

To: BART Board of Directors

From : Current Chair Dana Lang (2025–2026)

Former Chair George Perezvelez (2023–2025)

Date : November 24th, 2025

Subject: Proposed New Bylaws: BPCRB Training Requirements, BPCRB Funding Request/Allocation/Disbursement, and Closed Session Duties & Responsibilities (Dissenting Memo)

Dear Members of the BART Board of Directors:

On behalf of the BART Police Civilian Review Board (BPCRB), we respectfully submit for your consideration three proposed bylaw additions designed to strengthen the Board's training standards, fiscal transparency, and procedural clarity during closed session deliberations. Together, these bylaws enhance oversight quality, reinforce accountability, and improve the Board's internal governance processes.

Below are the three proposed bylaws:

1. Proposed Bylaw: BPCRB Training Requirements

In order to ensure consistent training, subject-matter expertise, and increased institutional legitimacy, the BPCRB shall establish **mandatory onboarding and annual training requirements** for all Board members.

A. Initial Training (Within Six Months of Appointment)

Each member shall complete mandatory training in:

- Principles of civilian oversight
- Quasi-judicial duties and obligations of the Board, including the Brown Act
- Public Safety Officers Procedural Bill of Rights Act (POBRA)
- BART Police Department (BPD) operations, policies, practices, and procedures
- Ride-alongs, and tours of BART stations and BPD headquarters

B. Annual Training Requirements

Each fiscal year, the BPCRB shall schedule training on:

- OIPA investigations and complaint process

- BPD Internal Affairs investigation and complaint process
- BPD Crisis Intervention Training (CIT)
- BPD Use of Force training and investigation procedures
- Ride-alongs

C. Additional Training Authority

- The BPCRB may place additional training topics on the agenda as appropriate.
 - The BPCRB may engage outside contractors for specialized training.
 - All scheduled training must be completed within the same fiscal year.
 - Collaboration is required with the DSO, BART Police Department, and OIPA.
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2. Proposed Bylaw: BPCRB Funding Request, Allocation, and Disbursement:

To enhance transparency and fiscal accountability, the BPCRB shall implement a structured, public-facing annual process aligned with the District's fiscal year.

A. Annual Funding Request

- The BPCRB shall agendize a public discussion and action item regarding funding needs for the upcoming fiscal year.
- Upon approval, the Chair will send the BART Board a formal letter detailing:
 - Proposed funding levels
 - Justification for changes from the prior year
 - A breakdown of prior fiscal year expenditures and disbursements

B. Allocation and Disbursement Plan

After funding approval:

- The BPCRB will agendize a detailed plan for allocation and disbursement.
- The plan will include funding for:
 - NACOLE annual conference
 - Training programs
 - Community outreach
- If expenditures fall below the approved budget, the BPCRB may agendize reallocation before fiscal year end.

C. Collaboration and Fiscal Oversight

- The BPCRB will work closely with the DSO on expenditure planning and disbursement processes.
 - The BPCRB will exercise fiduciary responsibility in all funding matters.
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3. Proposed Bylaw: Closed Session – Duties and Responsibilities (Dissenting Memo)

To provide clarity, procedural fairness, and a structured method for expressing minority positions during closed session votes, the BPCRB proposes the following addition to Article VII:

Closed Session – Dissenting Memo Procedures

A. Eligibility and Purpose

A CRB member who votes in the minority regarding acceptance or non-acceptance of OIPA Findings and Recommendations may submit a **Dissenting Memo** explaining the basis of their dissent.

B. Notice During Closed Session

- At the time of the vote, dissenting members must state whether they intend to submit a memo.
- The CRB Chair shall notify the Chief of Police of the forthcoming memo immediately after the closed session.

C. Preparation of the Memo

- Each dissenting member may prepare an individual memo, or multiple dissenting members may collaborate on a joint memo.
- All memos shall be designated **confidential** and shall not be released to the public.

D. Distribution Timeline

- Within **7 calendar days** of the vote, the memo shall be distributed to:
 - Chief of Police
 - Independent Police Auditor
 - All CRB members
- If the CRB majority appeals the OIPA Findings and Recommendations, the CRB Chair shall additionally distribute the dissenting memo to the **General Manager**.

E. Use of the Memo

- The Chief of Police or the General Manager may consider the memo when determining possible actions regarding the involved BART Police Department employee.

F. Clarifications

- If clarification is needed, dissenting member(s) shall make themselves available to respond to questions from the Chief of Police or General Manager.

Conclusion

These proposed bylaws collectively strengthen the BPCRB's operational capacity, transparency, and procedural fairness. They reinforce the Board's commitment to principled and effective civilian oversight while ensuring alignment with the District's governance and accountability frameworks.

We respectfully request the BART Board of Directors' review and adoption of these proposed bylaw additions.

Thank you for your continued support of independent oversight.

Sincerely,

Current Chair Dana Lang (2025–2026)
Former Chair George Perezvelez (2023–2025)
BART Police Civilian Review Board (BPCRB)