

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 9, 2022

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held Monday, May 9, 2022, convening at 4:02 p.m. via teleconference, pursuant to Assembly Bill No. 361. The meeting was called to order by Chairperson Erin Armstrong; Mag Tatum, Recording Secretary.

Vice Chairperson Erin Armstrong gave instructions on the virtual meeting, accessing the presentation materials online, Public Comment, and Members' remarks.

1. Call to Order.

The regular meeting was convened at 4:02 p.m. by Chairperson Erin Armstrong.

Members Present:

Members Pedro Babiak, Todd Davis, Dana Lang, Pete Longmire, Les Mensinger, Laura Pagey, George Perezvelez, David Rizk, William White, and Erin Armstrong.

Absent:

Member Christina Gomez.

The Pledge of Allegiance was recited.

Member David Rizk entered the meeting.

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

Member Mensinger moved that the Minutes of the Meeting April 11, 2022, be approved. Member Lang seconded the motion, which carried by roll call vote. Ayes – 9: Members Davis, Lang, Longmire, Mensinger, Pagey, Perezvelez, Rizk, White, and Armstrong. Noes – 0. Abstain – 1: Member Babiak. Absent – 1: Member Gomez.

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

Chairperson Armstrong announced that the Board voted to accept the findings in the Office of the Independent Police Auditor (OIPA) Case #21-10. Accepts – 6: Members Armstrong, Lang, Mensinger, Pagey, Perezvelez, White. Rejects – 1: Member Davis. Abstain – 0. Absent – 4: Members Babiak, Gomez, Longmire, and Rizk.

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

Member Davis presented information regarding his Dissenting Opinion Memo for Office of the Independent Police Auditor (OIPA) Case #21-10. The item was discussed.

Keith Garcia addressed the Board.

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

Chairperson Armstrong and Member Rizk presented reporting out information for various BART Police Citizen Review Board (BPCRB) Subcommittees. The item was discussed.

6. Chief of Police's Reports.

a. BART Police Department's Monthly Reports for March 2022.

Chief of Police Ed Alvarez presented the BART Police Department's Monthly Reports for March 2022. The reports were discussed.

b. BART Police Department's Report on California Assembly Bill 481 - Military Equipment Funding, Acquisition and Use Policy Presentation.

Chief of Police Ed Alvarez presented information about BART Police Department's Report on California Assembly Bill 481 - Military Equipment Funding, Acquisition and Use Policy. The item was discussed and continued to a future BPCRB meeting.

Director Robert Raburn, Director John McPartland, and Aleta Dupree addressed the Board.

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

a. Office of the Independent Police Auditor Monthly Report for April 2022.

Independent Police Auditor Russell Bloom presented OIPA Monthly Report for March 2022. The report was discussed.

b. Use of the Term of "Excited Delirium" and its effects on Racial Equity.

Independent Police Investigator Patrick Caceres presented the Use of the Term of "Excited Delirium" and its effects on Racial Equity. The item was discussed.

Aleta Dupree addressed the Board.

8. Public Comment.

Chairperson Armstrong called for general Public Comment.

Director Raburn and Aleta Dupree addressed the Board.

9. Closed Session.

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

Chairperson Armstrong announced that the Board would enter closed session under Item 9-A (Public Employee Discipline/Dismissal/Release in OIPA Case Numbers #22-17) of the Regular Meeting agenda and that the closed session votes, if any, would be announced in open session at the beginning of the next regular BPCRB meeting.

10. Adjournment.

The Meeting was adjourned at 5:49 p.m.

DRAFT