

# **San Francisco Bay Area Rapid Transit District**

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



## **COMMITTEE MEETING AGENDA**

**Monday, May 9, 2022**

**4:00 PM**

**You may join and listen to the BPCRB Meeting by calling 1 833  
827 2778 and entering access  
code 157 362 755#  
via Teleconference Only.**

**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 9, 2022  
4:00 p.m.

A regular meeting of the BART Police Citizen Review Board (BPCRB) will be held on Monday, May 9, 2022, at 4:00 p.m., via teleconference only.

Please note, pursuant to all necessary findings having been made by the Board of Directors of the San Francisco Bay Area Rapid Transit District (for itself as well as all subordinate legislative bodies) to continue remote public meetings in the manner contemplated under urgency legislation Assembly Bill No. 361, public participation for this meeting will be via teleconference only.

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 join and listen to the BPCRB Meeting by calling 1 833 827 2778 and entering access code 157 362 755#

You may join the Microsoft Teams meeting with this link:

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YTRhN2ZINzEtNDU3My00YzhLTlmZTgtMDRmMzQ0NWUyZDMy%40thread.v2/0?context=%7b%22Tid%22%3a%2256c41995-d45f-4669-a533-30fdded094d9%22%2c%22Oid%22%3a%222abd3ac4-add6-4c1c-804d-063f9fc6b7b6%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YTRhN2ZINzEtNDU3My00YzhLTlmZTgtMDRmMzQ0NWUyZDMy%40thread.v2/0?context=%7b%22Tid%22%3a%2256c41995-d45f-4669-a533-30fdded094d9%22%2c%22Oid%22%3a%222abd3ac4-add6-4c1c-804d-063f9fc6b7b6%22%7d)

We strongly encourage public comments to be submitted via email. You may submit comments via email to [CitizenReviewBoard@bart.gov](mailto:CitizenReviewBoard@bart.gov) using “public comment” as the subject line. Your comment will be provided to the Board 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. in order to be included in the record.

Individuals may also be given an opportunity by the moderator to speak on any item on the agenda by calling 1 833 827 2778 and entering access code 157 362 755# in advance of the item. Public comment will be limited to three (3) minutes per person. Your phone will be muted until you are called upon.

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

2. Approval of Minutes of the Meeting of April 11, 2022. For Action.

**Attachments:** [Approval of Minutes of the Meeting of April 11, 2022](#)

3. Reporting Out Announcement from the Closed Session of April 11, 2022, if any.

4. Dissenting Opinion Memo for Office of the Independent Police Auditor (OIPA) Case #21-10 (Member Todd Davis' Request). For information.

**Attachments:** [Dissenting Opinion Memo - Member Todd Davis' Request](#)

5. Reporting Out Announcement from BART Police Citizen Review Board (BPCRB) Subcommittees. For Discussion.

6. Chief of Police's Report(s). For Discussion.
  - a. BART Police Department's Monthly Reports for March 2022.
  - b. BART Police Department's California Assembly Bill 481 - Military Equipment Funding, Acquisition and Use Policy (Verbal Report Only).

**Attachments:** [BART Police Department's Monthly Reports for March 2022](#)

7. Independent Police Auditor's Report (s). For Discussion.
  - a. Office of the Independent Police Auditor (OIPA) Monthly Report for April 2022.
  - b. Use of the Term of "Excited Delirium" and its effects on Racial Equity

**Attachments:** [OIPA Monthly Report - April 2022](#)

[OIPA's Excited Delirium - Presentation](#)

[Attachment A - American Medical Association \(AMA\) New Policy Opposes "Exc](#)

[Attachment B - American College of Emergency Physicians \(ACEP\) Task Force](#)

[Attachment C - Police 1 Research Review Naked, but Dangerous](#)

[Attachment D - Force Science Article Sidestepping the Excited Delirium Debate](#)

[Attachment E - Physicians for Human Rights \(PHR\) Report Excited Delirium and](#)

[Attachment F - BPD Bulletin No. 22-103 Use of the Recovery Position](#)

8. 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.)

9. Closed Session.
  - a. To Consider Public Employee Discipline/Dismissal/Release in OIPA Case #22-17. Govt. Code §54957.

All BPCRB closed session votes will be announced at the beginning of the next regular meeting.

10. Adjournment.

BART provides service/accommodations upon request to persons with disabilities and individuals who are limited English proficient who wish to address Board matters. A request must be made within one and five days in advance of Board 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.