

Date: February 9, 2015
To: BART Board of Directors
From: Citizen Review Board
Sharon Anne Kidd, Chairperson
Subject: Quarterly Report to Board of Directors

This quarterly report from the Citizen’s Review Board (CRB) to the BART Board of Directors covers the CRB’s most significant activities for October, November and December, 2014.

Citizen Review Board Members:

Benjamin L. Douglas	District 1
Sukari Beshears	District 2
William White	District 3
Darren White	District 4
Douglas N. Hambleton	District 5
Les Mensinger (Vice-Chairperson)	District 6
Sharon Anne Kidd (Chairperson)	District 7
Ken Jones	District 8
George Perezvelez	District 9
Cydia A. Garrett	Public-At-Large
Vacant	BART Police Officers and Managers Associations

The board position representing the Police Officers Association and the Police Managers Association has been vacant for well over a year.

Meetings:

The CRB normally meets in the district boardroom at 4 pm on the second Monday of the month. Meeting agendas and minutes are posted on the district website and can be found at www.bart.gov/about/bod/meetings.aspx. The regular agenda items include monthly oral reports by BART Chief of Police Kenton Rainey and Independent Police Auditor Mark Smith. Mr. Smith also presents the CRB with a written monthly report, which can be found on the Auditor’s webpage at www.bart.gov/policeauditor.

Primary Duties and Responsibilities

The Citizen Oversight Model lists several primary duties and responsibilities for the CRB. The general topic headings below describe the CRB activities related to these tasks.

Receiving complaints, reviewing investigative reports and making recommendations for corrective action.

The Independent Auditor has received a number of complaints and appeals, which are being investigated. At the end of the year the OIPA had 13 open cases to be investigated and then presented to the CRB.

During the regular meeting in December, the CRB met in closed session to review the investigation of complaint #13-89 that had been completed by the Office of the Independent Auditor. After hearing a presentation by Investigator Bloom, the CRB voted to accept the OIPA's findings and recommendations.

Recommendations on Procedures, Practices and Training

In October and again in December the CRB discussed a proposed new general order on police interaction with transgender individuals. Several drafts of the order completed by Investigator Bloom and another submitted by the Police Manager's Association have been reviewed by the CRB. A sub-committee is continuing to work with the OIPA and the Department on the proposal.

Starting in October, the CRB has been considering a proposal by Mr. Mensinger to develop an educational brochure for youth on their rights and obligations when interacting with law enforcement officers.

In November Chief Rainey discussed a proposed policy on the use of The Wrap restraint device.

Reporting

This is the eleventh formal written report to the Board of Directors.

Monitor Study Recommendations

N/A

OTHER CRB ACTIVITIES**BART ACTIVITIES**

In October the CRB discussed changing the name of the board from "Citizens Review Board" to "BART Police Citizens Review Board." A motion was passed to make this recommendation to the Board of Directors.

Cydia Garrett and Les Mensinger attended the BART Police Department 4th Annual Awards Ceremony hosted by Chief Kenton Rainey at BART headquarters on December 19th.

Training

During the November meeting, Mr. Byron Toma of the BART General Counsel's Office provided the CRB with training on Alice Sturgis' rules of parliamentary procedure.

Participation in Oral Boards

One of the recommendations from the NOBLE report was that BART PD include citizens in their entry level and promotional oral boards. The Department has adopted this recommendation and has invited CRB members to participate on a regular basis. CRB members served on oral panels as follows:

- Sharon Kidd and Les Mensinger – Officer oral board on October 2nd
- Sharon Kidd – Civilian Supervisor assessment panel on December 16th, 17th and 18th

COMMUNITY OUTREACH

On October 20th Sharon Kidd attended a San Francisco Commonwealth Club event at Glide Church titled "Ferguson, The Bay Area and Beyond, a Conversation About Race and Justice."

Les Mensinger attended the Alan Blueford Foundation Annual Conference "Mothers Helping 2 Heal" at the Center of Hope Community Church in Oakland on October 25, 2014.

The OIPA made a presentation on Staying Safe on BART to members of the disabled community on October 27th at the Ed Roberts Campus, adjacent to the Ashby BART station in Berkeley. Sharon Kidd, Les Mensinger and Darren White represented the CRB at the presentation.

Les Mensinger attended a presentation by the OIPA on police civilian oversight of the BART PD at the Alameda County Probation Department on Monday, November 3rd.

On December 17th, Sharon Kidd, and Les Mensinger along with Mark Smith, Russell Bloom Chief Rainey, Director Raburn and Director Mallett, attended a forum sponsored by Alameda County Supervisor Keith Carson titled "Black Lives Matter: Moving Toward Change and Crafting Solutions," at The East Bay Church of Religious Science in Oakland.

OTHER ACTIVITIES

Chair Sharon Kidd and Vice-chair Les Mensinger attended the California Police Officers Association's COPSWEST conference in Long Beach on October 4/5, 2015 where they were given a Certificate of Appreciation for their service.

Sharon Kidd participated in the Merritt College Crime Scene Investigation class final examination on December 4th.