

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

Citizen Review Board
Minutes of the 30th Meeting
Monday, October 7, 2013

A regular meeting of the Citizen Review Board (CRB) was held on Monday, October 7, 2013, convening at 4:00 p.m. at 300 Lakeside Drive (BART HQ), Suite 203, Oakland, California.

Members Present: Chairperson Sharon Kidd, Ken Jones, Benjamin Douglas, Les Mensinger, Douglas Hambleton, Sukari Beshears and Peter Barnett

Members Absent: Vice-Chairperson William White, George Perezvelez and Cydia Garrett

BART Staff: BART Police Department (BPD) Chief Kenton Rainey, BPD Deputy Chief Janeith Glenn-Davis, BPD Lieutenant Lance Haight, BPD Officers Stewart Lehman and Era Jenkins, Independent Police Auditor Mark P. Smith and Independent Police Investigator Kobia West

Others Present: Director Robert Raburn

Agenda Items discussed:

- 1. Call to Order.**
The regular meeting was called to order at 4:00 p.m. by Ms. Kidd.
- 2. Call for Quorum.**
Sharon Kidd, Ken Jones, Doug Hambleton, Les Mensinger, Benjamin Douglas, Peter Barnett 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 were no public comments.

Ms. Kidd brought it to the attention of the CRB that the November 2013 CRB meeting was presently scheduled on November 11, which is Veteran's Day. She suggested a date change and, after discussion, the November 2013 CRB meeting was rescheduled to Monday November 18, 2013 at 9:00 a.m.

- 5. Approval of Minutes of Prior Board Meeting(s). For Discussion and Action.**
A motion to approve the minutes of the previous board meeting was made by Mr. Mensinger and seconded by Mr. Douglas. The motion passed with 6 votes in favor and 1 abstention.

6. Chief of Police Report. For Discussion and Action.

Ms. Kidd moved the Chief of Police Report from Item #9 on the Agenda to Item #6. Items #6, #7, and #8 on the Agenda each moved down one place.

a. Presentation on BART Police Department Background Investigations.

Officer Jenkins discussed the BPD process for conducting background investigations into prospective BPD employees. She answered questions from the CRB.

b. Training on Deployment of Taser Conducted Electrical Weapons.

Officer Lehman discussed the operability of Tasers as well as their use within applicable law and policy. He answered questions from the CRB.

No action taken.

7. CRB Draft of Letter to Complainant in OIPA Case #13-27. For Discussion and Action.

Drafts of a letter from the CRB to the Complainant in OIPA Case #13-27 were discussed, as well as whether any such letter should be sent.

No action taken.

8. People United for a Better Life in Oakland (PUEBLO) 24th Anniversary Dinner, November 9th. For Discussion and Action.

Ms. Kidd informed the CRB members of an upcoming PUEBLO event and urged them to attend and support it.

No action taken.

9. Review of Draft 2013 Quarter 3 Citizen Review Board Report to the BART Board of Directors. For Discussion and Action.

A draft of the CRB's 2013 3rd Quarter Report to the BART Board of Directors was discussed. A motion to accept the draft was made by Mr. Mensinger and seconded by Mr. Douglas. The motion passed unanimously.

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

Mr. Smith announced that recent outreach events with the Alice B. Toklas LGBT Democratic Society and the Adams Point Neighborhood Crime Prevention Council had gone very well.

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

Mr. Smith presented the OIPA's monthly report and answered questions from the CRB.

b. Draft of OIPA's 2012-13 Annual Report

Mr. Smith presented a draft OIPA's 2012-2013 Annual Report for the CRB's review. The CRB asked questions about the report and made comments about its content.

A motion to extend the meeting by 30 minutes was made by Mr. Mensinger and seconded by Mr. Douglas. The motion passed unanimously.

A motion to extend the meeting by 15 minutes was made by Mr. Hambleton and seconded by Mr. Mensinger. The motion passed unanimously.

c. Review of OIPA's Policy Recommendation Regarding BPD Policy #300

Ms. Kidd tabled this item until the following CRB meeting.

No action taken.

11. Closed Session:

- a. **To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #13-24 Govt. Code §54957**

Ms. Kidd tabled this item until the following CRB meeting.

No action taken.

12. Open Session.

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

14. Adjournment.

A motion to adjourn the meeting was made by Mr. Barnett and seconded by Mr. Douglas. The motion passed unanimously. The meeting was adjourned at approximately 6:42 p.m.