

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

Citizen Review Board
Minutes of the 2nd Meeting
Monday, July 25, 2011

A regular meeting of the Citizen Review Board was held on Monday, July 25, 2011, convening at 9:10 a.m. in the Board Room, 344 20th Street, Oakland, California.

Members present: Doug Hambleton, Peter Barnett, Ken Jones, Les Mensinger, George Perezvelez, Sue Angeli, William White, Sukari Beshears, Sharon Kidd-Lewis, and Jennifer Scaife.

Absent: Benjamin Douglas

Staff: Independent Police Auditor Mark P. Smith, BART Police Chief Kenton Rainey, BART Deputy Police Chief Dan Hartwig, Division Manager of Local Government and Community Relations Roddrick Lee, Attorney from BART General Counsel's Office Byron Toma, and Temporary Assistant to Office of Independent Police Auditor Anita Grayson.

The meeting was called to order at 9:10 a.m. by Les Mensinger, Sergeant at Arms. Roll call was completed with all CRB members present except Benjamin Douglas. Mr. Smith introduced Mr. Toma of BART's General Counsel's Office to give a presentation.

Agenda Items discussed:

1. **Public Comment on Agenda Items 2 through 11 only.**
No comments were made by public speakers.

2. **Review of Basic Parliamentary Procedure and Determination of Applicability to Citizen Review Board.**

Mr. Toma gave a presentation and some training on Items 2, 3 and 4 of the agenda (parliamentary rules and regulations, the Ralph M. Brown Act, and Bylaws). Mr. Smith will look into other additional training. There were questions and answers between the CRB members and Mr. Toma regarding the items discussed. Mr. Toma will provide an online website for additional training to all the members of the CRB. Mr. Perezvelez requested to move Agenda Item 11 (approval of the minutes from the prior meeting of the CRB) to Agenda Item 5 instead. The CRB unanimously agreed to do so.

3. Approval of Minutes of Prior Board Meeting.

Mr. Mensinger requested to approve the minutes from the CRB meeting held on Tuesday, July 12th. Ms. Angeli made a motion to approve the minutes, Mr. Perezvelez seconded it, and the motion carried unanimously, with Ms. Kidd-Lewis abstaining.

It was suggested by Ms. Scaife that more information about the public speakers attending CRB meetings be included in the minutes. It was also requested that the minutes be more thorough, including who made each motion, who seconded each motion, and what the vote was on each motion.

4. Selection of Officer(s) of the Citizen Review Board.

After a discussion amongst the members of the CRB, Mr. Mensinger made a motion to elect a chairperson and a vice chairperson for the committee, for a term to end at the end of this year and Mr. Hambleton seconded it. The motion carried unanimously. Mr. White, Mr. Barnett, and Mr. Perezvelez each expressed interest in serving as the chairperson. A vote was taken; Mr. White received 3 votes. Mr. Barnett received 1 vote. Mr. Perezvelez received 4 votes. Mr. Perezvelez was selected to be the chairperson. Ms. Kidd-Lewis and Ms. Angeli each expressed interest in serving as the vice chairperson. A vote was taken; Ms. Kidd-Lewis received 5 votes. Ms. Angeli received 4 votes. Ms. Kidd-Lewis was selected to be the vice chairperson. There was discussion of having a 3rd chairperson of the board but, after a discussion amongst the members, it was agreed there was no need for a third chairperson.

5. Setting of Citizen Review Board Meeting Schedule.

Chairperson Perezvelez opened the floor to all members for suggestions. After a discussion amongst all members, Chairperson Perezvelez offered a suggestion to have the meetings held on the 2nd Monday of each month; during even months, the meetings would begin at 4:00 p.m. and during the odd months, the meetings would begin at 9:00 a.m. A motion to adopt this schedule was made by Ms. Angeli and seconded by Mr. Hambleton. The motion carried unanimously.

6. Formation of Subcommittees.

Chairperson Perezvelez took input from the Board on how many committees should be created. After discussion, Chairperson Perezvelez and members proposed 4 subcommittees for bylaws, website, training and review of the complaint process. The CRB decided to focus on the creation of a bylaws subcommittee.

A motion was made by Mr. Mensinger and seconded by Vice Chairperson Kidd-Lewis to create a bylaws subcommittee with the following 5 members: Mr. Douglas, Mr. White, Vice Chairperson Kidd-Lewis, Chairperson Perezvelez, and Mr. Barnett. The motion carried unanimously. The CRB unanimously agreed to move Agenda items 8 and 9 to the next meeting on Monday, August 8, 2011 at 4:00 p.m.

7. Update on July 3, 2011 Officer Involved Shooting at Civic Center/UN Plaza Station.

Mr. Smith gave an update on his role of monitoring the BART PD's ongoing investigation into the incident. Chief Rainey then gave an update on the incident. Questions and suggestions were presented to Chief Rainey by the CRB members.

The meeting was adjourned at 1:30 p.m. The next meeting will be held in the BART Board Room on Monday, August 8th @ 4:00 p.m.