

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

Citizen Review Board
Minutes of the 51st Meeting
Monday, July 13, 2015

A regular meeting of the Citizen Review Board (CRB) was held on Monday, July 13, 2015, convening at 4:00 p.m. in the BART Board Room, 344 20th Street, Oakland, California, and simultaneously via teleconference call from Warner Library, 121 North Broadway, Tarrytown, NY 10591.

Members Present: Chairperson Sharon Kidd, Vice Chairperson Les Mensinger, Douglas Hambleton, George Perezvelez, Darren White, Sukari Beshears, Cydia Garrett, Benjamin Douglas, Richard Knowles and William White (via teleconference)

BART Staff: BART Police Department (BPD) Deputy Chief Jeff Jennings, BPD Lieutenant Lance Haight, Independent Police Auditor Mark P. Smith, Independent Police Investigator Russell Bloom 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 4:09 p.m. by Ms. Kidd.
- 2. Call for Quorum.**
Sharon Kidd, Les Mensinger, Doug Hambleton, Cydia Garrett, Benjamin Douglas, Richard Knowles, and William White (teleconference) 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.**
Ms. Christina Petricca addressed the CRB regarding Agenda Item #12b.

Ms. Beshears entered the meeting.
- 5. CRB Officer Elections. For Discussion and Action.**
Mr. Perezvelez and Mr. D. White entered the meeting.

Mr. Mensinger nominated himself for the position of Chairperson; the nomination was seconded by Mr. Douglas. Mr. Perezvelez nominated Ms. Garrett for the position of Chairperson; the nomination was seconded by Mr. Hambleton. Ms. Garrett and Mr. Mensinger each made a brief statement regarding their candidacies.

Ms. Garrett received 6 votes and Mr. Mensinger received 4 votes. Ms. Garrett was elected Chairperson.

Mr. Douglas nominated Ms. Kidd for the position of Vice Chairperson; the nomination was seconded by Mr. Perezvelez. Ms. Garrett nominated Mr. Hambleton for the position of Vice Chairperson; Mr. Hambleton declined the nomination. Mr. Perezvelez nominated Mr. Mensinger for the position of Vice Chairperson; the nomination was seconded by Mr. W. White. Ms. Kidd and Mr. Mensinger each made a brief statement regarding their candidacies.

Mr. Mensinger received 6 votes and Ms. Kidd received 4 votes. Mr. Mensinger was elected Vice Chairperson.

6. **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. Hambleton. The motion passed with 8 votes in favor and 2 abstentions.

7. **Chairperson's Report. For Discussion and Action.**
Ms. Kidd mentioned the upcoming National Association for Civilian Oversight of Law Enforcement Conference and encouraged CRB members to attend.

No action taken.

8. **Chief of Police's Report. For Discussion and Action.**
Mr. Perezvelez asked questions regarding BPD's law enforcement activities during the recent Pride Parade and commended BPD on its service during the parade. Mr. Hambleton requested information regarding BPD's efforts and capacity to complete Internal Affairs investigations in a timely manner. Deputy Chief Jennings responded to questions from the CRB.

No action taken.

9. **Presentation from American Civil Liberties Union (ACLU) of Northern California on Mobile Justice CA Application. For Discussion and Action.**
(This was originally Item #10, prior to the CRB's decision to entertain it as Item #9 instead.)
Mr. Steven Medeiros and Mr. Mike Chase presented the ACLU's Mobile Justice CA Application and answered questions from the CRB.

No action taken.

10. Production of an Informational Pamphlet to Guide Youth on Interactions with Police (Continued from June 8, 2015 meeting). For Discussion and Action.

(This was originally Item #9, prior to the CRB's decision to entertain it as Item #10 instead.)

This item was tabled.

No action taken.

At the request of Ms. Kidd, Ms. Petricca re-addressed the CRB regarding Agenda Item #12b.

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

a. Office of the Independent Police Auditor's Monthly Report (June Report – continued from June 8, 2015 meeting; July Report).

Mr. Smith announced Ms. Grayson's pending retirement from service with BART and answered questions about ongoing recruitment efforts. Mr. Smith also informed the CRB that a policy addressing interactions with transgender individuals had been adopted by BPD subsequent to the CRB's recommendation on the matter. Mr. Smith introduced OIPA's online complaint form. Finally, Mr. Smith answered questions about the Office of the Independent Police Auditor's Monthly Reports from June and July.

No action taken.

The CRB convened in closed session at approximately 5:45 p.m. to address the next item on the agenda.

Mr. W. White exited the meeting.

12. Closed Session.

a. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #14-74 (Continued from June 8, 2015 meeting). Govt. Code §54957

A motion to accept the investigative findings and recommendations reached by OIPA in Case #14-74 was made by Mr. Douglas and seconded by Ms. Beshears. The motion passed unanimously.

Ms. Beshears exited the meeting.

b. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #14-77 Govt. Code §54957

A motion to table this item was made by Mr. Douglas and seconded by Mr. Hambleton. The motion passed unanimously.

During the closed session, a motion to extend the meeting until 7:00 p.m. was made by Mr. Hambleton and seconded by Mr. Mensinger. The motion passed unanimously. Subsequently, a motion to extend the meeting until 7:15 p.m. was made by Mr. Douglas and seconded by Mr. Mensinger. The motion passed unanimously.

The CRB reconvened in open session at approximately 7:14 p.m. Ms. Kidd announced the votes taken during the closed session with regard to agenda items 12a and 12b.

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

14. Adjournment.

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

The meeting was adjourned at approximately 7:15 p.m.