



OFFICE OF THE INDEPENDENT
POLICE AUDITOR
BAY AREA RAPID TRANSIT

MONTHLY REPORT

February 2025

Issue date: April 14, 2025

This report is filed pursuant to the BART Civilian Oversight Model, Chapter 1-05 (B), which requires the Office of the Independent Police Auditor (OIPA) to submit reports to the BART Police Civilian Review Board (BPCRB). This report provides information for the period **February 1, 2025 through February 28, 2025.**¹ *(The Quantitative Report includes all complaints received and administrative investigations initiated by both OIPA and the BART Police Department (BPD) Internal Affairs Bureau (IA)).*

QUANTITATIVE REPORT

	Cases Filed ²	Open Cases ³	Investigations Resolved	OIPA Investigations Concluded ⁴	Cases Appealed to OIPA ⁵	Cases Appealed by BPCRB ⁶
February 2024	12	118	7	1	0	0
March 2024	11	116	9	2	0	0
April 2024	9	115	9	1	0	0
May 2024	16	123	8	0	0	0
June 2024	8	123	8	1	0	0
July 2024	14	121	19	3	0	0
August 2024	7	112	18	1	0	0
September 2024	8	113	7	1	0	0
October 2024	14	115	12	2	0	0
November 2024	5	118	2	0	1	1
December 2024	10	119	9	1	0	0
January 2025	8	118	8	0	0	0
February 2025	11	114	15	2	0	0

TYPES OF CASES FILED

Citizen Complaints (Formal)	8
Informal Complaints ⁷	1
Administrative Investigations	2
Inquiries ⁸	0
TOTAL	11

CITIZEN COMPLAINTS RECEIVED PER DEPARTMENT⁹

OIPA	1
BART Police Department	10
TOTAL	11

COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During February 2025, OIPA received **1 Citizen Complaint (Formal)**:

OIPA Complaint # IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 OIPA #25-11	Officer #1-#3: • Courtesy	OIPA conducting preliminary investigation.	53

During February 2025, BPD received **7 Citizen Complaints (Formal)**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2025-008)	BPD Employee: • Conduct Unbecoming an Officer	BPD initiated an investigation.	69
2 (IA2025-009)	Officer: • Conduct Unbecoming an Officer	BPD initiated an investigation.	69
3 (IA2025-010)	Officer: • Bias-Based Policing BPD Employee: • Conduct Unbecoming an Officer	BPD initiated an investigation.	69
4 (IA2025-011)	Officer: • Force • Conduct Unbecoming an Officer	BPD initiated an investigation.	67
5 (IA2025-015)	Officers #1 - #3: • Force	BPD initiated an investigation.	61
6 (IA2025-016)	Officers #1 - #4: • Force	BPD initiated an investigation.	57
7 (IA2025-017)	Officer: • Force	BPD initiated an investigation.	54

During February 2025, BPD opened **2 Administrative Investigations:**

Complaint # IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2025-014)	BPD Employee: <ul style="list-style-type: none"> • Truthfulness • Policy/Procedure 	BPD initiated an investigation.	67
2 (IA2025-018)	Officer: <ul style="list-style-type: none"> • Arrest or Detention • Supervision • Performance of Duty 	BPD initiated an investigation.	54

During February 2025, OIPA concluded **2 Citizen Complaints:**

(OIPA Case#/IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 (OIPA#24-13/IA2024-025)	Anonymous complainants made allegations against BPD command staff regarding several perceived personnel violations.	Officer #1: <ul style="list-style-type: none"> • Policy/Procedure – Exonerated • Conduct Unbecoming an Officer (Overtime Use) – Exonerated • Workplace Discrimination – Not Sustained • Workplace Harassment – Not Sustained Officer #2: <ul style="list-style-type: none"> • Supervision – Exonerated 	384	332

2 (OIPA #24-34/IA#2024-55)	The complainant alleged officers used excessive force while detaining a juvenile for fare evasion.	Officer #1: • Bias-Based Policing – Exonerated • Force - Exonerated Officer #2: • Bias-Based Policing – Exonerated Officer #3: • Bias-Based Policing – Exonerated	308	241
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During February 2025, BPD concluded **13 Citizen Complaints**:

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 (IA2023-091)	An officer alleged that a sergeant was unprofessional towards him and two other sergeants. The sergeant exhibited violent behavior towards them after an incident occurred at the police substation. The involved sergeant also made allegations against involved police personnel.	Officer #1: • Performance of Duty – Supervision – Unfounded • Bias-Based Policing - Unfounded Officers #2: • Conduct Unbecoming – Insubordination – Unfounded Officers #3: • Conduct Unbecoming – Exonerated Officers #4: • Conduct Unbecoming – Sustained	589	522

2 (IA2024-010)	Complainant alleged an officer was aggressive in the manner they told a person not to give money to a panhandler.	Officer #1: • Conduct Unbecoming an Officer – Verbally Aggressive – Not Sustained	421	354
3 (IA2024-011)	Complainant alleged an officer acted racist and used excessive force on them.	Officer: • Force - Exonerated • Bias-Based Policing – Unfounded	414	346
4 (IA2024-013)	Complainant alleged officers used excessive force when contacting an armed suspect. Complainant observed the officers grab the suspect as the suspect was walking away. The complainant said that officers should have provided more verbal instructions.	Officers #1 - #4: • Force – Exonerated	410	349
5 (IA2024-019)	Complainant alleged officers used excessive force while taking him into custody.	Officer: • Force – Exonerated • Detention - Exonerated	419	352
6 (IA2024-020)	Complainant alleged an officer tackled him and twisted his wrists after he was placed in handcuffs.	Officer: • Force – Exonerated	397	335
7 (IA2024-023)	Complainant alleged an officer touched her service dog and would not step back.	Administratively closed	390	333

8 (IA 2024-024)	Complainant alleged officers used excessive force when they threw the complainant to the ground.	Officer: • Force – Exonerated	391	334
9 (IA 2024-053)	The complainant alleged an officer failed to provide assistance and take a report after the complainant was assaulted by a station agent. After reviewing video footage, Internal Affairs included additional allegations to the investigation.	Officer: • Truthfulness – Sustained • Performance of Duty – Sustained • Policy/Procedure (Body Worn Camera) – Sustained • Conduct Unbecoming an Officer - Sustained	318	249
10 (IA 2024-072)	A sergeant reported that an officer failed to properly respond to a report by a station agent of a crime committed.	Officer: • Performance of Duty – Sustained • Conduct Unbecoming an Officer - Sustained • Truthfulness – Sustained • Policy/Procedure (Body Worn Camera) – Sustained	277	211
11 (IA 2024-087)	The complainant alleged an officer detained and later arrested them due to the complainant's ethnicity.	Administratively closed	202	134
12 (IA 2025-012)	Officer was driving a BART vehicle and violated driving laws while on the freeway.	Conduct Unbecoming an Officer - Supervisory Referral	98	16

13 (IA 2025-013)	An BPD employee improperly parked their vehicle at the Walnut Creek BART Station.	Policy/Procedure – Supervisory Referral	66	5
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DISCIPLINE ISSUED DURING REPORTING PERIOD

During February 2025, BPD issued no officer discipline.

In accordance with the BART Civilian Oversight Model (Model), OIPA investigates certain complaints, conducts complainant-initiated appeals, and monitors and/or reviews complaint investigations conducted by BPD. Though potentially work-intensive, some complaint investigation reviews are completed informally, with any concerns being addressed through a conference with BPD's Internal Affairs investigators. Noting the various kinds of work that OIPA undertakes with regard to complaints and investigations, the following chart includes some of the pending cases in which OIPA is involved as of the end of this reporting period.

Investigations Being Conducted	15
Complainant-Initiated Appeals	2
BPD-Initiated Appeals	0
Investigations Being Monitored	16
Investigations Reviewed During Current Month	25†

†This number does not include all OIPA reviews, as OIPA commonly looks at a variety of cases in the Internal Affairs database to obtain updates on both pending and completed investigations.

ISSUES DETECTED

The Model provides that OIPA shall have authority to require follow-up investigation into any citizen complaint or allegation that is handled by BPD.¹⁰ The OIPA Monthly Report will reflect information regarding monitored cases, investigations, and contacts with detail not to exceed that which is allowable under state law.

The investigations reviewed by OIPA during the period did not generate any notable recommendations for revisions or additional investigation.

¹ In addition to reporting on complaints received by the BART Police Department, the Citizen Oversight Model requires reporting on all complaints received by the "Citizen Board, Office of the District Secretary, and other District departments." As complaints received by the BART Police Citizen Review Board are customarily directed to OIPA for further action, such complaints are included in the Quantitative Report above; OIPA is also made aware of additional complaints about the BART Police Department by the Office of the District Secretary or other District departments.

² This number includes all Citizen Complaints filed against members of the BART Police Department, as well as Administrative Investigations generated internally by BART Police Department members

(as opposed to being filed by a citizen). This number also includes previously completed cases that have been re-opened during the current reporting period.

³ This number indicates all investigations that are open as of the end of the reporting period. It includes Citizen Complaints (regardless of whether the investigation is being conducted by OIPA, the BART Police Department, or both) and Administrative Investigations.

⁴ This number includes all cases completed by OIPA during the reporting period for which OIPA's findings are required by the BART Citizen Oversight Model to be submitted to the BART Police Citizen Review Board. It therefore includes independent investigations, as well as reviews of completed BART Police Department investigations initiated via appeal from a complainant. Unless otherwise noted, it does not include reviews of BART Police Department investigations initiated at the discretion of OIPA, which happen commonly and do not always generate a formal report; it also does not include reviews conducted by OIPA of complaint investigations where the complaint was filed with OIPA but did not fall under OIPA's investigative jurisdiction.

⁵ This number refers to appeals filed with OIPA by complainants who have been issued the findings of the BART Police Department's internal investigation into their complaint regarding on-duty incidents. OIPA has a responsibility to review such appeals pursuant to the BART Citizen Oversight Model, Chapter 1-04 (E).

⁶ This number refers to all appeals initiated by the BART Police Citizen Review Board after receiving and reviewing the findings issued by OIPA in a given case. The routes of all such appeals are described in detail in the BART Citizen Oversight Model, Chapter 1-04 (B) (iv-v).

⁷ The BART Police Department defines an Informal Complaint as, "A comment on the actions of a Department employee, where the reporting party expressly states that he or she does not feel that the matter should be formally investigated with the understanding that an Informal Complaint does not hold the potential to result in disciplinary action against the employee." (BART Police Department Policy Manual, Policy 1020.1.1(d)).

⁸ BPD policy provides that if a person alleges or raises an issue that does not constitute a violation of Department policy, procedure, rules, regulations, or the law, the Department will classify the issue as an inquiry.

⁹ It is important to note that OIPA does not separate citizen complaints it receives into "Formal" and "Informal" classifications. This chart reflects all citizen complaints received by OIPA and all Formal Complaints received by the BART Police Department.

¹⁰ OIPA may submit recommendations to IA regarding minor clerical or record-keeping adjustments which are intended to maintain the integrity of the data collection and record-keeping processes at BPD. These are not considered by OIPA to be substantive recommendations requiring reporting herein.