

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

POLICE DEPARTMENT

This document is the NOBLE Management Audit Response Matrix. The NOBLE Audit Report is broken into 16 chapters of recommendations, which focuses on 25 key areas of concerns. I am pleased to report that we have accepted and have been working on implementing the majority of the recommendations. Although I feel we have made substantial progress in our efforts, we definitely still have much more work to do on re-building the police accountability and management systems from the ground up.

The following five goals were established for the organization by the BART General Manager:

1. Strengthening service to our customers (visibility)
2. Strengthening management oversight of the department (accountability)
 - a. Current policies
 - b. Formalize process for tracking policies
 - c. Assured delivery of increased training
3. Strengthening services to our communities
 - a. Cultural groups/activities
 - b. Cultural competence
4. Helping to establish citizen oversight
5. Provide support & resources to PD employees (morale)

Using the corresponding numerical number in front of the before mentioned priorities, I have categorized each of the specific recommendations from the NOBLE Audit under one of the priorities. Along with the category that the recommendation falls under, the matrix also lists the major key area of concern, a brief description of the recommendation, the page number the specific recommendation can be found on in the NOBLE Audit, the current disposition of the recommendation, any department action that has been taken regarding the recommendation, and who his responsible for follow up or follow through for the completion of each specific recommendation.

Description	Report Page	Disposition	Department Action	Category	Committee
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Going forward, we will report out on our progress on the NOBLE Audit twice a year (June & December). We also will begin to vet our department actions regarding each recommendation through our newly established Citizen Review Board (CRB).

Chief Kenton W. Rainey

NOBLE BART Management Audit Response Matrix

Description, (including NOBLE recommendations)	Report Page	Disposition	Department Action	Category	Committ ee Name
CULTURE					
BART PD should form a proactive Police Advisory Board to provide non-binding feedback on proposed significant initiatives.	34	Accepted- in progress	<p>After the CRB is seated the COP will evaluate the need to implement this recommendation</p> <p>July 2010- December 2011, the chief has met with multiple partners and stakeholders throughout the District, some are listed below:</p> <p>James Keys, Crisis Prevention Chair of SF Mental Health Board Pastor McDaniel Oakland</p> <p>Oakland Private Industry Council, Alameda County Social Services Agency, Eastmont area, represented by Roger Stanten</p> <p>George Holland, (NAACP)</p> <p>Dr. Elnora Webb, Laney College President</p> <p>Ron Doyle, 7th Step Foundation, Inc.</p>	3	Chief

			<p>Piriam Pong, Greek Orthodox Representative</p> <p>George Holland SF NAACP, Rev. Amos Brown and Oakland NAACP,</p> <p>Cephus Johnson, Oscar Grant Foundation</p>		
RECRUITMENT & SELECTION					
<p>BART PD should require essential signatory documents be signed by police officer candidates as a condition of employment.</p> <ul style="list-style-type: none"> • Core Values • Vision Statement • Mission Statement • Law Enforcement Code of Ethics • Canons of Law Enforcement Ethics • Law Enforcement Oath of Honor. 	38	Completed/ Ongoing	<p>All new hires now acknowledge receipt of the Organizational Statements and the Law Enforcement Code of Ethics</p> <p>The law enforcement oath of honor and organizational core values have been incorporated into the BPD oath of office. All new hires are given a copy of the core values and mission statement</p> <p>CORE VALUES</p> <ul style="list-style-type: none"> • Integrity • Service • Accountability • Professionalism • Diversity <p>VISION STATEMENT:</p> <p>To be the leader in innovative policing establishing BART as the safest transit system in the nation.</p>	5	Chief

			<p>MISSION STATEMENT:</p> <p>The mission of the BART Police Department is to ensure a safe environment within our transit system, reduce crime through a highly visible police presence and proactive enforcement of the law, and to promote public confidence by working in partnership with our stakeholders and the communities we serve.</p> <p>PEACE OFFICERS OATH:</p> <p>I, _____, do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely,</p>		
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			without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. On my honor, I will never betray my badge, my integrity, my character, or the public trust. I will always have the courage to hold myself and others accountable for our actions. I will always uphold the constitution, my community, the core values and mission of the San Francisco Bay Area Rapid Transit Police Department.		
BART PD should establish Recruitment and Retention Advisory Council represent cross section of private and public employees, community members and stake-holders receiving BPD law enforcement services.	39	Accepted/ In progress	Implemented Citizens Review Board participation in hiring/promotional processes. Recruitment/Retention Plan (RRP) to be completed by July 1, 2012. Most recently, worked with the CRB on the Deputy Chiefs and Community Service Officers hiring process. Will work with CRB to complete Plan.	3	Deputy Chief Glenn-Davis & Lt. Lucarelli

<p>BART PD should recruit qualified individuals from both private and public organizations who possess the following characteristics;</p> <ul style="list-style-type: none"> • Integrity • Service orientated • Interpersonal relations • Team compatibility • Performance driven 	40	Completed	<p>We intentionally recruit candidates from both the public and private sector that possess the necessary traits to become a police officer. We regularly attend private & public job fairs. We also follow POST Job Dimension Guidelines . In addition, see response to “41,” below.</p>	3	Deputy Chief Glenn-Davis & Lt. Lucarelli
<p>BART PD should work to build a strong relationship with the community by identifying key community and business leaders. Suggest partnerships to include military, colleges, high school counselors, community-based organizations, student associations and private customer service organizations.</p>	41	Completed/ Ongoing	<p>We have been forming and using these partnerships, but will re-evaluate our efforts Although on-going and continuous, we have formed partnerships with the MLK Freedom Center; Merritt/Peralta College District Crim. Justice program; The Oakland Private Industry Council; Oakland Police and Clergy Together; Heald and Carrington Colleges; “... Hire a Vet,” Fruitvale Unity Council; Los Medanos College; various CSUs; UCSF; Santa Rosa, Jr. College Police Academy; Napa, Alameda, Contra Costa, San Mateo Counties, and South Bay Regional Police Academies; State of California (Employment Development</p>	3	Deputy Chief Glenn-Davis & Lt. Lucarelli

			Department); and US Army (Camp Parks); Kiwanis Club of San Leandro; San Leandro Chamber of Commerce; Chabot Middle School; and Chinatown Comm. Dev. Center (partial listing)		
BART PD should develop a flexible profile of an effective police officer by identifying the “most viable candidates.” BPD should identify the knowledge, skill, abilities, education, training, behaviors and traits that make an effective officer. This identifies a target upon which selection is based.	42	Completed/ongoing	In addition to following POST Job Dimension Guidelines, we have also developed a profile that now includes our Core Values that viable candidates shall have/develop. We will continue to build upon the profile in conjunction with the CRB when completing the Recruit Retention Plan (RRP) (eta, July 2012).	3	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD should continue to conduct on-going studies on where police recruit candidates come from and why they want to work for BPD.	43	Accepted/in progress	We are working with BART Human Resources to determine specific demographic information regarding our successful candidates Although much of the recommended information has been collected, the analysis process has not been implemented. ETA, by July 2012.	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD should analyze recruitment effort by recognizing how much the department knows about its past recruitment efforts.	44	Accepted/in progress	We are working with BART Human Resources to determine specific demographic information regarding our successful candidates Although much of the recommended	2	Deputy Chief Glenn-Davis & Lt. Lucarelli

			information has been collected, the analysis process has not been implemented. ETA, by July 2012.		
BART PD should develop a recruitment plan that addresses the questions of whom, what qualities, where, why and how your agency will achieve its recruitment goals.	45	Accepted/ Pending	A recruitment plan will be developed during our strategic planning process Recruitment/Retention Plan to be completed by July 1, 2012... will work with CRB to complete Plan.	2	Deputy Chief Glenn-Davis, & Lt. Lucarelli
BART PD should not require more than two round-trip visits to complete the entire application process for out-of-state police officer candidates.	47	Accepted/ in progress	We currently recruit candidates from outside of the region and state. It is not feasible to perform all entry level tests in one day, but we will re-evaluate our practices in this area Working with HR to determine feasibility of recommendation. Applications can now be submitted on-line. This process was done in the hiring process of the Deputy Chiefs and Lieutenants. If deemed possible, implementation eta of July 2012.	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD should ensure contact is maintained with applicants for all positions from initial application to final employment disposition.	48	Accepted	Although we already maintain contact with applicants we will develop a written procedure and incorporate it into our RRP (due July 2012) recruitment protocols	3	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD should adapt a customer-focused hiring philosophy through personalizing the recruitment process.	49	Accepted/ pending	We are working with BART HR to determine if a written procedure is required-We are investigating industry	3	Deputy Chief Glenn-Davis & Lt.

			best practices and working with BART HR to complete this recommendation. We are seeking to implement a “practice” physical agility (open to all, but geared toward female candidates) to assist with successful completion of that portion of the exam... we are investigating best practices for implementing a “family orientation night,” designed to inform/educate attendees about culture/expectations. We will work with CRB to look at implementing other desirable, customer-focused practices (to be codified in RRP, July 2012).		Lucarelli
BART PD should conduct behavioral-based interviews are recommended. Interview questions must be based on job-related knowledge, skills, abilities, behaviors and traits.	50	Completed	We currently use behavioral-based job interview questions, based on job-related knowledge, skills, abilities, behaviors and traits.	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD should develop a writing exercise component as part of the application process to assess written communication skills. A written communication standard should be set.	52	Completed/ongoing	We currently administer a writing component as part of the application process, but will re-evaluate our efforts	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD should expose recruit’s family to law enforcement	53	Completed/ongoing	We are currently surveying other agencies to establish “best	5	Deputy Chief Glenn-

culture/family orientation.			practices" in implementing BPD's "family orientation night." ETA for inaugural orientation is July 2012. Families of new hires are invited to the swearing in, oath of office and badge pinning ceremony		Davis & Lucarelli
TRAINING					
BART PD should establish a Training Committee and develop a written policy to outline the composition of the committee, the duties and responsibilities of the committee and its members, the meeting schedule for the committee and designate the chairperson of the committee.	58	Completed	Training Committee has been established. Department Training Plan has been completed and is available online (internal G drive). The co-chairs are the Lt. assigned to Personnel and Training and the FTO Lt. Coordinator. Detailed written directive concerning the Training Committee's role and responsibilities will be developed by July 2012.	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD should establish a written directive that governs training attendance requirements.	59	Completed	Training attendance requirements are covered in Lexipol Policies 201.3.5 & 208.6. Adherence is addressed in training bulletins. Attendance monitored/reviewed a check for certificate of completion is made. An audit for completion is completed during reimbursement process.	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD should establish a written directive that governs reimbursement to employees attending applicable training programs.	60	Completed	BART District Management Procedure on Reporting and Reimbursement of Employee Expenses address this recommendation. We	2	Deputy Chief Glenn-Davis & Lt. Lucarelli

			also review reimbursement receipts for accuracy and check for a copy of the training certificate.		
BART PD should ensure that courses developed within the BART PD are routinely sent to POST for certification.	61	Completed	Training Committee has been charged with ensuring that all "in house" training lesson plans are submitted to POST. Our in-house "Advanced Officer Training" has been certified by POST for 2011. With few exceptions, a future in-house CPT training courses will be required to attain POST certification	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD should develop and publish a directive establishing agency policy concerning remedial training.	62/63	Completed	A directive regarding remedial training has been developed and incorporated under Lexipol Policy 208 (208.9.3). Remedial training requirements for firearms proficiency are contained in Lexipol policy 312.4.8	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD should develop and publish a directive establishing agency policy concerning the documentation of remedial training.	62/63 see above	Completed		2	Deputy Chief Glenn-Davis Lt. Lucarelli Lt. Forte
BART PD needs to undertake an evaluation and analysis of the Training records, maintenance protocols and system.	64	Completed	An evaluation was completed and, subsequently, BPD has adopted use of the Training Management System ("TMS") proprietary software. Training records are currently being updated and input into the	2	Deputy Chief Glenn-Davis Lt. Lucarelli & Lt. Forte

			System. Our POST EDI Records have all been updated and an audit of our FTO recruit manuals has been completed. We now have a central repository for all FTO manuals and stricter accountability of the manuals is now in effect		
BART PD should consolidate the policies and procedures relating to training (recruit and CPTN) in one directive.	66	Completed/ ongoing	BART Police has an existing Lexipol policy for recruit (new hire) training and Continued Professional Training Network (CPTN). Training policy #208. BPD has separate and distinct training needs. Pursuant to consideration of consolidating the policies, we feel that doing so would reduce the clarity of the specific goal, requirements and mandates for each. We therefore do not accept the recommendation.	2	Deputy Chief Glenn-Davis Lt. Lucarelli
Despite the ability to waive the field training requirement for lateral entry officers, the BART PD puts each new officer through the entire program.	67	Completed/ ongoing	Beginning around July 2011, trainees spend a minimum of 16 weeks in the Field Training Program. In addition to daily evaluations, an FTO sergeant has a face-to-face meeting with trainees every 2-4 weeks, which is documented in the training manual. To keep skill levels current and maintain consistency in the program, field training officers attend a one-day training session quarterly. Review of	2	Deputy Chief Fairrow & Lt. Alvarez

			other practices continues.		
BART PD should expand the list of courses the Training Plan to include more courses in communication, verbal judo, human diversity, handling emotionally disturbed persons, community policing, etc.	70	Completed / ongoing	We have expanded our list of courses offered under our in-service training programs to include more of the noted courses. All personnel have received COPPS Training and all sergeants and FTO's have attended CIT. CIT is on-going and continuous. In addition, all commanders have received Fair and Impartial Policing training, and ½ of our sergeants and FTO's have received the training. We have also trained a team to respond to personnel who experience traumatic and critical incidents (Trauma Response Team – TRT) We will continue to enhance training in the noted areas.	2	Deputy Chief Glenn-Davis Lt. Lucarelli & Lt. Forte
BART PD should develop and publish a written directive that outlines the policy and procedures concerning in-service, shift briefing and advanced training.	72	Completed	Lexipol Policy 404.1 addresses this recommendation. CPT-DVDs that are distributed by the Training Officer have corresponding rosters that required participants signatures with a deadline for return to the Training Unit	2	Deputy Chief Glenn-Davis Lt. Lucarelli & Lt. Forte
BART PD should develop and publish a written directive describing the policies,	74	Completed/ ongoing	Lexipol Policy 404 (Adopted 10/13/11). To enhance Shift/Roll Call Training all supervisors	2	Deputy Chief Fairrow Lt.

procedures and purposes of shift/roll call training.			and managers attended the “Role of the Supervisor Training” course. SROVT calendar and rosters have been distributed to all supervisors .SROVT is held twice monthly and the topics are determined by current departmental needs and input from command staff, coordinated through the Training Unit.		Lucarelli & Lt. Forte
BART PD should develop and publish a written directive describing the policies, procedures relating to specialized assignments and any pre-or post-training required for the position.	75	Completed	Training requirements for some specialized positions, but not all, are referenced in the Policy Manual under the individual specialized position. Full-time specialized position training requirements are referenced in the Training Plan which is located online and some also fall under POST guidelines. Lexipol Policy 1028 outlines the selection process for special assignments.	2	Deputy Chiefs Hartwig & Glenn-Davis, Lt. Lucarelli & Lt. Alkire
BART PD should develop and publish a written directive that documents the training requirements for all SWAT Team training.	76	Completed / ongoing	Lexipol Policy 408. (Adopted 10/13/11). This recommendation is also addressed in the Department Training Plan, annual SWAT training schedule and SWAT manual	2	Deputy Chief Fairow & Lt. Franklin
BART PD should develop and publish a directive devoted to the training requirements for non-sworn employees.	77	Completed	Training available to non-sworn employees is listed in the Department Training Plan which is outline in the BPD Training Plan (pp. 35 – 39).	5	Deputy Chief Glenn-Davis & Lt. Lucarelli

Using the Training Plan as a foundation, establish a career development plan and publish a written directive outlining the policies and procedures associated with the plan. This plan should help employees of the BART PD in either their vertical or horizontal career plan development aspiration goals.	78	Accepted/ pending	Although the Training Plan is available online, BPD does not have a formal Career Development Plan and relative process. BPD will develop a plan, policies and procedures to formally address personnel career development by Jan-2012	5	Deputy Chief Glenn- Davis Lt. Lucarelli
Defensive Tactics	79	Completed	A comprehensive Defensive Tactics curriculum has been incorporated in the annual training schedule (including AOT). In 2011 officers completed approx. 18 hours of DT training (including IW; TASER; Force Options, and handcuffing techniques training). The curriculum is based on POST requirements, law enforcement best practices, and recommendations from the BPD Use of Force committee, BART has mandated that sworn personnel receive a minimum of 40 hours of training a year. We have incorporated this recommendation into our in-house CPT	2	Deputy Chief Glenn- Davis Lt. Lucarelli
Training Unit to be Commanded by Lieutenant and staffed by civilians.	79	Do not recommend at this time	Although the Unit is now commanded by a lieutenant, BPD does not accept the recommendation to civilianize the Unit at	2	Chief Rainey, Deputy Chief Glenn- Davis&

			this time		Lt. Lucarelli
Increased supervisory focus on COPPS/POPs. And directed patrol activities.	79	Completed/ ongoing	All personnel have received training in the COPPS philosophy which emphasizes a focus law enforcement strategy	2	Deputy Chief Fairow
Executive Training	79	Completed/ ongoing	BPD was commended for its performance in this area. Executive training is (and will continue to be) on-going and continuous. Ranks of Lt.'s and above have been scheduled to attend the POST Role of the Police Chief and Executive Development Course. Lieutenants and above Lieutenants and above to attend the PERF SMIP and are strongly encouraged to attend POST Command College. Many command staff have attended one or more of these courses.	5	Chief & Deputy Chief Glenn-Davis
Community Policing	79	Accepted/ in progress	A Department reorganization is underway which will incorporate a geographic team policing structure to support the COPPS philosophy; this will be implemented by the third quarter of 2011 A Draft of the new geographical policing training bulletin has been circulated the Deputy Chiefs for comment. The new Zone/PSA structure was presented to the Watch	2	Chief & Deputy Chief Fairow

			Commanders in June 2011. Additionally, beginning in December 2011, a dedicated staff member has been tasked with developing a plan for January 2012 implementation of the zone policing model (geographic zones).		
Evaluation of SWAT	80	Accepted/pending	Evaluation will be completed by the end of the next July 2012	2	Chief & Deputy Chiefs
Evaluation of Tactical Unit	80	Accepted/pending	Evaluation will be completed by the end of the next July 2012	2	Chief & Deputy Chiefs
Evaluation of Revenue Protection	81	Do not recommend at this time	No action taken	2	Chief
Fare Evasion (Also see Racial Profiling Policy, Report pg. 121, Audit pg. 9)	81	Accepted/in progress	Lexipol Policy 419 developed. Began work with the Consortium for Policing Leadership in Equity (CPLE) to develop a comprehensive program to prevent bias-based policing and racial profiling. CPLE Training, review, and analysis to begin the 1 st quarter of 2012.	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
Visibility	82	Accepted/ongoing	It has been emphasized by the General Manager and re-emphasized during our Team Building Workshop occurring early in 2011 and during daily lineups that our presence on the trains, platforms & garages is a top priority of the District and our customers. A Directed Patrol program, started in January 2011, assigns personnel to platforms	1	Chief & Deputy Chief Fairrow

			and trains during key times. This is currently tracked via our Performance Measures report Patrol Officers also work with the Community Policing Unit to ensure increased presence in key locations and at peak times in order to not only increase visibility, but to make that visibility meaningful. Lastly, personnel are assigned to the Trans-Bay Tube portal station platforms during commute hours Officers will increase their patrol train rides to 3 per shift by June 2012, increase to 4 train rides per shift by December 2012.		
BART PD should utilize a formal in-depth post-training academy designed to provide any information which is not ideally suited for the basic training academy, but would be advantageous to understanding prior to beginning field training.	84	Completed/ongoing	This is done in our "FOCUS" program. We continuously review/update the FOCUS curriculum in an effort to incorporate relevant, useful information Recently, in August 2011, time was added to the program to include training in the dispatch center and with detectives.	2	Deputy Chiefs Fairow, Glenn-Davis & Lt. Alvarez
BART PD should implement a leadership succession plan to assist in the development of supervisors' decision-making and leadership skills as it relates to preventing racial profiling.	86	Completed/ongoing	Ranks of Lt.'s and above will be scheduled to attend POST's <i>Role of the Police Chief</i> and <i>Executive Development</i> Courses and PERF's Senior Management Institute for Police (SMIP). Sgt.'s will be encouraged and allowed to attend	5	Chief & Deputy Chief Glenn-Davis

			<p>POST's Supervisory Leadership Institute (SLI)</p> <p>All permanently assigned lieutenants and a DC have attended to the POST Role of the Chief's course. Three members of the command staff have attended SMIP in Boston.</p> <p>Six sergeants have attended or are currently attending POST's Supervisory Leadership Institute (SLI); two are scheduled to attend next year.</p> <p>BPD also participates in Inner Perspective leadership training for officers. Two officers have attended, and two officers are scheduled to attend in Jan. 2012. All FTO's, Sgt's, Lt's, Deputy Chief's and Chief have completed Fair and Impartial Training.</p>		
EQUIPMENT					
BART PD should implement RAILS because the various systems and equipment located in the old center are not integrated.	89	Accepted/ in progress	New CAD & RMS scheduled to come online during FY 11-12 and we will evaluate whether the system adequately addresses the recommendation. Project management meetings are held and attended by BPD and IT consultants, staff. Various Dispatch personnel and Supervisors are receiving ancillary	2	Deputy Chief Hartwig & Carissa Goldner

			training (leadership/supervision/ Comm Policing; tactical; communications, etc.)		
Communications with BART PD & BART IT <i>See below sections from page 93 & 94</i>	93	Complete/ ongoing	Monthly information exchange meetings are held between BART PD & BART IT; the COP regularly attends (next meeting to be held February 2012)	2	Chief Deputy Chief Hartwig & Carissa Goldner
BART PD and BART IT must improve communications. BART PD should form its own Information Technology and Support Unit.	93	Do not recommend at this time	No action taken	2	Chief
BART PD should train on RAILS and other related systems must be provided to all appropriate BART PD employees.	93	Accepted/ pending	No action taken due to the new CAD & RMS scheduled to come online during FY 11-12 Training will occur when RAILS is implemented.	2	Deputy Chiefs Hartwig, Glenn- Davis & Carrisa Goldner
All personnel assigned to the communication center should be certified by the Association of Professional Communication Officers (APCO)..	93	Do not recommend at this time	All Dispatch personnel are POST certified and receive a minimum of 24 hrs. CPT every two years	2	Deputy Chief Hartwig
MDT's should be installed in all appropriate BART PD vehicles.	93	Completed	New CAD & RMS scheduled to come online during FY 11-12; we will evaluate whether the system adequately addresses the recommendation. Officers are trained in the proper use of the MDTs during the FOCUS Program.	2	Deputy Chief Hartwig & Carrisa Goldner
MDT Policy	94	Completed	Lexipol Policy 448 developed and implemented.	2	Deputy Chief Hartwig

					& Lt. Alkire
Need for a back-up communication center and computer system.	94	Do not recommend at this time	In the event we are unable to dispatch from the Integrated Security Response Center (ISRC), we have the ability to dispatch calls from a remote trailer located at one of our satellite facilities and from a location within Contra Costa County. However, we will continue to review our practices	2	Deputy Chief Hartwig & Carissa Goldner
BART PD should consider hand-held computers to facilitated completion of reports and streamline data entry.	94	Do not recommend at this time	No action taken	2	Deputy Chief Hartwig & Carrisa Goldner
BART PD should consider implementing Compstat process and using new RAILS technology	94	Accepted/ ongoing	New CAD & RMS scheduled to come online during FY 11-12. Comp Stat process will be developed and implemented by January 2012 Beginning in December 2011, a dedicated staff member has been assigned to help with the January 2012 implementation. A dedicated staff member has been assigned to help with the January 2012 implementation.	2	Deputy Chief Fairow
BART PD should consider having a liaison with the Northern California Regional Intelligence Center in San Francisco	94	Completed	Our Joint Terrorism Task Force (JTTF), Terrorism Liaison Officer (TLO) and Security Programs Manager currently networks with NCRIC. In addition, we send	2	Deputy Chief Hartwig & Lt. Franklin

			personnel to training sponsored by NCRIC.		
Basic Radio Communication	97	Completed	Personnel are required to acknowledge when they go in and out of service via the radio, All newly hired patrol personnel are trained on radio use during FOCUS All newly hired patrol personnel are trained on radio use during FOCUS	2	Deputy Chief Fairrow
Procurement	102	Completed	Seven BPD Admin. Personnel have attended the BAP Phase II training. Training has facilitated the procurement process to some degree; however, the Procurement Dept. continues to face internal challenges that impede the overall process	2	Deputy Chief Hartwig
Firearms/Sig Sauer	105	Completed	No action required	2	Lt. Franklin & Range Master
Does not agree with the practice of BART Officers being permitted to purchase their own "on-duty" pistols. (other than Sig Sauer)	106	Accepted/pending	This Although the COP accepts this recommendation is still under review Chief has met with the Professional Standards Deputy Chief and the Lt. in charge of the range staff to begin the review of the process of implementing weapon standardization. This review will be completed by June 2012	2	Chief & Deputy Chiefs
Does not recommend that officers be permitted to carry back-up weapons.	106	Accepted/pending	Back-up firearms were eliminated by the interim COP. However, the current COP is still reviewing this recommendation. Will	2	Chief & Deputy Chiefs

			be completed June 2012		
Recommend that officers carry triple retention holsters which will provide safety for officers and general public.	106	Accepted/ pending	Although the COP accepts this recommendation in concept it is still under review	2	Deputy Chief Glen Davis & Range Master
An evaluation of the viability and usefulness of a SWAT unit should be assessed.	107	Not recommended at this time/Pending	The need for a SWAT Team is being evaluated by the COP and will be completed by June 2012	2	Chief & Deputy Chiefs
Not all Radio Patrol Cars are equipped with shotguns, they are optional equipment which properly trained and qualified officers may carry.	107	Accepted/ in progress	All officers are trained in shotgun procedures. Shotguns will be required to be utilized in all active marked patrol vehicles. Complete by March 2012..	2	Deputy Chief Hartwig & Deputy Chief Fairrow
BART PD should purchase a Firearm Simulator (FATS) or other similar technology	107	Accepted/ pending	We currently utilize a POST regional firearm simulator. BPD External Funding Committee has identified potential funding for equipment We are currently comparing/contrasting vendors/equipment. We expect to make a procurement recommendation by the 2 nd quarter, 2012.	2	Chief, Deputy Chief Glenn-Davis & Deputy Chief Fairrow
Directive #68 is outdated and needs to be revised.	107	Completed	Directive #68 has been eliminated. Lexipol Policy 312 (Firearms) has been implemented with updated information.	2	Deputy Chief Hartwig Lt. Alkire
Recommends that oversight be given regarding the firearms re-qualification of police officers.	107	Accepted/ Pending	BPD has increased re-qualification requirements to a minimum of 12 hours, annually. Lexipol Policy 312 (Sect. 312.4.5) will be amended to codify the requirement that officers returning from extended leave re-qualify prior to their return to duty. Sect.	2	Deputy Chief Glenn-Davis, Lt. Franklin & Range Master

			312.4 will be amended to codify the requirement for annual Active Shooter training. All revisions will be completed by March 2012. .		
Each officer should be issued their own TASER. Does not recommend allowing employees to purchase their own Taser.	108	Completed	Department has transitioned to a mandatory carry Taser Policy. Each “front-line” officer is equipped with a Taser and a Lexipol Taser Policy has been implemented.	2	Deputy Chief Hartwig & Lt. Alkire
The use of 40 MM chem. Launchers does not appear practical.	108	Completed	Only specifically trained members of the agency are authorized to use and carry 40 ML Chem Launchers. Members are not authorized to purchase and carry personal less-lethal equipment while on duty	2	Deputy Chief Hartwig & Deputy Chief Fairrow
All practice ammunition should be lead-less during prequalification or practice.	109	Not recommended at this time	We do not shoot at an indoor facility so this is not an issue	2	Deputy Chief Glenn-Davis, Lt. Franklin & Range Master
Police communications’ center needs to be reviewed and rewritten to address several serious issues such as: <ul style="list-style-type: none"> • Access control • Policy review 	110	Not recommended at this time/pending	The Communication Center is now located in a secure, access controlled environment. Access by Treasury personnel is limited (for the approved purpose) and strictly controlled. Response actions completed	2	Deputy Chief Hartwig
FACILITIES AND MAINTENANCE					
BART PD should move to a more professional	116	Accepted/ in progress	PD has been working with BART Real Estate	5	Chief, Deputy

building with adequate space to accommodate its headquarters staff and clerical personnel.			on identifying a new location for our Headquarters Currently working in conjunction with BART Real Estate and the City of Oakland to identify potential location.		Chief Hartwig Lt. Lucarelli
BART PD must push for a new police facility to house the command and clerical staff. Roll call is being held in a small room with no windows or air vents. The facility lacks adequate room for the staff which must utilize it.	117	Accepted/ in progress	Currently working with BART Real Estate and Maintenance on recommendations, BPD meets regularly with Facilities Working Group regarding on this subject. BPD delivered a list of priorities for satellite facilities to the Working Group.	5	Chief, Deputy Chief Hartwig Lt. Lucarelli
The BART PD satellite facilities are in dire need of renovation, replacement, or rebuilding. The low quality of these facilities an effective working environment serves as a disabling factor for all the employees working in them. It also creates a perception that the BART administration does not value their contribution to the BART mission.	118	Accepted/ in progress	Currently working with BART Real Estate and Maintenance on recommendations. Same as 117.	5	Chief, Deputy Chief Hartwig & Lt. Lucarelli
RACIAL PROFILING					
BART PD should establish and implement a racial profiling policy that is known and adhered to by all members of the police department.	121	Completed/ ongoing	Lexipol Policies 328 & 402 implemented. Department wide training conducted, and working with CPLE to develop comprehensive response to recommendations	2	Deputy Hartwig & Lt. Alkire
The Chief of Police should conduct annual internal reviews of the	123	Accepted/ in progress	Signed a Letter of Intent to work with the Consortium for Policing	2	Chief, Deputy Chiefs

policies and procedures to determine if policy or procedural changes need to be made when applicable.			Leadership in Equity (CPLÉ) to develop a comprehensive program to address biased-based policing and racial profiling in-progress. BPD personnel interviews completed; additional CPLÉ assessment scheduled CPLÉ has visited BART and completed internal and external stakeholder interviews. BART Legal is reviewing CPLÉ/BART MOU. Once the MOU has been signed we will work with CPLÉ to develop a comprehensive fair and impartial policing program. BPD command staff, sergeants and FTO's attended Fair and Impartial Policing Training.		& Lt. Alkire
To protect the officers from unwarranted accusations of racial profiling and misconduct the BART PD should establish policy and procedure for the enforcement of fare evasion.	124	Completed	Lexipol Policy 419 has been implemented	2	Deputy Chief Hartwig & Lt. Alkire
All officers of the BART PD should receive training on racial profiling.	125	Accepted/ongoing	Officers currently receive RP training in the BPD Advanced Officer Training seminar. In addition, all command officers have received Fair & Impartial Policing Training; and sergeants and FTO's are currently receiving this training. We will also be receiving related	2	Deputy Chief Glenn-Davis, Lt. Lucarelli & Lt. Forte

			training from CPLE (eta 1 st quarter, 2012). BPD to sponsor training of in-house (Dept.) trainers for F & I Training in 2012.		
The BART PD should stop conducting racial profiling training in DVD format and initiate instructor led training.	127	Accepted/ in progress	We will continue to use POST DVDs to facilitate racial profiling training; In addition, we will include instructor-led training in this area. We are moving to use of POST offered on-line training that will phase out the DVD-CPTN. In addition, all command officers have received Fair & Impartial Policing Training; and sergeants and FTO's are currently receiving this training. We will also be receiving related training from CPLE (eta 1 st quarter, 2012). In addition, BPD to sponsor training of in-house (Dept.) trainers for F & I Training in 2012.	2	Deputy Chief Glenn-Davis, Lt. Lucarelli
The BART PD should develop a written directive governing shift briefing training to keep officers up-to-date on current policies and law enforcement strategies to prevent racial profiling.	128	Completed/ ongoing	Lexipol Policy 404 covers SROVT calendar. Policies and strategies aimed at preventing RP are presented annually in SROVT calendar.	2	Deputy Chief Glenn-Davis Lt. Alkire
The BART PD should develop and implement an Early Intervention (EI) management system to obtain information of potential patterns of at-risk conduct involving all sworn officers.	130	Completed/ ongoing	Lexipol Policy 1019 (Early Warning Systems) implemented. BPD has adopted a management system that tracks Use of Force incidents, complaints, and other "at-risk" indicators	2	Deputy Chief Glenn-Davis, & Lt. Lucarelli

<p>The BART PD should expand their current data collection method.</p>	<p>131</p>	<p>Accepted/ in progress</p>	<p>CPLE has visited BART and completed internal and external stakeholder interviews. We have completed a CPLE/BART MOU. We are working with the CPLE to develop a comprehensive fair and impartial policing program. BPD command staff attended Fair and Impartial Policing Training and our supervisors (sergeants and FTOs) are currently attending a F&I training course</p>	<p>2</p>	<p>Chief, Deputy Chief Glenn- Davis & Fairrow and Hartwig</p>
<p>The Chief of Police should develop a directive regarding the development of community outreach programs.</p>	<p>135</p>	<p>Completed/ in progress</p>	<p>COPS Unit created to focus on and facilitate community outreach efforts. Through the COPS involvement, partnerships have been developed with:</p> <p>City of Oakland Health & Human Services,</p> <p>Oakland Police,</p> <p>Public Works, Parks & Recreation,</p> <p>Keep Oakland Clean and Beautiful,</p> <p>Operation Dignity,</p> <p>Project Homeless Connect,</p> <p>Fruitvale Unity Council,</p> <p>Temescal Merchants' Association,</p>	<p>4</p>	<p>Chief</p>

			<p>Community Activist Luis Ortega (non-affiliated),</p> <p>Jack London District Association,</p> <p>Neighborhood Crime Prevention Council of Oakland (various neighborhoods),</p> <p>Rockridge District Association,</p> <p>Monument Community Partners,</p> <p>Downtown Berkeley Association,</p> <p>City of Berkeley (Economic Development & Police),</p> <p>Solano Avenue Association,</p> <p>Waterside Workshops,</p> <p>East Bay United,</p> <p>Catholic Charities in Richmond</p> <p>Merced Extension Triangle Neighborhood Association,</p> <p>SF SAFE (nonprofit),</p> <p>San Francisco PD,</p> <p>UCSF, SF State,</p> <p>Chinatown Community</p>		
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			<p>Development Center</p> <p>BART PD and COPS participate actively with:</p> <p>Several Safety Escort Nights including West Oakland, Fruitvale, Bayfair, Hayward & Rockridge. The neighboring police agency participated side by side.</p> <p>Several fairs and festivals including: UCSF Fall Fair,</p> <p>DMV Bring your child to work day,</p> <p>Acorn Woodland Elementary (Oakland),</p> <p>Downtown Oakland Back to School Day,</p> <p>Farmers markets,</p> <p>Southland Mall Public Safety Expo,</p> <p>Law enforcement day @ Tanforan mall,</p> <p>No violence rallies,</p> <p>Street clean-ups on 27th Avenue with up to 200 kids participating.</p> <p>Carried out charity events:</p> <p>Waterside Workshop Bike donation,</p>		
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			<p>Toy drive donation in both Concord Community & San Francisco's Chinatown,</p> <p>Halloween costumes to Fruitvale youth</p> <p>Presented at Citizen's Academy- Dublin Police, ACSO & Hayward Police</p> <p>Several presentations to: Community/business groups upon request, Including:</p> <p>Catholic Charities, Hacienda Business Association</p> <p>Dinner's with MLK Freedom Center,</p> <p>National Night Out</p>		
INTERNAL AFFAIRS					
<ul style="list-style-type: none"> • Strict guidelines should be developed and all personnel should be held accountable for receiving any complaint against a police officer, documenting the complaint and notifying the supervisor. • Department fails to track use-of -force 	139	Completed/ ongoing	<p>Done. Lexipol Policy 1020 has been implemented. All complaints are accepted and investigated. In 2010, BPD received 68 citizens' complaints. All completed investigations are reviewed/approved by the Chief.</p> <p>Done. All Use of Force incidents are tracked and reviewed per Lexipol Policies 300 and 302. BPD also tracks Use of Force incidents in our IA Pro software.</p> <p>We continue to actively pursue these goals. Our</p>	4	Deputy Chief Glenn-Davis, & Lt. Lucarelli

<p>incidents</p> <ul style="list-style-type: none"> Achieving transparency and attaining public trust are goals that must be pursued Transform into a verifiable policing culture of fairness, openness, problem-solving and community engagement. Policy should indicate that complaints may be originated in person, from a toll free line, mail, email, third parties, or any other source. Complainants should be notified by mail to acknowledge receipt of their complaint, when investigation is completed and notified of finding in writing. 			<p>efforts include, but are not limited to, direct work with the OIPA , CRB, NAACP, ACLU, and faith-based/community-based organizations to enhance our policies, procedures, and practices; engaging in proactive community outreach (in order to form effective partnerships) with all communities; ensuring enhanced, customer-focused training for personnel</p> <p>Done. Lexipol Policy 1020 (Internal Investigation of Allegations of Misconduct) has been implemented, and the noted means of filing complaints is included. In addition, the noted information is listed in our Complaint/Commendation form.</p> <p>Done. A recent audit was completed and additional notifications were made to ensure that all notifications were completed (absent, evidence of verifiable attempts with negative results).</p>		
BART PD should conduct employee evaluations at least once	142	Completed/ ongoing	Lexipol Policy 1002. Policy updated January 2011 to reflect a six	2	Deputy Chief Hartwig

annually Supervisors should use performance evaluations to encourage positive behavior and to correct unacceptable behavior by ensuring that appropriate actions are taken.			month evaluation process with a quarterly review. New Employee Development Records folders were designated for every employee as well as a Supervisory Note Form		& Lt. Alkire
<p>It is recommended that BPD enhance its community outreach efforts relative to IA by implementing the following:</p> <ul style="list-style-type: none"> • 24-hour toll free number • BART PD mailing, internet and toll-free number available within transit system • Citizen compliment form developed • Other informational material describing complaint process in English and Spanish • On-duty officers required to carry complaint forms • Community outreach 	145	Accepted/ in progress	<p>We have completely revamped our complaint process. Complaint/Commendation forms are available on the BART website; the forms are also available in the five core languages. The forms are located in IA, OIPA, station agent booths, all BPD reporting facilities, and all patrol vehicles. Patrol personnel are encouraged to carry the forms on their person. We will be seeking permission to "house" forms in the various public libraries of the cities that BART traverses.</p> <p>In addition to the information being included in our brochures and on the website, BPD's complaint/commendation process is also outlined in the OIPA brochure and website. We will seek to have the information placed in the CRB brochures and on their website. BPD has presented</p>	4	Deputy Chief Glenn-Davis & Lt. Lucarelli

<p>program to inform public about department and Internal Affairs function</p> <ul style="list-style-type: none"> • Develop a procedure for monitoring phone lines to ensure courtesy and respect • Supervisors to conduct audit trails using questionnaires and telephone follow-up. 			<p>information about the IA function via public CRB meetings and District's Police Review Committee. BPD has also begun publishing an Annual Report, and this report is currently on the BPD website. In addition, BPD has developed brochures in five languages. These brochures are made available to the public.</p> <p>Although BPD does randomly monitor some in-coming calls, we will develop a policy and procedure for randomly monitoring in-coming calls (to Dispatch and IA), on a regular basis. This will be completed by July 2012.</p> <p>Chief Rainey is currently exploring audit processes for use at BPD. It is expected that a process will be in place shortly after the implementation of the Geographical Accountability/Area Command structure... eta for completion July 2012</p>		
<ul style="list-style-type: none"> • BART should maintain a sufficient supply of policy manuals to distribute to each employee whose duties 	147	Accepted/ Completed	Policy and Procedures Manual is made available to all BPD personnel online. As of Aug 30, 2011, personnel will be required to acknowledge (via signature) responsibility for	2	Deputy Chief Hartwig & Lt. Alkire

<p>are affected by the policy and procedure document</p> <ul style="list-style-type: none"> In-service classes should be conducted by supervisors to review and reinforce the contents of the policy manual BART should consider enrollment in CALEA accreditation process. 			<p>reading/understanding policies within 30 days of receipt of them</p>		
<ul style="list-style-type: none"> Citizens must be permitted to initiate complaints or provide feedback on an officers performance of duty Confidentiality is crucial to the success of the internal affairs function. Files should be maintained in a secure area BART police brochure should be maintained at all police 	<p>149</p>	<p>Accepted/ pending</p>	<p>Lexipol Policy 1020 has been implemented. The Policy is detailed and provides information on who investigates citizens' complaints; procedures to notify the relevant executive leaders of complaints, and other detailed information about the complaint/commendation process. Defined dispositions for IA cases are outlined in the Policy. Citizens may initiate complaints or provide feedback on personnel via a variety of methods (in writing; fax; in person, at a variety of locations; via telephone, etc.)</p> <p>Due to compromised</p>	<p>4</p>	<p>Deputy Chief Glenn-Davis & Lt. Lucarelli</p>

<p>facilities, trains, public libraries, patrol cars and other places accessible to the public</p> <ul style="list-style-type: none"> • BART police compiles limited statistical data regarding the internal affairs function • IA policy should define who investigates citizens' complaints • Policy should be clear by listing procedures to notify the executive leadership of the department of complaints against officers or the department • Complainant should be notified of status of investigation if not completed after 30 days • IA to issue written notice to subject 			<p>security and privacy, IA has relocated to the Lake Merritt BART Facility. The IA Office is locked/secured, with "one-way" glass; it is accessible via a secondary entrance. Files are maintained in the secured IA office in locked cabinets. Complaint/Commendation forms are available on the BART website; the forms are also available in the five core languages. The forms are located in IA, OIPA, station agent booths, all BPD reporting facilities, and all patrol vehicles. Patrol personnel are encouraged to carry the forms on their person. We will be seeking permission to "house" forms in the various public libraries of the cities that BART traverses.</p> <p>BPD has implemented a robust statistical data collection system. IA Pro tracks Uses of Force, complaints, and can be used to identify emerging trends and patterns, individually and Department-wide. BPD now creates and distributes a detailed annual report. Detailed information is also provided to the OIPA. The report is on the BPD website. In addition,</p>		
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<p>officer.</p> <ul style="list-style-type: none"> • A specific policy should be developed listing the procedures and prohibition of obtaining medical or laboratory examinations, photographs, participation in a line-up, financial disclosure statements and polygraph examinations. • Have defined dispositions for IA cases. 			<p>limited statistical data is provided to the CRB.</p> <p>Due to limited staff (two investigators), the BPD rejects the recommendation to advise parties of the status of an investigation that is more than 30-days old.</p> <p>IA currently issues advisory notices to subject officers.</p> <p>Policy 1020 (Section 1020.6.1) will be amended to address the use of photographs, line-up participation, and polygraphs in IA investigations, by July 2012.</p>		
BART PD should develop and implement a computerized early intervention system.	153	Completed/ongoing	Lexipol Policy 1019 has been implemented and a computerized early intervention system (IA Pro Software) is now in use.	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
<ul style="list-style-type: none"> • Employees receive basic IA training • Train recruits in professionalism communications, customer service and cultural diversity • IA should provide 	155	Completed	<p>Basic IA Training is presented for all new employees in the FOCUS program. All supervisors and managers are being sent to a basic IA investigations class.</p> <p>BPD recruits currently receive training in the noted areas in the police academies. Additional training in the noted areas is offered in AOT and as stand-alone</p>	2	Deputy Chief Glenn-Davis & Lt. Lucarelli

<p>training to recruits at police academy</p> <ul style="list-style-type: none"> • All supervisors should receive mandatory leadership training • Department should track all training information • Officers should receive the highest caliber of community policing training from outside experts • Field supervisors should spend most of their time in the field • Training officers should be among the best trained officers in the department. 			<p>training courses, annually.</p> <p>External police academies used by BPD (we do not have control/authority over the POST certified curriculum). However, IA processes and ethics are typically a part of all academy curriculum.</p> <p>Per POST mandate, all supervisors do receive leadership training. We also send supervisors to additional leadership training such as POST SLI, F & I Policing, etc.</p> <p>BPD tracks all training information in TMS and POST EDI.</p> <p>All BPD personnel received POST certified community policing training from an external SME.</p> <p>BPD Training officers are highly trained, SMEs, and they are specifically selected for their respective training assignments.</p>		
<p>BART PD adopt a traditional discipline approach which supports the concept of progressive discipline and contain the required elements of basic law enforcement disciplinary procedures.</p>	<p>157</p>	<p>Completed</p>	<p>Lexipol Policy 340</p>	<p>2</p>	<p>Chief & Deputy Chiefs</p>

BART PD should develop a written directive that establishes the staff inspection function.	158	Accepted/ ongoing	Monthly Inspections are performed; however, a written directive will be completed in March 2012.	2	Deputy Chief Hartwig
DISCIPLINE					
<p>Early Warning and Disciplinary System</p> <ul style="list-style-type: none"> The agency should consider significant modifications to the agency disciplinary system as the current disciplinary process does not provide for an effective Early Warning or early Intervention program The agency should adopt a more traditional police discipline system. 	162	Completed	Lexipol Policy 1019 has been implemented and a computerized early intervention system (IA Pro Software) is now in use.	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
COMMUNITY CONFIDENCE					
Community Survey of BART PD	167	Accepted/ in progress	BART Customer Access Department conducts random surveys of commuters' perceptions of BART PD and public safety. CPLE and BPD to complete additional community surveys	3	Chief Deputy Chief Fairow Lt. Alkire
Patrol Priorities	168	Completed/ ongoing	PD presence on trains, platforms & garages as a top priority of the District and our	1	Chief & Deputy Chief Fairow

			customers is continuously emphasized by the GM and re-emphasized during Team Building Workshops held early 2011 and lineups. Additionally, the Directed Patrol Program, begun in January 2011, details personnel to platforms and trains during key times. This will also likely be a performance measure reviewed during Compstat meeting, scheduled to begin in January 2012		
It is recommended that BART PD continue to maintain a transit police agency.	180	Accepted	No Action Required	5	Chief
BART PD needs to establish a coordinated Community Outreach Program with a clear champion.	182	Completed	We have formed a COP unit consisting of one officer and one CSO. They have been involved in several community outreach efforts. To emphasize its importance this Unit will report directly to the Chief under the Department's re-organization; exploring ways to increase engagement opportunities for additional personnel	3	Chief, Deputy Chief Hartwig & Lt. Forte
BART PD should try alternative patrol strategies.	183	Completed/ ongoing	Alternative patrol strategies are being utilized involving our CSOs. COP unit has attended crime prevention training. The COP Unit is fully trained and contributes to	1	Chief, Deputy Chief Fairrow & Lt. Forte

			<p>overall crime prevention strategies through providing CPTED analysis and implementing proactive measures to curb crime trends, like promoting public awareness of crimes. Safety Escort and High Visibility Patrol Programs takes place frequently at various stations where safety information is passed out and officers are accessible to patrons for walking escorts. One example to highlight is the Bookmark Program, four of which have been released so far in 2011. These bookmarks contain crime prevention tips and are distributed to patrons during the commute hours.</p>		
BART PD should be able to monitor and gauge the needs of the customers.	184	Completed	<p>We have been working with the BART Public Information Officer to establish a Police PIO A draft MOU between BART Media and the BART PD has been completed. A BART police officer has been assigned as the "spokesperson" representing the BART Police Department.</p>	1	Chief, Lt. Franklin Sgt. Dixon & Lt. Alkire
BART PD needs to develop clear communications plans for officer interaction.	186	Accepted/ in progress	<p>Command staff attend briefings, trainings, meetings, and ride trains when practical Recently the Chief completed "all hands" meetings to</p>	5	Chief

			meet with all police personnel in discussion.		
BART PD should reevaluate the Police Substation concept to see if this is still a viable option.	187	Accepted/ In progress	We established a centralized 24 hr. Watch Commander's position in January 2011. The Zone Commander position will be established in January 2012 to allow for geographic accountability The substation concept remains viable due to geographical considerations and continues to be reviewed	2	Deputy Chief Fairrow & Lt. Ledford
CIVILIAN OVERSIGHT					
BART PD needs to review the entire organizational structure to lessen the span of control for the Commanders/Deputy Chiefs and create additional positions to lessen the amount to headquarters administrative responsibility and allow the Lieutenants to go in the field	189	Completed	Office of the Independent Auditor created and CRB established.	4	General Manager
USE OF FORCE					
Use of force policies should be captured in a single use of force directive to avoid confusion and ensure a consistent response by agency members when a use of force event occurs.	199	Completed	Lexipol Policy 300	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
Complete a comprehensive, single use of force policy review and identify all	202	Completed	BPD rejects the recommendation that one policy should regulate all of the	2	Deputy Chief Glenn-Davis &

definitions and conditional terms of weaponless and less-lethal force.			various force options. However, all “force-related” policies are located within the 300 series of Lexipol. Each non-deadly “force” policy cross references the other non-deadly force policies. Affected pages 202, 205, 217 and 223.		Lt. Lucarelli
BART PD’s prohibition of the use of “warning shots,” policy is consistent with accepted police practices. BART PD’s policy is consistent with accepted police practices.	204	Accepted	No Action Required	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD should incorporate the various policies governing use of force into a single comprehensive policy to both reduce confusion and provide easy to find guidance in this critical area.	205	Completed	BPD rejects the recommendation that one policy should regulate all of the various force options. However, all “force-related” policies are located within the 300 series of Lexipol. Each non-lethal “force” policy cross references the other non-deadly force policies	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
The intent of this standard is to minimize the severity of obvious injuries and non-visible trauma commonly associated with weapons and hand-to-hand tactics.	208	Completed	Lexipol Policy 300.4.2	2	Deputy Chief Hartwig & Lt. Alkire
The purpose of establishing a clear and consistent use of force or response to resistance reporting system within an agency is to provide	211	Completed	BPD has a policy (Lexipol Policy 300.4) that specifically establish clear and consistent guidelines governing Use of Force and the	2	Deputy Chief Glenn-Davis & Lt. Lucarelli

effective review and analysis of use of force events.			reporting thereof.		
A single use of force policy, including a standard reporting and review process of each incident involving a use of less-lethal and weaponless force should be employed by the agency.	217	Completed	Lexipol Policies 300.4 and 302 govern the standard reporting and review processes for use of non-lethal and weaponless force.	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD's policy is consistent with accepted police practices	222	Accepted	No Action Needed	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
Combine the various policies into a single use of force mechanism. Develop an annual written examination for use of deadly and non-lethal force with mandated "satisfactory" pass level.	223	Completed/ ongoing	BPD rejects the recommendation that one policy should regulate all of the various force options. However, all "force-related" policies are located within the 300 series of Lexipol. Each non-lethal "force" policy cross references the other non-deadly force policies. BPD currently conducts annual written "force" examinations during lethal and non-lethal UOF training. Training and policies are in-line with Graham vs. Connor.	2	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD should conduct an annual analysis of all use of force events.	229	Completed	UOF incidents are reported and analyzed on an individual, on-going, and annual basis. These functions are accomplished via the	2	Deputy Chief Glenn-Davis & Lt. Lucarelli

			mandates of the Lexipol UOF Policies (300 and 302), UOF Committee's reviews, and the annual report		
It is necessary for officers to know when and how detained suspects are to be restrained and when, where, and how particular restraining devices are to be employed, including special and prohibited methods.	231	Accepted/ in progress	Done (with the exception of the audit component). Mandated per Lexipol Policies 306 & 308, and reinforced via annual AOT and other periodic training. DC Fairow will ensure the implementation of the audit component by July 2012.	2	Deputy Chief Fairow Glenn-Davis & Lt. Lucarelli
MANAGEMENT CONTROL					
BART PD should require that 80% of its manpower work during special events or occasions when there will be heavy usage of the transit systems, train stations, or parking lots.	236	Accepted/ in progress	Lexipol policy 216 (adopted 10/13/11) speaks to staffing levels, and provides for recommended minimum staffing. It does not, however, speak to minimum staffing of special events. An 80% staffing requirement appears to be a contractual issue, absent emergency situations, which will be reviewed prior to the next contract negotiations (expected in 2013) with the affected associations.	2	Deputy Chief Fairow & Lt. Ledford
CALEA Accreditation	237	Not Recommended at this time	No action at this time		Chief
It is recommended that the BART PD add the job of Deputy Chief.	238	Completed	3 Deputy Chiefs have been hired to manage the Operations, Support, and Professional Standards/Training	2	Chief

			Divisions		
The BART PD should establish a system of daily accountability for all employees to ensure the Mission major goals of the agency and performance standards are being achieved. A daily activity report might be used to critique the officers' work load and activity during a shift.	239	Completed/ongoing	The Centralized, 24 hr. Watch Commander position was established in January 2011. An electronic W/C Patrol Log is prepared and distributed at the end of each watch. Also, beginning in July 2010, each officer is required to complete a Daily Activity Log. A monthly report is prepared from this data and submitted for each team.	2	Deputy Chief Fairrow & Lt. Ledford
The BART PD should decrease the geographic span of control for first-line supervisors and increase the number of first-line supervisors to allow for adequate supervision of patrol shifts.	240	Completed/in progress	Recommended minimum supervisory staffing levels are being evaluated. Zone Policing is scheduled to be implemented in January 2012, after which staffing adjustments will be considered and implemented within the confines of existing labor contract requirements. A second sergeant position, mid shift 1100-1900 has been added to the R/C line to provide additional first line supervision.	2	Deputy Chief Fairrow & Lt. Ledford
All BART police supervisors should develop and adopt audit mechanisms (line inspections) for calls for service, activity reports and relevant police reports to uncover possible police misconduct.	241	Completed/ongoing	Daily Activity Logs have been re-established in July 2010. Beginning in January 2011, monthly uniform and equipment inspections are conducted and logs are completed. Outstanding reports are reviewed in weekly command staff meeting. Random auditing of field performance will be	2	Deputy Chiefs Fairrow, & Hartwig

			implemented with Zone Policing, scheduled to being in January 2012		
OPERATIONS					
The Chief of Police should facilitate a stakeholder group to develop a Mission Statement that describes the organization's function and purpose and how that purpose will be achieved.	244	Completed	Committee of internal stakeholders was formed and new Mission Statement was developed and adopted	5	Chief, Lt. Franklin & Sgt. Dixon
The Chief of Police should develop a Vision Statement that describes where the department is headed within the next three to five year period.	245	Completed	Vision statement developed, vetted, approved, adopted, and disseminated.	5	Chief, Deputy Chief Glenn-Davis, Lt. Lucarelli and Lt. Franklin
BART PD should revise their Core Values which identify the conduct and the character exhibited at every member of the organization while achieving the Mission.	246	Completed	Committee of internal stakeholders was formed and our Core Values have been identified/adopted	5	Chief, Lt. Franklin & Sgt. Dixon
BART PD should develop a multiyear plan which outlines its major goals and mission.	247	Accepted/ in progress	A SP Committee, consisting of a cross section of BPD personnel, was formed; the Committee has been meeting for approximately seven months. The Committee is working with internal/external stakeholders in the development of a multi-year plan which outlines the Department's major goals and mission. The Plan is near completion (eta Apr 2012).	5	Chief & Deputy Chief Glenn-Davis

BART PD should develop a written directive system that indicates how policies and procedures are developed and implemented.	248	Completed/ ongoing	Lexipol Policy and Procedures Manual has been adopted and implemented. We are currently using the SROVT system for policy review. Up to 20 policies a year including the Critical 8 policies. We also are considering utilizing the Lexipol Daily Training Bulletin to facilitate personnel knowledge of policies	2	Deputy Chief Hartwig & Lt. Alkire
BART PD should provide training on its updated All Hazard Plan(s) for responding to critical incidents, such as natural and man-made disasters.	249	Accepted/ in progress	Lexipol Policy 206. All supervisors will be scheduled for ICS 300 & 400 by June 2012.	5	Chief & Lt. Franklin
BART PD should enhance their record management system to be able to capture sufficient data to effectively capture officer contact and track crime	250	Accepted/ in progress	New CAD & RMS scheduled to come online during FY 11-12. Comp Stat process will be developed and implemented by January 2012	2	Deputy Chiefs Fairow & Hartwig
BART PD should have a written directive establishing crime analysis procedures.	251	Completed	Lexipol Policy 800 (adopted 10/13/11) establishes the criteria for crime analysis	2	Deputy Chief Fairow & Hartwig
Training on pursuit driving should be frequent and robust. Training on the pursuit policy entails frequent discussion and review for the police pursuit policy and procedures during shift briefings, in addition to annual in-service training sessions, including a	252	Completed/ ongoing	Lexipol Policy 314 has been implemented. POST DVD with policy review (signed attestation form by all sworn employees) is used to facilitate training. Dept. training completed June, 2011. Records kept In Training Section.	2	Deputy Chief Glenn-Davis & Lt. Lucarelli

written test.			<p>Training is completed annually.</p> <p>SUFR are due for every pursuit per Policies 314.8 and 344.7.2; copies are forwarded to I.A. for entry into IA Pro.</p> <p>Simulator pursuit training completed in 2010 for all sworn employees. AOT for 2012 will include 8 hours of EVOG training.</p>		
BART PD should create the position of Public Information Officer (PIO) in order to have a representative from the police department communicate directly with the community under the authority of the BART Media Relations Office.	256	Completed	Lexipol Policy 346. PIO position has been identified in the Department re-organization. A PIO has been appointed.	2	Chief
BART PD officers should focus more time on being visible on the platforms and riding the trains during proactive time.	257 (See 182)	Completed/ ongoing	<p>A new deployment strategy that increased officer visibility during commute hours was implemented in November 2010..</p> <p>Officer patrol train rides will increase to 3 per shift by July 2012 and 4 per shift in December 2012.</p> <p>The COP unit develops programs and ensures staffing of officers to take part in community engagement programs at the stations during commute times. Examples can be found in the many events we</p>	1	Chief, Deputy Chief Fairrow

			are hosting at stations during the holidays (Escorts and safety fairs). Community engagement programs have been enhanced/developed. These include the Bookmark program, Special Olympics fundraisers, and, MLK dinners.		
BART PD should implement training and develop a policy for Department members in addressing subjects that suffer from mental illness.	258	Completed/ongoing	Lexipol Policy 418 covers CIT related issues. All FTO's, patrol sergeants, and patrol lieutenants are being scheduled and will attend Crisis Intervention Training (CIT). To date, 16 FTOs, 24 officers and seven sergeants have completed the Training. BART PD participates on county committees addressing mental health issues in Alameda and San Mateo Counties. All FTO's have completed the CIT.	3	Chief, Deputy Chief Hartwig Fairow & Glenn Davis & Lt. Lucarelli & Lt. Forte
BART PD EMPLOYEE SURVEY					
Job Motivation	261	Accepted/pending	Survey tool(s) pending review/development	5	Chief & Deputy Chiefs
PROMOTION					
<ul style="list-style-type: none"> • Written exam • Assessment center • Oral interviews • Review of last performance evaluation • Chief use rule 	306	Completed/ongoing	We have established acting promotional positions and will develop and administer permanent promotional testing process by the third quarter of 2011. Promotional "reading list" disseminated	5	Chief & Deputy Chiefs

of three to five of the top candidates.			Reading list for the upcoming Lt.'s and Sgt's promotional exams have been distributed to all eligible personnel		
BART PD should review the credit history of all police recruits more critically.	307	Accepted/No action at this time	We currently review the credit histories of recruits during the background process. Recruits exhibiting credit discrepancies are thoroughly investigated. Personnel and Training should develop a credit rating form to better evaluate job-related behaviors by July 2012.	5	Deputy Chief Glenn-Davis & Lt. Lucarelli
BART PD should develop a written directive that defines its role in the promotional process for sworn personnel.	308	Completed/ongoing	We have established acting promotional positions and will develop and administer permanent promotional testing process by the third quarter of 2011. Including this section and the next two sections (309 and 310) the BART Police Department works with BART Human Relations Dept. and the police unions to develop job descriptions and minimum qualifications.	5	Chief & Deputy Chiefs
BART PD should develop a written directive that vests in an identifiable position the authority and responsibility for administrating the agency's role in the promotion process for sworn personnel	309 See 308	Completed/ongoing	The Chief of Police & the Deputy Chiefs are responsible for developing/facilitating promotional exams	5	Chief & Deputy Chiefs
BART PD should develop a written directive that describes	310 See 308	Completed/ongoing	We have established acting promotional positions and will	5	Chief & Deputy Chiefs

all elements and procedures used in each promotional process.			develop and administer permanent promotional testing process by the third quarter of 2011		
BART PD should consider adding an updated background check, evaluating performance appraisals, and an assessment center to the promotional process.	311	Accepted/ In progress	We have established acting promotional positions and will develop and administer permanent promotional testing processes by the third quarter of 2011 We work with BART Human Relations to develop testing structure. We reject the additional background check.	5	Chief & Deputy Chiefs
BART PD should develop a written directive that establishes criteria and procedures for the development and use of eligibility lists, if any, for sworn positions.	312	Completed/ ongoing	The lists are established per BART Rules and Regulations.	5	Chief & Deputy Chiefs
BART PD should modify its policy and procedures to permit lateral entry hires for all promotional ranks.	313	Completed	This is addressed by the BPOA & BPMA MOU's and District hiring practices	5	Chief
BART PD should develop a written directive that requires at least a six-month probationary period for all sworn personnel who are promoted, with any exceptions defined.	314	Completed	This is addressed by the BPOA & BPMA MOU's and District hiring practices	5	Deputy Chief Glen Davis & Lt. Lucarelli