

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

BART Police Citizen Review Board
Monday, June 13, 2016

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held on Monday June 13, 2016 convening at 4:00 p.m. in the BART Board Room, 344 20th Street, Oakland, California.

Members Present: Vice Chairperson Les Mensinger, Ben Douglas, William White, Darren White, Sharon Kidd, David Rizk, George Perezvelez, and Richard Knowles.

BART Staff: BART Police Department (BPD) Chief Kenton Rainey, BPD Acting Deputy Chief Lance Haight, BPD Sergeant Michael Williamson, BPOA Secretary Officer Shane Reiss, Interim Independent Police Auditor Russell Bloom, and Senior Administrative Analyst Sarah Celso

Others Present: Director Robert Raburn

Agenda items discussed:

1. Call to Order.

The regular meeting was called to order at 4:05 p.m. by Vice Chairperson Les Mensinger.

2. Call for Quorum.

Les Mensinger, Benjamin Douglas, Sharon Kidd, Richard Knowles, William White, and George Perezvelez were present, amounting to a quorum.

3. Pledge of Allegiance Recital.

The pledge of allegiance was recited.

Mr. Perezvelez exited the meeting.

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. Douglas and seconded by Ms. Kidd. Five votes in favor, 0 abstentions and 0 against. The motion failed for a lack of quorum.

Mr. Perezvelez re-entered the meeting.

A motion to reopen the question was made by Mr. Perezvelez and seconded by Mr. Douglas. The motion passed unanimously.

A motion to approve the minutes of the prior BPCRB meeting was made by Mr. Douglas and seconded by Ms. Kidd. The motion passed unanimously.

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.)

No items for General Discussion. No public comment.

6. BPCRB Training Program.

Sergeant Williamson reviewed BPD Crowd Control and Crowd Management, and he answered questions from the BPCRB.

Mr. Rizk entered the meeting.

Mr. D. White entered the meeting.

7. Chairperson's Report. For Discussion and Action.

Director Raburn expressed his appreciation to Mr. Perezvelez for speaking before the BART Board of Directors and speaking to the public afterwards regarding the BART Bond Measure. Director Raburn acknowledged the great work of Mr. Bloom for attending the MLK Jr. Library Bike Shop event in Oakland, a program for bike repair for youth during the summer months.

Vice Chairperson Mensinger announced that he and Mr. Bloom attended a BART Board of Directors Technology and Communications Special Committee meeting with Directors Keller, Saltzman, and Josefowitz. Also in attendance were the American Civil Liberties Union (ACLU), BART General Counsel and the Oakland Privacy Working Group (OPWG). Vice Chairperson Mensinger stated that the topic of the meeting was to begin crafting an Automated License Plate Reader (ALPR) policy that provides accountability, transparency, and guidelines for usage.

Mr. Bloom added that the policy is also intended to apply to technology throughout the District to include ALPR and other systems. BPD was also represented at the meeting, and draft policy language is being collected for discussion at a future meeting. The policy is expected to address data retention, scope, access, security and other issues raised by the ACLU and the OPWG.

No action was taken.

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

Chief Rainey asked the BPCRB to adjourn today's meeting in honor of the victims of the June 12, 2016 Orlando, Florida nightclub shooting.

A motion to adjourn the meeting in honor of the victims of the Orlando Nightclub Shooting was made by Mr. Perezvelez and seconded by Mr. Douglas. The motion passed unanimously.

Chief Rainey stated that he was a guest speaker at the Public Safety Leadership Program at the University of Southern California. The program brings law enforcement and first

responders together from around the State to work. BPD Sergeants Cruz and Martinez were a part of the program and the group discussed how to properly and holistically address homeless and mentally ill individuals. This is second time that BPD has participated in the program.

Chief Rainey stated that he attended an event held by the Contra Costa County Police Chief's Association and the Alameda County Police Chief's Association at which retired Philadelphia Police Commissioner Charles Ramsey, who was President Obama's Co-Chair on the Task Force for 21st Century Policing, discussed 21st Century Policing practices and principles with Bay Area Chief's and Command Staff. Mr. Mensinger also attended this event.

At the end of May 2016, Chief Rainey attended a Major Cities Chiefs Association and Police Executive Research Forum Town Hall Meeting on the use of force and other topics confronting law enforcement, police legitimacy and public trust. Acting Deputy Chief Lance Haight also attended this event.

Chief Rainey announced that he is working on a policy revision that will address how BPD may streamline its complaint investigations process. Chief Rainey will bring back a draft policy for the BPCRB's review.

Vice Chairperson Mensinger prohibited the board from commenting on the BPD policy revision because it was not separately agendized.

A motion was made by Mr. Perezvelez to overrule the prohibition by Vice Chairperson Mensinger and was seconded by Mr. W. White. The motion passed unanimously.

Chief Rainey answered questions from the BPCRB.

Chief Rainey congratulated Deputy Chief Benson Fairrow for being named Acting Chief of the Oakland Police Department.

Mr. Reiss addressed the BPCRB.

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

a. Office of Independent Police Auditor's Monthly Report.

Mr. Bloom presented OIPA's May 2016 monthly report and responded to questions from the BPCRB.

10. Adjournment.

A motion to adjourn the meeting in honor of the victims of the Orlando Nightclub Shooting was made by Mr. Douglas and was seconded by Ms. Kidd. The motion passed unanimously.

The meeting was adjourned at approximately 4:51p.m.