

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:

1. Strengthening service to our customers (visibility)
2. Strengthening management oversight of the department (accountability)
 - a. Current policies
 - b. Formalize process for tracking policies
 - c. Assured delivery of increased training
3. Strengthening services to our communities
 - a. Cultural groups/activities
 - b. Cultural competence
4. Helping to establish citizen oversight
5. 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	Category	Committee Name
CULTURE					
BART PD should establish a proactive Police Advisory Board to provide non-binding feedback on proposed significant initiatives.	34	Accepted	The Chief has begun meeting with important community stakeholders, i.e. clergy and ACLU in exploring options toward this recommendation >	3	Chief
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/Mis-sion State-ments • Law Enforcement Code of Ethics • Cannons of Law Enforcement Ethics • Law Enforcement Oath of Honor. 	38	Accepted/ Completed	All new hires now acknowledge receipt of the Organizational Statements and the Law Enforcement Code of Ethics. The law enforcement oath of honor and organizational core values have been incorporated into the BPD oath of office. All new hires are given a copy of the core values and mission statement	5	Chief
BART PD should establish a Recruitment and Retention Advisory Council represented via a cross section of private and public employees, community members and stake-holders receiving BPD law enforcement services.	39	Accepted/ In progress	The CRB will perform this function	3	Deputy Chief Fairow & Lt. Lucarelli
BART PD should recruit qualified individuals from both private and public organizations who possess the following	40	Accepted/ In progress	BPD intentionally recruits candidates from both the public and private sectors that posses the noted traits.	3	Deputy Chief Fairow & Lt. Lucarelli

characteristics; <ul style="list-style-type: none"> • Integrity • Service orientated • Interpersonal relations • Team compatibility • Performance driven 			We regularly attend private & public job fairs. We also follow POST Job Dimension Guidelines		
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, CBOs, student associations and private customer service organizations.	41	Accepted/ In progress	BPD has been forming and using these partnerships. We are using the COPPS unit to enhance our efforts and will include/ highlight the importance of this strategy in our Strategic Plan	3	Deputy Chief Fairow & Lt. Lucarelli
BART PD should develop a flexible profile of an effective police officer by identifying the “most viable candidates.” BPD should identify the knowledge, skills, abilities, education, training, behaviors and traits that make an effective officer, and select officers who match the identified profile.	42	Accepted/ Pending	We follow POST Job Dimension Guidelines and already engage in this practice, but will re-evaluate our efforts	3	Deputy Chief Fairow & Lt. Lucarelli
BART PD should continue to conduct on-going studies on where police recruit candidates come from and why they want to work for BPD.	43	Accepted/ In progress	We are working with BART Human Resources to determine specific demographic information regarding our successful candidates	2	Deputy Chief Fairow & Lt. Lucarelli
BART PD should analyze its recruitment efforts by determining what the Department knows about the success/failure of its past recruitment efforts.	44	Accepted/ In progress	We are working with BART Human Resources to determine specific demographic information regarding our successful candidates	2	Deputy Chief Fairow & Lt. Lucarelli
BART PD’s recruitment plan should address the questions of where, why and how our agency will	45	Accepted/ Pending	A recruitment plan will be developed during our strategic planning process	2	Deputy Chiefs Glenn-Davis,

achieve its recruitment goals.					Fairow & Lt. Lucarelli
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	Accepted/ Pending	We currently recruit candidates from outside of the region and State. It is not feasible to perform all entry level tests in one day, but we will re-evaluate our practices, toward greater efficiency, in this area	2	Deputy Chief Fairow & Lt. Lucarelli
BART PD should ensure contact is maintained with applicants for all positions from initial application to final employment disposition.	48	Accepted/ Pending	Although we already maintain contact with applicants we need to develop a written procedure and incorporate it into our recruitment protocols	3	Deputy Chief Fairow & Lt. Lucarelli
BART PD should adapt a customer-focused hiring philosophy through personalizing the recruitment process.	49	Accepted/ Pending	We are working with BART HR to determine if a written procedure is required	3	Deputy Chief Fairow & Lt. Lucarelli
BART PD should conduct behavioral-based interviews. Interview questions must be based on job-related knowledge, skills, abilities, behaviors and traits.	50	Accepted/ In progress	We currently use behavioral-based job interview questions, but will re-evaluate our practices in this area	2	Deputy Chief Fairow & Lt. Lucarelli
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	Accepted/ Pending	We currently administer a writing component as part of the application process, but will re-evaluate our efforts	2	Deputy Chief Fairow & Lt. Lucarelli
BART PD should expose the recruit's family to law enforcement culture/family orientation.	53	Accepted/ Pending	We currently include family member participation in our swearing in ceremonies; we are reviewing additional orientation programs	5	Deputy Chief Fairow & Lucarelli
TRAINING					
BART PD should establish a Training Committee and develop a written policy to outline the composition, duties, responsibilities, schedule, and designated chairperson of the	58	Accepted/ Completed	A Training Committee has been established; a Department Training Plan has been completed and is available online. The co-chairs are the Lt. assigned to Personnel and Training and the	2	Deputy Chief Fairow, Lt. Lucarelli & Lt. Forte

committee.			FTO Lt. Coordinator. Detailed written directive concerning the Training Committee's role and responsibilities need to be developed		
BART PD should establish a written directive that governs training attendance requirements.	59	Accepted/ Completed	Training attendance requirements are covered in Lexipol policies 201.3.5 & 208.6. Adherence is addressed in training bulletins. Attendance is monitored/reviewed. In reimbursement process, receipt of a "certificate of completion" is confirmed	2	Deputy Chief Fairow, Lt. Lucarelli & Lt. Forte
BART PD should establish a written directive that governs reimbursement to employees attending applicable training programs.	60	Accepted/ In progress	BART District Management Procedure on Reporting and Reimbursement of Employee Expenses addresses this recommendation. We also review reimbursement receipts for accuracy and check for a copy of the training certificate, but will further review our process. There is a need to either stop the delay in reimbursement to employees or look at a pre-payment process.	2	Deputy Chief Fairow, Lt. Lucarelli & Lt. Forte
BART PD should ensure that courses developed within are routinely sent to POST for certification.	61	Accepted/ In progress	Training Committee has been charged with ensuring that all "in house" training lesson plans are submitted to POST. Our in-house "Advanced Officer Training" has been certified by POST for 2011. All future in-house CPT training courses will be required to attain POST certification	2	Deputy Chief Fairow, Lt. Lucarelli & Lt. Forte
BART PD should develop and publish a directive establishing agency policy concerning remedial training.	62	Accepted/ Pending	Remedial training requirements for firearms proficiency is contained in Lexipol policy 312.4.8. A	2	Deputy Chief Fairow, Lt. Lucarelli,

			Directive needs to be developed and incorporated under the remedial training requirements of Lexipol Policy 208		Lt. Forte & Range-master
BART PD should develop and publish a directive establishing agency policy concerning the documentation of remedial training.	63	Accepted/ Pending	Remedial training is documented in EDR Files, but a Directive needs to be developed and incorporated into the Training Policy	2	Deputy Chief Fairow, Lt. Lucarelli & Lt. Forte
BART PD needs to undertake an evaluation and analysis of the training records system.	64	Accepted/ Pending	All training records have been entered into our "TMS" records system. IT Dept still needs to network TMS. Currently conducting an audit of our completed FTO recruit books which will be completed by the second quarter of 2011	2	Deputy Chief Fairow, Lt. Lucarelli & Lt. Forte
BART PD should consolidate the policies and procedures relating to training in one directive.	66	Accepted/ Pending	We feel this recommendations is properly covered by our training orders and POST Guidelines, but we will review our practices	2	Deputy Chief Fairow, Lt. Lucarelli & Lt. Forte
Despite the ability to waive the field training requirement for lateral entry officers, the BART PD puts each new officer through the entire program.	67	Accepted/ In progress	All newly hired personnel must complete the entire BART PD FTO program and the practices of the program are under review	2	Deputy Chief Hartwig & Lt. Forte
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	Accepted/ Completed (Practices review In progress)	We have expanded our list of courses offered under our in-service training programs. All personnel have received COPPS Training and FTO's have attended CIT. We will continue to review our practices	2	Deputy Chief Fairow, Lt. Lucarelli & Lt. Forte
BART PD should develop and publish a written directive that outlines the policy and procedures concerning in-service, shift briefing and advanced training.	72	Accepted/ Completed	Lexipol Policy 404.1 addresses this recommendation. CPT-DVDs that are distributed by the Training Officer have corresponding rosters that required participants signatures with a deadline to be returned to Training	2	Deputy Chief Fairow, Lt. Lucarelli & Lt. Forte

			Unit		
BART PD should develop and publish a written directive describing the policy, procedures and purposes of shift/roll call training.	74	Accepted/ Completed	Lexipol Policy 404. To enhance Shift/Roll Call Training all supervisors and managers attended the “Role of the Supervisor Training” course. SROVT calendar and rosters have been distributed to all supervisors	2	Deputy Chief Hartwig, Lt. Lucarelli & Lt. Forte
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	Accepted/ Completed	Training requirements for some specialized positions, but not all, are referenced in the Policy Manual under the individual specialized position. Full-time specialized position training requirements are referenced in the Training Plan which is located online and some also fall under POST guidelines. However, because training recommendations and opportunities are abundant for specialized positions, we will continue to review what we recommend for each specialized assignment	2	Deputy Chiefs Fairow & Glenn-Davis, Lt. Lucarelli & Lt. Alkire
BART PD should develop and publish a written directive that documents the training requirements for all SWAT Team training.	76	Accepted/ Completed	Lexipol Policy 408. This recommendation is also addressed in the Department Training Plan, annual SWAT training schedule and SWAT manual	2	Deputy Chief Hartwig & Lt. Franklin
BART PD should develop and publish a directive devoted to the training requirements for non-sworn employees.	77	Accepted/ In progress	Training available to non-sworn employees is listed in the Department Training Plan which is online	5	Deputy Chief Fairow, Lt. Lucarelli & Lt. Forte
<i>This recommendation covers pages 78 – 83.</i> 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.	78	Accepted/ Pending	Although the Training Plan is available online, a bulletin explaining the Training Plan will be developed and distributed	5	Deputy Chief Fairow, Lt. Lucarelli & Lt. Forte

This plan should help employees of the BART PD in either their vertical or horizontal career plan development aspiration goals.					
Defensive Tactics	79	Accepted/ Completed	BART has mandated that sworn personnel receive 40 hours of training a year. We have incorporated this recommendation into our in-house CPT	2	Deputy Chief Fairrow, Lt. Lucarelli & Lt. Forte
Training	79	Do not recommend at this time	No action taken	2	Deputy Chief Fairrow, Lt. Lucarelli & Lt. Forte
Supervisory Training	79	Accepted/ Completed	All personnel have received training in the COPPS philosophy which emphasizes a focus law enforcement strategy	2	Deputy Chief Fairrow, Lt. Lucarelli & Lt. Forte
Executive Training	79	Accepted/ In progress	Ranks of Lt.'s and above will be scheduled to attend POST's "Role of the Police Chief and Executive" development course and PERF's Senior Management Institute for Police SMIP. Sgt's will be encouraged and allowed to attend POST's Supervisory Leadership Institute SLI. All permanently assigned command staff personnel have attended to the Role of the Chief's course. Two members of the command staff have been scheduled to attend SMIP in Boston this summer.	5	Chief & Deputy Chief Fairrow
Community Policing	79	Accepted/ In progress	Department reorganization is underway which will incorporate a geographic team policing structure to support the COPPS philosophy; this will be implemented by the	2	Chief & Deputy Chief Hartwig

			third quarter of 2011. A Draft of the new geographical policing training bulletin has been circulated to the Deputy Chiefs for comment. The new Zone/PSA structure was presented to the Watch Commanders		
Evaluation of SWAT	80	Accepted/ Pending	Evaluation will be completed by the end of the next Fiscal Year	2	Chief & Deputy Chiefs
Evaluation of Tactical Unit	80	Accepted/ Pending	Evaluation will be completed by the end of the next Fiscal Year	2	Chief & Deputy Chiefs
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	Accepted/ In progress	Lexipol Policy 419. Began work with the Consortium for Policing Leadership in Equity (CPLE) to develop a comprehensive program to prevent bias-based policing and racial profiling	2	Deputy Chief Glenn- Davis & Lt. Alkire
Visibility	82	Accepted/ In progress	It has been emphasized by the General Manager and re-emphasized during our Team Building Workshop and during daily lineups that our presence on the trains, platforms & garages is a top priority of the District and our customers. We will begin tracking time spent via our Performance Measures report	1	Chief & Deputy Chief Hartwig
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 understanding prior to beginning field training.	84	Accepted/ Pending	This is already being done in our "FOCUS" program. We continuously review/update the FOCUS curriculum in an effort to incorporate relevant, useful information	2	Deputy Chiefs Fairrow, Hartwig & Lt. Forte
BART PD should	86	Accepted/	Ranks of Lt.'s and	5	Chief &

implement a leadership succession plan to assist in the development of supervisors' decision-making and leadership skills as it relates to effective police strategies as they relate to preventing racial profiling and other police best practices.		In progress	above will be scheduled to attend POST's <i>Role of the Police Chief</i> and <i>Executive Development</i> Courses and PERF's SMIP. Sgt.'s will be encouraged and allowed to attend POST's SLI. All permanently assigned command staff personnel have attended to the Role of the Chief's course. Two members of the command staff have been scheduled to attend SMIP in Boston this summer. Unknown how many Sgt.'s that are attending POST's SLI		Deputy Chief Fairow
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 11-12 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 (leadership/supervision Comm. Policing; tactical; communications, etc.)	2	Deputy Chief Glenn-Davis & Carissa Goldner
Communications with BART PD & BART IT <i>See below sections from pages 93 & 94</i>	93	Accepted/ In progress	Monthly information exchange meetings are held between BART PD & BART IT; the COP regularly attends (next meeting to be held July, 2011)	2	Chief Deputy Chief Glenn-Davis & Carissa Goldner
BART PD and BART IT must improve communications. BART PD should form its own Information	93	Do not recommend at this time	No action taken	2	Chief

Technology and Support Unit.					
BART PD personnel must be trained on RAILS and other related systems.	93	Accepted/ Pending	No action taken due to the new CAD & RMS scheduled to come online during FY 11-12	2	Deputy Chiefs Fairrow, Glenn-Davis & Carrisa Goldner
All personnel assigned to the Communications Center should be APCO certified.	93	Do not recommend at this time	All Dispatch personnel are POST certified and receive a minimum of 24 hrs. CPT every two years	2	Deputy Chief Glenn-Davis
MDT's should be installed in all appropriate BART PD vehicles.	93	Accepted/ Pending	New CAD & RMS scheduled to come online during FY 11-12; we will evaluate whether the system adequately addresses the recommendation. We believe all personnel are trained in the proper use of the MDTs but will review our practices	2	Deputy Chiefs, Fairrow, Hartwig & Carrisa Goldner
MDT Policy	94	Accepted/ Completed	Lexipol Policy 448 developed/implemented	2	Deputy Chief Glenn-Davis & Lt. Alkire
Need for a back-up Communications Center and computer system.	94	Do not recommend at this time	In the event we are unable to dispatch from the 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	Deputy Chief Glenn-Davis & Carissa Goldner
BART PD should consider hand-held computers to facilitate completion of reports and streamline data entry.	94	Do not recommend at this time	No action taken	2	Deputy Chief Glenn-Davis & Carrisa Goldner
BART PD should consider implementing a Compstat process and using new RAILS technology	94	Accepted/ In progress	New CAD & RMS scheduled to come online during FY 11-12. Compstat process will	2	Deputy Chief Fairrow

			be developed and implemented by January 2012		
BART PD should consider having a liaison with the Northern California Regional Intelligence Center in San Francisco	94	Accepted/ In progress	Our JTTF TLO and Security Programs Lt. currently networks with NCRIC. In addition, we send personnel to training sponsored by NCRIC; however, we will review our practices	2	Deputy Chief Hartwig & Lt. Franklin
Basic Radio Communications	97	Accepted/ In Progress	Personnel are required to acknowledge when they go in and out of service via the radio, but we will review our practices The PD has the same equipment in place. All newly hired patrol personnel are training on radio use during FOCUS	2	Deputy Chief Hartwig & Deputy Chief Glenn-Davis Alkire
Procurement	102	Accepted/ In progress	Seven BPD Admin. Personnel have attended the BAP Phase II training. Training has facilitated the procurement process to some degree; however, the Procurement Dept. continues to face internal challenges that impede the overall process	2	Deputy Chief Glenn-Davis
Firearms/Sig Sauer	105	Accepted/ Completed	No action required	2	Lt. Franklin & Range Master
Recommend elimination of the practice of BART Officers being permitted to purchase/use their own "on-duty" pistols (other than Sig Sauer).	106	Accepted/ Pending	Although the COP accepts this recommendation, it is still under review. The Chief has met with the Professional Standards Deputy Chief and the Lt. in charge of the range staff to begin the review of the process of implementing weapon standardization. This review will be completed by Jan 2012	2	Chief & Deputy Chiefs
R Recommend that officers not be permitted to carry back-up weapons.	106	Accepted/ Pending	Back-up firearms were eliminated by the interim COP. However, the current COP is still	2	Chief & Deputy Chiefs

			reviewing this recommendation		
Recommend that officers carry triple- retention holsters which will provide safety for officers and general public.	106	Accepted/ Pending	Although the COP accepts this recommendation in concept it is still under review	2	Deputy Chief Fairow & Range Master
An evaluation of the viability and usefulness of a SWAT unit should be assessed.	107	Pending	The need for a SWAT Team is being evaluated by the COP and will be completed by January 2012	2	Chief & Deputy Chiefs
Not all Radio Patrol Cars are equipped with shotguns, they are optional equipment which properly trained and qualified officers may carry.	107	Accepted/ Complete	Shotguns are already available for each patrol vehicle. However, each patrol officer has the option of whether to take one out. This practice will be reviewed with the other firearm recommendations	2	Deputy Chief Hartwig & Deputy Chief Fairow
BART PD should purchase a Firearm Simulator (FATS) or other similar technology	107	Accepted/ Pending	We currently utilize a POST regional firearm simulator. BPD External Funding Committee advised to identify potential grant funding for equipment	2	Chief, Deputy Chief Glenn-Davis & Deputy Chief Fairow
Directive is outdated and needs to be revised.	107	Accepted/ Completed	Lexipol Policy 312 has been implemented	2	Deputy Chief Glenn-Davis & Lt. Alkire
Recommends that oversight be given regarding the re-qualification of police officers.		Accepted/ Pending	Beginning in June 2011 Firearms Qualifications will occur every other month	2	Deputy Chief Fairow, Lt. Franklin & Range Master
Each officer should be issued their own TASER. Officers should not be allowed to purchase their own Tasers.	108	Accepted/ Pending	Department is going to a mandatory carry Taser policy. The Lexipol Taser Policy is being amended at this time	2	Deputy Chief Fairow, Lt. Forte & Lt. Alkire
The use of 40 ML chem. Launchers does not appear practical.	108	Accepted	Only selected members of the agency are trained and authorized to use and carry 40 ML Chem Launchers. Members are not authorized to purchase and carry personal less-lethal equipment while on duty	2	Deputy Chief Hartwig & Deputy Chief Fairow
All practice ammunition should be lead-less during	109	Not recommended at this time	We do not shoot at an in-door facility so this is	2	Deputy Chief

prequalification or practice.			not an issue		Fairow, Lt. Franklin & Range Master
Police communications' center 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	Deputy Chief Glenn-Davis
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	PD has been working with BART Real Estate on identifying a new location for our Headquarters we will also incorporate this in our strategic planning	5	Chief, Deputy Chief Glenn-Davis, Lt. Lucarelli
BART PD should actively pursue 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; we meet regularly with Facilities Working Group on this subject. We delivered a list of priorities for satellite facilities to the WG	5	Chief, Deputy Chief Glenn-Davis & Lt. Lucarelli
The BART PD satellite facilities are in dire need of renovation, replacement, or rebuilding.	118	Accepted/ In progress	Currently working with BART Real Estate and Maintenance on recommendations. Same as 117.	5	Chief, Deputy Chief Glenn-Davis & Lt. Lucarelli
RACIAL PROFILING					
BART PD should establish and implement a racial profiling policy that is known and adhered to by all members of the Department.	121	Accepted/ In progress	Lexipol Policies 328 & 402 implemented. Department wide training conducted, and working with CPLE to develop comprehensive response to recommendations	2	Deputy Glenn-Davis & Lt. Alkire
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	Signed a Letter of Intent to work with the Consortium for Policing Leadership in Equity (CPLE) to develop a comprehensive program to address biased-based	2	Chief, Deputy Chiefs & Lt. Alkire

			<p>policing and racial profiling in-progress. BPD personnel interviews completed; additional CPLE assessment scheduled CPLE has visited BART and completed internal and external stakeholder interviews. BART Legal is reviewing CPLE/BART MOU. Once the MOU has been signed we will work with CPLE to develop a comprehensive fair and impartial policing program. BPD command staff attended a Fair and Impartial Policing Training and we are attempting arrange for supervisory version of this training course to be held at BART</p>		
BART PD should establish policy and procedure for the enforcement of fare evasion.	124	Accepted/ Completed	Lexipol Policy 419 has been implemented	2	Deputy Chief Glenn-Davis & Lt. Alkire
All officers of the BART PD should receive training on racial profiling.	125	Accepted/ In progress	We are currently providing training, but will re-evaluate our practices	2	Deputy Chief Fairrow Lt. Lucarelli & Lt. Forte
The BART PD should stop conducting racial profiling training in DVD format and initiate instructor-led training.	127	Accepted/In progress	We will continue to use POST DVDs to facilitate racial profiling training; in addition, we will include instructor-led training in this area. We are moving to the POST offered on-line training that will phase out the DVD-CPTN.	2	Deputy Chief Fairrow Lt. Lucarelli & Lt. Forte
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	Accepted/ In progress	SROVT calendar developed	2	Deputy Chief Fairrow Lt. Lucarelli & Lt. Forte
The BART PD should develop and implement an	130	Accepted/ In progress	Lexipol Policy 1019	2	Deputy Chief

Early Intervention (EI) management system to obtain information on potential patterns of at-risk conduct involving all sworn officers.					Fairow & Lt. Lucarelli
The BART PD should expand their current data collection method.	131	Accepted/ In progress	CPLE has visited BART and completed internal and external stakeholder interviews. BART Legal is reviewing CPLE/BART MOU. Once the MOU has been signed we will work with CPLE to develop a comprehensive fair and impartial policing program. BPD command staff attended a Fair and Impartial Policing Training and we are attempting arrange for supervisory version of this training course to be held at BART	2	Chief, Deputy Chief Glenn-Davis & Lt. Alkire
The Chief of Police should develop a directive regarding the development of community outreach programs.	135	Accepted/ In progress	COPS Unit created to focus on and facilitate community outreach efforts; Dinners with MLK Freedom Center; National Night Out, etc.	4	Chief
INTERNAL AFFAIRS					
<ul style="list-style-type: none"> • Strict guidelines should be developed for receiving/documenting complaints against BPD personnel and tracking use-of-force incidents • Policy should indicate that complaints may be originated in person, from a toll free line, mail, email, third parties, or any other source and 	139	Accepted/ In progress	Lexipol Policy 1020. All complaints are accepted and investigated. In 2010, BPD received 68 citizens' complaints. All completed investigations are reviewed by the Chief	4	Deputy Chief Fairow & Lt. Lucarelli

<ul style="list-style-type: none"> confirmation of complaint should be documented. I 					
<p>BART PD should conduct employee evaluations at least once annually</p> <p>Supervisors should use performance evaluations to encourage positive behavior and to correct unacceptable behavior by ensuring that appropriate actions are taken.</p>	142	Accepted/ In progress	Lexipol Policy 1002. Policy updated January 2011 to reflect a six-month evaluation process with a quarterly review. New Employee Development Records folders were designated for every employee as well as a Supervisory Note Form	2	Deputy Chief Glenn-Davis & Lt. Alkire
<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 process in English and Spanish 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 	145	Accepted/ In progress	We have completely revamped our complaint process. Complaint forms are available on the BART website. We will continue to re-evaluate our efforts in this area	4	Deputy Chief Fairrow & Lt. Lucarelli

<ul style="list-style-type: none"> respect Supervisors to conduct audit trails using questionnaires and telephone follow-up. 					
<ul style="list-style-type: none"> BART should maintain a sufficient supply of policy manuals to distribute to each employee whose duties are affected by the policy and procedure document 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. 	147	Accepted/ Completed	Policy and Procedures Manual is made available to all BPD personnel online. As of Aug 30, 2011, personnel will be required to acknowledge (via signature) responsibility for reading/understanding policies within 30 days of receipt of them	2	Deputy Chief Glenn-Davis & Lt. Alkire
<ul style="list-style-type: none"> Citizens must be permitted to initiate complaints or provide feedback on an officer's performance of duty Confidentiality is crucial to the success of the internal affairs function. Files 	149	Accepted/ Completed	Lexipol Policy 1020. IA has been moved to the main Lakeside BART Facility. This is the same location as the Independent Police Auditor	4	Deputy Chief Fairrow & Lt. Lucarelli

<p>should be maintained in a secure area</p> <ul style="list-style-type: none"> • BART police brochure should be maintained at all police facilities, trains, public libraries, patrol cars and other places accessible to the public • 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 status of investigation if not completed after 30 days • IA to issue written notice to subject officer. • A specific policy should be developed listing the procedures and prohibition of 					
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<p>obtaining medical or laboratory examinations, photographs, participation in a line-up, financial disclosure statements and polygraph examinations.</p> <ul style="list-style-type: none"> • Have defined dispositions for IA cases. 					
<p>BART PD should develop and implement a computerized early intervention system.</p>	153	Accepted/ In progress	Lexipol Policy 1019. IA Pro Software has been purchased to facilitate this recommendation. This policy will be amended to address the non-record portion.	2	Deputy Chief Fairow & Lt. Lucarelli
<ul style="list-style-type: none"> • Recommend employees receive basic IA training • Recommend train recruits in professionalism, communications, 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 	155	Accepted/ Completed	This is already being done, but we will reevaluate our procedures for effectiveness	2	Deputy Chief Fairow & Lt. Lucarelli

<p>community policing training from outside experts</p> <ul style="list-style-type: none"> • Field supervisors should spend most of their time in the field • Training officers should be among the best trained officers in the Department. 					
<p>BART PD should adopt a traditional discipline approach which supports the concept of progressive discipline and contains the required elements of basic law enforcement disciplinary procedures.</p>	157	Accepted/ In progress	Lexipol Policy 340	2	Chief & Deputy Chiefs
<p>BART PD should develop a written directive that establishes the staff inspection function.</p>	158	Accepted/ In progress	Monthly Inspections are performed; however, a written directive needs to be developed	2	Deputy Chief Hartwig
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. • The agency should adopt a more traditional police discipline system. 	162	Accepted/ In progress	Lexipol Policy 1019. IA Pro Software has been purchased to facilitate this recommendation. The policy will be amended to address the non-record portion.	2	Deputy Chief Fairrow & Lt. Lucarelli
COMMUNITY CONFIDENCE					
<p>Community Survey of BART PD</p>	167	Accepted/ In progress	BART Customer Access Department conducts random surveys of commuters' perceptions of BART PD and public safety. CPLE and BPD	3	Chief Deputy Chief Glenn-Davis & Lt. Alkire

			to complete additional community surveys		
Patrol Priorities	168	Accepted/ In progress	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 and lineups; we are reviewing potential performance measure tools	1	Chief & Deputy Chief Hartwig
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 (See 257)	Accepted/ In progress	We have formed a COP unit consisting of one officer and one CSO. They have been involved in several community outreach efforts. To emphasize its importance this Unit will report directly to the Chief under the Department's re-organization; exploring ways to increase engagement opportunities for additional personnel	3	Chief, Deputy Chief Hartwig & Lt. Forte
BART PD should try alternative patrol strategies.	183	Accepted/ In progress	Alternative patrol strategies are being utilized involving our CSOs. COPPS Unit has attended crime prevention training. Bookmarks with crime prevention tips are distributed during the commute hours	1	Chief, Deputy Chief Hartwig & Lt. Forte
BART PD should be able to monitor and gauge the needs of the customers.	184		We have been working with the BART Public Information Officer to establish a Police PIO A draft MOU between BART Media and the BART PD has been completed and is waiting for approval from the GM	1	Chief, Lt. Franklin Sgt. Dixon & Lt. Alkire
BART PD needs to	186	Accepted/	Command staff attend	5	Chief

develop clear communications plans for officer interaction.		In progress	briefings, trainings, meetings, and ride trains when practical		
BART PD should reevaluate the Police Substation concept to see if this is still a viable option.	187	Accepted/ In progress	We have established a centralized 24 hr. Watch Commander's position and will re-establish a Patrol Lt.'s presence by the third quarter of 2011	2	Deputy Chief Hartwig & 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 headquarters administrative responsibility and allow the Lieutenants to go in the field.	189	Accepted/ Completed	Office of the Independent Auditor created and CRB established.	4	General Manager
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	Accepted/ Completed	Lexipol Policy 300	2	Deputy Chief Fairrow & Lt. Lucarelli
Complete a comprehensive, single use-of-force policy review and identify all definitions and conditional terms of weaponless and less-lethal force.	202	Accepted/ Completed	Lexipol Policy 300	2	Deputy Chief Fairrow & Lt. Lucarelli
BART PD's policy is consistent with accepted police practices.	204	Accepted	No Action Required	2	Deputy Chief Fairrow & Lt. Lucarelli
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	Accepted/ In progress	Lexipol Policy 308	2	Deputy Chief Fairrow & Lt. Lucarelli
Recommend a policy to minimize the severity of	208	Accepted/ Completed	Lexipol Policy 300.4.2	2	Deputy Chief

obvious injuries and to secure medical attention for persons with non-visible trauma commonly associated with weapons and hand-to-hand tactics.					Fairow & Lt. Lucarelli
BART PD should establish a clear and consistent use-of-force or response-to-resistance reporting system to provide effective review and analysis of use-of-force events.	211	Accepted/ In progress	Lexipol Policy 300.4	2	Deputy Chief Fairow & Lt. Lucarelli
Recommend 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	Accepted/ In progress	Lexipol Policy 302	2	Deputy Chief Fairow & Lt. Lucarelli
BART PD should combine the various policies into a single use-of-force mechanism.	223	Accepted/ In progress	Lexipol Policy 312. Range requirements have been changed to bi-monthly training	2	Deputy Chief Fairow & Lt. Lucarelli
BART PD should conduct an annual analysis of all use-of-force events.	229	Accepted/ In progress	Ongoing	2	Deputy Chief Fairow & Lt. Lucarelli
BART PD should have a policy which outlines when and how persons detained are to be restrained and when, where, and how particular restraining devices are to be employed, including special and prohibited methods.	231	Accepted/ In progress	Lexipol Policies 306 & 308	2	Deputy Chief Fairow & Lt. Lucarelli
MANAGEMENT CONTROL					
BARTPD should require that 80% of its manpower work during special events or occasions when there will be heavy usage of the transit systems, train stations, or parking lots.	236	Accepted/ In progress	Lexipol policy 216	2	Deputy Chief Hartwig & Lt. Ledford
CALEA Accreditation	237	Not Recommended at this time	No action at this time		Chief
It is recommended that the BART PD add the job of Deputy Chief.	238	Accepted/ Completed	Three Deputy Chiefs have been hired to manage the Operations,	2	Chief

			Support, and Professional Standards/Training Divisions		
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	Accepted/ Completed	Centralized, 24 hr. Watch Commander position has been established. Electronic W/C Patrol Log is prepared and distributed at the end of each watch. Each officer is required to complete a Daily Activity Log	2	Deputy Chief Hartwig & Lt. Ledford
The BART PD should decrease the geographic span of control for first-line supervisors on increase the number of first-line supervisors to allow for adequate supervision of patrol shifts.	240	Accepted/ In progress	Recommended minimum supervisory staffing levels are being evaluated. New beat and reporting locations are being established. Estimated completion by January 2012	2	Deputy Chief Hartwig & 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	Accepted/ In progress	Daily Activity Logs have been re-established. Monthly uniform and equipment inspections are conducted and logs are completed. Random auditing of field performance should be implemented by January 2012	2	Deputy Chiefs Fairow, & Hartwig
OPERATIONS					
The Chief of Police should facilitate a stakeholder group to develop a Mission Statement that describes the organization's function and purpose and how that purpose will be achieved.	244	Accepted/ Completed	Committee of internal stakeholders was formed and new Mission Statement was developed and adopted	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	Accepted/ In progress	Will be developed during strategic planning (SP) process. SP process currently underway	5	Chief, Deputy Chief Glenn-Davis, Lt. Franklin & Sgt. Dixon
BART PD should revise their Core Values which	246	Accepted/ Completed	Committee of internal stakeholders was formed	5	Chief, Lt. Franklin

identify the conduct and the character to be exhibited by every member of the organization while achieving the Mission.			and our Core Values have been identified/adopted		& Sgt. Dixon
BART PD should develop a multi-year plan.	247	Accepted/ In progress	The Department completed a POST approved "Team Building Workshop" a number of short-term goals were established. Long-term goals will be established during the development of our Strategic Plan (currently underway)	5	Chief & Deputy Chief Glenn-Davis
BART PD should develop a written directive system that indicates how policies and procedures are developed and implemented.	248	Accepted/ In progress	Lexipol Policy and Procedures Manual has been adopted and implemented. We are currently using the SROVT system for policy review. Line-up training provided for up to 20 policies a year, including the Critical eight policies. We also are considering utilizing the Lexipol Daily Training Bulletin to facilitate personnel knowledge of policies	2	Deputy Chief Glenn-Davis & Lt. Alkire
BART PD should provide training on its updated All Hazard Plan(s) for responding to critical incidents, such as natural and man-made disasters.	249	Accepted/ In progress	Lexipol Policy 206. All supervisors will be scheduled for ICS 300 & 400 by June 2012. This process is continuous and ongoing	5	Chief & Lt. Franklin
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	New CAD & RMS scheduled to come online during FY 11-12. Comp Stat process will be developed and implemented by January 2012	2	Deputy Chiefs Fairow & Glenn-Davis
BART PD should have a written directive establishing crime analysis procedures.	251	Accepted/ In progress	Lexipol Policy 800	2	Deputy Chief Fairow & Hartwig
Training on pursuit driving should be frequent and robust. Training on the pursuit policy entails	252	Accepted/ In progress	Lexipol Policy 314 POST DVD with policy review, signed attestation form by all	2	Deputy Chief Glenn-Davis & Lt.

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.			sworn employees. Completed June, 2011. Records kept in training section. This is completed annually. SUFR reports are due for every pursuit per Policy 314.8 and 344.7.2. Copy to I.A. Simulator pursuit training completed in 2010 for all sworn employees		Alkire
BART PD should create the position of Public Information Officer (PIO) in order to have a representative from the Department communicate directly with the community under the authority of the BART Media Relations Office.	256	Accepted/ In progress	Lexipol Policy 346. PIO position has been identified in the Department re-organization. BPD currently working with BART Media to define roles and responsibilities of the PD's PIO. A draft MOU between BART Media and the BART PD has been completed and is waiting for approval from the GM	2	Chief, DC Glenn-Davis, Lts. Alkire, Franklin & Sgt. Dixon
BART PD officers should focus more time on being visible on the platforms and riding the trains during proactive time.	257 (See 182)	Accepted/ In progress	A new deployment strategy that increased officer visibility during commute hours was implemented in November 2010; COP unit staffed; community engagement programs enhanced/developed (bookmarks, tip-a-cop, MLK dinners, etc)	1	Chief, Deputy Chief Hartwig
BART PD should develop a policy for Department members in addressing individuals who suffer from mental illness.	258	Accepted/ In progress	Lexipol Policy 418. All FTO's are being scheduled and will attend Crisis Intervention Training (CIT). To date, 16 FTOs and several sergeants have completed the Training. BART PD participates on county committees addressing mental health issues in Alameda and San Mateo Counties All FTO's have completed the Crisis Intervention Training	3	Chief, Deputy Chief Hartwig, Lt. Lucarelli & Lt. Forte

			(CIT). All patrol sergeants will be scheduled to attend CIT courses		
BART PD EMPLOYEE SURVEY					
Job Motivation	261	Accepted/ Pending	Survey tool(s) pending review/development	5	Chief & Deputy Chiefs
PROMOTION					
Recommend that BART PD make/codify the following changes to its management promotional testing process: <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	Accepted/ In progress	We have established acting promotional positions and will develop and administer permanent promotional testing process by the third quarter of 2011. Promotional “reading list” disseminated. Reading list for the upcoming Lt.’s and Sgt’s promotional exams have been distributed to all eligible personnel	5	Chief & Deputy Chiefs
BART PD should review the credit history of all police recruits more critically.	307	No action at this time	We are currently reviewing the credit histories of recruits during the background investigation process, but will re-evaluate our practices	5	Deputy Chief Fairrow & Lt. Lucarelli
BART PD should develop a written directive that defines its role in the promotional process for sworn personnel.	308	Accepted/ In progress	We have established acting promotional positions and will develop and administer permanent promotional testing process by the third quarter of 2011. Development of a written directive will be completed by the third quarter of 2011	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	309	Accepted/ In progress	The Chief of Police & the Deputy Chiefs are responsible for developing/facilitat-ing promotional exams Development of a written directive will be completed by the third	5	Chief & Deputy Chiefs

sworn personnel			quarter of 2011		
BART PD should develop a written directive that describes all elements and procedures used in each promotional process.	310	Accepted/ In progress	We have established acting promotional positions and will develop and administer permanent promotional testing process by the third quarter of 2011. Development of a written directive will be completed by the third quarter of 2011	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	Accepted/ In progress	We have established acting promotional positions and will develop and administer permanent promotional testing processes by the third quarter of 2011. Development of a written directive will be completed by the third quarter of 2011	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	Accepted/ In progress	This will be completed by the third quarter of 2011 (prior to announcing the recruitment for permanent promotional positions	5	Chief & Deputy Chiefs
BART PD should modify its policy and procedures to permit lateral entry hires for all promotional ranks.	313	Accepted/ Completed	This is addressed by the BPOA & BPMA MOU's and District hiring practices	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	Accepted/In progress	This will be completed when we announce the recruitment for permanent promotional positions	5	Deputy Chief Fairow & Lt. Lucarelli