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STATEMENT:

By BART Board President James Fang

OAKLAND, CA – Regardless of the outcome of the criminal trial, BART has always taken responsibility as a civil matter for the terrible tragedy that occurred on the platform of the Fruitvale BART Station on the morning of January 1, 2009.

A young man lost his life because of the actions of a former BART police officer. It is a heartbreaking fact that no one can change that sad day. We continue to deeply regret the loss of life.

While we cannot change the past, the tragedy has served as a catalyst to change the future of BART for our customers and the communities we serve. Oakland, indeed the whole Bay Area, is one of the best places to live in the entire world. We must not let the initial emotional reaction of the verdict have long-lasting negative effects on the place we call home.

Although BART continues to enjoy unprecedented success as the Bay Area's premier public transportation system, this tragic incident has justifiably forced us to take a hard look at ourselves, specifically the BART Police Department. We have done so with tremendous assistance from the community and the Oscar Grant family. In the past 18 months we have identified steps needed to improve the way our police operate in the community. I believe we have taken landmark steps. Specifically:

- 1) We have hired two independent firms to:
 - a) Provide an objective third-party account of the tragic night and;
 - b) Provide an objective analysis of the areas that needed improvement in the BART police department. Both firms have submitted their reports and we have acted on many of their recommendations, including increasing both the scope and amount of our officer training, increasing the visibility of officers on trains and in stations and ensuring policies, practices, procedures and best practices are regularly updated
- 2) We are also on the verge of implementing independent oversight of our police force; all that remains is the Governor's signature on a bill unanimously passed by the State Legislature, a measure introduced at BART's request by Assemblyman Sandre Swanson;

- 3) We have terminated the employment of officers Tony Pirone and Marysol Domenici whose conduct on the platform in the minutes before the shooting have been under criticism by the media and public; and
- 4) Upon the retirement of Chief Gary Gee, we have hired a new police chief who brings a reputation for community policing. It's our fervent hope that our new police chief will not only implement the changes the BART Board has made but work tirelessly to re-establish the trust and confidence of our communities and customers by meeting the high standards they expect and deserve.

We have always accepted the responsibility for this tragedy as a civil matter. In the civil case, a federal judge has helped mediate a financial settlement that will provide for Oscar Grant's 6-year-old daughter Tatiana's future.

Finally, it is my belief that the overwhelming majority of the BART Police and BART staff are good and dedicated public servants who are desirous of serving the needs of the communities in which BART travels. It was extremely unfortunate that it took this tragic loss of life for BART to reexamine and improve critical parts of our mission in serving our public.

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