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**September 29, 2021**

**TO: AD-HOC INFRASTRUCTURE PROTECTION SERVICES  
PUBLIC SAFETY ADVISORY COMMITTEE (PSAC)**

**THROUGH: OFFICE OF CHIEF EXECUTIVE OFFICER (OCEO)**

**FROM: SYSTEM SECURITY & LAW ENFORCEMENT (SSLE)**

**SUBJECT: INFRASTRUCTURE PROTECTION SERVICES  
CONTRACT RECOMMENDATIONS**

**ISSUE**

The purpose of this correspondence is to follow up on the status of the concepts discussed by the ad-hoc subcommittee related explicitly to the Infrastructure Protection Services (IPS) contract. Since the initial meeting on June 14, 2021, we have listened to your thoughtful and creative ideas for improving the service we provide under this contract. Metro's recommendations are grouped into general topics based on the IPS Ad-hoc Subcommittee's six categories.

Metro will ask its Board of Directors to extend the existing security contract by up to 12 months, from April 1, 2022 up until March 31, 2023. This extension will allow the PSAC and SSLE to finalize the next Scope of Work (SOW) and launch the procurement process for a new contract to be awarded.

**DISCUSSION**

After a thorough analysis of the discussions heard during the ad-hoc subcommittee, SSLE supports several amendments to the existing contract and proposes implementing them promptly through an agreement with the current contractor (RMI International). Other recommendations would need to be implemented in a new procurement due to time constraints and cost. The next steps would be to present to the full PSAC membership for review and approval, followed by submittal to Metro's CEO, Stephanie Wiggins.

The six (6) general categories being considered are:

1. Background checks
2. Training
3. Uniforms
4. Transparency
5. Accountability
6. Weapons/Firearms (pending)

## **1. Background Checks**

**PSAC Ad-hoc Subcommittee Discussion:** Security contractors shall be required to exclude security guards that a law enforcement agency has previously terminated from working on the Metro contract.

**SSLE Response:** SSLE supports this recommendation and can implement it in the contract extension with modification to the current contract and the SOW for the new contract.

**There is no increase in cost to implement this recommendation.**

**This recommendation supports the draft PSAC values of Committing to Openness and Transparency and Acknowledging Context**

**PSAC Ad-hoc Subcommittee Discussion:** Security contractors shall be required to provide satisfactory proof that employees have passed all stages of the background process, including completed applications, background checks, live scan, drug testing, psychological testing, guard card and firearm permits from the Bureau of Security and Investigative Services (BSIS). Refer to Attachment A for Metro Transit Security and contract security's hiring processes.

**SSLE Response:** SSLE supports this recommendation in part. SSLE supports adding a psychological testing component as a final phase for security officers working on the Metro contract. However, SSLE does not recommend an expanded background check which would include vetting an applicant with relatives and neighbors due to legal concerns raised by our contractor.

Armed security officers are licensed by the state, including a background (criminal history) check and required training. See [Security Guard Registration - Bureau of Security and Investigative Services \(ca.gov\)](#) and [Firearms Permit FACT SHEET - Bureau of Security and Investigative Services \(ca.gov\)](#). The responsibility of the quality and associated risks of the applicant lies with the contractor. RMI utilizes a vendor to conduct background checks for them.

RMI's Legal Counsel has advised the contractor that expanding the background check by interviewing relatives and neighbors is not recommended for private

employers due to the potential legal implications of exposure to complaints and claims.

Based on a review of Metro's contract security officers' past performance, there were 31 use of force incidents during 22,936 calls for service from January 2018 through June 25, 2021. There were 67 complaints made from November 2018 until June 2021, and 15 of these had sustained misconduct allegations.

SSLE recommends that Applicants undergo and pass a standard psychological exam as an added safeguard to ensure sound judgment and decision making. The test would be performed in the final phase of the hiring process, limiting the number of psychological exams necessary. SSLE can implement this recommendation in the contract extension with modification to the current contract and the SOW for the new contract. Psychological testing will apply to any newly hired security officer assigned to the Metro contract.

**There is an increase in cost to implement this recommendation:** The approximate cost of performing the additional psychological testing as proposed by SSLE is \$500 per applicant.

**This recommendation supports the draft PSAC values of Committing to Openness and Transparency and Acknowledging Context**

## 2. Training

**PSAC Ad-hoc Subcommittee Discussion:** Security contractors shall be required to ensure that all security officers working on Metro's contract have completed specific training classes. Security contractors shall be required to provide verified completion of the training from an approved source. The training classes are implicit bias, de-escalation, how to interact with those with disabilities, those in cognitive crisis, those who suffer from homelessness, customer service skills, constitutional policing, and racial profiling. Refer to Attachment C for a definition of each of the training categories.

**SSLE Response:** This recommendation is supported in part by SSLE. From the PSAC recommended training classes, SSLE believes the following four (4) classes are the most beneficial to Metro's contract security officers based on their SOW:

- Implicit Bias (4 hours)
- Response to Persons with Mental and Development Disabilities (4 hours)
- How to Interact with those Who Suffer from Homelessness (2 hours)
- Customer Service (2 hours)

The new training courses will supplement the existing training on use of force, firearms, and laws of arrest. This recommendation can be implemented in the contract extension with modification to the current contract and the SOW for the

new contract. Report of completion of training for contract employees would be required for all security personnel assigned to the Metro contract with renewal every two years. SSLE considers this additional training beneficial to the contracted employees on the system. See Attachment B for further information on each training.

**There is an increase in cost to implement this recommendation:**

The approximate cost of offering all the training recommended by PSAC is \$600,000. The approximate cost of providing the four courses recommended by SSLE is \$120,000.

**This recommendation supports the draft PSAC values of Implementing a Community-Centered Approach, Emphasizing Compassion, and Recognizing Diversity.**

### **3. Uniform**

**PSAC Ad-hoc Subcommittee Discussion:** Security contractors shall be required to have uniforms consisting of a light grey polo shirt with an embroidered badge on the chest, wear a utility belt with a flashlight, and an outer safety vest with the Metro logo on the front and back. A name tag on the uniform shirt and the outer vest shall be considered.

**SSLE Response:** SSLE supports this recommendation and can implement it in the contract extension with modification to the contract and the SOW for the new contract.

**There is an increase in cost to implement this recommendation:**

The approximate cost is \$100 per employee per year for a total annual cost of \$40,000.

**This recommendation supports the draft PSAC values of Emphasizing Compassion and Acknowledging Context.**

### **4. Transparency**

**PSAC Ad-hoc Subcommittee Discussion:** Security contractors shall be required to utilize Body Worn Video (BWV) cameras while working on the Metro system. Policies, procedures, and training shall be developed to address activation/deactivation, storage and viewing of the BWV cameras, retention/access to recorded footage, and needs to address privacy and surveillance concerns.

**SSLE Response:** SSLE supports this recommendation. However, after a risk-benefit analysis, SSLE recommends an alternative to BWV cameras. Security contractors have limited public contact and there is no evidence to suggest the

need for this level of equipment. Instead, SSLE recommends working with the contractor to utilize an application similar to TrackTik, which allows instant incident reporting and video recording. This can be implemented in the contract extension with modification to the current contract and in the SOW for the new contract.

Metro would prepare the relevant policies and procedures relating to the use of an instant video recording system.

**There is an increase in cost to implement this recommendation:**

The approximate cost to implement BWV cameras as recommended by PSAC is estimated to be more than \$1 million annually.

The approximate cost to implement each mobile application license is estimated to be \$240 per year. Each post assignment/smartphone would need one license. Assuming there are 200 post assignments, the approximate cost would be \$48,000.

**This recommendation supports the draft PSAC value of Committing to Openness and Transparency.**

## **5. Accountability**

**PSAC Ad-hoc Subcommittee Discussion:** Security contractors shall be required to be consistent with the principles of Campaign Zero “Eight Can’t Wait.”

**SSLE Response:** SSLE supports this recommendation. It can be implemented in the contract extension with modification to the contract and the SOW for the new contract. One exception is when a vehicle is utilized to cause mass casualties to pedestrians in a crowd, shooting at the driver to stop the threat is justifiable by law. This exception is consistent with law enforcement partners and supported by SSLE.

**There is no potential increase in cost to implement this recommendation.**

**This recommendation supports the draft PSAC value of Acknowledging Context and Committing to Openness and Transparency.**

**PSAC Ad-hoc Subcommittee Discussion:** Security contractors shall be required to have an early warning software system that flags multiple complaints and/or use of force incidents by individual security officers.

**SSLE Response:** SSLE supports this recommendation. It can be implemented in the contract extension with modification to the contract and the SOW for the new contract. The software is a risk management tool used by many police agencies and provides tracking of training, traffic accidents, commendations,

awards, and equipment. Metro Transit Security is currently in the procurement process to obtain the software for internal use.

**There is an increase in cost to implement this recommendation:**

The approximate cost for this software would be \$20,000-\$30,000 annually.

**This recommendation supports the draft PSAC values of Acknowledging Context and Committing to Openness and Transparency.**

**NEXT STEPS**

Thank you for your continued commitment to reimagining public safety. We look forward to our continued collaboration to improve safety and security for all on the Metro system.

- Attachment A – Hiring Processes
- Attachment B – Training Descriptions
- Attachment C – Response Matrix