



Office of the
**INDEPENDENT
POLICE AUDITOR**

BAY AREA RAPID TRANSIT DISTRICT

Independent Police Auditor's Quarterly Update to the BART Board of Directors
June 24, 2021



The Independent Police Oversight System at BART

- The BART Citizen Oversight Model is among the most comprehensive in the country
 - Many oversight agencies have a single function
 - Monitoring internal accountability systems (e.g. Internal Affairs)
 - Making policy recommendations
 - Investigating complaints of misconduct
 - Pattern and practice auditing
 - BART's **Hybrid Model** includes several layers of authority and responsibility and a volunteer civilian review board component to provide community input and to advise the Board of Directors
 - **The BART Police Citizen Review Board also has the authority to recommend policy manual revisions to the Chief of Police and to the Board of Directors**



OIPA's Racial Equity Engagement

- 17 BART EMPLOYEES
- 10 DIFFERENT DEPARTMENTS, INCLUDING:
 - OIPA
 - BPD
 - OPERATIONS
 - MEDIA /COMMUNICATIONS
 - OFFICE OF CIVIL RIGHTS
 - GOVERNMENT & COMMUNITY RELATIONS
 - MAJOR LONG-TERM PROJECT
 - YEARLONG TRAINING (VIA ZOOM)
- OUTCOMES:
 - RACIAL EQUITY TOOLKIT
 - RACIAL EQUITY ACTION PLAN
 - PARTNERSHIPS WITH OTHER AGENCIES
 - & the **PEOPLE** in those agencies
- **This work remains ongoing under the direction of the Office of Civil rights**
- **IMPROVEMENTS ARE REFLECTED BY DATA AND COMMUNITY RESPONSE**



OIPA's Racial Equity Engagement

- **Authentically listening and responding to community's needs** are new practices for government, challenging the status quo ... GARE encourages you to embrace this part of the work as a normal and expected part of authentic listening to community — **for it is only through authentic listening that we build the trust necessary to arrive at community owned visions, needs, and solutions.**

-Government Alliance on Race & Equity



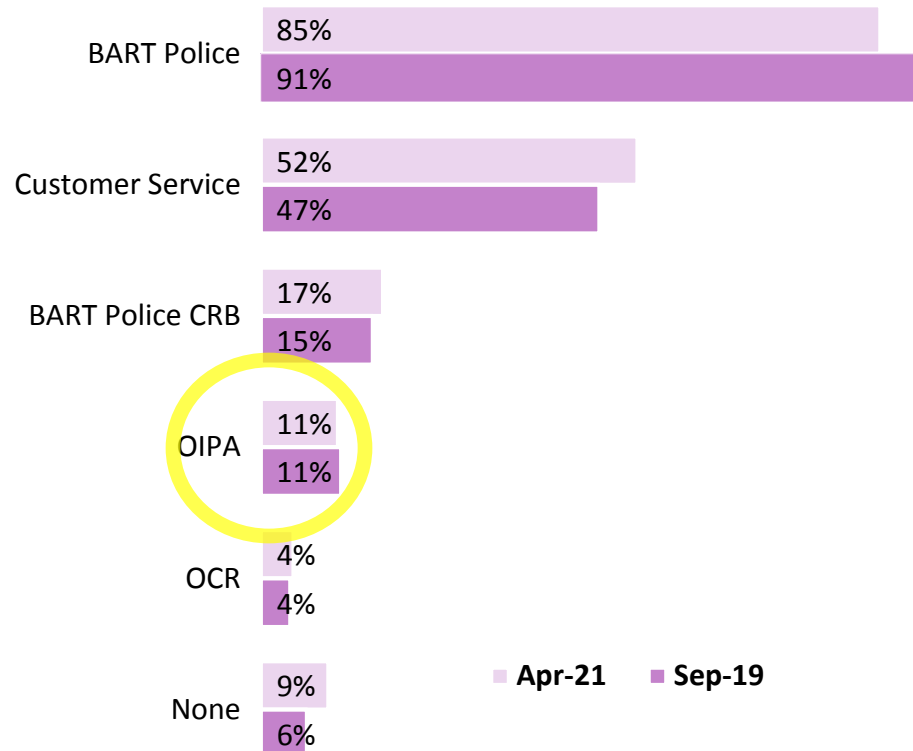
Outreach and Education

- In-person outreach has been missing due to the Covid-19 pandemic
- Maintaining **effective virtual outreach** practices will allow OIPA to inform and connect with more people
- With support from BART Communications, OIPA launched a media tour in March
 - including digital/print, TV, and radio ads in two languages
- OIPA materials/information are currently distributed throughout the system
 - Digital platform screens
 - Station agent booths
 - Fleet of the Future digital screens
 - E-BART digital screens
 - Car Cards in legacy fleet
 - **OIPA worked with BART Marketing to distribute a survey to measure the impact of outreach efforts**
 - Baseline metrics established in September 2019



Survey Results

Q: Which of the following BART departments and services are you aware of?



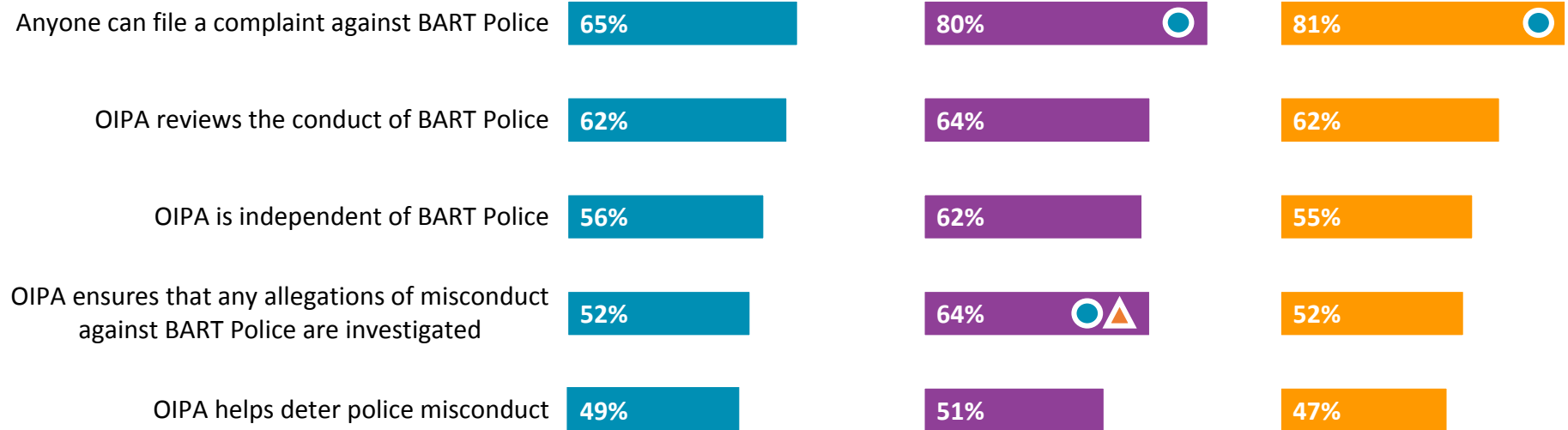
Survey Results

Q: Based on the statement, how much do you agree or disagree with the following?
(Strongly Agree + Somewhat Agree)

Current DSS: The OIPA works to ensure that policing is **fair and equitable**. You can help. Visit [BART.gov/policeauditor](https://bart.gov/policeauditor) for more information or to voice a concern.

Alt 1: The OIPA works to ensure that rider **complaints are investigated**. You can help. Visit [BART.gov/policeauditor](https://bart.gov/policeauditor) for more information or to file a complaint.

Alt 2: Have you **witnessed misconduct** by BART police officers? If so, file a complaint with the OIPA at [BART.gov/policeauditor](https://bart.gov/policeauditor).



Sample size is above 420 for each message and statement

● Significantly better at 95% confidence level than Current DSS message

▲ Significantly better at 95% confidence level than Alt 2 DSS message



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Survey Takeaways

- Open-Ended Responses About Comprehension of OIPA Messaging:
 - “BPD is trying to do **better policing** than what has been done in the past and has a lot of groups keeping it accountable.”
 - “BART Police Department is being monitored independently to ensure **quality of enforcement**.”
 - “BART Police Department is working to better establish itself as a **national leader in the new world of policing** by hearing the voices of civilians to help oversight...”
 - “An outside party is evaluating how policing works within BART and to figure out ways to provide its riders a **safer environment**.”
 - “BPD is reviewed by an independent auditor as well as a civilian review board to make sure that they [are] behaving in a way that **supports the community**.”
 - “[BPD] is **progressive** because it has civilian engagement.”
 - “BART is **increasing the transparency** of how they already hold police accountable through civilian oversight.”



Survey Takeaways

- Open-Ended Responses re Improving Awareness:
 - **Simplify** messaging language
 - “More clear and direct”
 - “Use plain language”
 - “I don’t know what progressive policing is...”
 - OIPA name is confusing/bureaucratic
 - Highlight independence
 - Increase **access and visibility** of messaging within the system
 - “Provide easy access to complaint and grievance forms...”
 - Include a QR code on posters
- Increase **appearances** on local news outlets
 - TV, Radio, Print
 - Publicize OIPA successes and related policing improvements
- **Social media** presence
 - Twitter, Instagram, TikTok, Facebook, NextDoor
- Conduct **in-person outreach** in the system
 - “Ride the trains”
 - “Hand out materials”



Survey Takeaways

- Open-Ended Responses re Improving Awareness:
 - Host outreach **events**
 - Community Based Organizations, Health Centers, Service Access Points
 - “Proactively go out to community spaces...”
 - “Give a face to the office.”
 - Cohesive **branding**
 - Website
 - TV
 - Signage
- **Advertising** efforts
 - Transit partners / Bus stops
 - Multiple languages
 - Clipper Cards
 - Podcasts
 - Spotify
 - Billboards
 - “Advertise more than the police do”
- Clearly **state the mission** of OIPA
 - “BART did just fine without [police oversight] for 49 years”
 - **“What’s changed since 2009...?”**



OIPA Staffing

- One new Independent Police Investigator
 - Final stages of hiring and background check
 - Anticipate an August on-boarding
 - Reduce investigation completion times
 - Examine more policies and generate recommendations for improvements
 - Additional staff outreach availability
 - Allows for more consistent reporting (Annual, Monthly, Quarterly, Special Projects)
- One new Stakeholder Engagement Administrator
 - Implement community suggestions for improved messaging
 - Increase in-person engagement events
 - Advertising
 - Social media/online presence
 - Update outreach and informational materials
 - **Increase awareness throughout the District, region, and nation**



Investigations

- Prioritizing Review of Social Media Driven Complaints
 - Both OIPA and IA may receive multiple complaints about incidents captured on bystander video
 - OIPA acknowledges that addressing these complaints promptly helps engender confidence in the independent accountability and oversight processes
- OIPA and IA continue to detect and address late body-worn camera activations
 - Including during use of force contacts and handgun point/draw incidents
 - Some instances not identified or addressed during BPD supervisory review
 - Some officers did not perform required equipment tests
 - OIPA detected mis-categorized recordings after the issuance of updated instructions from the Chief
 - Subsequent remedial efforts by BPD have improved the accuracy of video labeling
 - BPD's Internal auditing processes have increased
 - **Number of Failed or Late Body-Worn Camera Activations Recorded by IA**
 - **January – June 2020: 11**
 - **January – June 2021: 10**



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Training

- Integrating Communications, Assessment and Tactics (ICAT) Update
 - ICAT designed by Police Executive Research Forum (PERF) and launched in 2016
 - OIPA and BPD personnel attended 3-day training in January 2020
 - Recent PERF report re Louisville, KY PD shows positive results
 - 28% Reduction in use of force
 - 26% Decline in citizen injuries
 - 36% Reduction in officer injuries
 - Officers found the training useful
 - Shifted departmental culture
 - Increased credibility of police in communities served
- ICAT is applicable in **all** areas of policing, including:
 - Communication
 - **Listening**
 - Empathy
 - Problem-solving
 - Officer safety, health, and wellness
 - Developing and maintaining individual and community trust
 - Crime prevention
- **Chief Alvarez has advised OIPA that virtually all BPD officers have completed the ICAT Training**



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Thank you!

