



Metro GENERAL MANAGEMENT Bias-Free Policing Policy

(GEN 64)

POLICY STATEMENT

The Los Angeles County Metropolitan Transportation Authority (LACMTA) is committed to providing transit services and enforcing LACMTA's Customer Code of Conduct in a professional, nondiscriminatory, fair, and equitable manner. Discriminatory conduct is prohibited while performing any LACMTA activity. LACMTA has a zero-tolerance policy for any form of confirmed bias or discrimination, and expressly prohibits all forms of biased policing.

The intent of this policy is to avert racial profiling and discriminatory actions in the deployment of LACMTA security and public safety resources and to build mutual trust and respect with the diverse groups and communities to which LACMTA provides service. This policy will serve as a companion to the Public Safety Analytics Policy (GEN 64), which ensures that any use of internal and external data sources is done in a manner that averts racial profiling and discrimination.

PURPOSE

LACMTA is committed to protecting the constitutional and civil rights of all people as outlined in Title VII of the 1964 Civil Rights Act and the Americans with Disability Act (ADA). The purpose of this policy is to emphasize this agency's commitment to the fair and bias-free handling of security resources and to the fair and bias-free treatment of all system patrons. All LACMTA security staff, contractors, and law enforcement partners supporting LACMTA will be expected to abide by this policy.

APPLICATION

This policy applies to all LACMTA employees and contractors. Contracted law enforcement entities will be provided the policy and be required to adhere to it.

Effective Date: 03/23/23



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1.0 GENERAL

All individuals having contact with agency personnel shall be treated in a fair, impartial, bias-free, and objective manner, in accordance with the law, and without discrimination as defined in this policy.

It is the policy of LACMTA to:

- Dignify and respect the diversity and cultural differences of all people.
- Assure the highest standard of integrity and ethics among all LACMTA personnel.
- Identify, prevent, and eliminate any instances of biased policing and racial profiling by LACMTA personnel.
- Provide bias-free security services consistent with constitutional and statutory mandates.
- Prioritize the use of non-law enforcement response to calls for service when appropriate.
- Ensure any data or information obtained by LACMTA or associated contract services or law enforcement agencies regarding actual or perceived race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability, immigration, or employment status, English language fluency or homeless circumstance, is never used in a manner that supports bias or discrimination.
- Uphold LACMTA's commitment to protecting and serving people through transit services, safety, and non-law enforcement resources that promotes and strengthens public trust and confidence in LACMTA and enhances the legitimacy of its policing practices.

It is LACMTA's policy that, except in "suspect specific incidents" where acknowledgement, identification, or reference to a suspect's specified characteristics is critical to the preservation of public safety, police and security officers are prohibited from considering actual or perceived race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability, immigration or employment status, English language fluency, or homeless circumstance in deciding to engage or detain a person.

2.0 DEFINITION OF TERMS

Americans with Disability Act (ADA) – Federal law that prohibits discrimination on the basis of a disability. To be protected by the ADA, you must have a disability or relationship with an individual with a disability.



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Biased Policing - Discrimination in the performance of law enforcement duties or delivery of police services by LACMTA or based on personal prejudices or partiality of agency personnel toward classes of people based on specified characteristics.

Discrimination - Any adverse act or failure to act based on race, color, national origin, religion, sex, age, physical or mental disability or condition, ancestry, marital status, sexual orientation, gender identity, gender expression, affiliation, or any other basis protected under applicable federal or state law.

Fair and Bias-free Treatment - Conduct of agency personnel and contractors wherein all people are treated in the same manner under the same or similar circumstances irrespective of specific characteristics.

Police Services - Actions and activities that may not directly include enforcement of the law, but that contribute to the overall well-being of the public. These include, but are not limited to such tasks as public assistance to persons who may be lost, confused, or affected by mental or physical illness, as well as responding to medical emergencies, and providing lifesaving services, crime prevention, public information, and community engagement.

Protected Classes - For the purposes of this policy, real or perceived personal characteristics, including but not limited to race, color, national origin, religion, sex, medical conditions, disability, age, citizenship status, marital status, sexual orientation, gender identity, or political affiliation¹.

Racial/Ethnic Profiling - Suspecting someone of having committed an offense based on the individual's race, ethnicity, or national origin rather than relevant information specific to the individual or conduct in question.

Title VII - Title VII of the 1964 Civil Rights Act prohibits discrimination on the basis of race, color, or national origin by recipients of federal financial assistance.

3.0 RESPONSIBILITIES

The Chief Executive Officer (CEO) will ensure all agency personnel and contractors engaged in providing safety and security resources are operating in compliance with this policy and adhere to it.

¹ This list is not exhaustive but is intended to identify the factors that are most likely to produce differential decisions on the part of law enforcement. The definition of protected classes is consistent with the following laws; Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and the Rehabilitation Act of 1973.



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3.1 Fair and Impartial Treatment

- Biased policing is prohibited both in enforcement of the law and the delivery of security and police services.
- Agency personnel shall take equivalent enforcement actions and provide bias-free services to all people in the same or similar circumstances.

3.2 Compliance and Reporting

- Agency personnel are encouraged to intervene at the time the biased policing or security incident occurs. Agency personnel who witness or who are aware of instances of biased policing are encouraged to report as early as possible.
- Supervisors shall:
 - a. Ensure that all agency personnel in their command are familiar with the content of this policy and shall be alert and respond when biased policing is occurring.
 - b. Respond to violations of this policy with training, counseling, discipline, or other remedial intervention as deemed appropriate to the violation.
 - c. Ensure that those who report instances of biased policing are not subject to retaliation².
 - d. Employees concerned about leveraging their respective chains of commands can contact the Office of Civil Rights and Inclusion at 213-418-3190 to report instances of bias policing and discrimination.
- Information on biased-policing complaints and any additional relevant information shall be provided to the CEO or their designee in a manner most suitable for administrative review, problem assessment, and development of appropriate officer-level and/or agency-level corrective actions. At least quarterly, a summary of biased-policing complaints should be provided to the CEO or their designee.
- LACMTA will generate and maintain a public facing bias complaint dashboard to ensure transparency with the community regarding any allegations of the use of age, disability, ethnicity, gender, nationality, race,

² The Supreme Court has defined retaliation as an intentional act in response to a protected action. Retaliation is a deliberate action used to send a clear message that complaining is unwelcome and risky. It is employed to instill fear in others who might consider making a complaint in the future. Those with cause for complaining are frequently among the most vulnerable in an institution. Once they complain, they are labeled “trouble-makers.” Retaliation, and the fear of retaliation, becomes a potent weapon used to maintain the power structure within the institution.



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religion or sexual orientation as a basis for action by LACMTA security services.

- Community members who are victims of unconscious bias, discrimination, or racial profiling by LACMTA staff, contractors, or contracted law enforcement services have several options to file a formal complaint.
 - a. Complete the online Civil Rights Complaint form found at https://media.metro.net/about_us/title_vi/images/civil_rights_complaint_form.pdf
 - b. Submit a complaint via the Transit Watch Application
 - c. Contact Customer Relations via email at CustomerRelations@metro.net or call 213-922-6235 or 1-800-464-2111.

A failure to comply with this policy is counterproductive to building the trust and respect with LACMTA customers and employees and is an act of serious misconduct and will result in discipline or termination. Any employee who becomes aware of biased policing or any other violation shall report it in accordance with established LACMTA procedures. Contract public safety employees shall report violations of this policy in accordance with host agency and LACMTA procedures.

3.3 Training

LACMTA requires annual implicit bias training for all employees. In addition, the following represents mandatory training for all LACMTA staff and contractors providing security resources on the system.

1. Bystander Intervention (De-Escalation Training)
2. Implicit (Unconscious) Bias for Transit Security
3. Safety/Security Training (Includes a primer on Unconscious Bias training)

In addition to required training, safety and security personnel will also receive training on good practices of de-escalation and culture awareness. LACMTA will work with local Community-Based Organizations to develop and deliver training on mental health and other social services. Whenever possible, LACMTA will integrate community members from a variety of backgrounds into trainings to ensure the trainings include the perspective of those whom LACMTA serves. LACMTA will also coordinate with the Public Safety Advisory Committee (PSAC) to identify and vet training curriculum opportunities.



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3.4 Monitoring Performance and Key Performance Indicators (KPI)

1. The Deputy Chief of Civil Rights will conduct an annual review of police and security reports.
2. On a quarterly basis, the Chief Safety Officer or designee will review the Transit Watch App, Customer Comment Analysis Tracking System (CCATS), and Customer Experience (CX) surveys to develop a report assessing feedback related to LACMTA anti-bias/anti-discrimination policies.
3. Through the annual or bi-annual safety and security survey of LACMTA patrons/riders, SSLE will assess and report on the following:
 - Percent Favorable Impression of Transit Policing Services
 - Service Rating - Service Quality
 - Service Rating – Fairness
 - Service Rating – Helpfulness
 - Increased rider satisfaction regarding racial profiling/bias
4. LACMTA will develop benchmarks for Key Performance Indicators, which will be tracked on a public-facing dashboard include:
 - Agency-wide annual compliance of all mandatory anti-bias related training.
 - Reports of complaints against law enforcement and security resources (expectation of year over year reduction).
 - Use of force incidents (expectation of year over year reduction).
 - Tracking the increased deployment of law enforcement/security alternatives (expectation of year over year increase).
 - Number of citations levied against marginalized communities (expectation of year over year reduction).

4.0 FLOWCHART

Not Applicable

5.0 REFERENCES

- Title VII of the 1964 Civil Rights Act
- LACMTA Civil Rights Policy (CIV 5)
- Internal Complaint Process (CIV 4)
- Title VI Equity Policies (CIV 13)
- Customer Complaints (GEN 42)



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- Security Incident Reporting and Response Policy (IT 12)
- Public Safety Analytics Policy (GEN 63)



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POLICY STATEMENT

The Los Angeles County Metropolitan Transportation Authority (LACMTA) is committed to providing safe and equitable transit services to all patrons. Discriminatory conduct on the basis of an individual's actual or perceived race, religion, color, ethnicity, national origin, age, gender, gender identity, gender expression, sexual orientation, disability, immigration, employment status, English language fluency, or homeless circumstance, is prohibited while performing any LACMTA activity. LACMTA has a zero-tolerance policy for any form of confirmed bias or discrimination and ensures all safety and security activity is conducted without discrimination, racial profiling, and bias. In deploying resources, LACMTA takes into consideration information and data from a variety of platforms and sources, to include public feedback. LACMTA has drafted the Public Safety Analytics policy to ensure that any use of internal and internal data sources is done in a manner that averts racial profiling and discrimination and holds personnel accountable for actions inconsistent with LACMTA policies.

PURPOSE

LACMTA is committed to protecting the constitutional and civil rights of all people as outlined in Title VII of the 1964 Civil Rights Act and the Americans with Disability Act (ADA). The purpose of this policy is to emphasize the agency's commitment to the collection and use of fair and bias-free public safety analytics and data and the fair and bias-free treatment of all people. This policy reaffirms LACMTA's pledge to bias-free practices as declared in its Bias-Free Policing Policy (GEN 63). LACMTA will ensure the use of all data will be done in a bias-free, non-discriminatory manner in its deployment of security and law enforcement services.

APPLICATION

This policy applies to all LACMTA employees and contractors. Contracted law enforcement entities will be provided the policy and be required to adhere to it

Effective Date: 03/23/23



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1.0 GENERAL

All individuals having contact with agency personnel shall be treated in a fair, impartial, bias-free, and objective manner, in accordance with the law, and without discrimination. Consistent with its commitment to bias-free policing, LACMTA pledges to utilize any data or information gathered in a manner which averts racial profiling.

In deploying resources, LACMTA considers information provided from a variety of platforms. These include, but are not limited to, bus and rail incident reports, the Customer Comment Analysis Tracking System (CCATS), closed-circuit television (CCTV), customer and employee surveys, dispatch calls for service, law enforcement crime statistics, intrusion alarms, social media, and the LA Metro Transit Watch App. Examining data from these various platforms enables LACMTA to deploy its array of resources strategically. Examples of LACMTA resources include Transit Security Officers, non-law enforcement alternatives such as homeless outreach specialists, and Metro Transit Ambassadors.

2.0 DEFINITION OF TERMS

Americans with Disability Act (ADA) - Federal law that prohibits discrimination on the basis of disability. To be protected by the ADA, you must have a disability or relationship with an individual with a disability.

Discrimination - Any adverse act or failure to act based on race, color, national origin, religion, sex, age, disability, ancestry, medical condition, marital status, sexual orientation, gender identity, gender expression, or any other basis protected under applicable federal or state law.

Fair and Bias-Free Treatment - Conduct of agency personnel and contractors wherein all people are treated in the same manner under the same or similar circumstances irrespective of specific characteristics.

Protected Classes - For the purposes of this policy, real or perceived personal characteristics, including but not limited to race, color, national origin, religion, sex, medical conditions, disability, age, citizenship status, marital status, sexual orientation, gender identity, or political affiliation¹.

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¹ This list is not exhaustive but is intended to identify the factors that are most likely to produce differential decisions on the part of law enforcement. The definition of protected classes is consistent with the following laws; Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), and the Rehabilitation Act of 1973.



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3.0 IMPLEMENTATION

3.1 Use of Analytics

Analytics can assist in the proper deployment of emergency services, safety and security technology, and resources that improve the customer experience for all patrons. LACMTA's use of analytics is intended to provide awareness of risks and issues that could potentially adversely impact LACMTA's bus and rail services and the viability, availability, and equitable deployment of LACMTA public safety and security resources. Analytics will be leveraged in a manner consistent with LACMTA's policies which promote the fair and impartial treatment of patrons, consistent with constitutional and statutory mandates.

3.2 Data Sources

LACMTA leverages information from a variety of sources and data sets to include:

- Calls for Service reports
- Vehicle maintenance requests
- Transit Watch App Incident reports
- Law Enforcement Service Requests (LESR)
- Incident reports
- Customer Comment Analysis Tracking System (CCATS)
- Customer Experience surveys
- Intrusion alarms at LACMTA facilities
- Trend reports from homeless outreach teams
- Justice Equity Need Index (JENI)
- Justice Equity Services Index (JESI)
- Everbridge alerts
- Feedback from frontline employees (e.g., bus operators and custodians)

LACMTA will cite the instances and circumstances for the use of any external data sets outside of LACMTA holdings (see Section 3.4).

3.3 Use of Demographic Data

LACMTA will only leverage demographic data in a limited capacity to provide information necessary to the public and law enforcement on persons who present a direct threat to public safety (e.g., active shooter, terror suspect, robbery suspect, etc.). At no point will the use of demographic data be leveraged to inform or support



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the deployment of LACMTA's public safety resources. All data sources which utilize demographics data will be audited every 90 days by LACMTA's Chief Civil Rights Officer or designee to ensure compliance with LACMTA policies on discrimination and bias.

3.4 Use of External Reports

LACMTA's analytics program's use of external reports will be limited in scope and nature. Examples of such external reports include:

- U.S. Annual Crime Trends Report
- Incident reports from transit systems across the United States
- Incident reports from corporate partners
- Public Be On the Look Out (BOLO) reports from law enforcement partners articulating safety and security threats to patrons and operators
- Information Awareness Bulletins from the Federal Bureau of Investigations (FBI) and the Department of Homeland Security (DHS)
- Joint Special Event Threat Assessments from FBI, DHS, and other state and local partners
- Reports generated by the Joint Regional Intelligence Center (JRIC)

All external reports will be documented and Systems Security and Law Enforcement (SSLE) will ensure compliance with LACMTA policy.

3.5 Analytics Tools

Programs and tools used to support LACMTA in data analytics will include the following:

- ArcGIS
- Microsoft Power BI
- Microsoft Excel

An analytics tool policy will be drafted to ensure the usage of each program is consistent with this policy.

3.6 Report Types

LACMTA will leverage the aforementioned data to generate the following reports to provide awareness of safety and security issues across the system²: LACMTA will ensure all products are accessible to the public.

² This is not an exhaustive list but represents examples of LACMTA products.
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- Emerging trends reports
- Analysis of security incidents impacting rail and bus lines
- Analysis of issues impacting employee and rider safety
- BOLO reports on persons posing safety risks to operators and riders
- Vandalism trend reports

3.7 Data Gathering, Quality, and Context

Data serves as the foundation for all analytics products and its quality determines how much a decision maker and stakeholders can trust the findings and implications. Data quality is a measure of the condition of data based on factors such as accuracy, completeness, consistency, reliability and whether it is up to date. All data utilized by the program will be assessed for data quality. LACMTA will operate from a zero-trust model in which all data will be verified for quality prior to incorporation into analysis, reports, and findings.

Equally as important as the gathering method and quality of data context. Data context is important as it limits assumptions and biases which could adversely impact the quality of the data. All data utilized within reports and products will be caveated with the following information:

- Data source
- Time range
- Data scope

4.0 RESPONSIBILITIES

4.1 Compliance

The Chief Executive Officer (CEO) will ensure all agency personnel responsible for data collection, analysis, and deployment of LACMTA resources are familiar with the content of this policy and adhere to it.

Reports relating to violations of this policy will be provided to the CEO or their designee in a manner most suitable for administrative review, problem assessment, and development of appropriate supervisor-level and/or executive-level corrective actions.

4.2 Training

LACMTA requires annual implicit bias training for all employees. In addition to required training, LACMTA will coordinate with the Public Safety Advisory



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Committee (PSAC) and Community-Based organizations to identify and vet training curriculum opportunities on topic such as cultural awareness. Additionally, for data analytic practitioners, training will be provided to address state and federal legislation on data privacy, data, and standards.

4.3 Monitoring Performance and Key Performance Indicators (KPI)

- SSLE will conduct quarterly reviews of security and analytic reports to confirm compliance with this policy. This includes reports which feature demographics, personal identifying information, or law enforcement or LACMTA-derived BOLOs.
- SSLE will ensure all agency personnel involved in public safety analytics maintain 100% annual compliance in attending and completing all related bias and discrimination training.
- SSLE will address all complaints and will conduct a quarterly review of customer comments and complaints to ensure compliance with this policy.
- SSLE will continually evaluate Key Performance Indicators (KPI) to effectively measure success and assess impacts of the analytics program.
- KPI results will be published in a public facing dashboard.

5.0 FLOWCHART

Not Applicable

6.0 REFERENCES

- Title VII of the 1964 Civil Rights Act
- Civil Rights Policy (CIV 5)
- Internal Complaint Process (CIV 4)
- Title VI Equity Policies (CIV 13)
- Customer Complaints (GEN 42)
- Security Incident Reporting and Response Policy (IT 12)
- Bias-Free Policing Policy (GEN 64)