

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, April 10, 2023

A regular meeting of the BART Police Citizen Review Board (BPCRB) was held Monday, April 10, 2023, convening at 4:00 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 SharkEye Tech, 832 Escobar Street, Martinez, California, 94553; 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 4:00 p.m. by Chairperson Erin Armstrong.

Members Present in Oakland, CA:	Members Christina Gomez, Dana Lang, Les Mensinger, George Perezvelez, David Rizk, and Erin Armstrong.
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Member Present in Berkeley, CA:	Members Todd Davis (via Teleconference)
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Member Present in Martinez, CA:	Member Pedro Babiak (via Teleconference).
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Member Present in Tarrytown, NY:	Member William White (via Teleconference).
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The Pledge of Allegiance was recited.

2. Approval of Minutes of the Meeting of March 13, 2023.

Member Mensinger moved that the Minutes of the Meeting of March 13, 2023, be approved. Member Rizk seconded the motion, which was carried by a roll call vote.

Ayes – 8: Members Gomez, Babiak, Lang Mensinger, Perezvelez, Rizk White, and Armstrong. Noes – 0. Abstain – 1: Member Davis. Absent – 0. Vacant – 2.

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

Members Gomez, Perezvelez, and Lang 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 Reports for February 2023.

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

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

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

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

6. **Overview of the Agreement between the California Department of Justice ("Cal DOJ"), and the Bay Area Rapid Transit (BART) Board of Directors ("BART"), through the BART Police Department ("BART PD") (Member David Rizk's Request).**

Member Rizk presented information for the overview of the agreement between the California Department of Justice, and the Bay Area Rapid Transit, Board of Directors, through the BART Police Department. The item was discussed.

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 #22-21 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 5:55 p.m.

The Meeting reconvened in Closed Session at 7:10 p.m.

8. **Closed Session.**

- a. To Consider Public Employee Discipline/Dismissal/Release in Office of the Independent Police Auditor (OIPA) Case(s) #22-21. Govt. Code §54957.

Members Present in Oakland, CA:

Members Christina Gomez, Dana Lang, Les Mensinger, 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:

Member Pedro Babiak.

9. Open Session.

The Meeting reconvened in Open Session at 7:10 p.m.

Chairperson Armstrong announced that the Board voted to accept the findings in OIPA Case #22-21. Member Davis voted not to accept the findings in OIPA Case #22-21

10. **Adjournment.**

The Meeting was adjourned at 7:10 p.m.

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