

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

Citizen Review Board
Minutes of the 10th Meeting
Monday, March 19, 2012

A regular meeting of the Citizen Review Board was held on Monday, March 19, 2012, convening at 9:00 a.m. in the Board Room, 344 20th Street, Oakland, California.

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

Members Absent: None

BART Staff: Independent Police Auditor Mark P. Smith, Independent Police Investigator Kobia West, BART Police Chief Kenton Rainey, BART Deputy Police Chief Janeith Glenn-Davis, BART Police Lieutenant Lance Haight, BART Police Officers Association President Jaswant Sekhon, BART Police Officers Association Representative Chris Vogan, Human Resources Manager Elaine Kurtz, and Human Resources Principal Personnel Analyst Patrice McElroy

Others Present: BART Director Robert Raburn, Mr. Ken Houston

Agenda Items discussed:

- 1. Call to Order.**
The regular meeting was called to order at 9:09 a.m. by George Perezvelez, Board Chairperson.
- 2. Call for Quorum.**
Benjamin Douglas, Sue Angeli, Sharon Kidd, Les Mensinger, Douglas Hambleton, Peter Barnett, Sukari Beshears, William White, Ken Jones, Daniel Buford, and George Perezvelez were present, amounting to a quorum.
- 3. Recital of Pledge of Allegiance.**
The pledge of allegiance was recited.
- 4. Public Comment on Items 5 through 11 only.**
There were no public comments.
- 5. Approval of Minutes of Prior Board Meetings. For Discussion and Action.**
A motion was made by Ms. Kidd and seconded by Ms. Beshears to approve the minutes of the February 13th meeting. The motion passed unanimously.

6. Discussion of Potential Amendment to CRB Bylaws. For Discussion and Action.

Chairperson Perezvelez introduced an amendment to the CRB Bylaws to change the time for election of CRB officers from March to July; this would cause the timing of the elections to coincide with the term of appointment of CRB members (which begins in July), as recently clarified by the BART Board of Directors. Mr. Douglas suggested that the BART Board of Directors should consider appointing CRB members each June, with terms to begin in July, so that the appointments are already made by the time CRB officer elections take place.

A motion was made by Mr. Hambleton and seconded by Ms. Kidd to adopt the amendments to the bylaws that were presented. The motion passed unanimously.

7. Report from BART Human Resources on Recruitment Procedures for BART Police Officers. For Discussion and Action.

BART Human Resources Principal Personnel Analyst Patrice McElroy gave a presentation on the BART District's recruitment and selection process and responded to the questions and concerns that were raised.

Chairperson Perezvelez made an emergency motion to add to the agenda the introduction of Mr. Daniel Buford as a newly-appointed member of the CRB. The motion was seconded by Mr. White. The motion passed unanimously.

8. Introduction of Newly-appointed Public-at-Large Member of the Citizen Review Board. For Discussion and Action.

Chairperson Perezvelez introduced Mr. Buford as the newly-appointed Public-at-Large member of the CRB. Mr. Buford talked about his background and his interest in serving on the CRB.

9. Report from BART Police Department Office of Internal Affairs (IA) on IA's Procedures and Practices. For Discussion and Action.

BART Police Lieutenant Lance Haight gave a presentation on IA's procedures and practices and responded to the questions and concerns that were raised.

10. Consideration of Holding Two Regularly-Scheduled Citizen Review Board Meetings per Month. For Discussion and Action.

Vice-Chairperson Kidd initiated discussion about the possibility of having two CRB meetings per month in order to allow more time for the CRB to conduct its business. Mr. Jones suggested that one meeting each month could focus on business while the other could focus on policy, regulations, and training. The members engaged in discussion on this item.

A motion was made by Mr. Douglas and seconded by Mr. Jones to hold a Special Meeting in addition to the regularly-scheduled monthly meeting, only when required to conduct business, on the fourth Monday of the month; the Special Meeting would be held in the afternoon if the last Regular Meeting was held in

the morning, and the Special Meeting would be held in the morning if the last Regular Meeting was held in the afternoon. The motion was subsequently withdrawn by Mr. Douglas.

Vice-Chairperson Kidd made a motion to extend the meeting for 30 minutes and was seconded by Mr. Mensinger. The motion passed with 10 votes in favor and 1 abstention.

11. Chief of Police Report. For Discussion and Action.

BART Police Chief Kenton Rainey discussed some aspects of the Office of Internal Affairs' procedures, including efforts to complete investigations within 6-8 months. Chief Rainey then gave a presentation on body cameras that the Department has purchased in anticipation of deployment to its officers and responded to the questions and concerns that were raised.

Vice-Chairperson Kidd made a motion to extend the meeting for 30 minutes and was seconded by Ms. Angeli. The motion passed unanimously.

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

Mr. Smith discussed the upcoming OIPA/CRB Community Forum and responded to the questions that were raised.

A motion was made by Mr. Mensinger and seconded by Vice-Chairperson Kidd to table the portion of the Independent Police Auditor's Report that deals with the format of written investigative reports that will be produced by the Office of the Independent Police Auditor, and to reschedule that portion of the Independent Police Auditor's Report as an agenda item at the next regularly-scheduled CRB meeting. The motion passed unanimously.

Mr. Smith asked the CRB whether they wished to hear his presentation on the Office of the Independent Police Auditor's monthly statistical report. A motion was made by Mr. Douglas and seconded by Mr. Mensinger to move to the next item on the agenda. The motion passed unanimously.

13. General Discussion and Public Comment. Limited to 3 Minutes per Speaker.

Mr. Ken Houston addressed the CRB and asked about the content of its webpage, methods of contacting individual members of the CRB, and the area of the CRB's responsibility.

BART Director Robert Raburn addressed the CRB with regard to how the public can most effectively communicate concerns to the BART District, including to the Office of the Independent Police Auditor.

A motion was made by Mr. White and seconded by Vice-Chairperson Kidd to table the Office of the Independent Police Auditor's monthly statistical report until the next regularly-scheduled CRB meeting. The motion passed unanimously.

14. Adjournment.

A motion was made by Mr. Barnett and seconded by Mr. Hambleton to adjourn the meeting. The motion passed unanimously and the meeting was adjourned at 11:59 a.m.