

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

Citizen Review Board
Minutes of the 45th Meeting
Monday, January 12, 2015

A regular meeting of the Citizen Review Board (CRB) was held on Monday, January 12, 2015, convening at 4:00 p.m. in the BART Board Room, 344 20th Street, Oakland, California.

Members Present: Chairperson Sharon Kidd, Vice-Chairperson Les Mensinger, William White, Benjamin Douglas, Ken Jones, Douglas Hambleton, Darren White, George Perezvelez, Cydia Garrett and Sukari Beshears

BART Staff: BART Police Department (BPD) Chief Kenton Rainey, BPD Deputy Chief Janeith Glenn-Davis, BPD Sergeant Anisa McNack, Independent Police Auditor Mark P. Smith, Independent Police Investigator Russell Bloom and Senior Administrative Analyst Anita Grayson.

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 Ms. Kidd.
- 2. Call for Quorum.**
Sharon Kidd, Doug Hambleton, Les Mensinger, George Perezvelez, Ken Jones, Benjamin Douglas, Cydia Garrett, Darren White and Sukari Beshears were present, amounting to a quorum.
- 3. Pledge of Allegiance Recital.**
The pledge of allegiance was recited.
- 4. Public Comment on Items 5 through 11 Only.**
There was no public comment.
- 5. Approval of Minutes of Prior Board Meeting. For Discussion and Action.**
A motion to approve the minutes of the previous board meeting was made by Mr. Perezvelez and seconded by Mr. Mensinger. The motion passed unanimously.
- 6. Chairperson's Report. For Discussion and Action.**
Ms. Kidd shared her participation as a speaker at the 6th annual memorial for Oscar Grant. She also shared with the CRB a recent news article calling for an overhaul of the criminal justice system. Ms. Kidd also reminded the CRB of some upcoming events

including a memorial ceremony to honor BPD Detective Sergeant Thomas Smith and BART's Dr. Martin Luther King, Jr. Celebration.

Mr. W. White entered the meeting.

No action taken.

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

Chief Rainey commended the CRB for its recent work on New Year's Eve and shared his response to the article circulated by Ms. Kidd. He responded to questions from the CRB regarding the use of deadly force.

a. BART Police Department Policy 460 – Critical Asset Patrol Program.

Chief Rainey introduced Policy 460 and answered questions from the CRB.

No action taken.

8. Recommended Amendments to BART Citizen Oversight Model Giving CRB Responsibility for Quarterly Reviews of Internal Affairs Cases and Activity Log Entries. For Discussion and Action.

Ms. Garrett proposed recommending to the BART Board of Directors that the CRB be authorized to review BPD Internal Affairs cases and Daily Activity Log entries. A motion to have a subcommittee examine the potential recommendation further was made by Mr. Perezvelez and seconded by Ms. Beshears. The motion passed unanimously. Ms. Kidd indicated that she, Mr. Perezvelez, and Ms. Beshears would make up the subcommittee.

9. Production of an Informational Pamphlet to Guide Youth on Interactions with Police. For Discussion and Action.

Ms. Garrett, Mr. Mensinger, and Mr. D. White discussed some materials that focus on informing youth of their rights and responsibilities during interactions with law enforcement. Mr. Perezvelez discussed an upcoming event sponsored by the American Civil Liberties Union focused on youth. Ms. Garrett requested that the matter be discussed further at the next CRB meeting.

No action taken.

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

Ms. Grayson introduced an upcoming Northern California Civilian Oversight 1-day Forum.

a. Update on Recommendations for Creation of a Policy to Address BART Police Department Interactions with Transgender People.

Mr. Bloom updated the CRB on the progress of a draft transgender policy for BPD. Mr. Mensinger and Mr. Perezvelez commended Mr. Bloom for his effort in moving the drafting process along.

b. Office of the Independent Police Auditor’s Monthly Report.

Mr. Smith presented the Office of the Independent Police Auditor’s Monthly Report and answered questions from the CRB.

No action taken.

The CRB convened in closed session at approximately 6:00 p.m. to address the next agenda item.

11. Closed Session.

a. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #13-89.

Govt. Code §54957

During the closed session, a motion to extend the meeting by 30 minutes was made by Mr. Perezvelez. The motion passed unanimously. Subsequently, another motion to extend the meeting by 30 minutes was made by Mr. Hambleton and seconded by Mr. Mensinger. The motion passed unanimously.

Ms. Garrett, Mr. Perezvelez, and Mr. D. White departed the meeting.

b. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #14-02.

Govt. Code §54957

A motion to table review of Case #14-02 until the next CRB meeting was made by Mr. W. White and seconded by Mr. Douglas. The motion passed with 6 votes in favor and 1 vote against.

The CRB reconvened in open session at approximately 6:52 p.m. Ms. Kidd announced that review of Case #14-02 had been tabled until the next CRB meeting.

12. General Discussion and Public Comment. Limited to 3 minutes per speaker.

13. Adjournment.

A motion to adjourn the meeting was made by Mr. Mensinger and seconded by Ms. Beshears. The motion passed unanimously. The meeting was adjourned at approximately 6:53 p.m.