

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

Citizen Review Board  
Minutes of the 40th Meeting  
Monday, August 11, 2014

A regular meeting of the Citizen Review Board (CRB) was held on Monday, August 11, 2014, convening at 4:00 p.m. in the BART Board Room, 344 20<sup>th</sup> Street, Oakland, California.

Members Present: Chairperson Sharon Kidd, Vice-Chairperson Les Mensinger, William White, Benjamin Douglas, George Perezvelez, Ken Jones, Sukari Beshears, Cydia Garrett, Les Mensinger and Darren White

Member Absent: Douglas Hambleton

BART Staff: BART Police Department (BPD) Chief Kenton Rainey, BPD Deputy Chief Janeith Glenn-Davis, BPD Lieutenant Lance Haight, District Secretary Ken Duron, Independent Police Auditor Mark P. Smith, and Senior Administrative Analyst Anita Grayson

Others Present: BART Director Robert Raburn

Agenda items discussed:

1. **Call to Order.**  
The regular meeting was called to order at 4:05 p.m. by Ms. Kidd.
2. **Call for Quorum.**  
Sharon Kidd, William White, George Perezvelez, Cydia Garrett, Ken Jones, Benjamin Douglas and Les Mensinger were present, amounting to a quorum.
3. **Pledge of Allegiance Recital.**  
The pledge of allegiance was recited.
4. **Public Comment on Items 5 through 12 Only.**  
No public comment.
5. **Approval of Minutes of Prior Board Meeting. For Discussion and Action. (Agenda Item #6)**  
A motion to approve the minutes of the previous board meeting was made by Mr. Perezvelez and seconded by Mr. Mensinger. The motion passed unanimously.

6. **Chairperson’s Report. For Discussion and Action. (Agenda Item #7)**  
a. **Peace Officers Research Association of California Article on Body-Worn Cameras**

Ms. Kidd introduced an article regarding body-worn cameras.

Ms. Kidd informed the CRB of an upcoming meeting with California State Assemblyman Tom Ammiano. Ms. Kidd also shared information about the recent National Night Out event.

No action taken.

7. **Chief of Police’s Report. For Discussion and Action. (Agenda Item #8)**

Chief Rainey spoke about BPD participation in National Night Out, addressed BPD actions being taken with regard to individuals sleeping or lying in BART stations, and mentioned his attendance at a conference of the National Alliance on Mental Illness. He discussed progress on items in the NOBLE Matrix, talked about obtaining accreditation from CALEA, and discussed the BPD Explorer program. Chief Rainey answered questions from the CRB.

a. **Center for Policing Equity Report on Police-Initiated Stops for Fare Evasion in the BART System**

Chief Rainey discussed the Center for Policing Equity’s report as well as next steps for further reporting in the future. He answered questions from the CRB.

Chief Rainey presented a Certificate of Recognition to Ms. Kidd and Mr. Mensinger for their outstanding performance in assisting BPD.

Ms. Beshears and Mr. Darren White entered the meeting.

No action taken.

8. **Swearing-In of District 4 CRB Member. (Agenda Item #5)**

Mr. Darren White was officially sworn in by Mr. Duron.

9. **Establishment of a Process to Allocate Funding of Citizen Review Board Members’ Attendance at the Annual Conference of the National Association for the Civilian Oversight of Law Enforcement. For Discussion and Action.**

Mr. Smith first informed the CRB members of their legal requirement to complete ethics training, and the CRB members chose to complete such training individually as opposed to at a CRB meeting.

Mr. Smith next presented a motion adopted by the BART Board of Directors addressing the establishment of a process to allocate funding for CRB members’ attendance at the annual conference of NACOLE.

Mr. Perezvelez exited the meeting.

A motion to select the CRB members who will receive funding for their attendance at NACOLE via a majority vote of the CRB was made by Mr. Douglas and seconded by Mr. William White. The motion passed unanimously.

A motion to select Ms. Kidd and Mr. Mensinger as the designated CRB members who will receive funding for their attendance at the 2014 NACOLE Conference was made by Mr. Douglas and seconded by Mr. William White. The motion passed unanimously.

**10. Review of Draft 2014 Quarter 2 Citizen Review Board Report to the BART Board of Directors. For Discussion and Action.**

Director Raburn and Mr. Douglas suggested spelling corrections to the report.

A motion to accept the draft with the stated revisions was made by Mr. Mensinger and seconded by Mr. Jones. The motion passed unanimously.

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

**a. OIPA's Monthly Report**

Mr. Smith presented OIPA's Monthly Report and answered questions from the CRB.

Mr. Smith invited CRB participation at upcoming community outreach events with the Koreatown/Northgate Community Benefit District and the Rockridge Neighborhood Crime Prevention Council.

No action taken.

At 5:05 p.m., the CRB convened in closed session to address the next agenda item.

**12. Closed Session.**

**a. To Consider Public Employee Discipline/Dismissal/Release in OIPA Case #13-81.**

**Govt. Code §54957**

The CRB reconvened in open session at approximately 5:40 p.m. Ms. Kidd reported that, during closed session, a motion to accept the findings of OIPA in Case #13-81 was made by Mr. Douglas and seconded by Mr. William White. The motion passed with 7 votes in favor and 1 vote against.

A motion to inform Chief Rainey that a BART employee who was a witness in OIPA Case #13-81 should be considered for a commendation was made by Mr. Douglas and seconded by Mr. Mensinger. The motion failed with 3 votes in favor, 3 votes against, and 2 abstentions.

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

No public comment.

**14. Adjournment.**

A motion to adjourn the meeting was made by Ms. Beshears and seconded by Mr. Mensinger. The motion passed unanimously. The meeting was adjourned at approximately 5:48 p.m.