

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

Citizen Review Board
Minutes of the 44th Meeting
Monday, December 8, 2014

A regular meeting of the Citizen Review Board (CRB) was held on Monday, December 8, 2014, 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 Lieutenant Lance Haight, BART Police Managers Association (BPMA) President Sergeant Nathan Weissich, BPMA Vice-President Administrative Services Supervisor Matt Cromer, Independent Police Auditor Mark P. Smith, Independent Police Investigator Russell Bloom and Senior Administrative Analyst Anita Grayson.

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 Bill White were present, amounting to a quorum.
- 3. Pledge of Allegiance Recital.**
The pledge of allegiance was recited.
- 4. Public Comment on Items 5 through 10 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. D. White and seconded by Mr. Douglas. The motion passed with 7 votes in favor and 2 abstentions.

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

Ms. Kidd reminded the CRB of BPD's 4th Annual Awards Recognition Holiday Party on December 19th and discussed her participation in Merritt College's Crime Scene Investigation class. She informed the CRB of an upcoming Police Oversight Investigation Symposium in Los Angeles on February 13 and a conference on Risk Management hosted by the Oakland Police Department on February 18-19. Ms. Kidd indicated that a potential CRB holiday gathering would be held early next year.

Ms. Beshears entered the meeting.

No action taken.

7. Recommendation for Creation of a Policy to Address BART Police Department Interactions with Transgender People. For Discussion and Action.

Mr. Bloom reintroduced a draft policy proposal and listened to suggestions offered by the CRB. Sergeant Weissich discussed his recommendation for the policy and answered questions from the CRB.

Ms. Kidd assigned Mr. Mensinger and Mr. Perezvelez to a subcommittee to address the issue further and requested that the subcommittee meet with OIPA, BPD, and the BART police unions to do further work on a draft policy that would be brought back to the CRB.

No action taken.

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

Chief Rainey shared his recent experiences speaking about police accountability and transparency in Washington, D.C. and New York, and he offered his thoughts on the importance of civilian oversight in light of recent critical incidents involving law enforcement. He also mentioned BPD's recent initiation of a Chaplain's Academy.

Mr. D. White shared a recent positive interaction with BPD officers at the Coliseum BART Station. Chief Rainey responded to a question from Mr. W. White regarding the procurement of equipment from the federal government. He also responded to a question from Ms. Garrett regarding an update on BPD's enforcement of a prohibition against individuals lying down in BART stations. Mr. Douglas expressed support for the enforcement of the prohibition. Chief Rainey then responded to questions from Mr. Perezvelez regarding BPD's enforcement activities in response to recent protests as well as the status of staffing levels at BPD.

Ms. Kidd returned to Agenda Item #4 and asked if there was any additional public comment. The following individual made a comment:

Ms. Dollene Jones

No action taken.

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

Mr. Smith introduced special guest Brian Liu from Irvington High School. Mr. Liu is working on a student project focused on police brutality, and he has met with Mr. Smith in furtherance of his work. Mr. Liu discussed his project with the CRB.

a. 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 5:35 p.m. to address the next agenda item.

10. 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 15 minutes was made by Mr. W. White and seconded by Mr. Douglas. The motion passed unanimously. Subsequently, another motion to extend the meeting by 15 minutes was made by Mr. Douglas and seconded by Mr. Perezvelez. The motion passed unanimously.

Ms. Kidd departed the meeting.

The CRB reconvened in open session at approximately 6:15 p.m. Mr. Mensinger announced that, during the closed session, the CRB voted to agree with the findings reached by the Office of the Independent Police Auditor in Case #13-89.

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

There was no public comment.

12. Adjournment.

A motion to adjourn the meeting was made by Mr. W. White and seconded by Mr. D. White. The motion passed unanimously. The meeting was adjourned at approximately 6:18 p.m.