



Board Report

File #: 2022-0288, File Type: Program

Agenda Number: 35

REGULAR BOARD MEETING MAY 26, 2022

SUBJECT: RESPONSE TO MOTION 24: POLICING ON THE METRO BUS AND RAIL TRANSIT SYSTEM

ACTION: APPROVE RECOMMENDATIONS

RECOMMENDATION

AUTHORIZE the Chief Executive Officer to:

- A. RECEIVE and FILE the Safety Contingency Plan for Law Enforcement; and
- B. DELEGATE authority to the Chief Executive Officer to take any and all actions necessary and appropriate to implement the contingency plan if the Los Angeles County Sheriff's Department (LASD) fails to meet its contractual obligations over the course of the next 12 months.

ISSUE

On April 13, 2022, Los Angeles County Sheriff Villanueva (Sheriff) sent a letter to the Metro Board stating LASD will not provide law enforcement services effective July 1, 2022, as prescribed in the modification of their contract for any extension and instead, demanded that LASD become the sole contractor for law enforcement services for Metro.

In response, the Metro Board approved Motion 24 (Attachment A) that directed staff to report back in May 2022 on how Metro can modify its contracts with the Los Angeles Police Department and Long Beach Police Department to ensure continuity of law enforcement services coverage throughout the Metro Bus and Rail Transit System.

BACKGROUND

The current law enforcement contract is set to expire on June 30, 2022. In December 2021, the Board approved an extension of the current multi-agency contract for law enforcement services to maintain a consistent and reliable law enforcement presence and to ensure a safe and secure transit system for Metro passengers and employees. This extension was approved for six months (July 2022 - Dec 2022) with a six-month option (Jan 2023 - June 2023) to allow PSAC recommendations to be completed and to support the new law enforcement transit service procurement and award of a new contract for law enforcement services.

The Los Angeles Police Department (LAPD) and Long Beach Police Department (LBPD) agreed to the extension and expressed their willingness to continue their law enforcement duties as prescribed in their scope of work modification.

In response to the letter received from the Sheriff on April 27, 2022, Metro sent a written notification to the Sheriff advising that Metro was in receipt of his letter and directed the Sheriff that, based on the LASD contract terms and conditions, a demobilization plan was due no later than May 15, 2022, detailing how LASD would return Metro vehicles and equipment and vacate the office spaces currently occupied by LASD by June 30, 2022.

On May 4, 2022, the Sheriff sent a written notification to Metro advising that they intended to accept the 1-year terms and conditions modification of their contract. On May 18, 2022, LASD signed Metro's COVID-19 Vaccine Mandate.

DISCUSSION

To provide Metro with greater security and according to industry best practices, the need for a contingency plan to continue law enforcement services on the system is essential for safeguarding both passengers and Metro employees. Staff has prepared a Safety Contingency Plan to support the security needs of the agency as a backstop against any gap or lapse in contract law enforcement or security services.

LASD currently has contracted law enforcement jurisdictional responsibility for significant areas of the Metro system. These services include responding to calls for service (911), bus patrol, Mental Health Evaluation Teams, etc., which assist in aiding Metro to react quickly to emergencies to keep Metro's transit services uninterrupted.

The areas currently receiving these direct services, which are dedicated and not subject to demands and prioritization from other jurisdictional calls for service, include but are not limited to the following areas of Metro's transit systems.

A-Line (Blue)	E-Line (Expo)	L-Line (Gold)	C-Line (Green)	J- Line (Silver)
Artesia Compton Del Amo Firestone Florence Slauson Willowbrook/Rosa Parks	17th St/SMC 26th St/Bergamot Culver City Downtown Santa Monica Expo Line Rail Yard	Allen APU/Citrus College Arcadia Atlantic Azusa Downtown Del Mar Duarte/City of Hope East LA Civic Ctr Fillmore Indiana Irwindale Lake Maravilla Memorial Park Monrovia Sierra Madre Villa South Pasadena	Crenshaw Douglas El Segundo Hawthorne/Lennox Lakewood Bl Long Beach Bl Mariposa Norwalk Redondo Beach Vermont/Athens Willowbrook/Rosa Parks	Carson El Monte

Therefore, this contingency approach will consist of LAPD resources, other independent law enforcement agencies, future alternatives, and Metro Transit Security (MTS).

Safety Contingency Plan

Staff determined it is both practical and effective to deploy a layered security approach to continue law enforcement services in LASD’s areas of responsibility that will be left uncovered if LASD were to fail to meet its contractual obligations over the course of the next 12 months. Staff offered the ‘first right of refusal’ to our current law enforcement contracted partners participating in the multi-agency model (LAPD / LBPD). Consistent with the Board’s request, the objective is to expand the current contracts to absorb LASD’s areas of responsibility. In communication with LBPD, they declined to support expanded coverage outside of their city due to insufficient resources. Conversely, LAPD expressed both interest and capabilities to meet and exceed the contract expectations of LASD and submitted a proposal for coverage in those respective areas.

Phase 1- LAPD

Should the Sheriff fail to execute the contract extension or fail to perform the required duties thereafter, LAPD would provide resources to cover all areas currently serviced by LASD. This would provide immediate coverage needs on the entire system.

The LAPD’s resources consist of highly visible uniformed bus riding teams, officers conducting proximity patrols at platforms/stations by boarding rail cars and utilizing the rail system, and motor

officers assigned to Metro's bus services and bus transitways. To implement the LAPD's proposed resources, multiple steps would need to be confirmed to have agreements and approvals in place. Metro would need to issue a modification to the existing LAPD contract to increase LAPD's perimeters by including the LASD territory. At the request of Metro, resources could be adjusted (reduced or increased), at any time. LAPD would need to obtain approval from the Los Angeles City Council prior to proceeding with additional services. LAPD's proposal to absorb coverage in areas currently serviced by LASD is a critical component of Metro's contingency plan to remedy the immediate coverage needs if the LASD vacates its services.

Phase 2 - Partner Agencies

Metro will secure partnerships with other law enforcement agencies within LA County to release LAPD from covering territory outside of the City of Los Angeles. Staff contacted law enforcement agencies within Los Angeles County to identify interest in contracting directly with Metro to provide law enforcement services at stations, platforms, and bus lines within the current LASD area of coverage. Interested Law Enforcement Agencies were mailed terms and conditions. More than 25 Police Chiefs attended a meeting to obtain further information about the contracting opportunity. As new contract agencies participate, LAPD would reduce their coverage.

Metro Transit Security

With the expressed interest from LAPD, and the potential partnerships with other law enforcement agencies within LA County, there will be a need to expand MTS personnel to address security gaps, handle non-law enforcement incidents, respond to Transit Watch app complaints, and work jointly with newly contracted law enforcement agencies to ensure employees and riders are safe on the system.

Metro is prepared to modify LAPD's one-year contract extension to support the contingency planning described herein. Additionally, Metro would form partnerships with local jurisdictions to reduce the demands of LAPD's expanded services, and finally, Metro would increase the presence of Metro Transit Security.

DETERMINATION OF SAFETY IMPACT

The delegation of authority to the CEO to implement the Safety Contingency Plan, contingent upon LASD failing to meet its contractual obligations, will ensure the continuous safety and security of patrons and employees with a continued focus on reimagining public safety, as well as ensuring Metro's ability to safeguard critical transportation infrastructures.

FINANCIAL IMPACT

The total funding of \$70,585,044.12 is included in the proposed FY23 budget, cost center 2610. This amount represents LASD's portion of the 12-month law enforcement contract extension. The above-mentioned contingency plan utilizing LAPD, other law enforcement agencies, and the increase of Metro Transit Security personnel would be funded within the allocated LASD portion of the law

enforcement contract extension and therefore, not require a budget increase.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports strategic plan goal 2.1 of committing to improving security. Metro will continue to rely on a multi-layered security program that comprises contracted law enforcement and security to achieve this goal.

ALTERNATIVES CONSIDERED

The Board could decide not to delegate the authority to the CEO to implement the Safety Contingency Plan, if warranted. This alternative is not recommended. Continuity of safety and security services over the next 12 months is ensured with the delegation of authority.

EQUITY PLATFORM

To reduce gaps in security services for Metro riders and employees, this request allows staff the flexibility to potentially partner with other local jurisdictions and expand Metro's own Transit Security.

NEXT STEPS

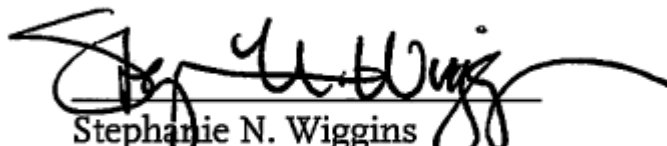
Upon Board approval, staff will implement the contingency plan in the event LASD fails to provide transit law enforcement services at any time over the next 12 months.

ATTACHMENTS

Attachment A - Board Motion 24

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Board Report

File #: 2022-0257, File Type: Motion / Motion Response

Agenda Number: 24.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE
APRIL 21, 2022**

Motion by:

DIRECTORS HAHN, KUEHL, AND BUTTS

Policing on the Metro Bus and Rail Transit System Motion

In 2017, Metro adopted a multi-agency approach for its law enforcement contract, with the Los Angeles Police Department (LAPD), Los Angeles Sheriff's Department (LASD), and Long Beach Police Department (LBPD). This multi-agency contract has brought about increased presence of law enforcement on the Metro Bus and Rail System as the three law enforcement agencies patrol and provide services in their respective jurisdictions.

In December 2021, the Metro Board of Directors voted (2021-0672) to increase the law enforcement contract by \$75.2 million and to extend it by 12 months, from June 2022 to June 2023. While the Board authorized an extension, the three law enforcement agencies must also each agree to the extension in order to continue these services on the Metro Bus and Rail Transit System through June of 2023. The 12-month extension allows Metro staff additional time to procure a new law enforcement contract. Further, the Board has authorized additional funding to supplement the law enforcement contract with initiatives that include transit ambassadors, customer experience improvements, mental health outreach, and resources for folks experiencing homelessness on the system (2021-0745).

On April 13th, the Los Angeles Sheriff held a press conference, followed by a submission of a formal letter to the agency, stating that he will not extend the existing five-year contract beyond its original June 30, 2022 expiration date, if Metro continues to also contract with LAPD and LBPD. If the Sheriff opts to decline the opportunity offered to him by the Board to extend LASD's contract with Metro through June 30, 2023, he will leave a void in law enforcement services on the Metro system.

Transit riders' safety is a top priority for the Metro Board. If the Sheriff moves forward with his threat to withdraw his deputies beginning July 1, 2022, that would require Metro to identify another path to continue to provide law enforcement services for those geographic areas on the Metro Bus and Rail Transit System currently served by LASD.

SUBJECT: POLICING ON THE METRO BUS AND RAIL TRANSIT SYSTEM MOTION

RECOMMENDATION

APPROVE Motion by Directors Hahn, Kuehl, and Butts that the Board direct the Chief Executive Officer to report back to the Board in May 2022 on how Metro can modify its contracts with the Los Angeles Police Department and Long Beach Police Department to ensure continuity of service and continued law enforcement services coverage throughout the Metro Bus and Rail Transit System.