

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

Citizen Review Board  
Minutes of the 32nd Meeting  
Monday, December 9, 2013

A regular meeting of the Citizen Review Board (CRB) was held on Monday, December 9, 2013, convening at 4:00 p.m. in the BART Board Room, 344 20<sup>th</sup> Street, 3<sup>rd</sup> Floor, Oakland, California.

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

Members Absent: Chairperson Sharon Kidd

BART Staff: BART Police Department (BPD) Deputy Chief Janeith Glenn-Davis, BPD Lieutenant Lance Haight, Independent Police Auditor Mark P. Smith, Independent Police Investigator Kobia West and Independent Police 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 4:08 p.m. by Mr. Perezvelez, who was selected to act as Chairperson Pro-tem until the arrival of Mr. White.
- 2. Call for Quorum.**  
Doug Hambleton, Les Mensinger, Benjamin Douglas, Peter Barnett, George Perezvelez, Cydia Garrett 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 7 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. Mensinger and seconded by Mr. Barnett. The motion passed with 6 votes in favor and 1 abstention.

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

Deputy Chief Glenn-Davis reminded the CRB about the BPD Holiday Party scheduled for Tuesday, December 17, from 11:30 p.m. to 1:00 p.m.

**a. Review of Revisions to BART Police Department (BPD) Policies #1019-Early Warning System; and #1020 – Internal Investigation of Allegations of Misconduct**

Lieutenant Haight informed the CRB that revisions to BPD Policies 1019 and 1020 are being reviewed and finalized. When the revisions are complete, Lieutenant Haight will bring them back to the CRB for its review.

No action taken.

**7. Independent Police Auditor Report. For Discussion and Action.**

Mr. Smith informed that CRB that the BPD complaint/commendation forms had been revised and uploaded on the CRB webpage. He reminded everyone of the upcoming community forum on Tuesday, December 10, 2013 at 6:30 p.m. at the Mission Cultural Center for Latino Arts, 2868 Mission Street, 2nd Floor in San Francisco. At the request of Director Raburn, Mr. Smith invited the CRB to attend an upcoming play called “Our People-Our Evolution,” which will be held on February 1, at 7:00 p.m. and 9:00 p.m. and February 2, 3:00 p.m. and 5:00 p.m. at the Eastside Arts Alliance in Oakland, California.

**a. Development of Alternative Dispute Resolution Process for Complaints of Misconduct Involving BPD.**

Mr. Smith reintroduced a proposal for a Complaint Mediation Program to address certain complaints of misconduct involving BPD. He answered questions from the CRB.

Mr. Jones entered the meeting at 4:40 p.m.

Mr. White entered the meeting at 4:50 p.m.

Mr. Mensinger made a motion to accept the proposal for a Complaint Mediation Program.

The CRB requested Mr. Smith to re-invite the BART Police Managers Association and the BART Police Officers Association to the January CRB meeting in order to take further part in the discussion of this item.

No action taken.

**b. 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.

No action taken.

**c. Review of OIPA's Policy Recommendation Regarding BPD Policy #300-Use of Force.**

Mr. Smith reintroduced OIPA's Policy Recommendation for a portion of BPD Policy #300, Use of Force, and answered questions from the CRB.

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

Mr. Hambleton requested that a comprehensive examination of BPD Policy #300, Use of Force, be added to the CRB's agenda during its February meeting.

No action taken.

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

Director Raburn thanked the CRB members for their continued service.

**9. Adjournment.**

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

The meeting was adjourned at approximately 6:13p.m.