

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

Citizen Review Board
Minutes of the 35th Meeting
Monday, March 10, 2014

A regular meeting of the Citizen Review Board (CRB) was held on Monday, March 10, 2014, convening at 4:00 p.m. in the BART Board Room, 344 20th Street, Oakland, California.

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

Members Absent: Ken Jones

BART Staff: BART Police Department (BPD) Chief Kenton Rainey, BPD Deputy Chief Janeith Glenn-Davis, BPD Deputy Chief Jeff Jennings, BPD Lieutenant Lance Haight, BPD Officer Shane Reiss, Independent Police Auditor Mark P. Smith, and Independent Police Senior Administrative Analyst Anita Grayson

Others Present: Stephanie Lewis, Alameda County Behavioral Health Care Services

Agenda items discussed:

1. **Call to Order.**
The regular meeting was called to order at 4:06 p.m. by Ms. Kidd.
2. **Call for Quorum.**
Sharon Kidd, Douglas Hambleton, Benjamin Douglas, George Perezvelez, William White, Cydia Garrett, and Les Mensinger were present, amounting to a quorum.
3. **Pledge of Allegiance Recital.**
The pledge of allegiance was recited.
4. **Public Comment on Items 5 through 12 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. Hambleton. The motion passed with 6 votes in favor and 1 abstention.

6. Amendment of CRB Bylaws Regarding a Change to CRB Meeting Schedule. (Continued from February 10, 2014.) For Discussion and Action.

Ms. Kidd reintroduced a proposed amendment to the CRB Bylaws to change the time of regular CRB meetings from alternating between 9:00 a.m. and 4:00 p.m. to being solely at 4:00 p.m. A motion to adopt the proposed amendment to the bylaws was made by Mr. Mensinger and seconded by Mr. White. The motion passed with 6 votes in favor and 1 vote against.

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

a. Review of Revisions to BART Police Department (BPD) Policies #310 – Officer-Involved Shooting; #1019 – Early Warning System; and #1020 – Internal Investigation of Allegations of Misconduct.

Lt. Haight discussed proposed changes to BPD Policies #310, #1019 and #1020. Chief Rainey, Officer Reiss, and Mr. Smith offered suggestions with regard to the proposed changes.

Ms. Beshears entered the meeting.

With respect to Policy #310, a motion to adopt the proposed changes was made by Mr. Hambleton and seconded by Mr. Mensinger. The motion passed unanimously.

With respect to Policy #1019, a motion to adopt the proposed changes was made by Mr. Mensinger and seconded by Ms. Beshears. The motion passed unanimously.

With respect to Policy #1020, action regarding the proposed changes was tabled until the May 2014 CRB meeting.

8. Training on Alameda County's Behavioral Health Care Services Crisis Response Program and Mobile Crisis Team. For Discussion and Action.

Mr. Smith introduced Ms. Lewis of the Alameda County Behavioral Health Care Services. Ms. Lewis gave a training presentation on the Crisis Response Program and described how the program works with respect to BPD. Ms. Lewis answered questions from the CRB.

No action taken.

9. Review of NOBLE BART Management Audit and Consideration of Future Goals for the BART Police Department as Recommended by the CRB. (Continued from January 13, 2014.) For Discussion and Action.

This item was tabled until the April 2014 CRB Meeting.

10. Development of Alternative Dispute Resolution Process for Complaints of Misconduct Involving BART Police Department (BPD). (Continued from February 10, 2014) For Discussion and Action.

Mr. Smith continued his discussion regarding the proposal for a Complaint Mediation Program to address certain complaints of misconduct involving BPD. Officer Reiss indicated that the BPD unions concurred with the latest draft of the proposal.

A motion to accept proposed Complaint Mediation Program proposal was made by Mr. Perezvelez and seconded by Mr. White. The motion passed unanimously.

11. Review of Draft 2013 Quarterly Citizen Review Board and Annual Summary Reports to the BART Board of Directors. For Discussion and Action.

Drafts of the CRB's 2013 4th Quarter and Annual Reports to the BART Board of Directors were discussed.

A motion to accept the drafts with stated revisions was made by Mr. Mensinger and seconded by Mr. Douglas. The motion passed unanimously.

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

Mr. Smith presented the OIPA's Monthly Report and answered questions from the CRB. Ms. Grayson reminded the CRB on the upcoming outreach event with Jack and Jill of America, Inc. on Friday, March 14, 2014 at 6:00 p.m. at the Joseph P. Bort Building Auditorium, 101 Eighth Street, Oakland.

No action taken.

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

Ms. Kidd informed the CRB that Mr. Jones' mother passed away. She also thanked Mr. Mensinger for his presence at the meeting after having recent surgery. Mr. Smith informed the CRB that Mr. Peter Barnett had resigned from the CRB due to timing conflicts and that applications were being solicited for a replacement. Ms. Kidd requested that the CRB recognize Mr. Barnett with a certificate of appreciation.

A motion to have a certificate of appreciation created for Mr. Barnett was made by Mr. White and seconded by Mr. Perezvelez.

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

Officer Reiss updated the CRB members on efforts to fill the vacancy in the CRB seat representing the BPD unions.

14. Adjournment.

A motion to adjourn the meeting was made by Mr. White and seconded by Mr. Hambleton. The motion passed unanimously. The meeting was adjourned at approximately 6:02 p.m.