

BART Police Internal Affairs

2011

This report contains statistical data compiled by the BART Police Office of Internal Affairs, addressing the number and nature of misconduct allegations resulting from Citizen Complaints and Administrative Investigations. Additionally, the report enumerates use of force statistics.

Annual Report

Internal Affairs Overview

The BART Police Office of Internal Affairs received 74 issues of concern from citizens with regards to police conduct during 2011.

- Of the 74 issues, 47 were reported and investigated as Formal Complaints.
- The remaining 27 issues were reported as Informal Complaints and were addressed through Supervisory Referrals.

There were seven (7) Administrative Investigations initiated by the Office of Internal Affairs.

Total Incidents:

Incident Type	Count	Percent of Total
Formal Complaints	47	58%
Informal Complaints	27	33%
Administrative Investigations	7	9%
TOTAL	81	

The 47 Formal Complaints contained allegations against 63 officers. Of these officers, 13 were named in more than one complaint.

Complaints received by individual officers:

Complaints per Officer	Number of Officers
1 Complaint	50 officers
2 Complaints	12 officers
3 Complaints	1 officer

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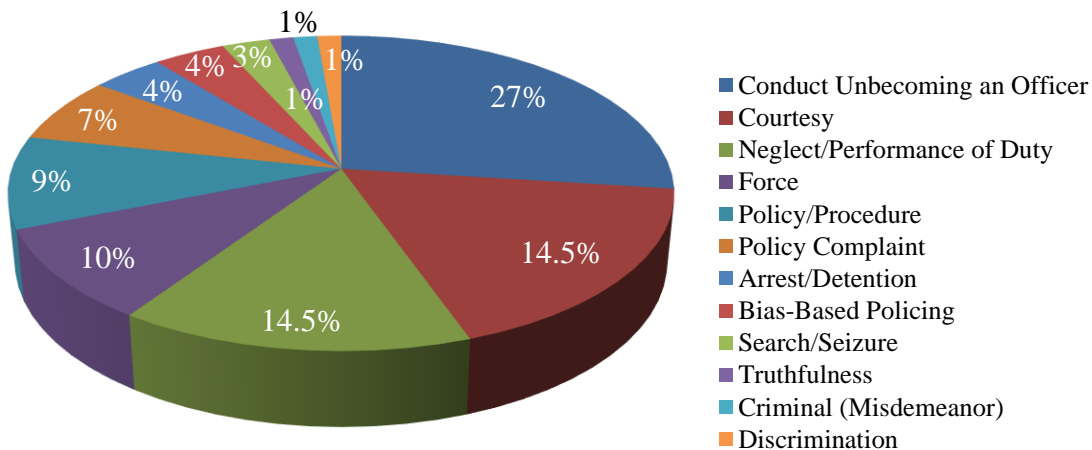
Allegations Made by Citizens:

Each incident is categorized by a primary allegation which is considered to be the most serious and/or significant allegation made against the officer. Sustained allegations are considered to be the primary allegation over non-sustained allegations.

The following data quantifies the primary allegations from citizens in 2011:

Allegation Classification *Listed in Descending Order by Count	Number of Incidents
Conduct Unbecoming an Officer	20
Courtesy	13
Neglect of Duty/Performance of Duty	11
Force	7
Policy/Procedure	7
Policy Complaint	5
Arrest/Detention	4
Bias-Based Policing	3
Search/Seizure	2
Truthfulness	1
Criminal (Misdemeanor)	1
Total Incidents	74

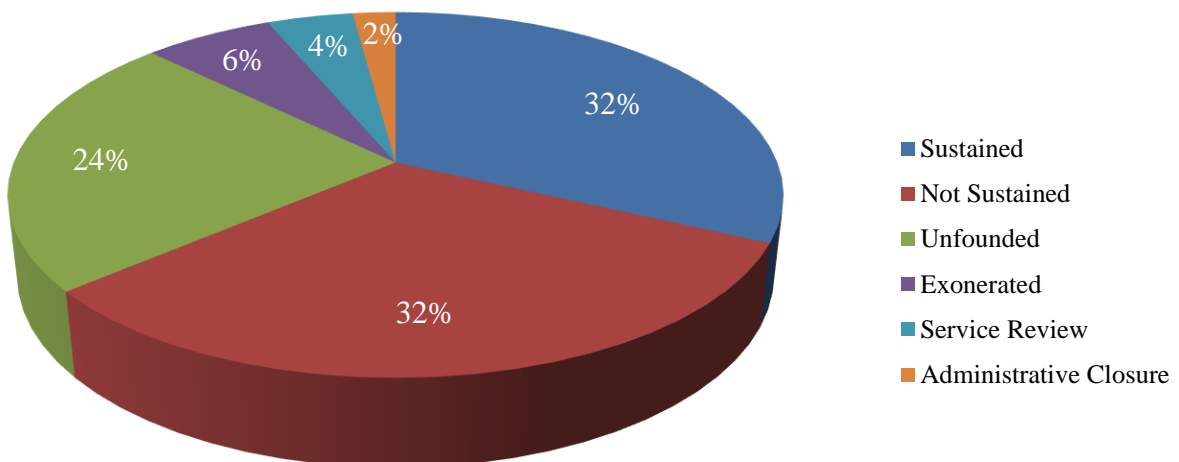
Formal and Informal Citizen Complaints: Primary Allegations



Dispositions of Formal Complaint Primary Allegations:

Allegation Classification	Sustained	Not Sustained	Exonerated	Unfounded	Service Review	Administrative Closure
Arrest/Detention	1	0	1	1	0	0
Bias-Based Policing	0	1	0	1	0	0
Conduct Unbecoming	5	8	0	2	0	0
Courtesy	1	3	0	0	0	0
Criminal	1	0	0	0	0	0
Force	1	0	1	5	0	0
Neglect/Performance of Duty	2	1	1	2	0	0
Policy/Procedure	3	1	0	0	0	0
Policy Complaint	0	0	0	0	2	0
Search/Seizure	1	0	0	0	0	0
Truthfulness	0	0	0	0	0	1
Discrimination	0	1	0	0	0	0
Totals	15	15	3	11	2	1

**Dispositions of Formal Citizen Complaints:
Primary Allegations**

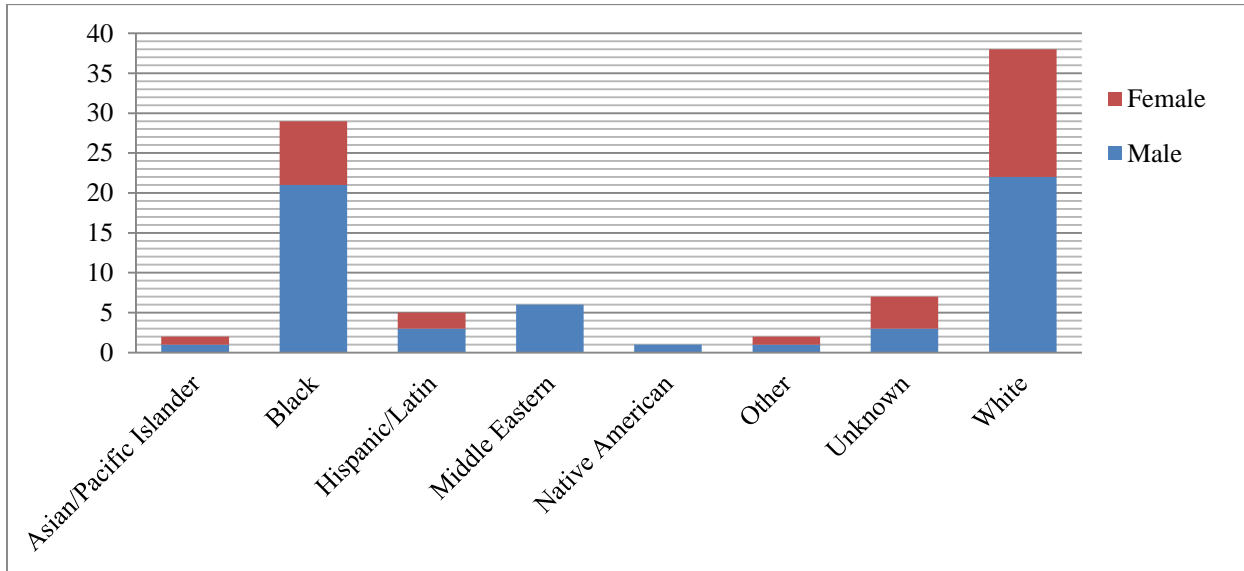


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Dispositions of Inclusive Allegations Resulting from Citizen Complaints:

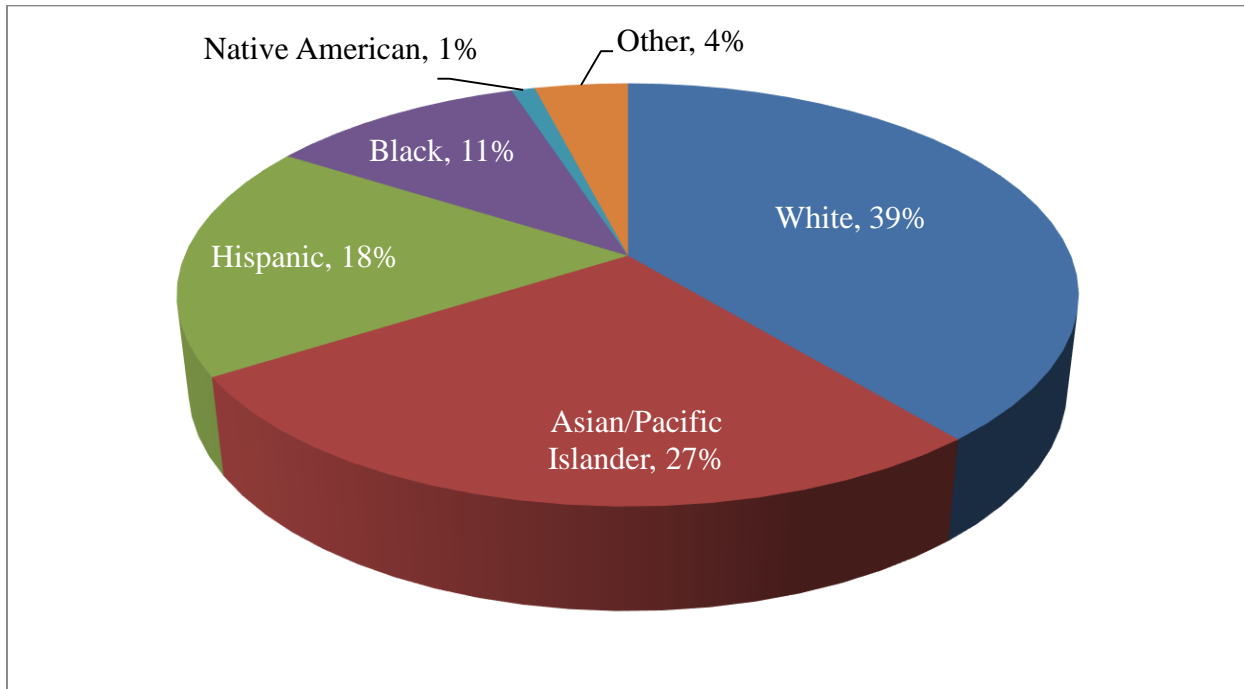
Allegation Classifications	Finding	Count
Arrest/Detention	Exonerated	2
	Unfounded	2
	Sustained	1
	Not Sustained	1
	Total	6
Bias-Based Policing	Unfounded	4
	Not Sustained	1
	Total	5
Conduct Unbecoming	Unfounded	11
	Sustained	7
	Not Sustained	11
	Supervisor Referral	3
	Total	32
Courtesy	Unfounded	8
	Sustained	4
	Not Sustained	16
	Supervisor Referral	14
	Total	42
Criminal	Sustained	1
	Not Sustained	1
	Total	2
Force	Exonerated	1
	Unfounded	7
	Sustained	1
	Not Sustained	2
	Total	11
Performance of Duty/Neglect of Duty	Exonerated	2
	Unfounded	3
	Sustained	3
	Not Sustained	1
	Supervisor Referral	5
	Total	14
Policy/Procedure	Exonerated	3
	Unfounded	4
	Sustained	6
	Not Sustained	5
	Supervisor Referral	9
	Total	27
Search/Seizure	Exonerated	4
	Unfounded	1
	Sustained	1
	Supervisor Referral	1
	Total	7
Supervision	Exonerated	2
	Sustained	1
	Total	3
Truthfulness	Not Sustained	2
Discrimination	Not Sustained	1

Citizen Demographics for Formal and Informal Complaints:



*The above chart includes both complainants and witnesses.

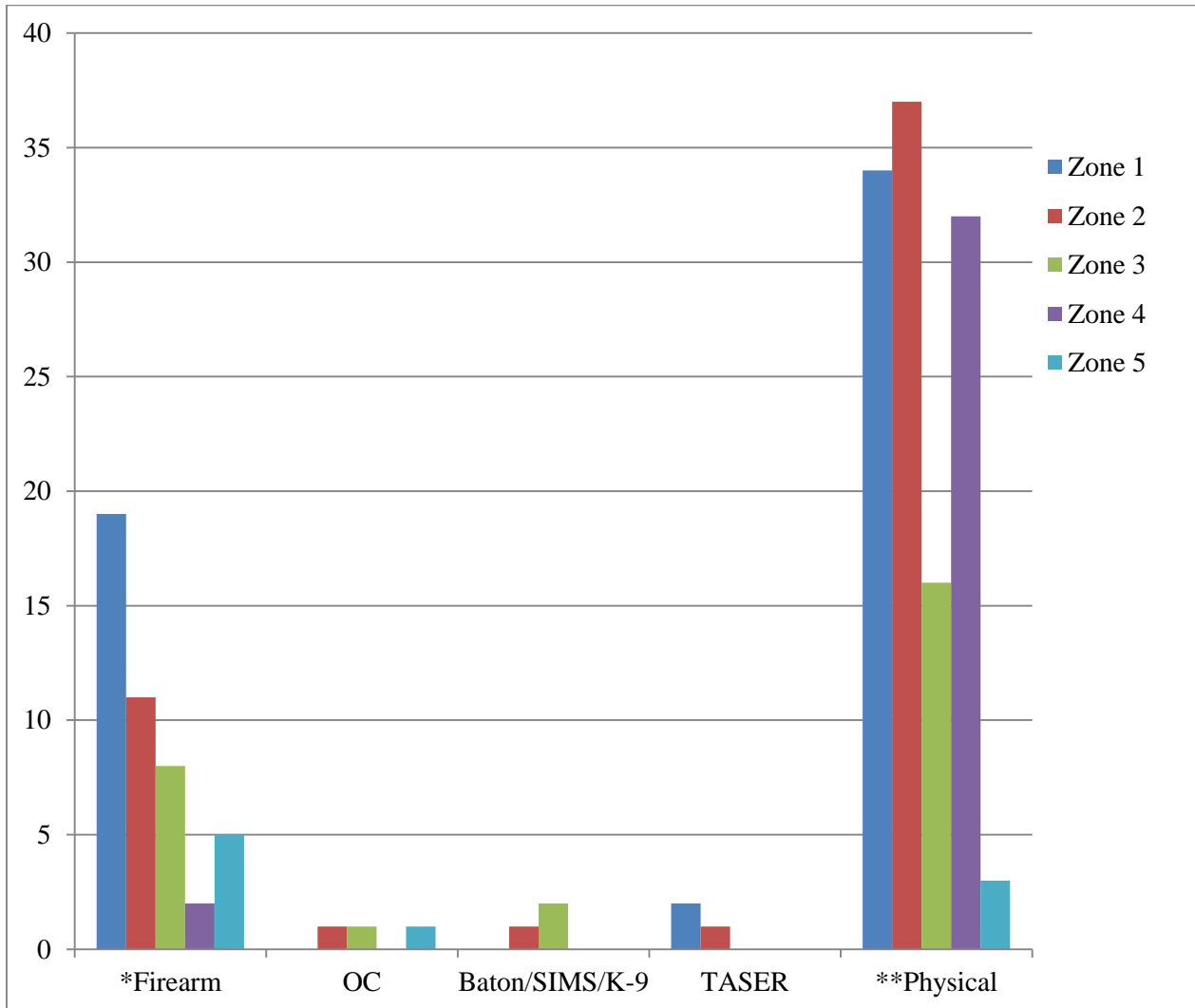
Demographics of BART Ridership:



*Data taken from BART 2010 Customer Satisfaction Survey.

Use of Force

Types of Force Used:



*Firearm includes: handgun draw, point, and/or fire; rifle or shotgun display, point, and/or fire
**Physical includes: control hold, personal body weapon, take down, etc.

There were 174 incidents where force was used; however, some incidents involved the use of multiple force types.