

BART Police Internal Affairs

2020

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 87 complaints from citizens with regards to police conduct during 2020.

- Of the 87 complaints, 53 were reported and investigated as Formal Citizen Complaints.
- An additional 24 complaints were reported as Informal Citizen Complaints and were addressed through Supervisory Referrals.

There were 10 Administrative Investigations initiated by the Office of Internal Affairs.

Total Incidents:

| Incident Type | Count | Percent of Total |
|-------------------------------|-----------|------------------|
| Formal Citizen Complaints | 53 | 60.92% |
| Informal Citizen Complaints | 24 | 27.59% |
| Administrative Investigations | 10 | 11.49% |
| TOTAL | 87 | |

The 53 Formal Citizen Complaints contained allegations against 64 officers. Of these officers, 14 were named in more than one complaint.

Complaints received by individual officers:

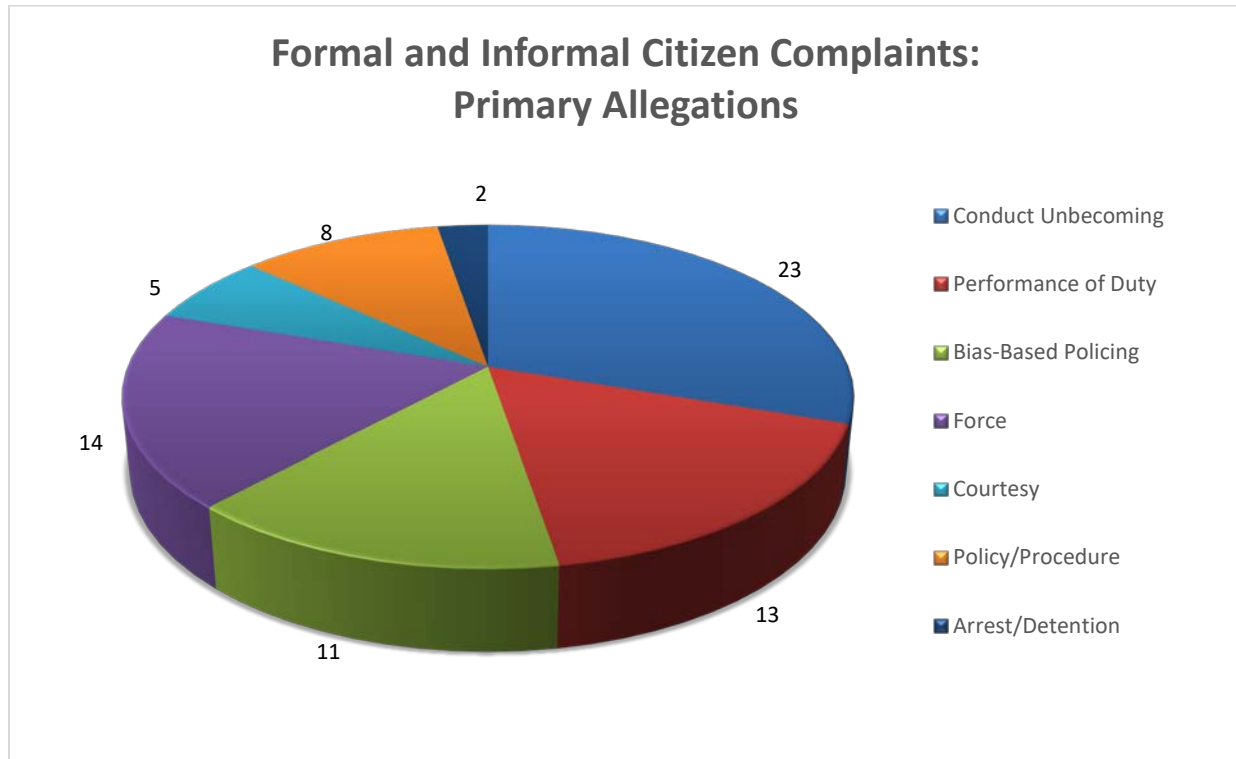
| Complaints per Officer | Number of Officers |
|------------------------|--------------------|
| 1 Complaint | 50 |
| 2 Complaints | 14 |

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 2020:

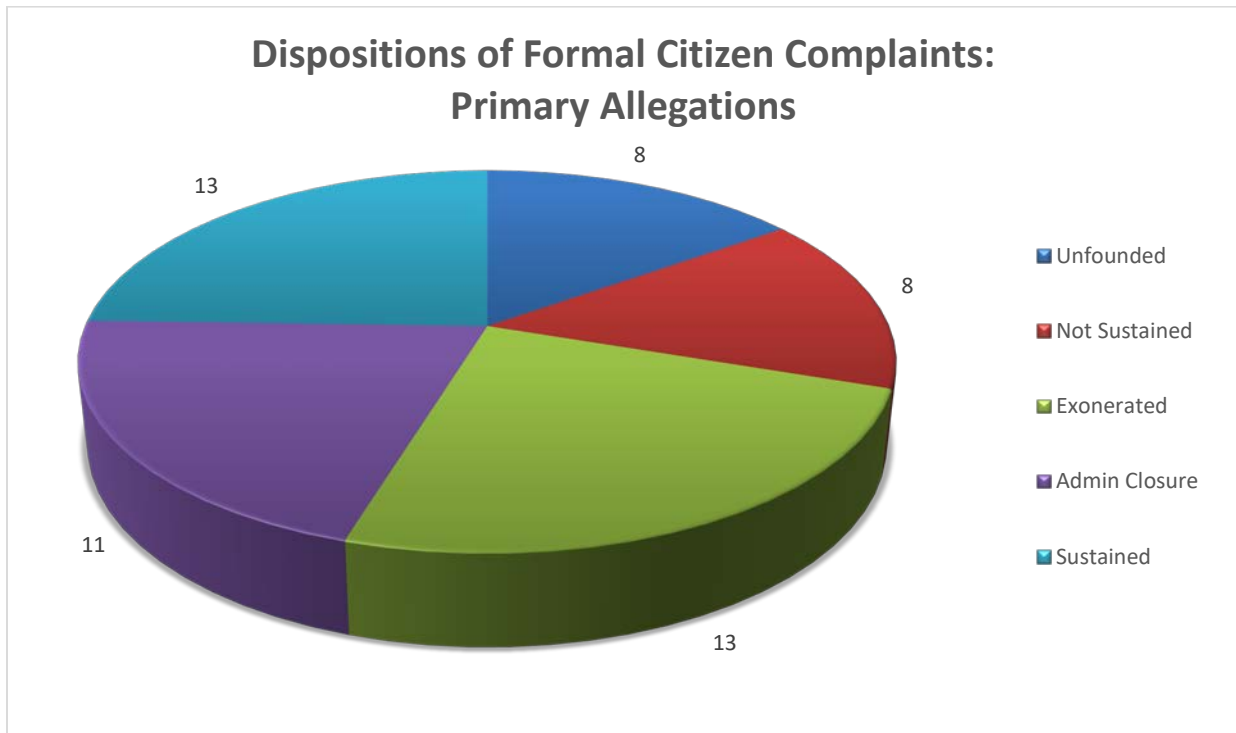
| Allegation Classification *Listed in Descending Order by Count | Number of Incidents |
|---|---------------------|
| Conduct Unbecoming | 23 |
| Force | 14 |
| Performance of Duty | 13 |
| Bias-Based Policing | 11 |
| Policy/Procedure | 8 |
| Courtesy | 5 |
| Arrest/Detention | 2 |
| Total Incidents | 76 |



Dispositions of Formal Complaint Primary Allegations:

Dispositions are captured as the most significant “allegation” based on the hierarchy chart.

| Allegation Classification | Sustained | Not Sustained | Exonerated | Unfounded | Administrative Closure | Total |
|---------------------------|-----------|---------------|------------|-----------|------------------------|-----------|
| Arrest/Detention | | | 1 | | 1 | 2 |
| Bias-Based Policing | | 3 | | 5 | 3 | 11 |
| Conduct Unbecoming | 4 | 3 | | 2 | 4 | 13 |
| Force | 2 | | 11 | 1 | | 14 |
| Performance of Duty | 4 | 1 | 1 | | 3 | 9 |
| Policy/Procedure | 3 | 1 | | | | 4 |
| Total | 13 | 8 | 13 | 8 | 11 | 53 |



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Dispositions of Inclusive Allegations from Citizen Complaints:

*Some incidents may contain more than one allegation for each officer.

| Allegation Classifications | Finding | Count |
|----------------------------|-------------------------|-------|
| Arrest/Detention | Exonerated | 22 |
| | Unfounded | 1 |
| | Not Sustained | 1 |
| | Sustained | 3 |
| | Total | 27 |
| Bias-Based Policing | Unfounded | 15 |
| | Not Sustained | 7 |
| | Exonerated | 1 |
| | Total | 23 |
| Conduct Unbecoming | Exonerated | 13 |
| | Unfounded | 11 |
| | Not Sustained | 5 |
| | Sustained | 5 |
| | Supervisor Referral | 17 |
| | Administratively Closed | 1 |
| | Total | 52 |
| Courtesy | Exonerated | 1 |
| | Not Sustained | 1 |
| | Supervisor Referral | 6 |
| | Total | 8 |
| Force | Exonerated | 28 |
| | Unfounded | 2 |
| | Sustained | 3 |
| | Total | 33 |
| Performance of Duty | Exonerated | 11 |
| | Unfounded | 5 |
| | Sustained | 5 |
| | Not Sustained | 3 |
| | Supervisor Referral | 7 |
| | Total | 31 |
| Policy/Procedure | Exonerated | 1 |
| | Sustained | 2 |
| | Supervisor Referral | 4 |
| | Total | 7 |

Dispositions of Inclusive Allegations from Citizen Complaints:

*Some incidents may contain more than one allegation for each officer.

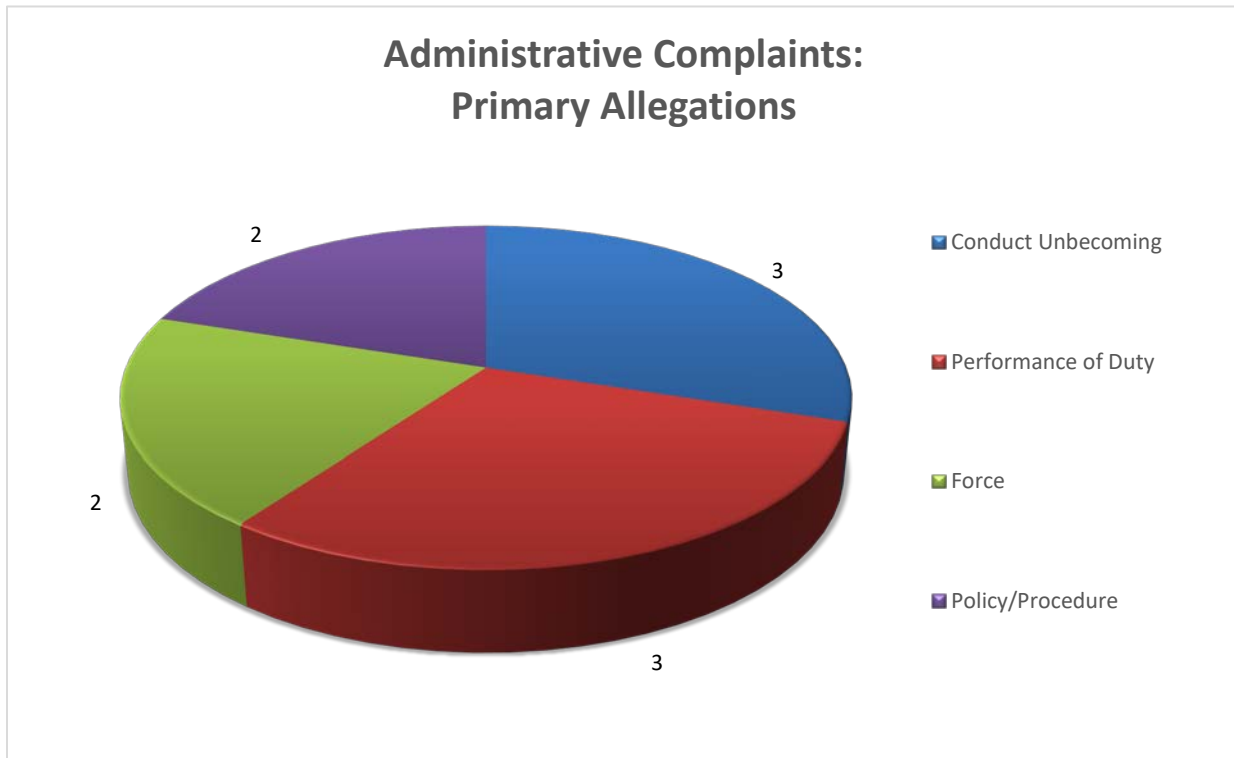
| Allegation Classifications | Finding | Count |
|----------------------------|---------------|-------|
| Supervision | Unfounded | 1 |
| | Total | 1 |
| Criminal Conduct | Not Sustained | 1 |
| | Total | 1 |
| Search or Seizure | Exonerated | 4 |
| | Total | 4 |

Administrative Investigations:

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.

* Service Review: When a citizen/employee raises a concern pertaining to the global practice throughout the Department such as Department policy, procedure and/or tactics.

| Allegation Classification *Listed in Descending Order by Count | Number of Incidents |
|--|----------------------------|
| Conduct Unbecoming | 3 |
| Performance of Duty | 3 |
| Policy/Procedure | 2 |
| Force | 2 |
| Total Incidents | 10 |

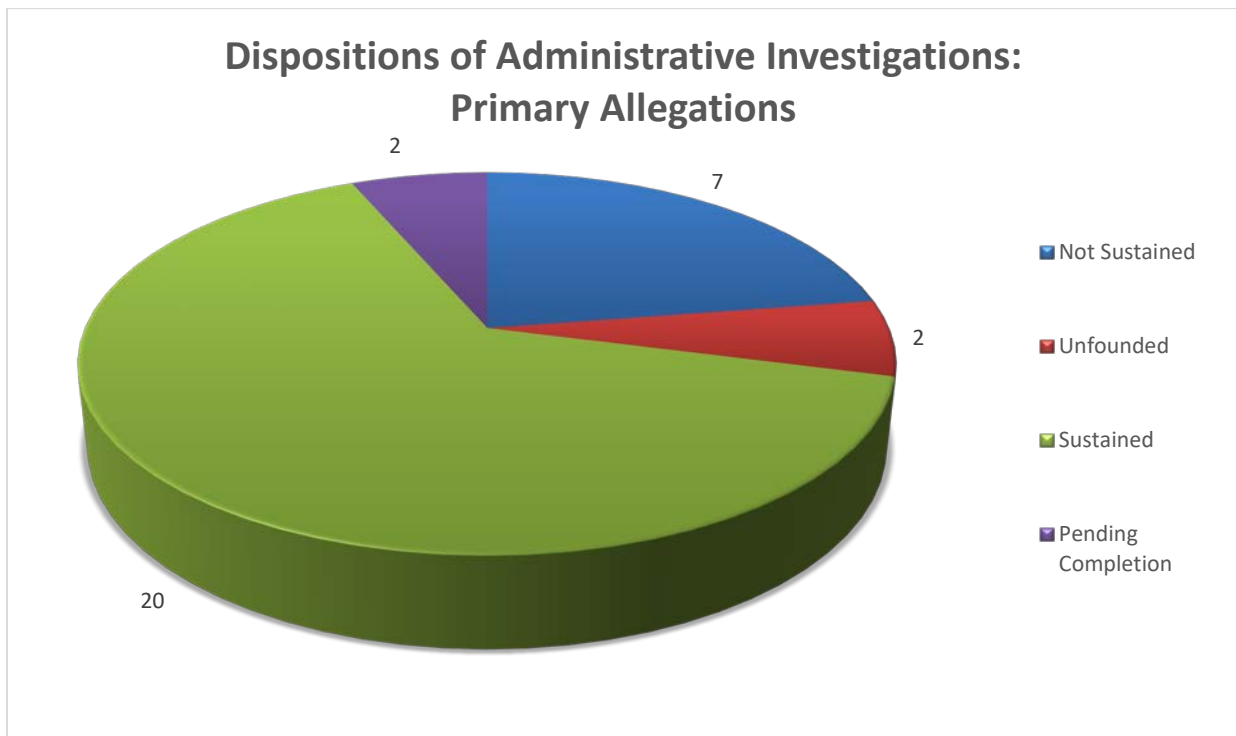


Dispositions of Administrative Allegations:

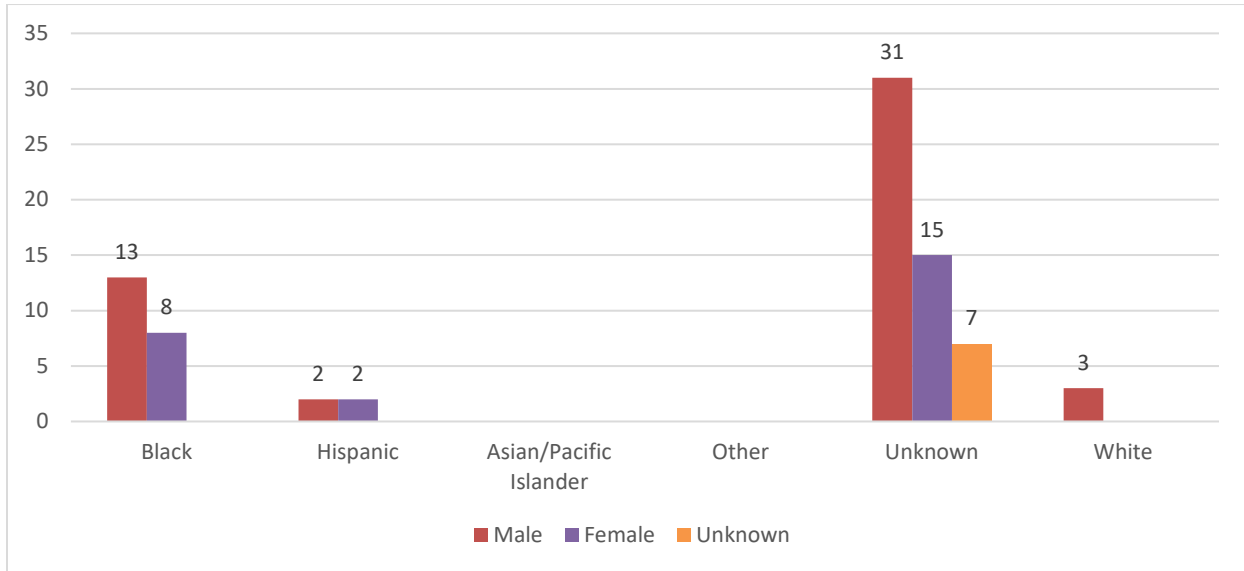
Dispositions are captured as the most significant “allegation” based on the hierarchy chart.

| Allegation Classification | Not Sustained | Sustained | Unfounded | Pending Completion | Total |
|-------------------------------|---------------|-----------|-----------|--------------------|-----------|
| Arrest or Detention | 1 | | | | 1 |
| Bias Based Policing | | | 1 | | 2 |
| Conduct Unbecoming an Officer | 1 | 6 | | | 7 |
| Force | 1 | 1 | | 2 | 4 |
| Performance of Duty | 2 | 3 | 1 | | 6 |
| Policy/Procedure | 2 | 10 | | | 12 |
| Total | 7 | 20 | 2 | 2 | 32 |

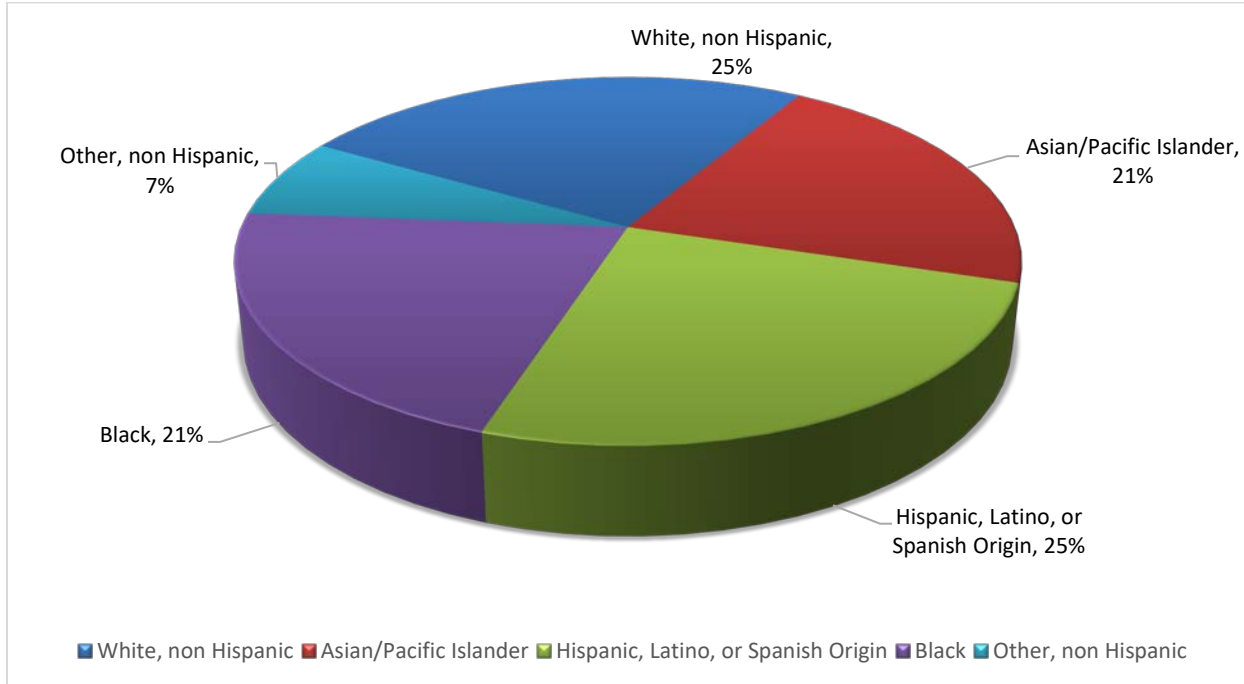
As of 12/31/21, there is one active administrative investigations which was initiated in 2020.



Citizen Demographics for Formal and Informal Complaints:

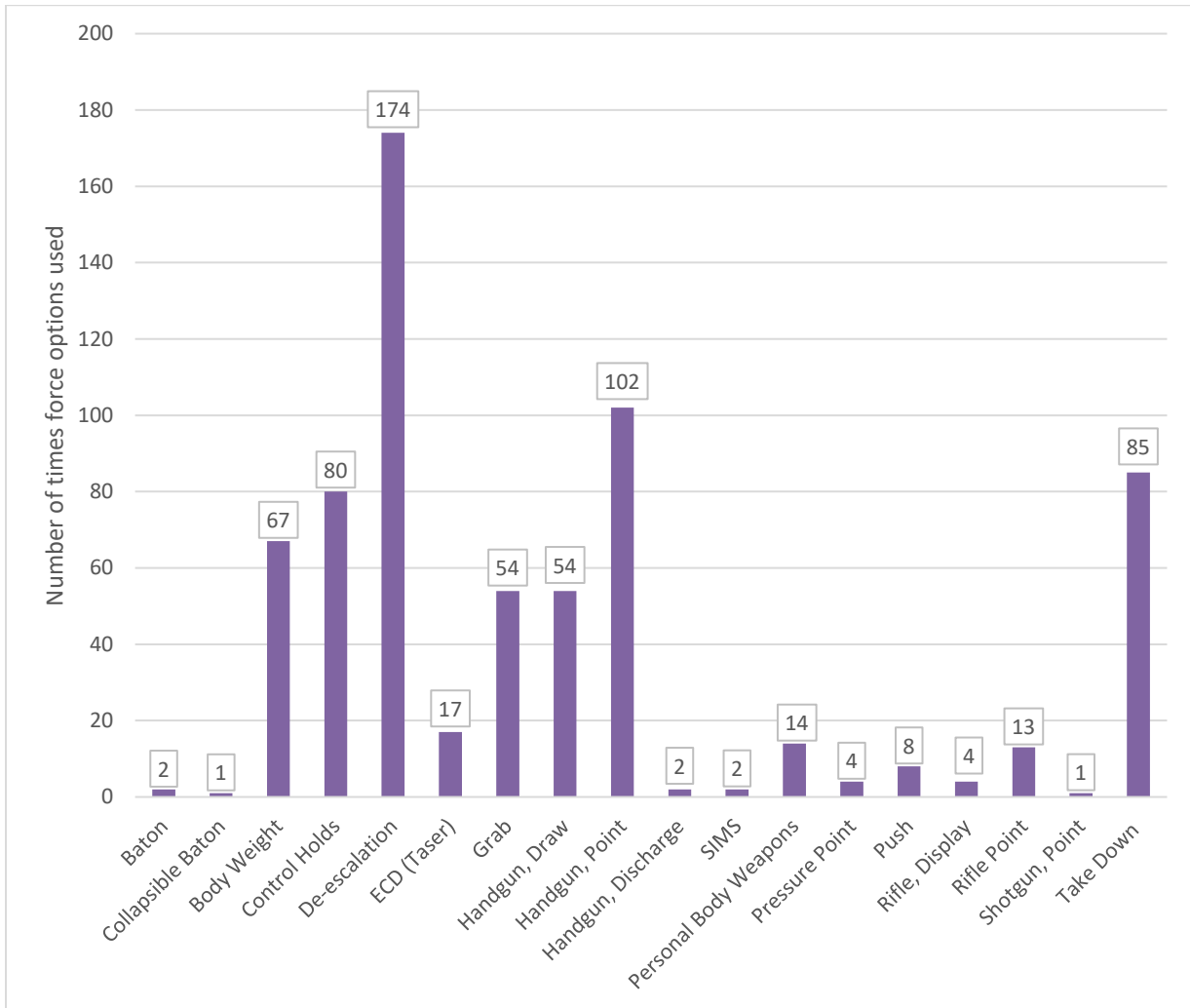


Demographics of BART Ridership:



*Data taken from 2020 BART Customer Satisfaction Study, (survey is updated every two years).

Use of Force



There was a total of 190 reportable use of force incidents (as defined in Policy 300) in 2020 and 68,958 total calls for service/incidents, meaning that officers used force in fewer than 0.275% of all calls for service/incidents during the year. The sum of the graph totals more than 190 incidents because some incidents may involve more than one type of force.