#### SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT 300 Lakeside Drive, P.O. Box 12688, Oakland, CA 94604-2688

### BART Police Citizen Review Board Meeting Minutes Monday, October 19, 2020

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held Monday, October 19, 2020, convening at 4:04 p.m. via teleconference, pursuant to Governor Gavin Newsom's Executive Order N-29-20 and the California Shelter-in-Place mandate. The meeting was called to order by Vice Chairperson Erin Armstrong; Mag Tatum, Recording Secretary.

Vice Chairperson Armstrong gave instructions on the virtual meeting, accessing presentation materials online, Public Comment, and Members' remarks.

## 1. Call to Order.

The regular meeting was convened at 4:04 p.m. by Vice Chairperson Armstrong.

Members Present:	Members Erin Armstrong, Zachary Bruno, Todd Davis, Les Mensinger, George Perezvelez, and Darren White.
Absent:	Members Christina Gomez, Pete Longmire, Kenneth Loo, William White, and David Rizk.

The Pledge of Allegiance was recited.

# 2. Approval of Minutes of the Meeting of September 14, 2020.

Member Mensinger moved that the Minutes of the Meeting of September 14, 2020 be approved as amended to include Member Davis marked as present due to technical difficulties, at the start of the meeting; Member Armstrong seconded the motion, which carried by a unanimous roll call vote. Ayes - 6: Members Armstrong, Bruno, Davis, Mensinger, Perezvelez, and D. White. Noes - 0. Abstain - 0. Absent - 5: Members Gomez, Longmire, Loo, W. White and Rizk.

# 3. Chief of Police's Reports.

a. Update on the Progressive Policing and Community Engagement Bureau (continued from the September 14, 2020 meeting).
Chief of Police Ed Alvarez presented the Update on the Progressive Policing and Community Engagement Bureau and introduced Deputy Chief Angela Averiett.
BPD Monthly Reports for August 2020.
Chief of Police Ed Alvarez presented the BPD Monthly Reports for August 2020. The reports were discussed.

Members Christina Gomez, Pete Longmire, David Rizk, and William White entered the meeting.

Vice Chairperson Armstrong called for Public Comment. No Public Comment was received.

4. Use of Force Annual Report – 2019 (continued from the September 14, 2020 meeting). Deputy Chief Lance Haight presented the Use of Force Annual Report 2019. The report was discussed.

Chairperson Rizk expressed support for submission of letters to various District Attorney's offices (Alameda County, Contra Costa County, and City and County of San Francisco) about providing data on how many BART Police Department cases have led to prosecutions and convictions.

Chairperson Rizk moved for the BART Police Citizen Review Board (BPCRB) to provide authorization for the submission of letters to various District Attorney's offices (Alameda County, Contra Costa County, and City and County of San Francisco) about providing data on how many BART Police Department cases have led to prosecutions or convictions. Member Armstrong seconded the motion.

The motion brought by Chairperson Rizk and seconded by Member Armstrong carried by unanimous roll call vote. Ayes -9: Members Armstrong, Davis, Gomez, Longmire, Mensinger, Perezvelez, D. White, W. White, and Rizk. Noes -0. Abstain -0. Absent -2: Members Bruno and Loo.

Chairperson Rizk called for Public Comment. No Public Comment was received.

Member Bruno left the meeting via teleconference.

# 5. Update on BART Police Model Enhancements (continued from the September 14, 2020 meeting).

Chairperson Rizk gave an Update on BART Police Model Enhancements. The report was discussed.

Chairperson Rizk called for Public Comment.

The following Board of Director gave comments:

Director Robert Raburn

#### 6. Independent Police Auditor's Report.

a. Office of the Independent Police Auditor (OIPA) Monthly Report for September 2020.

Independent Police Auditor Russell Bloom presented the OIPA Monthly Report. The reports were discussed.

Chairperson Rizk called for Public Comment.

The following Board of Director gave comments:

Director John McPartland

## 7. Annual Election of BPCRB Officers

Mag Tatum, Recording Secretary, brought the matter of Election of BPCRB Officers before the BPCRB and opened the floor for nominations for Chair. Member Armstrong nominated Member Rizk for Chair of the BART Police Citizen Review Board (BPCRB) for a second term 2020-2021 (July 12, 2021 expiration date). Nominations were closed. Member Armstrong moved that Member Rizk be elected BPCRB Chair for a second term 2020-2021(July 12, 2021 expiration date). Nomination, which carried by unanimous roll call vote. Ayes – 9: Members Armstrong, Davis, Gomez, Longmire, Mensinger, Perezvelez, D. White, W. White, and Rizk. Noes – 0. Abstain – 0. Absent – 2: Members Bruno and Loo.

BPCRB Chairperson Rizk was elected for a second term and shared comments on the upcoming year.

Mag Tatum, Recording Secretary, brought the matter of Election of BPCRB Officers before the BPCRB and opened the floor for nominations for Vice Chair. Member Gomez nominated Member Armstrong for Vice-Chair of the BART Police Citizen Review Board (BPCRB) for a second term 2020-2021(July 12, 2021 expiration date). Nominations were closed. Member Gomez moved that Member Armstrong be elected BPCRB Vice-Chair for a second term 2020-2021(July 12, 2021 expiration date). Nomination, which carried by unanimous roll call vote. Ayes – 9: Members Armstrong, Davis, Gomez, Longmire, Mensinger, Perezvelez, D. White, W. White, and Rizk. Noes – 0. Abstain – 0. Absent – 2: Members Bruno and Loo.

BPCRB Vice-Chairperson Armstrong was elected for a second term and shared comments on the upcoming year.

Chairperson Rizk called for Public Comment. No Public Comment was received.

# 8. Public Comment.

Vice Chairperson Armstrong called for Public Comment.

Mag Tatum addressed the Board.

Chairperson Rizk announced that the Board would enter closed session under Item 9-A Public Employee Discipline/Dismissal/Release in OIPA Cases #19-50 and #19-51 of the regular meeting agenda, and that the Board would reconvene in open session at the conclusion of the closed session.

The Meeting recessed at 6:07 p.m.

The Meeting reconvened in Closed Session at 6:07 p.m.

#### 9. Closed Session.

a. To reconsider Public Employee Discipline/Dismissal/Release in OIPA Cases #19-50 and #19-51 Govt. Code §54957.

Members Present:	Members Erin Armstrong, Christina Gomez, Pete Longmire, George Perezvelez, Darren White, William White, and David Rizk.
Absent:	Members Zachary Bruno, Todd Davis, Kenneth Loo, And Les Mensinger.

Members Todd Davis, Les Mensinger, and Darren White left the meeting via teleconference.

#### Adjournment.

The Meeting reconvened in Open Session at 7:15 p.m.

Chairperson Rizk announced that the Board voted unanimously to accept the findings in OIPA Case #19-50.

Chairperson Rizk announced that the Board voted to accept the findings in OIPA Case #19-51. Ayes – 6: Members Armstrong, Longmire, Perezvelez, D. White, W. White, and Rizk. Noes – 1: Member Gomez. Abstain – 0. Absent – 4: Members Bruno, Davis, Loo, and Mensinger.

The Meeting adjourned at 7:16 p.m. in honor of Sheri Mavrakis (BART Police Sergeant Nick Mavrakis' wife).