

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

BART Police Citizen Review Board  
Monday, November 14, 2016

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held on Monday November 14, 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 David Rizk, Benjamin Douglas, Cathryn Freitas, William White, Bob Maginnis, Les Mensinger, Sharon Kidd, George Perezvelez, and Richard Knowles.

BART Staff: BART Police Department (BPD) Chief Kenton Rainey, BPD Deputy Chief Lance Haight, BPD Officer Shane Reiss, Independent Police Auditor Russell Bloom, Senior Administrative Analyst Sarah Celso, BART Employee Chris Filippi

Others Present: Director Robert Raburn, Patrick Caceres

Agenda items discussed:

**1. Call to Order.**

The regular meeting was called to order at 4:03 p.m. by Chairperson Cydia Garrett.

A motion to adjourn the meeting in honor of California law enforcement officers that have lost their lives in the line of duty during the past month was made by Mr. Mensinger and seconded by Mr. W. White. The motion passed unanimously.

**2. Call for Quorum.**

Cydia Garrett, David Rizk, Benjamin Douglas, Cathryn Freitas, Bob Maginnis, William 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. Freitas 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 items for General Discussion. No public comment.

**6. BPCRB NACOLE Membership. For Discussion and Action.**

This item has been moved to the December 12, 2016 agenda.

**7. BPCRB Meeting Audio Recordings. For Discussion and Action.**

**a. Whether to post recordings of regular meetings on BPCRB website**

The BPCRB discussed this item and Mr. Bloom answered questions from the BPCRB.

A motion to make BPCRB meeting audio recordings available to the public beginning January 2017 was made by Mr. Mensinger and seconded by Ms. Kidd. The motion passed with nine votes in favor and one abstention.

**8. Community Relations Strategy. For Discussion and Action.**

**b. Social Media, Forums**

Chairperson Garrett reported that she had contacted BART Communications Manager Alicia Trost for guidance on how the BPCRB might use social media or provide suggestions for ideas on how to help them with public relations. Ms. Garrett expects to have more to discuss on this topic at the December 12, 2016 regular meeting.

The BPCRB discussed forums and community outreach. Chairperson Garrett will obtain information from Ms. Trost and will form a subcommittee with Ms. Kidd to establish a community outreach program.

**c. Time and Day of Monthly Meetings**

The BPCRB discussed changing the time and day of the monthly BPCRB meetings and Mr. Bloom answered questions from the BPCRB. Discussion of this item will continue at the December 12, 2016 regular meeting.

**9. First Aid Following Critical Incidents/Police Shootings – New York Times Article, September 22, 2016. For Discussion and Action.**

The BPCRB discussed this item and Chief Rainey answered questions from the BPCRB.

Director Raburn thanked Chief Rainey, OIPA and the BPCRB for agendaizing this item.

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

Chief Rainey announced that Acting Deputy Chief Lance Haight was promoted to Deputy Chief.

Chief Rainey noted that on November 16, 2016 he and Mr. Bloom would be attending the Northern District of California Law Enforcement Executives' Summit: Building Community Trust and Justice – Police Legitimacy & Procedural Justice. Chief Rainey will participate on a panel with other Bay Area Chiefs to discuss trust and legitimacy in their respective communities.

Chief Rainey discussed 21<sup>st</sup> Century Policing and community engagement, and he answered questions from the BPCRB. He also discussed his upcoming retirement and relayed some of the achievements he made during his time as Chief of BPD.

BPCRB members thanked Chief Rainey for his work and congratulated him on his upcoming retirement.

**a. BART Police Department (BPD) Report**

The BPD Report was distributed to the BPCRB.

**b. BPD Monthly Report.**

The BPD Monthly Report for September 2016 was distributed to the BPCRB.

**11. BPCRB Training Plan Approval for December 2016. For Discussion and Action.**

A motion to approve the BPCRB Training Plan for December 2016 was made by Mr. Mensinger and seconded by Ms. Kidd. The motion passed unanimously.

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

Mr. Bloom expressed his appreciation for the opportunity to work with Chief Rainey and wished him much joy on his upcoming retirement. He also congratulated Deputy Chief Haight on his promotion.

**a. Office of the Independent Police Auditor's (OIPA) Monthly Report.**

Mr. Bloom presented OIPA's October 2016 Monthly Report.

**13. Closed Session.**

A motion to extend the meeting to 6:15 p.m. was made by Ms. Kidd and seconded by Mr. Rizk. The motion passed unanimously.

**a. To consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #16-25. Govt. Code §54957**

A motion to agree with the investigative findings and recommendations reached by OIPA was made by Mr. Rizk and seconded by Ms. Kidd. The motion passed with eight votes in favor and two opposed.

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

A motion to extend the meeting to 6:35 p.m. was made by Mr. Knowles and seconded by Mr. Rizk. The motion passed unanimously.

The BPCRB reconvened in open session at 6:31 p.m., and Chairperson Garrett announced the vote taken during the closed session with regards to agenda item 13a.

Mr. Douglas excited the meeting at 6:31 p.m.

**14. Adjournment.**

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

The meeting was adjourned at approximately 6:32 p.m.