

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

BART Police Citizen Review Board  
Monday, July 11, 2016

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held on Monday July 11, 2016 convening at 4:00 p.m. in the BART Board Room, 344 20<sup>th</sup> Street, Oakland, California.

Members Present: Chairperson Cydia Garrett, Vice Chairperson Les Mensinger, Benjamin Douglas, Cathryn Freitas, 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 Lieutenant Paul Kwon, BPD Officer Steve Christ, Interim Independent Police Auditor Russell Bloom, and Senior Administrative Analyst Sarah Celso

Others Present: Director Robert Raburn, District Secretary Ken Duron, Patrick Caceres, Erin Baldassari

Agenda items discussed:

**1. Call to Order.**

The regular meeting was called to order at 4:01 p.m. by Chairperson Cydia Garrett.

Mr. Douglas entered the meeting.

**2. Call for Quorum.**

Cydia Garrett, Les Mensinger, Benjamin Douglas, William White, Sharon Kidd, David Rizk, 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. Mensinger and seconded by Ms. Kidd. The motion passed with 6 votes in favor, 1 abstention and 0 against.

Mr. Perezvelez entered the meeting.

**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 Member Cathryn Freitas Oath of Office.**

Ms. Freitas was officially sworn in by District Secretary Ken Duron.

**7. BPCRB Officer Elections. For Discussion and Action.**

Mr. Douglas nominated Ms. Garrett for the position of Chairperson; the nomination was seconded by Mr. Perezvelez. A motion to approve the appointment of Ms. Garrett for the position of Chairperson by acclamation was made by Mr. W. White and seconded by Mr. Douglas. The motion passed unanimously. Ms. Garrett was elected Chairperson.

Mr. Perezvelez nominated Mr. Rizk for the position of Vice Chairperson; the nomination was seconded by Mr. Douglas. The motion passed unanimously. Mr. Rizk was elected Vice Chairperson.

Mr. D. White entered the meeting.

**8. Change the date of the regular scheduled meeting from October 10, 2016 to October 18, 2016 due to Columbus Day. For Discussion and Action.**

Ms. Garrett noted that the meeting should be moved to October 17, 2016 and not October 18, 2016 as the 17<sup>th</sup> is the following Monday and not the 18<sup>th</sup>.

A motion to move the regular scheduled BPCRB meeting from October 10, 2016 to October 17, 2016 due to Columbus Day was made by Mr. Perezvelez and seconded by Ms. Kidd. The motion passed unanimously.

**9. Chief of Police's Report. For Discussion and Action.**

Chief Rainey acknowledged the five police officers that were killed in Dallas, Texas on July 7, 2016.

Chief Rainey stated that he and Mr. Perezvelez attended the Center for Policing Equity Symposium in Washington D.C. last week.

**a. BART Police Department (BPD) Policy #1020 (Internal Investigation of Allegations of Misconduct) [Re: Procedures and practices for investigation of allegations of officer misconduct] Revision. For Discussion and Action.**

Chief Rainey presented the proposed revision to BPD Policy #1020 and answered questions from the BPCRB.

BPD Officer Steve Christ addressed the BPCRB.

A motion to endorse the proposed revision was made by Mr. Perezvelez and seconded by Ms. Kidd. The motion passed unanimously.

**b. BPD Policy #1019 (Early Warning Systems) [Re: Identifiable patterns of inappropriate officer conduct] Revision. For Discussion and Action.**

Chief Rainey and Acting Deputy Chief Lance Haight presented and discussed the proposed revision to BPD Policy #1019 and answered questions from the BPCRB.

A motion was made to accept the revision to BPD Policy #1019 was made by Mr. Knowles and seconded by Ms. Kidd. The motion passed with 9 in favor, 1 abstention and 0 against.

Chief Rainey invited the BPCRB to National Night Out on August 2, 2016.

**c. BPD Monthly Report.**

The BPD Monthly Report for April 2016 was distributed to the BPCRB but not discussed. No action was taken.

**10. BPCRB Training Plan Approval for August 2016. For Discussion and Action.**

Mr. Bloom presented a proposed BPCRB Training Plan for August 2016 for the board's approval, and responded to questions and suggestions from the BPCRB.

A motion to approve the training plan for August, with the topic of de-escalation tactics to be added to the training plan, was made by Mr. Mensinger and seconded by Ms. Kidd. The motion passed unanimously.

**11. Review of 2016 Quarter 2 BPCRB Report. For Discussion and Action.**

A motion to approve the 2016 Quarter 2 BPCRB Report, with the noted corrections to the Participation in BART PD Oral Boards Section on Page 4, was made by Ms. Kidd and seconded by Mr. D. White. The motion passed unanimously.

**12. Independent Police Auditor's Report. For Discussion and Action.**

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

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

Mr. Bloom introduced Patrick Caceres to the BPCRB. Mr. Caceres is working for OIPA as an Independent Investigative Consultant.

Director Raburn welcomed Cathryn Freitas to the BPCRB and congratulated Mr. Douglas, Mr. W. White, Ms. Garrett, Ms. Kidd and Mr. Perezvelez on their reappointments to the BPCRB.

**13. Adjournment.**

A motion to adjourn the meeting was made by Ms. Kidd and was seconded by Mr. Mensinger. The motion passed unanimously.

The meeting was adjourned at approximately 5:29 p.m.