



**SAN FRANCISCO BAY AREA
RAPID TRANSIT DISTRICT**

**ANNUAL PROHIBITION ORDER REPORT
TO THE CALIFORNIA LEGISLATURE**

**2023 Report
Submitted August 2024**

This annual report summarizes the San Francisco Bay Area Rapid Transit District's prohibition order program pursuant to Assembly Bill 730 (Chapter 46, Statutes of 2017). The report contains data gathered from documented calls of service regarding incidents occurring on BART property and trains, in addition to statistics obtained from BART Police Officers.

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Message from the Chief of Police

Honorable Members of the California State Legislature,

The members of the San Francisco Bay Area Rapid Transit District (BART) Police Department are committed to ensuring the safety and security of all BART riders and employees.

In 2011, the Legislature passed, and the Governor signed Assembly Bill (AB) 716 (Dickinson) into law, granting BART the authority to implement a pilot program to issue prohibition orders. The program was created to improve front-line employee and rider safety by excluding persons from the transit system who had committed certain acts of violence, misdemeanors, or felonies.

BART began issuing prohibition orders in mid-2013 and throughout the program has focused on serious and repeat offenders who commit violent crimes, sexual offenses, or traffic and sell narcotics on BART property. In 2017, BART received permanent authority to issue prohibition orders through the passage of AB 730 (Quirk).

With permanent authority to issue prohibition orders, BART remains committed to public safety and the protection of our riders and employees. We believe that the authority to exclude individuals who commit violent crimes on BART property or cause drug-related safety concerns is essential to implementing an effective public safety strategy.

As we continue to recover from the COVID-19 pandemic, BART has made restoring ridership a priority. Ensuring the safety of riders and front-line BART employees is a critical part of this effort. We made great strides in staffing up the Bureau of Progressive Policing and Community Engagement in 2023, by completely filling our 20 Crisis Intervention Specialist positions. Additionally, the Bureau now operates from the beginning of revenue service to the end, addressing issues of homelessness, mental illness, and drug addiction in our stations and on our trains.

I was appointed Chief of Police in October 2023, and in this role, I remain committed to continuing reforms that we have advanced for more than a decade. These include expanded training and the implementation of new initiatives to bolster oversight, accountability, and trust within the communities we serve. As shown in our annual reports, BART is committed to collecting and analyzing data related to passenger behavior and crimes committed on BART property to ensure fair and impartial policing across arrests, citations, and police contacts. It is our hope these reviews will keep BART accountable to the public and help build community trust moving forward.

Thank you for your continued support,



Kevin Franklin
Chief of Police

Message from the Transit Security Advisory Committee Chair

Honorable Members of the California State Legislature,

The Transit Security Advisory Committee (TSAC) of the San Francisco Bay Area Rapid Transit District (BART) is the citizen and community advisory committee that works to ensure that Assembly Bill (AB) 730 (Quirk, 2017) is implemented as the Legislature intended. AB 730 requires an annual report from BART to the Legislature on the statistics regarding prohibition orders and crimes of violence.

The TSAC is made up of both members of the community and BART employees. We take seriously our work examining the program's monthly statistics, making findings related to the issuance of prohibition orders, and proposing ways that BART can effectively promote the safety and security of both riders and employees.

The TSAC is also committed to focusing on more comprehensive reviews of monthly data; as we mark a decade since BART's prohibition order authority was granted, we have collected ten years of data that will provide the BART Board of Directors, BART GM and BART PD Chief valuable data analysis to support our recommendations and future growth of the Community Engagement Teams and Action Plan items introduced in 2022. We and the newly selected chair Omar Farmer, who assumed the Chair's role in March 2024, will continue to look at the determining factors leading to the issuance of a prohibition order, suggest proactive outreach strategies for engaging young people in the communities we serve, and offer recommendations for employee education and support to create a safer environment for both BART employees and its ridership.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Sandoval'.

Armando Sandoval
2023 Chair

Overview of the Transit Security Advisory Committee

Pursuant to authorizing legislation, Assembly Bill (AB) 716 (Chapter 534, Statutes of 2011), BART established a Transit Security Advisory Committee (TSAC) to serve as a volunteer advisory group and review body for the implementation of BART's exclusion policy. Drawing from their private and public-sector experiences, committee members bring a diverse set of skills to the program's planning and review.

The advisory committee members and alternates are appointed by the BART Board of Directors. Meetings are generally held once per month. The committee consists of at least five members and no greater than seven. At least one committee member must have experience working with individuals with psychiatric or other disabilities, one must have experience as a youth advocate, and at least one member must have law enforcement experience as a sworn peace officer.

The advisory committee is tasked with the following:

1. Providing recommendations, in consultation with the county mental health directors within the service area of the transit district, regarding the type and extent of training that should be undertaken by individuals with responsibility for issuance and enforcement of prohibition orders, with particular emphasis on training designed to assist those individuals in identifying and interacting with persons who are homeless or who have psychiatric or other disabilities.
2. Identifying, in consultation with the county mental health directors within the service area of the transit district, services and programs to which persons who are homeless or who have psychiatric, developmental, or other disabilities may be referred by transit district enforcement personnel prior to or in conjunction with issuance of a prohibition order.
3. Monitoring the issuance of prohibition orders to assist the transit district in ensuring compliance with Section 51 of the Civil Code, also known as the Unruh Civil Rights Act.
4. Providing the governing board of the transit district and the Legislature with an annual report summarizing the number of prohibition orders that were issued by the transit district during the preceding year, including, but not limited to, the types and numbers of citations by category, and the number of exclusion orders appealed, the appeals granted, the reasons granted, and other relevant information directly related to those orders.

In 2023, committee members received trainings and presentations on public ethics, the Ralph M. Brown Act, the Progressive Policing and Community Engagement Bureau (PPCEB), and the Office of the Independent Police Auditor.

Transit Security Advisory Committee (TSAC) Membership in 2023

Armando Sandoval, Chair
Behavioral Health/Youth Advocate
(Appointed 7/1/2023 – Term ends 7/1/2025)

Oleksii Chuiko
Public-at-Large
(Appointed 7/1/2023 - Term ends 7/1/2025)

Omar Farmer
Public-at-Large
(Appointed 7/1/2022 – Term ended 7/1/2024)

Gloria Garmon
Public-at-Large
(Appointed 7/1/2023 – Term ends 7/1/2025)

Julia Owens
Mental Health Advocate
(Appointed 7/1/2023 - Term ends 7/1/2025)

Tiffany Lacsado
Public-at-Large
(Appointed 7/1/2022 – Term ended 7/1/2024)

TSAC Staff

Mag Tatum, Senior Board Analyst
BART Office of the District Secretary

Legislative History

Like many other public transit systems in the state and across the country, BART is experiencing an increasing number of complaints from riders and employees regarding safety and security. The BART Board of Directors believes the safety of its workers and riders must be an ongoing priority. For this reason, in 2010, BART sought to be included in Assembly Bill (AB) 716 by Assemblymember Roger Dickinson (D-Sacramento), which reauthorized programs assisting with crime control for the Sacramento Regional Transit District and Fresno Area Express.

AB 716 passed the Legislature, was signed by the Governor, and became law on January 1, 2012. The bill authorized the creation of a three-year pilot project where BART could focus on reducing the number of passenger disruptions and improving overall service through a process that would exclude passengers cited for certain offenses. The bill would also assist BART in protecting its front-line employees, including station agents, system service workers, and BART Police officers from acts of violence. BART began to issue prohibition orders authorized by AB 716 in 2013 and soon realized a significant number of the orders were issued for domestic violence offenses.

Introduced by Senator Loni Hancock (D-Berkeley) in 2014, Senate Bill (SB) 1154 clarified that BART Police are in fact included in the general provisions of the law enforcement response to domestic violence and have the authority to issue Emergency Protective Orders (EPO) and take temporary custody of firearms or deadly weapons while conducting domestic violence investigations. SB 1154 received no negative votes in either house of the Legislature and was signed into law by Governor Brown in September 2014. The bill added BART Police to the following Penal Code Sections: 13700, 646.91, and 18250. Additionally, the bill extended the sunset provisions relating to BART's prohibition order authority until January 1, 2018.

In 2017, AB 730, authored by Assemblymember Bill Quirk (D-Hayward), was introduced, and granted permanent authority to BART to issue prohibition orders. Persons could be banned from entering BART property for 30, 90 or 180 days for committing specified acts and crimes as defined within the earlier AB 716. AB 730 was signed into law in July 2017 and went into effect on January 1, 2018.

In 2021, BART sponsored AB 1337 by Assemblymember Alex Lee (D-Milpitas), extending the authority to issue prohibition orders to areas where BART has an operating agreement but does not own the land. This was necessitated by the opening of new stations in Santa Clara County, situated on property that BART does not own. AB 1337 went into effect on January 1, 2022.

Summary of Assembly Bill 730

The purpose of Assembly Bill (AB) 730 is to enhance safety and public transit system security by excluding public transit riders whose actions impact the safety and security of public transit passengers and public transit employees. The law allows BART to exclude passengers from entering the transit system for specified periods of time, depending on the nature and the frequency of offenses committed while on transit district property. The law does not intend to target or adversely impact any one group of individuals. The law relies in part on provisions in the state Public Utilities Code (PUC) to define those actions or behaviors which passengers see as disruptive and the number of offenses for which a passenger may be cited. Generally, AB 730:

1. Authorizes BART to issue a prohibition order to any person who, on at least three separate occasions within a period of 90 consecutive days, is cited for a transit related misdemeanor committed in or on a vehicle, bus stop, or light rail station of the transit district for any act that is a violation as specified in statute.
2. Authorizes a prohibition order to be issued to a person placed under arrest or convicted for any misdemeanor or felony committed on BART property for acts involving violence or threats of violence upon passengers and transit employees, lewd or lascivious behavior, or possession for sale of a controlled substance.
3. Prohibits a person subject to a prohibition order from entering the property, facilities, or vehicles of BART for a period of time deemed appropriate.
4. Specifies prohibition processes, notification procedures, and hearing and appeals procedures.
5. Requires BART to establish an advisory committee and to ensure that personnel charged with issuance and enforcement of prohibition orders receive training as emphasized and recommended by the advisory committee.

Transit System Profile

BART is a special district created by the State of California consisting of Alameda County, Contra Costa County, and the City and County of San Francisco. BART is governed by a nine-member board of publicly elected Directors, each of whom represent specific geographic areas within the BART District. Each board member serves a term of four years. San Mateo County, which hosts six BART stations is not part of the BART district. BART, in partnership with the Santa Clara Valley Transportation Authority, has extended the system into Santa Clara County, with the opening of the Milpitas and Berryessa/North San José Stations. Santa Clara County is also not part of the BART district.

BART connects San Francisco with cities in the East Bay, Santa Clara County, and northern San Mateo County operating on five lines, 135 miles of track with 50 stations in five counties. Prior to the COVID-19 pandemic, average weekday daily ridership was 412,000 passengers, making BART the fifth-busiest heavy rail rapid transit system in the nation. As stay-at-home orders were issued in mid-March 2020, ridership plummeted practically overnight to only 6% of pre-pandemic levels; through the first year of the pandemic, BART served a transit-dependent population with 75% of passengers being persons of color. Throughout 2021 and into 2022, ridership began slowly recovering to a high of 41% of pre-pandemic numbers in September 2022. Ridership has since plateaued around 43% in 2023. Even with decreased ridership, BART continues to serve thousands of essential workers, transit-dependent riders, and low-income households each day. Several transit agencies also connect to BART including the San Francisco Municipal Railway (Muni), the Alameda-Contra Costa Transit (AC Transit), San Mateo County Transit (SamTrans), County Connection, and the Golden Gate Bridge, Highway and Transportation District (Golden Gate Transit).

As of the drafting of this report in July 2024, the BART Police Department (BPD) is comprised of 317 personnel, of which 217 are sworn peace officers and 51 are community service officers, 10 are transit ambassadors, and 20 are crisis intervention specialists. The BART Chief of Police commands the department, which is the agency's law-enforcement entity, providing a full range of police services. Additionally, BART's Citizen Oversight Model established the Office of the Independent Police Auditor (OIPA) and the BART Police Citizen Review Board (CRB). Both provide for independent investigations of alleged police misconduct, review of BPD internal investigations, policy recommendations, reviews of every use-of-force incident, and civilian community engagement. In March 2023, a new deployment strategy was implemented that shifted patrol officers from vehicles into trains, resulting in up to 18 more officers riding trains per shift.

Progressive Policing and Community Engagement Bureau

In 2021, the BART Police Department launched a new Progressive Policing and Community Engagement Bureau (PPCEB), which includes Transit Ambassadors, a Crisis Intervention Specialist (CIS) and Community Outreach Unit, and Community-Oriented Policing Division (COPPS). The Bureau's mission is to engage the Department in leading transparent, equitable, and innovative policing practices to improve public safety across the diverse communities served by BART. The Bureau includes 20 Crisis Intervention Specialists trained in de-escalation techniques, building on the successful launch of the department's Ambassador Program in 2020, which relies on non-sworn personnel to boost the visible safety presence in the system. Starting in 2022, the PPCEB is available throughout the system from the start until the end of revenue service.

Conclusions and Observations for 2023

Ridership Trends and Customer Satisfaction

The COVID-19 pandemic and subsequent recovery have highlighted how essential public transit is to our local economy and the lives of millions of people across the Bay Area. Due to low return-to-office rates and changes to preferred travel modes, BART ridership has plateaued at approximately 43% of pre-pandemic levels. The resulting loss of fare revenue has contributed to annual operating deficits of over \$300 million.

Total ridership for 2023 was 48 million trips, up 16% from 2022. Average weekday ridership for 2023 was 158,000, up 18% from 2022, while average Saturday and Sunday ridership averaged 89,000 and 65,000, an increase of 12% and 13%, respectively. In 2023, we saw several milestones including all of our current top 10 highest ridership days since the pandemic. These were largely related to major events during the year, including conferences and concerts in San Francisco, Fleet Week, and the San Francisco Pride Parade.

According to BART's final Quarterly Performance Report (QPR) of 2023, overall customer satisfaction rating reached 81 percent, which is up seven percent from the previous quarter (July – September 2023). The fourth quarter of 2023 (October – December) is the third consecutive quarter that the Passenger Experience Survey results have shown that BART's overall customer satisfaction rating has increased. It is the first time since the 2012 Customer Satisfaction Survey that BART has seen a Customer Satisfaction rate in the 80s.

These improved ratings come as BART has implemented our Safe and Clean Plan, which focuses on increasing the visible safety presence in the system and increasing staffing to clean trains and stations. For the second consecutive quarter, the percentage of riders who say they have seen BART PD on their trip has reached a record high. In the fourth quarter of 2023, 20.3% of those questioned reported they saw BART's safety presence on trains or in stations. That's up from the 17% recorded in the previous quarter. These two quarters have been the first in BART's history where the percentage of riders who reported seeing BART PD exceeded the agency's goal of 12%.

BART's efforts to be at the forefront of combating sexual harassment and gender-based violence continue to show results. The percentage of riders saying they have experienced sexual harassment on BART has been declining since early 2023. In the last quarter of 2023, the percentage fell to 7%, down from a high of 10%. The improvement follows the launch of Phase II of our Not One More Girl campaign.

Prohibition Orders and Crime Rates in 2023

In 2023, 465 prohibition orders were issued compared to 310 in 2022. Prohibition orders were issued at 46 of the 50 BART stations. The highest number of prohibition orders (151 total) were issued in Oakland stations and represent 32% of all issued prohibition orders. The lowest number of prohibition orders, 6 (or 1.2%), were issued at Santa Clara County stations.

In 2022, 310 prohibition orders were issued compared to 236 in 2021. Prohibition orders were issued at 42 BART stations, with only one issued on other BART property. The highest number of prohibition orders (106 total) were issued in Oakland stations and represent 34% of all prohibition orders. The lowest number, 12 (or 4%), were issued in Santa Clara County.

In 2021, 236 prohibition orders were issued compared to 255 in 2020. Prohibition orders were issued at 48 BART stations in 2021 and only a small number (1 of 236) were issued on other BART property. The highest number of prohibition orders (58 in total) were issued in the core East Bay stations in Oakland and represent approximately 25% of all orders issued. The lowest number of prohibition orders, 6 (or 2.5%), were issued in Santa Clara County.

Violent Crime and Property Crime Statistics

During monthly meetings, the TSAC discusses crime trends that affect BART in relation to the number of prohibition orders issued. Crimes are separated into two categories: violent crimes and property crimes. Per the Department of Justice Uniform Crime Reporting system, crimes of violence include the categories of homicide, rape, robbery, and aggravated assault. Property crimes include the categories of burglary, larceny, auto theft, and arson.

In 2023, there were 397 violent crimes and 2,197 property crimes reported. In 2022, there were 350 violent crimes and 1,382 property crimes reported. In 2021, there were 222 violent crimes and 1,031 property crimes reported.

Department of Justice (DOJ) Uniform Crime Reporting (UCR) Crime Rates

	2019	%	2020	%	2021	%	2022	%	2023	%
Violent Crime	499	13%	352	23%	222	18%	350	20%	397	15%
Property Crime	3444	87%	1154	77%	1031	82%	1382	80%	2,197	85%
Total	3943		1506		1253		1732		2,594	

Prohibition Orders Issued for Specified Crimes

As society emerges from the COVID-19 pandemic, BART is seeing new trends in specified crimes. Battery/threats to patrons have rebounded to pre-pandemic levels, and battery/threats to employees are up more than six-fold from 2021.

Specified Crime	2019	% of issued orders	2020	% of issued orders	2021	% of issued orders	2022	% of issued orders	2023	% of issued orders
Domestic Violence	46	12%	29	11%	29	12%	37	12%	47	10%
Robbery/ Attempt Robbery	51	14%	45	18%	25	11%	33	11%	52	11%
Battery/Threats to Employees	84	23%	41	17%	16	7%	54	17%	99	21%
Battery/Threats to Patrons	104	28%	64	25%	56	24%	93	30%	100	22%
Total	285	77%	179	70%	126	53%	217	70%	298	64%

- Prohibition orders for Domestic Violence, including domestic battery/corporal injury, made up 10% of all prohibition orders, compared to 12% in 2022.
- Prohibition orders for Robbery/Attempted Robbery accounted for 11% of all prohibition orders, which is similar to 2022.
- Prohibition orders for Battery/Threats to Employees including station agents, train operators, system service workers, and officers increased to 21%, up from 17% in 2022.

- Prohibition orders for Battery/Threats to Patrons are 22% of the orders issued in 2023, compared to 30% in 2022.

Battery Against BART Employees by Classification

	2019	% of issued orders	2020	% of issued orders	2021	% of issued orders	2022	% of issued orders	2023	% of issued orders
Battery Against Station Agents	20	5%	12	5%	12	5%	17	5%	26	6%
Battery Against Train Operators	6	2%	2	1%	2	1%	1	<1%	1	.22%
Battery Against System Service/Others	4	1%	2	1%	2	1%	0	0%	5	1%
Battery Against Police Officers	54	15%	25	10%	37	16%	36	12%	45	10%
Total	84	23%	41	16%	53	23%	54	17%	77	17%

Battery on BART Patrons

For 2023, 100 prohibition orders were issued for battery and threats to BART patrons. This compares to 93 in 2022, 56 in 2021, 64 in 2020, and 104 in 2019; as we emerge from the COVID-19 pandemic, we see numbers rebounding to pre-pandemic levels.

To address crime on the BART system, BART Police have mounted a robust campaign to recruit more officers and implemented new techniques including high visibility foot patrols and dedicated commanders for specific zones of the system. In February 2020, BART also launched a pilot ambassador program to increase the presence of uniformed personnel on trains to address customers' concerns about safety and security. The unarmed ambassadors are non-sworn personnel who perform a variety of police services. The ambassadors receive additional de-escalation and anti-bias training and walk trains in teams of two, seven days a week. They focus their patrols on the most heavily traveled sections of the system.

BART Initiatives to Improve Safety and Security

In an effort to reduce incidents of violence against the front-line BART employees, specifically stations agents, train operators, and system service personnel who deal with thousands of passengers each day, the TSAC has recommended additional training for employees. Updated and expanded training is an important way to reduce incidents of violence against these employees who find themselves in the middle of disruptive and sometimes violent public actions. This recommended training should occur at the entry level stage of employment, as well as throughout the employee's career via routinely scheduled, specified recertification training. The TSAC also seeks to identify additional measures beyond training and public education to prevent violence against BART employees.

The following TSAC recommendations to improve safety and security have been implemented:

- De-escalation training for front line BART employees (station agents, train operators, system service, fore workers).
- Employee education and resources on conflict resolution and peer support/wellness and self-care.

- Continue increasing employee staffing levels across service classifications, especially station agents, police officers and un-armed professionals.
- Continued support of the Proof of Payment program and its personnel assigned to the enforcement.
- Support of the Transit Ambassador (TA) and Crisis Intervention Specialist (CIS) and Outreach program and its unarmed personnel assigned to engage with the public and special populations.
- Additional signage at station agent booths to help inform the public of AB 730.
- Continued crisis intervention training and a dedicated Crisis Intervention Response Team action plan that allows the team to address specific problems district wide, and with the assistance of a county wide Multi-Disciplinary Forensic Teams (MDFT).

The TSAC further recommends the following:

- Public Service Announcements (PSAs) via BART Media Relations and the BART Police Department regarding AB 730.
- Develop a Civilian Academy in partnership with OIPA, CRB, the Community Oriented Policing and Problem Solving (COPPS) program and other community partners and stakeholders.
- Develop a crisis intervention training program at the BART Police Department for sworn and non-sworn personnel.

Youth and Young Adults

In 2023, 43 persons under 18 years old were issued prohibition orders; an additional 140 younger adults (under age 35) were issued orders, for a total of 283 or 61% of all orders. Of this demographic, a disproportionate number of orders were issued to young Black people, totaling 187 or 40% of all the orders.

In 2022, the number of prohibition orders issued to minors was 29, with an additional 170 issued to younger adults, for a total of 199 or 64% of all orders. Of these, 124 or 40% of all orders were issued to younger Black people.

The TSAC has shown interest in the youth population because of the high volume of juveniles in the area who are transit dependent. Special attention will be paid to demographics, age and ethnicity as outreach programs are created and designed for the groups that have the greatest needs.

In 2019, dedicated Zone Commander positions were created for each county/zone. Zone Commanders are responsible for collaborating with the PPCEB Supervisors and coordinating all COPPS efforts and initiatives in their respective zone through our Community Engagement Team (CET). Zone Commanders hear recommendations and complaints from community stakeholders, and they work to address issues, concerns and challenges that are important to the community. These Zone Commanders coordinate with PPCEB and COPPS in their zones.

BART Police has been involved in programs in Alameda County such as Gang Resistance Education and Training (GREAT) at the grammar school level for over 10 years. GREAT offers many components to help children focus on life skills while helping them avoid delinquent behavior and violence. Educating our youth stakeholders and providing a positive citizen/police encounter

at this early age group will assist in reducing the incidences of criminal behavior later in life for many of these juveniles. BART Police has also expanded the Community Engagement Team (CET) to all patrol zones by providing one CET assigned employee per zone.

The TSAC recommends pursuing additional outreach efforts, at the BART District and Police Department levels including:

- Frontline staff and BART PD developing rapport with young riders through community outreach.
- Continuance of the GREAT program and an expansion of the program outside of Alameda County to include Crisis Intervention Specialist.
- Deployment of Crisis Intervention Trained (CIT) law enforcement personnel, Crisis Intervention Specialists, Transit Ambassadors and trained professional staff, an initiative of the Progressive Policing & Community Engagement Bureau.
- Updating current action plan to reflect progress and future goals.
- Recruitment of a youth services representative to the TSAC.
- Partnering with local youth at risk/youth empowerment programs.

Requests for Appeals

A person issued a prohibition order also receives notice of their right to appeal. The individual must request an appeal within ten days after being served the order. Once an appeal is initiated, the Exclusion Administrator Armando Sandoval, a position appointed by the General Manager, shall determine whether the order meets requirements under the law and if the offense or offenses for which the person was issued the order are proven by a preponderance of the evidence. The results of the initial review are then served to the person contesting the notice by personal service. This decision shall become final after the expiration of ten days after service unless the person is dissatisfied with the results of the initial review and requests an administrative hearing within ten days' time.

If an administrative hearing is requested, the excluded individual shall be entitled to a hearing conducted by mail or in person. The Hearing Officer, also appointed by the General Manager, can overturn the order if he or she determines the person did not understand the nature and extent of his or her actions or did not have the ability to control his or her behavior. If the person issued the prohibition order is disabled or otherwise dependent on the BART system for trips of necessity, including for medical or legal appointments or for school or employment, the Hearing Officer shall modify the order to allow for those trips. Currently, the Hearing and Appeals Officers are Tera Stokes-Hankins, Shane Edwards, and Pamela Herhold.

Of the 465 prohibition orders issued in 2023, none were appealed. Of the 310 prohibition orders issued in 2022, none were appealed. Of the 236 prohibition orders issued in 2021, one appeal was initiated, and the prohibition order was upheld. Of the 255 prohibition orders issued in 2020, none were appealed.

Continued Need for Outreach Efforts Involving Mental Health & Homelessness

In 2023, of the 465 prohibition orders issued, 20 of the offenders were identified as "in crisis" or struggled with a mental health condition and identified as a danger to self or others. An additional 51 individuals issued a prohibition order were identified as unhoused.

In 2022, of the 310 prohibition orders issued, 18 of the offenders were identified as "in crisis" or

struggled with a mental health condition and identified as a danger to self or others. An additional 42 individuals issued a prohibition order were identified as unhoused.

In 2021, of the 236 prohibition orders issued, 9 of the offenders were identified as “in crisis” or struggled with a mental health condition and identified as a danger to self or others. Additionally, 23 were identified as unhoused.

	2021	2022	2023
Total number of prohibition orders	236	310	465
Number of individuals in crisis	9	18	20
Number of individuals unhoused	23	42	51

BART Police are constantly addressing issues and concerns of individuals struggling with homelessness and/or mental health conditions. The PPCEB’s Crisis Intervention Specialists (CIS), and police personnel continue to offer support services to those in crisis. Individuals are referred to resources offered by local city, county and faith-based organizations. BART is one of a few transit agencies in the nation to employ two full-time CIS Supervisors and a Community Outreach Liaison to connect individuals who may be in crisis to specific mental health or social services. One of the CIS Supervisors is a member of the TSAC and works with homeless outreach teams in all five counties that BART operates. The two CIS Supervisors are either on scene and/or meet with police personnel to review individual cases and develop an action plan to connect or re-connect individuals to specific mental health or appropriate services. CISs also track these individuals as they move forward with their action plan and share information with mental health and public health partners.

The following BART police personnel, eligible to attend training, have completed crisis intervention training (CIT):

1 of 1	Chief
2 of 4	Deputy Chiefs
10 of 11	Lieutenants
31 of 33	Sergeants
85 of 139*	Officers
17 of 18	Dispatchers + 2 Dispatch Supervisors
27 of 49*	Community Service Officers
16 of 20	Crisis Intervention Specialist
2 of 2	Crisis Intervention Team Supervisors
201 of 273	Eligible Personnel Trained

**These relatively low numbers are the result of insufficient availability of academy training sessions, an effect of the COVID-19 pandemic and attendant vendor issues.*

As the PPCEB Deputy Chief and Crisis Intervention Team and Outreach Program Supervisors continue to develop and increase relationships with key outreach groups in the Bay Area, our BART CIT trained officers alongside the Crisis Intervention Specialists co-respond to difficult calls, while also working with the Homeless Outreach Teams (HOT) in all five of the counties it serves. One of our long running partnerships has been working with each Multi-Disciplinary Forensic Team (MDFT) workgroup in the following counties: Alameda, Contra Costa, San Mateo, Santa

Clara and San Francisco. The MDFT is a voluntary coalition of law enforcement agencies and allied service providers who assist individuals with mental illness, substance abuse and co-occurring disorders who are at high risk of involuntary hospitalization and are arrested for behaviors and activity related to their disabilities. BART PD has been able to make referrals to the District Attorney, Public Defender's office and Forensic Mental Health in the county jails through collaboration with MDFT workgroups to help specify treatment for individuals to reduce recidivism and focus on chronic cases that tend to exhaust valuable resources and prevent uses of force for many police agencies.

Homeless Outreach Initiatives

BART continues to invest in a process to reduce prohibition orders resulting from conditions related to homelessness. BART maintains partnerships with Contra Costa County Department of Public Health's CORE (Coordinated Outreach, Referral and Engagement) team, to conduct homeless outreach in BART stations and trains in Contra Costa County, and with La Familia in Alameda County. In San Mateo County, BART continues to partner with LifeMoves Outreach Teams to address issues and concerns at our end of the line stations and San Francisco Airport. In San Francisco, BART connects people for services and shelter at the Gubbio project, SoMa RISE, and Code Tenderloin, to name a few.

The District Senior Manager of Social Service Partnerships continues to build relationships in the community and advocate for the District's Quality of Life initiatives and Action Plan. BART continues to be involved in a district wide approach to addressing the challenge of homelessness by partnering with each county in a regional collaboration as well as advocacy to the State Legislature to make the District eligible for state homelessness funding.

Prior Year Annual Reports

In BART's commitment to transparency and accountability, prior year reports to the California legislature on BART's prohibition order program can be found online at bart.gov/reports.

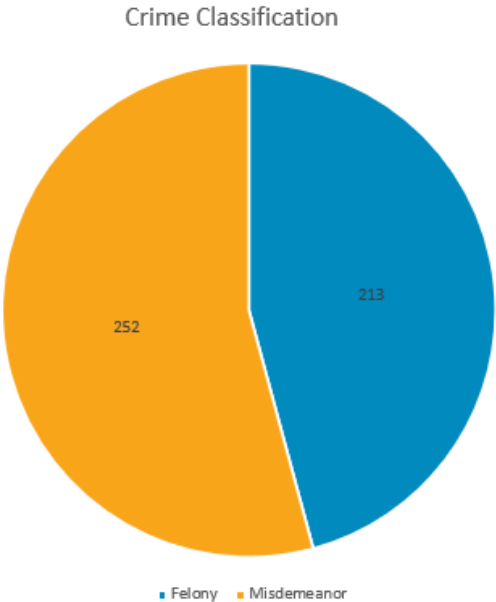
2023 Annual Prohibition Order Statistics

Crime Code	Description	Prohib Orders Issued	In Custody	In Custody %	Cite Released	Citation %	Appeals	Mental Illness	Transient	Juvenile
243(e)(1) PC	Domestic Violence	34	33	97%	1	3%			3	1
243.3 PC	Battery	81	65	80%	16	20%		9	8	18
211 PC	Robbery	29	29	100%				2	2	6
187/664 PC	Murder, attempt	4	4	100%						2
417 PC	Brandishing a weapon	20	17	85%	3	15%			2	1
314.1 PC	Indecent Exposure	22	21	95%	1	5%		1	2	
647(a) PC	Lewd Conduct	10	6	60%	4	40%			3	
245 PC	Assault w/deadly weapon or GBI	46	46	100%					6	4
243(b) PC	Battery on LEO	41	36	88%	5	12%		2	5	2
69 PC	Obstruct/resist officer w/ violence	25	25	100%				1	5	
212.5 PC	Robbery on Train	15	15	100%					1	5
243.4(e)(1) PC	Sexual Battery	7	7	100%					2	
243.35 PC	Battery	14	12	86%	2	14%		2	2	
422 PC	Threats	44	41	93%	3	7%		2	2	
273.5 PC	Domestic Violence	13	12	92%	1	8%				2
25850 PC	Possession of firearm	1	1	100%						
241 PC	Assault on LEO	5	4	80%	1	20%				
11359 H&S	Possession of cannabis	1	1	100%						
11378 H&S	Possess controlled substance for sale	7	7	100%					1	
369i(b) PC	Trespassing	1	1	100%					1	
240 PC	Assault on patron	2	2	100%					1	
261 PC	Rape	2	2	100%						1
243(d) PC	Battery w/serious bodily injury	5	5	100%						
451 PC	Arson	1	1	100%					1	
236 PC	False imprisonment	1	1	100%					1	
11352 H&S	Transport/sell narcotic	2	2	100%						
243 pc	Battery on a patron	3	3	100%						1
71 PC	Threaten LEO	6	6	100%				1	1	
244 PC	Assault w/ caustic chemical	1	1	100%					1	
242 PC	Battery on a patron	1	1	100%						
25400(a)(2) PC	Possession of concealed weapon	1	1	100%						
187 PC	Murder	1	1	100%						
640(d)(4) PC	Blocking free movement	1			1	100%			1	
215 PC	Car jacking	1	1	100%						
211/664 PC	Robbery, attempt	3	3	100%						1
288 PC	Lewd and Lascivious act w/child	2	1	50%	1	50%				
273a PC	Child abuse/Endangerment	3	3	100%						
11351 H&S	Possess/Transport Narcotics for sale	2	2	100%						
369i(a) PC	Trespass: railroad property	1	1	100%						
640(d)(3) PC	Unrinate public transit system	1			1	100%				
212.5/664 PC	Robbery on train/Attempt	5	5	100%						
		465	425		40			20	51	44

Prohibition Order Crime Classification

Crime Classification

F	Felony	213
M	Misdemeanor	252
Total		465

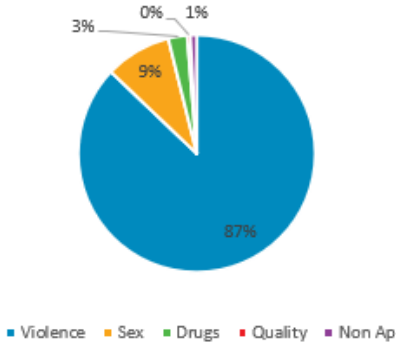


Prohibition Orders by Crime Type

Prohibition Orders by Crime Type

Violence	405	87.1%
Sex	42	9.0%
Drugs	12	2.6%
Quality	2	0.4%
Non Ap	4	0.9%
	465	100.0%

Prohibition Orders by Crime Type

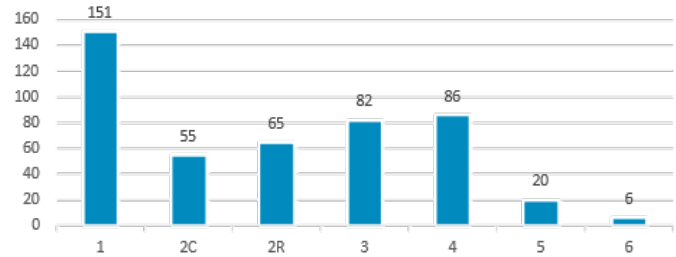


Prohibition Order Issued by Zone

Prohibition Order Issued by Zone & County

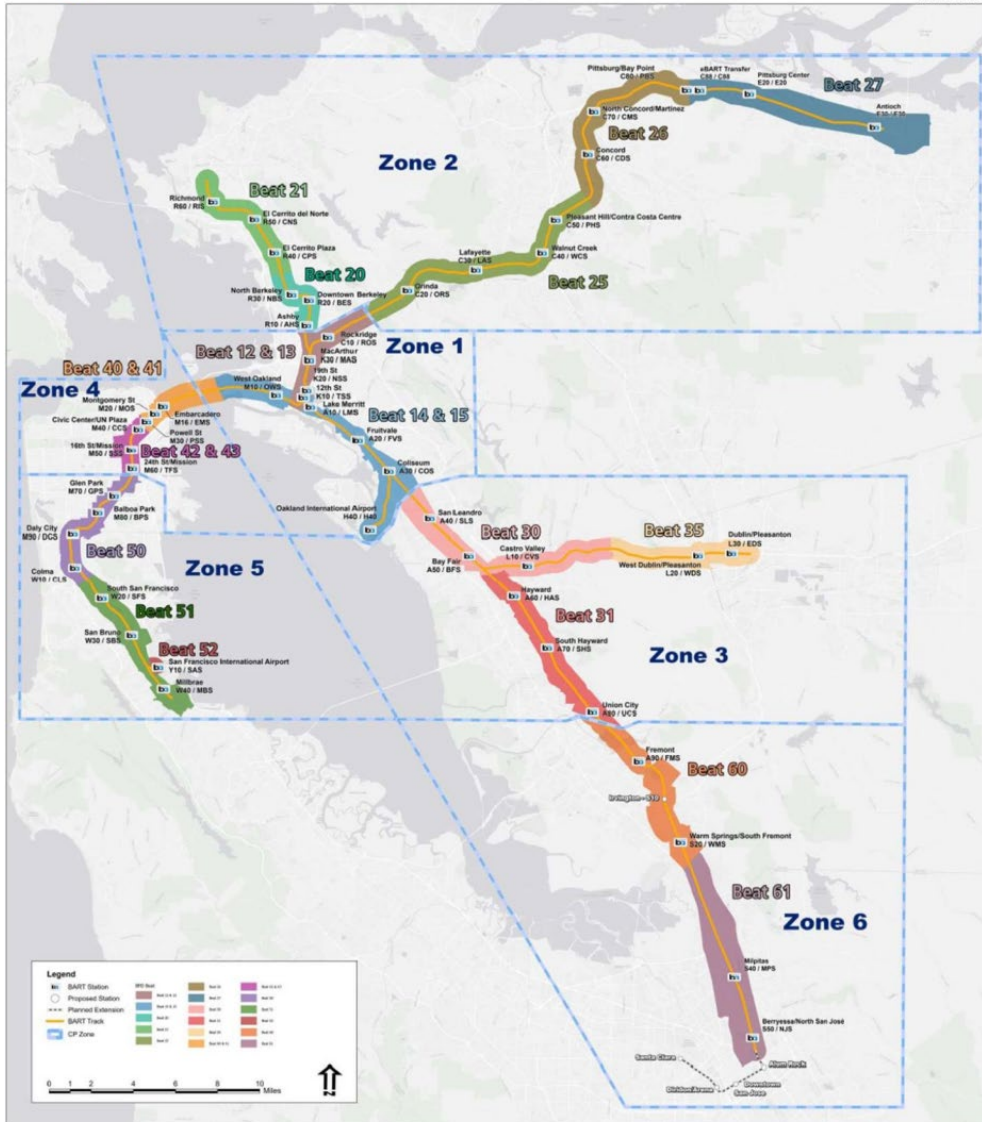
Alameda - 1	151
Contra Costa - 2C	55
Contra Costa - 2R	65
Alameda - 3	82
San Francisco - 4	86
San Mateo - 5	20
Santa Clara - 6	6
Total	465

Prohibition Order Issued by Zone



BART BART Police Zone Map

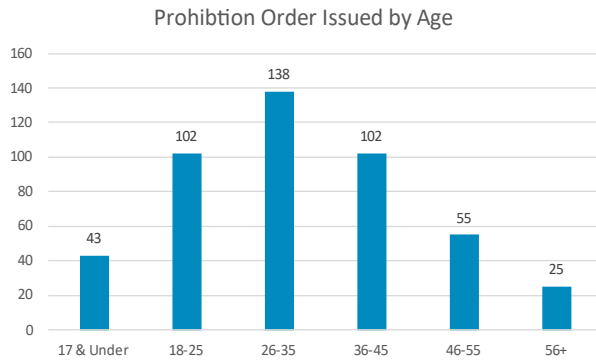
Date: 5/15/2024



Prohibition Order Issued by Age

Prohibition Order Issued by Age

17 & Under	43
18-25	102
26-35	138
36-45	102
46-55	55
56+	25
Total	465

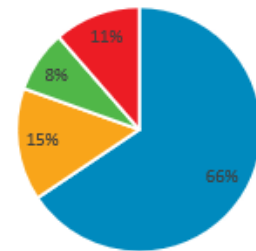


Prohibition Order Issued by Race

Prohibition Order Issued by Race

Black	30	65.6%
Hispanic	69	14.8%
Other	38	8.2%
White	53	11.4%
Total	46	

Prohibition Order Issued by Race



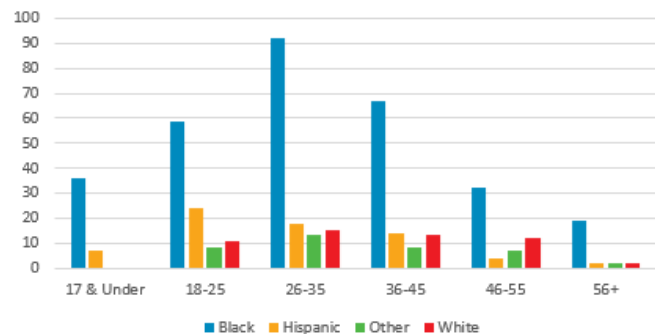
■ Black ■ Hispanic ■ Other ■ White

Prohibition Order Issued by Age and Race

Prohibition Order Issued by Age and Race

Age/Ethnic Background	Black	Hispanic	Other	White
17 & Under	36	7	0	0
18-25	59	24	8	11
26-35	92	18	13	15
36-45	67	14	8	13
46-55	32	4	7	12
56+	19	2	2	2
Total	305	69	38	53

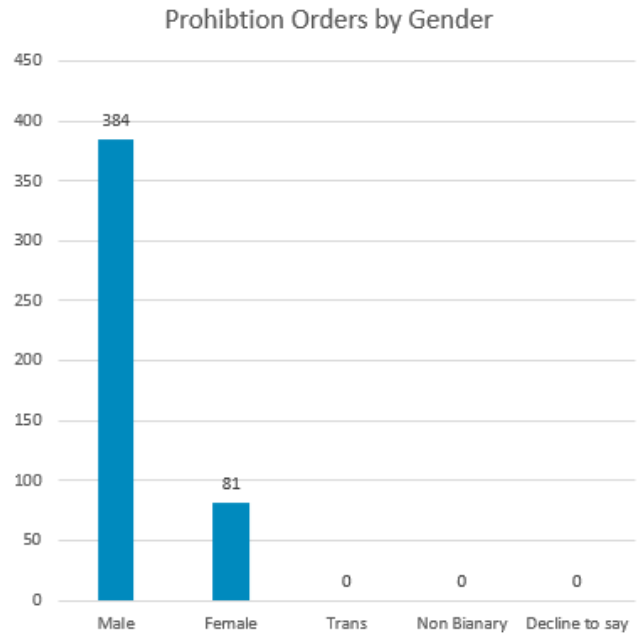
Prohibition Order Issued by Age and Race



Prohibition Orders by Gender

Prohibition Orders by Gender

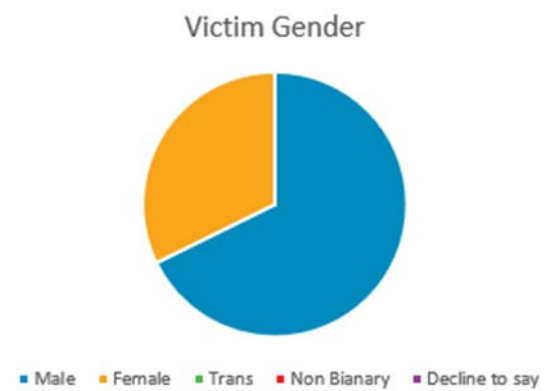
Male	384
Female	81
Trans	0
Trans/Non-Binary	0
Decline to say	0
Total	465



Victim Gender

Victim Gender

Male	300	68%
Female	143	32%
Trans	0	0%
Trans/Non-Binary	0	0%
Decline to say	0	0%
Total	443	



Prohibition Order Issued by Month

Prohibition Order Issued by Month

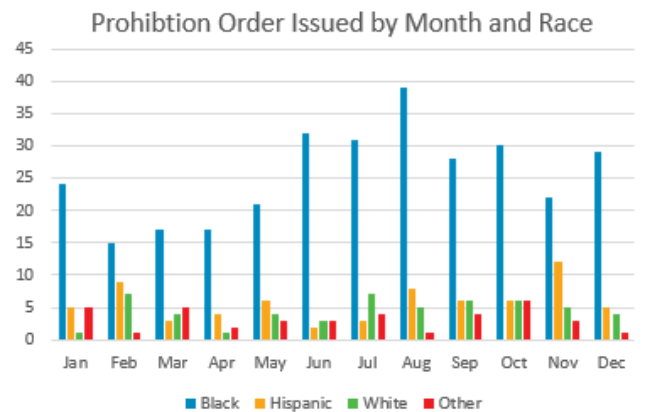
Jan	35
Feb	32
Mar	29
Apr	24
May	34
Jun	40
Jul	45
Aug	53
Sep	44
Oct	48
Nov	42
Dec	39
Total	465



Prohibition Order Issued by Month and Race

Prohibition Order Issued by Month and Race

	Black	Hispanic	White	Other	
Jan	24	5	1	5	35
Feb	15	9	7	1	32
Mar	17	3	4	5	29
Apr	17	4	1	2	24
May	21	6	4	3	34
Jun	32	2	3	3	40
Jul	31	3	7	4	45
Aug	39	8	5	1	53
Sep	28	6	6	4	44
Oct	30	6	6	6	48
Nov	22	12	5	3	42
Dec	29	5	4	1	39
Total	305	69	53	38	465



Victim Race

Victim Race

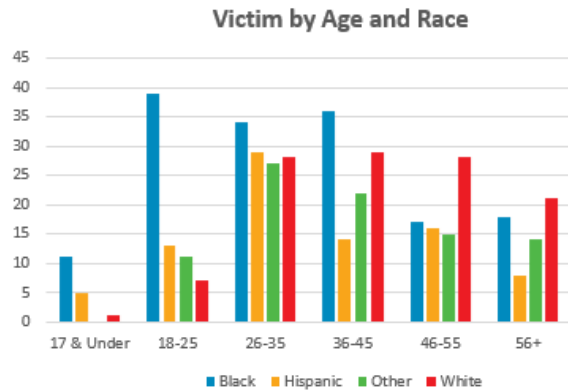
Black	155	35%
White	114	26%
Hispanic	85	19%
Other	89	20%
	443	



Victim by Age and Race

Victim by Age and Race

Age/Ethnic Background	Black	Hispanic	Other	White	TOTAL
17 & Under	11	5	0	1	17
18-25	39	13	11	7	70
26-35	34	29	27	28	118
36-45	36	14	22	29	101
46-55	17	16	15	28	76
56+	18	8	14	21	61
Unknown	0	0	0	0	0
Total	155	85	89	114	443



Victim Known to Suspect

Victim known to Suspect

Yes	52
No	413
	465

Victim known to Suspect



Acknowledgments

2023 TSAC Members

Armando Sandoval, 2023 Chair

Oleksii Chuiko

Omar Farmer, 2024 Chair

Gloria Garmon

Julia Owens

Tiffany Lacsado

BART Staff

Neha Balram, Senior Government and Community Relations Representative

Mili Choudhury, Senior Manager of Social Services Partnerships

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Olivia Jackson, Chief of Staff, BART Police Department

Amonroca James, Crime Analyst, BART Police Department

Mark Nagales, Senior Government and Community Relations Representative

Lieutenant John Power, BART Police Department

Deputy Police Chief Ja'Son Scott, BART Police Department

Mag Tatum, Senior Board Analyst, BART Office of the District Secretary

Alex Walker, Manager of Government Relations and Legislative Affairs