

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

Citizen Review Board
Minutes of the 47th Meeting
Monday, March 9, 2015

A regular meeting of the Citizen Review Board (CRB) was held on Monday, March 9, 2015, convening at 4:00 p.m. in the BART Board Room, 344 20th Street, Oakland, California and Wyndham San Diego Bayside, 1355 North Harbor Drive, San Diego, California.

Members Present: Chairperson Sharon Kidd, Vice Chairperson Les Mensinger, Ken Jones, Douglas Hambleton, William White, George Perezvelez, Sukari Beshears, Richard Knowles, Darren White, Cydia Garrett and Benjamin Douglas

BART Staff: BART Police Department (BPD) Lieutenant Lance Haight, Independent Police Auditor Mark P. Smith, Independent Police Investigator Russell Bloom and Senior Administrative Analyst Anita Grayson.

Others Present: Directors Rebecca Saltzman and Robert Raburn

Agenda items discussed:

1. Call to Order.

The regular meeting was called to order at 4:08 p.m. by Chairperson Kidd.

2. Call for Quorum.

Sharon Kidd, Les Mensinger, Doug Hambleton, Ken Jones, Cydia Garrett, Richard Knowles, George Perezvelez and Sukari Beshears were present, amounting to a quorum.

3. Pledge of Allegiance Recital.

The pledge of allegiance was recited.

Newly appointed and ratified CRB member Richard Knowles introduced himself and was welcomed by the other CRB members.

Mr. White entered the meeting.

4. Public Comment on Items 5 through 14 Only.

Ms. Erin Armstrong commented on Agenda Item 10a.

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

A motion to approve the minutes of the previous board meeting was made by Mr. Mensinger and seconded by Mr. Jones. The motion passed with 6 votes in favor and 3 abstentions.

6. Chairperson's Report. For Discussion and Action.

Ms. Kidd discussed her attendance and participation at a recent event focused on Police Violence and Human Rights. Ms. Kidd, Mr. Mensinger and Mr. Jones participated with BART staff in the Chinese New Year's Parade in San Francisco and shared their experience. Ms. Kidd, Mr. Mensinger, Mr. Jones, and Mr. D. White participated in a recent one-day regional conference on oversight of law enforcement co-sponsored by the National Association for Civilian Oversight of Law Enforcement, the City of Berkeley Police Review Commission, and the BART Office of the Independent Police Auditor (OIPA).

Mr. Douglas joined the meeting via teleconference.

No action taken.

7. Chief of Police's Report. For Discussion and Action.

a. BART Police Department Use of Social Media.

Lt. Haight discussed BPD's stance on social media and answered questions from the CRB. Mr. Perezvelez requested a future presentation to update the implementation of BPD's on-body camera program to date.

No action taken.

8. Production of an Informational Pamphlet to Guide Youth on Interactions with Police (Continued from February 9, 2015 meeting). For Discussion and Action.

This item was tabled to a future meeting.

9. Amendment of CRB Bylaws to add Office of Parliamentarian (Continued from February 9, 2015 meeting). For Discussion and Action.

It was decided that this item would be addressed by the CRB's Subcommittee on Bylaws and Regulations.

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

a. Recommendations for Creation of a Policy to Address BART Police Department Interactions with Transgender People (Continued from February 9, 2015 meeting).

Mr. Bloom presented the most recent draft of the proposed policy and answered questions from the CRB. A motion to approve the policy recommendation was made by Mr. Mensinger and seconded by Mr. Perezvelez. The motion passed with 9 votes in favor and 1 abstention.

b. Office of the Independent Police Auditor's Monthly Report.

Mr. Smith presented the OIPA monthly report and answered questions from the CRB.

c. Office of the Independent Police Auditor’s Annual Report.

Mr. Smith updated the CRB on the status of the OIPA Annual Report.

Mr. Darren White entered the meeting.

The CRB convened in closed session at approximately 5:50 p.m. to address the next agenda item.

11. Closed Session.

a. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #14-27.

Govt. Code §54957

A motion to agree with the findings reached by OIPA was made by Mr. Perezvelez and seconded by Mr. Jones. The motion passed with 8 votes in favor and 3 votes against.

b. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #14-28.

Govt. Code §54957

Ms. Beshears and Ms. Garrett exited the meeting.

A motion to agree with some of the findings and to disagree with some of the findings reached by OIPA was made by Mr. Hambleton and seconded by Mr. Jones. The motion passed unanimously.

c. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #14-37.

Govt. Code §54957

A motion to agree with the findings reached by OIPA was made by Mr. Hambleton and seconded by Mr. Jones. The motion passed with 8 votes in favor and 1 abstention.

Mr. Douglas exited the meeting (via teleconference).

During the closed session, a motion to extend the meeting by 30 minutes was made by Mr. Hambleton and seconded by Mr. Mensinger. The motion passed unanimously. Subsequently, a motion to extend the meeting by another 30 minutes was made by Mr. Perezvelez and seconded by Mr. Mensinger. The motion passed with 10 votes in favor and 1 vote against. Subsequently, a motion to extend the meeting by another 15 minutes was made by Mr. Perezvelez and seconded by Mr. Mensinger. The motion passed with 9 votes in favor and 4 votes against.

The CRB reconvened in open session at approximately 7:15 p.m. Ms. Kidd announced the votes that were taken during the closed session.

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

13. Adjournment.

A motion to adjourn the meeting was made by Mr. Mensinger and seconded by Mr. D. White. The motion passed unanimously. The meeting was adjourned at 7:15 p.m.