

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, November 19, 2018

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held November 19, 2018, convening at 4:00 p.m. in the BART Board Room, 2040 Webster Street in Oakland, California. The meeting was called to order by Vice Chairperson William White; May Cooper, Recording Secretary.

Members Present: Vice Chairperson William White, Darren White, David Rizk, Kenneth Loo, Les Mensinger and Erin Armstrong.

Absent: Chairperson George Perezvelez, Christina Gomez, Pete Longmire and Richard Knowles.

1. Call to Order.

The regular meeting was called to order at 4:00 p.m. by Vice Chairperson White.

Vice Chairperson White, Darren White, David Rizk, Kenneth Loo, Les Mensinger and Erin Armstrong were present, amounting to a quorum.

The Pledge of Allegiance was recited.

2. Introduction of New Public at Large BPCRB Member.

Vice Chairperson White introduced new Public at Large BPCRB Member, Erin Armstrong. The Oath of Office was conducted by Patricia Williams, District Secretary prior to the start of the meeting. Ms. Armstrong addressed the Board.

3. Approval of Minutes of Prior Board Meeting.

Vice Chairperson White called for a motion to approve Minutes of the Meeting of October 15, 2018; Mr. D. White seconded the motion.

Mr. Loo and Mr. Mensinger requested the minutes be amended to reflect they had not been present.

The motion failed due to lack of a majority vote. Ayes – 4: Committee Members W. White, D. White, Mensinger, and Armstrong. Abstain – 2: Committee Members Rizk and Loo. Noes: 0. Absent: Committee Members Perezvelez, Knowles, Longmire, and Gomez.

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

a. BART Police Department (BPD) Monthly Report.

Chief Carlos Rojas presented the BPD Monthly Report for September 2018. The report was discussed.

- b. BPD Policy Changes.
Police Lieutenant VI Kevin Franklin presented changes to Policy #310, Officer Involved Shootings and Deaths, and Policy #402, Bias-Based Policing. The changes were discussed.
- c. BPD Hiring Update.
Police Lieutenant VI Paul Kwon presented updates to BPD hiring standards. The updates were discussed.
- d. Auto Related Crimes.
Deputy Police Chief Lance Haight gave a presentation on auto crime “hot spots.” The item was discussed.

5. National Association for Civilian Oversight of Law Enforcement (NACOLE) Annual Conference Report Back.

Mr. Mensinger and Independent Police Auditor Russell Bloom provided a brief overview about the conference.

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

- a. Office of the Independent Police Auditor (OIPA) Monthly Report.
Mr. Bloom presented the OIPA Monthly Report for October 2018. No comments or questions were received.
- b. Effect of Government Code Section 3304(2)(F) on OIPA Investigative Timelines.
Mr. Bloom gave a presentation on Govt. Code §3304. The item was discussed.

7. Public Comment.

No comments were received.

Vice Chairperson White announced that the Board would enter closed session under Item 8-A (Public Employee Discipline/Dismissal/Release in OIPA Case #18-15) of the Meeting agenda, and that the Board would reconvene in open session upon conclusion of the closed session.

The Meeting recessed at 5:44 p.m.

The Meeting reconvened in Closed Session at 5:45 p.m.

8. Closed Session.

- a. To consider Public Employee Discipline/Dismissal/Release in OIPA Case #18-15. Govt. Code §54957.

Members present: Committee Members W. White, D. White, Rizk, Loo, Mensinger and Armstrong.

9. Open Session.

The Meeting reconvened in Open Session at 6:00 p.m.

Vice Chairperson White announced the Board had unanimously voted to accept the recommendation of the OIPA with regards to Item 8a, Public Employee Discipline/Dismissal/Release in OIPA Case #18-15.

A motion to adjourn the meeting was made by Vice Chairperson White and seconded by Mr. Rizk. The motion passed unanimously.

The Meeting was adjourned at 6:02 p.m.