

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 11, 2017

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held on Monday, December 11, 2017 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, Darren White, Bob Maginnis, Cydia Garrett, Les Mensinger, Aman Sebahtu, David Rizk, and Richard Knowles.

BART Staff: BART Police Department (BPD) Chief Carlos Rojas, BPD Deputy Chief Jeffrey Jennings, BPD Deputy Chief Lance Haight, BPD Deputy Chief Edgardo Alvarez, BPD Officer Stephen Christ, Independent Police Auditor Russell Bloom, and Independent Police Investigator Patrick Caceres.

Others Present: BART Director John McPartland, BART Director Robert Raburn

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, Darren White, Bob Maginnis, 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. Mensinger and seconded by Mr. Loo. The motion passed unanimously.
- 5. 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.)**
No general discussion. No public comment.
- 6. Training and Community Outreach Planning. For Discussion and Action.**
The BPCRB discussed this item.

Mr. Rizk entered the meeting at 4:11 p.m.

Mr. Bloom addressed the BPCRB.

This item will be agendaized for the January 2018 meeting for further discussion and action.

Mr. Sebahtu entered the meeting at 4:27 p.m.

Chief Rojas addressed the BPCRB.

7. Memo to the BART Board of Directors Regarding OIR (consulting firm) Oversight System Evaluation Report. For Discussion and Action.

The BPCRB discussed this item.

Director McPartland addressed the BPCRB.

Director Raburn addressed the BPCRB.

A motion to accept the memo and recommendations chart was made by Mr. Mensinger and seconded by Mr. Knowles. The BPCRB continued to discuss this item.

Mr. Loo made a motion to call the question and it was seconded by Mr. Mensinger. The motion passed with nine in favor, zero against and one abstention.

The BPCRB voted on the original motion to accept the memo and recommendations chart. The motion passed with seven in favor, three against and zero abstentions.

8. Revised BPD Use of Force Policy. For Discussion and Action.

Chief Rojas address the BPCRB and he answered questions from the BPCRB.

Mr. Bloom addressed the BPCRB.

Deputy Chief Haight address the BPCRB.

No action was taken.

9. BPD Proof of Payment Protocol. For Discussion and Action.

Deputy Chief Haight address the BPCRB and he answered questions from the BPCRB.

This item will be agendaized for a future BPCRB meeting.

No action was taken.

10. Online Posting of Agenda Materials. For Discussion and Action.

In the interest of time, this item was skipped and it will be agendaized for the January 2018 meeting.

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

Chief Rojas highlighted that the hiring of BPD Officers is at the top of priority list. He stated that BPD has started joint patrols with the San Francisco Police Department last week, and BPD conducted operations with the El Cerrito Police Department and the Walnut Creek Police Department. BPD made a significant burglary arrest at the MacArthur BART Station in Oakland. Chief Rojas invited the BPCRB to attend the BPD Holiday Celebration and Awards Ceremony on December 12th at 11:00 a.m. at BPD Headquarters. He announced that BPD has moved into their new facilities and invited the BPCRB for a tour. He also mentioned that the annual Shop With A Cop event would take place on December 12th at 5:00 p.m. Chief Rojas also reminded the BPCRB that if they're not already receiving the BPD public crime log emails to sign up. He also invited the BPCRB to do a ride along with BPD Officers.

Chief Rojas answered questions from the BPCRB.

a. BPD Monthly Report for October

The BPD Monthly Report for October 2017 was distributed to the BPCRB.

b. Officer Involved Shooting Update

Chief Rojas provided an update to the Officer Involved Shooting that occurred on November 16, 2017.

c. Rescinded BPD Policies

Chief Rojas discussed the rescinded BPD Policies and he answered questions from the BPCRB.

A motion to extend the meeting to 6:30 p.m. was made by Mr. Knowles and seconded by Mr. Mensinger. The motion passed with nine votes in favor, one against and zero abstention.

12. Independent Police Auditor's report. For Discussion and Action.

a. OIPA Monthly Report for November

Mr. Bloom distributed OIPA Monthly Report for November 2017 and he answered questions from the BPCRB.

b. OIPA Biannual Report

Mr. Bloom presented the final OIPA Biannual Report to the BPCRB. He thanked the BPCRB for their feedback on the draft report and he thanked OIPA Staff for their work on the report.

Point of order on Agenda Item #7.

13. Closed Session.

a. To Consider Public Employee Discipline/Dismissal/Release in OIPA Case #17-29. Govt. Code Section 54957.

A motion to extend the meeting to 6:45 p.m. was made by Mr. Mensinger and seconded by Mr. Maginnis. The motion passed with nine votes in favor, one against and zero abstentions.

The BPCRB reconvened in open session at 6:55 p.m., and Chairperson Perezvelez announced the votes taken during the closed session with regards to Agenda Item #13a. The BPCRB voted to accept the findings reached by OIPA with eight votes in favor, two against and zero abstentions.

14. Adjournment.

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

The meeting was adjourned at approximately 6:56 p.m.