



OFFICE OF THE INDEPENDENT  
**POLICE AUDITOR**

**BAY AREA RAPID TRANSIT**

# **MONTHLY REPORT**

January 2025

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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 **January 1, 2025 through January 31, 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>
January 2024	5	107	10	1	0	0
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

**TYPES OF CASES FILED**

Citizen Complaints (Formal)	4
Informal Complaints <sup>7</sup>	1
Administrative Investigations	3
Inquiries <sup>8</sup>	0
<b>TOTAL</b>	<b>8</b>

**CITIZEN COMPLAINTS RECEIVED PER DEPARTMENT<sup>9</sup>**

OIPA	1
BART Police Department	3
<b>TOTAL</b>	<b>4</b>

## COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

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

OIPA Complaint # IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> (OIPA 25-03) (IA2025-019)	Officer #1 -#3: <ul style="list-style-type: none"> <li>• Courtesy</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> </ul>	OIPA initiated an investigation.	41

During January 2025, BPD received **3 Citizen Complaints (Formal)**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> (IA2025-002)	Officer #1: <ul style="list-style-type: none"> <li>• Arrest or Detention</li> <li>• Force</li> <li>• Conduct Unbecoming an Officer</li> </ul> Officer #2: <ul style="list-style-type: none"> <li>• Arrest or Detention</li> <li>• Force</li> </ul>	BPD initiated an investigation.	61
<b>2</b> (IA2025-003)	Officer: <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> </ul>	BPD initiated an investigation.	60
<b>3</b> (IA2025-005)	Officer: <ul style="list-style-type: none"> <li>• Arrest or Detention</li> </ul>	BPD initiated an investigation.	56

During January 2025, BPD opened **3 Administrative Investigations:**

Complaint # IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> (IA2025-004)	BPD Employee: <ul style="list-style-type: none"> <li>• Truthfulness</li> <li>• Policy/Procedure</li> </ul>	BPD initiated an investigation.	57
<b>2</b> (IA2025-006)	Officer: <ul style="list-style-type: none"> <li>• Arrest or Detention</li> <li>• Supervision</li> <li>• Performance of Duty</li> </ul>	BPD initiated an investigation.	48
<b>3</b> (IA2025-007)	BPD Employee: <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> </ul>	BPD initiated an investigation.	45

During January 2025, BPD concluded **8 Citizen Complaints:**

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<b>1</b> (IA2023-087)	Unknown officers left a vehicle running idle.	Administratively closed	572	532
<b>2</b> (IA2024-002)	Officers used excessive when detaining a person during a contact for a welfare check. An officer failed to provide their name and badge number.	Officers #1 - #4: <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul> Officer #5: <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Policy/Procedure (provide name and badge) – Sustained</li> </ul>	431	370

<b>3</b> <b>(IA2024-003)</b>	Officers improperly detained the complainant for fare evasion.	Officers #1 & #2: <ul style="list-style-type: none"> <li>• Detention - Exonerated</li> <li>• Conduct Unbecoming an Officer – Unfounded</li> </ul>	430	369
<b>4</b> <b>(IA2024-006)</b>	Officers acted in a discriminatory way against the complainant because the complainant is homeless.	Officers #1 & #2: <ul style="list-style-type: none"> <li>• Bias-Based Policing – Unfounded</li> </ul>	401	355
<b>5</b> <b>(IA2024-007)</b>	Officer pushed complainant against the patrol vehicle and injured complainant’s face.	Officer: <ul style="list-style-type: none"> <li>• Force – Unfounded</li> </ul>	399	344
<b>6</b> <b>(IA2024-008)</b>	Officer used unnecessary force by spraying the complainant with pepper spray.	Officer: <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul>	399	345
<b>7</b> <b>(IA2024-028)</b>	Officer used excessive force and made improper threatening verbal statements during an arrest.	Officer: <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Conduct Unbecoming an Officer (Statement) – Exonerated</li> </ul>	398	352
<b>8</b> <b>(IA2024-106)</b>	Officer unethically used sick leave to take time off.	Administratively closed	130	69

## DISCIPLINE ISSUED DURING REPORTING PERIOD

During January 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	15†

†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.<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.

### Key Issues Identified for the Reporting Period January 2025

OIPA's review of BPD's handling of police misconduct allegations in January 2025 identified generally ongoing issues with timeliness and case management,\* as well as new concerns about transparency and accountability:

#### Timeliness of Investigations

##### Untimely Closures:

- Two cases were closed after the statute of limitations (3304) had passed:
  - In one case, BPD administratively closed the case five months after the statute.

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\* See OIPA Monthly Report November 2024, Key Findings for the Reporting Period July – November 2024, at p. 6.

- In another case, BPD did not clearly document when the initial complaint was received (see Transparency & Accountability section below).

## **Transparency & Accountability**

- In two cases, BPD was vague or silent about when BPD received the complaints. Without clear documentation, it is difficult for OIPA to verify adherence to the statute of limitations (California Government Code Section 3304).

## **Recommendations for the Reporting Period January 2025**

By implementing these recommendations, BPD can improve internal and external accountability, build public trust, and ensure fair treatment for officers and complainants alike:

### **1. Expedite Investigations**

- Complete investigations well before statutory deadlines. Expired statutory deadlines raise concerns about due process and accountability for the officer, undermining the public's trust in BPD's internal investigations.

### **2. Enhance Investigative Training**

- Develop comprehensive training for Internal Affairs investigators on proper classifications of findings to ensure consistency and accuracy in investigative outcomes.

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<sup>1</sup> 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.

<sup>2</sup> 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.

<sup>3</sup> 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.

<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 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

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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 Citizen Oversight Model, Chapter 1-04 (E).

<sup>6</sup> 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).

<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 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.

<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.



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**POLICE AUDITOR**

**BAY AREA RAPID TRANSIT**

# **MONTHLY REPORT**

February 2025

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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.**<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>
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 <sup>7</sup>	1
Administrative Investigations	2
Inquiries <sup>8</sup>	0
<b>TOTAL</b>	<b>11</b>

**CITIZEN COMPLAINTS RECEIVED PER DEPARTMENT<sup>9</sup>**

OIPA	1
BART Police Department	10
<b>TOTAL</b>	<b>11</b>

**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"> <li>• Truthfulness</li> <li>• Policy/Procedure</li> </ul>	BPD initiated an investigation.	67
2 (IA2025-018)	Officer: <ul style="list-style-type: none"> <li>• Arrest or Detention</li> <li>• Supervision</li> <li>• Performance of Duty</li> </ul>	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"> <li>• Policy/Procedure – Exonerated</li> <li>• Conduct Unbecoming an Officer (Overtime Use) – Exonerated</li> <li>• Workplace Discrimination – Not Sustained</li> <li>• Workplace Harassment – Not Sustained</li> </ul> Officer #2: <ul style="list-style-type: none"> <li>• Supervision – Exonerated</li> </ul>	384	332

<b>2</b> <b>(OIPA #24-34/IA#2024-55)</b>	The complainant alleged officers used excessive force while detaining a juvenile for fare evasion.	Officer #1: <ul style="list-style-type: none"> <li>• Bias-Based Policing – Exonerated</li> <li>• Force - Exonerated</li> </ul> Officer #2: <ul style="list-style-type: none"> <li>• Bias-Based Policing – Exonerated</li> </ul> Officer #3: <ul style="list-style-type: none"> <li>• Bias-Based Policing – Exonerated</li> </ul>	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
<b>1</b> <b>(IA2023-091)</b>	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: <ul style="list-style-type: none"> <li>• Performance of Duty – Supervision – Unfounded</li> <li>• Bias-Based Policing - Unfounded</li> </ul> Officers #2: <ul style="list-style-type: none"> <li>• Conduct Unbecoming – Insubordination – Unfounded</li> </ul> Officers #3: <ul style="list-style-type: none"> <li>• Conduct Unbecoming – Exonerated</li> </ul> Officers #4: <ul style="list-style-type: none"> <li>• Conduct Unbecoming – Sustained</li> </ul>	589	522

<b>2</b> <b>(IA2024-010)</b>	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
<b>3</b> <b>(IA2024-011)</b>	Complainant alleged an officer acted racist and used excessive force on them.	Officer: • Force - Exonerated • Bias-Based Policing – Unfounded	414	346
<b>4</b> <b>(IA2024-013)</b>	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
<b>5</b> <b>(IA2024-019)</b>	Complainant alleged officers used excessive force while taking him into custody.	Officer: • Force – Exonerated • Detention - Exonerated	419	352
<b>6</b> <b>(IA2024-020)</b>	Complainant alleged an officer tackled him and twisted his wrists after he was placed in handcuffs.	Officer: • Force – Exonerated	397	335
<b>7</b> <b>(IA2024-023)</b>	Complainant alleged an officer touched her service dog and would not step back.	Administratively closed	390	333

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

<b>13 (IA 2025-013)</b>	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.<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.

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

<sup>1</sup> 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.

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(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.

<sup>3</sup> 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.

<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 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.

<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 Citizen Oversight Model, Chapter 1-04 (E).

<sup>6</sup> 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).

<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 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.

<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.



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# **MONTHLY REPORT**

MARCH 2025

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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 **March 1, 2025 through March 31, 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>
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April 2024	9	115	9	1	0	0
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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

**TYPES OF CASES FILED**

Community Complaints (Formal)	3
Informal Complaints <sup>7</sup>	1
Administrative Investigations	0
Inquiries <sup>8</sup>	0
<b>TOTAL</b>	<b>4</b>

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

OIPA	1
BART Police Department	3
<b>TOTAL</b>	<b>4</b>

**COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD**

During March 2025, OIPA received **1 Community Complaint (Formal)**:

OIPA Complaint # IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 OIPA #25-13 /IA#2025-026	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.	45

During March 2025, OIPA received **1 Appeal**:

OIPA Complaint # IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 OIPA #25-14 /IA#2024-016	Officer: <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> </ul>	OIPA is reviewing the investigation.	45

During March 2025, BPD received **1 Community Complaint (Informal)**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2025-023)	BPD Employee: <ul style="list-style-type: none"> <li>• Performance of Duty</li> </ul>	BPD initiated a review.	54

During March 2025, BPD received **2 Community Complaints (Formal)**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> <b>(IA2025-018)</b>	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Arrest/Detention</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure – BWC Violation</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Arrest/Detention</li> <li>• Policy/Procedure – BWC Violation</li> </ul>	BPD initiated an investigation.	67
<b>2</b> <b>(IA2025-022)</b>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Force</li> </ul>	BPD initiated an investigation.	58

During March 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#24-22 /IA2024-036)</b>	Complainant alleged an officer was rude and dismissive regarding the handling of the complainant's citizen's arrest for an assault.	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Performance of Duty – Exonerated</li> <li>• Conduct Unbecoming an Officer – Exonerated</li> </ul>	383	314

During March 2025, BPD concluded **12 Community Complaints**:

<b>(IA Case #)</b>	<b>Nature of Complaint</b>	<b>Disposition</b>	<b>Days Elapsed Since Complaint Filed</b>	<b>Days Taken to Complete Investigation</b>
<b>1 (IA2018-060)</b>	An anonymous caller alleged that the BPD officer responsible for the criminal investigation showed a lack of concern for community safety by not sharing information with the public sooner given that the suspect was still at large.	<ul style="list-style-type: none"> <li>• Service Review</li> </ul>	2,485	2,431
<b>2 (IA2024-014)</b>	The complainant alleged officers acted in a discriminatory way and used excessive force during the detention for fare evasion.	Officers #1 & #2: <ul style="list-style-type: none"> <li>• Force - Exonerated</li> <li>• Bias-Based Policing – Unfounded</li> </ul>	438	376 (case was previously tolled)

<p><b>3</b> <b>(IA2024-015)</b></p>	<p>The complainant alleged an officer took his identification during an improper arrest and BPD employees assisted.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Bias-Based Policing – Unfounded</li> <li>• Arrest/Detention – Exonerated</li> <li>• Policy/Procedure (Property Handling) – Unfounded</li> <li>• Conduct Unbecoming an Officer – Unfounded</li> </ul> <p>BPD Employee #1 &amp; #2:</p> <ul style="list-style-type: none"> <li>• Bias-Based Policing – Unfounded</li> </ul>	<p>438</p>	<p>379</p>
<p><b>4</b> <b>(IA2024-016)</b></p>	<p>The complainant alleged an officer acted in a retaliatory way, issuing the complainant an improper parking citation.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Not Sustained</li> </ul>	<p>437</p>	<p>384</p>
<p><b>5</b> <b>(IA2024-021)</b></p>	<p>An anonymous complainant sent in a video that they watched on YouTube involving BART Police Officers detaining a subject who declined to stop using an electrical outlet on a BART Train.</p>	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Arrest/Detention – Not Sustained</li> <li>• Body Worn Camera (Late Activation) – Sustained</li> <li>• Force – Exonerated</li> <li>• Policy/Procedure (Improper Citation) – Exonerated</li> <li>• Force – Exonerated</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Arrest/Detention – Unfounded</li> <li>• Body Worn Camera (Late Activation) – Sustained</li> <li>• Force – Exonerated</li> </ul>	<p>420</p>	<p>362</p>

<p><b>6</b> <b>(IA 2024-022)</b></p>	<p>An officer alleged a supervisor treated them unfairly and retaliated against them by completing an employee evaluation that did not accurately represent their performance.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Not Sustained</li> <li>• Performance of Duty – Unfounded</li> </ul>	<p>419</p>	<p>357</p>
<p><b>7</b> <b>(IA 2024-026)</b></p>	<p>The complainant alleged an officer was rude and attempted to unlawfully detain her for fare evasion.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Detention – Exonerated</li> <li>• Conduct Unbecoming an Officer – Exonerated</li> </ul>	<p>405</p>	<p>352</p>
<p><b>8</b> <b>(IA 2024-029)</b></p>	<p>The complainant alleged an officer acted unprofessionally by refusing to contact the complainant's employer after the complainant was misidentified as a suspect of a crime and detained.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Sustained</li> </ul>	<p>405</p>	<p>349</p>
<p><b>9</b> <b>(IA 2024-030)</b></p>	<p>The complainant alleged an officer forced him to stay in the station agent's booth against his will and threatened to hit and arrest him.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer - Sustained</li> </ul>	<p>410</p>	<p>355</p>

<b>10</b> <b>(IA2024-034)</b>	The complainant alleged an officer choked him and used force to hold his head up during a detention and subsequent arrest.	Officers #1 & #2: • Force – Exonerated	389	343
<b>11</b> <b>(IA2024-095)</b>	An BPD employee improperly parked their vehicle at the Walnut Creek BART Station.	Officer: • Policy/Procedure (unauthorized computer database access) – Sustained	214	168
<b>12</b> <b>(IA2024-102)</b>	An officer is alleged to have detained an individual without reasonable suspicion.	Officer: • Arrest/Detention (proof of payment) – Exonerated • Force – Exonerated • Arrest/Detention (blocking free movement) – Sustained • Policy/Procedure (BWC) - Sustained	202	140

## DISCIPLINE ISSUED DURING REPORTING PERIOD

During March 2024, BPD took the following actions in a case where one allegation of misconduct was sustained:

Case #	Nature of Sustained Allegation(s) *	Classification of Sustained Allegation(s)	Action Taken
1	Officers failed to properly activate body worn cameras in accordance with BPD policy.	Officers #1 & #2: <ul style="list-style-type: none"> <li>• Policy/Procedure (Body Worn Camera) – Sustained</li> </ul>	Officer: <ul style="list-style-type: none"> <li>• Letter of Discussion<sup>10</sup></li> </ul>

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	16
Complainant-Initiated Appeals	2
BPD-Initiated Appeals	0
Investigations Being Monitored	12
Investigations Reviewed During Current Month	17†

†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>11</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.

The investigations reviewed by OIPA during this reporting period did not result in any notable recommendations for revisions or additional investigation. Two complaints resolved

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\*Some details regarding the nature of sustained allegations may be withheld to avoid unintentionally breaching mandatory confidentiality requirements. In some instances, the relative infrequency of the alleged misconduct may tend to allow for identification of the subject officer in violation of the applicable CA Penal Code section (832.7).

during this period were closed beyond the statutory deadline. These cases were discussed with BPD, and internal processes have been implemented to help prevent future delays in complaint investigations.

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<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> Letter of Discussion (second level of Informal Discipline): A Letter of Discussion is conducted by a supervisor with the employee. The employee’s misconduct is shared with the employee, documented and kept in the employee’s personnel file up to one (1) year. Furthermore, if the employee fails to

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correct the behavior, there will be cause to move to the next level of the process (BPOA Collective Bargaining Agreement).

<sup>11</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.



OFFICE OF THE INDEPENDENT  
**POLICE AUDITOR**

**BAY AREA RAPID TRANSIT**

# **MONTHLY REPORT**

APRIL 2025

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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.	<b>69</b>
<b>2</b> <b>(IA2025-027)</b>	Officers #1-#3: <ul style="list-style-type: none"> <li>• Force</li> </ul>	BPD initiated an investigation.	<b>64</b>
<b>3</b> <b>(IA2025-028)</b>	Officers #1-#4: <ul style="list-style-type: none"> <li>• Force</li> </ul>	BPD initiated an investigation.	<b>61</b>
<b>4</b> <b>(IA2025-030)</b>	Officers #1-#4: <ul style="list-style-type: none"> <li>• Force</li> </ul>	BPD initiated an investigation.	<b>52</b>
<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.	<b>64</b>

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

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1 (IA2025-024)</b>	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Arrest/Detention</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure – BWC Violation</li> </ul> <p>Officer #2:</p> <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 (OIPA#24-27 /IA2024-038)</b>	Complainant alleged officers unlawfully detained him as a suspect and used excessive force.	<p>Officers #1&amp;#2:</p> <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
<p><b>1</b> <b>(IA2022-093)</b></p>	<p>The complainant alleged officers illegally detained and arrest him. Complainant further alleged officers used excessive force when placing him in handcuffs and acted unprofessional.</p>	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Force - Exonerated</li> <li>• Arrest – Exonerated</li> <li>• Detention – Exonerated</li> <li>• Conduct Unbecoming – Unfounded</li> </ul> <p>Officers #2-#4:</p> <ul style="list-style-type: none"> <li>• Force - Exonerated</li> <li>• Conduct Unbecoming Officer – Unfounded</li> </ul>	<p>917</p>	<p>848</p>
<p><b>2</b> <b>(IA2024-031)</b></p>	<p>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.</p>	<p>Officer:</p> <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>	<p>420</p>	<p>353</p>

<p><b>3</b> <b>(IA 2024-033)</b></p>	<p>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.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Conduct Unbecoming an Officer – Unfounded</li> </ul>	<p>414</p>	<p>347</p>
<p><b>4</b> <b>(IA 2024-052)</b></p>	<p>Officers allegedly used excessive force during a fare evasion enforcement.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Force – Administratively Closed – no formal complaint and administratively reviewed by BPD.</li> </ul>	<p>370</p>	<p>322</p>
<p><b>5</b> <b>(IA 2024-054)</b></p>	<p>The complainant alleged that officers stole some of his property during his arrest.</p>	<p>Officers #1-#3:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Unfounded</li> </ul>	<p>402</p>	<p>362</p>
<p><b>6</b> <b>(IA 2024-062)</b></p>	<p>The complainant alleged her daughter (a minor) was improperly escorted out of the train station for failing to have proof of payment.</p>	<p>Officers #1&amp;#2:</p> <ul style="list-style-type: none"> <li>• Detention – Administratively Closed – resolved by BPD as an inquiry</li> </ul> <p>BPD Personnel #1&amp;#2:</p> <ul style="list-style-type: none"> <li>• Policy/Procedure – Administratively Closed – resolved by BPD as an inquiry</li> </ul>	<p>354</p>	<p>312</p>

<p><b>7</b> <b>(IA2024-079)</b></p>	<p>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.</p>	<p>Officer: • Force – Exonerated</p>	<p>315</p>	<p>267</p>
<p><b>8</b> <b>(IA2024-101)</b></p>	<p>Administrative investigation regarding the legality of a detention for trespassing and subsequent arrest by an officer.</p>	<p>Officer: • Arrest/Detention – Exonerated • Performance of Duty – Sustained • Arrest/detention-trespassing - Exonerated</p>	<p>231</p>	<p>178</p>
<p><b>9</b> <b>(IA2025-032)</b></p>	<p>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.</p>	<p>Officer: • Force – supervisory referral • Bias-Based Policing – supervisory referral • Policy/Procedure – supervisory referral</p>	<p>231</p>	<p>179</p>

**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

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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.



OFFICE OF THE INDEPENDENT  
**POLICE AUDITOR**

**BAY AREA RAPID TRANSIT**

# **MONTHLY REPORT**

MAY 2025

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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 **May 1, 2025 through May 31, 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>
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	107	14*	1	1	0
April 2025	10	107	10	1	0	0
May 2025	3	91	19	2	1	0

**TYPES OF CASES FILED**

Community Complaints (Formal)	3
Informal Complaints <sup>7</sup>	0
Administrative Investigations	0
Inquiries <sup>8</sup>	2
<b>TOTAL</b>	<b>5</b>

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

OIPA	3
BART Police Department	0
<b>TOTAL</b>	<b>3</b>

\* IA2025-004 was not previously reported as closed during the month of March. The case has been added to list of Investigations Resolved by Internal Affairs for this reporting period and summarized as an administrative investigation concluded by Internal Affairs.

**COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD**

During May 2025, OIPA received **3 Community Complaints (Formal):**

OIPA Complaint # IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> OIPA #25-20 /IA#2025-033	Officers #1 & #2: <ul style="list-style-type: none"> <li>• Policy/Procedure</li> <li>• Performance of Duty</li> </ul>	OIPA is investigating.	67
<b>2</b> OIPA #25-21 /IA#2025-045	Officers #1 & #2: <ul style="list-style-type: none"> <li>• Arrest/Detention</li> <li>• Performance of Duty</li> <li>• Policy/Procedure</li> <li>• Truthfulness</li> </ul>	OIPA will monitor the IA investigation.	61
<b>3</b> OIPA #25-23 /IA#2025-037	Officers #1 & #2: <ul style="list-style-type: none"> <li>• Arrest/Detention</li> <li>• Bias-Based Policing</li> <li>• Policy/Procedure</li> </ul>	OIPA is investigating.	56

During May 2025, OIPA received **1 Appeal:**

OIPA Complaint # IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> OIPA #25-24 /IA#2024-058	Officer: <ul style="list-style-type: none"> <li>• Bias-Based Policing – Not Sustained</li> <li>• Arrest/Detention – Not Sustained</li> <li>• Conduct Unbecoming an Officer – Not Sustained</li> <li>• Policy/Procedure (Providing Name/Badge #) – Not Sustained</li> <li>• Policy/Procedure (Body Worn Camera Activation) - Sustained</li> </ul>	OIPA is reviewing the request.	55

During May 2025, OIPA concluded **2 Community Complaints:**

<b>(OIPA Case#/IA Case #)</b>	<b>Nature of Complaint</b>	<b>Disposition</b>	<b>Days Elapsed Since Complaint Filed</b>	<b>Days Taken to Complete Investigation</b>
<b>1 (OIPA#24-36/ IA#2024-057)</b>	Complainant alleged that they witnessed the number of responding officers appeared excessive given the incident.	Administratively Closed – No BPD policy violation.	389	320
<b>2 (OIPA#24-35 /IA#2024-056)</b>	Complainant alleged that a BPD officer improperly detained and cited them for fare evasion. Additionally, the complainant alleged that they were treated unfairly by the officers based on the complainant's appearance.	Officer: <ul style="list-style-type: none"> <li>• Arrest/Detention – Exonerated</li> <li>• Policy/Procedure – (Fare Evasion Enforcement) – Exonerated</li> <li>• Conduct Unbecoming an Officer – Not Sustained</li> </ul>	398	331

BPD concluded **1 Administrative Investigation**, previously not reported in March 2025:

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<b>1</b> <b>(IA#2025-004)</b>	Administrative investigation initiated by the police department for a BPD employee making unauthorized recordings and untruthful statements.	BPD Personnel: <ul style="list-style-type: none"> <li>• Conduct Unbecoming (Demeanor) – Not Sustained</li> <li>• Conduct Unbecoming (Truthfulness) – Sustained</li> <li>• Policy/Procedure (Disgraceful Conduct and Use of Personal Communication Device) – Sustained</li> </ul>	179	71

During May 2025, BPD concluded **17 Complaints**:

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<b>1</b> <b>(IA#2023-001)</b>	The complainant alleged officers intentionally removed or destroyed their personal property during their detention.	Officers #1-#3: <ul style="list-style-type: none"> <li>• Conduct Unbecoming – Unfounded</li> </ul>	923	861 <sup>†</sup>

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<sup>†</sup> The expiration of the statute of limitation for this investigation was previously tolled due to a subject officer being on Industrial Leave and unavailable for interview from March 20, 2023 - June 30, 2024.

<p><b>2</b> <b>(IA#2023-070)</b></p>	<p>The complainant alleged that the officer used excessive force during their arrest by punching the complainant several times in the head.</p>	<p>Officer: • Force – Not Sustained</p>	<p>718</p>	<p>656</p>
<p><b>3</b> <b>(IA#2024-035)</b></p>	<p>The complainant alleged that officers used excessive force during his arrest for resisting after the complainant fare evaded.</p>	<p>Officers #1 &amp; #2: • Force – Exonerated</p>	<p>485</p>	<p>411</p>
<p><b>4</b> <b>(IA#2024-039)</b></p>	<p>The complainant alleged that the officer used excessive force by slamming him to the ground and not de-escalating the situation during the complainant's detention for fare evasion and subsequent arrest for resisting.</p>	<p>Officer: • Force – Exonerated</p>	<p>422</p>	<p>360</p>
<p><b>5</b> <b>(IA#2024-042)</b></p>	<p>The complainant alleged that an officer used excessive force during their arrest and destroyed their California identification card.</p>	<p>Officer: • Force - Exonerated • Conduct Unbecoming an Officer – Not Sustained</p>	<p>437</p>	<p>363</p>
<p><b>6</b> <b>(IA#2024-043)</b></p>	<p>The complainant alleged officers used excessive force by slamming a woman on the ground after she fare evaded and resisted officers.</p>	<p>Officers #1 &amp; #2: • Force – Exonerated</p>	<p>416</p>	<p>357</p>

<p><b>7</b> <b>(IA#2024-044)</b></p>	<p>The complainant alleged an officer neglected to investigate a reported theft.</p>	<p>Officer:  <ul style="list-style-type: none"> <li>• Performance of Duty – Exonerated</li> </ul> </p>	<p>412</p>	<p>338</p>
<p><b>8</b> <b>(IA#2024-050)</b></p>	<p>The complainant alleged that officers used excessive force by slamming him to the ground and placing a knee on the complainant's back during an arrest.</p>	<p>Officers #1-#3:  <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul> </p>	<p>409</p>	<p>356</p>
<p><b>9</b> <b>(IA#2024-058)</b></p>	<p>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 did not respond to follow-up requests for additional information.</p>	<p>Officer:  <ul style="list-style-type: none"> <li>• Bias-Based Policing – Not Sustained</li> <li>• Arrest/Detention – Not Sustained</li> <li>• Conduct Unbecoming an Officer – Not Sustained</li> <li>• Policy/Procedure (Providing Name and Badge #) – Not Sustained</li> <li>• Policy/Procedure (Body Worn Camera) - Sustained</li> </ul> </p>	<p>385</p>	<p>325</p>
<p><b>10</b> <b>(IA#2024-059)</b></p>	<p>The complainant alleged officers used excessive force by throwing a subject on the ground, choking and then breaking the subject's arm during a detention for proof of payment that led to a subsequent arrest for resisting.</p>	<p>Officers #1-#3:  <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul> </p>	<p>385</p>	<p>311</p>

<p><b>11</b> <b>(IA#2024-060)</b></p>	<p>The complainant alleged that officers used excessive force, kidnapped and tortured them.</p>	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Arrest - Exonerated</li> <li>• Detention - Exonerated</li> <li>• Conduct Unbecoming an Officer – Sustained</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Arrest - Exonerated</li> <li>• Detention – Exonerated</li> </ul>	<p>385</p>	<p>325</p>
<p><b>12</b> <b>(IA#2024-061)</b></p>	<p>The complainant alleged an officer used excessive force by grabbing the complainant's arm to prevent them from catching the bus during a detention for fare evasion.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul>	<p>375</p>	<p>300</p>
<p><b>13</b> <b>(IA#2024-063)</b></p>	<p>The complainant alleged an officer used excessive force by using a knee strike on a subject during an arrest.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul>	<p>364</p>	<p>305</p>

<p><b>14</b> <b>(IA#2024-064)</b></p>	<p>The complainant alleged that a BPD officer failed to properly respond to a call for service for a person the complainant believed to be deceased.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Administratively Closed (further investigation is not warranted)</li> <li>• Performance of Duty – Administratively Closed (further investigation is not warranted)</li> <li>• Policy/Procedure – Administratively Closed (further investigation is not warranted)</li> </ul>	<p>417</p>	<p>364</p>
<p><b>15</b> <b>(IA#2024-068)</b></p>	<p>The complainant alleged that BPD officers unlawfully detained the complainant for smoking, illegally seized their phone, used excessive force while handcuffing them and acted unprofessionally.</p>	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Conduct Unbecoming an Officer – Unfounded</li> <li>• Arrest/Detention – Exonerated</li> <li>• Search or Seizure – Not Sustained</li> </ul> <p>Officers #2 &amp; #3:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Conduct Unbecoming an Officer – Unfounded</li> </ul>	<p>355</p>	<p>308</p>

<b>16</b> <b>(IA#2024-088)</b>	An administrative investigation initiated internally from a complaint of policy violations by an officer with regards to their assigned duties.	<b>Officer:</b> <ul style="list-style-type: none"> <li>• Truthfulness – Sustained</li> <li>• Performance of Duty – Sustained</li> <li>• Conduct Unbecoming an Officer (Gym Use on Duty) - Sustained</li> <li>• Conduct Unbecoming an Officer (Timecard Fraud) – Not Sustained</li> </ul>	294	240
<b>17</b> <b>(IA#2025-010)</b>	An internally generated complaint regarding an officer using offensive and derogatory language in the workplace.	<b>Officer:</b> <ul style="list-style-type: none"> <li>• Bias-Based Policing – Not Sustained</li> <li>• Conduct Unbecoming an Officer – Sustained</li> </ul>	314	259

## DISCIPLINE ISSUED DURING REPORTING PERIOD

During this reporting period, BPD took the following actions in a case where one allegation of misconduct was sustained:

Case #	Nature of Sustained Allegation(s) ‡	Classification of Sustained Allegation(s)	Action Taken
1	The officer made rude statements and acted in a discourteous manner toward a member of the public during a detention for fare evasion.	<b>Officer:</b> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Sustained</li> </ul>	<ul style="list-style-type: none"> <li>• Informal Counseling<sup>10</sup></li> </ul>

‡Some details regarding the nature of sustained allegations may be withheld to avoid unintentionally breaching mandatory confidentiality requirements. In some instances, the relative infrequency of the alleged misconduct may tend to allow for identification of the subject officer in violation of the applicable CA Penal Code section (832.7).

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	14
Investigations Reviewed During Current Month	26†

†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>11</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, the Office of the Independent Police Auditor (OIPA) completed its review of BPD complaint investigations and did not identify any cases requiring additional investigative steps.

However, one investigation—IA#2023-070—was concluded by BPD beyond the applicable statutory deadline. OIPA has continued its discussions with BPD Internal Affairs regarding cases that are closed after the statute of limitations.

In recent months, OIPA has observed BPD increase its investigative capacity by assigning trained patrol sergeants to conduct investigations outside of the Internal Affairs unit. This strategy has helped reduce the backlog of complaints. While Internal Affairs continues to close a small number of cases beyond the statutory deadline, this month marks the highest number of complaints resolved in a single month over the past ten months. Notably, one serious investigation—IA#2025-010—was concluded within 105 days.

OIPA also identified a concern this month regarding the imposition of discipline. In one case involving a sustained finding for Conduct Unbecoming an Officer, the subject officer was not notified of the intended discipline before the expiration of the statute of limitations. As a result, BPD reduced the disciplinary action to informal counseling and had a supervisor discuss the misconduct directly with the officer.

In an effort to improve and align investigative processes, OIPA and Internal Affairs plan to meet to establish a shared goal of completing complaint investigations within 270 days of the complaint being filed. This collaborative initiative aims to reduce investigation timelines and ensure that disciplinary decisions are issued within statutory deadlines.

OIPA will continue to provide updates of Internal Affairs’ and OIPA’s progress toward improving the timeliness of investigations in future monthly reports. In the meantime, both

OIPA and Internal Affairs are prioritizing the most serious complaints to ensure those cases are completed within applicable timeframes.

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<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> Informal Counseling (first level of Informal Discipline): Informal Counseling is conducted by a supervisor with the employee. The employee’s misconduct is shared with the employee but not documented. Furthermore, if the employee fails to correct the behavior, there will be cause to move to the next level of the process (Agreement Between SF BART and BPOA, July 1, 2018 – June 30, 2025).

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<sup>11</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.



OFFICE OF THE INDEPENDENT  
**POLICE AUDITOR**

**BAY AREA RAPID TRANSIT**

# **MONTHLY REPORT**

JUNE 2025

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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 **June 1, 2025 through June 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>
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	107	14	1	1	0
April 2025	10	107	10	1	0	0
May 2025	5*	90†	19	2	1	0
June 2025	8	89	9	0	0	0

**TYPES OF CASES FILED**

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

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

OIPA	0
BART Police Department	7
<b>TOTAL</b>	<b>7</b>

\* Two cases (IA#2025-043 and IA#2025-040) were not previously reported as received during the month of May. These cases have been added the list of Cases Filed and summarized in this Monthly Report.

† One case (OIPA#2024-056) was not recorded as resolved during the month of May. This case has been subtracted from the number of Open Cases.

**COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD**

During June 2025, BPD received **7 Community Complaints (Formal)**:

<b>IA Case #</b>	<b>Nature of Complaint</b>	<b>Action Taken</b>	<b>Days Elapsed Since Complaint Filed</b>
<b>1 (IA#2025-038)</b>	Officer: <ul style="list-style-type: none"> <li>• Force</li> <li>• Conduct Unbecoming an Officer</li> </ul>	BPD is investigating.	69
<b>2 (IA#2025-039)</b>	Officer: <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> <li>• Bias-Based Policing</li> </ul>	BPD is investigating.	68
<b>3 (IA#2025-041)</b>	Officer: <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> <li>• Courtesy</li> <li>• Policy/Procedure</li> </ul>	BPD is investigating.	62
<b>4 (IA#2025-044)</b>	Officer: <ul style="list-style-type: none"> <li>• Courtesy</li> </ul>	BPD is investigating.	47
<b>5 (IA#2025-045)</b>	Officer: <ul style="list-style-type: none"> <li>• Force</li> </ul>	BPD is investigating.	51
<b>6 (IA#2025-046)</b>	Officer: <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> <li>• Force</li> </ul>	BPD is investigating.	45
<b>7 (IA#2025-047)</b>	Officers #1 & #2: <ul style="list-style-type: none"> <li>• Bias-Based Policing</li> <li>• Conduct Unbecoming an Officer</li> </ul>	BPD is investigating.	42

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

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA#2025-042)	Officers #1 - #3: • Policy/Procedure (traffic collision)	BPD is investigating.	63

**COMPLAINTS/INVESTIGATIONS INITIATED DURING A PRIOR REPORTING PERIOD**

During May 2025, **1 Citizen Complaint** was received by OIPA but not previously reported:

Complaint # (OIPA Case #) (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (OIPA#25-21) (IA#2025-040)	Officers: • Arrest/Detention • Performance of Duty • Policy/Procedure • Truthfulness	OIPA is monitoring the IA investigation.	80

During May 2025, **1 Citizen Complaint** was received by BPD but not previously reported:

Complaint # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA#2025-043)	Officer: • Force	BPD is investigating.	101

**COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD**

During June 2025, BPD concluded **1 Administrative Investigation:**

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<p><b>1</b> <b>(IA#2023-095)</b></p>	<p>Administrative investigation initiated by the police department for BPD officers use of force in a Taser incident.</p>	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Force - Sustained</li> <li>• Body Worn Camera – Sustained</li> <li>• Policy/Procedure (Report Preparation) – Sustained</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer (Obscene Language) – Sustained</li> <li>• Force - Sustained</li> <li>• Body Worn Camera – Sustained</li> <li>• Policy/Procedure (Report Preparation) – Sustained</li> </ul>	<p>690</p>	<p>644</p>

During June 2025, BPD concluded **8 Complaints**:

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<p><b>1</b> <b>(IA#2023-029)</b></p>	<p>The complainant alleged officers used excessive force and prepared an inconsistent report. The complainant also alleged that an officer threatened to get the subject fired by contacting their employer.</p>	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming – Not Sustained</li> </ul> <p>Officers #2 &amp; #3:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Policy/Procedure – Exonerated</li> <li>• Arrest/Detention - Exonerated</li> </ul>	<p>866</p>	<p>822</p>
<p><b>2</b> <b>(IA#2024-041)</b></p>	<p>The complainant alleged that the officer did not have him sign a citation or inform him that he was being cited for a violation.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Policy/Procedure – Supervisory Referral</li> </ul>	<p>465</p>	<p>398‡</p>
<p><b>3</b> <b>(IA#2024-065)</b></p>	<p>The complainant alleged that officers used excessive force during his arrest for resisting after the complainant fare evaded.</p>	<p>Officer #1 &amp; #2:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul>	<p>427</p>	<p>363</p>

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‡ This investigation was tolled from May 5, 2025, to June 4, 2025, while the subject officer was on District approved leave.

<p><b>4</b> <b>(IA#2024-066)</b></p>	<p>The complainant alleged that officers used excessive during a detention for fare evasion and the subsequent arrest for resisting. A witness alleged one officer acted unprofessionally when the witness asked about the nature of the arrest.</p>	<p>Officer #1:  <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Not Sustained</li> </ul> <p>Officer #2 - #4:  <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul> </p> </p>	<p>406</p>	<p>360</p>
<p><b>5</b> <b>(IA#2024-070)</b></p>	<p>The complainant alleged that an officer used excessive force during a 5150 detention and acted unprofessional.</p>	<p>Officer:  <ul style="list-style-type: none"> <li>• Force - Exonerated</li> <li>• Conduct Unbecoming an Officer – Not Sustained</li> </ul> </p>	<p>379</p>	<p>315</p>
<p><b>6</b> <b>(IA#2024-074)</b></p>	<p>The complainant alleged an officer acted unprofessionally by making inappropriate hand gestures at them.</p>	<p>Officer:  <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Administratively Closed (no further investigation warranted)</li> </ul> </p>	<p>377</p>	<p>315</p>
<p><b>7</b> <b>(IA#2024-076)</b></p>	<p>The complainant alleged an officer harassed him during a contact for fare evasion because the complainant is “Black.”</p>	<p>Officer:  <ul style="list-style-type: none"> <li>• Bias-Based Policing - Unfounded</li> </ul> </p>	<p>355</p>	<p>309</p>

8 (IA#2024-077)	The complainant alleged that an officer racially profiled him for a fare evasion enforcement because the complainant is Latino and appears not unhoued.	Officer: • Bias-Based Policing – Unfounded	377	331
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### DISCIPLINE ISSUED DURING REPORTING PERIOD

During this reporting period, BPD took the following actions in a case where allegations of misconduct were sustained:

Case #	Nature of Sustained Allegation(s) §	Classification of Sustained Allegation(s)	Action Taken
1	The officer made an improper arrest for a subject failing to identify themselves.	Officer: • Performance of Duty – Sustained	• Letter of Discussion <sup>10</sup>
2	The officer improperly detained a subject for blocking free movement and activated their body worn camera late.	Officer: • Arrest or Detention – Sustained • Body Worn Camera - Sustained	• Letter of Discussion

§Some details regarding the nature of sustained allegations may be withheld to avoid unintentionally breaching mandatory confidentiality requirements. In some instances, the relative infrequency of the alleged misconduct may tend to allow for identification of the subject officer in violation of the applicable CA Penal Code section (832.7).

3	The BPD employee made unauthorized recordings and untruthful statements.	<b>BPD Employee:</b> <ul style="list-style-type: none"> <li>• Conduct Unbecoming (Truthfulness) – Sustained</li> <li>• Policy/Procedure (Disgraceful Conduct and Use of Personal Communication Device) - Sustained</li> </ul>	<ul style="list-style-type: none"> <li>• Termination</li> </ul>
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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	11
Complainant-Initiated Appeals	4
BPD-Initiated Appeals	0
Investigations Being Monitored	7
Investigations Reviewed During Current Month	21†

†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>11</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 this reporting period, OIPA completed its review of BPD complaint investigations and did not identify any cases requiring additional investigative steps. However, several observations were noted regarding specific cases.

One case, IA#2023-029, was closed beyond the statutory deadline. Several subject officers retired while the investigation was pending and were therefore unavailable for interviews. Nevertheless, based on the information available at the time, the investigation should have been closed sooner by Internal Affairs.

Another case, IA#2023-005, was tolled for an extended period due to an officer being on Industrial Leave. The case was ultimately closed, but the discipline related to the sustained findings is still pending. Both of these investigations originated in 2023 and were discussed

with Internal Affairs. They appear to be among the last cases from the previous backlog, which is now expected to be current as of the next reporting period.

Lastly, IA#2024-041 was an OIPA monitoring case that was closed during this reporting period before a discussion with the assigned OIPA investigator could occur. As part of ongoing efforts to improve the investigative process, Internal Affairs has agreed to contact OIPA prior to closing any case that OIPA is actively monitoring.

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<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.

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<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> Letter of Discussion (second level of Informal Discipline): Letter of Discussion is conducted by a supervisor with the employee. The employee’s misconduct is shared with the employee and documented for up to one year. (Agreement Between SF BART and BPOA, July 1, 2018 – June 30, 2025).

<sup>11</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.



OFFICE OF THE INDEPENDENT  
**POLICE AUDITOR**

**BAY AREA RAPID TRANSIT**

# MONTHLY REPORT

JULY 2025 (revised)

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*Please note: This report was updated on September 3, 2025, to correct an error on page 6. The number of days to complete investigation for IA#2024-111 was originally reported as 63 days; the correct figure is 244 days.*

Issue Date: September 8, 2025

## EXECUTIVE SUMMARY

During July 2025, the Office of the Independent Police Auditor (OIPA) and the BART Police Department (BPD) received a total of eight new cases, consisting of five community complaints and three administrative investigations. OIPA concluded one investigation involving allegations of excessive force, medical assistance needed, and bias-based policing, resulting only in a sustained finding for a late body-worn camera activation. BPD resolved two administrative investigations, including an officer-involved shooting and an involuntary psychiatric hold, both of which resulted in sustained findings. Additionally, BPD closed 12 community complaints. Officer discipline during this period included informal counseling, a written reprimand, and a termination. At the close of this reporting period, OIPA is actively conducting 11 complaint investigations, reviewing five complainant-initiated appeals, and monitoring six BPD investigations. No issues with cases closed during this reporting period were identified by OIPA during this review.

## QUANTITATIVE REPORT

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 **July 1, 2025 through July 31, 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)).*

	Cass 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>
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	107	14	1	1	0
April 2025	10	107	10	1	0	0
May 2025	5	90	19	2	1	0
June 2025	8	89	9	0	0	0
July 2025	8	82	15	1	0	0

### TYPES OF CASES FILED

Community Complaints (Formal)	5
Informal Complaints <sup>7</sup>	0
Administrative Investigations	3
Inquiries <sup>8</sup>	0
<b>TOTAL</b>	<b>8</b>

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

OIPA	0
BART Police Department	8
<b>TOTAL</b>	<b>8</b>

### COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

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

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> <b>(IA#2025-049)</b>	Officer: • Bias-Based Policing	BPD is investigating.	69
<b>2</b> <b>(IA#2025-050)</b>	Officer: • Policy/Procedure • Conduct Unbecoming an Officer • Performance of Duty	BPD is investigating.	69
<b>3</b> <b>(IA#2025-051)</b>	Officer #1: • Arrest or Detention  Officer #2: • Arrest or Detention • Search or Seizure • Conduct Unbecoming an Officer	BPD is investigating.	59
<b>4</b> <b>(IA#2025-052)</b>	Officer: • Conduct Unbecoming an Officer	BPD is investigating.	56

<b>5</b> <b>(IA#2025-055)</b>	<b>Officers #1 &amp; #2:</b> <ul style="list-style-type: none"> <li>• Force</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure – Failure to ID</li> </ul> <b>Officer #3:</b> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure – Failure to ID</li> </ul>	BPD is investigating.	<b>39</b>
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During July 2025, BPD initiated **3 Administrative Investigations:**

<b>IA Case #</b>	<b>Nature of Complaint</b>	<b>Action Taken</b>	<b>Days Elapsed Since Complaint Filed</b>
<b>1</b> <b>(IA#2025-048)</b>	<b>Officer:</b> <ul style="list-style-type: none"> <li>• Policy/Procedure</li> <li>• Force</li> <li>• Body Worn Camera</li> </ul>	BPD is investigating.	<b>69</b>
<b>2</b> <b>(IA#2025-053)</b>	<b>Fare Inspection Officer:</b> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> </ul>	BPD is investigating.	<b>45</b>
<b>3</b> <b>(IA#2025-054)</b>	<b>Crisis Intervention Specialist:</b> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> <li>• Workplace Discrimination/Harassment</li> </ul>	BPD is investigating.	<b>47</b>

**COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD**

During July 2025, OIPA concluded **1 Complaint:**

<b>(IA Case #)</b>	<b>Nature of Complaint</b>	<b>Disposition</b>	<b>Days Elapsed Since Complaint Filed</b>	<b>Days Taken to Complete Investigation</b>
<b>1 (IA#2024-051)</b>	The complainant alleged officers used excessive force and did not provide him with proper medical attention after the complainant fled officers from a detention for fare evasion.	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Policy/Procedure (Body Worn Camara Late Activation) – Sustained</li> <li>• Unnecessary/Excessive Use of Force – Not Sustained</li> <li>• Policy/Procedure (Medical Assistance) - Exonerated</li> <li>• Bias-Based Policing – Not Sustained</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Unnecessary/Excessive Use of Force – Exonerated</li> <li>• Policy/Procedure (Medical Assistance) – Exonerated</li> <li>• Bias-Based Policing - Exonerated</li> </ul>	466	405

BPD concluded **2 Administrative Investigations:**

<b>(IA Case #)</b>	<b>Nature of Complaint</b>	<b>Disposition</b>	<b>Days Elapsed Since Complaint Filed</b>	<b>Days Taken to Complete Investigation</b>
<b>1 (IA#2024-111)</b>	Administrative investigation initiated by the police department for an officer-involved shooting.	Officer: <ul style="list-style-type: none"> <li>• Force (De-Escalation) - Sustained</li> <li>• Force (Deadly Force Applications) – Sustained</li> <li>• Force (Shooting at or from Moving Vehicles) – Sustained</li> <li>• Force (Unreasonable and Unwarranted) – Sustained</li> <li>• Arrest or Detention - Exonerated</li> </ul>	294	244*
<b>2 (IA#2025-006)</b>	Administrative investigation initiated by the police department for a subject placed on an involuntary 5150 Welfare & Institutions hold.	Officer #1: <ul style="list-style-type: none"> <li>• Arrest or Detention - Sustained</li> <li>• Performance of Duty – Sustained</li> </ul> Officer #2: <ul style="list-style-type: none"> <li>• Arrest or Detention – Sustained</li> <li>• Supervision - Sustained</li> <li>• Performance of Duty – Sustained</li> </ul>	245	200

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\*Report revised September 3, 2025. Correction on page 6: The completion time for Investigation #1 (IA#2024-111) was originally reported as 63 days; the accurate figure is 244 days.

During July 2025, BPD concluded **12 Complaints**:

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 (IA#2024-067)	The complainant alleged that the Fare Inspection Officer only checked the “homeless and African Americans” for their Clipper cards.	Fare Inspection Officer: <ul style="list-style-type: none"> <li>• Bias-Based Policing – Unfounded</li> </ul>	419	351
2 (IA#2024-069)	The complainant alleged a Community Service Officer threatened his wife during a verbal argument over a parking dispute.	Community Service Officer: <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Not Sustained</li> </ul>	409	346
3 (IA#2024-071)	The complainant alleged that officers used excessive during his improper arrest and placed the handcuffs on him too tight. He also alleged that his property was damaged and was not provided proper medical assistance.	Officers #1 & #2: <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Unfounded</li> <li>• Bias-Based Policing – Unfounded</li> <li>• Force - Exonerated</li> </ul> Officer #3: <ul style="list-style-type: none"> <li>• Bias-Based Policing – Unfounded</li> </ul>	403	335

<p><b>4</b> <b>(IA#2024-073)</b></p>	<p>The complainant alleged officers falsely arrested him, did not return his property (cash), and used excessive force causing injury.</p>	<p>Officers #1 &amp; #2:</p> <ul style="list-style-type: none"> <li>• Arrest - Unfounded</li> <li>• Force – Exonerated</li> <li>• Search or Seizure – Exonerated</li> <li>• Detention - Unfounded</li> </ul>	<p>398</p>	<p>330</p>
<p><b>5</b> <b>(IA#2024-075)</b></p>	<p>The complainant alleged that officers used excessive force during her detention for fare evasion.</p>	<p>Officers #1 &amp; #2:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul>	<p>385</p>	<p>325</p>
<p><b>6</b> <b>(IA#2024-078)</b></p>	<p>The complainant alleged that an officer was rude and cursed at her and another officer acted dissuasive when her husband wanted to file a complaint.</p>	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Performance of Duty – Unfounded</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Unfounded</li> </ul>	<p>384</p>	<p>336</p>
<p><b>7</b> <b>(IA#2024-082)</b></p>	<p>The complainant alleged that she witnessed an officer use excessive force on a juvenile, act aggressive toward the complainant and did not properly identify himself when the complainant requested the officer's name and badge number.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Policy/Procedure (failure to identify) – Unfounded</li> <li>• Conduct Unbecoming an Officer - Unfounded</li> </ul>	<p>375</p>	<p>329</p>

<p><b>8</b> <b>(IA#2024-085)</b></p>	<p>The complainant alleged that an officer improperly contacted him for fare evasion, made unprofessional statements and singled him out because of his race.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Bias-Based Policing – Unfounded</li> <li>• Conduct Unbecoming an Officer – Not Sustained</li> <li>• Body Worn Camera - Sustained</li> </ul>	<p>363</p>	<p>318</p>
<p><b>9</b> <b>(IA#2025-015)</b></p>	<p>The complainant alleged that officers were rude and used excessive force when the officers threw the complainant to the ground and jumped on her during her arrest.</p>	<p>Officers #1 - #3:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Conduct Unbecoming an Officer (Rudeness) - Unfounded</li> </ul>	<p>208</p>	<p>169</p>
<p><b>10</b> <b>(IA#2025-016)</b></p>	<p>The complainant alleged officers used excessive force and caused injury to the complainant during his arrest.</p>	<p>Officers #1 &amp; #2:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Body Worn Camera - Sustained</li> </ul> <p>Officers #3 &amp; #4:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul>	<p>204</p>	<p>155</p>
<p><b>11</b> <b>(IA#2025-021)</b></p>	<p>The complainant alleged officers used excessive force by slamming him into the wall and attempting to break his fingers during his arrest.</p>	<p>Officers #1 &amp; #2:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul>	<p>197</p>	<p>152</p>

<b>12</b> <b>(IA#2025-023)</b>	The complainant alleged that a Fare Inspection Officer improperly scanned his Clipper card and told him his card was invalid.	Fare Inspection Officer: • Performance of Duty – Supervisory Referral	173	134
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### DISCIPLINE ISSUED DURING REPORTING PERIOD

During this reporting period, BPD took the following actions in cases where allegations of misconduct were sustained:

Case #	Nature of Sustained Allegation(s) †	Classification of Sustained Allegation(s)	Action Taken
1	The officer cursed at the complainant and made unprofessional comments during the complainant's arrest.	Officer: • Conduct Unbecoming an Officer – Sustained	• Informal Counseling <sup>10</sup>

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†Some details regarding the nature of sustained allegations may be withheld to avoid unintentionally breaching mandatory confidentiality requirements. In some instances, the relative infrequency of the alleged misconduct may tend to allow for identification of the subject officer in violation of the applicable CA Penal Code section (832.7).

2 & 3	<p>In the first case, the officer failed to adequately respond to a call for service and provided inaccurate information regarding his involvement in the incident. In the second case, the same officer failed to adequately respond to a report of a crime and submitted an inaccurate account of his interaction with the suspect in his report. In both cases, the officer did not activate his body-worn camera as required by departmental policy.</p>	<p>Officer (Case 1):</p> <ul style="list-style-type: none"> <li>• Truthfulness – Sustained</li> <li>• Performance of Duty – Sustained</li> <li>• Policy/Procedure (Body Worn Camera) – Sustained</li> <li>• Conduct Unbecoming an Officer – Sustained</li> </ul> <p>Officer (Case 2):</p> <ul style="list-style-type: none"> <li>• Truthfulness – Sustained</li> <li>• Performance of Duty (Report Preparation) – Sustained</li> <li>• Policy/Procedure (Body Worn Camera) – Sustained</li> <li>• Conduct Unbecoming an Officer (Unsatisfactory Work Performance) – Sustained</li> </ul>	<ul style="list-style-type: none"> <li>• Termination</li> </ul>
4	<p>The officer made unauthorized access to restricted records.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Policy/Procedure (Unauthorized Computer Access) - Sustained</li> </ul>	<ul style="list-style-type: none"> <li>• Written Reprimand</li> </ul>

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.

OIPA Investigations Being Conducted	11
Complainant-Initiated Appeals to OIPA	5
BPD-Initiated Appeals	0
Investigations Being Monitored by OIPA	6
Investigations Reviewed During Current Month by OIPA	26†

†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>11</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 this reporting period, OIPA completed its review of BPD complaint investigations and did not identify any cases requiring additional investigative steps.

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<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.

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<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)).

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<sup>10</sup> Informal Counseling (first level of Informal Discipline): Informal Counseling is conducted by a supervisor with the employee. The employee’s misconduct is shared with the employee and not documented in the officer’s personnel file. (Agreement Between SF BART and BPOA, July 1, 2018 – June 30, 2025).

<sup>11</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.



OFFICE OF THE INDEPENDENT  
**POLICE AUDITOR**

**BAY AREA RAPID TRANSIT**

# **MONTHLY REPORT**

AUGUST 2025

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## EXECUTIVE SUMMARY

During August 2025, a total of five new complaints were filed, with three received by OIPA and two by Internal Affairs (IA). Sixteen cases were closed during the month, including two resolved by OIPA and fourteen concluded by IA. The total number of open cases declined to seventy-one by the end of the period, down from one hundred and twelve a year ago.

OIPA maintains an active caseload with eleven ongoing investigations and five complainant-initiated appeals. The office is actively monitoring six IA investigations and reviewed twenty-six cases during August. Of the two complaints resolved by OIPA and presented to the BART Police Civilian Review Board (BPCRB), one was administratively closed, while the other resulted in sustained findings for unlawful detention and late body-worn camera (BWC) activation.

IA resolved one administrative investigation involving a high-risk traffic stop, which resulted in sustained findings for performance of duty and BWC activation failure. In addition, IA resolved thirteen community complaints. In one case, an officer was sustained for discourteous conduct and failure to provide their name and badge number during a juvenile detention.

During this reporting period, BPD imposed discipline in five cases where misconduct was sustained. Corrective actions included oral counseling, letters of discussion, additional training, and, in one case, the termination of an officer following sustained findings for use of force in an officer-involved shooting.

Over the past several months, OIPA has observed an increase in sustained BWC violations in both IA and OIPA investigations. OIPA is researching this trend and will present data on the violations at the November BPCRB meeting to facilitate discussion of various aspects of the policy.

OIPA completed its review of IA complaint investigations during this reporting period and did not identify any cases requiring additional investigative steps. All cases closed by IA were resolved before the expiration of the statute of limitations, and OIPA was contacted by IA prior to closure in cases monitored by OIPA.

## QUANTITATIVE REPORT

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 **August 1, 2025 through August 31, 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)).*

	Aug '24	Sep '24	Oct '24	Nov '24	Dec '24	Jan '25	Feb '25	Mar '25	Apr '25	May '25	Jun '25	Jul '25	Aug '25
<b>Cases Filed</b>	7	8	14	5	10	8	11	4	10	5	8*	9	5
<b>Open Cases<sup>2</sup></b>	112	113	115	118	119	118	114	107	107	90	89	83	71
<b>Cases Closed</b>	18	7	12	2	9	8	15	14	10	19	9	15	16
<b>OIPA Cases Closed<sup>3</sup></b>	1	1	2	0	1	0	2	1	1	2	0	1	2
<b>Appeals to OIPA<sup>4</sup></b>	0	0	0	1	0	0	0	1	0	1	0	0	0
<b>Appeals by BPCRB<sup>5</sup></b>	0	0	0	1	0	0	0	0	0	0	0	0	0

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. 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.

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\* The Cases Filed and Open Cases for July '25 were increased by one additional case, IA #2025-060 which is summarized in the section of investigations initiated by BPD.

	<b>CURRENT TOTALS</b>
OIPA Investigations Being Conducted	11
Complainant-Initiated Appeals to OIPA	3
BPD-Initiated Appeals	0
Investigations Being Monitored by OIPA	6
Investigations Reviewed During Current Month by OIPA	26†

†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.

### **TYPES OF CASES FILED**

Community Complaints (Formal)	5
Informal Complaints <sup>6</sup>	0
Administrative Investigations	0
Inquiries <sup>7</sup>	0
<b>TOTAL</b>	<b>5</b>

### **COMMUNITY COMPLAINTS RECEIVED PER DEPARTMENT<sup>8</sup>**

OIPA	3
BART Police Department	2
<b>TOTAL</b>	<b>5</b>

### **COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD**

During August 2025, OIPA received **3 Community Complaints (Formal)**:

<b>OIPA # (IA Case #)</b>	<b>Nature of Complaint</b>	<b>Action Taken</b>	<b>Days Elapsed Since Complaint Filed</b>
<b>1 OIPA #25-30 (IA#2025-056)</b>	Officer: <ul style="list-style-type: none"> <li>• Performance of Duty</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> </ul>	OIPA is investigating.	68

<b>2</b> <b>OIPA #25-32</b> <b>(IA#2025-057)</b>	<b>Officers #1 &amp; #2:</b> <ul style="list-style-type: none"> <li>• Arrest or Detention</li> <li>• Neglect of Duty</li> <li>• Performance of Duty</li> <li>• Policy/Procedure</li> </ul> <b>Officer #3</b> <ul style="list-style-type: none"> <li>• Performance of Duty</li> <li>• Policy/Procedure</li> </ul>	OIPA is investigating.	76
<b>3</b> <b>OIPA #25-35</b> <b>(IA#2025-059)</b>	<b>Officer:</b> <ul style="list-style-type: none"> <li>• Force</li> <li>• Arrest/Detention</li> <li>• Bias-Based Policing</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> </ul>	OIPA is investigating.	56

During August 2025, BPD received **2 Community Complaints (Formal)**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> <b>IA#2025-058</b>	<b>Officer #1:</b> <ul style="list-style-type: none"> <li>• Force</li> </ul> <b>Officer #2:</b> <ul style="list-style-type: none"> <li>• Force</li> </ul>	BPD is investigating.	66
<b>2</b> <b>IA#2025-061</b>	<b>Fare Inspector:</b> <ul style="list-style-type: none"> <li>• Conduct Unbecoming</li> </ul>	BPD is investigating.	55

During July 2025, BPD initiated **1 Administrative Investigation** not previously reported:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> <b>IA#2025-060</b>	<b>Officer:</b> <ul style="list-style-type: none"> <li>• Policy/Procedure (Data Access)</li> </ul>	BPD is investigating.	110

**COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD**

During August 2025, OIPA resolved **2 Complaints**:

OIPA # (IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<b>1</b> <b>OIPA #24-23</b> <b>(IA#2024-048)</b>	The complainant alleged officers improperly detained him and his daughter for fare evasion.	OIPA closed the case by Administrative Closure based on an insufficient basis to continue the investigation.	541	466
<b>2</b> <b>OIPA #24-45</b> <b>(IA#2024-104)</b>	The complainant alleged officers used excessive force and turned off his phone without his consent when he was attempting to record his detention for failing to provide officers proof of payment.	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Detention (proof of payment) - Sustained</li> <li>• Excessive/Unnecessary Use of Force – Exonerated</li> <li>• Policy/Procedure (late BWC activation) - Sustained</li> <li>• Policy/Procedure (interference with cellular phone recording) – Unfounded</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Detention (proof of payment) - Sustained</li> <li>• Policy/Procedure (late BWC activation) - Sustained</li> <li>• Policy/Procedure (interference with cellular phone recording) – Unfounded</li> </ul>	374	302

BPD resolved 1 Administrative Investigation:

IA Case #	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
IA#2024-083	Administrative investigation initiated by the police department for a high-risk traffic stop by BPD officers.	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Force – Not Sustained</li> <li>• Performance of Duty – Sustained</li> <li>• Policy/Procedure (BWC activation) – Sustained</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Force – Unfounded</li> <li>• Performance of Duty – Sustained</li> <li>• Policy/Procedure (BWC activation) – Sustained</li> </ul>	422	354

During August 2025, BPD resolved **13 Complaints:**

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<p><b>1</b> <b>IA#2024-080</b></p>	<p>The complainant alleged two BPD officers grabbed and pushed him against a bench while conducting a fare evasion enforcement. He also alleged that an officer acted bias toward him being an immigrant, acted unprofessionally, and damaged his property.</p>	<p>Officer #1:  <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul>                     Officer #2:  <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Bias-Based Policing – Unfounded</li> <li>• Policy/Procedure (failure to identify) - Unfounded</li> <li>• Conduct Unbecoming an Officer – Unfounded</li> </ul> </p>	<p>422</p>	<p>353</p>
<p><b>2</b> <b>IA#2024-081</b></p>	<p>The complainant alleged that an officer stomped on his head when the complainant was being taken into custody.</p>	<p>Officer  <ul style="list-style-type: none"> <li>• Force - Unfounded</li> </ul> </p>	<p>419</p>	<p>360</p>
<p><b>3</b> <b>IA#s2024-086</b></p>	<p>The complainant alleged that officers used excessive force by pointing a taser at him, making an unprofessional comment and assaulting him at the jail after detaining him for fare evasion.</p>	<p>Officer #1:  <ul style="list-style-type: none"> <li>• Policy/Procedure (BWC activation) – Sustained</li> </ul>                     Officer #2:  <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Conduct Unbecoming an Officer – Unfounded</li> </ul> </p>	<p>406</p>	<p>347</p>

<p><b>4</b> <b>IA#2024-090</b></p>	<p>The complainant alleged that an officer slammed his head when the complainant was being taken into custody.</p>	<p>Officer: • Force – Exonerated</p>	<p>418</p>	<p>358</p>
<p><b>5</b> <b>IA#2024-091</b></p>	<p>The complainant alleged that a BPD Dispatcher was unprofessional and did not properly handle the complainant’s call for service due to racial bias against the complainant.</p>	<p>BPD Dispatcher: • IA Administrative Closed the case based on a preliminary investigation and determined no further investigation is warranted.</p>	<p>385</p>	<p>330</p>
<p><b>6</b> <b>IA#2024-092</b></p>	<p>The complainant alleged that a BPD officer improperly detained him for fare evasion and did not provide their name and badge number upon request.</p>	<p>Officer: • Detention – Exonerated • Policy/Procedure (failure to identify) – Unfounded</p>	<p>381</p>	<p>322</p>
<p><b>7</b> <b>IA#2024-093</b></p>	<p>The complainant alleged that a BPD officer almost hit her with their vehicle and then laughed about the incident.</p>	<p>Officer: • Policy/Procedure – Unfounded • Conduct Unbecoming an Officer - Unfounded</p>	<p>382</p>	<p>323</p>
<p><b>8</b> <b>IA#2024-097</b></p>	<p>The complainant alleged that a BPD officer used excessive force to slam her on the ground during her arrest.</p>	<p>Officer: • Force – Exonerated</p>	<p>375</p>	<p>315</p>

<p><b>9</b> <b>IA#2024-098</b></p>	<p>The complainant alleged that a BPD officer used excessive force and racially profiled him as the basis for contacting him for fare evasion.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Bias-Based Policing - Unfounded</li> </ul>	<p>367</p>	<p>307</p>
<p><b>10</b> <b>IA#2024-099</b></p>	<p>The complainant alleged that a BPD officer injured him by slamming, slapping, and punching him during a detention for fare evasion.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul>	<p>366</p>	<p>299</p>
<p><b>11</b> <b>IA#2024-108</b></p>	<p>The complainant alleged that a BPD officer used excessive force by pulling their hair and failed to return their identification card after issuing them a citation for fare evasion.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Policy/Procedure (failure to return property) - Unfounded</li> </ul>	<p>348</p>	<p>293</p>
<p><b>12</b> <b>IA#2024-109</b></p>	<p>The complainant alleged that an officer acted unprofessionally during a detention of a juvenile and failed to provide his name and badge number upon request to the complainant.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer (discourteous) – Sustained</li> <li>• Conduct Unbecoming an Officer (failure to identify) – Sustained</li> </ul>	<p>341</p>	<p>286</p>

<b>13</b> <b>IA#2025-020</b>	This was an internally generated supervisor complaint requested for review by IA due to BPD officers' failure to properly activate their BWCs.	<b>Officer:</b> <ul style="list-style-type: none"> <li>IA Administrative Closed the case based on a preliminary investigation and determined no further investigation is warranted. IA determined that the supervisory responsibilities for handling of the incident were properly met.</li> </ul>	248	193
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**DISCIPLINE ISSUED DURING REPORTING PERIOD**

During this reporting period, BPD took the following actions in **5 cases** where allegations of misconduct were sustained:

<b>Case #</b>	<b>Nature of Sustained Allegation(s) †</b>	<b>Classification of Sustained Allegation(s)</b>	<b>Action Taken</b>
<b>1</b>	The officers failed to activate their BWC in a timely manner.	Officers #1 & #2: <ul style="list-style-type: none"> <li>Policy/Procedure (BWC Late Activation) – Sustained</li> </ul>	<ul style="list-style-type: none"> <li>Letter of Discussion</li> </ul>

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†Some details regarding the nature of sustained allegations may be withheld to avoid unintentionally breaching mandatory confidentiality requirements. In some instances, the relative infrequency of the alleged misconduct may tend to allow for identification of the subject officer in violation of the applicable CA Penal Code section (832.7).

2	An officer made an improper detention for a mental health evaluation and the supervising officer approved of an insufficient report of the detention.	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Detention – Sustained</li> <li>• Performance of Duty – Sustained</li> <li>• Supervision – Sustained</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Detention – Sustained</li> <li>• Performance of Duty – Sustained</li> </ul>	<ul style="list-style-type: none"> <li>• Officer #1: Oral Counseling</li> <li>• Officer #2: Letter of Discussion</li> </ul>
3	The officer failed to activate their BWC after observing a subject fare evade.	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Policy/Procedure (BWC Activation) – Sustained</li> </ul>	<ul style="list-style-type: none"> <li>• Letter of Discussion</li> </ul>
4	While still in Field Training, the officer failed to activate their BWC in a timely manner during a fare evasion enforcement.	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Policy/Procedure (BWC Late Activation) – Sustained</li> </ul>	<ul style="list-style-type: none"> <li>• Training</li> </ul>
5	The officer used unnecessary force during an officer-involved shooting in violation of department policies.	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Force (De-Escalation) – Sustained</li> <li>• Force (Deadly Force Applications) – Sustained</li> <li>• Force (Shooting at or from Moving Vehicles) – Sustained</li> <li>• Force (Unreasonable and Unwarranted) - Sustained</li> </ul>	<ul style="list-style-type: none"> <li>• Termination</li> </ul>

## 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>9</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 this reporting period, OIPA completed its review of BPD complaint investigations and did not identify any cases requiring additional investigative steps.

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<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 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>3</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>4</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>5</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>6</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>7</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>8</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>9</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.



OFFICE OF THE INDEPENDENT  
**POLICE AUDITOR**

**BAY AREA RAPID TRANSIT**

# **MONTHLY REPORT**

SEPTEMBER 2025

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## EXECUTIVE SUMMARY

During September 2025, six new complaints were received—two through OIPA and four by the BART Police Department’s (BPD) Internal Affairs Bureau (IA). Eight investigations were concluded during the period: one by OIPA and seven by IA. At the close of the month, OIPA has 15 active investigations, monitoring eight IA investigations, and three complainant-initiated appeals under review.

OIPA identified concerns in IA case #2025-030 regarding the analysis of the use of force. OIPA requested additional investigation and analysis, and IA agreed to prepare an addendum to the Investigative Report to address these issues. Two OIPA investigations previously presented to the BPCRB are currently under appeal by the Chief of Police.

Also, during this month, disciplinary action was taken in one case by BPD, resulting in a Letter of Discussion for a sustained violation involving failure to activate a Body-Worn Camera (BWC). OIPA continues to emphasize the importance of BWC compliance and will present an informational agenda item at the November BPCRB meeting on BWC operation, policy requirements, and terminology.

OIPA remains committed to conducting thorough and timely investigations, identifying systemic issues, and promoting accountability and transparency.

## QUANTITATIVE REPORT

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 **September 1, 2025 through September 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)).*

	Sep '24	Oct '24	Nov '24	Dec '24	Jan '25	Feb '25	Mar' 25	Apr '25	May '25	Jun '25	Jul '25	Aug '25	Sep '25
<b>Cases Filed</b>	8	14	5	10	8	11	4	10	5	8	9	5	6
<b>Open Cases<sup>2</sup></b>	113	115	118	119	118	114	107	107	90	89	83	71	69
<b>Cases Closed</b>	7	12	2	9	8	15	14	10	19	9	15	16	8
<b>OIPA Cases Closed<sup>3</sup></b>	1	2	0	1	0	2	1	1	2	0	1	2	1
<b>Appeals to OIPA<sup>4</sup></b>	0	0	1	0	0	0	1	0	1	0	0	0	0
<b>Appeals by BPCRB<sup>5</sup></b>	0	0	1	0	0	0	0	0	0	0	0	0	0
<b>Appeals by Chief of Police</b>	0	0	0	0	0	0	0	0	0	0	0	0	2

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. 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.

	<b>CURRENT TOTALS</b>
OIPA Investigations Being Conducted	15
Complainant-Initiated Appeals to OIPA	3
Investigations Being Monitored by OIPA	8
Investigations Reviewed During Current Month by OIPA	15†

†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.

### TYPES OF CASES FILED

Community Complaints (Formal)	6
Informal Complaints <sup>6</sup>	0
Administrative Investigations	0
Inquiries <sup>7</sup>	0
<b>TOTAL</b>	<b>6</b>

### COMMUNITY COMPLAINTS RECEIVED PER DEPARTMENT<sup>8</sup>

OIPA	2
BART Police Department	4
<b>TOTAL</b>	<b>6</b>

### COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During September 2025, OIPA received **2 Community Complaints (Formal)**:

<b>OIPA # (IA Case #)</b>	<b>Nature of Complaint</b>	<b>Action Taken</b>	<b>Days Elapsed Since Complaint Filed</b>
<b>1 OIPA #25-36 (IA#2025-063)</b>	Officer: <ul style="list-style-type: none"> <li>• Arrest or Detention</li> <li>• Performance of Duty</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> </ul>	OIPA is investigating.	62
<b>2 OIPA #25- 33 (IA#2025-067)</b>	Officer: <ul style="list-style-type: none"> <li>• Force</li> </ul>	OIPA is investigating.	66

During September 2025, BPD received **4 Community Complaints (Formal)**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 IA#2025-062	Officer: • Conduct Unbecoming an Officer	BPD is investigating.	68
2 IA#2025-065	Officers #1 & #2: • Force	BPD is investigating.	53
3 IA#2025-066	Officers #1 & #2: • Force • Conduct Unbecoming an Officer	BPD is investigating.	47
4 IA#2025-064	Officers #1-3: • Force • Arrest or Detention  Officer #4: • Arrest or Detention	BPD is investigating.	53

During September 2025, BPD initiated **0 Administrative Investigation**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
N/A	N/A	N/A	N/A

**COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD**

During September 2025, OIPA resolved **1 Complaint:**

OIPA # (IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 OIPA #24-46 (IA#2024-107)	The complainant alleged that officers used excessive force to hold a person down on a gurney.	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Excessive/Unnecessary Use of Force - Exonerated</li> <li>• Policy/Procedure (report writing) – Sustained</li> <li>• Policy/Procedure (late BWC activation) - Sustained</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Force – Policy/Procedure (report writing) - Sustained</li> </ul> <p>Officer #3:</p> <ul style="list-style-type: none"> <li>• Policy/Procedure (report writing) - Sustained</li> </ul>	374	301

BPD resolved **0 Administrative Investigation:**

IA Case #	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
N/A	N/A	N/A	N/A	N/A

During September 2025, BPD resolved **7 Complaints**:

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<p><b>1</b> <b>IA#2024-105</b></p>	<p>The complainant alleged an off-duty BART officer threatened the complainant with a gun and coerced a third party to make a citizen's arrest.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Arrest or Detention – Administratively Closed</li> <li>• Conduct Unbecoming an Officer – Administratively Closed</li> </ul>	<p>383</p>	<p>321</p>
<p><b>2</b> <b>IA#2024-110</b></p>	<p>The complainant alleged that officers misled him; improperly arrested him and used excessive force.</p>	<p>Officer #1</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Force – Unfounded</li> </ul> <p>Officer #2</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> <li>• Conduct Unbecoming of an Officer- Unfounded</li> <li>• Arrest or Detention – Unfounded</li> </ul>	<p>357</p>	<p>288</p>
<p><b>3</b> <b>IA#2024-112</b></p>	<p>The complainant alleged that an officer contacted him in the Park and Ride and was biased and discourteous.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Unfounded</li> <li>• Biased Based Policing – Unfounded</li> </ul>	<p>342</p>	<p>281</p>

<p><b>4</b> <b>IA#2024-116</b></p>	<p>The complainant alleged officers did not properly ensure his safety after they responded to a call for service involving an altercation between the complainant and an unhoused individual.</p>	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Biased-Based Policing – Unfounded</li> <li>• Performance of Duty – Unfounded</li> <li>• Performance of Duty – Sustained</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Performance of Duty – Not Sustained</li> </ul> <p>Officer #3:</p> <ul style="list-style-type: none"> <li>• Biased-Based Policing – Unfounded</li> <li>• Performance of Duty – Unfounded</li> <li>• Conduct Unbecoming an Officer – Unfounded</li> <li>• Performance of Duty – Sustained</li> </ul>	<p>335</p>	<p>287</p>
<p><b>5</b> <b>IA#2025-001</b></p>	<p>The complainant alleged improper detention and racial profiling by an officer during a fare evasion contact.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Biased-Based Policing - Unfounded</li> </ul>	<p>315</p>	<p>261</p>

<p><b>6</b> <b>IA#2025-005</b></p>	<p>The complainant reported that officers unlawfully arrested, searched, and confiscated her personal property. Complainant also alleged that officers failed to investigate a party she alleges harassed her and took false statements, filed inaccurate reports, and denied her request for a disability accommodation. Complainant further had concerns regarding the use of force.</p>	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Arrest or Detention – Exonerated</li> <li>• Bias/Based – Unfounded</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Performance of Duty – Sustained</li> <li>• Arrest or Detention – Exonerated</li> <li>• Bias-Based Policing – Unfounded</li> <li>• Policy/Procedure (acceptance of complaints) – Sustained</li> </ul>	<p>330</p>	<p>281</p>
<p><b>7</b> <b>IA#2025-030</b></p>	<p>The complainant alleged that officers used unnecessary force when they grabbed him and twisted his hand while handcuffing.</p>	<p>Officers #1-3:</p> <ul style="list-style-type: none"> <li>• Force – Exonerated</li> </ul>	<p>205</p>	<p>157</p>

## DISCIPLINE ISSUED DURING REPORTING PERIOD

During this reporting period, BPD took the following action in **1 case** where an allegation of misconduct was sustained:

Case #	Nature of Sustained Allegation(s) *	Classification of Sustained Allegation(s)	Action Taken
1	The officer failed to activate their BWC.	Officer: • Policy/Procedure (BWC failure to activate) – Sustained	• Letter of Discussion

## STAFF UPDATES

During this reporting period, OIPA Investigator Wyeth McAdam participated in Lexipol webinar training, “Cops & Cars: Managing Risk Through Behavior-Based Supervision.”

## 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>9</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 this reporting period, OIPA completed its review of Internal Affairs investigations and determined that case IA#2025-030 requires additional investigation to justify the findings and address the issues identified by OIPA. OIPA met with IA to discuss the Investigative Report, and in response, IA will conduct further analysis and prepare an addendum to the Investigative Report for OIPA’s review.

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<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.

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\*Some details regarding the nature of sustained allegations may be withheld to avoid unintentionally breaching mandatory confidentiality requirements. In some instances, the relative infrequency of the alleged misconduct may tend to allow for identification of the subject officer in violation of the applicable CA Penal Code section (832.7).

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<sup>2</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>3</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>4</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>5</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>6</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>7</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>8</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>9</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.



OFFICE OF THE INDEPENDENT  
**POLICE AUDITOR**

**BAY AREA RAPID TRANSIT**

# MONTHLY REPORT

OCTOBER 2025 (revised)

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*Please note: This report was revised on September 8, 2025, to correct two errors on page 7. The “Days Elapsed Since the Complainant Filed” and “Days Taken to Complete Investigation” columns contained dates rather than calculated day counts. The correct values are 343 and 294 days for OIPA Case #24-50 (IA#2024-121), and 214 and 266 days for OIPA Case #25-03 (IA#2025-019).*

*An additional revision was made on September 10, 2025, to correct an error on page 5. Under the section “Community Complaints Received by OIPA,” the Action Taken entry for OIPA Case #25-47 (IA#2025-076) was updated from “OIPA is investigating” to “BPD is investigating.”*

## EXECUTIVE SUMMARY

During October 2025, the Office of the Independent Police Auditor (OIPA) received three community complaints involving allegations such as arrest or detention, conduct unbecoming an officer, force, bias-based policing, policy/procedure violations, and racial animus. BART Police Department (BPD) received four additional community complaints and initiated three administrative investigations involving alleged misconduct, including off-duty firearm negligence and conduct unbecoming an officer involving a probationary employee.

OIPA concluded two investigations during this reporting period, including one case in which resulted in a sustained finding for discourtesy, and another that was closed administratively due to a lack of evidence and complainant cooperation. BPD resolved seven investigations and issued discipline in one case where conduct unbecoming an officer was sustained and a Letter of Discussion was issued.

At the conclusion of this reporting period, OIPA was actively conducting 11 investigations, monitoring nine Internal Affairs (IA) investigations, and reviewing 18 cases.

Notably, OIPA identified several issues requiring follow-up investigation by IA, including IA#2025-030 and IA#2025-007, which were determined to need additional investigation.

## QUANTITATIVE REPORT

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 **October 1, 2025 through October 31, 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)).*

	Oct '24	Nov '24	Dec '24	Jan '25	Feb '25	Mar' 25	Apr '25	May '25	Jun '25	Jul '25	Aug '25	Sep '25	Oct '25
<b>Cases Filed</b>	14	5	10	8	11	4	10	5	8	9	5	6	9
<b>Open Cases<sup>2</sup></b>	115	118	119	118	114	107	107	90	89	83	71	69	69
<b>Cases Closed</b>	12	2	9	8	15	14	10	19	9	15	16	8	9
<b>OIPA Cases Closed<sup>3</sup></b>	2	0	1	0	2	1	1	2	0	1	2	1	2
<b>Appeals to OIPA<sup>4</sup></b>	0	1	0	0	0	1	0	1	0	0	0	0	0
<b>Appeals by BPCRB<sup>5</sup></b>	0	1	0	0	0	0	0	0	0	0	0	0	0
<b>Appeals by Chief of Police</b>	0	0	0	0	0	0	0	0	0	0	0	2	0

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. 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.

	<b>CURRENT TOTALS</b>
OIPA Investigations Being Conducted	11
Complainant-Initiated Appeals to OIPA	5
Investigations Being Monitored by OIPA	9
Investigations Reviewed During Current Month by OIPA	18†

†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.

#### **TYPES OF CASES FILED**

Community Complaints (Formal)	7
Informal Complaints <sup>6</sup>	0
Administrative Investigations	2
Inquiries <sup>7</sup>	0
<b>TOTAL</b>	<b>9</b>

#### **COMMUNITY COMPLAINTS RECEIVED PER DEPARTMENT<sup>8</sup>**

OIPA	3
BART Police Department	4
<b>TOTAL</b>	<b>7</b>

## COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During October 2025, OIPA received **3 Community Complaints (Formal)**:

OIPA # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> OIPA # 25-43 (IA#2025-068)	Officer: <ul style="list-style-type: none"> <li>Arrest or Detention</li> <li>Conduct Unbecoming an Officer</li> <li>Policy/Procedure</li> </ul>	OIPA is investigating.	67
<b>2</b> OIPA #25-44 (IA#2025-069)	Fare Inspector: <ul style="list-style-type: none"> <li>Bias-based Policing</li> <li>Policy/Procedure (proof of payment)</li> </ul> Officers #1 & #2: <ul style="list-style-type: none"> <li>Arrest or Detention</li> <li>Force</li> <li>Bias-based Policing</li> <li>Policy/Procedure (proof of payment)</li> <li>Search</li> </ul>	OIPA is investigating.	65
<b>3</b> OIPA # 25-47 (IA #2025-076)	Fare Inspector: <ul style="list-style-type: none"> <li>Racial Animus</li> </ul>	BPD is investigating.	56

During October 2025, BPD received **4 Community Complaints (Formal)**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
<b>1</b> IA#2025-071	Officer: <ul style="list-style-type: none"> <li>Conduct Unbecoming an Officer</li> </ul>	BPD is investigating.	57
<b>2</b> IA#2025-073	Officer: <ul style="list-style-type: none"> <li>Conduct Unbecoming an Officer</li> </ul>	BPD is investigating.	61

<b>3</b> <b>IA#2025-074</b>	<b>Officer:</b> <ul style="list-style-type: none"> <li>• Force</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> </ul>	BPD is investigating.	<b>54</b>
<b>4</b> <b>IA#2025-075</b>	<b>Officer:</b> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> </ul>	BPD is investigating.	<b>50</b>

During October 2025, BPD initiated **2 Administrative Investigations:**

<b>IA Case #</b>	<b>Nature of Complaint</b>	<b>Action Taken</b>	<b>Days Elapsed Since Complaint Filed</b>
<b>1</b> <b>IA#2025-070</b>	<ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer (probationary employee arrested for domestic violence)</li> </ul>	IA is investigating.	<b>61</b>
<b>2</b> <b>IA#2025-078</b>	<ul style="list-style-type: none"> <li>• Policy/Procedure (unsecured off-duty firearm discharged by a third party)</li> </ul>	IA is investigating.	<b>39</b>

## COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD

During October 2025, OIPA resolved **2 Complaints**:

OIPA # (IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 OIPA #24-50 (IA#2024-121)	The complainant alleged that officer was discourteous and used excessive force during a fare evasion enforcement.	Officer: <ul style="list-style-type: none"> <li>Excessive/Unnecessary Use of Force – Exonerated</li> <li>Policy/Procedure (medical assistance) – Exonerated</li> <li>Policy/Procedure (BWC activation) – Unfounded</li> <li>Arrest/Detention – Exonerated</li> <li>Courtesy – Sustained</li> <li>Biased-Based Policing – Unfounded</li> </ul>	343	294
2 OIPA#25-03 (IA#2025-019)	The complainant alleged that three unidentified officers contacted his fiancée for proof of payment and then intimidated, harassed and improperly charged her Clipper Card.	Officers #1-#3: <ul style="list-style-type: none"> <li>Conduct Unbecoming an Officer – Administratively Closed (lack of evidence and cooperation from the complainant)</li> </ul>	314	266

During October 2025, BPD resolved **0 Administrative Investigation:**

IA Case #	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
N/A	N/A	N/A	N/A	N/A

During October 2025, BPD resolved **7 Complaints:**

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<b>1</b> <b>IA#2024-096</b>	The complainant alleged officers used excessive force to enforce an infraction (smoking).	Officers #1 & #2: <ul style="list-style-type: none"> <li>Force – Exonerated</li> </ul>	423	370
<b>2</b> <b>IA#2024-114</b>	A probationary police officer, while in full uniform and operating a marked police vehicle, was involved in a motor vehicle accident. The officer was found to have been under the influence at the time of the collision.	Officer: <ul style="list-style-type: none"> <li>Performance of Duty – Sustained</li> <li>Conduct Unbecoming an Officer – Sustained</li> <li>Policy and Procedure-Safety – Sustained</li> <li>Policy and Procedure – Intoxicants – Sustained</li> <li>Policy/Procedure – Firearms (Alcohol)</li> </ul>	369	307

<p><b>3</b> <b>IA#2024-118</b></p>	<p>A police trainee alleged during Taser training that they were initially drive-stunned with a Taser.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer (Conducted Energy Device) – Exonerated</li> <li>• Conduct Unbecoming an Officer (Communication) - Sustained</li> <li>• Biased Based Policing – Unfounded</li> </ul>	<p>361</p>	<p>322</p>
<p><b>4</b> <b>IA#2024-120</b></p>	<p>The complainant alleged an officer used excessive force during a detention.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Force – Sustained</li> </ul>	<p>354</p>	<p>300</p>
<p><b>5</b> <b>IA#2025-003</b></p>	<p>The complainant alleged that the officers did not explain to her Spanish speaking parent why he was detained.</p>	<p>Officers #1-3:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer – Administrative Closure</li> </ul>	<p>335</p>	<p>282</p>
<p><b>6</b> <b>IA#2025-007</b></p>	<p>A BPD Employee alleged that another BPD employee's reckless driving resulted in an unsafe environment for passengers and caused an injury.</p>	<p>BPD Employee:</p> <ul style="list-style-type: none"> <li>• Conduct Becoming an Officer – Unfounded</li> </ul>	<p>320</p>	<p>281</p>

<b>7</b> <b>IA#2025-011</b>	The complainant alleged that the officer was rude, used excessive force, lacked reasonable suspicion to detain, and escalated during an enforcement of an infraction (fare evasion)	Officer: <ul style="list-style-type: none"> <li>• Force – Unfounded</li> <li>• Conduct Unbecoming an Officer - Unfounded</li> </ul>	306	267
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### DISCIPLINE ISSUED DURING REPORTING PERIOD

During this reporting period, BPD took the following action in **1 case** where an allegation of misconduct was sustained:

Case #	Nature of Sustained Allegation(s) *	Classification of Sustained Allegation(s)	Action Taken
<b>1</b>	The officer failed to identify himself and he was discourteous.	Officer: Conduct Unbecoming an Officer – Sustained	<ul style="list-style-type: none"> <li>• Letter of Discussion</li> </ul>

### STAFF UPDATES

During this reporting period, OIPA staff attended the 31<sup>st</sup> Annual National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference, “Reckoning & Resilience in the Post-George Floyd Era” in Minneapolis, Minnesota on October 26-30<sup>th</sup>.

### 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>9</sup> The OIPA Monthly Report

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\*Some details regarding the nature of sustained allegations may be withheld to avoid unintentionally breaching mandatory confidentiality requirements. In some instances, the relative infrequency of the alleged misconduct may tend to allow for identification of the subject officer in violation of the applicable CA Penal Code section (832.7).

will reflect information regarding monitored cases, investigations, and contacts with detail not to exceed that which is allowable under state law.

During the previous reporting period, OIPA determined that case IA#2025-030 requires further investigation to justify the findings and address the issues identified by OIPA. Internal Affairs is conducting additional analysis for OIPA's review as of the date of this report.

For the current reporting period, OIPA reviewed IA#2025-007 and determined that the findings were not fully supported by the evidence contained in the investigative report. Internal Affairs has agreed to conduct additional investigation and include an allegation that was not identified in the initial complaint.

Lastly, IA#2024-096 was closed after the statute of limitations; however, there were no sustained findings.

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<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 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>3</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>4</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>5</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>6</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>7</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.

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<sup>8</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>9</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.



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

# MONTHLY REPORT

NOVEMBER 2025

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Issue Date: January 12, 2026

## EXECUTIVE SUMMARY

During November 2025, a total of eleven cases were initiated. The Office of the Independent Police Auditor (OIPA) received four formal community complaints, while the BART Police Department (BPD) received an additional four community complaints and initiated three administrative investigations.

OIPA concluded two complaint investigations during the reporting period. One case resulted in a sustained finding related to courtesy. The second resulted in multiple sustained findings involving detention, search and seizure, and unnecessary handcuffing, underscoring the importance of adherence to policy during detentions and the need for appropriate safeguards when juveniles are involved.

BPD closed six complaint investigations during November 2025. Most resulted in exonerated or unfounded findings. One investigation resulted in a sustained finding for conduct unbecoming involving a civilian employee, and another was resolved through supervisory referral related to courtesy.

During the reporting period, BPD issued discipline in two cases in which misconduct was sustained. In both matters, Letters of Discussion were issued for performance of duty and conduct unbecoming allegations.

At the end of the reporting period, OIPA was conducting fourteen investigations, reviewing four complainant-initiated appeals, and monitoring six IA investigations. In addition, OIPA reviewed nineteen investigations during the month to assess investigative findings and policy compliance.

Finally, OIPA continued to identify and track systemic and case-specific issues, including previously reported matters requiring follow-up investigation. OIPA and Internal Affairs (IA) met and discussed follow-up investigations for IA#2025-030 and IA#2025-007 from the previous reporting period. The issues regarding those investigations were addressed and resolved.

OIPA will continue to monitor and report on developments in future Monthly Reports as part of its mandate to promote accountability, transparency, and continuous improvement in BART policing.

## QUANTITATIVE REPORT

This report is filed pursuant to the BART Civilian Oversight Model (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 **November 1, 2025 through November 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)).*

	Nov '24	Dec '24	Jan '25	Feb '25	Mar '25	Apr '25	May '25	Jun '25	Jul '25	Aug '25	Sep '25	Oct '25	Nov '25
<b>Cases Filed</b>	5	10	8	11	4	10	5	8	9	5	6	9	11
<b>Open Cases<sup>2</sup></b>	118	119	118	114	107	107	90	89	83	71	69	69	72
<b>Cases Closed</b>	2	9	8	15	14	10	19	9	15	16	8	9	8
<b>OIPA Cases Closed<sup>3</sup></b>	0	1	0	2	1	1	2	0	1	2	1	2	2
<b>Appeals to OIPA<sup>4</sup></b>	1	0	0	0	1	0	1	0	0	0	0	0	0
<b>Appeals by BPCRB<sup>5</sup></b>	1	0	0	0	0	0	0	0	0	0	0	0	0
<b>Appeals by Chief of Police</b>	0	0	0	0	0	0	0	0	0	0	2	0	0

In accordance with the Model, OIPA investigates certain complaints, conducts complainant-initiated appeals, and monitors and/or reviews complaint investigations conducted by BPD. 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.

	<b>CURRENT TOTALS</b>
OIPA Investigations Being Conducted	14
Complainant-Initiated Appeals to OIPA	4
Investigations Being Monitored by OIPA	6
Investigations Reviewed During Current Month by OIPA	19†

†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.

#### **TYPES OF CASES FILED**

Community Complaints (Formal)	6
Informal Complaints <sup>6</sup>	1
Administrative Investigations	3
Inquiries <sup>7</sup>	1
<b>TOTAL</b>	<b>11</b>

#### **COMMUNITY COMPLAINTS RECEIVED PER DEPARTMENT<sup>8</sup>**

OIPA	4
BART Police Department	4
<b>TOTAL</b>	<b>8</b>

## COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During November 2025, OIPA received **4 Community Complaints (Formal)**:

OIPA # (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 OIPA #25-53 (IA#2025-084)	Officer: <ul style="list-style-type: none"> <li>Policy/Procedure</li> </ul>	OIPA is investigating.	56
2 OIPA #25-54 (IA#2025-086)	Officers #1 & #2: <ul style="list-style-type: none"> <li>Conduct Unbecoming an Officer</li> </ul>	OIPA is investigating.	55
3 OIPA #25-56 (IA#2025-092)	Officers #1 & #2: <ul style="list-style-type: none"> <li>Arrest or Detention</li> <li>Policy/Procedure</li> </ul> Officer #3: <ul style="list-style-type: none"> <li>Force</li> <li>Policy/Procedure</li> </ul>	OIPA is investigating.	44
4 OIPA #25-57 (IA#2025-094)	Officer: <ul style="list-style-type: none"> <li>Policy/Procedure</li> </ul>	BPD is investigating.	50

During November 2025, BPD received **4 Community Complaints (Formal)**:

IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 IA#2025-077	Officers #1-#3: <ul style="list-style-type: none"> <li>Force</li> </ul>	BPD is investigating.	71
2 IA#2025-080	Officers #1 & #2: <ul style="list-style-type: none"> <li>Courtesy</li> </ul>	Supervisory Referral.	55
3 IA#2025-083	Officer: <ul style="list-style-type: none"> <li>Arrest or Detention</li> </ul>	BPD is investigating.	44

<b>4</b> <b>IA#2025-087</b>	<b>Officer:</b> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> <li>• Arrest or Detention</li> <li>• Force</li> <li>• Policy/Procedure</li> </ul>	BPD is investigating.	47
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During November 2025, BPD initiated **3 Administrative Investigations:**

<b>IA Case #</b>	<b>Nature of Complaint</b>	<b>Action Taken</b>	<b>Days Elapsed Since Complaint Filed</b>
<b>1</b> <b>IA#2025-079</b>	<ul style="list-style-type: none"> <li>• Conduct Unbecoming (civilian employee)</li> <li>• Performance of Duty</li> <li>• Policy/Procedure</li> <li>• Truthfulness</li> </ul>	BPD is investigating.	59
<b>2</b> <b>IA#2025-081</b>	<ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> <li>• Racial Animus</li> </ul>	BPD is investigating.	47
<b>3</b> <b>IA#2025-082</b>	<ul style="list-style-type: none"> <li>• Racial Animus</li> <li>• Performance of Duty</li> <li>• Workplace Discrimination/Harassment</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> <li>• Bias-Based Policing</li> </ul>	BPD is investigating.	44

## COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD

During November 2025, OIPA resolved **2 Complaints**:

OIPA # (IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 OIPA #24-28 (IA#2024-045)	The complainant alleged that he witnessed BPD officers use excessive force against a Black woman at the 12th Street BART Station.	Officer: <ul style="list-style-type: none"> <li>Excessive/Unnecessary Use of Force – Exonerated</li> <li>Policy/Procedure (medical assistance) – Exonerated</li> <li>Policy/Procedure (body-worn camera activation) – Unfounded</li> <li>Arrest/Detention – Exonerated</li> <li>Courtesy – Sustained</li> <li>Biased-Based Policing – Unfounded</li> </ul>	604	523 (partially tolled due an officer being unavailable)
2 OIPA#25-13 (IA#2025-056)	The complainant alleged BPD officers unlawfully detained her son, at the El Cerrito del Norte BART Station. She alleged that the officers unjustifiably handcuffed him and seized his property.	Officer: <ul style="list-style-type: none"> <li>Detention – Sustained</li> <li>Search/Seizure – Sustained</li> <li>Policy/Procedure (unnecessary handcuffing) – Sustained</li> <li>Policy/Procedure (failure to notify parent) – Exonerated</li> </ul>	291	222

During November 2025, BPD resolved **0 Administrative Investigations:**

IA Case #	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
N/A	N/A	N/A	N/A	N/A

During November 2025, BPD resolved **6 Complaints:**

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<b>1</b> <b>IA#2024-094</b>	Complainant alleged officers used excessive force during a detention for fare evasion.	Officers #1 - #3: <ul style="list-style-type: none"> <li>Force – Exonerated</li> </ul>	460	399 (previously tolled due to officers being unavailable)
<b>2</b> <b>IA#2024-100</b>	Complainant alleged officers used excessive force during his arrest resulting in an injury to his arm.	Officers #1 & #2: <ul style="list-style-type: none"> <li>Force – Exonerated</li> </ul>	449	388 (previously tolled due to officers being unavailable)
<b>3</b> <b>IA#2024-115</b>	Complainant alleged an officer used excessive force injuring his shoulder during their detention for fare evasion.	Officer: <ul style="list-style-type: none"> <li>Force – Exonerated</li> </ul>	399	330
<b>4</b> <b>IA#2024-119</b>	Complainant alleged that a BPD employee was driving unsafely in a BART Service Vehicle.	Community Service Officer: <ul style="list-style-type: none"> <li>Conduct Unbecoming – Sustained</li> </ul>	392	331

<p><b>5</b> <b>IA#2025-002</b></p>	<p>The complainant alleged officers used excessive force while he was wrongfully detained for not having a proof of payment. An officer also later made an unprofessional comment.</p>	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Arrest or Detention – Exonerated</li> <li>• Force – Unfounded</li> <li>• Conduct Unbecoming an Officer – Unfounded</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Arrest or Detention – Exonerated</li> <li>• Force – Unfounded</li> </ul>	<p>370</p>	<p>309</p>
<p><b>6</b> <b>IA#2025-080</b></p>	<p>The complainant called Internal Affairs to express that she felt the incident she reported could have been handled in a more empathetic manner by the responding officers.</p>	<p>Officers #1 &amp; #2:</p> <ul style="list-style-type: none"> <li>• Courtesy – Supervisory Referral</li> </ul>	<p>55</p>	<p>8</p>

## DISCIPLINE ISSUED DURING REPORTING PERIOD

During this reporting period, BPD took the following action in **2 cases** where allegations of misconduct were sustained:

Case #	Nature of Sustained Allegation(s) *	Classification of Sustained Allegation(s)	Action Taken
1	The officers failed to conduct a thorough investigation by not properly detaining a suspect in a crime.	Officers #1 & #2: Performance of Duty – Sustained	• Letter of Discussion
2	The officer made unprofessional statements to police trainees during training.	Officer: Conduct Unbecoming an Officer – Sustained	• Letter of Discussion

## 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>9</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.

No issues were detected during this reporting period and no follow-up investigations are required.

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<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 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>3</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

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\*Some details regarding the nature of sustained allegations may be withheld to avoid unintentionally breaching mandatory confidentiality requirements. In some instances, the relative infrequency of the alleged misconduct may tend to allow for identification of the subject officer in violation of the applicable CA Penal Code section (832.7).

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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>4</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>5</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>6</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>7</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>8</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>9</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.



OFFICE OF THE INDEPENDENT  
**POLICE AUDITOR**

**BAY AREA RAPID TRANSIT**

# MONTHLY REPORT

DECEMBER 2025 (revised)

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**Please note:** This report was updated on February 9, 2026, to correct an error on page 11. The Discipline Issued During Reporting Period chart was inadvertently omitted from the prior version and has now been added.

Issue Date: February 9, 2026

## EXECUTIVE SUMMARY

During this reporting period, a total of 14 new cases were opened, consisting of three formal community complaints received by OIPA and 11 administrative investigations initiated by BPD. At the close of the month, 80 cases remained open, reflecting a modest increase from the prior reporting period. OIPA is actively conducting 12 investigations, monitoring five investigations, and managing three complainant-initiated appeals.

OIPA concluded three investigations during the reporting period. Two matters were administratively closed after review determined there were no policy violations, and one investigation resulted in findings of Exonerated and Not Sustained across multiple allegations, including detention, use of force, and bias-based policing. These determinations were supported by available evidence and investigative review by the BPCRB.

BPD concluded three cases during the month, including two administrative investigations and one formal complaint. One administrative investigation resulted in a sustained finding for Conduct Unbecoming, while the remaining matters were resolved through unfounded or not-sustained findings, with sustained violations related to misuse of records, performance of duty, and truthfulness in one case. During this reporting period, BPD issued disciplinary action in two cases, both resulting in Letters of Discussion.

In addition to case-related work, OIPA continued its engagement in oversight-related collaboration and professional development. OIPA participated in the BPD Early Intervention System (EIS) quarterly meeting and is continuing to work with BPD to refine future review and evaluation of early intervention data, alerts, and reports to assess potential patterns involving officer conduct or disciplinary concerns.

For December 2025, OIPA did not identify any matters requiring additional follow-up investigations by BPD. OIPA continues to await final determinations from the General Manager's Office regarding two cases previously appealed by the Chief of Police.

## QUANTITATIVE REPORT

This report is filed pursuant to the BART Civilian Oversight Model (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 **December 1, 2025 through December 31, 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)).*

	Dec '24	Jan '25	Feb '25	Mar '25	Apr '25	May '25	Jun '25	Jul '25	Aug '25	Sep '25	Oct '25	Nov '25	Dec '25
<b>Cases Filed</b>	10	8	11	4	10	5	8	9	5	6	9	11	14
<b>Open Cases<sup>2</sup></b>	119	118	114	107	107	90	89	83	71	69	69	72	80
<b>Cases Closed</b>	9	8	15	14	10	19	9	15	16	8	9	8	6
<b>OIPA Cases Closed<sup>3</sup></b>	1	0	2	1	1	2	0	1	2	1	2	2	3
<b>Appeals to OIPA<sup>4</sup></b>	0	0	0	1	0	1	0	0	0	0	0	0	0
<b>Appeals by BPCRB<sup>5</sup></b>	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Appeals by Chief of Police</b>	0	0	0	0	0	0	0	0	0	2	0	0	0

In accordance with the Model, OIPA investigates certain complaints, conducts complainant-initiated appeals, and monitors and/or reviews complaint investigations conducted by BPD. 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.

	<b>CURRENT TOTALS</b>
OIPA Investigations Being Conducted	12
Complainant-Initiated Appeals to OIPA	0
Investigations Being Monitored by OIPA	0
Investigations Reviewed During Current Month by OIPA	16†

†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.

### TYPES OF CASES FILED

Community Complaints (Formal)	3
Informal Complaints <sup>6</sup>	0
Administrative Investigations	11
Inquiries <sup>7</sup>	0
<b>TOTAL</b>	<b>14</b>

### COMMUNITY COMPLAINTS RECEIVED PER DEPARTMENT<sup>8</sup>

OIPA	3
BART Police Department	0
<b>TOTAL</b>	<b>3</b>

### COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During December 2025, OIPA received **3 Community Complaints (Formal)**:

<b>OIPA # (IA Case #)</b>	<b>Nature of Complaint</b>	<b>Action Taken</b>	<b>Days Elapsed Since Complaint Filed</b>
<b>1 OIPA #25-60 (IA#2025-096)</b>	Officers #1-3: <ul style="list-style-type: none"> <li>• Improper Detention/Arrest</li> <li>• Unnecessary Use of Force</li> <li>• Search/Seizure</li> <li>• Biased-Based Policing</li> </ul>	OIPA is investigating.	63

<b>2</b> <b>OIPA #25-61</b> <b>(IA#2025-102)</b>	<b>Officer #1:</b> <ul style="list-style-type: none"> <li>• Improper Detention</li> <li>• Conduct Unbecoming an Officer</li> </ul> <b>Officer #2:</b> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> </ul>	OIPA is investigating.	52
<b>3</b> <b>OIPA #25-62</b> <b>(IA#2025-103)</b>	<b>Officer:</b> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> </ul>	OIPA is investigating.	40

During December 2025, BPD received **0 Community Complaints (Formal)**:

<b>IA Case #</b>	<b>Nature of Complaint</b>	<b>Action Taken</b>	<b>Days Elapsed Since Complaint Filed</b>
-	-	-	-

During December 2025, BPD initiated **11 Administrative Investigations**:

<b>IA Case #</b>	<b>Nature of Complaint</b>	<b>Action Taken</b>	<b>Days Elapsed Since Complaint Filed</b>
<b>1</b> <b>IA#2025-088</b>	<ul style="list-style-type: none"> <li>• Racial Animus</li> <li>• Bias-Based Policing</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> <li>• Workplace Discrimination/Harassment</li> <li>• Performance of Duty</li> </ul>	BPD is investigating.	66
<b>2</b> <b>IA#2025-089</b>	<ul style="list-style-type: none"> <li>• Racial Animus</li> <li>• Bias-Based Policing</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> <li>• Workplace Discrimination/Harassment</li> <li>• Performance of Duty</li> </ul>	BPD is investigating.	66

<b>3</b> <b>IA#2025-090</b>	<ul style="list-style-type: none"> <li>• Racial Animus</li> <li>• Bias-Based Policing</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> <li>• Workplace Discrimination/Harassment</li> <li>• Performance of Duty</li> </ul>	BPD is investigating.	66
<b>4</b> <b>IA#2025-091</b>	<ul style="list-style-type: none"> <li>• Racial Animus</li> <li>• Bias-Based Policing</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> <li>• Workplace Discrimination/Harassment</li> <li>• Performance of Duty</li> </ul>	BPD is investigating.	66
<b>5</b> <b>IA#2025-097</b>	<ul style="list-style-type: none"> <li>• Racial Animus</li> <li>• Bias-Based Policing</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> <li>• Workplace Discrimination/Harassment</li> <li>• Performance of Duty</li> </ul>	BPD is investigating.	62
<b>6</b> <b>IA#2025-098</b>	<ul style="list-style-type: none"> <li>• Racial Animus</li> <li>• Bias-Based Policing</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> <li>• Workplace Discrimination/Harassment</li> <li>• Performance of Duty</li> </ul>	BPD is investigating.	62
<b>7</b> <b>IA#2025-099</b>	<ul style="list-style-type: none"> <li>• Racial Animus</li> <li>• Bias-Based Policing</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> <li>• Workplace Discrimination/Harassment</li> <li>• Performance of Duty</li> <li>• </li> </ul>	BPD is investigating.	62

<b>8</b> <b>IA#2025-100</b>	<ul style="list-style-type: none"> <li>• Racial Animus</li> <li>• Bias-Based Policing</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> <li>• Workplace Discrimination/Harassment</li> <li>• Performance of Duty</li> </ul>	BPD is investigating.	60
<b>9</b> <b>IA#2025-101</b>	<ul style="list-style-type: none"> <li>• Racial Animus</li> <li>• Bias-Based Policing</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> <li>• Workplace Discrimination/Harassment</li> <li>• Performance of Duty</li> </ul>	BPD is investigating.	60
<b>10</b> <b>IA#2025-104</b>	<ul style="list-style-type: none"> <li>• Racial Animus</li> <li>• Bias-Based Policing</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> <li>• Workplace Discrimination/Harassment</li> <li>• Performance of Duty</li> </ul>	BPD is investigating.	62
<b>11</b> <b>IA#2025-105</b>	<ul style="list-style-type: none"> <li>• Racial Animus</li> <li>• Bias-Based Policing</li> <li>• Conduct Unbecoming an Officer</li> <li>• Policy/Procedure</li> <li>• Workplace Discrimination/Harassment</li> <li>• Performance of Duty</li> </ul>	BPD is investigating.	62

**COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD**

During December 2025, OIPA resolved **3 Complaints**:

<b>OIPA # (IA Case #)</b>	<b>Nature of Complaint</b>	<b>Disposition</b>	<b>Days Elapsed Since Complaint Filed</b>	<b>Days Taken to Complete Investigation</b>
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<p><b>1</b> <b>OIPA #25-16</b> <b>(IA#2025-029)</b></p>	<p>The complainant alleged that he was improperly detained and cited for fare evasion. He also alleged that officers racially-profiled him and used unnecessary force on him to place him in handcuffs during the detention.</p>	<p>Officer #1:</p> <ul style="list-style-type: none"> <li>• Arrest / Detention – Exonerated</li> <li>• Unnecessary Use of Force – Exonerated</li> <li>• Biased-Based Policing – Not Sustained</li> </ul> <p>Officer #2:</p> <ul style="list-style-type: none"> <li>• Unnecessary Use of Force – Exonerated</li> <li>• Biased-Based Policing – Not Sustained</li> </ul>	<p>310</p>	<p>243</p>
<p><b>2</b> <b>OIPA#25-20</b> <b>(IA#2025-033)</b></p>	<p>The complaint alleged that BPD officers were unreasonably late in responding to a man screaming near the South San Francisco BART Station.</p> <p>The complainant also questioned the officers' decision to treat the matter as a medical issue rather than a public-nuisance enforcement action.</p>	<p>Administratively Closed - No policy violation</p>	<p>307</p>	<p>230</p>

<b>3</b> <b>OIPA#25-30</b> <b>(IA#2025-056)</b>	The complainant alleged that a BPD officer improperly refused to take a police report of an attempted infraction; the complainant questioned the hiring and training of the officer.	Administratively Closed - No policy violation	194	114
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During December 2025, BPD resolved **2 Administrative Investigations:**

<b>IA Case #</b>	<b>Nature of Complaint</b>	<b>Disposition</b>	<b>Days Elapsed Since Complaint Filed</b>	<b>Days Taken to Complete Investigation</b>
<b>IA2025-042</b>	Officers were involved in a traffic collision.	Case closed and the incident and any applicable finding will be handled through the Vehicle Collision Review Board.	245	186
<b>IA2025-085</b>	Crisis Intervention Specialist (CIS) drove at an unnecessary excessive speed.	CIS: <ul style="list-style-type: none"> <li>• Conduct Unbecoming – Sustained</li> </ul>	380	314

During December 2025, BPD resolved **1 Complaint:**

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
<p><b>1</b> <b>IA#2025-052</b></p>	<p>Complainant alleged an officer accessed and used unauthorized records for personal use. Complainant also alleged that the officer has harassed and intimidated them over the course of several year.</p>	<p>Officer:</p> <ul style="list-style-type: none"> <li>• Conduct Unbecoming an Officer (Trespassing) – Not Sustained</li> <li>• Detention – Unfounded</li> <li>• Conduct Unbecoming an Officer (Following Court Order) - Unfounded</li> <li>• Policy/ Procedure (Misuse of Records) – Sustained</li> <li>• Performance of Duty – Sustained</li> <li>• Truthfulness – Sustained</li> </ul>	<p>210</p>	<p>144</p>

## DISCIPLINE ISSUED DURING REPORTING PERIOD

During this reporting period, BPD took the following action in **2 cases** where allegations of misconduct were sustained:

Case #	Nature of Sustained Allegation(s) *	Classification of Sustained Allegation(s)	Action Taken
1	The Community Service Officer (CSO) operated a vehicle carelessly and inconsistent with department policy.	Officer: <ul style="list-style-type: none"> <li>Conduct Unbecoming – Sustained</li> </ul>	Letter of Discussion
2	The officer failed to take the subject's complaint.	Officer: <ul style="list-style-type: none"> <li>Performance of Duty – Sustained</li> <li>Policy/Procedure (Acceptance of Complaints) – Sustained</li> </ul>	Letter of Discussion

## STAFF UPDATES

On December 5, 2025, OIPA attended the Conference of Minority Transportation Officials (COMTO) Northern California's 40<sup>th</sup> Chapter Anniversary & 22<sup>nd</sup> Annual Scholarship & Awards Celebration held in Oakland, California.

On December 10, 2025, OIPA also attended the BPD Annual Award celebration held at BPD Headquarters.

On December 11, 2025, OIPA participated in the BPD Early Intervention System (EIS) quarterly meeting. OIPA is currently working with BPD on OIPA's future review and evaluation of data, alerts and reports to better assess whether there are conduct or disciplinary issues involving BPD generally or individual officers.

## 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>9</sup> The OIPA Monthly Report

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\*Some details regarding the nature of sustained allegations may be withheld to avoid unintentionally breaching mandatory confidentiality requirements. In some instances, the relative infrequency of the alleged misconduct may tend to allow for identification of the subject officer in violation of the applicable CA Penal Code section (832.7).

will reflect information regarding monitored cases, investigations, and contacts with detail not to exceed that which is allowable under state law.

For the December 2025, OIPA has determined that BPD has no additional follow-up investigations required. However, OIPA is still waiting on the findings from the General Manager's Office for the two OIPA cases appealed by the Chief of Police.

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<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 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>3</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>4</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>5</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>6</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>7</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>8</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>9</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.