

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P. O. Box 12688, Oakland, CA 94604-2688
(510) 464-6000

NOTICE OF MEETING AND AGENDA
BART POLICE CITIZEN REVIEW BOARD

April 8, 2019

A Meeting of the BART Police Citizen Review Board (BPCRB) will be held on Monday, April 8, 2019 at 4:00 p.m. The Meeting will be held in the BART Board Room, Kaiser Center 20th Street Mall – 2040 Webster Street, Oakland, California.

AGENDA

1. Call to Order.
 - a. Roll Call.
 - b. Pledge of Allegiance.
2. Approval of Minutes of the Meeting of March 11, 2019. For Discussion and Action.
3. BART Progressive Discipline Rules/Procedures Training. For Discussion.
4. Chief of Police's Report. For Discussion and Action.
 - a. BART Police Department (BPD) Monthly Report for February 2019.
5. Update on Ad Hoc Subcommittee to Review BPD Policy #310, Officer Involved Shootings and Deaths. For Discussion.
6. Quarterly Report to Board of Directors. For Discussion and Action.
7. Independent Police Auditor's Report. For Discussion and Action.
 - a. Office of the Independent Police Auditor (OIPA) Monthly Report for March 2019.
8. 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.)
9. Closed Session. (Room 303, Board Conference Room).
 - a. To Consider Public Employee Discipline/Dismissal/Release in OIPA Case # #18-38. Govt. Code §54957.
10. Adjournment.

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

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

BPCRB Meeting Agenda materials will be made available to the public at the meeting and may also be accessed and downloaded 72 hours prior to the meeting at <http://www.bart.gov/about/bod/advisory/crb> (click on "Agenda").

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
300 Lakeside Drive, P.O. Box 12688, Oakland, CA 94604-2688

BART Police Citizen Review Board Meeting Minutes
Monday, March 11, 2019

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held March 11, 2019 convening at 4:01 p.m. in the BART Board Room, 2040 Webster Street, Oakland, California. The meeting was called to order by Chairperson George Perezvelez; May Cooper, Recording Secretary.

Members Present: Members George Perezvelez, Christina Gomez, Kenneth Loo, Erin Armstrong, Darren White, David Rizk, Les Mensinger, Pete Longmire, Richard Knowles and William White.

1. Call to Order.

The regular meeting was called to order at 4:01 p.m. by Chairperson Perezvelez.

Chairperson Perezvelez, Christina Gomez, Kenneth Loo, Erin Armstrong, Les Mensinger, Pete Longmire, Richard Knowles and William White were present, amounting to a quorum.

The Pledge of Allegiance was recited.

Mr. D. White and Mr. Rizk joined the meeting.

2. Approval of Minutes of the Meeting of February 11, 2019.

Mr. Mensinger moved that the Minutes of the Meeting of February 11, 2019 be approved; Mr. Loo seconded the motion, which carried by unanimous voice vote. Ayes – 10: Members Perezvelez, W. White, Loo, Longmire, Gomez, Mensinger, Armstrong, D. White, Rizk and Knowles.

3. Behavioral Health Care/Crisis Response Training.

Community Outreach Specialist Armando Sandoval gave a presentation on BART Police Crisis Intervention Training. The item was discussed.

4. Chief of Police's Report.

a. BART Police Department (BPD) Monthly Report.

Deputy Chief Edgardo Alvarez presented the BPD Monthly Report for January 2019. The report was discussed.

5. Update on Ad Hoc Subcommittee to Review of BPD Policy# 310, Officer Involved Shootings and Deaths.

Mr. Rizk provided an update on the subcommittee.

6. National Association for Civilian Oversight of Law Enforcement (NACOLE) Membership for BPCRB.

Chairperson Perezvelez brought the matter of Board membership to the NACOLE. The item was discussed.

Mr. Mensinger moved that the Board apply for membership to the NACOLE; Mr. D. White seconded the motion, which carried by unanimous voice vote. Ayes – 10: Members Perezvelez, W. White, Loo, Longmire, Gomez, Mensinger, Armstrong, D. White, Rizk and Knowles.

Ms. Armstrong exited the meeting.

7. BPCRB Off-site Station Tours and Training.

Chairperson Perezvelez brought the matter of off-site tours and trainings for the BPCRB. Mr. Rizk moved to table the item for clarification at a future meeting; Chairperson Perezvelez seconded the motion, which carried by unanimous voice vote. Ayes – 9: Members Perezvelez, W. White, Loo, Longmire, Gomez, Mensinger, D. White, Rizk and Knowles. Absent – 1: Member Armstrong.

Mr. Knowles and Chairperson Perezvelez exited the meeting.

8. Independent Police Auditor’s Report.

- a. Office of the Independent Police Auditor (OIPA) Monthly Report for February 2019. Independent Police Auditor Russell Bloom presented the OIPA Monthly Report for February 2019. The report was discussed.

Vice Chairperson W. White brought the matter to extend the meeting by 15 minutes. Mr. Rizk moved to extend the Meeting; Mr. Mensinger seconded the motion, which carried by unanimous voice vote. Ayes – 7: Members W. White, Loo, Longmire, Gomez, Mensinger, D. White and Rizk. Absent - 3: Member Perezvelez, Armstrong and Knowles.

9. Public Comment.

No comments were received.

Chairperson Perezvelez re-entered the meeting.

The Meeting recessed at 6:06 p.m.

The Meeting reconvened in Closed Session at 6:10 p.m.

10. Closed Session.

- a. To consider Public Employee Discipline/Dismissal/Release in OIPA Case #18-38. Govt. Code §54957.

Members present: Board Members Perezvelez, W. White, D. White, Longmire, Mensinger, Gomez, Loo and Rizk.

Chairperson Perezvelez exited the Meeting.

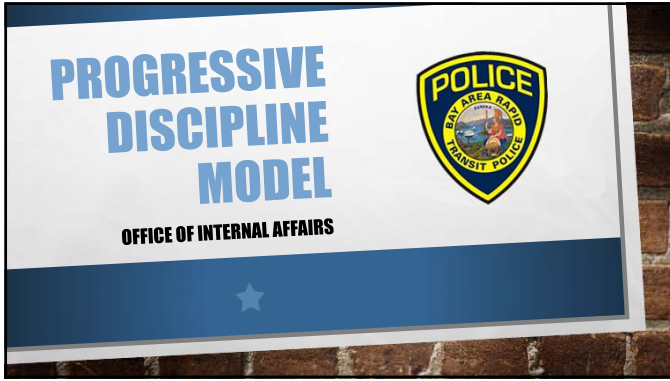
11. Open Session.

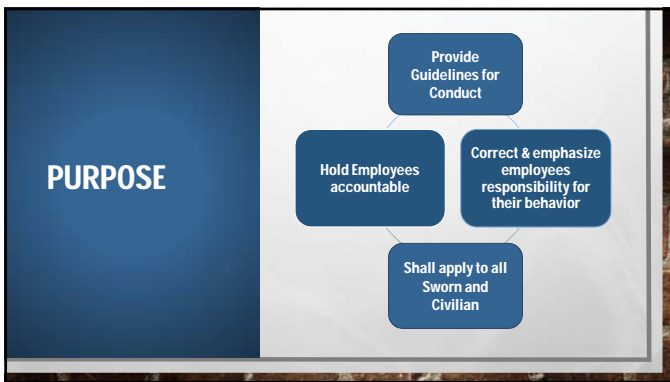
The Meeting reconvened in Open Session at 6:27 p.m.

A motion to adjourn the Meeting was made by Mr. Mensinger and seconded by Mr. Longmire. The motion passed unanimously.

The Meeting was adjourned at 6:29 p.m.

DRAFT





INFORMAL PRE-DISCIPLINE (2018 BPOA CBA)

Informal Counseling (1 st Level)	Letter of Discussion (2 nd Level)	Oral Counseling 3 rd Level
<ul style="list-style-type: none"> Informal discussion between employee and supervisor Not documented 	<ul style="list-style-type: none"> Written Memorandum to employee If employee fails to correct behavior, may go to the next level or impose formal discipline Entitled to representation 1 year – Personnel File 	<ul style="list-style-type: none"> Document in memorandum to employee – titled "Oral Counseling" Be made aware of the unacceptable behavior Entitled to representation 1 year – Personnel File

LETTER(S) OF DISCUSSION/ORAL COUNSELING MAY BE INCLUDED IN AN EMPLOYEE'S SEMI-ANNUAL PERFORMANCE EVALUATIONS FOR THAT TIME PERIOD

FORMAL DISCIPLINE (2018 BPOA CBA)

1 st Level	2 nd Level	3 rd Level	4 th Level
Written Reprimand	Pay Step Reduction	Suspension w/o Pay	Demotion
<ul style="list-style-type: none"> • In file: 3 years 	<ul style="list-style-type: none"> • 6 months max • In file: 3 years 	<ul style="list-style-type: none"> • 30 day max • In file: 3 years 	<ul style="list-style-type: none"> • Reduction in rank • In file: 5 years

DISCIPLINE EXPIRATION SHALL BE EXTENDED DUE TO ABSENCE FOR NON-INDUSTRIAL INJURY, LEAVE OF ABSENCE, MILITARY LEAVE

FINAL LEVEL

TERMINATION

CRISIS SUSPENSION

EMPLOYEE'S INAPPROPRIATE BEHAVIOR IS SO SERIOUS THAT IMMEDIATE REMOVAL FROM THE WORKPLACE IS NECESSARY

Employee may be placed on admin leave with pay, pending further investigation. The preliminary investigation should be conducted within 24 hours of the incident.

Any allegations or infractions serious enough to result in termination.

CHIEF OF POLICE

- REVIEW RECOMMENDATIONS AND ALL ACCOMPANYING MATERIALS
- MAY MODIFY AND/OR RETURN FOR FURTHER FOLLOW-UP
- IF SATISFIED WITH INVESTIGATION, THE CHIEF CAN DETERMINE THE AMOUNT OF DISCIPLINE TO BE IMPOSED.
- IF DISCIPLINARY ACTION IS RECOMMENDED, CHIEF SHALL PROVIDE THE EMPLOYEE WITH A WRITTEN (SKELLY) NOTICE WITHIN 1 YEAR OF THE DATE OF DISCOVERY OF THE ALLEGED MISCONDUCT (PER PEACE OFFICER BILL OF RIGHTS)

CAN RESPOND VIA WRITTEN OR ORAL RESPONSE TO CHIEF OF POLICE (SKELLEY)

EMPLOYEE RESPONSE

TO RECOMMENDED DISCIPLINE

ADDITIONAL CONCERNS

- RESIGNATION/RETIREMENT PRIOR – NOTED IN FILE
- POST SKELLY PROCEDURE – RIGHT TO EVIDENTIARY APPEAL
- DISCIPLINARY ACTION AGAINST PROBATIONARY EMPLOYEES – NO RIGHT TO APPEAL, "LIKE" SKELLY

QUESTIONS



BART POLICE DEPARTMENT



February 2019

MONTHLY REPORT

BPD Monthly Reports

February 2019

Report	Responsible
01 – Industrial Leave*	SSD – J. Morgan
02 – Vacancy	SSD – F. Cheung
03 – Diversity	SSD – F. Cheung
04 – Training	PS&T – P. Kwon
05 – Use of Force	PS&T – K. Franklin
06 – Citizen Complaints	PS&T – K. Franklin
07 – Internal Affairs Log	PS&T – K. Franklin
08 – Performance Measures	SSD – K. Dam
09 – Enforcement Contacts	SSD – K. Dam
10 – Parking Enforcement	POD – J. DeVera
11 – Warrant Arrests	SSD – K. Dam
12 – Detectives Assignments	SSD – J. Power
13 – Detectives Closure Rate	SSD – J. Power
14 – Assembly Bill 716	POD – A. Sandoval
15 – Absence Overview	SSD – C. Vogan
16 – Overtime	SSD – F. Cheung
17 – Communications Center	SSD – G. Hesson
18 – BART Watch	SSD – C. Vogan

*Not included in Year-End or Monthly BPCRB Reports

BART Police Department (07) Staffing Status

As of: 02/28/19
 Vacancy Factor: 0.0

	Pos'n Code	Job Title	FY19 Adopted	Reclass	As of 07/01/18	Filled	On Leave or TMD	Vacant
NON-SWORN (Rep)	027	Community Service Officer	59		59	53	2	6
		Fare Inspection Officer	16		16	-		16
	045	Police Admin Specialist	12		12	10	1	2
	048	Police Dispatcher	18		18	15	-	3
	098	Revenue Protection Guard	19		19	16	-	3
	836	Police Sup.//CAD/RMS Admin***	6		6	5	-	1
#	778	Police Officer	64		64	59	12	5
		In Academy = 10						-
		Field Training = 2						-
	788	Senior Police Officer	99		99	79	3	20
	798	Master Police Officer	13		13	10	-	3
	838	Police Sergeant	34		34	26	2	8
	888	Police Lieutenant	13		13	13		-
	898	Police Deputy Chief	3		3	3		-
	980	Police Chief	1		1	1		-
	Non-Sworn (Non-Rep)	SF100	Mgr of Security Programs	1		1	1	
000065		Emergency Preparedness Mgr.	1		1	-	-	1
000074		Crisis Outreach Coordinator	1		1	1		-
000081		Accreditation Manager	1		1	1	-	-
AF200		Sr. Administrative Analyst	1		1	1		-
DEPARTMENT TOTAL			362	-	362	294	20	68

Notes:

FY19

parking cso - 2

fare evasion - 2 on hold pending rpt made that as 2 dispt

11/2018 8 CSO added to the FET

Ofc - 5 frozen

Note: BART Police Department has 17 Attrition Float positions, of which 10 are Police Officers (778), 5 are Community Service Officers (027) and 2 are Police Dispatchers (048).

> "On Leave" category does not include personnel on Admin Leave.

BART PD DIVERSITY MONTHLY REPORT

As of 2/28/19

+

<u>ETHNICITY</u>		<u>S</u>		<u>C</u>	
White	36% 106	39%	75	30%	31
Black	21% 61	20%	39	21%	22
Asian	21% 63	17%	33	29%	30
Hispanic	20% 58	21%	40	17%	18
American/ Indian	0% 0	0%	0	0%	0
Native Hawaiian/Pac Island	2% 6	2%	4	2%	2
Total:	100% 294	100%	191	100%	103
<u>DEMOGRAPHIC</u>		<u>S</u>		<u>C</u>	
Female	22% 64	9%	18	45%	46
Male	78% 230	91%	173	55%	57
Total:	100% 294	100%	191	100%	103
<u>CLASSIFICATION</u>					
Sworn	65% 191				
Civilian	35% 103				
Total:	100% 294				

CRISIS INTERVENTION TRAINING AS OF: February 28, 2019

Personnel Positions	Total Positions	Filled Positions	Vacant Positions	(Not in Academy or Field Training) Eligible to Attend Training	Total of Filled Positions Trained	Percentage of Total Filled Positions Trained	Percentage of Eligible Filled Positions Trained
Chief	1	1	0	1	0	0%	0%
Deputy Chiefs	3	3	0	3	3	100%	100%
Lieutenants	13	13	0	11	10	77%	91%
Sergeants	33	26	7	26	26	100%	100%
Officers	177	149	28	133	129	87%	97%
Dispatchers	18	15	3	14	10	67%	71%
Dispatch Supervisors	2	1	1	1	1	100%	100%
CSOs	64	53	11	52	42	79%	81%
Crisis Outreach Coordinator	1	1	0	1	1	100%	100%
Total	312	262	50	242	222	85%	92%

Personnel Positions that are not designated to attend CIT Training

	Total	Filled	Vacant
Revenue Protection Guards	19	16	3
Police Administrative Specialists	12	10	2
Police Sup./CAD RMS Admin	6	5	1
Civilian Managers/Analyst	3	2	1
Manager Sec Prog	1	1	0
Sub Total	41	34	7
TOTAL PERSONNEL	353	289	64

FAIR AND IMPARTIAL / BIASED BASED TRAINING AS OF February 28, 2019

Personnel Positions	Total Positions	Filled Positions	Vacant Positions	Eligible to Attend (Not in Academy or Field Training)	Total of Filled Positions Trained	Percentage of Total Filled Positions Trained	Percentage of Eligible Filled Positions
Chief	1	1	0	1	0	0.0%	0.0%
Deputy Chiefs	3	3	0	3	3	100.0%	100.0%
Lieutenants	13	13	0	10	10	76.9%	100.0%
Sergeants	33	26	7	26	26	100.0%	100.0%
Officers	177	149	28	133	133	89.3%	100.0%
CSOs	64	53	11	52	46	86.8%	88.5%
Total	291	245	46	225	218	89.0%	96.9%

Personnel Positions that are not designated to attend FAIR AND IMPARTIAL Training

	Total	Filled	Vacant
Dispatchers	18	15	3
Dispatch Supervisors	2	1	1
Crisis Outreach Coordinator	1	1	0
Revenue Protection Guards	19	16	3
Police Administrative Specialists	12	10	2
Police Sup./CAD RMS Admin	6	5	1
Civilian Managers/Analyst	3	2	1
Manager Sec Prog	1	1	0
Sub Total	62	51	11
TOTAL PERSONNEL	353	289	64

POLICE ROADWAY PROTECTION TRAINING AS OF: February 28, 2019

Personnel Positions	Total Positions	Filled Positions	Vacant Positions	Eligible to Attend (Not in Academy, FTO, or IND/Leave)	Total of Filled Positions Trained	Percentage of Total Filled Positions Trained	Percentage of Eligible Filled Positions
Chief	1	1	0	1	0	0.0%	0.0%
Deputy Chiefs	3	3	0	3	3	100.0%	100.0%
Lieutenants	13	13	0	10	10	76.9%	100.0%
Sergeants	33	26	7	26	26	100%	100.0%
Officers	177	149	28	133	133	89.3%	100.0%
CSOs-Not Required	64	53	11	52	46	86.8%	88.5%
Total	291	245	46	225	218	89.0%	96.9%

Personnel Positions that are not REQUIRED to attend Police Roadway Protection Training

	Total	Filled	Vacant
Dispatchers	18	15	3
Dispatch Supervisors	2	1	1
Crisis Outreach Coordinator	1	1	0
Revenue Protection Guards	19	16	3
Police Administrative Specialists	12	10	2
Police Sup./CAD RMS Admin	6	5	1
Civilian Managers/Analyst	3	2	1
Manager Sec Prog	1	1	0
Sub Total	62	51	11
TOTAL PERSONNEL	353	289	64

Use of Force Incidents - 2019

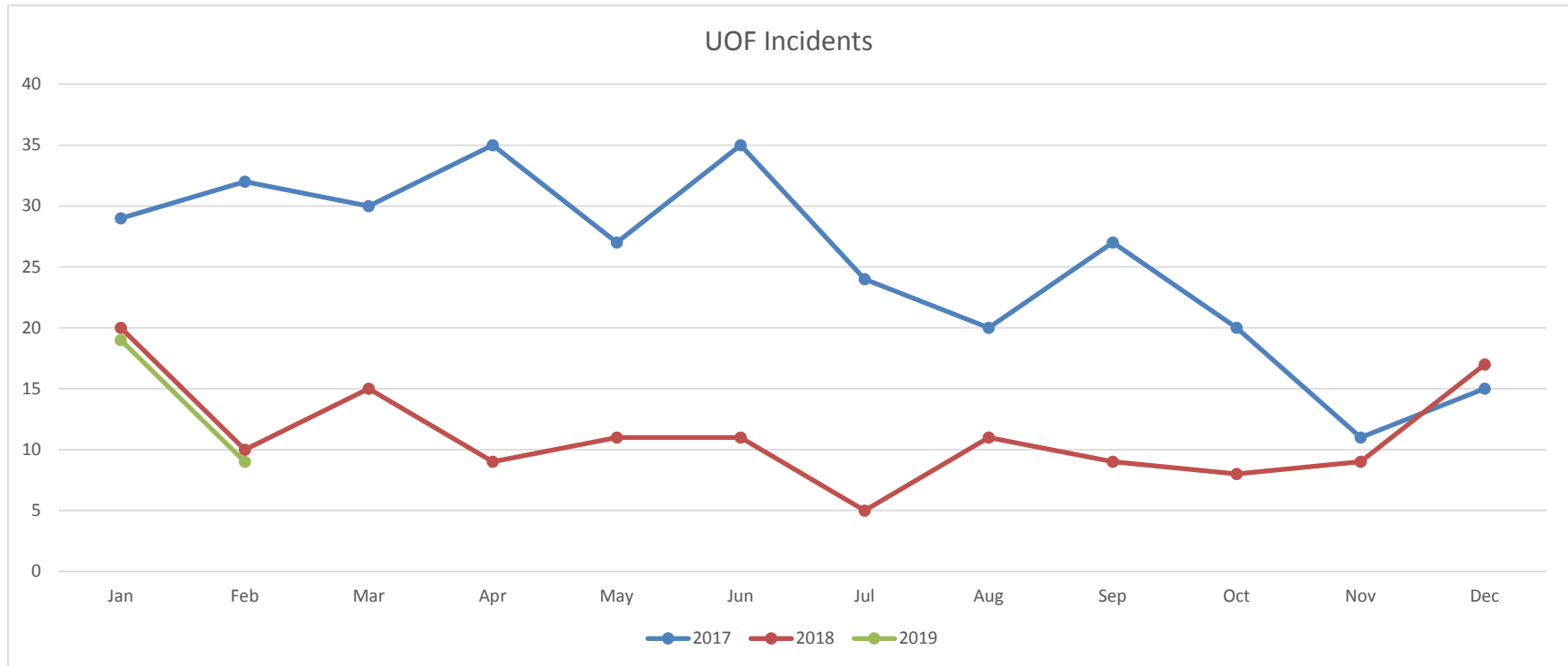
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2019	19	9											28
YTD 2019	19	28											

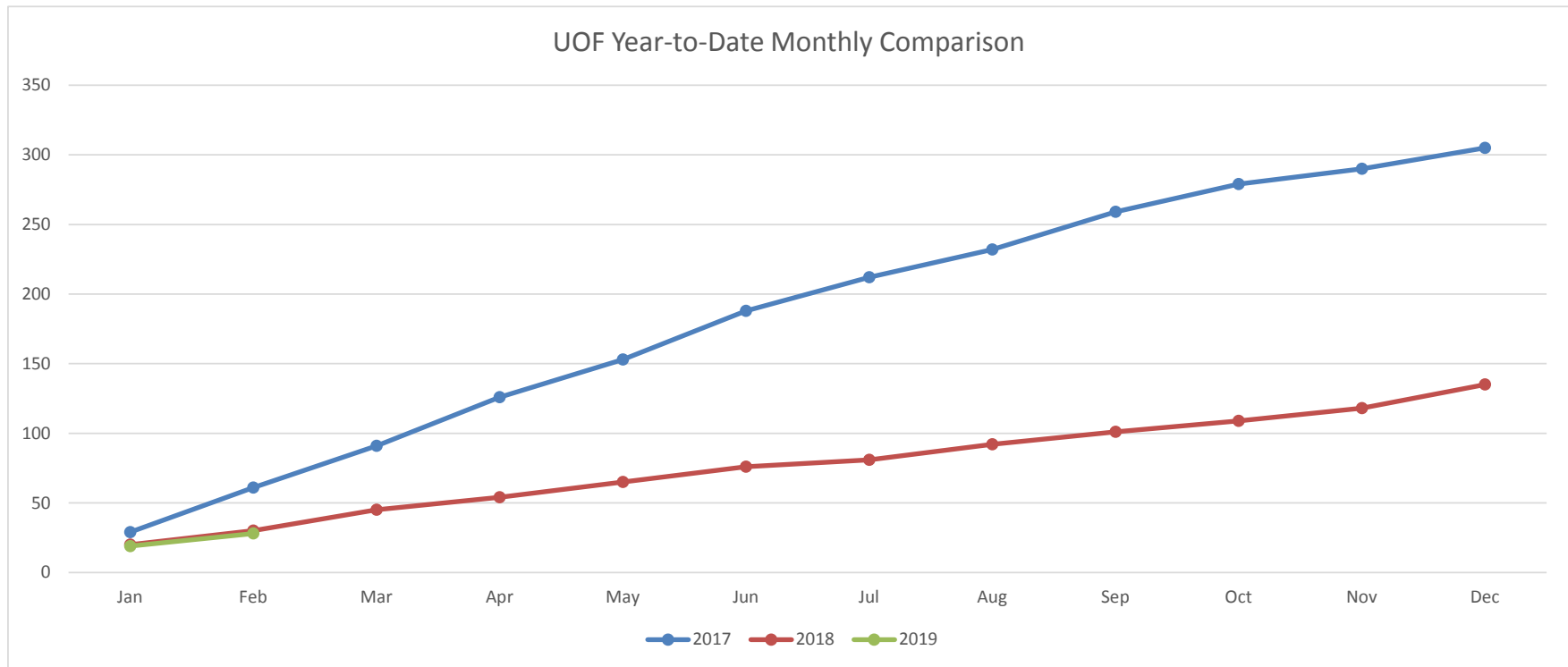
Use of Force Incidents - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2018	20	10	15	9	11	11	5	11	9	8	9	17	135
YTD 2018	20	30	45	54	65	76	81	92	101	109	118	135	

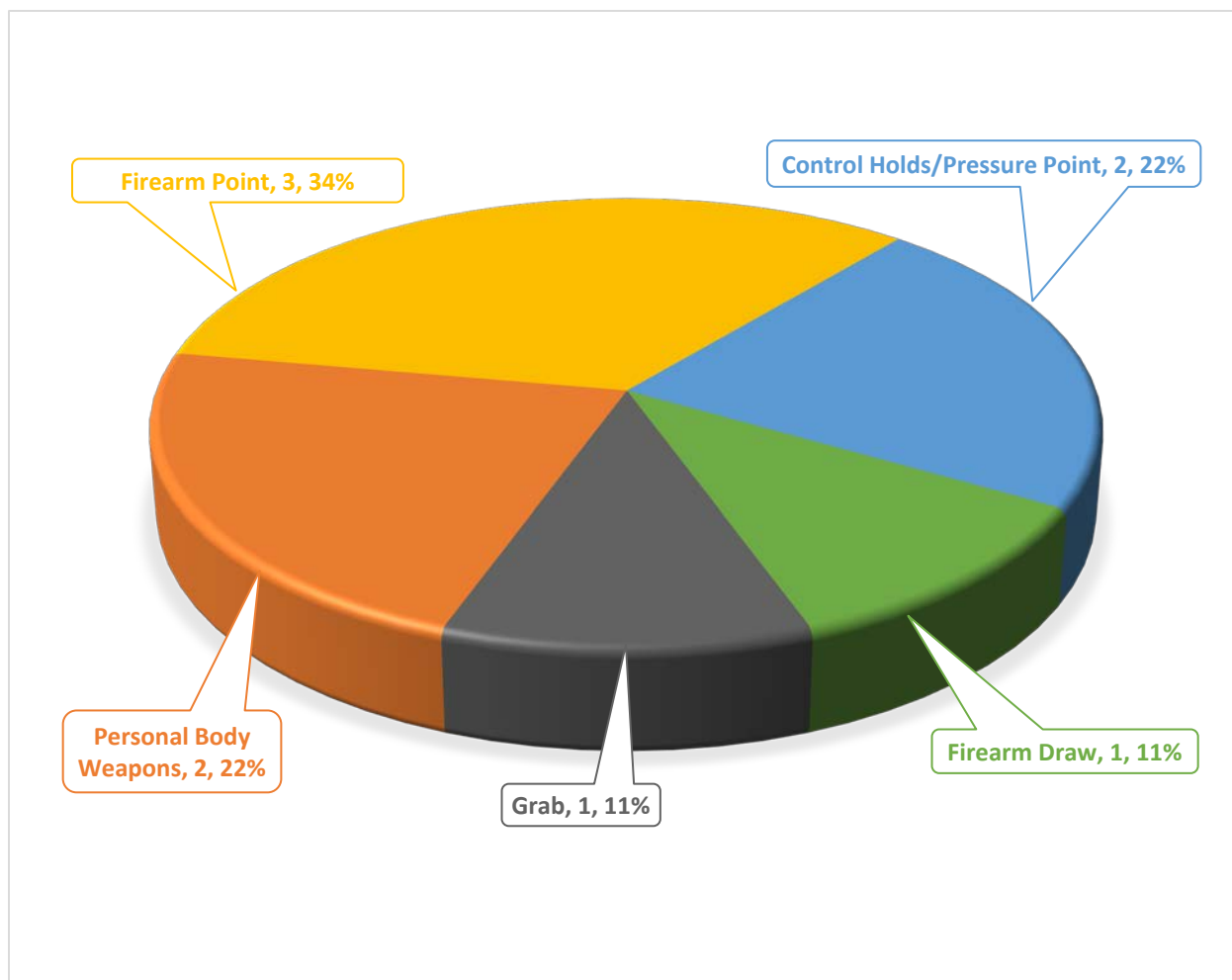
Use of Force Incidents - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2017	29	32	30	35	27	35	24	20	27	20	11	15	305
YTD 2017	29	61	91	126	153	188	212	232	259	279	290	305	



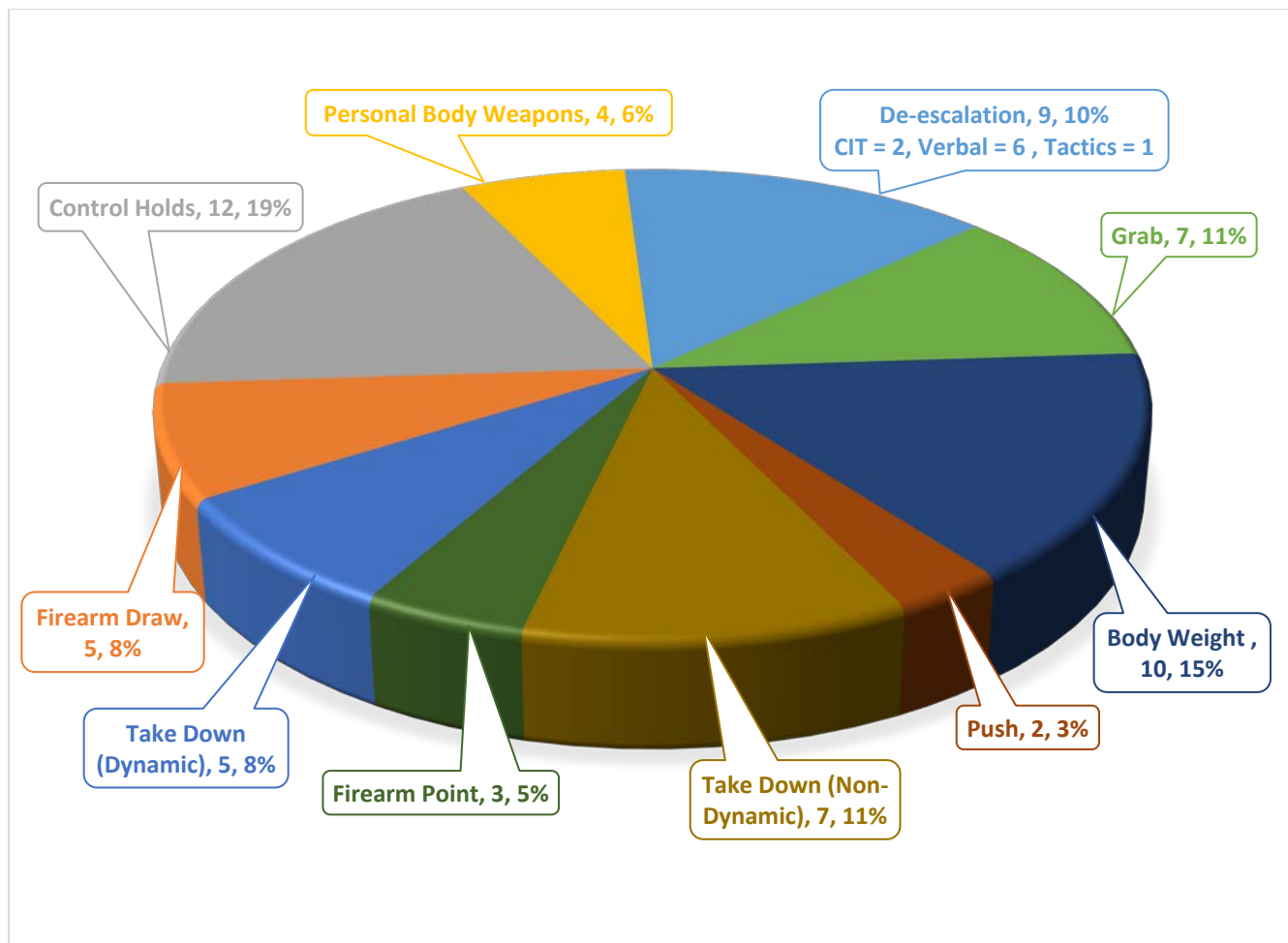


Force Options Used (Incident Count), February 2019



*Each incident could contain more than one force option used. This pie chart reflects the most significant force option used per incident.

Types of Force Used, February 2019 (Overall Total)



*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 in the same incident used control holds, this data would reflect two separate control holds.

Citizen Complaints - 2019

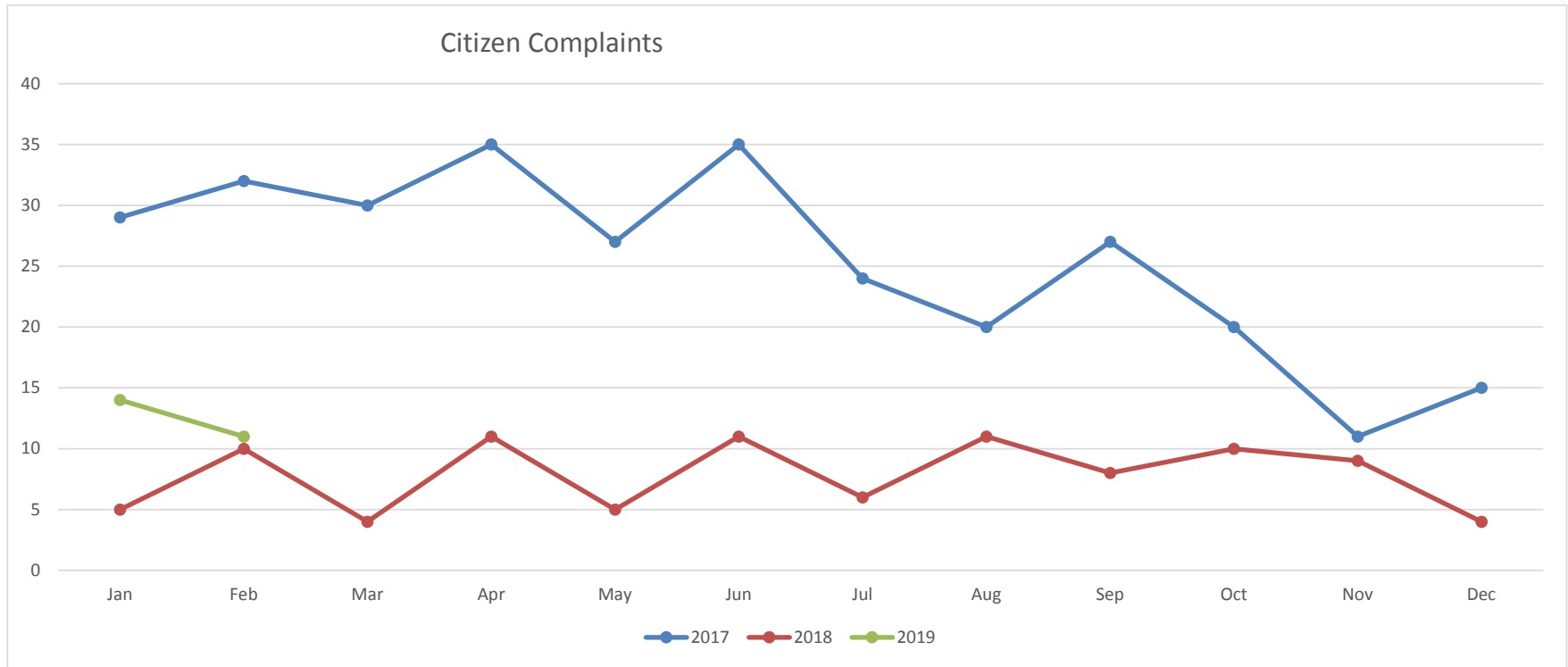
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2019	14	11											25
YTD 2019	14	25											

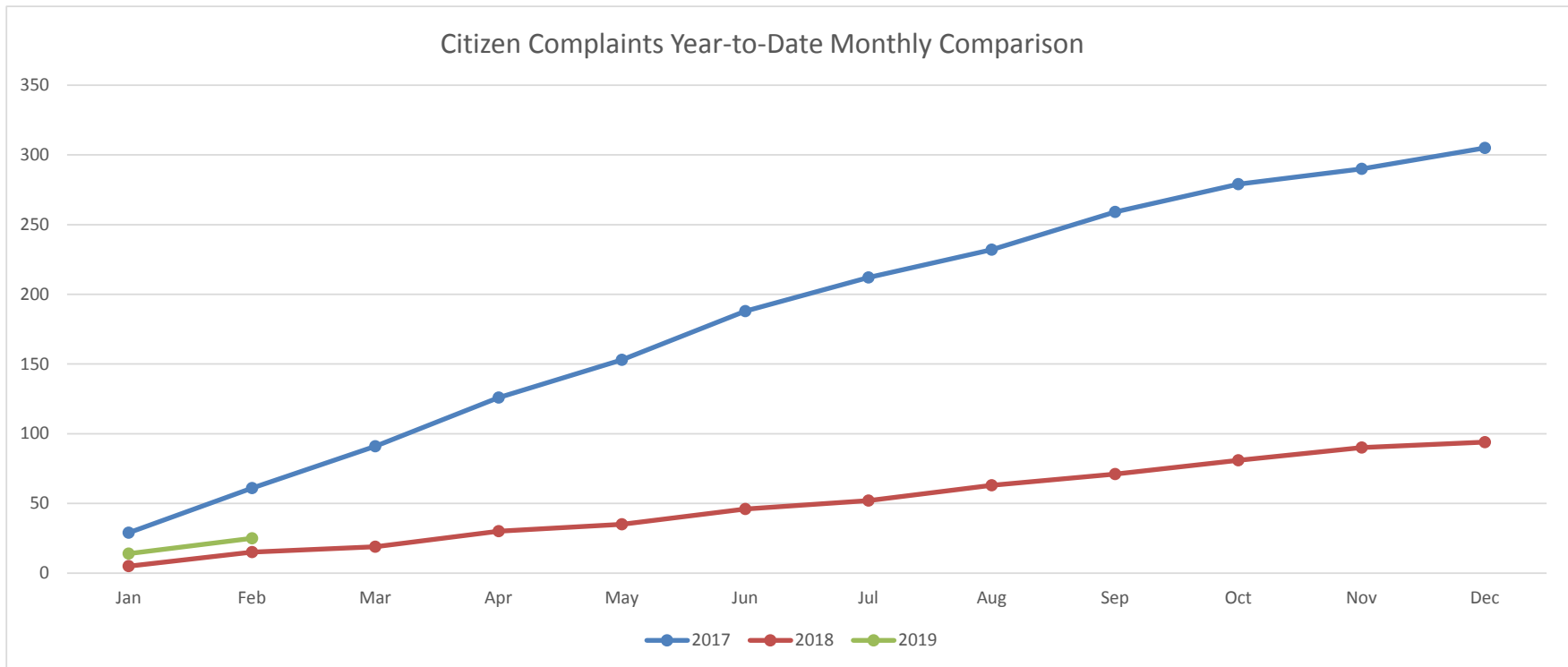
Citizen Complaints - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2018	5	10	4	11	5	11	6	11	8	10	9	4	94
YTD 2018	5	15	19	30	35	46	52	63	71	81	90	94	

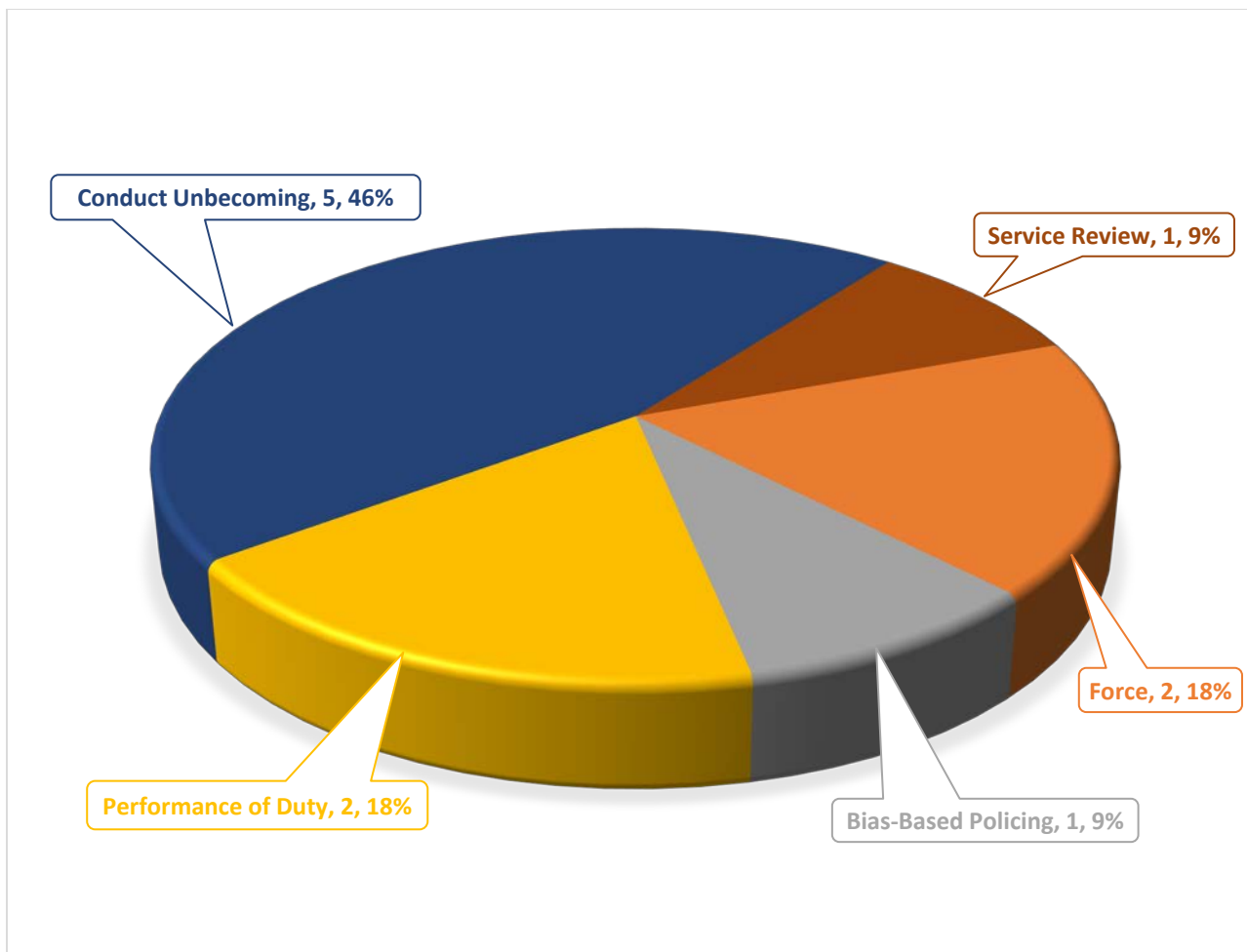
Citizen Complaints - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2017	6	6	7	7	13	8	9	12	10	10	7	7	102
YTD 2017	6	12	19	26	39	47	56	68	78	88	95	102	





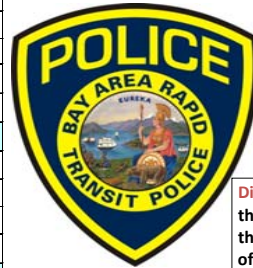
Complaints Received (Incident Count), February 2019



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

BART Police Department - Office of Internal Affairs								
Investigation Log - February 2019								
IA	DATE							
CASE #	OCC'D	REC'D	ALLEGATION	MISC	INVESTIGATOR	STATUS	5 MONTH DATE	DUE DATE
IA2016-071	07/29/16	7/29/2016	Force, Bias, Arrest	COMPLETE	Sgt. McNack	Awaiting training recommendation	12/28/16	
			Force, Bias, Arrest				01/27/17	
			Force, Bias, Arrest					
			Force, Bias, Arrest					
IA2017-040	1/31/2017	5/18/2017	Force		Sgt. McNack	Tolled	10/17/2017	
			Force					
IA2018-001	1/3/2018	1/3/2018	Force (OIS)		Sgt. T. Salas	Tolled	6/4/2018	
IA2018-027	4/20/2018	4/11/2018	Bias Based Policing	Sgt. Togonon	Sgt. T. Salas	To Patrol	9/19/2018	4/11/2018
IA2018-032	UNK	4/20/2018	BBP, POD, CUBO	Deferred to OIPA #18-16		Tolled	9/23/2018	
IA2018-043	6/6/2018	6/6/2018	Force		Sgt. McNack	Tolled	11/5/2018	
IA2018-044	6/5/2018	6/8/2018	CUBO	IND	Sgt. T. Salas	Tolled	11/7/2018	
IA2018-049	6/18/2018	6/18/2018	CUBO, Policy/Procedure	Sgt. Spears	Sgt. T. Salas	To Patrol	11/17/2018	6/18/2018
IA2018-054	7/8/2018	7/8/2018	CUBO		Sgt. McNack	In Progress	12/9/2018	7/8/2018
IA2018-060	7/22/2018	7/23/2018	Service Review		Lt. Franklin	Tolled	12/23/2018	
IA2018-064	8/10/2018	8/10/2018	Force, Axon, Policy/Procedure	2/26/19 L11	Sgt. T. Salas	In Progress	1/9/2019	8/10/2018
IA2018-066	8/10/2018	8/10/2018	Bias Based Policing	OIPA Intake #18-32	Sgt. T. Salas	In Progress	1/9/2019	8/10/2018
IA2018-070	8/5/2018	8/21/2018	CUBO, Policy/Procedure, Supervision	Admin	Sgt. T. Salas	In Progress	1/20/2019	8/21/2018
IA2018-072	Unk	8/23/2018	POD	OIPA Intake #18-35 Admin Closure	Sgt. T. Salas	In Progress	1/22/2019	8/23/2018
IA2018-075	8/22/2018	8/30/2018	Performance of Duty		Sgt. McNack	In Progress	1/29/2019	8/30/2018
IA2018-079	7/12/2018	8/23/2018	CUBO, Policy/Procedure		Sgt. McNack	In Progress	2/10/2019	8/23/2018
IA2018-081	9/26/2018	9/27/2018	CUBO	Lt. Scott	Sgt. McNack	To Patrol	2/26/2019	9/27/2018
IA2018-084	9/28/2018	9/28/2018	Force	Deferred to OIPA #18-38		OIPA Investigation	3/2/2019	9/28/2018
IA2018-085	9/21/2018	9/28/2018	Force	Deferred to OIPA #18-39		OIPA Investigation	3/2/2019	9/28/2018
IA2018-088	9/27/2018	10/10/2018	CUBO, POD	Sgt. Cruz	Sgt. McNack	To Patrol	3/11/2019	10/10/2018
IA2018-090	10/17/2018	10/17/2018	CUBO, Bias-Based Policing	Deferred to OIPA #18-40		OIPA Investigation	3/18/2019	10/17/2018
IA2018-091	10/19/2018	10/19/2018	Force		Sgt. McNack	In Progress	3/20/2019	10/19/2018
IA2018-093	10/23/2018	10/23/2018	Performance of Duty	Deferred to OIPA #18-42		OIPA Investigation	3/24/2019	10/23/2018
IA2018-094	10/23/2018	10/23/2018	Force		Sgt. T. Salas	In Progress	3/24/2019	10/23/2018
IA2018-095	10/31/2018	10/31/2018	Force, Arrest/Detention	Deferred to OIPA #18-44		OIPA Investigation	4/1/2019	10/31/2018
IA2018-096	10/30/2018	10/31/2018	Courtesy	Admin Closure	Sgt. McNack	In Progress	4/1/2019	10/31/2018
IA2018-099	10/31/2018	10/31/2018	Force		Sgt. T. Salas	In Progress	4/9/2018	10/31/2018
IA2018-100	11/11/2018	11/11/2018	Bias-Based Policing, CUBO, Force		Sgt. T. Salas	In Progress	4/12/2019	11/11/2018
IA2018-102	11/5/2018	11/5/2018	Force, CUBO		Sgt. McNack	In Progress	4/15/2019	11/5/2018
IA2018-103	11/17/2018	11/19/2018	CUBO, Axon	OIPA Intake #18-45	Sgt. McNack	In Progress	4/20/2019	11/19/2018

PART 1 CRIMES	2014	2015	2016	2017	2018	YTD February		% change from '19
						2018	2019	
Homicide	0	1	1	0	3	0	0	0%
Rape	2	3	4	8	3	0	0	0%
Robbery	153	161	232	290	349	53	66	25%
Aggravated Assault	71	73	93	125	130	21	20	-5%
Violent Crime Subtotal	226	238	330	423	485	74	86	16%
Burglary (Not Including Auto)	7	4	12	15	18	3	2	-33%
Larceny	2597	2325	2217	2593	2590	369	458	24%
Auto Theft	522	480	480	420	354	77	28	-64%
Arson	0	0	1	4	4	1	0	-100%
Property Crime Subtotal	3126	2809	2710	3032	2966	450	488	8%
TOTAL	3352	3047	3040	3455	3451	524	574	10%



BART Police Performance Measurements

February 2019

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Top 5 Stations For Part 1 Crimes

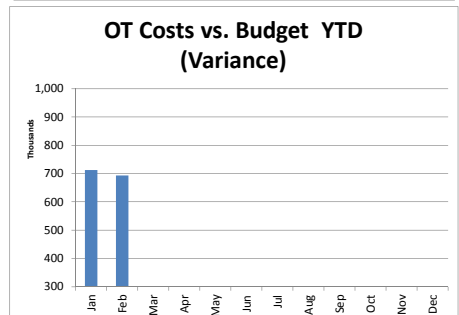
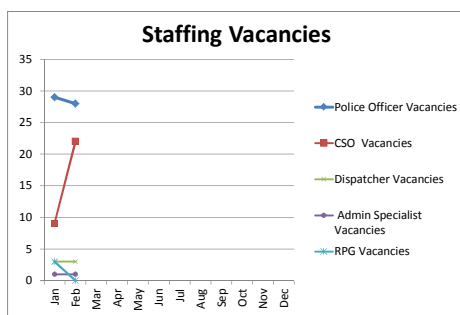
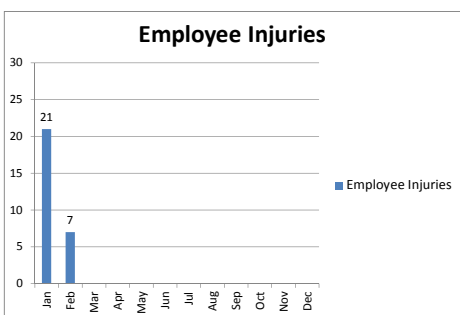
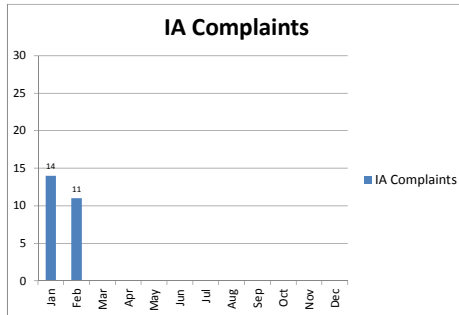
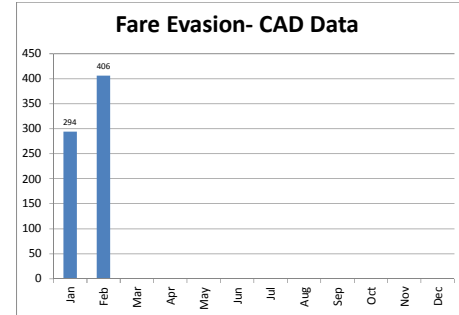
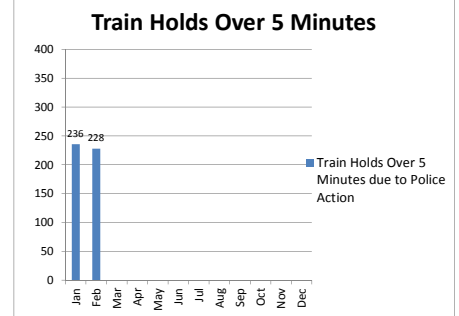
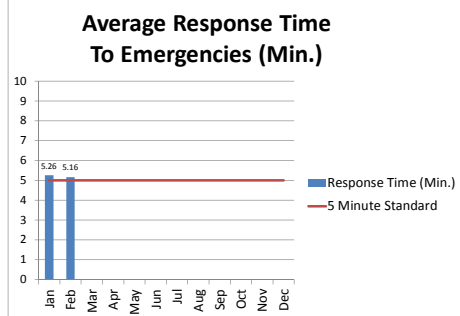
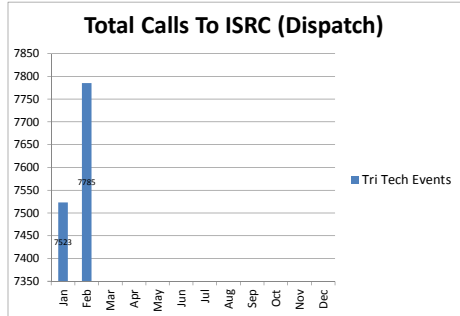
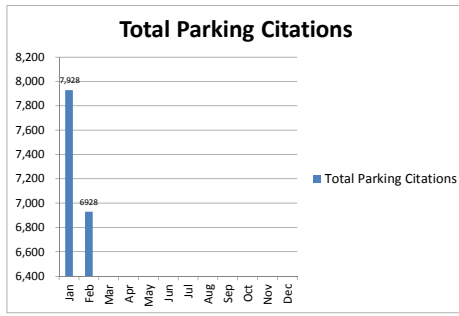
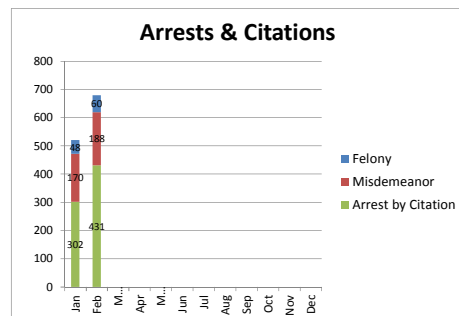
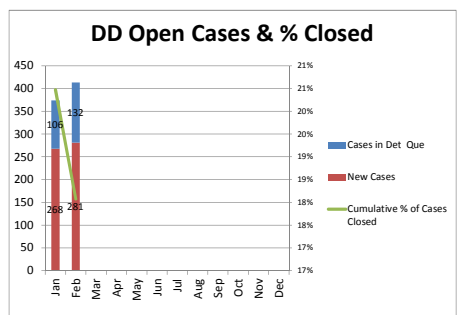
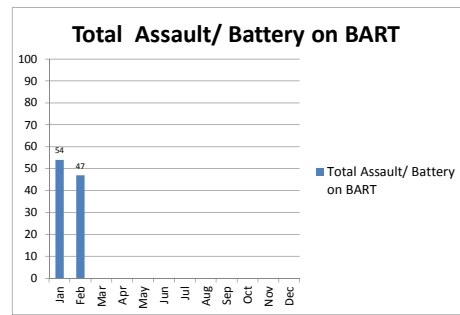
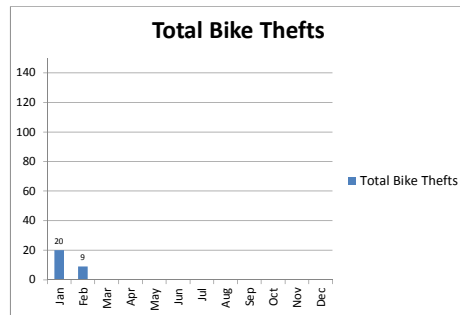
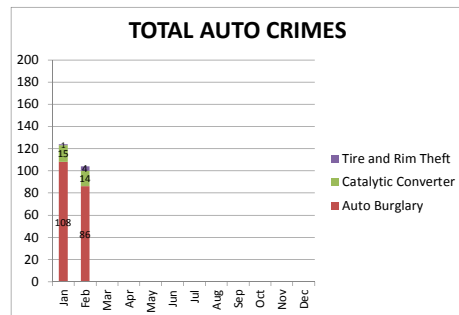
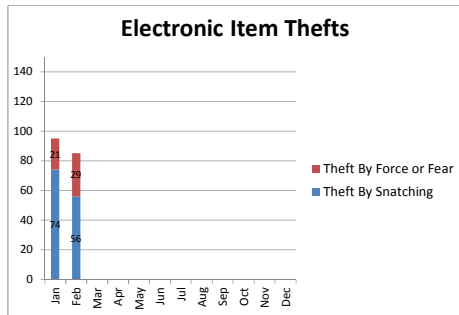
2019 Current Month

Daly City
MaCarthur
East Dublin
Fruitvale
West Oakland

Most Frequent all of 2018 2018 YEAR

Coliseum
West Oakland
Hayward/ San Leandro
Richmond
Fruitvale

This list was obtained by adding the highest totals listed in the Part 1 crimes data.



PART 1 CRIMES	2017	2018	YTD February		% change from '18
			2018	2019	
Homicide	0	2	0	0	0%
Rape	6	3	0	0	0%
Robbery	191	215	33	38	15%
Aggravated Assault	73	87	17	9	-47%
Violent Crime Subtotal	270	307	50	47	-6%
Burglary (Not Including Auto)	8	11	3	2	-33%
Larceny	1471	1283	201	222	10%
Auto Theft	266	199	52	19	-63%
Arson	2	3	0	0	0%
Property Crime Subtotal	1747	1496	256	243	-5%
TOTAL	2017	1803	306	290	-5%

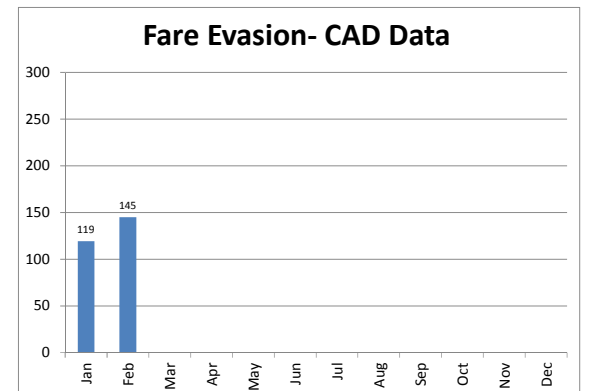
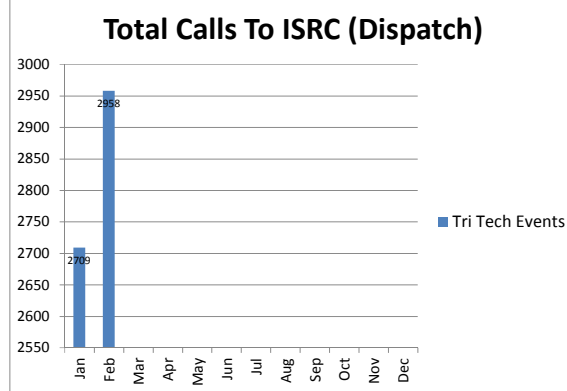
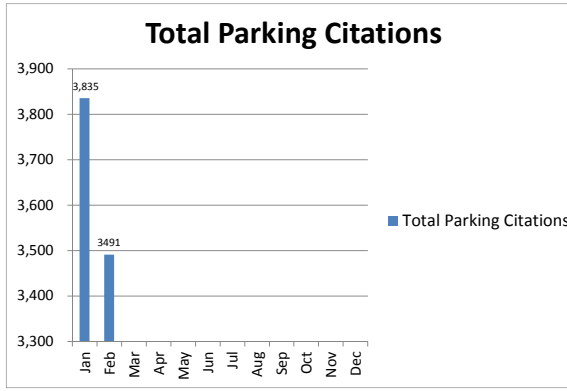
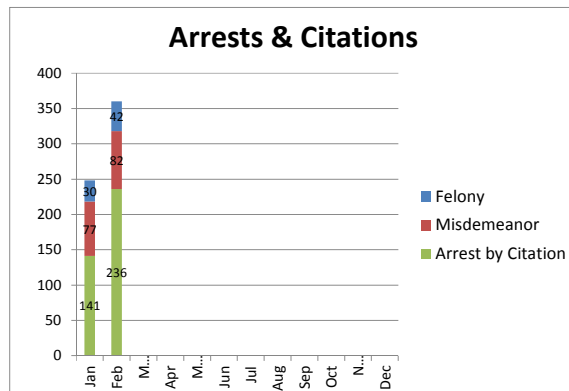
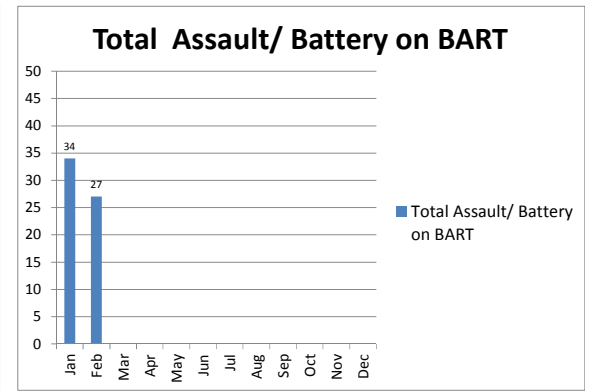
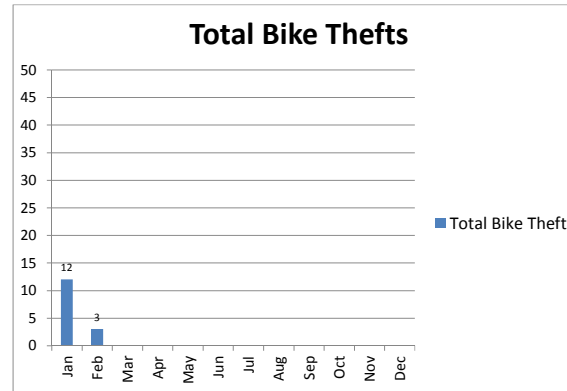
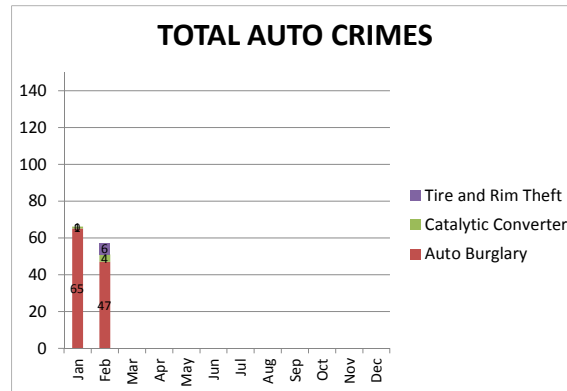
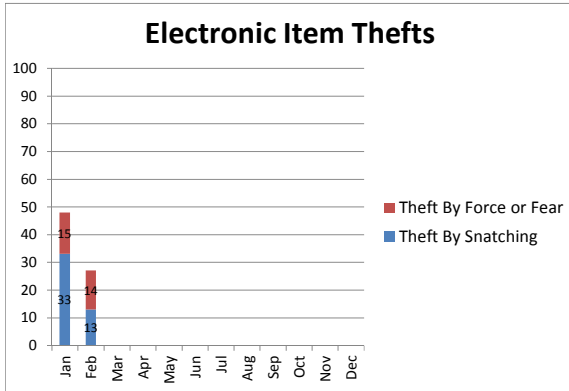


BART Police Performance Measurements

Alameda County Crime Statistics

February 2019

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PART 1 CRIMES	2017	2018	YTD February		% change from '18
			2018	2019	
Homicide	0	1	0	0	0%
Rape	1	0	0	0	0%
Robbery	35	29	6	7	17%
Aggravated Assault	23	20	3	2	-33%
Violent Crime Subtotal	59	50	9	9	0%
Burglary (Not Including Auto)	2	1	0	0	0%
Larceny	675	670	106	107	1%
Auto Theft	134	135	23	7	-70%
Arson	3	1	1	0	-100%
Property Crime Subtotal	814	807	130	114	-12%
TOTAL	873	857	139	123	-12%

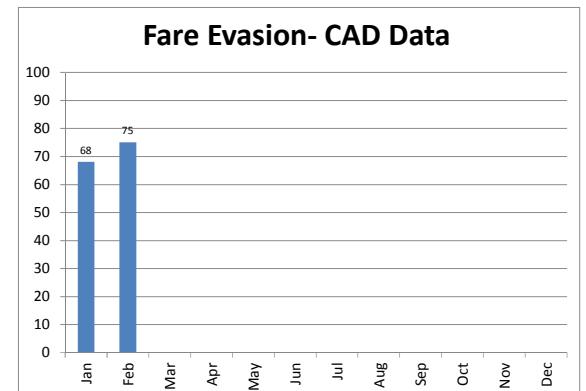
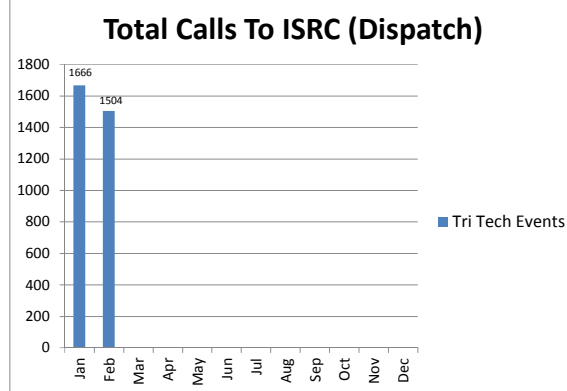
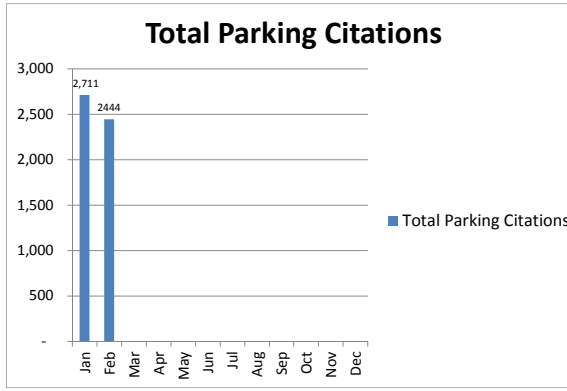
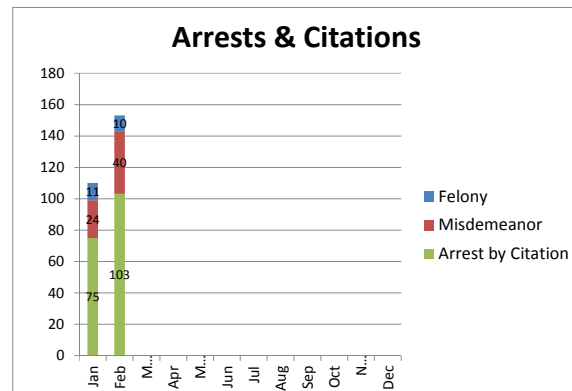
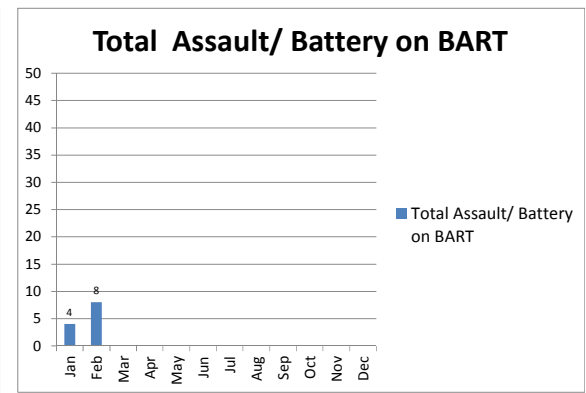
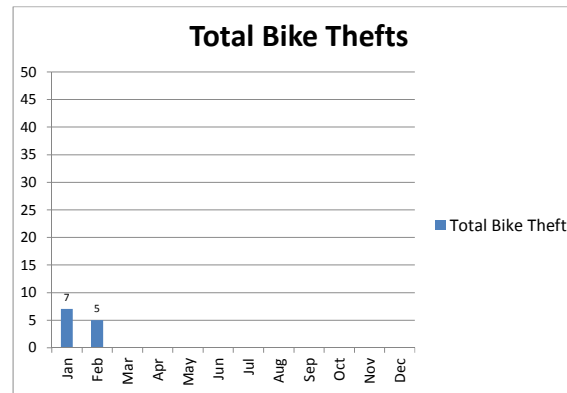
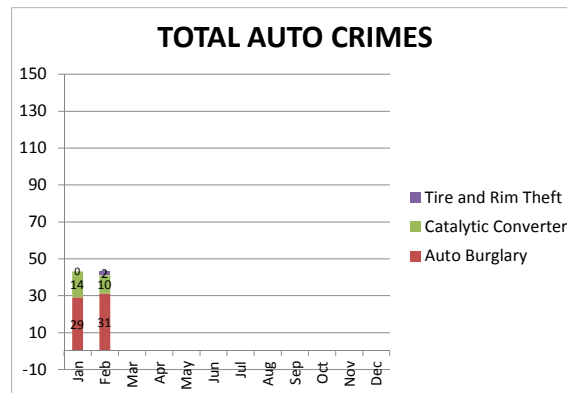
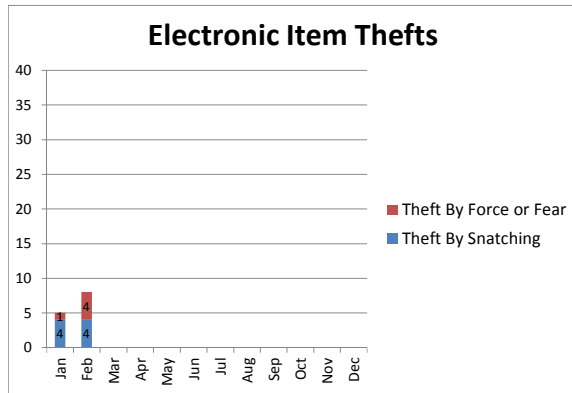


BART Police Performance Measurements

Contra Costa County Crime Statistics

February 2019

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PART 1 CRIMES	2017	2018	YTD February		% change from '18
			2018	2019	
Homicide	0	0	0	0	0%
Rape	0	0	0	0	0%
Robbery	49	97	14	17	21%
Aggravated Assault	23	18	1	8	500%
Violent Crime Subtotal	72	115	15	25	67%
Burglary (Not Including Auto)	5	6	1	0	-100%
Larceny	244	476	41	78	90%
Auto Theft	2	1	0	0	0%
Arson	0	0	0	0	0%
Property Crime Subtotal	251	483	42	78	86%
TOTAL	323	598	57	103	81%

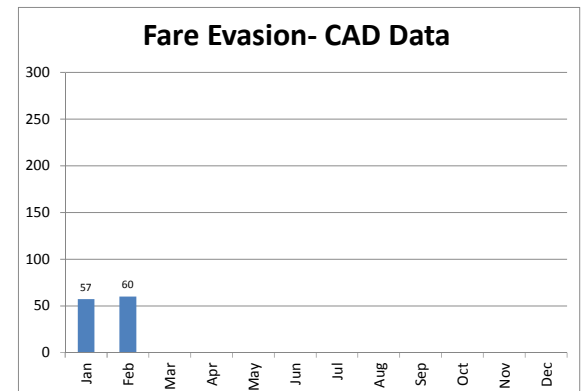
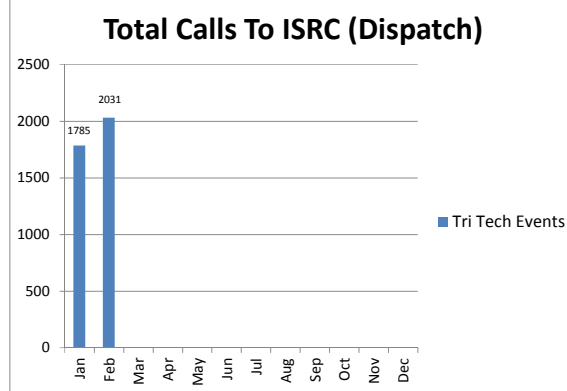
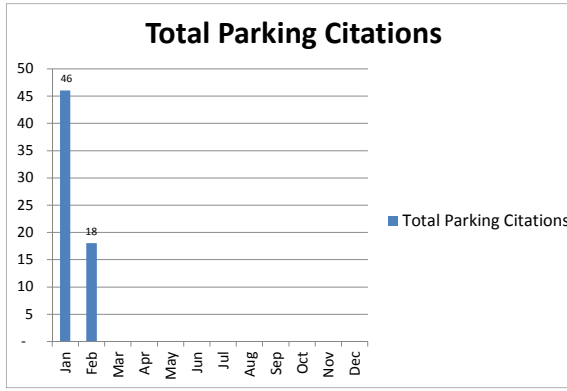
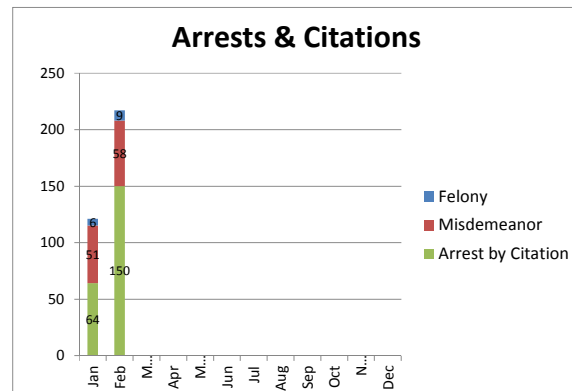
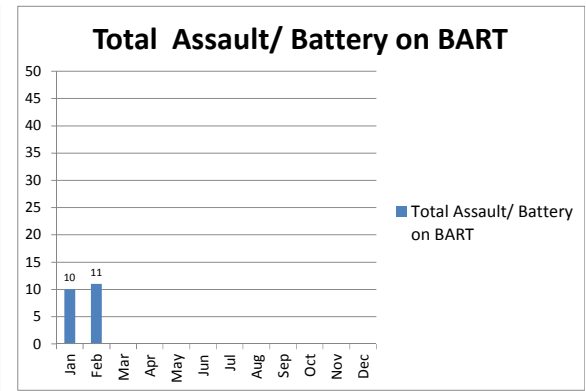
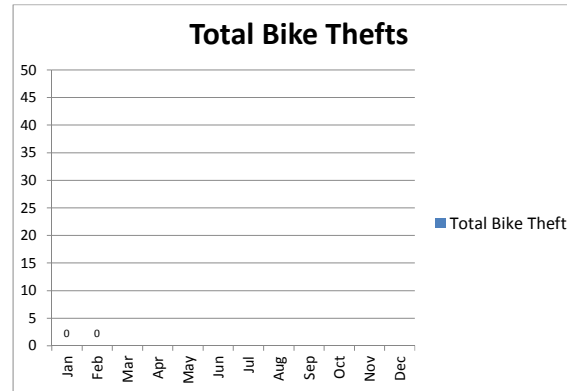
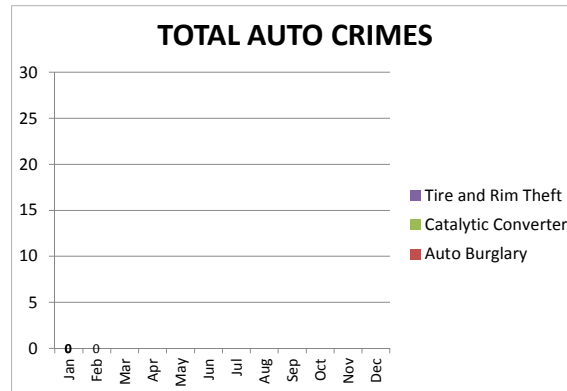
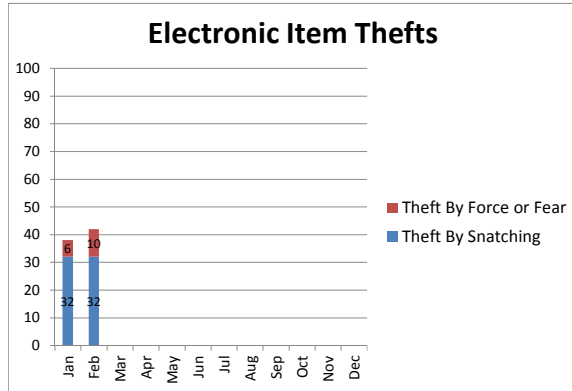


BART Police Performance Measurements

San Francisco County Crime Statistics

February 2019

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PART 1 CRIMES	2017	2018	YTD February		% change from '18
			2018	2019	
Homicide	0	0	0	0	0%
Rape	1	0	0	0	0%
Robbery	15	8	0	4	400%
Aggravated Assault	6	5	0	0	0%
Violent Crime Subtotal	22	13	0	4	400%
Burglary (Not Including Auto)	0	0	0	0	0%
Larceny	208	161	29	50	72%
Auto Theft	18	19	5	2	-60%
Arson	0	0	0	0	0%
Property Crime Subtotal	226	180	34	52	53%
TOTAL	248	193	34	56	65%

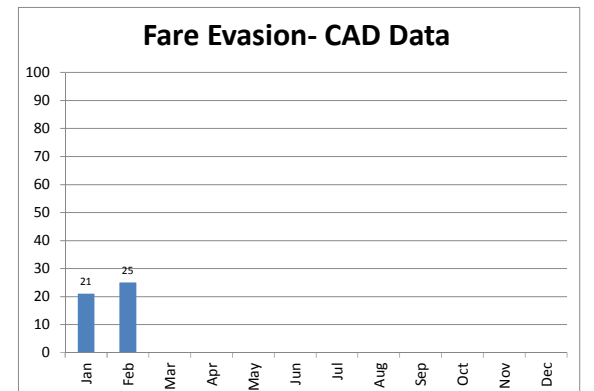
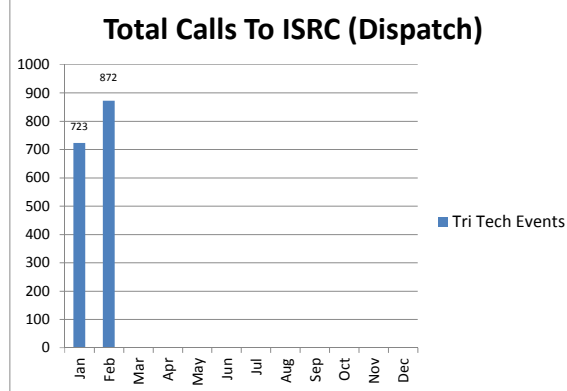
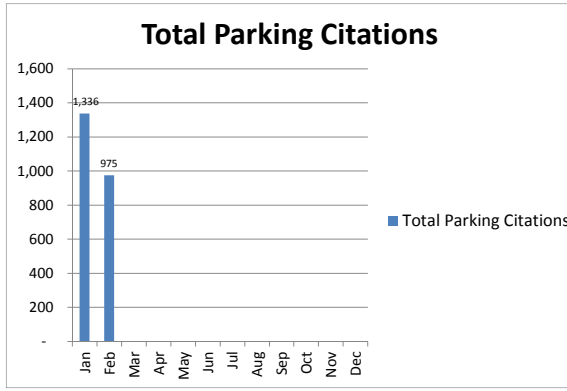
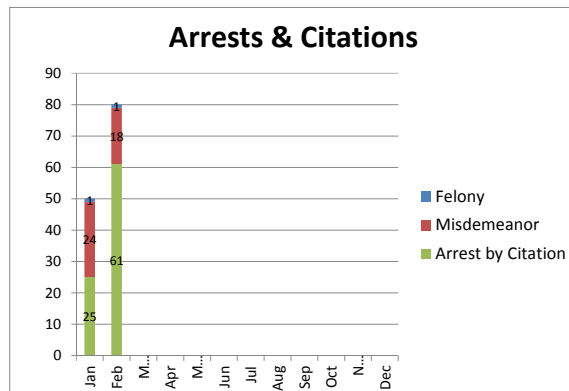
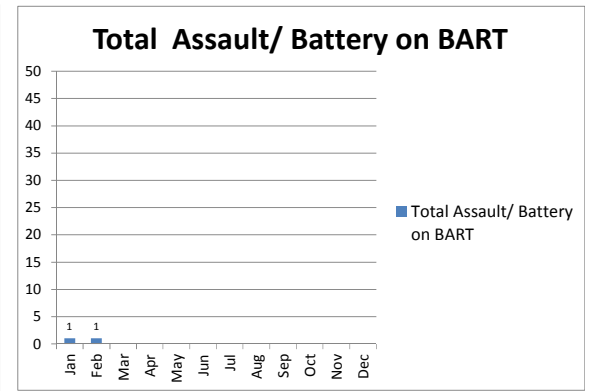
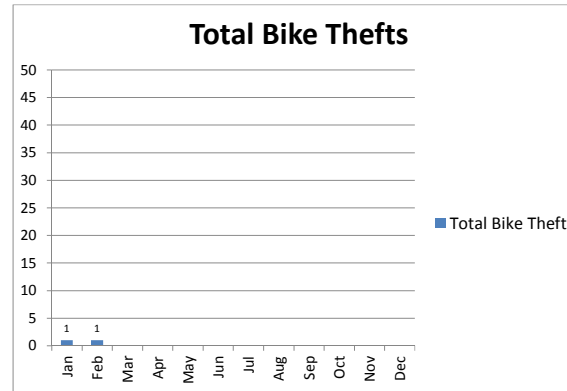
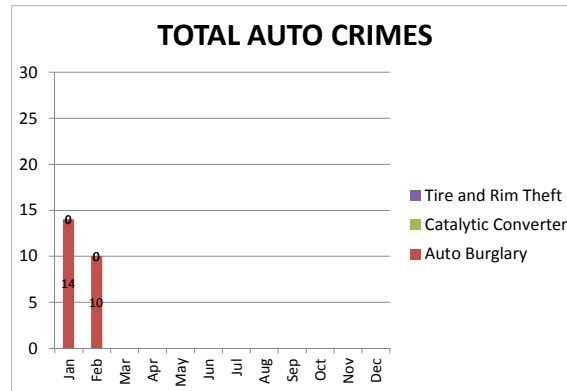
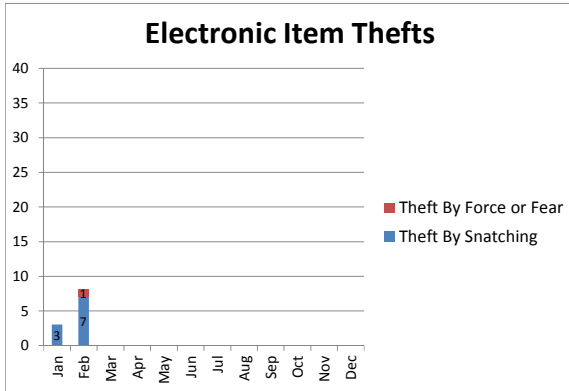


BART Police Performance Measurements

San Mateo County Crime Statistics

February 2019

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Enforcement Contacts - 2019

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Felony Arrest	48	60											108
YTD 2019	48	108											
Misd. Arrest	170	188											358
YTD 2019	170	358											
Cite & Release	302	431											733
YTD 2019	302	733											
Field Interview	814	945											1,759
YTD 2019	814	1,759											

Enforcement Contacts - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Felony Arrest	38	26	41	43	38	33	50	41	39	40	41	50	480
YTD 2018	38	64	105	148	186	219	269	310	349	389	430	480	
Misd. Arrest	88	109	123	90	117	142	108	127	119	160	144	129	1,456
YTD 2018	88	197	320	410	527	669	777	904	1,023	1,183	1,327	1,456	
Cite & Release	396	405	457	175	280	235	199	236	151	206	144	176	3,060
YTD 2018	396	801	1,258	1,433	1,713	1,948	2,147	2,383	2,534	2,740	2,884	3,060	
Field Interview	512	581	581	476	527	513	491	605	433	570	489	463	6,241
YTD 2018	512	1,093	1,674	2,150	2,677	3,190	3,681	4,286	4,719	5,289	5,778	6,241	

Enforcement Contacts - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Felony Arrest	29	32	35	28	34	35	24	33	36	37	28	18	369
YTD 2017	29	61	96	124	158	193	217	250	286	323	351	369	
Misd. Arrest	96	82	112	100	109	107	106	137	129	142	131	104	1,355
YTD 2017	96	178	290	390	499	606	712	849	978	1,120	1,251	1,355	
Cite & Release	356	578	355	252	222	155	261	654	385	730	287	200	4,435
YTD 2017	356	934	1,289	1,541	1,763	1,918	2,179	2,833	3,218	3,948	4,235	4,435	
Field Interview	175	336	322	349	418	336	348	545	749	646	508	466	5,198
YTD 2017	175	511	833	1,182	1,600	1,936	2,284	2,829	3,578	4,224	4,732	5,198	

Parking Enforcement - 2019

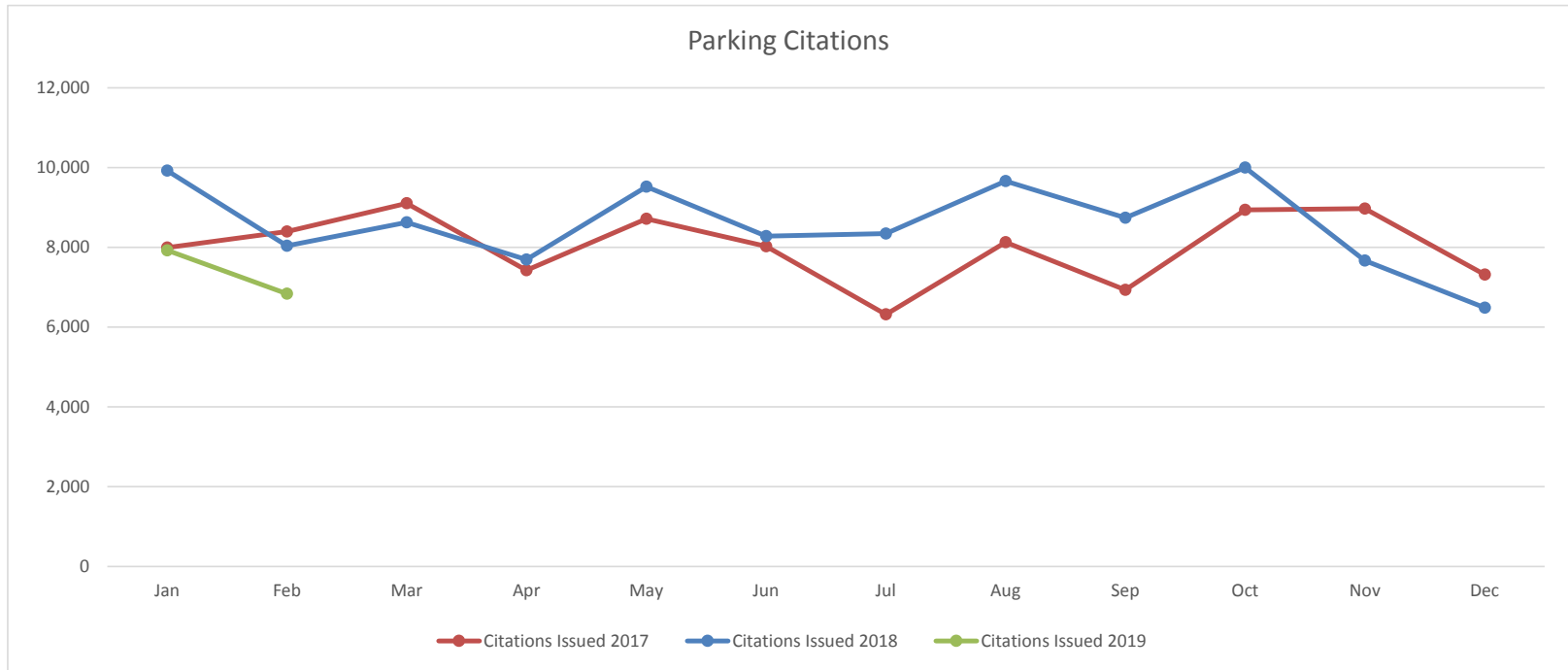
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Citations Issued	7,927	6,837											14,764
YTD 2019	7,927	14,764											
Contested	1,654	1,605											3,259
YTD 2019	1,654	3,259											
Dismissed	1,039	983											2,022
YTD 2019	1,039	2,022											

•

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Citations Issued	9,925	8,042	8,629	7,697	9,520	8,281	8,344	9,661	8,744	10,001	7,671	6,488	103,003
YTD 2018	9,925	17,967	26,596	34,293	43,813	52,094	60,438	70,099	78,843	88,844	96,515	103,003	
Contested	2,121	1,808	2,152	1,782	1,827	2,053	1,958	2,211	2,060	2,314	1,925	1,667	23,878
YTD 2018	2,121	3,929	6,081	7,863	9,690	11,743	13,701	15,912	17,972	20,286	22,211	23,878	
Dismissed	1,502	1,200	1,448	1,160	1,152	1,294	1,223	1,438	1,309	1,489	1,197	1,037	15,449
YTD 2018	1,502	2,702	4,150	5,310	6,462	7,756	8,979	10,417	11,726	13,215	14,412	15,449	

Parking Enforcement - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Citations Issued	7,997	8,400	9,104	7,424	8,716	8,028	6,318	8,131	6,933	8,939	8,973	7,316	96,279
YTD 2017	7,997	16,397	25,501	32,925	41,641	49,669	55,987	64,118	71,051	79,990	88,963	96,279	
Contested	1,324	1,673	1,761	1,796	1,912	1,681	1,587	1,734	1,578	1,793	1,556	2,116	20,511
YTD 2017	1,324	2,997	4,758	6,554	8,466	10,147	11,734	13,468	15,046	16,839	18,395	20,511	
Dismissed	821	1,000	1,136	1,223	1,288	1,070	998	1,115	937	1,107	940	1,375	13,010
YTD 2017	821	1,821	2,957	4,180	5,468	6,538	7,536	8,651	9,588	10,695	11,635	13,010	



Warrant Arrests

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2019												
BART Felony Warrants	3	2										
BART Misdemeanor Warrants	2	13										
O/S Felony Warrants	24	39										
O/S Misdemeanor Warrants	81	72										
Monthly Total	110	126										
YTD Total	110	236										
2018												
BART Felony Warrants	2	1	3	0	2	1	2	2	2	0	1	0
BART Misdemeanor Warrants	3	3	2	2	6	4	1	4	5	7	2	4
O/S Felony Warrants	12	10	16	29	29	8	16	14	10	21	17	23
O/S Misdemeanor Warrants	40	37	68	55	60	36	67	51	41	69	62	67
Monthly Total	57	51	89	86	97	49	86	71	58	97	82	94
YTD Total	57	108	197	283	380	429	515	586	644	741	823	917
2017												
BART Felony Warrants	1	2	1	1	2	3	1	5	1	1	1	0
BART Misdemeanor Warrants	6	4	3	5	9	2	6	17	10	3	8	3
O/S Felony Warrants	20	19	20	18	18	15	10	9	18	16	14	6
O/S Misdemeanor Warrants	39	40	53	53	54	44	52	53	48	74	60	36
Monthly Total	66	65	77	77	83	64	69	84	77	94	83	45
YTD Total	66	131	208	285	368	432	501	585	662	756	839	884



San Francisco Bay Area Rapid Transit Police Department Criminal Investigations Division Monthly Summary Report February, 2019

Detective Assignments

Total number of cases assigned to detectives during the month	Number of cases that are still being investigated by detectives	Number of cases that all current leads have been exhausted	Number of cases that were sent to the district attorney's offices for a review	Number of cases that the district attorney's offices has not made a final disposition	Number of cases that were charged/probation violation by the district attorney	Number of cases that were not charged by the district attorney's offices	Percentage of cases that the district attorney's offices filed charges	Total number of cases that are assigned to a detective as of March 6, 2019
281	132	5	144	87	30	27	21%	306

Submitted By: Sgt. J. Power S-49

Date: 03/06/2019

San Francisco Bay Area Rapid Transit Police Department

Criminal Investigations Division

February, 2019

Detective Closure Rate

	Total number of cases assigned to detectives previous 12 months (March 2018 - Feb 2019)	Number of cases that are still being investigated by detectives	Number of cases that all current leads have been exhausted	Percentage of cases that all current leads have been exhausted	Number of cases closed by arrest or identification of suspect	Percentage of cases closed by arrest or identification of suspect	Percentage of Open Cases
	2572	353	604	23%	1589	62%	14%
D39	119	0	31	26%	88	74%	0%
D51	403	9	92	23%	296	73%	2%
D75	93	0	14	15%	77	83%	0%
D31	303	2	76	25%	222	73%	1%
D55	463	1	219	47%	241	52%	0%
D27	248	11	74	30%	155	63%	4%
D54	283	35	42	15%	204	72%	12%
D10	158	9	22	14%	124	78%	6%
D52	197	23	3	2%	171	87%	12%
Robbery	305	263	31	10%	11	4%	86%

CASES IN DETECTIVE QUEUE

	Total	Past 60 days
D51	7	
D55	4	
D31	5	3
D27	6	
D54	21	1
D10	17	2
D52	13	4
Robbery	223	96

Submitted by: Sgt. John J. Power #S49
Date: March 7, 2019

Assembly Bill 716 - 2019

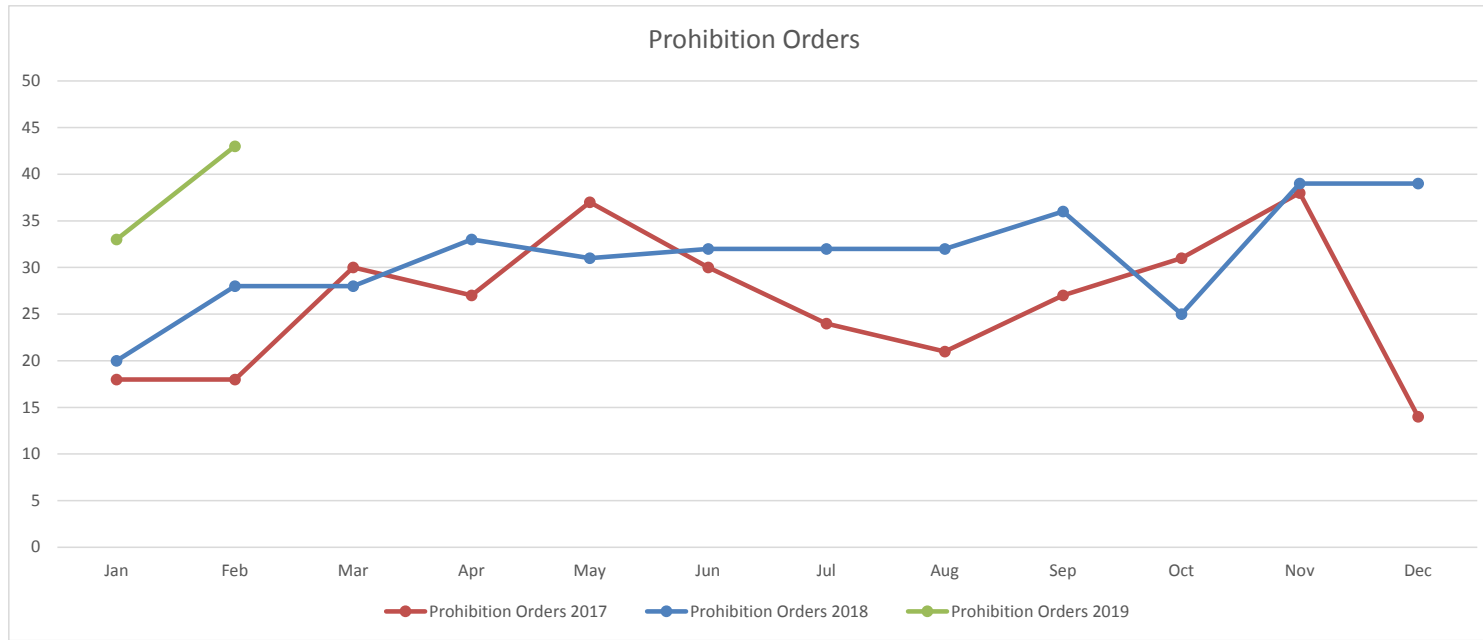
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Prohibition Orders Issued	33	43											76
YTD 2019	33	76											

Assembly Bill 716 - 2018

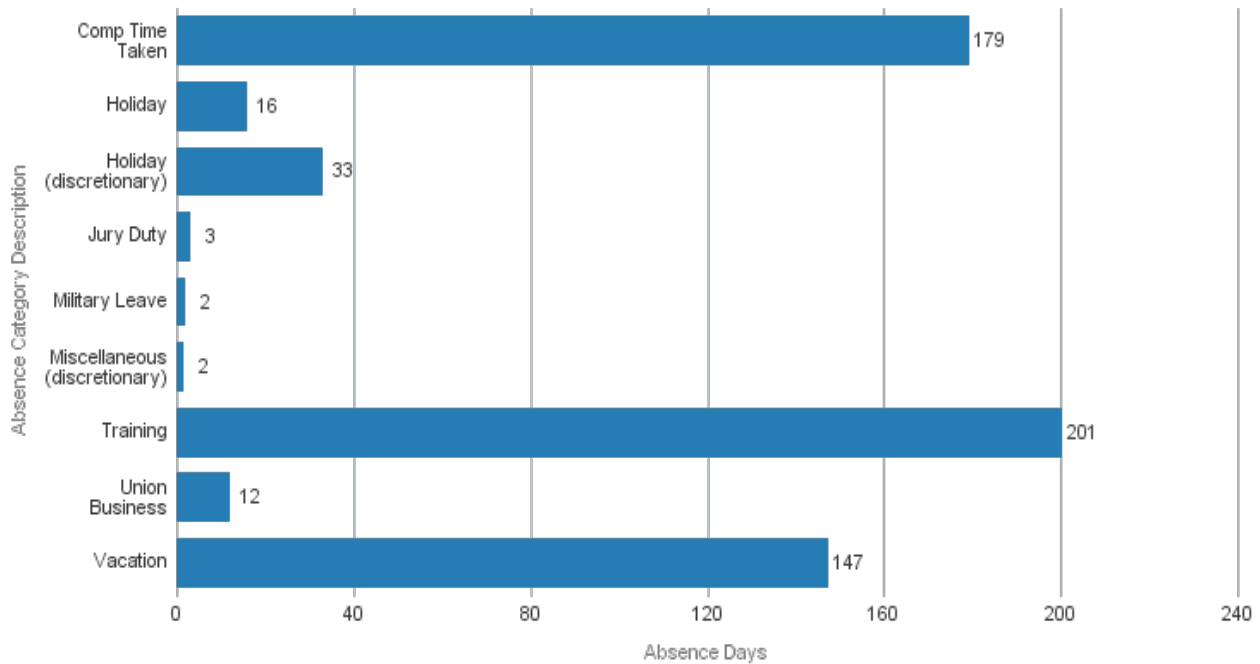
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Prohibition Orders Issued	20	28	28	33	31	32	32	32	36	25	39	39	375
YTD 2018	20	48	76	109	140	172	204	236	272	297	336	375	

Assembly Bill 716 - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Prohibition Orders Issued	18	18	30	27	37	30	24	21	27	31	38	14	315
YTD 2017	18	36	66	93	130	160	184	205	232	263	300	315	

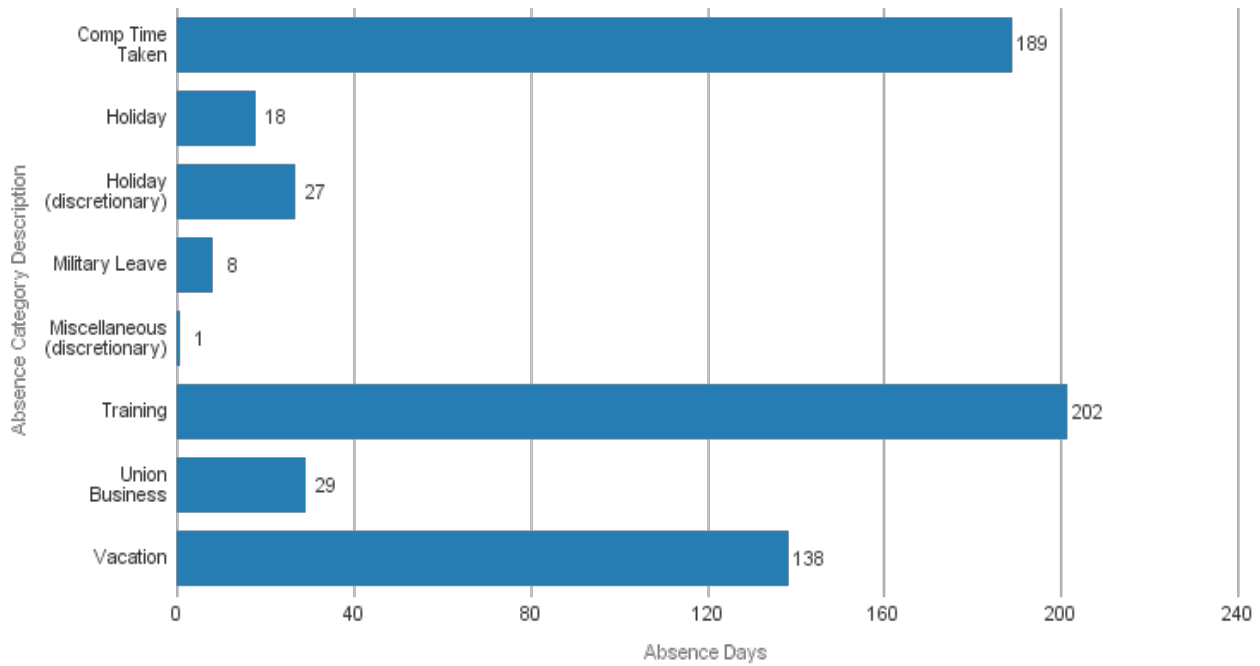


Scheduled Absence Overview - February 2019



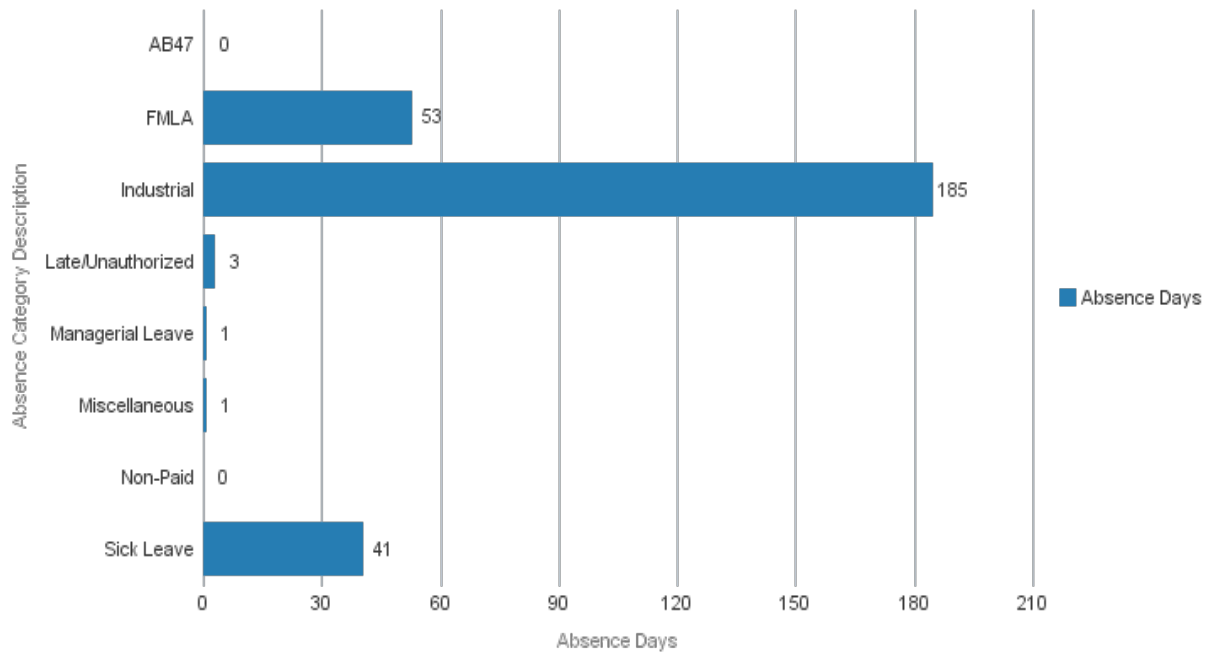
Absence Category Description	Absence Hours	Absence Days	% Total
Comp Time Taken	1,782	179	30%
Holiday	150	16	3%
Holiday (discretionary)	322	33	6%
Jury Duty	30	3	1%
Military Leave	20	2	0%
Miscellaneous (discretionary)	16	2	0%
Training	1,820	201	34%
Union Business	136	12	2%
Vacation	1,434	147	25%
Grand Total	5,710	595	100%

Scheduled Absence Overview - February 2018



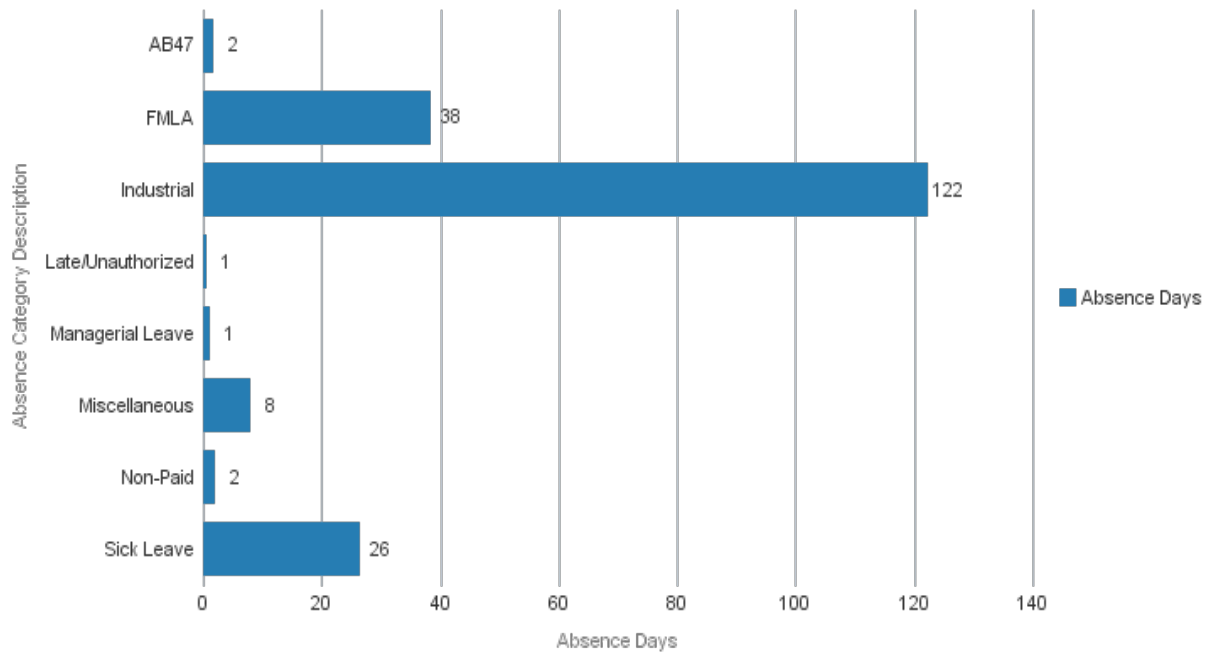
Absence Category Description	Absence Hours	Absence Days	% Total
Comp Time Taken	1,903	189	31%
Holiday	174	18	3%
Holiday (discretionary)	260	27	4%
Military Leave	96	8	1%
Miscellaneous (discretionary)	8	1	0%
Training	1,872	202	33%
Union Business	282	29	5%
Vacation	1,342	138	23%
Grand Total	5,937	612	100%

Unscheduled Absence Overview - February 2019



Absence Category Description	Absence Hours	Absence Days	% Total
AB47	3	0	0%
FMLA	507	53	19%
Industrial	1,801	185	65%
Late/Unauthorized	34	3	1%
Managerial Leave	10	1	0%
Miscellaneous	10	1	0%
Non-Paid	2	0	0%
Sick Leave	430	41	14%
Grand Total	2,798	284	100%

Unscheduled Absence Overview - February 2018



Absence Category Description	Absence Hours	Absence Days	% Total
AB47	16	2	1%
FMLA	355	38	19%
Industrial	1,264	122	61%
Late/Unauthorized	6	1	0%
Managerial Leave	10	1	0%
Miscellaneous	76	8	4%
Non-Paid	24	2	1%
Sick Leave	265	26	13%
Grand Total	2,016	200	100%

BART PD OVERTIME MONTHLY REPORT

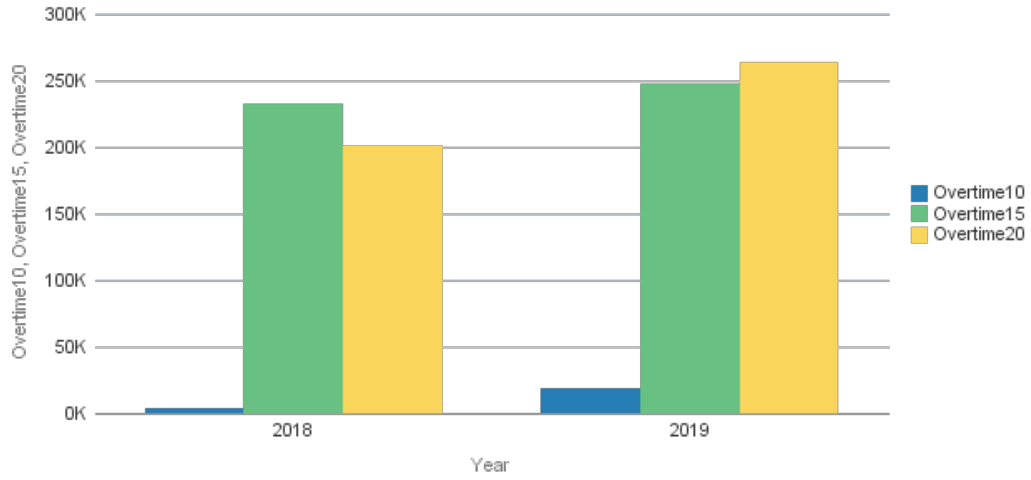
February 2019

Activity Name	Activity ID	2018			2019		
		Overtime10	Overtime15	Overtime20	Overtime10	Overtime15	Overtime20
Admin	ADMIN	0	68	0	0	240	0
Admin Pool CapRR	ADMIN	0	68	0	0	240	0
AdminSupport to be allocated	ADMIN	0	68	0	0	240	0
Administration	ADMIN	0	68	0	0	240	0
Adv Officer Training	ADVOF	194	16,933	10,549	649	11,859	20,402
BART Labor	BLABR	95	8,065	3,572	0	571	0
BF OT Discr Day BPD	BFDCS	0	1,544	2,933	599	757	1,060
BF OT Industrial Leave BPD	BFILV	0	2,651	1,195	0	1,462	5,954
BF OT Minimum Rest	BFRST	0	367	632	0	326	0
BF OT Patrol TRN	BFTRN	0	3,324	9,686	1,060	908	852
BF OT Recovery Day	BFRCV	88	2,882	20,421	636	3,699	23,897
BF OT Training BPD	BFTRN	0	3,324	9,686	1,060	908	852
BF OT Vacancy BPD	BFVCN	119	15,204	13,294	4,647	40,917	56,473
BF OT Vacation BPD	BFVAC	889	20,412	19,051	953	25,298	46,813
BF Sick/FMLA/Brvment	BFSLV	0	8,470	13,583	532	7,324	11,336
Backfill for Negotiations	BCKFL	0	0	1,009	0	0	0
Boardroom Security	BRDRM	0	1,646	3,322	239	400	0
CAD/RMS Project OT BPD	CDRMS	0	0	0	0	231	0
Capital Pool CapRR	ADMIN	0	68	0	0	240	0
Coliseum Events	CEOPS	0	4,190	6,265	221	8,439	4,697
Court Appearance	COURT	0	1,162	1,108	0	1,483	3,738
Crowd Ctrl for Spec	CROWD	0	0	0	0	1,761	3,178
Detectives Unit OT	INVST	0	1,376	226	371	2,315	1,100
E-BART SECURITY	EBSEC	0	384	0	0	1,885	0
EMS/OWS Pltfrm Detail	PLTFM	0	10,589	4,854	1,600	11,891	5,040
Evidence Collection	EVIDN	0	0	0	0	1,940	764
Explorer Advisors	EXPLR	0	1,794	0	0	1,011	0
Final Design	FDSGN	0	6,023	14,329	0	621	0
Held Over/Late Case	HLDOV	0	7,960	185	0	12,964	67
IA Unit Overtime	IAUNT	151	533	1,797	0	6,926	2,071
K-9 Team Training	K9TTR	0	996	3,005	0	0	0
K9 PATROL TEAMS	K9TMS	0	0	0	0	0	0
MTC SECURITY	MTCSC	0	706	0	0	144	0
Meeting Attendance	MTNGS	0	4,039	561	289	3,396	0
Mgr of Sec Programs	SECPR	0	436	0	0	0	0
Operating	OPRTN	1,094	23,220	8,957	1,429	19,416	10,382

P&T Unit Overtime	PTUNT	401	14,323	3,791	352	15,520	11,451
Police Admin OT	PADMN	0	4,644	930	76	7,644	2,032
Protest Event Charge Code	PROTE	238	700	0	0	0	0
Ptrl Special Enforcement	SPECL	530	42,315	29,821	3,502	31,674	25,787
Range Staff Training	RANGE	0	1,772	1,043	0	0	0
Rev Protection Unit OT	RVPRT	0	0	0	0	60	0
SF STA CLN SEC	DSFCS	0	2,932	8,329	423	11,357	15,180
SWAT Team Expenses	SWATT	0	827	948	0	477	1,671
SWAT Team Training	SWATT	0	827	948	0	477	1,671
Special Events	SPEVN	0	2,090	2,618	0	576	0
TSATestBed	TSATB	0	0	0	0	480	0
Training	TRNNG	0	699	0	0	609	365
Training Other	TRNOT	0	12,196	1,314	100	5,899	4,019
Union Business	UNBUS	0	0	1,272	617	2,621	2,524
Walnut Creek Transit Village	C154A	0	168	0	0	0	0
Grand Total		3,801	232,064	201,234	19,355	247,445	263,373

February**437,098****530,173**

Overtime10, Overtime15, Overtime20



Communications Center - 2019

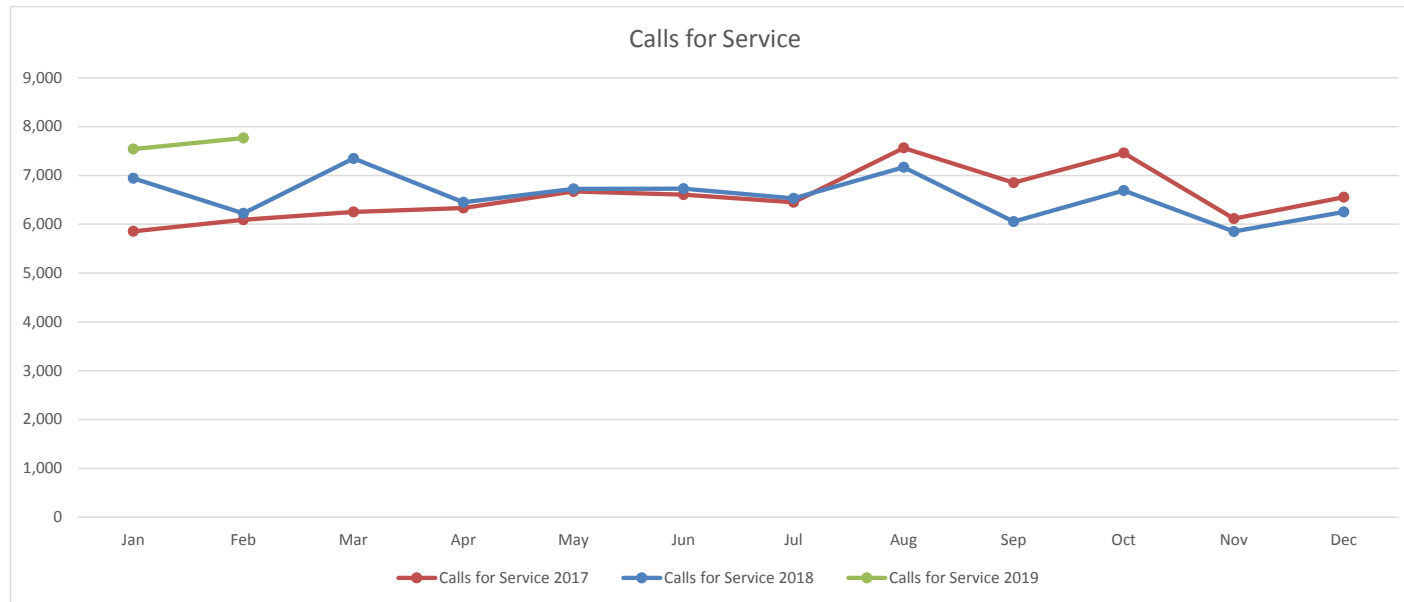
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Calls for Service	7,540	7,765											15,305
YTD 2019	7,540	15,305											
Priority 1 Calls	203	181											384
YTD 2019	203	384											
Medical Emergencies	361	310											671
YTD 2019	361	671											

Communications Center - 2018

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Calls for Service	6,941	6,222	7,349	6,452	6,724	6,729	6,529	7,168	6,055	6,690	5,852	6,252	78,963
YTD 2018	6,941	13,163	20,512	26,964	33,688	40,417	46,946	54,114	60,169	66,859	72,711	78,963	
Priority 1 Calls	192	180	183	214	214	216	223	202	190	209	200	199	2,422
YTD 2018	192	372	555	769	983	1,199	1,422	1,624	1,814	2,023	2,223	2,422	
Medical Emergencies	414	310	344	373	386	375	341	405	342	361	321	362	4,334
YTD 2018	414	724	1,068	1,441	1,827	2,202	2,543	2,948	3,290	3,651	3,972	4,334	

Communications Center - 2017

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Calls for Service	5,855	6,093	6,250	6,331	6,670	6,605	6,448	7,562	6,850	7,460	6,117	6,553	78,794
YTD 2017	5,855	11,948	18,198	24,529	31,199	37,804	44,252	51,814	58,664	66,124	72,241	78,794	
Priority 1 Calls	214	192	194	182	209	234	210	185	174	204	154	176	2,328
YTD 2017	214	406	600	782	991	1,225	1,435	1,620	1,794	1,998	2,152	2,328	
Medical Emergencies	425	327	357	344	367	385	376	344	356	387	387	463	4,518
YTD 2017	425	752	1,109	1,453	1,820	2,205	2,581	2,925	3,281	3,668	4,055	4,518	



BART Watch - 2019

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Crime in Progress	160	124											284
Disruptive Behavior	1760	1539											3,299
Drug Use	676	636											1,312
Human Trafficking	15	5											20
Illegally Parked Vehicle	27	25											52
Panhandling	203	178											381
Report a Crime Tip	31	47											78
Robbery/Theft	91	38											129
Sexual Assault/Lewd Behavior	79	44											123
Suspicious Activity	248	204											452
Unattended Bag or Package	48	72											120
Unsecure Door	5	11											16
Vandalism	116	109											225
Welfare Check	299	385											684
Total	3758	3417											7,175

Total Downloads: 70,289

Total Reports Made

Anonymous: 40.04%

Non-Anonymous: 59.96%

Statistics

Statistics	Six Week Average	03/18-03/24	03/11-03/17	03/04-03/10	02/25-03/03	02/18-02/24	02/11-02/17
Alerts Sent	0.00	0	0	0	0	0	0
Description	<i>The total number of alerts sent.</i>						
Incoming Reports	510.83	488	544	481	538	489	525
Description	<i>The number of reports sent from users.</i>						
Replies to Reports	776.67	741	860	705	760	825	769
Description	<i>The number of replies sent to users from ELERTS EPICenter console.</i>						

Report Type	# of Reports (all time)	
Disruptive Behavior (A)	24897	42.41%
[none selected]	6591	11.23%
Panhandling (A)	4941	8.42%
Suspicious Activity (A)	4908	8.36%
Crime in Progress (A)	3362	5.73%
Other (D)	3082	5.25%
Panhandling or Disruptive Behavior (D)	1967	3.35%
Vandalism (A)	1952	3.33%
Unattended Bag or Package (A)	1409	2.40%
Report a Crime Tip (A)	1127	1.92%
Drug Use (A)	965	1.64%
Illegally Parked Vehicle (A)	922	1.57%
Sexual Assault / Lewd Behavior (A)	917	1.56%
Robbery / Theft (A)	656	1.12%
Welfare Check (A)	587	1.00%
Unsecure Door (A)	343	0.58%
Human Trafficking (A)	65	0.11%
Text a Tip (A)	10	0.02%
Total	58701	100 %
(A) Active Disabled (D)		

Identification	Total
Anonymous	40.06 %
Description	<i>Reports sent anonymously.</i>
Non-Anonymous	59.94 %
Description	<i>Reports sent non-anonymously.</i>

App Statistics (including tests)	
Total Messages (iOS)	80438
Description	<i>Reports and replies via iOS devices.</i>
Total Messages (Android)	36399
Description	<i>Reports and replies via Android devices.</i>
Total Messages (SMS)	4
Description	<i>Reports and replies via SMS.</i>

TEST-THIS IS ONLY A TEST	# of Reports (all time)
TEST Report Total	7862

Top SMS Users	
Phone Number	Number of Reports
5103685574	1
5109789702	1
5108215151	1
4849860547	1

Date **September 30, 2018**

To: **BART Board of Directors**

From: **BART Police Citizen Review Board**

Subject: **Quarterly Report to Board of Directors**

This quarterly report from the BART Police Citizen Review Board (BPCRB) to the BART Board of Directors covers the BPCRB's most significant activities for July, August, and September 2018.

BART Police Citizen Review Board Members:

Kenneth Loo	District 1
Pete Longmire	District 2
William White (Vice Chairperson)	District 3
Darren White	District 4
VACANT	District 5
Les Mensinger	District 6
Aman Sebahtu	District 7
David Rizk	District 8
George Perezvelez (Chairperson)	District 9
VACANT	Public-At-Large
Richard Knowles	BART Police Officers and Managers Associations

Meetings:

The BPCRB normally meets in the District Board Room at 4:00 p.m. on the second Monday of the month. Meeting agendas and minutes are posted on the District website and can be found at www.bart.gov/about/bod/meetings.aspx. The regular agenda items include monthly oral reports by the BART Chief of Police and the Independent Police Auditor.

Reporting:

This is the 27th formal written report to the Board of Directors.

Primary Duties and Responsibilities:

The Citizen Oversight Model lists several primary duties and responsibilities for the BPCRB. The general topic headings below describe the BPCRB activities related to these tasks.

Receiving complaints, reviewing investigative reports and making recommendations for corrective action

The Office of the Independent Police Auditor (OIPA) has received complaints which are being investigated. During this quarter, three cases (OIPA Case #17-42, #18-01, and #18-03 Govt. Code 54957) were presented to the BPCRB and the OIPA recommendations were agreed to by at least a majority of BPCRB Members.

Public Comments from family and friends of Sahleem Tindle concerning the officer involved shooting in West Oakland in January was received by the Board.

Recommendations on Procedures, and Practices

Proposed revisions to BART Police Department (BPD) Policy #310 related to an officer's fitness for return to duty after an involved shooting was presented. The Board formed a sub-committee to review and recommend additional changes.

Board Development Recommendations

George Perezvelez and William C. White were re-elected as Chair and Vice Chair. Aman Sebahtu District 7 resigned from the Board. Pete Longmire was sworn in to represent District 5, and Christina Gomez was sworn in to represent District 7.

Training

Chair Perezvelez, Vice Chair W. White, Mr. Loo, and Mr. Longmire attended Force Option Simulation training at BPD.

Participation in Oral Boards

Board Member Les Mensinger participated in two Oral Boards for new BPD candidates.

Community Outreach and Other Activities

Board Member Les Mensinger met with District 6 Board Candidate, Anu Nataraju.

Date: **December 31, 2018**

To: **BART Board of Directors**

From: **BART Police Citizen Review Board**

Subject: **Quarterly Report to Board of Directors**

This quarterly report from the BART Police Citizen Review Board (BPCRB) to the BART Board of Directors covers the BPCRB's most significant activities for October, November, and December 2018.

BART Police Citizen Review Board Members:

Kenneth Loo	District 1
Pete Longmire	District 2
William White (Vice Chairperson)	District 3
Darren White	District 4
VACANT	District 5
Les Mensinger	District 6
Christina Gomez	District 7
David Rizk	District 8
George Perezvelez (Chairperson)	District 9
Erin Armstrong	Public-At-Large
Richard Knowles	BART Police Officers and Managers Associations

Meetings:

The BPCRB normally meets in the District Board Room at 4:00 p.m. on the second Monday of the month. Meeting agendas and minutes are posted on the District website and can be found at www.bart.gov/about/bod/meetings.aspx. The regular agenda items include monthly oral reports by the BART Chief of Police and the Independent Police Auditor.

Reporting:

This is the 28th formal written report to the Board of Directors. Christina Gomez was sworn into office replacing Aman Sebahtu of District 7, and Erin Armstrong was sworn in to fill the Public-at-Large vacancy.

Primary Duties and Responsibilities:

The Citizen Oversight Model lists several primary duties and responsibilities for the BPCRB. The general topic headings below describe the BPCRB activities related to these tasks.

Receiving complaints, reviewing investigative reports and making recommendations for corrective action

The Office of the Independent Police Auditor (OIPA) has received complaints which are being investigated. During this quarter, one case (OIPA Case #18-15 Govt. Code 54957) was presented to the BPCRB and the OIPA recommendations were agreed to by at least a majority of BPCRB Members.

Public Comments from family and friends of Sahleem Tindle concerning the officer involved shooting in West Oakland in January was received by the Board. In October, the Board received a copy of the District Attorney's Final Report on the fatal shooting of Sahleem Tindle.

Recommendations on Procedures, and Practices

A second proposed revisions to BART Police Department (BPD) Policy #310 related to officer's fitness for return to duty after an involved shooting was presented. The subcommittee is working on additions to the recommendation.

Board Development Recommendations

George Perezvelez and Les Mensinger the National Association for Civilian Oversight of Law Enforcement (NACOLE) Annual Conference.

Training

Chair Perezvelez is developing a training schedule for 2019.

Participation in Oral Boards

There was no Oral Board representation this quarter.

Community Outreach and Other Activities

Board Member Les Mensinger attended a Paradise City Benefit representing BPCRB.



Office of the
**INDEPENDENT
POLICE AUDITOR**

BAY AREA RAPID TRANSIT DISTRICT

MONTHLY REPORT

March 2019

Issue date: April 8, 2019

This report is filed pursuant to the BART Citizen Oversight Model, Chapter 1-05 (B), which requires the Office of the Independent Police Auditor (OIPA) to submit reports to the BART Police Citizen Review Board (BPCRB). This report provides information for the period **March 1, 2019 through March 31, 2019.**¹

The Quantitative Report includes all complaints received and administrative investigations initiated by both OIPA and the BART Police Department (BPD) Internal Affairs Bureau.

QUANTITATIVE REPORT

	Cases Filed ²	Open Cases ³	OIPA Investigations Concluded ⁴	Cases Appealed to OIPA ⁵	Cases Appealed by BPCRB ⁶
March 2018	6	35	1	0	0
April 2018	13	49	0	0	0
May 2018	6	51	1	0	0
June 2018	10	56	0	0	0
July 2018	8	54	0	0	0
August 2018	14	64	1	0	0
September 2018	9	69	1	0	0
October 2018	10	69	1	0	0
November 2018	13	69	1	0	0
December 2018	5	62	0	0	0
January 2019	15	64	1	0	0
February 2019	12	60	1	0	0
March 2019	14	57	1	0	0

TYPES OF CASES FILED

Citizen Complaints (Formal)	5
Informal Complaints ⁷	4
Administrative Investigations	1
Inquiries ⁸	4
TOTAL	14

CITIZEN COMPLAINTS RECEIVED PER DEPARTMENT⁹

OIPA	4
BART Police Department	1
TOTAL	5

COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During March 2019, **4 Citizen Complaints** were received by OIPA:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (OIPA #19-10) (IA2019-034)	Officer #1: <ul style="list-style-type: none"> • Force • Policy/Procedure • Conduct Unbecoming an Officer 	OIPA initiated an investigation.	26
2 (OIPA #19-11) (IA2019-036)	Officer #1: <ul style="list-style-type: none"> • Force • Policy/Procedure • Arrest or Detention 	OIPA initiated an investigation.	21
3 (OIPA #19-12) (IA2019-037)	Officer #1: <ul style="list-style-type: none"> • Performance of Duty 	OIPA notified BPD, which initiated an investigation.	21
4 (OIPA #19-13) (IA2019-041)	Officer #1: <ul style="list-style-type: none"> • Force • Policy/Procedure 	OIPA initiated an investigation.	13

During March 2019, **1 Citizen Complaint (Formal)** was received by BPD:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2019-039)	Employee #1: <ul style="list-style-type: none"> • Conduct Unbecoming 	BPD initiated an investigation.	17

During March 2019, **4 Informal Complaints** were received by BPD:

Complaint # (IA Case #)	Nature of Allegations	Action Taken	Days Elapsed Since Investigation Initiated
1 (IA2019-029)	Officer #1: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer 	BPD initiated a Supervisor Referral. ¹⁰	31
2 (IA2019-030)	Officers #1-2: <ul style="list-style-type: none"> • Policy/Procedure 	BPD initiated a Supervisor Referral.	30
3 (IA2019-035)	Employee #1: <ul style="list-style-type: none"> • Conduct Unbecoming 	BPD initiated a Supervisor Referral.	26
4 (IA2019-040)	Officer #1: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer 	BPD initiated a Supervisor Referral.	12

During March 2019, **1 Administrative Investigation** was initiated by BPD:

Investigation # (IA Case #)	Nature of Investigation	Action Taken	Days Elapsed Since Investigation Initiated
1 (IA2019-042)	Officer #1: <ul style="list-style-type: none"> • Performance of Duty • Policy/Procedure • Conduct Unbecoming an Officer 	BPD initiated an investigation.	10

Also during the month of March 2019, BPD classified each of the following intakes as an **Inquiry** and administratively closed the complaints: #IA2019-031 (after determining that the complaint was based on a misunderstanding), #IA2019-032 (after determining that no BPD personnel were involved), #IA2019-033 (after the complainant withdrew the complaint).¹¹

COMPLAINTS/INVESTIGATIONS INITIATED DURING A PRIOR REPORTING PERIOD

During March 2019, **1 Citizen Complaint (Formal)** was initiated by BPD but not previously reported:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2019-019)	Officers #1-2: <ul style="list-style-type: none"> • Force Officer #2: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer 	BPD initiated an investigation.	52

COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD

During March 2019, **1 Citizen Complaint Investigation** was concluded by OIPA:

Investigation # (IA Case #)	Nature of Allegations	Disposition	Days Elapsed Since Investigation Initiated	Days Taken to Address Allegation
1 (OIPA #18-38) (IA2018-084)*	One officer improperly detained a subject, used profane language, and failed to properly document a law enforcement contact, and two officers used excessive or unnecessary force during arrest.	Officers #1-2: <ul style="list-style-type: none"> • Force – Exonerated Officer #2: <ul style="list-style-type: none"> • Arrest/Detention – Exonerated • Conduct Unbecoming an Officer – Sustained • Policy/Procedure (AXON Camera) – Sustained 	192	158

* This case remains listed as open for the BPD Internal Affairs pending presentation of the OIPA investigative findings to the BART Police Citizen Review Board and transmission of findings to the BPD Chief.

During March 2019, **9 Citizen Complaints (Formal)** were concluded by BPD:

Complaint # (IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 (IA2018-027)	One employee requested proof of payment based on complainant's race and one employee mocked a patron during a contact.	Employee #1: <ul style="list-style-type: none"> • Bias-Based Policing – Unfounded Employee #1: <ul style="list-style-type: none"> • Conduct Unbecoming – Sustained 	353	320
2 (IA2018-035)	Officer detained complainant based on race, grabbed complainant, and was rude and unprofessional during the contact.	Officer #1: <ul style="list-style-type: none"> • Bias-Based Policing – Unfounded • Conduct Unbecoming an Officer – Unfounded 	343	308
3 (IA2018-044)	Officer failed to provide sufficient protection after being called for service and officer improperly inquired whether complainant was mentally disabled or intoxicated.	Officer #1: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer – Supervisor Referral 	304	286
4 (IA2018-054)	Officers threatened and intimidated complainant.	Officers #1-2: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer – Not Sustained 	272	253
5 (IA2018-064)	Officer used unnecessary force during a detention, used insulting language, and failed to properly document a law enforcement contact.	Officer #1: <ul style="list-style-type: none"> • Force – Unfounded • Courtesy – Sustained • Policy/Procedure (AXON Camera – Sustained 	241	210
6 (IA2018-066)	Officer observed complainant with heightened scrutiny because of complainant's race.	Officer #1: <ul style="list-style-type: none"> • Bias-Based Policing – Unfounded 	241	213
7 (IA2018-079)	Officer was rude to complainant and improperly placed complainant on a psychiatric hold.	Officer #1: <ul style="list-style-type: none"> • Performance of Duty – Exonerated • Conduct Unbecoming an Officer – Unfounded 	228	214

8 (IA2019-004)	Officers improperly detained complainant used excessive force, and damaged complainant's property.	Officers #1-4: • Conduct Unbecoming an Officer – Administratively Closed	91	72
9 (IA2019-011)	Employees improperly requested proof of payment from subject.	Employees #1-2: • Conduct Unbecoming an Officer – Unfounded	94	81

During March 2019, **3 Informal Complaints** were addressed by BPD:

Complaint # (IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 (IA2019-002)	Officers and employee did not respond appropriately to a call for service	Officers #1-2: • Performance of Duty – Supervisor Referral Employee #1: • Performance of Duty – Supervisor Referral	91	59
2 (IA2019-029)	Officer inappropriately invaded complainant's personal space.	Officer #1: • Conduct Unbecoming an Officer – Administratively Closed	31	1
3 (IA2019-030)	Officers recklessly operated patrol vehicle.	Officers #1-2: • Policy/Procedure – Supervisor Referral	30	22
4 (IA2019-018)	Officer recklessly operated patrol vehicle.	Officer #1: • Conduct Unbecoming an Officer – Supervisor Referral	31	3
5 (IA2019-022)	Employee was rude to complainant and refused to provide identification.	Employee #1: • Conduct Unbecoming – Supervisor Referral	25	6
6 (IA2019-023)	Officer did not take appropriate enforcement action during a call for service.	Officer #1: • Conduct Unbecoming an Officer – Supervisor Referral	25	6

During February 2019, **1 Administrative Investigation** was concluded by BPD:

Investigation # (IA Case #)	Nature of Allegations	Disposition	Days Elapsed Since Investigation Initiated	Days Taken to Address Allegation
1 (IA2018-063)	Officer created a hostile work environment by making an inappropriate statement regarding race.	Officer #1: • Racial Animus – Sustained	214	197

Also during the month of March 2019, BPD classified case #IA2019-028, received in February 2019, as an **Inquiry** and Administratively Closed the investigation:

COMPLAINTS/INVESTIGATIONS CONCLUDED DURING PREVIOUS REPORTING PERIODS

During February 2019, **1 Citizen Complaint (Formal)** was concluded by BPD:

Investigation # (IA Case #)	Nature of Allegations	Disposition	Days Elapsed Since Investigation Initiated	Days Taken to Address Allegation
1 (IA2016-071)	Officers improperly detained subjects, used excessive force during an arrest, and did so based on race. Officers failed to identify themselves as requested.	Officers #1-4: <ul style="list-style-type: none"> • Bias-Based Policing – Unfounded • Arrest or Detention – Exonerated • Conduct Unbecoming an Officer – Unfounded Officer #1: <ul style="list-style-type: none"> • Force – Exonerated Officer #2: <ul style="list-style-type: none"> • Force – Sustained 	983	944 [†]

During February 2018, **1 Informal Complaint** was concluded by BPD:

Investigation # (IA Case #)	Nature of Allegations	Disposition	Days Elapsed Since Investigation Initiated	Days Taken to Address Allegation
1 (IA2019-027)	Officer was verbally aggressive during a contact.	Officer #1: <ul style="list-style-type: none"> • Conduct Unbecoming an Officer – Supervisor Referral 	41	2

[†] This investigation was tolled for an extended period of time pending litigation (642 days from January 18, 2017 through October 22, 2018).

DISCIPLINE ISSUED DURING REPORTING PERIOD

During March 2019, BPD took the following actions in cases where one or more allegations of misconduct were sustained:

Case #	Nature of Sustained Allegation(s)	Classification of Sustained Allegation(s)	Action Taken
1	Employee failed to provide identification upon request.	Employee #1: • Conduct Unbecoming	Employee #1: • Oral Counseling
2	Officers failed to properly document a law enforcement contact.	Officers #1-2: • Policy/Procedure (AXON Camera) Officer #2: • Arrest or Detention	Officer #1: • Written Reprimand Officer #2: • Non-Documented
3	Employee did not respond appropriately to a call for service.	Employee #1: • Performance of Duty	Employee #1: • Non-Documented
4	Officers failed to properly document a law enforcement contact.	Officer #1: • Policy/Procedure (AXON Camera)	Employee #1: • Letter of Discussion

ADDITIONAL NOTES

In accordance with the BART Citizen Oversight Model (Model), OIPA investigates certain complaints, conducts complainant-initiated appeals, and also monitors and/or reviews complaint investigations conducted by BPD. Though potentially work-intensive, some complaint investigation reviews are completed informally, with any concerns being addressed through a conference with BPD's Internal Affairs investigators. Noting the various kinds of work that OIPA undertakes with regard to complaints and investigations, the following chart includes some of the pending cases in which OIPA is involved as of the end of this reporting period.

Investigations Being Conducted	8
Complainant-Initiated Appeals	0
BPD-Initiated Appeals	0
Investigations Being Monitored	26
Investigations Reviewed During Current Month	21 [†]

[†]This number does not include all OIPA reviews, as OIPA commonly looks at a variety of cases in the Internal Affairs database to obtain updates on both pending and completed investigations.

The Model provides that OIPA shall have authority to require follow-up investigation into any citizen complaint or allegation that is handled by BPD. The OIPA Monthly Report will reflect information regarding monitored cases with detail not to exceed that which is allowable under state law. The investigations reviewed by OIPA during the period did not generate any notable recommendations for revisions or additional investigation.¹²

¹ In addition to reporting on complaints received by the BART Police Department, the Citizen Oversight Model requires reporting on all complaints received by the "Citizen Board, Office of the District Secretary, and other District departments." As complaints received by the BART Police Citizen Review Board are customarily directed to OIPA for further action, such complaints are included in the Quantitative Report above; OIPA is also made aware of additional complaints about the BART Police Department by the Office of the District Secretary or other District departments.

² This number includes all Citizen Complaints filed against members of the BART Police Department, as well as Administrative Investigations generated internally by BART Police Department members (as opposed to being filed by a citizen). This number also includes previously completed cases that have been re-opened during the current reporting period.

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

⁴ This number includes all cases completed by OIPA during the reporting period for which OIPA's findings are required by the BART Citizen Oversight Model to be submitted to the BART Police Citizen Review Board. It therefore includes independent investigations, as well as reviews of completed BART Police Department investigations initiated via appeal from a complainant. Unless otherwise noted, it does not include reviews of BART Police Department investigations initiated at the discretion of OIPA, which happen commonly and do not always generate a formal report; it also does not include reviews conducted by OIPA of complaint investigations where the complaint was filed with OIPA but did not fall under OIPA's investigative jurisdiction.

⁵ This number refers to appeals filed with OIPA by complainants who have been issued the findings of the BART Police Department's internal investigation into their complaint regarding on-duty incidents. OIPA has a responsibility to review such appeals pursuant to the BART Citizen Oversight Model, Chapter 1-04 (E).

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

⁷ The BART Police Department defines an Informal Complaint as, "A comment on the actions of a Department employee, where the reporting party expressly states that he or she does not feel that the matter should be formally investigated with the understanding that an Informal Complaint does not hold the potential to result in disciplinary action against the employee." (BART Police Department Policy Manual, Policy 1020.1.1(d)).

⁸ BPD policy provides that if a person alleges or raises an issue that does not constitute a violation of Department policy, procedure, rules, regulations, or the law, the Department will classify the issue as an inquiry.

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

¹⁰ A Supervisor Referral refers to an instance involving an Inquiry or an Informal Complaint. An assigned supervisor addresses the issue informally with the involved employee and documents the content of the conversation with a memorandum to IA.

¹¹ Administrative Closure refers to allegations that are received and documented; however the Chief of Police or his/her designee determines, based on a preliminary investigation, that further investigation is not warranted. Under these circumstances, the complaint will be Administratively Closed and documented in a summary memorandum to the case file. Employees will be documented as witnesses only, not as subjects to the complaint. Internal Affairs will send a letter to the complainant notifying them that the case was closed following a preliminary investigation.

¹² OIPA may submit recommendations to IA regarding minor clerical or record-keeping adjustments which are intended to maintain the integrity of the data collection and record-keeping processes at BPD. These are not considered by OIPA to be substantive recommendations requiring reporting herein.