

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

Citizen Review Board
Minutes of the 22nd Meeting
Monday, February 11, 2013

A regular meeting of the Citizen Review Board (CRB) was held on Monday, February 11, 2013, convening at 5:00p.m. in the BART Board Room, 344 20th Street, Oakland, California.

Members Present: Sharon Kidd, Douglas Hambleton, Benjamin Douglas, Ken Jones, William White, George Perezvelez, Peter Barnett, Sukari Beshears and Thomas Minshew

Members Absent: Les Mensinger

BART Staff: Independent Police Auditor Mark P. Smith, Independent Police Investigator Kobia West, Independent Police Senior Administrative Analyst Anita Grayson, BART Police Deputy Chiefs Janeith Glenn-Davis and Daniel Hartwig, BART Police Lieutenant Lance Haight, BART Community Service Officer Crystal Raine, Crisis Intervention Training Consultant for BART Police Armando Sandoval, BART Police Chaplain Pastor Jasper Lowery, BART Police Administrative Analyst Frances Cheung and Interim Department Manager of Government and Community Relations Roddrick Lee

Others Present: BART Director Robert Raburn

Agenda Items discussed:

- 1. Call to Order.**
The regular meeting was called to order at 5:03p.m. by Mr. Douglas, Board Chairperson.
- 2. Call for Quorum.**
Sharon Kidd, Douglas Hambleton, Benjamin Douglas, Ken Jones, George Perezvelez, Sukari Beshears, Thomas Minshew and Peter Barnett were present, amounting to a quorum.
- 3. Pledge of Allegiance Recital.**
The pledge of allegiance was recited.
- 4. Public Comment Items 5 through 9 Only.**
There were no public comments.

5. Approval of Minutes of Prior Board Meeting. For Discussion and Action.
Ms. Kidd made a motion to approve the minutes of the previous board meeting. The motion was seconded by Ms. Beshears. Mr. Douglas proposed a friendly amendment to add the clarifying words “No action taken” to items in the minutes whenever applicable. The motion passed unanimously.

6. Independent Police Auditor Report. For Discussion and Action.
Mr. Smith addressed the CRB and thanked them for their assistance and participation with regard to the recent OIPA/CRB Community Forum.

Mr. White joined the meeting at 5:07 p.m.

Mr. Smith postponed the presentation of the OIPA Monthly Report so that additional copies of the report could be made first. *(See Item # 7).*

Deputy Chief Glenn-Davis presented a part of the Chief of Police Report and recognized BART Station Agent Leandre Williams and BART Foreworker Richard Lazzaro for assisting in the response to a crime in the BART system. *(See Item #9).*

No action taken.

7. Training Presentation on the Definitions of Investigative Findings Produced by the Office of the Independent Police Auditor. For Discussion and Action.
BART Investigator Kobia West presented his definitions of investigative findings. Mr. West and Lieutenant Haight responded to questions from the CRB during the presentation.

Mr. Smith returned to Item #6, presenting the OIPA Monthly Report and responding to questions.

No action taken.

8. Inclusion of Office of the Independent Police Auditor’s Case Numbers on CRB Agendas for Cases to be Considered in Closed Session. For Discussion and Action.

Mr. Barnett introduced the matter and indicated that he was satisfied with no further action.

No action taken.

Mr. Douglas called for a 3 minute recess at 6:04 p.m. The meeting was reconvened at 6:08 p.m.

9. Chief of Police Report and Presentation on Legislation (AB 716) that Authorizes BART to Issue Prohibition Orders for Specified Infractions. For Discussion and Action.

Deputy Chief Hartwig, Mr. Lee, Mr. Sandoval, and CSO Raine discussed AB 716 and responded to questions from the CRB.

Two members of the public addressed the presenters of this item. The first speaker questioned the potential risk of increased racial profiling under the authority of AB 716 and asked about individuals who rely on transit. The second speaker raised concern over the profiling of mentally ill individuals by officers who seek to issue prohibition orders under the authority of AB 716, as well as the lack of due process for such individuals.

A motion to extend the CRB meeting by 30 minutes was made by Mr. Hambleton and seconded by Ms. Kidd. The motion passed unanimously.

No action taken.

10. General Discussion and Public Comment. Limited to 3 Minutes per Speaker.

Pastor Lowery introduced himself and spoke about his role in assisting the implementation of AB 716.

11. Adjournment.

A motion to adjourn the meeting was made by Ms. Kidd and seconded by Mr. Hambleton. The motion passed unanimously and the meeting was adjourned at 7:16p.m.