

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

BART Police Citizen Review Board
Monday, May 08, 2017

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held on Monday, May 8, 2017 convening at 4:00 p.m. in the BART Board Room, 344 20th Street, Oakland, California.

Members Present: Chairperson Cydia Garrett, Vice Chairperson David Rizk, Benjamin Douglas, Cathryn Freitas, William White, Darren White, Les Mensinger, Sharon Kidd, George Perezvelez, and Richard Knowles.

BART Staff: BART Police Department (BPD) Acting Chief Jeffrey Jennings, BPD Deputy Chief Lance Haight, BPD Lieutenant Paul Kwon, BPD Acting Lieutenant Chris Vogan, BPD Sergeant Carolyn Perea, BPD Sergeant Tania Salas, BPD Sergeant Bill Spears, BPD Sergeant Gina Galetti, BPD Officer Heherson Enerio, BPD Officer Keith Garcia, BPD Officer Scott Hamilton, BPD Officer Eric Hofsetin, BPD Officer Alex Jose, BPD Officer Shane Reiss, BPD Officer David Touye, BPD Administrative Supervisor Justin Morgan, Independent Police Auditor Russell Bloom, and Independent Police Investigator Patrick Caceres.

Others Present: Director Debora Allen, Director Robert Raburn, Director Rebecca Saltzman, Tova Fry, Jenny Friedenbach, Kelly Cutler, Dale Smith, Karen Reiss, Cat Brooks, David Salvarey, Dayton Andrews, Lars Amble, Cephus Johnson, and Dale Allen.

Agenda items discussed:

1. Call to Order.

The regular meeting was called to order at 4:09 p.m. by Chairperson Cydia Garrett.

Mr. W. White entered the meeting.

2. Call for Quorum.

Chairperson Cydia Garrett, Vice Chairperson David Rizk, Benjamin Douglas, Cathryn Freitas, Darren White, Les Mensinger, Sharon Kidd, George Perezvelez, Richard Knowles, and William White were present, amounting to a quorum.

3. Pledge of Allegiance Recital.

The pledge of allegiance was recited.

4. Approval of Minutes of Prior Board Meeting. For Discussion and Action.

A motion to approve the minutes of the prior BPCRБ meeting was made by Ms. Kidd and was seconded by Mr. Mensinger. The motion passed unanimously.

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

No general discussion. No public comment.

6. National Association for Civilian Oversight of Law Enforcement (NACOLE) attendance poll and selection. For Discussion and Action.

The BPCRБ discussed the item. Ms. Kidd, Mr. Mensinger, and Mr. Perezvelez expressed their interest in attending the NACOLE annual conference in September.

A motion to accept the NACOLE annual conference attendees' selection per the BPCRБ Bylaws was made by Mr. Perezvelez and was seconded by Ms. Kidd. The motion passed unanimously.

7. BPCRБ Training Plan Approval for June 2017. For Discussion and Action.

Mr. Bloom presented the BPCRБ training plan for June 2017.

A motion to accept the BPCRБ training plan for June 2017 was made by Mr. Mensinger and was seconded by Mr. D. White. The motion passed by acclamation.

8. BPD Use of Force Policy #300 Revision. For Discussion and Action.

Mr. Rizk introduced this item and thanked the subcommittee participants. He provided the BPCRБ's subcommittee's position on the BPD Use of Force Policy #300 Revision and the key areas of disagreement amongst the stakeholders.

The BPCRБ discussed this item.

Deputy Chief Haight addressed the BPCRБ.

Mr. Bloom addressed the BPCRБ.

Mr. Caceres addressed the BPCRБ.

Acting Chief Jennings addressed the BPCRБ.

The following individuals addressed the BPCRБ:

Jenny Friedenbach

Kelly Cutler

Karen Reiss

Cat Brooks

Dayton Andrews

Dale Smith

BPD Officer/Vice President of BART Police Officers Association Shane Reiss

David Salavery

BPD Acting Lieutenant/President of BART Police Managers Association Chris Vogan

BPD Officer Alex Jose
BPD Officer Keith Garcia
BPD Sergeant Carolyn Perea

A motion to extend the meeting to 6:30 p.m. was made by Mr. Mensinger and seconded by Ms. Kidd. The motion passed unanimously.

The following individuals addressed the BPCRБ:
BPD Sergeant Gina Galetti
Cephus Johnson
Dale Allen

A motion to put forth the BPD Use of Force Policy #300 Revision by the BPCRБ subcommittee with a stipulation that the BPD develop a reasonable plan to implement and train the revised policy was made by Mr. Rizk and seconded by Mr. W. White.

Members of the BPCRБ presented their positions regarding this item.

A motion to extend the meeting to 7:00 p.m. was made by Mr. Perezvelez and seconded by Mr. Mensinger. The motion passed unanimously.

The motion passed with six votes in favor and four against.

Acting Chief Jennings addressed the BPCRБ.

9. Chief of Police’s Report. For Discussion and Action.

(In the interest of time, Chairperson Garrett skipped Agenda item #9 to move into item #11 - Closed Session; the BPD monthly report was distributed for review.)

- a. BPD Monthly Report**
- b. BART Watch App Data**

10. Independent Police Auditor’s Report. For Discussion and Action.

(In the interest of time, Chairperson Garrett skipped Agenda item #10 to move into item #11 - Closed Session; the OIPA monthly report was distributed for review.)

- a. OIPA Monthly Report**

11. Closed Session.

- a. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #16-29. Govt. Code §54957**
- b. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #16-31. Govt. Code §54957**

The BPCRB reconvened in open session, and Chairperson Garrett announced the votes taken during the closed session with regards to items #11a and #11b.

12. Adjournment.

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

The meeting was adjourned at approximately 7:00 p.m.