

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

BART Police Citizen Review Board  
Monday, December 12, 2016

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held on Monday December 12, 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 David Rizk, Benjamin Douglas, Cathryn Freitas, William White, Darren White, Bob Maginnis, Les Mensinger, Sharon Kidd, George Perezvelez, and Richard Knowles.

BART Staff: BART Police Department (BPD) Deputy Chief Lance Haight, BPD Deputy Chief Jeffrey Jennings, BPD Sergeant Chris Vogan, BPD Officer Shane Reiss, and Independent Police Auditor Russell Bloom

Others Present: Director Robert Raburn, Director Debora Allen, and Dr. Jack Glaser

Agenda items discussed:

**1. Call to Order.**

The regular meeting was called to order at 4:05 p.m. by Chairperson Cydia Garrett.

**2. Call for Quorum.**

Cydia Garrett, Benjamin Douglas, Cathryn Freitas, Darren White, Bob Maginnis, Les Mensinger, Sharon Kidd, and Richard Knowles 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 BPCRB meeting was made by Mr. Mensinger and seconded by Ms. Kidd. The motion passed unanimously.

Mr. Perezvelez entered the meeting.

Director Raburn entered the meeting.

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

No items for General Discussion. No public comment.

**6. BPCRB NACOLE Membership. For Discussion and Action.**

Mr. Perezvelez requested additional time to address this item.

A motion to table this item until the January 2017 regular meeting was made by Mr. Mensinger. Chairperson Garrett moved this item to the next meeting.

**7. Community Relations Strategy. For Discussion and Action.**

Chairperson Garrett and Vice Chair Rizk met with Kerry Hamill and Alicia Trost of the BART Office of External Affairs on December 7, 2016 to discuss ideas and suggestions for the BPCRB to be more engaged with the public.

The BPCRB discussed social media and podcasts.

Mr. W. White entered the meeting.

Mr. Rizk entered the meeting.

A motion to proceed with podcast features of the BPCRB by BART Office of External Affairs was made by Mr. Perezvelez and seconded by Mr. Rizk. The motion passed unanimously.

The BART Office of External Affairs will share a list of BART Outreach Events via weekly email distribution, which will serve as resource for community outreach opportunities for the BPCRB. The BPCRB will discuss which events to participate in at monthly meetings.

Ms. Kidd has been researching community outreach activities for the BPCRB to participate in on a quarterly basis.

**8. Proposed Plan to Complete Evaluation of Performance and Effectiveness of Office of the Independent Police Auditor (OIPA) per the BART Citizen Oversight Model, Sections 1-05H and 2-09F. For Discussion and Action.**

The BPCRB discussed this item.

Director Raburn stated that the BART Board of Directors (BOD) has completed their evaluation of the BOD appointed Officers for this year and suggested that the BPCRB coincide their evaluation of OIPA as the BOD embarks on their evaluation process. Director Allen concurred with Director Raburn and stated that the recent evaluations conducted by the BOD was for the period ending June 30, 2016 and therefore the BPCRB should plan to provide their evaluation of OIPA around that time next year.

This item will be revisited at a future meeting.

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

Deputy Chief Lance Haight represented Chief Rainey, who was unable to attend the meeting.

**a. BPD Monthly Report.**

The BPD Report was distributed to the BPCRB. Deputy Chief Lance Haight provided updates and discussed the report, and he answered questions from the BPCRB.

**b. BPD Use of Force Policy Revision.**

*(This item was moved to Item #12a on the Agenda.)*

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

*(This item was moved to follow Item #9a on the Agenda.)*

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

Mr. Bloom presented OIPA's November 2016 Monthly Report.

**b. Update Regarding BPCRB Meeting Audio Recordings**

Mr. Bloom provided an update regarding his research for this item and he answered questions from the BPCRB.

A motion to move the start date of posting BPCRB Meeting Audio Recordings in April 2017 was made by Mr. Mensinger and seconded by Mr. Rizk. The motion passed unanimously.

**c. Whether it is Possible to Increase Internet Search Hit Rates for the BPCRB Web Page**

Mr. Bloom provided information regarding this item and mentioned that the BPCRB name was updated on the BART's Board Advisory Committees web page and a spelling correction was made to the BPCRB web page. No action was taken.

**11. BPCRB Training Program. (The curriculum to be addressed will not satisfy AB 1234 training for legislative body members.)**

**a. Bias-Based Policing / Racial Profiling**

Dr. Jack Glaser, professor at the Goldman School of Public Policy at University of California, Berkeley, made a presentation on bias-based policing / racial profiling, and he answered questions from the BPCRB.

A motion to the extend the meeting to 6:15 p.m. was made by Mr. Mensinger and seconded by Mr. Perezvelez. The motion passed unanimously.

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

**a. BPD Use of Force Policy Revision**

*(This item was formerly Item #9b on the Agenda.)*

Deputy Chief Haight presented and discussed draft revisions to BPD's Use of Force Policy.

Mr. Rizk discussed his recommendations for changes to the Policy for BPD to consider.

A motion to extend the meeting to 6:30 p.m. was made by Mr. Perezvelez and seconded by Mr. Mensinger. The motion passed with 10 votes in favor and one opposed.

Ms. Freitas exited the meeting.

A motion to table this discussion on BPD's Use of Force Policy Revision so that it may be agendaized as a priority item of discussion at a future meeting was made by Mr. Perezvelez and seconded by Mr. Douglas. The motion passed unanimously.

**13. Adjournment.**

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

The meeting was adjourned at approximately 6:23 p.m.