

San Francisco Bay Area Rapid Transit District

2150 Webster Street, P. O. Box 12688, Oakland, CA 94604-2688



COMMITTEE MEETING AGENDA

Monday, March 10, 2025

4:00 PM

**This Meeting will be held in-person, via simultaneous
teleconference, with an option for public participation via
teleconference.**

**BART Board Room, 2150 Webster Street, 1st Floor, Oakland, CA
94612. Zoom Link: <https://us06web.zoom.us/j/85179518861>**

BART Police Civilian Review Board

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
2150 Webster Street, P.O. Box 12688, Oakland, CA 94604-2688

NOTICE OF MEETING AND AGENDA
BART POLICE CIVILIAN REVIEW BOARD

March 10, 2025

4:00 p.m.

A regular meeting of the BART Police Civilian Review Board (BPCRB) will be held on Monday, March 10, 2025, at 4:00 p.m., in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612. This meeting shall consist of a simultaneous teleconference at the following locations:

BART Board Room
2150 Webster Street, 1st Floor
Oakland, CA 94612

The Warner Library
Reserved Room
(See Librarian for Room Location)
121 North Broadway
Tarrytown, NY 10591

Please note that this meeting will be held in person in the BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612, and via teleconference at the locations listed above.

Please refrain from wearing scented products (perfume, cologne, after-shave, etc.) to these meetings, as there may be people in attendance susceptible to environmental illnesses.

Presentation materials will be available at least 72 hours prior to the BPCRB Meeting at <https://bart.legistar.com/Calendar.aspx> (click on "Agenda").

You may attend the BPCRB Meeting in person or join via Zoom by calling (833) 548-0282 (Toll Free) and entering access code 851 7951 8861; logging in to Zoom.com and entering access code 851 7951 8861; or typing the following Zoom link into your web browser:

<https://us06web.zoom.us/j/85179518861>

If you wish to make a public comment:

1) Submit written comments via email to BPCRB@bart.gov, using "public comment" as the subject line. Your comment will be provided to the BPCRB and will become a permanent part of the file. Please submit your comments as far in advance as possible. Emailed comments must be

received before 9:00 a.m., on March 10, 2025, in order to be included in the record.

2) Complete a “Request to Address the BART Police Civilian Review Board” form (available at the entrance to the Board Room) and give it to the District Secretary’s Office staff before the Item is considered by the BPCRB.

3) Call (833) 548-0282 (Toll Free), enter access code 851 7951 8861, dial *9 to raise your hand when you wish to speak, and dial *6 to unmute when you are requested to speak; log in to Zoom.com, enter access code 851 7951 8861, and use the raise hand feature; or join the BPCRB Meeting via the Zoom link (<https://us06web.zoom.us/j/85179518861>) and use the raise hand feature.

Public comment is limited to three (3) minutes per person.

AGENDA

1. Call to Order.
 - a. Roll Call.
 - b. Pledge of Allegiance.

2. [25-051](#) Approval of Minutes of the Meeting of February 10, 2025. For Action.

3. Public Comment. (Limited to 3 minutes per speaker). (An opportunity for members of the public to address the BPCRB on matters under their jurisdiction and not on the agenda).

(Continued from the BPCRB Meeting, on February 10, 2025)

4. [24-210](#) Review of Draft Language and Definitions for BART Police Department's Lexipol Policy 300 - Use of Force (Chair Perezvelez's Request).
For Action.

5. [25-052](#) Chief of Police's Report(s). For Discussion.

- a. 2023 Use of Force Annual Report.
- b. Lexipol Policy Updates from the BART Police Department to the BPCRB - January 2025:

- **Policy 309 Conducted Energy Device:** Updated Language Based on Updated Case Law, Removed Physically Resisting, and Replaced with Combative.
- **Policy 310 Officer-Involved Shootings and Deaths:** Updated Language to Reporting, Removed Citation, and Criminal Investigation Section Change District Attorney's Office Responsibility From Criminal Investigation to Criminal Charging. Updated Matrix in 310.4.4.
- **Policy 312 Firearms:** Updated to Accept the Department of Justice Accreditation Standards and Amended Language to Warning and Other Warning Shots.
- **Policy 320 Domestic Violence:** Updated to Accept Legislative Action Impacts from Assembly Bill (AB) 2907 - Firearms Checks and Confiscations and CA POST Language for Lethality Assessment.
- **Policy 324 Temporary Custody of Juveniles:** Updated to Accept Legislative Action Impacts from Assembly Bill (AB) 2531 - Added Subsection in Suicide and Added Clarifying Language to Death Report.
- **Policy 326 Senior and Disability Victimization:** Updated to Accept Legislative Action Impacts of Assembly Bill (AB) 2907 - Removal of Gender Pronouns.
- **Policy 334 Public Alerts:** Updated to Accepted Legislative Action Impacts from Assembly Bill (AB) 1863 and AB 2348.
- **Policy 338 Hate Crimes:** Updated to Accept Legislative Action Impacts from Assemble Bill (AB) 2621- Expanded List of Communities that may be Targeted for Hate Crimes and Update New Training Requirements.
- **Policy 360 Death Investigation:** Updated to

Accept Legislative Action Impacts from Senate Bill (SB) 989 - clarifying Language and Investigative Steps for Suspected Homicide.

- **Policy 389 Gun Violence Restraining Orders:**
Updated to Accept Legislative Action Impacts of Assembly Bill (AB) 2621- Include Responsibility of Developing and Maintaining Procedures, Renaming Sections, and References.
- **Policy 810 Records Maintenance and Release:**
Updated to Accept Legislative Action Impacts of Assembly Bill (AB) 1877 - Amended and Added Law Regarding Sealed Juvenile Records.
- **Policy 900 Temporary Custody of Adults:**
Updated to Accept Legislative Action Impacts of Assembly Bill (AB) 3092 and Assembly Bill (AB) 253.
- **Policy 1014 Sick Leave:** Updated to Accept Legislative Action Impacts of Assembly Bill (AB) 2499 - Revised Government Code 12945.8.
- **Policy 1026 Personnel Records:** Updated to Accept Legislative Action Impacts from Senate Bill (SB) 400 - Release Termination Information and Capitalization Correction.

c. Lexipol Policy Updates from the BART Police Department to the BPCRB - February 2025:

- **Policy 502 Traffic Collision Involving Police Personnel:**
Updated Testing Requirements Consistent with District Policy.
- **Policy 704 Vehicle Maintenance:**
Updated to Remove Shotguns No Longer Being Used on Patrol.
- **Policy 804 Property and Evidence:** Updated to Accept Legislative Action Impacts Related to Assembly Bill (AB) 2907 Release of Firearms in Domestic Violence Matters, Assembly Bill (AB) 2621 Release of Firearms in Gun Violence Restraining Order Matters, Senate Bill (SB) 1025 Release of Firearms and Weapons in Mental Illness Matters, Assembly Bill (AB) 2739 Exception Dispositions, and Senate Bill (SB) 1019 Destruction of Firearms and Other Weapons; Unrelated to Legislative Updates - Updated Property Handling and Booking Procedures for Exceptional Handling.

6. [25-053](#) Office of the Independent Police Auditor's (OIPA) Report(s). For Discussion.
- a. Office of the Independent Police Auditor (OIPA) Monthly Report(s) for January 2025.
 - b. BPCRB Training by OIPA: OIPA Investigative Procedures and Internal Affairs Auditing Processes.

7. Closed Session.

a. To Consider Public Employee Discipline/Dismissal/Release in the Office of the Independent Police Auditor (OIPA) Case #24-22 and Case #24-27. Govt. Code §54957.

8. Open Session.

a. Announcement from Closed Session, if any.

9. Adjournment.

BART provides services/accommodations upon request to persons with disabilities and individuals who are limited English proficient and wish to address Board/Committee matters. A request must be made within one and five days in advance of Board/Committee meetings, depending on the service requested. Please contact the Office of the District Secretary at (510) 464-6083 for information.

Pursuant to Govt. Code §54953.5, the audio recording of the open session portions of this public meeting shall be subject to inspection pursuant to the California Public Records Act (CPRA). Requests for information under the CPRA should be filed with the BART Office of the District Secretary.