



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



October 17, 2023

Karen Bass, Chair
Board of Directors
Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, California 90012

Dear Chair Bass:

**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT RESPONSE TO
IN-HOUSE PUBLIC SAFETY DEPARTMENT IMPLEMENTATION PLAN**

The purpose of this letter is to help provide context and information to the Chief Executive Officer (CEO) and the Los Angeles County Metropolitan Transportation Authority (Metro) Board of Directors (Board) on the feasibility study prepared by Justice Research Consultants, LLC.

The Los Angeles County Sheriff's Department (LASD) is committed to working with the CEO and Metro Board on both the feasibility and implementation of the plan. The following provides LASD's feedback on the study, as well as the public safety concerns. It details the following results of implementing the proposed Metro in-house public safety plan. This includes a 32 percent reduction in daily field units, a 44 percent reduction in field supervision and a 37 percent reduction in specialized units. It would require a 35 percent increase in the Metro law enforcement budget over the current contract law enforcement system and require construction of evidence storage and custody facilities. The cost of implementing the first five years of the Metro Public Safety plan is \$433 million more than the current Three Agency Model, and in total will cost over 1 billion dollars.

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

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STAFFING

The submitted consultant feasibility study will result in a total field deployment reduction of 32 percent of daily field units on the system. Additionally, this only considers field units and not supervision or specialized units. If adopted, you would see a 44 percent reduction in field supervision and a 37 percent reduction in specialized units.

The staff report recommends 290 patrol officers for an in-house police department. Using industry-standard relief factors to account for days off, vacations, injuries, etcetera, 290 officers would allow for a daily deployment of 178 officers. This daily deployment number, which is not reflected in the study, is a reduction of 85 law enforcement officers daily or 32 percent. The staff report suggests only 39 sergeants compared to the existing 70 sergeants across the system, a reduction of 31 sergeants or 44 percent reduction. The staff report recommends 52 specialized unit officers compared to the existing 82, or a 37 percent reduction. Sergeants are key to ensuring reduced liability; currently, completely covered by LASD. Metro will have to absorb all liability costs if they start a new police department. A reduction of this size of daily deployment, supervision and specialized units would have a direct impact to the safety of our transit system.

The submitted staff report combines the Los Angeles Police Department (LAPD) staffing, Long Beach Police Department (LBPD) staffing, and LASD's staffing to reflect a total number of patrol officers assigned to the system. Since LAPD utilizes an overtime-based model, overtime does not factor in relief requirements and cannot be compared directly with full-time staffing. Although the daily deployment of field personnel between all three law enforcement agencies is 263, it is inaccurate to state 344 police officers are needed to staff 263 personnel daily. This is due to relief factors. Applying appropriate relief factors to LAPD (i.e., moving from an overtime to a full-time staffing model based on industry standards), it would take 429 officers compared to the 344 reflected. In short, Metro would need 429 field officers to maintain existing field staffing levels of 263 daily officers. The staff report recommends only 290 field officers, which is 139 less officers that are needed to maintain existing field staffing levels.

Vacancy factors for full-time staffing are a critical component when staffing a police department. One must account for shift work, days off, mandated and required training, vacation time, sick time, Family Medical Leave Act (FMLA), injuries, administrative investigations, and discipline, which raises costs in overtime or reduces police presence on the system.

The study did not address administrative support staff and highly specialized units that are included within our existing contracts. Costs associated with competitive salaries, lateral bonus incentives, retention bonuses, Peace Officer Standards and Training (POST) and educational bonuses, etcetera, were also not highlighted.

Metro will risk significant management, supervision, recruitment, and retention issues in starting a new police department. Due to the Public Employees' Pension Reform Act (PEPRA) of 2013, the ability to recruit talented supervisors, managers, and executives will be severely limited. Most sergeants and above with supervisory experience are non-PEPRA members. Since Metro does not have a legacy safety retirement system, a lateral move of a sergeant or above from another police department would require the law enforcement leader to shift from a legacy retirement to a PEPRA retirement plan with Metro. This would reduce their retirement benefits, driving away potential experienced supervisors.

Implementing a required new safety retirement plan and the costs associated with this, along with funding long-term injuries and retirements, was not included in the Metro police department study. Currently LASD covers all these costs as part of the contract.

BUDGET

The staff report highlights a cost savings of \$37.5 million based upon a proposed budget of \$135.4 million vs. \$172.9 million in existing law enforcement services. This cannot be achieved without an associated significant decrease in current staffing.

When comparing the budgetary cost per officer, a Metro in-house police department costs more than the present contract system. Dividing the \$135.4 million proposed budget by 464 personnel, the cost per personnel is \$291,810. In comparison, the existing contract amongst all three agencies of \$172.9 million divided by the true number of personnel across all three agencies (732), the average cost per personnel is \$236,202. The average cost of the existing contract is 19 percent less than an in-house police department.

Another costly factor is the increase in safety pension related costs. Safety pension costs for new employees are currently 28 percent total, 14 percent for Los Angeles County (County) employees and 14 percent covered by the County, which is a large component of Salary and Employee Benefits (S&EB) costs.

Using the true number of personnel that would be required (581 sworn) to ensure an accurate comparison and the County employer portion of 14 percent as an estimate, additional pension costs could near \$9.8 million annually. Additionally, pension liability must be maintained regardless of the current employment status of the employee (i.e. disability retirements, lateral transfers, etcetera, all require maintenance costs in perpetuity). Note that Metro currently has no pension liabilities, current or future, for contract employees assigned to Metro. LASD covers these costs as part of the contract.

Metro currently carries no direct financial risk for actions taken by LASD. LASD maintains a liability trust fund for transit, which is included in the existing contracts, with a net cost of two percent. For a new Metro police department to maintain similar coverage, \$4.5 million in annual expenses should be considered as a minimum.

Utilizing the proposed budgetary methodology submitted in the feasibility study, coupled with the pension and liability costs estimated, an in-house police department would cost Metro \$227.3 million annually or more.

Startup costs for a new police department would be significant. The study stated Metro currently provides vehicles and equipment, which can be used by the new in-house police department. LASD provides an all-inclusive cost model covering all equipment, vehicle expenses, equipment, and overheads. The equipment and vehicles are property of the County and not provided by Metro nor would they be property of Metro should the contract be terminated. The costs to purchase, equip, and maintain vehicles, uniforms, radios, body worn cameras, less-lethal equipment, firearms, defensive equipment, trauma equipment etcetera, is extensive and significant. Additionally, there are considerable state-mandated and optional training expenses. Beyond the initial expenses for officers, there are ongoing expenses and upgrades. All of this is provided by LASD and would be required for a new Metro police department.

Additional startup costs include recruitment, backgrounds, and academy costs. Peace officers have extensive state-mandated background requirements, including initial screening, polygraph, psychological evaluations, medical, and a detailed community background. The cost per LASD applicant is estimated to be \$125,000 prior to entry of the academy. Rio Hondo Community College police academy, as an example, costs plus estimated salary costs would bring the cost of each recruit from applicant to sworn officer to an estimated \$225,000 per person from recruitment to graduation. This number multiplied by sworn staffing numbers required for a new police department, and total startup costs for recruitment and retention, could be estimated at \$130.725 million.

A review of current and required equipment for deputy sheriffs is \$68,500 per deputy, which includes all of the above noted considerations. At the required 581 sworn personnel, equipment startup costs would be \$39.8 million. Adding recruitment and academy costs, this brings the estimated startup costs to \$170.525 million. This is excluding ongoing in-service training, employees lateraling to other agencies, and equipment upgrades, which would increase the annual budget in future years. These costs are currently included in the LASD contract.

OPERATIONAL CONCERNS

Evidence handling and jails are some of the two largest liability areas for police departments. Should Metro develop its own police department, evidence would need to be collected and maintained. There are costs associated with the collection, processing, and handling of evidence. Rape kits, firearms analysis, and other pieces of evidence would need to be analyzed. Evidence would need to be properly stored and accounted for with a wide range of specialized requirements specific to the situation. Space and storage requirements, legislative requirements, and evidence custodian staffing would need to be maintained and funded.

In addition to evidence, a temporary holding facility/jail would need to be developed. This requires Title 15 and Title 24 compliance, in-house jailers, associated liability, and significant expenses. Other considerations include specialized law enforcement secretarial staff. Police records require specialized records retention and processing and storage, along with state-level training on confidential records access. There are time requirements for entry and removal of stolen items, warrant processing, and warrant auditing. This support staff and associated liability must be considered.

The costs associated with building a jail facility and evidence room should be considered as additional startup costs. Metro should factor in \$6.5 million as additional startup costs. This does not include the cost of staffing or maintaining these additions. All of these costs are currently covered by LASD.

There are other regulatory requirements to consider, such as Senate Bill 2 (SB2) compliance, Racial and Identity Profiling Act (RIPA) data tracking and compliance, and POST Continuing Professional Training and Perishable Skills (CPT) requirements. Maintaining an in-house police department has significant oversight and compliance requirements.

Each of these items include additional complexities, costs for staffing, startup costs, and regulatory/liability concerns. LASD provides these services to Metro as part of the all-inclusive costs with no liability concerns or need to maintain existing evidence or jail space.

BENEFIT ANALYSIS

The staff report highlighted six (6) specific areas that would provide a benefit for an in-house police department. Each of the six areas were reviewed and the following should be considered.

Cultural Alignment

LASD has been providing transit contracted services since the early 1980s. We have had a full-time bureau since 1997. Personnel assigned to Transit Services Bureau (TSB) chose to transfer voluntarily. TSB has a distinct culture of service for and on behalf of Metro. This is not separate nor apart from Metro, but with Metro. There are deputies and professional staff with decades of experience at Metro, including former Metro and RTD employees. Department personnel see themselves as part of the Metro family. Any characterization of a separate culture would not accurately reflect the soul of our personnel or TSB.

Engaged Visibility

The feasibility study implies LASD personnel are not engaged or visible on the system. All LASD TSB personnel are assigned full-time to Metro. They understand the Metro mission and are required to be highly visible on the system. All rail personnel, except for those assigned to fixed posts as coordinated with Metro, are required to conduct train rides throughout their shift and conduct platform checks. Some are assigned to fixed posts at busy terminals. Bus units conduct and log bus boardings. This information is tracked via a geolocation program and audited by supervisory personnel and management.

LASD personnel are highly visible and engaged with Metro staff and customers and this can be supported with significant statistical information and success stories. A GPS tracking system is currently in place to document LASD deputy locations.

Fiscal Sustainability

Current law enforcement services are contained and do not grow excessively. This is reflected in the changes over the years. It is important to note the seven modifications to the law enforcement contract were all at

the request of Metro. Increases included significant expansion of the system, including the L Line and K Line during the contract period. LASD provides an all-inclusive rate that does not allow for cost overruns and is adjusted annually. It is more accurate to review the rate increases each year rather than the overall budget. Rate increases accurately reflect cost of living increases.

Overall costs factor in Metro requested growth such as expansion of deployment. Between 2017-2023, the average annual rate increase based on the cost for a deputy sheriff field unit was 5.48 percent. This is in line with the study's projected cost increase of 5 percent and highlights LASD's contracted services that have been fiscally sustainable year-over-year.

Dedicated Staffing

LASD personnel are dedicated to Metro. Engaging with Metro staff and riders is at the heart of what we do. There are countless examples concerning the good work of our personnel, including team leaders who attend Metro staff meetings at all divisions, the Commuter Enhancement Team that is dedicated to engaging with commuters, and the Safe Schools Commuter Program where we ensure high visibility during school commuter hours. Not to mention the deputies across the system who work Metro daily, interacting with operators, staff, and riders.

All rail personnel, except for fixed posts requested by Metro, are required to conduct train rides throughout their shift. They are not assigned to work patrol solely in a radio car. The radio car is simply an effective tool used in conjunction with their sole mission of transit policing.

It is important to note deployment is developed in coordination with Metro Systems Security and Law Enforcement, and it is done in a collaborative manner. LASD executives and management staff have decades of experience and work with Metro to ensure appropriate deployment across the system.

Accountability and Transparency

LASD has an in-house transit dedicated crime analyst who provides current and real-time data to Metro and LASD personnel. This data is used to ensure the safety of riders and assists in our response to crimes on the system. Furthermore, LASD has a strong commitment to transparency being at the core of our law enforcement mission. We work with Metro transparency initiatives and our own county initiatives, including our own oversight authorities. The benefit of working with LASD are these added layers of accountability and oversight.

Response Time

LASD provides services to Metro covering 95 cities of service area, nearly 1,000 square miles of bus routes, 90 miles of rail, and 42 platforms. With only 115-line personnel in a 24-hour period covering this vast area, we remain at excellent response times as reported to the Board. This is exceptional considering the coverage area and staffing ratio. LASD's deployment model, which is built on decades of experience, ensures this benefit to Metro and should be highlighted as a success.

CONCLUSION

In summary, it appears that budget, staffing, training, liability costs, pension costs and operational concerns were not completely addressed, and overall costs were underestimated in the study provided to the Board. Considering this, the annual budget for a new Metro police department would be more than \$227.3 million dollars, in addition to \$170.525 million dollars in startup costs, and \$6.5 million dollars in building costs for a jail and evidence room. This conservative estimate reveals a five-year startup cost of \$1.433 billion dollars. See below table for cost comparison:

In House Police Department vs Three Agency Law Enforcement Five Year Cost Summary

	Metro PD Model	Three Agency Model
Year 1	\$ 227,300,000	\$ 181,545,000
Startup Costs	\$ 177,025,000	\$ -
Year 2	\$ 238,665,000	\$ 190,622,250
Year 3	\$ 250,598,250	\$ 200,153,363
Year 4	\$ 263,128,163	\$ 210,161,031
Year 5	\$ 276,284,571	\$ 220,669,082
Total	\$ 1,433,000,983	\$ 1,003,150,725

* Estimate assumes a 5% increase in the direct hourly labor rate. Startup Costs factored in for year (1) only.

This is nearly 35 percent higher than existing contracts, adjusted for inflation over the next five (5) years. Note this does not include ongoing training, equipment, retention of employees, or jail/evidence staffing. These costs do not consider the wide range of operational issues addressed in this letter such as

recruitment, retention, specialized policing, jails, evidence handling, and liability costs.

These facts are provided to collaboratively work with the CEO and Board in their decision-making process, and to ensure the CEO and Board have the most up-to-date accurate information.

Should you have any questions or require further information, please feel free to contact Chief Jack W. Ewell, Special Operations Division, at (213) 229-2205, or via email at jjewell@lasd.org

Sincerely,

A handwritten signature in blue ink that reads "R. Luna". The signature is written in a cursive, flowing style.

ROBERT G. LUNA
SHERIFF



Metro

Los Angeles County
Metropolitan Transportation Authority

One Gateway Plaza,
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June 21, 2024

Los Angeles County Office of The Sheriff
Sheriff Robert G. Luna
211 West Temple Street,
Los Angeles, CA 90012

RE: Los Angeles County Sheriff's Department Response to In-House Public Safety
Department Implementation Plan

Dear Sheriff Luna:

I am writing to provide you with an update on Metro's efforts to explore an In-House Transit Community Public Safety Department (TCPSD). Since receiving your letter on October 17, 2023, significant progress has been made. First, your letter was helpful in raising concerns about the Feasibility Study, many of which have been addressed in the recently completed TCPSD Implementation Plan. The Implementation Plan builds on the initial work contained in the Feasibility Study. This response offers additional information and reiterates key points from both the Feasibility Study and the Implementation Plan.

We acknowledge and appreciate the Los Angeles County Sheriff's Department's (LASD) commitment to working with myself and the Metro Board on both the feasibility and implementation of an in-house police department. Should the Board decide to proceed with the Implementation Plan, ongoing collaboration will be essential. We hope to continue this cooperative effort, ensuring that all perspectives are considered and that the best possible outcomes are achieved.

The Feasibility Study and the Implementation Plan serve distinct but complementary roles in the development of the proposed TCPSD. The Feasibility Study primarily outlined the foundational aspects of establishing the TCPSD, including preliminary evaluations, potential challenges, and initial recommendations. However, the Implementation Plan has expanded on this foundation by providing detailed strategies, actionable steps, and comprehensive solutions to address the concerns raised in the Feasibility Study. It builds on the initial findings, offering a more in-depth analysis and practical framework for bringing the TCPSD to fruition. This distinction underscores the evolution from conceptual exploration to concrete planning, ensuring a thorough and effective approach to enhancing public safety.

Below are responses to the concerns raised regarding the Feasibility Study. Most of your concerns in the letter focused on two areas: staffing and cost. I hope that you will find all concerns have been clarified through the proposed Implementation Plan. Before costs are addressed, concerns regarding staffing, allocation, and deployment and the potential impact of these on safety are discussed. Each of these concerns is discussed in separate sections below.

Staffing

The letter states that the proposed TCPSD “includes a 32 percent reduction in daily field units” which is further discussed on subsequent pages of the response. While the Feasibility Study initially contemplated a reduction in daily field units, the recommended Enhanced Service Model in the Implementation Plan provides for 386 average daily deployments, the same as today. Further, both the Feasibility Study and the Implementation Plan outline how we believe that the proposed in-house deployment structure will increase system coverage in comparison to current contract deployment practices.

Engaged visibility would take precedence in deployment decisions. The objective of engaged visibility requires the deployment of officers on foot patrol where assisting, guiding, and supporting Metro riders and employees by being consistently present, reliable, and accessible in both emergency and non-emergency situations is paramount.

	Avg. Deployed	Pool	Budgeted
Sworn	386	596	632
Admin Support			68
Crisis Intervention/Clinician	87	126	126
Total			826

In response to the concerns regarding relief factors, we want to assure you that while we propose maintaining a daily deployment of 386 officers, we identified having a pool of 596 officers with sufficient sergeant and lieutenant supervision in the Plan. While the Feasibility study proposed 39 sergeants in comparison to the current 70, the Implementation Plan includes 74 sergeants as the pool of officers is larger. We agree that a well-managed deployment pool is essential to maintaining the average deployment levels, preventing coverage gaps, and reducing the need for costly overtime to fill those gaps. This approach enhances operational efficiency, promotes fiscal responsibility, and ensures continuous, reliable service. By carefully managing this pool, we can address the challenges of shift work, days off, mandated training, vacation time, sick leave, Family Medical Leave Act (FMLA) absences, injuries, administrative investigations, and disciplinary actions.

Additionally, the department will have administrative support, but redundant administrative positions are recommended to be reduced significantly by streamlining these roles from the three law enforcement agencies into one single department.

Currently, contract police officers are almost exclusively deployed as two officer units. Two officer units are deployed due to officer safety concerns and the premise that a back-up unit officer is always present. Metro does not intend to change that and is not proposing to deploy officers in single units as originally outlined in the Feasibility Study.

Specialized Unit Officers

The letter states that the proposed TCPSD incurs “a 37 percent reduction in specialized units.” More specifically, the response states the Feasibility Report proposed 52 specialized unit officers in comparison to the current 82 which represents a 37 percent decrease.

With an in-house TCPSD, both the Feasibility Study and the Implementation Plan anticipate that the current functions performed by contract law enforcement agencies through such units as HOPE, MET, and Quality of Life will be primarily performed by other components of the Metro public safety ecosystem (i.e., Homeless Outreach and Crisis Interventionists/Clinicians). The Recommended Enhanced Service Model proposes to have an average of 188 individuals deployed on the system daily. While all TCPSD officers will receive training in these areas, the primary responsibility for these issues on the Metro system will fall on other ecosystem components. Therefore, specialized units staffed by police officers in these areas are not needed in the TCPSD. However, the TCPSD will provide specialized unit services such as K-9 units. During the TCPSD's initial development, the existing contract law enforcement special units (canine, forensics, etc.) would continue to be contracted until the TCPSD can seek adequate experience, training, and certifications for officers to gain specializations.

System Safety

The letter also states that the Metro system will be less safe with a TCPSD since fewer police personnel will have a direct impact on system safety. As already noted above, the recommended Enhanced Service Model includes the same average daily officer deployment as currently provided by contract law enforcement. The above discussion regarding police personnel allocation and deployment should assuage these concerns.

However, it is important to recognize that Metro customers and employees are concerned about their safety. The need for safety is a fundamental human need, but it is recognized that safety has differential meanings for individuals. In the survey discussed in the Metro Customer Experience Plan 2022, participants expressed concern about their safety at bus stops and train stations as well as on buses and trains, especially at night. Overall, out of the 40 service factors rated by Metro riders, all but one of the top ranked issues involve safety. The top ranked issues are below.

- Presence of security staff on *buses* and *trains*
- Enforcement of Metro rules on *trains*
- Personal security on Metro *trains* and *buses* at night
- Personal security at Metro *train stations* and *bus stops* at night
- How well Metro addresses homelessness on *buses* and *trains*
- Shade at bus stops

Safety related findings from a survey completed in summer 2021, which included both customers and employees, found that women and nonbinary individuals tend to feel less safe

than men on the Metro system. This was further illustrated in Metro’s *Understanding How Women Travel* report (2019), which stated:

Women feel unsafe on public transit, and it is impacting how often they ride, when they ride, and if they ride at all. Among women, safety on transit is a top concern voiced across every mode of data collection, and their concerns center around harassment and personal security, as well as physical safety and design of vehicles, stations, and stops. ***These concerns collectively obstruct women’s freedom of movement*** [emphasis added].

Furthermore, of the Metro employees surveyed, ***39% reported feeling safe rarely or never.*** Metro’s primary focus is on increasing the visible presence of uniformed personnel.

Personnel Costs: Salaries, Burdened Rates, Training & Equipment, and Retirement

In the proposed Implementation Plan, Metro anticipates that bringing the law enforcement services in-house will have an annual estimated cost, after the five year implementation, of \$168 million with a total Capital cost of an estimated \$25 million.

Personnel Onboarded						Total 5-YR Implementation	Year 6
		9	364	138	159	156	826
Sworn	5	206	127	152	142		
Support Staff	4	158	11	7	14		
	Year 1	Year 2	Year 3	Year 4	Year 5		Year 6
Labor	\$ 1,865,792	\$ 50,837,061	\$ 76,756,436	\$ 99,005,560	\$ 131,473,665		\$ 132,426,652
Non-Labor	\$ 5,989,341	\$ 16,240,343	\$ 21,735,304	\$ 28,437,748	\$ 34,509,794		\$ 35,578,701
Capital	\$ 5,519,625	\$ 4,277,950	\$ 4,097,103	\$ 5,043,672	\$ 5,757,381		\$ -
Total	\$ 13,374,758	\$ 71,355,354	\$ 102,588,843	\$ 132,486,980	\$ 171,740,840	\$ 491,546,773	\$ 168,005,353

As noted earlier, while the letter reviewed the preliminary evaluations in the Feasibility Study, some elements have been refined and adjusted in the Implementation Plan.

While we appreciate the assumed calculations from LASD, we estimate the average cost to be \$173,000 per officer, compared to the \$225,000 estimated in the letter. The Implementation Plan accounts for and estimates the costs for recruitment, training, police academy costs, salary, liability, and equipment. For the recruitment and hiring process, the only external costs to a TCPSD are the cost of the psychological evaluation, polygraph, and medical screening, the remaining elements will be done by Metro personnel.

Another financial challenge not discussed is the excessively high overhead rate Metro currently incurs each contract year.

FY24 Labor Costs	Direct Labor Cost	Labor Costs %	Overhead Costs	Overhead %	Other Direct Costs	FY 24 Contract Value
LASD	\$ 68,877,995.94	87.21%	\$ 9,465,013.50	11.98%	\$ 632,272.08	\$78,975,281.52
LBPD	\$ 7,754,058.56	74%	\$ 1,938,514.64	19%	\$ 464,720	\$10,157,293.20
LAPD	\$ 74,053,753.62	70.58%	\$ 30,589,322.89	29.15%	276,039.27	\$104,919,115.78
Total	\$ 150,685,808.12		\$ 41,992,851.03		\$ 1,373,031	\$194,051,690.50

Salaries

To identify anticipated TCPSD salaries for the Feasibility Study, the FY23 LAPD line-item payroll was obtained and analyzed. In particular, the salaries were based on an assessment of the mean and median salaries for each LAPD personnel group as well as qualitative adjustments. This was viewed as a valid means to calculate anticipated salaries since the LAPD has multiple employees in each personnel category. Furthermore, the Implementation Plan anticipates a starting salary for an in-house law enforcement Officer to be \$90,000.

Retirement – The LASD response notes that “another costly factor is the increase in safety pension related costs” with the County covering 14 percent of safety pension related costs for new LASD employees. Metro will incur annual expenses for employer contributions to a police retirement plan through CalPERS. To estimate pension costs for the Feasibility Study, the CalPERS Public Agency Required Employer Contributions data for FY 2023-24 was analyzed. The normal cost rate for more than 400 cities, towns, and special districts with police departments were assessed.

Liability, Insurance, and Other Costs

The letter also expressed concerns regarding liability costs. Liability is a preeminent concern when operating a police agency. To assess liability risks for a TCPSD, the Feasibility Study considered the transit related lawsuits experienced by the contract law enforcement agencies regarding Metro. Over the last six years of the law enforcement contracts, LAPD has had three officer involved shootings and no transit-related lawsuits, LASD has had two officer involved shootings and no transit-related lawsuits, and LBPD has had zero officer involved shootings and one transit-related lawsuit. The Feasibility Study also looked at lawsuits involving BART PD. Over the past 6 years, BART PD has averaged \$2 million per year for third party liability claims and lawsuits filed against the District for police actions. About 90 percent of the \$12 million total over 6 years involves two incidents.

To account for liability and other costs, Metro Risk Management estimates the annual costs for insurance at \$20 million, workers' compensation at \$3.1 million, and general liability at \$2.9 million for operating a TCPSD. These costs total \$26 million per year and were included in the Feasibility Study and the Implementation Plan.

Additional Costs

Typically, space, vehicles, and equipment are among the costliest acquisitions for a new department. Currently, Metro provides space, some vehicles, and equipment for the contract law enforcement agencies, which can be used for the new TCPSD, reducing start-up costs. As noted in the prior section, LASD claims the equipment and vehicles are property of the County and will not be returned to Metro when the contract ends. It is anticipated that the space currently utilized by the contract law enforcement agencies, which is Metro owned/leased property, will be used by the TCPSD.

Operational Concerns

The letter also raised the operational concerns specifically, evidence handling and jails as two large liability areas for police departments. The LASD response stated that a new TCPSD will “require construction of evidence storage and custody facilities.” Like in-house transit police departments across the country, TCPSD will not have a jail facility. With about 2,800 arrests in 2022 and a vast geographic coverage area, it is more efficient for Metro to contract with current city and county jail facilities for the detention of arrestees. In addition, it is anticipated that the city and county jail facilities used to detain TCPSD arrestees will also provide evidence storage as part of the contracts. Therefore, the construction of a TCPSD evidence storage facility is not expected.

The letter also highlights the significant oversight and compliance requirements associated with maintaining an in-house police department. Metro has prior experience with an in-house police department, providing us with a solid foundation to reinstate and improve upon our previous MTA PD model. Six of the largest transit agencies in the country have in-house police departments, underscoring the viability and effectiveness of this model. Within the Implementation Plan we benchmarked against these agencies to adopt best practices and learn from their experiences, including oversight frameworks, training programs, technology use, and community engagement strategies and we are committed to continuing this collaboration. We are committed to implementing rigorous training programs and investing in technology to aid in compliance reporting. While we recognize the significant oversight and compliance requirements, our previous experience and commitment to adopting best practices from leading transit agencies position us well to manage these responsibilities effectively. We are confident that should the Board choose to re-establish an in-house police department, we can enhance the safety and security of our transit system while meeting all regulatory and oversight requirements.

System Safety

While we align on the importance of prioritizing safety, our agencies differ in deployment strategies and alignment with Metro safety mission and goals. Specifically, ensuring conformity with Metro policies, procedures, and safety approaches is paramount to maintaining consistency and effectiveness in our initiatives. Additionally, maintaining operational control and fostering accountability are crucial to our efforts. Misalignments

between Metro's expectations and the diverse practices of contract law enforcement agencies have led to confusion, inconsistency, and inefficiency in delivering safety services on the Metro system.


Metro's customers and employees are the centerpiece of the TCPSD Implementation Plan. The return to an in-house transit police department offers Metro a unique opportunity to have greater control over agency standards, long-term fiscal health, and continuous improvement initiatives to better serve the needs of Metro riders and employees.

Once again, thank you for your input on Metro's Feasibility Study for the TCPSD. Your feedback has been instrumental in refining our approach and addressing key concerns related to staffing, costs, deployment, and overall system safety.

The proposed TCPSD, with its focus on engaged visibility and community trust, could significantly enhance the safety and security of Metro's transit system, benefiting both customers and employees. Should the Board decide to proceed with the Implementation Plan, ongoing collaboration will be essential. I look forward to continuing this cooperative effort, ensuring that all perspectives are considered and that the best possible outcomes are achieved.

Please do not hesitate to reach out if you have any further questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Step Wiggins', with a long horizontal flourish extending to the right.

Stephanie Wiggins
Chief Executive Officer