

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

BART Police Citizen Review Board
Monday, April 10, 2017

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held on Monday, April 10, 2017 convening at 4:00 p.m. The meeting consisted of a simultaneous teleconference call at the following locations:

BART Board Room Kaiser Center 20 th Street Mall – Third Floor 344-20 th Street Oakland, CA 94612	Four Points Sheraton Room 426 22 Woodfin Street Asheville, NC 28801
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Members Present: Chairperson Cydia Garrett, Vice Chairperson David Rizk, Benjamin Douglas, Cathryn Freitas, William White, Darren White, Les Mensinger, Sharon Kidd, George Perezvelez, and Richard Knowles.

BART Staff: BART Police Department (BPD) Acting Chief Jeffrey Jennings, BPD Deputy Chief Lance Haight, BPD Lieutenant Paul Kwon, BPD Lieutenant Terence McCarty, BPD Sergeant Michael Williamson, BPD Officer Shane Reiss, Community Outreach Specialist Armando Sandoval, Independent Police Auditor Russell Bloom, Independent Police Investigator Patrick Caceres, and Senior Administrative Analyst Sarah Celso.

Others Present: Director Robert Raburn, Dale Allen, Dayton Andrews, Kelley Cutler, and Tim Cobb.

Agenda items discussed:

- 1. Call to Order.**
The regular meeting was called to order at 4:03 p.m. by Chairperson Cydia Garrett.
- 2. Call for Quorum.**
Chairperson Cydia Garrett, Vice Chairperson David Rizk, Benjamin Douglas, Cathryn Freitas, William White, Darren White, Les Mensinger, Sharon Kidd, George Perezvelez, 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 of the prior BPCRB meeting was made by Mr. Perezvelez and seconded by Ms. Kidd. The motion passed with nine votes in favor and one abstention.

5. **General Discussion and Public Comment. Limited to 3 minutes per speaker.**
No general discussion.

Dayton Andrews addressed the BPCRB.

6. **Review of 2017 Quarter 1 BPCRB Report. For Discussion and Action.**
A motion to approve the 2017 Quarter 1 BPCRB Report to the BART Board of Directors, with the noted spelling corrections to the BPCRB acronym and the addition of Mr. W. White's attendance at the funeral of retired Berkeley Police Department Chief of Police and former Interim BART Police Department Chief of Police Daschel Butler on February 3, 2017, was made by Mr. Mensinger and seconded by Ms. Kidd. The motion passed unanimously.
7. **Chairperson's Report. For Discussion and Action.**

a. **September Meeting Date**

A motion to move the BPCRB September 10, 2017 meeting date to September 18, 2017 was made by Mr. Mesinger and seconded by Mr. D. White. The motion passed unanimously.

b. **BPCRB Officer Election in July 2017**

Chairperson Garrett announced that the BPCRB Officers Election will be held at the July meeting.

c. **National Association for Civilian Oversight of Law Enforcement (NACOLE) annual conference attendee selection at regular meeting in May 2017**

Chairperson Garrett announced that the attendees for the NACOLE annual conference will be selected at the May 2017 meeting.

Chairperson Garrett announced the Jack and Jill of America Community Forum on April 28, 2017 from 6:00 p.m. to 7:30 p.m. at the Joseph P. Bort Metro Center Auditorium 101 8th Street, Oakland.

8. **BPCRB Training Program. (The curriculum to be addressed will not satisfy AB 1234 training requirements for legislative body members.)**

a. **BPD #467 – Homeless Persons**

Sergeant Williamson and Mr. Sandoval presented BPD's Homeless Persons training and they answered questions from the BPCRB.

Acting Chief Jennings discussed this item with the BPCRB.

Kelly Cutler addressed the BPCRB.

9. **BPD Use of Force Policy Revision Subcommittee Update. For Discussion and Action.**

Mr. Rizk provided an update regarding this item. The Subcommittee will continue to work with stakeholders and they hope to have a policy revision to present at the next BPCRB meeting.

Deputy Chief Haight addressed the BPCRB and answered questions from the BPCRB.

Mr. Allen addressed the BPCRB and answered questions from the BPCRB.

The BPCRB discussed this item.

No action taken.

10. Chief of Police's Report. For Discussion and Action.

a. BPD Monthly Report.

The BPD Monthly Report for February 2017 was distributed to the BPCRB and Acting Chief Jennings answered questions from the BPCRB.

Officer Reiss addressed the BPCRB and answered questions from the BPCRB.

b. BART Watch App Data

The BART Watch App Data Statistics was distributed to the BPCRB and Acting Chief Jennings answered questions from the BPCRB.

11. Independent Police Auditor's Report. For Discussion and Action.

a. OIPA Monthly Report

Mr. Bloom presented OIPA's March 2017 Monthly Report.

b. OIPA Annual Report Delay and Schedule for BPCRB Draft Review

Mr. Bloom announced that the OIPA Annual Report for Fiscal Year 2016 and Fiscal Year 2017 are delayed and will be combined into a bi-annual report ready for review at the July 2017 meeting. Annual reports starting with Fiscal Year 2018 will be completed on an annual basis and will be ready for review at the BPCRB's June meeting.

Tim Cobb addressed the BPCRB.

A motion was made by Mr. Mensinger to extend the meeting to 6:15 p.m. and was seconded by Mr. Douglas. An amendment to the motion to extend the meeting to 6:30 p.m. was made by Mr. W. White and seconded by Ms. Kidd. The motion passed unanimously.

12. Closed Session.

- a. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #16-29. Govt. Code §54957

The BPCRB reconvened in open session at 6:16 p.m. [The listed item will be reconsidered in closed session at a future meeting].

13. Adjournment.

Chairperson Garrett called for the meeting to be adjourned.

The meeting was adjourned at approximately 6:17 p.m.