



BART's Commitment to Progressive Policing

BART has been actively focused on implementing progressive and equitable policing practices for more than a decade and worked to strengthen relationships with the diverse communities we serve. The process of reform is never complete, and the BART Police Department (BPD) is committed to continuous improvement through policy changes and ongoing training that exceeds industry standards. This has created a culture of accountability and responsibility in the department. A critical part of those efforts is listening to community concerns and being responsive to calls for reform.

"The men and women of BPD are committed to keeping our riders and communities safe as together we build a culture of progressive and equitable policing."

—BART Police Chief Ed Alvarez

10 Years of Reform & Policy Updates



“While we work with all stakeholders to envision and craft the future of policing, I and my staff will remain vigilant in our efforts to provide independent misconduct investigations with reasoned, evidence-backed findings, and to examine policies and practices to identify areas for improvement and evolution.”

—BART’s Independent Police Auditor Russell Bloom

Independent Oversight

The BART Citizen Oversight Model is among the strongest in the country. It provides for independent investigations of alleged police misconduct, review of BPD Internal Affairs investigations, policy recommendations, reviews of every use-of-force incident, and civilian engagement. The oversight model established both the Office of the Independent Police Auditor (OIPA) and the BART Police Citizen Review Board (BPCRB). BPD’s Chief is not able to unilaterally reject findings by the OIPA or Citizen Review Board. OIPA has unfettered access to police records, data, reports, and videos. The OIPA role has evolved over time. The OIPA can now investigate complaints from community members whether or not they were the victim of a crime or police misconduct. BART’s General Manager will immediately make resources available to allow OIPA to increase oversight activity. This will speed up the completion of investigations and strengthen community connections and will revitalize the complaint mediation program.

Body Cameras

In 2012, BPD was among the first agencies in the country to require officers to wear body cameras with appropriate discipline for failed or late activation. In early March 2020, BPD, the BART Police Officers’ Association, the BART Police Managers’ Association and OIPA reached an agreement to recalibrate the equipment to include a one-minute buffer with audio prior to activation, which is an increase from the previous 30-second silent buffer.

Early Warning System

The program monitors BPD employee performance and identifies behavior that may be inconsistent with professional police conduct and cooperatively engages employees to resolve areas of concern to improve behavior. The goal of EWS is to identify problems and correct them through constructive counseling sessions, intervention, and/or training, reducing the need for formal discipline. All BPD employees are subject to this process.

Transgender Policy

At the recommendation of the BPCRB, BART Police was an early adopter of a policy aimed at ensuring equity for the transgender community. The policy is the result of input with stakeholders in the transgender community, as well as with police, union representatives, and other community stakeholders, including the Transgender Law Center in Oakland and the National Center for Transgender Equality.



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Use of Force Policy

BART Police has a progressive use of force policy that adheres to the requirements of CA Assembly Bill 392 which dictates the circumstances under which police may use deadly force:

- Officers must identify themselves and issue a verbal warning prior to the use of a firearm or TASER.
- BPD officers are prohibited from shooting at a moving vehicle.
- On June 12, 2020, BPD banned the use of the Carotid Control Hold entirely where previously it was only justifiable under circumstances where deadly force was warranted..
- Officers are required to attempt to de-escalate as the first option prior to any use of force; every use of force is reviewed internally and by OIPA to determine if the de-escalation effort was properly performed.
- BPD requires any officer present and observing another officer using excessive force to intercede and promptly report these observations to a supervisor.

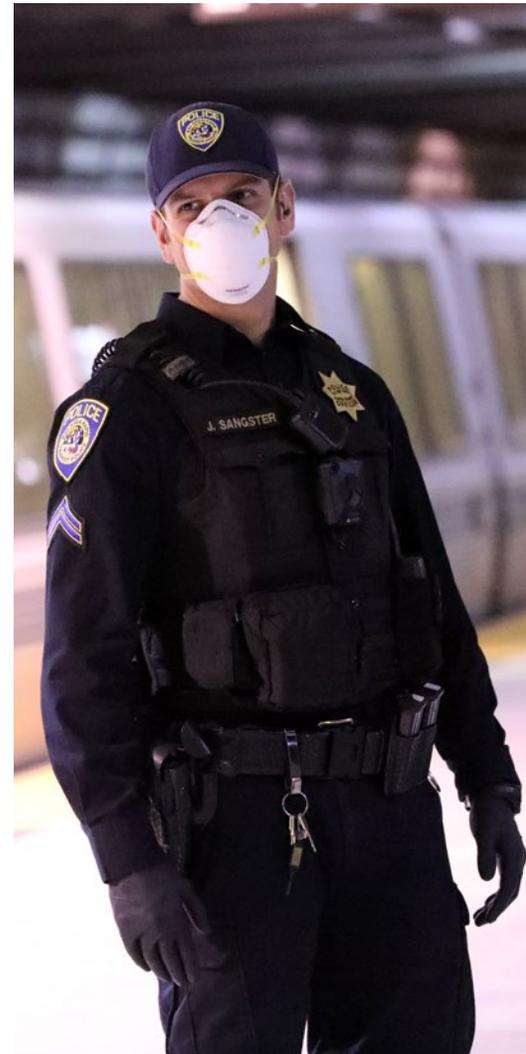
As with all policies, exigencies apply.

Expanded Training

The annual training provided to BART police officers exceeds the standards set by the California Commission on Peace Officer Standards and Training (POST). POST requires 24 hours of advanced officer training every two years. BPD officers are trained for a minimum of 24 hours annually. BART PD was the first California agency to have POST-certified instructors for Fair and Impartial Policing training. Officers also receive training in bias-based policing, crisis intervention, cultural competence, and de-escalation.

Chief Alvarez will roll out three new training programs to set the tone for the future:

- Chief Alvarez, General Manager Bob Powers, and Board President Lateefah Simon will work together to explore and establish the creation of community based, anti-racism training course.
- Chief Alvarez, in coordination with OIPA, will add Integrating Communications, Assessment, and Tactics (ICAT) training to the annual advanced officer training curriculum. Earlier this year, BPD sent four of its personnel to the train the trainer course along with members from the OIPA. ICAT provides officers with the skills to safely respond to situations involving persons who are unarmed or are armed with weapons other than firearms, and who may be experiencing a mental health or other crisis.
- Chief Alvarez will update the department's force-option simulator training tools to reflect the new requirement for restraint under AB 392. POST currently offers limited training in this area and BPD will be on the cutting-edge of crafting interactive, scenario-based, video training related to this new law.



Accreditation

BPD is among the 6% of law enforcement agencies in the nation and 1 of 17 in California to earn the prestigious accreditation from the Commission on Accreditation for Law Enforcement Agencies (CALEA). BART entered the accreditation process voluntarily to begin a period of self-assessment and review of policies by outside experts. Accreditation means BPD meets or exceeds best practices for law enforcement set forth by the commission. Consistent internal and external review, combined with third-party validation of an agency's policies and procedures, is critical in the delivery of high-quality public safety services and promotes accountability.

The accreditation caps a process of implementing recommendations from The National Organization of Black Law Enforcement Executives (NOBLE) final report issued in 2010.



BART Police Chief Ed Alvarez

BART and BPD not only stand against discrimination but are also fighting racism. As a District we have prioritized advancing systemic racial equity by participating in the Government Alliance on Race and Equity (GARE) training series. BART's Office of Civil Rights oversees a host of equity programs that cover workforce, contract, and economic opportunity policies.

Fighting Racism

Data Review

BPD is in the final stages of working with Dr. Philip Goff with the Center for Policing Equity to review enforcement demographic data. The nationally known think tank will release the final draft of its report by late 2020.



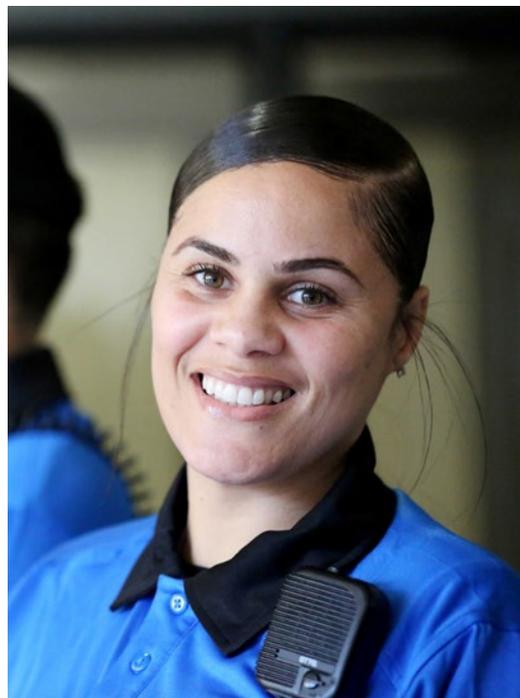
Demographic Data

BPD collects comprehensive demographic data on all stops. The department will exceed California Racial and Identity Profiling Act (RIPA) requirements for first annual report on demographic stop data by April 2023. BPD presented comprehensive demographic data for all quality of life stops to the BART Board of Directors and general public in February 2020.

Re-Allocating Resources

BART will continue to listen to communities, learn from experts, and collaborate with advocates.

BART General Manager Bob Powers has pledged \$2 million in operating funds originally identified for pandemic enforcement using sworn officers and fare inspectors to be re-allocated to increasing the number of unarmed civilian employees providing presence and assistance in the system and expanded training. Powers will work with the Board of Directors to determine if the new positions will expand the Ambassador program launched last year or another type of social service program



BPD's progressive policing reforms would not be as robust as they are without buy in from multiple stakeholders. The BART Police Officers Association and BART Police Managers Association have been active partners in this process along with BPD leadership, the BART Board of Directors, the Office of the Independent Police Auditor, and the BART Police Citizen Review Board. Community input has also been a vital part of this process.

Team Approach



To mark 10 years since the death of Oscar Grant, BART worked closely with his family to create a mural as a lasting tribute and to provide a place for reflection at the Fruitvale Station.

Learn more:

BPD's complete policy is available online at www.bart.gov/about/police/reports

Review the mission and duties of The Office of the Independent Police Auditor at www.bart.gov/about/policeauditor

Review the authority of the BART Police Citizen Review Board at www.bart.gov/about/bod/advisory/crb