



## Board Report

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**EXECUTIVE MANAGEMENT COMMITTEE  
OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE  
JUNE 15, 2023**

**SUBJECT: IN-HOUSE PUBLIC SAFETY DEPARTMENT FEASIBILITY STUDY**

**ACTION: RECEIVE AND FILE**

### **RECOMMENDATION**

RECEIVE AND FILE the In-House Public Safety Department Feasibility Study (Attachment A).

### **ISSUE**

At its March 2023 Meeting, the Board approved the staff recommendation to report back on the feasibility of establishing an in-house Metro Transit Public Safety Department to support Metro's public safety mission and values statements.

The study examines the viability of establishing an internal Transit Public Safety Department as a potential alternative to the existing multi-agency law enforcement services rendered by the Los Angeles Police Department (LAPD), the Los Angeles County Sheriff's Department (LASD), and the Long Beach Police Department (LBPD).

### **BACKGROUND**

At its December 2021 meeting, the Board adopted the following Public Safety Mission and Value Statements:

#### *Mission Statement*

Metro safeguards the transit community by taking a holistic, equitable, and welcoming approach to public safety. Metro recognizes that each individual is entitled to a safe, dignified, and human experience.

#### *Values Statements*

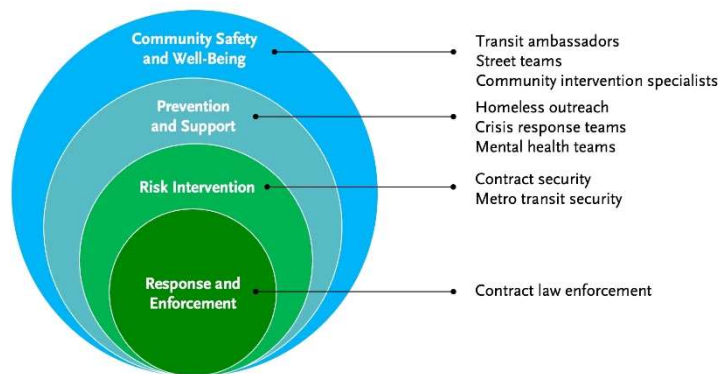
- Implement a Human-Centered Approach
- Emphasize Compassion and a Culture of Care
- Recognize Diversity

- Acknowledge Context
- Committed to Openness and Accountability

### **Metro's Layered Public Safety Ecosystem**

In 2022 Metro established a comprehensive approach to ensuring public safety on the system by implementing a multi-layered safety program to address the different aspects of safety. Each layer in the public safety ecosystem adds value and enhances the overall security and safety of the Metro system. Instead of relying solely on a single strategy, a layered approach provides a more effective response to each safety issue by deploying the right resource to best address the specific safety concern.

Metro's Layered Public Safety Ecosystem



Metro's public safety ecosystem comprises four layers and utilizes six resource strategies:

Community Safety and Well-Being - Provides a visible presence, assistance, guidance, and support to individuals.

1. Transit Ambassadors - customer information, maintenance reporting, security awareness, and visibility. Ambassadors include the following groups: transit ambassadors, community

intervention specialists, and street team personnel.

Prevention and Support - Care response to social issues specifically related to individuals experiencing homelessness, untreated mental health, and addiction issues.

2. Homeless Outreach - outreach to riders, connection to services
3. Crisis Response Teams - response to mental health crisis incidents

Risk Intervention - Maintain a safe and secure environment, protect people and property, and deter criminal activity.

4. Contract Security - patrol and secure facilities, crowd control for special events, and bus bridges
5. Metro Transit Security -vehicle patrol, revenue collection, code of conduct enforcement, open/close stations, and bus and train riding

Response and Enforcement - Swift and effective responses to incidents and criminal activity.

6. Contract Law Enforcement - responding to calls needing law enforcement intervention including safety emergencies, partnering on ancillary clean-up teams, supplementing field patrol with homelessness and mental health teams

### ***Metro Law Enforcement Contract Services***

In February 2017, the Metro Board approved the multi-agency law enforcement services contract for a five-year base period with a not to exceed amount of \$645 million through June 30, 2022. The contracts have been amended seven times (including a one-year contract extension), and the current total contract value for the six years is \$916,511,952 through June 30, 2023.

In April 2022, staff initiated a competitive procurement process for law enforcement services as the contract was set to expire on June 30, 2023. Proposals were received in October 2022 and were evaluated in accordance with the terms of the RFP, which sought to incorporate the lens of the new Public Safety Mission and Value Statements. However, two of the proposing agencies took material exceptions to the scope of work as well as Metro's contract terms and conditions.

As a result, staff determined that it was in the best interest of Metro to cancel the RFP, extend modified versions of the current contracts, and explore the feasibility of creating an in-house Transit Public Safety Department that could serve as an effective approach to implementing Metro's reimagined public safety plan and uphold Metro's Public Safety Mission and Value Statements.

### ***Office of the Inspector General (OIG) Audit Findings***

At the February 2017 Board meeting, then Director Fasana included an amendment to the Multi-Agency Law Enforcement Contract board action that the Inspector General be tasked with annually auditing each law enforcement services contract to determine how actual performance metrics are measuring up against key performance indicators. The audit is to ensure that Metro is receiving the services it is paying for.

Over the past several years, the annual OIG audits have consistently identified concerns regarding the deployment of police personnel on the Metro system. These concerns include poor police visibility on buses, trains, and at stations as well as inconsistent staffing at key critical infrastructure locations. Transit police officers must be visible, accessible, and responsive to the needs of riders and employees, to build trust and provide a deterrent to crime and disorder on the transit system.

The OIG audit findings, which indicate that the contract police agencies spend a relatively small percentage of their time on engaged visibility, are concerning. The OIG audit illustrated that the contract police agencies have significant time to accomplish the objective of engaged visibility, with officers spending 3% (LBPD), 5% (LASD), and 18% (LAPD) of their time answering calls for service on Metro.

***Current Safety and Security Staffing Levels and Budget***

The table below illustrates the current number of budgeted personnel, including field personnel, and the average number of personnel deployed in the field each weekday for the six public safety ecosystem resource strategies as well as their respective FY23 budget.

For example, a total of 645 budgeted police personnel are provided by the three contract police agencies for Metro. This includes 290 LAPD personnel, 326 LASD personnel, and 29 LBPD personnel. On average, there are 263 police officers/deputies patrolling the Metro system daily.

Public Safety Ecosystem Resource Strategy	FY23 Staffing Levels and Budget			Annual Budget (millions)
	Number of Budgeted Personnel	Personnel Pool Field/Patrol Deployment	Avg. Deployed Daily on System	
<b>Contract Police</b>	<b>645</b>	<b>344</b>	<b>263</b>	<b>\$172.9</b>
<i>LAPD*</i>	290	138	138	
<i>Patrol Officers</i>	138			
<i>Special Units</i>	39			
<i>Patrol/Special Unit Sergeants</i>	32			
<i>Support Staff</i>	81			
<i>LASD</i>	326	188	115	
<i>Patrol Deputies</i>	188			
<i>Special Units</i>	41			
<i>Patrol/Special Unit Sergeants</i>	34			
<i>Support Staff</i>	63			
<i>LBPD</i>	29	18	10	
<i>Patrol Officers</i>	18			
<i>Special Units</i>	2			
<i>Patrol Sergeants</i>	4			
<i>Support Staff</i>	5			
<b>Metro Transit Security**</b>	<b>290</b>	<b>138</b>	<b>133</b>	<b>\$40.2</b>
<b>Contract Security</b>	<b>322</b>	<b>251</b>	<b>241</b>	<b>\$24.5</b>
<b>Transit Ambassador Program***</b>	<b>437</b>	<b>424</b>	<b>265</b>	<b>\$33.0</b>
<b>Homeless Outreach</b>	<b>85</b>	<b>85</b>	<b>85</b>	<b>\$15.3</b>
<b>Mental Health Crisis Outreach</b>	<b>30</b>	<b>30</b>	<b>-</b>	<b>\$10.0</b>
<b>Totals</b>	<b>1,809</b>	<b>1,272</b>	<b>987</b>	<b>\$295.90</b>

Support staff = Administrative, management, detectives, analytics

Personnel Pool = Number needed to provide 24/7 support/relief officers

Special Units = K9, SAU, MET, HOPE, Quality of Life, Senior Lead Officers, Team Leaders

\* LAPD officers work for Metro on an overtime basis, the number of daily deployable LAPD police officers is the same as budgeted.

\*\*The 276 total budgeted personnel includes 30 SSLE non-contract staff

\*\*\*The 437 total budgeted personnel includes 2 Metro FTEs, 15 vendor program administrators, 359 transit ambassadors, 28 community intervention specialists, and 33 street team personnel

\*\*\*The 85 total budgeted personnel, including supervisors, are all deployed in the field

### Review of Large Transit Agencies

It is common for large transit agencies to have their own police department. These specialized police departments are responsible for ensuring the safety and security of passengers, employees, and the transit system itself. In-house transit police proactively address the specific challenges and dynamics

of transit environments.

Having an in-house police department allows transit agencies to have greater control and accountability over the safety and security of their services. It enables a more direct and immediate response to incidents, as well as a deeper understanding of the specific safety concerns and needs of the transit system. Transit police departments can develop specialized strategies and partnerships to address issues such as fare evasion, disorderly conduct, and other offenses that are unique to public transportation.

Six of the largest U.S. transit agencies have a transit police department, as shown in the table below. The Chicago Transit Authority utilizes contract police services provided by the Chicago Police Department, while the San Francisco Municipal Railway receives police services through the San Francisco Police Department. The King County Metro Transit receives law enforcement services through a contract with the Sheriff's Office. New York's Metropolitan Transit Authority utilizes a hybrid model that includes reliance on police officers within the MTA Police Department for law enforcement services at Grand Central Terminal, Penn Station, and all MTA infrastructure (i.e., track, yards, shops, stations, and railroad crossings), while enforcement services for the MTA subway lines, trains, and stations within New York City are provided by NYPD. The remaining transit agencies all have their own transit police department.

**Police Departments within the Largest U.S. Transit Agencies**

Transit Agency	Unlinked Passenger Trips* 2019 (Thousands)	Has Transit PD	Number of Personnel
Metropolitan Transit Authority – New York City (NYCT)	3,451,139	✓	1,095 sworn & 56 non-sworn
Chicago Transit Authority (CTA)	455,743		
Los Angeles County Metropolitan Transit Authority (Metro)	379,718		
Massachusetts Bay Transportation Authority (MBTA)	366,716	✓	264 sworn & 50 non-sworn
Washington Metropolitan Area Transit Authority (WMATA)	354,656	✓	468 sworn, 140 security guards & 101 non-sworn
Southeastern Pennsylvania Transportation Authority (SEPTA)	308,266	✓	260 sworn & 10 non-sworn
New Jersey Transit Corporation (NJ TRANSIT)	267,270	✓	250 sworn & 70 non-sworn
San Francisco Municipal Railway (Muni)	223,338		
King County Metro Transit (KCMT)	128,666		
San Francisco Bay Area Rapid Transit (BART)	128,217	✓	206 sworn & 90 non-sworn

\*American Public Transportation Association (APTA) defines unlinked passenger trips as “The number of passengers who board public transportation vehicles. Passengers are counted each time they board vehicles no matter how many vehicles they use to travel from their origin to their destination.”

**DISCUSSION**

Metro recognizes that ensuring a safe transit system is of utmost importance to deliver a world-class transportation experience that enhances the quality of life for all who utilize our services. Staff acknowledges the diverse range of safety concerns expressed by the public and our employees and bears the responsibility to guarantee a secure and comfortable journey for every Metro rider.

Providing a safe transit environment is the cornerstone of Metro’s public safety mission statement. While police services are an important aspect of Metro's public safety ecosystem, it is just one part of a broader approach to safety and security. Effective public safety requires a multilayered approach that Metro has implemented. Some of the current safety and security issues on the Metro system

reflect the problems facing our society: a housing crisis, a mental health crisis, and an opioid epidemic. A recent article about homelessness and transit notes, “There is no debate that visible homelessness on transit systems is a problem. For transit agencies themselves, there is a connection between visible homelessness, riders feeling unsafe, and a drop in ridership, even if the connection between homelessness and crime is statistically unproven.”

Metro conducted a comprehensive feasibility study of an in-house Public Safety Department to address various concerns and complaints regarding the current service. The study focused on six key areas of concern with contract multi-agency law enforcement:

1. Engaged Visibility: Ensure sufficient visibility and presence of law enforcement on the system.
2. Alignment with Metro’s Safety Mission and Values: Ensure that our public safety employees are working in alignment with our Agency values.
3. Response times: Ensure that the needs of all riders and employees are met promptly and efficiently.
4. Dedicated staffing: Provide greater stability and continuity in law enforcement services. It fosters a stronger sense of ownership regarding safety on the transit system.
5. Transparency: Foster accountability, real-time data, and effective collaboration and communication.
6. Cost of services: Understand the financial implications of the existing multi-agency law enforcement contract services and the ability of that service to meet the rider needs effectively.

## **Strengths of an In-House Public Safety Department**

### ***Engaged Visibility***

The OIG audits over the past several years illustrate the persistent challenges with contract police services, including an inability to provide information on the following deployment metrics: number of train and bus boardings, how much time is spent riding trains and buses, and how much time is spent at train stations. The report also found that deployment practices “provide little visible security presence on the Metro Bus System.”

These issues are more readily addressed with an in-house Transit Public Safety Department, which can adopt a policing style that emphasizes service and allows the transit agency to manage deployment locations and times directly. Transit policing is different from local policing, with the former emphasizing “engaged visibility” and the latter emphasizing response to calls for service. Commonly, an emphasis on “engaged visibility” leads to the provision of service, while an emphasis on responding to calls for service leads to law enforcement.

The primary objective of a transit Public Safety Department is engaged visibility. By having a



dedicated Public Safety Department, Metro can better manage the officer's role to be visible on the system and proactively engage and build relationships with the riding community, while still being able to respond to calls for service as needed.

The purpose of engaged visibility is to foster trust, promote positive police relationships with Metro riders, and enhance the effectiveness of law enforcement efforts. By being present and involved on the system, officers can gain a better understanding of the rider's concerns, build rapport, and establish open lines of communication. This can lead to improved collaboration, increased support, and more effective crime prevention and problem-solving initiatives.

### ***Cultural Alignment***

An agency's mission and values can serve as the foundation for its practices, such as training, performance, discipline, and hiring. Cultural alignment with an organization's mission and values is crucial for achieving success. The Feasibility Study highlighted that a key advantage of an in-house Public Safety Department would be cultural alignment with Metro's organizational mission and values. By having an in-house Public Safety Department, Metro would have the authority to set required training, performance expectations, and disciplinary processes, and shape the recruitment and selection process to ensure the hiring of employees aligned with Metro's mission and values. This would enable Metro to establish a solid foundation for our safety practices and ensure that our public safety employees are working in alignment with our values. The Metro mission and values recognize that policing is not the only way to keep people safe.

Transit public safety officers work in a unique environment that requires specialized skills and knowledge. In addition to the mandatory basic law enforcement training required by the California Commission on Peace Officer Standards and Training (POST), Metro transit officers would be required to take enhanced transit-specific training to include de-escalation, trauma-informed response, cultural diversity awareness, implicit bias, duty to intervene, crisis intervention, interpersonal communications, customer experience, and community engagement. The recently adopted Bias-Free Policing Policy and Public Safety Analytics Policy would also apply to the in-house Public Safety Department.

### ***Fiscal Sustainability***

One of the challenges faced by Metro today in providing contract police services is the rising cost of those services. Over the past 25 years, Metro has experienced significant cost increases for police services. Initially awarded at \$645,675,758, the multi-agency law enforcement services contract awarded to LBPD, LAPD, and LASD in 2017 has been modified seven times, increasing the total contract value to \$916,511,952 for the six-year contract period ending on June 30, 2023.

In FY96, the in-house Metro transit police department had a budget of \$44,255,343 employing 501 personnel, including 383 transit police officers, 63 security guards, and 55 civilian support personnel. Among the officers, 328 (65%) were budgeted for field deployment. In contrast, the FY23 budget of \$172,970,664, supports a total of 645 staff, 344 (53%) are budgeted for field deployment.

The multi-agency service contrasts sharply with the FY96 in-house Metro transit police budget showing a 290% increase in annual cost despite having a lower percentage of officers in the field compared to FY96. The service level becomes even more apparent when considering the

substantial growth of the Metro system. In 1996, Metro operated three rail lines and nearly 200 bus lines, whereas, in 2023, we operate seven rail lines and 121 bus lines.

The recent procurement yielded significantly higher bids valued at \$1,482,242,081 for a 5-year period (FY24 - FY29) in contrast to the Independent Cost Estimate of \$829,492,481. The significantly higher bids are in part due to coverage needed for the continued expansion of the Metro service area (i.e. new rail lines) and the cost structure where all LAPD costs are charged at an overtime rate rather than a straight time rate. Though we see a 62% increase in cost from the current contract value we only see a 30.9% growth in personnel available for deployment and a 28.1% increase in Admin Support/Mgmt that includes specialized units. The below table depicts the overall increase per agency during the recent procurement:

Agency	Current Contract Original Amount Awarded (5 yrs)	Current Contract Modifications (6 yrs)	Variance	% Change
LAPD	\$ 369,330,499.00	\$ 511,991,742.36	\$ 142,661,243.36	38.6%
LASD	\$ 246,270,631.00	\$ 360,438,587.00	\$ 114,167,956.00	46.4%
LBPD	\$ 30,074,628.00	\$ 44,081,623.00	\$ 14,006,995.00	46.6%
<b>Totals:</b>	<b>\$ 645,675,758.00</b>	<b>\$ 916,511,952.36</b>	<b>\$ 270,836,194.36</b>	<b>41.9%</b>

One of the advantages of an in-house Public Safety Department is that it provides greater control over costs while still providing high-quality police services that meet the needs of all Metro customers and employees.

Agency	Current Contract Awarded (6 yrs)	RFP Proposal (5 yrs.)	Variance	% Change
LBPD	\$ 44,081,623.00	\$ 60,297,042.00	\$ 16,215,419.00	37%
LAPD	\$ 511,991,742.36	\$ 830,352,190.00	\$ 318,360,447.64	62%
LASD	\$ 360,438,587.00	\$ 536,584,865.00	\$ 176,146,278.00	49%
BHPD	\$ -	\$ 55,007,983.00	\$ 55,007,983.00	N/A
<b>Totals:</b>	<b>\$ 916,511,952.36</b>	<b>\$1,482,242,080.00</b>	<b>\$ 565,730,127.64</b>	<b>62%</b>

The consolidation of law enforcement contract services into a single, in-house Public Safety Department presents significant opportunities for enhancing efficiency and reducing expenses. Currently, the multi-agency model results in unnecessary duplication of management and administrative efforts. Each of the three law enforcement agencies performs identical support functions. Metro is paying three times for what could be effectively managed within a single entity. In the current FY23 Budgeted Personnel, 47% of the 645 are admin support /mgmt. /sergeants / specialized units. The savings resulting from the elimination of duplicated services can then be reinvested into the system.

In addition, such a consolidation effort could improve the overall consistency of service delivery. Multiple agencies with their own unique culture, policies, and procedures create additional complexities in deployment which result in conflicting approaches to policing strategies throughout the system. This often leads to confusion, inconsistency, and inefficiency in service delivery. However, by consolidating under a single leadership structure, Metro can ensure more streamlined and unified directives. Through an in-house Public Safety Department, Metro can eliminate redundancy, streamline communication, and better allocate resource strategies.

Prior industry studies and assessments reflect that the cost of an in-house transit police department in the U.S. is typically 20-40% less than contract police services. To test this expectation of decreased costs with a new in-house Metro Public Safety Department, a budget was developed. The salaries for the myriad positions, with their fully burdened rates, were identified, along with the costs for training, equipment, and retirement benefits. In addition, costs for liability, insurance, and workers' compensation were estimated by Metro Risk Management.

Typically, space, vehicles, and equipment are among the costliest acquisitions for a new Public Safety Department. Currently, Metro provides space, vehicles, and equipment for the contract law enforcement agencies which can be used for the new in-house Public Safety Department, resulting in minimal start-up costs. Even at a time in which the Metro rail system is expanding to include the Regional Connector, Purple Line extension, and Airport Connector, the cost of policing services would not necessarily increase with an in-house Public Safety Department.

### ***Response Time***

Response time to calls for service is dependent on having police officers geographically disbursed throughout the Metro system so they are able to respond rapidly to emergency calls for service. Emergency calls can involve crimes in-progress and incidents that put riders and employees in imminent danger. These incidents are critical, where minutes, and even seconds, can have a major impact on the outcome of the incident. Rapid response to emergency calls for service can decrease injuries suffered by the victim, increase the probability of arrest of the suspect at the scene of the offense, decrease property loss and destruction, and de-escalate the situation due to officer presence.

Presently, radio communications between contracted law enforcement and Metro are not interoperable. This presents a vulnerability issue related to officer, customer and employee safety. In short, an MTS officer cannot utilize his or her issued handheld radio to immediately communicate with any of the law enforcement entities and vice versa. Effective, reliable, and interoperable radio communications are the most important factor in ensuring rapid response to life-threatening public safety events.

The annual OIG audits have consistently identified concerns regarding the deployment of police personnel on the Metro system. When police resources are not adequately deployed, response times increase. With an in-house Public Safety Department, Metro will have control over the deployment of its police resources, remove conflicts with radio communication, and may be able to improve response times.

### ***Dedicated Staffing***

Additionally, an internal department fosters a stronger sense of ownership regarding safety and security on our transit system. Dedicated staff stationed at assigned locations, terminals, and aboard trains and buses can engage with riders and employees consistently.

In contrast, currently, all 138 LAPD patrol officers are selected through a random, blind lottery system

to work in an overtime capacity. Consequently, some officers may work overtime shifts only on a monthly or annual basis, depending on their preferences, which means they do not have the opportunity to learn the nuances of policing on a transit system.

An average of 115 LASD patrol deputies assigned to its Transit Services Bureau are deployed daily. Since these deputies are dedicated to the Metro system, personnel leave is covered through reassignment or overtime which ensures full staffing on each shift. LBPD assigns a total of 10 patrol officers per day on the system. They offer a hybrid approach with some of these officers being permanently assigned to the Metro system and the remaining officers supplementing coverage on an overtime basis. In addition, specialized services such as K-9 (as-needed) and motorcycle patrol are provided by LBPD on an overtime basis.

A key strength of an in-house Public Safety Department is that it can provide more control and customization over the services provided, Metro can tailor the Public Safety Department to its specific needs and priorities. Having an in-house Public Safety Department may create a stronger sense of community and accountability, as the officers are directly employed and are accountable to Metro and the riders they serve.

### ***Transparency***

Moreover, an in-house Public Safety Department enhances transparency and accountability allowing for immediate access to real-time crime data that can be consistently reported. Real-time data empowers Metro to identify patterns and trends in criminal activity, enabling the adjustment of strategies and tactics proactively to prevent future incidents.

Metro would also be able to hold officers accountable for performing in accordance with Metro policies and have the authority to conduct disciplinary action, such as removing officers from working the system, if necessary. With an in-house Public Safety Department, a citizen's oversight committee could be established to provide an independent avenue for complaints, consistent with the Metro Public Safety Mission and Values. An oversight committee would serve as a valuable mechanism for promoting accountability, transparency and trust between a Public Safety Department and the community it serves. By involving citizens in the oversight process, the committee would contribute to the ongoing efforts to improve policing practices and enhance community engagement.

Of the six largest transit agencies with an in-house police department, three (NYCT, WMATA and BART) have civilian oversight committees. NYCT through NYPD has had a long-standing committee, established in 1953, followed by BART in 2011, and WMATA in 2021. Twenty-first-century policing best practices indicate this is an important component for an in-house Public Safety Department to ensure that the agency can maintain the highest standards of safety and security for customers and employees.

### ***In-House Public Safety Department Model***

The study aimed to evaluate the feasibility of creating a transit Public Safety Department within Metro, addressing the pivotal question: *Can Metro establish a transit police department that will result in enhanced police services to Metro riders and employees at a reduced cost?*

By assuming direct management and control over the law enforcement service, Metro gains the

ability to allocate resources, optimize staffing levels, and significantly reduce unnecessary expenses associated with contracted services. This in-house approach ensures a nimble and more efficient utilization of resources. In short, the study found that through the implementation of an in-house Public Safety Department, Metro could see enhanced services along with substantial cost savings compared to reliance on multi-agency law enforcement contract services.

Currently, the contract police officers are almost exclusively deployed as two officer/deputy units with the exception of LASD who has the ability to deploy a one officer unit. Two officer units should be strategically deployed based on conditions and initiatives, but overall, they should be minimally utilized.

To illustrate an in-house Public Safety Department a personnel structure was developed to demonstrate an efficient and comprehensive Public Safety Department. Under the in-house model, the focus is on increased visibility, and as a result, the assumption of patrol deployment would be primarily one officer units. The primary one officer unit approach is typical in a transit policing environment and consistent with most LA County police agencies. Accordingly, under the in-house public safety model this number is 381 patrol officers/sergeants/specialized units. By reallocating the use of two officer units, the in-house Public Safety Department model will be able to right size the overall number of police personnel, as well as increase system coverage in comparison to current contract deployment practices.

The in-house Public Safety Department model also significantly streamlines the number of administrative/support personnel from 149 under the current contract services model to 72. Therefore, the administrative overhead to operate an in-house Public Safety Department is more cost-effective without compromising safety. In addition, Metro currently owns and provides the contract law enforcement agencies with facilities, vehicles, and equipment which significantly reduces any start-up costs associated with an in-house Public Safety Department.

As shown in the table below, an in-house Public Safety Department could require a total of 464 (381 patrol officers/sergeants/specialized units) personnel dedicated to the provision of police services. This includes 290 patrol officers and 32 patrol sergeants, 52 specialized assignment police officers (e.g., K-9, problem response, and community policing) and 7 sergeants for specialized units, 9 detectives and 2 detective sergeants, and 72 administrative/support staff. Of the 72 administrative and support personnel, 26 are command staff and other police personnel and 46 are non-sworn support personnel.

### **Number Of In-House Public Safety Department Personnel**

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Personnel Category	Number of Budgeted Personnel
<b>Patrol Officers</b>	<b>290</b>
<b>Specialized Unit Officers</b>	<b>52</b>
<b>Patrol/Specialized Unit Sergeants</b>	<b>39</b>
<b>Administrative/Support Staff</b>	<b>83</b>
<i>Police Detective</i>	9
<i>Police Officer – Specialized Assignment (e.g., training, recruitment, &amp; backgrounds)</i>	8
<i>Police Sergeant</i>	3
<i>Police Lieutenant</i>	10
<i>Police Captain</i>	4
<i>Police Assistant Chief</i>	2
<i>Police Chief</i>	1
<i>Crime &amp; Intelligence Analyst</i>	8
<i>Management Analyst</i>	12
<i>Administrative Assistant</i>	9
<i>Administrative Clerk</i>	17
<b>Total</b>	<b>464</b>

As illustrated in the below table, it is estimated the total annual budget for a Metro Public Safety Department will be \$135.4 million if Metro were to implement one today. The estimated budget for an in-house public safety department is 21.7% less than the \$172.9 million that Metro has budgeted for policing contracts in FY23. Therefore, cost savings from a Metro Public Safety Department in comparison to contract police services are expected.

The in-house Public Safety Department model presented in the below table maintains the FY23 personnel levels and budgets for the other five components of the Metro public safety ecosystem. It only changes the personnel levels and budget for police services.

Public Safety Ecosystem Component	FY23 Staffing and Budget Model		In-House Public Safety Department Model	
	Number of Personnel	Annual Budget (millions)	Number of Personnel	Annual Budget (millions)
<b>Police</b>	<b>645</b>	<b>\$172.9</b>	<b>464</b>	<b>\$135.4</b>
<i>Patrol Officers</i>	344		290	
<i>Specialized Unit Officers</i>	82		52	
<i>Patrol/Specialized Unit Sergeants</i>	70		39	
<i>Administrative/Support Staff</i>	149		83	
<b>Metro Transit Security</b>	<b>290</b>	<b>\$40.2</b>	<b>290</b>	<b>\$40.2</b>
<b>Contract Security</b>	<b>322</b>	<b>\$24.5</b>	<b>322</b>	<b>\$24.5</b>
<b>Transit Ambassador Program</b>	<b>437</b>	<b>\$33.0</b>	<b>437</b>	<b>\$33.0</b>
<b>Homeless Outreach</b>	<b>85</b>	<b>\$15.3</b>	<b>85</b>	<b>\$15.3</b>
<b>Mental Health Crisis Outreach</b>	<b>30</b>	<b>\$10.0</b>	<b>30</b>	<b>\$10.0</b>
<b>Total</b>	<b>1,809</b>	<b>\$295.9</b>	<b>1,628</b>	<b>\$258.4</b>

By adopting an in-house Public Safety Department model, Metro can leverage the potential minimum of \$37.5 million in annual savings to enhance the current public safety ecosystem. This approach will not only create a stronger and more efficient safety framework but also allows Metro to reallocate its resources in a proactive and cost-effective manner that aligns with agency safety mission and values. This will ultimately lead to a safer and more secure transit experience for riders and employees.

The availability of these savings opens up avenues for enhancing safety and security measures in various ways: Community Safety & Well Being, Risk Intervention, and Prevention & Support. For instance, allocating additional resources towards homeless outreach programs could further help address the complex challenges faced by Metro to provide a care response to social issues specifically related to individuals experiencing homelessness, untreated mental health, and addiction issues within the transit system (Prevention and Support). Metro's homeless services program is a key component of the multi-layered public safety model (Attachment B). The expansion of outreach services would be a critical component of standing up an in-house Public Safety Department. By strategically reallocating resources, Metro can not only strengthen its safety priorities but also create a safer and more secure transit experience for all.

## Weaknesses of Establishing an In-House Public Safety Department

### *Increased Insurance*

The Feasibility Study also analyzed the potential disadvantages of an in-house Public Safety Department and identified the financial risk associated with increased insurance and lawsuits against the police as a significant concern. The most common lawsuits regarding the interaction between a police officer and an individual involve the use of force and the operation of motor vehicles. Since transit policing differs from municipal and county policing, the threat of liability is reduced. This is primarily due to the clearly defined area of responsibility associated with transit policing, which minimizes exposure to the types of incidents that lead to lawsuits against the police.

The use of force is the most common basis for a lawsuit, and it is most often utilized by the police during arrests. Transit police departments make far fewer arrests than municipal and county agencies, thus limiting liability exposure. Regarding Metro, there were about 2,800 arrests in 2022, as compared to 255,253,370 riders for the same year. In addition, transit police officers are commonly assigned to foot patrol instead of vehicles, which reduces potential liability for traffic-related claims. Because of these two factors, transit policing carries substantially less liability risk than municipal policing. Of note, over the last six years of the law enforcement contracts, LAPD has had three officer involved shootings and no transit-related lawsuits, LASD has had two officer involved shootings and no transit-related lawsuits, and LBPD has had zero officer involved shootings and one transit-related lawsuit. Over the last decade, Metro's Transit Security Officers have not discharged their weapons and no transit-related lawsuits.

### ***Critical Staffing Shortages***

A key challenge for police agencies, in general, is staffing. Many large police departments throughout the U.S. are having trouble attracting, hiring, and retaining police officers. To be competitive in the labor market, a Metro Public Safety Department would require a multifaceted approach that takes into account the unique needs and expectations of the labor market.

Of note, lateral transfers are not expected due to pension compatibility issues. To be competitive in the labor market, Metro would need to develop proactive recruitment strategies that would attract a diverse pool of qualified candidates. This could involve targeted advertising and outreach efforts to reach potential candidates who prioritize social impact and a service-oriented environment. By implementing these strategies and offering favorable compensation, Metro could attract and retain a qualified and motivated workforce that is committed to serving our transit riders.

The establishment of a large, fully staffed Public Safety Department typically takes 3-5 years. A full implementation plan would be needed to finalize a timeline.

### ***Legal Authorization to Establish a Metro Public Safety Department***

The enabling legislation for Metro to have its own Public Safety Department exists in the State of California Public Utilities Code Section 30504. However, the enabling legislation uses the term "district", referring to the Southern California Rapid Transit District, which is a predecessor agency of Metro. The legislation should be changed to reflect the agency's current name and mirror the enabling legislation for the Bay Area Rapid Transit (BART) Police Department, which, unlike the current language that applies to Metro, does not include specific position requirements for the Chief of Police, and established outdated requirements related to police officer certifications.

### ***Establish and maintain in-house Specialized Units***



In any law enforcement agency, specialized units serve crucial roles. They bring a level of expertise and dedicated focus that's typically beyond the scope of regular police duties. However, establishing and maintaining these specialized units within Metro could present challenges. Each of these units requires officers with specific training, skills, and competencies as well as experienced leadership and management for each of these units. This means Metro will need to invest in extensive, ongoing training and new hiring to fill these roles adequately. It can take time to fully operationalize these specialized units, during which Metro may have to rely on external support. In addition to personnel training, each of these units requires unique resources, and specialized equipment. Procuring, maintaining, and updating such equipment can add budget costs.

One mitigating strategy could be to build strategic partnerships with other law enforcement agencies to share resources and expertise. It could also use contracted services for certain specialized areas where it might be more cost-effective and efficient.

### ***Obtaining and Maintaining CA POST Certification***

Peace Officer Standards and Training (POST) Certification is a requirement for law enforcement officers. It ensures that officers meet minimum competency standards and are equipped with the necessary skills to carry out their duties. The need to obtain and maintain this certification for all its officers can be a challenging and resource-intensive process. To mitigate this weakness, there are several strategies Metro could consider to include seeking out such opportunities to offset the costs associated with POST certification and partnering with local universities or training institutions that might be willing to provide reduced-cost training in exchange for a long-term partnership. Metro could develop an ongoing training plan to ensure POST certification attainment to ensure Metro stays compliant with POST requirements.

### ***Increased Risk Management and Workers Compensation Exposure***

Metro will need to consider the increased risk management and workers' compensation exposure in policing arising from the inherent risks associated with workplace injuries and illnesses faced by police officers in the line of duty.

Metro can effectively manage risk, reduce workplace injuries, and enhance the overall safety and well-being of its police officers. Prioritizing comprehensive risk management, investing in training and protective equipment, and addressing mental health concerns will ultimately contribute to a safer work environment.

### **Opportunities**

The establishment of an in-house police department presents significant opportunities for Metro. One of the key advantages is the ability to provide customized service tailored to the unique safety needs of the transit community. With an in-house Public Safety Department, Metro can provide a service that aligns with Metro's Safety Mission and value statements, ensuring a more effective approach to public safety on our system.

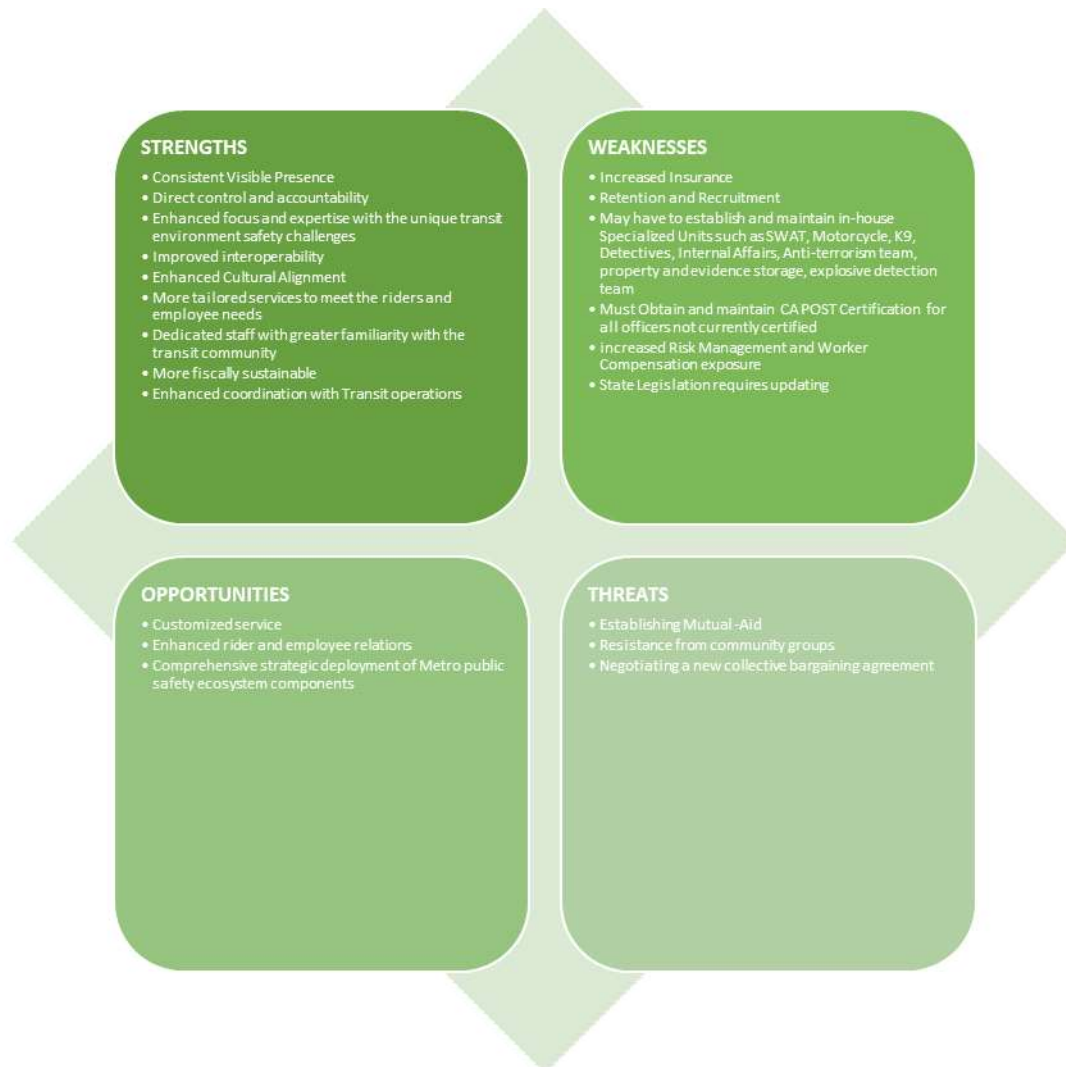
Having an in-house Public Safety Department opens doors to enhanced customer relations. By building direct relationships and fostering trust with riders and front line employees, through engaged visibility, Metro can create a stronger bond with the public and safeguard Metro employees. This can lead to improved communication, collaboration, and cooperation, ultimately resulting in a safer transit

environment for everyone.

In addition, the establishment of an in-house Public Safety Department allows for a comprehensive strategic deployment of the various resources outlined in Metro's public safety ecosystem. By leveraging existing resources and integrating various elements such as Transit Ambassadors, Homeless Outreach, and Contract Security, Metro can create a holistic approach to public safety. This strategic deployment ensures a more efficient and coordinated response to safety incidents on the system. In short, we can deploy the right response to the specific safety incident.

### **Threats**

There is a risk of encountering resistance from community groups who oppose the establishment of another police department. Addressing these concerns and building trust with riders will be crucial in navigating this challenge. The establishment of mutual aid may face resistance from local law enforcement agencies that currently provide paid services. Also, the process of negotiating new collective bargaining agreements (CBAs) presents its own set of complexities. Overall, these threats highlight the potential challenges when considering the establishment of an in-house Public Safety Department. Identifying these obstacles now allows for proactive planning and strategies to mitigate the threats and ensure a smooth implementation process.



See Attachment A for the full Feasibility Report.

### **DETERMINATION OF SAFETY IMPACT**

Based on the findings of the Feasibility Study, transitioning to an in-house Public Safety Department could enhance safety.

### **EQUITY PLATFORM**

Metro recognizes that relationships between law enforcement and people of color have been strained due to unjust actions such as racial profiling, and a disproportionate number of incidents, tickets and arrests being issued to people of color. An in-house Public Safety Department could potentially give

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the agency the authority to implement safeguards, oversight and training of officers in a way that prioritizes the treatment of all riders with dignity and respect, in accordance with the Board approved Bias-Free Policing policy. Furthermore, an in-house Public Safety Department would allow for a transit policing style of engaged visibility where officers are more visible across the system, thus increasing the feeling of safety for riders and employees.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The recommendation supports strategic plan goal 2.1 of committing to improving security. Metro will continue to utilize a multi-layered safety model to achieve this goal.

### **NEXT STEPS**

If there is interest by the Board to advance the concept of an in-house Public Safety Department, the next step is to complete a formal implementation plan which would outline a phased approach for establishing the department and a transition plan with milestones. This could include:

- Developing an operating framework for the new Public Safety Department.
  - Create a strategic plan outlining the department's goals and objectives.
  - Establish the organizational structure, including departmental divisions and reporting relationships.
- Conducting market analysis to determine appropriate job descriptions and pay ranges for police officer positions.
- Assess community support through engagement and meetings with transit riders and stakeholders.
- Establishing interagency agreements for mutual aid and cooperation with neighboring law enforcement agencies to facilitate collaboration and support in emergency situations.

### **ATTACHMENTS**

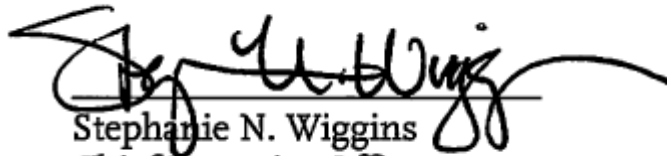
Attachment A - Feasibility Study

Attachment B - Homeless Outreach Summary

Prepared by: Imelda Hernandez, Senior Manager, System Security and Law Enforcement,  
(213) 922-4848  
Elba Higueros, Deputy Chief of Staff

Reviewed by: Gina Osborn, Chief Safety Officer, System Security and Law Enforcement, (213)

922-3055  
Nicole Englund, Chief of Staff



Stephanie N. Wiggins  
Chief Executive Officer