

BART: Inspector general faced ‘pattern of obstruction,’ grand jury report finds

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BART and its unions sought to interfere with the work of the agency’s independent inspector general by restricting access to information and employees, a new Alameda County [civil grand jury report](#) said.

The report outlined a “pattern of obstruction” at BART as management threw up roadblocks challenging the Inspector General Harriet Richardson, a public watchdog appointed by Gov. Gavin Newsom to identify fraud and waste in the agency’s \$2.5 billion budget.

Among [the findings](#) are that BART once instructed staff not to cooperate with the Office of the Inspector General and BART General Manager Bob Powers “insisted” that all communication with employees be sent through him. BART management also sought to limit Richardson’s access to documents and prevent her from auditing any potential cost-saving measures at the rail agency that is notorious for cost overruns.

“The Grand Jury found that from the beginning, both BART’s board and management impeded the IG’s efforts to conduct independent oversight,” the report said. “In addition, board members and management supported union efforts to limit OIG access to their members, which stymied OIG independence and the confidentiality of investigations.”

In a short statement, BART said it is reviewing the report and takes the findings “very seriously.” The rail operator did not respond to specific allegations outlined in the grand jury report.

“BART strongly believes in the mission of the Office of the Inspector General to provide the objective oversight wanted by the public,” the agency said.

In an interview, Richardson said her work has been hamstrung by BART management, overbearing unions, and a BART board majority that has shown little interest in backing her office.

“Taxpayers aren’t getting the assurances they need that their tax dollars are being spent well and appropriately,” Richardson said.

Among Richardson’s biggest concerns is what she said is a culture of fear at the agency towards reporting instances of fraud and abuse. BART employees told Richardson “all the time” that they do not report fraud because “management knows who said what and it will come back at you,” she said.

Rebecca Saltzman BART’s board president did not immediately return requests for comment, nor did SEIU 1021, one of the agency’s largest unions.

Debora Allen, an East Bay board member, who often clashes with the board’s progressive-dominated majority, has called for a stronger inspector general at BART. She said the grand jury report is a “reaffirmation of the criticisms I have consistently made over the past five years.”

Richardson, a former Palo Alto city auditor, has been [at odds](#) with BART management since she became the agency’s first inspector general in 2019. Her position was created as part of a deal to raise bridge tolls by \$1 with a chunk of the new revenue going to fund BART projects. But Richardson lacks the authority of other inspector generals, such as subpoena power, to compel witness testimony and documents.

Sen. Steve Glazer of Orinda, who was instrumental in creating the inspector general position, has authored [a bill](#) to shore up Richardson’s authority, however, BART is seeking to [amend](#) some of the bill’s provisions.

The civil grand jury, a mandated public watchdog comprised of 19 civilians, also criticized BART for underfunding its inspector general. At the moment Richardson’s office is provided with \$1 million in bridge tolls,

which affords a short-staffed three-person office. Peer agencies in Los Angeles and Washington D.C. have inspector general offices with staffing of around 20 to 45 people, the report noted.

“At its current level of funding, the OIG has a backlog of urgent investigations that it does not have the resources to undertake,” the report said.

In April, Richardson did release [a report](#) detailing a BART manager who failed to disclose her spouse’s employment at a major San Francisco construction company when she played a role in recommending board approval of a \$40 million contract to that company.