

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, September 9, 2019

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held Monday, September 9, 2019, at 4:00 p.m. in the following locations: BART Board Room, 2040 Webster Street, Oakland, California; Home2 Suites by Hilton Chicago McCormick Place, 123 East Cermak Road, Suite 200, Chicago, Illinois; and Hilton East Brunswick Hotel and Executive Meeting Center, 3 Tower Center Boulevard, East Brunswick, New Jersey. The meeting was called to order by Chairperson David Rizk; Mag Tatum, Recording Secretary.

1. Call to Order.

The regular meeting was convened at 4:00 p.m. by Chairperson Rizk.

Members Present in Oakland, CA: Members Erin Armstrong, Zachary Bruno, Les Mensinger, Darren White, William White and David Rizk.

Member Present in Chicago, IL: Member Pete Longmire.

Member Present in East Brunswick, NJ: Member Christina Gomez.

Absent: Member Robert Pirone. Members Kenneth Loo and George Perezvelez entered the meeting later.

The Pledge of Allegiance was recited.

2. Approval of Minutes of the Meeting of August 12, 2019.

Member Perezvelez entered the meeting.

Member Mensinger moved that the Minutes of the Meeting of August 12, 2019 be approved; Member Longmire seconded the motion, which carried by a unanimous roll call vote. Ayes – 8: Members Armstrong, Gomez, Longmire, Mensinger, Perezvelez, D. White, W. White, and Rizk. Noes – 0. Abstain – 1: Member Bruno. Absent – 2: Members Loo and Pirone.

3. Update on Ad Hoc Subcommittee to Review BART Police Department's Policy No. 310, Officer Involved Shootings and Deaths.

Member Loo entered the meeting.

Chairperson Rizk gave an update on the ad hoc subcommittee. The item was discussed.

Member W. White moved that the BART Police Department's Policy No. 310, Officer Involved Shootings and Deaths, be approved with additional language that a community meeting be held and upon the hiring of the new Chief of Police, Policy No. 310 will be

brought back to a future BPCRB meeting for re-evaluation; Member Perezvelez seconded the motion, which carried by a unanimous roll call vote. Ayes – 10: Members Armstrong, Bruno, Gomez, Longmire, Loo, Mensinger, Perezvelez, D. White, W. White, and Rizk. Noes – 0. Abstain – 0. Absent – 1: Member Pirone.

4. Update on the Chief of Police Selection Process. (Chair Rizk’s request.)

Chairperson Rizk presented an update on the Chief of Police Selection Process. The item was discussed.

5. Implementation of Subcommittee on Public Outreach. (Vice Chair Armstrong’s request.)

Vice Chairperson Armstrong gave a presentation on the implementation of Subcommittee on Public Outreach. The item was discussed.

Vice Chairperson Armstrong moved that the Subcommittee on Public Outreach be approved; Member D. White seconded the motion, which carried by a unanimous roll call vote. Ayes – 10: Members Armstrong, Bruno, Gomez, Longmire, Loo, Mensinger, Perezvelez, D. White, W. White, and Rizk. Noes – 0. Abstain – 0. Absent – 1: Member Pirone.

The selection of members for the Subcommittee on Public Outreach will occur at a future BPCRB meeting.

6. National Association for Civilian Oversight of Law Enforcement (NACOLE) 2019 Organizational Membership - Disposition of Proxy for Board meetings. (Member Perezvelez’s request.)

Member Perezvelez gave a presentation on the National Association for Civilian Oversight of Law Enforcement (NACOLE) 2019 Organizational Membership - Disposition of Proxy for Board meetings. The item was discussed.

Chairperson Rizk moved that Member Mensinger cast the BPCRB proxy vote during the election of officers and members of the Board of Directors at the Annual NACOLE Conference to be held September 25, 2019 in Detroit, MI.; Member Loo seconded the motion, which carried by a unanimous roll call vote. Ayes – 10: Members Armstrong, Bruno, Gomez, Longmire, Loo, Mensinger, Perezvelez, D. White, W. White, and Rizk. Noes – 0. Abstain – 0. Absent – 1: Member Pirone.

7. Chief of Police’s Report.

a. BART Police Department’s Monthly Report for July 2019.

Deputy Police Chief Lance Haight presented the BART Police Department’s Monthly Report. The report was discussed.

8. Independent Police Auditor’s Report.

Office of the Independent Police Auditor (OIPA) Monthly Report for July 2019.

Independent Police Auditor Russell Bloom presented the OIPA Monthly Report. The report was discussed.

9. Public Comment.

Chairperson Rizk called for Public Comment. No comments were received.

Chairperson Rizk announced that the Board would enter closed session under Item 10-A (Public Employee Discipline/Dismissal/Release in OIPA Case #18-44) 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 5:40 p.m.

The Meeting reconvened in Closed Session at 5:42 p.m.

10. Closed Session.

- a. To reconsider Public Employee Discipline/Dismissal/Release in OIPA Case #18-44. Govt. Code §54957.

Members Present in Oakland, CA: Members Erin Armstrong, Zachary Bruno, Kenneth Loo, George Perezvelez, Les Mensinger, Darren White, William White and David Rizk.

Members Present in Chicago, IL: Member Pete Longmire.

Members Present in East Brunswick, NJ: Member Christina Gomez.

Absent: Member Robert Pirone.

Member Longmire left the meeting via teleconference.

11. Adjournment.

The Meeting reconvened in Open Session at 6:20 p.m.

Chairperson Rizk announced that the Board voted to accept the findings in OIPA Case #18-44, which carried by a roll call vote. Ayes – 6. Noes – 3: Members Armstrong, Gomez, and Rizk. Abstain – 0. Absent – 2: Members Pirone and Longmire.

The Meeting was adjourned at 6:22 p.m.