



OFFICE OF THE INDEPENDENT  
**POLICE AUDITOR**  
BAY AREA RAPID TRANSIT

## **MONTHLY REPORT**

APRIL 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 **April 1, 2025 through April 30, 2025.**<sup>1</sup> *(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 <sup>2</sup>	Open Cases <sup>3</sup>	Investigations Resolved	OIPA Investigations Concluded <sup>4</sup>	Cases Appealed to OIPA <sup>5</sup>	Cases Appealed by BPCRB <sup>6</sup>
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
March 2025	4	106	13	1	1	0
April 2025	10	107	10	1	0	0

## TYPES OF CASES FILED

Community Complaints (Formal)	9
Informal Complaints <sup>7</sup>	0
Administrative Investigations	1
Inquiries <sup>8</sup>	0
<b>TOTAL</b>	<b>10</b>

## COMMUNITY COMPLAINTS RECEIVED PER DEPARTMENT<sup>9</sup>

OIPA	4
BART Police Department	6
<b>TOTAL</b>	<b>10</b>

## COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During April 2025, OIPA received **4 Community Complaint (Formal)**:

OIPA Complaint # IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> <b>OIPA #25-16</b> <b>/IA#2025-029</b>	Officers #1&#2: <ul style="list-style-type: none"> <li>• Force</li> <li>• Bias-Based Policing</li> <li>• Policy/Procedure</li> </ul>	OIPA is investigating	65
<b>2</b> <b>OIPA #25-13</b> <b>/IA#2025-026</b>	Officers #1&#2: <ul style="list-style-type: none"> <li>• Arrest/Detention</li> <li>• Search/Seizure</li> <li>• Policy/Procedure</li> </ul>	OIPA is investigating.	62
<b>3</b> <b>OIPA #25-18</b> <b>/IA#2025-032</b>	Officer: <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> </ul>	OIPA referred the complaint to BPD for investigation.	56
<b>4</b> <b>OIPA #25-17</b> <b>/IA#2025-031</b>	Officer #1: <ul style="list-style-type: none"> <li>• Arrest/Detention</li> <li>• Policy/Procedure</li> </ul> Officers #1&#2: <ul style="list-style-type: none"> <li>• Arrest/Detention</li> <li>• Search/Seizure</li> <li>• Policy/Procedure</li> </ul>	OIPA is investigating.	59

During April 2025, BPD received **5 Community Complaints (Formal)**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> <b>(IA2025-025)</b>	Officer #1: <ul style="list-style-type: none"> <li>• Force</li> <li>• Arrest/Detention</li> <li>• Conduct Unbecoming an Officer</li> </ul> Officer #2: <ul style="list-style-type: none"> <li>• Force</li> <li>• Arrest/Detention</li> </ul> Officer #3: <ul style="list-style-type: none"> <li>• Force</li> </ul>	BPD initiated an investigation.	69
<b>2</b> <b>(IA2025-027)</b>	Officers #1-#3: <ul style="list-style-type: none"> <li>• Force</li> </ul>	BPD initiated an investigation.	64
<b>3</b> <b>(IA2025-028)</b>	Officers #1-#4: <ul style="list-style-type: none"> <li>• Force</li> </ul>	BPD initiated an investigation.	61
<b>4</b> <b>(IA2025-030)</b>	Officers #1-#4: <ul style="list-style-type: none"> <li>• Force</li> </ul>	BPD initiated an investigation.	52
<b>5</b> <b>(IA2025-032)</b>	Officer: <ul style="list-style-type: none"> <li>• Force</li> <li>• Bias-Based Policing</li> <li>• Policy/Procedure</li> </ul>	BPD initiated an investigation.	64

During April 2025, BPD initiated **1 Administrative Investigation:**

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> <b>(IA2025-024)</b>	Officer #1: <ul style="list-style-type: none"> <li>• Arrest/Detention</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure – BWC Violation</li> </ul> Officer #2: <ul style="list-style-type: none"> <li>• Arrest/Detention</li> <li>• Policy/Procedure – BWC Violation</li> </ul>	BPD initiated an investigation.	68

During April 2025, OIPA concluded **1 Community Complaint:**

(OIPA Case#/IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<b>1</b> <b>(OIPA#24-27 /IA2024-038)</b>	Complainant alleged officers unlawfully detained him as a suspect and used excessive force.	Officers #1&#2: <ul style="list-style-type: none"> <li>• Arrest/Detention – Exonerated</li> <li>• Conduct Unbecoming an Officer – Exonerated</li> <li>• Excessive/Unnecessary Use of Force – Not Sustained</li> </ul>	397	336

During April 2025, BPD concluded **9 Community Complaints**:

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<b>1</b> <b>(IA2022-093)</b>	The complainant alleged officers illegally detained and arrest him. Complainant further alleged officers used excessive force when placing him in handcuffs and acted unprofessional.	Officer #1: <ul style="list-style-type: none"> <li>• Force - Exonerated</li> <li>• Arrest – Exonerated</li> <li>• Detention – Exonerated</li> <li>• Conduct Unbecoming – Unfounded</li> </ul> Officers #2-#4: <ul style="list-style-type: none"> <li>• Force - Exonerated</li> <li>• Conduct Unbecoming Officer – Unfounded</li> </ul>	917	848
<b>2</b> <b>(IA2024-031)</b>	An officer alleged that a commanding officer made disrespectful and unprofessional remarks to a group of officers about a fellow officer who was not present.	Officer: <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Administratively Closed by Mediation</li> <li>• Policy/Procedure (Retaliation) – Administratively Closed by Mediation</li> <li>• Policy/Procedure (Rumors and Bullying in the Workplace) – Administratively Closed by Mediation</li> </ul>	420	353

<b>3</b> <b>(IA 2024-033)</b>	The complainant alleged that, during an arrest, an officer shoved him, causing a head injury, and that the same officer had been harassing him for several weeks.	Officer: • Force – Exonerated • Conduct Unbecoming an Officer – Unfounded	414	347
<b>4</b> <b>(IA 2024-052)</b>	Officers allegedly used excessive force during a fare evasion enforcement.	Officer: • Force – Administratively Closed – no formal complaint and administratively reviewed by BPD.	370	322
<b>5</b> <b>(IA 2024-054)</b>	The complainant alleged that officers stole some of his property during his arrest.	Officers #1-#3: • Conduct Unbecoming an Officer – Unfounded	402	362
<b>6</b> <b>(IA 2024-062)</b>	The complainant alleged her daughter (a minor) was improperly escorted out of the train station for failing to have proof of payment.	Officers #1&#2: • Detention – Administratively Closed – resolved by BPD as an inquiry  BPD Personnel #1&#2: • Policy/Procedure – Administratively Closed – resolved by BPD as an inquiry	354	312

<b>7</b> <b>(IA2024-079)</b>	The complainant alleged her minor son was illegally detained by an officer for threatening patrons with a gun and the officer used excessive force during the detention.	Officer: • Force – Exonerated	315	267
<b>8</b> <b>(IA2024-101)</b>	Administrative investigation regarding the legality of a detention for trespassing and subsequent arrest by an officer.	Officer: • Arrest/Detention – Exonerated • Performance of Duty – Sustained • Arrest/detention-trespassing - Exonerated	231	178
<b>9</b> <b>(IA2025-032)</b>	The complainant alleged witnessing an officer use excessive force and behave in a biased manner toward a Black man who was smoking on the train. The complainant was uncertain about filing a formal complaint and did not respond to follow-up requests for additional information.	Officer: • Force – supervisory referral • Bias-Based Policing – supervisory referral • Policy/Procedure – supervisory referral	231	179

## DISCIPLINE ISSUED DURING REPORTING PERIOD

No officer discipline was issued during April 2025.

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 regarding 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	12
Complainant-Initiated Appeals	4
BPD-Initiated Appeals	0
Investigations Being Monitored	12
Investigations Reviewed During Current Month	20†

†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 investigations into any community complaint or allegation that is handled by BPD.<sup>10</sup> 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.

During the current reporting period, OIPA completed its review of BPD investigations and did not identify any matters warranting additional investigative steps. One complaint investigation completed by BPD during this timeframe was closed beyond the applicable statutory deadline. OIPA addressed this issue with BPD, and the Department reported plans to expand investigative capacity by assigning patrol sergeants—who have received Internal Affairs training—to conduct investigations outside of the Internal Affairs unit. This strategy is intended to more effectively manage the existing backlog of complaints and ensure compliance with all statutory timelines moving forward.

<sup>1</sup> In addition to reporting on complaints received by the BART Police Department, the Civilian Oversight Model requires reporting on all complaints received by the “Civilian Board, Office of the District Secretary, and other District departments.” As complaints received by the BART Police Civilian 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.

<sup>2</sup> This number includes all Community 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 community). This number also includes previously completed cases that have been re-opened during the current reporting period.

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

<sup>4</sup> This number includes all cases completed by OIPA during the reporting period for which OIPA's findings are required by the BART Civilian Oversight Model to be submitted to the BART Police Civilian 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.

<sup>5</sup> 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 Civilian Oversight Model, Chapter 1-04 (E).

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

<sup>7</sup> 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)).

<sup>8</sup> 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.

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

<sup>10</sup> 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.