

**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, June 13, 2022**

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held Monday, June 13, 2022, convening at 4:03 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 comments, and Members' remarks.

**1. Call to Order.**

The regular meeting was convened at 4:03 p.m. by Chairperson Erin Armstrong.

Members Present:

Members Christina Gomez, Dana Lang, Pete Longmire, Les Mensinger, Laura Pagey, George Perezvelez, David Rizk, William White, and Erin Armstrong.

Absent:

Members Pedro Babiak and Todd Davis.

The Pledge of Allegiance was recited.

Member Laura Pagey entered the meeting.

**2. Approval of Minutes of the Meeting of May 9, 2022.**

Member Mensinger moved that the Minutes of the Meeting May 9, 2022, be approved. Member Lang seconded the motion, which carried by roll call vote. Ayes – 8: Members Gomez, Lang, Mensinger, Pagey, Perezvelez, Rizk, White, and Armstrong. Noes – 0. Abstain – 0. Absent – 3: Members Babiak, Davis, and Longmire.

Member Pete Longmire entered the meeting.

**3. Reporting Out Announcement from the Closed Session of May 9, 2022.**

Chairperson Armstrong announced that the Board voted to accept the findings in the Office of the Independent Police Auditor (OIPA) Case #22-17.

Chairperson Armstrong announced that the Board voted to accept the findings in OIPA Case #22-17; for Allegations of Racial Animus and Bias Based Policing. Accepts – 6: Members Armstrong, Lang, Longmire, Pagey, Perezvelez, and White. Rejects – 0. Abstain – 1: Member Davis.

Chairperson Armstrong announced that the Board voted to accept the findings in OIPA Case #22-17; for Allegations of Conduct Unbecoming. Accepts – 4: Members Armstrong,

Longmire, Pagey, and Perezvelez. Rejects – 2: Members Lang and White. Abstain – 1: Member Davis.

**4. Dissenting Opinion Memo for Office of the Independent Police Auditor (OIPA) Case #22-17 (Members Dana Lang and William White’s Request).**

Member Lang and White presented information regarding Dissenting Opinion Memo for Office of the Independent Police Auditor (OIPA) Case #22-17. The item was discussed.

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

Chairperson Armstrong and Member Rizk presented 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 April 2022.**

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

**b. BART Police Department’s Report on California Assembly Bill 481 - District Specialized or Military Equipment Policy/Ordinance.**

Chief of Police Ed Alvarez presented information about BART Police Department’s Report on California Assembly Bill 481 - District Specialized or Military Equipment Policy/Ordinance. The item was discussed and continued to a future BPCRB meeting.

**7. Independent Police Auditor’s (OIPA) Report.**

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

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

**b. Use of the Term of “Excited Delirium” and its effects on Racial Equity.**

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

**8. Update on the Upcoming Election of Officers.**

Chairperson Armstrong presented information regarding the upcoming Election of Officers at the July 11, 2022, BPCRB meeting. The item was discussed.

Member Pete Longmire addressed the Board, with final remarks regarding his resignation.

Director Mark Foley and various BPCRB members addressed the Board and provided farewell remarks.

## **9. Public Comment.**

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

## **10. Closed Session.**

- a. To Consider Public Employee Discipline/Dismissal/Release in OIPA Case (s) Number #21-02 and 21-15. Govt. Code §54957.

Chairperson Armstrong announced that the Board would enter closed session under Item 10-A (Public Employee Discipline/Dismissal/Release in OIPA Case Numbers #21-02 and 21-15) 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.

## **11. Adjournment.**

The Meeting was adjourned at 6:17 p.m. in honor of Member Pete Longmire's many years of service and participation on the BART Police Citizen Review Board.

**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, July 11, 2022**

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held Monday, July 11, 2022, convening at 4:05 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 comments, and Members' remarks.

**1. Call to Order.**

The regular meeting was convened at 4:05 p.m. by Chairperson Erin Armstrong.

Members Present:

Members Pedro Babiak, Todd Davis, Christina Gomez, Dana Lang, Les Mensinger, George Perezvelez, and Erin Armstrong.

Absent:

Members Laura Pagey, David Rizk, and William White.

The Pledge of Allegiance was recited.

**2. Reporting Out Announcement from the Closed Session of June 13, 2022.**

Chairperson Armstrong announced that the Board voted unanimously to accept the findings in OIPA Case(s) #21-02 and #21-15, from the June 13, 2022, Closed Session.

**3. Chief of Police's Reports.**

**a. BART Police Department's Monthly Reports for May 2022.**

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

**b. BART Police Department's Bulletin No. 22-238: Removal of the Term "Excited delirium".**

Chief of Police Ed Alvarez presented Bulletin No. 22-238: Removal of the Term "Excited delirium". The item was discussed.

**c. BART Police Department's Report on California Assembly Bill 481 – Draft Lexipol Policy 711(Redlines) - Specialized and Military Type Equipment.**

Chief of Police Ed Alvarez presented information about BART Police Department's Report on California Assembly Bill 481 – Draft Lexipol Policy 711(Redlines) - Specialized and Military

Type Equipment. The item was discussed.

Director Robert Raburn and Aleta Dupree addressed the Board.

**4. Independent Police Auditor's (OIPA) Report.**

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

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

Aleta Dupree addressed the Board.

**5. Review of Draft BART Citizen Oversight Model (Redlines).**

Chairperson Armstrong presented information about the Draft BART Citizen Oversight Model (Redlines). The item was discussed.

Member Lang moved that the Draft BART Citizen Oversight Model (Redlines), be approved. Member Mensinger seconded the motion, which carried by roll call vote. Ayes – 6: Members Davis, Gomez, Lang, Mensinger, Perezvelez, and Armstrong. Noes – 0. Abstain – 1: Member Babiak. Absent – 3: Members Pagey, Rizk, and White. Vacant – 1.

**6. BPCRB Participation in the 2022 Annual National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference (September 11, 2022, through September 15, 2022, Fort Worth, Texas).**

Chairperson Armstrong presented information about the 2022 Annual National Association for Civilian Oversight of Law Enforcement (NACOLE) Conference. The item was discussed.

**7. National Association for Civilian Oversight of Law Enforcement (NACOLE) 2022 Organizational Membership - Disposition of Proxy for Board meetings.**

Chairperson Armstrong presented information about the National Association for Civilian Oversight of Law Enforcement (NACOLE) 2022 Organizational Membership - Disposition of Proxy for Board meetings. Chairperson Armstrong will be submitting the 2022 Proxy Vote Authorization form, on behalf of the Board. The item was discussed.

**8. 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 Mensinger nominated Member Armstrong for Chair of the BART Police Citizen Review Board (BPCRB) for the term 2022-2023. Nominations were closed. Member Mensinger moved that Member Armstrong be elected BPCRB Chair for the term 2022-2023. Member Lang seconded the motion, which was carried by a unanimous roll call vote. Ayes – 7: Members Babiak, Davis, Gomez, Lang, Mensinger, Perezvelez, and Armstrong. Noes – 0. Abstain – 0. Absent – 3: Members Pagey, Rizk, and White. Vacant – 1.

Newly re-elected BPCRB Chairperson Armstrong 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 Mensinger nominated Member Gomez for Vice-Chair of the BART Police Citizen Review Board (BPCRB) for the term 2022-2023. Nominations were closed. Member Mensinger moved that Member Gomez be elected BPCRB Vice-Chair for the term 2022-2023. Member Lang seconded the motion, which was carried by a unanimous roll call vote. Ayes – 7: Members Babiak, Davis, Gomez, Lang, Mensinger, Perezvelez, and Armstrong. Noes – 0. Abstain – 0. Absent – 3: Members Pagey, Rizk, and White. Vacant – 1.

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

#### **9. Public Comment.**

Chairperson Armstrong called for General Public Comment.

Aleta Dupree addressed the Board.

#### **10. Adjournment.**

The Meeting was adjourned at 5:43 p.m.