

Greater Rockridge NCPC (12Y/13X) - Minutes
Thursday, September 11, 2014
Rockridge Library, College and Manila, Oakland
General Public: 7:00-8:30PM

NCPC:

Michael Ubell – Chair
Barbara Minton – Vice Chair
Molly Singer - Treasurer
Karen Ivy – Secretary & Information Officer

Michael Ubell called the meeting to order at 7:05 p.m. NCPC officers present: Michael Ubell, Chair (pending formal election), Barbara Minton, Vice Chair, Molly Singer Treasurer. Twenty-four people attended the meeting.

Status Reports:

Officer Jason Trode- beat 13X: Last month saw low crime rates in 13X. There was one stolen car, the owner is present at the meeting tonight. It will probably be recovered, the thieves may have been joy riders. There were 2 robberies, unusual for this district, involving taking of property by force or fear from a person or a residence. In one a child, carrying a cell phone, was pushed down, and the phone stolen. In the second a woman unloading a car was accosted by a male with a gun, who said, give me your stuff. Robbery victims are often Asian women, who are followed home by robbers.

Q: Is it the same people?

A: We don't know. It may be a team of 2 or 3.

Beat 12Y Officer San Andreas is on vacation, so Officer Trode presented the statistics. Beat 12Y had 3 commercial burglaries and 4 robberies, an increase over the previous period. In one case, at a laundry, someone pulled a knife to rob. In another case, a person walking home was approached by the robber on the street. Three days ago, officers saw a suspicious parked car. The driver got out and walked away; the officers looked inside, saw a gun in the car, picked up the driver and found he was on probation. The gun wasn't a real gun after all, but there real ammunition in the car. People have to report suspicious activity in their neighborhood, such as cars circling back slowly, 2 -3 men sitting in an idling car, etc.

Q: What do I do about people sitting on a car on Kales; they may be going to a bar on College; do I report them?

A: yes, you do; report people hanging out in cars, talking and smoking. If the police get a lot of calls like that, it's a pattern for police to look at.

OPD did a pedestrian sting, the last two Fridays. Officer Trode played pedestrian in the crosswalk; he was dressed conspicuously in bright colors, and walked across Telegraph and also Piedmont to see if cars yielded. Many did not. They issued 20 citations in 3 hours; they'll next go to College to repeat the effort. They also issued warnings to walkers who jumped out into traffic while on cell phones.

Q: How long do you have to yield to pedestrians?

A: Until the pedestrian clears the car.

The commercial burglaries were all on College. They are usually committed at night.

Q: I read (in social media) about all these home invasions through the back door; is there anything we should do about this?

Officer Trode: Take reports on NextDoor and Yahoo groups with a grain of salt. They're not all that accurate and may be exaggerated or incorrect. People tend to talk to each other but never report to the police department.

IMPORTANT RESOURCES:

RockridgeNCPC.com & OaklandPolice.com
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Q: Do you have stats about robberies with weapon versus no weapon?

A: They're different kinds of crime. *Strong arm robbery* is using force; *armed robbery* involves knife or gun.

Q: Do security patrols affect crime?

A: Can't tell yet. It's too soon to know.

Q: A guy comes through our street taking bottles and cans out of the trash, he appears very efficient. I thought it was ours till it was picked up?

A: Once it's on the curb, it's not yours. Whoever gets there first gets to keep it.

Election of Officers

According to the bylaws, the annual election of officers requires a quorum of at least 15 attendees. After the status report, 16 people had arrived and signed in, so the Chair called the election of the following slate of NCPC officers:

Mike Ubell (Chair), Barbara Minton (Vice Chair), Karen Ivy (Secretary), Molly Singer (Treasurer)

The slate was nominated by Robert Firehoch; the nomination was seconded by Laura Schlichtmann. The vote was unanimous in favor of electing the slate.

Guest Speaker

The speaker was Mark Smith, from the BART Independent Police Auditor's office.

We provide a service; it's important for people to know this service is available. Our office oversees the BART police department.

Our office was created following the shooting of Oscar Grant 5 years. BART decided they needed an independent office to oversee the BART police department. BART police have the same rights and responsibilities as any other law enforcement agency in the state of California. BART trains and premises are their main focus. We have 200 sworn officers, actually 185 right now, about the same size as the police department of Berkeley.

BART has changed the hiring, training and civilian oversight of their officers. Civilian overseers let people know if police are doing something wrong or hopefully something right.

Can the police police themselves? All public agencies have some form of oversight. Many cities and organizations have police oversight offices, including the city of Berkeley, UC Davis, the city of Oakland, city and county of San Francisco, and the city of Santa Rosa.

What do we do? As an Independent Police Auditor, we are the main intake for complaints against BART officers. Depending on what the complaint is, we may investigate complaints ourselves; violence, death, use of force, sexual harassment—that's our jurisdiction. We also review all complaints that Internal Affairs investigates. We make sure the complaints are timely, genuinely investigated, and not swept under rug. We recommend new policies for police department. Lastly, we try to make this process as transparent as possible. Our web site has lots of data that people can go to and see.

We have unfettered access to BART police personnel records.

Officers must cooperate with us.

We are independent of the BART police department. We report to the BART board of directors, not the BART police chief.

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Result of a typical investigation:

We look at a complaint and reach a conclusion. If a misconduct allegation is sustained, we recommend a penalty for the officer. Our findings go to the citizen review board; their findings go to the BART Police Chief; he either follows the recommendation, or, if he really disagrees, he can appeal to the BART general manager, who makes the final decision.

We recommend new policies for the department, based on the kinds of complaints that come in.

We make all our process as transparent as possible.

Handouts are available; they have the phone number, email, etc.

Q: Does the Citizen Review Board have the option of giving their own recommendation?

A: Yes. We submit all our recommendations to the CRB. They can vote by majority to agree or disagree. If they agree, it goes to the Chief's office. If not, my office meets with CRB and attempts to come to consensus. If we are unable to do so, there is a tie breaker vote. If they lose and/or are very unhappy with the tie breaker decision they can make the appeal to the BART general manager and his decision is final.

Q: How many people are in your office?

A: OIPA has a staff of 3: me, an investigator and the administrator. The CRB has 11 members, appointed by Board of Directors. Each of the 9 BART directors appoints 1 CRB member. The group of nine appoints 1 more member, and the two BART police unions jointly appoint 1 member.

Q: In transit village will law enforcement be by BART Police or Oakland?

A: It's really shared, In general, BART police will be out there as much as they can, but other departments will also be there. It depends on whether a crime actually happens on BART property. Both organizations enforce, but they defer to each other if a crime is on or off BART property. If a crime occurs there, but not really on BART property, BART will be there first, sometimes, and will do whatever is necessary.

Q: Are you reactive or proactive?

A: Mostly reactive, but we're getting more proactive. Our next phase will be that. Meanwhile we're gathering lots of data.

Q: How often does an officer respond to crimes not on BART property?

A: Probably several times a day, but I don't have statistics on that.

Q: When a complaint is brought, do you have a deadline?

A: The California state law on this is the [Peace Officer Bill Of Rights](#). The gist is that, from the time we first become aware of misconduct, we have 1 year to complete the investigation and make a disposition. We set a goal to get things done in 6 months or less.

Priorities:

In Beat 12Y, bicycling on sidewalks and the BART plaza; some progress has been made on this; Karen has been especially involved in this. [Ed. Note: to the Secretary's knowledge, OPD has done some enforcement, educating and warning sidewalk bicyclers around the BART station, and BART PD has promised to do some as well.]

Meeting adjourned.

NCPC Priorities for September 2014

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Under new OPD rules, each beat is allowed a single priority, instead of the previous 3; and new priorities must be *identifiable* and *measurable*. PSOs will also work on a *Crime project* and *from time to time* (?) a *Call reduction project* for the beat. Remember that 12Y and 13X are only part of beats 12 and 13.

12Y:

1. *NCPC Priority:* Monitor bicyclists riding on sidewalks on College Avenue, especially around BART stations.
2. *Crime Project:* High visibility vehicle patrols on College Avenue between Broadway and Claremont
3. *Call Reduction Project:* to be announced

13X:

1. *NCPC Priority:* Traffic issues in the area around Broadway Terrace/Harbord/Clarewood, near the Village Market.
2. *Crime Project:* none at present.
3. *Call Reduction Project:* to be announced

NCPC meetings are normally the SECOND Thursday of the month.

*Next NCPC meeting is **Thursday, October 9, 2014** at 7:00 PM
Rockridge Library Community Room, College & Manila*

See you there and stay safe!

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