



***SAN FRANCISCO  
BAY AREA  
RAPID TRANSIT  
DISTRICT  
AB 716 REPORT***

MARCH 30,

**2017**

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This report to the California State Legislature summarizes the fourth year of BART's exclusion policy pursuant to AB 716. The report contains data gathered from documented calls of service from station agents and patrons regarding incidents occurring on BART property and trains in addition to statistics obtained from BART police officers.

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## Message from the Acting Chief of Police

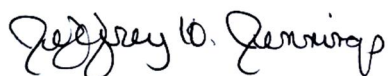
Honorable Members of the California State Legislature,

The San Francisco Bay Area Rapid Transit District (BART) currently carries approximately 430,000 passengers on a typical weekday. Trains and stations are more crowded than ever, creating unique challenges for the BART Police Department. BART is committed to ensuring the safety and security of all BART stakeholders, including our patrons and employees.

In the third full year of reporting on BART's exclusionary policy pursuant to Assembly Bill 716 (Dickinson), there were 276 prohibition orders issued at 43 different locations, an 8% increase over the previous year. In 2016, there was a 3% overall decrease in reported crimes of violence and property crimes throughout the BART District. While those numbers are promising considering the crime statistics of the surrounding areas, the reported crimes of violence rose from 200 in 2015 to 276 in 2016.

The BART Police Department believes the authority to exclude individuals who commit violent crimes on BART property, sex offenses against our patrons, or traffic and sell narcotics has been a great asset to implementing an effective public safety strategy. With recent surges in ridership, AB 716 is one of many safety measures BART is utilizing to protect its riders and employees. The annual statistics in this document support continuing the issuance of prohibition orders.

We are committed to collecting and analyzing data related to passenger behavior and crimes committed on BART property. This commitment allows the BART Police Department to develop best practices, refine policies, and be at the forefront of law enforcement growth in the 21<sup>st</sup> century. Thank you for your continued support.



Jeffrey Jennings  
Acting Chief of Police  
BART Police Department

## Message from the Transit Security Advisory Committee

Honorable Members of the California State Legislature,

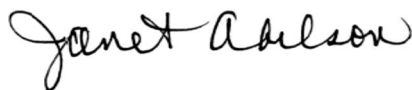
The Transit Security Advisory Committee (TSAC) for the San Francisco Bay Area Rapid Transit District (BART) is the citizen and community oversight committee that works to ensure that Assembly Bill 716 (Dickinson) is implemented as the Legislature intended.

By examining the data from the past three years, it is possible to see that AB 716 has helped reduce crime at BART stations. The program created at BART under AB 716 has, for example, led BART to gather data and then examine statistics related to crime at BART stations. BART staff and the TSAC committee members have examined the data and then used the results to make recommendations about better concentrating the presence of police officers at stations where incidents are occurring.

AB 716 has helped BART staff and the TSAC committee to focus on the problems of violence at the BART stations. One example involves analyzing the data about domestic violence at BART stations. It turns out that the courts were ordering the exchange of minors to occur at BART stations. By redirecting the location for these exchanges, the violence at BART stations has been reduced, improving safety for station agents and others.

Sometimes more than the example described above is required to reduce violence at BART stations. That is why the stay away orders allowed under AB 716 are so helpful. Prohibition orders provide a useful tool to address certain infractions among individuals who are unlikely to be deterred by a fine, thereby protecting both BART riders and transit employees.

Thank you for creating AB 716 with the goal of protecting passengers and station staff and providing a safe, clean, and respectful environment at BART. The members of the TSAC committee appreciate the opportunity to work together with BART staff in the future to address passenger misconduct through the BART prohibition policy allowed by AB 716 and to report results to the state legislature on an annual basis. As statistics show, we have made progress, but have more work to do.



Janet Abelson  
Chair  
BART Transit Security Advisory Committee

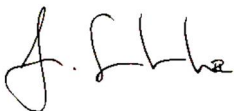
Honorable Members of the California State Legislature,

The Transit Security Advisory Committee (TSAC) for the San Francisco Bay Area Rapid Transit District (BART) is the citizen and community oversight committee that works to ensure Assembly Bill 716 (Dickinson) is implemented as the Legislature intended.

In 2016, reports of violent crimes increased within the BART District. Statistically, domestic violence and robbery crimes have been reduced. As we continue to address the issues and concerns of misconduct effectively, we strive to create a safe and clean environment for our riders, district employees and BART officers. It is important for our committee to develop recommendations and collaboratively work with our BART district. AB 716 has provided BART a useful tool to better protect public transit passengers and public transit employees.

This report to the Legislature represents a twelve-month period from January 1, 2016 to December 31, 2016. BART and the TSAC appreciate the extension of authority and support the California State Legislature and Governor have given to BART to fully continue this important program that improves station safety. While we have made important conclusions in this report, we look forward to a longer implementation period after this extended pilot project, to better focus our efforts.

The TSAC is dedicated to finding solutions to problems which impact the safety of BART, its riders and employees. Along with our other public safety initiatives, we will continue to work to address passenger misconduct through the BART prohibition policy allowed by AB 716 and report results to the legislature on an annual basis.



Armando Sandoval

Vice Chair

BART Transit Security Advisory Committee

## Overview of the Transit Security Advisory Committee

As required by Assembly Bill 716 (Dickinson), the San Francisco Bay Area Rapid Transit District (BART) established the Transit Security Advisory Committee (TSAC), an oversight group comprised of at least five citizens that serve together as a volunteer review body for the implementation of BART's exclusion policy. Drawing from their private and public sector experiences, the committee brings a diverse set of skills to the planning and execution of the exclusion policy.

The advisory committee members are appointed by the BART Board of Directors. At least one of the advisory committee members has experience working with individuals with psychiatric or other disabilities and youth services. In addition, at least one advisory committee member is from the bargaining union representing BART Station Agents.

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.

**2016 TSAC Members****Janet Abelson, Mayor Pro Tem, City of El Cerrito****TSAC Chair**

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## Annual Report Introduction

Like other public transit systems in the state, over the years the San Francisco Bay Area Rapid Transit District (BART) has received an increasing number of complaints from riders and employees regarding safety onboard trains, in parking lots and stations. The BART Board of Directors believes the safety of BART employees and riders must be an ongoing priority. For this reason, in 2010 BART sought to be included in state legislation (Assembly Bill 716, Chapter 534, Statutes of 2011) that reauthorized the program assisting crime control for the Sacramento Regional Transit District and Fresno Area Express.

Historically, AB 716 passed the Legislature, was signed into law by the Governor, and became effective on January 1, 2012. As amended, 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. This bill, by design, would also directly assist the BART Police Department in protecting BART front-line employees, including station agents, system service workers, and police officers from acts of violence. BART began to issue prohibition orders authorized by AB 716 through a pilot program in 2013, and realized a significant number of the orders were issued for domestic violence offenses.

Introduced by Senator Loni Hancock (Berkeley) on February 20, 2014, 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 (EPOs) 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 on September 25, 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 authority to conduct the pilot project established in AB 716 until January 1, 2018.

AB 716 also provides for an appeals process should individuals who are transit-dependent be cited, and for training of transit personnel to recognize and facilitate the needs of those experiencing homelessness or who may have psychiatric disabilities. The law outlines the composition and duties of an oversight committee to monitor the number of citations and exclusions issued by the transit district. This committee has the ability to recommend training of transit personnel in dealing with passengers with special needs.

## I. Summary of Assembly Bill 716

The purpose of AB 716 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 Bay Area Rapid Transit (BART) to exclude passengers from using transit 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 particular 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 716:

- 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 arrested or convicted for any misdemeanor or felony committed in or on BART District property.
- 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.

*[In 2014, SB 1154 introduced by Senator Hancock (D-Berkeley) extended the sunset provisions relating to BART's authority until January 1, 2018. SB 1154 also 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 EPOs and take temporary custody of firearms or deadly weapons while conducting domestic violence investigations.]*

## II. BART Transit System Profile

BART is a special governmental agency created by the State of California consisting of Alameda County, Contra Costa County, and the County of San Francisco. BART is governed by nine publicly elected Directors, collectively known as the Board of 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 connects San Francisco with cities in the East Bay and suburbs in northern San Mateo County operating on five lines, 104 miles of track with 46 stations in four counties. In 2017, BART opened the Warm Springs/South Fremont Station in southern Alameda County, and an extension with two stations in Santa Clara County is currently under construction. A number of bus transit services connect to BART, which, while managed by separate agencies, is integral to the successful functioning of the system. The primary providers include the San Francisco Municipal Transportation Agency (Muni), Alameda Contra Costa Transit (AC Transit), San Mateo County Transit (Sam Trans), County Connection, and the Golden Gate Bridge, Highway and Transportation District (Golden Gate Transit).

With an average weekday daily ridership of almost 430,000 passengers<sup>1</sup>, BART is the fifth-busiest heavy rail rapid transit system in the nation. BART's single day ridership record was set on Wednesday, October 31, 2012, with over 568,061 passengers on the day of the San Francisco Giants' victory parade for their World Series championship. During the Super Bowl 50 week-long festivities, "San Francisco Bay Area Rapid Transit District (BART) ended Super Bowl week by setting a ridership record for weekend days on Saturday the 6th, carrying 419,162 riders. Saturday's ridership exceeded the previous record by about 100,000. It followed BART's third busiest day in its 44 year history: Friday the 5th, when BART carried 528,679 customers."<sup>2</sup> At its maximum, BART has the longest trains of any passenger rail system in the United States.

The BART Police Department is comprised of 330 personnel, of which 224 are sworn peace officers. The BART Chief of Police commands the department, which is the agency's sole law-enforcement entity and provides a full range of police services. A Citizens Review Board provides an independent citizen oversight system to ensure that complaints are investigated through an objective and fair process for all parties involved. An Independent Police Auditor is appointed to the Review Board and reports to the Board of Directors. The 11 member Citizen Review Board has the power to review policies, investigate complaints, and recommend discipline.

1 Tim Chan, BART Planning Manager from <http://www.bart.gov/news/articles/2016/news20161006>

2 Stephanie Jordan, Editor Transit California from <http://caltransit.org/news-publications/publications/transit-california/transit-california-archives/2016-editions/february/super-performance/>

### III. Conclusions and Observations

#### 1. An increase in Prohibition Orders issued in 2016

The Bay Area Rapid Transit District saw a 2% ridership increase in 2016 from 2015, and a 7.6% ridership increase in 2015 from 2014 (Exit gate totals 128,523,988 in 2016, 125,979,396 in 2015, and 117,073,699 in 2014 per the District's BART\_Ridership\_FY73\_FY16 data via <https://www.bart.gov/about/reports/ridership>). The ridership data corresponds with an overall 3% decrease in reported crimes of violence and property crimes throughout the District. While overall crime may have decreased during this period, it should be noted reported crimes of violence increased 38 percent.

	2015	2016
Crime of Violence	200	276
Property Crime	2809	2651
<b>Total</b>	<b>3009</b>	<b>2927</b>

With the increase in ridership, increase in reported crimes of violence, and decrease in overall criminal activity, AB 716 is one of a number of tools assisting with crime reduction and the prevention of violence against persons on District property. Suspects known to commit violence against others are precluded from returning to District property, and therefore are less likely to commit another offense during the specified period of prohibition.

Prohibition orders were issued at 42 BART transit stations and 1 District owned location in 2016, the same number of BART stations as in 2015. The total number of prohibition orders issued in 2016 was 276, while 2015 saw 255 orders issued. The percentage of prohibition orders issued for felonies increased in 2016 from 23% to 35%, however, the age, race and gender statistics remained relatively constant over the past three years. Similar to 2015, more prohibition orders were issued during the warmer months (May through August). The highest percentage of prohibition orders issued in 2016 was at the core stations in the system, primarily in Oakland.

#### 2. Prohibition Orders Issued for Specified Crimes

While there was an overall increase in prohibition orders from 2015 and 2016, the reduction in the issuance of prohibition orders was notable in the areas of robbery, and domestic violence. The noted increase in the issuance of prohibition orders for incidences of battery against

District employees (including officers) should be viewed by the percentage of all orders issued. In 2016 the percentage was 25%, compared to 20% of the total orders in 2015.

Crime	2014	2015	2016
Domestic Violence	55	64	51
Robbery	33	29	24
Battery/Threats Employees	68	50	68
<b>Total</b>	<b>156</b>	<b>143</b>	143

The TSAC believes the significance of the aforementioned data is the result of:

- Heightened patron and employee awareness and prompt reporting of criminal activity
- Increased employee awareness and training
- Police patrol focus on stations where a larger number of prohibition orders are issued
- Lower recidivism rate (6 persons arrested for violating order in 2016 compared to 20 in 2015, and 23 in 2014)

**The TSAC considers assaults on all District employees a continued problem. It should be noted, persons who commit these offenses, and do not get apprehended, are not included in the prohibition order statistics. In addition, while fare evasion is a continued problem for the BART District, fare evasion is not a qualifying offense for a prohibition order. It is unknown how many of the persons issued prohibition orders on BART District property have evaded payment of their transit fare.**

### **3. Decrease in Domestic Battery Prohibition orders**

In reviewing the statistics, it was revealed 25% of prohibition orders issued in 2015 involved domestic violence cases, 64 in total. In 2016 this number was 51, accounting for approximately 18% of all orders issued. Because of its convenience, BART stations are considered a neutral and mutual child custody exchange location for the courts. These meetings sometimes lead to domestic violence despite requests for officers to stand by during the exchanges. The TSAC believes these incidents decreased due to increased community outreach, and anecdotal reduction in the number of civil standby calls for service at the BART stations. In addition, this year was the first calendar year BART Police had authority to issue Emergency Protective Orders at stations under SB 1154 (Hancock).

#### **4. Battery on BART Patrons: A Continued Problem**

The TSAC believes that assaults and batteries on BART patrons continue to be a noticeable problem. The highest percentage of prohibition orders issued for any individual category is battery on patrons, just over 24% of all orders issued. Patrons are often affected by these violators, especially juveniles who travel via public transit, elderly riders, and persons with disabilities who must use specific routes and entrances to utilize the BART stations. While a primary focus of AB 716 is the protection of BART employees, there continues to be a significant number of prohibition orders issued for assault and battery on BART patrons as well.

#### **5. Increased Focus on Youth and Young Adult Outreach**

Fifteen persons under 18 years old were issued prohibition orders in 2016 compared to eleven in 2015. The percentage of juveniles issued prohibition orders in 2016 was 5.5% compared to 4% the previous year. TSAC has shown interest specifically in this area because of the high volume of juveniles in the area who are transit dependent. BART PD has plans to continue to work with the various local schools within the BART service area to achieve their program goals of reducing recidivism of delinquent behavior, youth violence, and gang activity through Community Oriented Policing and Problem Solving (COPPS) programs. 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. BART Police has been involved in programs in Alameda County such as Gang Resistance Education and Training (GREAT) at the grammar school level. 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. The largest group of offenders by age is in the 18-25 age range, accounting for 91 prohibition orders issued and 33% of all orders. Any attempts to affect the lives of our young patrons will help reduce the potential number of orders issued to the 18-25 year old age group in the future.

In addition, the newly reorganized BART Police Community Oriented Policing and Problem Solving (COPPS) unit has held a number of community events in the affected policing zones. The COPPS unit conducts outreach efforts through community and faith-based organizations, addressing issues and challenges around at-risk behavior and homelessness. All personnel assigned or tasked with these duties are provided additional training through inter-departmental and external courses.

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

- Expanding the COPPS Unit to extending the outreach to all patrol zones

- Investigate expanding and simplifying the process of obtaining discount tickets for juvenile BART patrons

## **6. Appeals**

Of the 276 prohibition orders issued in 2016, eight appeals were initiated, however, only six (approximately 2%) persons completed the appeals process. This percentage was the same as in 2015 and 2014. All six orders were issued for a term of 30 days. One appeal was upheld, but modified by the Administrator to accommodate a work schedule. Of the five additional appeals, all five were upheld with no modifications. Of the two appeals that were initiated but not processed, one appeal was rescinded by the Exclusion Administrator due to the order not being issued in compliance with BART District interpretation of AB 716. A second appeal was rescinded due to the District's labor and legal interpretation of AB 716.

None of the six were appealed to the second level of the appeal process. The second level of the appeal process consists of requesting a review by a Hearing Officer, after being initially upheld by the Exclusion Administrator.

## **7. BART Employee Impact**

The TSAC believes training for employees is an important way to reduce incidents of violence against station agents, train operators, and system service workers, 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 is currently reviewing training content with union leaders of station agents, fore workers, and train operators for possible modifications to the current training guidelines. TSAC considers prevention of violence against employees a priority and seeks to identify additional measures beyond training in order to prevent incidents of violence affecting employees.

The TSAC believes potential benefits from continued and additional training could include:

- Helping employees deescalate potentially dangerous behaviors and situations
- Helping employees identify individuals with specific needs
- Reducing the likelihood an employee is the victim of assault or battery

## **8. BART Improvements Needed to Reduce Unruly Behavior**

BART employees specifically face numerous challenges throughout the regular work day, including dealing with patrons who exhibit unruly behavior. TSAC would like to see a decrease in cases where this behavior leads to assaults and batteries on BART District employees.



Battery against District employees (including officers) resulted in 25% of all prohibition orders issued in 2016, compared to 20% of the total orders in 2015.

Crime	2016	Percentage of issued orders
Battery Against Station Agents	30	11%
Battery Against Train Operators	9	3.25%
Battery Against System Service/Others	4	1.5%
Battery Against Police Officers	25	9%

The TSAC suggests the following to help minimize areas of conflict with frontline employees:

- Additional signage at station agent booths to help inform the public of AB 716
- Identification of specific locations within stations which are contributing factors to unruly behavior (fare machines or elevators not visible to station agents, areas of concealment, unstaffed booths, transition points between paid and unpaid areas, etc.)
- Increasing employee staffing levels across service classifications
- Public Service Announcements (PSAs) via BART Media Relations and the BART Police Department regarding AB 716

### **9. Continued Need for Outreach Efforts Involving Mental Health**

Out of the 276 prohibition orders issued in 2016, 27 involved persons who were “in crisis.” In all cases involving mental illness issues, subjects are transported to, and evaluated at, a licensed psychiatric facility prior to being booked at the jail. Ten percent of the prohibition orders issued in 2016 had a mental health component, requiring assessment, compared with 16% of the prohibition orders issued in 2015 and 12% in 2014.

BART Police is constantly addressing issues and concerns of individuals struggling with homelessness and/or mental health issues. Crisis Intervention Training (CIT) officers and police personnel continue to offer services at the scene by referring them to appropriate resources through local city or county organizations. The BART Police CIT Coordinator is either on scene and/or meets 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 on a daily basis. BART Police tracks cases involving individuals with mental health conditions, and shares the information with allied agencies during line-ups or via email.

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

3 of 3	Deputy Chiefs
10 of 10	Lieutenants
33 of 33	Sergeants
131 of 133	Officers
15 of 15	Dispatchers+2 Disp. Supervisors
39 of 45	CSOs
1 of 1	Crisis Outreach Coordinator
<b>232 of 240</b>	<b>97% Eligible Personnel are CIT Trained</b>

To increase relationships with key mental health groups in the Bay Area, BART PD has worked with the Homeless Outreach Teams (HOT) in all four of the counties it serves. Information on mental health incidents is gathered and shared at monthly Multi-Disciplinary Forensic Team (MDFT) workgroup meetings in Alameda, Contra Costa, and San Mateo Counties, and a similar consortium in 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 and Public Defender's office through collaboration with MDFT workgroups to help specify treatment for individuals and focus on chronic cases that tend to exhaust valuable resources for many police agencies.

#### **10. Reduction in Repeat Offender Statistics**

In early 2016, BART Police began looking at data on repeat offenders arrested for violating their prohibition order. The applicable penal code, 369i(b), is used for a variety of offenses to include returning to BART District property while a valid prohibition order is in effect. Prohibition order violation data was collected and analyzed for calendar year 2015 and 2016.

- In 2015, 20 persons violated the prohibition order for a total of 31 arrests. Two persons violated their prohibition orders five times each. One person violated their order three times. A fourth person violated his order twice. The remaining 16 persons violated their prohibition order once.

- In 2016, only six persons violated their prohibition order for a total of nine arrests. One person violated the order three times. A second person violated the order twice. The remaining persons violated their prohibition order only once.

There were no persons who violated prohibition orders in both 2015 and 2016. This data, while relatively new, is extremely promising, because it revealed the persons who were issued prohibition orders overwhelmingly adhered to the order, 92% in 2015, and 98% in 2016. Of the persons who returned to District property, only a very small percentage reoffended more than once, and those arrested in 2015, did not appear on the list of persons arrested for the violation in 2016.

The TSAC acknowledges the BART Police Department had a change in the reporting and report writing systems in early 2016. TSAC committee members took it upon themselves to locate and identify the repeat offender data for both 2015 and 2016, to further investigate the effectiveness of prohibition orders and their impact on offenders. The TSAC is committed to continuing the collection of this information for additional examination and inclusion in all future reports.

## Prohibition Order Statistics

**(From January 1, 2016 to December 31, 2016)**

Crime	Description	Prohibition Orders Issued	Percentage **	In-Custody	Citations
664/187 PC	Attempt Murder	2	0.75%	2	0
211 PC	Robbery/ Attempted Robbery	24	8.75%	24	0
215 PC	Carjacking	3	1%	3	0
243/422 PC	Battery/Threats to Station Agents	30	11%	26	4
243/422 PC	Battery/Threats to Train Operator	9	3.25%	8	1
243/422 PC	Battery/Threats to System Service or Other	4	1.5%	4	0
243(b)/422PC	Battery/Threats to Officer	25	9%	25	0
243(e)(1) PC	Domestic Battery	41	15%	41	0
273.5 PC	Corporal Injury to Spouse	10	3.75%	10	0
243.3/422 PC	Battery/Threats to Patron	67	24.25%	35	29
245 PC	Assault with Deadly Weapon	16	5.75%	16	0
243.4 PC	Sexual Battery	4	1.5%	4	0
273d(a) PC	Child Abuse	1	0.25%	1	0
314 PC	Indecent Exposure	10	3.75%	9	1
417 PC	Brandishing Weapon	15	5.5%	13	2
647(A) PC	Lewd Conduct	3	1%	3	0
11351/11379 H&S	Sales of Illegal Narcotics	7	2.5%	7	0
Misc [487c PC, 415PC]	Theft from person (Apr/Jun/Aug) Disturb Peace (Aug)	4	1.5%	3	1
<b>Total</b>		<b>275</b>	<b>100%</b>	<b>234 85%**</b>	<b>38 13.75%**</b>

Crime	Description	Prohibition Orders	Prohibition Appeals	Mental Illness *	Transient	Juvenile (<18)
664/187 PC	Attempt Murder	2	0	0	1	0
211 PC	Robbery/ Attempted Robbery	24	0	1	6	9
215 PC	Carjacking	3	0	0	0	0
243/422 PC	Battery/Threats to Station Agents	30	1	4	7	1
243/422 PC	Battery/Threats to Train Operator	9	0	2	2	0
243/422 PC	Battery/Threats to System Service or Other	4	0	1	2	0
243(b)/422PC	Battery/Threats to Officer	25	0	4	12	0
243(e)(1) PC	Domestic Battery	41	1	1	6	1
273.5 PC	Corporal Injury to Spouse	10	1	0	1	0
243.3/422 PC	Battery/Threats to Patron	67	3	9	15	1
245 PC	Assault with Deadly Weapon	16	0	1	2	0
243.4 PC	Sexual Battery	4	0	0	1	0
273d(a) PC	Child Abuse	1	0	0	0	0
314 PC	Indecent Exposure	10	0	1	5	0
417 PC	Brandishing Weapon	15	0	2	4	0
647(A) PC	Lewd Conduct	3	0	0	1	0
11351/11379 H&S	Sales of Illegal Narcotics	7	0	1	2	0
Misc [487c PC, 415PC]	Theft from person (Apr/ Jun/ Aug) Disturb Peace (Aug)	4	0	0	0	1
<b>Total</b>		<b>275</b>	<b>6 (2.25%)</b>	<b>27 (9.75%)</b>	<b>67 (24.25%)</b>	<b>13 (4.75%)</b>

\*In all cases involving mental illness issues, subjects are transported to and evaluated at a psychiatric facility prior to being booked at the jail.

Crime Classification	Prohibition Orders Issued	Percentage **
Felony	96	34.75%
Misdemeanor	181	65.5%
<b>Total</b>	<b>276</b>	<b>100.25%</b>

Gender	Prohibition Orders Issued	Percentage **
Male	220	79.75%
Female	56	20.25%
<b>Total</b>	<b>276</b>	<b>100%</b>

Ethnic Background	Prohibition Orders Issued	Percentage **
Black	169	61.25%
Hispanic	44	16%
Other	19	7%
White	44	16%
<b>Total</b>	<b>276</b>	<b>100</b>

Age	Prohibition Orders Issued	Percentage **
17 & Under	15	5.5%
18 to 25	91	33%
26 to 35	66	24%
36 to 45	41	14.75%
46 to 55	46	16.75%
56 +	17	6.25%

<b>Total</b>	<b>276</b>	<b>100.25%</b>
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<b>Age/Ethnic Background</b>	<b>Black</b>	<b>Hispanic</b>	<b>Other</b>	<b>White</b>
17 & Under	13	1	0	1
18 to 25	54	16	6	13
26 to 35	38	8	9	12
36 to 45	21	11	3	7
46 to 55	30	7	1	8
56 +	13	1	0	3
<b>Total</b>	<b>169</b>	<b>44</b>	<b>19</b>	<b>44</b>

<b>Month</b>	<b>Prohibition Orders Issued</b>	<b>Percentage **</b>
January	21	7.5%
February	16	5.75%
March	22	8%
April	17	6.25%
May	39	14.25%
June	23	8.25%
July	20	7.25%
August	25	9%
September	19	7%
October	31	11.25%
November	24	8.75%
December	19	7%
<b>Total</b>	<b>276</b>	<b>100.25%</b>

<b>Zone</b>	<b>Prohibition Orders Issued</b>	<b>Percentage **</b>
Zone 1 (Oakland)	74	26.75%
Zone 2R (Berkeley & West Contra Costa County)	26	9.5%
Zone 2C (East Contra Costa County)	48	17.5%
Zone 3 (South Alameda County)	51	18.5%
Zone 4 (San Francisco County)	51	18.5%
Zone 5 (San Mateo County)	24	8.75%

District Property – 2 (0.25%x2)	(2)	
<b>Total</b>	<b>276</b>	<b>100</b>

Station	Prohibition Orders	Percentage **
12 <sup>th</sup> Street (Oakland)	5	1.75%
16 <sup>th</sup> Street (San Francisco)	1	0.25%
19 <sup>th</sup> Street (Oakland)	3	1%
24 <sup>th</sup> Street (San Francisco)	3	1%
Ashby (Berkeley)	4	1.5%
Balboa Park (San Francisco)	1	0.25%
Bay Fair (San Leandro)	13	4.75%
Berkeley	6	2.25%
Castro Valley	2	0.75%
Civic Center (San Francisco)	12	4.25%
Coliseum (Oakland)	10	3.5%
Colma	1	0.25%
Concord	17	6.25%
Daly City	5	1.75%
Dublin Pleasanton	8	3%
El Cerrito Del Norte	11	4%
El Cerrito Plaza	1	0.25%
Embarcadero (San Francisco)	13	4.75%
Fremont	6	2.25%
Fruitvale (Oakland)	8	3%
Glen Park (San Francisco)	3	1%
Hayward	7	2.5%
Lafayette	2	0.75%
Lake Merritt (Oakland)	14	5%
MacArthur (Oakland)	16	5.75%
Millbrae	8	3%
Montgomery Street (San Francisco)	5	1.75%
North Berkeley	0	0%
North Concord	2	0.75%
Orinda	1	0.25%
Pittsburg	18	6.5%
Pleasant Hill	1	0.25%
Powell Street (San Francisco)	16	5.75%
Richmond	4	1.5%
Rockridge (Oakland)	2	0.75%
San Bruno	6	2.25%
San Leandro	9	3.25%
San Francisco Airport	2	0.75%
South Hayward	1	0.25%
South San Francisco	1	0.25%
Union City	3	1%



Walnut Creek	7	2.5%
West Dublin	0	0%
West Oakland	16	5.75%
District Property (Antioch Park & Ride)	2	0.75%
<b>Stations</b>	<b>276</b>	<b>99%</b>

### Public Utilities Code Section 99171(a) (1) (A)

There has been 1 violation from January 1, 2016 to December 31, 2016 for a 99171(a)(1)(A) PUC violation. The person, a Hispanic male, was cited at the Powell Street BART Station, and was a transient resident of San Francisco County.

<b>Violation</b>	<b>Description</b>	<b>Number of Violations</b>
640(d)(3) PC	Urinating/Defecating	1
640(d)(4) PC	Blocking Free Movement	0
<b>Total</b>		<b>1</b>

\*\* Percentages rounded to nearest quarter of a percent - .25

## Prohibition Order Statistics

**(From January 1, 2015 to December 31, 2015)**

Crime	Description	Prohibition Orders Issued	Percentage	In-Custody	Citations
664/187 PC	Attempt Murder	2	1	2	0
211 PC	Robbery	29	12	28	1
243/422 PC	Battery/Threats to Station Agents	25	10	22	3
243/422 PC	Battery/Threats to Train Operator	1	0	1	0
243/422 PC	Battery/Threats to System Service	4	2	4	0
243(b)/422PC	Battery/Threats to Officer	20	8	19	1
243(e)(1) PC	Domestic Battery	64	25	64	0
243.3/422 PC	Battery/Threats to Patron	44	17	34	10
243.4 PC	Sexual Battery	6	2	6	0
245 PC	Assault with Deadly Weapon	5	2	5	0
273d(a) PC	Child Abuse	3	1	2	1
314 PC	Indecent Exposure	18	7	18	0
415 PC	Disturbing the Peace	5	2	3	2
417 PC	Brandishing Weapon	6	2	6	0
647(A) PC	Lewd Conduct	5	2	4	1
11351 H&S	Sales of Illegal Narcotics	18	7	18	0
<b>Total</b>		<b>255</b>	<b>100%</b>	<b>236</b>	<b>19</b>

Crime	Description	Prohibition Orders	Prohibition Appeals	Mental Illness *	Homeless	Juvenile (<18)
664/187 PC	Attempt Murder	2	0	0	0	0
211 PC	Robbery	29	0	0	3	6
243/422 PC	Battery/Threats to Station Agent	25	1	0	5	0
243/422 PC	Battery/Threats to Train Operator	1	0	0	0	0
243/422 PC	Battery/Threats to System Service	4	0	0	1	0
243(b)/422 PC	Battery/Threats to Officer	20	0	1	8	1
243(e)(1)PC	Domestic Battery	64	1	0	2	0
243.3 PC	Battery/Threats to Patron	44	3	0	9	2
243.4 PC	Sexual Battery	6	0	0	1	0
245 PC	Assault w/ Deadly Weapon	5	0	0	0	1
273d(a) PC	Child Abuse	3	0	0	1	0
314 PC	Indecent Exposure	18	0	0	5	0
415 PC	Disturbing the Peace	5	0	0	2	0
417 PC	Brandishing Weapon	6	0	0	3	0
647(A) PC	Lewd Conduct	5	0	0	1	0
11351 H&S	Sales of Illegal Narcotics	18	0	0	0	0
<b>Total</b>		<b>255</b>	<b>5(2%)</b>	<b>1(0%)</b>	<b>41(16%)</b>	<b>10(4%)</b>

**\*In all cases involving mental illness issues, subjects are transported to and evaluated at a psychiatric facility prior to being booked at the jail.**

<b>Crime Classification</b>	<b>Prohibition Orders Issued</b>	<b>Percentage</b>
Felony	59	23
Misdemeanor	196	77
<b>Total</b>	<b>255</b>	<b>100</b>

<b>Gender</b>	<b>Prohibition Orders Issued</b>	<b>Percentage</b>
Male	211	83
Female	44	17
<b>Total</b>	<b>255</b>	<b>100</b>

<b>Ethnic Background</b>	<b>Prohibition Orders Issued</b>	<b>Percentage</b>
Black	166	65
Hispanic	34	13
Other	15	6
White	40	16
<b>Total</b>	<b>255</b>	<b>100</b>

<b>Age</b>	<b>Prohibition Orders Issued</b>	<b>Percentage</b>
17 & Under	11	4
18 to 25	80	32
26 to 35	61	24
36 to 45	49	19
46 to 55	33	13
56 +	21	8
<b>Total</b>	<b>255</b>	<b>100</b>

Age/Ethnic Background	Black	Hispanic	Other	White
17 & Under	11	0	0	0
18 to 25	54	16	3	7
26 to 35	39	8	4	10
36 to 45	28	5	3	13
46 to 55	21	2	3	7
56 +	13	3	2	3
<b>Total</b>	<b>166</b>	<b>34</b>	<b>15</b>	<b>40</b>

Month	Prohibition Orders Issued	Percentage
January	23	9
February	17	7
March	22	8
April	18	7
May	17	7
June	25	10
July	29	11
August	25	10
September	15	6
October	20	8
November	25	10
December	19	7
<b>Total</b>	<b>255</b>	<b>100</b>

Zone	Prohibition Orders Issued	Percentage
Zone 1 (Oakland)	64	25
Zone 2R (Berkeley & West Contra Costa County)	36	14
Zone 2C (East Contra Costa County)	37	15
Zone 3 (South Alameda County)	49	19
Zone 4 (San Francisco County)	50	20
Zone 5 (San Mateo County)	19	7

<b>Total</b>	<b>255</b>	<b>100</b>
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<b>Station</b>	<b>Prohibition Orders</b>	<b>Percentage</b>
12 <sup>th</sup> Street (Oakland)	10	4
16 <sup>th</sup> Street (San Francisco)	6	2
19 <sup>th</sup> Street (Oakland)	1	0
24 <sup>th</sup> Street (San Francisco)	1	0
Ashby (Berkeley)	5	2
Balboa Park (San Francisco)	1	0
Bay Fair (San Leandro)	12	5
Berkeley	2	1
Castro Valley	3	1
Civic Center (San Francisco)	10	4
Coliseum (Oakland)	10	4
Colma	1	0
Concord	9	4
Daly City	7	3
Dublin Pleasanton	3	1
El Cerrito Del Norte	15	5
El Cerrito Plaza	4	2
Embarcadero (San Francisco)	11	5
Fremont	7	3
Fruitvale (Oakland)	7	3
Glen Park (San Francisco)	4	2
Hayward	11	5
Lafayette	3	1
Lake Merritt (Oakland)	8	3
MacArthur (Oakland)	12	5
Millbrae	2	1
Montgomery Street (San Francisco)	1	0
North Berkeley	1	0
North Concord	3	1
Pittsburg	16	6
Pleasant Hill	1	0
Powell Street (San Francisco)	17	7
Richmond	11	5
San Leandro	6	2
San Francisco Airport	2	1
South Hayward	2	1
South San Francisco	6	2
Union City	3	1
Walnut Creek	3	1
West Dublin	1	0
West Oakland	17	7

41 Stations	255	100
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**Public Utilities Code Section 99171(a) (1) (A)**

There have been 11 violations from January 1, 2015 to December 31, 2015. No one was cited on three separate occasions within a period of 90 consecutive days.

<b>Violation</b>	<b>Description</b>	<b>Number of Violations</b>
640(d)(3) PC	Urinating/Defecating	1
640(d)(4) PC	Blocking Free Movement	10
<b>Total</b>		<b>11</b>

**Prohibition Order Statistics**  
**(From January 1, 2014 to December 31, 2014)**

Crime	Description	Prohibition Orders Issued	Percentage	In-Custody	Citations
211 PC	Robbery	33	12	33	0
215 PC	Carjacking	1	0	1	0
243/422 PC	Battery/Threats Station Agents	26	9	23	3
243/422 PC	Battery/Threats Train Operator	4	1	4	0
243/422 PC	Battery/Threats System Service	3	1	3	0
243(b)/422 PC	Battery/Threats to Officer	35	12	35	0
243(e)(1) PC	Domestic Battery	55	20	52	3
243.3/422 PC	Battery/Threats to Patrons	57	21	43	14
243.4 PC	Sexual Battery	5	2	5	0
245 PC	Assault with Deadly Weapon	12	4	12	0
273d PC	Child Abuse	1	0	1	0
314 PC	Indecent Exposure	19	7	19	0
417 PC	Brandishing Weapon	10	4	9	1
647 PC	Lewd Conduct	5	2	4	1
647.6(a) PC	Annoy/Molest Child Under 18	1	0	1	0
11351 H&S	Sales of Illegal Narcotics	14	5	14	0



<b>Total</b>		<b>281</b>	<b>100</b>	<b>259</b>	<b>22</b>
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<b>Crime</b>	<b>Description</b>	<b>Arrests</b>	<b>Prohibition Appeals</b>	<b>Mental Illness *</b>	<b>Homeless</b>	<b>Juvenile (&lt;18)</b>
211 PC	Robbery	33	1	0	4	7
215 PC	Carjacking	1	0	0	0	0
243/422 PC	Battery/Threats to Employees	26	1	1	7	1
243/422 PC	Battery/Threats Train Op	4	0	0	0	0
243/422 PC	Battery/Threats System S	3	0	0	0	0
243(b)/422 PC	Battery/Threats to Officers	35	0	4	3	2
243(e)(1) PC	Domestic Battery	55	0	0	2	3
243.3 PC	Battery/Threats to Patrons	57	2	3	7	4
243.4 PC	Sexual Battery	5	0	0	1	0
245 PC	Assault w/ Deadly Weapon	12	1	0	3	1
273d PC	Child Abuse	1	0	0	0	0
314 PC	Indecent Exposure	19	0	1	4	0
417 PC	Brandishing Weapon	10	1	0	2	0
647a PC	Lewd Conduct	5	0	0	2	0
647.6(a) PC	Annoy/Molest Child	1	0	0	0	0
11351 H&S	Sales of Illegal Narcotics	14	0	0	0	1

<b>Total</b>		<b>281</b>	<b>6(2%)</b>	<b>9(3%)</b>	<b>35(12%)</b>	<b>19(7%)</b>
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\*In all cases involving mental illness issues, subjects are transported to and evaluated at a psychiatric facility prior to being booked at the jail.

<b>Crime Classification</b>	<b>Prohibition Orders Issued</b>	<b>Percentage</b>
Felony	71	25
Misdemeanor	210	75
<b>Total</b>	<b>281</b>	<b>100</b>

<b>Gender</b>	<b>Prohibition Orders Issued</b>	<b>Percentage</b>
Male	227	81
Female	54	19
<b>Total</b>	<b>281</b>	<b>100</b>

<b>Ethnic Background</b>	<b>Prohibition Orders Issued</b>	<b>Percentage</b>
Black	174	61
Hispanic	53	19
Other	13	5
White	41	15
<b>Total</b>	<b>281</b>	<b>100</b>

<b>Age</b>	<b>Prohibition</b>	<b>Percentage</b>
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	<b>Orders Issued</b>	
17 & Under	19	7
18 to 25	86	31
26 to 35	75	27
36 to 45	39	14
46 to 55	38	13
56 +	22	8
<b>Total</b>	<b>281</b>	<b>100</b>

<b>Age/Ethnic Background</b>	<b>Black</b>	<b>Hispanic</b>	<b>Other</b>	<b>White</b>
17 & Under	13	4	0	2
18 to 25	55	15	4	14
26 to 35	47	17	2	9
36 to 45	23	5	4	7
46 to 55	22	9	2	5
56 +	14	3	1	4
<b>Total</b>	<b>174</b>	<b>53</b>	<b>13</b>	<b>41</b>

<b>Month</b>	<b>Prohibition Orders</b>	<b>Percentage</b>
January	20	7
February	19	7
March	20	7
April	21	8
May	28	10
June	27	10
July	27	10
August	23	8
September	28	10
October	21	7
November	26	9
December	21	7
<b>Total</b>	<b>281</b>	<b>100</b>

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Zone	Prohibition Orders	Percentage
Zone 1 (Oakland)	68	24
Zone 2R (Berkeley & West Contra Costa County)	24	8
Zone 2C (East Contra Costa County)	36	13
Zone 3 (South Alameda County)	69	25
Zone 4 (San Francisco County)	70	25
Zone 5 (San Mateo County)	14	5
<b>Total</b>	<b>281</b>	<b>100</b>

Station	Prohibition Orders	Percentage
12 <sup>th</sup> Street (Oakland)	4	2
16 <sup>th</sup> Street (San Francisco)	1	0
19 <sup>th</sup> Street (Oakland)	5	2
24 <sup>th</sup> Street (San Francisco)	4	2
Ashby (Berkeley)	1	0
Balboa Park (San Francisco)	9	3
Bay Fair (San Leandro)	20	8
Berkeley	2	1
Castro Valley	4	2
Civic Center (San Francisco)	19	7
Coliseum (Oakland)	8	3
Concord	14	5
Daly City	7	3
Dublin Pleasanton	7	3
El Cerrito Del Norte	14	5
El Cerrito Plaza	2	1
Embarcadero (San Francisco)	5	2
Fremont	8	3
Fruitvale (Oakland)	15	6
Glen Park (San Francisco)	1	0
Hayward	15	6
Lake Merritt (Oakland)	13	5
MacArthur (Oakland)	10	4
Millbrae	2	1
Montgomery Street (San Francisco)	4	2
North Berkeley	2	1
North Concord	4	2
Orinda	2	1
Pittsburg	4	2
Pleasant Hill	5	2
Powell Street (San Francisco)	26	10
Richmond	4	2
Rockridge (Oakland)	4	2
San Bruno	3	1

San Leandro	7	3
San Francisco Airport	1	0
South Hayward	4	2
South San Francisco	2	1
Union City	3	1
Walnut Creek	6	2
West Dublin	1	0
West Oakland	9	3
<b>41 Stations</b>	<b>281</b>	<b>100</b>

### Public Utilities Code Section 99171(a) (1) (A)

There have been 6 violations from January 1, 2014 to December 31, 2014. No one was cited on three separate occasions within a period of 90 consecutive days.

Violation	Description	Number of Violations	Percentage of Total Violations
640(d)(1)	Penal Code - Willfully disturbing others on or in a system facility or vehicle by engaging in boisterous or unruly behavior.	0	0
640(d)(3)	Penal Code - Urinating or defecating in a system facility or vehicle, except in a lavatory. However, this paragraph shall not apply to a person who cannot comply with this paragraph as a result of a disability, age, or a medical condition.	6	100
<b>Total</b>		<b>6</b>	<b>100</b>