

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

BART Police Citizen Review Board  
Monday, February 8, 2016

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held on Monday February 8, 2016 convening at 4:00 p.m. in the BART Board Room, 344 20<sup>th</sup> Street, Oakland, California.

Members Present: Chairperson Cydia Garrett, Vice Chairperson Les Mensinger, Benjamin Douglas, Douglas Hambleton, Sharon Kidd, Sukari Beshears, Richard Knowles, Darren White, and David Rizk

BART Staff: BART Police Department (BPD) Chief Kenton Rainey, BPD Acting Deputy Chief Lance Haight, BPD Deputy Chief Ben Fairrow, BPD Lieutenant Paul Kwon, BPD Lieutenant Ed Alvarez, BPD Officer Chris Vogan, BPOA Secretary Officer Shane Reiss, Independent Police Investigator Russell Bloom, and Senior Administrative Analyst Sarah Celso

Others Present: Director Robert Raburn, General Counsel Matthew Burrows, Mark P. Smith

Agenda items discussed:

- 1. Call to Order.**  
The regular meeting was called to order at 4:01 p.m. by Chairperson Cydia Garrett.
- 2. Call for Quorum.**  
Cydia Garrett, Les Mensinger, Benjamin Douglas, Doug Hambleton, Sharon Kidd, Richard Knowles, Sukari Beshears, and David Rizk were present, amounting to a quorum.
- 3. Pledge of Allegiance Recital.**  
The pledge of allegiance was recited.
- 4. Public Comment on Items 5 through 11 Only.**  
No public comment.
- 5. Approval of Minutes of Prior Board Meeting. For Discussion and Action.**  
A motion to approve the minutes of the prior BPCRB meeting was made by Ms. Kidd and seconded by Mr. Mensinger. The motion passed with six votes in favor and two abstentions.
- 6. Proposed Ordinance to Prohibit Patrons from Using More Than One Seat (Director Keller's Request). For Discussion and Action.**

Mr. Burrows appeared before the BPCRB at the request of Director Joel Keller to elicit comments regarding a proposed ordinance to prohibit patrons from using more than one seat on BART trains. He responded to questions and suggestions from the BPCRB.

Darren White entered the meeting.

**7. Officer Review of Mobile Video Recorder Videos Prior to a Related Investigation. For Discussion and Action.**

Chief Rainey expressed satisfaction with BPD's current policy regarding officer review of mobile video recorder videos prior to a related investigation, and added that he is open to the BPCRB's recommendations regarding this policy. Chief Rainey responded to questions raised by the BPCRB regarding the policy.

A motion to support Chief Rainey's current practice regarding officer review of mobile video recorder videos prior to a related investigation policy was made by Mr. Mensinger and seconded by Mr. Hambleton. The motion passed with five votes in favor and four against.

**8. BPCRB Training Program Approval for March and April 2016. For Discussion and Action.**

Mr. Bloom presented a proposed BPCRB training program for March and April 2016 for the board's approval, and responded to questions and suggestions from the BPCRB.

A motion to proceed with the proposed training program for March and April 2016 was made by Ms. Kidd and seconded by Ms. Beshears. The motion passed unanimously.

**9. Chairperson's Report. For Discussion and Action.**

Ms. Garrett announced that the National Association for Civilian Oversight of Law Enforcement (NACOLE) annual conference will be held September 25 to September 29, 2016 in Albuquerque, New Mexico. Ms. Garrett thanked Chief Rainey and BPD Staff for the updates made to the BART Watch App. Ms. Garrett reminded BPCRB to update their biographies on the BPCRB web page.

Ms. Kidd announced and provided details for outgoing Independent Police Auditor Mark Smith's departure gathering on February 18, 2016.

No action taken.

**10. Chief of Police's Report. For Discussion and Action.**

Lieutenant Alvarez and Officer Vogan presented updates to the BART Watch App, and responded to questions from the BPCRB.

Chief Rainey reviewed the BPD 2015 Year End Report, and responded to questions and suggestions from the BPCRB.

Chief Rainey announced a National Organization of Black Law Enforcement Executives (NOBLE) Forum on 21<sup>st</sup> Century Policing to be held March 15, 2016 from 8:00 AM to 5:00 PM in the auditorium at 300 Lakeside Drive Oakland, CA 94612.

David Rizk exited the meeting.

**11. Independent Police Auditor's Report. For Discussion and Action.**

**a. Office of the Independent Police Auditor's Monthly Report.**

Mr. Bloom presented OIPA's January 2016 monthly report and responded to questions from the BPCRB.

**12. General Discussion and Public Comment. Limited to 3 minutes per speaker.**

Mr. Hambleton requested that this item, General Discussion and Public Comment, be moved to the beginning of the agenda, so the public does not have to wait to make their comments. Mr. Bloom stated that he will contact the BART District Secretary to determine whether the agenda can be reordered.

**13. Adjournment.**

A motion to adjourn the meeting was made by Mr. Mensinger and seconded by Sharon Kidd. The motion passed unanimously.

The meeting was adjourned at approximately 5:33 p.m.