

**Board Report**

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**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
EXECUTIVE MANAGEMENT COMMITTEE
JUNE 18, 2020****Motion by:****DIRECTORS HAHN, SOLIS, and BUTTS****Report Back on Use of Force Policy followed by Metro Policing Contractors and Employees**

On May 25, George Floyd was killed by a Minneapolis police officer during an arrest for allegedly using a counterfeit \$20 bill. While Floyd was handcuffed and pinned to the ground, Minneapolis police officer Derek Chauvin knelt on his neck for nearly nine minutes as Floyd pleaded and repeatedly told Chauvin and three onlooking officers that he could not breathe before losing consciousness. He was pronounced dead one hour later. Video of George Floyd's death has sparked protests nationwide over police use of force and the growing list of unarmed black men and women who have been killed by law enforcement in this country.

Research has shown that concrete changes made to department policy and training can result in decreased uses of force by law enforcement officers. The organization "Campaign Zero" has identified eight use of force policies that have been shown to reduce the number of officer-involved killings. These policy reforms include:

- 1) Requiring officers to de-escalate situations, when possible, before using force
- 2) Using a Force Continuum or Matrix that defines and limits the types of force that can be used to respond to specific types of resistance
- 3) Restricting, or prohibiting, the use of chokeholds, strangleholds, and carotid restraints
- 4) Requiring officers to give a verbal warning before using deadly force
- 5) Prohibiting officers from shooting at people in moving vehicles unless the person poses a deadly threat
- 6) Requiring officers to exhaust all other reasonable alternatives before resorting to using deadly force
- 7) Requiring officers to intervene to stop another officer from using excessive force
- 8) Requiring comprehensive reporting that includes both uses of force and threats of force

In the last two weeks, elected officials across the country, and across Los Angeles County, have committed to reviewing and updating the training and use of force policies followed by their policing

departments as a first step of many towards criminal justice reform.

In 2017, Metro entered into a multi-agency policing partnership with the Los Angeles County Sheriff's Department, Los Angeles Police Department, and the Long Beach Police Department to increase the number of police on the Metro system in order to deter criminal activity on Metro buses and trains. In addition to the presence provided by this partnership, Metro also employs Metro Transit Security Guards (TSOs) and contract security personnel.

While law enforcement agencies play an important role in protecting public safety, it is imperative that Metro review the use of force policies that the agencies we contract with and guards we employ follow, in order to protect the lives of the transit riders that they encounter.

Los Angeles County is in the process of transitioning to a care-based model that addresses the root causes of social problems. Metro in turn has begun incorporating input from its Executive Officer of Equity and Race and its Office of Civil Rights in its transit safety and security operations. However, the expiration of the current policing contracts in two years provides Metro with both the time and opportunity to clarify what is reasonable to expect from law enforcement on our systems in the future. For instance, we can do a better job helping to connect our unhoused Angelenos to services without dehumanizing or criminalizing them. It is worth considering whether this is an appropriate function for law enforcement at all, or if this role could be better served by other unarmed professionals like mental health experts and homeless service providers.

Our budgets and our contracts are statements of our values. It is important to clearly define and codify the expectations that Metro has of our law enforcement partners to uphold the dignity and safety of all Metro passengers.

SUBJECT: REPORT BACK ON USE OF FORCE POLICY FOLLOWED BY METRO POLICING CONTRACTORS AND EMPLOYEES

RECOMMENDATION

APPROVE Motion by Directors Hahn, Solis, and Butts that the Board direct the Chief Executive Officer in conjunction with the Chief of Metro's Systems Security and Law Enforcement, Executive Officer of Equity and Race, and Office of Civil Rights, to report back to the Board in 90 days with the following:

- A. A review of the training and use of force policies followed by our policing partners and security contract personnel;
- B. A review of training and use of force policies for our Metro Transit Security Guards and provide reform recommendations; and
- C. Recommendations on how to further reform policing at Metro and reallocate resources for homelessness outreach and services in preparation for the expiration of existing policing contracts.