



Board Report

File #: 2025-0276, File Type: Agreement

Agenda Number: 22.

EXECUTIVE MANAGEMENT COMMITTEE MAY 15, 2025

SUBJECT: DEPARTMENT OF JUSTICE RESOLUTION

ACTION: APPROVE RECOMMENDATION

RECOMMENDATION

AUTHORIZE the resolution with the Department of Justice (DOJ) required for Metro to receive federal criminal history and subsequent arrest reports for designated personnel hired for the Transit Community Public Safety Department (TCPSPD).

ISSUE

Metro is authorized by the DOJ to receive state and local criminal histories, as well as subsequent arrest notifications, for all personnel hired across the agency. As part of the hiring process for TCPSPD designated personnel, federal criminal history information must be obtained and considered as part of background investigations. In order to receive federal criminal history information, the DOJ requires an approved Metro Board resolution.

BACKGROUND

In June 2024, the Metro Board approved the implementation of an in-house Transit Community Public Safety Department. As part of the implementation plan, Metro will transition to hiring TCPSPD personnel directly rather than contracting with external agencies, such as the Los Angeles Police Department and the Los Angeles County Sheriff's Department. This shift is in line with Metro's broader strategy to establish a dedicated, self-sufficient public safety workforce that is specifically tailored to the unique needs of a transit system. A key component of this plan is ensuring that all sworn personnel meet the rigorous standards required for law enforcement roles, including Peace Officer Standards and Training (POST) certification. POST certification ensures that officers are fully suitable, trained, and qualified to handle the complex responsibilities of ensuring public safety within the transit environment. Additionally, TCPSPD designated personnel are defined as those who are required to be POST certified and/or handle sensitive and confidential information as part of their respective role at Metro.

California state minimum selection standards for peace officers outlined in Government Code (GC) sections 1029, 1031 and 1031.4, require that sworn officer candidates be fingerprinted to disclose any criminal record, must not have any felony convictions and must be legally authorized to work in the United States by federal law. In order to receive access to federal criminal history information,

Metro requires approval from the DOJ through a resolution, which also authorizes the receipt of subsequent arrest reports.

DISCUSSION

An important part of the recruitment and retention process for filling vacant job classifications at Metro is obtaining state and local criminal history information along with subsequent arrest information from the Department of Justice. With the hiring of TCPSD designated personnel, Metro now requires access to information about federal criminal history, including fingerprints, to conduct thorough background investigations, which is a required step of the sworn officer hiring process. Additionally, after hiring and onboarding candidates, Metro will require ongoing federal arrest reports to monitor continued eligibility to serve as TCPSD designated personnel. These reports are a vital part of the background investigation phase of the hiring process and will provide Metro a comprehensive review of TCPSD designated personnel candidate criminal history, ensuring that TCPSD designated personnel meet the highest standards of law enforcement integrity.

It is essential that Metro maintain the ability to process fingerprints through the national database and receive timely reports of any corresponding national criminal history activity. Specifically, federal clearance is required for designated TCPSD personnel, including those who are POST certified and/or handle sensitive and confidential information. By doing this, Metro will be able to ensure that TCPSD designated personnel meet California's minimum peace officer selection standards and are eligible to perform their job duties as part of the TCPSD, enhancing public safety and maintaining community trust. Access to this critical information through the DOJ enables Metro to remain in compliance with all local, state and federal standards as well as make informed recruitment and retention decisions for TCPSD designated personnel.

DETERMINATION OF SAFETY IMPACT

Access to federal candidate criminal history information and subsequent arrest reports will have a positive impact on safety, as it will ensure that TCPSD designated personnel selected to serve in the TCPSD meet the highest standards of safety and are prepared to deliver transit community public safety services. This action will ensure that recruitments are in compliance with required legal standards. By integrating sworn officers with non-law enforcement staff, the TCPSD will create a more visible, accessible, and community-focused presence. This balanced approach prioritizes both security and well-being, supporting a safer, more welcoming environment for Metro customers and employees. It enables Metro to address immediate safety concerns, prepare for long-term security needs, and ensure readiness for major upcoming regional events.

FINANCIAL IMPACT

Adoption of the resolution with the DOJ will allow Metro to complete critical pre and post recruitment activities for designated personnel within the TCPSD.

Impact to Budget

Adoption of the resolution has no impact on the FY25 budget. The Cost Center manager will be

responsible for budgeting recruitment expenses, including DOJ fees, for national background investigations and subsequent arrest reports for TCPSD designated personnel.

EQUITY PLATFORM

This board item is essential to Metro's ability to effectively recruit personnel and support a comprehensive, equitable approach to public safety through the TCPSD. By deploying both sworn and nonsworn personnel, the TCPSD aims to address:

- Community Safety & Well-Being
- Prevention Support
- Risk Intervention
- Response and Enforcement

Approval of this resolution will grant Metro access to federal criminal history information and arrest records, a critical component of the TCPSD personnel recruitment process, as Metro conducts thorough and compliant vetting of sworn officer candidates. This ensures all TCPSD designated personnel meet the highest standards of integrity, professionalism, and readiness to serve. This resolution enables Metro to complete safe, equitable, and comprehensive recruitment processes aligned with industry and regulatory standards.

VEHICLE MILES TRAVELED OUTCOME

VMT and VMT per capita in Los Angeles County are lower than national averages, the lowest in the SCAG region, and on the lower end of VMT per capita statewide, with these declining VMT trends due in part to Metro's significant investment in rail and bus transit.* Metro's Board-adopted VMT reduction targets align with California's statewide climate goals, including achieving carbon neutrality by 2045. To ensure continued progress, all Board items are assessed for their potential impact on VMT.

While this item does not directly encourage taking transit, sharing a ride, or using active transportation, it is a vital part of Metro operations, as it is an important step forward in establishing the TCPSD. By ensuring a more secure and visible transit environment, this action supports Metro's ability to provide a reliable, safe, and attractive alternative to driving. Because the Metro Board has adopted an agency-wide VMT Reduction Target, and this item supports the overall function of the agency, this item is consistent with the goals of reducing VMT.

*Based on population estimates from the United States Census and VMT estimates from Caltrans' Highway Performance Monitoring System (HPMS) data between 2001-2019.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommendation supports strategic plan goal 2.1, "Metro is committed to improving security." Approval of the DOJ resolution for Metro to receive federal criminal history information and subsequent arrest reports for TCPSD designated personnel will ensure that Metro will be able to hire the staff needed to establish a Transit Community Public Safety Department. Sworn officers, together

with the TCPSD's non-sworn team, will enhance safety, security, visibility, and provide alternatives to traditional policing through a multi-layered approach.

ALTERNATIVES CONSIDERED

The Board may choose not to approve the DOJ resolution allowing Metro to receive federal criminal history information and subsequent arrest reports for TCPSD designated personnel. However, this resolution is critical for Metro to obtain the necessary information to safely and effectively recruit qualified personnel for the TCPSD. Not approving this resolution is not recommended, as it would delay the recruitment of essential personnel, hindering the TCPSD's multi-layered approach to public safety. Metro has explored alternatives for third-party agencies to conduct national investigations; however, this approach would not be cost-effective given the volume of personnel required for the TCPSD. Additionally, such alternatives would provide Metro limited and/or outdated information, failing to meet the standards necessary for thorough vetting of TCPSD designated personnel candidates, including maintaining Peace Officer Standards and Training (POST) certification for the state of California.

NEXT STEPS

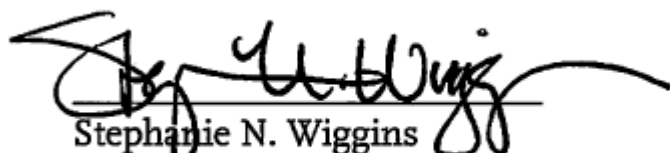
Upon Board approval, Metro will coordinate with the Department of Justice to receive federal criminal history information and subsequent arrest reports for TCPSD designated personnel.

ATTACHMENTS

Attachment A - Department of Justice Resolution for Transit Community Public Safety Department

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Stephanie N. Wiggins
Chief Executive Officer



**DEPARTMENT OF JUSTICE RESOLUTION
LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (LACMTA)
RESOLUTION NO. 2025-01**

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) authorize cities, counties, districts and joint powers authorities to access state and local summary criminal history information for employment; and

WHEREAS, Penal Code Section 11105(b)(11) authorizes cities, counties, districts and joint powers authorities to access federal level criminal history information by transmitting fingerprint images and related information to the Department of Justice to be transmitted to the Federal Bureau of Investigation; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require that there be a requirement or exclusion from employment based on specific criminal conduct on the part of the subject of the record; and

WHEREAS, Penal Code Sections 11105(b)(11) and 13300(b)(11) require the city council, board of supervisors, governing body of a city, county or district or joint powers authority to specifically authorize access to summary criminal history information for employment.

NOW THEREFORE, BE IT RESOLVED, that the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY is hereby authorized to access state and federal level summary criminal history information for employment with the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (including volunteers and contract employees) and may not disseminate the information to a private entity; and

BE IT FURTHER RESOLVED that the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY shall not consider a person who has been convicted of a violent or serious felony or misdemeanor eligible for employment (including volunteers and contract employees, if applicable).

The Clerk of the LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this_____.

COLLETTE LANGSTON
LACMTA Board Clerk

DATED:
(SEAL)

Department of Justice Resolution

Background



- Metro is authorized by the Department of Justice (DOJ) to receive state and local criminal history information for all personnel hired across the agency
- As part of the hiring process for Metro's Transit Community Public Safety Department (TCPSPD) designated personnel, federal criminal history information must be obtained and considered as part of Metro's background investigation process
- TCPSPD designated personnel are defined as those who are required to be Peace Officer Standards and Training (POST) certified and/or handle sensitive and confidential information as part of their respective role at Metro
- To access federal criminal history information, Metro must obtain Board approval of a DOJ resolution

Recommendation



Staff recommends approval of the resolution with the Department of Justice required for Metro to receive federal criminal history information for designated personnel hired for the Transit Community Public Safety Department

Next Steps

- Upon board approval, the resolution will be sent to the Department of Justice for processing
- Metro will be able to receive federal criminal history information to assist in making hiring decisions for Transit Community Public Safety Department (TCPSPD) designated personnel