

corrective action, including discipline, and the number of cases being appealed either to the Office of the Independent Police Auditor by citizens or in the case of disagreements between the Chief of Police and the Auditor, appealed to the General Manager.

- III.** A report shall be made to the Citizen Review Board in private session by Office of the Independent Police Auditor for every independent investigation completed regarding the details of allegations; investigatory findings; and recommendations for corrective action, including discipline, if any. The Citizen Review Board may request the Auditor to conduct additional investigative work and shall determine the final recommendation for corrective action, including discipline that will be submitted to the Chief of Police. Any disagreements between the recommendations of the Citizen Review Board and the Chief of Police will first be appealed to the General Manager and ultimately to the Board of Directors for final resolution.

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DISCIPLINE¹ - OPTIONS UNDER CONSIDERATION FOR INDEPENDENT POLICE AUDITOR INVESTIGATIONS

- I. Independent investigative findings made by the Office of the Independent Police Auditor shall include recommendations for corrective action, including discipline where warranted.

The Auditor shall submit its investigative findings and recommendations to the Chief of Police for concurrence. All disagreements regarding recommendations for corrective action, including discipline, between the Chief of Police and the Independent Police Auditor will be appealed to the General Manager for final resolution.

At least monthly, the Citizen Board shall receive reports from the Independent Police Auditor on the number and types of cases filed, number of open cases, the disposition of and any action taken on cases, recommendations for corrective action, including discipline; the number of independent investigations concluded by the Office of the Independent Auditor; and, the number of cases being appealed either to the Office of the Independent Police Auditor by citizens or in the case of disagreements between the Chief of Police and the Auditor, to the General Manager.

- II. Independent investigative findings made by the Office of the Independent Police Auditor shall include recommendations for corrective action, including discipline, where warranted.

The Citizen Board shall receive reports on all recommendations made by the Independent Police Auditor for corrective action, including discipline, in private session prior to submission to the Chief of Police for concurrence. The Citizen Board may recommend changes; however, the Auditor will make the final decision on all recommendations for corrective action, including discipline that are submitted to the Chief of Police, without further appeal by the Citizen Board. All disagreements regarding recommendations for corrective action, including discipline, between the Chief of Police and the Independent Police Auditor will be appealed to the General Manager for final resolution.

At least monthly, the Citizen Board shall receive reports from the Independent Police Auditor on the number and types of cases filed, the number of open cases, the disposition of and any action taken on cases, recommendations for

¹ The BART Police Department will continue to conduct its own internal affairs investigations of all citizen allegations of misconduct by Police Department personnel.