

San Francisco Bay Area Rapid Transit District

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



COMMITTEE MEETING AGENDA

Monday, May 13, 2024

4:00 PM

This Meeting will be held in-person and via simultaneous teleconference, with an option for public participation via teleconference. Please note attachments added to Item 5. BART Board Room, 2150 Webster Street, 1st Floor, Oakland, CA 94612. Zoom Link: <https://us06web.zoom.us/j/85179518861>

BART Police Citizen 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 CITIZEN REVIEW BOARD

May 13, 2024

2:00 p.m.

A regular meeting of the BART Police Citizen Review Board (BPCRB) will be held on Monday, May 13, 2024, 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 Berkeley Public Library West Branch, Reserved Room (See Librarian for Room Location)
1125 University Avenue
Berkeley, CA 94702

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 CitizenReviewBoard@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 May 13, 2024, in order to be included in the record.

2) Complete a “Request to Address the BART Police Citizen 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. Approval of Minutes of the Meetings of March 11, 2024 (Revised) and April 8, 2024. For Action.

Attachments: [Minutes of the Meeting of March 11, 2024 - Revised](#)
 [Minutes of the Meeting of April 8, 2024](#)
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.)
4. Reporting Out Announcement from BART Police Citizen Review Board (BPCRB) Subcommittees. For Discussion.
5. Review of the Draft 2024 BPCRB - BART Citizen Oversight Model (Requested by BPCRB - Citizen Oversight Model - Ad hoc Subcommittee Members Perezvelez, Rodrigues, and White). For Discussion and Action.

Attachments: [BART Citizen Oversight Model - 04.2024 redlines](#)
 [BART Citizen Oversight Model - Amended 07.12.18](#)
6. Review of Draft Language and Definitions for BART Police Department's Lexipol Policy 300 - Use of Force (Chair Perezvelez's Request). For Action.

Attachments: [Lexipol Policy 300 – Use of Force Redlines May 2024 - Memo](#)
 [Lexipol Policy 300 – Use of Force April 2024](#)
7. Independent Police Auditor's Report(s). For Discussion.
 - a. Office of the Independent Police Auditor (OIPA) Monthly Report(s) for January 2024.
Attachments: [OIPA Monthly Report - January 2024](#)

8. Chief of Police's Report(s). For Discussion.
- a. BART Police Department's Monthly Report(s) for February 2024.
 - b. BART Police Department's Command Structure Training (30 Minutes).
 - c. Lexipol Policy Updates from the BART Police Department to the BPCRB - March 2024:
 - i. Lexipol Policy 200: Organizational Structure and Responsibility Updated (Organizational Chart and Progressive Policing and Community Engagement (PPCE) Language).
 - ii. Lexipol Policy 312: Firearms Patrol Rifle (Language Update and Lexipol Major Policy Update Review of Department of Justice (DOJ) Item).
 - iii. Lexipol Policy 318: Canines (Change to Handler Selection Minimum Qualification).
 - iv. Lexipol Policy 402: Bias Based Policing (Lexipol Major Policy Update to Correct Government Code).
 - v. Lexipol Policy 419: Fare Evasion and Proof of Payment (Updated to Include the Fire Fighter Exemptions).
 - vi. Policy 451: Body Worn Camera (Updated to Include Evidence and Property Recordings).
 - vii. Policy 600: Investigation and Prosecution (Lexipol Major Policy Update to Correct Penal Code).
 - viii. Policy 711: Specialized or Military Type Equipment (Updated Annual Inventory Attachment).
 - ix. Policy 1000: Recruitment and Selection (Update for State Law Marijuana Use Inquiries and Lexipol Major Policy Update to Meet Department of Justice (DOJ) Selection Process Standards).

Attachments:

[2024-02 Monthly Chief's Report CRB 04092024](#)
[BART Police Department Command Structure - Presentation](#)
[Policy Updates Mar 2024 - Memo](#)
[Inter-office Memorandum Form CRB Mar 2024](#)
[200 Organizational Structure and Responsibility Draft](#)
[312 Firearms Draft](#)
[318 Canines Draft](#)
[402 Bias-Based Policing Draft](#)
[419 Fare Evasion and Proof of Payment Draft](#)
[451 Body Worn Camera Draft](#)
[600 Investigation and Prosecution Draft](#)
[711 Specialized or Military Type Equipment Draft](#)
[711.4 2023 Annual Military Equipment Inventory](#)
[1000 Recruitment and Selection Draft](#)

9. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor (OIPA) Case #22-12. Govt. Code §54957.

10. Open Session.

a. Announcement from Closed Session, if any.

11. 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.