

Office of the Independent Police Auditor

MONTHLY REPORT

July 2026

Issue Date: September 14, 2026



COMPLAINT TRENDS



INVESTIGATIONS



ACCOUNTABILITY

I. EXECUTIVE SUMMARY

UNDERSTANDING THE PURPOSE AND PROMISE OF EARLY WARNING SYSTEMS

If an Early Warning System identifies warning signs, but those signs do not lead to meaningful analysis, is the system truly serving its intended purpose?

Early Warning Systems (EWS) are designed to help law enforcement agencies identify patterns in employee conduct, performance, or activity that may warrant closer examination before concerns develop into more significant problems. When properly implemented, an EWS can serve as an important tool for early intervention, improved supervision, employee development, risk reduction, and organizational accountability.

An effective EWS should do more than identify that an employee has crossed a numerical threshold. The threshold should begin the analysis, not end it. Complaints, uses of force, attendance, punctuality and performance concerns, off-duty incidents, and other relevant indicators may provide considerably greater insight when examined collectively than when viewed as isolated events.

Context is also important, but explanations for recurring indicators should be supported by meaningful analysis. Factors such as assignment, workload, overtime, enforcement activity, and frequency of public contact may legitimately affect an employee's numbers. Where those factors are offered to explain recurring indicators, comparative data involving similarly situated personnel can help determine whether the activity is reasonably attributable to the nature of the assignment or whether additional examination is warranted.

An EWS is not intended to presume misconduct or serve as a substitute for discipline. Its value lies in providing an organization with an opportunity to recognize potential concerns early and respond appropriately. Depending upon the circumstances, intervention may include training, counseling, mentoring, enhanced supervision, wellness resources, or other measures. Just as importantly, the organization should document those interventions and subsequently assess whether they achieved their intended purpose.

For civilian oversight, this distinction matters. Accountability does not begin only after misconduct has occurred or a complaint has been filed. Effective oversight also requires attention to the policies, systems, and organizational practices intended to identify risk, improve performance, and prevent avoidable problems before they occur.

OIPA will therefore continue to pay close attention to BPD's Early Warning System and the processes supporting it. Our focus is not simply whether thresholds are being established, and employees are being identified, but whether relevant information is being considered comprehensively, recurring indicators are receiving meaningful analysis, appropriate interventions are occurring, and outcomes are being evaluated. Effective accountability requires more than having the right systems in place; it requires ensuring that those systems are being used for their intended purpose.

Inez M. Gonzalez
Independent Police Auditor

II. OIPA STAFF ACTIVITIES AND COMMUNITY OUTREACH

Linton Johnson Joins OIPA



For Linton Johnson, joining BART's Office of the Independent Police Auditor (OIPA) on July 27 is deeply personal. As a young man, Johnson witnessed police brutally beat his aunt following the Rose Bowl Parade, exactly 17 years to the day Oscar Grant was killed by a BART Police officer. "I understand firsthand the trauma police brutality can inflict on a family," Johnson says. "I don't want another family to experience what mine did, or far worse, what the Grant family endured. I want to help build trust between BART Police and the communities we serve and help make BART Police the most respected police force in the world."

At OIPA, Johnson leads community and media relations, working to expand OIPA's engagement with riders and community partners, listen to their concerns, and help the public better understand and participate in civilian oversight. "This is my dream job. I joke that I'm the most junior, senior member of the team, I'm new to OIPA but bring more than two decades of BART history and context, including serving as Chief Spokesperson during the aftermath of the Oscar Grant tragedy." Johnson served as BART's first Black and first openly gay Chief of Communications and Spokesperson and later as Manager of Strategic Programs, developing communications strategies for major BART initiatives including the \$2.6 billion Fleet of the Future, the \$3.5 billion Measure RR "Better BART" modernization program, and the Clipper rollout.

BART Interns Bring BEEP to Life



OIPA is spearheading an idea that the office developed to make interactions between BART Police and the public safer, and it has already won an international competition.

The **Blue Envelope Program (BEEP)** is designed to help BART Employees better communicate with riders who have hidden disabilities or are neurodivergent. This summer, BART Innovation Interns Samar Shimila, Saira Guevara and Timothy Nguyen built upon OIPA's concept, developing a smart-card version, called the "BEEP," which won the Grand Prize in the 2026 Introducing Youth to American Infrastructure (iyai+) Grand Innovation Challenge, earning each team member \$1,000. The "BART Bees," as the innovation interns called themselves, beat out a multitude of university and transit intern teams from across North America.

OIPA is now working with the BART Police Civilian Review Board (BPCRB), BART departments, and community partners to move BEEP toward a pilot program. The goal, the innovation interns say is, "to make BART safer and more accessible for everyone one BEEP at a time."

Fresh Perspective, Lasting Impact



As OIPA's six-week summer internship with Sophia Chan came to a close, the office reflected on the meaningful contributions she made during her short time with the team. Sophia conducted a comprehensive Benchmarking & Gap Analysis comparing OIPA's website with civilian oversight agencies in San Francisco, Sonoma County, Chicago, New York City, and San Jose. Her work identified opportunities to make OIPA's digital presence easier to navigate, more accessible, transparent, and

engaging, including improvements to complaint process information, website navigation, community outreach resources, visual content, and interactive tools.

Sophia brought enthusiasm, curiosity, and a fresh perspective to the office, leaving OIPA with more than a collection of ideas. She provided a roadmap for strengthening how the office connects with and serves the public. Her research and recommendations have been transitioned to OIPA's new Stakeholder Engagement Administrator, Linton Johnson, who will build upon that foundation as part of OIPA's ongoing outreach and public engagement efforts. OIPA thanks Sophia for her contributions and wishes her tremendous success in what comes next.

III. OIPA COMPLAINTS BY MONTH

During July 2026, OIPA received 5 new cases and closed 4 cases: 3 investigations and 1 administrative closure. OIPA received 2 administrative closure requests from BPD Internal Affairs (IA). OIPA also reviewed a total of 22 closed BPD cases.

July 2026	
Cases Filed with OIPA	5
OIPA Cases Closed	4
Appeals to OIPA	0
Appeals by BPCRB	0
Appeals by BPD Chief of Police	2
BPD Cases Reviewed by OIPA for Administrative Closure	2
BPD Closed Cases Reviewed	22

IV. OIPA CURRENT TOTAL INVESTIGATIONS

As of the end of July 2026, OIPA had 14 active investigations. There is 1 BPD Internal Affairs investigation being monitored by OIPA and 2 complaints are pending appeals by BPD.

TOTALS	
OIPA Active Investigations	14
Complainant-Initiated Appeals to OIPA	0
BPD Investigations Being Monitored by OIPA	1
Complaint Appeals by BPD	2

The table below provides details on the 14 active OIPA investigations. In terms of complexity, the majority of cases are classified as moderate (Level 2), with 3 cases classified as higher complexity (Level 3) and 3 investigations as lower complexity (Level 1). OIPA continues to ensure that investigations are conducted in a timely manner and that the most serious complaints receive appropriate attention and resources.

OIPA ACTIVE INVESTIGATIONS							
	Case Number	Date Received	Primary Allegation	90 Days	180 Days	Complexity	Status
1	#26-12	03/20/26	Bias-Based Policing	06/18/26	09/16/26	2	In Progress
2	#26-18	04/23/26	Improper Arrest	07/22/26	10/20/26	2	In Progress
3	#26-19	04/17/26	Hiring Process	07/16/26	10/14/26	3	Pending Legal Review
4	#26-21	05/22/26	Bias-Based Policing (fare inspection)	08/20/26	11/18/26	1	In Progress
5	#26-26	06/03/26	Improper Detention	09/01/26	11/30/26	2	In Progress
6	#26-27	06/03/26	Improper Detention	09/01/26	11/30/26	2	In Progress
7	#26-28	06/15/26	Improper Detention	09/13/26	12/12/26	2	In Progress
8	#26-29*	06/16/26	Sexual Harassment	09/14/26	12/13/26	3	Monitoring
9	#26-33	06/28/26	Performance of Duty	09/26/26	12/25/26	2	In Progress
10	#26-36	07/02/26	Improper Arrest	09/30/26	12/29/26	3	In Progress
11	#26-37	07/13/26	Performance of Duty	10/11/26	01/09/27	1-2	In Progress
12	#26-38	07/15/26	Conduct Unbecoming an Officer	10/13/26	01/11/27	2	In Progress
13	#26-39	07/28/26	Bias-Based Policing	10/26/26	01/24/27	1	In Progress
14	#26-40	07/31/26	Conduct Unbecoming an Officer	10/29/26	01/27/27	2	In Progress

*#26-29 – OIPA received the complaint for investigation. Because the matter may involve potential criminal conduct, OIPA coordinated with BPD Internal Affairs to refer the matter to Internal Affairs for investigation. OIPA is monitoring the investigation.

V. OIPA NEW COMPLAINTS

During July 2026, OIPA received **5 community complaints**.

OIPA Case Number	Allegations	Investigator Assigned	Received Date
1 OIPA #26-36	Officer: - Improper Arrest - Policy Procedure	Wyeth McAdam	07/02/26
2 OIPA #26-37	Officer: Performance of Duty	Wyeth McAdam	07/13/26
3 OIPA #26-38	Officer: - Courtesy - Conduct Unbecoming an Officer	Wyeth McAdam	07/15/26
4 OIPA #26-39	Officers: - Bias-Based Policing - Conduct Unbecoming an Officer	Wyeth McAdam	07/28/26
5 OIPA #26-40	Officers #1 - #3: - Conduct Unbecoming an Officer - Policy/Procedure	Patrick Caceres	07/31/26

VI. OIPA INVESTIGATIONS PRESENTED TO BPCRB DURING REPORTING PERIOD**

During July 2026, OIPA **presented 2 Investigations and 1 administrative closure** to the BPCRB. The following is a summary of the 3 cases followed by a table with detailed findings of those cases.

OIPA #25-62 (IA2025-103): A BPD officer alleged that supervisory actions taken by his sergeant, which resulted in Letters of Discussion (LODs) and a negative performance evaluation, were unwarranted and inaccurate. OIPA exonerated two officers of Policy/Procedure allegations, sustained a Supervision allegation against one officer, and found separate allegations of Conduct Unbecoming an Officer and Supervision not sustained. OIPA recommended that BPD requires roll call at the beginning of every patrol shift.

OIPA #26-16 (OIPA2026-006): A station agent alleged that a BPD officer treated him discourteously by questioning his call for fare-evasion enforcement and advising him not to contact BPD for fare-evasion enforcement. OIPA also identified that the responding officers did not activate their body-worn cameras before responding to the call for service. OIPA sustained Policy/Procedure allegations against both officers and sustained a Performance of Duty allegation against one officer.

OIPA #26-21 (IA2026-024): After a preliminary investigation, OIPA administratively closed a case potentially involving fare inspection officers (FIOs) accused of being racially biased when seeking proof of payment. OIPA had insufficient information from the complainant to properly investigate the allegations.

1 OIPA #25-62 (IA2025-103)	A BPD officer alleged that supervisory actions taken by his sergeant, which resulted in Letters of Discussion (LODs) and a negative performance evaluation, were unwarranted and inaccurate.				
	OIPA Investigative Findings	Officer #1: • Policy/Procedure - Exonerated • Conduct Unbecoming an Officer – Not Sustained • Supervision - Sustained Officer #2: • Policy/Procedure - Exonerated • Supervision – Not Sustained Recommendation: OIPA recommends that BPD make lineup or roll call mandatory at the beginning of every patrol shift rather than an optional practice. OIPA further recommends that lineup or roll call be limited to law enforcement-related matters, including policy updates and clarifications, changes in law, BOLOs, crime trends, officer safety information, training reminders, and other operational issues affecting patrol personnel.			
		Date Received:	12/31/25	Days Taken to Complete Investigation:	192
		Date Completed:	07/10/26		
2 OIPA #26-16 (OIPA2026-006)	Station agent alleged that a BART officer treated him discourteously by questioning his call for service for fare-evasion enforcement and not to call BPD for fare evasion enforcement. OIPA also identified that the officers did not activate their body-worn cameras prior to responding to this call for service.				
	OIPA Investigative Findings	Officer #1: • Policy/Procedure – Sustained • Performance of Duty – Sustained Officer #2: • Policy Procedure – Sustained			
		Date Received:	04/15/26	Days Taken to Complete Investigation:	78
		Date Completed:	07/01/26		
3 OIPA #26-21 (IA2026-024)	The complainant alleged that FIOs racially profiled him and another passenger by only asking them for proof of payment.				

	OIPA Investigative Findings	Fare Inspection Officers: Bias-Based Policing – Administrative Closure (insufficient information; lack of jurisdiction)		
	Date Received:	05/22/26	Days Taken to Complete Investigation:	34
	Date Completed:	06/24/26		

***This section of the report has been updated from “OIPA Cases Closed During Reporting Period” to “OIPA Cases*

VII. APPEAL CASES

Presented to BPCRB During Reporting Period. This change was made to reflect the cases presented and discussed at the BPCRB meeting for the reporting month, rather than simply listing cases that OIPA closed during that period.

Two investigations conducted by the OIPA were previously appealed by the BPD Chief of Police and are currently pending. A summary and status of those 2 investigations is listed below:

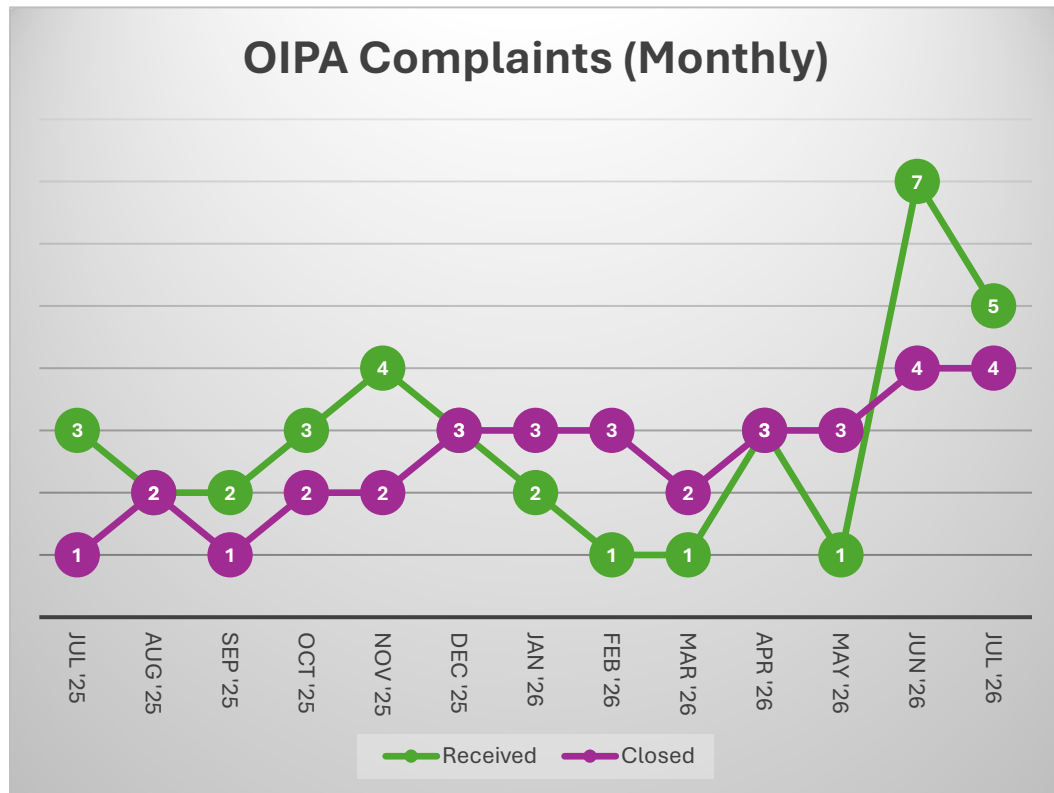
OIPA #24-45

Date of Complaint: October 11, 2024
 Date Closed: August 8, 2025
 Date Appealed: September 24, 2025
 Hearing Date: November 6, 2025
 By Whom: Chief of Police
 Status: Pending General Manager
 Elapsed Days from Appeal: 313

OIPA #24-46

Date of Complaint: October 28, 2024
 Date Closed: September 8, 2025
 Date Appealed: October 13, 2025
 Hearing Date: November 6, 2025
 By Whom: Chief of Police
 Status: Pending General Manager
 Elapsed Days from Appeal: 313

VIII. TREND ANALYSIS

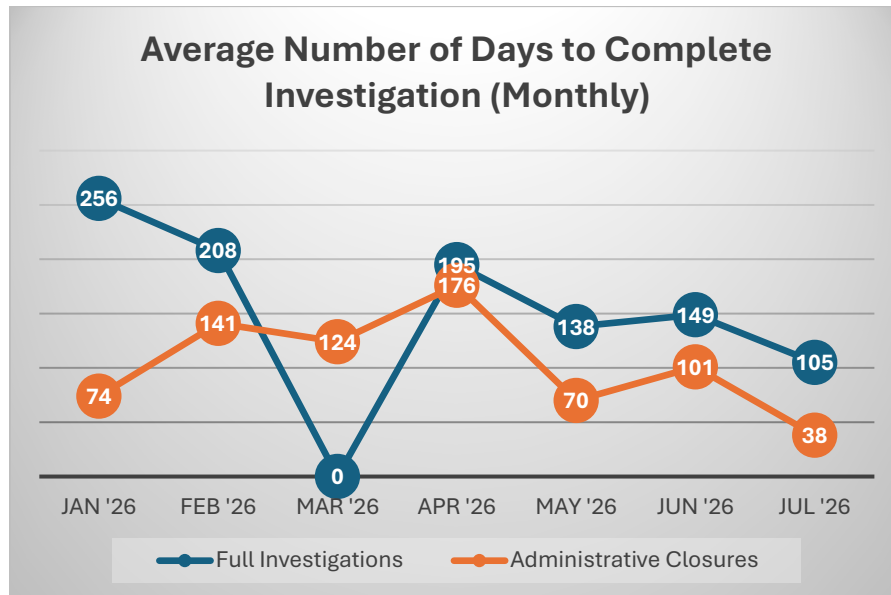


Graph 1

Graph 1 shows OIPA received 5 complaints in July 2026, a decrease from the 7 complaints received in June but above the monthly levels reported during most of the preceding year. OIPA also closed 4 complaints in July, the same number as in June. The recent increase in complaint activity follows several months in which OIPA generally received between one and three complaints per month.

TOTAL OIPA COMPLAINTS RECEIVED AND CLOSED

	July 2026	July 2025	June 2026
Cases Filed with OIPA	5	0	7
OIPA Cases Closed	4	1	4



*There were no full investigations closed in March 2026.

Graph 2

Graph 2 shows the average number of days required to complete full investigations and administrative closures each month from January through July 2026. In July 2026, OIPA completed 3 full investigations in an average of 105 days, a decrease from 149 days in June. OIPA also completed one administrative closure in 38 days, down from an average of 101 days in June and the lowest monthly average reported in 2026. Overall, the July data reflects a reduction in the average time required to complete both full investigations and administrative closures.

TYPES OF OIPA COMPLAINTS CLOSED

	July 2026	July 2025	June 2026
Full Investigations	3	1	2
Administrative Closures	1	0	2

IX. POLICY REVIEW

BPD POLICY 451 – BODY WORN CAMERA

OIPA's proposed revisions to BPD Policy 451 (Body-Worn Cameras) are still currently pending final review and approval by the Chief of Police.

BPD POLICY 1019 - EARLY WARNING SYSTEM (EWS)

OIPA proposed, following the June 2026 EWS Quarterly Review meeting, that BPD Policy 1019 be revised to formally recognize OIPA as a member of the quarterly EWS Administrative Review Board. This policy recommendation is currently pending.

Additionally, OIPA is continuing to monitor and review the progress of pending IA investigations, of an officer identified through the EWS review.

BPD POLICY 419 - FARE EVASION & PROOF OF PAYMENT

During July 2026, the IPA reviewed BPD Policy 419, Fare Evasion and Proof of Payment, as part of OIPA's ongoing review of departmental policies and practices. The review identified several areas warranting further examination, including terminology related to enforcement expectations and BART Ordinance 2017-2.5.1.

Recognizing that fare enforcement involves complex operational, public safety, equity, and community considerations, the IPA has elected to undertake a broader review before developing formal recommendations. As part of that work, the IPA has begun a review of the 2025 Center for Policing Equity (CPE) report, BART Fare Enforcement: Balancing Goals, Community Concerns, and Human Costs, with particular attention to its methodology, findings, supporting data, and recommendations.

The review will also include consultation with BPD Chief Kevin Franklin regarding his assessment of the CPE report and the operational considerations associated with fare enforcement, as well as discussion with the BART Police Civilian Review Board regarding its perspectives and concerns. These consultations are intended to ensure that relevant viewpoints and institutional knowledge are considered while preserving the IPA's responsibility to conduct an independent assessment and develop any resulting recommendations.

Upon completion of this review, the IPA will determine whether amendments to Policy 419 should be recommended and will report further on the matter.

BPD POLICY 404 – ROLL CALL TRAINING

OIPA recommends that BPD make roll call training mandatory at the beginning of every patrol shift rather than an optional practice. The recommendation also proposes that roll call be limited to law enforcement-related matters.

BPD POLICY 1020 – PERSONNEL COMPLAINTS

OIPA recommends that IA provide notification to OIPA when an officer has requested a Skelly Hearing and the outcome of that hearing. The Skelly Hearing process can impact the ultimate discipline rendered and enforced by the department.

X. BPD NEW COMPLAINTS*

During July 2026, BPD received **3 Community Complaints (Formal)**.

IA Case #	Nature of Complaint	Action Taken	Received Date
1 IA2026-029	The complainant alleged three unidentified Fare Inspection Officers boarded a train and targeted Black and unhoused individuals.	BPD is investigating.	07/10/26
2 IA2026-030	The complainant alleged that he was illegally detained and that a false police report was written.	BPD is investigating.	07/13/26
3 IA2026-031	The complainant alleged that the officers did not conduct a proper investigation and lied when they said information about the investigation was no longer available.	BPD is investigating.	07/16/26

XI. BPD NEW INTERNALLY INITIATED INVESTIGATIONS*

During July 2026, BPD opened **0 Administrative Investigations (Internally Generated)**:

IA Case #	Nature of Complaint	Action Taken	Date Initiated
N/A	N/A	N/A	N/A

XII. BPD INVESTIGATIONS CONCLUDED DURING THIS REPORTING PERIOD*

A. During July 2026, BPD completed **7 Investigations**:

(IA Case #)	Nature of Complaint	Disposition	Received Date	Days Taken to Complete Investigation
1 IA2024-089	The complainant alleged that the officer used unnecessary force to remove them from the train. The complainant further alleged that the officer unnecessarily required them to exit the train, causing them to have to wait for and board a later train. The officer failed to produce a report/Field Interview regarding the details of the detention.	Officer: - Force – Exonerated - Conduct Unbecoming an Officer – Unfounded - Policy/Procedure (Report Preparation) – Sustained	09/19/24	678
2 IA2025-061	The complainant alleged a BPD fare inspection officer was rude and unprofessional in their comments and for throwing the complainant's Clipper card at them.	Fare Inspection Officer: - Conduct Unbecoming an Officer – Sustained - Bias-based Policing – Not-Sustained	08/26/25	337
3 IA2025-062	The complainant alleged that the officer used excessive force by deploying his Taser and verbally escalated the incident by ordering the complainant to get on the ground during a domestic dispute with his girlfriend.	Officer: Conduct Unbecoming an Officer – Administrative Closure (by Body Worn Camera (BWC))	09/03/25	308

4 IA2025-065	The complainant alleged that officers used excessive force during their arrest for vandalism.	Officers #1 & #2: • Force – Exonerated	09/18/25	314
5 IA2025-076	The complainant alleged that an unidentified fare inspection officer used a racial slur while checking the complainant's ticket.	Fare Inspection Officer: • Conduct Unbecoming an Officer – Administrative Closure (insufficient information)	10/14/25	288
6 IA2026-020	The complainant alleged that officers took his property during his arrest, however the property was later located.	Officers #1 - #3 • Policy/Procedure (property) – Administrative Closure (complaint withdrawn)	06/03/26	44
7 IA2026-028	The complainant alleged that an officer verbally threatened them over social media. The matter was referred to and documented by the local law enforcement agency, which determined that no crime had been committed.	Officer: • Conduct Unbecoming an Officer – Administrative Closure (complaint withdrawn)	06/26/26	28

B. During July 2026, BPD resolved 4 Administrative Investigation (Internally Generated):

IA Case #	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 IA2025-079	IA initiated an internal investigation and found that a BPD employee failed to promptly inform a supervisor that they were named in a criminal protective order and charged.	BPD Employee: • Conduct Unbecoming an Officer – Sustained	11/15/25	266

2 IA2025-089	IA determined that a BPD sergeant inappropriately shared a racially offensive, artificial intelligence-generated video with the officer who was the subject of the video while on duty.	Sergeant: • Racial Animus – Sustained • Performance of Duty – Sustained • Workplace Discrimination/Harassment – Sustained • Conduct Unbecoming an Officer – Sustained • Policy/Procedure (prohibited speech) – Sustained	12/05/25	218
3 AI2026-003	IA initiated an internal investigation into allegations that a BPD employee surreptitiously recorded confidential workplace matters using a personal device.	BPD Employee: • Performance of Duty – Sustained • Conduct Unbecoming – Sustained • Policy/Procedure (unauthorized audio recordings) – Not applicable	04/21/26	77
4 AI2026-007	IA initiated an internal investigation after the CSO reported being arrested for driving under the influence (DUI).	Community Service Officer (CSO): • Conduct Unbecoming an Officer – Sustained	06/07/26	52

XIII. ALL DISCIPLINE ISSUED DURING REPORTING PERIOD*

During this reporting period, BPD took the following action in **11 cases** where allegations of misconduct was sustained:

IA Case #	Nature of Sustained Allegation(s) ⁱ	Classification of Sustained Allegation(s)	Action Taken
1 IA2025-051	An officer used profane and obscene language with the complainant during the complainant's arrest. Officers #1 and #2 both failed to properly activate their BWCs while logging the complainant's property following the arrest.	Officer #1: - Conduct Unbecoming – Sustained - Policy/Procedure (failure to activate BWC) – Sustained Officer #2: - Policy/Procedure (failure to activate BWC) – Sustained	Officer #1 – Oral Counseling Officer #2 – Letter of Discussion
2 IA2025-053	An FIO acted inappropriately and made an unprofessional comment to another FIO while in public and on-duty.	Fare Inspection Officer (FIO): Conduct Unbecoming – Sustained	Letter of Discussion

3 IA2025-081	An officer electronically shared with co-workers an AI-generated video depicting the Chief of Police removing a firearm from beneath a BPD officer's turban. The officer transmitted the video to another co-worker rather than reporting it to his chain of command.	Officer: • Conduct Unbecoming – Sustained	Written Reprimand
4 IA2025-090	An officer showed co-workers an AI-generated video depicting the Chief of Police removing a firearm from beneath a BPD officer's turban and failed to report the video to his chain of command.	Officer: • Conduct Unbecoming – Sustained	Letter of Discussion
5 IA2025-091	An officer received an AI-generated video depicting the Chief of Police removing a firearm from beneath a BPD officer's turban and failed to report the video to his chain of command.	Officer: • Conduct Unbecoming – Sustained	Letter of Discussion

6 IA2025-097	An officer electronically shared with co-workers an AI-generated video depicting the Chief of Police removing a firearm from beneath a BPD officer's turban. The officer transmitted the video to another co-worker rather than reporting it to his chain of command.	Officer: • Conduct Unbecoming – Sustained	Written Reprimand
7 IA2025-100	An officer received an AI-generated video depicting the Chief of Police removing a firearm from beneath a BPD officer's turban and failed to report the video to his chain of command.	Officer: • Conduct Unbecoming – Sustained	Letter of Discussion
8 IA2025-101	An officer received an AI-generated video depicting the Chief of Police removing a firearm from beneath a BPD officer's turban and failed to report the video to his chain of command.	Officer: • Conduct Unbecoming – Sustained	Letter of Discussion

9 IA2025-104	An officer was shown by another officer an AI-generated video depicting the Chief of Police removing a firearm from beneath a BPD officer's turban and failed to report the video to his chain of command.	Officer: Conduct Unbecoming – Sustained	Letter of Discussion
10 AI2026-004	A BPD supervisor did not follow the appropriate BPD policy to report employee complaints.	BPD Employee: Supervision – Sustained	Letter of Discussion
11 OIPA2026-001	Officers were discourteous and detained a couple without reasonable suspicion that they had fare evaded.	Officers #1: - Arrest/Detention – Sustained - Policy and Procedure (neglect of duty) – Sustained Officers #2: - Arrest/Detention – Sustained - Policy and Procedure (discourteous) – Sustained	Written Reprimand

XIV. LEGAL CLAIMS, LAWSUITS, AND SETTLEMENTS

MONTHLY STATUS REPORT OPEN BPD CLAIMS

The following update serves as a status report for July 2026.

OIPA reviews legal claims, lawsuits, settlements, and adverse judgments involving BPD personnel to ensure allegations of misconduct are thoroughly investigated and to identify any potential systemic issues involving BPD practices or policies. OIPA is actively reviewing the claims list and attempting to identify patterns of behavior that can be addressed through training or corrective action.

Two new claims were reported from last month's report. Both claims (B260052 and B260049) are active OIPA investigations. B260052 with claimant with Andrew King was closed as having no merit therefore

the OIPA investigation into the complaint will continue. B260049 is pending. OIPA will continue monitoring the status of the claim. If the claim becomes a lawsuit against the BART District, the investigation **may** be considered for tolling.

As part of OIPA's efforts to be more informed regarding the status of claims and lawsuits resulting from police officer contacts, OIPA met with Risk Management to discuss the claim and lawsuit process.

BART Claim No.	Plaintiff	Date of Loss	Location	Court Case No.	Plaintiff Attorney	Defense Attorney	Status
B260052	Andrew King	1/28/26	Aboard train	-	-	-	Case was closed as no merit
Summary	The claimant alleges emotional distress after being threatened with physical assault by a petition signature gatherer aboard a BART train. The claimant further alleges that BART Police failed to adequately investigate and respond to the incident.						
B260049	Durell Johnson	2/08/26	Bay Fair Station	-	-	-	Pending
Summary	A former BART employee alleges negligence related to his termination following a physical altercation with a trespasser. The claimant also alleges that BART Police violated his civil rights.						
B230034	Jamira Burley	1/19/23	Outside of MacArthur Station	23CV035168	Cody Christensen	Cassandra Angel Law	Conditional monetary offer pending
Summary	Plaintiff was involved in a low-speed, minor-impact collision involving side to side contact with a BPD vehicle.						
B240030	Joseph Banks	9/12/23	Embarcadero Station	CGC-24-619300	In pro per	Allen, Glaessner, Hazelwood & Werth	Case management conference set for 9/09/26
Summary	After getting in an altercation with another patron, Banks alleges that BPD officers who arrived on scene, used force, falsely detained him, and questioned him based on his race.						
B230052	James Robinson	3/08/24	Aboard train at Fruitvale	3:24-cv-08788-TLT	Law Offices of John Vanucci	Allen, Glaessner, Hazelwood & Werth	Trial is set for Sept. 2027
Summary	Plaintiff was using an outlet on a train and refused BPD orders to unplug. He was escorted off the train and out of Fruitvale Station. He alleges excessive force by BPD during detention.						
B240150	LaToya Henry	5/21/24	Fruitvale Station	3:25-cv-05780-LIC	Pointer & Buelna	Castillo Moriarty Robinson	Conditional settlement was reached for \$60,000
Summary	Plaintiff is the mother of a juvenile who fare evaded out of Fruitvale during fare evasion enforcement. She resisted being detained and was taken to the ground by BPD officers.						
B250079	Roscoe Duncan	8/12/24	Fruitvale Station Alameda Superior	24CV095242	In pro per	Castillo Moriarty Robinson	No court date has been set
Summary	Plaintiff intentionally fare evaded out of the station and claimed he was a sovereign citizen and not subject to our laws. He refused to provide identification and was arrested and taken to jail.						
B250054	Chunwen Chen	12/05/24	Oakland, CA Alameda Superior	25CV137442	Lawrence Wong	Law Offices of Damien Morozumi	Mediation has been scheduled for 9/25/26

Summary	Plaintiff was involved in a motor vehicle accident with BPD. The accident was an intersection collision where plaintiff attempted to make left turn in front of oncoming BPD vehicle.						
B250063	Johar Johar	12/28/24	Oakland, CA	25CV134991	Venardi Zurada	Law Offices of Damien Morozumi	Mediation postponed due to Plaintiff's ongoing workers compensation claim
Summary	Plaintiff was involved in a major three car motor vehicle accident with BPD. The accident was an intersection collision where two BPD vehicles were responding Code 3 to West Oakland Station and collided with one another.						
B260001	John Murphy	11/02/25	MacArthur Station	-	-	-	Statute of limitations has expired
Summary	Claimant is alleging that after he was arrested, BPD lost or destroyed his personal belongings that were secured and placed into holding.						

XV. ISSUES DETECTED

The Civilian Oversight Model provides OIPA with the authority to require follow-up investigations into community complaints or allegations handled by BPD and to access information necessary to conduct independent oversight. During July 2026, OIPA identified the following issues warranting continued review and monitoring:

Pending Investigations Involving Officers on Extended Administrative Leave

OIPA and BPD have discussed challenges associated with resolving complaint investigations when a subject or witness officer is unavailable for interview due to extended administrative leave. Prolonged unavailability can prevent an investigation from proceeding through the normal investigative process and leave complaints unresolved for extended periods. OIPA and BPD are reviewing these matters on a case-by-case basis to determine what investigative options may be available, based on the specific circumstances and available evidence, to appropriately resolve pending complaint investigations.

Body-Worn Camera Compliance

OIPA continues to identify body-worn camera activation as an area requiring attention. These cases reinforce concerns previously identified by OIPA regarding BWC compliance and support OIPA's pending recommendations for revisions to BPD Policy 451.

¹ Some details regarding the nature of sustained allegations may be withheld to avoid unintentionally breaching mandatory confidentiality requirements in violation of the applicable CA Penal Code section (832.7).

* The data contained in this report as it pertains to the BPD was provided by the BPD and was not independently verified by the OIPA. The OIPA assumes no responsibility for any discrepancies in the data.