



Metro

Los Angeles County
Metropolitan Transportation Authority

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SPECIAL BOARD MEETING

September 4, 2014

SUBJECT: AUDIT AND AMERICAN PUBLIC TRANSPORTATION ASSOCIATION (APTA) PEER REVIEW OF THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT CONTRACT

ACTION: RECEIVE AND FILE

RECOMMENDATION

- A. Receive and file this Office of the Inspector General (OIG) report on the audit of the contract with the Los Angeles County Sheriff's Department (LASD); and
- B. Receive oral report on the LASD Audit and APTA Peer Review of Metro's transit security.

ISSUE

The Metro Board directed the OIG to audit the transit policing contract between LASD and Metro.

DISCUSSION

The audit found that recently LASD has improved the impact of policing activities throughout the transit system. More citations have been written, the number of fare checks has increased, officer morale has generally increased, and plans to address staffing issues and other improvements are underway. The audit report identified a number of opportunities to improve operations and made appropriate recommendations. LASD has begun to take significant steps to address the recommendations in the report such as creating a LASD Transportation Division and appointing a new division chief.

1. Scope of the Review

The OIG prepared a comprehensive scope of work for the Request for Proposal to obtain an expert consultant to perform this audit. Bazilio Cobb Associates (BCA) was hired to perform the audit. The audit team included internationally recognized policing experts from across the U.S. provided by the Bratton Group, LLC, a subcontractor of BCA. The scope of this review focused on:

- Transit Community Policing Plan
- Requirements for Bus Operations

- Requirements for Rail Operations
- Communications
- Management Oversight and Performance Metrics
- Reports and Analyses
- Complaints
- Security Organization and Responsibilities
- Personnel and Billing
- Independent Audits and Reviews

2. Background

The Los Angeles County Metropolitan Transportation Authority (Metro) has a 3-year Memorandum of Agreement (MOU) (with 2 one-year options) with the Los Angeles County Sheriff's Department (LASD) to provide Metro with transit community policing services. This MOU became effective on July 1, 2009. The contract amount for services from the LASD ranged between \$65.9 million and \$83.0 million annually from FY 2009 through FY 2014. Because the contract expires on June 30, 2014, a 6-month extension was approved in April 2014. LASD's Transit Services Bureau (TSB) performs the policing services required by the contract.

3. Results of the Evaluation

The consultant completed the review and issued a comprehensive audit report on the LASD contract, which was distributed to the Board and Metro management on June 3, 2014. Significant findings are summarized below:

- Transit Community Policing. Metro's Scope of Work for the LASD-Metro contract states that LASD is to provide "transit community policing services" for all Metro service lines (including bus lines) and stations, and stipulates specific characteristics and expectations for the transit community policing services, including requirements related to personnel, operations, and services provided. However, LASD did not provide a Transit Community Policing Plan or Program.
- Requirements for Bus Operations. The LASD has not developed an annual bus operations policing plan or strategy, and the TSB has no central plan to address the challenges and operational necessities of crime and disorder on buses.
- Requirements for Rail Operations. LASD has not provided a specific plan or strategy relating to rail operations as required by the LASD-Metro contract.
- Communications. Metro's Scope of Work requires a Police Radio Dispatch and Communications Capability that minimizes response times for calls for service. We found that:
 - LASD's reported response times generally met targeted goals; however, the data provided did not provide an accurate picture of actual response times.

- LASD's Transit Services Bureau does not consistently conduct month-to-month comparisons whereby patterns can be identified and progress in lowering response times ascertained.
 - The current Communications Center facility site is cramped and not organized to be effective.
 - There is no specific transit-related training for Deputies and law enforcement technicians assigned to call-taking and dispatch duties at command centers.
- e. Management, Oversight, and Performance Metrics. Metro has not developed a formal plan or methodology for contract oversight, and no staff are fully dedicated to contract oversight. Performance metrics were developed and included in the contract extensions beginning in FY 2012; however, LASD had not met many of the targets for performance metrics, including crime reduction, continuity of staff, and fare enforcement saturation and activity rates.
- f. Reports and Analyses. With the implementation of TAP, LASD personnel began using a mobile phone validator to verify fares. The current mobile phone validator is inadequate and has limited functionality. Also, the three units of the LASD that would be part of a tactical response to critical incidents did not have ready access to needed information and had difficulty finding specific locations within Metro facilities, such as rail line vents where the alarm had sounded. Their blueprints of the rail stations were not up to date, nor were they readily accessible. They had no information on other Metro facilities such as bus divisions or maintenance facilities.
- g. Complaints. The complaint disposition categories used by the LASD do not adequately result in a conclusion of fact regarding the specific allegations made in the complaint. In addition, timelines established by LASD policy for sending acknowledgement and outcome letters are not met for most complaints.
- h. Security Organization and Responsibilities. The current contract created a dual chain of command for Metro Security by assigning a LASD Lieutenant as Director of Metro Security, while command and control is assigned to the Metro DEO. This dual chain of command has not been effective in managing and supervising Metro Security. Also, the roles and responsibilities of Metro Security have not been clearly or appropriately defined, and in some instances, current roles extend beyond the authority and common practice of security officers.
- i. Personnel and Billing. LASD did not submit adequate supporting documentation with their monthly billings and does not have an adequate time recording and record keeping system to track personnel's time records related to the Metro Contract. Other observations included:
- LASD filled some TSB positions via the Cadre of Administrative Relief Personnel (CARP) program which resulted in a lack of expertise, equipment,

and familiarity in transit operations at the line level. Metro paid LASD for the CARP personnel at the same rate as permanently assigned personnel.

- LASD has not provided the staffing levels required under the contract. There are continued vacancies in officer, supervisory, and managerial positions.
 - Some LASD personnel time was billed twice to Metro when personnel whose costs are included in the billing rates also generate direct billed time.
- j. Independent Audits and Reviews. A review of Metro Transit Security was conducted in 2008 and an operations assessment of Metro included a brief section on Security and Law Enforcement as part of their review of Essential Operating Department Support. The majority of recommendations from both reports were not implemented, and there was no indication whether the recommendations were followed up. Further, Metro has not taken advantage of periodic contract performance audits of the services provided by LASD as a contract compliance tool.

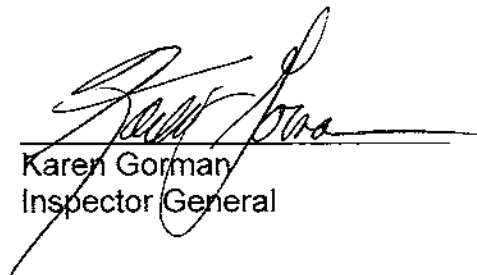
4. Report Recommendations

The consultant's report included 50 recommendations to improve the compliance and effectiveness of the LASD contract. Both LASD and Metro management agreed with the majority of the findings and recommendations in the report and indicated that the recommendations will be evaluated and corrective actions initiated where appropriate.

ATTACHMENT

- A. Report of the American Transportation Association Peer Review Panel on Transit Security Provided by Los Angeles County Metropolitan Transportation Authority

Prepared by Jack Shigetomi, Deputy Inspector General - Audits
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Karen Gorman
Inspector General

REPORT
OF THE
AMERICAN PUBLIC TRANSPORTATION ASSOCIATION
PEER REVIEW PANEL
FOR
LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY
Los Angeles, California

July 2014



**A Service of the Safety Management (Peer Review) Program of the
American Public Transportation Association**

REPORT
OF THE
AMERICAN PUBLIC TRANSPORTATION ASSOCIATION
PEER REVIEW PANEL
ON
TRANSIT SECURITY
PROVIDED BY
LOS ANGELES COUNTY METROPOLITAN
TRANSPORTATION AUTHORITY

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David Jutilla
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Published by the
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Michael P. Melaniphy, President

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I. INTRODUCTION

In June 2014, Mr. Arthur T. Leahy, Chief Executive Officer, Los Angeles County Metropolitan Transportation Authority (LACMTA) contacted the American Public Transportation Association (APTA) to request a peer review of the agency's transit security force.

Through discussions between APTA and LACMTA staff, it was determined the review would be conducted July 7 – 10, 2014.

A panel of industry peers was assembled that possessed expertise in transit security services provided at large transit agencies. The peer review panel consisted of the following transit individuals:

MR. JAMES SPILLER
Chief of Police
Dallas Area Rapid Transit
Dallas, TX

MR. DAVID JUTILLA
Chief of Police
King County Metro
Seattle, Washington

MR. JAMES KEATING
Vice President, Security Services
Chicago Transit Authority
Chicago, IL

MR. DAVID HAHN
Senior Program Specialist – Safety & Security
American Public Transportation Association
Washington, DC

The panel convened in Los Angeles, California on July 7, 2014. Panel coordination and logistical support was provided by APTA Staff Advisor David Hahn. Mr. Hahn also coordinated panel member input in the drafting of this peer review report. Duane Martin provided agency liaison support.

Methodology

The APTA Peer Review process is well established as a valuable resource to the public transit industry. Highly experienced and respected transit professionals voluntarily provide their time and support to address the scope required.

The panel conducted this review through facilities and operations observations, a series of briefings and interviews with personnel of Los Angeles County Metropolitan Transportation Authority and the Los Angeles Sheriff's Department.

Scope of Report

The scope of this review focused on evaluating the transit security and policing program at LACMTA as well as the Los Angeles Sheriff's Department contract to ensure the safety of its riders and frontline employees. The observations and recommendations provided through this peer review are offered as an industry resource as a means of strengthening the agency's transit programs, practices and strategies.

The review will focus on the following areas:

- Contract management / oversight
- Personnel / billing
- Transit community policing
- Requirements for bus operations
- Requirements for rail operations
- Fare collection

I. OBSERVATIONS AND RECOMMENDATIONS

OPENING COMMENTS

LACMTA is unique among the nation's transportation agencies. It serves one of the country's largest, most populous counties. More than 9.6 million people utilize its 1,433-square-mile service area. The panel commends LACMTA for initiating the peer review and found that LACMTA is well respected within the North American transit industry for the services it provides and the quality of its management team.

At the same time the panel found that there are opportunities to enhance the organization's current and future contract for policing services and those findings and related recommendations are provided in this briefing.

GENERAL OBSERVATION

The panel found that Metro is currently performing contract oversight to the best of their ability, despite limited resources. Metro is supplying LASD with significant resources, locations and assets to help assist in ensuring the transit system is combating crime and providing emergency response and passenger safety. LASD is currently performing a significant number of fare evasion citations, arrests and generally fulfilling many of the requirements in the contract with Metro. The decision by LASD to reorganize and create the Transit Police Division has helped moral and is a positive move toward strengthening policing on Metro.

1. CONTRACT MANAGEMENT AND OVERSIGHT

Metro is not currently fully enforcing all of the current requirements within their current policing contract. There seems to be a disconnect between Metro and LASD with regard to the handling of contract regulations, reporting requirements and policing philosophies.

RECOMMENDATIONS

- Metro should designate or create a position within Metro (Director of Security) that is directly responsible for contract oversight, management of the policing, Metro security and private security contracts to ensure the public safety, fare collection and system infrastructure is protected. This critical position should be responsible for maintaining the internal, external security policing functions along with program oversight.
- Metro should consider seeking outside council or expertise to craft the next policing contract to satisfy the numerous requirements.
- The performance measurements, metric, expectations, goals and objectives should be fully defined and evaluated to satisfy Metro's interests.
- LASD is currently billing via deployable minutes for hours worked per employee. Metro should consider rewording the next contract to bill via a fully burdened rate of Full Time Equivalents instead of the current billing practices.
- Contracts should consider requesting salaries reconciliation for vacancies. A salary savings on unfilled vacancies should be enforced.

- The new Director of Security should enforce the current invoices and payment section requirements located on section (E.) of the current contract.
- The new contract should submit monthly reports that include detailed invoices.

2. COMMUNITY POLICING

LASD is not currently utilizing a policing strategy that focuses on Community policing. During the peer review the LASD mentioned that they were working toward this strategy. However the panel found the COPS and Ops meeting is very supportive in strengthening the relationship between Metro and LASD.

RECOMMENDATIONS

- Partnership needs to be strengthened between Metro and LASD. It is currently fragmented and many aspects are not fully understood by either entity.
- Rail - LASD should consider implementing a plan focusing on geographical policing with dedicated FTEs for Bus and Rail. Officers should be on the platforms and interact with the customers. Officers should ride the trains to deter crime and assist with deterring Fare Evasion.
- Bus - Patrol officers should be out on bus routes and transit centers, transit facilities and problem zones (hot spots).
- A legal review of Metro's security officers as "armed security guards" should be conducted.
- Metro's security officers could be utilized for Fare Enforcement positions to collect the millions that Metro is not currently collecting due to their high fare evasion rate.
- Metro should require LASD to utilize a policing strategy that addresses public safety on all 3 shifts when crime is occurring. This is addressed on page 3, section B.2 of the current contract.
 - Adjusted resources for revenue service after 2100 – 0100 hours should be considered.
- Attainable service level goals are not being met. Metro should consider providing updates to LASD during the ILP meetings so LASD is receiving prompt feedback on all of the requirements.
- A daily detail sheet should be provided to the Director of Security by the LASD so he/she knows the daily staffing level by mode, line and route.
- Redefine the roles and responsibilities of the Lieutenant within the LASD so the Metro Director of Security performs these duties.
- Contract security guards should be placed at fixed locations based on intelligence led policing.
- Metro should consider reevaluating the security contracts for RMI to protect Metro facilities, perform infrastructure protection and revenue collection instead of utilizing their current Metro security officers to perform these tasks. These security contractors should be certified by the State of California to perform these tasks.
- The LASD should consider reallocated resources from Rail Operation to Bus Operations after an analysis has been approved by the Director of Security.

- Consider identifying Metro and uniformed transit police vehicles as “Metro Transit” this will aid customers, Metro employees to associate the Deputies as “Metro Transit” police instead of a separate Sheriff division that assists Metro.
- Consider distributing appropriate weekly information bulletin to the Rail and Bus Executive Directors and include them at the ILP meeting. The Directors should provide feedback to the LASD on current issues this will help strengthen the partnership between the agencies.

3. REQUIREMENTS FOR RAIL OPERATIONS

Currently Metro does not have a Policing Strategy and Plan from LASD that addresses Rail Operations.

RECOMMENDATIONS

- Metro should request a written policing philosophy, strategy and plan that addresses the Rail Policing strategies from LASD.
- LASD should consider reduced squad patrolling (no congregating) at stations unless specifically assigned to an area for a special event or situation.

4. REQUIREMENTS FOR BUS OPERATIONS

Metro does not currently have a Policing strategy and plan that addresses the Policing of Bus Operations from LASD. The panel found that LASD primarily focuses on Rail security instead of Bus. The Metro service size area is very large and can be a challenge to reach certain buses in a reasonable amount of time which has resulted in emergency response time as long as 20 minutes.

RECOMMENDATIONS

- MOUs should be established or strengthened to assist LASD to utilize local police jurisdictions to respond to bus calls and decrease the response time.
- Deputies could help strengthen the current relationship by communicating with bus operators and discussing any problems on routes.
- LASD should develop a patrol functions for bus that addresses crime reports, call for service and hot spots.
- Police visibility at transit centers should be increased.
- Bus response team should be utilized more frequently to help reduce bus crimes.
- Law enforcement service requests should be followed up by LASD based on the severity of the situation or suspect information. This should include follow up with the bus operator to complete the feedback loop.
- Metro should consider migrating daily incident reports to an electronic reporting system instead of using paper reports to increase efficiency, assist with trend analysis and COPS on a Dot deployment.

5. FARE ENFORCEMENT

The Sherriff's Department is currently working toward fulfilling the requirements of the contract regarding Fare Enforcement.

RECOMMENDATIONS

- Perform rail and bus ride “alongs” and verify fare taps during on-board deployment.
- Utilize resources by employing alternate personnel to conduct station taps.
- Consider revisiting the fare violation policy and the penalties associated with violations, trespassing. Subsequent violations could be grounds for suspension or criminal prosecution.

IV. CONCLUDING REMARKS

Through the review, the panel has had the opportunity to become familiar with the management strategies, performance metrics of Los Angeles County Metropolitan Transportation Authority. It is evident to the panel that while opportunities exist to strengthen LACMTA's security practices, the transit agency is striving to effectively and accurately provide public safety and is striving to improve fare collection by a skilled and competent management team.

The panel sincerely appreciates the support and assistance extended to the panel by the staff of Los Angeles County Metropolitan Transportation Authority. The panel stands available to assist with any clarification or subsequent support that may be needed.

APPENDIX

APPENDIX A



Metro

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June 5, 2014

Michael P. Melaniphy, President
American Public Transportation Association
1666 K Street NW, 11th Floor
Washington, D.C. 20006

Dear Mr. Melaniphy:

The Los Angeles County Metropolitan Transportation Authority (LACMTA) requests the assistance of APTA in coordinating a peer review of our Los Angeles Metro Transit Security, including the Los Angeles County Sheriff's Department (LASD) and our own Transit Security force. Our primary concern is the existing, now expired contract with the LASD. The Metro Board of Directors has voiced concerns about the efficacy of the existing contractor and deployment strategy in ensuring the safety of our riders and frontline employees, as well as enforcement of fares. We are in the process of writing a new request for proposal (RFP) inviting participation from all policing agencies in the Los Angeles County region.

We request APTA's assistance in bringing together a peer panel of professional comparably sized organizations and individuals who are experienced with transit security services. The overall scope of the transit security peer review will focus on two areas. First, the development of a process to award a new contract by sharing transit security procurement process, selection, and contract development best practices. Second, the development of best practices to strengthen Metro's transit security program by developing strategies to maximize the police and fare enforcement officer deployment, enforcement policies, crisis management protocols, crime reporting, and policing methodology. For an effective peer review process, we anticipate a panel of up to five (5) members.

We would like to proceed with the peer review immediately. Duane Martin has begun working with APTA. He will be your contact during this review and will assemble a team to support the Peer Review Panel. Duane can be reached at 213.922.7460 (office) or martind@metro.net.

Sincerely,

Arthur T. Leahy
Chief Executive Officer

Attachment: Appendix A

APTA – LACMTA
Security Peer Review Agenda

Appendix B

Tuesday, July 8, 2014

- 7:30 AM – Duane and Lt. Rivers will meet panel members at hotel for pickup
- 9:00 AM – Opening Meeting with CEO, Chiefs, Safety & Security Department (DCEO Lindy Lee)
- 9:30 AM – Office of Management and Budget (Nalini Ahuja)
- 10:00 AM – Security Department (Lt. Rivers)
- 12:00 PM – LUNCH
- 1:00 PM – Safety (Vijay Khawani)
- 2:00 PM – Risk Management (Greg Kildare)
- 3:00 PM – Operations (Steve Rank and Robert Castanon)
- 4:00 PM – Human Resources (Stephan Chasnov)
- 5:00 PM – Return to hotel- panel members have dinner on their own to discuss report

Wednesday, July 9, 2014

- 7:15 AM – Duane will meet panel members at hotel for pick up
- 8:00 AM to 10:00 AM – Ride Blue Line to the ROC
- 10:00 to 10:30 AM – Intelligence Lead Policing Meeting
- 10:30AM to 11:30 AM – Meet with Commander and Chief
- 12:00 PM – Return to hotel to develop report

Thursday, July 10, 2014

- 7:30 AM – Meet at hotel for pick up
- 8:45 AM – Closing Conference (CEO, Security Department)
- 9:00 AM – CEO Conference Call with CEO
- 11:00 AM- Depart for airport

