

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

Citizen Review Board
Minutes of the 21st Meeting
Monday, January 14, 2013

A regular meeting of the Citizen Review Board (CRB) was held on Monday, January 14, 2013, convening at 5:00p.m. in the BART Board Room, 344 20th Street, Oakland, California.

Members Present: Sharon Kidd, Les Mensinger, Douglas Hambleton, Benjamin Douglas, Ken Jones, William White, George Perezvelez, Peter Barnett, and Sukari Beshears

Members Absent: Thomas Minshew

BART Staff: Independent Police Auditor Mark P. Smith, Independent Police Investigator Kobia West, Independent Police Senior Administrative Analyst Anita Grayson, BART Police Chief Kenton W. Rainey, BART Police Deputy Chief Janeith Glenn-Davis, BART Police Lieutenant Lance Haight, BART Police Sergeant Carolyn Perea, BART Police Officers Cliff Valdehueza, Jonathan Guerra, and Christopher Plumley, and BART Police Administrative Analyst Frances Cheung

Others Present: BART Directors Rebecca Saltzman and Robert Raburn

Agenda Items discussed:

1. **Call to Order.**
The regular meeting was called to order at 5:07p.m. by Mr. Douglas, Board Chairperson.
2. **Call for Quorum.**
Sharon Kidd, Les Mensinger, Douglas Hambleton, Benjamin Douglas, Ken Jones, George Perezvelez, William White, Sukari Beshears, and Peter Barnett were present, amounting to a quorum.
3. **Pledge of Allegiance Recital.**
The pledge of allegiance was recited.
4. **Public Comment Items 5 through 9 Only.**
There were no public comments.

5. **Approval of Minutes of Prior Board Meeting. For Discussion and Action.**
Ms. Kidd made a motion to approve the minutes of the previous board meeting. The motion was seconded by Mr. Mensinger. The motion passed unanimously.

6. **Presentation from Consortium on Police Leadership in Equity. For Discussion and Action.**

Chief Rainey spoke briefly about the presentation and Deputy Chief Glenn-Davis introduced Dr. Meredith Gamson Smiedt, Dr. Jon Shane, and Dr. Maki Heberfeld of the Consortium on Police Leadership in Equity (CPLÉ). Drs. Smiedt, Shane, and Heberfeld gave a presentation on the data collection and analysis project they are working on in conjunction with the BART Police Department. They answered questions posed by the CRB regarding the project.

No action taken.

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

Chief Rainey recognized Sergeant Huy Nguyen and Officer Ouseng Saeparn from the Oakland Police Department for assisting in the response to a crime in the BART system. Sergeant Perea introduced the police department's new Explorer Program. The advisors are Officer Guerra, Officer Plumley, and Officer Valdehueva, and the new Explorers are Isaac Norman, Jon deLeon, Joshua Lam, Bryan Bumanlag, D'Ondrae Fuller and Daral Smith.

No action taken.

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

Mr. Smith gave a reminder about the upcoming community forum on Tuesday, January 29, at 6:00 at the San Francisco Main Library. Mr. Smith presented the OIPA monthly report and responded to questions from the CRB. Ms. Kidd announced the upcoming Martin Luther King memorial program scheduled for Tuesday, January 15th organized by BART, and she invited everyone to attend.

No action taken.

9. **Closed Session.**

A. To Consider Public Employee Performance (Room 303 Board Conference Room). Govt. Code § 54957.

The CRB entered into closed session at 6:36p.m.

10. **Open Session.**

The CRB concluded the closed session at 7:45p.m. During closed session, there were two motions made to extend the meeting for 30 minutes. Mr. Mensinger made the first motion to extend the meeting for 30 minutes, which was seconded by Ms. Kidd. The first motion passed unanimously. Mr. Hambleton made the second motion to extend the meeting for 30 minutes, which was seconded by Ms. Kidd. The second motion passed unanimously.

During the closed session, a motion to accept the OIPA recommendations in OIPA Case #12-20 was made by Mr. Hambleton and seconded by Ms. Kidd. The motion passed unanimously. Mr. Douglas noted that separate votes were taken by the CRB with regard to each of seven findings reached by OIPA in Case #12-20. With regard to two of those findings, the CRB agreed with the OIPA recommendations unanimously. With regard to four of those findings, the CRB voted 8-1 in favor of agreeing with the OIPA recommendations. And with regard to one of those findings, the CRB voted 7-2 in favor of agreeing with the OIPA recommendations.

During the closed session, a motion to accept the OIPA findings in OIPA Case #12-26 was made by Mr. Hambleton and seconded by Mr. Mensinger. The motion passed unanimously.

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 Ms. Kidd and seconded by Mr. Perezvelez. The motion passed unanimously and the meeting was adjourned at 7:50p.m.