

**Los Angeles County  
Metropolitan Transportation Authority  
Office of the Inspector General**

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**Fiscal Years 2021 and 2022  
Metro Transit Security  
Services Performance**

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Report No. 23-AUD-03

December 29, 2022





**Metro**

**Los Angeles County  
Metropolitan Transportation Authority**

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**DATE:** December 29, 2022

**TO:** Metro Board Directors

**FROM:** Karen Gorman, Inspector General  
Office of the Inspector General

**SUBJECT:** Final Report on Metro Transit Security Performance Audit for  
Fiscal Years 2021 and 2022 (Report No. 23-AUD-03)

The Office of the Inspector General (OIG) hired the consultant firm BCA Watson Rice LLP to conduct an audit on the performance of Metro's System Security & Law Enforcement (SSLE) Department and the three contracted law enforcement agencies for the period of July 1, 2020 to June 30, 2022 (Fiscal Years 2021 and 2022). Since 2009, Metro has had a contract with the Los Angeles County Sheriff's Department (LASD) to provide Metro with transit policing services. Beginning July 1, 2017, Metro implemented a new transit security strategy, which includes obtaining services from three law enforcement agencies – the City of Los Angeles Police Department (LAPD), the Los Angeles County Sheriff's Department (LASD) and the City of Long Beach Police Department (LBPD). In addition, SSLE transit security officers (TSO) provide security over Metro facilities, perform fare compliance checks, and patrol bus and rail systems.

On February 23, 2017, the Metro Board passed a motion directing the Office of the Inspector General (OIG) to annually audit each law enforcement services contract to determine how key performance indicators measure up against actual performance metrics. The audit for Fiscal Years 2021 and 2022 covered the following areas:

- A. Visibility of Law Enforcement Security Personnel
- B. Use of Force and Complaint Policies, Procedures, Management and Outcomes
- C. Proactive Crime Policing Efforts
- D. Homelessness Efforts and Effectiveness
- E. System Security and Law Enforcement (SSLE) Department
- F. Follow-up on Prior Years Recommendations

### **OVERALL AUDIT CONCLUSIONS**

- Metro's System Security and Law Enforcement (SSLE) Department has various policing activities but has not established written targets for the level of visible presence and activity by contract law enforcement personnel on the Metro System, nor have they established an overall policing strategy and plan, nor have they established an approach for providing a security presence on the Metro bus system.



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- The SSLE Department has made progress implementing a mechanism for verifying contracted law enforcement actual presence. However, a comprehensive monitoring and oversight mechanism is still lacking.
- The use of force policies for the three contract law enforcement agencies and Metro Transit Security include the foundational and essential elements of a viable and transparent use of force policy. The three contract law enforcement agencies also have strong complaint policies that cover all of the required and best practice elements, however, there is limited transparency on how they reach conclusions.
- Given the importance of providing a visible presence on the Metro System, the amount of contract law enforcement time available for providing a visible security presence, problem solving, and other proactive activities including community policing, are appropriate for a transit system the size of Metro in addition to the other efforts to provide security including Metro Security and the Transit Ambassadors.
- We found no evidence that Metro contract law enforcement agencies used any “predictive” policing approaches or techniques when policing the Metro System. In addition, such “predictive” policing approaches are not needed nor would they be effective for the Metro System. Information on crime trends and locations, as well as complaints from Metro employees and patrons, is useful to focus law enforcement personnel and activities.
- Metro has allocated substantial funding and expended substantial effort to assist persons experiencing homelessness and address impacts on the Metro System. However, a consistent approach to evaluating these efforts and counting homeless persons on the System has not been developed nor implemented.
- Metro’s SSLE Department compliance monitoring and oversight of the law enforcement contracts improved during FY 2021 and FY 2022. However, monitoring and oversight could still be significantly strengthened.

This report contains 14 specific audit findings and recommendations to address these issues and others, which are summarized in the Appendix to the report, Exhibit 28. Responses to audit findings and recommendations from the Chief Safety Officer, System Security & Law Enforcement, is attached on the following pages.

We appreciate the assistance provided by Metro staff during this review. I am available to answer any questions the Board Directors may have regarding this report.



**Metro Office of the Inspector General**

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**Metro Transit Security  
Performance Audit  
Fiscal Years 2021 and 2022**

**December 2022**

**FINAL REPORT**

*Submitted by*

**BCA Watson Rice, LLP**

in association with

**Chief Paul MacMillan (Retired)**

**Massachusetts Bay Transportation Authority**

and

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# 1. Executive Summary

## Overall Conclusions

- Metro's System Security and Law Enforcement (SSLE) Department has various policing activities but has not established written targets for the level of visible presence and activity by contract law enforcement personnel on the Metro System, nor have they established an overall policing strategy and plan, nor have they established an approach for providing a security presence on the Metro bus system.
- The SSLE Department has made progress implementing a mechanism for verifying contracted law enforcement actual presence. However, a comprehensive monitoring and oversight mechanism is still lacking.
- The use of force policies for the three contract law enforcement agencies and Metro Transit Security include the foundational and essential elements of a viable and transparent use of force policy. The three contract law enforcement agencies also have strong complaint policies that cover all of the required and best practice elements, however, there is limited transparency on how they reach conclusions.
- Given the importance of providing a visible presence on the Metro System, the amount of contract law enforcement time available for providing a visible security presence, problem solving, and other proactive activities including community policing, are appropriate for a transit system the size of Metro in addition to the other efforts to provide security including Metro Security and the Transit Ambassadors.
- We found no evidence that Metro contract law enforcement agencies used any "predictive" policing approaches or techniques when policing the Metro System. In addition, such "predictive" policing approaches are not needed nor would they be effective for the Metro System. Information on crime trends and locations, as well as complaints from Metro employees and patrons, is useful to focus law enforcement personnel and activities.
- Metro has allocated substantial funding and expended substantial effort to assist persons experiencing homelessness and address impacts on the Metro System. However, a consistent approach to evaluating these efforts and counting homeless persons on the System has not been developed nor implemented.
- Metro's SSLE Department compliance monitoring and oversight of the law



enforcement contracts improved during FY 2021 and FY 2022. However, monitoring and oversight could still be significantly strengthened.

- This report contains thirteen specific findings and recommendations to address these issues and others, and to improve the safety and security of the Metro System.

## **Background and Objectives**

The Los Angeles County Metropolitan Transportation Authority (Metro) is the region’s principal agency for multi-modal transit operations. In 2017, Metro awarded three separate 5-year firm fixed unit rate contracts to the Los Angeles Police Department (LAPD), the Los Angeles County Sheriff’s Department (LASD), and the Long Beach Police Department (LBPD) (“Contractors”) for transit law enforcement services to support day-to-day operations across Metro’s entire service area. The objective of this audit is to determine and verify the level of performance being reported for transit security function services for all three law enforcement agencies during FY 2021 and FY 2022 (July 1, 2020, to June 30, 2022).

The specific review areas covered by this audit include:

- A. Visibility of Law Enforcement Security Personnel
- B. Use of Force and Complaint Policies, Procedures, Management and Outcomes
- C. Proactive Crime Policing Efforts
- D. Homelessness Efforts and Effectiveness in Reducing Non-Transit Purpose Ride Occupancy
- E. Metro System Security and Law Enforcement (SSLE) Department Non-law Enforcement Personnel and Activities
- F. Follow-Up on Prior Audit Recommendations

### **A. Visibility of Law Enforcement Security Personnel**

Providing a visible security presence within the Metro system is an important strategy for providing both a sense and reality of safety. Uniformed patrols, usually within the high traffic stations of the system creates a felt presence of safety and security among most of the riding public. However, some persons may feel less safe around law enforcement personnel.

We found Metro’s SSLE Department has not established targets for the level of visible presence and activity by contract law enforcement personnel on the Metro System, nor have they established an overall policing strategy and plan. Since FY 2018, the SSLE



Department has stated they were in the process of developing a unified community policing plan. However, this plan has not been developed nor implemented.

***We recommend the Metro SSLE Department work with contract law enforcement agencies to develop specific targets for the level of visible presence and activity provided by contract law enforcement personnel on the Metro System as part of an overall policing strategy and plan.***

A visible security presence throughout the bus system is needed to provide a deterrent to criminal activity, disorder, and Customer Code of Conduct violations and encourages fare compliance. This presence also provides a sense of confidence in the safety and security of the system by the riding public. Metro's current deployment of contracted law enforcement personnel provides little visible security presence on the Metro bus system.

***We recommend Metro SSLE Department develop an approach to providing a visible security presence on the Metro Bus System as part of an overall policing strategy and plan.***

Monitoring and oversight of contract law enforcement personnel assigned to ensure they are actually present and providing the service Metro is paying for is a top priority. Establishing an effective mechanism for ensuring presence was a key element of the new law enforcement service model implemented with the current contracts. We found Metro's SSLE Department has made progress implementing a mechanism for verifying contracted law enforcement actual presence. However, a comprehensive monitoring and oversight mechanism is still lacking.

***We recommend the Metro SSLE Department continue to refine its approach to monitoring contracted law enforcement resources to ensure the resources Metro is paying for are actually present and providing services, including the enhanced use of TAP information and potentially using information from GPS enabled body cameras and patrol units.***

The following provides information on the visibility of personnel for each of the three contract law enforcement agencies.

- **LAPD** – Personnel are primarily deployed as walking units using the Metro System itself for transportation during their deployment. LAPD is able to do this because it has regular car based patrol units deployed throughout the City of Los Angeles that are able to respond to incidents and calls for service on the Metro System as needed. More than half (53.8%) of the incidents or calls for service on the Metro System in the LAPD service area were responded to and handled by LAPD neighborhood patrol units. ***We recommend LAPD continue to deploy contracted law enforcement personnel to maximize their visible presence on***





***the System, while providing an effective response to incidents and calls for service using both contracted law enforcement resources and regular neighborhood patrol units.***

- **LASD** - Personnel are primarily deployed as patrol vehicle-based units. This is because these personnel have a primary responsibility for responding to calls for service in the area of the Metro System they are responsible for. Responding to calls for service within a reasonable amount of time requires them to be patrol vehicle based. The level of visible presence of contracted LASD law enforcement personnel on the Metro System could be increased substantially if local law enforcement agencies and resources could assume the primary responsibility for responding to and handling incidents on the Metro System within their jurisdictions. ***We recommend the Metro SSLE Department and LASD work with local law enforcement agencies within the LASD service area to expand their responses to incidents and calls for service on the Metro System to allow LASD to increase their ability for contracted LASD law enforcement personnel to provide more visible presence on the Metro System.***
- **LSPD** - Personnel are primarily deployed as foot based units assigned to ride the train and patrol stations. The LSPD service area includes eight Blue Line stations within the City of Long Beach. The police officers assigned on foot are deployed in teams of two, allowing each team to patrol four stations. This limited service area allows the assigned police officers to respond in a timely manner to most of the incidents and calls for service within the service area. ***We recommend LSPD continue to deploy contracted law enforcement personnel to maximize their visible presence on the System, while providing an effective response to incidents and calls for service on Metro’s System LSPD is responsible for policing.***

## **B. Use of Force and Complaint Policies, Procedures, Management and Outcomes**

Use of force by law enforcement includes any physical coercion used to affect, influence, or persuade an individual to comply with an order. Use of force policies and procedures are intended to ensure law enforcement personnel only use force that is objectively reasonable. Complaints can provide meaningful insight into how well services are provided and accepted by Metro passengers; and how well contracted law enforcement personnel are trained, managed, and supervised.

Several standards were used to evaluate the “Use of Force” policies of the three contract law enforcement agencies as well as Metro Security. These include:



- National Consensus Policy and Discussion Paper on Use of Force
- California Legislation
- The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) standards

The following are the use of force policy elements used to evaluate the policies of the three contract law enforcement agencies and Metro Security:

- Objectively Reasonable Force
- Reverence for Human Life
- Requires Written Report
- Supervisory Review
- Deadly Force Authorized with Immediate/Imminent Threat
- Duty to Intervene/Intercede
- Medical Aid Required
- De-Escalation, if possible
- Annual training on policy

We found the use of force policies for all four agencies reviewed included the foundational and essential elements of a viable and transparent use of force policy with the exception of annual training on the policy. The California Penal Code allows for regular and periodic training on the use of force policies. However, best practice policies require annual training on the policy.

***We recommend future contracts with the law enforcement agencies include a provision that an annual documented review of the agency's use of force policy be given to officers assigned to LA Metro patrol, and Metro Security formally adopt its draft use of force policy including a requirement addressing annual retraining on the policy.***

The following shows the result of our review of documented use of force incidents for each agency.

- **Metro Security** - Use of force incidents were investigated and determined by Metro Security leadership to be within the policy guidelines. We reviewed a random sample of use of force investigations for Metro Security and determined that appropriate investigative techniques were used and a conclusion of fact was determined for each.
- **LAPD** – Conducts an investigation of all use of force incidents and compiles annual analysis of the use of force incidents annually. This allows for the agency to discover any patterns or trends in officer's action relative to the use of force. Use of force investigative reports were not available for LAPD.



- **LASD** –Use of force incidents were investigated and a conclusion of fact was determined. The specific records are part of a peace officer's personnel records and are confidential and exempt from disclosure, and we were unable to examine them.
- **LBPD** – Use of force incidents were investigated and were deemed reasonable and within policy.

The California State Penal Code mandates that each department or agency that employs peace officers establish a procedure to investigate complaints by members of the public against the personnel of these departments. Complaints can provide meaningful insight into how well services are provided and accepted by those served by municipal police departments; and how well police personnel are trained, managed, and supervised. Individuals that are dissatisfied with their treatment or interaction with police personnel, or with the service provided by the police, can make a complaint.

We found LAPD, LASD, and LBPD have strong complaint policies that cover all of the required and best practice elements necessary to provide citizens with a process that is transparent and fair. Metro Security is not required to adopt a complaint policy or processes because its personnel are not peace officers, and so it has not adopted a specific complaint policy separate from the Metro Customer Relations complaint process used for all Metro employees.

***Although Metro Security is not required to develop a formal policy and procedures for accepting and investigating complaints about officer conduct, such a policy would be beneficial. We recommend Metro Security consider developing and adopting a formal citizen complaint policy and procedures.***

### **C. Proactive Crime Policing Efforts**

Proactive policing is the practice of deterring criminal activity by showing police presence based on incidents and activity. It includes activities such as the use of police powers by both uniformed and plain-clothes officers, engaging the public to learn their concerns, and investigating and discovering offenses and conspiracies to commit crimes so that the crimes cannot be committed. In contrast, responding to a complaint after a crime has been committed is reactive policing.

Providing a visible security presence within the Metro System is an important strategy for providing both a sense and reality of safety. Uniformed patrols, usually within the high traffic stations of the system create a felt presence of safety and security among the riding public. Visible presence in areas frequently used by passengers include areas near fare gates, boarding areas of buses and trains, station entrances, on board transit vehicles, and public parking areas.



Contract law enforcement agencies reported on the ratio of proactive versus dispatched activity. This is an important measure related to visibility as it indicates how much of their time is spent being visible, conducting problem solving, and other proactive activities including community policing.

The term “proactive” as used here may not clearly communicate the intent or actual use of this law enforcement patrol time. Rather than aggressive enforcement oriented activities, this proactive time is intended to be focused on providing a visible security presence, positively interacting with the transit community, and working on longer-term crime prevention and problem solving activities.

We found that given the importance of providing a visible presence on the Metro System, the amount of contract law enforcement time available for providing a visible security presence, problem solving, and other proactive activities including community policing, are appropriate for a transit system the size of Metro. However, there is not a comprehensive plan for the coordinated deployment of contracted law enforcement, Metro Security, and Transit Ambassador personnel throughout the Metro System.

***We recommend SSLE, in coordination with Metro Operations and Customer Care, develop a comprehensive plan for the coordinated deployment of contracted law enforcement, Metro Security, and Transit Ambassador personnel throughout the Metro System. This plan should include clearly defined roles and responsibilities, clear lines and mechanisms for communication, training, and strong supervision and oversight.***

Metro employees, including bus and train operators, maintenance personnel, customer service representatives, and others are the front-line representatives of Metro and have ongoing and direct interaction with the riding public. As such, they are in a prime position to identify and report public safety and law enforcement issues and concerns in the Law Enforcement Service Request (LESR) system. Metro employees make frequent use of this system to report issues and concerns. ***We found the LESR system provides useful information from Metro employees on safety and security issues and concerns on the System. This information is used by the three contracted law enforcement agencies to focus some of their proactive law enforcement activities.***

Predictive policing is the application of analytical techniques—particularly quantitative techniques, to identify likely targets for police intervention and prevent crime or solve past crimes by making statistical predictions. Predictive policing uses computer systems to analyze large sets of data, including historical crime data, to help decide where to deploy police or to identify individuals who are purportedly more likely to commit or be a victim of a crime.



Proponents argue that predictive policing can help predict crimes more accurately and effectively than traditional police methods. Critics warn about a lack of transparency and point to a number of civil rights and civil liberties concerns, including the possibility that algorithms could reinforce racial biases in the criminal justice system.

We found no evidence that Metro contract law enforcement agencies used any “predictive” policing approaches or techniques when policing the Metro System. In addition, we do not believe that such “predictive” policing approaches are needed or would be effective for the Metro System.

***We recommend Metro contracted agencies continue to use information on crime trends and locations, as well as complaints from Metro employees and patrons, to focus their law enforcement personnel and activities on these crime trends and concerns.***

#### **D. Homelessness Efforts and Effectiveness**

The increase of homelessness in Metro’s transit system continues to challenge the agency. Metro recognizes the need to address homelessness in and around the transit system. The FY 2022 Metro budget includes substantial funds to help address homelessness on the Metro System. The objective of this task was to determine the status of Metro’s homelessness initiatives.

- **Short Term Shelter for Homeless Riders** - In March 2021 Metro initiated a pilot program to increase short-term shelter bed availability within its service area. During the pilot, 345 persons experiencing homelessness (PEH) were referred by Metro outreach teams, and the program spent its entire \$2 million budget. In January 2022, in conjunction with a recommendation from the Public Safety Advisory Committee, Metro increased the Home At Last (HAL) Program budget by \$1.4 million and extended the HAL program through June 30, 2022. While the program had positive impacts for those being served, Metro determined that it did not have a meaningful impact on the number of PEH on the transit system. As a result, the HAL program was not extended beyond June 2022.
- **Enhanced Homeless Outreach Teams** - Metro has contracted with the People Assisting the Homeless (PATH) to provide homeless street-based outreach services. Metro provides funding for 40 staff which are formed into eight street-based, multidisciplinary teams that include outreach workers, case managers, addiction specialists, clinicians, and medical personnel. Moving forward, Metro’s outreach model is both expanding and becoming more focused on target areas within the system. The goal is to increase outreach at the stations and provide



additional resources to PEH camping nightly at station entrances and the street-level sidewalks.

- **Regular Homeless Counts to Monitor Trends and Success** - Beginning in 2020, SSLE, in collaboration with Metro’s law enforcement partners and operations, conducted homeless counts on directly operated bus and rail lines. We found the homeless counts conducted by Metro in 2020 and 2021 did not use a consistent methodology. Additionally, the use of law enforcement and Metro Security to conduct the rail counts may have impacted the ability to get accurate counts. Developing a process for conducting homeless counts is consistent with Metro’s goal of improving transit safety by targeting increased security and homeless outreach efforts. The counts could be a valuable tool moving forward by establishing baselines, evaluating trends and identifying near-term focus for resource planning and outreach efforts. ***We recommend Metro develop and implement a standardized methodology for conducting counts of homeless persons based on best practices.***
- **PSAC Recommended Pilot Homeless Strategies** - Metro established the Public Safety Advisory Committee (PSAC) to work with Metro to develop a community-based approach to public safety on the transit system and the Board requested that PSAC make recommendations for “pilot homeless strategies” committing up to \$3 million in funding. PSAC has not developed any additional recommendations for funding homelessness initiatives. Of the \$3 million budgeted for PSAC-recommended programs only \$1.4 million has been spent as of the close of FY 2022.
- **Other Methods to Address Non-Transportation Use of Metro** - Metro has initiated three additional methods to address PEH’s non-transportation use of Metro’s transit system. These programs are designed to work in collaboration with the above initiatives but are highlighted separately in this report.
  - **Transit Ambassador Pilot Program** – This program will employ up to 300 transit ambassadors from diverse communities throughout the County. The program will be a part of Metro’s overall public safety network that includes security, law enforcement, crisis response teams, and homeless outreach that advance the goal of a safer public transit system.
  - **Metro “Care Kits”** - In collaboration with PATH, Metro will distribute 2,000 “Care Kits” to unhoused riders over the next year. The Care Kits are designed to help riders who may be experiencing homelessness and also



develop trust between PEH and the outreach workers. They can be distributed by PATH outreach workers or other Metro staff, and initial reports from these staff have been positive.

- **Outreach Partnerships** – Metro developed outreach partnerships with three different organizations that coordinate and collaborate with PATH and Metro in serving PEH in and around Metro's bus and rail system. These are the Los Angeles Mission; LA DOOR, a recidivism reduction & drug diversion unit within the Los Angeles City Attorney's Office; and The Dream Center, a community-based organization focused on providing support to those affected by homelessness through residential and community outreach programs.

## **E. System Security and Law Enforcement (SSLE) Department**

Metro has and will continue to have a substantial investment in resources devoted to system safety and security. Oversight and monitoring of contracted law enforcement resources has historically been problematic for Metro. Numerous previous reports have identified the lack of monitoring and oversight as significant issues and concerns, and numerous recommendations have been made to significantly strengthen monitoring and oversight. We found that Metro's SSLE Department compliance monitoring and oversight of the law enforcement contracts improved during FY 2021 and FY 2022. However, monitoring and oversight could still be significantly strengthened.

SSLE developed and implemented a **Compliance Review Standard Operating Procedure** (SOP), completed in December 2021. The SOP outlines an approach to conducting reviews to ensure that billings and payments are consistent with the contract terms. The SOP also outlines efforts to ensure that contracted law enforcement personnel planned and scheduled to work for Metro are actually present and providing service including field reviews and TAP reviews.

***We recommend the Metro SSLE Department consider further strengthening ongoing monitoring and oversight of compliance with the terms of the law enforcement services contracts.***

Providing security for Metro facilities and operations is critical to ensure a safe transit environment for Metro employees, patrons, and Metro property. It is important that Metro Security have an effective accountability system, including meaningful performance indicators. We found the SSLE Department has made progress in developing performance indicators for Metro Security. However, performance indicators developed and in use for Metro Security are focused on response time to various incidents rather than the key areas of fare enforcement and critical infrastructure protection previously



identified by the SSLE Department. An expanded set of performance indicators, including indicators related to fare and code of conduct enforcement and critical infrastructure protection would be beneficial. **We recommend Metro’s SSLE Department develop an expanded set of performance indicators, including indicators related to fare and code of conduct enforcement and critical infrastructure protection, for Metro Security personnel.**

**F. Follow-Up on Prior Audit Recommendations**

The FY 2020 Performance Audit Transit Security Performance Audit identified various issues and made 28 recommendations to enhance performance efficiency and effectiveness in many transit security areas.

The following exhibit summarizes the current status of the FY 2020 performance audit recommendations. Refer to Exhibits 26 to 29 for more information.

Exhibit 1 Metro Transit Security Services Performance Audit - Fiscal Year 2020 Current Status of Recommendations		
Current Status	Number of Recommendations	Recommendation Numbers
Implemented	12	1, 5, 5, 7, 8, 9, 12, 18, 22, 25, 27, 28
Partially Implemented	4	11, 13, 23, 26
Pending (To be implemented with new contract)	5	2, 3, 4, 10, 20
Not Implemented	7	14, 15, 16, 17, 19, 21, 24





## **2. Background**

Metro is the region’s principal agency for multi-modal transit operations. Metro operates transit service from eleven (11) geographically distinct bus divisions, four light rail lines, and two subway lines. In addition, critical rail infrastructure includes Union Station, 7th Street/Metro Center, and Willowbrook/Rosa Parks Station. Critical bus infrastructure includes the Harbor/Gateway Station and El Monte Transit Center.

In 2017, Metro awarded three separate 5-year firm fixed unit rate contracts to the LAPD, the LASD, and the LBPD (“Contractors”) for transit law enforcement services to support day-to-day operations across Metro’s entire service area.

In addition to contract transit law enforcement services, Metro’s SSLE Department employs Transit Security Officers (TSO) who provide security over Metro facilities, perform fare compliance checks, and patrol bus and rail systems. Metro TSOs are not sworn or certified law-enforcement officers and do not have authority to detain or arrest.

## **3. Objectives, Scope and Methodology**

The overall objective of this audit is to evaluate transit security services performance provided by each of the three law enforcement contractors (LAPD, LASD, and LBPD), and Metro’s System Security and Law Enforcement (SSLE) Department during FY 2021 and FY 2022.

The specific review areas covered by this audit include:

- A. Visibility of Law Enforcement and Security Personnel
- B. Use of Force and Complaint Policies, Procedures, Management and Outcomes
- C. Proactive Crime Policing Efforts
- D. Homelessness Efforts and Effectiveness in Reducing Non-Transit Purpose Ride Occupancy
- E. Metro System Security and Law Enforcement (SSLE) Department Non-law Enforcement Personnel and Activities
- F. Follow-Up on Prior Performance Audit Recommendations

The methodology used to complete this audit is described in each section of this report.



## **4. Review Results**

The following sections provide information on the results of the performance audit of Metro's transit security function.

### **A. Visibility of Contract Law Enforcement Personnel**

Providing a visible security presence within the Metro system is an important strategy for providing both a sense and reality of safety. Uniformed patrols, usually within the high traffic stations of the system create a felt presence of safety and security among the riding public. Visible presence in areas frequently used by passengers include areas near fare gates, boarding areas of buses and trains, riding on board buses and trains, and lobby and public parking areas.

The purpose of this task was to review and verify reported efforts to provide visible law enforcement and security personnel throughout the Metro system. Specifically, the objective was to identify the locations and visibility of contracted law enforcement reported by month and compare to established targets including:

- Train boardings/rides (by rail line), number of boardings and hours.
- Bus boardings/rides (all lines), number of boardings and hours.
- Foot patrols of transit centers and train stations and platforms, number of hours.
- Vehicle patrols, number of vehicle hours.

In 2015, prior to the current contract for law enforcement services, the Metro Transit Policing Working Group (TPWG) established three priorities related to the activity and presence of contracted law enforcement personnel on the system:

- Maximize visible presence by persons in authority on the System (stations, trains, buses, etc.).
- Increase the value received for investment made in law enforcement and security services.
- Improve the level of accountability for law enforcement and security services through improved operational data availability and quality.

A key strategy for addressing these priorities was for Metro's SSLE Department to manage and oversee Metro in-house and contracted law enforcement and security operations more actively.



## Targets for Visible Presence on the Metro System

One element of this active management was the establishment of targets for the level of visible presence to be provided by contract law enforcement personnel. As stated previously, an objective of this review was to compare actual levels of law enforcement presence with established targets.

***Finding 1: Metro's SSLE Department has not established targets for the level of visible presence and activity by contract law enforcement personnel on the Metro System, nor have they established an overall policing strategy and plan.***

We requested information on targets established for activities and visibility of contracted law enforcement personnel. SSLE responded that it has not developed such targets, does not maintain baseline KPIs, and does not have a written policy for managing the contract in which these metrics would have been defined and shared with the contractors.

Ideally these targets would be part of an overall policing strategy and plan developed by SSLE in coordination with the contract law enforcement agencies. The contracts with each law enforcement agency requires them to develop and annually update a community policing plan. In FY 2018, the SSLE Department stated they were in the process of developing a unified community policing plan instead of having each of the three law enforcement agencies develop individual community policing plans. According to the SSLE, the Metro community policing plan was to accomplish three basic goals:

1. Develop a common understanding of what it means to be "safe/secure" while riding transit.
2. Establish policing priorities (such as reducing/preventing crime, reducing sexual assault/harassment, and addressing homelessness).
3. Establish clear accountability measures (transparent crime reporting, commendations/compliant processes, etc.).

The SSLE Department expected to have a draft Metro Community Policing Plan completed by the Fall of 2019. During FY 2022, SSLE reported development of the Policing Plan was still in progress.

***Recommendation 1: The Metro SSLE Department should work with contract law enforcement agencies to develop specific targets for the level of visible presence and activity provided by contract law enforcement personnel on the Metro System as part of an overall policing strategy and plan.***



## Law Enforcement Presence on the Metro Bus System

Metro operates fixed route service that includes 165 routes covering 1,479 square miles throughout the Los Angeles region. Metro also operates a Bus Rapid Transit system that includes two lines. The Orange Line was constructed in 2005 and was extended to Chatsworth in 2012 and includes 18 different stations. The Silver Line was established in 2009 servicing the South Bay and El Monte via Downtown Los Angeles with 11 stations. These bus lines serve over 195 million passengers, and travel over 87 million miles annually.

The safety and security risks associated with the bus system include violent crime, property crime, and other crime. It also includes the public's perception of safety on the system. The level of fare compliance or evasion is also an important risk to consider. With such a vast system, covering a large area, a multi-faceted and targeted approach is required to effectively mitigate these risks on the Metro bus system.

A visible security presence throughout the bus system is needed to provide a deterrent to criminal activity, disorder, and Customer Code of Conduct violations and encourages fare compliance. This presence also provides a sense of confidence in the safety and security of the system by the riding public.

### ***Finding 2: Metro's current deployment of contracted law enforcement personnel provides little visible security presence on the Metro Bus System.***

LASD deploys single deputy patrol units in geographic zones responsible for all calls for service and crimes on buses within those zones in addition to bus boardings and safety checks. LASD does not track and cannot report on how much time is actually spent providing a visible presence on Metro buses. The LAPD has a Special Problems Unit (SPU) that addresses problems and issues that arise on the entire Metro system. This unit does spend some time on the Metro bus system, but does not provide a routine visible presence on the bus system. LAPD also does not track and cannot report on how much time is actually spent providing a visible presence on Metro buses. LBPD is solely responsible for providing security of the Metro Blue Line within Long Beach and does not provide any security role with the Metro Bus System within Long Beach.

A report issued by the OIG in 2015 estimated staffing required to provide a visible presence on the Metro Bus System. These estimated staffing levels included providing a security presence at two key transit centers at Harbor / Gateway and El Monte and placing uniformed personnel on one percent (1%) of the buses operating throughout the bus service area. These personnel would be deployed and focused on buses and bus lines based on factors such as operator complaints, citizen complaints, total ridership, crime



trends, fare compliance rates, and other factors. This 2015 OIG report recommendation for providing increased Metro Bus System presence has not been implemented.

***Recommendation 2: The Metro SSLE Department should develop an approach to providing a visible security presence on the Metro Bus System as part of an overall policing strategy and plan.***

## **Monitoring and Oversight of Contract Law Enforcement Presence**

Monitoring and oversight of contract law enforcement personnel assigned to ensure they are actually present and providing the service Metro is paying for is a top priority. Metro has had difficulty monitoring law enforcement personnel assigned to Metro to ensure they are actually present. Establishing an effective mechanism for ensuring the presence of contracted law enforcement personnel was a key element of the new law enforcement service model implemented with the current contracts.

***Finding 3: Metro's SSLE Department has made progress implementing a mechanism for verifying contracted law enforcement actual presence. However, a comprehensive monitoring and oversight mechanism is still lacking.***

When the current contracts began, law enforcement personnel were issued smartphones to use as a validator for Metro users' Transit Access Pass (TAP) fare cards. These smartphones had a Mobile Phone Validator (MPV) application that law enforcement personnel used to check TAP cards for fare enforcement. These smartphones, as do all smartphones, had "location services" or GPS capabilities that could potentially be used to track and monitor the location of each smartphone user.

The intent was to use this capability to provide a reliable and verifiable mechanism for Metro to ensure that contracted law enforcement resources were being used effectively and as planned. Unfortunately, using the MPV smartphones did not prove to be an effective way to monitor and oversee contracted law enforcement personnel presence. The reasons for this include:

- A policy change by the Metro Board removed the responsibility for fare and code of conduct enforcement from the contracted law enforcement personnel. As a result, the primary purpose for the smartphones as a MPV no longer existed.
- The smartphones issued were often out of service, required frequent software updates, and were generally unreliable. As a result, the smartphones were often not available for use by the contract law enforcement personnel.
- Metro did not provide enough smartphones to allow all contracted law enforcement personnel assigned to use them or policies defining and requiring their use.



- Efforts to develop a mechanism to obtain meaningful GPS or location information using the smartphones as a means to ensure contract law enforcement officers were present on the Metro System were not successful.

In the past, SSLE conducted periodic in-person field audits where the presence of law enforcement was physically verified by SSLE compliance personnel. These in-person field audits were suspended when the COVID-19 pandemic began. SSLE has no plans to resume these field audits.

Beginning in May 2021, the SSLE implemented TAP reviews as an alternative approach to monitoring presence on the Metro System by contract law enforcement personnel. These reviews aim to verify law enforcement presence throughout the Metro System by using reports on the TAP system. All contract law enforcement personnel are issued unique TAP cards and are expected to use these TAP cards to record their presence throughout the System.

Metro's TAP Department provides SSLE with reports that track when and where contract law enforcement personnel TAP on the system. Using this report, an SSLE reviewer isolates law enforcement personnel specifically and spot-checks TAP activity on randomly selected days and assignments. This includes identifying the amount of TAPs each selected law enforcement personnel record in a shift. To facilitate the success and accuracy of this review, the SSLE Compliance Group has suggested that contract law enforcement personnel TAP at every fare gate or TAP reader they see while on the Metro System.

The TAP reviews are conducted for a random sample of contracted law enforcement personnel, and for one randomly selected day each week. One shift for one specific assignment is selected for each contract law enforcement agency. For example, the four LAPD personnel assigned to the 7<sup>th</sup> and Metro Station for Watch 4 (Watch 4 is a work shift designation used by LAPD) might be selected. The SSLE reviewer would then check to see if those assigned personnel used their TAP cards during the time they were assigned. If each used their TAP card once during the shift, they would be determined to be in 100% compliance. If only two used their TAP card once during the shift, they would be determined to be 50% in compliance.

The following exhibit shows the overall compliance of each of the contracted law enforcement agencies with the standards established by SSLE for the TAP reviews between May 2021 and June 2022.



Exhibit 2 TAP Review Overall Compliance by Agency May 2021 to June 2022	
Law Enforcement Agency	Compliance Percent
Los Angeles Police Department	84%
Los Angeles Sheriff’s Department	60%
Long Beach Police Department	90%

As this exhibit shows, challenges continue for providing effective monitoring and oversight of contracted law enforcement personnel to ensure they are actually on the system. SSLE relies primarily on the assurances of the contract law enforcement agencies that contracted resources are actually providing service on the Metro System.

The ability of each of the contracted agencies to monitor and supervise their law enforcement personnel assigned to the Metro System has improved during the 5 year contract period. Each of the agencies now have body cameras assigned to all law enforcement personnel. These body cameras are GPS enabled for LAPD and LASD. In addition, the patrol units of each law enforcement agency are GPS enabled with Automatic Vehicle Locator (AVL) software. This allows management and supervisors to access the real-time and historical location of personnel and units and verify these personnel are where they have been assigned. In addition, each agency also requires their personnel to complete a paper or electronic log of activities.

Despite these improved supervision tools and approaches, instances continue where contracted law enforcement personnel are not where they are assigned on the Metro System. The following are a few examples where this occurred that were identified by agency supervisors and management, and the personnel involved were disciplined.

- A high priority incident involving a man waving a gun on a train was dispatched to the patrol assigned to work the area involved. The patrol unit could not respond because they were not in or near their assigned work area. As a result, the local law enforcement agency was notified, and their personnel responded and handled the incident. This was a violation of the department’s policy on Patrol Area Integrity.
- A patrol unit assigned to the Metro System witnessed and reported a traffic accident in Orange County. This patrol unit was outside their assigned Metro service area and outside the County without authorization and outside of department policy.



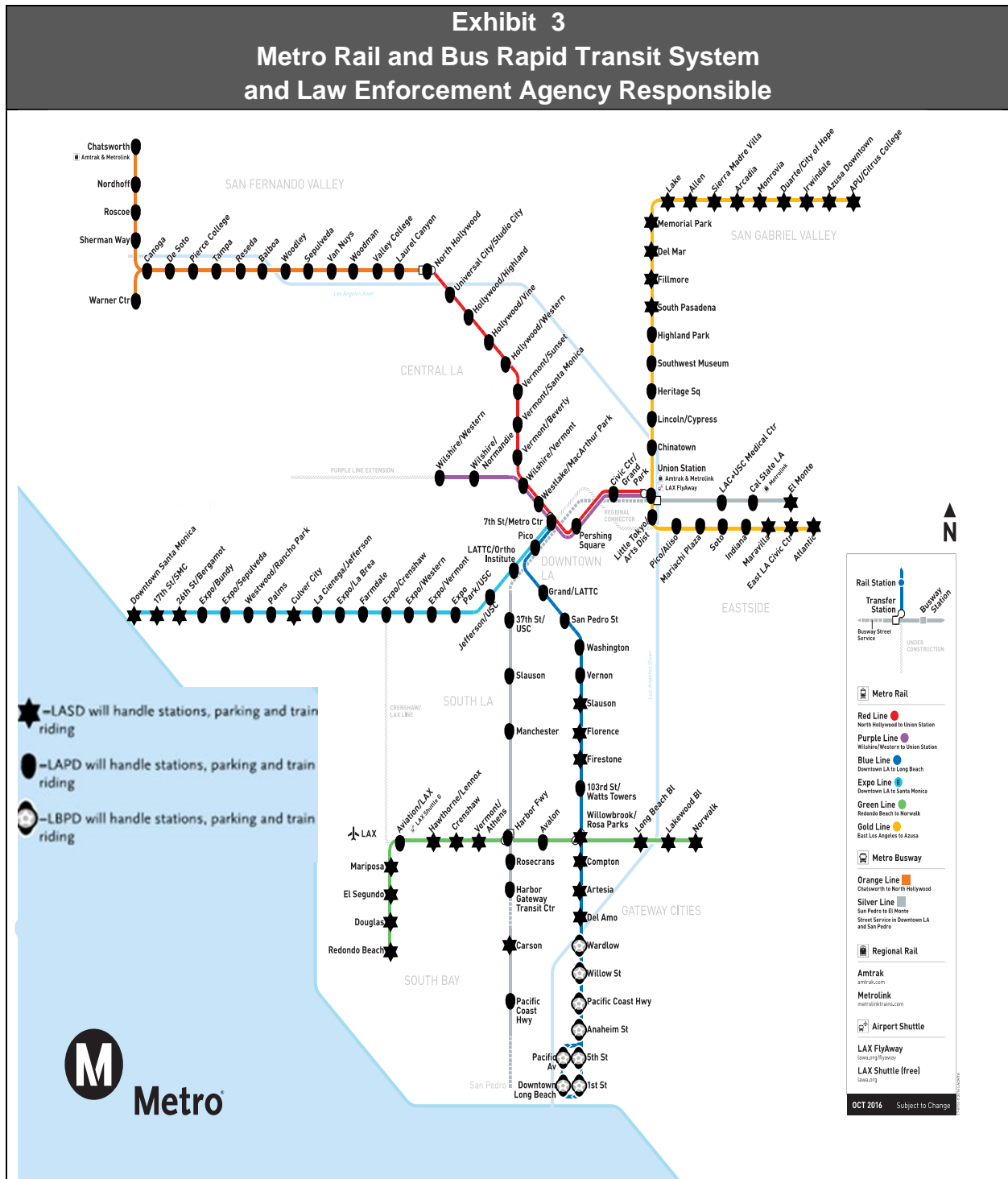
- Several additional cases of patrol units assigned to the Metro System being identified as outside their assigned patrol area for extended periods of time resulting in no coverage of those areas and potentially delayed responses to incidents and calls for service.

GPS enabled body cameras and patrol units provide an opportunity for SSLE to develop a more comprehensive approach to monitoring and overseeing contracted law enforcement personnel.

***Recommendation 3: The Metro SSLE Department should continue to refine its approach to monitoring contracted law enforcement resources to ensure the resources Metro is paying for are actually present and providing services, including the enhanced use of TAP information and potentially using information from GPS enabled body cameras and patrol units.***

As discussed previously, Metro contracts with three law enforcement agencies to police and provide security for the Metro System. LAPD is responsible for the areas of the Metro rail and bus system within the City of Los Angeles, and the LBPD is responsible for the Metro rail system within the City of Long Beach. The LASD is responsible for the Metro rail and bus system in all other cities and unincorporated Los Angeles County. The following exhibit shows the Metro rail and bus rapid transit (BRT) system and the stations assigned to each contracted law enforcement agency.





The following sections provide information on the visibility of personnel for each of the three contract law enforcement agencies.



## Visibility of Los Angeles Police Department (LAPD) Personnel

The LAPD contracted law enforcement personnel are primarily deployed as walking units using the Metro System itself for transportation during their deployment. LAPD is able to do this because the LAPD has regular car based patrol units deployed throughout the City of Los Angeles that are able to respond to incidents and calls for service on the Metro System as needed. These neighborhood patrol units are not part of the Metro contracted law enforcement resources, but are part of LAPD’s regular deployment for policing the City of L.A.

**Finding 4: The ability of LAPD to provide a visible presence on the Metro System is enhanced by using regular LAPD car based patrol units to respond to incidents and calls for service on the Metro System. This allows contracted LAPD law enforcement resources to spend the majority of their time providing a visible presence on the Metro System.**

As the following exhibit shows, more than half (53.8%) of the incidents or calls for service on the Metro System in the LAPD service area were responded to and handled by LAPD neighborhood patrol units. The remaining (46.2%) were responded to and handled by LAPD Transit Services, which are the law enforcement resources contracted and paid for by Metro.

Exhibit 4 LAPD Incidents and Calls for Service by Responding Unit Type						
Priority	Transit Services	Percent	Neighborhood Patrol Units	Percent	Total	Percent
0	2,341	47.6%	2,578	52.4%	4,919	100.0%
2	9,289	47.9%	10,110	52.1%	19,399	100.0%
3	760	30.3%	1,751	69.7%	2,511	100.0%
Totals	12,390	46.2%	14,439	53.8%	26,829	100.0%

Note: LAPD Calls for Service on the Metro System from 01/01/2020 to 07/02/2022.

**Emergency Calls (0):** Are the highest priority and include situations where life or property is in imminent danger. These include crimes in progress such as robberies, rapes, assaults, or burglaries. These also include violent domestic disturbances and reports of individuals with guns or other weapons.

**Priority Calls (2):** Include situations that require a fairly immediate police response, with no immediate threat to life or property. These could include disputes, disturbances of the peace, and suspicious activities.

**Routine Calls (3):** Include calls where there is no substantial threat to life or property, but a response is needed. These include taking reports on crimes where a significant amount of time has elapsed since the occurrence of the crime as well as quality of life issues that need to be addressed.

Note: LAPD does not have a priority 1 category.

The neighborhood patrol units not only allow the contracted LAPD resources to be more present on the Metro System, but they often can also respond in a timelier manner



because they are deployed throughout the City of Los Angeles to provide a quick response to emergency situations or serious incidents.

The following exhibit shows the daily deployment of LAPD contracted law enforcement resources. As this exhibit shows, LAPD deploys a total of 162 officers daily divided among the three watches or shifts. LAPD Police Officers are assigned to specific lines or areas of the Metro System. They are on the trains, buses and/or stations except when the system or their assigned line is not open. During these times they patrol as car based units. Supervisors (sergeants) are deployed in patrol cars or units since they must supervise officers spread throughout a line or the system.

<b>Exhibit 5</b>				
<b>LAPD Daily Deployment</b>				
<b>Metro Assignment</b>	<b>Watch 2 (0500 to 1400)</b>	<b>Watch 4 (1300 to 2200)</b>	<b>Watch 3 (2100 to 0600)</b>	<b>Totals</b>
<b>Rail Lines</b>				
Blue Line Detail	5	5	3	13
Expo Line Detail	7	7	5	19
Gold Line	5	5	3	13
Green Line	3	3	2	8
Purple Line	3	3	4	10
Red Line	7	7	5	19
<b>Total Rail Lines</b>	<b>30</b>	<b>30</b>	<b>22</b>	<b>82</b>
<b>Bus Rapid Transit Lines</b>				
Orange Line	3	3	0	6
Silver Line	2	2	0	4
<b>Total Busway Lines</b>	<b>5</b>	<b>5</b>	<b>0</b>	<b>10</b>
<b>Bus Riding Teams</b>				
103 <sup>RD</sup> Bus Riding Team	2	2	2	6
Central Bus Riding Team	2	2	2	6
West Bus Riding Team	2	2	2	6
Union Bus Riding Team	2	2	2	6
Universal Bus Riding Team	2	2	2	6
<b>Total Bus Riding Team</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>30</b>
<b>Fixed Special Rail Details</b>				
Union Station Fixed	5	5	5	15
7th/Metro Fixed	5	5	5	15
<b>Total Fixed Special Rail</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>30</b>
<b>Motors (Rail Crossings)</b>				
Motor Deployment	5	5	0	10
<b>Total Daily Deployment</b>	<b>60</b>	<b>60</b>	<b>42</b>	<b>162</b>
Note: Watches 2,3 and 4 are LAPD work shifts. Shift times are in military time using 24 hour time.				



Neither LAPD nor SSLE were able to provide information on the number of train boardings, nor how much police officer time was spent on trains or visibly present at stations. Information on the number of bus boardings or rides, or the amount of time spent on Metro buses was also not available.

**Recommendation 4: LAPD should continue to deploy contracted law enforcement personnel to maximize their visible presence on the System, while providing an effective response to incidents and calls for service using both contracted law enforcement resources and regular neighborhood patrol units.**

### Visibility of Los Angeles Sheriff’s Department (LASD) Personnel

The LASD contracted law enforcement personnel are primarily deployed as patrol vehicle based units. This is because these units have a primary responsibility for responding to calls for service on the area of the Metro System they are responsible for. Responding to calls for service within a reasonable amount of time requires them to be car based. Responding using the Metro System would in most cases significantly delay the response.

**Finding 5: The visible presence of LASD contracted law enforcement personnel on the Metro System is very limited due to their primary responsibility of responding to calls for service, which requires the majority to be deployed in patrol vehicles.**

As the following exhibit shows, only 8 of the 44 patrol deputies during weekday morning shifts, and only 4 of the 44 patrol deputies during weekday afternoon shifts are assigned to ride on the trains for their shifts. The remaining patrol deputies are assigned to patrol vehicles.

Exhibit 6 Assignment of LASD Patrol Deputies by Shift						
Assignment	Weekday Shifts			Weekend Shifts		
	AM	PM	EM	AM	PM	EM
Assigned to Patrol vehicle Based Units	44	44	21	24	24	21
Assigned to Ride Trains	8	4	0	0	0	0
Totals	44	44	21	24	24	21

Note: The EM shift is the LASD’s overnight shift.

Until recently, all LASD patrol units were deployed as patrol vehicle units. In April 2022, the Commuter Enhancement Team (CET) was developed by LASD and approved by SSLE. CET deputies are entirely foot beat based, departing from their local passenger



terminal and remaining on the system throughout their shift. Although CET deputies are not subject to calls for service, they will be assigned to assist on calls for service. Since they are not designated the primary unit, they would not be required to take time off the line writing reports. CET deputies focus on highly visible prevention and enhancement. If CET deputies observe an arrestable offense, a deputy assigned to a patrol vehicle will be deployed for any booking requirements.

Patrol deputies assigned to patrol vehicles are required by LASD to spend some time out of their patrol vehicles and on the Metro System, making a total of 3 train boardings per shift. These boardings/rides take place during peak hours on morning and afternoon shifts. These patrol vehicle units also conduct foot patrols of transit centers and train stations and platforms as duties permit and are subject to calls for service in the area. Neither LASD or SSLE were able to provide information on the number of train boardings, nor how much patrol deputy time was spent on trains or visibly present at transit centers or stations.

LASD patrol deputy bus boardings and rides take place based on the LASD crime analysis and Law Enforcement Service Requests (LESR) from Metro Bus Divisions. Neither LASD nor SSLE were able to provide information on the number of bus boardings or rides, or the amount of patrol deputy time spent on Metro buses.

Numerous local law enforcement agencies provide service within their jurisdictions throughout the Metro service area policed by the LASD. This includes municipal law enforcement agencies (Santa Monica Police Department, Pasadena Police Department, etc.), as well as contract law enforcement services provided to municipalities by LASD.

These agencies typically deploy law enforcement personnel in police units or walking beats to patrol areas and to respond to incidents and calls for service. Providing this response is part of their basic service as law enforcement agencies. They have a responsibility to provide these same basic services to Metro buses and trains within their jurisdictions.

The level of visible presence of contracted LASD law enforcement personnel on the Metro System could be increased substantially if local law enforcement agencies and resources could assume the primary responsibility for responding to and handling incidents on the Metro System within their jurisdictions. These local law enforcement agencies currently respond to incidents or calls for service on the Metro System when they receive the call directly through the 911 system, or when requested by LASD because the LASD patrol unit is too far away to provide a timely response. LASD was not able to provide information on how many calls for service were handled by outside agencies nor how



many outside agencies responded to LASD calls for service because this information is not tracked.

**Recommendation 5: The Metro SSLE Department and LASD should work with local law enforcement agencies within the LASD service area to expand their responses to incidents and calls for service on the Metro System to allow LASD to increase their ability for contracted LASD law enforcement personnel to provide more visible presence on the Metro System.**

### Visibility of Long Beach Police Department (LBPd) Personnel

The LBPd contracted law enforcement personnel are primarily deployed as foot based units assigned to ride the train and patrol stations. The LBPd service area includes eight Blue Line stations within the City of Long Beach. The four police officers assigned are deployed in teams of two, allowing each team to patrol four stations. This limited service area allows the assigned police officers to respond in a timely manner to most of the incidents and calls for service within the service area.

**Finding 6: The majority of LBPd contracted law enforcement personnel are assigned to patrol the Blue Line trains and stations and primarily used to provide a visible presence on the Metro System.**

As the following exhibit shows, 4 of the 5 LBPd police officers during morning and afternoon shifts are assigned to ride on the trains for their shifts. Only one LBPd police officer is assigned to a patrol vehicle.

Exhibit 7		
Assignment of LBPd Police Officers by Shift		
Assignment	Daily Shifts	
	Day Shift (6am to 4pm)	Night (4pm to 2am)
Assigned to Patrol Vehicle Units	1	1
Assigned to Ride Trains	4	4
Totals	5	5

Notes: Standard deployment is 1 sergeant and 5 police officers per shift.

The one sergeant and one police officer in patrol vehicles are also available to respond to incidents and calls for service if the foot patrol teams cannot respond quickly enough. In addition, regular LBPd neighborhood beat patrol units can respond as needed. All of these resources are on the same radio system and frequency and dispatched by the same dispatch center.



Neither LBPD nor SSLE were able to provide information on the number of train boardings, nor how much police officer time was spent on trains or visibly present at stations. LBPD reported they strive to be on the rail system for a minimum of 70% of their time and have consistently hit 75% to 80%. This information has always been self-reported by the LBPD police officers working each shift and certified by the daily shift sergeant. LBPD does not patrol or board Metro buses within the City of Long Beach. This responsibility falls within LASD's jurisdiction, which is responsible for all crimes committed on the Metro Bus system within the City of Long Beach.

***Recommendation 6: LBPD should continue to deploy contracted law enforcement personnel to maximize their visible presence on the System, while providing an effective response to incidents and calls for service on the part of the System LBPD is responsible for policing.***



## B. Use of Force and Complaint Policies, Procedures, Management and Outcomes

Use of Force by law enforcement includes any physical coercion used to affect, influence, or persuade an individual to comply with an order. Use of Force Policies and Procedures are intended to ensure law enforcement personnel only use force that is objectively reasonable.

Complaints can provide meaningful insight into how well services are provided and accepted by Metro passengers; and how well contracted law enforcement personnel are trained, managed, and supervised.

To review use of force and complaints, we:

- Compiled best practices on use of force policies from multiple sources.
- Obtained, reviewed, and evaluated contracted law enforcement agencies' use of force policies and procedures.
- Obtained, reviewed, and evaluated contracted law enforcement agencies' policies and procedures for taking, recording, investigating, and resolving customer complaints.
- Compared use of force and complaint handling procedures with industry best practices.
- Reviewed and compared the documented complaints from transit riders and other members of the public, relating to the use of force, in Metro's Customer Relations database.
- Determined if there are complaints about the contractors (LAPD, LASD, and LBPD) that are not being adequately addressed.

### Standards and Best Practices for Use of Force Policy Review

Several standards were used to evaluate the "Use of Force" policies of the three contract law enforcement agencies as well as Metro Security. These include:

- **National Consensus Policy and Discussion Paper on Use of Force** - In 2017, eleven of the most significant law enforcement leadership and labor organizations in the United States collaborated to establish a National Consensus Policy and Discussion Paper on Use of Force. The purpose of the policy is to give law enforcement officers guidance on the use of lethal and less lethal force. The policy allows for the use of force when objectively reasonable to effect arrests or lawful





detentions, overcome resistance, or bring a situation under legitimate control. The use of de-escalation techniques, crisis intervention tactics, and other alternatives to force when feasible is highlighted in the National Consensus Policy.<sup>1</sup>

- **California Legislation** - In 2019, the California Legislature passed Senate Bill 230 and Assembly Bill 392 which delineated use of force for officers in California. This legislation, as does the National Consensus Policy, places the principle to value and preserve human life as an overarching policy statement. Like the National Consensus Policy, the legislation allows for the use of force when objectively reasonable to effect arrests or lawful detentions, overcome resistance, or bring a situation under legitimate control. The use of de-escalation techniques, crisis intervention tactics, and other alternatives to force when feasible is also highlighted in Senate Bill 230.<sup>2</sup>
- **CALEA Standards** – The Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) is a non-profit organization that sets standards for public safety agencies. CALEA's purpose is to establish a body of professional standards and to develop an accreditation process to administer a credentialing program. Several of CALEA standards address those issues that are also a focal point of Senate Bill 230 and the National Consensus Policy. They include using only the force necessary to accomplish lawful objectives, requiring a report on each use of force incident, use of de-escalation techniques, rendering medical aid, and intervention when an officer observes excessive force being applied, and prohibition of choke holds unless deadly force is authorized.<sup>3</sup>

Each law enforcement agency operates in a unique environment of court rulings, state laws, local ordinances, regulations, judicial and administrative decisions, and collective bargaining agreements that must be considered when an agency implements a use of force policy.

## Use of Force Policy Review Elements

The following are the use of force policy elements used to evaluate the policies of the

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<sup>1</sup> Association of State Criminal Investigative Agencies, Commission on Accreditation for Law Enforcement Agencies, Fraternal Order of Police, Federal Law Enforcement Officers Association, International Association of Chiefs of Police, Hispanic American Police Command Officers Association, International Association of Directors of Law Enforcement Standards and Training, National Association of Police Organizations, National Association of Women Law Enforcement Executives, National Organization of Black Law Enforcement Executives, and National Tactical Officers Association.

<sup>2</sup> CA Senate Bill 230 & California Commission on Peace officers and Standards and Training Use of Force Standards and Guidelines.

<sup>3</sup> The Commission on Accreditation for Law Enforcement Agencies, Inc., (CALEA®) was created in 1979 as a credentialing authority through the joint efforts of law enforcement's major executive associations including the International Association of Chiefs of Police (IACP); the National Organization of Black Law Enforcement Executives (NOBLE); the National Sheriffs' Association (NSA); and the Police Executive Research Forum (PERF).



three contract law enforcement agencies and Metro Security.

- **Objectively Reasonable Force** - The objectively reasonable standards stem from a United State Judicial Court decision "[Graham v. Connor, 490 U.S. 386 \(1989\)](#)" that set this level for use of force. "The Fourth Amendment "reasonableness" inquiry is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation.
- **Reverence for Human Life** - The reverence for human life is a broad policy statement to acknowledge that, to maintain the public trust, agency personnel should acknowledge this basic principle to guide their actions.
- **Requires Written Report** - A reporting system within the agency is essential for review of individual use of force incidents to determine if the use was within policy guidelines. In addition, capturing data on each use of force incident allows for the agency to conduct an analysis to determine patterns, trends or if additional training is needed.
- **Supervisory Review** - As stated above, it is crucial to have a reporting process that includes not only immediate supervisor review but also an administrative review by others who were not involved in the incident. This will allow for a dispassionate review process.
- **Deadly Force Authorized with Immediate/Imminent Threat** - Deadly force is defined as force that creates a substantial risk of causing death or serious bodily harm. Deadly force is authorized if there is an imminent threat that may cause death or serious bodily injury to the officer or another person. Pursuant to California Penal Code Section 835a(e)(2), "[A] threat of death or serious bodily injury is "imminent" when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person.
- **Duty to Intervene/Intercede** - Recent events have caused states, including California, to establish an obligation for officers to intervene and/or report instances when they observe another officer using what they believe to be excessive force. From the California Commission on Peace Officer Standards and Training Use of Force Guidelines (2021: "Officers shall intercede when present and observing



another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, taking into account the possibility that other officers may have additional information regarding the threat posed by a subject.”

- **Medical Aid Required** - From the California Commission on Peace Officer Standards and Training Use of Force Guidelines (2021): Officers shall promptly provide, if properly trained, or otherwise promptly procure medical assistance for persons injured in a use of force incident, when reasonable and safe to do so.
- **De-Escalation, if possible** - From the National Consensus Policy on Use of Force: “Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.”
- **Annual training on policy** - This requirement is indicated in both the National Consensus Document on the Use of Force and the standards of the Commission on Accreditation for Law Enforcement Agencies, Inc (CALEA). California Penal Code section 13519-10 states in part “...require regular and periodic training consistent with an agency’s specific use of force policy.” It does not specifically state that it should be conducted annually.

## Use of Force Policy Review Results

The four agencies reviewed must ensure their Use of Force Policy is consistent for all officers regardless of their location within their jurisdiction. It is not practical for a different policy to be in place for the LA Metro environment versus the city or county itself.

With that in mind, we examined the policies to ensure they are consistent with national best practices, California Peace Officers Standards and Training (POST) Use of Force Guidelines, Senate Bill 230, and AB 392. The categories listed are not all inclusive but have been selected as those areas that are the foundation and essential elements of a viable and transparent use of force policy.

***Finding 7: The Use of Force policies for all four agencies reviewed included the foundational and essential elements of a viable and transparent use of force policy with the exception of annual training on the policy.***

The following exhibit shows the results of our review of each agency’s Use of Force Policy.



Exhibit 8 Use of Force Policy Review Results				
Use of Force Policy Element	LAPD	LASD	LBPD	Metro Security
Objectively reasonable force	Yes	Yes	Yes	Yes
Reverence for human life	Yes	Yes	Yes	Yes
Requires written report	Yes	Yes	Yes	Yes
Supervisory review	Yes	Yes	Yes	Yes
Deadly force authorized with immediate / imminent threat	Yes	Yes	Yes	Yes
Duty to intervene	Yes	Yes	Yes	Yes
Medical aid required	Yes	Yes	Yes	Yes
De-Escalation, if possible	Yes	Yes	Yes	Yes
Annual training on policy	No	No	No	No

Note: LASD policy indicates at “regular intervals” SB 230 calls for “regular and periodic” training. Annual training/review of use of force policies is called for in the National Consensus Policy and the Commission on Accreditation for Law Enforcement, Inc (CALEA) standard.

As the above exhibit shows, all the Law Enforcement agencies contracted by LA Metro for police services and Metro Security meet the criteria established for this review. The exception is the annual training on the use of force policies. The California Penal Code allows for regular and periodic training on the use of force policies. However, best practice policies require annual training on the policy.

The Metro Security Use of Force Policy is in draft form and has been modified to address the “eight can’t wait campaign.”<sup>4</sup> The review of that policy has been included in this report and it is recommended the policy be adopted. However, as stated above, a section should be added that addresses annual re-training on the policy.

**Recommendation 7: Future contracts with the law enforcement agencies should make a provision that annual documented review of the agency’s use of force policy be given to officers assigned to LA Metro patrol. Since these shifts are generally overtime shifts and assignments vary on a day-to-day basis, this recommendation would require each agency to ensure all officers receive this annual training. Metro Security should formally adopt its draft Use of Force Policy including a requirement addressing annual retraining on the policy.**

<sup>4</sup> <https://8cantwait.org/>



## **Review of Documented Use of Force Incidents**

### **Metro Security**

Metro Security officers are not peace officers and cannot use force except in very specific circumstances such as self-defense of defending others. During FY 2021, SSLE Metro Security recorded 23 incidents, including 16 use of force incidents. The use of force incidents were investigated and each incident was determined by Metro Security leadership to be within the policy guidelines. We reviewed a random sample of use of force investigations for Metro Security and determined that appropriate investigative techniques were used to investigate these incidents. In addition, a conclusion of fact was determined for each.

For FY 2022, there were 36 use of force reports filed by Metro Security. Nineteen of those incidents were found to be consistent with the Metro Security use of force policy. One incident resulted in a policy violation. Sixteen of those incidents are still pending an investigation.

### **LAPD**

For FY 2021, LAPD had 45 complaints generated relative to incidents that were Metro related. The category of complaints is designated after the investigation, so no specific topics or resolution are available at this time. In addition, they had 86 use of force incidents in the reporting period. Fifty-six of these incidents involved the homeless population and 28% (24) of the incidents involve California Welfare and Institution Code 5150 which allows law enforcement officers and mental health professionals to place a patient on an emergency 72-hour hold, or “5150,” if, due to a mental illness, they are determined to pose a danger to themselves, a danger to others, or they are “gravely disabled”.

LAPD conducts an investigation of all use of force incidents and compiles analysis of the use of force incidents annually. This allows for the agency to discover any patterns or trends in officer’s action relative to the use of force.

LAPD does offer an Alternative Conflict Resolution process for minor complaints. (Discourtesy, disrespect, rudeness, etc.). The complainant and the employee(s) attempt to resolve the complaint through mediation. Both parties must agree to this process to be successful.

For FY 2022, there were 24 use of force incidents reported by LAPD that occurred on the Metro system. Sixty-two percent (62%) of those incidents involved persons designated as homeless. Twenty percent (23%) of the incidents involved the use of “5150” (see



above). Thirty-eight percent of the incidents occurred on the Red Line while the others were spread across the other lines.

There were 19 complaints filed with LAPD related to activity on the Metro system. Due to the investigative process used by LAPD, 14 of these incidents are still open and awaiting final resolution.

Use of force investigative reports were not available for LAPD. Such reports are considered confidential personnel records and may not be shared outside the agency.

## **LASD**

During FY 2021, LASD had 20 complaints that were Metro related. Only one complaint of unreasonable force was made. All these complaints, except for one which is still pending, were investigated and a conclusion of fact was determined.

These specific records are part of a peace officer’s personnel records and are confidential and exempt from disclosure and were unavailable for examination.

For FY 2022, LASD Transit Service Bureau reported 42 use of force incidents. Twenty-eight of the incidents involved Non-Categorized Force Incidents. This classification is used when a subject resists arrest or resists searching or handcuffing, etc. The other 14 incidents involved higher levels of force such as OC (pepper) spray, take-downs, control holds, etc. Please see link below of categories on use of force for LASD.<sup>5</sup> All use of force incidents were investigated, and all were determined to be within Department Policy.

During FY 2022, LASD reported 7 complaints made against LASD deputies. For three of the complaints, it was determined that the employee’s “Conduct Appears Reasonable,” meaning the actions appear to be in compliance with the procedures and policy guidelines. For one of the complainants, the employee was “Exonerated” as the allegations were determined to be false. In 2 of the incidents, the investigation revealed that “Employee conduct could have been better.”<sup>6</sup> The actions were not in compliance with established procedures and policies. A list of the categories is listed at the below link. One complaint remains under investigation.

Use of force investigative reports were not available for LASD. Such reports are considered confidential personnel records and may not be shared outside the agency.

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<sup>5</sup> <https://pars.lasd.org/Viewer/Manuals/11239/Content/18756?showHistorical=True>

<sup>6</sup> [Complaint\\_Defintions.pdf \(la-sheriff.org\)](#)



## LBPB

For FY 2021, LBPB reported 2 use of force incidents. Each incident was investigated, and both were deemed reasonable and within policy. One incident involved erratic behavior that required the individual to be restrained. The other incident involved a person armed with a knife and exhibiting mental health issues. Neither party filed a complaint of excessive use of force. There were no citizen complaints involving LA Metro customers filed with LBPB for FY 2021.

For FY 2022, LBPB reported 3 use of force incidents for officers assigned to LA Metro. The first incident involved a civilian armed with a knife with signs of alcohol impairment. Officers used a less lethal force weapon to take the party into custody. The second incident involved an uncooperative person who attempted to flee from the officer. The officer used a “takedown” to gain control of the subject. The third incident involved a person who exhibited signs of mental disability. Less lethal means (bodily force) was used to take this person into custody. All use of force incidents were appropriately reported, and all were deemed reasonable and within policy.

There were no complaints filed with LBPB regarding officers assigned to LA Metro patrol for FY 2022.

Use of force investigative reports were not available for LBPB. Such reports are considered confidential personnel records and may not be shared outside the agency.

***Finding 8: The use of force policies of the three contract law enforcement agencies and the draft Metro Security policy meet all basic tenets of a viable use of force policy. They are consistent with the National Consensus Discussion Paper on Use of Force and the standards set by the Commission on Accreditation for Law Enforcement Agencies, Inc., California POST, as well as various Consent Decrees entered with agencies overseen by the United States Department of Justice.***

The information received from the agencies indicates a use of force reporting process that allows for a review by a supervisor and by others in the chain of command. This review process allows for a determination on whether the use of force was justified or not justified.

***Recommendation 8: An annual analysis of all uses of force activities, policies and practice should be conducted and posted for public review. The analysis shall identify the date and time of incidents, types of encounters resulting in use of force, trends or patterns related to race, age and gender of subjects involved, trends or patterns resulting in injury to any person including employees, and impact of findings on policies, practices, equipment, and training. A review of incidents of force may reveal patterns or trends that could indicate training needs, equipment***



***upgrades, and/or policy modifications. The process of collecting and reviewing the reports is also critical to this analysis.***

## **Officer Conduct Complaints**

The California State Penal Code mandates that each department or agency that employs peace officers establish a procedure to investigate complaints by members of the public against the personnel of these departments. Complaints can provide meaningful insight into how well services are provided and accepted by those served by municipal police departments; and how well police personnel are trained, managed, and supervised. Individuals that are dissatisfied with their treatment or interaction with police personnel, or with the service provided by the police, can make a complaint.

### **Best Practices for Managing Complaints**

An examination of the standards for the Commission on Accreditation for Law Enforcement agencies, Inc (CALEA) and several consent decrees entered in with the US Department of Justice and the International Association of Chiefs of Police (IACP) revealed there are common characteristics of a successful and transparent complaint process. The following are those characteristics:

- All complaints against the agency or its employees be investigated, to include anonymous complaints.
- The procedures to register complaints against or commend the agency or its employees are made available to the public.
- Maintain a record of all complaints against the agency or employees and to protect the confidentiality and security of these records by maintaining them in a secure area.
- Log and track all complaints.
- The agency compiles annual statistical summaries of complaints and internal affairs investigations, which are made available to the public and agency employees.

All complaints against either employees or the agency itself should be accepted and include anonymous complaints. Agencies directives should specify the types of complaints that will be investigated by a supervisor and those that should be investigated by an Internal Affairs unit. Minor complaints such as rudeness or discourtesy, can be investigated by a line supervisor. However, serious complaints such as excessive force or criminal behavior should be investigated by Internal Affairs.





In addition, agencies should indicate specific timelines for completing the investigation with appropriate requirements for extensions if necessary. A provision to keep the complainant updated on the investigation should be outlined in the directive. This would include acknowledgement that the complaint was received, regular updates, and notification that the investigation has been completed. Each complaint should result in a conclusion based on the facts discovered during the investigation.

Generally, complaints are classified into the following categories and result in these outcomes:

- **Exonerated:** The incident did occur, but the actions of the accused followed the agency's policies, rules, and procedures.
- **Not sustained:** The investigation failed to discover sufficient evidence to clearly prove or disprove the allegation(s) of employee misconduct. This definition also includes incomplete investigations. An incomplete investigation is an investigation that cannot be thoroughly or properly completed due to any one of the following: lack of cooperation by the complainant or witness(es), absence of a critical interview which was necessary to the investigation, physical evidence is not available; and/or witness statements are insufficient to permit adjudication of the complaint.
- **Sustained:** The investigation indicates there is sufficient evidence to clearly prove the allegation(s) of employee misconduct made in the complaint.
- **Unfounded:** The investigation indicates that the acts complained of did not occur.

The process to register a complaint needs to be readily available to the public. This would include agency website information, direct phone number access to file a complaint, and forms in the lobby of each police station or sub-station. The complaint form, signs, and other materials should be provided in languages spoken by citizens served by each agency. Agencies should be mindful not to use warnings that may intimidate or discourage persons from making complaints and consider removing these warnings from complaint forms and other information.

Appropriate complaint process training should be given on a periodic basis for all supervisors.

The agency should use some type of electronic centralized tracking system for all complaints of misconduct. A unique tracking number should be assigned to each complaint. The system should capture the necessary information. It should track when the allegation was initially made, steps in the investigation process, and final disposition and include any corrective action taken. An efficient system can be used to show the



investigation lengths, complaint status, and status of complaints.<sup>7</sup> The confidentiality and security of the complaints and the complaint system must be protected to ensure the integrity of the process.

Some agencies have been somewhat successful with a mediation program. However, both the complainant and the employee must agree to participate in the mediation process. The process is usually held by outside personnel trained in mediation. Mediation is generally used where minor allegations have been made. These would include rudeness or discourteousness, for example.

An annual review and analysis of all complaints should be conducted. Agencies' analyses should include race, ethnicity, gender, age, and other characteristics in order to have a thorough and accurate analysis. General information regarding complaints should be made available to the public, e.g., the number and types of complaints and the outcomes.

The Chief of Police should be made aware of any complaints that may garner community or media attention and or create a liability issue for the agency. A directive should outline the procedures to notify the Chief of Police to include documenting that notification.

### **Complaint Policies Review Results**

We reviewed the policies and procedures for each of the three contract law enforcement agencies to determine if they included the required and best practice elements for complaint policies.

***Finding 9: The LAPD, the LASD, and the LBPD have strong complaint policies that cover all of the required and best practice elements necessary to provide citizens with a process that is transparent and fair. Metro Security is not required to adopt a complaint policy or processes because its security officers are not peace officers, and so it has not adopted a complaint policy.***

The investigative process provides a mechanism for the complainant to give their statement to the supervisor assigned. The supervisor then investigates depending on the severity of the complaint. A determination is made, based on the severity of the complaint, and if serious or potentially criminal in nature, Internal Affairs or its equivalent will investigate the complaint.

All of the agencies provide documentation regarding the complaints they investigated and their outcomes.

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<sup>7</sup> Consent decree United States of America v. The City of Ferguson No.4:16-cv-000180—CPD



Agencies' policies require an update to the complainant as to the status of the investigation. In addition, a conclusion is determined, and the complainant is notified of the outcome.

All agency reporting process are open and transparent. They all provide information on their websites on how to file a complaint including the necessary forms. The agencies do allow for anonymous complaints to be submitted. However, the follow-up on an anonymous complaint is difficult, but should be investigated regardless of the amount of information received. In addition, there appears to be no posting of annual complaint statistics available for public review.

Although Metro Security is not required to develop a formal policy and procedures for accepting and investigating complaints about officer conduct, such a policy would be beneficial in addition to the Metro Customer Relations complaint process for all Metro employees.

***Recommendation 9: Metro Security should consider developing and adopting a formal citizen complaint policy and procedures.***



## C. Proactive Policing Efforts

Proactive policing is the practice of deterring criminal activity by showing police presence based on incidents and activity. It includes activities such as the use of police powers by both uniformed and plain-clothes officers, engaging the public to learn their concerns, and investigating and discovering offenses and conspiracies to commit crimes so that the crimes cannot be committed. In contrast, responding to a complaint after a crime has been committed is reactive policing.

Specifically, the objectives outlined by the Metro Office of the Inspector General for this area include:

- Interview and determine whether the contractors (LAPD, LASD, and LBPB) have proactive crime policing programs in place to respond to complaints and requests for assistance, which includes responding to calls for help and being ready for terrorism, explosives, and other extreme related events.
- Select samples to review and document the result.
- Report on whether the proactive programs are correctly tailored to likely prevent and deal with the modern circumstances to which law enforcement is called upon to address in the Metro System.
- Discuss predictive policing, historical usage of this policing method and how it may apply to Metro's law enforcement policing model.

The following sections provide information on the amount of contracted law enforcement agency time spent on proactive law enforcement activities, Metro's Law Enforcement Service Request (LESR) System, and the proactive law enforcement activities of each of the contract law enforcement agencies.

### Proactive Policing Law Enforcement Personnel Time

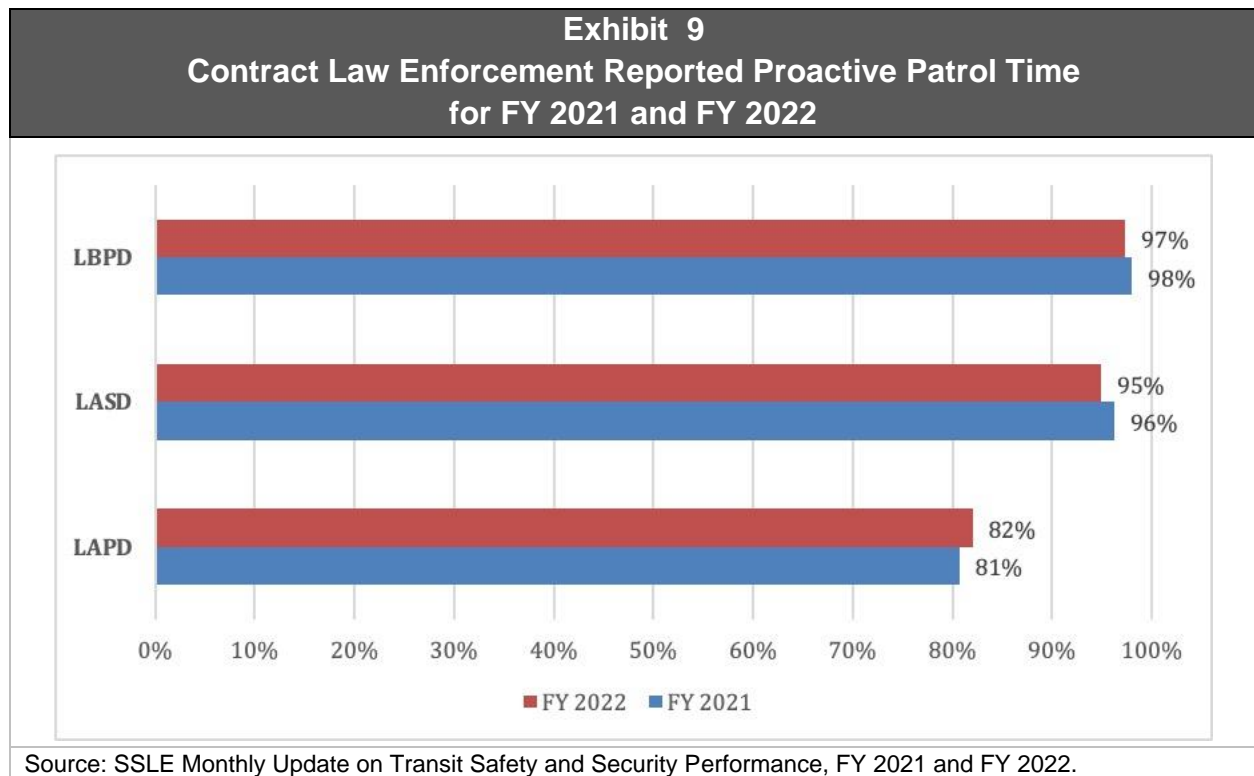
Providing a visible security presence within the Metro System is an important strategy for providing both a sense and reality of safety. Uniformed patrols, usually within the high traffic stations of the system, create a felt presence of safety and security among the riding public. Visible presence in areas frequently used by passengers include areas near fare gates, boarding areas of buses and trains, station entrances, on board transit vehicles, and public parking areas.

***Finding 10: Given the importance of providing a visible presence on the Metro System the amount of contract law enforcement time available for providing a visible security presence, problem solving, and other proactive activities including community policing, are appropriate for a transit system the size of Metro.***



**However, there is not a comprehensive plan for the coordinated deployment of contracted law enforcement, Metro Security, and Transit Ambassador personnel throughout the Metro System**

Contract law enforcement agencies reported on the ratio of proactive versus dispatched activity. This is an important measure related to visibility as it indicates how much of their time is spent being visible, conducting problem solving, and other proactive activities including community policing. The following exhibit shows the distribution of time spent on proactive policing activities by contract law enforcement agencies. As this exhibit shows, the reported proactive law enforcement activity ranged from 81% to 98% in FY 2021 and from 82% to 97% in FY 2022.



The term “proactive” as used here may not clearly communicate the intent or actual use of this law enforcement patrol time. Rather than aggressive enforcement oriented activities, this proactive time is intended to be focused on providing a visible security presence, positively interacting with the transit community, and working on longer-term crime prevention and problem solving activities.

The following excerpt from the International Association of Chiefs of Police (IACP) Patrol Staffing and Deployment Study outlines the need and options for a policing style and philosophy to direct the use of law enforcement patrol time.



**Policing Style/Philosophy.** It is common practice to divide the time available for field patrol activity equally, allowing one-third of an officer's time for response to calls for service; one-third of his or her time for crime prevention, community relations, and other proactive services that an agency may elect; and one-third for administrative duties such as writing reports, conferring with supervisors, and meals. Variations of this basic formula occur, especially in jurisdictions committed to problem-solving and/or neighborhood-oriented approaches. In these jurisdictions, the portion of time allocated for proactive activity must be substantially greater.

Police agencies should consciously choose a policing style, recognizing that modifications have direct effect on staffing requirements. Agencies coping with budget constraints can choose to reduce uncommitted, prevention-focused time, thus expanding the time committed to respond to calls. This strategy reduces patrol staffing requirements, which may risk public safety. Alternatively, agencies can choose to be more proactive, allocating, for example, 40%, 45%, or 50% of each officer's time to crime prevention, problem solving, community relations, and other proactive activities. This strategy intensifies (increases) manpower requirements. The IACP management survey indicates staff prefers this more proactive approach to policing.

As the above excerpt outlines, a common and recommended practice is for law enforcement personnel assigned to patrol to have between 33% and 50% of their patrol time available for activities other than responding to incidents and calls for service. Given the importance of providing a visible presence on the Metro System, the current levels are appropriate for a transit system the size of Metro.

In addition, Metro has other resources that provide a visible security presence and address concerns and issues on the System. These include:

- **Metro Security** - includes uniformed and armed or unarmed security personnel. Metro Security officers are neither sworn nor certified law-enforcement officers and do not have the authority to detain or arrest, nor use force except in a defensive mode. However, Metro Security provides an important adjunct to the law enforcement roles performed by contracted law enforcement agencies as well as local police in meeting Metro's security needs.
- **Private Security** - Metro contracts to provide private security personnel at various sites throughout the Metro System. Sites include bus divisions, maintenance facilities, terminals, stations, parking lots and roving patrols. Contract security officers are overseen and directed by Metro Security.



- **Metro Ambassadors** – Metro is in the process of implementing a strategy of deploying Transit Ambassadors throughout the system. These ambassadors will not provide a security function but can still substantially contribute to system safety and security. The presence of a Metro “person of authority” can modify the behavior of Metro patrons. This can include improved fare compliance and compliance with the Metro Customer Code of Conduct. These ambassadors can also serve as the eyes and ears for security and law enforcement personnel and can alert them if issues or concerns arise. While these personnel cannot replace security or law enforcement personnel, they can play an important role in system safety and security while performing their normal duties. They will also contribute to the public’s confidence and satisfaction with the system and system safety.

***Recommendation 10: SSLE, in coordination with Metro Operations and Customer Care, should develop a comprehensive plan for the coordinated deployment of contracted law enforcement, Metro Security and Transit Ambassador personnel throughout the Metro System. This plan should include clearly defined roles and responsibilities, clear lines and mechanisms for communication, training, and strong supervision and oversight.***

### **Metro’s Law Enforcement Service Request (LESR) System**

Metro employees, including bus and train operators, maintenance personnel, customer service representatives, and others are the front-line representatives of Metro and have ongoing and direct interaction with the riding public. As such, they are in a prime position to identify and report public safety and law enforcement issues and concerns.

***Observation: The LESR system collects useful information from Metro employees on safety and security issues and concerns on the System. This information is used by the three contracted law enforcement agencies to focus some of their proactive law enforcement activities.***

A total of 518 law enforcement service requests were generated by Metro employees in FY 2020, 512 in FY 2021, and 924 in FY 2022. The FY 2020 and 2021 requests were significantly lower than the 860 service requests received in FY 2019. This is most likely the result of the Covid pandemic. Review of the requests and responses indicate that law enforcement agencies are using the LESR system to identify and resolve issues and concerns. The following exhibit shows the requests made by Metro employees using the LESR system during FY’s 2020, 2021 and 2022.



<b>Exhibit 10</b>			
<b>Law Enforcement Service Request System</b>			
<b>Requests for FY 2020, FY 2021 and FY 2022 by Problem Identified</b>			
<b>Problem Identified</b>	<b>Number Identified</b>		
	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
Alcohol Use at Bus Stop or Train Terminal	7	8	22
Alcohol Use on Bus or Train	4	5	4
Assault on Bus or Rail Operator	11	9	5
Assault on Custodian	1	3	8
Assault on Patron(s)	6	9	8
Bike Share Issues	23	9	0
Brandishing Firearm	4	3	4
Brandishing Knife	0	2	8
Chronic Homeless	23	29	39
Drug Use or Sale on Bus or Train	7	9	44
Eating/Drinking on Bus or Train	5	1	4
Fare Evasion	31	3	10
Fire(s)	0	0	2
Following Bus	1	2	0
Gang Member(s)	10	7	4
Graffiti/Vandalism	10	8	24
Homeless Encampment(s)	0	0	60
Homeless Trespassing at Metro Facilities	0	0	48
Interfering with Bus/Train Operations	29	16	43
Law Enforcement   Security complaints	1	0	9
Loitering	17	20	50
Mental Illness	6	16	35
Non-compliant to Metro Safety Rules and ADA Safety Standards	11	7	13
Objects Thrown at Bus or Train	7	6	9
Obstruction of Bus Zone	21	39	43
Passenger Disturbing the Peace	36	23	25
Playing Music on Bus or Train	5	7	1
ROW Obstruction	3	4	16
Racial Remarks	3	6	10
Rowdy Behavior	14	26	22
Rowdy School Children	0	1	1
Sexual Harassment/Indecent Exposure	9	4	14
Smoking on Bus or Train	3	7	48
Smoking on Platform / at Station	7	6	61
Spitting on Bus Floor	0	0	3
Stealing from Farebox	1	0	0
Theft	33	27	5
Threats to Custodian	3	7	7
Threats to Operator	37	40	28
Threats to Patron(s)	11	9	11
Transient(s) Refusing to Leave	27	31	34
Transient(s) at Bus Stop or Train Terminal	19	26	25
Trespasser	18	19	32
Under the Influence in Public	16	11	22
Unruly Passenger(s)	17	20	19
Unusual Behavior	21	27	44
<b>Total</b>	<b>518</b>	<b>512</b>	<b>924</b>





## Los Angeles Police Department (LAPD) Metro Proactive Policing

The majority of the Metro contracted law enforcement resources provided by LAPD are patrol officers focused on providing a visible security presence and responding to incidents and calls for service on the Metro System. However, these patrol units also engage in proactive policing activities based on information received and problems identified, including a specific focus by patrol Senior Lead Officers. Additional contracted resources specifically focused on proactive policing efforts include the Special Problems Unit and Hope (Homeless Outreach and Proactive Engagement) officers. For each of the proactive policing functions, we requested and reviewed four reports from FY 2021 and four reports for FY 2022.

### Proactive Policing by Patrol Officers and Senior Lead Officers (SLO's)

As discussed previously, patrol officers' primary responsibility is providing a visible security presence on the Metro System and responding to and handling incidents and calls for service. However, they also act in a proactive manner when possible. Each patrol shift begins with a roll call led by a Sergeant or Senior Lead Officer. During this roll call, the morning report outlining recent incidents or issues, recent customer complaints, and law enforcement service requests are reviewed and discussed. Patrol officer deployment may be adjusted based on this information, and officers deployed may proactively address issues or concerns identified.

In addition, Senior Lead Officers are specifically taking a role in proactive policing and longer term problem solving using the "SARA" (scanning, analysis, response, and assessment) model. This model has become the basis for many police agencies' problem-solving efforts. The model includes specifically identifying and clearly defining recurring problems and issues, understanding the causes and consequences, developing and implementing appropriate interventions, and evaluating whether the implemented approach was effective at solving the problem.

The following are summary examples where LAPD Senior Lead Officers have applied the SARA model during 2022.

- **Vermont and Beverly Station** - The location has multi-level steps that make it convenient for people to sit and loiter in the area. There were 55 calls for service in the area from September 2021 to February 2022, with 72% priority two calls. Crime data from that period showed that 47.4% percent of the crime in the area were batteries and 52.6% of the crime occurred between 1200 to 1800 hours. Extra patrols and a high visibility presence in the area specifically concentrating between 1200 to 1800 hours was initiated. Rampart Senior Lead Officers were



also notified of the location and provided extra patrols in the area. Supervisors were advised of the location and asked to make efforts and ask officers working the Line to also provide additional patrols in the area. Recent crime data showed a decrease in the crimes reported, especially batteries.

- **103rd and Watts Station Parking Lot** - The parking lot was built as an overflow parking lot but was sold in 2018 and has been vacant since. Several homeless encampments were on the property, and the individuals were using the restroom and tapping into the electric poles for power. The 103rd/Watts platform has had 52 Part I<sup>8</sup> and Part II crimes between 2019 and 2021. There have been numerous complaints from community members including illegal dumping, students and school staff observing drug use and sales, and fires. Strategies implemented included environmental changes such as cutting back the shrubbery and repairing the fence line, offering resources to the people suffering from homelessness, removing trespassing individuals, and securing the location. The location continues to be vacant with an on-site security guard.
- **Wilshire and Vermont Station** - The Station is a large transit hub in the West Bureau due to access to different bus line connections along Wilshire Boulevard. Due to the size of the Station and multiple accessible electrical outlets at the Station, it is inviting for homeless individuals to loiter at the Station. An operation with the TSD-HOPE unit for homeless outreach engaged eight homeless individuals loitering at the Station and referred five to the LA County Department of Mental Health and PATH (People Assisting the Homeless) for services. Three Homeless Subjects refused services and were warned of loitering on Transit Property violation. The Olympic Station and the TSD Special Problems Unit provided additional patrols in the area. This SARA project is currently open for continued evaluation on crime reduction.
- **Universal Station** – This Station had numerous homeless encampments near the parking lot areas and homeless sleeping in the pedestrian bridge elevators. Multiple site visits and meetings with the surrounding business owners were conducted. Vehicles violating the parking lot's ordinance were cited and towed. Extra patrols of these areas and the pedestrian bridge were conducted by all three patrol watches at least three times per shift. These efforts have dramatically reduced the homeless sleeping around the pedestrian bridge, and the number of

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<sup>8</sup> Part I crimes as defined by the FBI: Criminal Homicide, Forcible Rape, Robbery, Aggravated Assault, Burglary, Larceny, Auto Theft, and Arson, Part II crimes as defined the FBI include lesser offenses such as minor assaults, drug violations, disorderly conduct, vandalism, etc.



illegally parked vehicles in the lots has remained low and continued to be addressed on an as-needed basis. This SARA project is currently open for continued evaluation on crime reduction.

### Special Problems Unit

The LAPD Special Problems Unit (SPU) consists of one sergeant and ten officers. SPU regularly monitors statistical data and deploys uniformed and undercover crime suppression when necessary. As of March 2020, the SPU has focused on addressing Metro's homeless population and supporting Operation Shelter the Unsheltered.

The following are summaries/examples of LAPD SPU operations during 2021 and 2022.

- **Expo Line Grand Theft, Robberies, and Assaults** - SPU conducted uniformed enforcement and high visibility patrols along the Line and immediate area, canvassing for persons matching the descriptions of those involved in the incidents. Those efforts resulted in arresting four gang members with concealed handguns on their persons from the neighborhoods along the E Line. A review of reported crime statistics along the E Line showed a notable and significant decrease in incidents during the weeks SPU was present.
- **Bus Line 16 Cell Phone Robberies** - LAPD's Rampart Area detectives requested assistance with addressing a recent rash of robberies of cellular telephones along Metro's bus Line 16 (along 3rd Street). During the operation, undercover and uniformed SPU officers were able to locate possible suspects, monitor their activity, and guide additional uniformed resources to their location to detain the individuals. SPU officers assigned to a Foot Beat detail on the E Line responded to a radio call of a Grand Theft that occurred at an E Line station. The group of suspects were in custody upon the arrival of the SPU officers. Two suspects were recognized as being detained during the Rampart operation the previous week.
- **Lewd Conduct Reported by Metro Bus Operators** - SPU gathered information from bus operators, witnesses, SLOs, and California State Parole regarding a male regularly engaging in lewd conduct on buses. SPU conducted an undercover operation to locate and monitor the suspect. The suspect was located, monitored by undercover officers, observed, and arrested for engaging in lewd conduct on a crowded Metro bus. After a review of the suspect's criminal history and accounting for several prior convictions for sex-related offenses, the suspect was booked on felony charges as recommended by Hollenbeck Station Detectives.
- **Blue and Gold Line Copper Wire Thefts** – The Special Problems Unit worked to locate and arrest the suspects involved in the theft of cable copper wire along the



Blue and Gold lines. SPU worked undercover and uniformed surveillance, in conjunction with TSD uniform operations, to provide seven-day surveillance at night. In addition, they requested assistance from Air Support Division (ASD) with the air units checking the targeted area. During the following weeks, ongoing surveillance identified several key players in a group of suspects responsible for removing copper cable wire, which was then sold to local scrap metal yards. The group was also responsible for narcotics sales and six individuals were arrested for narcotics, theft, and receiving stolen property charges.

- **Vandalism and Assault on the Red Line** - SPU received information regarding a suspect engaged in Vandalism and Assault with a Deadly Weapon (Arson related) along the Red Line. The suspect was observed using a torch lighter to burn surveillance cameras inside trains and placing pieces of paper at the feet of a sleeping passenger and using the same lighter to ignite the papers. The passenger woke when he felt the heat from the small flames, resulting in no injuries. After gathering available information and suspect images, plain clothes SPU officers rode the train and monitored train stations. They spotted the suspect at the Union Station platform. With assistance from Foot Beat units and their supervisor, the suspect was contacted and detained without incident. The suspect was booked for assault with a deadly weapon.

### **HOPE Homeless Outreach Officers**

The purpose of the LAPD HOPE Teams is to improve the overall response to the complex and diverse needs of unsheltered homeless residents. The HOPE Teams work to connect homeless individuals to appropriate services, respond to neighborhood issues and concerns, and develop strategies for dealing with situations that arise among unsheltered homeless individuals.

### **Los Angeles Sheriff Department (LASD) Proactive Policing Efforts**

The majority of the Metro contracted law enforcement resources provided by LASD are patrol deputies focused on providing a visible security presence and responding to incidents and calls for service on the Metro System. However, these patrol units also engage in proactive policing activities based on information received and problems identified. Additional contracted resources are specifically focused on proactive policing efforts including the Special Assignments Unit and Transit Mental Evaluation Team. For each of the proactive policing functions, we requested and reviewed four reports from FY 2021 and four reports for FY 2022.



### **Proactive Policing by Patrol Deputies**

Patrol deputies primarily patrol and respond to incidents and calls for service. However, they also act in a proactive manner when possible. Monthly “Intelligence Led Policing” (ILP) briefings are developed and provided by the LASD crime analyst. These briefings provide information on the number of crimes occurring on each line and station. They also provide information on any specific issues that are occurring as well as crime trends.

The following exhibit shows an example of the ILP monthly briefing.



Exhibit 11

LASD Intelligence Led Policing Briefing Example



Metro

LASD TSB  
 Crime Trends  
 Oct 03 - Oct 09, 2021



October 11, 2021

**"A" Blue Line**

No significant incidents.

Station	YTD
Willowbrook	24
Florence	14
Firestone	12
Compton	10
Del Amo	10
Artesia	8
Slauson	4
Unk station	1
<b>YTD Total</b>	<b>83</b>

**"E" Expo Line**

Sus MB/30-40yrs set fire to two trash cans at 26th/ Bergamot on 10/8.

Station	YTD
D/T Santa Monica	11
17th/SMC	5
Culver City	3
26th/Bergamot	3
Unk Station	1
<b>YTD Total</b>	<b>23</b>

**"C" Green Line**

Sus MB/20s punched vic for no reason at Crenshaw on 10/4.

Station	YTD
Willowbrook	17
Long Beach	9
Crenshaw	9
Lakewood	7
Norwalk	6
Vermont	5
Hawthorne	5
Redondo Beach	3
Mariposa	3
Unk / El Segundo	1 / 3
<b>Grand Total</b>	<b>68</b>

**Bus**

Sus MH/35yrs stole vic's bike from bus on line 111 on 10/4.

Bus Area	YTD
Gateway	42
South Bay	33
San Gabriel	17
El Monte Terminal	17
Westside	16
San Fernando	14
Silver Line	0
<b>YTD Total</b>	<b>139</b>

Sus FW/33yrs arrested for attempted kidnapping and battery at Norwalk busbay on 10/6.

Sus MB/40s robbed vic of cell phone on line 51 on 10/6.

Sus MW/20s punched vic for sitting in his bus seat on 10/8.

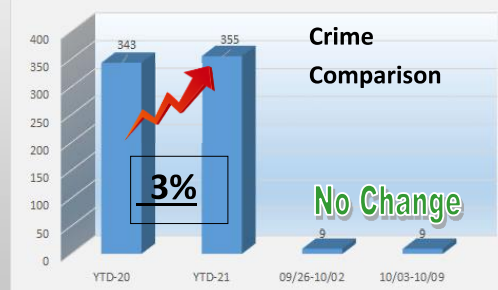
**"L" Gold Line**

Sus MB/20s assaulted and robbed vic of cell phone on train at Irwindale on 10/6.

Sus MW/25yrs arrested for pushing bus op at Arcadia station bus way on 10/6.

Vehicle Burg at Sierra Madre on 10/9.

Station	YTD
Sierra Madre	9
Fillmore	4
Lake	4
Monrovia	3
APU/Citrus	3
Duarte	3
Irwindale	3
Del Mar	2
Atlantic	2
Arcadia	2
Azusa D/T / Maravilla	1 / 1
Indiana / S. Pasadena	1 / 1
Allen / Unk Station	1 / 1
<b>YTD Total</b>	<b>42</b>



\*Crimes Analyzed: All Part 1 Crimes, Batteries, and Sex Crimes



**Special Assignment Unit (SAU)** - consists of two sergeants and 16 deputies. It has a North Team and a South Team. The Teams regularly monitor statistical data and deploys uniformed and undercover crime suppression when necessary. Each team works flexible hours to allow it to respond to specific issues and concerns.

- Members on the SAU team possess the following unique skills that are useful for traditional and transit policing problems:
  - Tactics specific to Metro Transit modes of transportation and facilities.
  - Training focused on trains, buses, yards, and buildings.
  - Hazardous materials identification and handling.
  - Improvised explosive device identification and safety protocols.
  - Pre and Post blast recognition and investigation.
  - Force protection for specialized response from other units such as HAZMAT.
  - Arson Explosive Detail, Search, and Rescue Teams.
  - First aid, tactical medication, marksmanship, and crisis negotiation.
  - Use community policing strategies to establish rapport with patrons on the system.
  - Offer flexibility in dealing with problem specific issues on the system.
  - Work various hours as needed for special events and areas identified as problematic.
  - Identify specific problems on the line and deploy as directed.
  - Handle quality of life issues to searching for outstanding felony suspects.
  - Perform warrant training and serve search and arrest warrants for Transit Services Bureau Detectives.
  - Identify crime trends and come up with solutions to keep the system safe.
  - Provide support to Patrol and Detective Bureau personnel.
  - Provide support to the Transit Mental Evaluation Team (TMET).
  - Aid in outreach efforts.
  - Aid in abatement of transient/homeless encampments.
  - Is a liaison to other patrol agencies that overlap into the transit system.



- Ride trains and buses.

**Transit Mental Evaluation Team (TMET)** – Consists of 10 deputies and 4 mental health clinicians. The teams provide crisis assessment, intervention and targeted case management services to diffuse potentially violent situations, prepare appropriate documentation to assist in the placement of persons with mental illness in acute inpatient psychiatric facilities, and/or link these individuals to outpatient mental health services or appropriate community resources. The goal of this co-response model is to reduce incidents of use of force, reduce hospitalizations, and avoid unnecessary incarcerations of severely mentally ill citizens. When not responding to calls, the team works with the homeless. Coverage by TMET is 7 days/week and 20 hours per day most days.

TMET responsibilities include:

- Respond to calls involving mental illness and homeless outreach.
- Patrol Metro Stations, trains, buses, and facilities looking for people that can benefit from their services.
- Obtain housing for homeless.
- Assist mentally ill with getting medical and psychiatric care.
- Oversee abatement efforts from Metro properties and areas adjacent to Metro properties.
- Use Project Lifesaver Devices that track a variety of people with mental health issues and diminished mental capacities, including the elderly. (Families sign up the concerned parties and through the use of a wristband, they can then be tracked and located quickly).
- Train deputy personnel and law enforcement partners in real life simulated scenarios using the Multiple Interactive Learning Objectives (MILO).
- Train Transit Services Bureau personnel.
- Train other agencies in the areas of outreach and intervention.

**Canine Teams** – The Transit Service Bureau (TSB) K9 Team consists of 10 K9 dogs, 9 deputy handlers, and 1 sergeant handler. Duties and activities of the K9 teams include the following:

- Deploy 7 days a week from 0500-2100 and are assigned to perform high visibility patrol and explosive detection sweeps.
- Strategically positioned on the transit system to minimize response times.





- Respond quickly to calls and are able to clear unattended packages that do not pose a threat to the system. This enables trains/buses to have minimal interruptions to their schedules.
- Participate in training scenarios each workday to maintain Transportation Security Administration (TSA) training standards and increase handler and K9 proficiency.
- Train on a regular basis with LAPD Transit K9 and Sheriff Arson Explosives Detail (Bomb Squad) to stay current on trends in terrorism, explosive recognition/assessment, and credible threats.
- Complete an annual proficiency evaluation administered by the National Explosive Detection canine team program.
- Complete extensive training, including a 10-week TSA Explosives Detection Canine Handler Course at Lackland Air Force Base in San Antonio, Texas, where participants undergo several hours of proficiency training in scenarios that mimic busy mass transit systems and airports.
- Attend a K9 First Aid and Medic course, which enables handlers to provide initial medical care during critical incidents, including advanced procedures such as starting IVs (Intravenous therapy).
- Possess the skills and abilities to identify and safely respond to chemical, biological, radiological, nuclear, or explosive (CBRNE) incidents.
- Possess the skills and knowledge to effectively interdict and respond to an imminent suicide bombing attack (person or vehicle).

### **Long Beach Police Department (LBPD) Proactive Policing Efforts**

The majority of the Metro contracted law enforcement resources provided by LBPD are patrol officers focused on providing a visible security presence and responding to incidents and calls for service on the Metro System. However, these patrol units also engage in proactive policing activities based on information received and problems identified. Additional contracted resources are specifically focused on proactive policing efforts including the quality of life officers, K9 officers, and motor officers. For each of the proactive policing functions, we requested and reviewed four reports from FY 2021 and four reports for FY 2022.

**Proactive Policing by Patrol Officers** - As discussed previously, patrol officers' primary responsibility is providing a visible security presence on the Metro System and responding to and handling incidents and calls for service. However, they also act in a proactive



manner when possible. Each patrol shift begins with a review of recent incidents or issues, recent customer complaints, and law enforcement service requests are reviewed. Patrol officer deployment may be adjusted based on this information, and officers deployed may proactively address issues or concerns identified.

**Quality of Life Officers** - LBPD has two full time “Quality of Life” Officers that work 40 hours per week. These officers are focused on the issues of the homeless. They are specifically trained in assessing mental health and knowing what local and County resources are available to assist the homeless. They have also developed relationships and connections with homeless resources and service providers as well as the regular LBPD officers assigned to patrol the Metro System.

**K9 Officers** - LBPD deploys two K9 Officers for about 5 hours each week. These officers conduct sweeps of the train and station platforms and other areas as needed. In addition, K9 officers are available from LBPD 24 hours a day 7 days a week on an on call basis to respond to any specific threats or concerns.

**Motor Officers** - LBPD deploys two motor (motorcycle) officers for about 5 hours each week. These officers work the grade crossings where the trains and cars intersect. They focus on the most dangerous of these crossings and issue citations for violations specifically related to grade crossing safety.

## **Predictive Policing**

### **What is Predictive Policing?**

Predictive policing is the application of analytical techniques—particularly quantitative techniques, to identify likely targets for police intervention and prevent crime or solve past crimes by making statistical predictions. Predictive policing uses computer systems to analyze large sets of data, including historical crime data, to help decide where to deploy police or to identify individuals who are purportedly more likely to commit or be a victim of a crime. Predictive policing can include:

- Place-based predictive policing, the most widely practiced method, typically uses preexisting crime data to identify places and times that have a high risk of crime.
- Person-based predictive policing attempts to identify individuals or groups who are likely to commit a crime, or to be victim of one, by analyzing for risk factors such as past arrests or victimization patterns.

Proponents argue that predictive policing can help predict crimes more accurately and effectively than traditional police methods. Critics warn about a lack of transparency and



point to a number of civil rights and civil liberties concerns, including the possibility that algorithms could reinforce racial biases in the criminal justice system.

### **History of Predictive Policing**

Police Chief (ret.) William J. Bratton and the LAPD are credited with envisioning the predictive policing model in 2008. He suggested that this new approach could build on and enhance existing approaches, including community-oriented policing and intelligence-led policing. Over the next few years there was a growing interest in predictive policing including media coverage that implied that the predictive policing software could literally predict where crime would occur.

The LAPD implemented two predictive policing programs with funding provided by the federal Bureau of Justice Assistance.

- The Los Angeles Strategic Extraction and Restoration (LASER) Program, which contains both a person-based and a location-based component; and
- PredPol, a predictive policing system that is location-based.

In 2019, the Los Angeles Police Commission Office of the Inspector General (LAPCOIG) conducted a review that included both these programs. A major focus of the OIG's review was an assessment of the Chronic Offender Program, which is the person-based component of Operation LASER.

The LAPCOIG identified significant inconsistencies in how the Chronic Offender program was being administered, particularly with regard to selection and documentation practices from area to area. The LAPCOIG also found that the majority of people identified as Chronic Offenders had few, if any, actual contacts with the police, who often reported that they attempted to locate the designated person but could not find them. Although the database did list a number of arrests and stops of people designated as Chronic Offenders, most of these could not clearly be connected with Operation LASER based on the information provided.

The LAPCOIG included a number of recommendations for improving the quality of the data entered into these programs, and limitations on their use. Given the difficulty of isolating the impact of these programs, as opposed to other factors that may impact crime, the LAPCOIG cautioned against drawing strong conclusions using these programs. The LAPD discontinued the LASER program and made a number of changes in the PredPol program in response to this review and recommendations.

Other major city police departments have also implemented various approaches and elements of predictive policing. The Chicago Police Department ran one of the biggest



person-based predictive policing programs in the United States. First piloted in 2012, the program created a list of people it considered most likely to commit gun violence or to be a victim of it. The RAND Institute conducted a review of the program and found it was ineffective. A subsequent report by Chicago's Office of the Inspector General found that it overly relied on arrest records to identify risk even where there was no further arrest or arrests did not lead to convictions. The program was discontinued in January 2020.

Predictive policing has been heavily criticized and has met substantial resistance. This includes some cities enacting legislation to prohibit its use and multiple lawsuits by civil rights and other groups. In addition, several prominent academic mathematicians urged fellow researchers to stop all work related to predictive policing software.

In 2020, the Fourth Circuit Court of Appeals handed down a decision which found predictive policing to be a law-enforcement tool that amounted to nothing more than reinforcement of a racist status quo. Predictive policing, which is typically applied to so-called "high crime areas" relies on biased input to make biased decisions about where police should focus their proactive efforts, and without it, police are still able to fight crime adequately in minority communities.

### **Predictive Policing by Metro Contract Law Enforcement**

***Finding 11: We found no evidence that Metro contract law enforcement agencies used any "predictive" policing approaches or techniques when policing the Metro System. In addition, we do not believe that such "predictive" policing approaches are needed or would be effective for the Metro System.***

Metro contracted agencies have appropriately used information on crime trends and locations, as well as complaints from Metro employees and patrons, to focus their law enforcement personnel and activities. This information is helpful, and is not subject to the potential bias of the information used in predictive policing.

Location information consists of simply plotting crimes in order to visualize a geographic distribution of crime throughout the service area. This information is shared with law enforcement personnel patrolling the Metro System and may be used to make minor temporary adjustments in deployment. Complaints and concerns identified by both Metro customers and employees are tracked and are also used to focus law enforcement personnel to address those concerns.

***Recommendation 11: Metro contracted law enforcement agencies should continue to use information on crime trends and locations, as well as complaints from Metro employees and patrons, to focus their law enforcement personnel and activities.***

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Sources:



1. Tim Lau, ***Predictive Policing Explained***, Brennan Center for Justice.
2. Walter L. Perry, Brian McInnis, Carter C. Price, Susan C. Smith, John S. Hollywood, ***Predictive Policing: The Role of Crime Forecasting in Law Enforcement Operations***, The Rand Corporation, 2013.
3. LA Police Commission Office of the Inspector General, ***Review of Selected Los Angeles Police Department Data-Driven Policing Strategies***, March 12, 2019
4. Kristi, Sturgill (June 26, 2020). ***"Santa Cruz becomes the first U.S. city to ban predictive policing"***. Los Angeles Times. Retrieved June 3, 2022.
5. ***Statement of Concern About Predictive Policing by ACLU and 16 Civil Rights Privacy, Racial Justice, and Technology Organizations"***. American Civil Liberties Union.
6. Linder, Courtney (July 20, 2020). ***"Why Hundreds of Mathematicians Are Boycotting Predictive Policing"***. Popular Mechanics. Retrieved June 3, 2022.



## **D. Homelessness Efforts and Effectiveness**

The increase of homelessness in Metro’s transit system continues to challenge the agency. Metro recognizes the need to address homelessness in and around the transit system. The FY2022 Metro budget includes substantial funds to help address the homeless on the Metro System.

The objective of this task was to determine the status of the following homelessness initiatives:

- \$2 million for short term shelter for homeless riders.
- \$5 million for enhanced homeless outreach teams and related mental health, addiction, nursing, and shelter services.
- \$250,000 for regular counts to monitor trends and gauge the success of Metro efforts to address homelessness.
- \$3 million for pilot homelessness strategies to be recommended by the Public Safety Advisory Committee (PSAC).

To accomplish these tasks, we:

- Reviewed Metro Board Report #2021-0190 that includes funding for Homelessness initiatives consistent with the Equity Platform and Customer Experience Plan.
- Performed interviews with Metro personnel and site visits on the Metro system to determine the status of the following homelessness initiatives:
  - Short term shelter for homeless riders.
  - Enhanced homeless outreach teams and related mental health, addiction, nursing, and shelter services.
  - Regular counts to monitor trends and gauge the success of Metro efforts to address homelessness.
  - Pilot homelessness strategies recommended by PSAC.
  - Other methods used to address non-transportation use of the Metro transit system.

Each of these initiatives are discussed in the following sections.



## **Short Term Shelter for Homeless Riders**

In March 2021, Metro initiated a pilot program to increase short-term shelter bed availability within its service area by funding Home At Last (HAL), an 80-bed communal shelter facility in South Los Angeles. HAL offered clients interim housing and full supportive services for those impacted by mental health crises and addiction. Services included counseling, meals, laundry, showers, basic skills training, medical care, transportation to medical appointments, and help with paperwork for longer term housing assistance. Clients were also referred to other agencies for basic services such as the Los Angeles Homeless Services Authority (LAHSA), Medi-Cal, Social Security, and Department of Public Social Services.

The HAL program was designed to function collaboratively with Metro's outreach efforts. HAL is the only public operated shelter in the County that accepts new clients outside of normal business hours. Because many of the referrals by Metro outreach teams occur from 3:00 a.m. to 9:00 a.m., HAL allowed these teams to provide direct referrals without delay. To evaluate the impact of HAL, Metro looked to three types of key performance indicators (KPIs): (1) average monthly utilization of the existing 80 beds, (2) the average length of stay, and (3) the type of outcome at the conclusion of the shelter stay.

Within two weeks of initiating the pilot, over half of the beds were filled by Metro outreach referrals. During the length of the pilot, 345 persons experiencing homelessness (PEH) were referred by Metro outreach teams. During that time, the HAL program spent its entire \$2 million budget. In January 2022, and in conjunction with a recommendation from the Public Safety Advisory Committee, Metro increased the HAL Program budget and extended the HAL program through June 30, 2022.

While the program had positive impacts for those being served, Metro determined that it did not have a meaningful impact on the number of PEH on the transit system. As a result, the HAL program was not extended beyond June 2022. In May 2022, current residents were notified of the program's conclusion and were transitioned to other housing alternatives, where possible. Metro staff indicated that they will be working with the County's Department of Health Services, LAHSA, and other housing providers to offer alternative options for Metro outreach teams to provide interim shelters.

Below is a summary of KPIs for HAL during the pilot period and the first three months of 2022 (data for the 4<sup>th</sup> Quarter of FY 2022 was unavailable):



Exhibit 12 Home At Last Key Performance Indicators		
Timeframe	Pilot	3rd Q FY 2022*
<b>Shelter Usage</b>		
Monthly Utilization	62% to 84%	72%
Average Length of Stay (in days)	31	67
<b>Shelter Outcome</b>		
Exited without Permanent Housing	74%	77%
Other Interim Housing	13%	12%
Permanent Supportive Housing	7%	3%
Supportive Care	3%	3%
Reunited with Family	3%	5%
*Due to the pandemic, HAL was unable to take referrals during portions of January and February 2022, impacting overall numbers.		

### Enhanced Homeless Outreach Teams

Metro funds the deployment of C3 (community, city, and county) street-based teams to conduct homeless outreach services throughout Metro’s transit system. Metro has contracted with the People Assisting the Homeless (PATH) to provide homeless street-based outreach services. Since the program began in 2017, PATH has served over 21,000 PEH on the Metro system, connected 2,791 individuals with interim housing (including crisis and bridge housing), resulting in over 600 people being permanently housed. The focus of this task is to evaluate the progress of this program since the passage of funding for Homelessness initiatives consistent with the Equity Platform and Customer Experience Plan.

Metro provides funding for 40 staff which are formed into eight street-based, multidisciplinary teams that include outreach workers, case managers, addiction specialists, clinicians, and medical personnel. These outreach workers help people find housing and provide case management, medical and mental healthcare, benefits advocacy, employment training, and other services. PATH’s outreach teams are deployed seven days a week throughout Metro’s system.

Outreach teams start by building a trusting relationship with PEH to better understand their individual needs. This process may involve repeated contacts over time (“Contacts”). Once trust develops with the outreach teams, PEH may agree to enroll in a variety of different services (“Engagements”). These efforts can be as simple as helping a PEH get an ID card or as complex as assisting them in seeking medical treatment, substance abuse counselling, and/or addressing other mental health needs. The long-





term goal of outreach services is to assist PEH to move from the streets into housing. PATH refers individuals to interim shelters with linkages to permanent housing, and permanent housing placement. As a homeless service provider within the County, PATH can access a network of existing housing and supportive services.

PATH tracks five different key performance indicators (KPIs) to evaluate the success of their outreach efforts:

- Contacts – an unduplicated meeting with a PEH.
- Engagement – occurs when a PEH agrees to enroll in services offered by PATH.
- Placement + Linkage to Interim Housing – a PEH is placed within Interim Housing. Interim housing programs offer 24/7 security, three meals a day, hygiene services, and on-site supportive services like case management, mental health care, substance abuse treatment, and linkage to any other services that may be needed to improve a person's well-being.
- Linked to Permanent Housing – a PEH is referred to a permanent community-based housing organization.
- Permanently Housed -- a PEH is placed within community-based housing without a designated length of stay.

The following exhibit shows a summary of progress since the approval of renewed funding for homeless initiatives as measured by PATH’s KPIs:

<b>Exhibit 13</b>				
<b>Homeless Outreach Key Performance Indicators</b>				
<b>Timeframe</b>	<b>4<sup>th</sup> Qtr. FY21</b>	<b>1<sup>st</sup> Qtr. FY22</b>	<b>2<sup>nd</sup> Qtr. FY22</b>	<b>3<sup>rd</sup> Qtr. FY22</b>
<b>Outreach and Engagement</b>				
Contacts	621	327	605	709
Engagements	494	241	440	579
<b>Interim and Permanent Housing</b>				
Placement + Linkage to Interim Housing	206	123	150	166
Linked to Permanent Housing	4	23	1	N/A
Permanently Housed	60	42	58	37
<b>Total Served</b>	<b>1385</b>	<b>756</b>	<b>1254</b>	<b>1491</b>

During this period and moving forward, Metro’s outreach model is both expanding and becoming more focused on target areas within the system. The expansion will include new elements to address the many needs of PEH and will correspond to the Customer



Experience Plan. In terms of increasing its focus, PATH is devoting more time to targeted areas with increased PEH presence. In particular, Metro has directed PATH to coordinate with LAHSA to increase outreach efforts at the 7<sup>th</sup> Street/Metro Center station. This targeted approach was in direct response to concerns raised by both customers and Metro staff. The goal is to increase outreach at the station and provide additional resources to PEH camping nightly at station entrances and the street-level sidewalks.

The targeted intervention at 7<sup>th</sup> Street/Metro Center station showed success during its initial phases. From January 25, 2022 through March 31, 2022, staff noted a 63% reduction in the PEH counted at the station. Outreach efforts included placing individuals within sober living facilities and interim housing facilities. The exhibit below is a summary of KPIs during the targeted outreach:

Exhibit 14						
7th Street and Metro Center Station Key Performance Indicators FY 2022						
Timeframe	Jan	Feb	Mar	Apr	May	Jun
<b>Outreach and Engagement</b>						
Contacts	216	742	253	486	413	386
Enrollments	177	288	216	75	48	68
<b>Interim and Permanent Housing</b>						
Housing Placements	19	88	8	33	15	8

Moving forward, PATH will use LAHSA’s updated 2022 Point in Time Count figures to better structure resource allocation in the highest-need zones. PATH was budgeted \$5 million for outreach services for FYs 2021-22 and spent approximately \$4.9 million of its budget through the end of the fiscal year.

### Regular Homeless Counts to Monitor Trends and Success

Beginning in 2020, SSLE, in collaboration with Metro’s law enforcement partners and operations, conducted homeless counts on directly operated bus and rail lines. The stated goal of this and future counts was to:

- Establish baseline numbers of homeless for future trend analysis.
- Inform near-term resource planning and outreach efforts.
- Improve coordination with law enforcement and homeless services.
- Identify technology requirements to develop automated solutions.
- Develop lessons-learned to improve future counts.

**Finding 12: The homeless counts conducted by Metro in 2020 and 2021 did not use a consistent methodology. Additionally, the use of law enforcement and Metro**



***Security to conduct the rail counts may have impacted the ability to get accurate counts.***

In 2020, Metro conducted separate counts for rail and bus. Rail used law enforcement and Metro security personnel to count PEH on trains and in stations at 7:00 a.m. and 7:00 p.m. These counts were done over four consecutive days. Counts related to the bus system were conducted by bus operators. Over a four-day period, bus operators manually counted PEH on their buses at 6:00 a.m., 6:00 p.m., 12:00 a.m. and 2:00 a.m.

Rail metrics were broken down into averages for the homeless population on trains (morning, evening, and total), in stations (morning, evening, and total) as well as the percentage breakdown by rail line. Bus metrics included a breakdown by time and included a percentage breakdown by bus line (top 10 routes). The count report included a recommendation that “SSLE should focus the bulk of its outreach and law enforcement efforts within the Westside/Central Service Council area to have the greatest impact.”

In 2021, Metro performed a homeless count, but only for rail operations. Using a similar methodology, law enforcement officers and Metro Security counted homeless on trains and in stations at 7:00 a.m. and 7:00 p.m. This report included two recommendations:

- SSLE should review AM and PM homeless concentrations for each line and consider allocating resources accordingly.
- SSLE should consider focusing outreach and law enforcement efforts on Red and Expo Lines.

The 2021 count did not include bus operations. A majority of Bus Divisions did not agree to participate in the count indicating that it would have been a burden to their operators to perform these additional duties. SSLE determined that without the participation of a majority of Bus Divisions, the count would have been inaccurate and proceeded only with rail operations.

In 2022, Metro staff indicated that the current count is being done in conjunction with LAHSA). At the time of this report, LAHSA has not verified their count data or shared the results with Metro. In addition, LAHSA has not yet provided Metro with the methodology they used to conduct their count. The following exhibit provides a summary of the rail line homeless count results for 2020 and 2021.

Clearly the homeless counts do not show progress in limiting or reducing the number of PEH on the rail system. Comparing the counts shows increases in PEH within each of the timeframes measured ranging from 14.4% to 144%. However, given the inconsistent methodology and the limited number of counts, it is too early to draw conclusions on the effectiveness of Metro’s Homeless efforts. Additional and more consistent homeless



counts will allow Metro to better evaluate the impact of its outreach and other programs for the homeless.

<b>Exhibit 15</b>			
<b>LA Metro Homeless Count -- Rail</b>			
<b>Timeframe</b>	<b>2020</b>	<b>2021</b>	<b>% Change</b>
<b>Homeless Population Numbers</b>			
Average Morning Homeless	598	1002	67.6%
Average Morning Homeless On-Train	404	780	93.1%
Average Morning Homeless In-Station	194	222	14.4%
Average Evening Homeless	545	1132	107.7%
Average Evening Homeless On-Train	307	749	144.0%
Average Evening Homeless In-Station	238	383	60.9%
<b>Percentage of PEH Population Percentage by Rail Line</b>			
B (Red)	38.1%	36.7%	-3.7%
E (Expo)	16.7%	18.3%	9.6%
D (Purple)	5.6%	14.3%	155.4%
A (Blue)	18.1%	14.2%	-21.5%
L (Gold)	11.2%	10.2%	-8.9%
C (Green)	6.0%	6.2%	3.3%
G (Orange)	2.6%	N/A	N/A
J (Silver)	1.5%	N/A	N/A

The following exhibit provides a summary of the bus line homeless count results for 2020.

<b>Exhibit 16</b>		
<b>LA Metro Homeless Count -- Bus</b>		
<b>Timeframe</b>	<b>2020</b>	<b>2021</b>
<b>Homeless Population Numbers</b>		
Average Morning (6am)	777	N/A
Average Evening (6 pm)	1048	N/A
Average Midnight (12 am)	338	N/A
Average Late-Night (2am)	269	N/A

Developing a process for conducting homeless counts is consistent with Metro’s goal of improving transit safety by targeting increased security and homeless outreach efforts. The counts could be a valuable tool moving forward by establishing baselines, evaluating trends and identifying near-term focus for resource planning and outreach efforts.



Collecting good baseline and on-going data is essential to designing effective responses. This includes collecting data at regular intervals and using a consistent and effective means of conducting the count. As homelessness has become pervasive, many local governments and communities have struggled with how to conduct effective counts. To assist agencies in conducting homeless counts, the US Department of Housing and Urban Planning developed “A Guide to Counting Unsheltered Homeless People” (Guide). The purpose of the Guide is to identify key challenges associated with homeless counts and describe methods to assist in identifying and counting PEH. The challenges include:

- When to conduct the count and over how long a time?
- Whom to count (how to determine whether the people observed meet the definition of homeless)?
- How to avoid counting the same person twice?

The Guide also listed some basic standards associated with conducting counts including:

- Selecting a consistent and appropriate time each year to conduct the count.
- Picking an appropriate time of day for the counts.
- Deciding who should conduct the count and providing appropriate training.

Our high-level review of the homeless counts conducted in 2020 and 2021 suggests the process for conducting these counts should be re-evaluated. First, the count process has not been consistent. In 2020, the count included rail and bus operations, but in 2021 the count only included rail. Second, both the 2020 and 2021 counts were conducted by law enforcement officers and Metro Security limiting the potential effectiveness of the counts. As stated in the HUD Guide: “because homeless individuals may have criminal records, be engaged in illegal activities, or have had negative experiences with the police, they may be less forthcoming with information or avoid being counted if they know that police are involved in the count.”

***Recommendation 12: Metro should develop and implement a standardized methodology for conducting counts of homeless persons based on best practices.***

## **PSAC Recommended Pilot Homeless Strategies**

Metro established the Public Safety Advisory Committee (PSAC) to work with Metro to develop a community-based approach to public safety on the transit system. PSAC began meeting in April of 2021 and held bi-weekly meetings to address issues of safety and to meet the expectations of transit riders. As part of the Board’s approval of funding for Homeless initiatives in March of 2021, the Board requested that PSAC make recommendations for “pilot homeless strategies” committing up to \$3 million in funding.



The issues of the impact of PEH on transit safety and customer experience has been raised periodically during public comment and the Committee was routinely briefed on homeless issues by SSLE. During their January 5, 2022 meeting, PSAC addressed the Community Engagement ad hoc recommendations related to homelessness. Initially, the ad hoc committee recommended that Metro consider expansion of the HAL program to increase the number of available beds for unhoused Metro riders and improve the geographic diversity of shelter locations. The committee also recommended funding the development of a software application to support PATH engagement at unhoused encampments. This application would be used to track and plan PATH outreach efforts by showing the geographic distribution, successes, and challenges of outreach efforts. PSAC approved these recommendations and forwarded them to the Metro Board.

PSACs recommendations led to the extension of the HAL program for FY 2022. Additionally, PSACs recommendations led to the purchase of a software solution (Outreach Grid) to assist PATH in their outreach efforts. The Outreach Grid application allows PATH to map encounters with PEH and identify encampment areas in real-time.

PSAC has not developed any additional recommendations for funding homelessness initiatives. Of the \$3 million budgeted for PSAC-recommended programs only \$1.4 million has been spent as of the close of FY 2022.

## **Other Methods to Address Non-Transportation Use of Metro**

Metro has initiated three additional methods to address PEH's non-transportation use of Metro's transit system. These programs are designed to work in collaboration with the above initiatives but are highlighted separately in this report.

### **Transit Ambassador Pilot Program**

Approved by the Metro Board in June of 2022, the Transit Ambassador Pilot Program will employ up to 300 transit ambassadors from diverse communities throughout the County. The program will be a part of Metro's overall public safety network that includes security, law enforcement, crisis response teams, and homeless outreach that advance the goal of a safer public transit system. Ambassadors will be trained in customer service and will assist rail and bus customers find their bus or rail line, purchase their fare, and other related issues. They will also assist PATH in connecting individuals to outreach services and will work with community-based crisis intervention teams and be able to call dedicated safety personnel to respond to dangerous situations.

### **Metro "Care Kits"**

In collaboration with PATH, Metro will distribute 2,000 "Care Kits" to unhoused riders over



the next year. These Care Kits can include items such as hand sanitizer, soap, shampoo, socks, cold weather clothing, blankets, water, and non-perishable snacks. Between April and July 2022 over half of the 2,000 kits had been distributed.

The Care Kits are designed to help riders who may be experiencing homelessness and also develop trust between PEH and the outreach workers. They can be distributed by PATH outreach workers or other Metro staff and initial reports from these staff have been positive.

### **Outreach Partnerships**

Addressing homelessness in and around Metro’s transit system requires a multi-faceted approach involving partnerships with other governmental and community-based organizations. Below is a summary of outreach partnerships with three different organizations that coordinate and collaborate with PATH and Metro in serving PEH in and around Metro’s bus and rail system.

- **Los Angeles Mission** - Metro collaborated with the Los Angeles Mission to conduct a pilot outreach effort in February of 2022 at seven different Metro stations: 7<sup>th</sup> Street/Metro Center, Union Station, Civic Center, Pershing Square, Hawthorne-Lennox, LAX-Aviation, and Crenshaw. The pilot team has four individuals trained in homeless outreach. Team members conducted outreach on trains and within encampment sites as well as at an outreach services booth within the station. The team supplied meals, hygiene kits, and resource information to persons engaged on the system. At the conclusion of the pilot, the LA Mission Outreach Team outlined their outreach protocol with Metro staff and provided comprehensive reports that contained detailed demographic information for clients served, client needs assessments, and type of services provided. LA Mission connected several PEH with LA Mission sober living facilities and interim shelter, as well as workforce training programs and support. Metro is continuing to explore future partnerships with LA Mission.
- **LA DOOR** – As part of Metro’s “Operation Shelter the Unsheltered,” Metro partnered with LA DOOR, a recidivism reduction & drug diversion unit within the Los Angeles City Attorney’s office. LA DOOR outreach teams participated in Operation “Shelter the Unsheltered” by deploying outreach teams to MacArthur Park. During the operation (July 2020 through November 2021), LA DOOR established 4,510 contacts with PEH.
- **The Dream Center** – The Dream Center is a community-based organization focused on providing support to those affected by homelessness through residential and community outreach programs. From July 2020 through November



2021, the Dream Center provided outreach services at Union Station on Friday nights at the close of the station. Their outreach teams were able to establish 1,932 contacts during that time.





## **E. Metro System Security and Law Enforcement**

Metro’s System Security and Law Enforcement (SSLE) Department is charged with ongoing oversight of the contracted law enforcement services as well as the operations of Metro Security. Metro Security includes uniformed and armed or unarmed security personnel. Metro Security has long had the role of providing security for Metro’s Gateway Headquarters Building, protecting Metro’s revenue collection and cash counting operations, and providing security over Metro facilities throughout the County. Metro Security officers are neither sworn nor certified law-enforcement officers and do not have the authority to detain or arrest, nor use force except in a defensive mode.

The purpose of this task is to review and evaluate oversight and supervision of contracted law enforcement services and to evaluate the operations of Metro Security. To accomplish this, we performed the following procedures:

- Evaluated the adequacy of SSLE’s oversight of the law enforcement services contracts to ensure compliance with contract requirements.
- Documented what services Metro has within the SSLE unit and whether those services appear to be addressing the needs of the agency.
- For those duties that were previously assigned to law enforcement or other staff that have now been assigned to Metro transit security staff, compared the performance of Transit Security personnel to the performance of the prior law enforcement personnel.

### **SSLE Oversight of Contract Law Enforcement Services**

Metro has and will continue to have a substantial investment in resources devoted to system safety and security. Over a five-year contract period Metro has committed over \$756.9 million to pay for contracted law enforcement services. This includes the original \$646 million contract amounts, plus \$111.2 million in contract modifications. Ensuring that these resources are effectively and efficiently used is important. We reviewed and evaluated the oversight and supervision provided by SSLE to ensure compliance with contract requirements.

It is important that monitoring and oversight be performed to ensure contract requirements are being complied with. Oversight and monitoring of contracted law enforcement resources has historically been problematic for Metro. Numerous previous reports have identified the lack of monitoring and oversight as significant issues and concerns, and numerous recommendations have been made to significantly strengthen that monitoring and oversight. One result of this inadequate oversight was that the total amount billed



and paid for each fiscal year exceeded the estimated cost specified in each contract for all three contracts.

***Finding 13: Metro's SSLE Department compliance monitoring and oversight of the law enforcement contracts improved during FY 2021 and FY 2022. However, monitoring and oversight could still be significantly strengthened.***

Previous fiscal year performance audits found instances where contract billings and payments were not in compliance with the contract terms, resulting in overbillings and overpayments. Instances of non-compliance with requirements related to the qualifications and training of personnel assigned, reports and information being provided to Metro, equipment provided under the contract, and providing appropriate support for invoices submitted were also identified. These included:

- The total amount billed and paid exceeded the estimated cost specified in the contract each year for all three contracts.
- A significant number of the labor classifications included on invoices were not on the approved list of maximum fully burdened hourly rates.
- Hours billed to Metro and paid included hours for compensated time off and union benefit payments rather than for actual hours worked as required by the contract.
- Amounts were overbilled and overpaid due to differences in approved labor classifications rates and the rates billed.
- Tracking and billing for equipment was not in compliance with the contract.
- Minor instances of non-compliance with contract requirements related to personnel and training.
- Not all reports required by the contract to be submitted to Metro were provided.

SSLE developed and implemented a ***Compliance Review Standard Operating Procedure*** (SOP), completed in December 2021. The SOP outlines an approach to conducting reviews to ensure that billings and payments are consistent with the contract terms. This includes comparing approved maximum rates to be billed with rates used in the invoices received. It also includes efforts to verify that the personnel being billed are included in the planned and actual deployment. This is verified through such things as deployment plans and schedules, timecards, activity logs, in-service reports, deployment reports, and similar documents.

The SOP provides detailed instructions and examples of how this is to be accomplished for each contract law enforcement agency. A memorandum documents the results of the



compliance review of each invoice, including any changes required to make the invoice consistent with the contract terms.

The SOP also outlines efforts to ensure that contracted law enforcement personnel planned and scheduled to work for Metro are actually present and providing service. One approach to accomplishing this was through field reviews. A field review is an in-person approach to compliance work whereby reviewers ride a targeted Metro line from terminus to terminus. The purposes of these field review rides are to:

- Observe law enforcement interaction or lack thereof at stations in which they are scheduled to be working.
- Observe overall law enforcement presence—in other words, is there the perception that any given station is being monitored by law enforcement officers?
- Assess whether or not law enforcement agencies are deploying at the numbers they report on daily logs.

The SOP outlines a step-by-step description of how field reviews are to be conducted, including documenting the results of the field review in a memorandum. Field reviews were discontinued in 2020 due to the Covid pandemic.

TAP Reviews are another approach to ensure that contracted law enforcement personnel planned and scheduled to work for Metro are actually present and providing service defined in the SOP. The TAP Review is a virtual way to confirm that Metro's law enforcement partners are fulfilling their contractual duties and responsibilities on trains and buses. The TAP Reviews were intended to replace the Field Reviews, but do not result in a summary memorandum.

SSLE has encouraged each law enforcement agency to ask their personnel to TAP frequently. However, they often forget to tap their badges, or do so very infrequently. In addition, the TAP Reviews are conducted for only one assignment for each law enforcement agency, once per week. The personnel selected for each TAP review are considered to be in compliance if they use their tap card only one time during their shift or assignment.

The TAP information has the potential to be much more useful for determining if personnel are actually present, and potentially for determining how law enforcement time is being spent on the system. A requirement that contract law enforcement personnel TAP each time they board or de-board a train or bus, and each time they enter or leave a station would make the TAP information more useful. In addition, a much more robust approach to conducting TAP Reviews would also be beneficial. (The TAP Reviews are also



discussed in the “Monitoring and Oversight of Contract Law Enforcement Presence” section of this report beginning on page 15.)

The law enforcement contracts are fairly complex, and each of the three contracts are substantially different. In addition, the information and supporting documentation provided by each agency with invoices is also different. As a result, the process for reviewing invoices to ensure contract compliance is a substantial level of effort. Conducting field reviews and TAP reviews is also time consuming.

Currently, SSLE has a Compliance unit with three positions, a Principal Compliance Officer, a Transportation Planner, and an Assistant Administrative Analyst. The Principal Compliance Officer position is currently vacant. Given the complexity and workload associated with ensuring contract compliance, as well as both the importance of the law enforcement services for Metro and the cost of those services, additional staffing may be required.

**Recommendation 13: The Metro SSLE Department should consider further strengthening ongoing monitoring and oversight of compliance with the terms of the law enforcement services contracts by:**

- a) Reinstating and expanding the field review approach to ensuring that contracted law enforcement personnel planned and scheduled to work for Metro are actually present and providing service.**
- b) Including in future law enforcement contracts requirements that law enforcement personnel “TAP” each time they board or de-board trains or buses, and each time they enter or leave a station.**
- c) Expanding the TAP Review approach to ensuring that contracted law enforcement personnel planned and scheduled to work for Metro are actually present and providing service. This should include reviewing all assignments during one randomly selected day each week rather than just one assignment per contracted law enforcement agency one day each week.**
- d) Developing and implementing a GPS based review to ensuring that contracted law enforcement personnel planned and scheduled to work for Metro are actually present and providing service using GPS information from body worn cameras and automatic vehicle location systems.**
- e) Including a periodic review of contract law enforcement agency compliance with contract requirements related to personnel qualifications and training in the Compliance Review Standard Operating Procedure.**



- f) ***Incorporating in future law enforcement contracts procedures for adjusting billed amounts based on results of efforts to verify actual deployment of contracted law enforcement personnel. This should include the results of Field Reviews, TAP Reviews, and reviews conducted using GPS information from body worn cameras and automatic vehicle location systems.***
- g) ***Reviewing the workload associated with expanded compliance reviews and current staff assigned to reviewing and ensuring compliance with the law enforcement services contract and requesting additional compliance staffing as needed.***

## **Metro Transit Security (MTS)**

Providing security for Metro facilities and operations is critical to ensure a safe transit environment for Metro employees, patrons and Metro property. This includes the bus division facilities, bus and rail maintenance facilities, parking lots, and other facilities. Providing security for Metro facilities and operations is a security function and does not require law enforcement personnel.

### **MTS Services**

Metro facilities and operations security is accomplished through several services provided by Metro Security.

- **Security Operations Control** – oversees security operations with security officers posted to the Security Control Room. This includes limited surveillance coverage using closed circuit television (CCTV) cameras, receiving calls for assistance, and maintaining radio contact with Security Officers in the building and throughout the Metro System.
- **Revenue Operations Security and Protection** - is provided through security escorts of Metro revenue collection personnel, and security presence in the Metro cash counting facility. This security service provides a visible security presence and deterrent to threats or attempts of theft of Metro cash assets.
- **Red Line Safety Team** - provides security for Metro and contractor pressure washer personnel that clean various Metro stations and facilities during the overnight hours. Security personnel provide a visible security presence and deterrent to assaults or other actions against these Metro personnel.
- **Gateway Building Security** - MTS is primarily responsible for providing security for the Gateway Metro Headquarters Building. MTS accomplishes this by deploying armed security officers. These security officers are posted at the



security desk on the plaza level, the third floor of the building, and the building loading dock. MTS also has roving security officers assigned to both the interior and the exterior of the building, including the perimeter and parking garage area. A security officer is also assigned to the Transit Court during its hours of operation.

- **MTS Patrol** - provides security at Metro facilities through mobile security units. These units patrol the various Metro facilities and provide a visible security presence for those facilities. These units also oversee the contracted private security personnel that are posted throughout Metro facilities.
- **Fare and Code Compliance Enforcement** - the Metro System, as well as the Metro Customer Code of Conduct is a key element of Metro’s safety and security mission. Currently, this mission is primarily the role of MTS. Previously this role was primarily the responsibility of contracted law enforcement personnel.

The following exhibit shows MTS staffing levels to provide these services.

Exhibit 17 Metro Security Actual Staffing by Functions							
	Security Operations Control	Revenue Protection	Red Line Safety Team	Gateway Building Security	Patrol	Fare/Code Compliance	Totals
Lieutenant	0	0	0	4	0	0	4
Sergeant	0	1	1	3	3	2	10
Senior Security Officer	0	1	2	3	3	4	13
Transit Security Officer II	9	17	12	15	16	0	69
Transit Security Officer I	12	0	0	0	0	53	74
<b>Totals</b>	21	19	15	25	22	59	160

**MTS Performance Indicators**

The role and responsibilities of MTS have expanded substantially over the past few years and now includes primary responsibility for enforcing Metro’s Customer Code of Conduct on the system, including fare enforcement. Given this, it is important that Metro Security have an effective accountability system, including meaningful performance indicators.

**Finding 14: The SSLE Department has made progress in developing performance indicators for Metro Transit Security.**

During the FY 2018 Performance Audit, the SSLE Department reported they would be developing Key Performance Indicators (KPI) for MTS during 2019. These KPIs were to cover two key areas: Fare Enforcement and Critical Infrastructure Protection. The fare enforcement KPI was to focus on effective strategies to increase fare compliance. The



critical infrastructure KPI was to focus on assessing and mitigating security threats to the transit system and its critical structures.

The SSLE Department provided information on performance indicators developed and in use for MTS. As the following exhibit shows, the performance indicators are focused on response time to various incidents.

Exhibit 18 Metro Transit Security Performance Indicators, Targets and Results			
Performance Indicator Description	FY 2022 Q2 Target	FY 2022 Q2 Actual	Notes
Average security officer response time for priority calls	10 min	8 min	MTS received 232 priority calls for service during October, November, and December and responded to 182 calls. The other 50 calls were handled by law enforcement partners, contract security, or were canceled.
Response time to Transit Watch Application Reports	10 min	4 min	MTS received 30 Transit Watch Application priority reports during October, November, and December and responded to 15 calls. The other 15 calls were information only, law enforcement partners, or contract security handled.
Response time to sexual harassment radio call	10 min	2 min	MTS responded to 16 sexual harassment calls for October, November, and December.

The development of these performance indicators, including specific targets for that performance, are a positive step toward providing an effective accountability system. An expanded set of performance indicators, including indicators related to fare and Customer Code of Conduct enforcement and critical infrastructure protection would be beneficial.

**Recommendation 14: Metro’s SSLE Department should develop an expanded set of performance indicators, including indicators related to fare and Customer Code of Conduct enforcement and critical infrastructure protection, for Metro Transit Security.**

**Customer Fare and Code of Conduct Enforcement**

Enforcing fare compliance on the Metro System, as well as the Metro Customer Code of Conduct is a key element of Metro’s safety and security mission. The exhibit on the following page shows the citations for Metro Customer Code of Conduct violations, including those related to transit fares. These violations are issued by MTS, which is a substantial change from contracted law enforcement to MTS.



During the Covid pandemic, enforcement of the Metro Customer Code of Conduct, including fare compliance, was suspended. As a result, very few violations actions were taken by MTS during FY 2021. As the following exhibit shows, there were only 10 citations for violations of the Metro Customer Code of Conduct during FY 2021.

Exhibit 19 Citations for Metro Customer Code of Conduct Violations FY 2021	
Violation Description	Number
Abuse or harassment of Metro personnel or patrons	1
Boarding without proof of payment	1
Bypassing fare gates or fare collection machines	1
Fare evasion	3
Loitering in Metro facilities or vehicle	1
Misuse of fare media	1
Preventing a door from closing	1
Refusal to show proof of payment	1
<b>Total</b>	<b>10</b>

The number of Metro Customer Code of Conduct violation citations increased substantially during FY 2022, with a total of 2,410 violations as shown in the following exhibit. Of these, 1,206 were for fare evasion. This demonstrates that Customer Code of Conduct enforcement is beginning to return to pre-Covid pandemic levels. The suspension of Customer Code of Conduct enforcement ended in March 2022, with notice to customers in advance that enforcement would resume.

Exhibit 20 Citations for Metro Customer Code of Conduct Violations FY 2022	
Violation Description	Number
Abuse or harassment of Metro personnel or patrons	4
Animal control	1
Being under the influence of drugs or alcohol	3
Blocking an isle elevator escalator, etc.	1
Boarding without proof of payment	764
Bypassing fare gates or fare collection machines	15
Disturbing others by noise	5
Drinking alcohol	12
Eating, drinking, smoking	178
Enter Metro when excluded or when prior fines due	1
Failure to obey signs	7
False representation to obtain reduced fare	3
Fare evasion	1,206
Gambling	1



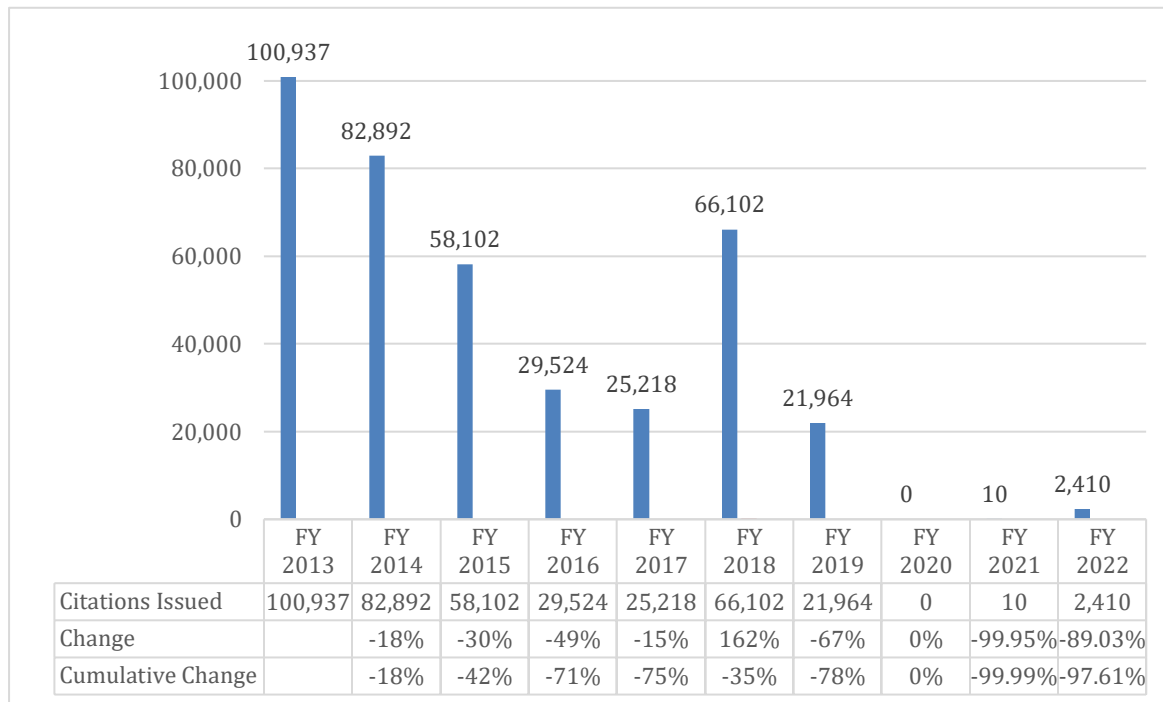


Exhibit 20	
Citations for Metro Customer Code of Conduct Violations FY 2022	
Violation Description	Number
Graffiti	6
Improper use of carts/strollers in peak/crowded condition	1
Incite violence / posing clear & present danger	1
Invalid coin currency in fare box or collect device	1
Large carts and strollers	4
Littering	26
Loitering in Metro facilities or vehicle	40
Obstructing or impeding flow of Metro vehicle	1
Playing sound device	20
Possession of a drug or illegal substance	2
Preventing a door from closing	4
Prohibited bicycle	1
Proof of payment	9
Refusal to show proof of payment	1
Riding bicycles and skateboards	19
Sale/peddling of goods/services	1
Soliciting lewd conduct	1
Spitting	2
Unavoidable grossly repulsive odor	1
Unsafe conduct in Metro vehicles or Metro facilities	21
Urinate or defecate except in a lavatory	47
<b>Total</b>	<b>2,410</b>

The following exhibit shows the trend in Metro Customer Code of Conduct citations issued since FY 2013. As this exhibit shows, the number of Customer Code of Conduct citations issued declined almost 100% (99.95% and 99.99%) between FY 2019 and FY 2021 and from the FY 2013 level. Citations in FY 2022 were 89% below the FY 2019 level, and 97.6% below the level for FY 2013.



**Exhibit 21**  
**Trend in Citations for Metro Customer Code of Conduct Violations**  
**FY 2013 to FY 2022**



Note: Information on citations for code of conduct violations was not available for FY 2020.

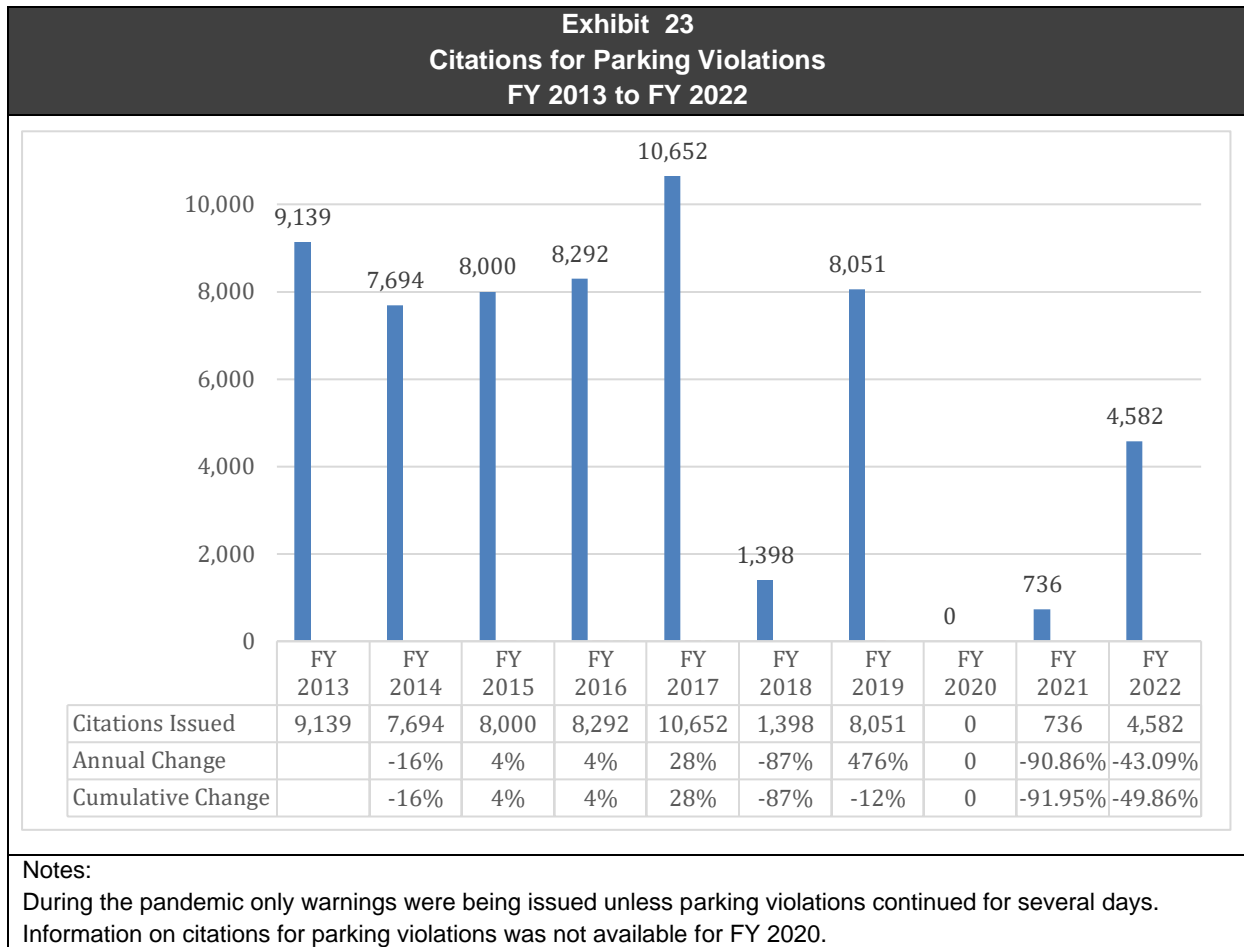
**Metro Parking Violation Enforcement**

Parking enforcement is also an important function to ensure safety and that vehicles do not interfere with Metro bus and rail operations. The following exhibit shows the citations for parking violations issued by Metro Security during FY 2021 and FY 2022. As this exhibit shows, there were 736 parking violations in FY 2021 and 4,582 parking violations in FY 2022.



Exhibit 22 Citations for Metro Parking Violations		
	FY 2021	FY 2022
Violation Description	Number	Number
Access park spaces designated for disabled	7	25
Blocking street or access	1	1
Bus loading zones	3	
Car share or vanpool authorization required	40	158
Double parking	3	1
Exceeding posted time limit	38	52
Expired meter or pay station	540	4,065
Failure to obey signs	7	12
Failure to properly register vehicle license plate	9	5
Illegal parking at assigned / reserved spaces	2	17
Illegal parking in red zones	1	8
Illegal parking outside of a defined parking space	48	148
Tags	2	
Parking in a permit parking spaces without a permit		9
Restricted Parking		6
Temporary no parking		1
Vehicle exceeds load size limit	9	14
Vehicle parked seventy two or more hours	26	60
<b>Total</b>	<b>736</b>	<b>4,582</b>

The number of parking violations issued in FY 2021 and FY 2022 are significantly fewer than were issued previously. In FY 2019, prior to the Covid Pandemic, 8,051 citations were issued for parking violations. The following exhibit shows the trend in Metro parking citations issued since FY 2013. As this exhibit shows, the number of parking citations issued declined almost about 91% between FY 2019 and FY 2021 and 97.61% below the level for FY 2013. Citations in FY 2022 were 43% below the FY 2019 level, and about 50% below the level for FY 2013.





## F. Follow-Up on Prior Audit Recommendations

The FY2020 Metro Transit Security Services Performance Audit identified various issues and made 28 recommendations to enhance performance efficiency and effectiveness in many transit security areas. To follow-up on these prior audit recommendations we:

- Reviewed FY 2020 Transit Security Performance audit recommendations.
- Contacted SSLE, LAPD, LASD, and LBPD to verify the status of the corrective actions taken.
- Updated the Schedule of FY 2020 Recommendations and Corrective Actions Taken.

The following summarizes the current status of the FY 2020 performance audit recommendations.

Exhibit 24 Metro Transit Security Services Performance Audit - Fiscal Year 2020 Current Status of Recommendations		
Current Status	Number of Recommendations	Recommendation Numbers
Implemented	12	1, 5, 6, 7, 8, 9, 12, 18, 22, 25, 27, 28
Partially Implemented	4	11, 13, 23, 26
Pending (To be implemented with new contract)	5	2, 3, 4, 10, 20
Not Implemented	7	14, 15, 16, 17, 19, 21, 24

The exhibits on the following pages show each of the original recommendations, the original estimated completion date, the current status, and comments regarding progress made.



Exhibit 25 Metro Transit Security Services Performance Audit - Fiscal Year 2020 Current Status of Recommendations				
No.	Recommendation	Original Estimated Completion	Current Status	Comments
<b>System Safety and Law Enforcement should:</b>				
1	Review the history of each agency’s use of contract funds and determine what actions can be taken to help address what appears to be an overuse of the budget and a shortage of funds for the remaining life of the contract.	03/2020 06/2020	Implemented	Contract modifications to address the shortage of funds and spending authority through the end of the contract term were presented and approved by the Board in March 2021.
2	Ensure that future contracts include a contract budget that specifies the amount of funds budgeted for each contract year and develop procedures to help ensure that the annual budgets are adhered to.	During the solicitation phase for new Transit law enforcement services	Pending	To be implemented with new contract. Expected by 7/2023
3	In future contracts, to more effectively control and track the use of contract funds, allocate within the budget a separate reserve amount to be used for special events and enhanced deployments.	During the solicitation phase for new Transit law enforcement services	Pending	To be implemented with new contract. Expected by 7/2023
4	For future contracts, consider the impact that the use of full-time contracted personnel will have on the use of funds over the life of the contract. In addition, specify within the contract the job classifications, and number of positions within each classification that can be charged to the Metro contract on a full-time basis.	During the solicitation phase for new Transit law enforcement services	Pending	To be implemented with new contract. Expected by 7/2023
5	Execute a contract modification if it is determined that LBPDP sworn personnel will be assigned to the contract on a full-time basis.	12/2021	Implemented	LBPDP Contract modifications completed and approved.
6	Determine for LBPDP, if the billing of full-time personnel should be retroactive back to year two of the contract.	5/2021	Implemented	Contract modification addressed.
7	Review LBPDP past invoices to determine if overbillings still exist with the use of the correct supporting documentation.	6/2021 12/2021	Implemented	Contract modification addressed.
8	Review all LAPD invoices for FY20 to determine if there are other incidents where the personnel hourly billing rate exceeds the approved maximum fully	12/2021	Implemented	SSLE reviewed 15 LAPD invoices from FY 2020 and requested a credit of \$709,353 from LAPD on the next invoice submitted.



Exhibit 25 Metro Transit Security Services Performance Audit - Fiscal Year 2020 Current Status of Recommendations				
No.	Recommendation	Original Estimated Completion	Current Status	Comments
<b>System Safety and Law Enforcement should:</b>				
	burdened hourly rate for the job classification.			
9	Request a refund of \$3,170.52 and any additional overbillings identified from LAPD.	12/2021	Implemented	SSLE reviewed 15 LAPD invoices from FY 2020 and requested a credit of \$709,353 from LAPD on the next invoice submitted.
10	For future contracts, work with each contractor to include language in their respective contracts that more thoroughly and clearly define how services will be billed and what costs will be allowed and/or disallowed.	During the solicitation phase for new Transit law enforcement services	Pending	To be implemented with new contract. Expected by 7/2023
11	Continue to work on strengthening controls in the area of monitoring and oversight by addressing the deficiencies cited in areas such as Community Policing and Key Performance Indicators.	10/2021	Partially Implemented	SSLE states ongoing effort. (SSLE Memo dated July 14, 2022). SSLE states they have received Community Policing Plans from each off the contract agencies and will begin to develop and incorporate a Metro Community Plan and will review KPIs to establish target performance levels for each agency.
12	Complete and finalize the Compliance Audit Procedures Manual.	12/2021	Implemented	SSLE developed and implemented an updated "Compliance Review Standard Operating Procedure" in December 2021. The SOP is fairly comprehensive and clear. Does not include a periodic review of contract requirements of personnel qualifications. Also includes a section on Field Reviews, which were discontinued in 2021.
13	Review on a periodic basis the qualifications of a sample of officers from each of the law enforcement agencies to determine that contract requirements are being adhered to.	10/2021	Partially Implemented	SSLE provided documentation dated 7/7/2022 showing completion of a review of contractual personnel and training requirements. The review included a sample of 3 personnel from each agency.



Exhibit 25 Metro Transit Security Services Performance Audit - Fiscal Year 2020 Current Status of Recommendations				
No.	Recommendation	Original Estimated Completion	Current Status	Comments
<b>System Safety and Law Enforcement should:</b>				
				The Compliance Manual does not include a provision for conducting these reviews periodically.
14	For required training, consider developing and requiring officers to take refresher courses after working on the contract for two or more years.	12/2021	Not Implemented	SSLE states this is not feasible within the current contract given budget constraints and the time remaining in the contract (end 6/30/22), it is not reasonable to accomplish this recommendation.
15	For required reporting, review with input from the law enforcement agencies, the reports and information currently required to determine if changes are necessary. As part of this review determine if different or additional information would be more beneficial.	9/2021	Not Implemented	SSLE states information currently being requested is consistent with metrics listed under the KPIs and they will continue to evaluate the reported information to ensure it is sufficient to measure and assess the performance of our law enforcement partners as it pertains to the contract terms. SSLE states ongoing effort. (SSLE Memo dated July 14, 2022)
16	With input from the three law enforcement agencies, develop baseline performance levels (targets and goals) for key performance indicators.	10/2021	Not Implemented	SSLE states staff continues to review KPIs in efforts to establish target performance levels for each agency. SSLE states ongoing effort. (SSLE Memo dated July 14, 2022)
17	Develop and update annually a written agency-wide Community Policing Plan.	10/2021	Not Implemented	Metro SS&LE staff has received all three law enforcement partners' Community Policing Plans and will begin to develop and incorporate a Metro Community Plan. SSLE states ongoing effort. (SSLE Memo dated July 14, 2022)
18	Determine if the Metro issued MPV smartphones provide reliable and meaningful information on the amount of time officers spend on various parts of the Metro System.	02/2021	Implemented	Using the MPV smartphones did not prove to be an effective way to monitor and oversee contracted law enforcement





Exhibit 25 Metro Transit Security Services Performance Audit - Fiscal Year 2020 Current Status of Recommendations				
No.	Recommendation	Original Estimated Completion	Current Status	Comments
<b>System Safety and Law Enforcement should:</b>				
				<p>personnel presence. The reasons for this include:</p> <ul style="list-style-type: none"> <li>• A policy change removed the responsibility for fare and code of conduct enforcement from the contracted law enforcement personnel.</li> <li>• The smartphones issued were often out of service, required frequent software updates, and were generally unreliable. As a result, the smartphones were often not available for use by the contract law enforcement personnel.</li> <li>• Metro did not provide enough smartphones for all contracted law enforcement personnel assigned.</li> <li>• Efforts to develop a mechanism to obtain meaningful GPS or location information using the smartphones as a means to ensure contract law enforcement officers were present on the Metro System were not successful.</li> </ul>
19	Perform further study and evaluation of TAP reports to determine whether it is the most effective approach to monitoring and overseeing contracted law enforcement resources.	04/2021 and Ongoing	Not Implemented	Current TAP reviews are helpful but have very limited benefit given the small sample size and requirement that personnel only tap once per shift to be considered in compliance. Obtaining location information from GPS enabled body worn cameras and GPS enabled patrol units would be more comprehensive and beneficial.
20	Include in future contracts the requirement of wearing body cameras by all contracted law enforcement personnel when policing the Metro System.	During the solicitation phase for new Transit law	Pending	To be implemented with new contract. Expected by 7/2023. Current policies for the three agencies require body worn cameras be



Exhibit 25 Metro Transit Security Services Performance Audit - Fiscal Year 2020 Current Status of Recommendations				
No.	Recommendation	Original Estimated Completion	Current Status	Comments
<b>System Safety and Law Enforcement should:</b>				
		enforcement services		used during all assignments with reasonable exceptions. Proposed contract revisions do not require body worn cameras but require access to body worn camera data.
21	Establish with the three contracted law enforcement agencies procedures for accessing video footage from body cameras when necessary, including for compliance, auditing, and investigative reasons.	10/2021	Not implemented	SSLE provided body worn camera policies from each agency restricting access to the departments. This could be negotiated as part of the new contract with reasonable access and reasonable restrictions on that access. Draft modification to the contracts SOW states: “Body worn camera data will be provided to LACMTA upon request and in accordance with state laws. LACMTA will work with the Contractor to develop specific protocols for access and delivery of data, as appropriate.”
22	Ensure that each personnel’s hourly billing rate does not exceed the approved maximum fully burdened hourly rate for that job classification.	10/2021	Implemented	SSLE reviewed 15 LAPD invoices from FY 2020 and requested a credit of \$709,353 from LAPD on the next invoice submitted.



Exhibit 26 Metro Transit Security Services Performance Audit - Fiscal Year 2020 Current Status of Recommendations				
No.	Recommendation	Original Estimated Completion Date	Current Status	Comments
<b>Los Angeles Police Department (LAPD) should:</b>				
23	Develop procedures to help ensure that even during departmental wide mobilizations and/or special deployments that only those officers who meet contract requirements are placed on the Metro contract.	10/2021	Partially Implemented	LAPD Overtime Detail Guidelines state overtime assignments require officers to not have any medical or administrative restrictions that would prevent them from working uniformed patrol details and prohibits probationary officers from working overtime details. Contract requirements are more restrictive, including training requirements, and there be no restrictions. Also, this policy only applies to overtime assignments, no full-time assignments.
24	Include in the Annual Community Policing Plan a description of the specific training provided to its officers in the area of Problem Oriented Policing.	10/2021	Not Implemented	LAPD email states they do not provide any specific Problem Oriented Policing training.
25	Assign personnel to the Metro contract only after they are Post Certified and have met all contract requirements.	10/2021	Implemented	LASD provided an email stating all personnel assigned to the contract are POST certified, and LASD training staff ensure compliance with training requirements.



Exhibit 27 Metro Transit Security Services Performance Audit - Fiscal Year 2020 Current Status of Recommendations				
No.	Recommendation	Original Estimated Completion Date	Current Status	Comments
<b>Los Angeles Sheriff Department (LASD) should:</b>				
26	Include in its annual Community Policing Plan a description of the specific training provided to its officers in the area of Problem Oriented Policing.	10/2021	Partially Implemented	The 2022 LASD Community Policing Plan includes in its list of goals and objectives “Provide specific training in problem oriented policing to assist Metro in addressing longstanding challenges related to crime, blight and disorder.” No description of specific “Problem Oriented Policing” training provided.
27	Ensure that the correct supporting documentation is used when preparing and submitting invoices.	05/2021	Implemented	Contract modification completed allowing billing for full-time assigned as well as overtime officers.
28	Assign only those officers to the contract who have 18 months of law enforcement experience and have met all other contract requirements related to personnel and training.	10/2021	Implemented	LBPD provided a roster of qualified employees that have been confirmed to have at least 18 months of law enforcement experience and have successfully completed both of the required Metro training classes. This roster is used to assign officers to the contract.



## Appendix: Schedule of Recommendations and Proposed Actions

Exhibit 28 Metro Security Performance FY’s 2021 and 2022 Review Recommendation Summary and Proposed Actions					
No.	Recommendation	Staff Assigned	Agree or Disagree	Proposed Action	Completion Date Estimate
1	The Metro SSLE Department should work with contract law enforcement agencies to develop specific targets for the level of visible presence and activity provided by contract law enforcement personnel on the Metro System as part of an overall policing strategy and plan.				
2	The Metro SSLE Department should develop an approach to providing a visible security presence on the Metro Bus System as part of an overall policing strategy and plan.				
3	The Metro SSLE Department should continue to refine its approach to monitoring contracted law enforcement resources to ensure the resources Metro is paying for are actually present and providing services, including the enhanced use of TAP information and potentially using information from GPS enabled body cameras and patrol units.				
4	LAPD should continue to deploy contracted law enforcement personnel to maximize their visible presence on the System, while providing an effective response to incidents and calls for service using both contracted law enforcement				



Exhibit 28 Metro Security Performance FY’s 2021 and 2022 Review Recommendation Summary and Proposed Actions					
No.	Recommendation	Staff Assigned	Agree or Disagree	Proposed Action	Completion Date Estimate
	resources and regular neighborhood patrol units.				
5	The Metro SSLE Department and LASD should work with local law enforcement agencies within the LASD service area to expand their responses to incidents and calls for service on the Metro System to allow LASD to increase their ability for contracted LASD law enforcement personnel to provide more visible presence on the Metro System.				
6	LBPD should continue to deploy contracted law enforcement personnel to maximize their visible presence on the System, while providing an effective response to incidents and calls for service on the part of the System LBPD is responsible for policing.				
7	Future contracts with the law enforcement agencies should make a provision that <u>annual documented review</u> of the agency’s use of force policy be given to officers assigned to LA Metro patrol. Since these shifts are generally overtime shifts and assignments vary on a day-to-day basis, this recommendation would require each agency to ensure all officers receive this annual training. Metro Security should formally adopt its draft Use of Force Policy including a requirement addressing annual retraining on the policy.				



<b>Exhibit 28</b> <b>Metro Security Performance FY’s 2021 and 2022 Review</b> <b>Recommendation Summary and Proposed Actions</b>					
No.	Recommendation	Staff Assigned	Agree or Disagree	Proposed Action	Completion Date Estimate
8	An annual analysis of all uses of force activities, policies and practice should be conducted and posted for public review. The analysis shall identify the date and time of incidents, types of encounters resulting in use of force, trends or patterns related to race, age and gender of subjects involved, trends or patterns resulting in injury to any person including employees, and impact of findings on policies, practices, equipment, and training. A review of incidents of force may reveal patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications. The process of collecting and reviewing the reports is also critical to this analysis.				
9	Metro Security should consider developing and adopting a formal citizen complaint policy and procedures.				
10	SSLE, in coordination with Metro Operations and Customer Care, should develop a comprehensive plan for the coordinated deployment of contracted law enforcement, Metro Security and Transit Ambassador personnel throughout the Metro System. This plan should include clearly defined roles and responsibilities, clear lines and mechanisms for communication, training, and strong supervision and oversight.				



Exhibit 28					
Metro Security Performance FY’s 2021 and 2022 Review					
Recommendation Summary and Proposed Actions					
No.	Recommendation	Staff Assigned	Agree or Disagree	Proposed Action	Completion Date Estimate
11	Metro contracted law enforcement agencies should continue to use information on crime trends and locations, as well as complaints from Metro employees and patrons, to focus their law enforcement personnel and activities.				
12	Metro should develop and implement a standardized methodology for conducting counts of homeless persons based on best practices.				
13	<p>The Metro SSLE Department should consider further strengthening ongoing monitoring and oversight of compliance with the terms of the law enforcement services contracts by:</p> <ul style="list-style-type: none"> <li>a) Reinstating and expanding the field review approach to ensuring that contracted law enforcement personnel planned and scheduled to work for Metro are actually present and providing service.</li> <li>b) Including in future law enforcement contracts requirements that law enforcement personnel “TAP” each time they board or de-board trains or buses, and each time they enter or leave a station.</li> <li>c) Expanding the TAP Review approach to ensuring that contracted law enforcement personnel planned and</li> </ul>				





Exhibit 28 Metro Security Performance FY’s 2021 and 2022 Review Recommendation Summary and Proposed Actions					
No.	Recommendation	Staff Assigned	Agree or Disagree	Proposed Action	Completion Date Estimate
	<p>scheduled to work for Metro are actually present and providing service. This should include reviewing all assignments during one randomly selected day each week rather than just one assignment per contracted law enforcement agency one day each week.</p> <p>d) Developing and implementing a GPS based review to ensuring that contracted law enforcement personnel planned and scheduled to work for Metro are actually present and providing service using GPS information from body worn cameras and automatic vehicle location systems.</p> <p>e) Including a periodic review of contract law enforcement agency compliance with contract requirements related to personnel qualifications and training in the Compliance Review Standard Operating Procedure.</p> <p>f) Incorporating in future law enforcement contracts procedures for adjusting billed amounts based on results of efforts to verify actual deployment of contracted law enforcement personnel. This should</p>				




<b>Exhibit 28</b> <b>Metro Security Performance FY’s 2021 and 2022 Review</b> <b>Recommendation Summary and Proposed Actions</b>					
<b>No.</b>	<b>Recommendation</b>	<b>Staff Assigned</b>	<b>Agree or Disagree</b>	<b>Proposed Action</b>	<b>Completion Date Estimate</b>
	<p>include the results of Field Reviews, TAP Reviews, and reviews conducted using GPS information from body worn cameras and automatic vehicle location systems.</p> <p>g) Reviewing the workload associated with expanded compliance reviews and current staff assigned to reviewing and ensuring compliance with the law enforcement services contract and requesting additional compliance staffing as needed.</p>				
14	<p>Metro’s SSLE Department should develop an expanded set of performance indicators, including indicators related to fare and code of conduct enforcement and critical infrastructure protection, for Metro Transit Security.</p>				



**Metro**

# Interoffice Memo

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<b>Date</b>	December 16, 2022
<b>To</b>	Karen Gorman, Inspector General Office of the Inspector General
<b>From</b>	Gina Osborn, Chief Safety Officer System Security and Law Enforcement 
<b>Subject</b>	SSLE Responses to Draft Report – Metro Transit Security Performance Audit for FY 2021 and 2022 (Report No. 23-AUD-03), dated November 9, 2022

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The purpose of this memorandum is to acknowledge the review of, and corrective actions taken to address, each of the fourteen (14) recommendations outlined in the attached table.

The recommendations were provided to System Security and Law Enforcement on November 9<sup>th</sup>, 2022. The original recommendations can be found in the “Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022 (Report No. 23-AUD-03)” document on page 88. Note that recommendations highlighted in blue are currently being addressed by SSLE and contracted law enforcement agencies.

The SSLE Compliance Group continues to be fully committed to ensuring that LACMTA is receiving contracted transit law enforcement and security services in accordance with contract stipulations.

If you have any questions, please contact me at 213-922-3055 or at [OsbornG@metro.net](mailto:OsbornG@metro.net).

Enclosure:

- Metro OIG, Metro Transit Security Performance Audit Fiscal Years 2021 and 2022, dated November 2022, DRAFT REPORT
- OIG-BCA Recommendations and Proposed Actions – SSLE Responses 12.15.2022

**Recommendations and Proposed Actions (SSLE Responses)**

No.	Report Number	Report Date	Audit Entity	Title	Staff Assigned	Rec No	Recommendation	Agree or Disagree	Completion Date Estimate	Response
1	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	1	The Metro SSLE Department should work with contract law enforcement agencies to develop specific targets for the level of visible presence and activity provided by contract law enforcement personnel on the Metro System as part of an overall policing strategy and plan.	Agree	7/1/2023	SSLE will incorporate verbiage related to targets for visibility and service levels in the new law enforcement contracts in FY24.
2	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	2	The Metro SSLE Department should develop an approach to providing a visible security presence on the Metro Bus System as part of an overall policing strategy and plan.	Agree	Ongoing	In collaboration with law enforcement agencies, SSLE is deploying teams of Transit Security Officers (TSO) and law enforcement to ride the buses in support of bus operator assaults.
3	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	3	The Metro SSLE Department should continue to refine its approach to monitoring contracted law enforcement resources to ensure the resources Metro is paying for are actually present and providing services, including the enhanced use of TAP information and potentially using information from GPS enabled body cameras and patrol units.	Agree	Ongoing	SSLE will continue to refine its approach by reestablishing field reviews of Metro resources.
4	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	4	LAPD should continue to deploy contracted law enforcement personnel to maximize their visible presence on the System, while providing an effective response to incidents and calls for service using both contracted law enforcement resources and regular neighborhood patrol units.	Agree	Ongoing	SSLE will notify LAPD of this recommendation, and, although Metro does not reimburse for neighborhood patrol units to respond to SSLE's calls for service, SSLE will make the request.
5	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	5	The Metro SSLE Department and LASD should work with local law enforcement agencies within the LASD service area to expand their responses to incidents and calls for service on the Metro System to allow LASD to increase their ability for contracted LASD law enforcement personnel to provide more visible presence on the Metro System.	Agree	Ongoing	With regards to this recommendation, LASD is beginning to incorporate local law enforcement teams via the Commuter Enhancement Teams (CETs). LASD describes CETs as "a reimagined concept of transit policing...The CET will be staffed with deputies who "commute" with transit riders, sharing a strong emphasis on friendly engagement with the commuter community and helping break down stereotypical barriers of engaging with law enforcement."

No.	Report Number	Report Date	Audit Entity	Title	Staff Assigned	Rec No	Recommendation	Agree or Disagree	Completion Date Estimate	Response
6	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	6	LBPDP should continue to deploy contracted law enforcement personnel to maximize their visible presence on the System, while providing an effective response to incidents and calls for service on the part of the System LBPDP is responsible for policing.	Agree	Ongoing	LBPDP continues to deploy personnel to areas of responsibilities per contract.
7	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	7	Future contracts with the law enforcement agencies should make a provision that annual documented review of the agency's use of force policy be given to officers assigned to LA Metro patrol. Since these shifts are generally overtime shifts and assignments vary on a day-to-day basis, this recommendation would require each agency to ensure all officers receive this annual training. Metro Security should formally adopt its draft Use of Force Policy including a requirement addressing annual retraining on the policy.	Agree	7/1/2023	SSLE will open this discussion with future awarded law enforcement contractors.
8	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	8	An annual analysis of all uses of force activities, policies and practice should be conducted and posted for public review. The analysis shall identify the date and time of incidents, types of encounters resulting in use of force, trends or patterns related to race, age and gender of subjects involved, trends or patterns resulting in injury to any person including employees, and impact of findings on policies, practices, equipment, and training. A review of incidents of force may reveal patterns or trends that could indicate training needs, equipment upgrades, and/or policy modifications. The process of collecting and reviewing the reports is also critical to this analysis.	Agree	7/1/2023	SSLE will open this discussion with future awarded law enforcement contractors.
9	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	9	Metro Security should consider developing and adopting a formal citizen complaint policy and procedures.	Agree	7/1/2023	SSLE will open this discussion with future awarded law enforcement contractors to formalize the citizen complaint process (CCATS, LESSR, Transit Watch). Management will continue to utilize the Agency's Customer Care Department to intake complaints and respond to the public, but will review our SSLE departmental tracking system to ensure we are effectively, timely, and thoroughly responding to the Customer Care Department.
10	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	10	SSLE, in coordination with Metro Operations and Customer Care, should develop a comprehensive plan for the coordinated deployment of contracted law enforcement, Metro Security and Transit Ambassador personnel throughout the Metro System. This plan should include clearly defined roles and responsibilities, clear lines and mechanisms for communication, training, and strong supervision and oversight.	Agree	Ongoing	SSLE will continue to deploy TSOs, law enforcement, and contracted security across the system in support of Metro operations and customer experience.
11	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	11	Metro contracted law enforcement agencies should continue to use information on crime trends and locations, as well as complaints from Metro employees and patrons, to focus their law enforcement personnel and activities.	Agree	Ongoing	Contract law enforcement agencies continue to utilize crime trends and data to deploy teams on buses and rails to address key issues. Customer complaints and concerns received via Transit Watch and CCATS continue to be reviewed and sent to the appropriate law enforcement agency for them to resolve and record.
12	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	12	Metro should develop and implement a standardized methodology for conducting counts of homeless persons based on best practices.	Agree	N/A	Metro has made arrangements with the Los Angeles Homeless Services Authority to include the Metro transit system in its periodic homeless person counting effort to ensure that the methods and criteria used for the Metro system is consistent to the Countywide counting methods.

No.	Report Number	Report Date	Audit Entity	Title	Staff Assigned	Rec No	Recommendation	Agree or Disagree	Completion Date Estimate	Response
13	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	13	<p>The Metro SSLE Department should consider further strengthening ongoing monitoring and oversight of compliance with the terms of the law enforcement services contracts by:</p> <p>a) Reinstating and expanding the field review approach to ensuring that contracted law enforcement personnel planned and scheduled to work for Metro are actually present and providing service.</p> <p>b) Including in future law enforcement contracts requirements that law enforcement personnel "TAP" each time they board or de-board trains or buses, and each time they enter or leave a station.</p> <p>c) Expanding the TAP Review approach to ensuring that contracted law enforcement personnel planned and scheduled to work for Metro are actually present and providing service. This should include reviewing all assignments during one randomly selected day each week rather than just one assignment per contracted law enforcement agency one day each week.</p> <p>d) Developing and implementing a GPS based review to ensuring that contracted law enforcement personnel planned and scheduled to work for Metro are actually present and providing service using GPS information from body worn cameras and automatic vehicle location systems.</p> <p>e) Including a periodic review of contract law enforcement agency compliance with contract requirements related to personnel qualifications and training in the Compliance Review Standard Operating Procedure.</p> <p>f) Incorporating in future law enforcement contracts procedures for adjusting billed amounts based on results of efforts to verify actual deployment of contracted law enforcement personnel. This should include the results of Field Reviews, TAP Reviews, and reviews conducted using GPS information from body worn cameras and automatic vehicle location systems.</p> <p>g) Reviewing the workload associated with expanded compliance reviews and current staff assigned to reviewing and ensuring compliance with the law enforcement services contract and requesting additional compliance staffing as needed.</p>	Agree	Ongoing	<p>a) SSLE's Compliance Group will reinstate field reviews</p> <p>b) This requirement is already in-place and is reaffirmed with TAP reviews</p> <p>c) The Compliance Group will look into expanding the TAP Review as OIG/BCA suggests</p> <p>d) SSLE will open this discussion with future awarded law enforcement contractors.</p> <p>e) SSLE has begun quarterly training/certification reviews as of 09/2022</p> <p>f) See responses for 3,4,5, 9, 10, and 11</p> <p>g) SSLE will request additional staff</p>
14	23-AUD-03	11/9/2022	OIG/BCA	Metro Transit Security Performance Audit for Fiscal Years 2021 and 2022	Systems Security and Law Enforcement Compliance Group	14	<p>Metro's SSLE Department should develop an expanded set of performance indicators, including indicators related to fare and code of conduct enforcement and critical infrastructure protection, for Metro Transit Security.</p>	Agree	7/1/2023	<p>SSLE will work on a set of KPIs for TSOs.</p>