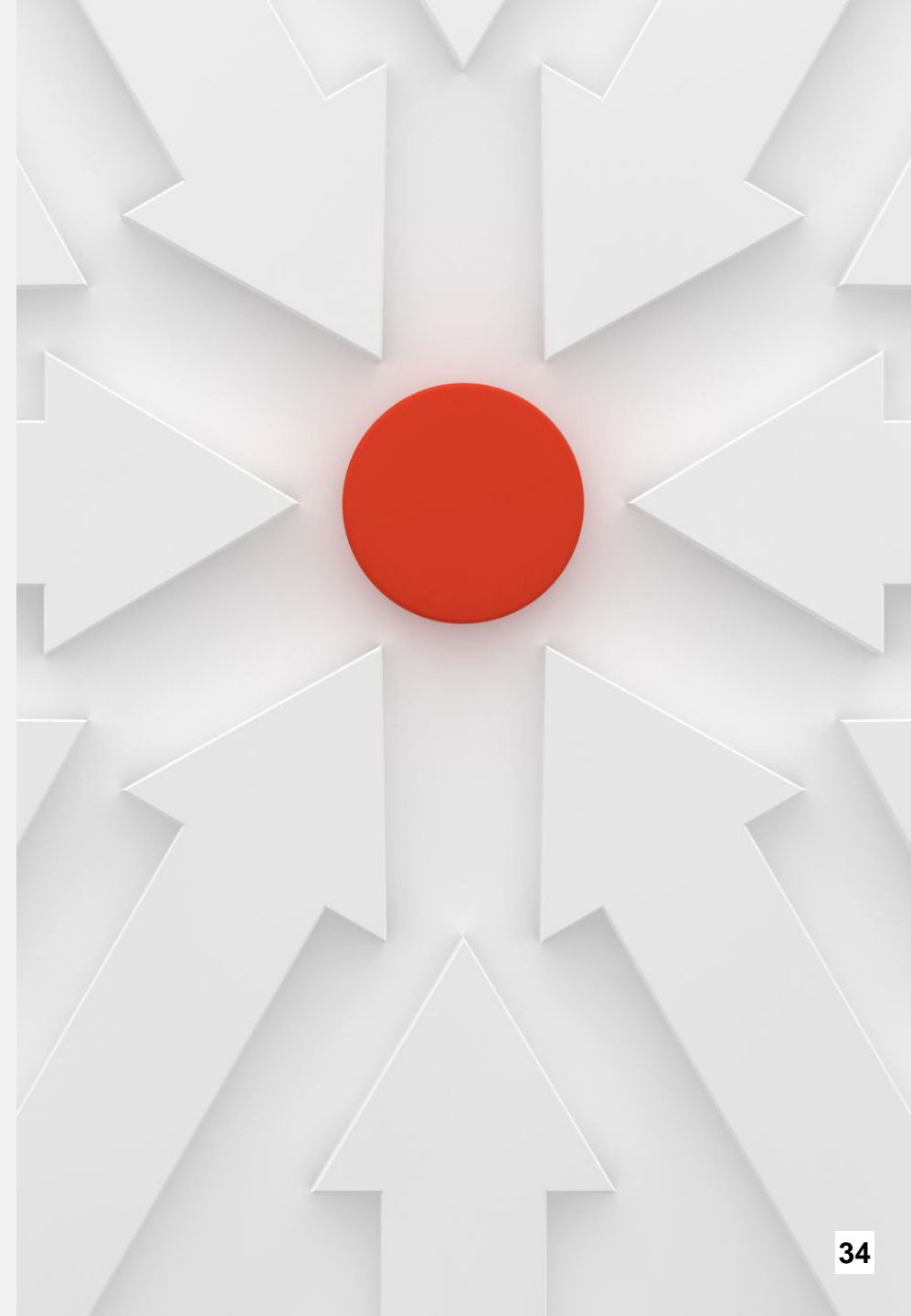


1. Independence
2. Clearly defined and adequate jurisdiction and authority
3. Unfettered access to records and facilities
4. Access to LE executives and internal affairs staff



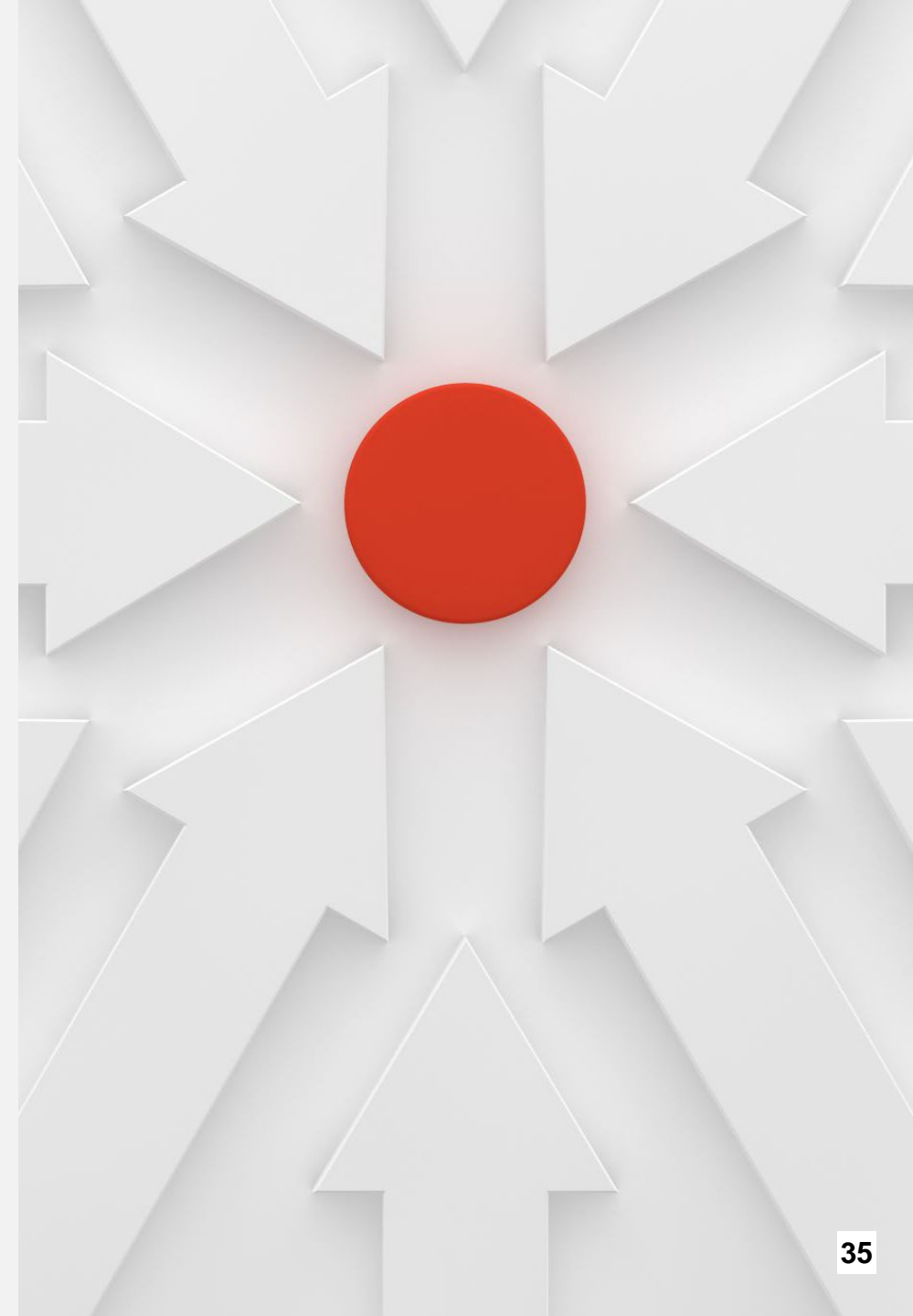
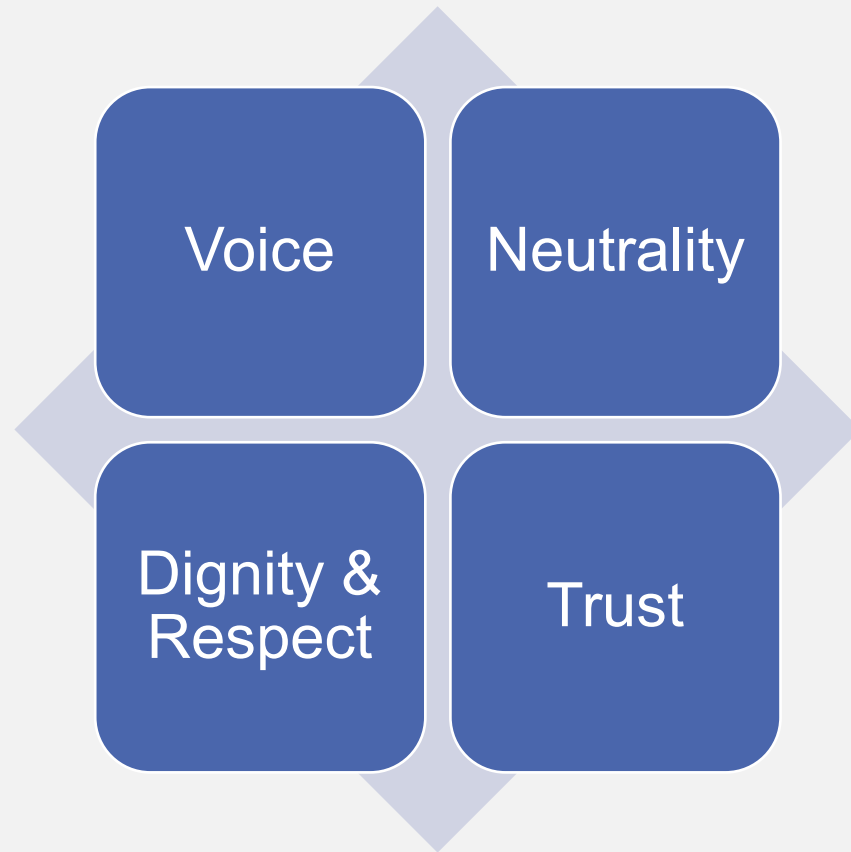
5. Full cooperation
6. Sustained stakeholder support
7. Adequate funding and operational resources
8. Public reporting and transparency

9. Policy and pattern analysis
10. Community outreach
11. Community involvement
12. Confidentiality, anonymity, and protection from retaliation



13. Procedural justice and legitimacy

Key Elements of Procedural Justice



13. Procedural justice and legitimacy

Legitimacy in Policing

- Police are trustworthy, honest, and concerned about the well being of the people they deal with
- Police authority ought to be accepted
- People should willingly accept police decisions and follow their directives
- People should comply with the law and cooperate with police

Legitimacy in Oversight

- The oversight agency is trustworthy, honest, and concerned about the well being of the people they deal with
- Oversight and its authority ought to be accepted
- People should accept oversight entity decisions and recommendations
- They should comply with the law and cooperate with the oversight agency



Gianina Irlando
NACOLE Board of Directors
girland@bart.gov

BART POLICE DEPARTMENT



January 2024 MONTHLY REPORT



Bay Area Rapid Transit Police Department

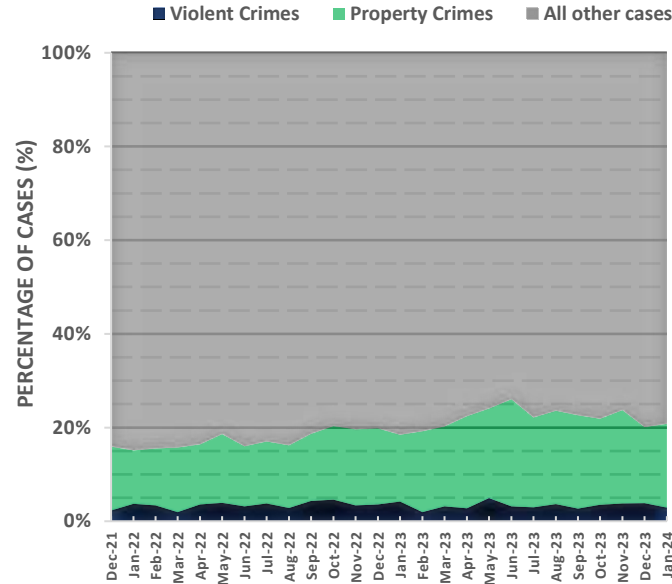
101 8th St, Oakland, CA, 94607 (510) 464-7000 www.bart.gov/police

January 2024

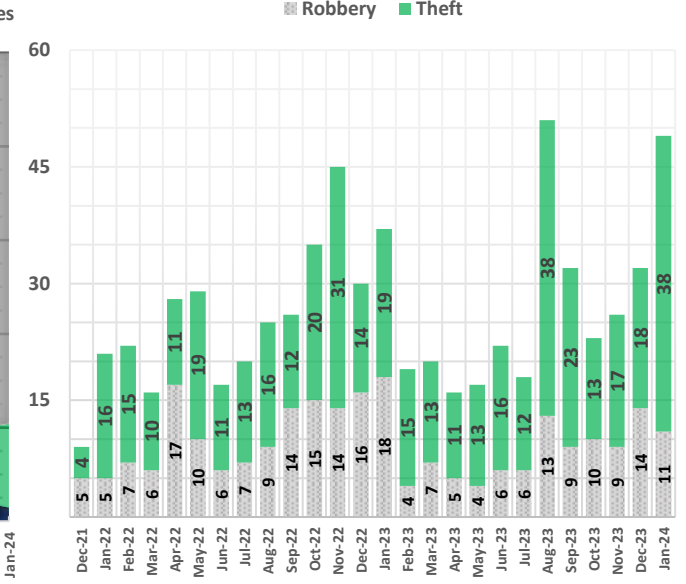
Performance Measurement Review - **Systemwide**

PART 1 UCR Crime	2019	2020	2021	2022	2023	YTD 2023	YTD 2024	PCT %
Homicide	2	0	0	4	1	0	0	-%
Rape	7	5	8	7	7	0	0	-%
Robbery	378	252	143	225	235	27	19	-30%
Aggravated Assault	112	95	71	114	154	12	10	-17%
Violent Crime Subtotal	499	352	222	350	397	39	29	-26%
Burglary (Structural)	16	12	11	23	25	1	0	-100%
Larceny & Auto Burglary	3,177	1,038	882	1,118	1,497	103	122	+18%
Auto Theft	247	100	134	231	671	30	56	+87%
Arson	4	4	5	10	4	0	0	-%
Property Crime Subtotal	3,444	1,154	1,032	1,382	2,197	134	178	+33%
TOTAL	3,943	1,506	1,254	1,732	2,594	173	207	+20%

PART 1 CRIME OVERALL



ELECTRONIC CRIMES



Part 1 Crimes: Top Five Stations

January 2024

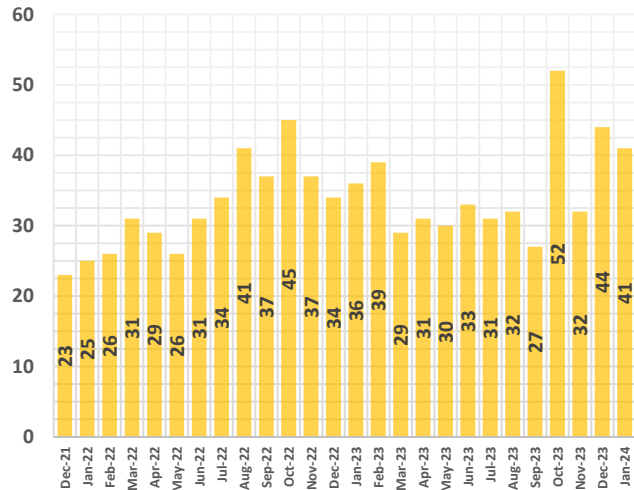
M10/OWS M50/BFS K30/MAS C60/CDS M60/TFS

Full Year 2023

M10/OWS M40/CCS A30/COS M30/PSS A60/HAS

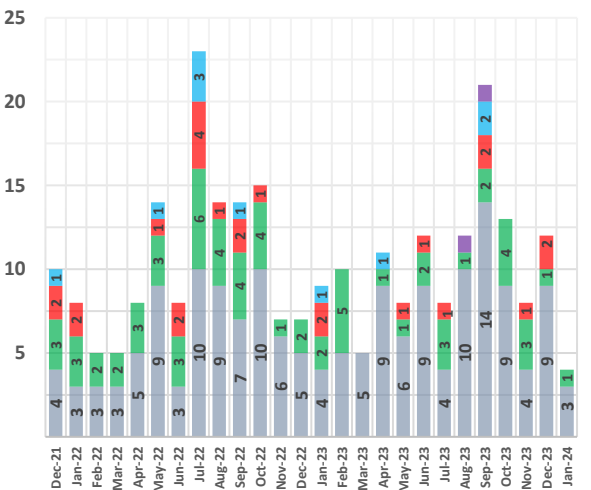
BATTERY & ASSAULT ON BART

Battery, Simple Assaults 04e



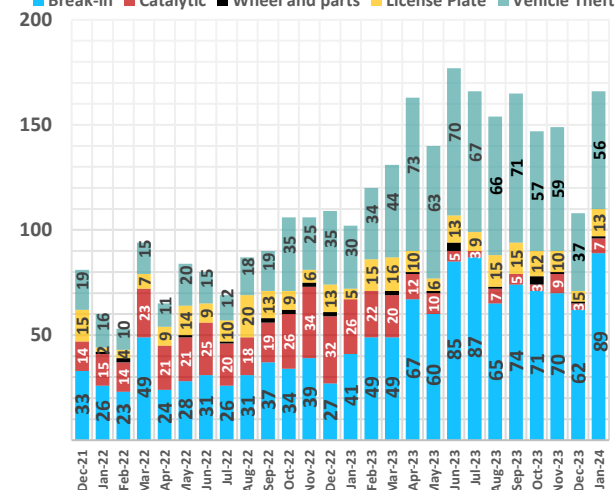
BICYCLE THEFT

Alameda Contra Costa San Francisco San Mateo Santa Clara



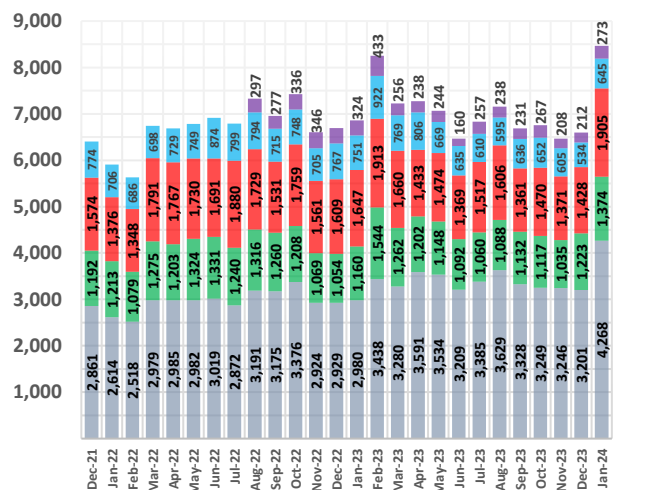
VEHICLE CRIME

Break-in Catalytic Wheel and parts 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 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

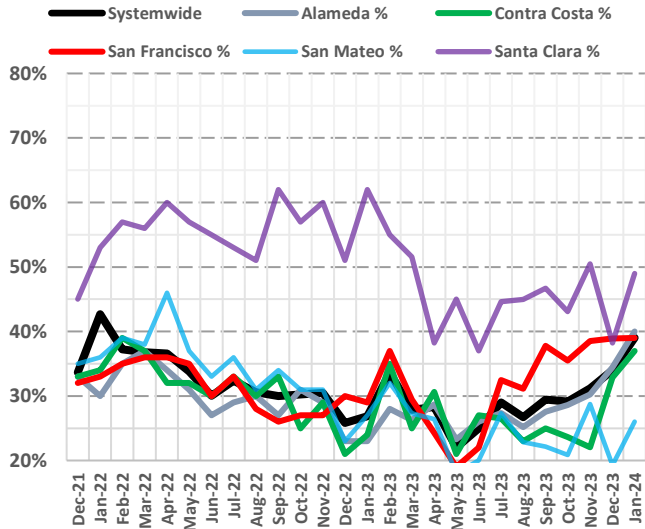
101 8th St, Oakland, CA, 94607 (510) 464-7000

www.bart.gov/police

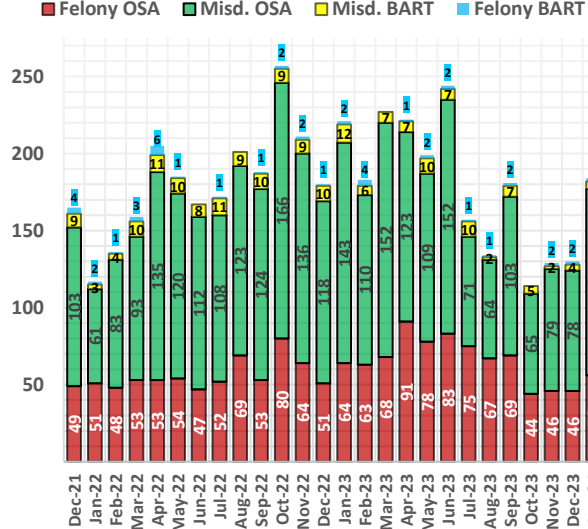
January 2024

Performance Measurement Review - **Systemwide**

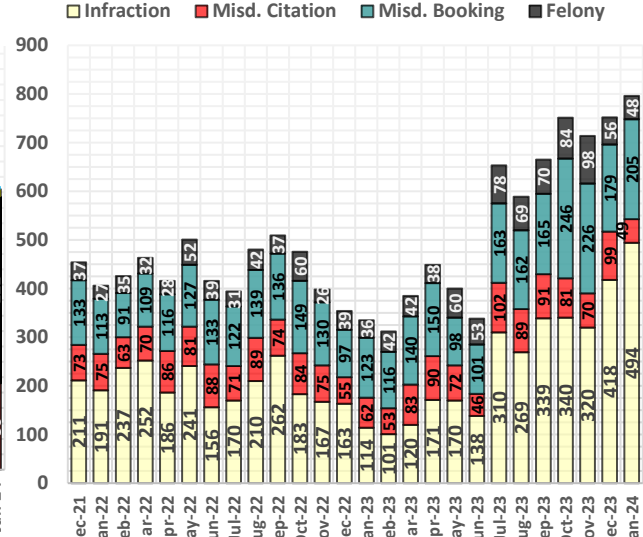
OFFICER-INITIATED INCIDENTS



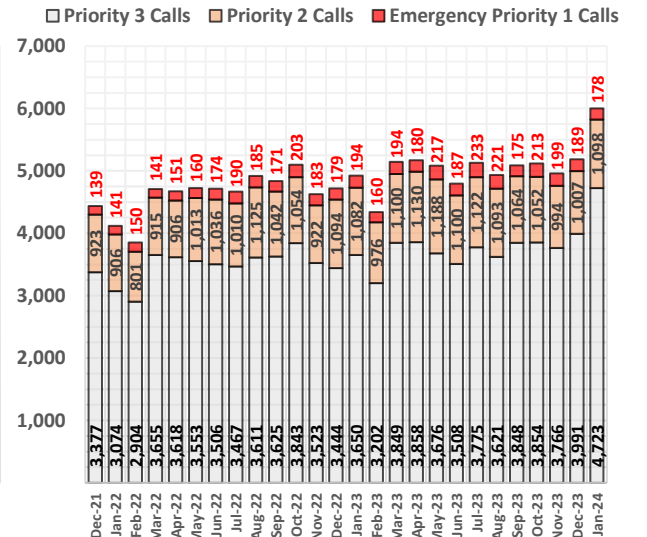
WARRANT ARRESTS



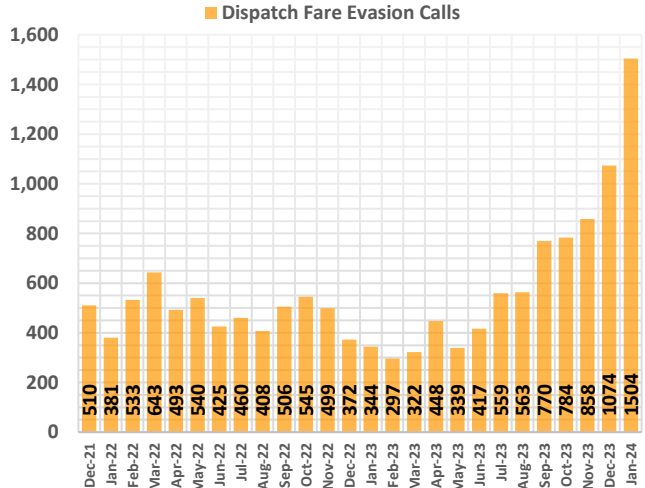
ALL BOOKINGS & ARRESTS



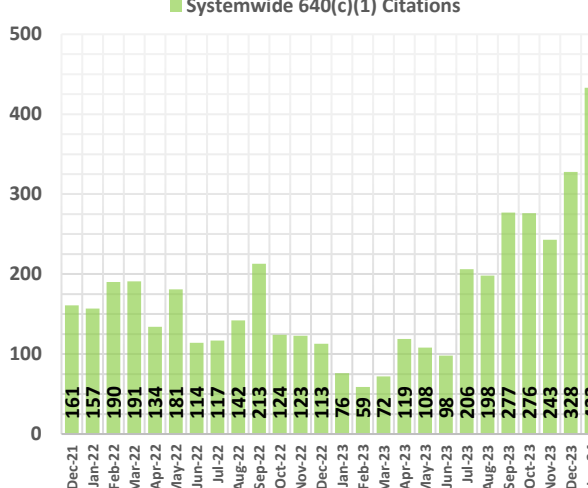
PRIORITY TYPE 1 - 3 CALLS



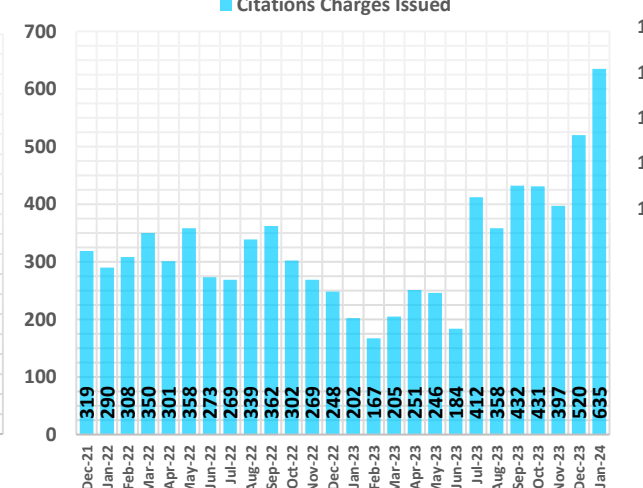
FARE EVASION CAD CALLS



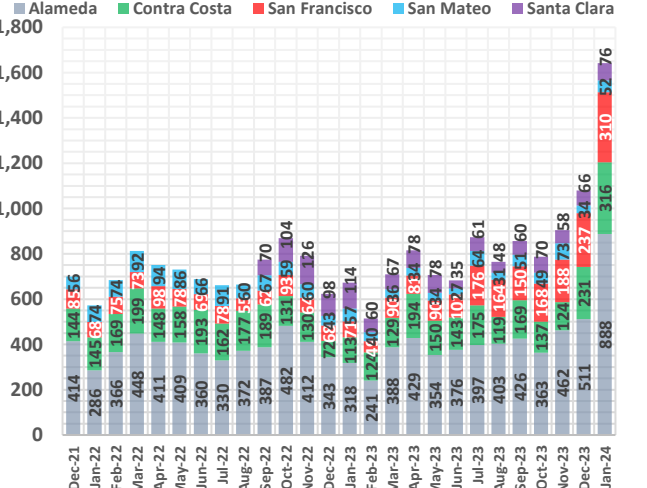
FARE EVASION CITATIONS



ALL CITATIONS



FIELD INTERVIEWS



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Bay Area Rapid Transit Police Department

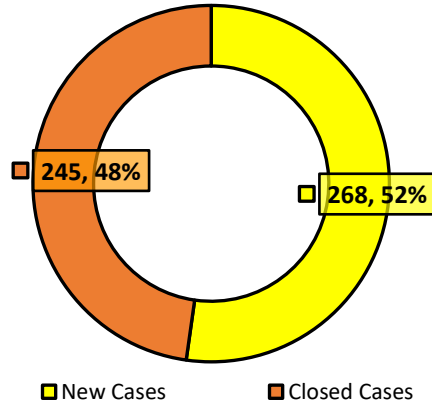
101 8th St, Oakland, CA, 94607 (510) 464-7000

www.bart.gov/police

January 2024

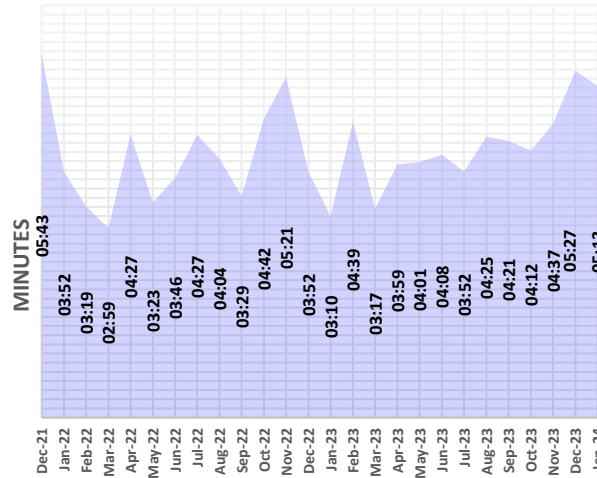
Performance Measurement Review - **Systemwide**

INVESTIGATIVE ASSIGNMENTS



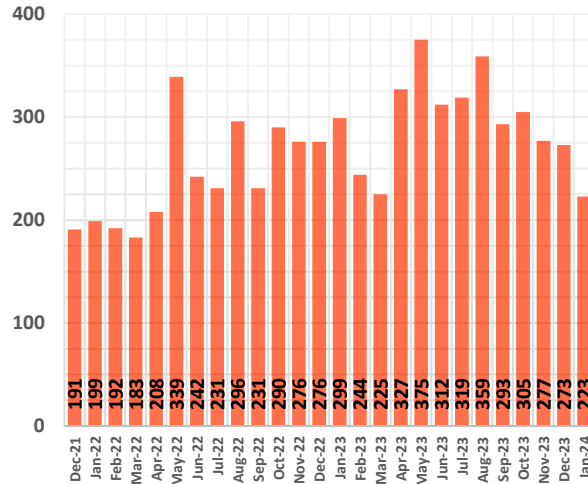
RESPONSE TIME (PRIORITY 1)

Emergency Response (Minutes)



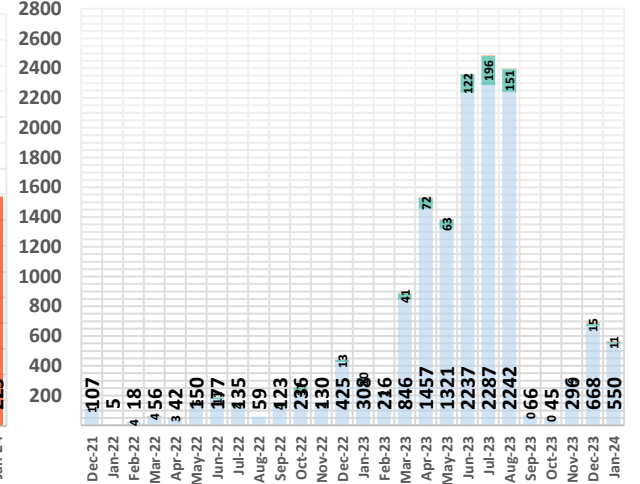
POLICE TRAIN HOLDS

Holds over 5 Minutes



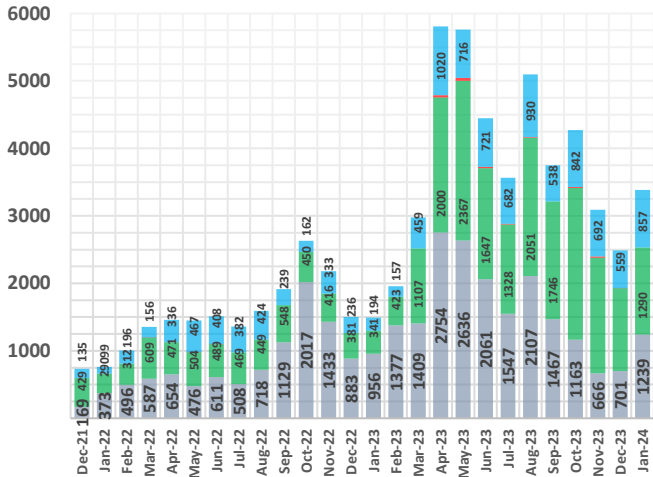
PROOF OF PAYMENT CITATIONS

Adult, Juvenile, Juvenile Fare Evasion

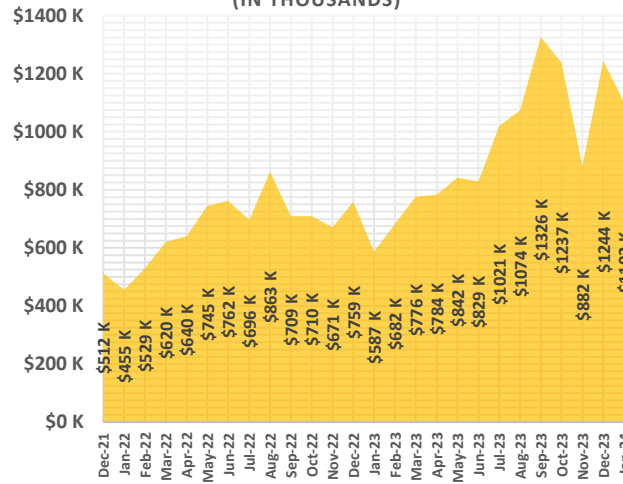


PARKING CITATIONS

Alameda, Contra Costa, San Francisco, San Mateo, Santa Clara

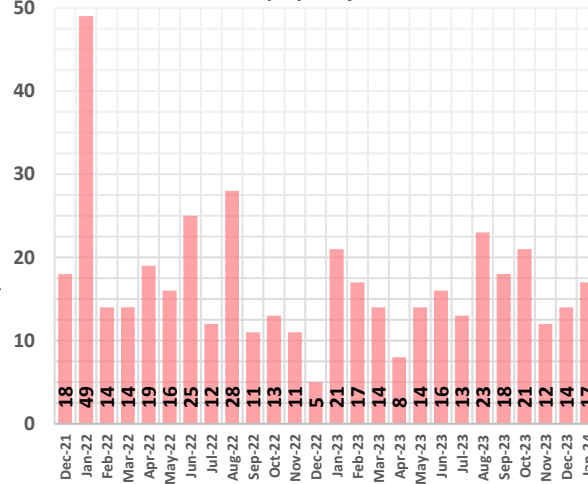


OVERTIME UTILIZATION (IN THOUSANDS)



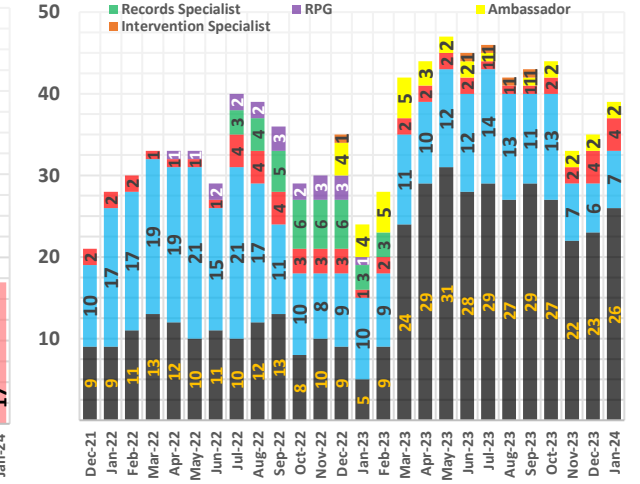
EMPLOYEE INJURIES

Employee Injuries



VACANCIES

Officer, CSO/FIO, Records Specialist, RPG, Intervention Specialist, Dispatch, Ambassador



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, can affect crime statistics. Overtime costs are projected numbers. Information provided on the reports are subject to change.

† Beginning in March 2023, we are now reporting vacancies in Officer, Sr. Officer, and Master Officer, in the "Officer" category, providing a more accurate representation of vacancies.

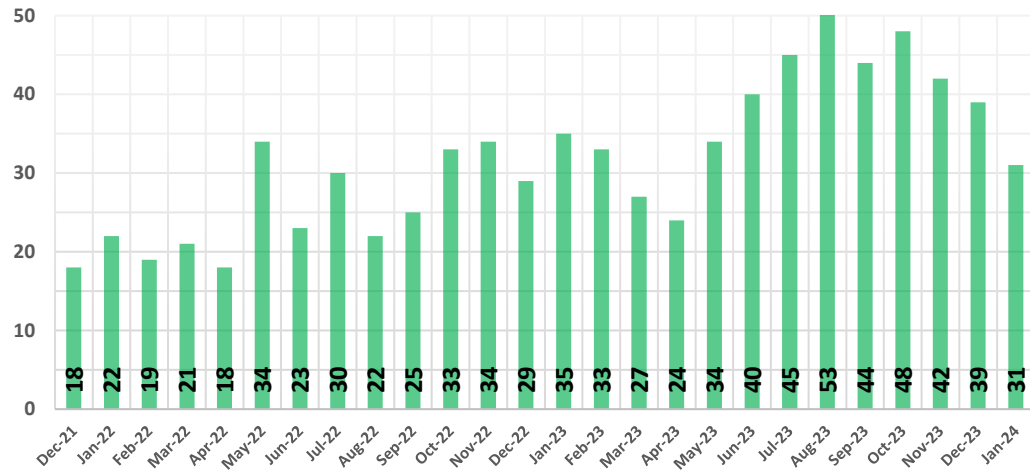


Bay Area Rapid Transit Police Department

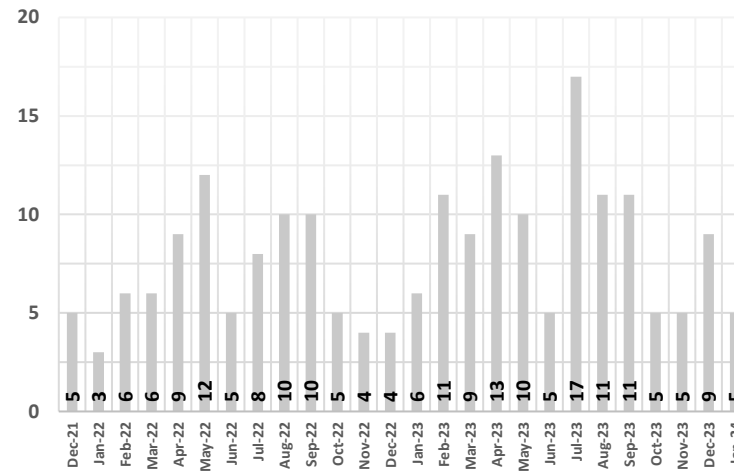
101 8th St, Oakland, CA, 94607 (510) 464-7000 www.bart.gov/police

January 2024 Performance Measurement Review - **Systemwide**

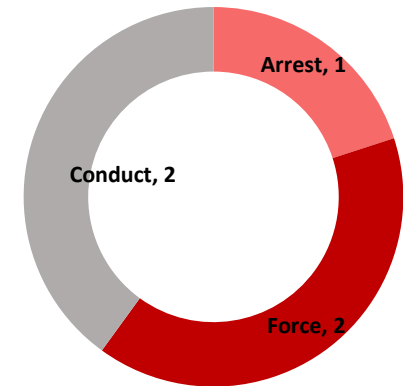
AB716 - PROHIBITION ORDERS



INTERNAL AFFAIRS COMPLAINTS

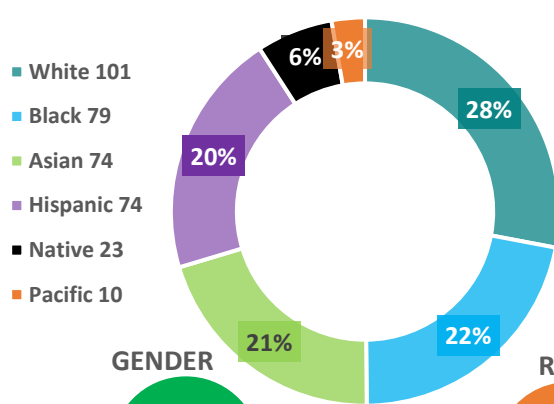


IA COMPLAINTS RECEIVED¹

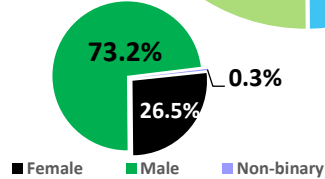


1: Each incident could contain more than one allegation. This chart reflects the most significant allegation per

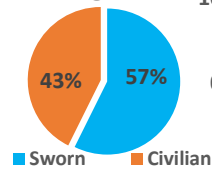
DEPARTMENT ETHNIC DIVERSITY



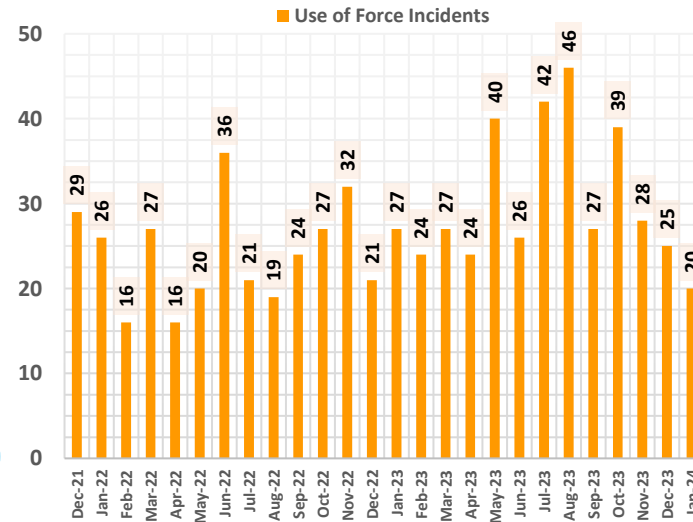
GENDER



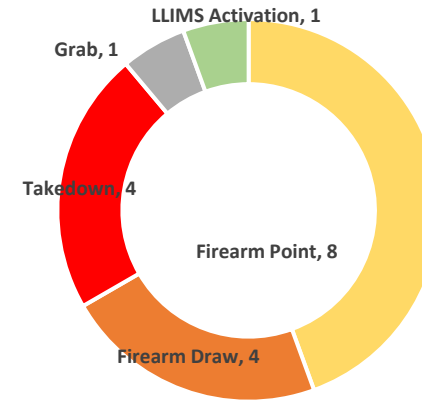
ROLE



USE OF FORCE INCIDENTS

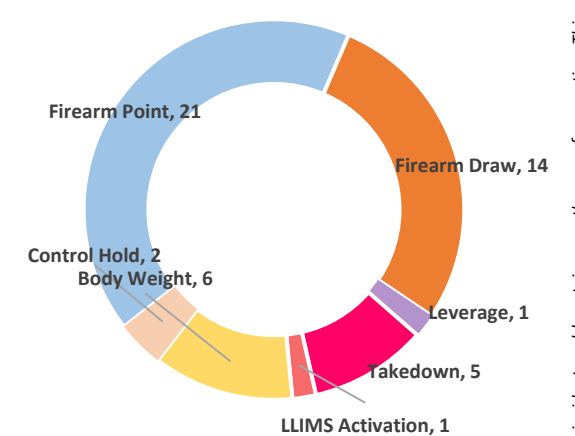


INCIDENT FORCE OPTIONS USED²



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

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January 2024 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
2024 CY	20												20
2023 CY	27	24	27	24	40	26	42	46	27	39	28	25	375
2022 CY	26	16	27	16	20	36	21	19	24	27	32	21	285
2021 CY	25	14	21	18	23	16	16	8	24	26	24	29	244
2024 YTD	20												
2023 YTD	27	51	78	102	142	168	210	256	283	322	350	375	
2022 YTD	26	42	69	85	105	141	162	181	205	232	264	285	
2021 YTD	25	39	60	78	101	117	133	141	165	191	215	244	

BART PD Dispatch Communications Center													
Dispatch Center Calls	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2024 Calls for Service	8,539												8,539
2024 Priority 1 Calls	178												178
2024 Medical Emergencies	335												335
2024 Avg P1 Response Time	05:13												05:13
2023 Calls for Service	7,012	6,003	7,236	7,279	7,076	6,467	6,831	7,197	6,695	6,755	6,465	6,601	81,617
2023 Priority 1 Calls	194	160	194	180	217	187	233	221	175	213	199	189	2,362
2023 Medical Emergencies	412	344	398	378	357	338	352	293	310	316	303	325	4,126
2023 Avg P1 Response Time	03:10	04:39	03:17	03:59	04:01	04:08	03:52	04:25	04:21	04:12	04:37	05:27	04:11
2022 Calls for Service	6,087	5,802	7,138	6,936	7,080	7,191	7,081	7,330	6,956	7,433	6,609	6,694	82,337
2022 Priority 1 Calls	141	150	141	151	160	174	190	185	171	203	183	179	2,028
2022 Medical Emergencies	302	255	286	277	309	353	302	327	322	386	332	399	3,850
2022 Avg P1 Response Time	03:52	03:19	02:59	04:27	03:23	03:46	04:27	04:04	03:29	04:42	05:21	03:52	03:58
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

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January 2024 Performance Measurement Review - **Systemwide**

BART PD Enforcement Contacts													
Felony Arrests	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2024 Felony Arrest	48												48
2023 Felony Arrest	36	42	42	38	60	53	78	69	70	84	98	56	726
2022 Felony Arrest	27	35	32	28	52	39	31	42	37	60	26	39	448
2021 Felony Arrest	20	18	30	19	25	22	28	19	30	34	42	37	324
2024 Felony Arrest YTD	48												
2023 Felony Arrest YTD	36	78	120	158	218	271	349	418	488	572	670	726	
2022 Felony Arrest YTD	27	62	94	122	174	213	244	286	323	383	409	448	
2021 Felony Arrest YTD	20	38	68	87	112	134	162	181	211	245	287	324	
Misdemeanor Arrests	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2024 Misd. Arrest	205												205
2023 Misd. Arrest	123	116	140	150	98	101	163	162	165	246	226	179	1,869
2022 Misd. Arrest	113	91	109	116	127	133	122	139	136	149	130	97	1,462
2021 Misd. Arrest	82	87	122	114	109	102	117	85	108	158	130	133	1,347
2024 Misd. Arrest YTD	205												
2023 Misd. Arrest YTD	123	239	379	529	627	728	891	1,053	1,218	1,464	1,690	1,869	
2022 Misd. Arrest YTD	113	204	313	429	556	689	811	950	1,086	1,235	1,365	1,462	
2021 Misd. Arrest YTD	82	169	291	405	514	616	733	818	926	1,084	1,214	1,347	
Cite & Releases	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2024 Cite & Release	49												49
2023 Cite & Release	62	53	83	90	72	46	102	89	91	81	70	99	938
2022 Cite & Release	75	63	70	86	81	88	71	89	74	84	75	55	911
2021 Cite & Release	52	68	81	71	67	68	70	56	62	86	86	73	840
2024 Cite & Release YTD	49												
2023 Cite & Release YTD	62	115	198	288	360	406	508	597	688	769	839	938	
2022 Cite & Release YTD	75	138	208	294	375	463	534	623	697	781	856	911	
2021 Cite & Release YTD	52	120	201	272	339	407	477	533	595	681	767	840	
Field Interviews	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2024 Field Interview	1,642												1,642
2023 Field Interview	673	514	710	810	696	682	873	765	856	787	905	1,079	9,350
2022 Field Interview	633	756	882	828	814	770	716	734	775	869	792	624	9,193
2021 Field Interview	809	659	781	767	746	681	811	695	943	1,017	876	765	9,550
2024 Field Interview YTD	1,642												
2023 Field Interview YTD	673	1,187	1,897	2,707	3,403	4,085	4,958	5,723	6,579	7,366	8,271	9,350	
2022 Field Interview YTD	633	1,389	2,271	3,099	3,913	4,683	5,399	6,133	6,908	7,777	8,569	9,193	
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	
Combined Contacts	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2024 Monthly Enf. Contacts	1,944												1,944
2023 Monthly Enf. Contacts	894	725	975	1,088	926	882	1,216	1,085	1,182	1,198	1,299	1,413	12,883
2022 Monthly Enf. Contacts	848	945	1,093	1,058	1,074	1,030	940	1,004	1,022	1,162	1,023	815	12,014
2021 Monthly Enf. Contacts	963	832	1,014	971	947	873	1,026	855	1,143	1,295	1,134	1,008	12,061
2024 Enf. Contacts YTD	1,944												
2023 Enf. Contacts YTD	894	1,619	2,594	3,682	4,608	5,490	6,706	7,791	8,973	10,171	11,470	12,883	
2022 Enf. Contacts YTD	848	1,793	2,886	3,944	5,018	6,048	6,988	7,992	9,014	10,176	11,199	12,014	
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	



Bay Area Rapid Transit Police Department

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January 2024 Performance Measurement Review - **Systemwide**

BART PD Warrant Arrests													
Warrant Arrests	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2024 BART Felony	2												2
2024 BART Misdemeanor	5												5
2024 Outside Felony	56												56
2024 Outside Misdemeanor	121												121
2024 Monthly Total	184												184
2024 YTD Total	184												
2023 BART Felony	2	4	0	1	2	2	1	1	2	0	2	2	19
2023 BART Misdemeanor	12	6	7	7	10	7	10	2	7	5	2	4	79
2023 Outside Felony	64	63	68	91	78	83	75	67	69	44	46	46	794
2023 Outside Misdemeanor	143	110	152	123	109	152	71	64	103	65	79	78	1,249
2023 Monthly Total	221	183	227	222	199	244	157	134	181	114	129	130	2,141
2023 YTD Total	221	404	631	853	1,052	1,296	1,453	1,587	1,768	1,882	2,011	2,141	
2022 BART Felony	2	1	3	6	1	0	1	0	1	2	2	1	20
2022 BART Misdemeanor	3	4	10	11	10	8	11	9	10	9	9	10	104
2022 Outside Felony	51	48	53	53	54	47	52	69	53	80	64	51	675
2022 Outside Misdemeanor	61	83	93	135	120	112	108	123	124	166	136	118	1,379
2022 Monthly Total	117	136	159	205	185	167	172	201	188	257	211	180	2,178
2022 YTD Total	117	253	412	617	802	969	1,141	1,342	1,530	1,787	1,998	2,178	
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	



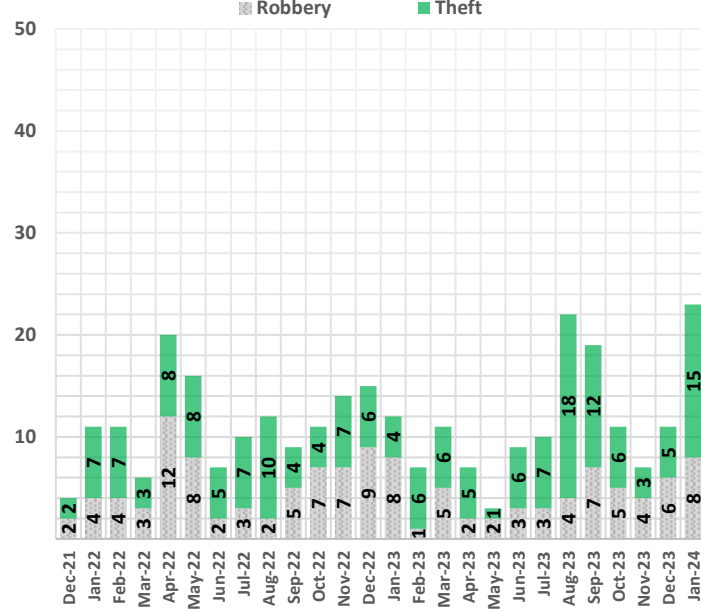
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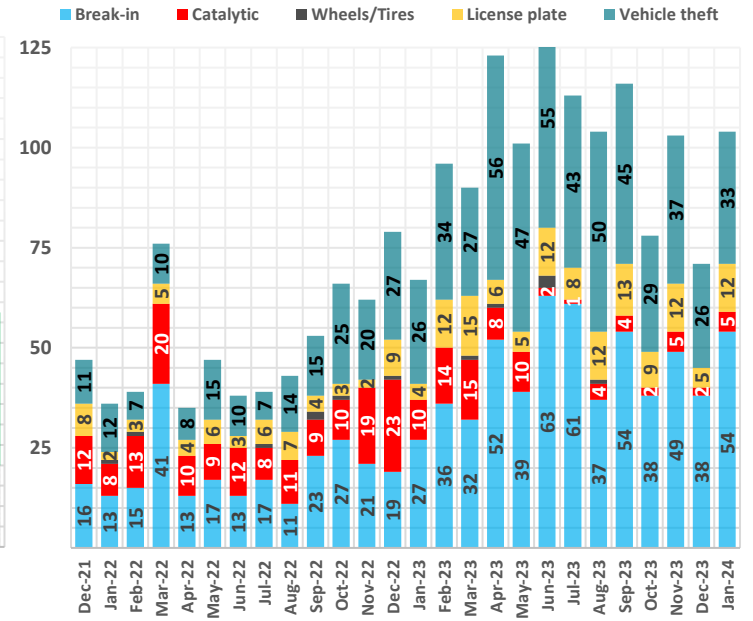
January 2024 Performance Measurement Review - **Alameda County**

PART 1 UCR Crime	2019	2020	2021	2022	2023	YTD 2023	YTD 2024	PCT %
Homicide	1	0	0	1	1	0	0	-%
Rape	2	3	2	3	3	0	0	-%
Robbery	229	122	64	123	119	13	12	-8%
Aggravated Assault	52	54	34	63	84	5	5	0%
Violent Crime Subtotal	284	179	100	190	207	18	17	-6%
Burglary (Structural)	13	9	6	10	15	0	0	-%
Larceny & Auto Burglary	1,634	577	472	627	915	49	77	+57%
Auto Theft	149	56	85	170	475	26	33	+27%
Arson	5	2	2	2	3	0	0	-%
Property Crime Subtotal	1,801	644	565	809	1,408	75	110	+47%
TOTAL	2,085	823	665	999	1,615	93	127	+37%

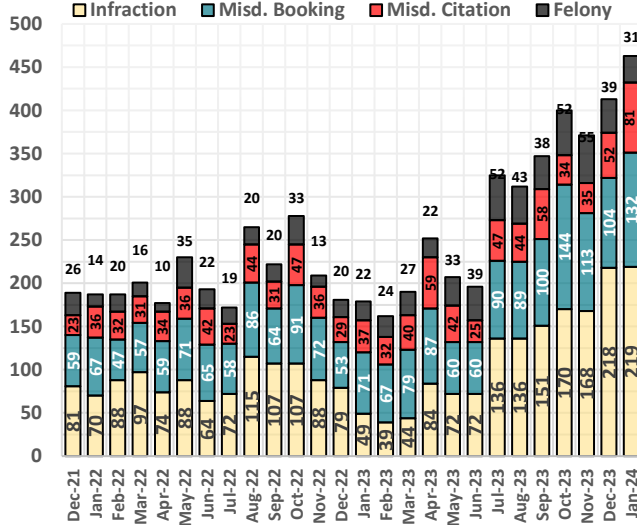
ALAMEDA ELECTRONIC CRIME



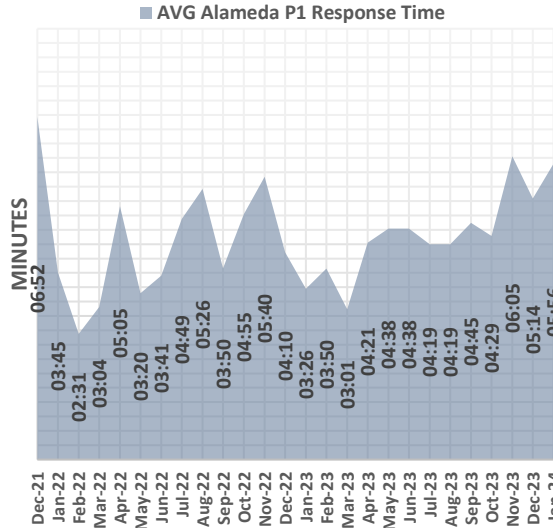
ALAMEDA VEHICLE CRIME



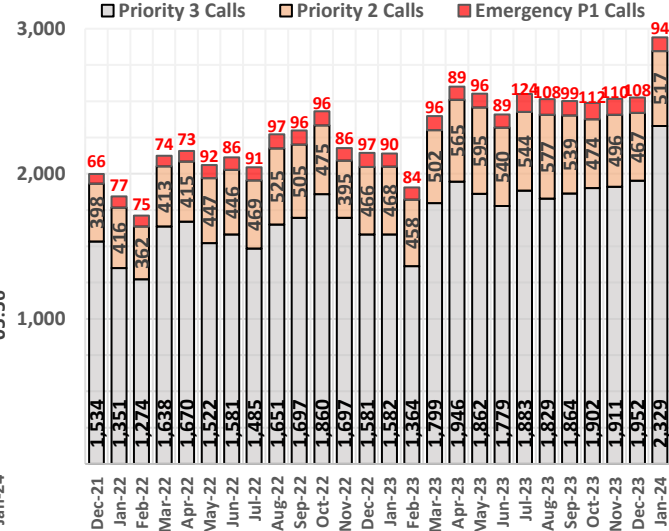
ALAMEDA ARRESTS & CITATIONS



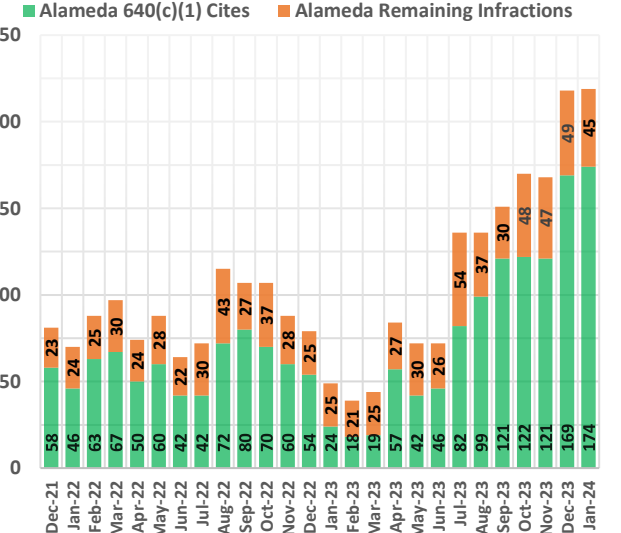
RESPONSE TIME (P1) AVG



ALAMEDA PRIORITY 1 - 3 CALLS



ALAMEDA FARE EVASION



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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



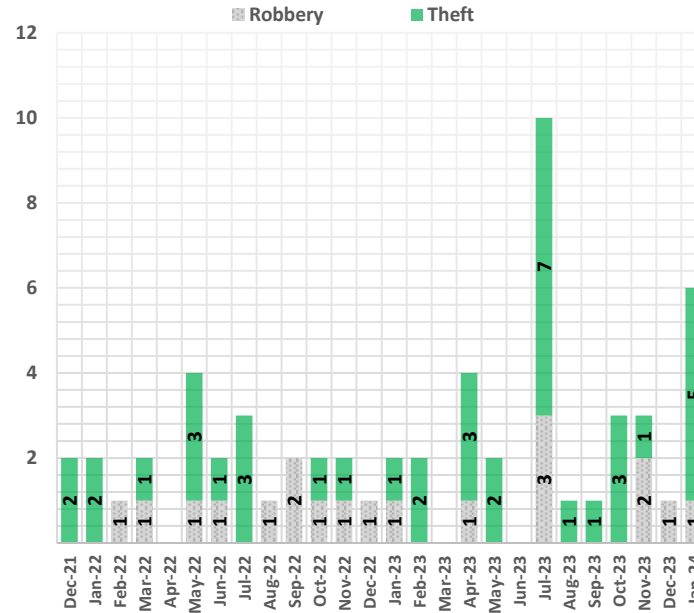
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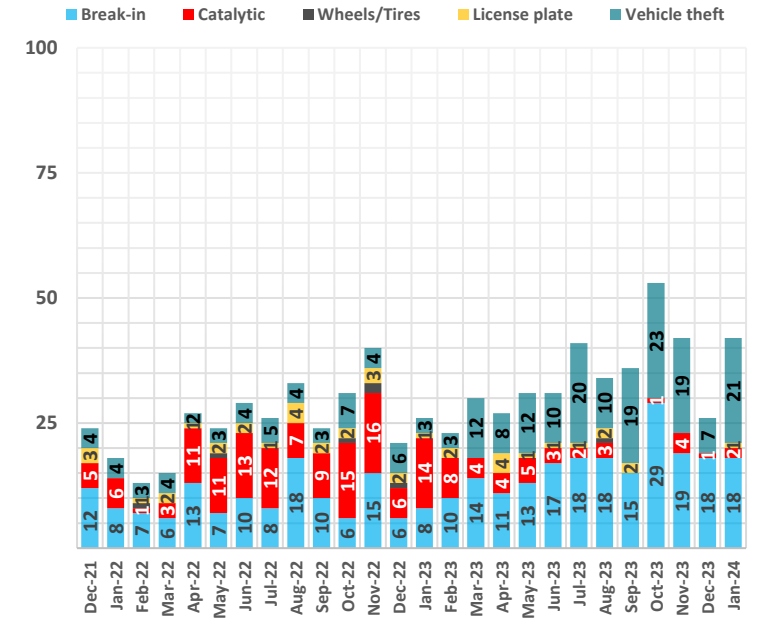
January 2024 Performance Measurement Review - **Contra Costa County**

PART 1 UCR Crime	2019	2020	2021	2022	2023	YTD 2023	YTD 2024	PCT %
Homicide	0	0	0	0	0	0	0	-%
Rape	4	0	4	4	4	0	0	-%
Robbery	34	23	19	23	18	3	2	-33%
Aggravated Assault	23	17	19	21	23	3	2	-33%
Violent Crime Subtotal	61	40	42	48	45	6	4	-33%
Burglary (Structural)	2	1	1	4	7	0	0	-%
Larceny & Auto Burglary	592	202	226	328	322	26	22	-15%
Auto Theft	81	40	46	49	146	3	21	+600%
Arson	0	0	0	5	1	0	0	-%
Property Crime Subtotal	675	243	273	386	476	29	43	+48%
TOTAL	736	283	315	434	521	35	47	+34%

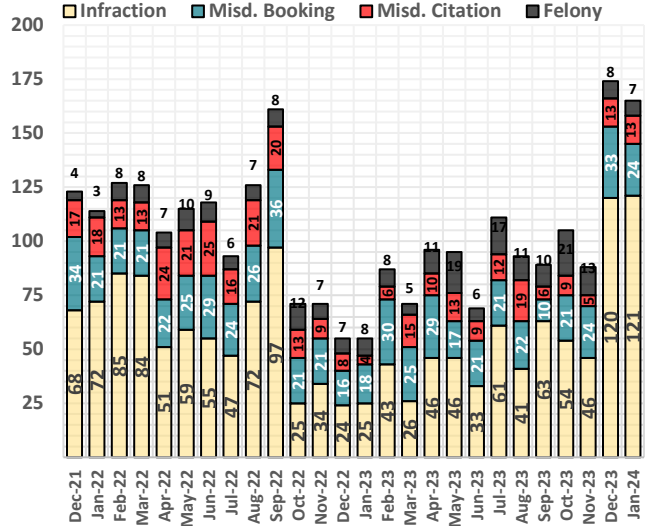
CONTRA COSTA ELECTRONIC THEFT



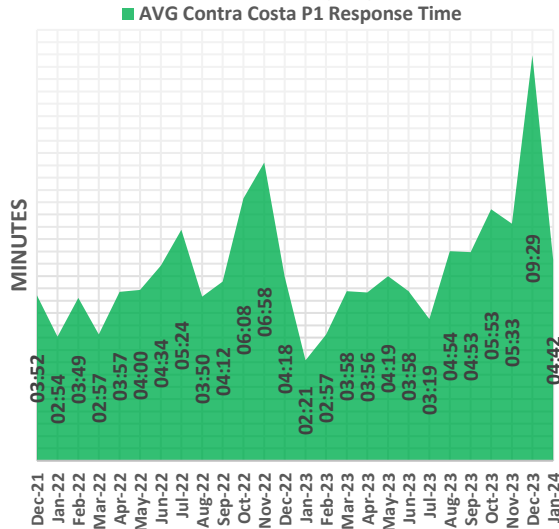
CONTRA COSTA VEHICLE CRIME



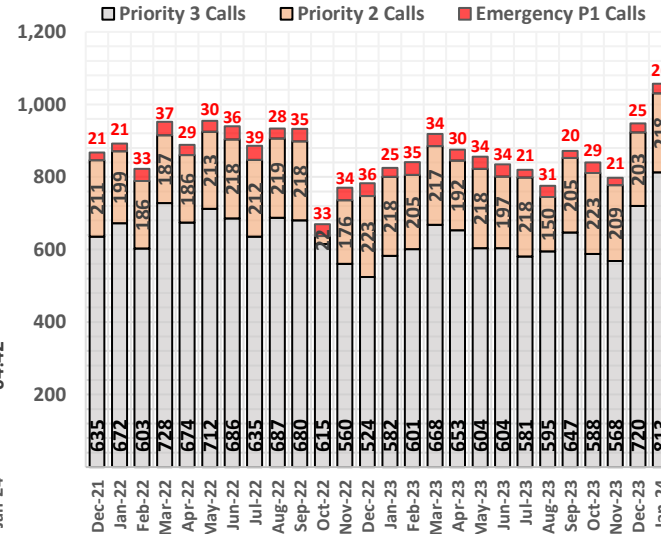
COCO ARRESTS & CITATIONS



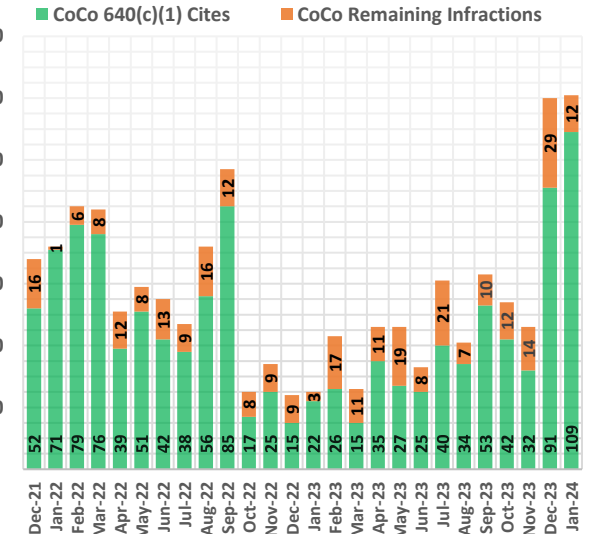
RESPONSE TIME (P1) AVG



COCO PRIORITY 1 - 3 CALLS



COCO FARE EVASION



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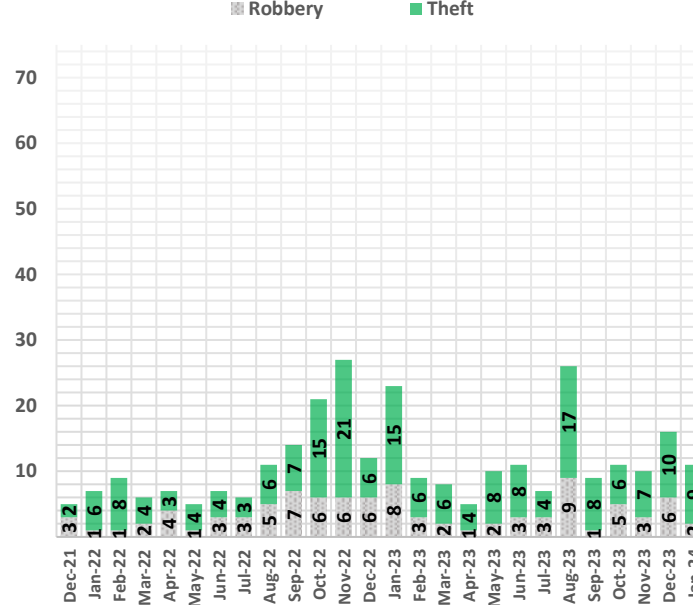
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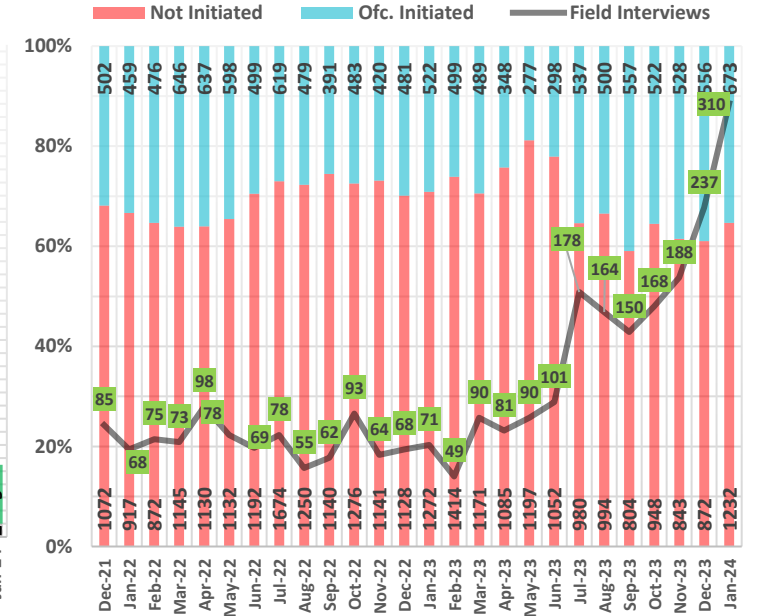
January 2024 Performance Measurement Review - San Francisco County

PART 1 UCR Crime	2019	2020	2021	2022	2023	YTD 2023	YTD 2024	PCT %
Homicide	0	0	0	3	0	0	0	-%
Rape	0	4	1	0	0	0	0	-%
Robbery	104	101	47	66	82	10	4	-60%
Aggravated Assault	28	19	16	21	40	2	2	0%
Violent Crime Subtotal	132	124	64	90	122	12	6	-50%
Burglary (Structural)	4	1	3	6	2	1	0	-100%
Larceny & Auto Burglary	619	200	103	110	147	17	15	-12%
Auto Theft	1	0	0	0	2	0	1	-%
Arson	0	1	2	1	0	0	0	-%
Property Crime Subtotal	624	202	108	117	151	18	16	-11%
TOTAL	756	326	172	207	273	30	22	-27%

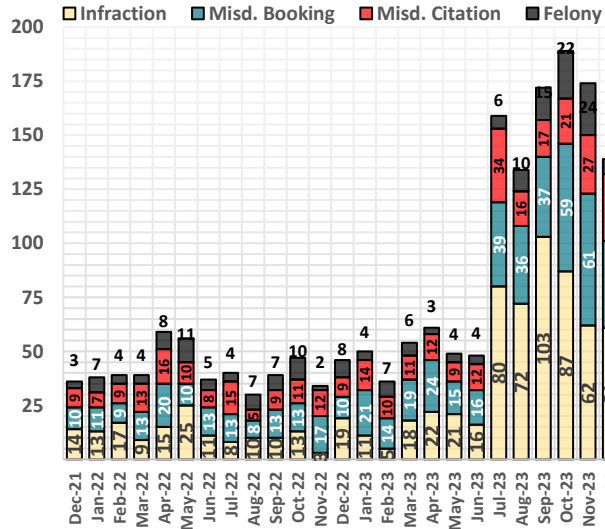
SAN FRANCISCO ELECTRONIC CRIMES



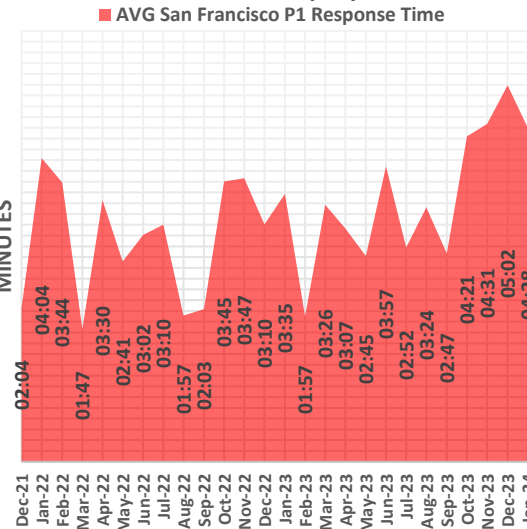
SF OFFICER-INITIATED INCIDENTS



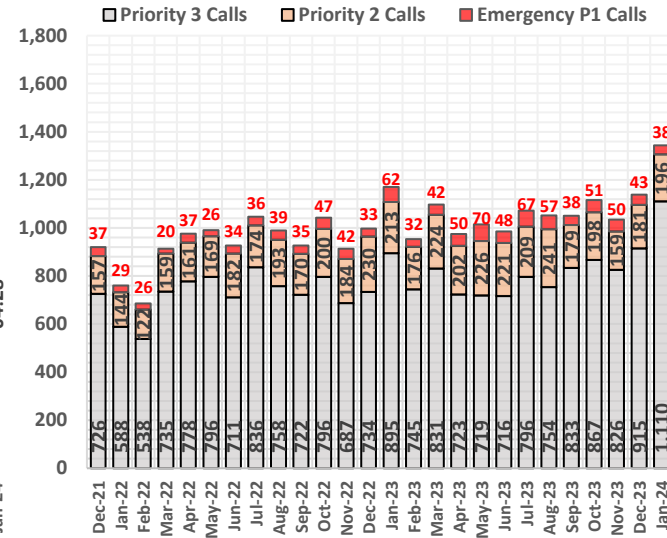
SF ARRESTS & CITATIONS



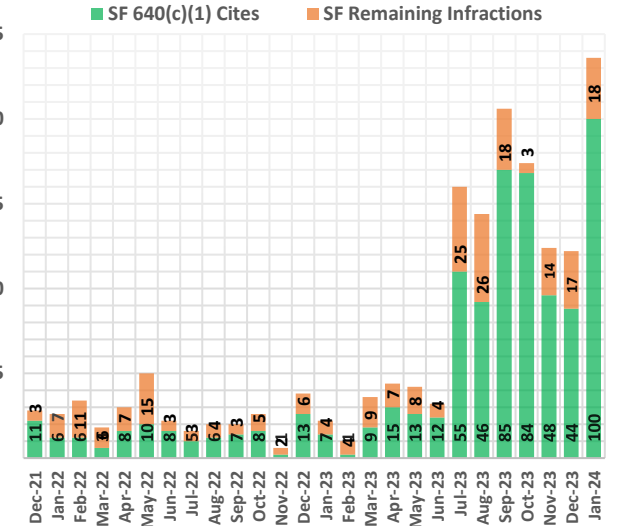
RESPONSE TIME (P1) AVG



SF PRIORITY 1 - 3 CALLS



SAN FRANCISCO 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.



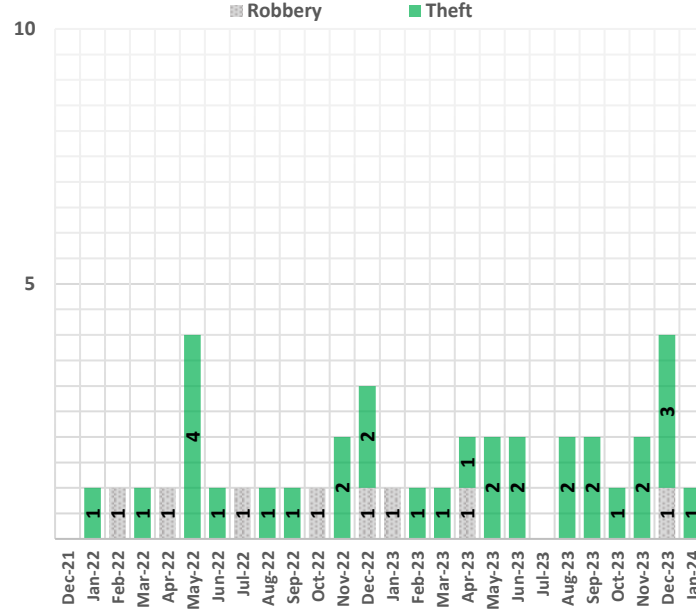
Bay Area Rapid Transit Police Department

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

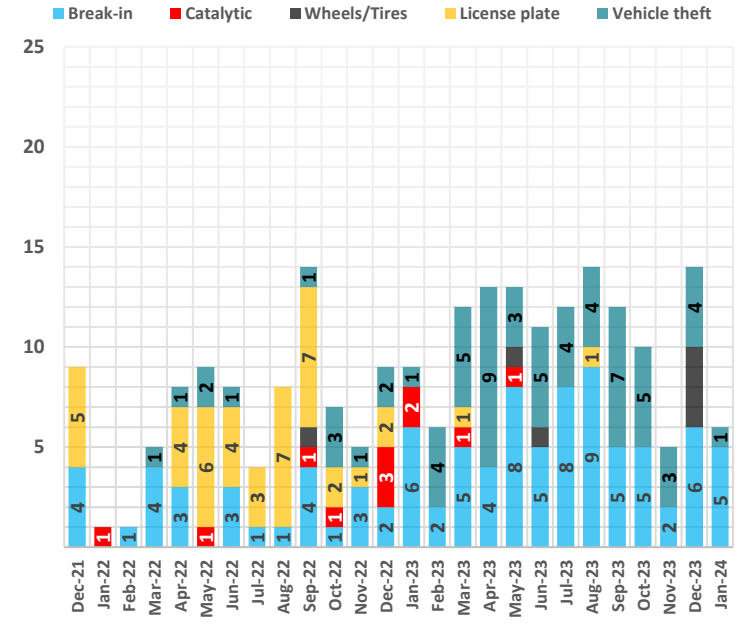
January 2024 Performance Measurement Review - San Mateo County

PART 1 UCR Crime	2019	2020	2021	2022	2023	YTD 2023	YTD 2024	PCT %
Homicide	0	0	0	0	0	0	0	-%
Rape	1	1	1	0	0	0	0	-%
Robbery	13	6	10	14	13	1	1	0%
Aggravated Assault	8	4	2	3	9	2	1	-50%
Violent Crime Subtotal	22	11	13	17	22	3	2	-33%
Burglary (Structural)	0	1	1	1	0	0	0	-%
Larceny & Auto Burglary	332	75	81	87	101	11	8	-27%
Auto Theft	13	4	3	12	54	1	1	0%
Arson	0	1	1	1	0	0	0	-%
Property Crime Subtotal	345	81	86	101	155	12	9	-25%
TOTAL	367	92	99	99	177	15	11	-27%

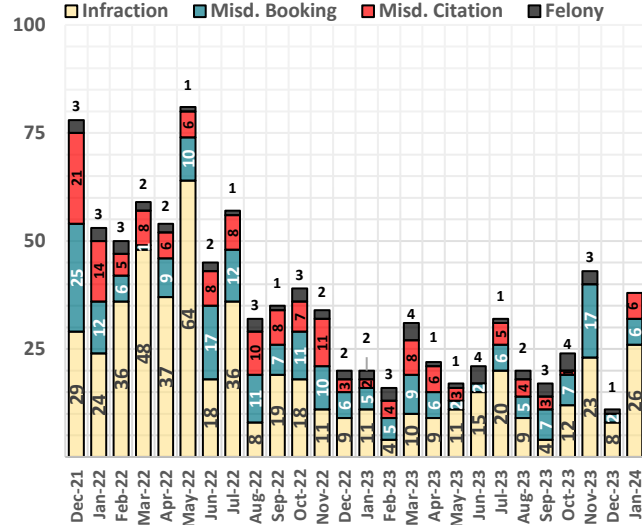
SAN MATEO ELECTRONIC CRIME



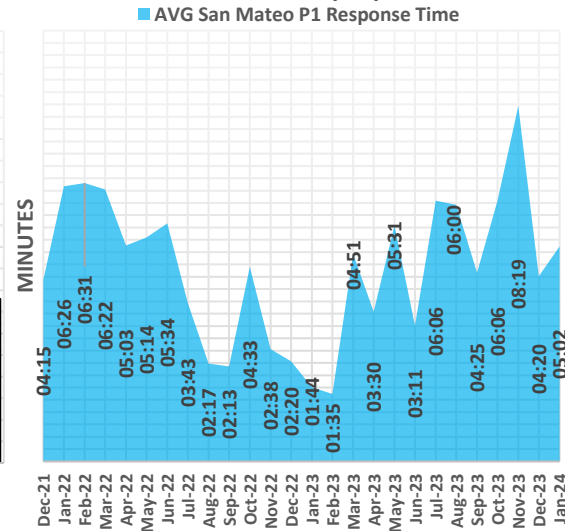
SAN MATEO VEHICLE CRIME



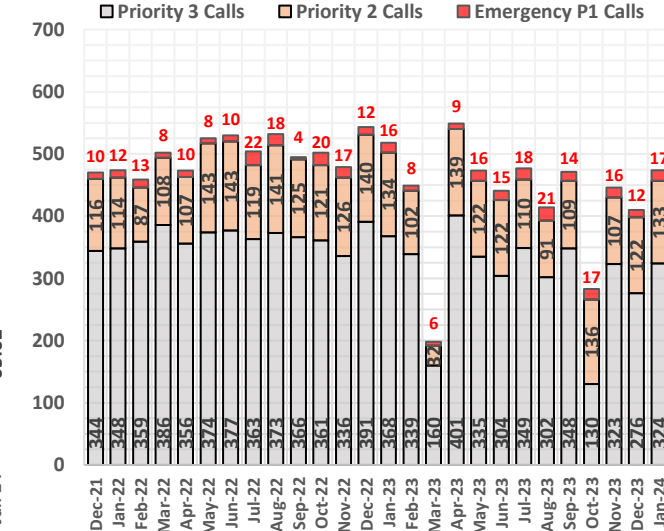
SMC ARRESTS & CITATIONS



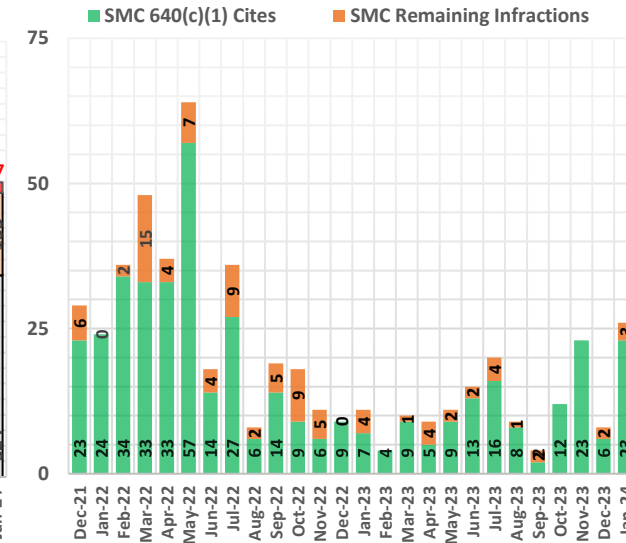
RESPONSE TIME (P1) AVG



SMC PRIORITY 1 - 3 CALLS



SMC FARE EVASION



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Bay Area Rapid Transit Police Department

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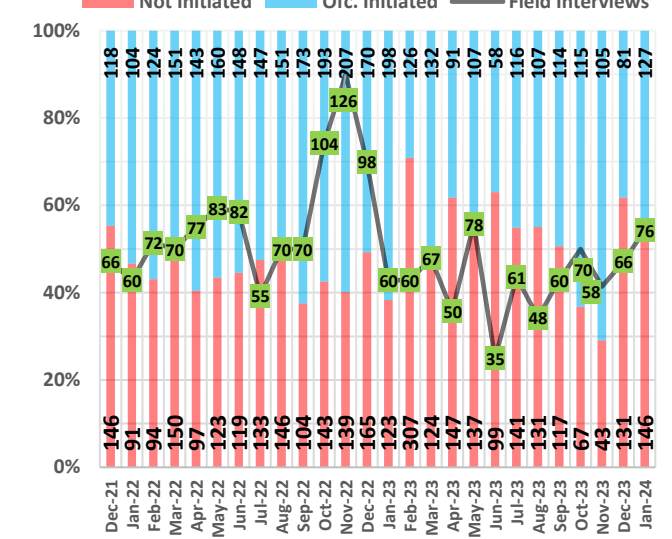
January 2024 Performance Measurement Review - Santa Clara County

PART 1 UCR Crime	2019	2020	2021	2022	2023	YTD 2023	YTD 2024	PCT %
Homicide	-	-	0	0	0	0	0	-%
Rape	-	-	0	0	0	0	0	-%
Robbery	-	-	2	0	2	0	0	-%
Aggravated Assault	-	1	0	2	0	0	0	-%
Violent Crime Subtotal	0	1	2	2	2	0	0	-%
Burglary (Structural)	-	-	0	0	0	0	0	-%
Larceny & Auto Burglary	-	1	0	0	7	0	0	-%
Auto Theft	-	-	0	0	1	0	0	-%
Arson	-	-	0	0	0	0	0	-%
Property Crime Subtotal	0	1	0	0	8	0	0	-%
TOTAL	0	2	2	2	10	0	0	-%

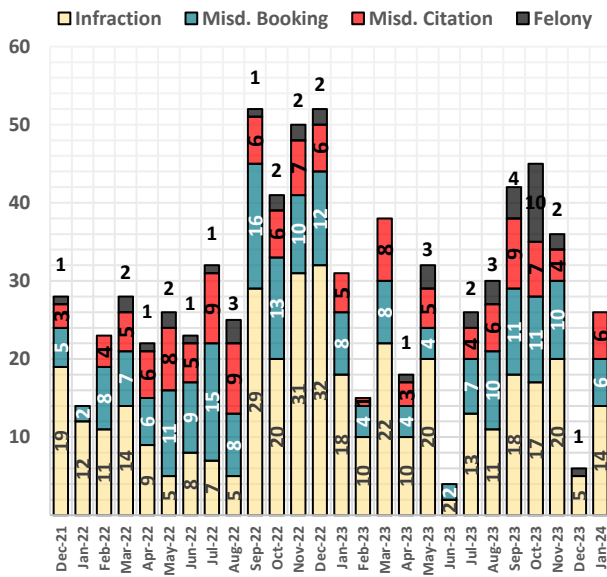
SANTA CLARA ELECTRONIC CRIME



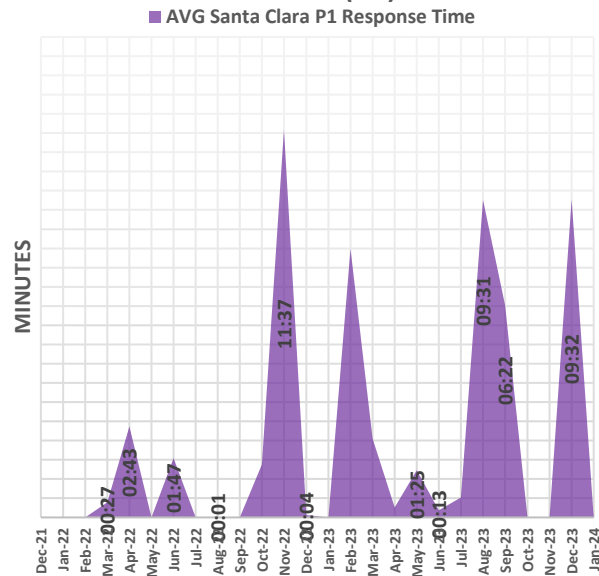
SCC OFFICER-INITIATED INCIDENTS



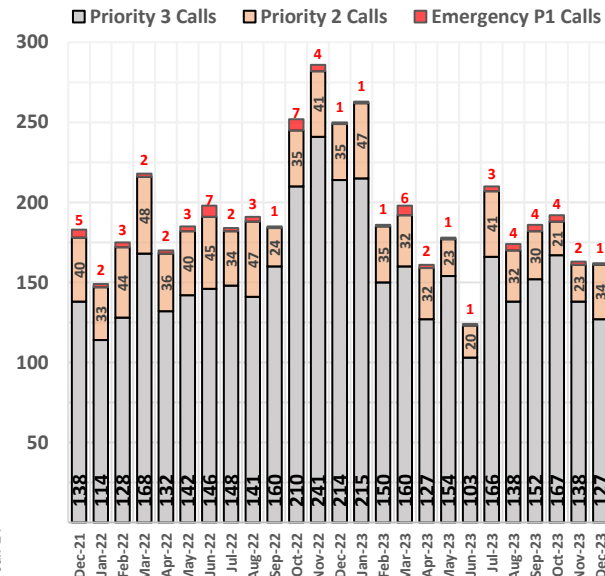
SCC ARRESTS & CITATIONS



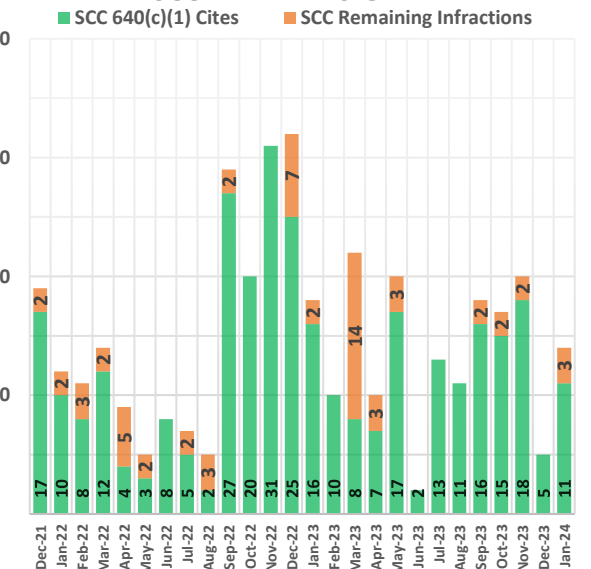
RESPONSE TIME (P1) AVG



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
IA2018-060	7/22/2018	7/23/2018	Service Review		Lt. Salas	Tolled	12/23/2018	
IA2020-017	2/15/2020	2/15/2020	Force		Sgt. Vuong	In Progress	7/16/2020	2/15/2020
IA2022-087	11/2/2022	11/3/2022	CUBO		Sgt. Vuong	In Progress	4/10/2023	11/3/2023
IA2022-093	12/6/2022	12/6/2022	Force, CUBO, Arrest		Sgt. Turner	In Progress	5/7/2023	12/6/2023
IA2023-001	1/2/2023	1/3/2023	CUBO		Sgt. Turner	In Progress	6/7/2023	1/3/2024
IA2023-005	1/28/2023	1/30/2023	Courtesy		Sgt. Vuong	In Progress	6/1/2023	1/30/2024
IA2023-009	2/7/2023	2/8/2023	BWC CUBO Policy/Procedure		Sgt. Vuong	In Progress	7/9/2023	2/8/2024
IA2023-018	2/27/2023	2/27/2023	Force, Policy/Procedure		Sgt. Vuong	In Progress	7/29/2023	2/27/2024
IA2023-019	1/28/2023	3/8/2023	Arrest/Detention, Search/Seizure		Sgt. Turner	In Progress	8/7/2023	3/8/2024
IA2023-021	3/14/2023	3/15/2023	Service Review	OIPA deferred to IA #23-06	Sgt. Vuong	In Progress	8/14/2023	3/15/2024
IA2023-022	2/27/2022	3/14/2023	Arrest/Detention, Force, BBP, BWC, Search/Seizure, CUBO	OIPA deferred to IA #23-05	Sgt. Turner	In Progress	8/13/2023	8/14/2024
IA2023-023	3/21/2023	3/21/2023	POD, BBP		Sgt. Vuong	In Progress	8/20/2023	8/21/2024
IA2023-025	3/25/2023	3/25/2023	CUBO, POD, Policy/Procedure		Sgt. Turner	In Progress	8/24/2023	8/25/2024
IA2023-026	3/25/2023	3/27/2023	POD, BBP		Sgt. Vuong	In Progress	8/26/2023	8/27/2024
IA2023-028	3/29/2023	3/28/2023	Search/Seizure		Sgt. Turner	In Progress	8/29/2023	3/29/2024
IA2023-029	3/29/2023	12/12/2022	Force, Arrest/Detention, CUBO		Sgt. Turner	In Progress	8/29/2023	3/29/2024
IA2023-030	4/1/2023	4/1/2023	Performance		Sgt. Turner	In Progress	9/1/2023	4/1/2024
IA2023-031	4/4/2023	4/4/2023	Performance, Policy/Procedure, Body Worn Camera		Sgt. Turner	In Progress	9/4/2023	4/4/2024
IA2023-032	4/2/2023	4/2/2023	Force		Sgt. Turner	In Progress	9/4/2023	4/2/2024

IA2023-033	4/7/2023	4/7/2023	CUBO		Sgt. Turner	In Progress	9/7/2023	4/7/2024
IA2023-035	3/5/2023	3/27/2023	Arrest/Detention		Sgt. Vuong	In Progress	8/28/2023	3/28/2024
IA2023-036	4/13/2023	4/13/2023	Force, Policy/Procedure	Retained by OIPA	OIPA	In Progress	9/12/2023	4/13/2024
IA2023-037	4/13/2023	4/13/2023	Arrest/Detention CUBO, BBP	Retained by OIPA	OIPA	In Progress	9/17/2023	4/13/2024
IA2023-038	4/17/2023	4/24/2023	Bias/ CUBO		Sgt. Vuong	In Progress	9/25/2023	4/25/2024
IA2023-040	4/28/2023	4/28/2023	CUBO		Sgt. Vuong	In Progress	9/29/2023	4/29/2024
IA2023-041	4/27/2023	4/28/2023	Arrest/Detention		Sgt. Vuong	In Progress	9/29/2023	4/29/2024
IA2023-042	4/18/2023	5/1/2023	Force		Sgt. Vuong	In Progress	10/2/2023	5/2/2024
IA2023-043	4/28/2023	5/1/2023	CUBO/ Force		Sgt. Vuong	In Progress	10/2/2023	5/2/2024
IA2023-044	04/04/02023	4/4/2023	CUBO		Sgt. Turner	In Progress	9/4/2023	4/4/2024
IA2023-045	5/10/2023	5/10/2023	Bias, Racial Animus, CUBO		Sgt. Vuong	In Progress	10/11/2023	5/11/2024
IA2023-046	5/16/2023	5/16/2023	Force, CUBO		Sgt. Vuong	In Progress	10/17/2023	5/17/2024
IA2023-047	4/20/2023	5/18/2023	CUBO		Sgt. Vuong	In Progress	10/19/2023	5/16/2024
IA2023-048	5/20/2023	5/20/2023	CUBO, Bias		Sgt. Turner	In Progress	10/20/2023	5/20/2024
IA2023-049	5/23/2023	5/25/2023	Arrest/Detention Force		Sgt. Turner	In Progress	11/8/2023	5/25/2024
IA2023-050	6/9/2023	6/9/2023	Force		Sgt. Vuong	Tolled	11/12/2023	6/9/2024
IA2023-051	Unkown	5/9/2023	Policy/Procedure CUBO, BBP	Retained by OIPA #23-16	OIPA	OIPA Investigation	10/8/2023	5/9/2024
IA2023-052	Unkown	4/27/2023	CUBO		Sgt. Turner	In Progress	9/26/2023	4/27/2024
IA2023-053	6/9/2023	6/16/2023	Policy/Procedure BBP, CUBO		Sgt. Vuong	In Progress	11/15/2023	6/16/2024
IA2023-054	5/6/2023	5/6/2023	Force		Sgt. Turner	In Progress	11/15/2023	5/6/2024
IA2023-055	Unkown	5/20/2023	Policy/Procedure, POD, CUBO		Lt. Salas	In Progress	10/19/2023	5/20/2024
IA2023-056	6/23/2023	6/26/2023	Courtesy		Sgt. Vuong	In Progress	11/25/2023	6/26/2024
IA2023-057	6/7/2023	6/8/2023	CUBO	OIPA deferred to IA #23-19	Sgt. Turner	In Progress	11/7/2023	6/8/2024
IA2023-058	4/27/2023	4/27/2023	CUBO		Sgt. Turner	In Progress	9/27/2023	4/27/2024
IA2023-059	7/3/2023	7/3/2023	Performance		Sgt. Turner	In Progress	12/3/2023	7/3/2024
IA2023-060	7/6/2023	7/6/2023	Bias, Performance		Sgt. Vuong	In Progress	12/6/2023	7/6/2024

IA2023-061	3/10/2023	7/5/2023	CUBO		Sgt. Turner	In Progress	8/10/2023	7/5/2024
IA2023-062	6/24/2023	7/10/2023	Force		Sgt. Vuong	In Progress	11/24/2023	6/24/2024
IA2023-063	7/10/2023	7/10/2023	CUBO		Sgt. Turner	In Progress	12/10/2023	7/10/2024
IA2023-065	7/3/2023	7/16/2023	Bias-Based Policing	OIPA deffered to IA # 23-27	Sgt. Turner	In Progress	12/3/2023	7/16/2024
IA2023-066	7/20/2023	7/23/2023	Arrest/Detention , Force, Policy/Procedure, Performance of Duty, Search/Seizure		Sgt. Vuong	In Progress	12/23/2023	7/23/2024
IA2023-067	7/22/2023	7/22/2023	POD	OIPA monitoring	Sgt. Vuong	In Progress	12/22/2023	7/22/2024
IA2023-068	7/17/2023	7/23/2023	Performance of Duty	OIPA deffered to IA # 23-28		In Progress	12/17/2023	7/23/2024
IA2023-069	5/7/2023	7/24/2023	CUBO		Sgt. Vuong	In Progress	10/7/2023	7/24/2024
IA2023-070	7/27/2023	7/27/2023	Force		Lt. Salas	In Progress	12/27/2023	7/27/2024
IA2023-071	7/28/2023	7/28/2023	CUBO		Sgt. Vuong	In Progress	12/28/2023	7/28/2024
IA2023-072	7/25/2023	7/28/2023	Performance of Duty	OIPA deffered to IA # 23-30	Sgt. Turner	In Progress	12/25/2023	7/28/2024
IA2023-073	7/24/2023	7/28/2023	Force		Sgt. Turner	In Progress	12/24/2023	7/28/2024
IA2023-074	7/25/2023	7/28/2023	Force		Sgt. Vuong	In Progress	12/25/2023	7/28/2024
IA2023-075	7/29/2023	7/29/2023	Force, CUBO		Sgt. Turner	In Progress	12/29/2023	7/29/2024
IA2023-076	7/31/2023	7/31/2023	Force		Sgt. Vuong	In Progress	12/31/2023	7/31/2024
IA2023-077	8/9/2023	8/9/2023	CUBO		Sgt. Turner	In Progress	1/9/2024	8/9/2024
IA2023-078	8/10/2023	8/10/2023	CUBO		Sgt. Vuong	In Progress	1/10/2024	8/10/2024
IA2023-079	Unkown	8/14/2023	CUBO Policy/Procedure	Retained by OIPA #23-31	OIPA	In Progress	1/14/2024	8/14/2024
IA2023-080	8/14/2023	8/14/2023	CUBO		Sgt. Turner	In Progress	1/14/2024	8/14/2024
IA2023-081	7/13/2023	8/15/2023	Force		Sgt. Turner	In Progress	12/13/2023	8/15/2024
IA2023-082	5/25/2023	8/18/2023	Force		Sgt. Turner	In Progress	10/25/2023	8/18/2024
IA2023-083	8/10/2023	8/16/2023	Force		Sgt. Vuong	In Progress	1/10/2024	8/16/2024
IA2023-084	8/17/2023	8/18/2023	CUBO		Sgt. Turner	In Progress	1/17/2024	8/18/2024
IA2023-085	8/18/2023	8/18/2023	Force, BWC		Sgt. Vuong	In Progress	1/18/2024	8/18/2024

IA2023-086	8/1/2023	8/25/2023	Force		Sgt. Vuong	In Progress	1/1/2024	8/18/2024
IA2023-087	8/16/2023	8/16/2023	CUBO		Lt. Salas	Tolled	1/16/2024	8/16/2024
IA2023-088	8/29/2023	9/1/2023	CUBO Courtsey		Sgt. Turner	In Progress	1/29/2024	8/29/2024
IA2023-089	9/1/2023	9/1/2023	CUBO		Sgt. Vuong	In Progress	2/1/2024	9/1/2024
IA2023-090	9/4/2023	9/4/2023	Bias		Sgt. Vuong	In Progress	2/4/2024	9/4/2024
IA2023-091	9/3/2023	9/3/2023	CUBO Performance of Duty		Lt. Salas	Tolled	2/3/2024	9/3/2024
IA2023-092	9/12/2023	9/14/2023	Bias-Based Policing	OIPA monitoring #23-35	Sgt. Vuong	In Progress	2/12/2024	9/12/2024
IA2023-093	7/24/2022	9/15/2023	Force CUBO		Sgt. Turner	In Progress	2/15/2024	9/15/2024
IA2023-094	9/13/2023	9/15/2023	Bias-Based Policing Performance of Duty Courtesy	OIPA deferred to IA #23-32	Sgt. Turner	In Progress	2/13/2024	9/13/2024
IA2023-095	9/21/2023	9/21/2023	CUBO, Force, POD, P/P		Lt. Salas	In Progress	9/21/2024	9/21/2024
IA2023-096	9/13/2023	9/20/2023	Bias-Based Policing Force CUBO	OIPA deferred to IA #23-33	Sgt. Vuong	In Progress	2/13/2024	9/13/2024
IA2023-097	9/8/2023	9/21/2023	CUBO		Sgt. Vuong	In Progress	2/8/2024	9/8/2024
IA2023-098	9/20/2023	9/22/2023	Force CUBO Bias-Based Policing		Sgt. Turner	In Progress	2/20/2024	9/20/2024
IA2023-099	10/6/2023	10/6/2023			Sgt. Turner	In Progress	3/6/2024	10/6/2024
IA2023-100	2/18/2023	10/23/2023	Force		Sgt. Vuong	In Progress	3/23/2024	10/23/2024
IA2023-101	10/22/2023	10/24/2023	Force		Sgt. Vuong	To the Chief	3/24/2024	10/24/2024
IA2023-102	9/28/2023	10/25/2023	Policy/Procedure (Documentaion) Detention	OIPA Monitoring	Sgt. Turner	In Progress	3/25/2024	10/25/2024
IA2023-103	9/3/2023	10/19/2023	Bias , Policy/Procedure	OIPA # 23-36	OIPA	In Progress	3/25/2024	3/25/2024
IA2023-104	11/1/2023	11/1/2023	Courtesy		Sgt. Vuong	In Progress	4/1/2024	11/1/2024
IA2023-105	11/1/2023	11/1/2023	Force		Sgt. Turner	In Progress	4/1/2024	11/1/2024

IA2023-106	11/7/2023	11/7/2023	Policy/Procedure	Administrative	Sgt. Turner	In Progress	4/7/2024	11/7/2024
IA2023-107	8/17/2023	8/17/2023	Force		Sgt. Turner	In Progress	1/17/2024	8/17/2024
IA2023-108	11/20/2023	11/20/2023	Courtesy		Sgt. Vuong	In Progress	4/20/2024	4/20/2024
IA2023-109	11/8/2023	11/28/2023	CUBO		Sgt. Vuong	In Progress	4/8/2024	11/28/2024
IA2023-110	12/1/2023	12/1/2023	Force		Sgt. Turner	In Progress	5/1/2024	12/1/2024
IA2023-111	12/5/2023	12/5/2023	Bias		Sgt. Vuong	In Progress	4/1/2024	12/5/2024
IA2023-112	12/8/2023	12/6/2023	Force		Sgt. Turner	In Progress	5/8/2024	12/8/2024
IA2023-113	12/12/2023	12/9/2023	Force		Sgt. Vuong	In Progress	5/12/2024	12/12/2024
IA2023-114	12/12/2023	12/10/2023	CUBO		Sgt. Turner	In Progress	5/12/2024	12/12/2024
IA2023-115	12/20/2023	12/21/2023	Force		Sgt. Vuong	In Progress	5/21/2024	12/21/2024
IA2023-116	12/22/2023	12/23/2023	Force		Sgt. Turner	In Progress	5/22/2024	12/22/2024
IA2023-117	12/28/2023	12/28/2023	Force		Sgt. Vuong	In Progress	5/28/2024	12/28/2024
IA2023-118	12/28/2023	12/29/2023	Performance of Duty		Sgt. Turner	In Progress	5/28/2024	12/28/2024
IA2024-001	1/1/2024	1/2/2024	CUBO		Sgt. Turner	In Progress	6/1/2024	1/1/2025
IA2024-002	10/25/2023	1/4/2024	Force		Sgt. Turner	In Progress	6/4/2024	1/4/2025
IA2024-003	1/4/2024	1/5/2024	Arrest or Detention	OIPA Monitoring #24-02	Sgt. Turner	In Progress	6/4/2024	1/4/2025
IA2024-005	1/30/2024	2/1/2024	Arrest/Detention, Force, Policy/Procedure, Performance of Duty	OIPA #24-04	OIPA		6/30/2024	1/30/2025
IA2024-006	2/3/2024	2/3/2024	CUBO		Sgt. Vuong	In Progress	7/3/2024	2/3/2025
IA2024-007	2/5/2024	2/5/2024	Force		Sgt. Vuong	In Progress	7/5/2024	2/5/2025
IA2024-008	2/5/2024	2/3/2024	Force		Sgt. Turner	In Progress	7/5/2024	2/3/2025
IA2024-009	2/4/2024	2/7/2024	Bias-Based Policing , Force, Performance of Duty , Policy/Procedure	OIPA #24-05	OIPA	In Progress	7/4/2024	2/7/2025

BART Watch - 2024

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Crime in Progress	49												49
Disruptive Behavior	469												469
Smoking or Drug Use	600												600
Human Trafficking	0												0
Illegally Parked Vehicle	14												14
Aggressive Panhandling	10												10
Report a Crime Tip	17												17
Robbery / Theft	13												13
Sexual Assault / Lewd Behavior	15												15
Suspicious Activity	77												77
Unattended Bag or Package	38												38
Unsecure Door	15												15
Vandalism	61												61
Welfare Check	221												221
Unwanted Sexual Harassment	6												6
Total	1605	0	0	0	0	0	0	0	0	0	0	0	1605
Text-a-Tip	557												557
BART Watch App Installs	1182												1182

Lifetime Downloads: 103,485



BART Police Department Annual Military Equipment Report

CALENDAR YEAR 2023



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Executive Summary

On September 30, 2021, the Governor of the State of California approved AB-481, requiring law enforcement agencies to obtain approval (for the funding, acquisition, or use of military equipment) of the applicable governing body (BART Board of Directors) by adoption of a military equipment use policy. As a result, the BART Police Department is now required to seek the BART Board of Directors' approval of their military equipment use procedure by ordinance at a regular open meeting prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined.

The bill allows the governing body to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it determines that the military equipment meets specified standards. The ordinance is subject to an annual Board of Directors review to determine whether, based on an annual military equipment report and a public meeting for community input, the standards set forth in the military equipment ordinance have been met. The BART Board of Directors may renew the authorizing ordinance, disapprove authorization for approved equipment where standards have not been met, or require modifications to the military equipment use policy. The military equipment ordinance also requires that the BART Police Department, within 30-days of submitting the annual report, shall hold a well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual Military Equipment Report and the law enforcement agency's funding, acquisition, or use of military equipment. The BART Police Department works in collaboration with the BART Citizen's Review Board (CRB) to hold the required public meeting as part of a regularly scheduled CRB meeting.

Finally, the bill requires the Department's website to publish the military equipment use policy and the annual military equipment report. The policy and report must be posted at least 30 days before they are presented to the BART Board of Directors.

AB-481, Section 7072 states the following:

(a) A law enforcement agency that receives approval for a military equipment use policy pursuant to Section 7071 shall submit to the governing body an annual military equipment report for each type of military equipment approved by the governing body within one year of approval, and annually thereafter for as long as the military equipment is available for use. The law enforcement agency shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

- (1) A summary of how the military equipment was used and the purpose of its use.
- (2) A summary of any complaints or concerns received concerning the military equipment.

(3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.

(4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.

(5) The quantity possessed for each type of military equipment.

(6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

(b) Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the law enforcement agency shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment.

In addition to maintaining the highest levels of public safety, the BART Police Department is committed to transparency, public trust, community partnerships, and compliance with the law. As such, the Department has authored the following 2023 Annual Military Equipment Report in accordance with annual reporting requirements set forth in AB-481.

Introduction

The BART Police Department (BART PD) retains and employs a variety of military equipment, as defined by California State law, to assist with achieving the furtherance of its mission statement: "To ensure a safe environment within our transit system, reduce crime through a highly visible police presence, and proactive enforcement of the law, and to promote public confidence by working in partnership with our stakeholders and the communities we serve."

The BART Police Department recognizes that critical incidents are unpredictable and can be very dynamic in nature. A variety of military equipment options can greatly assist incident commanders, officers, and specific units in bringing those incidents to a swift resolution in a safe manner. The use of military equipment is restricted to use only in certain instances and, in some cases, only by certain units. The use of the Department's military equipment is continuously evaluated, and the use of such equipment by department personnel is influenced by the totality of the circumstances, public safety, officer safety, civil rights, State law, and information available at the time of use.

The BART Police Department policies and training give incident commanders, supervisors, individual officers, and specialized teams the tools to recognize the particular circumstances wherein military equipment should be employed to enhance the safety of the public and officers and bring a critical incident to a safe resolution.

This Annual Military Equipment Report outlines a summary of military equipment usage guidelines, inventory, fiscal impact, and complaints for 2023.

In addition, the BART Police Department conducted internal audits during 2023. While there were no known violations of the Specialized or Military Equipment Use policy, there were four inventory amounts that were determined to have minor errors from the previous year, resulting in an increase of two rifles and a quantity of two types of 40mm ammunition that were not included in the original inventory. Those inventory amounts were corrected in this report.

During the calendar year 2023, the BART Police Department received no complaints concerning Specialized or Military Equipment and/or their use by members of the department.

Summary of Military Equipment

The inventory of military equipment, particularly consumable material (ammunition, diversionary devices, chemical agents, etc.) fluctuates regularly. This is based on a variety of factors, including but not limited to operational usage, operational deterioration, training, maintenance, and expiration and replenishment guidelines. The BART Police Department is committed to transparency in disclosing its military equipment inventory and related information to our community and elected officials in compliance with the law. The Department strives its utmost to provide the most accurate military equipment inventory and information at the time of this report's publication.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles (Category 1).
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded (Category 2).
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are excluded (Category 3).
- Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion (Category 4).
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units (Category 5).
- Weaponized aircraft, vessels, or vehicles of any kind (Category 6).
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded (Category 7).
- Firearms and ammunition of .50 caliber or greater. However, standard issue shotguns are specifically excluded (Category 8).
- Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded (Category 9).
- Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Penal Code § 30510 and Penal Code §30515, with the exception of standard-issue service weapons and ammunition of less than .50 caliber that are issued to officers (Category 10).

- Any firearm or firearm accessory that is designed to launch explosive projectiles (Category 11).
- “Flashbang grenades and explosive breaching tools, “tear gas,” and “pepper balls,” excluding standard, service issued pepper spray (Category 12).
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs) (Category 13).
- The following projectile launch platforms and their associated munitions: 40mm projectile launchers, “bean bag,” rubber bullets, and specialty impact munition (SIM) weapons (Category 14).
- Any other equipment as determined by a governing body or a state agency to require additional oversight (Category 15).

Qualifying Equipment Owned/Utilized by the Bay Area Rapid Transit Police Department

1. AR-15 Style Semiautomatic Rifle – CA Government Code 7070(c)(10) (Category 10)

a. **Equipment Capabilities, Quantity and Lifespan:**

AR-15 style firearms owned by this department that can fire .223/5.56mm caliber projectiles accurately over 100 yards.

Quantity Owned: 93—The current policy shows 92 in error. One rifle was in transit during the original audit and discovered during the 2023 inventory audit.

Price Per Unit: Approximately \$1,500 dollars

Lifespan: Approximately 15 Years

b. **Manufacturer Product Description:**

The AR-15 style rifles the department owns are the Colt LE 6920 and Sig Sauer M400. It features a 16" barrel and a free-float M-Lok Handguard. The Sig Sauer M400 also features ambidextrous controls for right-handed and left-handed users. It is topped with a Sig Sauer Romeo Red Dot sight, which aids in achieving accurate shots.

c. **Purpose/Authorized Uses:**

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- a. Situations where the member reasonably anticipates an armed encounter.
- b. When a member is faced with a situation that may require accurate and effective fire at long range.
- c. Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- d. When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- e. When a member reasonably believes that a suspect may be wearing body armor.

- f. When authorized or requested by a supervisor.
- g. When needed to euthanize an animal.

d. Fiscal Impacts:

Replacement parts required for regular maintenance are expected to cost less than \$1,000 per year. In calendar year 2023, costs for operating and maintaining this equipment were \$0.00.

e. Legal/Procedural Rules Governing Use:

All applicable federal, state, and local laws governing police use of force, and various Bay Area Rapid Transit Police Department (BART PD) policies regarding use of force and firearms. Refer to BART PD Policies 312 and 432, for more information on the use and training of Patrol Rifles.

f. Training Required:

Any officer authorized to use an AR-15-style rifle must complete a CA POST-certified Patrol Rifle Operator Course and regular departmental training and qualifications as required by law, policy, and accreditation guidelines.

g. Other Notes:

For clarification purposes only, these rifles are standard issue service weapons for members of the BART Police Department. As such, **they are exempted** from this Military Equipment Use Policy per CA Gov't Code §7070 (c)(10). They have been included in the District's Military Equipment Ordinance in the interest of transparency.

2. Bolt Action Precision Rifles - CA GC §7070(c)(10) (Category 10)

a. **Equipment Capabilities, Quantity and Lifespan:**

Bolt action style rifles chambered in .308/7.62mm x 51 caliber, can fire rounds accurately out to 1,000 yards.

Quantity Owned: 7—The current policy shows 6 in error. One rifle was in transit during the original audit and discovered during the 2023 inventory audit.

Price Per Unit: Approximately \$5,000 dollars with accessories

Lifespan: Approximately 15 Years

b. **Manufacturer Product Description:**

The department owns the Remington Model 700 SPS Tactical bolt-action rifles. The Remington 700 Sniper Rifle is a bolt-action, precision-fire weapon system that fires 7.62 x 51mm (.308 caliber) ammunition. It is capable of firing at greater distances and with greater accuracy than department-issued patrol rifles.

c. **Purpose/Authorized Uses:**

SWAT members are allowed to utilize firearms chambered in .308. SWAT members may deploy the rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the bolt action rifle may include, but are not limited to:

- a. Situations where the member reasonably anticipates an armed encounter.
- b. When a member is faced with a situation that may require accurate and effective fire at long range.
- c. Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- d. When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- e. When a member reasonably believes that a suspect may be wearing body armor.
- f. When authorized or requested by a supervisor.

d. Fiscal Impacts:

Replacement parts required for the regular maintenance are expected to be less than \$1,000 per year. The calendar year 2023 costs were \$0.00 for the operation and maintenance of this equipment during this reporting period.

e. Legal/Procedural Rules Governing Use:

All applicable federal, state, and local laws governing police use of force, and various BART PD policies regarding use of force and firearms. Refer to BART Police Department Policies 300 and 312, for more information on the use and training of Bolt Action Precision Rifles.

f. Training Required:

Any SWAT officer authorized to use the bolt-action style rifle must complete a CA POST-certified Basic SWAT Operator Course and a CA POST-certified Basic SWAT Sniper/Designated Marksman Course. Additionally, SWAT snipers attend monthly training and must successfully complete a bi-annual qualification course, as well as any training and qualifications required by law, policy, and accreditation guidelines.

g. Other Notes: None.

3. Suppressors (Surefire SOCOM556 & SOCOM762) - CA GC §7070(c)(15) (Category 15)

a. Equipment Capabilities, Quantity and Lifespan:

Reduces the visual and audible sound signatures of rifles, protecting the hearing of the user.

Quantity Owned: 6 (4 SOCOM556 & 2 SOCOM762)

Price Per Unit: \$1,099 dollars (SOCOM556), \$1,199 dollars (SOCOM762)

Lifespan: 15 years

b. Manufacturer Product Description:

The SureFire Mini has maximum sound attenuation and employs SureFire Total Signature Reduction® technology to virtually eliminate the first round flash and reduce sound and dust signatures.

c. Purpose/Authorized Uses:

The SureFire SOCOM suppressors are authorized for use by SWAT operators in training, patrol, and tactical scenarios.

d. Fiscal Impacts:

These items will be requested to be replaced as needed when damaged or at the end of the functional life cycle. There were no expenses for the operation and maintenance of this equipment during this reporting period.

e. Legal/Procedural Rules Governing Use:

All applicable federal, state, and local laws governing police use of force, and various BART Police Department policies regarding use of force and firearms. Refer to BART PD Policies 300, 312, and 432 for more information.

f. Training Required:

Any officer authorized to use an AR-15-style rifle must complete a CA POST-certified Patrol Rifle Operator Course and regular departmental training and qualifications as required by law, policy, and accreditation guidelines.

g. Other Notes: None.

4. Suppressors (Sig Sauer SRD556) - CA GC §7070(c)(15) (Category 15)

a. Equipment Capabilities, Quantity and Lifespan:

Reduces the visual and audible sound signatures of rifles, protecting the hearing of the user.

Quantity Owned: 42 (Change due to error in 2022. 41)

Price Per Unit: Approximately \$600 dollars

Lifespan: Varies, depending on usage and handling.

b. Manufacturer Product Description:

The SRD556 is an Inconel 718 direct thread suppressor. Inconel 718, a nickel alloy stainless steel, provides the highest level of durability, particularly with short-barreled hosts using supersonic ammunition. The 1/2x28tpi threads match the vast majority of modern rifles in .223/5.56mm on the market today. The rear mount has wrench flats to torque the suppressor to the barrel. These wrench flats can be used as a location to "pin and weld" the suppressor to make a shorter barrel over 16" in total length.

c. Purpose/Authorized Uses:

The Sig Sauer SRD556 suppressors are a direct thread attachment to the Sig Sauer M400 patrol rifles and are authorized for use in training, on patrol, and in tactical scenarios.

d. Fiscal Impacts:

These items were included in the price of the Sig Sauer M400 patrol rifles. These items will be requested to be replaced as needed when damaged or at the end of the functional life cycle. There were no expenses for the operation and maintenance of this equipment during this reporting period.

e. Legal/Procedural Rules Governing Use:

All applicable federal, state, and local laws governing police use of force, and various BART Police Department policies regarding use of force and firearms. Refer to BART PD Policies 300, 312, and 432 for more information.

f. Training Required:

Any officer authorized to use an AR-15-style rifle must complete a CA POST-certified Patrol Rifle Operator Course and regular departmental training and qualifications as required by law, policy, and accreditation guidelines.

g. Other Notes: None.

5. .223/5.56mm Ammunition - CA GC §7070(c)(10) (Category 10)

a. **Equipment Capabilities, Quantity and Lifespan:**

To be used with AR-15 style firearms owned by this department that can fire .223/5.56mm caliber projectiles accurately over 100 yards.

Quantity Owned: 194 Cases (200 cases when fully stocked, but the amounts may vary due to training)

Price Per Unit: (Case of 1,000) Approximately \$760

Lifespan: N/A

b. **Manufacturer Product Description:**

.223 Remington: (5.56×45mm), also known as .223 Rem or .223, is a small-bore, high-powered, intermediate rifle cartridge. The bullet is approximately .224 inches (5.56 mm) in diameter, and 45 mm in length.

5.56mm Nato: The 5.56 NATO cartridge is visually nearly identical to the .223 Remington cartridge, with the exception of the casing headstamp, which usually bears the NATO insignia. It can be fired in some of the same weapons. The 5.56 can use the same projectiles as .223, as well as projectiles developed specifically for 5.56. It is a small-bore, high-powered, intermediate rifle cartridge.

c. **Purpose/Authorized Uses:**

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- a. Situations where the member reasonably anticipates an armed encounter.
- b. When a member is faced with a situation that may require accurate and effective fire at long range.
- c. Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- d. When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- e. When a member reasonably believes that a suspect may be wearing body armor.
- f. When authorized or requested by a supervisor.
- g. When needed to euthanize an animal.

d. Fiscal Impacts:

The ongoing costs for munitions will vary depending on usage and ammunition pricing at the time of purchase. The calendar year 2023 costs were \$55,523.36 for the purchase of this ammunition. The source of the funds is the operational budget.

e. Legal/Procedural Rules Governing Use:

All applicable federal, state, and local laws governing police use of force, and various BART PD policies regarding use of force and firearms. Refer to BART PD Policies 312 for more information.

f. Training Required:

Officers must successfully complete a CA POST Academy, which is certified by the Commission on Peace Officer Standards and Training (POST) to present a basic course to peace officers. Additionally, officers must complete a CA POST Patrol Rifle Operator Course and departmental training and qualification courses.

g. Other Notes:

For clarification purposes only, this ammunition is for rifles that are standard issue service weapons for members of the BART Police Department. As such, **they are exempted** from this Military Equipment Use Policy per CA Gov't Code §7070 (c)(10). They have been included in the District's Military Equipment Ordinance in the interest of transparency.

6. .308/7.62x51 (Ruag Swiss P Armour Piercing) - CA GC §7070(c)(10) (Category 10)

a. **Equipment Capabilities, Quantity and Lifespan:**

It provides an accurately fired projectile out to 1,000 yards with the increased capability of defeating hard targets such as reinforced glass and body—and light vehicle armor.

Quantity owned: 200 – last year's amount was 1000 (Amounts may vary, due to training)

Price Per Unit: Approximately \$2.03 dollars per round

Lifespan: N/A

b. **Manufacturer Product Description:**

To be prepared for every scenario, snipers require a round with high penetration power on hard targets such as reinforced glass and body and light vehicle armor. Because the core stays intact during penetration, it transfers extremely effective residual energy to hard targets. The bullet jacket provides the best accuracy, protects the barrel, and is stripped off upon impact.

c. **Purpose/Authorized Uses:**

Ruag Swiss P Armour Piercing ammunition is authorized for use in extreme tactical scenarios when the “open-air” round is not believed to be enough to defeat the intended target and for training use.

d. **Fiscal Impacts:**

The ongoing costs for munitions will vary depending on usage and ammunition pricing at the time of purchase. There were no expenses for the ammunition during this time. The source of the funds is the operational budget.

e. **Legal/Procedural Rules Governing Use:**

All applicable federal, state, and local laws governing police use of force, and various BART Police Department policies regarding use of force and firearms. Refer to BART PD Policies 300 and 312 for more information.

f. **Training Required:**

Any SWAT officer who is authorized to use the bolt action style rifle may use the above ammunition. Said members must complete a CA POST-certified Basic SWAT Operator Course as well as a CA POST-certified Basic SWAT Sniper/Designated Marksman Course. Additionally, SWAT snipers attend monthly training and must successfully complete a bi-annual qualification course as well as any trainings and qualifications as required by law, policy, and accreditation guidelines.

g. Other Notes: None.

7. .308/7.62x51mm (Ruag Swiss P Styx Action – “Open Air”) - CA GC §7070(c)(10) (Category 10)

a. **Equipment Capabilities, Quantity and Lifespan:**

Provides an accurately fired projectile out to 1,000 yards.

Quantity Owned: 1,200 – (Change due to error in 2022. 1000)

Price Per Unit: Approximately \$2.03 dollars per round

Lifespan: N/A

b. **Manufacturer Product Description:**

The shot which is taken as a last resort requires the highest hit probability and an absolutely reliable effect on the target (as in hostage rescue situations etc.). The Styx Action (and Final) rounds were specifically designed to transfer maximum energy in the first few centimeters after striking a soft target and reducing the risk of over penetration, and possible collateral damage.

c. **Purpose/Authorized Uses:**

R Ruag Swiss P Styx Action ammunition is authorized for use in tactical scenarios when patrol rifle ammunition is not believed to be enough to solve the ballistic problem.

d. **Fiscal Impacts:**

The ongoing costs for munitions will vary depending on usage and ammunition pricing at the time of purchase. For the calendar year 2023, the cost of purchasing this ammunition was \$2685.69. The source of the funds is the operational budget.

e. **Legal/Procedural Rules Governing Use:**

All applicable federal, state, and local laws governing police use of force, and various BART Police Department policies regarding use of force and firearms. Refer to BART PD Policies 300 and 312 for more information

f. **Training Required:**

Any SWAT officer who is authorized to use the bolt action style rifle may use the above ammunition. Said members must complete a CA POST-certified Basic SWAT Operator Course as well as a CA POST-certified Basic SWAT Sniper/Designated Marksman Course. Additionally, SWAT snipers attend monthly training and must successfully complete a bi-annual qualification course as well as any trainings and qualifications as required by law, policy, and accreditation guidelines.

g. **Other Notes:** None.

8. Flashbang/Noise Flash Distraction Devices (NFDD) - CA GC Code §7070(c)(12) (Category 12)

a. **Equipment Capabilities, Quantity and Lifespan:**

The flashbang, sometimes referred to as “stun grenade,” is a diversionary device that delivers a bright flash and loud explosive-type noise when deployed to distract and disorient. This is a non-lethal handheld grenade that does not fragment or produce any shrapnel.

Quantity Owned: 13 - (Consumable item, amounts may vary. One operator left and turned in issued equipment. 2022 amount was 12)

Price Per Unit: Approximately \$50 dollars

Lifespan: 5 Years

b. **Manufacturer Product Description:**

The distraction device utilizes a standard military-style M201A1 fuse and produces 175 dB of sound output at 5 feet and 6-8 million candelas for 10 milliseconds.

c. **Purpose/Authorized Uses:**

Flashbangs/NFDDs are designed to distract and disorient occupants of a given location to allow officers to enter a location in the safest manner possible for all involved parties, given the circumstances surrounding an event. They are most often used in tactical scenarios or situations by tactical officers (i.e., SWAT Officers).

d. **Fiscal Impacts:**

Due to NFDD being consumable items, fiscal impacts will vary based on usage. There were no expenses for the operation and maintenance of this equipment during this reporting period for the calendar year 2023.

Legal/Procedural Rules Governing Use:

Flashbangs/NFDDs can only be deployed in accordance with all applicable federal, state, and local laws and department policies governing police use of force. For more information, refer to BART PD Policy 312.3.7.

e. **Training Required:**

Officers must complete a CA POST-certified Basic SWAT Operator Course before being issued flashbangs/NFDDs. Additionally, the Central County SWAT Team provides internal training for members on the use of flashbangs/NFDDs.

f. **Other Notes:** None.

9. 40mm Less than Lethal Impact Munitions Systems (LLIMS) Launchers - CA GC Code §7070(c)(14) (Category 14)

a. Equipment Capabilities, Quantity and Lifespan:

The Defense Technology 40mm LMT is a single-shot launcher capable of firing 40mm kinetic energy munitions, also commonly referred to as specialty impact munitions (SIM), which are less-lethal projectiles.

Quantity Owned: 32 – The new total includes previously approved and purchased launchers.

Price Per Unit: Approximately \$1939.73 dollars

Lifespan: Approximately 15 Years

b. Manufacturer Product Description:

Defense Tech 40mm LMT Single Launcher: Manufactured exclusively for Defense Technology®, the 40LMTS is a tactical single shot launcher that features an expandable ROGERS Super Stoc and an adjustable Integrated Front Grip (IFG) with light rail. The ambidextrous Lateral Sling Mount (LSM) and QD mounting systems allow both a single and two-point sling attachment. The 40LMTS will fire standard 40mm less lethal ammunition, up to 4.8 inches in cartridge length. The Picatinny Rail Mounting System will accept a wide array of enhanced optics/sighting systems.

c. Purpose/Authorized Uses:

This department is committed to reducing the potential for violent confrontations when uncooperative suspects are encountered. LLIMS projectiles, when used properly, are less likely to result in death or serious physical injury.

LLIMS are fired from Defense Technology Single Shot 40 mm launchers. Munitions can be used in an attempt to de-escalate a potentially deadly situation, with a reduced potential for death or serious physical injury.

Approved munitions may be used to compel an individual to cease his or her actions when such munitions present a reasonable option for resolving a situation. LLIMS may also be used when dealing with vicious animals.

Officers are not required, or compelled, to use approved munitions in lieu of other reasonable tactics if the involved officer(s) determine that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons, and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior. Operators shall advise dispatch via radio when LLIMS is deployed. If not on scene, sergeants shall respond immediately to assume control of the deployment and use. When an officer is deploying LLIMS, he/she is the officer in charge until the arrival of a supervisor.

Before discharging projectiles, the officer should consider the following factors:

- a. Severity of the crime or incident.
- b. Subject's capability to pose an imminent threat to the safety of officers or others.
- c. If the subject is actively resisting arrest or attempting to evade arrest by flight.
- d. The credibility of the subject's threat, as evaluated by the officers present, and the subject's physical capacity/capability.
- e. The proximity of weapons available to the subject.
- f. The officer's, versus the subject's, physical factors (e.g., age, size, relative strength, skill level, injury/exhaustion, the number of officer(s) versus subject(s)).
- g. The availability of other force options and their possible effectiveness.
- h. Distance and angle to target.
- i. Type of munitions employed.
- j. Type and thickness of subject's clothing.
- k. The subject's actions dictate the need for an immediate response, and the use of control devices appears appropriate.

d. Fiscal Impacts:

\$38,000 dollars has been approved from the operational budget to purchase 15 additional LLIMS Launchers and ammunition. This purchase was approved by the Board of Directors on the prior Military Equipment request. With the additional LLIMS launchers, the department plans to train all its Police Officers in the use and deployment of LLIMS. There were no expenses for the operation and maintenance of this equipment during this reporting period. The source of the funds is the operational budget.

e. Legal/Procedural Rules Governing Use:

LLIMS launchers may only be used in accordance with all federal, state, and local laws and department policies regarding police use of force. For more information, refer to BART PD Policies 300, 308, and 459.

f. Training Required:

All officers who are allowed to use the LLIMS launcher and approved munitions, must successfully complete the 3-hour department training course and a 2-hour training/qualification course annually.

g. Other Notes: None.

10. 40mm CS Ferret Barricade Round - CA GC Code §7070(c)(12) (Category 12)

a. **Equipment Capabilities, Quantity and Lifespan:**

The equipment listed in this section is designed to temporarily distract or temporarily incapacitate an individual through the introduction of a chemical irritant impacting the eyes, nose, and skin. To be used with LLIMS Launcher to effect a less than lethal point-of aim, point of impact direct-fire capability as an intermediate force option.

Quantity Owned: 8 – last year's amount was 13 (Consumable item, amounts may vary. ACSO Academy requires one per recruit)

Price Per Unit: \$52.50 dollars

Lifespan: 5 Years

b. **Manufacturer Product Description:**

The Ferret 40mm Barricade Penetrating Round is filled with CS powder chemical agent.

It is a frangible projectile that is spin-stabilized utilizing barrel rifling. It is non-burning and designed to penetrate barriers. Primarily used to dislodge barricaded subjects, it can also be used for area denial. Primarily used by tactical teams, it is designed to penetrate barriers, such as windows, hollow core doors, wallboards, and thin plywood. Upon impact, the nose ruptures and instantaneously delivers the agent payload inside a structure or vehicle.

c. **Purpose/Authorized Uses:**

40mm CS Ferret Barricade rounds are used for barricaded subjects in efforts to use non-lethal force to affect an arrest in a tactical environment or in crowd control and civil disobedience situations. This department is committed to reducing the potential for violent confrontations when suspects are encountered. LLIMS projectiles, when used properly, are less likely to result in death or serious physical injury. LLIMS projectiles are approved by the department and are fired from Defense Technology Single Shot 40 mm launchers. Certain munitions can be used in an attempt to de-escalate a potentially deadly situation, with a reduced potential for death or serious physical injury.

d. **Fiscal Impacts:**

Ongoing costs will vary depending on usage and training. The calendar year 2023 costs were \$0.00 for the purchase of this equipment. There were no expenses for the ammunition during this time. The source of the funds is the operational budget.

e. Legal/Procedural Rules Governing Use:

All applicable federal, state, and local laws governing police use of force, and various BART PD policies regarding use of force and firearms. Refer to BART PD Policies 300, 308, and 459 for more information.

f. Training Required:

Officers assigned to SWAT must complete a CA POST-certified Basic SWAT Operator course and a Chemical Munitions Instructor Course.

g. Other Notes: None.

11. 40mm eXact iMpack Sponge Rounds (Blue Tip) - CA GC Code §7070(c)(14) (Category 14)

a. **Equipment Capabilities, Quantity and Lifespan:**

40mm eXact iMpack rounds offer a less-than-lethal point-of-aim, point-of-impact direct-fire capability as an intermediate force option. To be used with LLIMS Launcher to effect a less than lethal point-of-aim, point-of-impact direct-fire capability as an intermediate force option.

Quantity Owned: 117—Previously, the amount was 670. Consumable item. In 2023, the entire department and trainees were trained in LLIMS.

Price Per Unit: Approximately \$19.60 dollars

Lifespan: 5 Years

b. **Manufacturer Product Description:**

The eXact iMpack 40mm Sponge Round is a point-of-aim, point-of-impact direct-fire round. This lightweight, high-speed projectile consists of a plastic body and sponge nose that is spin-stabilized via the incorporated rifling collar and the 40mm launcher's rifled barrel. The round utilizes smokeless powder as the propellant and, therefore, has extremely consistent velocities. It is used for Crowd Control, patrol, and Tactical Applications.

c. **Purpose/Authorized Uses:**

40mm eXact iMpack rounds offer a less-than-lethal point-of-aim, point-of-impact direct-fire capability as an intermediate force option for patrol, crowd control, and tactical officers. This department is committed to reducing the potential for violent confrontations when uncooperative suspects are encountered.

LLIMS projectiles, when used properly, are less likely to result in death or serious physical injury. LLIMS projectiles are approved by the department and are fired from Defense Technology Single Shot 40 mm launchers. Certain munitions can be used in an attempt to de-escalate a potentially deadly situation, with a reduced potential for death or serious physical injury.

d. **Fiscal Impacts:**

Due to 40mm eXact iMpack Sponge Rounds being consumable items, fiscal impacts will vary based on usage and training. There were no expenses for the ammunition during this time.

e. **Legal/Procedural Rules Governing Use:**

All applicable federal, state, and local laws governing police use of force, and various BART PD policies regarding use of force and firearms. Refer to BART PD Policies 300, 308, and 459 for more information.

f. Training Required:

All officers who are allowed to use the LLIMS launcher and approved munitions, must successfully complete the 3-hour department training course and a 2-hour training/qualification course annually.

g. Other Notes: None.

12. 40mm Foam Baton - CA GC Code §7070(c)(14) (Category 14)

a. **Equipment Capabilities, Quantity and Lifespan:**

To be used with LLIMS Launcher to effect a less than lethal point-of-aim, point-of-impact direct-fire capability as an intermediate force option.

Quantity Owned: 11 - Last year's amount was 12 (Consumable item, amounts may vary. ACSO Academy requires one per recruit)

Price Per Unit: \$25 dollars

Lifespan: 5 Years

b. **Manufacturer Product Description:**

The 40 mm Multiple Foam Baton Round is most widely used as a crowd management tool where stand-off distances are limited. It may also prove valuable in riot situations where police lines and protestors are in close proximity. The round contains three foam projectiles. It utilizes smokeless powder and has more consistent velocities and tighter patterns compared to its 37 mm counterpart. The foam projectile allows for closer deployment, while minimizing injury.

c. **Purpose/Authorized Uses:**

40mm Foam Baton rounds offer a less than-lethal point-of-aim, point-of-impact direct-fire capability as an intermediate force option for patrol, crowd control, and tactical officers. This department is committed to reducing the potential for violent confrontations when uncooperative suspects are encountered. LLIMS projectiles, when used properly, are less likely to result in death or serious physical injury.

LLIMS projectiles are approved by the department and are fired from Defense Technology Single Shot 40 mm launchers. Certain munitions can be used in an attempt to de-escalate a potentially deadly situation, with a reduced potential for death or serious physical injury.

d. **Fiscal Impacts:**

These items are purchased for training purposes for recruits attending Police Academies. Fiscal impacts will vary based on usage and training. There were no expenses for the operation and maintenance of this equipment during this reporting period for calendar year 2023.

e. Legal/Procedural Rules Governing Use:

All applicable federal, state, and local laws governing police use of force, and various BART PD policies regarding use of force and firearms. Refer to BART PD Policies 300, 308, and 459 for more information.

f. Training Required:

This munition is primarily used in the police training academy, where all academy recruits are trained in various less lethal impact munitions.

g. Other Notes: None.

13. 40mm Bean Bag- CA GC Code §7070(c)(14) (Category 14)

a. **Equipment Capabilities, Quantity and Lifespan:**

This weapon is to be used with the LLIMS Launcher to effect a less-than-lethal point-of-aim, point-of-impact direct-fire capability as an intermediate force option.

Quantity Owned: 0 – Previously, the amount was 5 (Consumable item; amounts may vary. ACSO Academy requires one per recruit)

Price Per Unit: Approximately \$25.55 dollars

Lifespan: 5 Years

b. **Manufacturer Product Description:**

The 40 mm Bean Bag Round is most widely used as a crowd management tool by Law Enforcement and Corrections when there is a need to target individual instigators. It has also been successfully used as a dynamic, high-energy single subject round for incapacitation or distraction. The round contains one silica sand-filled bag. It utilizes smokeless powder as the propellant and has more consistent velocities and tighter patterns compared to its 37 mm black powder counterpart.

c. **Purpose/Authorized Uses:**

40mm Bean Bag rounds offer a less-than-lethal point-of-aim, point-of-impact direct-fire capability as an intermediate force option for patrol, crowd control, and tactical officers. This department is committed to reducing the potential for violent confrontations when uncooperative suspects are encountered. LLIMS projectiles, when used properly, are less likely to result in death or serious physical injury.

This department is committed to reducing the potential for violent confrontations when suspects are encountered. LLIMS projectiles, when used properly, are less likely to result in death or serious physical injury.

LLIMS projectiles are approved by the department and are fired from Defense Technology Single Shot 40 mm launchers. Certain munitions can be used in an attempt to de-escalate a potentially deadly situation, with a reduced potential for death or serious physical injury.

d. **Fiscal Impacts:**

These items are purchased for training purposes for recruits attending Police Academies. Fiscal impacts will vary based on usage and training. In calendar year 2023, there were no expenses for the ammunition during this time.

e. Legal/Procedural Rules Governing Use:

All applicable federal, state, and local laws governing police use of force, and various BART PD policies regarding use of force and firearms. Refer to BART PD Policies 300, 308, and 459 for more information.

f. Training Required:

This munition is primarily used in the police training academy, where all academy recruits are trained in various less lethal impact munitions.

g. Other Notes: None.

14. 40mm Stinger 60-Caliber - CA GC Code §7070(c)(14) (Category 14)

a. **Equipment Capabilities, Quantity and Lifespan:**

This weapon is to be used with the LLIMS Launcher to effect a less-than-lethal point-of-aim, point-of-impact direct-fire capability as an intermediate force option.

Quantity Owned: 19 - Previously, the amount was 23 (Consumable item, amounts may vary. ACSO Academy requires one per recruit)

Price Per Unit: Approximately \$30 dollars

Lifespan: 5 Years

b. **Manufacturer Product Description:**

The Stinger® 40 mm 60-Caliber Round is most widely used as a crowd management tool by Law Enforcement and Corrections. The round contains approximately eighteen 60-Caliber rubber balls. It utilizes smokeless powder as the propellant and has more consistent velocities and tighter patterns compared to its 37 mm counterpart. It is suitable for administering a means of pain compliance over a greater distance than its 32-Caliber Stinger® counterpart. They are used for routing crowds or groups that are mildly resistive.

c. **Purpose/Authorized Uses:**

40mm Stinger rounds offer a less-than-lethal point-of-aim, point-of-impact direct-fire capability as an intermediate force option for patrol, crowd control, and tactical officers. This department is committed to reducing the potential for violent confrontations when uncooperative suspects are encountered. LLIMS projectiles, when used properly, are less likely to result in death or serious physical injury.

LLIMS projectiles are approved by the department and are fired from Defense Technology Single Shot 40 mm launchers. Certain munitions can be used in an attempt to de-escalate a potentially deadly situation, with a reduced potential for death or serious physical injury.

d. **Fiscal Impacts:**

These items are purchased for training purposes for recruits attending Police Academies. Fiscal Impacts will vary based on usage and training. The calendar year 2023 costs: there were no expenses for the ammunition during this time.

e. **Legal/Procedural Rules Governing Use:**

All applicable federal, state, and local laws governing police use of force, and various BART PD policies regarding use of force and firearms. Refer to BART PD Policies 300, 308, and 459 for more information.

f. Training Required:

This munition is primarily used in the police training academy, where all academy recruits are trained in various less lethal impact munitions.

g. Other Notes: None.

Projected Military Equipment Acquisition (2024)

1) The Police Department is requesting that 30 additional rifles and suppressors be approved to purchase. The department has elected to transition away from the shotgun for patrol officer use and utilize a more accurate and precise weapon system, the patrol rifle, for sworn personnel use. It is the intention of the department to assign each patrol officer a suppressed rifle for equipment care and accountability. The department owns 93 rifles, as listed in the current Military Equipment List. There are currently at least 17 rifles that are nearing the end of their service lives. For the 2023 calendar year, the BART Police Department purchased 25 rifles and suppressors which fall under Category 10, Specialized Firearms; those rifles will be added to existing inventory. They are still in transit. With the addition of those units, the total number of rifles owned by the department would increase to 118. The purchase of 30 additional rifles and suppressors in the calendar year 2024 would increase the total number of rifles owned by the department to 148, which would equip approximately 68% of the department's sworn personnel.

The estimated purchase price of this equipment is approximately \$75,000. This equipment's operating costs, which include acquisition, personnel time, training facilities, transportation and storage of equipment, equipment upgrades, and other ongoing expenses, are accounted for within the Department's operating budget.

2) The Police Department is requesting the following specialty munitions to be approved for purchase: 100 units of smoke grenades, 100 units of stingball grenades, 100 units of 40mm CS ferret rounds, 100 units of 40mm bean bag rounds, and 100 units of 40mm rubber baton rounds. Each munition has a five-year expiration date.

The Alameda County Sheriff's Office (ACSO) Regional Training Center (RTC) offers a POST-certified (POST Plan IV) Basic Academy course. The academy is about 1,064 hours in length. A portion of the academy includes crowd control tactics and techniques where less lethal munitions are utilized as part of the training. The academy requires each recruit to be supplied specialty less lethal munitions to be supplied by their respective agency. ACSO specifies this in a document provided to BART PD titled, "Academy Ammunition Requirements NO SLUG". According to this document, each student must be supplied with one from each type of specialty munition. ACSO is the only police academy that requires these specialty munitions. Currently, inventory shows these munitions have been depleted. The Police Department anticipates sending 16+ recruits to ACSO each year. To satisfy the academy requirements for the next five years, 100 units of each munition is requested. The estimated purchase price of this request is approximately \$16,687.

In addition to these munitions, the Police Department is also requesting 2805 units of 40mm Exact Impact rounds. This munition has a five-year expiration date. The 40mm Exact Impact rounds are munitions designed to be shot out of a 40mm Less Lethal Impact Munitions System (LLIMS) launcher. These are high-energy sponge rounds designed to target single subjects only, causing temporary incapacitation and/or distraction to violent offenders. Currently, BART PD deploys this munition in the field. The LLIMS is an additional tool used by police officers to help keep the community, as well as themselves, safe. The extended range capabilities of the LLIMS allows officers to engage violent offenders with a less lethal force option from a safe distance. The ability to engage violent offenders from a safe distance helps reduce potential injuries to officers who might otherwise get into a physical altercation with these subjects. Utilizing a LLIMS also helps with de-escalation of violent encounters and helps reduce the likelihood of officers having to resort to lethal force to end a violent confrontation. The estimated purchase price for 2805 units is approximately \$52,565.70. 2805 units should supply patrol and training needs for up to five years or more.

Currently, the LLIMS program requires both Exact Impact sponge rounds and Exact Impact sponge practice rounds. The Exact Impact sponge practice rounds closely duplicate the performance of a normal Exact Impact sponge round but at a lower price point. Exact Impact sponge practice rounds are only authorized for use during training. The estimated purchase price for 5610 units is approximately \$65,087.68. 5610 units are estimated to supply training requirements for up to five years or more.

The Police Department is requesting approval for the purchase of 360 units of 40mm Exact Impact round containing an Oleoresin Capsicum (OC pepper) and marking payload. The Police Department is looking to expand its less lethal force options by adding the 40mm Exact Impact round containing an Oleoresin Capsicum (OC pepper) and marking payload to its current inventory for patrol. The OC/Marking Exact Impact round duplicates the performance and capabilities of the current Exact Impact round, but with an additional incapacitation/distraction element (OC pepper). This round will add a useful tactical option to enhance effectiveness against armed and combative subjects. An additional benefit to this round would be for violent offenders who have barricaded themselves into a vehicle, train car, room, etc. Officers would have the capability to introduce a chemical agent (OC) into the area from a safe distance where traditional handheld/hand thrown chemical agents would not be an option. This round will only be authorized on single subject offenders where they have been isolated away from other bystanders. This round will not be authorized to be deployed in a crowd control setting. The marking round will also assist with identifying subjects if they flee the scene as well as identify where on the body the impact was made by a colored

non-toxic marking agent. The estimated purchase price for 360 units is approximately \$8,514. 360 units are estimated to supply patrol and training requirements for up to five years or more.

These specialty munitions operating costs, which include acquisition, personnel time, training facilities, transportation and storage of equipment, equipment upgrades, and other ongoing expenses, are accounted for within the Department's operating budget.

3) It is anticipated that the BART Police Department may potentially purchase up to four unmanned aerial systems (UAS) pending approval by the Board of Directors. The UAS can be used to assist with the following: Locating and appending subjects of arrest warrants or otherwise lawfully sought by law enforcement, locating missing persons, locating witnesses and victims of crimes, assessing damage and investigating natural and manmade disasters, protecting participants at special events, and protecting critical infrastructure sites.

This Annual Military Equipment Report reaffirms the BART Police Department's commitment to providing transparency and information to our community and elected officials while ensuring compliance with California State law. The equipment, resources, and training outlined in this report allow the BART Police Department's officers to better serve and protect the BART District, passengers, stakeholders, and enhance the safety of officers and the overall BART community by bringing critical incidents to a swift and safe resolution.

Conclusion

This Annual Military Equipment Report reaffirms the BART Police Department's commitment to providing transparency and information to our riders, communities, and elected officials in addition to ensuring compliance with the law. The equipment, resources, and training outlined in this report allow BART Police Officers to better protect our transit system, communities, and enhance the safety of the public and officers. Additionally, it helps bring critical incidents to a safe resolution. The equipment listed within this report, along with the required training, gives our officers the skills, capability, and capacity to address critical incidents when called upon to do so.

The public has a right to know about any funding, acquisition, or use of military equipment by elected officials, as well as a right to participate in the decision to fund, acquire, or use such equipment. When making decisions regarding how military equipment is funded, acquired, or used, the BART Police Department gives strong consideration to the public's welfare, safety, civil rights, and civil liberties.

In conclusion, this military equipment report has comprehensively analyzed the various types of equipment, their capabilities, and the potential impact on the Bay Area Rapid Transit District. Through the evaluation, we have provided valuable insights into our military equipment. Equipment used at the BART Police Department has significantly enhanced its effectiveness and efficiency, allowing for greater precision, reduced collateral damage, and improved situational awareness.

Furthermore, the report emphasizes the BART Police Department's willingness and commitment to transparency and communication with our elected officials and the community we serve. With the department's growth, there will be a continued need to update this report. To stay ahead in an ever-evolving landscape, the BART Police Department must continually adapt its strategies and equipment. This includes a focus on sharing the knowledge, resources, and technologies we use to enhance public safety with the community we serve.

Lastly, the annual report complies with and exceeds what is required by AB 481. This annual report also shows the readiness and effectiveness of the BART Police Department to face the evolving threats and challenges faced in the communities we serve, now and in the future.