

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

POLICE DEPARTMENT

This document is the NOBLE Management Audit Response Matrix. The NOBLE Audit Report is broken into 16 chapters of recommendations, which focuses on 25 key areas of concerns. I am pleased to report that we have accepted and have been working on implementing the majority of the recommendations. Although I feel we have made substantial progress in our efforts, we definitely still have much more work to do on re-building the police accountability and management systems from the ground up.

The following five goals were established for the organization by the BART General Manager:

- Strengthening service to our customers (visibility)
- Strengthening management oversight of the department (accountability)
 - Current policies
 - Formalize process for tracking policies
 - Assured delivery of increased training
- Strengthening services to our communities
 - Cultural groups/activities
 - Cultural competence
- Helping to establish citizen oversight
- Provide support & resources to PD employees (morale)

Using the corresponding numerical number in front of the before mentioned priorities, I have categorized each of the specific recommendations from the NOBLE Audit under one of the priorities. Along with the category that the recommendation falls under, the matrix also lists the major key area of concern, a brief description of the recommendation, the page number the specific recommendation can be found on in the NOBLE Audit, the current disposition of the recommendation, any department action that has been taken regarding the recommendation, and who his responsible for follow up or follow through for the completion of each specific recommendation.

Description	Report Page	Disposition	Department Action	Category	Committee
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Going forward, we will report out on our progress on the NOBLE Audit twice a year (June & December). We also will begin to vet our department actions regarding each recommendation through our newly established Citizen Review Board (CRB).

Chief Kenton W. Rainey

NOBLE BART Management Audit Response Matrix

Description, (including NOBLE recommendations)	Report Page	Disposition	Department Action	Categor y	Committee Name
CULTURE					
BART PD should form a proactive Police Advisory Board to provide non-binding feedback on proposed significant initiatives.	34	Completed/ Ongoing	<p>After the CRB is seated the COP will evaluate the need to implement this recommendation</p> <p>July 2010- December 2011, the chief has met with multiple partners and stakeholders throughout the District, some are listed below:</p> <p>James Keys, Crisis Prevention Chair of SF Mental Health Board Pastor McDaniel Oakland</p> <p>Oakland Private Industry Council, Alameda County Social Services Agency, Eastmont area, represented by Roger Stanten</p> <p>George Holland, (NAACP)</p> <p>Dr. Elnora Webb, Laney College President</p> <p>Ron Doyle, 7th Step Foundation, Inc.</p> <p>Piriam Pong, Greek Orthodox Representative</p> <p>George Holland SF NAACP, Rev. Amos</p>	3	Chief

			Brown and Oakland NAACP, Cephus Johnson, Oscar Grant Foundation		
RECRUITMENT & SELECTION					
BART PD should require essential signatory documents be signed by police officer candidates as a condition of employment. <ul style="list-style-type: none"> • Core Values • Vision Statement • Mission Statement • Law Enforcement Code of Ethics • Canons of Law Enforcement Ethics • Law Enforcement Oath of Honor. 	38	Completed/ Ongoing		5	Chief
BART PD should establish Recruitment and Retention Advisory Council represent cross section of private and public employees, community members and stake-holders receiving BPD law enforcement services.	39	Completed/ Ongoing	Two members of the CRB, two members from the BPOA along with BART HR, BART PD personnel and training comprise the Recruitment/Retention Committee. The Committee meets monthly. Projected	3	Acting Deputy Chief Haight & Lt. Gregson

			<p>completion of plan by September 2013. An example of actions taken pursuant to the Committee's recommendation is as follows: Pre-Hires waiting to attend an academy are provided instruction designed to increase their likelihood of success. Areas of instruction include, but are not limited to, report writing (taught by an academy instructor); firearms (from BART PD Range Staff); Physical Training (the PT instructor is a former RTO). Pre-hires also view POST Training DVD's and participate in ride-alongs (with patrol officers) and sit-alongs (in Dispatch) and given formal quizzes on police/academy related material. A Recruitment and Retention Committee (RRC) meeting was held Jan 16, 2015. The next meeting is scheduled for Feb. 6, 2015. The last RRC meeting occurred in Mar 2015. Next RRC committee meeting scheduled for July 2015. RRC recommendations will be listed in the</p>		
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			<p>Recruitment and Retention Plan due to be completed in Sept 2016. RRC Meetings continue quarterly and pre-hires awaiting academy are being instructed and prepared for academy life and success. Additionally, Civilian Review Board (CRB) and community members continue to participate as oral exam panelists for police officer, CSO and dispatcher hiring. Next RRC meeting, Feb, 11th or 12th, 2016. RRP was submitted for review, Dec 2015. Feb. 2016, a request was made to the BPOA President seeking a recommendation of a second BPOA rep to serve as a committee member. Officer R. Jacobson and CSO Rich Nagata serve as the BPOA representatives.</p> <p>Recruitment Committee Meeting on 9/12/16</p> <p>Plan will be updated and posted on G drive by Nov 2016.</p>		
BART PD should recruit qualified individuals from both private and public organizations who possess the following	40	Completed/ Ongoing		3	Deputy Chief Glenn-Davis & Lt. Gregson

<p>characteristics;</p> <ul style="list-style-type: none"> • Integrity • Service orientated • Interpersonal relations • Team compatibility • Performance driven 					
<p>BART PD should work to build a strong relationship with the community by identifying key community and business leaders. Suggest partnerships to include military, colleges, high school counselors, community-based organizations, student associations and private customer service organizations.</p>	41	Completed/ Ongoing		3	Deputy Chief Glenn-Davis & Lt. Gregson
<p>BART PD should develop a flexible profile of an effective police officer by identifying the “most viable candidates.” BPD should identify the knowledge, skill, abilities, education, training, behaviors and traits that make an effective officer. This identifies a target upon which selection is based.</p>	42	Completed/ Ongoing		3	Deputy Chief Glenn-Davis & Lt. Gregson

<p>BART PD should continue to conduct ongoing studies on where police recruit candidates come from and why they want to work for BPD.</p>	<p>43</p>	<p>Completed/ Ongoing</p>	<p>We have implemented a questionnaire and report for this information. Both are now part of our recruiting process. BPD has begun collecting information toward implementation of an ongoing analysis. Information from April 20, 2013, testing. Recruitment data reveals 36% Internet, 21% Friend, 18% BART Employee, 8.5% Relative, 8% Station/Train Ad, 4.3% Other, 3% Job Fair. Applicants Hired: 36% Originated from another BART Employee, 36% Originated from an Internet Ad, 27% Originated from a Friend. This DATA is YTD May 2013. Data reveals that internet sources of advertisements are effective and should be continued. Also noteworthy are the number of referrals from employees. P&T continues to encourage employees to recruit viable candidates. Also, P&T sends position posting information to employees for dissemination. Community Policing emphasis and current employees' satisfaction levels appear to be the main reasons applicants seek employment at BART PD.</p>	<p>2</p>	<p>Acting Deputy Chief Haight & Lt. Gregson</p>
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			<p>Recruiting data is gathered from “successful candidates” (reach the background phase). The reason why candidates want to work for BPD is asked specifically on the oral panel interview. As of May 2014, to Dec 2014, 41% of successful candidates were recruited by another BART employee, 27% via internet, 24% by friend, 22% by a relative, 3% job fairs and 3% from PORAC. Jan – Jun 2015, successful candidate referrals: 42% internet, 22% friend, 19% BART employee, relative 1%, PORAC and other 2% according to tracked statistics by the Training CSO. Aug – Dec 2015: approximately 60% internet (12 – BART. Gov, 14 – Google, 8 – Indeed, 1 – gov.jobs, 1 – LinkedIn, 10 – P.O.S.T), 34% BART emp., 1% friend, PORAC ads, misc. advertisements 10% (note: some candidates marked more than 1 applicable answer). January to July 2016, 52.2% by Internet 34.8% by BART employee, 21.7% by Job fair, 17.4% by Flyer Poster or Billboard, 8.7% by Friend or Relative.</p>		
BART PD should analyze recruitment effort by recognizing	44	Completed/ Ongoing	We have completed a preliminary analysis, and will continue to	2	Acting Deputy Chief

<p>how much the Department knows about its past recruitment efforts.</p>			<p>gather data, refine the process and report results. 2012 recruitment data and 2013 recruitment data are trending the same. Most applicants are informed about hiring via BART employees, the internet or a friend/relative. Data is still being collected and the latest findings will be documented in an end-of- year report, to be submitted by Feb 28, 2015. Data collected from Jan-June 2015. See item #43. Data collected Aug-Dec 2015, see #43.</p>		<p>Haight & Lt. Gregson</p>
<p>BART PD should develop a recruitment plan that addresses the questions of what qualities are desired, where and how your agency will find candidates with the desired qualities, and how the Department will achieve its recruitment goals.</p>	<p>45</p>	<p>Accepted/In Progress</p>	<p>A recruitment plan will be-incorporated as part of our strategic plan. Recruitment/Retention Plan has been initiated through the recruitment and retention committee. Draft submitted June, 2014. A number of recommendation from the RRP draft have been implemented such as: partnering with academic institutions, job fairs and special events, diversity recruitment, utilizing BART website for recruiting, mentoring program, Explorer Program. Projected RRP completion date of September 1, 2014. We continue to expand our recruitment efforts. A RRP draft was submitted and is currently being re-drafted. RRP to be</p>	<p>2</p>	<p>Acting Deputy Chief Haight & Lt. Gregson</p>

			submitted by Feb 9, 2015. RRP re-draft submitted Jun 2015 to the Personnel & Training (P&T) Lieutenant and is currently under review. Final draft due in Sept 2015. RRP was approved and signed off by the COP on 1/16/2016. Plan will be updated and posted on G drive by Nov 2016.		
BART PD should not require more than two round-trip visits to complete the entire application process for out-of-state police officer candidates.	47	Completed/ Ongoing	At the April 2012 test date, an out-of-state applicant was allowed to complete the written, physical and oral board testing in one day. Current applicants are now allowed to complete the polygraph, medical, and psychological evaluation on a second visit.	2	Deputy Chief Glenn-Davis & Lt. Gregson
BART PD should ensure contact is maintained with applicants for all positions from initial application to final employment disposition.	48	Accepted/Completed	Although we already maintain contact with applicants we will develop recruitment protocols and a written procedure will be incorporated into our RRP (which has a projected completion of September 2013) Applicants are typically notified 30 days) prior to practice test/ informational session. Applicants are typically notified 30 days prior to entry level testing. Applicants are typically notified of results, 3 weeks after entry level testing Applicants are notified of status and	3	Acting Deputy Chief Haight & Lt. Gregson

			<p>duration of eligibility within two weeks after interview assessment. Applicants placed in eligibility pool are notified on date of expiration. Applicants in background phase are typically contacted weekly informing them of the status of their background investigation. Written procedure on-going, being addressed by RRP Committee. Applicants who are in the "ready file" waiting to be assigned to a background investigator (BI) are contacted via email every month by the Training Sgt. advising them of their status. The process of regular and consistent communication with applicants continues. Dec. 2015, spot audit conducted and discovered that 3 candidates were inadvertently not notified of their status in the background phase. P&T has implemented a methodology to ensure that candidates are notified. The COP will be receiving confirmation on a monthly basis that email notification was sent to all applicants in the "ready file" awaiting to be assigned a background investigator</p>		
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			of their current status. COP is receiving an email on a monthly basis confirming applicants in "ready file" are being contacted on a monthly basis advising of their status.		
BART PD should adapt a customer-focused hiring philosophy through personalizing the recruitment process.	49	Completed/ Ongoing	We have implemented a "practice" physical agility (open to all, but geared toward female candidates) to assist with successful completion of that portion of the exam. We have also implemented a pre-test informational seminar to provide testing tips/information to candidates. The Department is implementing a "family orientation night," scheduled for Sept 6, 2014 which is designed to inform/educate attendees about the BPD/law enforcement. We will work with CRB to look at implementing other desirable, customer-focused practices (to be codified in RRP, projected completion by September, 2015. In addition, personal contact is maintained with applicants in the backgrounds phase (on a monthly basis throughout the background) in order to keep them up to date on their status. Members from the P&T Unit and	3	Acting Deputy Chief Haight & Lt. Gregson

			<p>HR regularly attend job fairs, academies, public events, colleges. Presentations to potential applicants includes, but is not limited to, an overview of BART and the system map, information about special assignments; BART and BPD (i.e. expansion, ridership, # of employees, etc.); typical shifts; types of cases; benefits; testing tips, etc.</p> <p>Family Night Draft to be submitted to Command Staff for discussion by August 5, 2014.</p> <p>The first "Family Day" was held in Sept 2014 and was attended by newly hired police officers and their families. The event was very well received. Attendees completed an evaluation/questionnaire which included suggestions on how the event can be improved. The date for the next BPD Family Day is, Aug 1, 2015. Candidate backgrounds will be assigned to background investigators by the P&T Sergeant within 3 months after the candidate's successful passing of the oral panel examination (absent any hiring holds due to the lack of position openings). Dec. 2015, No changes, on-going.</p>	
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			Will hold 4 officer test dates in 2017.		
BART PD should conduct behavioral-based interviews are recommended. Interview questions must be based on job-related knowledge, skills, abilities, behaviors and traits.	50	Completed/Ongoing		2	Deputy Chief Glenn-Davis & Lt. Gregson
BART PD should develop a writing exercise component as part of the application process to assess written communication skills. A written communication standard should be set.	52	Completed/Ongoing		2	Deputy Chief Glenn-Davis & Lt. Haight & Sgt. McCarty
BART PD should expose recruits' families to law enforcement culture/family orientation.	53	Accepted/Completed	Police Academies used by BPD have family-centered events which expose families to law enforcement culture during the academy and graduation. BPD has a family focused swearing-in and promotional event. BPD is planning a "Family Night" event scheduled for Sept 6, 2014. Family Day was held in Sept 2014 and was attended by newly hired officers and their families. The event was very well received. Family Day was held on Aug 1, 2015 and was well attended. Dec 2015: Discussion to expand Family Day to families of all newly hired police personnel, not just sworn. Next Family day	5	Acting Deputy Chief Haight & Lt. Gregson

			is scheduled for April 23, 2016. Next Family Day will be held Jan. 2017.		
TRAINING					
BART PD should establish a Training Committee and develop a written policy to outline the composition, duties and responsibilities, composition of, meeting schedule, and the designated chairperson of the Committee	58	Completed/ Ongoing	P&T Lieutenant is currently updating the Training Plan. Update will be completed by January 2014.	2	Deputy Chief Glenn-Davis & Lt. Gregson
BART PD should establish a written directive that governs training attendance requirements.	59	Completed		2	Deputy Chief Glenn-Davis & Lt Gregson
BART PD should establish a written directive that governs reimbursement to employees attending applicable training programs.	60	Completed		2	Deputy Chief Glenn-Davis & Lt. Gregson
BART PD should ensure that courses developed within the BART PD are routinely sent to POST for certification.	61	Completed/ Ongoing		2	Deputy Chief Glenn-Davis & Lt. Gregson
BART PD should develop and publish a directive establishing policy concerning remedial training.	62/63	Completed/ Ongoing		2	Deputy Chief Glenn-Davis & Lt. Gregson
BART PD should develop and publish a directive establishing policy concerning the documentation of	62/63 <i>see above</i>	Completed		2	Deputy Chief Glenn-Davis, Lt.

remedial training.					Gregson & Lt. Forte
BART PD needs to undertake an evaluation and analysis of the Training records, maintenance protocols and system.	64	Completed/ Ongoing	Training orders are current in TMS. Protocols are in place to keep training records current.	2	Deputy Chief Glenn-Davis Lt. Gregson & Lt.
BART PD should consolidate the policies and procedures relating to training (recruit and CPTN) in one directive.	66	Completed		2	Deputy Chief Glenn-Davis Lt. Gregson
Despite the ability to waive the field training requirement for lateral entry officers, BART PD should continue to put each new officer through the entire program.	67	Completed/ Ongoing		2	Deputy Chief Fairow & Lt. Alvarez
BART PD should expand the list of courses in the Training Plan to include more courses in communication, verbal judo, human diversity, handling emotionally disturbed persons, community policing, etc.	70	Completed	In addition to relevant POST-mandated training, the vast majority of command officers, sergeants, and FTOs have received Fair & Impartial Policing Training (newly promoted FTOs and an externally-promoted sergeant have not received the training). Patrol personnel have received similar training from CPE. BPD to sponsor training of in-house (Dept.) trainers for F&I Training by Sep. 2013 (registration via DOJ).	2	Deputy Chief Glenn-Davis Lt. Gregson
BART PD should develop and publish a written directive that outlines the policy and procedures concerning	72	Completed		2	Deputy Chief Glenn-Davis Lt. Gregson & Lt.

in-service, shift briefing and advanced training.					Alvarez
BART PD should develop and publish a written directive describing the policies, procedures and purposes of shift/roll call training.	74	Completed/ Ongoing		2	Deputy Chief Fairrow Lt. Gregson & Lt. Alvarez
BART PD should develop and publish a written directive describing the policies, procedures relating to specialized assignments and any pre-or post-training required for the position.	75	Completed/ Ongoing		2	Deputy Chief Glenn-Davis, Lt. Gregson & Lt. Alvarez
BART PD should develop and publish a written directive that documents the training requirements for all SWAT Team training.	76	Completed/ Ongoing		2	Deputy Chief Fairrow & Lt. Franklin
BART PD should develop and publish a directive devoted to the training requirements for non-sworn employees.	77	Completed/ Ongoing		5	Deputy Chief Glenn-Davis & Lt. Gregson
Using the Training Plan as a foundation, establish a career development plan and publish a written directive outlining the policies and procedures associated with the plan. This plan should facilitate BPD employees' vertical or horizontal career plan development goals/ aspiration.	78	Accepted/ In Progress	Career development plan draft submitted for review to Deputy Chief Glenn-Davis, October 1, 2014. Final draft of the Career Development Plan has been submitted for review. Estimated completion in March 2015. Career Development Plan is being redrafted by Lt. Gregson. Plan will:	5	Acting Deputy Chief Haight & Lt. Gregson
			<ul style="list-style-type: none"> • directly relate to Training Plan, • explain that mentoring 		

			<p>is a dual responsibility for mentor and mentee</p> <ul style="list-style-type: none"> • outline what employees can do to gain experience • explain that productivity is a factor in selection for special assignments/training/promotions • will explain the need for effective evaluations in employee development <p>reference training and education opportunities such as POST courses and BART educational reimbursement. Due 1/1/2017.</p>		
Defensive Tactics	79	Completed/ Ongoing	<p>A comprehensive Defensive Tactics curriculum has been incorporated in the annual training schedule (including AOT). In 2011 officers completed approx. 18 hours of DT training (including IW; TASER; Force Options, and handcuffing techniques training). The curriculum is based on POST requirements, law enforcement best practices, and recommendations from the BPD Use of Force committee. BART has mandated that sworn personnel receive a minimum of 40 hours of training a year. We have incorporated this recommendation into our in-house CPTN.</p>	2	

Training Unit to be Commanded by Lieutenant and staffed by civilians.	79	Completed	A lieutenant has been assigned to oversee the Training Unit. BPD does not accept the recommendation to civilianize the unit at this time.	2	Chief Rainey, Deputy Chief Glenn-Davis & Lt. Gregson
Increased supervisory focus on COPPS/POP. and directed patrol activities.	79	Completed/ Ongoing		2	Deputy Chief Fairrow
Executive Training	79	Completed/ Ongoing	Executive team and lieutenants attend POST management and executive courses (including the Role of a Police Chief). They also attend PERF's Senior Management In Policing (SMIP) training seminar and NIMS/SEMS training.	5	Chief & Deputy Chief Glenn-Davis
Community Policing	79	Completed/ Ongoing	<p>The Department reorganized to incorporate a geographic team policing structure in support of the COPPS philosophy beginning January 2012. The District now has five zones, each led by lieutenants with 24/7 accountability for their zones.</p> <p>Zone CSO liaisons are currently being assigned to work with the COPPS unit and meeting regularly to implement strategies at the Zone level. SGTs have assigned PSAs as of April 2012.</p> <p>Beginning in January 2013, there will be a total</p>	2	Chief & Deputy Chief Fairrow

			of six zones (splitting Z2) for the purposes of better resource deployment and targeting of problems.		
Evaluation of SWAT	80	Accepted/ Pending	<p>Chief of Police supports the concept of the SWAT Team, but is requesting a peer advisory review for the need of a SWAT Team.</p> <p>Peer advisory completed by American Public Transportation Association on June 26, awaiting finalized document from APTA. Final report in, and APTA recommended the creation of an "All Hazards" team to combine SWAT and the TAC team. The recommendation is being reviewed by Chief for decision by June 2015.</p> <p>The BART Board of Directors, GM, and Unions were advised on 06/09/15 of the Department's intent to phase out the SWAT and Tactical Teams in favor of an "All Hazards" team. Implementation is expected by January 2016 and research is currently underway into establishing MOU's with Sheriff's Departments for the remaining services for which a SWAT team might be needed.</p> <p>MOUs for SWAT</p>	2	Chief & Deputy Chiefs

			<p>services have been established with the Alameda and San Mateo Counties. A draft agreement has been crafted with the City and County of San Francisco and is currently under review. Discussions to join the Central County SWAT Team, in Contra Costa County, are underway. On July 13, 2016, three BART Officers were selected to the Central County SWAT Team. They have been deployed for three call outs and one planned Operation. BART SWAT Team will be phased out on 10/1/2016.</p>		
Evaluation of Tactical Unit	80	Accepted/ Pending	<p>Draft evaluation being reviewed. Chief of Police supports the concept of the Tactical Team, but is requesting a peer advisory review for the need of a Tactical Team. Peer advisory completed by American Public Transportation Association on June 26, awaiting finalized document from APTA. Final report in and APTA recommended the creation of an "All Hazards" team to combine SWAT and the TAC team. The recommendation is being reviewed by Chief for decision by June 2015.</p>	2	Chief & Deputy Chiefs

			<p>The BART Board of Directors, GM, and Unions were advised on 06/09/15 of the Department's intent to phase out the SWAT and Tactical Teams in favor of an "All Hazards" team. Research is currently underway into establishing MOU's with Sheriff's Departments for the remaining services for which a SWAT team might be needed. Implementation is expected by January 2016.</p> <p>MOUs for SWAT services have been established with the Alameda and San Mateo Counties. A draft agreement has been crafted with the City and County of San Francisco and is currently under review. Discussions to join the Central County SWAT Team, in Contra Costa County, are underway. On July 13, 2016, three BART Officers were selected to the Central County SWAT Team. They have been deployed for three call outs and one planned operation.</p> <p>Reorganized the Critical Asset Patrol Team, Assigned two patrol officers to the Contra Costa Mobile Field Force, updates to Policy 459 to reflect the changes, and</p>		
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			Department wide training to be conducted on crowd control.		
Evaluation of Revenue Protection	81	Do not recommend at this time	No action taken	2	Chief
Fare Evasion (Also see Racial Profiling Policy, Report pg. 121, Audit pg. 9)	81	Completed	Lexipol Policy #419 BPD developed a comprehensive program and training curriculum with the Center for Policing Equity (CPE) to eliminate/prevent bias-based policing and racial profiling. CPE Training, review, and analysis began the 1 st quarter of 2012. Patrol personnel have received the training.	2	Deputy Chief Glenn-Davis & Lt. Gregson
Visibility	82	Completed/ Ongoing	It has been emphasized by the General Manager and re-emphasized during our Team Building Workshop occurring early in 2011 and during daily lineups that our presence on the trains, platforms & garages is a top priority of the District and our customers. A Directed Patrol program, started in January 2011, assigns personnel to platforms and trains during key times. This is currently tracked via our Performance Measures report Patrol Officers also work with the Community Policing Unit to ensure increased presence in key locations and at peak times in order to not only increase visibility, but to	1	Chief & Deputy Chief Fairrow

			make that visibility meaningful. Lastly, personnel are assigned to the Trans-Bay Tube portal station platforms during commute hours. As of October 0f 2012, officers have increased their patrol train rides to 4 per shift.		
BART PD should utilize a formal in-depth post-training academy designed to provide any information which is not ideally suited for the basic training academy, but would be advantageous to candidates prior to beginning field training.	84	Completed/ Ongoing	As part of the Field Training Program (FTP), a comprehensive 4 week in-house training program, is in place for newly hired officers. Field Operations Concentrated Uniform Session (FOCUS), is designed to facilitate the transition of the new employee to their role as a BART police officer, prior to the start of their in-field training. FOCUS provides training in the following areas: Arrest & Control; impact weapons; firearms; report writing; Alliance report writing software; system orientation; Telestaff & scheduling; Lexipol & FTP policies; Terrorism and security awareness; ECD (Taser); Axon Flex (MVR); AB-716 prohibition orders; use of police radio and procedures; Internal Affairs; Cash Handling Bldg. tour; Intro to Detective Unit; ISRC Orientation; Ethical use of force training; Train searches and high risk car stops; Traffic	2	Deputy Chiefs, Glenn-Davis &. Lts. & Gregson

			Investigation; DUI investigation; Laws of arrest; Video recovery unit; Narcotics training; train yard tour; BAP & payroll ; BPOA; evidence processing; 6 formal tests on material covered/presented in FOCUS training. AB-716 (Prohibition Orders) training is now included in the FOCUS training curriculum and additional changes may be forthcoming pursuant to an on-going review of the Program.		
BART PD should implement a leadership succession plan to assist in the development of supervisors' decision-making and leadership skills as it relates to preventing racial profiling.	86	Accepted/ Ongoing	<p>Ranks of Lt.'s and above attend POST's <i>Role of the Police Chief</i> and <i>Executive Development Courses</i> and PERF's Senior Management Institute for Police (SMIP). Sgt.'s are encouraged and allowed to attend POST's Supervisory Leadership Institute (SLI).</p> <p>All permanently assigned lieutenants and DC's have attended the POST <i>Role of the Chief's</i> course. All DC's attended the <i>Role of the Chief</i> in 2015. One (1) Lt. to attend <i>Role of The Chief</i> in 2016.</p> <p>All 3 DC's and six of eleven lieutenants have attended SMIP in</p>	5	Chief & Acting Deputy Chief Haight

			<p>Boston. One additional lieutenant to attend SMIP in Jun/July 2015. As of Dec. 2015, 7 Lt's have completed SMIP, with 3 more enrolled for 2016 sessions, and the last remaining LT. to attend in Summer of 2017.</p> <p>A total of eleven (11) sergeants have completed POST's Supervisory Leadership Institute (SLI); two (2) sergeants are currently attending SLI. As of Dec. 2015, 11 Sgt's have completed SLI (2 SLI Sgt.s retired in 2015) with 3 more attending SLI in 2016.</p> <p>BPD also participates in Inner Perspectives (IP) leadership training for officers. A total of nine (9) officers have already completed IP. As of Jan. 2016, 10 officers have completed IP with 3 more attending IP in 2016. With the exception of newly promoted and/or appointed FTOs, sergeants and lieutenants, all sworn have completed Fair and Impartial Training (with the exception of one recent new-hire). The COP and all Deputy Chiefs have also completed Fair and</p>		
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			<p>Impartial Training. As of Dec. 2015, 99.50% of eligible sworn have completed F&I/ Biased Based Policing (BBP) training.</p> <p>Ranks of Lt.'s and above attend POST's <i>Role of the Police Chief</i> and <i>Executive Development</i> Courses and PERF's Senior Management Institute for Police (SMIP). Sgt.'s are encouraged and allowed to attend POST's Supervisory Leadership Institute (SLI).</p> <p>All permanently assigned lieutenants and DC's have attended the POST Role of the Chief's course. All DC's attended the Role of the Chief in 2015. One (1) Lt. to attend Role of The Chief in 2016.</p> <p>All 3 DC's and ten of eleven lieutenants have attended SMIP in Boston. The remaining lieutenant to attend in Summer of 2017.</p> <p>DC and two lieutenants have attended POST Executive Development; One lieutenant will be attending in the Fall of 2016.</p> <p>All lieutenants have attended POST Management training.</p>		
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			<p>The following have attended USC Safe Communities Institute: McCarty, Cruz, Martinez, and Scott.</p> <p>As of July 2016, 8 Sgt's have completed SLI with 4 more attending SLI in 2016.</p> <p>BPD also participates in Inner Perspectives (IP) leadership training for officers. As of July 1, 2016, 12 officers have completed IP.</p> <p>All sworn have completed Fair and Impartial Training (with the exception of one recent new-hire). The COP and all Deputy Chiefs have also completed Fair and Impartial Training. As of Dec. 2015, 99.50% of eligible sworn have completed F&I/ Biased Based Policing (BBP) training.</p>		
EQUIPMENT					
BART PD should implement RAILS because the various systems and equipment located in the old center are not integrated.	89	Accepted/ In Progress	New CAD & RMS scheduled to come online during FY 15-16 and we will evaluate whether the system adequately addresses the recommendation. Project management meetings are held and attended by BPD and IT consultants, staff. Various Dispatch personnel and Supervisors are receiving ancillary training	2	DC Fairrow Lt. Alvarez & Carissa Goldner

			(leadership/supervision, Comm. Policing, tactical, communications, etc.). The RAILS kick off meeting was held on 6/13/13. TriTech CAD System orientation was held 6/19-6/21/13 at Lake Merritt. Functionality Review held for RMS July 23-25, 2014. RMS Data Migration to be held August 18-22, 2014. CAD Functionality Review to be held September 15-19, 2014. RMS installation is scheduled to begin January 20, 2015. CAD Training is scheduled to begin 7/7/2015. RAILS CAD & Mobile brought online January 12, 2016. RMS and Field Based Reporting modules scheduled to come online by end of March 2016. RAILS Physical Security Information Management (PSIM) scheduled to come online by January, 2017.		
Communications with BART PD & BART IT <i>See below sections from page 93 & 94</i>	93	Completed/ Ongoing	Monthly information exchange meetings are held between BART PD & BART IT; the COP regularly attends (next meeting to be held January 21, 2015).	2	DC Fairrow Lt. Alvarez & Carissa Goldner
BART PD and BART IT must improve communications. BART PD should form its own Information Technology and Support Unit.	93	Do not recommend at this time	No action taken	2	Chief
BART PD should train	93	Completed/	No action taken due to	2	Deputy

<p>on RAILS and other related systems must be provided to all appropriate BART PD employees.</p>		<p>Ongoing</p>	<p>the new CAD & RMS scheduled to come online during FY 15-16 Training will occur when RAILS is implemented. Several BART PD Staff attended RAILS Kick Off meeting June 13, 2013. Entire PD will have to be trained on new IT system. CAD Training is scheduled to begin 7/7/2015. RAILS CAD, Field Based Reporting and Mobile training provided to all officers and dispatchers between July 7, 2015 and January 10, 2016. RAILS RMS Core End User training and Property/Evidence Training provided to records staff November 16 - 20. RAILS Physical Security Information Management (PSIM) Administrator and Operator Training completed July 2, 2015. Training for RMS was completed in June 2016.</p>		<p>Chief Fairrow, Acting DC Haight, Lt's. Alvarez, Gregson & Carissa Goldner</p>
<p>All personnel assigned to the communication center should be certified by the Association of Professional Communication Officers (APCO).</p>	<p>93</p>	<p>Completed/ Ongoing</p>	<p>California P.O.S.T (Peace Officer Standards and Training) has the regulatory responsibility for establishing minimum standards and qualifications for dispatchers and is the state equivalent of APCO. All Dispatch personnel should receive the mandated 24 hours of P.O.S.T training every two years. As of July, 2015, all personnel are in compliance with this</p>	<p>2</p>	<p>DC Fairrow & Lt. Alvarez</p>

			training requirement. As of July 2015, 3 Dispatchers need to complete the CIT Training. Remaining 3 will be completed by February 2016. All Dispatch personnel have completed CIT Training.		
MDT's should be installed in all appropriate BART PD vehicles.	93	Accepted/ Ongoing	New CAD & RMS scheduled to come online during FY 15-16, we will evaluate whether the system adequately addresses the recommendation. Officers are trained in the proper use of the MDTs during the FOCUS Program.	2	Lt. Alvarez & Carissa Goldner
MDT Policy	94	Completed		2	Lt. Alvarez
Need for a back-up communication center and computer system.	94	Do not recommend at this time	In the event we are unable to dispatch from the Integrated Security Response Center (ISRC), we have the ability to dispatch calls from a remote trailer located at one of our satellite facilities and from a location within Contra Costa County. However, we will continue to review our practices.	2	Lt. Alvarez & Carissa Goldner
BART PD should consider hand-held computers to facilitated completion of reports and streamline data entry.	94	Do not recommend at this time	No action taken	2	Lt. Alvarez & Carissa Goldner
BART PD should consider implementing Compstat process using new RAILS technology	94	Accepted/ Ongoing	New CAD & RMS scheduled to come online during FY 13-14. The Comp Stat process has been implemented, beginning January 2012,	2	Deputy Chief Fairrow

			and coinciding with the implementation of zone policing. Compstat has been effective with identifying crime trends, "hot spots," and helping with the deployment of different patrol strategies. The CAD/RMS Coordinator and a Zone Commander have received access to Forensic Logic and are currently testing/evaluating the program. Expected completion in September 2014. New CAD system not online, new date is August 2015. This evaluation period will continue into 2016. RAILS CAD & Mobile brought online January 12, 2016. RMS and Field Based Reporting modules came online March 31, 2016, which completed the bulk of RAILS functionality throughout the enterprise. This milestone will enable BART PD with the implementation of Compstat in the RAILS environment in December 2016.		
BART PD should consider having a liaison with the Northern California Regional Intelligence Center in San Francisco and the Joint Terrorism Task Force.	94	Completed/ Ongoing		2	Lt. Alvarez & Lt. Franklin
Basic Radio	97	Completed/		2	Deputy

Communication		Ongoing			Chief Fairrow
Procurement	102	Completed/ Ongoing		2	Lt. Alvarez
Firearms/Sig Sauer	105	Completed	See #106	2	Lt. Franklin & Range Master
BART Officers should not be permitted to purchase their own "on-duty" pistols.	106	Completed/ Ongoing	<p>Although the COP accepts, this recommendation is still under review.</p> <p>The Chief has met with the Professional Standards Deputy Chief and Training Lt. (in charge of the range staff) to begin review of the process to implement weapon standardization.</p> <p>A proposal has been submitted and is currently under review.</p> <p>New officers are issued Sig Sauer 40, Per Lexipol Policy 312, optional duty handguns are authorized. Ten manufacturers are approved. Prior to Officers changing their duty weapons they must receive approval from the Support Services Deputy Chief.</p> <p>This recommendation is still under review. A meet and confer with the BPOA and BPMA will take place in December 2016. January ,2017.</p>	2	Chief & Deputy Chiefs
BART officers should not be permitted to	106	Accepted/ Completed	Back-up firearms were eliminated by the	2	Chief & Deputy

carry back-up weapons.			interim COP The current COP recently completed a review of this recommendation. Review will be completed and authorization of back-up weapons will be reconsidered upon complete implementation of the MVR program in July 2013. COP will revisit issuing a directive authorizing the use of back up weapons in June 2015. COP will not be issuing a directive authorizing the use of back up weapons.		Chiefs
Recommend that officers carry triple retention holsters which will provide enhanced safety for officers and the general public.	106	Complete/ Ongoing	Although the COP accepts this recommendation in concept, it is still under review. All new officers are issued triple retention holsters.	2	Deputy Chief Glenn-Davis, Lt. Gregson & Range Master
An evaluation of the viability and usefulness of a SWAT unit should be assessed.	107	Accepted/ Pending	(See # 80) A peer advisory group from APTA completed its evaluation on June 26. Final report expected September 2014. APTA final report in and APTA recommended the creation of an "All Hazards" team to combine SWAT and the TAC team. The BART Board of Directors, GM, and Unions were advised on 06/09/15 of the Department's intent to	2	Chief & Deputy Chiefs

			<p>phase out the SWAT and Tactical Teams in favor of an "All Hazards" team. Implementation is expected by January 2016 and research is currently underway into establishing MOU's with Sheriff's Departments for the remaining services for which a SWAT team might be needed.</p> <p>MOUs for SWAT services have been established with the Alameda and San Mateo Counties. A draft agreement has been crafted with the City and County of San Francisco and is currently under review. Discussions to join the Central County SWAT Team, in Contra Costa County, are underway.</p> <p>On July 13, 2016, three BART Officers were selected to the Central County SWAT Team. They have been deployed for three call outs and one planned operation. Reorganized the Critical Asset Patrol Team, Assigned two patrol officers to the Contra Costa Mobile Field Force, updates to Policy 459 to reflect the changes, and Department wide training to be conducted on crowd control.</p>		
Not all Radio Patrol	107	Completed	All officers are trained in	2	Deputy

Cars are equipped with shotguns, they are optional equipment which properly trained and qualified officers may carry.			shotgun procedures. Shotguns will be required to be utilized in all active marked patrol vehicles. Complete by December 2012. Bulletin issued November 2012.		Chief Fairrow & Lt. Alvarez
BART PD should purchase a Firearm Simulator (FATS) or other similar technology	107	Completed	New FATS purchased in June of 2012. POST-certified simulator course is currently taught in the Department's annual AOT course.	2	Chief, Deputy Chiefs Glenn-Davis & Fairrow
Directive #68 is outdated and needs to be revised.	107	Completed	Directive #68 has been eliminated. Lexipol Policy 312 (Firearms) has been implemented with updated information.	2	Lt. Alvarez
Recommends that oversight be given regarding the firearms re-qualification of police officers.	107	Accepted/ Ongoing	BPD has increased re-qualification requirements to a minimum of 12 hours, annually Lexipol Policy 312 (Sect. 312.4.5) amended to codify the requirement that officers returning from extended leave re-qualify prior to their return to duty. Sect. 312.4 amended to codify the requirement for Active Shooter training. All revisions were completed March 2013.	2	Deputy Chief Glenn-Davis, Lt. Gregson & Range Master
Each officer should be issued their own TASER. Does not recommend allowing employees to purchase their own Taser.	108	Completed		2	Lt. Alvarez
The use of 40 MM chem. Launchers does not appear practical.	108	Completed		2	Deputy Chief Fairrow & Lt. Alvarez
All practice ammunition should be lead-less	109	Not recommended at	Officers only shoot at a rented facility (for low	2	Deputy Chief

during prequalification or practice.		this time	light qualifications), once a year. The Department does not use lead - less ammunition due to its high cost.		Glenn-Davis, Lt. Gregson & Range Master
Police communications' center security protocol needs to be reviewed and rewritten to address several serious issues such as: <ul style="list-style-type: none"> • Access control • Policy review 	110	Not recommended at this time/Pending	The Communication Center is now located in a secure, access controlled environment. Access by Treasury personnel is limited (for the approved purpose) and strictly controlled. Response actions completed.	2	DC Fairow & Lt. Alvarez
FACILITIES AND MAINTENANCE					
BART PD should move to a more professional building with adequate space to accommodate its headquarters staff and clerical personnel.	116	Accepted/ In Progress	Negotiations for a new police department location continue. The funding for a new building has been approved. Two possible locations were identified; LKS and MTC in Oakland. The LKS location has since been eliminated from consideration, due to seismic stability issues. The purchase of the MTC building is currently in escrow. A tentative move in date of December 2016.	5	DC Fairow & Lts. Alvarez, Haight
BART PD must push for a new police facility to house the command and clerical staff. Roll call is being held in a small room with no windows or air vents. The facility lacks adequate room for the staff which must utilize it.	117	Accepted/ In Progress	Currently working with BART Real Estate and Maintenance on recommendations, BPD meets regularly with Facilities Working Group regarding this subject. BPD delivered a list of priorities for satellite facilities to the Working Group. Funding for a new BART	5	DC Fairow & Lts. Alvarez, Lt. Haight

			Police Headquarters has been approved. The MTC Building has been identified as the target location. The purchase of the MTC Building is currently in escrow. A tentative move in date of December 2016.		
The BART PD satellite facilities are in dire need of renovation, replacement, or rebuilding. The low quality of these facilities an effective working environment serves as a disabling factor for all the employees working in them. It also creates a perception that the BART administration does not value their contribution to the BART mission.	118	Completed	BART Police has accepted control of the office.	5	Lt. Alvarez & Lt. Haight
RACIAL PROFILING					
BART PD should establish and implement a racial profiling policy that is known and adhered to by all members of the police department.	121	Completed		2	DC Jennings & Lt. Alvarez
The Chief of Police should conduct annual internal reviews of the policies and procedures to determine if policy or procedural changes need to be made when applicable.	123	Accepted/ In Progress	Policy updates are done bi-annually through Lexipol.	2	Chief, Deputy Chiefs
To protect the officers from unwarranted accusations of racial profiling and misconduct the BART PD should establish	124	Completed	Signed a Letter of Intent to work with the Consortium for Policing Equity (CPE) to develop a comprehensive program to address	2	Lt. Gregson

<p>policy and procedure for the enforcement of fare evasion.</p>			<p>biased-based policing and racial profiling in-progress. BPD personnel interviews completed; additional CPE assessment scheduled CPE has visited BART and completed internal and external stakeholder interviews. BART Legal is reviewing CPE/BART MOU. Once the MOU has been signed we will work with CPE to develop a comprehensive fair and impartial policing program. BPD command staff, sergeants and FTOs attended Fair and Impartial Policing Training. BPD is awaiting POST approval for an in-house F&I training class to be taught by certified BPD F&I instructors to BPD personnel.</p>		
<p>All BART PD officers should receive training on racial profiling.</p>	<p>125</p>	<p>Completed/ Ongoing</p>	<p>Patrol personnel have received the CPE training. The Department will sponsor training of in-house F&I trainers. Prospective trainers will register to attend to attend a (DOJ-sponsored) F&I "train the trainers" course by September 2013. Officers received Racial Profiling training in AOT in 2012 and received Racial Profiling updated training in 2013. Oct 2013: Training of F&I instructors was canceled due to labor</p>	<p>2</p>	<p>Deputy Chief Glenn-Davis & Lt. Gregson</p>

			<p>strike. Projected completion of the training of F&I instructors projected by March 2014. BPD is awaiting POST approval for an in-house F&I training class to be taught by certified BPD F&I instructors to BPD personnel. POST certification pending for January 2015.</p> <p>Officers received 4 hours of F&I training in 2014 AOT. 44 officers and 2 sergeants have been trained in F&I since September 2014.</p> <p>F&I course for sergeants and DC to be held in late March 1, 2015. F&I training to commence again in February 2015 (tentatively scheduled for 2/12). June 2015, 99.50% of department personnel received fair & impartial training.</p>		
The BART PD should stop conducting racial profiling training in DVD format and initiate instructor led training.	127	Completed	BPD has implemented instructor-led training in this area. We continue to use POST DVDs, intermittently, to facilitate racial profiling training. We are moving toward use of POST, on-line training that will phase out the DVD-CPTN. In addition, the vast majority of command officers, sergeants, and FTOs have received Fair & Impartial Policing	2	Deputy Chief Glenn-Davis, Lt. Gregson

			Training (newly promoted FTOs and an externally-promoted sergeant have not received the training). Patrol personnel have received related training from CPE. BPD to sponsor training of in-house (Dept.) trainers for F&I Training by (registration via DOJ by September 2013). The Racial Profiling Training received in 2012 and 2013 were instructor-led. BART PD currently has four (4) POST-certified Racial Profiling instructors. Currently being taught in 2014 AOT		
The BART PD should develop a written directive governing shift briefing training to keep officers up-to-date on current policies and law enforcement strategies to prevent racial profiling.	128	Completed		2	Deputy Chief Glenn-Davis
The BART PD should develop and implement an Early Intervention management system to obtain information of potential patterns of at-risk conduct involving all sworn officers.	130	Completed/ Ongoing	The Early Warning System Policy 1019 has been vetted and approved by the BPOA and the CRB. (The BPMA was initially invited to participate in the meet and confer process; however the BPMA did not seek to participate until July 2014.) The Policy and System (including staff training) have been implemented as of Jan 2015.	2	Deputy Chief Glenn-Davis, & Lt. Haight

<p>The BART PD should expand their current data collection method.</p>	<p>131</p>	<p>Accepted/ In Progress</p>	<p>CPE has visited BART and completed internal and external stakeholder interviews. The COP has signed a CPE/BART MOU. We are working with the CPE to develop a comprehensive F&I Policing Program. BPD command staff has attended F&I Policing training; and supervisors (sergeants and FTOs) recently attended an F&I training course. Expanded bulletin (12-01) on law enforcement contacts was issued on January 4, 2012; a new bulletin on Detentions and Consensual contacts will be issued by August 2013.</p> <p>Special Order Bulletin, Documentation Requirements for Consensual Contacts and Detentions, was issued on 07/12/13.</p> <p>Lastly, BPD is partnering with CPE to participate in a National Data Collection project. The project will include individual review and assessment of BPD's "stop" data, policies, and practices. The CPE project coordinator visited BPD and presented an overview of the National Data Collection project (DCP) to BPD command staff and sergeants. BPD</p>	<p>2</p>	<p>Chief, Acting DC Haight.</p>
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			<p>signed a DCP MOU with CPE on June 3, 2015. It is anticipated that data collection for the project will begin on 1/1/16.</p> <p>Data for traffic stops and other self-initiated stops was sent to CPE in January 2016. Additional data will be sent in February 2016 for use of force incidents.</p> <p>Use of Force incident data was sent to CPE in June 2016. CPE has all requested data.</p> <p>AB 953 – The Racial and Identity Profiling Act of 2015, will require an annual report by April 1, 2023 for agencies that employ less than 334 peace officers.</p>		
The Chief of Police should develop a directive regarding the development of community outreach programs.	135	Completed/ Ongoing		4	Chief
INTERNAL AFFAIRS					
<ul style="list-style-type: none"> • Strict guidelines should be developed and all personnel should be held accountable for receiving any complaint against a police officer, documenting the complaint 	139	Completed/ Ongoing		4	Deputy Chief Glenn-Davis, & Lt. Haight

<p>and notifying the supervisor.</p> <ul style="list-style-type: none"> • Department fails to track use-of –force incidents • Achieving transparency and attaining public trust are goals that must be pursued • Transform into a verifiable policing culture of fairness, openness, problem-solving and community engagement. • Policy should indicate that complaints may be originated in person, from a toll free line, mail, email, third parties, or any other source. • Complainants should be notified by mail to acknowledge receipt of their complaint, when 					
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investigation is completed and notified of finding in writing.					
BART PD should conduct employee evaluations at least once annually Supervisors should use performance evaluations to encourage positive behavior and to correct unacceptable behavior by ensuring that appropriate actions are taken.	142	Completed/ Ongoing		2	DC Jennings & Lt. Alvarez
It is recommended that BPD enhance its community outreach efforts relative to IA by implementing the following: <ul style="list-style-type: none"> • 24-hour toll free number • BART PD mailing, internet and toll-free number available within transit system • Citizen compliment form developed • Other informational material describing complaint 	145	Completed	We have completely revamped our complaint process. Complaint/Commendation forms are available on the BART website; the forms are also available in five core languages. The forms are located in IA, OIPA, station agent booths, all BPD reporting facilities, and all patrol vehicles. Patrol personnel are encouraged to carry the forms on their person. We will not be seeking permission to "house" forms in the various public libraries of the cities that BART traverses. In addition to complaint information being included in our brochures and on the CRB webpage,	4	Deputy Chief Glenn-Davis & Lt. Haight

<p>process in English and Spanish</p> <ul style="list-style-type: none"> • On-duty officers required to carry complaint forms • Community outreach program to inform public about department and Internal Affairs function • Develop a procedure for monitoring phone lines to ensure courtesy and respect • Supervisors to conduct audit trails using questionnaires and telephone follow-up. 			<p>complaint and commendation forms are posted on the CRB web page. BPD has presented information about the IA function via public CRB meetings and District's Police Review Committee. BPD has also begun publishing an Annual Report, and this report is currently on the BPD website.</p> <p>Internal Affairs has a policy and procedure for the Internal Affairs lieutenant to randomly monitor three incoming complaint calls per month and to report his or her findings to the Professional Standards and Training Deputy Chief by the 10th of every month.</p> <p>Internal Affairs audits all calls to Dispatch that result in a personnel complaint. The recorded complaint phone call becomes part of the Internal Affairs investigation. The Department has implemented a quarterly Operations Inspections Review as of January 2014.</p>		
<ul style="list-style-type: none"> • BART should maintain a sufficient supply of policy manuals to distribute to each employee 	147	Completed		2	DC Jennings & Lt. Alvarez

<p>whose duties are affected by the policy and procedure document</p> <ul style="list-style-type: none"> In-service classes should be conducted by supervisors to review and reinforce the contents of the policy manual BART should consider enrollment in CALEA accreditation process. 					
<ul style="list-style-type: none"> Citizens must be permitted to initiate complaints or provide feedback on an officers performance of duty Confidentiality is crucial to the success of the internal affairs function. Files should be maintained in a secure area BART police brochure 	149	Accepted/ Pending Completed	<p>Policy 1020 was revised and implemented October 2014.</p> <p>Anticipated implementation date for a revision to Lexipol Policy 1020 is September 2014. The Policy is detailed and provides information on who investigates citizens' complaints; procedures to notify the relevant executive leaders of complaints, and other detailed information about the complaint/commendation process. Defined dispositions for IA cases are outlined in the Policy. Citizens may initiate complaints or</p>	4	Acting Deputy Chief Lt. Haight

<p>should be maintained at all police facilities, trains, public libraries, patrol cars and other places accessible to the public</p> <ul style="list-style-type: none"> • BART police compiles limited statistical data regarding the internal affairs function • IA policy should define who investigates citizens' complaints • Policy should be clear by listing procedures to notify the executive leadership of the department of complaints against officers or the department • Complainant should be notified of statuses of investigation if 			<p>provide feedback on personnel via a variety of methods (in writing; fax; in person, at a variety of locations; via telephone, etc.).</p> <p>Due to compromised security and privacy, IA has relocated to the Lake Merritt BART Facility. The IA Office is locked/secured, with "one-way" glass; it is accessible via a secondary entrance. Files are maintained in the secured IA office in locked cabinets. Complaint/Commendation forms are available on the BART website; the forms are also available in the five core languages. The forms are located in IA, OIPA, station agent booths, all BPD reporting facilities, and all patrol vehicles. Patrol personnel are encouraged to carry the forms on their person. Complaint and commendation form are also available on the CRB web page. We will not be seeking permission to "house" forms in the various public libraries of the cities that BART traverses.</p> <p>BPD has implemented a robust statistical data collection system. IA Pro tracks Uses of Force,</p>		
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<p>not completed after 30 days</p> <ul style="list-style-type: none"> • IA to issue written notice to subject officer. • A specific policy should be developed listing the procedures and prohibition of obtaining medical or laboratory examinations, photographs, participation in a line-up, financial disclosure statements and polygraph examinations. • Have defined dispositions for IA cases. 			<p>complaints, and can be used to identify emerging trends and patterns, individually and Department-wide. BPD now creates and distributes a detailed annual report. Detailed information is also provided to the OIPA. The report is on the BPD website. In addition, limited statistical data is provided to the CRB.</p> <p>Due to limited staff (two investigators), the BPD rejects the recommendation to advise parties of the status of an investigation that is more than 30-days old.</p> <p>IA currently issues advisory notices to subject officers.</p> <p>Policy 1020 (Section 1020.6.1) does include language stating the following: that no employee may be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation, per statute. Policy 1020 has been updated to include language stating that public safety officers shall not have his or her home address or photograph given to the</p>		
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			<p>press or news media without expressed consent from the involved officer.</p> <p>Policy 1020 was revised and implemented October 2014.</p> <p>to Officers are not subject physical line-ups for Administrative Investigations.</p> <p>Policy 1020 has existing language limiting Department access to employee financial records, also per statute.</p> <p>The Department has photos of personnel.</p>		
BART PD should develop and implement a computerized early intervention system.	153	Completed/ Ongoing	<p>BPD in process of implementing an Early Intervention Program. We will use BlueTeam software to facilitate management of the Program. As of Oct. 2014, Policy 1019 was in effect. Pursuant to additional recommended revisions, Policy 1019 was amended. Policy 1019 went through the final meet and confer process in December 2014.</p> <p>The EWS system will go live January 15, 2015.</p> <p>The Policy and System (including staff training) have been implemented as of Jan 2015.</p>	2	Deputy Chief Glenn-Davis & Lt. Haight
• Employees	155	Completed/		2	Deputy

<p>receive basic IA training</p> <ul style="list-style-type: none"> • Train recruits in professionalism communication s, customer service and cultural diversity • IA should provide training to recruits at police academy • All supervisors should receive mandatory leadership training • Department should track all training information • Officers should receive the highest caliber of community policing training from outside experts • Field supervisors should spend most of their time in the field • Training officers should be among the 		Ongoing			Chief Glenn-Davis & Lt. Haight
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best trained officers in the department.					
BART PD adopt a traditional discipline approach which supports the concept of progressive discipline and contain the required elements of basic law enforcement disciplinary procedures.	157	Completed		2	Chief & Deputy Chiefs
BART PD should develop a written directive that establishes the staff inspection function.	158	Completed	Anticipated completion of policy draft is expected in March 2015. Lexipol Policy 1043 is in draft mode and will be sent out for review in August 2015. Policy was approved and sent out to all personnel for acceptance. Acceptance of the policy was completed via Lexipol in November 2015.	2	Lt. Alvarez & Lt. Haight
DISCIPLINE					
<p>Early Warning and Disciplinary System</p> <ul style="list-style-type: none"> The agency should consider significant modifications to the agency disciplinary system as the current disciplinary process does not provide for an effective Early Warning or early Intervention 	162	Completed	<p>As of Oct. 2014, Policy 1019 was in effect. Pursuant to additional recommended revisions, Policy 1019 was amended. Policy 1019 went through the final meet and confer process in December 2014.</p> <p>The EWS system will go live January 15, 2015.</p> <p>The EWS Policy and System (including staff training) have been implemented as of Jan 2015.</p>	2	Deputy Chief Glenn-Davis & Lt. Haight

<p>program</p> <ul style="list-style-type: none"> The agency should adopt a more traditional police discipline system. 					
COMMUNITY CONFIDENCE					
Community Survey of BART PD	167	Accepted/ In Progress	<p>BART Customer Access Department conducts random surveys of commuters' perceptions of BART PD and public safety. BPD executive staff and managers regularly survey community regarding its perception of system safety. CPE and BPD to complete additional community surveys, eta 2014. On July 1, met with Customer Access and submitted suggested survey questions for their review. The survey questions submitted will be sent to a selected group of participants via a web link. The survey should be distributed by end of September 2014. Draft survey created by Blagg and Jennings and incorporated into Customer Access survey set to be reviewed in March 2015 for implementation.</p> <p>New Online survey sent out March 2015 to 4,129 customers. The random survey had variance from standard survey</p>	3	Chief, Deputy Chief Jennings and Marla Blagg

			<p>and another online survey will be sent out in September 2015.</p> <p>The start date for the second survey is January 20, 2016 and will continue through March 2016. A new PES survey questionnaire will be implemented in Q2, October 1. The survey will be used to establish a new baseline for estimates on the QPR goals. The new PES survey will be augmented by a broader annual survey which will also be implemented in October 2016.</p> <p>BART PD will also set up a survey and send it out via the BART Watch App. November 2017.</p>		
Patrol Priorities	168	Completed/ Ongoing	<p>PD presence on trains, platforms & garages as a top priority of the District and our customers is continuously emphasized by the GM and re-emphasized during Team Building Workshops held early 2011 and lineups. Additionally, the Directed Patrol Program, begun in January 2011, details personnel to platforms and trains during key times. This will also likely be a performance measure reviewed during Compstat meeting,</p>	1	Chief & Deputy Chief Fairow

			scheduled to begin in January 2012. Compstat has been fully implemented and is presented on a weekly basis at the Command Staff meetings by the respective Zone Lieutenant. The information presented identifies the trends and "hot spots" and current patrol strategies for their area of responsibility. The Compstat information is also reported out once a month to all of the patrol Sergeants at their meeting.		
It is recommended that BART PD continue to maintain a transit police agency.	180	Accepted	No Action Required	5	Chief
BART PD needs to establish a coordinated Community Outreach Program with a clear champion.	182	Completed/ Ongoing	There is one designated Community Service Officer in each Zone who is responsible for coordinating community outreach projects and events. They work in conjunction with the COPPS Unit Coordinator and meet with her to coordinate the resources and necessary personnel.	3	Lt. Alvarez & Lt. Forte
BART PD should try alternative patrol strategies.	183	Completed/ Ongoing		1	Chief, Deputy Chief Fairrow & Lt. Forte
BART PD should be able to monitor and gauge the needs of the customers.	184	Completed	We have been working with the BART Public Information Officer to establish a BART Police spokesperson	1	Chief, Lt. Franklin Sgt. Dixon

			A draft MOU between BART Media and the BART PD has been completed. A BART police officer has been assigned as the "spokesperson" representing the BART Police Department.		
BART PD needs to develop clear communications plans for officer interaction.	186	Completed/ In Progress	Command Staff attend briefings, trainings, meetings, and ride trains when practical. The Chief recently completed the "all hands" meetings where he met with Department personnel to discuss the state of the Department and his future plans.	5	Chief
BART PD should reevaluate the Police Substation concept to see if this is still a viable option.	187	Completed/ In Progress	We established a centralized 24 hr. Watch Commander's position in January 2011. The Zone Commander position was established, beginning in January 2012 to allow for geographic accountability. The substation concept remains viable due to geographical considerations and continues to be reviewed.	2	Deputy Chief Fairow & Lt. Ledford
CIVILIAN OVERSIGHT					
BART PD needs to review the entire organizational structure to lessen the span of control for the Commanders/Deputy Chiefs and create additional positions to lessen the amount to	189	Completed		4	Chief

headquarters administrative responsibility and allow the Lieutenants to go in the field					
USE OF FORCE					
Use of force policies should be captured in a single use of force directive to avoid confusion and ensure a consistent response by agency members when a use of force event occurs.	199	Completed		2	Deputy Chief Glenn-Davis & Lt. Haight
Complete a comprehensive, single use of force policy review and identify all definitions and conditional terms of weaponless and less-lethal force.	202	Completed		2	Deputy Chief Glenn-Davis & Lt. Haight
BART PD's prohibition of the use of "warning shots," policy is consistent with accepted police practices. BART PD's policy is consistent with accepted police practices.	204	Accepted	No Action Required	2	Deputy Chief Glenn-Davis & Lt. Gregson
BART PD should incorporate the various policies governing use of force into a single comprehensive policy to both reduce confusion and provide easy to find guidance in this critical area.	205	Completed		2	Deputy Chief Glenn-Davis & Lt. Haight
The intent of this standard is to minimize the severity of obvious injuries and non-visible trauma commonly associated with weapons and hand-to-	208	Completed	Lexipol Policy 300.4.2	2	Lt. Alvarez

hand tactics.					
The purpose of establishing a clear and consistent use of force or response to resistance reporting system within an agency is to provide effective review and analysis of use of force events.	211	Completed/ Ongoing		2	Deputy Chief Glenn-Davis & Lt. Haight
A single use of force policy, including a standard reporting and review process of each incident involving a use of less-lethal and weaponless force should be employed by the agency.	217	Completed		2	Deputy Chief Glenn-Davis & Lt. Haight
BART PD's policy is consistent with accepted police practices	222	Accepted	No Action Needed	2	Deputy Chief Glenn-Davis & Lt. Haight
Combine the various policies into a single use of force mechanism. Develop an annual written examination for use of deadly and non-lethal force with mandated "satisfactory" pass level.	223	Completed/ Ongoing	BPD rejects the recommendation that one policy should regulate all of the various force options. However, all "force-related" policies are located within the 300 series of Lexipol. Each non-lethal "force" policy cross references the other non-deadly force policies. BPD currently conducts annual written "force" examinations during lethal and non-lethal UOF training. Training and policies are in-line with Graham vs. Connor.	2	Deputy Chief Glenn-Davis & Lt. Haight
BART PD should	229	Completed/		2	Deputy

conduct an annual analysis of all use of force events.		Ongoing			Chief Glenn-Davis & Lt. Haight
It is necessary for officers to know when and how detained suspects are to be restrained and when, where, and how particular restraining devices are to be employed, including special and prohibited methods.	231	Completed	Mandated per Lexipol Policies 306 & 308, and reinforced via annual AOT and other periodic training. Random audits of UOF have been implemented to ensure compliance.	2	Deputy Chiefs Fairow, Glenn-Davis & Lt. Haight
MANAGEMENT CONTROL					
BART PD should require that 80% of its personnel work during special events or occasions when there will be heavy usage of the transit systems, train stations, or parking lots.	236	Accepted	Lexipol policy 216 (adopted 10/13/11) speaks to staffing levels, and provides for recommended minimum staffing. It does not, however, speak to minimum staffing of special events. An 80% staffing requirement appears to be a contractual issue, absent emergency situations, which will be reviewed prior to the next contract negotiations (expected in 2013) with the affected associations. This issue did not make the final list of "wants/needs" in negotiations. However, a new schedule, allowing for deployment of additional staff, is being negotiated. The existing language, allowing increased staffing during emergency deployments, still exists and contract negotiations are	2	Deputy Chief Jennings & Lt. Ledford

			<p>continuing. New schedule approved but may not be implemented until March 2015. Awaiting language regarding special event staffing.</p> <p>Lexipol Policy 459 captures the staffing levels needed for special events.</p> <p>No change in status. It does not appear that this language was included in the new MOU agreement.</p>		
CALEA Accreditation	237	Accepted	<p>CALEA Manager was hired on March 16, 2015. Projected implementation estimated for March, 2018.</p> <p>BART PD signed a contract with CALEA at the end of June 2015. The PD is currently in the Self-assessment phase. Quarterly meetings with key staff are being conducted to complete the assessment. Met with Lieutenants on 10/20/15 and 1/19/16 to discuss goals and objectives. The next quarterly meeting with the Lieutenants is scheduled for 7/19/16. CALEA Manager and Operations DC attended the CALEA</p>		M. Cromer

			Conference in Baltimore in July 2016.		
It is recommended that the BART PD add the job of Deputy Chief.	238	Completed		2	Chief
The BART PD should establish a system of daily accountability for all employees to ensure the Mission major goals of the agency and performance standards are being achieved. A daily activity report might be used to critique the officers' work load and activity during a shift.	239	Completed/ Ongoing		2	Deputy Chief Fairow & Lt. Ledford
The BART PD should decrease the geographic span of control for first-line supervisors and increase the number of first-line supervisors to allow for adequate supervision of patrol shifts.	240	Completed/ Ongoing		2	Deputy Chief Fairow & Lt. Ledford
All BART Police supervisors should develop and adopt audit mechanisms (line inspections) for calls for service, activity reports and relevant police reports to uncover possible police misconduct.	241	Completed/ Ongoing	Internal Affairs has a policy and procedure for the Internal Affairs lieutenant to randomly monitor three incoming complaint calls per month and to report his or her findings to the Professional Standards and Training Deputy Chief by the 10th of every month. Internal Affairs audits all calls to Dispatch that result in a personnel complaint. The recorded complaint phone call becomes part of the Internal Affairs	2	Deputy Chiefs Fairow & Jennings

			investigation. In addition, patrol supervisors check the officers' activity cards.		
OPERATIONS					
The Chief of Police should facilitate a stakeholder group to develop a Mission Statement that describes the Department's function and purpose and how that purpose will be achieved.	244	Completed		5	Chief, Lt. Franklin & Sgt. Dixon
The Chief of Police should develop a Vision Statement that describes where the Department is headed within the next three to five year period.	245	Completed		5	Chief, Deputy Chief Glenn-Davis, Lt. Haight & Lt. Franklin
BART PD should revise its Core Values which identify the conduct and the character to be exhibited by every member of the organization, while achieving the Mission.	246	Completed		5	Chief, Lt. Franklin & Sgt. Dixon
BART PD should develop a multiyear plan which outlines its major goals and mission.	247	Accepted/ In Progress	The 2014-2016 SP was presented during the team building workshop September 2013. The Plan implementation and ongoing assessment is continuous. Assignment tracking will begin January 2015. All elements of the Strategic Plan have been assigned to specific entities for accountability. A	5	Lt. Haight

			<p>tracking matrix was created and will be reviewed at Patrol Monthly Manager's Meetings for status updates, first presented at the June 2015 PMM.</p> <p>The Strategic Plan status report is a standing agenda item for monthly Patrol Managers Meetings.</p>		
BART PD should develop a written directive system that indicates how policies and procedures are developed and implemented.	248	Completed/ Ongoing	<p>Lexipol Policy and Procedures Manual has been adopted and implemented. We are currently using the SROVT system for policy review. Up to 20 policies a year including the Critical 8 policies. We also are considering utilizing the Lexipol Daily Training Bulletin to help facilitate personnel's knowledge of policies.</p> <p>Nov 2013: Daily Training Bulletins (DTB) are now being issued to employees via Lexipol website. Currently, employees are required to view and complete 2 pre-designated DTBs a month. The number of DTBs to be completed on a monthly basis may be increased in the future. This will be an on-going discussion.</p>	2	DC Fairrow Lt. Alvarez
BART PD should provide training on its updated All Hazard Plan(s) for responding to critical incidents,	249	Accepted/ Ongoing	Lexipol Policy 206. All supervisors will be scheduled for ICS 300 & 400 by June 2012.	5	Chief & Lt. Franklin & Marla Blagg

<p>such as natural and man-made disasters.</p>			<p>Currently 12 out of the 15 members of the Command Staff have completed the ICS 300/400 training. The remaining 3 members will complete training by September 2013. In order to maintain compliance with NIMS ICS training requirements, the Department will sponsor two ICS 300/400 classes by April 2013 in order to train District employees. Any command and/or supervisory personnel who are not able to attend the Department sponsored training will be scheduled to attend the necessary ICS classes as they are offered in the area. The Department will continue to work with the UASI and other regional agencies to make ICS classes available with the goal of training all Department command and supervisory personnel to the level of ICS 300/400 in addition to job specific ICS training. Three Lieutenants need to complete ICS 400, one Lieutenant and a Deputy Chief need both ICS 300/400. All other Command Staff Members have attended ICS 300/400. All Lieutenants and DC's have completed both ICS 300/400. As of July 2015, 15 Sergeants have completed ICS 300/400.</p>		
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			<p>As of 1/25/16, all DC's have completed ICS 300/400. Two Lieutenants need to complete ICS 400. All other Lieutenants have completed both ICS 300/400. 22 Sergeants have completed both ICS 300/400. 3 Sergeants still need to complete ICS 400.</p> <p>As of September 2016, all lieutenants have completed ICS 300/400 training. All sergeants have attended with the exception of newly promoted Sergeants.</p>		
BART PD should enhance their record management system to be able to capture sufficient data to effectively capture officer contact and track crime	250	Accepted/ In Progress	<p>New CAD & RMS scheduled to come online during FY 14-15. Comp Stat process has been implemented. RAILS is in the beginning phase of implementation. The kick off meeting was held on June 13, 2013. Functionality Review held for RMS July 23-25, 2014. RMS Data Migration to be held August 18-22, 2014. CAD Functionality Review to be held September 15-19, 2014.</p> <p>RMS installation is scheduled to begin January 20, 2015. CAD system new online date is August 2015. RAILS CAD & Mobile brought online January 12, 2016. RMS and Field Based Reporting modules</p>	2	Deputy Chiefs Fairow,& Lt. Alvarez

			scheduled to come online by end of March 2016. The foundation of RAILS is a Geographic Information System (GIS) and a normalized database management system which will improve officer contact and crime tracking capabilities, once RAILS is fully deployed. RMS and Field Based Reporting modules came online March 31, 2016.		
BART PD should have a written directive establishing crime analysis procedures.	251	Completed		2	Deputy Chief Fairow & Lt. Alvarez
Training on pursuit driving should be frequent and robust. Training on the pursuit policy entails frequent discussion and review for the police pursuit policy and procedures during shift briefings, in addition to annual in-service training sessions, including a written test.	252	Completed/ Ongoing		2	Deputy Chief Glenn-Davis & Lt. Gregson
BART PD should create the position of Police Spokesperson in order to have a representative from the police department communicate directly with the community under the authority of the BART Media Relations Office.	256	Completed/ Ongoing	Lexipol Policy 346. The police spokesperson position has been identified in the Department re-organization. A police spokesperson has been appointed.	2	Chief
BART PD officers should focus more time on being visible on the platforms and riding the	257	Completed/ Ongoing	See 182	1	Chief, Deputy Chief Fairow

trains during proactive time.					
BART PD should implement training and develop a policy for Department members in addressing subjects that suffer from mental illness.	258	Completed/ Ongoing	Hired "Crisis Intervention Outreach Consultant" in June 2012.	3	Chief, Deputy Chiefs Fairrow, Glenn- Davis, Lts. Haight, Gregson & Forte
BART PD EMPLOYEE SURVEY					
Job Motivation	261	Accepted/ Completed	Survey tool(s) pending review/development. General Manager completed survey. Survey to be completed by June 2015.	5	Chief & Deputy Chiefs
PROMOTION					
<ul style="list-style-type: none"> • Written exam • Assessment center • Oral interviews • Review of last performance evaluation • Chief use rule of three to five of the top candidates. 	306	Completed/ Ongoing	In addition to recent promotions, 5 sergeants and 2 lieutenants have been promoted (since Jan 2013). An additional lieutenant is scheduled to be promoted on July 8, 2013.	5	Deputy Chief Glenn - Davis
BART PD should review the credit history of all police recruits more critically.	307	Completed/ On Going	Applicants' credit histories are critically reviewed when assessing the viability of each candidate.	5	Deputy Chief Glenn-Davis & Lt. Gregson
BART PD should develop a written directive that defines its role in the promotional process for sworn personnel.	308	Completed/ Ongoing		5	Chief & Deputy Chiefs

BART PD should develop a written directive that vests in an identifiable position the authority and responsibility for administrating the agency's role in the promotion process for sworn personnel.	309	Completed/ Ongoing	See 308	5	Chief & Deputy Chiefs
BART PD should develop a written directive that describes all elements and procedures used in each promotional process.	310	Completed/ Ongoing	See 308	5	Chief & Deputy Chiefs
BART PD should consider adding an updated background check, evaluating performance appraisals, and an assessment center to the promotional process.	311	Completed/ Ongoing		5	Chief & Deputy Chiefs
BART PD should develop a written directive that establishes criteria and procedures for the development and use of eligibility lists, if any, for sworn positions.	312	Completed		5	Chief & Deputy Chiefs
BART PD should modify its policy and procedures to permit lateral entry hires for all promotional ranks.	313	Completed		5	Chief
BART PD should develop a written directive that requires at least a six-month probationary period for all sworn personnel who are promoted, with any exceptions defined.	314	Completed		5	Deputy Chief Glenn-Davis & Lt. Haight