

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**  
2150 Webster Street, P.O. Box 12688, Oakland, CA 94604-2688  
**BART Police Citizen Review Board Meeting Minutes**  
**Monday, August 14, 2023**

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held Monday, August 14, 2023, convening at 4:07 p.m. in the following locations: BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612; and the SharkEye Tech, 832 Escobar Street, Martinez, CA 94553; and the Warner Library, 121 North Broadway, Tarrytown, New York, 10591. The meeting was called to order by Chairperson Erin Armstrong; Mag Tatum, Recording Secretary.

Chairperson Erin Armstrong gave instructions on the in-person meeting, with an option for public participation via teleconference, accessing the presentation materials online, Public comments, and Members' remarks.

**1. Call to Order.**

The regular meeting was convened at 4:07 p.m. by Chairperson Erin Armstrong.

Members Present in Oakland, CA:                      Members Dana Lang, George Perezvelez,  
David Rizk, Gabriel Rodriques, Sonja Shephard  
and Erin Armstrong.

Member Present in Martinez, CA:                      Member Pedro Babiak (via Teleconference).

Member Present in Tarrytown, NY:                      Member William White (via Teleconference).

Absent:    Member Todd Davis.

The Pledge of Allegiance was recited.

Member Dana Lang entered the meeting.

**1c. Introduction of New BPCRB Member, Sonja Shephard, and Oath of Office.**

Newly appointed BPCRB Member Sonja Shephard for District 2 was newly sworn in by April Quintanilla, District Secretary, and she provided remarks.

Director Mark Foley addressed the Board.

**2. Approval of Minutes of the Meeting of July 10, 2023.**

Member Lang moved that the Minutes of the Meeting of July 10, 2023, be approved. Member Perezvelez seconded the motion, which was carried by a roll call vote. Ayes – 4: Members Lang, Perezvelez, Rodriques, and Armstrong. Noes – 0. Abstain – 3: Babiak, Rizk, and Shephard. Absent – 2: Member Davis and White. Vacant – 2.

### **3. Annual Election of BPCRB Officers.**

Chairperson Armstrong brought the matter of Election of BPCRB Officers before the BPCRB and opened the floor for nominations for Chair. Member Rodriques nominated Member Perezvelez for Chair of the BART Police Citizen Review Board (BPCRB) for the term 2023-2024. Nominations were closed. Member Rodriques moved that Member Perezvelez be elected BPCRB Chair for the term 2023-2024. Member White seconded the motion, which carried by unanimous roll call vote. Ayes – 8: Members Armstrong, Babiak, Lang, Perezvelez, Rizk, Rodriques, Shephard and W. White. Noes - 0. Absent - 1: Member Davis.

Newly elected BPCRB Chairperson Perezvelez shared comments on the upcoming year.

Chairperson Armstrong brought the matter of Election of BPCRB Officers before the BPCRB and opened the floor for nominations for Vice Chair. Member Armstrong nominated Member Lang for Vice-Chair of the BART Police Citizen Review Board (BPCRB) for the term 2023-2024. Nominations were closed. Member Armstrong moved that Member Lang be elected BPCRB Vice-Chair for the term 2023-2024. Member Shephard seconded the motion, which carried by unanimous roll call vote. Ayes – 8: Members Armstrong, Babiak, Lang, Perezvelez, Rizk, Rodriques, Shephard and W. White. Noes - 0. Absent - 1: Member Davis.

Newly elected BPCRB Vice-Chairperson Lang shared comments on the upcoming year.

### **4. Reporting Out Announcement from BART Police Citizen Review Board (BPCRB) Subcommittees.**

Members Gomez and Perezvelez presented information for various BART Police Citizen Review Board (BPCRB) Subcommittees. The item was discussed.

### **5. Chief of Police's Reports.**

- a. BART Police Department's Monthly Report(s) for March 2023, April 2023 and May 2023.
- b. Office of External Affairs Update on Senate Select Committee Hearing on Bay Area Public Transit (Verbal Report Only).
- c. BART Police Department 2022 Annual Military Equipment Report.

Deputy Police Chief Galetti presented the BART Police Department's Monthly Reports for March 2023, April 2023 and May 2023, and BART Police Department 2022 Annual Military Equipment Report. The reports were discussed.

### **6. Independent Police Auditor's (OIPA) Report.**

- a. Office of the Independent Police Auditor (OIPA) Monthly Report(s) for April 2023, May 2023, and June 2023.
- b. Center for Policing Equity (CPE) Fare Evasion Enforcement Study (Verbal Report Only).

Russell Bloom, Independent Police Auditor, presented OIPA Monthly Report(s) for April 2023, May 2023, and June 2023, and Center for Policing Equity (CPE) Fare Evasion Enforcement Study (verbal report only). The reports were discussed.

**7. National Association for Civilian Oversight of Law Enforcement (NACOLE) 2023 Organizational Membership - Disposition of Proxy for Board Meetings.**

Member Armstrong moved that Member Lang be nominated for the National Association for Civilian Oversight of Law Enforcement (NACOLE) 2023 Organizational Membership - Disposition of Proxy for Board Meetings of the Meetings, be approved. Member Perezvelez seconded the motion, which was carried by a roll call vote. Ayes – 4: Members Lang, Perezvelez, Rodriques, and Armstrong. Ayes – 8: Members Armstrong, Babiak, Lang, Perezvelez, Rizk, Rodriques, Shephard and W. White. Noes - 0. Absent - 1: Member Davis.

**8. Participation of BPCRB Member's in the 2023 Annual National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference (November 12-16, 2023 in Chicago, Illinois).**

Member Armstrong moved that Member Lang be nominated for Participation in the 2023 Annual National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference (November 12-16, 2023 in Chicago, Illinois), be approved. Member Rodriques seconded the motion, which was carried by a roll call vote. Ayes – 4: Members Lang, Perezvelez, Rodriques, and Armstrong. Ayes – 8: Members Armstrong, Babiak, Lang, Perezvelez, Rizk, Rodriques, Shephard and W. White. Noes - 0. Absent - 1: Member Davis.

**9. Public Comment.**

Chairperson Armstrong called for Public Comments. No comments were received.

Chairperson Armstrong announced that the Board would enter into a closed session under Item 10-A (Public Employee Discipline/Dismissal/Release in OIPA Case #22-34 and #22-35 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 6:07 p.m.

---

---

The Meeting reconvened in Closed Session at 6:07 p.m.

**10. Closed Session.**

- a. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor (OIPA) Case(s) #22-34 and #22-35. Govt. Code §54957.

Members Present in Oakland, CA:                   Members Dana Lang, George Perezvelez,  
David Rizk, Gabriel Rodriques, Sonja Shephard  
and Erin Armstrong.

Member Present in Martinez, CA:                   Member Pedro Babiak (via Teleconference).

Member Present in Tarrytown, NY:                   Member William White (via Teleconference).

Absent:   Member Todd Davis.

**11. Open Session.**

The Meeting reconvened in Open Session at 7:03 p.m.

Chairperson Armstrong announced that the Board voted unanimously to accept the findings in OIPA Case(s) #22-34 and #22-35.

**12. Adjournment.**

The Meeting was adjourned at 7:03 p.m.