

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

MEMORANDUM

TO: Board of Directors **DATE:** February 20, 2026
FROM: District Secretary
SUBJECT: Appointment of BART Police Civilian Review Board (BPCRB) Member – District 3

Staff is requesting the BART Board to authorize the appointment of a member to the BPCRB Advisory Committee from District 3. As a reminder, the mission of the BPCRB is to increase the public's confidence in BART's policing services by doing the following:

- Reviewing, recommending and monitoring the implementation of changes to police policies, procedures, and practices.
- Receiving citizen allegations of on-duty police misconduct.
- Advising Board of Directors, General Manager, Independent Police Auditor, and Police Chief.
- Participating in recommending appropriate disciplinary action.
- Meeting periodically with representatives of the BART Police associations.
- Participating in community outreach.

In the governing document for the committee, Chapter 2-05 of the *San Francisco Bay Area Rapid Transit District Civilian Oversight Model* states that vacancies in a seat representing one of the nine BART Districts shall be recommended by that Director to the full BART Board for consideration for the unexpired portion of the term. District 3 Director Ghosh is recommending Eliana Machefsky to fill the vacancy that currently exists for the District 3 seat. Information about Eliana Machefsky is attached to this memorandum.

If ratified, Eliana Machefsky would be appointed to complete the current term of service for this seat, which expires on June 30, 2026. After that, she would be eligible for reappointment by the Board for a full two-year term.

Please let me know if you have any questions or would like additional information.

DRAFT MOTION:

The Board of Directors appoints Eliana Machefsky as the District 3 representative on the BART Police Civilian Review Board for the current term expiring on June 30, 2026.



Bob Franklin
District Secretary



APPLICATION FOR APPOINTMENT TO THE BART POLICE CITIZEN REVIEW BOARD

The BART Board of Directors established the BART Police Citizen Review Board (BPCRB) to increase visibility for the public into the delivery of BART Police services, to provide community participation in the review and establishment of BART Police Department policies, procedures, practices and initiatives, and to receive citizen complaints and allegations of misconduct by BART Police Department (BPD) employees. The BPCRB is an advisory committee that reports to the BART Board of Directors. Meetings are generally held once per month, and service on the BPCRB is voluntary.

BPCRB Committee Public Member Requirements

As a volunteer member of this board you will:

- Receive citizen allegations of on-duty police misconduct
- Participate in recommending appropriate disciplinary action
- Advise Board of Directors, Independent Police Auditor and Police Chief
- Review, recommend and monitor implementation of changes to police policies, procedures & practices
- Meet periodically with representatives of the BART Police associations
- Participate in community outreach
- **Terms of Service:** All appointments or re-appointments to the BART Police Citizen Review Board shall be for two-year terms.

All BPCRB members must reside in one of the following counties: Alameda, Contra Costa, San Francisco, or San Mateo. BPCRB members must be fair-minded and objective with a demonstrated commitment to community service. No person currently employed in a law enforcement capacity, either sworn or non-sworn, shall be eligible for appointment to the BPCRB. No current or former or relative of BART Police Department personnel may serve on the BPCRB. Appointees to the BPCRB are subject to a background check and must not have any felony convictions. Members serving on the BPCRB are not required to be U.S. citizens.

The BPCRB Committee is a legislative body for the purposes of the Brown Act. Accordingly, committee meetings are open public meetings subject to the noticing and meeting requirements under this law except in those proceedings where a closed session may be appropriate and required.

It is important that you complete all parts of the application. If your application is incomplete or does not clearly show the experience and/or training required, your application may not be accepted.

The application process will include two phases:

PHASE 1 – Application and Recommendation Review

All applications will be reviewed for all Membership Representation requirements and qualifications, letters of recommendation, resume, and any supplemental documents.

PHASE 2 – BART Board of Directors Appointment

Selected candidates will be invited to appear before the Board of Directors to briefly explain their interest in serving on the committee, followed by a Board vote.

Personal Information

First Name: Eliana Last Name: Machefsky

Home/Mailing Address: [REDACTED] City: [REDACTED] Zip: [REDACTED]

Daytime Phone: [REDACTED] Alternate Phone: _____

Email: [REDACTED]

Occupation/Profession: Attorney

General Information/Qualifications

In what county do you reside? Alameda

Are you currently employed in a law enforcement capacity, either sworn or non-sworn?
 Yes No

Are you a current or former BPD employee? Yes No

Are you a relative¹ of a current or former BPD employee? Yes No

Have you ever been convicted of a felony? Yes No

References: Please provide the names and contact information of three (3) references who are qualified to discuss your candidacy for service on the BPCRB:

Name: Lauren Bonds

Address: [REDACTED] Phone: [REDACTED]
[REDACTED]

Name: Arielle Tonkin

Address: [REDACTED] Phone: [REDACTED]
[REDACTED]

Name: Katya Gerwein

Address: [REDACTED] Phone: [REDACTED]
[REDACTED]

List any of [REDACTED] organizations or groups that you belong to or are involved with that you believe bear relevance to your candidacy for service on the BPCRB:

I am a staff attorney at the National Police Accountability Project

¹Relatives include spouse, domestic partner, child, parent, brother, sister, grandparent, step-parent, step-child, legal guardian, father-in-law and mother-in-law.

ELIANA Y. MACHEFSKY

EDUCATION

University of California, Berkeley, School of Law **Berkeley, CA**
J.D., certificates in Race & Law and Public Interest & Social Justice May 2021

Activities: *California Law Review*, Articles Editor; *Berkeley Journal of African-American Law & Policy*, Articles Editor; Research Assistant to Professor Russell Robinson; Restorative Justice Committee; National Lawyers Guild

Honors: Prosser Prize in Constitutional Law; 2020 Justice John Paul Stevens Public Interest Fellow; Pro Bono Honors

Publications: *The California Act to Save [Black] Lives? Race, Policing, and the Interest Convergence Dilemma in the State of California*, 109 Cal. L. Rev. 1959 (2021).

University of Pennsylvania **Pennsylvania, PA**
B.A., *Political Science*; *minor in Anthropology* May 2014

Honors: *summa cum laude*; Distinction in Political Science

Memberships: Sphinx Senior Honor Society, Pi Sigma Alpha Political Science Honor Society

EXPERIENCE

National Police Accountability Project **Berkeley, CA**
Staff Attorney September 2024 – Present
Legal Fellow September 2021 – September 2024

Represent plaintiffs in complex civil rights cases alleging excessive force and unconstitutional conditions of confinement. Conduct in-depth pre-filing case investigations, including public records requests and legal research to evaluate and develop claims. Draft motions across all stages of litigation, including motions to dismiss, motions for summary judgment, and evidentiary motions. Draft and respond to written discovery requests, review produced discovery, and conduct depositions. Co-author appellate briefs and amicus briefs in federal courts of appeal. Support legislative efforts to advance police accountability measures in various states across the country by conducting research and providing relevant testimony in state legislative hearings.

U.S. Court of Appeals for the Ninth Circuit **San Francisco, CA**
Judicial Extern for the Honorable Marsha S. Berzon August 2020 – December 2020

Wrote bench memoranda and compiled bench books for oral argument. Drafted memoranda dispositions. Participated in chambers meetings with the Judge three times weekly. Cite-checked opinions and memoranda dispositions.

ACLU Criminal Law Reform Project **New York, NY**
Legal Intern June 2020 – August 2020

Conducted legal research and drafted memoranda on issues ranging from policing reform to COVID-19 habeas corpus petitions and § 1983 claims brought by detainees in state prison. Monitored videos from Galveston County to ensure compliance with federal court order to provide defense counsel at bail hearings.

East Bay Community Law Center: Youth Defender Clinic **Berkeley, CA**
Certified Law Student Intern August 2019 – November 2019

Represented juvenile clients in Alameda County Juvenile Court. Conducted legal research on the constitutionality of GPS monitoring as a condition of juvenile probation. Wrote motion to seal felony juvenile records of an adult client.

San Francisco Public Defender's Office **San Francisco, CA**
Legal Intern May 2019 – August 2019

Drafted a range of pre-trial motions, including motions for bail, to suppress evidence, to dismiss informations, and to reduce felonies to misdemeanors. Conducted in-custody client visits and helped prepare them for in-court testimony. Developed materials for use in preliminary hearings and trial. Assisted a felony attorney in trial from voir dire to closing argument.

New Settlement Parent Action Committee **Bronx, NY**
Community Organizer September 2015 – July 2018

Led grassroots campaign to reduce in-school arrests and other punitive discipline practices in New York City public schools. Planned and facilitated monthly meetings between community members and officials in the NYC Department of Education and NYPD School Safety Division. Grew membership through canvassing, door-knocking, and home visits. Developed member leadership through trainings on restorative justice, campaign development, and political education.