

# BART Police Internal Affairs

# 2016

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This report contains statistical data compiled by the BART Police Office of Internal Affairs, addressing the number and nature of misconduct allegations resulting from Citizen Complaints and Administrative Investigations. Additionally, the report enumerates use of force statistics.

**Annual Report**

## Internal Affairs Overview

The BART Police Office of Internal Affairs received 92 issues of concern from citizens with regards to police conduct during 2012.

- Of the 92 issues, 65 were reported and investigated as Formal Citizen Complaints.
- The remaining 27 issues were reported as Informal Citizen Complaints and were addressed through Supervisory Referrals.

There were 16 Administrative Investigations initiated by the Office of Internal Affairs.

Total Incidents:

<b>Incident Type</b>	<b>Count</b>	<b>Percent of Total</b>
Formal Citizen Complaints	65	60%
Informal Citizen Complaints	27	25%
Administrative Investigations	16	15%
<b>TOTAL</b>	<b>108</b>	

The 65 Formal Citizen Complaints contained allegations against 68 officers. Of these officers, 25 were named in more than one complaint.

Complaints received by individual officers:

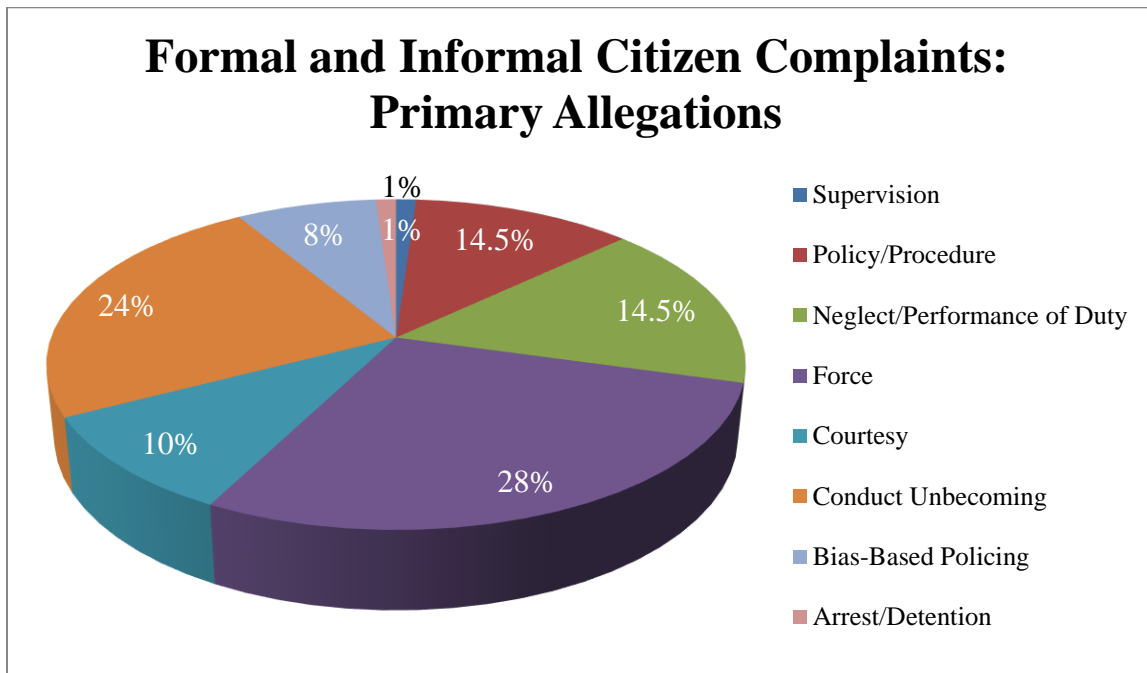
<b>Complaints per Officer</b>	<b>Number of Officers</b>
1 Complaint	43
2 Complaints	22
3 Complaints	3

**Allegations Made by Citizens:**

Each incident is categorized by a primary allegation which is considered to be the most serious and/or significant allegation made against the officer. Sustained allegations are considered to be the primary allegation over non-sustained allegations.

The following data quantifies the primary allegations from citizens in 2016:

Allegation Classification *Listed in Descending Order by Count	Number of Incidents
Force	26
Conduct Unbecoming	22
Neglect/Performance of Duty	15
Policy/Procedure	11
Courtesy	9
Bias-Based Policing	7
Supervision	1
Arrest/Detention	1
Total Incidents	92

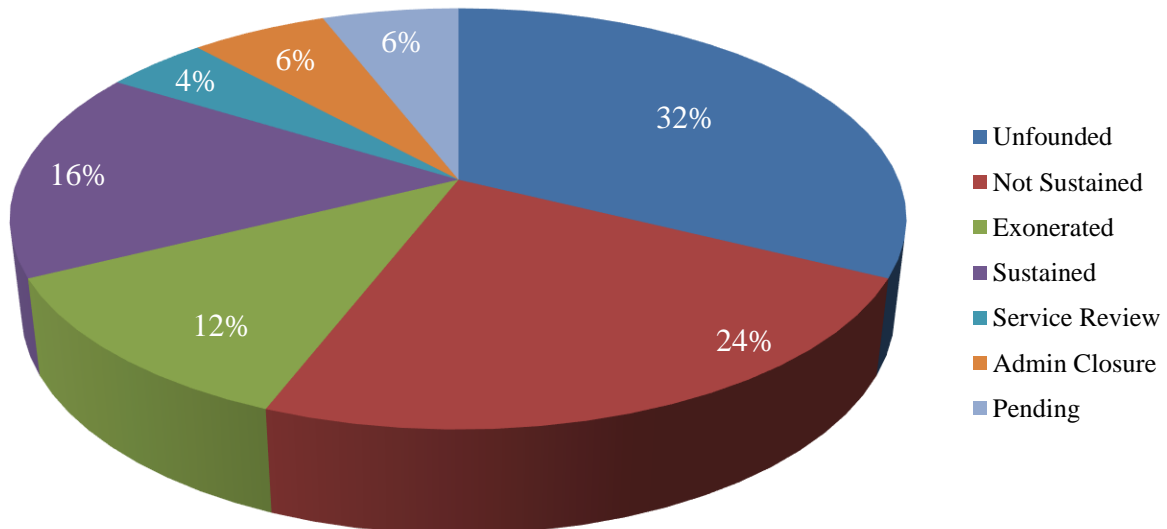


**Dispositions of Formal Complaint Primary Allegations:**

Allegation Classification	Sustained	Not Sustained	Exonerated	Unfounded	Service Review	Administrative Closure	Case still Pending
Arrest/Detention			1				
Bias-Based Policing		1		6			
Conduct Unbecoming	2	6		2		2	
Courtesy		4				1	
Force		1	7	14			
Performance of Duty	5				3	1	
Policy/Procedure	3	4					
Supervision	1						
Force*							4
<b>Totals</b>	<b>11</b>	<b>16</b>	<b>8</b>	<b>22</b>	<b>3</b>	<b>4</b>	

\*As of 1-9-18, there is still one investigation being tolled and pending a disposition (IA2016-071). There were allegations of force against four officers, thus four force allegations still pending.

**Dispositions of Formal Citizen Complaints:  
Primary Allegations**



Dispositions of Inclusive Allegations from Citizen Complaints:

<b>Allegation Classifications</b>	<b>Finding</b>	<b>Count</b>
<b>Arrest/Detention</b>	Exonerated	10
	Unfounded	1
	No Finding*	4
	Total	15
<b>Bias-Based Policing</b>	Unfounded	24
	Not Sustained	6
	No Finding*	4
	Total	34
<b>Conduct Unbecoming</b>	Exonerated	1
	Unfounded	24
	Not Sustained	9
	Sustained	3
	Supervisor Referral	13
	No Finding*	4
	Total	54
<b>Courtesy</b>	Not Sustained	6
	Supervisor Referral	6
	Admin Closure	1
	Total	13
<b>Force</b>	Exonerated	36
	Unfounded	51
	Not Sustained	7
	No Finding*	4
	Total	98
<b>Neglect/Performance of Duty</b>	Exonerated	1
	Unfounded	3
	Sustained	6
	Not Sustained	5
	Supervisor Referral	15
	Total	30
<b>Policy/Procedure</b>	Exonerated	3
	Unfounded	5
	Sustained	9
	Not Sustained	7
	Supervisor Referral	4
	No Finding*	2
	Total	30
<b>Search/Seizure</b>	Exonerated	2
	Total	2
<b>Supervision</b>	Sustained	1
	Total	1

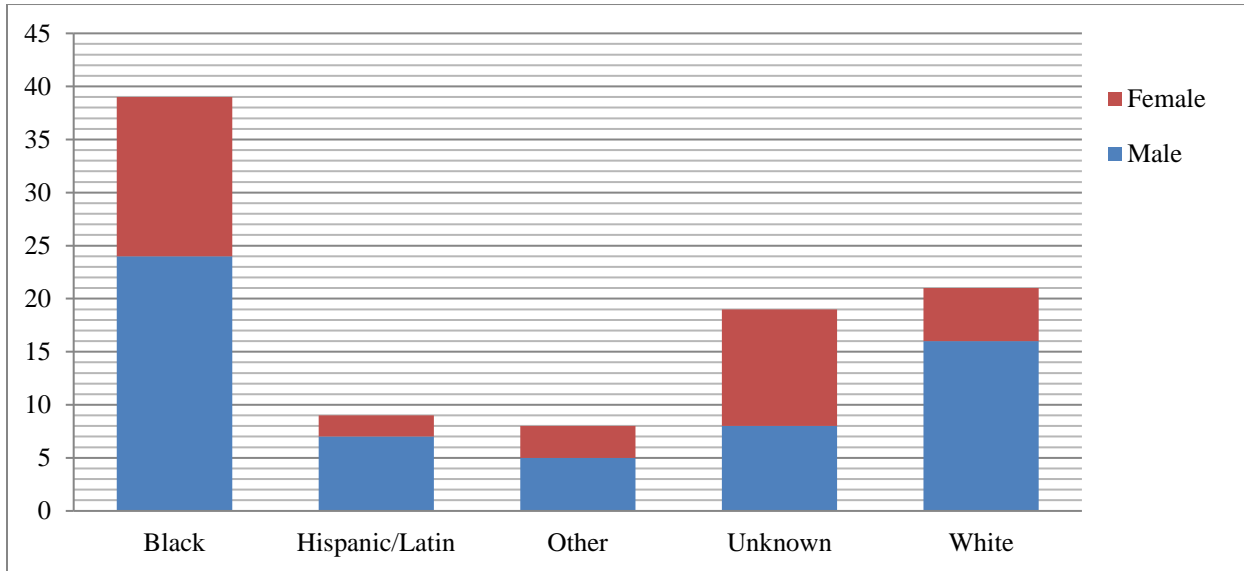
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<b>Insubordination</b>	Not sustained	1
	Total	1

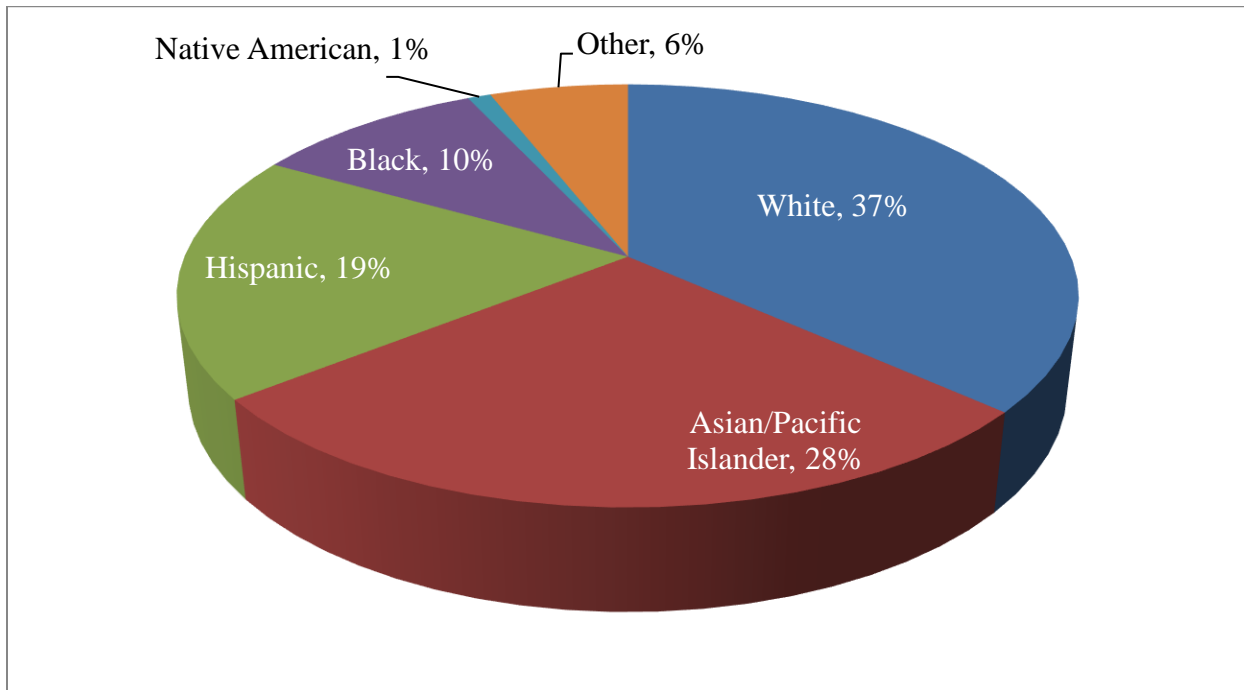
\*As of 1/9/18, there is still one investigation being tolled and pending a disposition for its allegations (IA2016-071). There were multiple allegations against four officers, thus a “No Finding” classification under the allegations (Force, Bias-Based Policing, and Conduct Unbecoming).

Citizen Demographics for Formal and Informal Complaints:



\*The above chart includes both complainants and witnesses involved in complaints. There was one case where the complainant's race and gender were unknown.

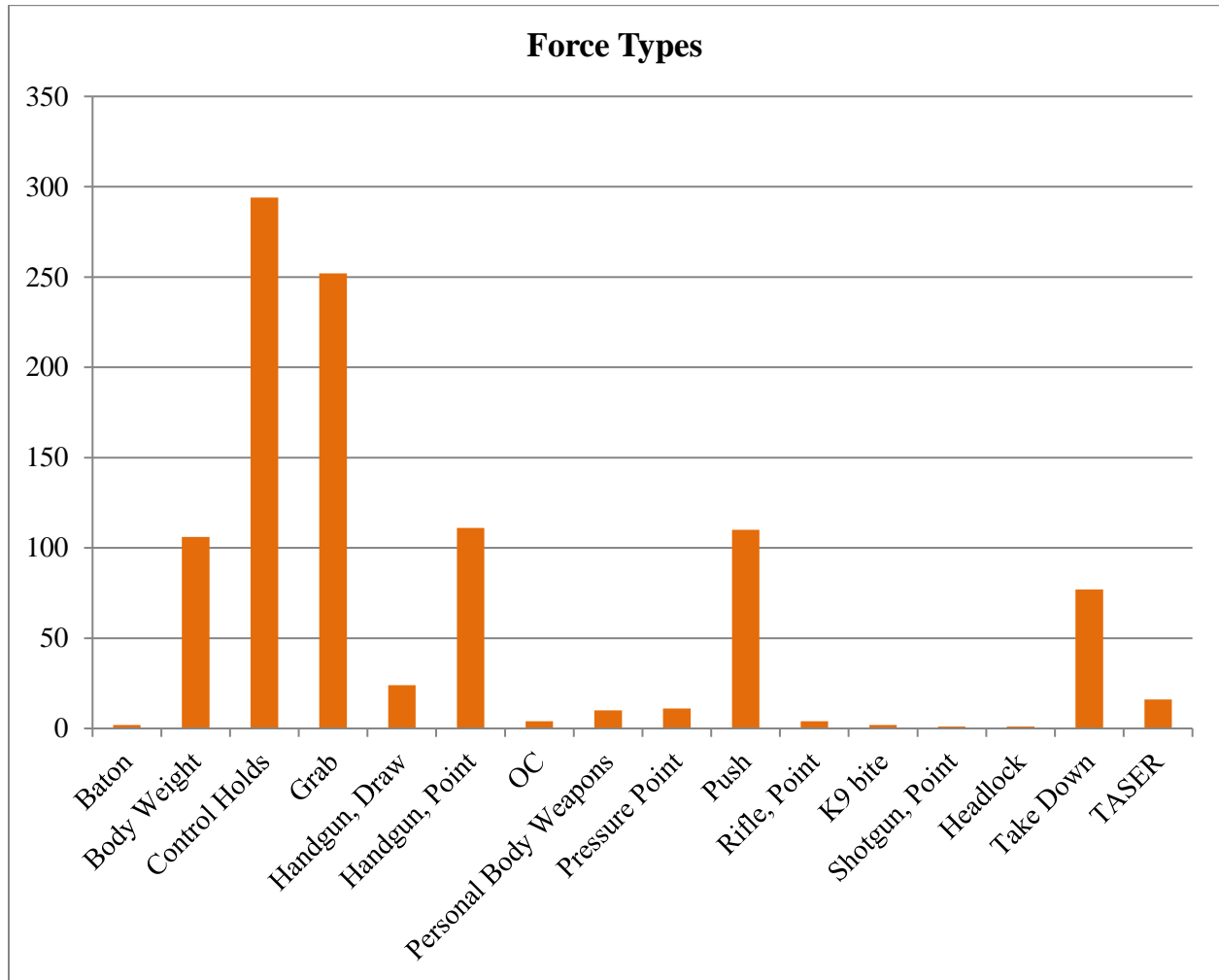
Demographics of BART Ridership:



\*Data taken from 2016 BART Customer Satisfaction Study

## Use of Force

### Types of Force Used:



\*Firearm includes: handgun draw, point, and/or fire; rifle or shotgun display, point, and/or fire

\*\*Physical includes: control hold, personal body weapon, take down, etc.

There were 301 incidents where force was used; however, some incidents involved the use of multiple force types.