

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

BART Police Citizen Review Board
Monday, June 11, 2018

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held on Monday, June 11, 2018 convening at 4:00 p.m. in the BART Board Room, 344 20th Street, Oakland, California.

Members Present: Chairperson George Perezvelez, Vice Chairperson William White, Kenneth Loo, Les Mensinger, Aman Sebahtu, David Rizk, Cydia Garrett, and Richard Knowles.

BART Staff: BART Police Department (BPD) Chief of Police Carlos Rojas, BPD Deputy Chief Lance Haight, BPD Deputy Chief Jeffrey Jennings, BPD Officer Stephen Christ, Independent Police Auditor Russell Bloom, Independent Police Investigator Patrick Caceres, Senior Administrative Analyst Sarah Celso, Senior Administrative Analyst LaTonia Peoples-Stokes, Interim District Secretary Patricia Williams, BPD Temporary Staff Assistant Sharon Kidd.

Others Present: BART Director Debora Allen, BART Director Robert Raburn, John Burris, KTVU News, Members of the Public.

Agenda items discussed:

- 1. Call to Order.**
The regular meeting was called to order at 4:02 p.m. by Chairperson George Perezvelez.
- 2. Call for Quorum.**
Chairperson George Perezvelez, Vice Chairperson William White, Kenneth Loo, Cydia Garrett, Les Mensinger, 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 for the Prior Board Meeting was made by Mr. W. White and seconded by Mr. Mensinger. The motion passed with five in favor, zero against and one abstention.
- 5. Presentation of Certificate of Appreciation to Cydia Garrett for Service as a BPCRB Member.**

Chairperson Perezvelez announced that this will be Ms. Garrett's last meeting as BPCRB Public-At-Large Member, and he expressed his appreciation for her service.

Mr. Sebahtu entered the meeting at 4:06pm.

Ms. Garrett shared her thoughts with the BPCRB.

Mr. W. White expressed his appreciation for Ms. Garrett's service.

Mr. Mensinger expressed his appreciation for Ms. Garrett's service.

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

Mr. Rizk entered the meeting at 4:15pm.

Chief Rojas expressed his appreciation to Ms. Garrett for her service.

a. BPD Monthly Report for April 2018

Chief Rojas presented the BPD Monthly Report for April 2018 and he answered questions from the BPCRB.

b. Effect on Pending Internal Investigations on Promotional Opportunities for BPD Personnel

Chief Rojas discussed this item and he answered questions from the BPCRB.

c. Annual Use of Force Report

Deputy Chief Haight discussed this item and he answered questions from the BPCRB.

Mr. Bloom answered questions from the BPCRB.

Deputy Chief Jennings answered questions from the BPCRB.

7. Statements by BPCRB Public-At-Large Applicants.

Chairperson Perezvelez called for statements by BPCRB Public-At-Large Applicants. None were present, and no statements were made.

8. BPCRB Participation in BPD Commendation Process. For Discussion and Action.

Chairperson Perezvelez postponed this agenda item for discussion at the next BPCRB meeting.

The BPCRB discussed this item.

Mr. Bloom addressed the BPCRB regarding Agenda Item #7 per the request of Mr. Rizk.

9. BPCRB Onboarding and Training Syllabus Subcommittee Status. For Discussion and Action.

Chairperson Perezvelez updated the BPCRB on the status of this item. The subcommittee will provide an update at a future BPCRB meeting.

Mr. Rizk discussed this item.

10. BPD Administrative Leave Process (Criteria for Returning an Officer to Full Duty Pending Completion of an Officer-Involved Shooting Investigation.) For Discussion and Action.

Chairperson Perezvelez asked BPD for an explanation regarding the BPD Administrative Leave Process.

Deputy Chief Jennings addressed the BPCRB.

This item will be placed on the agenda for the next BPCRB meeting.

11. Use of Force Policy Training Status. For Discussion and Action.

Deputy Chief Haight addressed the BPCRB.

This item will be placed on the agenda for the next BPCRB meeting.

Chief Rojas addressed the BPCRB regarding agenda item #10.

Deputy Chief Jennings addressed the BPCRB regarding agenda item #10.

Mr. Rizk discussed agenda item #10.

Chairperson Perezvelez discussed agenda item #10.

Mr. Mensinger discussed agenda item #10.

Ms. Garrett discussed agenda item #10.

12. BPD Media Communications and Information Policy. For Discussion and Action.

Chairperson Perezvelez called for this item to be skipped and to be placed on the agenda for the next BPCRB meeting.

The BPCRB discussed this item.

A motion to create a subcommittee to review the BPD Media Communications and Information Policy #346 was made by Mr. Rizk and seconded by Mr. Loo. The motion passed with seven in favor, zero against and one abstention.

Mr. Loo requested to be on the subcommittee. Other interested BPCRB Members are to contact Chairperson Perezvelez.

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

a. Beat Review and Public Safety Outlook

Deputy Chief Haight made a presentation on BPD's Beat Review and Public Safety Outlook and he answered questions from the BPCRB.

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

a. OIPA's Monthly Reports for April and May 2018

Mr. Bloom presented the OIPA Monthly Reports for April and May 2018 and he answered questions from the BPCRB.

Chief Rojas addressed the BPCRB.

15. General Discussion and Public Comment. Limited to 3 minutes per speaker. (An opportunity for members of the public to address the BPCRB on matters under their jurisdiction and not on the agenda.)

Chairperson Perezvelez called for Public Comment. The following individuals addressed the BPCRB regarding the BPD Officer-Involved Shooting on January 3, 2018:

Asale Chandler
Iysis Levi
Kalee Jefferson
Nahlea Watkins
Lonnie Monroe

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

Public comment continued with statements from the following individuals:

Afiyah Chambers
Karim Mayfield

A motion to extend the meeting to 6:30 p.m. was made by Mr. W. White and it was seconded by Mr. Loo. The motion passed unanimously.

Public comment continued with statements from the following individual:

Yolanda Banks-Reed

A motion to extend the meeting to 6:45 p.m. was made by Mr. Mensinger and was seconded by Mr. W. White. The motion passed unanimously.

The meeting convened into closed session at 6:26 p.m.

16. Closed Session.

- a. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #17-39. Gov. Code §54957

A motion to extend the meeting to 7:00 p.m. was made by Mr. W. White and seconded by Chairperson Perezvelez. The motion passed with six in favor, one against and one abstention.

- b. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor Case #17-42. Gov. Code §54957
OIPA Case #17-42 will be placed on the agenda for the next BPCRB meeting.

Ms. Garrett exited the meeting at 6:52 p.m.

Mr. Loo exited the meeting at 6:55 p.m.

The BPCRB reconvened in open session at 6:56 p.m.

Chairperson Perezvelez announced the votes taken during the closed session with regard to agenda item #16a. The BPCRB voted separately on the allegations for this case. With regard to allegation #1, the BPCRB voted to accept the finding reached by OIPA with seven votes in favor, zero against and zero abstentions. With regard to allegation #2, the BPCRB voted to accept the finding reached by OIPA with four in favor by Mr. Loo, Chairperson Perezvelez, Mr. Rizk and Mr. Knowles, three against by Mr. W. White, Mr. Mensinger and Mr. Sebahtu and zero abstentions. With regard to allegation #3, the BPCRB voted to accept the finding reached by OIPA with seven in favor, zero against and zero abstentions.

17. Adjournment.

A motion to adjourn the meeting was made by Mr. W. White and it was seconded by Mr. Mensinger. The motion passed unanimously.

The meeting was adjourned at approximately 6:57 p.m.