

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P.O. Box 12688, Oakland, CA 94604-2888

BART Police Citizen Review Board
Monday, March 12, 2018

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held on Monday, March 12, 2018 convening at 4:00 p.m. in the BART Board Room, 344 20th Street, Oakland, California.

Members Present: Chairperson George Perezvelez, Vice Chairperson William White, Cathryn Freitas, Darren White, Bob Maginnis, Les Mensinger, Aman Sebahtu, David Rizk, Cydia Garrett, and Richard Knowles.

BART Staff: BART Police Department (BPD) Chief Carlos Rojas, BPD Deputy Chief Jeffrey Jennings, BPD Deputy Chief Lance Haight, BPD Deputy Chief Edgardo Alvarez, BPD Lieutenant Paul Kwon, BPD Lieutenant Chris Vogan, BPD Officer Stephen Christ, BPD Officer Shane Reiss, Independent Police Auditor Russell Bloom, Independent Police Investigator Patrick Caceres, Senior Administrative Analyst Sarah Celso, Assistant General Manager Office of External Affairs Kerry Hamill.

Others Present: BART Director Robert Raburn, BART Director Lateefah Simon, KPIX Channel 5 News, Bay City News, Members of the Public.

Agenda items discussed:

- 1. Call to Order.**
The regular meeting was called to order at 4:01 p.m. by Chairperson George Perezvelez.
- 2. Call for Quorum.**
Chairperson George Perezvelez, Vice Chairperson William White, Cathryn Freitas, Darren White, Bob Maginnis, Les Mensinger, Cydia Garrett, and Richard Knowles were present, amounting to a quorum.
- 3. Pledge of Allegiance Recital.**
The pledge of allegiance was recited.
- 4. Approval of Minutes of Prior Board Meeting. For Discussion and Action.**
A motion to approve the minutes for the Prior Board Meeting was made by Mr. Mensinger and seconded by Mr. Maginnis. The motion passed with seven votes in favor, zero against and one abstention.

Mr. Sebahtu entered the meeting at 4:04 p.m.

With unanimous consent, the BPCRB moved Agenda Item #8 – January 3, 2018 BART Police Department (BPD) Officer-Involved Shooting (OIS) – to Agenda Item #6.

5. General Discussion and Public Comment. Limited to 3 minutes per speaker. (An opportunity for members of the public to address the BPCRB on matters under their jurisdiction and not on the agenda.)

Mr. Rizk entered the meeting at 4:23 p.m.

Chairperson Perezvelez called for Public Comment. The following individuals addressed the BPCRB:

Afiyah Chambers

Cat Brooks

Ki LeMon

Asale Chandler

Elizabeth Fitzer

James Douglas Burch

Iysis Levi

Chairperson Perezvelez addressed the public.

JayVon Muhammad

Ainchanel Turnage

Ciara Turner

Kavin Tindle

Courtney Walton

Crystal Hamilton

Karmeisha Edwards

Karim Mayfield

Anonymous (friend of the Sahleem Tindle family)

Chairperson Perezvelez addressed the BPCRB and members of the public.

6. January 3, 2018 BART Police Department (BPD) Officer-Involved Shooting (OIS). For Discussion and Action.

This item was originally Agenda Item #8.

Mr. Sebahtu gave his condolences to the Sahleem Tindle Family and addressed the public.

Chairperson Perezvelez addressed the public.

Ms. Garrett gave her condolences to the Sahleem Tindle Family and addressed the public.

Chairperson Perezvelez gave his condolences to Sahleem Tindle Family.

Mr. Rizk gave his condolences to the Sahleem Tindle Family and addressed the public.

Mr. Bloom addressed the public.

The BPCRB discussed this item.

Mr. Mensinger gave his condolences to the Sahleem Tindle Family and addressed the public.

Chief Rojas addressed the BPCRB.

Mr. W. White addressed the public and Chief Rojas.

Chief Rojas addressed the BPCRB.

Mr. Rizk addressed the public.

The BPCRB continued to discuss this item.

A motion to extend the meeting time to 6:30 p.m. was made by Mr. Knowles and seconded by Mr. Mensinger. The motion passed unanimously.

A motion to write a letter to the BART Board of Directors to direct the BART General Manager and BART Chief of Police to refrain from any public statements to any media outlet prior to the completion of investigations by the Oakland Police Department and the Alameda County District Attorney's Office was made by Chairperson Perezvelez and seconded by Mr. Mensinger. The BPCRB continued discussion on this item.

Chief Rojas addressed the BPCRB.

The BPCRB continued to discuss this item.

Chairperson Perezvelez withdrew his motion. Mr. Mensinger did not recall his second on the motion.

The BPCRB continued to discuss this item.

A motion to generate a letter to the BART Board of Directors in which the BPCRB would express their concern about public comments from BART Police Chief Rojas and urge BART staff and the BART Board of Directors to consult with BPCRB before making any further public comment regarding the January 3, 2018 officer-involved shooting was made by Mr. Perezvelez and seconded by Mr. Mensinger. The motion passed with seven votes in favor, two against and zero abstentions.

Chairperson Perezvelez called for Agenda Items #7 through #12 be agendaized for the next BPCRB meeting and he called for the meeting to be adjourned.

7. **Chairperson's Report. For Discussion and Action.**
This item was originally Agenda Item #6.
8. **BPCRB Onboarding and Training Syllabus Subcommittee Status. For Discussion and Action.**
This item was originally Agenda Item #7.
9. **Discussion of BART Police Officers' Association (BPOA) Memo Regarding the OIR Oversight System Evaluation Report. For Discussion and Action.**
10. **Chief of Police's Report. For Discussion and Action.**
 - a. BPD Monthly Report for January 2018
 - b. Use of Force Analysis Report Pursuant to BPD Policy 300 (Section 300.9)
11. **Independent Police Auditor's Report. For Discussion and Action.**
 - a. Office of the Independent Police Auditor (OIPA) Monthly Report for February 2018
 - b. Report-back on February 22, 2018 BART Board of Directors Meeting: Public Comment re January 3, 2018 OIS and Next Steps re OIR Report Recommendations
 - c. Discussion re Board Appointments for BPCRB Seats Expiring on June 30, 2018 and the Public-at-Large Seat
 - d. Discussion of OIPA and BPCRB Roles in Connection with BPD Officer-Involved Shootings
12. **Closed Session.**
 - a. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #17-35. Gov. Code §54957
13. **Adjournment.**

A motion to adjourn the meeting was made by Mr. Maginnis and was seconded by Mr. D. White. The motion passed unanimously.

The meeting was adjourned at approximately 6:25 p.m.