

San Francisco Bay Area Rapid Transit District

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



COMMITTEE MEETING AGENDA

Monday, June 12, 2023

4:00 PM

**The BPCRB Meeting will be held in-person and 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/89562361248>**

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

June 12, 2023

4:00 p.m.

A regular meeting of the BART Police Citizen Review Board (BPCRB) will be held on Monday, June 12, 2023, 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

SharkEye Tech
832 Escobar Street
Martinez, CA 94553

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. Face masks are strongly recommended on BART property, including the BART Board Room.

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 895 6236 1248; logging in to Zoom.com and entering access code 895 6236 1248; or typing the following Zoom link into your web browser:

<https://us06web.zoom.us/j/89562361248>

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 June 12, 2023, 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 895 6236 1248, 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 895 6236 1248, and use the raise hand feature; or join the BPCRB Meeting via the Zoom link (<https://us06web.zoom.us/j/89562361248>) 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 Meeting of May 8, 2023. For Action.

Attachments: [Approval of Minutes of the Meeting of May 8, 2023](#)

3. Reporting Out Announcement from BART Police Citizen Review Board (BPCRB) Subcommittees. For Discussion.
4. Chief of Police's Report(s). For Discussion (Verbal Reports Only).
 - a. BART Police Department's Monthly Report(s) for April 2023.
 - b. Office of External Affairs Update on Senate Select Committee Hearing on Bay Area Public Transit.
5. Independent Police Auditor's Report(s). For Discussion.
 - a. Office of the Independent Police Auditor (OIPA) Monthly Report(s) for April 2023.
 - b. Center for Policing Equity (CPE) Fare Evasion Enforcement Study (Verbal Report Only).

Attachments: [OIPA Monthly Report - April 2023](#)

6. Review of the Second Draft BPCRB Memo regarding the Hiring Process for the Next Chief of the BART Police Department (BPD). (Chairperson Erin Armstrong's Request). For Discussion.

Attachments: [Second Draft BPCRB Memo - Hiring Process for the Next Chief of the BPD](#)

7. National Association for Civilian Oversight of Law Enforcement (NACOLE) 2023 Organizational Membership - Disposition of Proxy for Board meetings. For Discussion and Action.

Attachments: [Sample NACOLE 2023 Proxy Form](#)

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

Attachments: [Annual Conference - National Association for Civilian Oversight of Law Enforcer](#)

9. 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.)

10. Adjournment.

BART provides services/accommodations upon request to persons with disabilities and individuals who are limited English proficient and 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.

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, May 8, 2023

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held Monday, May 8, 2023, convening at 4:04 p.m. in the following locations: BART Board Room, 2150 Webster Street, 1st Floor, Oakland, California 94612; and the Berkeley Public Library West Branch, 1125 University Avenue Berkeley, CA 94702; 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 4:04 p.m. by Chairperson Erin Armstrong.

Members Present in Oakland, CA:	Members Christina Gomez, Dana Lang, George Perezvelez, David Rizk, and Erin Armstrong.
---------------------------------	--

Member Present in Berkeley, CA:	Member Todd Davis (via Teleconference).
---------------------------------	---

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

Absent:	Members Pedro Babiak and Les Mensinger.
---------	---

The Pledge of Allegiance was recited.

2. Approval of Minutes of the Meeting of April 10, 2023.

Member White moved that the Minutes of the Meeting of April 10, 2023, be approved.

Member Gomez seconded the motion, which was carried by a roll call vote.

Ayes – 7: Members Davis, Gomez, Lang, Perezvelez, Rizk, White, and Armstrong. Noes – 0. Abstain – 0. Absent – 2: Members Babiak and Mensinger. Vacant – 2.

3. 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.

4. Chief of Police's Reports.

- a. BART Police Department's Monthly Report(s) for March 2023.
- b. BART Police Department Deployment Update.

Interim Chief Kevin Franklin presented the BART Police Department's Monthly Reports for March 2023 and BART Police Department Deployment Update. The reports were discussed.

5. Independent Police Auditor's (OIPA) Report.

- a. Office of the Independent Police Auditor (OIPA) Monthly Report(s) for March 2023.

Russell Bloom, Independent Police Auditor, presented OIPA Monthly Report for March 2023. The reports were discussed.

6. Review of Draft BPCRB Memo regarding the Hiring Process for the Next Chief of the BART Police Department (BPD). (Chairperson Erin Armstrong's Request).

Chairperson Armstrong presented information regarding the review of Draft BPCRB Memo of the Hiring Process for the Next Chief of the BART Police Department (BPD). The item was discussed and will come back to a future BPCRB meeting.

Director Robert Raburn addressed the Board.

7. Public Comment.

Chairperson Armstrong called for Public Comments.

Director Robert Raburn addressed the Board.

Chairperson Armstrong announced that the Board would enter into a closed session under Item 8-A (Public Employee Discipline/Dismissal/Release in OIPA Case #22-25 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 5:56 p.m.

The Meeting reconvened in Closed Session at 5:56 p.m.

8. Closed Session.

- a. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor (OIPA) Case(s) #22-25. Govt. Code §54957.

Members Present in Oakland, CA:

Members Christina Gomez, Dana Lang,
George Perezvelez, David Rizk, and Erin Armstrong.

Member Present in Berkeley, CA:

Members Todd Davis (via Teleconference)

Member Present in Tarrytown, NY:

Member William White (via Teleconference).

Absent:

Members Pedro Babiak and Les Mensinger.

9. Open Session.

The Meeting reconvened in Open Session at 6:52 p.m.

Chairperson Armstrong announced that the Board voted to sustain the findings in OIPA Case #22-25. Member Davis voted to abstain from the findings in OIPA Case #22-25.

10. **Adjournment.**

The Meeting was adjourned at 6:52 p.m.



Office of the
**INDEPENDENT
POLICE AUDITOR**

BAY AREA RAPID TRANSIT DISTRICT

MONTHLY REPORT

April 2023

Issue date: June 12, 2023

This report is filed pursuant to the BART Citizen Oversight Model, Chapter 1-05 (B), which requires the Office of the Independent Police Auditor (OIPA) to submit reports to the BART Police Citizen Review Board (BPCRB). This report provides information for the period **April 1, 2023 through April 30, 2023.**¹ *(The Quantitative Report includes all complaints received and administrative investigations initiated by both OIPA and the BART Police Department (BPD) Internal Affairs Bureau (IA)).*

QUANTITATIVE REPORT

	Cases Filed ²	Open Cases ³	Investigations Resolved	OIPA Investigations Concluded ⁴	Cases Appealed to OIPA ⁵	Cases Appealed by BPCRB ⁶
April 2022	10	79	6	1	0	0
May 2022	14	86	6	1	0	0
June 2022	8	87	7	1	0	0
July 2022	10	91	5	0	0	0
August 2022	10	85	17	2	0	0
September 2022	11	90	7	0	0	0
October 2022	5	82	13	1	0	0
November 2022	5	84	3	1	0	0
December 2022	5	86	3	0	0	0
January 2023	6	87	5	0	0	0
February 2023	12	91	9	1	0	0
March 2023	10	98	4	1	0	0
April 2023	12	99*	10	1	0	0

TYPES OF CASES FILED

Citizen Complaints (Formal)	12
Informal Complaints ⁷	0
Administrative Investigations	0
Inquiries ⁸	0
TOTAL	12

* The BPD Internal Affairs investigation of a 2018 officer-involved shooting remained open as of March 30, 2018. BPD Policy 310.7 (Administrative Investigation) provides that “[i]n addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of BART PD officers to determine conformance with department policy. The investigation will be conducted under the supervision of the Internal Affairs Division and will be considered a confidential officer personnel file.” Separate criminal investigations were conducted and completed by the Oakland Police Department (OPD) and Alameda County District Attorney’s Office (ACDA) regarding this officer-involved shooting. There were also civil proceedings that resolved on October 5, 2022. A separate OIPA investigation was tolled during those proceedings and resumed at the conclusion of the civil litigation. OIPA completed its investigation in March 2023 and those findings are included in OIPA’s report for that period. Tolling of that OIPA investigation was in reliance on Government Code section 3304(2)(F), also known as the California Peace Officers’ Bill of Rights, which provides, “If the investigation involves a matter in civil litigation where the public safety officer is named as a party defendant, the one-year time period shall be tolled while that civil action is pending.” BPD elected to defer its investigation to OIPA and has now closed their internal review process by adopting the findings and recommendations of OIPA. The number of open IA investigations listed here now reflects that closure.

CITIZEN COMPLAINTS RECEIVED PER DEPARTMENT⁹

OIPA	4
BART Police Department	8
TOTAL	12

COMPLAINTS/INVESTIGATIONS INITIATED DURING REPORTING PERIOD

During April 2023, **4 Citizen Complaints** were received by OIPA:

Complaint # (OIPA Case #) (IA Case #)	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (OIPA #23-11) (IA2023-033)	Unknown Officers #1-2: • Conduct Unbecoming an Officer	OIPA notified BPD which initiated an investigation.	66
2 (OIPA #23-13) (IA2023-038)	Employee #1: • Bias-Based Policing • Conduct Unbecoming an Officer	OIPA notified BPD which initiated an investigation.	49
3 (OIPA #23-10) (IA2023-039)	Officer #1: • Bias-Based Policing • Arrest/Detention • Courtesy	OIPA notified BPD which initiated an investigation.	67
4 (OIPA #23-09) (IA2023-044)	Officer #1: • Conduct Unbecoming an Officer	OIPA notified BPD which initiated an investigation.	69

During April 2023, **8 Citizen Complaints (Formal)** were received by BPD:

Complaint # IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2023-030)	Unknown Officers #1-3: • Performance of Duty	BPD initiated an investigation.	72
2 (IA2023-031)	Officers #1-2: • Policy/Procedure • Performance of Duty	BPD initiated an investigation.	69
3 (IA2023-032)	Officer #1: • Force	BPD initiated an investigation.	71
4 (IA2023-034)	Officers #1-2: • Force	BPD initiated an investigation.	61
5 (IA2023-036)	Officer #1: • Force • Policy/Procedure	BPD deferred the investigation to OIPA. [†]	60

[†] Complainant was frustrated by the IA process and OIPA, IA, and Interim Chief Franklin conferred and agreed to transfer the investigation to OIPA at complainant's request.

6 (IA2023-037)	Officers #1-2: • Bias-Based Policing • Arrest/Detention • Conduct Unbecoming an Officer	BPD deferred the investigation to OIPA.‡	60
7 (IA2023-040)	Officer #1: • Conduct Unbecoming an Officer	BPD initiated an investigation.	45
8 (IA2023-041)	Officers #1-3: • Arrest/Detention	BPD initiated an investigation.	45

COMPLAINTS/INVESTIGATIONS RECEIVED DURING PRIOR REPORTING PERIOD

During March 2023, 1 **Citizen Complaint (Formal)** was received by BPD but not previously reported:

Complaint # IA Case #	Nature of Complaint	Action Taken	Days Elapsed Since Complaint Filed
1 (IA2022-031)	Officers #1-2: • Force	BPD initiated an investigation.	53

COMPLAINTS/INVESTIGATIONS CONCLUDED DURING REPORTING PERIOD

During March 2023, 1 **Citizen Complaint** was concluded by OIPA:

Complaint # (IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 (OIPA #22-21)	OIPA completed an investigation into a whistleblower complaint that was forwarded by the BART Office of the Inspector General. [The details of the complaint will remain confidential to protect the involved parties from retaliation].	• There were no sustained allegations of misconduct.§	396	329

‡ Complainant was frustrated by the IA process and OIPA, IA, and Interim Chief Franklin conferred and agreed to transfer the investigation to OIPA at complainant's request.

§ The investigation resulted in recommendations for improvements to the operations of the police department that were submitted to the BART General Manager on May 1st, 2023. The General Manager's responses to those recommendations will be incorporated into a public report.

During April 2023, **11 Citizen Complaints** were concluded by BPD:

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 (IA2022-022)	Officer contacted and harassed complainant based on complainant's race.	Officer #1: • Bias-Based Policing – Unfounded • Conduct Unbecoming an Officer – Not Sustained	421	359
2 (IA2022-024)	Officers taunted complainant.	Officers #1-2: • Conduct Unbecoming an Officer – Not Sustained	416	362
3 (IA2022-025)	Officers were dismissive and unhelpful to complainant because of complainant's race and one officer did not properly document a law enforcement contact.	Officers #1-2: • Bias-Based Policing – Unfounded • Conduct Unbecoming an Officer – Not Sustained Officer #2: • Policy/Procedure (Body Worn Camera) – Sustained • Performance of Duty – Not Sustained	421	359
4 (IA2022-027)	Officers acted unprofessionally and used excessive force when they drew their weapons.	Officers #1-3: • Conduct Unbecoming an Officer – Unfounded Officers #1-2: • Force – Exonerated Officer #3: • Force – Unfounded	408	361
5 (IA2022-030)	Officer acted unprofessionally and did not properly handle a call for service.	Officer #1: • Performance of Duty – Not Sustained • Conduct Unbecoming an Officer – Not Sustained	396	342
6 (IA2022-031)	Officers used excessive force.	Officers #1-2: • Force – Exonerated	417	365
7 (IA2022-033)	Officer made an unprofessional comment and prevented complainant from recording the contact.	Officer #1: • Conduct Unbecoming an Officer (Comment) – Exonerated • Conduct Unbecoming an Officer (Recording) – Unfounded	388	334
8 (IA2022-036)	Officers did not provide adequate assistance to patron upon request.	Officers #1-2: • Performance of Duty – Exonerated	382	395
9 (IA2022-039)	Officers used excessive force during an arrest.	Officers #1-4: • Force – Exonerated	384	335

10 (IA2022-046)	Employee made an unprofessional comment during fare inspection.	Employee #1: • Conduct Unbecoming an Officer – Exonerated	388	334
--------------------	---	--	-----	-----

COMPLAINTS/INVESTIGATIONS CONCLUDED DURING A PRIOR REPORTING PERIOD BUT NOT PREVIOUSLY RECORDED BY INTERNAL AFFAIRS

During March 2023, **1 Formal Complaint** was concluded by BPD:

(IA Case #)	Nature of Complaint	Disposition	Days Elapsed Since Complaint Filed	Days Taken to Complete Investigation
1 (IA2022-018)	One officer unlawfully detained a subject, another officer was aggressive and threatening toward complainant, three officers used excessive force, and one officer unlawfully arrested complainant.	Officers #1-3: • Force – Exonerated Officer #2: • Conduct Unbecoming an Officer – Not Sustained Officer #3: • Arrest/Detention (Count 1) – Not Sustained • Arrest/Detention (Count 2) – Exonerated • Search/Seizure – Not Sustained	428	355

DISCIPLINE ISSUED DURING REPORTING PERIOD

During April 2023, BPD took the following actions in cases where one or more allegations of misconduct were sustained:

Case #	Nature of Sustained Allegation(s) **	Classification of Sustained Allegation(s)	Action Taken
1	Officer did not fully perform investigative duties, was untruthful in related documentation and was untruthful when questioned about the alleged misconduct.	Officer #1: • Truthfulness • Conduct Unbecoming an Officer • Performance of Duty	Officer #1: • Resigned prior to termination pursuant to settlement agreement.††

** Some details regarding the nature of sustained allegations may be withheld to avoid unintentionally breaching mandatory confidentiality requirements. In some instances, the relative infrequency of the alleged misconduct may tend to allow for identification of the subject officer in violation of the applicable CA Penal Code section (832.7).

†† OIPA reported in October 2022 that the subject officer in this case had been issued a “Skelly” Notice for formal discipline. The Skelly pre-discipline process is intended to provide the employee with an opportunity to present a written

ADDITIONAL NOTES

In accordance with the BART Citizen Oversight Model (Model), OIPA investigates certain complaints, conducts complainant-initiated appeals, and monitors and/or reviews complaint investigations conducted by BPD. Though potentially work-intensive, some complaint investigation reviews are completed informally, with any concerns being addressed through a conference with BPD's Internal Affairs investigators. Noting the various kinds of work that OIPA undertakes with regard to complaints and investigations, the following chart includes some of the pending cases in which OIPA is involved as of the end of this reporting period.

Investigations Being Conducted	7
Complainant-Initiated Appeals	0
BPD-Initiated Appeals	0
Investigations Being Monitored	25
Investigations Reviewed During Current Month	17†

†This number does not include all OIPA reviews, as OIPA commonly looks at a variety of cases in the Internal Affairs database to obtain updates on both pending and completed investigations.

The Model provides that OIPA shall have authority to require follow-up investigation into any citizen complaint or allegation that is handled by BPD.¹⁰ The OIPA Monthly Report will reflect information regarding monitored cases with detail not to exceed that which is allowable under state law. The investigations reviewed by OIPA during the period did not generate any notable recommendations for revisions or additional investigation.

¹ In addition to reporting on complaints received by the BART Police Department, the Citizen Oversight Model requires reporting on all complaints received by the "Citizen Board, Office of the District Secretary, and other District departments." As complaints received by the BART Police Citizen Review Board are customarily directed to OIPA for further action, such complaints are included in the Quantitative Report above; OIPA is also made aware of additional complaints about the BART Police Department by the Office of the District Secretary or other District departments.

² This number includes all Citizen Complaints filed against members of the BART Police Department, as well as Administrative Investigations generated internally by BART Police Department members (as opposed to being filed by a citizen). This number also includes previously completed cases that have been re-opened during the current reporting period.

³ This number indicates all investigations that are open as of the end of the reporting period. It includes Citizen Complaints (regardless of whether the investigation is being conducted by OIPA, the BART Police Department, or both) and Administrative Investigations.

⁴ This number includes all cases completed by OIPA during the reporting period for which OIPA's findings are required by the BART Citizen Oversight Model to be submitted to the BART Police Citizen Review Board. It therefore includes independent investigations, as well as reviews of completed BART Police Department investigations initiated via appeal from a complainant. Unless otherwise noted, it does not include reviews of BART Police Department investigations initiated

or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline (BPD Policy Manual). The officer was terminated from employment in February 2023. In April 2023, the subject officer entered an agreement with the BART District under which the officer's status was changed from "termination" to "resignation." The BART Citizen Oversight Model Chapter 1-04(C) provides that OIPA shall be authorized to review any legal claims and/or lawsuits against BART that relate to the conduct of BPD personnel to ensure that all allegations of misconduct are thoroughly investigated by OIPA and/or BPD, and to identify any systemic issues regarding BPD practices and/or policies; that OIPA shall be authorized to review any significant settlements and adverse judgments involving BPD; that OIPA shall work with BPD to develop corrective action intended to remediate any systemic issues identified through review of any significant settlements or adverse judgments involving the BPD; and that OIPA shall publicly report its involvement in the review of legal claims, lawsuits and settlements in a manner consistent with all applicable confidentiality requirements. In keeping with the requirements of this chapter of the Model, OIPA reports that it had no involvement in the negotiation of this settlement agreement and was not consulted by the BART Office of General Counsel, the General Manager or Chief Alvarez.

at the discretion of OIPA, which happen commonly and do not always generate a formal report; it also does not include reviews conducted by OIPA of complaint investigations where the complaint was filed with OIPA but did not fall under OIPA's investigative jurisdiction.

⁵ This number refers to appeals filed with OIPA by complainants who have been issued the findings of the BART Police Department's internal investigation into their complaint regarding on-duty incidents. OIPA has a responsibility to review such appeals pursuant to the BART Citizen Oversight Model, Chapter 1-04 (E).

⁶ This number refers to all appeals initiated by the BART Police Citizen Review Board after receiving and reviewing the findings issued by OIPA in a given case. The routes of all such appeals are described in detail in the BART Citizen Oversight Model, Chapter 1-04 (B) (iv-v).

⁷ The BART Police Department defines an Informal Complaint as, "A comment on the actions of a Department employee, where the reporting party expressly states that he or she does not feel that the matter should be formally investigated with the understanding that an Informal Complaint does not hold the potential to result in disciplinary action against the employee." (BART Police Department Policy Manual, Policy 1020.1.1(d)).

⁸ BPD policy provides that if a person alleges or raises an issue that does not constitute a violation of Department policy, procedure, rules, regulations, or the law, the Department will classify the issue as an inquiry.

⁹ It is important to note that OIPA does not separate citizen complaints it receives into "Formal" and "Informal" classifications. This chart reflects all citizen complaints received by OIPA and all Formal Complaints received by the BART Police Department.

¹⁰ OIPA may submit recommendations to IA regarding minor clerical or record-keeping adjustments which are intended to maintain the integrity of the data collection and record-keeping processes at BPD. These are not considered by OIPA to be substantive recommendations requiring reporting herein.

BART POLICE CITIZEN REVIEW BOARD

MEMORANDUM

TO: Board of Directors **DATE:** June 2, 2023
FROM: BART Police Citizen Review Board (Chairperson Erin Armstrong's Request)
SUBJECT: Hiring Process for the Next Chief of the BART Police Department

Dear Board of Directors,

The purpose of the BART Police Community Review Board (BPCRB) is *“to provide an effective independent citizen oversight system that promotes integrity and encourages systemic change and improvement in the police services that the San Francisco Bay Area Rapid Transit District (BART) provides to the public”*.

In order to accomplish this purpose the BPCRB wishes to exercise its advisory role, as defined in Section 2.07.J of the BPCRB Model, in the selection of the next Chief of Police for the BART Police Department (BPD).

2.07.J - Selection of the Chief of Police: The BPCRB shall participate in an advisory role in the selection of the Chief of Police by interviewing finalist candidates.

In order to fulfill our purpose and this advisory role, we recommend that:

- Final candidates interview with the full BPCRB during a closed session, under the personnel exemption of the Brown Act.
- BPCRB is granted access to all relevant information and materials related to the candidates, including resumes, background checks, and references.

We believe that this request is appropriate, per the model, and fulfills the purpose of the BPCRB by promoting the integrity of the hiring process, fostering greater trust and accountability, and improving police services.

Sincerely,

BART Police Community Review Board

cc: BPCRB Members





2023 PROXY VOTE AUTHORIZATION

Article VII, C.2 of the NACOLE Bylaws provides that all regular members shall be entitled to vote in elections for Officers and Board of Directors and shall not cast more than one vote per office if they have been a regular/organizational member in good standing with dues fully paid at least 30 days prior to the election.

The undersigned,

Name (print)

Address

☐

A Regular Member in good standing or

☐

A Designated Organizational Member in good standing

and being unable to vote electronically during the Annual Membership Meeting on November 15, 2023 between 12:00 p.m. and 5:30 p.m. CST, hereby appoints NACOLE voting member:

Name (Print)

Address

E-mail address

also a member in good standing, to cast my proxy vote during the election of officers and members of the Board of Directors at the Annual NACOLE Membership Meeting to be held on November 15, 2023.

Signed	Date	Telephone No.
Witness	Date	Telephone No.

This form must be mailed or e-mailed and received by NACOLE no later than November 8, 2023. Proxies will not be accepted after this date. You will receive a confirmation of your proxy.

Pierce Murphy, Chair, NACOLE Election Committee
P. O. Box 20851, Indianapolis, IN 46220 or email:
info@nacole.org

(Form Revised: 04/28/2023)

National Association for Civilian Oversight of Law Enforcement

Building Public Trust Through Law Enforcement Accountability and Transparency



Annual Conference

Since NACOLE's first event in 1995, the organization has worked to put together a comprehensive, informative, and inclusive Annual Conference program that addresses both skills training and current and emerging topics. Stretching over four days, the conference provides a forum where the growing community of civilian oversight practitioners, law enforcement officials, journalists, elected officials, students, community members, and others can meet to exchange information and ideas about issues facing civilian oversight and law enforcement.

Past Annual Conferences

Sunday, November 12, 2023 at 08:30 AM through November 16, 2023

Chicago Fairmont at Millennium Park

2023 Annual Conference

[Information for Exhibitors](#)[Sponsorship Information](#)

**29th ANNUAL
NACOLE
CONFERENCE
NOVEMBER**

12- 16, 2023

Building Better Oversight

The 29th Annual Conference is scheduled to take place November 12-16, 2023 in Chicago, Illinois. This year's event will bring together experts from the United States and around the world to discuss ways in which we can assess oversight

systems, implement effective practices, and build better oversight. Sessions will focus on the momentum of the last three years, speakers will share information on strengthening the work of police, jail, and prison oversight, and participants will be able to share innovations in oversight and law enforcement that will push civilian oversight forward in this continued era of reform.

In addition to access to 25 sessions to assist you in the work you are doing, it will be an excellent opportunity to network and learn from others doing the work of civilian oversight in the United States and around the world. To learn more about this year's event and register, click on the links below.



Registration



Schedule



Hotel



HOTEL INFORMATION

NACOLE has arranged for a block of rooms at a special rate of \$238.00 per night for those attending the NACOLE Conference at the Fairmont Chicago - Millennium Park Hotel. This hotel will serve as our host hotel and is the location of all of our daily sessions. Reservations may be made by clicking the icon above or by calling their reservation line at 800.441.1414. In order to receive this special rate, please make your reservations on or before October 20, 2023 and let them know that you are part of the National Association for Civilian Oversight of Law Enforcement Conference. The hotel requires that all reservations be accompanied by a first night room deposit or guaranteed with a major credit card. Please note that NACOLE has reserved a limited number of rooms at this

rate. Although we will make every effort to assist, NACOLE cannot guarantee the group rate after the room block has sold out or after the special rate cut-off date of October 20, 2023, whichever comes first.

Room rates in Chicago are currently subject to applicable taxes of 17.4%. Please note that this information is provided as a tool to help you estimate possible expenditures and is not meant as a guarantee of actual expense.



VISITING CHICAGO

Conveniently positioned in the heart of the Midwest, Chicago was named the “Best Big City in the U.S.” in 2022 by Condé Nast Traveler for an unprecedented six years in a row. Chicago is home to iconic cultural attractions and events, dynamic theatre, storied live music clubs showcasing everything from blues to rock, plus two scenic waterfronts — Lake Michigan and the Chicago River — bordered by parks and dozens of sandy beaches. More than 55 museums and 200 theatres await you, along with 77 unique neighborhoods and international communities. In addition, Chicago is known for its amazing dining and wide range of cuisines, from gourmet Michelin-starred and James Beard Award-winning restaurants to comfort classics like hot dogs and deep dish pizza to international cuisine and signature neighborhood eats.



TRAVEL, PARKING, AND TRANSPORTATION

For those of you who will be flying to this year's conference, Chicago is served by two airports: Chicago O'Hare (ORD), which is 18 miles northwest of the conference hotel, and Chicago Midway (MDW), which is 12 miles southwest of the conference hotel. While the hotel does not offer a free shuttle to and from the airport, there are many different transportation options once you arrive. The average rideshare/taxi fare from O'Hare is between \$45 and \$55 one way, while the average fare from Midway is between \$35 and \$45 one way. The "L" (elevated train) also runs from both airports into downtown, with stops 3 to 4 blocks from the hotel. Visit [Chicago Transit Authority's website](https://www.transitchicago.com/) for additional information. If driving to the conference, valet parking is available for a fee of \$77 daily.

[\(show less\)](#)

National Association for Civilian
Oversight of Law Enforcement
P.O. Box 20851
Indianapolis, IN 46220-0851
1-317-721-8133

Support Us!

[Donate Now](#)

Sign in with [Facebook](#), [Twitter](#) or [email](#).

© 2016 National Association for Civilian Oversight of Law Enforcement. All Rights Reserved.

This website Made by Pumpkin & Created with NationBuilder