SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

300 Lakeside Drive, P.O. Box 12688, Oakland, CA 94604-2688

BART Police Citizen Review Board Meeting Minutes Monday, November 16, 2020

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held Monday, November 16, 2020, convening at 4:04 p.m. via teleconference, pursuant to Governor Gavin Newsom's Executive Order N-29-20 and the California Shelter-in-Place mandate. The meeting was called to order by Chairperson David Rizk; Mag Tatum, Recording Secretary.

Chairperson Rizk gave instructions on the virtual meeting, accessing presentation materials online, Public Comment, and Members' remarks.

1. Call to Order.

The regular meeting was convened at 4:04 p.m. by Vice Chairperson Armstrong.

Members Present:	Members Erin Armstrong, Zachary Bruno, Todd Davis, Kenneth Loo, Les Mensinger, George Perezvelez, Darren White, William White, and David Rizk.
Absent:	Members Christina Gomez and Pete Longmire.

The Pledge of Allegiance was recited.

2. Approval of Minutes of the Meeting of October 19, 2020.

Member Armstrong moved that the Minutes of the Meeting of October 19, 2020 be approved. Member Rizk seconded the motion, which carried by a unanimous roll call vote. Ayes -7: Members Armstrong, Bruno, Davis, Perezvelez, D. White and W. White and Rizk. Noes -0. Abstain -1: Member Loo. Absent -3: Members Gomez, Longmire, and Mensinger.

3. Chief of Police's Reports.

a. BPD Monthly Reports for September 2020.

Chief of Police Ed Alvarez presented the BPD Monthly Reports for September 2020. The reports were discussed.

Les Mensinger entered the meeting.

 Use of Force Annual Report – 2019 (continued from the October 19, 2020 meeting). Deputy Chief Lance Haight presented the Use of Force Annual Report 2019. The report was discussed. 5. Update on BART Police Model Enhancements (continued from the October 19, 2020 meeting).

Chairperson Rizk gave an Update on BART Police Model Enhancements. The report was discussed.

- 6. Independent Police Auditor's Report.
 - a. Office of the Independent Police Auditor (OIPA) Monthly Report for October 2020.

Independent Police Auditor Russell Bloom presented the OIPA Monthly Report. The report was discussed.

- 7. **Policy Standing Committee Updates.** (continued from the September 14, 2020 meeting). Chairperson Rizk gave a presentation on the Policy Standing Committee Updates on the following Polices:
 - 1. Lexipol Policy 300 Use of Force
 - 2. Lexipol Policy 306 Handcuffing and Restraints
 - 3. Lexipol Policy 310 Officer-Involved Shootings and Deaths
 - 4. Lexipol Policy 312 Firearms
 - 5. Lexipol Policy 314 Vehicle Pursuits
 - 6. Lexipol Policy 332 Missing Persons
 - 7. Lexipol Policy 334 Public Alerts
 - 8. Lexipol Policy 380 Child and Dependent Adult Safety
 - 9. Lexipol Policy 448 Mobile Data Computer Use
 - 10. Lexipol Policy 521 Parking Enforcement
 - 11. Lexipol Policy 602 Sexual Assault Investigation (Member Perezvelez's Request)
 - 12. Lexipol Policy 710 Cash Handling, Security and Management (Member Perezvelez's Request)
 - 13. Lexipol Policy 1010 Employee Convictions
 - 14. Lexipol Policy 1020 Personnel Complaints (Member Perezvelez's Request)
 - 15. Lexipol Policy 1044 Personal Appearance Standards
 - 16. Lexipol Policy 1054 Temporary Modified-Duty Assignments

Chairperson Rizk moved that the Policy Standing Committee Updates (total of sixteen Policies) be approved. Member Mensinger seconded the motion, which carried by a unanimous roll call vote. Ayes -9: Members Armstrong, Bruno, Davis, Loo, Mensinger, Perezvelez, D. White, W. White, and Rizk. Noes -0. Abstain -0. Absent -2: Members Gomez and Longmire.

8. Senate Bill 230 (Caballero), Law Enforcement: Use of Deadly Force, Training Policies (Member Perezvelez's Request).

The item will be continued to the next meeting.

9. Public Comment.

Chairperson Rizk called for Public Comment. No Public Comments were received.

Chairperson Rizk announced that the Board would enter closed session under Item 10-A Public Employee Discipline/Dismissal/Release in OIPA Cases #19-46 and #19-52 of the regular meeting agenda, and that the Board would reconvene in open session at the conclusion of the closed session.

The Meeting recessed at 4:50 p.m.

The Meeting reconvened in Closed Session at 4:50 p.m.

10. Closed Session.

a. To reconsider Public Employee Discipline/Dismissal/Release in OIPA Cases #19-46 and #19-52 Govt. Code §54957.

Members Present:	Members Erin Armstrong, Zachary Bruno, Todd Davis, Kenneth Loo, Les Mensinger, George Perezvelez, Darren White, William White, and David Rizk.
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Absent:

Members Christina Gomez and Pete Longmire.

Adjournment.

The Meeting reconvened in Open Session at 5:10 p.m.

Chairperson Rizk announced that the Board voted unanimously to accept the findings in OIPA Case #19-46 and Case# 19-52.

The Meeting adjourned at 5:15 p.m.