



**Board Report**

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**Agenda Number:** 26.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE  
EXECUTIVE MANAGEMENT COMMITTEE  
JULY 18, 2019**

**SUBJECT: OFFICE OF THE INSPECTOR GENERAL REPORT ON METRO SECURITY  
PERFORMANCE REVIEW FISCAL YEAR 2018**

**ACTION: RECEIVE AND FILE**

**RECOMMENDATION**

RECEIVE AND FILE OIG report on Metro Security Performance Review Fiscal Year 2018.

**ISSUE**

On February 23, 2017, the Metro Board passed a motion directing that the Inspector General conduct an annual audit of each law enforcement services contract to determine how key performance indicators are measuring up against actual performance metrics. The audit is to ensure that Metro is receiving the services it is paying for.

**BACKGROUND**

In 2017, LACMTA (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) for transit law enforcement services to support day-to-day operations across Metro’s entire service area. Metro also directly employs transit security officers who perform fare checks and bus/rail patrolling.

**DISCUSSION**

**A. Trends in Crime, Perceptions of Safety, and Safety and Security Complaints**

There are three key outcome measures that can be used to evaluate the effectiveness and trends of Metro’s safety and security approach and program. These are the level of reported crime on the system, the perceptions of safety by users of the system, and the number of safety and security complaints made by users of the system.

**Reported Crime**

Total reported Violent Crime on the Metro System decreased by 18% between FY 2015 and FY 2018,

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with most of this decrease (14%), occurring between FY 2017 and FY 2018. Total reported Property Crime on the Metro System decreased 15% between FY 2015 and FY 2018, with a decrease of 16% occurring between FY 2015 and FY 2017, and an increase of 1% occurring between FY 2017 and FY 2018.

Obtaining complete and accurate reporting of crime that occurs on the Metro System continues to be challenging. This is partially due to the fact that the Metro System operates within multiple jurisdictions with their own law enforcement agencies who respond to, handle, and report crime that may not be reported to Metro.

In addition, in the LAPD service area of the Metro System, LAPD neighborhood patrol units respond to and handle many crimes that occur within the Metro System. An unknown number of these crimes are not reported to the LAPD Transit Policing Division and so are not tracked and reported to Metro.

We recommend the Metro System Security and Law Enforcement (SSLE) Department continue to work with contract law enforcement agencies to improve the complete and accurate reporting of crime that occurs on the Metro System.

### **Rider Perceptions of Safety**

Perception of crime and disorder on the Metro System creates a risk to the confidence in safety held by passengers and Metro employees and poses a risk to the reputation of Metro as a safe and secure system. Passengers who perceive the system to be unsafe will not use the service, and therefore reduce the number of people using transit and Metro's ridership.

Based on Metro rider surveys conducted annually, rider perceptions of safety on the Metro Train system declined slightly and rider perceptions of safety on the Metro Bus system improved slightly between FY 2015 and FY 2018. These changes in perceptions of safety are small and within the margin of error for the survey. However, it is important to continue to monitor rider perceptions of safety on the Metro System and to develop strategies to address concerns and improve that perception.

### **Complaints Regarding Safety and Security**

Another important indicator of the public or riders' perception of the safety of the Metro System is the number of complaints received regarding safety and security. During the period from FYs 2015 to 2018, rider complaints for the bus system regarding passenger safety or conduct issues were not among the top ten complaints. However, for the rail system, rider complaints regarding passenger safety or conduct issues were the second most common complaint of the top ten complaints for FYs 2015 to 2017. For FY 2018, complaints regarding passenger safety or conduct issues dropped to five of the top ten.

We recommend the SSLE Department continue to monitor rider survey results regarding perceptions of safety of riders on the Metro System and complaints regarding safety and passenger conduct issues and develop strategies to improve those perceptions and reduce complaints.

## **B. Resource Monitoring and Oversight**

The SSLE Department is charged with ongoing oversight of the contracted law enforcement services as well as the operations of Metro Security.

### **Audits of Contracted Law Enforcement Personnel Presence**

Metro has and will continue to have a substantial investment in resources devoted to system safety and security. Ensuring that these resources are effectively and efficiently used is very important.

Oversight and monitoring of contracted law enforcement resources has been problematic. Metro has had some difficulty in ensuring that law enforcement personnel assigned to Metro are actually present and performing as assigned. Historically, Metro has not had an effective means of verifying the accuracy of staffing information provided by contract law enforcement, or of verifying that personnel charging time on the Metro contract are actually present and providing the contracted services.

Beginning with FY 2018, the SSLE Department implemented regular “audits” of law enforcement personnel to monitor consistency between personnel time reported and the invoiced costs. Beginning in September 2017, Metro also began conducting “field audits” of law enforcement personnel in addition to the comparison audits of information provided by contracted law enforcement agencies. These field audits involve taking the roster of law enforcement personnel assigned to work and verifying that those personnel are actually in the field and providing the contracted service. These field audits strengthen Metro’s contract oversight and monitoring.

### **GPS Based Contracted Law Enforcement Oversight and Monitoring**

The SSLE Department has been working to develop and implement an effective method of tracking and monitoring the activities of safety and security resources deployed on the Metro System using the GPS function on smartphones used by Metro safety and security personnel.

The Mobile Phone Validators (MPV) provided to contracted law enforcement officers are now GPS enabled and are able to provide information on the location and movement of the MPV and law enforcement resources. Metro has not yet begun using the GPS function and information generated to track or monitor the activities of contracted law enforcement resources.

We recommend the SSLE Department should work to develop a more macro approach to oversight and monitoring of contracted law enforcement resources using the GPS function of the MPV assigned to contracted law enforcement personnel and the data generated from them.

### **Oversight of Other Law Enforcement Contract Requirements**

In our review of compliance with the contract terms, we found some instances of non-compliance by all three law enforcement agencies with qualifications and training of personnel assigned, reports and information being provided to Metro, equipment provided under the contract, and appropriate support for invoices submitted. Increased monitoring and oversight of these requirements seems warranted given the size of the contracts and the importance of the services being provided.

We recommend the SSLE Department should consider expanding monitoring and oversight of other contract requirements including qualifications and training of personnel, required reporting, equipment provided, and invoice support and compliance with the contract. We also recommend

Metro seek reimbursement for overbillings and overpayments resulting from noncompliance with contract terms during FY 2018.

### **C. Key Performance Indicators (KPI)**

It is essential that Metro clearly define performance expectations for each of the contract law enforcement agencies and use meaningful performance indicators to evaluate how well these expectations are being met.

#### **Reporting of Crime and Incident Response Time Indicators**

Two of the KPI included in each of the law enforcement contracts were intended to provide information on the outcomes of the law enforcement service provided including changes in the number of crimes reported and increases in crime incident response times.

In crime reporting the emphasis should be on violent crime, which is obviously the most impactful to the Metro System and has the greatest impact on Metro's riders. Reporting all crime in the aggregate is less meaningful because violent crimes such as homicide, robbery and rape are given the same weight as lesser crimes such as larceny, petty theft, and vandalism.

A primary workload for law enforcement is responding to and handling incidents that occur on the Metro System or calls for service. Metro's SSLE Department currently only collects and reports response time information for emergency calls for service. While emergency calls for service are obviously the most important calls, tracking and reporting response time on less urgent incidents and calls for service is also important.

Often these lower priority calls for service involve quality of life issues and concerns as well as victims of property crimes. A slow response to these incidents can have a negative impact on the perception of the riding public transit that the system is safe and well protected. In addition, not requiring contract law enforcement agencies to track and report these response times communicates to them and their officers that these calls are not important.

We recommend that Metro's SSLE Department begin to collect and report on response times for all calls for service that require a law enforcement response.

#### **Visibility of Law Enforcement Security Personnel Indicators**

Providing a visible security presence within the Metro System is an important strategy for providing both a sense and reality of safety. Three of the KPI included in each of the law enforcement contracts were intended to provide information on the visibility of law enforcement security personnel on the Metro System. These are 1) the ratio of proactive versus dispatched activity, 2) the number of foot and vehicle patrols of bus stops, transit centers, train platforms, plazas, and stations, and 3) the number of bus and train boardings.

Contract law enforcement agencies were only able to report on the ratio of proactive versus dispatched activity. Contract law enforcement agencies were not able to report on the other two KPI. While these are important indicators and would provide useful information on the level of activity and visibility of contracted law enforcement personnel, it was not practical for the law enforcement

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agencies to reliably collect meaningful information for these indicators. As discussed in Section B of this report, using the GPS function and the data generated could provide more reliable and meaningful information on the amount of time contracted law enforcement officers spend on each of these activities related to KPI 2 and 3 above.

### **Law Enforcement Personnel Presence Indicator**

One of the KPI included in each of the law enforcement contracts was intended to provide information on the presence of the contracted law enforcement personnel. This is the ratio of staffing levels and vacant assignments. This indicator is important in both communicating to the contract law enforcement agencies the need to actually staff contracted assignments and to report how effectively these positions are actually being staffed. Reported staffing levels collectively were at 98.5% or above during FY 2018.

### **Baseline Expectations and Other Potential Performance Indicators**

It is important to establish baseline expectations or targets for each performance indicator. This not only clearly communicates performance expectations, but it also can help drive improvements in performance through the development and implementation of new strategies. Baseline performance levels for each KPI have not been developed.

We recommend Metro's SSLE Department work with contract law enforcement agencies to establish baseline or target performance levels for each of the KPI currently in use. They should also work together to determine if additional KPI would be appropriate and meaningful.

## **D. Community Policing**

Community policing within a transit system should place an emphasis on quality of life issues. The customers of the Metro System must feel safe and secure. The presence of security, in whatever form, must have a "felt presence;" that is, they must be visible and engaged without becoming oppressive and threatening.

### **Metro Community Policing Plan**

The Metro SSLE Department is in the process of developing a community policing plan for the Metro System. The Metro Community Policing Plan will be a unified plan instead of having each of the three law enforcement agencies develop individual community policing plans. The Metro Community Policing Plan is part of Metro's new Equity Platform, which aims to assure equity across all programs impacting transit service, planning, and policing. The SSLE Department expects to have a draft Metro Community Policing Plan completed by the Fall of 2019.

We recommend the Metro SSLE Department continue to develop the Metro Community Policing Plan and ensure it includes specific training in Problem Oriented Policing for law enforcement personnel, attendance by law enforcement personnel at community meetings, and protocols to obtain feedback from bus and rail managers.

### **Law Enforcement Service Request (LESR) System**

Metro employees, including bus and train operators, maintenance personnel, customer service

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representatives, and others are the front-line representatives of Metro and have ongoing and direct interaction with the riding public. The LESR system implemented in FY 2018 should provide good information on Metro employee safety and security issues and concerns on the system going forward.

During FY 2018, a total of 935 law enforcement service requests were generated by Metro employees. Our review of the requests and responses indicate that law enforcement agencies are using the LESR to identify and resolve issues and concerns.

### **E. Compliance with Specific Contract Requirements**

The contracts with the three law enforcement agencies each contain specific requirements related to personnel and training, billing, required reports, and other contractual requirements.

#### **Overview of Law Enforcement Contract Requirements**

Each of the contracts with the three law enforcement agencies includes specific contract requirements. This includes requirements for the experience and training of law enforcement personnel assigned to Metro, billing information and supporting documentation, required information and reports on activities, and other information on equipment provided.

#### **Los Angeles Police Department (LAPD) Contract Compliance**

The following are the results of our review of LAPD's contract compliance:

- LAPD was not in compliance with two of the contract requirements related to personnel and training.
- The total amount billed and paid to LAPD for FY 2018 did not exceed the estimated cost specified in the contract for Year 1.
- Invoices submitted to Metro were based on actual services provided and supported by daily summary of assignments and hours worked using the cost data from the payroll system. However, actual payroll records were not submitted with the invoices as required.
- For overtime charges, we were unable to determine whether the billing rates exceeded the approved maximum fully burdened hourly rates because the list of maximum fully burdened hourly rates that LAPD submitted to Metro was not in compliance with the contract.
- Eight labor classifications totaling \$281,400.77 were not found in the required list of maximum fully burdened hourly rates.
- For straight time charges, we identified a total amount of \$3,874.99 as overbilled by LAPD and overpaid by Metro.
- LAPD invoiced an overhead rate of 12.76% for overtime hours that was unsupported by

adequate documentation.

- LAPD met 8 out of 9 contract requirements for submitting required reports to Metro. The reports were submitted with adequate information and in a format that allows Metro to determine the calculation of the reported figures. However, no information was provided as to when these reports were submitted to Metro so we were unable to determine if the reports were submitted on time in accordance with the contract.
- Exhibit E of the contract provides a list of equipment that the LAPD was supposed to provide under the contract. We found that LAPD did not provide the equipment in the quantities listed in Exhibit E.

### **Los Angeles County Sheriff's Department (LASD) Contract Compliance**

- LASD was not in compliance with two of the contract requirements related to personnel and training.
- The total amount billed and paid for FY 2018 to LASD did not exceed the estimated cost specified in the contract for Year 1.
- Except for a credit amount understatement of \$1,699.68, the billing rates were consistent with Metro's approved rates. Invoices were based on actual services provided and supported by Payment Certification, the Service Level and Billing Status Report, and the Patrol Compliance Report.
- LASD met 7 out of 8 contract requirements for required reports. The reports were submitted in a timely manner, with adequate information and in a format that allows Metro to determine the calculation of the reported figures.

### **Long Beach Police Department (LBPD) Contract Compliance**

- LBPD was not in compliance with the contract requirement for Transit Policing training.
- The total amount billed and paid for FY2018 exceeded the estimated cost specified in the contract for Year 1 by \$885,578.
- Daily summary of assignments for all hours worked and payroll records were not submitted with the invoices.
- The billing rates exceeded Metro's approved maximum fully burdened hourly rates for three labor categories. Only one of the three labor categories was listed in the approved maximum fully burdened hourly rates. We identified a total amount of \$14,643.89 as overbilled by LBPD

and overpaid by Metro.

- The billing methodology for equipment cost was not consistent with the contract agreement.
- LBPD met 8 out of 9 contract requirements for required reports. The reports were submitted with adequate information and in a format that allows Metro to determine the calculation of the reported figures. No information was provided as to when these reports were submitted to Metro so we were unable to determine if the reports were submitted to Metro on time.

## **F. Fare and Code of Conduct Compliance 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.

### **Code of Conduct and Parking Enforcement and Citations**

The vast majority (98%) of the citations for Metro Code of Conduct violations are issued by Metro Security. This demonstrates the substantial change in the transfer in responsibility for fare and code of conduct enforcement from contracted law enforcement to Metro Security. The number of Code of Conduct citations issued increased substantially (162%) between FY 2017 and FY 2018. Total citations are 35% below the level for FY 2013.

### **Performance Indicators for Metro Security**

The role and responsibilities of Metro Security have expanded substantially over the past few years and now includes primary responsibility for enforcing Metro's 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.

The SSLE Department reports they will be developing KPIs for Metro Security during 2019. These KPIs will cover two key areas: Fare Enforcement and Critical Infrastructure Protection. The fare enforcement KPI will focus on effective strategies to increase fare compliance. The critical infrastructure KPI will focus on assessing and mitigating security threats to the transit system and its critical structures.

## **FINANCIAL IMPACT**

Adoption of the recommendations in this report does not increase the financial impact on the agency.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The recommendations in this report support Strategic Plan Goal 2.1 (Improving security), Goal 5.6 (fostering and maintaining a strong safety culture), and Goal 2 (delivering outstanding trip experiences).

## **NEXT STEPS**



Metro management should:

- Complete the Schedule for Tracking Metro's Proposed Actions in response to the recommendations provided in Appendix B of the report as determinations are made on implementing the recommendations; and
- Periodically report to the Metro Board on the status of actions taken to implement the recommendations.

**ATTACHMENTS**

Attachment A - Metro Security Performance Review Fiscal Year 2018

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Reviewed by: Karen Gorman, Inspector General, (213) 922-2975



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Karen Gorman  
Inspector General



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

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**Metro Security  
Performance Review  
Fiscal Year 2018**

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Report No. 19-AUD-10

June 24, 2019





**Metro**

**Los Angeles County  
Metropolitan Transportation Authority**

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Los Angeles, CA 90017

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June 24, 2019

Metro Board Members

Re: Report on Metro Security Performance Review Fiscal Year 2018

Dear Metro Board Members:

The Office of the Inspector General (OIG) conducted a security-focused review to determine the level of performance for transit security function services (law enforcement and Metro's Transit Security Officers) during FY 2018. 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 City of Long Beach Police Department (LBPD), and the Los Angeles County Sheriff's Department (LASD). Metro also directly employs transit security officers and began using Metro security officers for fare checks and bus/rail patrolling.

The Metro Board directed the OIG to perform an annual audit of each law enforcement services contract to determine how key performance indicators are measuring up against metrics and ensure that Metro is receiving the services it is paying for. To accomplish this directive, the OIG prepared a scope of work for the Request for Proposal. BCA Watson Rice WR, LLP, was hired to perform the security performance review for fiscal year 2018, and completed the attached report.

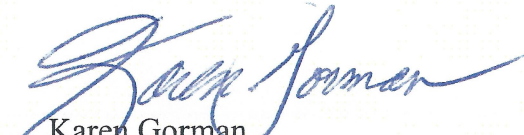
The review identified a number of recommendations for improving transit security performance. The Appendix to the report lists 25 recommendations that will enhance performance efficiency and effectiveness in the following transit security areas:

- Crimes reporting accuracy and completeness
- Report response times for all categories of dispatched incident calls for service
- Oversight and monitoring law enforcement resources
- Review, revise, and adopt key performance indicators (KPI) for law enforcement services including base line target levels of performance for each KPI, and develop KPIs for Metro Transit Security
- Develop a Metro Community Policing Plan
- Monitor each law enforcement services contract to ensure compliance with contract requirements in areas such as:
  - Meeting required personnel certifications and completing required training
  - Monitoring billings and submission of payroll records and other required supporting documentation
  - Providing maximum hourly rates for each labor classification
  - Submitting required reports in a timely manner

- Providing the equipment in the quantities required by the contract
- Returning to Metro overbilled and overpaid amounts (LAPD \$3,874.99) and (LBPD \$164,643.89), and issuing an additional credit amount to Metro (LASD \$1,699.68) because the monthly rate to calculate the original credit did not comply with the contract.

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.

Sincerely,



Karen Gorman  
Inspector General



**Metro Office of the Inspector General**

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**Metro Security  
Performance Review  
Fiscal Year 2018**

**June 2019**

**FINAL REPORT**

*Submitted by*

**BCA Watson Rice, LLP**



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# **1. Executive Summary**

## **Background and Objectives**

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.

On February 23, 2017, the Metro Board passed a motion directing that the Inspector General be tasked with annually auditing each law enforcement services contract to determine how key performance indicators are measuring up against actual performance metrics. The audit is to ensure that Metro is receiving the services it is paying for.

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There are three key outcome measures that can be used to evaluate the effectiveness and trends of Metro's safety and security approach and program. These are the level of reported crime on the system, the perceptions of safety by users of the system, and the number of safety and security complaints made by users of the system.

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In addition, in the LAPD service area of the Metro System, LAPD neighborhood patrol units respond to and handle many crimes that occur within the Metro System. An unknown number of these crimes are not reported to the LAPD Transit Policing Division and so are not tracked and reported to Metro.



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We recommend the SSLE Department continue to monitor rider survey results regarding perceptions of safety of riders on the Metro System and complaints regarding safety and passenger conduct issues and develop strategies to improve those perceptions and reduce complaints.

More information on trends in crime, perceptions of safety, and safety and security complaints can be found beginning on page 14 of this report.

## **B. Resource Monitoring and Oversight**

The SSLE Department is charged with ongoing oversight of the contracted law enforcement services as well as the operations of Metro Security.

### **Audits of Contracted Law Enforcement Personnel Presence**

Metro has and will continue to have a substantial investment in resources devoted to



system safety and security. Ensuring that these resources are effectively and efficiently used is very important.

Oversight and monitoring of contracted law enforcement resources has been problematic. Metro has had some difficulty in ensuring that law enforcement personnel assigned to Metro are actually present and performing as assigned. Historically, Metro has not had an effective means of verifying the accuracy of staffing information provided by contract law enforcement, or of verifying that personnel charging time on the Metro contract are actually present and providing the contracted services.

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warranted given the size of the contracts and the importance of the services being provided.

We recommend the SSLE Department should consider expanding monitoring and oversight of other contract requirements including qualifications and training of personnel, required reporting, equipment provided, and invoice support and compliance with the contract. We also recommend Metro seek reimbursement for overbillings and overpayments resulting from noncompliance with contract terms during FY 2018.

More information on resource monitoring and oversight can be found beginning on page 21 of this report.

### **C. Key Performance Indicators (KPIs)**

It is essential that Metro clearly define performance expectations for each of the contract law enforcement agencies and use meaningful performance indicators to evaluate how well these expectations are being met. The KPIs for each of the three contracted law enforcement agencies are listed in Exhibit 6 on page 25 of this report.

#### **Reporting of Crime and Incident Response Time Indicators**

Two of the KPI included in each of the law enforcement contracts were intended to provide information on the outcomes of the law enforcement service provided including changes in the number of crimes reported and increases in crime incident response times.

In crime reporting the emphasis should be on violent crime, which is obviously the most impactful to the Metro System and has the greatest impact on Metro's riders. Reporting all crime in the aggregate is less meaningful because violent crimes such as homicide, robbery and rape are given the same weight as lesser crimes such as larceny, petty theft, and vandalism.

A primary workload for law enforcement is responding to and handling incidents that occur on the Metro System or calls for service. Metro's SSLE Department currently only collects and reports response time information for emergency calls for service. While emergency calls for service are obviously the most important calls, tracking and reporting response time on less urgent incidents and calls for service is also important.

Often these lower priority calls for service involve quality of life issues and concerns as well as victims of property crimes. A slow response to these incidents can have a negative impact on the perception of the riding public transit that the system is safe and well protected. In addition, not requiring contract law enforcement agencies to track and report these response times communicates to them and their officers that these calls are not important.



We recommend that Metro's SSLE Department begin to collect and report on response times for all calls for service that require a law enforcement response.

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Contract law enforcement agencies were only able to report on the ratio of proactive versus dispatched activity. Contract law enforcement agencies were not able to report on the other two KPI. While these are important indicators and would provide useful information on the level of activity and visibility of contracted law enforcement personnel, it was not practical for the law enforcement agencies to reliably collect meaningful information for these indicators. As discussed in Section B of this report, using the GPS function and the data generated could provide more reliable and meaningful information on the amount of time contracted law enforcement officers spend on each of these activities related to KPI 2 and 3 above.

### **Law Enforcement Personnel Presence Indicator**

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It is important to establish baseline expectations or targets for each performance indicator. This not only clearly communicates performance expectations, but it also can help drive improvements in performance through the development and implementation of new strategies. Baseline performance levels for each KPI have not been developed.

We recommend Metro's SSLE Department work with contract law enforcement agencies to establish baseline or target performance levels for each of the KPI currently in use. They should also work together to determine if additional KPI would be appropriate and meaningful.



More information on KPI can be found beginning on page 25 of this report.

## **D. Community Policing**

Community policing within a transit system should place an emphasis on quality of life issues. The customers of the Metro System must feel safe and secure. The presence of security, in whatever form, must have a “felt presence;” that is, they must be visible and engaged without becoming oppressive and threatening.

### **Metro Community Policing Plan**

The Metro SSLE Department is in the process of developing a community policing plan for the Metro System. The Metro Community Policing plan will be a unified plan instead of having each of the three law enforcement agencies develop individual community policing plans. The Metro Community Policing plan is part of Metro’s new Equity Platform, which aims to assure equity across all programs impacting transit service, planning, and policing. The SSLE Department expects to have a draft Metro Community Policing Plan completed by the Fall of 2019.

We recommend the Metro SSLE Department continue to develop the Metro Community Policing plan and ensure it includes specific training in Problem Oriented Policing for law enforcement personnel, attendance by law enforcement personnel at community meetings, and protocols to obtain feedback from bus and rail managers.

More information on Community Policing can be found beginning on page 37 of this report.

### **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. LESR system implemented in FY 2018 should provide good information on Metro employee safety and security issues and concerns on the system going forward.

During FY 2018, a total of 935 law enforcement service requests were generated by Metro employees. Our review of the requests and responses indicate that law enforcement agencies are using the LESR to identify and resolve issues and concerns.

## **E. Compliance with Specific Contract Requirements**

The contracts with the three law enforcement agencies each contain specific requirements related to personnel and training, billing, required reports, and other contractual requirements.



## **Overview of Law Enforcement Contract Requirements**

Each of the contracts with the three law enforcement agencies includes specific contract requirements. This includes requirements for the experience and training of law enforcement personnel assigned to Metro, billing information and supporting documentation, required information and reports on activities, and other information on equipment provided.

### **Los Angeles Police Department (LAPD) Contract Compliance**

The following are the results of our review of LAPD's contract compliance:

- LAPD was not in compliance with two of the contract requirements related to personnel and training.
- The total amount billed and paid to LAPD for FY 2018 did not exceed the estimated cost specified in the contract for Year 1.
- Invoices submitted to Metro were based on actual services provided and supported by daily summary of assignments and hours worked using the cost data from the payroll system. However, actual payroll records were not submitted with the invoices as required.
- For overtime charges, we were unable to determine whether the billing rates exceeded the approved maximum fully burdened hourly rates because the list of maximum fully burdened hourly rates that LAPD submitted to Metro was not in compliance with the contract.
- Eight labor classifications totaling \$281,400.77 were not found in the required list of maximum fully burdened hourly rates.
- For straight time charges, we identified a total amount of \$3,874.99 as overbilled by LAPD and overpaid by Metro.
- LAPD invoiced an overhead rate of 12.76% for overtime hours that was unsupported by adequate documentation.
- LAPD met 8 out of 9 contract requirements for submitting required reports to Metro. The reports were submitted with adequate information and in a format that allows Metro to determine the calculation of the reported figures. However, no information was provided as to when these reports were submitted to Metro so we were unable to determine if the reports were submitted on time in accordance with the contract.
- Exhibit E of the contract provides a list of equipment that the LAPD was supposed to provide under the contract. We found that LAPD did not provide the equipment



in the quantities listed in Exhibit E.

More information on LAPD's contract compliance can be found beginning on page 49 of this report.

### **Los Angeles County Sheriff's Department (LASD) Contract Compliance**

- LASD was not in compliance with two of the contract requirements related to personnel and training.
- The total amount billed and paid for FY 2018 to LASD did not exceed the estimated cost specified in the contract for Year 1.
- Except for a credit amount understatement of \$1,699.68, the billing rates were consistent with Metro's approved rates. Invoices were based on actual services provided and supported by Payment Certification, the Service Level and Billing Status Report, and the Patrol Compliance Report.
- LASD met 7 out of 8 contract requirements for required reports. The reports were submitted in a timely manner, with adequate information and in a format that allows Metro to determine the calculation of the reported figures.

More information on LASD's contract compliance can be found beginning on page 63 of this report.

### **Long Beach Police Department (LBPD) Contract Compliance**

- LBPD was not in compliance with the contract requirement for Transit Policing training.
- The total amount billed and paid for FY 2018 exceeded the estimated cost specified in the contract for Year 1 by \$885,578.
- Daily summary of assignments for all hours worked and payroll records were not submitted with the invoices.
- The billing rates exceeded Metro's approved maximum fully burdened hourly rates for three labor categories. Only one of the three labor categories was listed in the approved maximum fully burdened hourly rates. We identified a total amount of \$14,643.89 as overbilled by LBPD and overpaid by Metro.
- The billing methodology for equipment cost was not consistent with the contract agreement.
- LBPD met 8 out of 9 contract requirements for required reports. The reports were submitted with adequate information and in a format that allows Metro to determine





the calculation of the reported figures. No information was provided as to when these reports were submitted to Metro so we were unable to determine if the reports were submitted to Metro on time.

More information on LBPD's contract compliance can be found beginning on page 70 of this report.

## **F. Fare and Code of Conduct Compliance 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.

### **Code of Conduct and Parking Enforcement and Citations**

The vast majority (98%) of the citations for Metro Code of Conduct violations are issued by Metro Security. This demonstrates the substantial change in the transfer in responsibility for fare and code of conduct enforcement from contracted law enforcement to Metro Security. The number of Code of Conduct citations issued increased substantially (162%) between FY 2017 and FY 2018. Total citations are 35% below the level for FY 2013.

### **Performance Indicators for Metro Security**

The role and responsibilities of Metro Security have expanded substantially over the past few years and now includes primary responsibility for enforcing Metro's 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.

The SSLE Department reports they will be developing KPI for Metro Security during 2019. These KPI will cover two key areas: Fare Enforcement and Critical Infrastructure Protection. The fare enforcement KPI will focus on effective strategies to increase fare compliance. The critical infrastructure KPI will focus on assessing and mitigating security threats to the transit system and its critical structures.

More information on fare and code of conduct compliance can be found beginning on page 80 of this report.



## **2. Background**

The Los Angeles County Metropolitan Transportation Authority (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 LBDP ("Contractors") for transit law enforcement services to support day-to-day operations across Metro's entire service area. The objective of this review is to determine and verify the level of performance being reported for transit security function services for LAPD, LASD, LBDP, and Metro's Transit Security Officers during FY 2018 (July 1, 2017 to June 30, 2018).

- LAPD Contract No. PS5862100LAPD24750: On March 1, 2017, Metro entered a 5-year firm fixed unit rate contract with LAPD to provide transit law enforcement services within the specified coverage areas as indicated in Attachments 1 and 2 of the Statement of Work (SOW) in the contract. This contract became effective on March 1, 2017, and ends on June 30, 2022. The total contract amount is not-to-exceed \$369,330,499.
- LASD Contract No. PS5863200LASD24750: On September 1, 2017, Metro entered a 5-year firm fixed unit rate contract with LASD to provide transit law enforcement services within the specified coverage areas as indicated in Attachments 1 and 2 of the SOW in the contract. This contract became effective on September 1, 2017, and ends on June 30, 2022. The total contract amount is not-to-exceed \$246,270,631.
- LBDP Contract No. PS5862300LBDP24750: On March 23, 2017, Metro entered a 5-year firm fixed unit rate contract with LBDP to provide transit law enforcement services within the specified coverage areas as indicated in Attachments 1 and 2 of the SOW in the contract. This contract became effective on March 23, 2017, and ends on June 30, 2022. The total contract amount is not-to-exceed \$30,074,628.

Except for different service coverage areas specified in Attachments 1 and 2 of each contract, the three contracts have the same or similar scope of work including specific responsibilities, training requirements, reporting requirements (including reports and



documents submission), monthly key performance indicators (KPI), and billing requirements. The contracts state that the Contractor is responsible for the following:

- Augment Contractor or regional response to 911 emergency, priority, and routine calls for service;
- Crime analysis and reporting;
- Augment Contractor or regional criminal investigations, accident investigations, and law enforcement response to major incidents;
- Reduce system-wide vulnerability to terrorism;
- Conduct joint anti-terrorism drills, training sessions, and intelligence sharing with other local, state, and federal law enforcement agencies;
- Provide access to K9 explosive detection on an on-call overtime basis;
- Ride Metro buses and trains, patrol bus and rail stations/corridors, and maintain high visibility at key Metro critical infrastructure locations;
- Provide law enforcement presence during periodic fare enforcement and passenger screening operations;
- Remove persons without a valid transit fare from buses, trains, buildings, and stations;
- Conduct mutually agreed upon grade crossing enforcement operations;
- Respond to and resolve incoming calls for service from Metro bus, rail, and security dispatch centers;
- Respond to and resolve incoming complaints from Metro's Transit Watch program;
- Respond to and resolve citizen complaints related to criminal activity;
- Conduct proactive anti-crime operations when not handling a dispatched call;
- Participate in Metro emergency and disaster preparedness planning and drills;
- Collaborate with social service agencies to address the impact of homelessness on the transit system;
- Enforce Metro's Code of Conduct;
- Attend weekly coordination meetings or other meetings as required; and
- Provide additional law enforcement services to address unforeseen events/requirements.



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**

On February 23, 2017, the Metro Board passed a motion directing that “the Inspector General be tasked with annually auditing each law enforcement services contract to determine how key performance indicators are measuring up against actual performance metrics. The audit is to ensure that Metro is receiving the services it is paying for.”

The overall objective of the audit is to evaluate transit security performance provided by each of the three Contractors and Metro’s Transit Security Department during FY 2018. In particular, the audit will review, analyze, and report on:

- Actual performance of the performance indicators in the transit law enforcement services contracts.
- Contractor (LAPD, LASD, LBPD) adherence to requirements in matters such as:
  - Personnel and training,
  - Reporting,
  - Community Policing Plan,
  - Billing, and
  - Security and Emergency Preparedness.
- Effectiveness of fare compliance checks.
- Number of fare validation checks accomplished in FY 2018, compared to fare checks made in the previous 3 years.
- Number of citations issued in FY 2018, compared to the past 3 years.
- Crime statistics for Metro in FY 2018, compared to the statistics for the past 3 years.

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



## 4. Review Results

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

### A. Trends in Reported Crime, Perceptions of Safety, and Complaints

There are three key outcome measures that can be used to evaluate the effectiveness and trends of Metro's safety and security approach and program. These are the level of reported crime on the system, the perceptions of safety by users of the system, and the number of safety and security complaints made by users of the system. Each of these are described in the following sections.

#### Reported Crime

Crime and disorder risks within the Metro System include the incidents of crime, general disturbances of the peace, and public safety. These risks are similar to those faced by most communities, albeit in a more specific arena. Crime and disorder risks are measured primarily by the number and severity of crime that occurs within an area.

#### **Finding 1: Obtaining complete and accurate reporting of crime that occurs on the Metro System continues to be challenging.**

Some crimes that occur on the Metro System are not reported to Metro and therefore cannot be tracked or used to determine trends in crime on the Metro System. This is partially due to the fact that the Metro System operates within multiple jurisdictions with their own law enforcement agencies.

Many calls for service on the Metro System are received directly by local law enforcement agencies. This is due to patrons on the Metro System dialing 911 on their mobile phones to report an incident and to request law enforcement services. These calls would, in most cases, go to the public safety call taking and dispatch center of the local law enforcement agency. Once the call is received, the incident or call would be responded to and handled by the local law enforcement agency. The call would be given a priority and would be responded to and handled as deemed appropriate by the local law enforcement agency given the relative priority of other calls the agency is handling.

These law enforcement agencies respond to and handle an unknown number of crimes that occur within the Metro System. This is the case in the areas of the Metro System that are serviced by the LASD, much of which is within the jurisdiction and service area of municipal law enforcement agencies. In many cases, the LASD is not informed of



these crimes and so has no way to track or report them. In other cases, the LASD may receive a copy of the crime report, but these crimes are not added to the crimes reported to Metro as having occurred within the system because they are not responded to and handled by the LASD.

In the LAPD service area of the Metro System, LAPD neighborhood patrol units respond to and handle many crimes that occur within the Metro System. An unknown number of these crimes are not reported to the LAPD Transit Policing Division and so are not tracked and reported to Metro. The LAPD has developed an approach and system to identify these crimes and include them in the tracking and reporting of crime that occurs within the LAPD service area of the Metro System. However, this system is still fairly new and not all LAPD neighborhood police units are aware of the need to report these crimes to the LAPD Transit Policing Division.

**Recommendation 1: The Metro SSLE Department should continue to work with contract and other law enforcement agencies to improve the complete and accurate reporting of crime that occurs on the Metro System.**

### **Reported Part I Crime**

The Federal Bureau of Investigation (FBI) Uniform Crime Reporting system defines serious crime (Part I) as homicides, rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson. The Uniform Crime Reports (UCR) are official data on crime in the United States, published by the FBI. UCR is a nationwide, cooperative statistical effort of law enforcement agencies voluntarily reporting data on crimes. Crime statistics are compiled from UCR data and published annually by the FBI in the Crime in the United States report series.

### **Reported Violent Crime**

Part I violent crime<sup>1</sup> includes homicide, rape, aggravated assault, and robbery. Total reported Violent Crime on the Metro System decreased by 18% between FY 2015 and FY 2018, with most of this decrease (14%) occurring between FY 2017 and FY 2018.

As shown in Exhibit 1, Part I Violent Crimes reported to Metro during the four-year period (FY 2015 to FY 2018) declined by 18% during the period. The most significant decline

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<sup>1</sup> In the FBI's UCR Program, violent crime is composed of four offenses: murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault. Violent crimes are defined in the UCR Program as those offenses which involve force or threat of force.



occurred between FY 2017 and FY 2018 with a 14% decline. Some of this decline may be due to a 12% decline in ridership over the four-year period. As the exhibit shows, reported violent crime per million riders declined 14% between FY 2017 and FY 2018, but only declined 7% over the entire four-year period.

Exhibit 1								
Reported Part 1 Violent Crime on the Metro System FY 2015 to FY 2018								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Homicide	1	3	200%	3	0%	1	-67%	0%
Rape	3	11	267%	5	-55%	16	220%	433%
Robbery	375	404	8%	404	0%	393	-3%	5%
Aggravated Assault	370	322	-13%	308	-4%	219	-29%	-41%
Aggravated Assault on an Operator	30	18	-40%	20	11%	6	-70%	-80%
Totals	779	758	-3%	740	-2%	635	-14%	-18%
Ridership (Millions)	445.3	428.9	-4%	390.0	-9%	390.9	0%	-12%
Per 1 Million Riders	1.75	1.77	1%	1.90	7%	1.62	-15%	-7%
Per Day	2.13	2.08	-2%	2.03	-2%	1.74	-14%	-18%

Source: Analysis of crime reported by LASD for FYs 2015 to 2017, and reported by LAPD, LASD, and LBPD for FY 2018

### Reported Property Crime

Property crime on the Metro system is also an important consideration. Part I Property Crimes<sup>2</sup> include burglaries, thefts, motor vehicle thefts, and arsons. Total reported Property Crime per day on the Metro System decreased 15% between FY 2015 and FY 2018, with a decrease of 16% occurring between FY 2015 and FY 2017, and an increase of 1% occurring between FY 2017 and FY 2018.

As shown in Exhibit 2 Part I Property Crimes reported to Metro during the four-year period compared (FY 2015 to FY 2018) declined by 15% during the period. The most significant decline occurred between FY 2015 and FY 2017 with a 16% decline. Some of this decline may be due to a 12% decline in ridership over the four-year period. As the exhibit shows,

<sup>2</sup> In the FBI's UCR Program, property crime includes the offenses of burglary, larceny-theft, motor vehicle theft, and arson. These theft-type offenses involve the taking of money or property, without force or threat of force against the victims. The property crime category includes arson because the offense involves the destruction of property.





reported property crime per million riders declined 3% over the four-year period. Reported Property Crime essentially stayed the same between FY 2017 and FY 2018.

Exhibit 2								
Reported Part 1 Property Crime on the Metro System FY 2015 to FY 2018								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Burglary	16	12	-25%	18	50%	11	-39%	-31%
Larceny-Theft	1027	921	-10%	882	-4%	927	5%	-10%
Grand Theft Auto	138	128	-7%	101	-21%	71	-30%	-49%
Arson	3	8	167%	4	-50%	2	-50%	-33%
Totals	1,184	1,069	-10%	1,005	-6%	1,011	1%	-15%
Ridership (Millions)	445.3	428.9	-4%	390.0	-9%	390.9	0%	-12%
Per 1 Million Riders	2.66	2.49	-6%	2.58	4%	2.59	0%	-3%
Per Day	3.24	2.93	-10%	2.75	-6%	2.77	1%	-15%

Source: Analysis of crime reported by LASD for FYs 2015 to 2017, and reported by LAPD, LASD, and LBPD for FY 2018

### Reported Other Crime

Other significant crime (Part II<sup>3</sup>) reported also provides useful information on the safety and security of the Metro System. Total reported Other Crime (Part II) per day on the Metro System decreased 15% between FY 2015 and FY 2018, with a decrease of 16% occurring between FY 2015 and FY 2017, and an increase of 1% occurring between FY 2017 and FY 2018.

As shown in Exhibit 3 on the following page, Other Crime (Part II) reported to Metro during the four-year period compared (FY 2015 to FY 2018) declined by 17% during the period. The most significant decline occurred between FY 2016 and FY 2017 with an 11% decline. Some of this decline may be due to a 12% decline in ridership over the four-year period. As the exhibit shows, reported other crime per million riders declined 3% over the four-year period. Reported other crime declined 8% between FY 2017 and FY 2018.

<sup>3</sup>In the FBI's Uniform Crime Reporting (UCR) Program Part II, the following categories are tracked: simple assault, curfew offenses and loitering, embezzlement, forgery and counterfeiting, disorderly conduct, driving under the influence, drug offenses, fraud, gambling, liquor offenses, offenses against the family, prostitution, public drunkenness, runaways, sex offenses, stolen property, vandalism, vagrancy, and weapons offenses.



Exhibit 3								
Reported Other Crime (Part II) on the Metro System								
FY 2015 to FY 2018								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Battery	450	512	14%	501	-2%	766	53%	70%
Battery on Op	63	114	81%	84	-26%	74	-12%	17%
Sex Offenses	88	120	36%	123	3%	151	23%	72%
Weapons	99	74	-25%	83	12%	50	-40%	-49%
Narcotics	502	292	-42%	341	17%	138	-60%	-73%
Trespassing	160	197	23%	83	-58%	59	-29%	-63%
Vandalism	321	375	17%	291	-22%	154	-47%	-52%
Totals	1,683	1,684	0%	1,506	-11%	1,392	-8%	-17%
Ridership (Millions)	445.3	428.9	-4%	390.0	-9%	390.9	0%	-12%
Per 1 Million Riders	3.78	3.93	4%	3.86	-2%	3.56	-8%	-6%
Per Day	4.61	4.61	0%	4.13	-10%	3.81	-8%	-17%

Source: Analysis of crime reported by LASD for FYs 2015 to 2017, and reported by LAPD, LASD, and LBPD for FY 2018

Trends in reported crime over the four-year period for each rail line, bus operations, and for Union Station are provided in Appendix A of this report.

### Trends in Rider Perceptions of Safety

Perception of crime and disorder on the Metro System, and any mass transit system for that matter, creates a risk to the confidence in safety held by passengers and Metro employees and poses a risk to the reputation of Metro as a safe and secure system. Passengers who perceive the system to be unsafe will not use the service and therefore reduce the number of people using transit and Metro’s ridership.

Based on Metro’s On-Board Customer Satisfaction Surveys conducted during FYs 2015 to 2019 the percentage of riders responding they feel safe either waiting for a train or riding a train declined between FY 2015 and FY 2019. In FY 2015, 84% of riders responded they felt safe waiting for a train, compared to 79% for FY 2019. Similarly, in FY 2015 83% of riders responded they feel safe riding a train, compared to 77% for FY 2019, as shown in Exhibit 4 on the following page.



Exhibit 4									
Metro Rider Perceptions of Safety of Train and Bus System									
2015	2016	Change	2017	Change	2018	Change	2019	Change	Total Change
Percentage Responding Feel Safe Waiting for a Train									
84%	82%	-2.4%	80%	-2.4%	82%	2.5%	79.0%	-3.7%	-6.0%
Percentage Responding Feel Safe Riding a Train									
83%	81%	-2.4%	79%	-2.5%	79%	0.0%	77.0%	-2.5%	-7.2%
Percentage Responding Feel Safe Waiting for a Bus									
85%	88%	3.5%	86%	-2.3%	87%	1.2%	87.0%	0.0%	2.4%
Percentage Responding Feel Safe Riding a Bus									
89%	91%	2.2%	90%	-1.1%	90%	0.0%	91.0%	1.1%	2.2%
Source: Metro On-Board Customer Satisfaction Surveys Conducted during FYs 2015 to 2019									

As this exhibit shows, the percentage of riders responding they feel safe either waiting for a bus or riding a bus increased between FY 2015 and FY 2019. In FY 2015, 85% of riders responded they felt safe waiting for a bus, compared to 87% for FY 2019. Similarly, in FY 2015 89% of riders responded they feel safe riding a bus, compared to 91% for FY 2019.

These changes in perceptions of safety are small and within the margin of error for the survey. However, it is important to continue to monitor rider perceptions of safety on the Metro System and to develop strategies to address concerns and improve that perception.

### Trends in Complaints Regarding Safety and Security

Another important indicator of the public or riders' perception of the safety of the Metro System is the number of complaints received regarding safety and security. Metro Customer Relations tracks complaints received by category using the C-CATS complaint tracking system.

During the period from FY's 2015 to 2018 rider complaints regarding passenger safety or conduct issues were not among the top ten complaints on the bus system. However, on the rail system, rider complaints regarding passenger safety or conduct issues were the second most common complaint of the top ten complaints for FY's 2015 to 2017. For FY 2018, complaints regarding passenger safety or conduct issues dropped to number five of the top ten.

As Exhibit 5 on the following page shows, complaints regarding passenger safety or conduct issues increased from 296 in FY 2015 to 381 in FY 2016 and to 458 in FY 2017. These complaints declined by over half for FY 2018.



<b>Exhibit 5 Number of Metro Rider Complaints Regarding Passenger Safety or Conduct Issues</b>							
<b>2015</b>	<b>2016</b>	<b>Change</b>	<b>2017</b>	<b>Change</b>	<b>2018</b>	<b>Change</b>	<b>Total Change</b>
296	381	28.7%	458	20.2%	223	-51.3	-24.7%

The Metro SSLE Department should continue to monitor rider survey results regarding perceptions of the safety of riders on the Metro System and complaints regarding safety and passenger conduct issues, and develop strategies to address significant rider concerns, improve perceptions, and reduce complaints.



## B. Resource Monitoring and Oversight

Metro's SSLE Department is charged with ongoing oversight of the contracted law enforcement services as well as the operations of Metro Security. We reviewed and evaluated the oversight and supervision provided by SSLE to ensure compliance with contract requirements.

### Audits of Contracted Law Enforcement Personnel Presence

Metro has and will continue to have a substantial investment in resources devoted to system safety and security. Ensuring that these resources are effectively and efficiently used is very important.

Oversight and monitoring of contracted law enforcement resources has been problematic. Metro has had some difficulty in ensuring that law enforcement personnel assigned to Metro are actually present and performing as assigned. Historically, Metro has not had an effective means of verifying the accuracy of this reporting, or of verifying that personnel charging time on the Metro contract are actually present and providing the contracted services.

Beginning with FY 2018, the SSLE Department implemented regular "audits" of law enforcement personnel. These paper audits involve comparing the amounts billed by each law enforcement agency on the invoice to information on personnel charging time to the contract and the roster or schedule of personnel working (in-service). This comparison is completed for specific days each month. These regular paper audits are a positive step and provide increased oversight and monitoring of law enforcement staffing. However, these audits only monitor consistency between personnel time reporting and the invoice. They do not ensure that personnel charging time are actually present and working as assigned.

### **Observation: Field audits of contracted law enforcement personnel presence strengthens contract oversight and monitoring.**

In September 2017, Metro's SSLE Department contract compliance staff began conducting "field audits" of law enforcement personnel to verify personnel assigned to work under each contract are actually present. These audits involve taking the roster of law enforcement personnel assigned to work and verifying that those personnel are actually in the field and providing the contracted service. These "spot" checks are a move in the right direction and provide some assurance that law enforcement services are being provided as contracted. This approach is different from the approach recommended in the FY 2017 performance review to use radio and camera systems throughout the Metro



System several days each month to conduct audits of personnel assigned. However, the field audit approach should be at least as effective.

The Metro SSLE Department should continue to conduct field audits of contracted law enforcement personnel to provide assurance that the law enforcement services contracted for are actually being provided.

## **GPS Based Contracted Law Enforcement Oversight and Monitoring**

The Metro SSLE Department has been working to develop and implement an effective method of tracking and monitoring the activities of safety and security resources deployed on the Metro System using the GPS function on smartphones used by Metro safety and security personnel. There is much potential for this function to provide a reliable and verifiable mechanism for Metro to ensure that contracted law enforcement resources are being used effectively and as planned.

The Mobile Phone Validators (MPV) provided to contracted law enforcement officers are now GPS enabled and are able to provide information on the location and movement of the MPV and law enforcement resources. This information is being used by two of the contracted law enforcement agencies (LAPD and LBPD) to monitor the deployment of their resources under the contract and have reportedly found this function to be helpful. The other law enforcement agency (LASD) has not fully used this function due to concerns raised by the LASD's labor union.

**Finding 2: The Mobile Phone Validator GPS function and information generated is not being used by Metro to monitor or provide oversight of contracted law enforcement resources.**

Metro has not yet begun using the GPS function and information generated to track or monitor the activities of contracted law enforcement resources. This is partially due to concerns about live tracking of police personnel outside of each police agency and partially due to concerns raised by the LASD's labor union.

These concerns could largely be mitigated by taking a more macro approach to monitoring and oversight. Rather than tracking each individual MPV and officer, the system and data could be used to generate overall information such as how much time was spent at different locations or parts of the Metro System. For example, the function and data could be used to generate reports on the amount of time spent riding each rail line, patrolling each station, or riding on buses. The data collected could be anonymous and not provide information on individual MPV or officers, which should largely alleviate concerns raised.



**Recommendation 2: The Metro SSLE Department should continue to work to develop a more macro approach to oversight and monitoring of contracted law enforcement resources using the GPS function of the Mobile Phone Validators (MPV) assigned to contracted law enforcement personnel and the data generated from them.**

### **Oversight of Other Law Enforcement Contract Requirements**

Providing 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. However, it is also important that monitoring and oversight be performed to ensure other contract requirements are also being complied with. These contract requirements include those 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.

**Observation: Monitoring and oversight of compliance with law enforcement contract requirements could be strengthened.**

In our review of compliance with the contract terms, we found some instances of non-compliance with the terms in the above areas (See Section E: Compliance with Contract Requirements of this report for our discussion and recommendations). Increased monitoring and oversight of these requirements seems warranted given the size of the contract and the importance of the services being provided.

**Observation: Billing discrepancies with contract terms were identified for the two months reviewed as part of this audit.**

In our review of compliance with contract terms (See Section E of this report – Compliance with Contract Requirements for our discussion and recommendations) we also found some instances where contract billings and payments were not in compliance with the contract terms, resulting in potential overbillings and overpayments. Billings and payments for all twelve months of FY 2018 should also be reviewed since this audit focused on only two months. Metro should also consider amending the billing terms of the contracts if needed.

### **SSLE Department Changes**

The following key organizational changes were reported by the SSLE Department during FY 2018.



- A new Director of Compliance was appointed in 2018. This change has greatly improved overall contract compliance and performance management.
- A new Deputy Executive Officer (DEO) joined the team in 2019. The DEO will oversee the design and construction of Metro's new Emergency Services Operations Center (ESOC). The ESOC will serve as SSLE's central command center, integrating law enforcement, transit security, and physical security operations.
- A new Executive Officer (EO) joined the team in 2019. The EO will serve as the Deputy Chief of the SSLE and will directly oversee transit security and emergency management operations.
- LA Metro's Emergency Management Department joined the SSLE in 2019. This will ensure seamless communications/planning between law enforcement, transit security, and operations.





### C. Key Performance Indicators (KPIs)

It is essential that Metro clearly define performance expectations for each of the contract law enforcement agencies and use meaningful performance indicators to evaluate how well these expectations are being met. The following exhibit shows the KPI included in each of the three law enforcement contracts.

Exhibit 6					
Key Performance indicators in Law Enforcement Services Contracts					
	KPI Title	Definition	LAPD	LASD	LYPD
1	The number of foot and vehicle patrols of bus stops, transit centers, train platforms, plazas, stations	The total number of patrol minutes per officer spent on the following: <ul style="list-style-type: none"> <li>Riding the train/buses</li> <li>Foot patrols of bus stops/transit centers/train platforms/plazas/stations</li> <li>Vehicle patrols of bus stops, transit centers, train platforms, plazas, stations</li> </ul>	X	X	Train Only
2	Ratio of staffing levels and vacant assignments	The number of officers required to work per contract compared to the number of officers present	X	X	X
3	Ratio of proactive versus dispatched activity	The percentage of time law enforcement personnel spend proactively patrolling the system compared to responding to calls for service	X	X	X
4	Number of bus and train boardings	The number of times contracted law enforcement personnel board buses or trains	X	X	Train Only
5	Incident response times	The time from when the call is received by the police department (dispatch center) to the time when a law enforcement officer actually makes contact at the scene	X	X	X
6	Decreases/Increases in crime	Part 1 & Part 2 crimes per million passenger boardings	X	X	X
7	Number of grade crossing operations	Each agency conducts 1 grade crossing operation per month (minimum 4-hour operation). The focus is on pedestrian safety and vehicle compliance with gates	X	X	X
8	Number of fare enforcement operations	The number of contracted law enforcement agencies operations focused specifically on fare enforcement.	NA	NA	X



To review key performance indicators, we:

- Obtained, summarized, and analyzed the monthly reports on KPIs for FY 2018.
- Determined whether Metro and the three law enforcement agencies jointly developed baseline performance metrics for each KPI in the contract.
- If the baseline performance metrics were developed, compared the baseline performance metrics for each KPI to actual performance for each agency. Discussed with Metro management the reason(s) for any KPIs where actual performance was above the metrics (30% or more), and determined appropriate corrective actions.
- If baseline performance metrics were not developed, determined the reason and timeframe for developing these metrics.

### **Reporting of Crime and Incident Response Time Indicators**

Two of the KPI included in each of the law enforcement contracts were intended to provide information on the outcomes of the law enforcement service provided. These are:

- Decreases/Increases in crime
- Incident response times

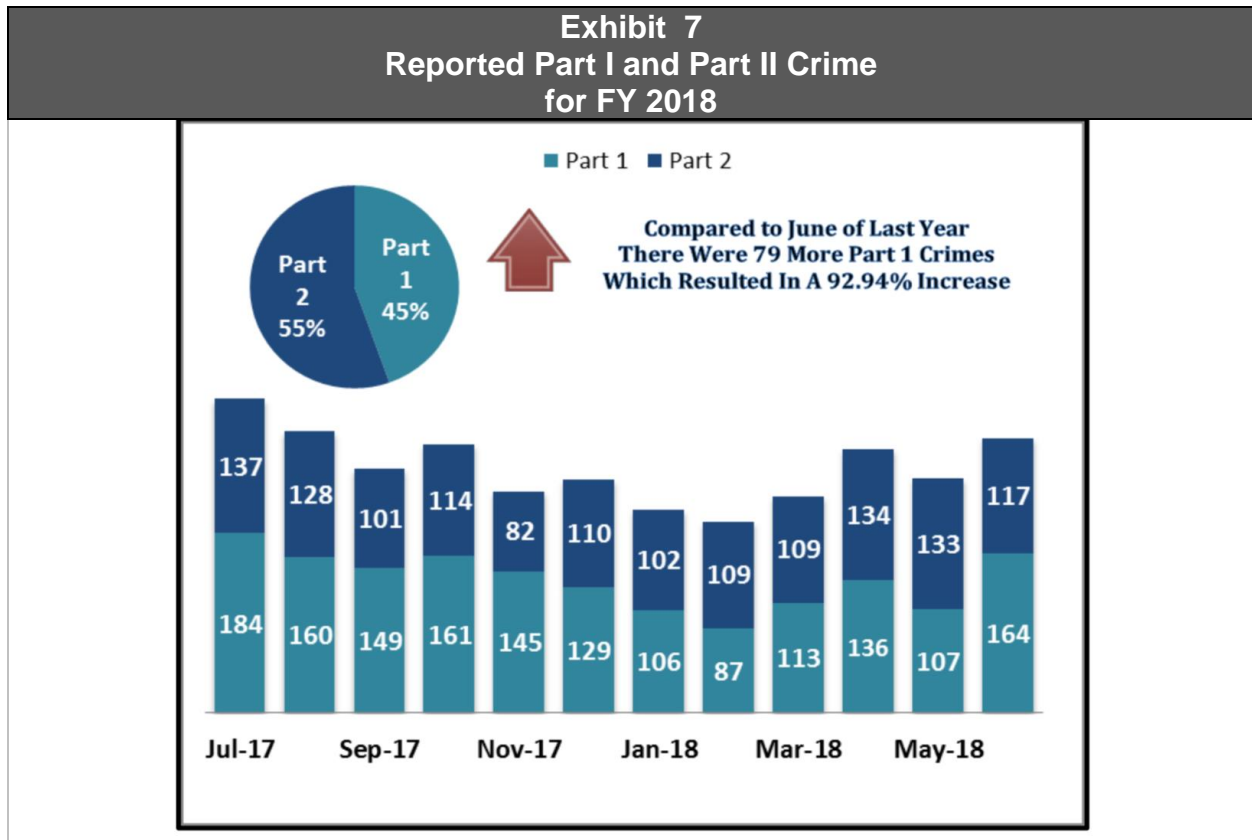
The level of crime on the Metro System is clearly the most important indicator of the effectiveness of Metro's SSLE Department and each of the contract law enforcement agencies. Continuing to track and report the level of crime on the system is essential.

#### **Finding 3: Current aggregate reporting of all reported Part I and Part II crime on the Metro System does not adequately reflect the amount of reported violent crime.**

In crime reporting, the emphasis should be on violent crime, which is obviously the most impactful to the Metro System and has the greatest impact on Metro's riders. Reporting all crime in the aggregate is much less meaningful because the number of violent crimes such as homicide, robbery, and rape is given the same weight as lesser crimes such as larceny, petty theft, and vandalism.

As discussed in Section A of this report, complete and accurate reporting of crime on the Metro System continues to be a challenge.

The following Exhibit 7 shows how crime on the Metro System is reported.



**Recommendation 3: The Metro SSLE Department should consider providing more detailed information on reported crime to distinguish between violent crime and property and petty crime.**

A primary workload for law enforcement is responding to and handling incidents that occur on the Metro System or calls for service. Responding to these calls and effectively handling the incidents that generate these calls is a high priority for ensuring system safety and security. Calls for service that require a physical response are categorized and dispatched by each of the law enforcement agencies using priority categories. The following are representative of categories used:

- **Emergency Calls:** 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:** 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.

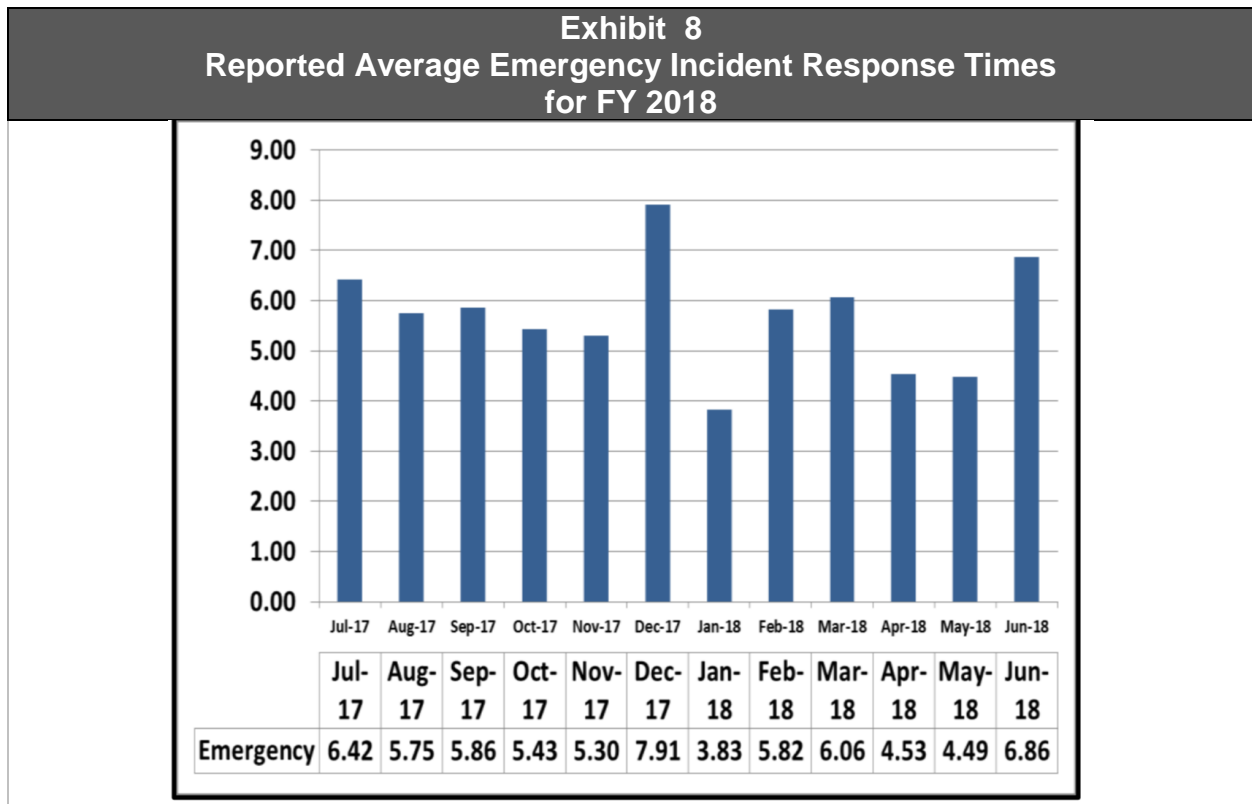


- Routine Calls:** Include calls where there is no substantial threat to life or property, but a response is needed. These include taking reports on crimes where a significant amount of time has elapsed since the occurrence of the crime as well as quality of life issues that need to be addressed.

**Finding 4: Metro’s SSLE Department currently only collects and reports response time information for emergency calls for service.**

While emergency calls for service are obviously the most important calls, tracking and reporting response time on less urgent incidents and calls for service is also important. Often these lower priority calls for service involve quality of life issues and concerns as well as victims of property crimes. A slow response to these incidents can have a negative impact on the perception of the riding public that the system is safe and well protected. In addition, not requiring contract law enforcement agencies to track and report these response times communicates to them and their officers that these calls are not important.

Exhibit 8 below shows that the monthly average emergency incident response times for FY 2018 ranged from 3.83 minutes to 7.91 minutes.





**Recommendation 4: The Metro SSLE Department should collect and report response time information for all three categories of calls for service.**

### **Visibility of Law Enforcement Security Personnel Indicators**

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 the riding public. Visible presence in areas frequently used by passengers include areas near fare gates, boarding areas of buses and trains, station entrances, and public parking areas.

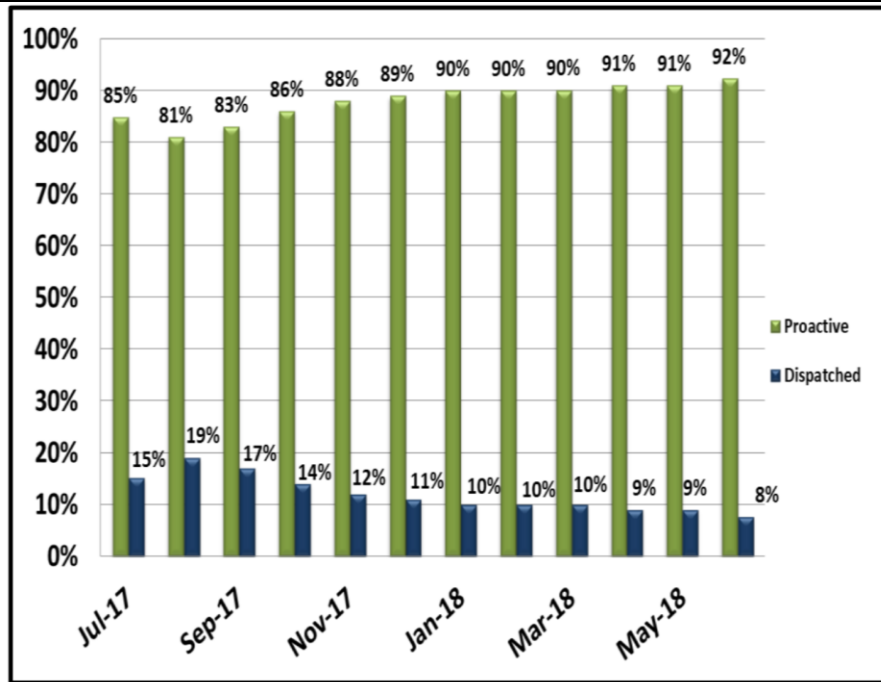
Three of the KPI included in each of the law enforcement contracts were intended to provide information on the visibility of law enforcement security personnel on the system. These are:

- The ratio of proactive versus dispatched activity
- The number of foot and vehicle patrols of bus stops, transit centers, train platforms, plazas, stations
- The number of bus and train boardings

Contract law enforcement agencies were able to only report 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, doing problem solving, and other proactive activities including community policing. Exhibit 9 on the following page shows the distribution of time spent by contract law enforcement agencies. As this exhibit shows, the reported proactive law enforcement activity ranged from a low of 81% in August of 2017, to a high of 92% in June of 2018. This also shows a positive trend.



**Exhibit 9**  
**Contract Law Enforcement Proactive vs. Dispatched Activity**  
**for FY 2018**



**Finding 5: Contract law enforcement agencies were not able to report on two of the Key Performance Indicators outlined in each of the contracts:**

- **The number of foot and vehicle patrols of bus stops, transit centers, train platforms, plazas, stations**
- **Number of bus and train boardings**

While these are important indicators and would provide useful information on the level of activity and visibility of contracted law enforcement personnel, it was not practical for the agencies to reliably collect meaningful information for these indicators. This is partly due to the lack of definition for patrols or boardings and partly due to the fact that reliably tracking this information would be difficult even with clear definitions.

In addition, what is important is the amount or percentage of contracted law enforcement time that is actually spent on trains and buses, platforms, and stops. The count of the number of times law enforcement personnel step on or off a train or bus or other locations is not that useful. As discussed in Section B of this report, using the GPS function and data generated could provide reliable and meaningful information on the amount of time contracted law enforcement officers spend on each of these activities.



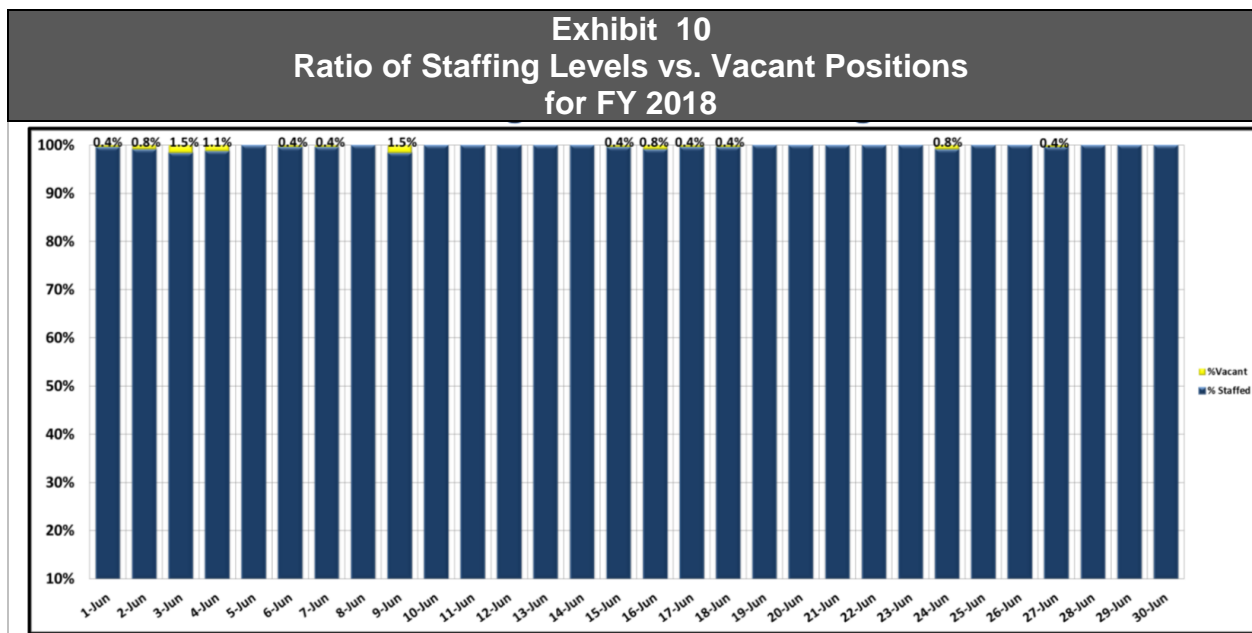
**Recommendation 5: The Metro SSLE Department should use the GPS function and data generated to provide reliable and meaningful information on the amount of time contracted law enforcement officers spend on various parts of the Metro System.**

### Law Enforcement Personnel Presence Indicator

One of the KPI included in each of the law enforcement contracts was intended to provide information on the presence of the contracted law enforcement personnel. This is the ratio of staffing levels and vacant assignments.

This performance indicator is largely the result of past experience where a significant number of the law enforcement assignments that were to be staffed by contracted law enforcement were vacant or were not staffed. This indicator is important in both communicating to the contract law enforcement agencies the need to actually staff contracted assignments and to report how effectively these positions are actually being staffed.

As shown in Exhibit 10 staffing levels have been at 98.5% or higher for FY 2018.



### Law Enforcement Personnel Activity Indicators

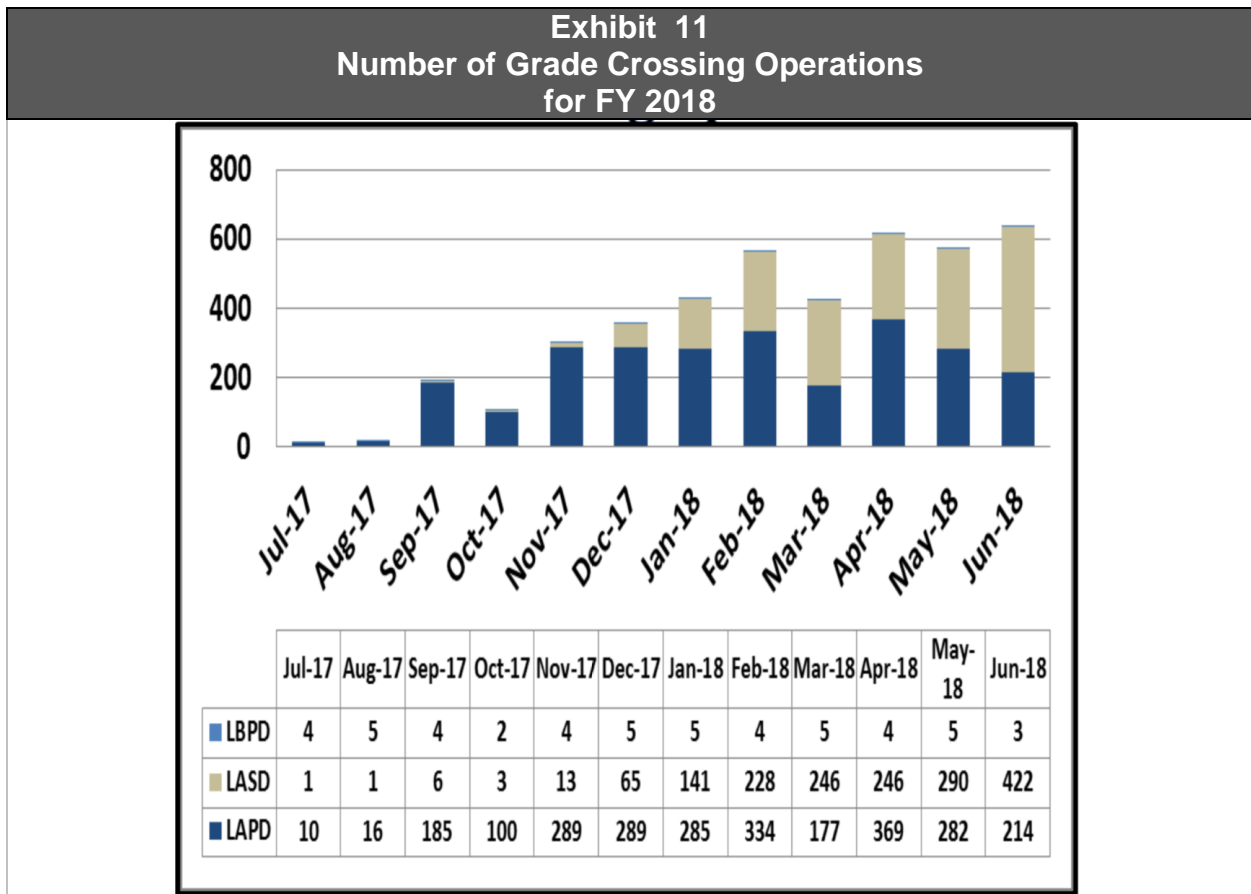
Two of the KPI included in law enforcement contracts were intended to provide information on the level of specific activities of the contracted law enforcement personnel. These are:



- Number of grade crossing operations
- Number of fare enforcement operations (Only LBPD)

A grade crossing is where a rail line and road or pedestrian walkway come together. Each contracted law enforcement agency is required to conduct grade crossing operations to enforce grade crossing rules and improve pedestrian safety. Each of these operations are to be for four hours. Exhibit 11 on the following page shows the number of grade crossing operations for each month by law enforcement agency. As this exhibit shows, reported grade crossing operations increased from 15 in July of 2017 to 639 in June of 2018.

The number of fare enforcement operations is a KPI reporting requirement for only the Long Beach Police Department. Information on the number of these operations is not included in the monthly KPI reports.







## Baseline Expectations and Potential Performance Indicators

Performance measurement and reporting demonstrates the success or effectiveness of organizational or program activities in addressing a specific need or attaining a specific goal. A meaningful performance measurement framework includes a balanced set of indicators, ensures the collection of sound and reliable indicator data, provides for the analysis and reporting of indicator information and drives service improvement efforts and the testing of new initiatives.

In addition, it is important to establish baseline expectations or targets for each performance indicator. This not only clearly communicates performance expectations; it also can help drive improvements in performance through development and implementation of new strategies.

### Finding 6: Baseline performance levels for each Key Performance Indicator have not been developed.

To establish clear expectations, Metro’s SSLE Department should work with contract law enforcement agencies to establish baseline or target performance levels for each KPI currently in use. They should also work together to determine if additional KPI’s would be appropriate and meaningful. The following Exhibit 12 provides a list of potential performance indicators as a starting point for discussions between Metro’s SSLE Department and contract law enforcement agencies on performance tracking and reporting.

Exhibit 12 Potential Performance Indicators		
Indicator	Data Source	Comments
<b>Metro Patrons / Riders Perceptions of Safety and LASD Service</b>		
Percentage of Metro Patrons / Riders who feel safe on the system: During the Daytime During the Nighttime	Annual or Bi-annual safety and security survey of Metro Patrons / Riders.	Community surveys have become very common among law enforcement agencies to gauge the level of fear of crime, as well as the level of satisfaction with law enforcement services provided.
Percent of Metro Patrons / Riders who feel likely / unlikely to be crime victims on the Metro system.		
Percent Favorable Impression of Transit Policing Services		
Service Rating - Follow-up		
Service Rating - Problem Solving		
Service Rating - Response Time		



Exhibit 12 Potential Performance Indicators		
Indicator	Data Source	Comments
Service Rating - Service Quality		
Service Rating - Fairness		
Service Rating - Helpfulness		
Crime on the Metro System		
Part I Violent Crime (Homicide, Rape, Aggravated Assault, Robbery)	Crime as reported to the FBI Uniform Crime Reporting System, including both crimes responded to and handled by the contract law enforcement agencies and by other municipal law enforcement agencies.	Crime should be tracked and reported by line, with trends tracked over time to identify areas of concern or requiring additional focus.
Part I Violent Crimes per Million Riders	Total Part I Violent Crimes divided by the average number of daily passengers on the line, multiplied by a million.	This indicator will allow comparison as the transit system and ridership continues to expand. This ratio should also be tracked and reported by line over time to identify areas of concern or requiring additional focus.
Part I Property Crime (Burglary, Theft, Grand Theft Auto, and Arson)	Crime as reported to the FBI Uniform Crime Reporting System, including both crimes responded to and handled by the contract law enforcement agencies and by other municipal law enforcement agencies.	Crime should be tracked and reported by line, with trends tracked over time to identify areas of concern or requiring additional focus.
Part I Property Crimes per Million Riders	Total Part I Property Crimes divided by the average number of daily passengers on the line, multiplied by a million.	This indicator will allow comparison as the transit system and ridership continues to expand. This ratio should also be tracked and reported by line over time to identify areas of concern or requiring additional focus.
Part II Crime	Crime as reported to the FBI Uniform Crime Reporting System, including both crimes responded to and handled by the contract law enforcement agencies and by other municipal law enforcement agencies.	Crime should be tracked and reported by line, with trends tracked over time to identify areas of concern or requiring additional focus.
Emergency Call Taking, Dispatch and Response		



Exhibit 12 Potential Performance Indicators		
Indicator	Data Source	Comments
Time to Answer 911 Calls (Seconds)	Call center and Computer Aided Dispatch system software.	Each of these are standard performance indicators that should be tracked using basic call center and Computer Aided Dispatch Software.
Percent Calls Dropped		
Call Processing Time (Minutes)		
Emergency Dispatch Time (Minutes)		
Priority Dispatch Time (Minutes)		
Routine Dispatch Time (Minutes)		
Emergency Patrol Response Time (Minutes)		
Priority Patrol Response Time (Minutes)		
Routine Patrol Response Time (Minutes)		
Criminal Investigations		
Violent Crime Clearance Rate	FBI Uniform Crime Reporting	This provides an indication of how effective criminal investigators are at solving crime on the Metro system.
Violent Crimes per Investigator	Number of violent crimes reported divided by the number of investigators assigned to investigate them.	This provides an indication of the level of investigative workload for TSB investigators.
Property Crime Clearance Rate	FBI Uniform Crime Reporting	This provides an indication of how effective criminal investigators are at solving crime on the Metro system.
Property Crimes per Investigator	Number of property crimes reported divided by the number of investigators assigned to investigate them.	This provides an indication of the level of investigative workload for TSB investigators.
Metro Patron / Riders Commendations and Complaints, and Internal Affairs Investigations		
Number of Commendations	Contract law enforcement agency Service Commendation and Complaint Tracking System	Provides an indication of the number of times Metro patrons or riders are pleased with the actions of the contract law enforcement personnel.
Commendations per 100 Contracted Law Enforcement Personnel		Provides for a comparison of performance over time with changes in staffing levels.



Exhibit 12 Potential Performance Indicators		
Indicator	Data Source	Comments
Number of Complaints Against Sworn Officers		Provides an indication of the number of times Metro patrons or riders complain about the actions of contract law enforcement personnel.
Complaints per 100 Sworn Officers		Provides for a comparison of performance over time with changes in staffing levels.
Number of Complaints against Metro Security Officers		Provides an indication of the number of times Metro patrons or riders complain about the actions of Metro Security personnel.
Complaints per 100 Metro Security Officers		Provides for a comparison of performance over time with changes in staffing levels.
Number of Internal Affairs Cases	Internal Affairs	Provides an indication of the number of serious allegations against contract law enforcement and Metro Security personnel.
Internal Affairs Cases per 100 Assigned Personnel		Provides for a comparison of performance over time with changes in staffing levels.

**Recommendation 6: The Metro SSLE Department should work with the contract law enforcement agencies to review, revise, and adopt KPI's including baseline or target levels of performance for each KPI.**



## **D. Community Policing**

According to the U.S. Department of Justice's Office of Community Oriented Policing Services (COPS), community policing is an approach defined by combining the development of partnerships (i.e., the building of relationships) among affected stakeholders and with problem solving. Concerted engagement in these activities ultimately results in transformations within law enforcement organizations and communities as their efforts break down cultural barriers.

Community policing within a transit system should place an emphasis on quality of life issues. The customers of the Metro System must feel safe and secure. The presence of security, in whatever form, must have a "felt presence;" and must be visible and engaged without becoming oppressive and threatening.

Quality of life issues such as fare evasion, graffiti, and panhandling are problems within the system. Program personnel should employ a zero-tolerance approach for minor issues in order to ensure that an environment enabling the commission of major crimes does not emerge.

Each of the law enforcement services contracts contains requirements related to community policing. The specific requirements are:

- The Contractor shall update annually the Metro approved Community Policing Plan. Building and sustaining community partnerships is central to Metro's goal of reducing vulnerability to crime. This will require periodic attendance at community meetings and other events designed to foster Metro's relationship with the community. Contractor's staff shall be provided specific training in Problem Oriented Policing in order to assist Metro in addressing longstanding challenges related to crime, blight, and disorder. The cost of such training and/or exercises are eligible for reimbursement by Metro under this Contract.
- As part of the Community Policing Plan, it is important for the Contractor to incorporate feedback from rail managers into the overall policing strategy. Maintaining a continuous dialogue will foster an operational understanding of the unique challenges associated with policing in a transit environment. The primary goal of these collaborative efforts is to ensure that each of the Divisions are given appropriate coverage and foster the safety of the operators.

To determine the extent to which law enforcement resources servicing the Metro System are following community policing principles we:

- Requested the Metro approved Community Policing Plan for each Contractor to determine if each Contractor:



- Created or updated the Community Policing Plan?
- Provided staff with specific training in Problem Oriented Policing to assist Metro in addressing matters related to crime and disorder?
- Attended community meetings and other events designed to foster Metro's relationship with the community?
- Have a protocol in place to obtain feedback from bus and rail managers (feedback that will be used in the overall policing strategy)?
- Determined whether each Contractor and Transit Security is using reports of Law Enforcement Service Requests (LESR) as a tool to where crime, fare evasion and other problems occur.

## **Metro Community Policing Plan**

### **Finding 7: The Metro SSLE Department is in the process of developing a community policing plan for the Metro System.**

The Metro Community Policing plan will be a unified plan instead of having each of the three law enforcement agencies develop individual community policing plans. The Metro Community Policing plan is part of Metro's new Equity Platform, which aims to assure equity across all programs impacting transit service, planning, and policing.

The SSLE Department will be partnering with community-based organizations to develop the new Community Policing Plan. So far, SSLE has attended 3 planning sessions facilitated by the LA Metro's Planning Department and attended by multiple community organizations.

Metro's SSLE Department and the community will jointly develop a Community Policing Plan that accomplishes 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 expects to have a draft Metro Community Policing Plan completed by the Fall of 2019.



**Recommendation 7: The Metro SSLE Department should continue to develop the Metro Community Policing plan and ensure it includes:**

- **Specific training in Problem Oriented Policing for law enforcement personnel to assist Metro in addressing matters related to crime and disorder**
- **Attendance at community meetings and other events designed to foster Metro’s relationship with the community**
- **Protocols to obtain feedback from bus and rail managers that will be used in the overall policing strategy**

**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: LESR system implemented in FY 2018 should provide good information on safety and security issues and concerns on the system going forward.**

During FY 2018, a total of 935 law enforcement service requests were generated by Metro employees. Review of the requests and responses indicate that law enforcement agencies are using the LESR to identify and resolve issues and concerns. The following Exhibit 13 shows some of the more frequent requests (fare evasion and threats to operators) made by Metro employees using the LESR system during FY 2018.

<b>Exhibit 13 Law Enforcement Service Request System Requests for FY 2018</b>	
<b>Problem Identified</b>	<b>Number Identified</b>
Fare Evasion	150
Threats to Operator	109
Passenger Disturbing the Peace	77
Drug Use or Sale on Bus or Train	65
Obstruction of Bus Zone	54
Drug Use or Sale on Bus or Train Terminal/Platform	42
Threats to Patrons	35
Transients at Bus Stop or Train Terminal	32
Alcohol Use at Bus Stop or Train Terminal	30



Exhibit 13 Law Enforcement Service Request System Requests for FY 2018	
Problem Identified	Number Identified
Chronic Homeless	28
Eating/Drinking on Bus or Train	25
Under the Influence in Public	23
Transients Refusing to Leave	23
Objects Thrown at Bus or Train	22
Playing Music on Bus or Train	21
Assault on Bus or Rail Operator	19
Smoking on Bus or Train	18
Assault on Patron(s)	15
Rowdy School Children	14
Gang Members	12
Alcohol Use on Bus or Train	11
Rowdy Behavior	10

**The Metro SSLE Department should continue to use the Law Enforcement Service Request System to provide information on safety and security issues and concerns on the Metro System.**

### **Transit Community Policing Training Curriculum**

Each of the contracts with the three law enforcement agencies required all contracted law enforcement personnel to attend a course on Transit Policing. This course was to outline Metro’s community policing approach for the Metro System. The curriculum will be developed by Metro prior to the training and cover the topics of:

- a) Overview of Metro’s Organization Chart, Bus and Rail Operations
- b) Mitigating Terrorism in the Transit Environment
- c) Impact of Crime and Disorder on Transit Ridership
- d) Transit Watch App
- e) Metro’s Customer Service Expectations
- f) Partnering with Metro’s Security Team
- g) Fare Collection and Fare Evasion
- h) Grade Crossing Enforcement
- i) Metro Customer Code of Conduct





**Observation: Metro’s Transit Community Policing Training curriculum covers the topics listed in the contracts.**

Metro provided a copy of the Transit Police Training Curriculum as of December 5, 2018. Based on this document, Metro’s training curriculum covers the topics listed in the contract.

Specific information on the compliance with the contract requirement that all contracted law enforcement personnel attend this training is provided under the Personnel and Training Requirements in Section E: Compliance with Specific Contract Requirements Section of this report.

**The Metro SSLE Department should continue to ensure Community Policing training is provided to contracted law enforcement personnel and update the curriculum to reflect the Metro Community Policing Plan when complete.**



## E. Compliance with Specific Contract Requirements

The contracts with the three law enforcement agencies each contain specific requirements related to personnel and training, billing, required reports, and other contract requirements.

### Overview of Law Enforcement Contract Requirements

Each of these requirements are outlined as follows.

#### Personnel and Training Requirements (Section 1.2)

Section 1.2 of each contract provides specific requirements for the personnel assigned to provide service to Metro, including the training and experience of these personnel. Each of the law enforcement services contracts provides specific requirements for the personnel assigned under the contract. The following Exhibit 14 shows the personnel and training contract requirements included in each of the three law enforcement contracts.

Exhibit 14 Personnel and Training Requirements in Law Enforcement Contracts				
	Contract Requirements	LAPD	LASD	LBPD
1	Each sworn law enforcement officer/supervisor assigned to Metro must hold an active (Basic, Intermediate, Advanced or Supervisory) California POST Peace Officer's Certificate.	X	X	X
2	Command level officers must hold an active Management or Executive POST Peace Officer's Certificate.	X	NA	X
3	All supervisors and managers must have completed department training equivalent to supervisory and/or advanced POST courses.	NA	X	NA
4	Only POST certified personnel are authorized to provide law enforcement services.	X	X	X
5	Personnel must have completed their probationary period.	X	NA	X
6	Personnel must have a minimum of eighteen months of law enforcement experience.	X	NA	X



Exhibit 14 Personnel and Training Requirements in Law Enforcement Contracts				
	Contract Requirements	LAPD	LASD	LBDP
7	Personnel must have no current duty restrictions.	X	NA	X
8	All Contractor personnel must attend a Metro safety training immediately following the issuance of a Notice to Proceed. After Notice to Proceed, any new personnel of the Contractor will be required to attend this Metro safety training.	X	X	X
9	Within the first six months of assignment, all law enforcement personnel must complete a four-hour training course in Transit Policing.	X	X	X

To determine compliance with these requirements by each of the contracted law enforcement agencies, we selected 30 sworn officers assigned to LA Metro by each of the three Contractors and determined whether law enforcement personnel met the following contract requirements:

- a. Each sworn law enforcement officer/supervisor assigned to Metro hold an active California POST (Peace Officer’s Certificate).
- b. Command level officers hold an active Management or Executive POST Peace Officer’s certificates (not required for LASD).
- c. Only POST certified personnel are providing law enforcement services.
- d. Personnel assigned to the contract:
  - Completed their probationary period (not required for LASD);
  - Have a minimum of 18 months of law enforcement experience (not required for LASD);
  - Have no current duty restrictions (not required for LASD).
- e. Personnel assigned to the contract attended the Metro’s safety training within the first 6 months, and completed other training required by the contract.

**Billing (Section 7.0)**

Each contract for law enforcement services includes specific requirements regarding billing for services provided including providing specific supporting documentation. The



following Exhibit 15 shows the billing contract requirements included in each of the three law enforcement contracts.

Exhibit 15 Billing Requirements in Law Enforcement Contracts				
	Contract Requirements	LAPD	LASD	LBPDP
1	The Contractor's monthly invoice shall be based upon and reflect the actual services provided.	X	NA	X
2	The billings must be accompanied by supporting documentation, to include, but shall not be limited to, daily summary of assignments and hours worked and payroll records.	X	NA	X
3	Contractor shall be paid based on actual units of service performed on a daily basis, in accordance with the agreed upon deployment plan/schedule multiplied by the actual fully burdened rate of each personnel deployed in accordance with the Exhibit B of the contract.	X	NA	X
4	Exhibit B: Contractor shall submit for approval of Metro, a list of maximum fully burdened hourly rates for each labor classification as follows: <ul style="list-style-type: none"> <li>• Sworn Field Personnel (Overtime)</li> <li>• Management/Field Supervisory and Administrative Personnel</li> </ul>	X	NA	X
5	The Contractor's monthly invoice shall be calculated as the monthly pro-rata portion of the annual firm fixed rate as specified in the applicable LASD's SH-AD 575 Deployment of Personnel Form. For each job position that did not meet the service levels promised on the Form 575, a credit shall be provided to Metro using the annual estimated cost per position per SH-AD575 divided by 12 months and number of day for the month, multiplied by number of days the position remained unfilled in whole or in part.	NA	X	NA

To determine compliance with these requirements by each of the contracted law enforcement agencies, we:



- Determined whether the total amount billed and paid during FY18 is consistent with the cost limits specified in the contract for FY18 for each contract.
- Reviewed Contractor billings for two months (April and May 2018) and determined whether:
  - Invoices are supported by documentation such as daily summary of assignments and hours worked and payroll records (not applicable for LASD).
  - Invoices were based on actual services provided.
  - Billing rates were consistent with contract terms.

**Required Reports (Section 2.1)**

Each of the law enforcement services contracts provides specific requirements for the reports to be provided under the contract. The following exhibit shows the contract report requirements included in each of the three law enforcement contracts.

Exhibit 16 Reporting Requirements in Law Enforcement Contracts				
	Required Reports	LAPD	LASD	LBPB
1	Weekly schedule for each watch or shift. Must include each employee's name, actual hours worked, assignment and rank.	X	X	X
2	Daily summary of work activity for each employee.	X	NA	NA
3	Watch Commander Summary of Major Events of the Day.	NA	NA	X
4	Monthly summary of crime activity, citations issued, arrests made.	X	X	X
5	Monthly summary of commendations and complaints.	X	X	X
6	The number of cases referred for follow-up investigation and the subsequent disposition.	X	X	NA



Exhibit 16 Reporting Requirements in Law Enforcement Contracts				
7	Monthly Report on the number of Part 1 crime cases referred for follow-up investigation and the subsequent disposition.	NA	NA	X
8	After-Action Reports following special operations, emphasis details and/or major incidents.	X	X	X
9	Annual Community Policing Plan.	X	X	X
10	Monthly summary of Problem-Oriented Policing projects.	X	X	X
11	Law Enforcement Sensitive Reports (distribution to Metro's CEO, DCEO, COO, Chief of Risk Safety and Asset Management and Chief of System Security and Law Enforcement).	X	X	NA
12	Executive Summary of Major Events/Incidents on the Metro System (distribution to Metro's CEO, DCEO, COO, Chief of Risk Safety and Asset Management, and Chief of System Security and Law Enforcement).	NA	NA	X

To determine compliance with these requirements by each of the contracted law enforcement agencies, we:

- Determined whether each Contractor provided Metro with the following required reports in a timely manner, with complete information, and in a format that allows Metro to determine the calculation of reported figures:
  - Weekly schedule for each watch or shift.
  - Daily summary of work activity for each employee.
  - Monthly summary of crime activity, citations issued, and arrests made.
  - Monthly summary of commendations and complaints.
  - Number of cases referred for follow-up investigation and the subsequent disposition.



- After-Action reports following special operations, emphasis details and/or major incidents.
- Annual Community Policing Plan.
- Monthly summary of Problem – Oriented Policing projects.
- Law Enforcement Sensitive Reports.
- Determined whether each Contractor provided Metro with complete and timely data to measure:
  - How assets are assigned and tracked using GPS.
  - The time/date/category/disposition of calls for service.
  - Incident response times.
  - Ratio of proactive versus dispatched activity.
  - Number of criminal citations/infractions/violations issued.
  - Number of misdemeanor and felony arrests.
  - Real Time Crime analysis data.
- Determined whether Metro has provided Contractor personnel with Mobile Phone Validators, Metro Transit Watch tools, Mobile Video Surveillance tools, and access to video feeds where possible. Evaluate whether Contractor personnel are utilizing these tools, or whether any other tools are needed.
- Evaluated whether each Contractor has the necessary tools to communicate with other police/fire agencies, investigate crimes and accidents, prepare reports, and analyze and predict crime trends. Are their methods effective and adequate?
- Reviewed the adequacy of protocols that Metro has developed with each Contractor (LAPD, LASD, and LBPD) for dispatching nonemergency service calls that are not appropriate for the 911 system.

### **Other Contract Requirements**

Each contract for law enforcement services includes additional specific requirements. To determine compliance with these requirements by each of the contracted law enforcement agencies, we:

- Determined whether the Contractor provided the equipment in the quantities listed in Exhibit E of each contract (such as information technology, communication, and field equipment and vehicles).



- Determined whether Metro has an adequate process to verify that the Contractor provides the required equipment/vehicles (not required for LASD and LBPD).
- Evaluated threat analyses and strategies identified by each Contractor to address security threats.
- Determined whether the Contractors responded timely to requests for K9 explosive detection services.
- Determined whether the Contractors responded timely to requests for law enforcement presence during fare enforcement and passenger screening operations.
- Determined whether the Contractors adequately collaborated with social service agencies to address the impact of homelessness on the transit system.





## Los Angeles Police Department (LAPD) Contract Compliance

The following sections provide information on the LAPD's compliance with contract requirements.

### LAPD Personnel and Training Requirements Compliance

LAPD provided a list of 5,623 personnel names assigned to the Metro contract. Of the 5,623 names, 5,597 were sworn personnel and 26 were reserve personnel. We randomly selected 30 sworn officers' names and requested LAPD to provide documentation indicating that law enforcement personnel met the contract requirements.

**Finding 8: LAPD was not in compliance with two of the contract requirements related to personnel and training:**

- **Command level officers must hold an active Management or Executive POST Peace Officer's certificate.**
- **All law enforcement personnel must complete a four-hour training course in Transit Policing within the first six months of assignments.**

According to Section 1.2 of the contract, command level officers must hold an active Management or Executive POST Peace Officer's Certificate. Based on the information that LAPD provided, 4 of the selected 5 command level officers (Deputy Chief, Commander, Lieutenant 1 and Lieutenant 2) were in compliance by holding an active Management POST Peace Officer's certificate. One of the selected 5 command level officers (Captain 3) held an active Supervisory POST Peace Officer's certificate instead of the required Management or Executive POST Peace Officer's Certificate.

Also, Section 1.2 of the contract required all law enforcement personnel to complete a four-hour training course in Transit Policing within the first six months of assignments. Based on the information that LAPD provided, 1 out of 30 selected personnel did not attend this training. Twenty-nine of 30 of the selected personnel attended the Transit Policing Training (TPT) on various training dates from August 24, 2018 to March 8, 2019. According to LAPD, the one law enforcement personnel who did not attend this training within the first six months of assignment was because the training was not available. LAPD indicated that the training was made available on August 23, 2018.

Exhibit 17 on the following page summarizes the results of our review.



Exhibit 17 Los Angeles Police Department Compliance with Contract Personnel and Training Requirements			
Contract Requirements	Compliance		Comments
	Yes	No	
1. Each sworn law enforcement officer/supervisor assigned to Metro must hold an active Basic, Intermediate, Advanced or Supervisory California POST Peace Officer's Certificate.	X		
2. Command level officers must hold an active Management or Executive POST Peace Officer's certificate.		X	Captain 3 - Supervisory POST Peace Officer's certificate.
3. Only Post certified personnel are authorized to provide law enforcement services.	X		
4. Personnel assigned to the contract completed their probationary period.	X		
5. Personnel assigned to the contract have a minimum of 18 months of law enforcement experience.	X		
6. Personnel assigned to the contract have no current duty restrictions.	X		
7. Personnel assigned to the contract completed Metro's Safety Training.	X		
8. Personnel assigned to the contract completed training course in Transit Policing.		X	1 out of 30 or 3.33% of the selected personnel have not completed the Transit Policing Training.



**Recommendation 8:**

- A. LAPD should continue monitoring the contract requirements to ensure all personnel meet the required certification and complete the transit policing training before working on any Metro assignments.**
- B. Metro’s SSLE Department should continue monitoring the contract requirements for qualifications and training of personnel to ensure compliance.**

**LAPD Billing Requirements Compliance**

On March 1, 2017, Metro entered a five-year firm fixed unit rate contract with LAPD based on LAPD’s proposal dated February 21, 2017, for a not-to-exceed amount of \$369,330,499. The exhibit below summarizes the amount estimated for each year.

<b>Exhibit 18</b>	
<b>Los Angeles Police Department Contract Amounts for Each Contract Year</b>	
	<u>Amount</u>
Year 1	\$ 70,098,520
Year 2	69,495,306
Year 3	73,652,923
Year 4	76,531,010
Year 5	79,552,740
Total	<u>\$ 369,330,499</u>

**Observation: The total amount billed and paid to LAPD for FY 2018 did not exceed the estimated cost specified in the contract for Year 1.**

For Fiscal Year 2018 (FY 2018), the total amount billed and paid to LAPD was \$68,848,044. Thus, the total amount billed and paid for FY 2018 did not exceed the estimated cost of \$70,098,520. The exhibit below summarizes the contract amount and billing and payment amount for year 1.

<b>Exhibit 19</b>	
<b>Los Angeles Police Department Contract Amount and Billing And Payment Amount for FY 2018</b>	



<b>Exhibit 19</b>	
<b>Los Angeles Police Department Contract Amount and Billing And Payment Amount for FY 2018</b>	
	Year 1
Contract Amount	\$ 70,098,520
Billing and Payment	68,848,044
Difference	<u>\$ 1,250,476</u>

If the LAPD ever anticipates exceeding the estimated cost of the contract, they should inform Metro before incurring any costs. Metro’s SSLE Department should continue monitoring the billing, payment and contract amount to ensure that costs do not exceed the contract amount.

**Finding 9: Invoices submitted to Metro were based on actual services provided and supported by daily summary of assignments and hours worked using the cost data from the payroll system. However, actual payroll records were not submitted with the invoices as required.**

According to Section 7.0 of the SOW in the contract, the Contractor’s monthly invoice shall be based on actual services provided and supported by daily summary of assignments and hours worked and payroll records.

We reviewed LAPD’s billing for two invoices (invoice no. 18MTADP0411 and 18MTADP0512). Invoice No. 18MTADP0411 is for period from April 15, 2018 to May 12, 2018 in the amount of \$4,748,089.82. Invoice No. 18MTADP0512 is for the period from May 13, 2018 to June 9, 2018 in the amount of \$4,915,288.17. For each of these two invoices, LAPD submitted 19 spreadsheets detailing the daily hours and costs of each employee for each type of cost classifications and locations of the services. Per LAPD, the daily hours and costs billed for each employee were based on actual payroll data exported from their payroll system. Actual payroll records for each employee were not submitted with the invoices.

**Recommendation 9:**

- A. LAPD should submit the required payroll records with the monthly invoice.**
- B. Metro should continue to monitor LAPD’s billings to ensure all the required supporting documents are submitted with the invoices.**



**Finding 10: For overtime charges, we were unable to determine whether the billing rates exceeded the maximum fully burdened hourly rates because LAPD's list of maximum fully burdened hourly rates was not in compliance with the contract requirements.**

According to the contract, ninety (90) days prior to the start of each fiscal year, LAPD shall submit a list of maximum fully burdened hourly rates to Metro for approval. This list shall include the maximum hourly direct labor rate and overhead rate for each labor classification for straight time and overtime. Also, the contract stated that in no case shall the billing rate for each personnel exceed the maximum fully burdened rate set for each labor classification.

On November 30, 2017, LAPD submitted to Metro a list of personnel rates including the calculation of the maximum fully burdened hourly rate for each labor classification for Fiscal Year 2017-2018. We reviewed this list and noted that the maximum fully burdened hourly rate for each labor classification was not in compliance with the contract requirements as follows:

- LAPD calculated the maximum hourly direct labor rate for each labor classification using the maximum hourly direct labor rate from Fiscal Year 2016-2017 plus a 4% increase. However, the contract stated that the maximum escalation rate for base year 1 was 0%.
- LAPD did not include the maximum fully burdened hourly rates for each labor classification for overtime.

For each of the two invoices (invoice No. 18MTADP0411 and 18MTADP0512) selected for testing, we attempted to compare the hourly rates billed to the list of maximum fully burdened hourly rates that LAPD submitted to Metro on November 30, 2017. Since this list did not include the maximum fully burdened hourly rates for overtime, we were unable to determine whether the billing rates for overtime exceeded the maximum fully burdened hourly rates for each labor classification. Based on the two sample invoices, the direct labor cost for overtime was \$6,255,471.25, which is approximately 85.04% of the total direct labor costs billed.

Exhibit 20 on the following page summarizes the direct labor cost billed for straight time and overtime for the two sample invoices.



<b>Exhibit 20</b>				
<b>Los Angeles Police Department Direct Labor Costs Billed</b>				
	18MTADP0411	18MTADP0512	Total	Percentage
Direct Labor - ST	\$ 547,497.67	\$ 552,580.62	\$ 1,100,078.29	14.96%
Direct Labor - OT	3,064,640.39	3,190,830.86	6,255,471.25	85.04%
Total	<u>\$ 3,612,138.06</u>	<u>\$ 3,743,411.48</u>	<u>\$ 7,355,549.54</u>	100.00%

**Recommendation 10:**

- A. LAPD should submit the list of maximum fully burdened hourly rates for each labor classification for overtime in accordance with the contract requirements. Also, the escalation rate included in the calculation of the maximum fully burdened hourly rates should not exceed the maximum escalation rate stipulated in the contract.**
- B. Metro’s SSLE Department should work with LAPD to ensure that the list of maximum fully burdened hourly rates comply with the contract requirements. Metro should also review the billing rates for overtime for all invoices to determine the extent of overbillings for FY 2018.**

**Finding 11: Eight labor classifications on two invoices were not found in the required list of maximum fully burdened hourly rates. The amount billed for these labor classifications totaled \$281,400.77.**

As mentioned previously, according to the contract, LAPD shall submit a list of maximum fully burdened hourly rates to Metro for approval that includes the maximum hourly direct labor rate and overhead rate for each labor classification for straight time and overtime. Also, the contract stated that in no case shall the billing rate for each personnel exceed the maximum fully burdened rate set for each labor classification.

For each of the two invoices (invoice No. 18MTADP0411 and 18MTADP0512) selected for testing, we compared the hourly rates billed to the list of maximum fully burdened hourly rates that LAPD submitted to Metro on November 30, 2017. Based on our review, eight labor classifications were not found in the required list of maximum fully burdened hourly rates. The total amount billed for these eight labor classifications was \$281,400.77.

Exhibit 21 below summarizes the amount billed for the classifications not found in the required list of maximum fully burdened hourly rates.



**Exhibit 21**  
**Los Angeles Police Department Amount Billed for Each Labor Classification**  
**Not found in the List of Maximum Fully Burdened**  
**Hourly Rates**

Class CD	18MTADP0411	18MTADP0512	Total
1223-0	\$ 3,137.30	\$ 2,012.72	\$ 5,150.02
2207-1	330.04	165.02	\$ 495.06
2207-2	29,848.31	28,697.89	\$ 58,546.20
2207-3	62,083.82	60,710.96	\$ 122,794.78
2209-1	1,502.24	1,614.84	\$ 3,117.08
2214-C	2,863.81	1,204.52	\$ 4,068.33
3711-5	18,614.40	33,036.84	\$ 51,651.24
9184-0	8,189.59	27,388.47	\$ 35,578.06
Total	<u>\$ 126,569.51</u>	<u>\$ 154,831.26</u>	<u>\$ 281,400.77</u>

**Recommendation 11:**

- A. LAPD should submit the list of maximum fully burdened hourly rates for all labor classifications in accordance with the contract requirements. For any additional labor classifications not identified in the list of maximum fully burdened hourly rate, LAPD should submit a revised list to Metro for approval prior to incurring the cost.**
- B. Metro’s SSLE Department should continue to monitor LAPD’s billings to ensure only the approved labor classifications are billed and included in the list of maximum fully burdened hourly rates. Metro should also review the billing rates for straight time for all invoices to determine the extent of overbillings.**

**Finding 12: We identified a total amount of \$3,874.99 as overbilled and overpaid to LAPD.**

For each of the two invoices (invoice No. 18MTADP0411 and 18MTADP0512) selected for testing, we compared the hourly rates billed to the approved list of maximum fully burdened hourly rates that LAPD submitted to Metro on November 30, 2017. We found that that the fully burdened hourly rate that LAPD billed for straight time exceeded the maximum fully burdened hourly rate for five labor classifications. Also, we noted that



there are costs billed for classifications showing zero labor hours. We identified a total amount of \$3,874.99 as overbilled and overpaid to LAPD.

The exhibit below summarizes the overbilled and overpaid amount for the labor classification with rate differences and zero hours.

<b>Exhibit 22</b>					
<b>Los Angeles Police Department Overbilled and Overpaid Amount due to Labor Classification With Rate Difference And Zero Hours</b>					
CSC/G	Billed Rate	Maximum Rate	Rate Difference	Hour	Overbilled/Overpaid Amount
<i>invoice no. 18MTADP0411</i>					
22443	\$243.20	\$ 243.07	\$ 0.13	160	\$ 20.80
22510	\$271.06	\$ 270.93	\$ 0.13	160	\$ 20.80
22621	\$311.72	\$ 311.56	\$ 0.16	160	\$ 25.60
Various				0	\$ 1,781.16
				Subtotal	\$ 1,848.36
<i>invoice no. 18MTADP0512</i>					
11160	\$ 68.58	\$ 63.88	\$ 4.70	4	\$ 18.80
11172	\$ 82.54	\$ 80.97	\$ 1.57	4	\$ 6.28
22443	\$243.20	\$ 243.07	\$ 0.13	160	\$ 20.80
22510	\$271.06	\$ 270.93	\$ 0.13	160	\$ 20.80
22621	\$311.72	\$ 311.56	\$ 0.16	160	\$ 25.60
Various				0	\$ 1,934.34
				Subtotal	\$ 2,026.62
				Total	\$ 3,874.99

**Recommendation 12:**

- A. LAPD should return the overbilled and overpaid amount of \$3,874.99 to Metro.**
- B. Metro’s SSLE Department should continue monitoring LAPD’s billings to identify and resolve billing discrepancies.**

**Finding 13: LAPD invoiced an overhead rate of 12.76% for overtime hours that was unsupported by adequate documentation.**

For straight time indirect cost overhead, LAPD billed Metro using CAP 38 rates of 77.48% for civilian and 157% for sworn personnel. For overtime indirect cost overhead, LAPD billed 12.76% for sworn field personnel. A copy of Memorandum No. 17-016 dated





August 30, 2017 was provided to support the Federal Government’s approved Cost Allocation Plan (CAP) 38 indirect cost rates of 77.48% and 157%.

According to the instructions for CAP 38, these rates are to be applied only to straight time for full time gross salaries. For rates applicable to part time or overtime salaries, LAPD needs to contact the CAP staff. No documentation was provided to support the overtime overhead rate of 12.76%. The overtime overhead rate of 12.76% was not included in the list of maximum fully burdened hourly rates that LAPD submitted to Metro on November 30, 2017.

The exhibit below summarizes the amount billed for overtime indirect cost overhead for the two invoices selected for testing.

<b>Exhibit 23</b>				
<b>Los Angeles Police Department Amount Billed for Overtime Indirect Cost Overhead</b>				
	<i>Invoice No.</i>	18MTADP0411	18MTADP0512	Total
<i>Sworn Field Personnel (Overtime)</i>				
Direct Labor (Q53)		\$ 2,837,742.25	\$ 2,902,159.77	\$ 5,739,902.02
Overhead Rate	12.76%	362,095.91	370,315.59	732,411.50
Total		<u>\$ 3,199,838.16</u>	<u>\$ 3,272,475.36</u>	<u>\$ 6,472,313.52</u>

**Recommendation 13:**

- A. LAPD should submit the prevailing Cost Allocation Plan (CAP) rate together with the list of maximum fully burdened hourly rates for overtime.**
- B. Metro’s SSLE Department should continue to monitor LAPD’s billings to ensure the overtime overhead rate billed was based on the CAP overhead rate approved by the Federal Government in effect at the time the work was performed.**

**LAPD Compliance with Required Reports**

We requested Metro to provide the reports with date received showing that LAPD submitted the required reports in a timely manner, with adequate information, and in a format that allows Metro to determine the calculation of reported figures.



**Finding 14: LAPD met 8 out of 9 contract requirements for submitting required reports to Metro. The reports were submitted with adequate information and in a format that allows Metro to determine the calculation of the reported figures. However, no information was provided as to when these reports were submitted to Metro so we were unable to determine if the reports were submitted on time in accordance with the contract.**

Metro provided various reports including Watch Commander’s Daily Reports for April 10, 2018 and May 17, 2018, Weekly After-Action Reports for April 2018 and May 2018, Work Summary Report for April 2018 and May 2018, Strategic Plan for 2017-2019, and KPI Reports for April 2018 and May 2018. No information was provided as to when these reports were submitted to Metro.

We reviewed all the reports provided and found that LAPD met 8 out of the 9 contract requirement for required reports. These eight reports were submitted with adequate information and in a format that allows Metro to determine the calculation of the reported figures. The month summary of Problem-Oriented Policing projects was not provided.

Exhibit 24 below summarizes the required reports and the results of our review.

<b>Exhibit 24 Los Angeles Police Department Compliance with Contract Reporting Requirements</b>			
	<b>Required Reports</b>	<b>Compliance</b>	<b>Comments</b>
1	Weekly schedule for each watch or shift. Must include each employee’s name, actual hours worked, assignment and rank.	Yes	Daily schedule for each watch was included in the submission of Watch Commander’s Daily Report, not weekly. Daily Worksheet Portrait included each employee’s name, actual hours worked, assignment and rank.
2	Daily summary of work activity for each employee.	Yes	Daily Activity Log included employee name, work date, start time, end time and work hours.
3	Monthly summary of crime activity, citations issued, arrests made.	Yes	



Exhibit 24 Los Angeles Police Department Compliance with Contract Reporting Requirements			
4	Monthly summary of commendations and complaints.	Yes	
5	The number of cases referred for follow-up investigation and the subsequent disposition.	Yes	TSB Significant Arrests.
6	After-Action Reports following special operations, emphasis details and/or major incidents.	Yes	Weekly After-Action Report.
7	Annual Community Policing Plan.	Yes	Strategic Plan for fiscal years 2017-2019.
8	Monthly summary of Problem-Oriented Policing projects.	No	No information provided.
9	Law Enforcement Sensitive Reports (distribution to Metro's CEO, DCEO, COO, Chief of Risk Safety and Asset Management and Chief of System Security and Law Enforcement)	Yes	This report refers to "after action reports and intelligence briefings". Chief of System Security and Law Enforcement confirming that he has access to the information but no copies were provided.

**Recommendation 14:**

- A. LAPD should submit to Metro in a timely manner the monthly Summary of Problem-Oriented Policing projects.**
- B. Metro's SSLE Department should continue to monitor LAPD's submission of reports and stamp the date received on reports to ensure all the required reports are submitted in a timely manner and with complete information to allow Metro to determine the calculation of the reported figures.**



## LAPD Equipment Requirements Contract Compliance

Section 5.0 of the contract required LAPD to provide the equipment as listed in Exhibit E. There are four categories listed in the Exhibit E. The four categories listed below are the property that LAPD is required to provide. Each category listed out the items needed.

- A. Information Technology (IT) Equipment
- B. Communication Equipment
- C. Vehicles
- D. Field Equipment

**Finding 15: LAPD did not provide the equipment in the quantities listed in Exhibit E of the contract.**

- **Metro does not have an adequate process to verify that LAPD provides the required equipment and vehicles.**
- **Computers provided by LAPD are not listed in the Exhibit E of the contract.**
- **The Vehicles provided by LAPD are not consistent with the quantity listed in the Exhibit E of the contract.**

According to Metro, the equipment and vehicles provided by LAPD has been tracked on Excel spreadsheets. Metro provided one spreadsheet of a list of computers with Metro tag numbers and another spreadsheet for shop inventory. We compared the items and quantities listed in these two spreadsheets to Exhibit E.

We found that the computers that LAPD provided were not listed in Exhibit E. For vehicles, we found that the quantities provided did not agree with the quantities listed in Exhibit E. No data was provided for IT equipment, communication equipment, and field equipment. Thus, we determined that Metro does not have an adequate process to verify that LAPD provided the required equipment and vehicles.

Based on the list of computers with Metro tag numbers, LAPD provided 135 computers. Of the 135 computers, 126 computers had the asset tag number, Metro tag number, serial number, make, and model. Nine (9) of the 135 computers had only the asset tag number and Metro tag number. We attempted to compare the computer and quantity listed in the spreadsheet to Exhibit E. We found that the computers provided were not listed in Exhibit E of the contract.

Based on the list of shop inventory that Metro provided, we found that LAPD did not provide the vehicles in the quantities listed in Exhibit E of the contract. Exhibit 25 on the following page summarizes the required quantities compared to the quantities provided.



Exhibit 25 Los Angeles Police Department Comparison of Contracted and Provided Equipment			
Vehicles Item	Quantity Per Contract	Quantity Provided by LAPD	Difference
1. BW-MFF	21		
2. BW-Patrol	48		
Subtotal - BW	69	60	9
3. Dual Purpose	6	9	-3
4. Motor Pool	5	No Data	
5. Plain (un-marked)	1	6	-5
6. Undercover	3	No Data	

**Recommendation 15:**

- A. LAPD should provide the equipment in the quantities listed in Exhibit E of the contract or Metro should amend Exhibit E of the contract.**
- B. Metro’s SSLE Department should continue to monitor LAPD’s equipment to ensure the quantities listed in Exhibit E of the contract are properly provided and in a timely manner.**

**Other Contract Areas**

LAPD was responsive and supportive in evaluating and developing strategies to address security threats, requests for K9 explosive detection services, requests for law enforcement presence during fare enforcement and passenger screening operations, and in addressing the impact of homelessness on the transit system based on discussions with Metro’s SSLE Department.



## Los Angeles County Sheriff's Department (LASD) Contract Compliance

The following sections provide information on the LASD's compliance with contract requirements.

### LASD Compliance with Personnel and Training Requirements

LASD provided a list of 228 sworn officers' names assigned to Metro. We randomly selected 30 sworn officers' names and requested LASD to provide documentation indicating that law enforcement personnel met the contract requirements.

**Finding 16: LASD was not in compliance with two of the contract requirements related to personnel and training:**

- All Personnel must attend a Metro's Safety Training immediately following the issuance of a Notice to Proceed.
- All law enforcement personnel must complete a four-hour training course in Transit Policing within the first six months of assignments.

According to LASD, 27 of the 30 personnel selected had attended the Metro's safety training course, and 3 deputies did not complete this training. For the Transit Policing Training, 6 of the 30 or 20% of the personnel selected have not attended the Metro Transit Policing training. These personnel did not attend the safety training and Transit Policing training because they either have not yet started working at Transit Services Bureau or have been off work for an extended time. Twenty-four out of 30 or 80% of the selected personnel attended the Transit Policing Training on various training dates from September 14, 2018 to March 5, 2019. According to LASD, the law enforcement personnel did not attend this training within the first six months of assignments because the training was not yet available. However, LASD indicated that the training was made available on February 18, 2018.

Exhibit 26 below summarizes the results of our review.

Exhibit 26 Los Angeles Sheriff's Department Compliance with Contract Personnel and Training Requirements			
Contract Requirements	Compliance		Comments
	Yes	No	
1. Each sworn law enforcement officer/supervisor assigned to Metro hold an active California POST	X		



Exhibit 26 Los Angeles Sheriff's Department Compliance with Contract Personnel and Training Requirements			
Contract Requirements	Compliance		Comments
	Yes	No	
(Peace Officer's Certificate).			
2. All supervisors and managers must have completed department training equivalent to supervisory and/or advanced POST courses.	X		All sergeants and lieutenants selected have Advanced POST certificates.
3. Only POST certified personnel are authorized to provide law enforcement services.	X		
4. Personnel assigned to the contract completed Metro's Safety Training.		X	3 out of 30 or 10% of the selected personnel had not completed the Safety Training.
5. Personnel assigned to the contract completed training course in Transit Policing.		X	6 out of 30 or 20% of the selected personnel had not completed the Transit Policing Training.

**Recommendation 16:**

- A. LASD should continue monitoring the contract requirements to ensure all personnel complete the safety training and transit policing training before working on any Metro assignments.**
- B. Metro's SSLE Department should continue monitoring the contract requirements for qualifications and training of personnel to ensure compliance with the contract.**

**LASD Compliance with Billing Requirements**

On September 1, 2017, Metro entered into a five-year firm fixed unit rate contract with LASD for a not-to-exceed amount of \$246,270,631. There is no detailed breakdown in



the contract for the not to exceed amount of \$246,270,631. However, the estimated cost for year 1 (FY 2018) was \$41,586,561.

**Observation: The total amount billed and paid for FY 2018 to LASD did not exceed the estimated cost specified in the contract for Year 1.**

For FY 2018, the total amount billed and paid to LASD was \$41,114,094. Thus, the total amount billed and paid for FY 2018 did not exceed the estimated cost of \$41,586,561. The exhibit below summarizes the contract amount and billing and payment amount for year 1.

<b>Exhibit 27</b>	
<b>Los Angeles Sheriff’s Department Contract Amount and Billing And Payment Amount For FY 2018</b>	
	<u>Year 1</u>
Contract Amount	\$ 41,586,561
Billing and Payment	<u>41,114,094</u>
Difference	<u>\$ 472,467</u>

If LASD ever anticipates that they may exceed the estimated cost in the contract, they should inform Metro in a timely manner before incurring any cost. Metro’s SSLE Department should continue monitoring the billing, payment and contract amount to ensure that costs do not exceed the contract amount.

**Observation: Except for the credit amount understatement of \$1,699.68 (discussed in the next section), the billing rates were in compliance with Metro’s approved rates. Invoices were based on actual services provided and supported by Payment Certification, the Service Level and Billing Status Reports, and the Patrol Compliance Reports.**

According to Section 7.0 of the Statement of Work in the contract, the Contractor’s monthly invoice shall be calculated as the monthly pro-rata portion of the annual firm fixed rate as specified in the applicable LASD’s SH-AD 575 Deployment of Personnel Form.

We reviewed LASD’s billing for two invoices (April 2018 and May 2018). The April invoice was for the period April 1, 2018 to April 30, 2018. The May invoice was for the period May 1, 2018 to May 31, 2018. For each of these two invoices, we compared the annual and monthly rates billed to the annual firm fixed rate specified in the contract. We found that the annual rate and monthly rate for each level of services were properly computed in accordance with the contract requirement. Invoices were based on actual services and





supported by payment certification, service level and billing status reports and patrol compliance reports.

Metro's SSLE Department should continue monitoring LASD's billings to ensure the billing rates and supporting documents are in compliance with the contract.

**Finding 17: The billing rate for the credit amount was not in compliance with Metro's approved rate.**

For the month of May, a credit amount of \$149,701.16 was included in the invoice to refund Metro for the overbilling of two positions, Team Leader and Access Services Investigator. This overbilling was discovered when LASD's Contract Law Enforcement Bureau completed its internal audit and discovered that LASD overbilled Metro for a Team Leader position for 7 months and an Access Services Investigator for 4 months due to the key overhead positions being unfilled and the job duties for these positions were not completed. The credit amount was calculated using the monthly rate of \$12,551.96 for Team Leader and \$15,459.36 for Access Services Investigator. These monthly rates were determined by reducing personnel in the Transit Cost Model to determine the overhead monthly salaries for each of these positions.

We found that the monthly rates used for the calculation of the credit amount were not in compliance with the contract. According to the contract, for each job position that did not meet the service levels promised on the Form 575, a credit shall be provided to Metro using the annual estimated cost per position per SH-AD575 divided by 12 months and number of days for the month, multiplied by the number of days the position remained unfilled in whole or in part. For the Access Services Investigator, the annual estimated cost per SH-AD575 was \$190,611.35 divided by 12 months would be \$15,884.28 per month. Thus, the credit amount in the May invoice was understated by \$1,699.68. There was no annual estimated cost for the Team Leader position in the SH-AD575.

Exhibit 28 on the following page summarizes the calculation of the rate difference and cost difference for the Access Services Investigator.



<b>Exhibit 28</b>	
<b>Los Angeles Sheriff's Department Rate and Cost Differences For Access Services Investigator</b>	
Description	Amount
Monthly Rate (May Invoice)	\$ 15,459.36
Monthly Rate (SH-AD575)	\$ 15,884.28
Rate Difference	\$ (424.92)
No. of Month	4
Cost Difference	<u>\$ (1,699.68)</u>

**Recommendation 17:**

- A. LASD should issue an additional credit amount of \$1,699.68 to Metro.**
- B. Metro's SSLE Department should continue monitoring LASD's billings to ensure each job position meets the service levels promised on Form 575 and the billing rates are in compliance with the contract.**

**LASD Compliance with Reporting Requirements**

We requested Metro to provide the reports with the date received showing that LASD submitted the required reports in a timely manner, with adequate information, and in a format that allows Metro to determine the calculation of reported figures.

**Finding 18: LASD met 7 out of 8 contract requirements for required reports. The reports were submitted in a timely manner, with adequate information, and in a format that allows Metro to determine the calculation of the reported figures.**

Metro provided various email submissions from LASD including attachments of KPI data and monthly reporting requirements for July 2017 to June 2018. Daily Report, AM Scheduling, PM Scheduling and EM (night shift) Scheduling were also provided for April 8, 2018. We reviewed all the emails and reports provided and found that LASD met 7 out of the 8 contract requirement for required reports. These reports were submitted in a timely manner with adequate information and in a format that allows Metro to determine the calculation of the reported figures. LASD did not submit a report for the number of cases referred for follow-up investigation and the subsequent disposition.

Exhibit 29 on the following page summarizes the required reports and the results of our review.



<b>Exhibit 29</b>			
<b>Los Angeles Sheriff's Department Compliance with Contract Reporting Requirements</b>			
	<b>Required Reports</b>	<b>Compliance</b>	<b>Comments</b>
1	Weekly schedule for each watch or shift. Must include each employee's name, actual hours worked, assignment and rank.	Yes	Daily schedules for each shift (AM, PM, and EM reports) were submitted to Metro. These reports showed each employee's name, actual hours worked, assignment and rank.
2	Monthly summary of crime activity, citations issued, arrests made.	Yes	
3	Monthly summary of commendations and complaints.	Yes	
4	The number of cases referred for follow-up investigation and the subsequent disposition.	No	Per LASD, they had been requesting for clarification from Metro on the item but received no response.
5	After-Action Reports following special operations, emphasis details and/or major incidents.	Yes	
6	Annual Community Policing Plan.	Yes	LASD did not submit the Annual Community Policing Plan. However, LASD indicated that they participated in the completion of the Annual Community Policing Plan with LAPD, LBPD, and Metro.
7	Monthly summary of Problem-Oriented Policing projects.	Yes	



Exhibit 29 Los Angeles Sheriff's Department Compliance with Contract Reporting Requirements		
8	Law Enforcement Sensitive Reports (distribution to Metro's CEO, DCEO, COO, Chief of Risk Safety and Asset Management and Chief of System Security and Law Enforcement).	<p style="text-align: center;">Yes</p> <p>This report refers to "after action reports and intelligence briefings". Chief of System Security and Law Enforcement confirming that he has access to the information but no copies were provided.</p>

**Recommendation 18:**

- A. LASD should submit to Metro in a timely manner the report for the number of cases referred for follow-up investigation and the subsequent disposition.**
- B. Metro's SSLE Department should work with LASD to resolve any issues regarding the required reports. Also, Metro should continue monitoring LASD's submission of reports to ensure all the required reports were submitted in a timely manner and with complete information to allow Metro to determine the calculation of the reported figures.**

**Other contract Areas**

LASD was responsive and supportive in evaluating and developing strategies to address security threats, requests for K9 explosive detection services, requests for law enforcement presence during fare enforcement and passenger screening operations, and in addressing the impact of homelessness on the transit system based on discussions with Metro's SSLE Department.



## Long Beach Police Department (LBPD) Contract Compliance

The following sections provide information on the LBPD’s compliance with contract requirements.

### LBPD Compliance with Personnel and Training Requirements

LBPD provided a list of 480 sworn officers’ names assigned to Metro. We randomly selected 30 sworn officers’ names and requested LBPD to provide documentation indicating that law enforcement personnel met the contract requirements.

### Finding 19: LBPD was not in compliance with the contract requirement for Transit Policing Training.

According to Section 1.2 of the contract, all law enforcement personnel must complete a four-hour training course in Transit Policing within the first six months of assignment. Based on the information provided by LBPD, 1 out of 30 of the selected personnel had not completed this training. Twenty-nine out of 30 of the selected personnel attended the Transit Policing Training on various training dates from August 10, 2018 to February 28, 2019. According to LBPD, the law enforcement personnel did not attend this training within the first six months of assignments because the training was not yet available. LBPD indicated that the training was made available on February 16, 2018.

Exhibit 30 below summarizes the results of our review.

Exhibit 30 Long Beach Police Department Compliance with Contract Personnel and Training Requirements			
Contract Requirements	Compliance		Comments
	Yes	No	
1. Each sworn law enforcement officer/supervisor assigned to Metro hold an active California POST (Peace Officer’s Certificate).	X		
2. Command level officers hold an active Management or Executive POST Peace Officer’s certificates.	X		The following command level officers hold an active Management POST Peace Officer’s certificates: Deputy Chief, Commander, and Lieutenant.



Exhibit 30 Long Beach Police Department Compliance with Contract Personnel and Training Requirements			
Contract Requirements	Compliance		Comments
	Yes	No	
3. Only Post certified personnel are authorized to provide law enforcement services.	X		
4. Personnel assigned to the contract completed their probationary period.	X		
5. Personnel assigned to the contract have a minimum of 18 months of law enforcement experience.	X		
6. Personnel assigned to the contract have no current duty restrictions.	X		1 out of 30 selected personnel had current duty restriction. Per LBPD, this Officer had no duty restriction when he worked Metro overtime.
7. Personnel assigned to the contract completed Metro's Safety Training.	X		
8. Personnel assigned to the contract completed training course in Transit Policing.		X	1 out of 30 or 3.33% of the selected personnel had not completed this training.

**Recommendation 19:**

- A. LBPD should ensure all personnel have completed the transit policing training before working on any Metro assignments.**



**B. Metro’s SSLE Department should monitor the contract requirements for qualifications and training of personnel to ensure compliance.**

**LBPD Compliance with Billing Requirements**

On March 23, 2017, Metro entered into a five-year firm fixed unit rate contract with LBPD for a not-to-exceed amount of \$30,074,628. The exhibit below summarizes the amount estimated for each year.

<b>Exhibit 31</b>	
<b>Long Beach Police Department Contract Amount Proposed for Each Contract Year</b>	
	<u>Amount</u>
Year 1	\$ 5,459,271
Year 2	5,517,674
Year 3	5,959,087
Year 4	6,316,633
Year 5	<u>6,821,963</u>
Total	<u>\$ 30,074,628</u>

**Finding 20: The total amount billed and paid for FY 2018 exceeded the estimated cost specified in the contract for Year 1.**

For FY 2018, the total amount billed and paid to LBPD was \$6,344,849. Thus, the total amount billed and paid for FY 2018 exceeded the estimated cost in the contract of \$5,459,271 by \$885,578 for Year 1, see exhibit below for details.

<b>Exhibit 32</b>	
<b>Long Beach Police Department Difference Between Contract Amount and Amount Billed and Paid for FY 2018</b>	
	<u>Year 1</u>
Contract Amount	\$ 5,459,271
Billing and Payment	<u>6,344,849</u>
Difference	<u>\$ (885,578)</u>



**Recommendation 20:**

- A. LBPD should inform Metro of the amount expected to exceed the estimated cost specified in the contract for each year before incurring the costs.**
- B. Metro's SSLE Department should continue monitoring LBPD's billings, payments and contract amount to ensure that costs do not exceed the contract amount.**

**Finding 21: Invoices were based on actual services provided and supported by bi-weekly Work Hour Detail Schedules and partial Daily Metro Cost schedules along with Regular Overtime Reports and Employee Time Records. Daily summary of assignments for all hours worked and payroll records were not submitted with the invoices.**

According to Section 7.0 of the Statement of Work in the contract, the Contractor's monthly invoice shall be based on actual services under the terms of the contract. The billings must be accompanied by supporting documentation, to include but shall not be limited to, daily summary of assignments and hours worked and payroll records.

We reviewed LBPD's billing for two invoices (April 2018 and May 2018). The April invoice was for two pay periods ending March 30, 2018 and April 13, 2018 in the amount of \$471,008.58. The May invoice was for two pay periods ending April 27, 2018 and May 11, 2018 in the amount of \$467,869.88. For each of these two invoices, LBPD submitted a Work Hour Detail schedule by pay period. Daily summary of assignments for all hours worked and payroll records were not submitted with the invoices.

The exhibit below summarizes the costs billed for April 2018 and May 2018.





Exhibit 33 Long Beach Police Department Costs Billed for April 2018 and May 2018		
Description	April 2018	May 2018
Personnel Cost		
Operational	\$ 319,236.48	\$ 317,264.34
Administrative	42,229.54	46,016.64
Total Before Indirect Cost Overhead	361,466.02	363,280.98
Indirect Cost Overhead - 25%	90,366.51	90,820.25
Total Personnel Cost	451,832.53	454,101.23
Equipment Cost	15,340.84	11,014.92
Indirect Cost Overhead - 25%	3,835.21	2,753.73
Total Equipment Cost	19,176.05	13,768.65
Total Amount Billed	<u>\$471,008.58</u>	<u>\$467,869.88</u>

**Recommendation 21:**

- A. LBPDP should submit the daily summary of assignments for all hours worked and payroll records with the invoices.**
- B. Metro’s SSLE Department should continue monitoring LBPDP’s billings to ensure all the required supporting documents were submitted with the invoices.**

**Finding 22: We identified a total amount of \$14,643.89 as overbilled and overpaid to LBPDP.**

On August 28, 2017, Metro’s Contract Administration Manager sent an email to LBPDP for the revised schedule of approved Maximum Fully Burdened Rate for Fiscal Year 2017/2018. This schedule listed the maximum hourly direct labor rate, indirect overhead rate of 25% and administrative overhead rate of 9.6% for each labor category. According to the email, invoices shall be billed based on the actual hourly direct labor rate of each personnel plus the applicable indirect overhead rate and administrative overhead rate. In no instance shall the fully burdened hourly rate for



each personnel exceed the maximum fully burdened hourly rate approved for each labor category.

For each of the two invoices (April 2018 and May 2018) that we selected for testing, we compared the hourly rates billed to the list of maximum fully burdened rates that Metro approved on August 28, 2017. We found that that the fully burdened hourly rate that LBPB billed to Metro exceeded the approved maximum fully burdened hourly rate for three labor categories (Lieutenant, Officer, and Sergeant). In addition, we found one labor category (Police Corporal) that LBPB billed was not listed in the approved maximum fully burdened hourly rate. We identified a total amount of \$14,643.89 as overbilled and overpaid to LBPB.

The exhibit below summarizes the labor category with the hourly rate and cost difference.

Exhibit 34 Long Beach Police Department Labor Categories with Hourly Rate and Cost Differences									
Pay Period	Category	Billed Hours (a)	Billed Labor Cost (b)	Overhead Rate 25% (c)	Billed Total Cost (d=b+c)	Calculated Hourly Rate (e=d/a)	Maximum Fully Burdened Rate (f)	Rate Difference (g=e-f)	Overbilled/Overpaid (g*a)
3/30/2018	Corporal	20.00	\$ 1,931.40	\$ 482.85	\$ 2,414.25	\$ 120.71	None	\$ 120.71	\$ 2,414.25
4/13/2018	Corporal	10.00	\$ 917.73	\$ 229.43	\$ 1,147.16	\$ 114.72	None	\$ 114.72	\$ 1,147.16
3/30/2018	Lieutenant	53.00	\$ 7,650.76	\$ 1,912.69	\$ 9,563.45	\$ 180.44	\$ 178.84	\$ 1.60	\$ 84.93
4/13/2018	Lieutenant	75.00	\$ 10,762.90	\$ 2,690.73	\$ 13,453.63	\$ 179.38	\$ 178.84	\$ 0.54	\$ 40.62
4/13/2018	Officer	97.50	\$ 9,742.58	\$ 2,435.65	\$ 12,178.23	\$ 124.90	\$ 124.05	\$ 0.85	\$ 83.35
3/30/2018	Sergeant	85.00	\$ 10,705.24	\$ 2,676.31	\$ 13,381.55	\$ 157.43	\$ 155.74	\$ 1.69	\$ 143.65
4/13/2018	Sergeant	50.00	\$ 7,064.01	\$ 1,766.00	\$ 8,830.01	\$ 176.60	\$ 155.74	\$ 20.86	\$ 1,043.01
Subtotal - April Invoice									4,956.98
4/27/2018	Corporal	25.00	\$ 1,833.87	\$ 458.47	\$ 2,292.34	\$ 91.69	None	\$ 91.69	\$ 2,292.34
4/27/2018	Corporal	20.00	\$ 1,929.13	\$ 482.28	\$ 2,411.41	\$ 120.57	None	\$ 120.57	\$ 2,411.41
5/11/2018	Corporal	10.00	\$ 964.53	\$ 241.13	\$ 1,205.66	\$ 120.57	None	\$ 120.57	\$ 1,205.66
4/27/2018	Officer	48.00	\$ 5,420.00	\$ 1,355.00	\$ 6,775.00	\$ 141.15	\$ 124.05	\$ 17.10	\$ 820.60
4/27/2018	Officer	24.00	\$ 3,641.32	\$ 910.33	\$ 4,551.65	\$ 189.65	\$ 124.05	\$ 65.60	\$ 1,574.45
5/11/2018	Officer	77.50	\$ 7,839.09	\$ 1,959.77	\$ 9,798.86	\$ 126.44	\$ 124.05	\$ 2.39	\$ 184.99
4/27/2018	Sergeant	60.00	\$ 8,073.21	\$ 2,018.30	\$ 10,091.51	\$ 168.19	\$ 155.74	\$ 12.45	\$ 747.11
5/11/2018	Sergeant	70.00	\$ 9,081.72	\$ 2,270.43	\$ 11,352.15	\$ 162.17	\$ 155.74	\$ 6.43	\$ 450.35
Subtotal - May Invoice									\$ 9,686.91
Total - April and May Invoices									<u>\$ 14,643.89</u>

**Recommendation 22:**

- A. LBPB should return to Metro the overbilled and overpaid amount of \$14,643.89.**



**B. Metro’s SSLE Department should continue to monitor LBPD’s billings to ensure only the approved labor classifications are billed and included in the list of maximum fully burdened hourly rates. Metro should also review the billing rates for all invoices to determine the extent of overbilling for FY2018.**

**Finding 23: The billing methodology for equipment cost was not in compliance with the contract agreement.**

For April 2018 and May 2018 invoices, LBPB billed the costs for supplies and equipment, fleet, and technology services as equipment cost using monthly actuals plus an additional 25% of the actual cost as indirect cost overhead. This methodology was not in compliance with the contract. According to Section CP-01 of the contract, cost of vehicles, equipment, supplies including uniforms and other items needed by law enforcement personnel in the performance of the Statement of Work should be included in the maximum fully burdened hourly rate as equipment/supplies overhead cost. Equipment/supplies overhead cost shall be computed using an hourly direct labor rate plus indirect overhead cost times equipment/supplies overhead rate. Since LBPB used a different billing methodology than the methodology required by the contract, LBPB billed Metro \$21,571.99 less than if the contract method had been used.

The exhibit below summarizes the cost impact using LBPB’s billing methodology vs. contract required billing methodology for equipment cost for April 2018 and May 2018 invoices.

Exhibit 35 Long Beach Police Department Cost Impact for Equipment Cost for April 2018 and May 2018			
Description	April 2018	May 2018	Total
Amount billed by LBPB for personnel cost and equipment cost (a)	\$471,008.58	\$467,869.88	\$938,878.46
Amount calculated using the contract required methodology (b)	\$481,625.24	\$478,825.20	\$960,450.45
Difference (a-b)	<u>\$ (10,616.66)</u>	<u>\$ (10,955.32)</u>	<u>\$ (21,571.99)</u>



**Recommendation 23: Metro’s SSLE Department should review the billing methodology specified in the contract for equipment cost and determine whether the contract should be amended.**

**LBPB Compliance with Contract Reporting Requirements**

We requested Metro to provide the reports with the date received showing that LAPD submitted the required reports in a timely manner, with adequate information, and in a format that allows Metro to determine the calculation of reported figures.

**Finding 24: LBPB met 8 out of 9 contract requirements for required reports. The reports were submitted with adequate information and in a format that allows Metro to determine the calculation of the reported figures. No information was provided as to when these reports were submitted to Metro so we were unable to determine if the reports were submitted to Metro on time.**

Metro provided various reports including monthly summary schedules and weekly deployment summary for July 2017 to June 2018. Weekly deployment summary and daily summary were also provided with the billings for April 2018 and May 2018. No information was provided as to when the monthly reports were submitted to Metro. We reviewed all the reports provided and found that LBPB met 8 out of the 9 contract requirement for required reports. These reports were submitted with adequate information and in a format that allows Metro to determine the calculation of the reported figures. LBPB did not submit the after action reports following special operations, emphasis details and/or major incidents because of on-going litigation.

Exhibit 36 below summarizes the required reports and the results of our review.

Exhibit 36 Long Beach Police Department Compliance with Contract Reporting Requirements			
	Required Reports	Compliance	Comments
1	Weekly schedule for each watch or shift. Must include each employee’s name, badge number, actual hours worked, assignment and rank.	Yes	Weekly Deployment Summary included each employee’s name, badge number, actual hours worked, assignment and rank.
2	Watch Commander Summary of Major Events of the Day.	Yes	Daily Summary included significant events of the day.



Exhibit 36 Long Beach Police Department Compliance with Contract Reporting Requirements			
	Required Reports	Compliance	Comments
3	Monthly summary of crime activity, citations issued, arrests made.	Yes	
4	Monthly summary of commendations and complaints.	Yes	
5	Monthly Report on the number of Part 1 crime cases referred for follow-up investigation and the subsequent disposition.	Yes	
6	After-Action Reports following special operations, emphasis details and/or major incidents.	No	Reports not provided. Per LBPDP, major incident after action reports cannot be provided because of an on-going litigation.
7	Annual Community Policing Plan.	Yes	No Annual Community Policing Plan. Per LBPDP, Metro SSLE Department developed a joint community policing plan.
8	Monthly summary of Problem-Oriented Policing projects.	Yes	
9	Executive Summary of Major Events/Incidents on the Metro System (distribution to Metro's CEO, DCEO, COO, Chief of Risk Safety and Asset Management and Chief of System Security and Law Enforcement).	Yes	This report refers to "after action reports and intelligence briefings". Chief of System Security and Law Enforcement confirmed that he has access to the information but no copies were provided.



**Recommendation 24: Metro's SSLE Department should continue monitoring LBPD's submission of reports to ensure all the required reports are submitted in a timely manner and with complete information to allow Metro to determine the calculation of the reported figures.**

**Other Contract Areas**

LBPD was responsive and supportive in evaluating and developing strategies to address security threats, requests for K9 explosive detection services, requests for law enforcement presence during fare enforcement and passenger screening operations, and in addressing the impact of homelessness on the transit system based on discussions with Metro's SSLE Department.



## **F. Fare and Code of Conduct Compliance 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. Currently, this mission is primarily the role of Metro Security but is also performed by contracted law enforcement personnel. To review Metro fare and code of conduct compliance enforcement we:

- Determined the number of fare validation checks (report by month, rail line, and compare to target)
- Summarized the total number of citations issued in FY 2018 and compared with the total number of citations issued in prior years.
- Determined whether performance indicators or metrics were developed for Metro's transit security and fare compliance functions.

### **Code of Conduct and Parking Enforcement and Citations**

Exhibit 37 on the following page shows the citations for Metro Code of Conduct violations, including those related to transit fares. As this exhibit shows, the vast majority (98%) of the citations for Metro Code of Conduct violations are issued by Metro Security. This demonstrates the substantial change in the responsibility for fare and code of conduct enforcement from contracted law enforcement to Metro Security.

Parking enforcement is also an important function to ensure safety and that vehicles do not interfere with Metro bus and rail operations. Exhibit 38 shows the citations for parking violations issued by Metro Security and each of the contracted law enforcement agencies. As this exhibit shows, Metro Security issued the largest number of parking citations (49%), while the LASD issued a substantial number (43%) as well.



Exhibit 37

Citations for Metro Code of Conduct Violations FY 2018 by Agency

Code Of Conduct Violation	Metro Security	LA Police	LA Sheriff	Long Beach Police	Totals
Blocking An Isle Elevator Escalator Etc.	3				3
Board Thru Rear Bus Door To Avoid Payment Of Fare	1				1
Boarding Without Proof Of Payment	7,945	26	55	1	8,027
Bypassing Fare Gates Or Fare Collection Machines	745	9	8		762
Creating Disruptive Noise	20				20
Disturbing Others By Noise	73	6	3		82
Drinking Alcohol	16	15	2		33
Duplicate Or Counterfeit Fare Media	6				6
Eating Drinking Smoking	345	14	31		390
Enter Metro When Excluded Or When Prior Fines Due	1				1
Failure To Obey Signs	168	3	12		183
False Representation To Obtain Reduced Fare	406				406
Fare Evasion	30,002	133	61	10	30,206
Feet/Shoes On Seats	9		1		10
Graffiti	4	3			7
Graffiti / Remove Damage Or Tamper Metro Poster	2				2
Inval Coin Currncy In Fare Box Or Collect Device	2				2
Littering	368	4	1		373
Loitering In Metro Facilities Or Vehicle	20	11	7		38
Misuse Of Disc. Fare Media Or Fail To Prove Elgble	480				480
Misuse Of Fare Media	600				600
Obstructing Or Impeding Flow Of Metro Veh	2				2
Occupying More Than One Seat	279	2	3		284
Operating Stopping Or Parking A Veh In Rsvd Spc	1				1
Playing Sound Device	8				8
Post Signs Stickers Metro Facilities Or Vehicles	5				5
Preventing A Door From Closing	1				1
Prohibited Bicycle	1				1
Proof Of Payment	9	1			10
Reclining On Placing Objs On Or Blocking Seats	7				7
Refusal To Show Proof Of Payment	33		1		34
Riding Bicycles And Skateboards	80	2	12		94
Sale/Peddling Of Goods/Services	7	2	2		11
Soliciting In A Metro Facility Or Vehicle	3				3
Soliciting Lewd Conduct	1				1
Spitting	36		2		38
Throw Obj At A Patron Metro Rep. Facility Or Veh		1			1
Unsafe Conduct Metro Vehicles Or Metro Facilities	3				3
Urine Or Defecate Except In A Lavatory	31	6	1		38
Willfully Blocking Or Impeding Movement Of Persons	5	2			7
Willfully Interfere With Operation Of Metro Veh	1				1
Warning	22,360	25	131		22,516
Total	64,786	374	931	11	66,102
Percentage by Agency	98%	1%	1%	0%	100%





Exhibit 38 Citations for Parking Violations for FY 2018 by Agency					
Parking Violation	Metro Security	LA Police	LA Sheriff	Long Beach Police	Totals
Access Park Spaces Designated For Disabled	26	1	2		29
Blocking Fire Lane			4		4
Blocking Street Or Access	2				2
Bus Loading Zones	222		19		241
Car Share Or Vanpool Authorization Required	1				1
Disabled No Visible Placard Or Plate			1		1
Display Altered Counterfeit Or Expired Permit	1				1
Double Parking	11				11
Electric Vehicle Parking Spaces			1		1
Exceeding Posted Time Limit	4				4
Failure To Obey Signs	274	1	16		291
Failure To Obey Signs/Curb Markings	1	1	5		7
Failure To Properly Display The Permit As Instruct	5				5
Failure To Properly Register Vehicle License Plate	2	21	2		25
Illegal Parking At Fire Hydrant	1				1
Illegal Parking In Red Zones	39	2	4		45
Illegal Parking Outside Of A Defined Parking Space	35	1	20		56
Illegal Parking In Kiss & Ride Space/Pssngr Load Zone	1				1
No Front Plate	2	15	73		90
No Front Plates	1		1		2
No Parking Anytime/Posted Hours		2			2
Parking In A Permit Parking Spaces Without A Permit	3	7	1		11
Parking In Bus Loading		1	6		7
Parking In Red Zone			1		1
Parking Loading Zones (Commercial)		2			2
Parking Space Markings	1		11		12
Parking Within Marked Bicycle Lanes	1				1
Peak Hour Traffic Zones		1			1
Tags	21	14	62		97
Transient Daily Or Preferred Monthly Parking Perm	11		1		12
Unregistered Vehicle	2	33	357		392
Vehicle Exceeds Load Size Limit					0
Vehicle Parked Seventy Two Or More Hours	11	2	3		16
Warning	11	5	4		20
Totals	691	109	598		1,398
Percentage by Agency	49%	8%	43%	0%	100%



Exhibit 39 shows the trend in citations issued over the past six years. As this exhibit shows, the number of citations issued increased substantially (162%) between FY 2017 and FY 2018. Total citations are 35% below the level for FY 2013.

Exhibit 39			
Citations for Metro Code of Conduct Violations			
FY 2013 to FY 2018			
Year	Citations Issued	Annual Change	Cumulative Change
FY 2013	100,937		
FY 2014	82,892	-18%	-18%
FY 2015	58,102	-30%	-42%
FY 2016	29,524	-49%	-71%
FY 2017	25,218	-15%	-75%
FY 2018	66,102	162%	-35%
FY 2018 totals include 22,516 formal warnings issued.			

This increase in citations is likely attributable to the completion of the transition in responsibility for Code of Conduct enforcement from contracted law enforcement agencies to Metro Security.

### Performance Indicators for Metro Security

The role and responsibilities of Metro Security have expanded substantially over the past few years and now includes primary responsibility for enforcing Metro’s 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 25: The SSLE Department plans to develop performance indicators for Metro Security during 2019.**

The SSLE Department reports they will be developing Key Performance Indicators (KPI) for Metro Security during 2019. These KPI will cover two key areas: Fare Enforcement and Critical Infrastructure Protection. The fare enforcement KPI will focus on effective strategies to increase fare compliance. The critical infrastructure KPI will focus on assessing and mitigating security threats to the transits system and its critical structures.



**Recommendation 25: The SSLE Department should continue and complete efforts to develop key performance indicators for Metro Security during FY 2019.**



## Appendix A: Comparison of Reported Crime on Rail Lines, Bus and Union Station

Exhibit 40 Metro Blue Line Comparison of Reported Crime FY 2015 to FY 2018								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
<b>Reported Part 1 Violent Crime</b>								
Homicide	1	1	0%	0	-100%	1	0%	0%
Rape	1	1	0%	0	-100%	3	0%	200%
Robbery	77	114	48%	109	-4%	59	-46%	-23%
Agg Assault	83	66	-20%	58	-12%	45	-22%	-46%
Agg Assault on Op	0	0	0%	0	0%	0	0%	0%
Totals	162	182	12%	167	-8%	108	-35%	-33%
Ridership (Millions)	26.4	24.4	-8%	23.7	-3%	21.3	-10%	-19%
Per 1 Million Riders	6.13	7.47	22%	7.05	-6%	5.07	-28%	-17%
Per Day	0.44	0.50	14%	0.46	-8%	0.30	-36%	-33%
<b>Reported Part 1 Property Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Burglary	0	0	0	2	0%	7	250%	NA
Larceny-Theft	183	149	-19%	150	1%	128	-15%	-30%
Grand Theft Auto	29	26	-10%	21	-19%	13	-38%	-55%
Arson	3	4	33%	0	-100%	1	0%	-67%
Totals	215	179	-17%	173	-3%	149	-14%	-31%
Ridership (Millions)	26.4	24.4	-8%	23.7	-3%	21.3	-10%	-19%
Per 1 Million Riders	8.14	7.34	-10%	7.30	-1%	7.00	-4%	-14%
Per Day	0.59	0.49	-17%	0.47	-4%	0.41	-13%	-31%
<b>Reported Part 2 Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Battery	79	91	15%	85	-7%	96	13%	22%
Battery on Op	0	0	0%	1	NA	0	-100%	0%
Sex Offenses	17	13	-24%	14	8%	9	-36%	-47%
Weapons	21	31	48%	34	10%	31	-9%	48%
Narcotics	113	93	-18%	97	4%	90	-7%	-20%
Trespassing	73	75	3%	20	-73%	14	-30%	-81%
Vandalism	44	67	52%	34	-49%	24	-29%	-45%
Totals	347	370	7%	285	-23%	264	-7%	-24%
Ridership (Millions)	26.4	24.4	-8%	23.7	-3%	21.3	-10%	-19%
Per 1 Million Riders	13.14	15.18	16%	12.03	-21%	12.39	3%	-6%
Per Day	0.95	1.01	7%	0.78	-23%	0.72	-8%	-24%
Source: Analysis of crime reported by LASD for FYs 2015 to 2017, and reported by LAPD, LASD, and LBPD for FY 2018								



Exhibit 41 Metro Green Line Comparison of Reported Crime FY 2015 to FY 2018								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
<b>Reported Part 1 Violent Crime</b>								
Homicide	0	0	NA	2	NA	0	0%	NA
Rape	1	1	0%	2	100%	3	50%	200%
Robbery	85	95	12%	82	-14%	51	-38%	-40%
Agg Assault	16	31	94%	33	6%	12	-64%	-25%
Agg Assault on Op	0	0	0%	0	0%	0	0%	0%
Totals	102	127	25%	119	-6%	66	-45%	-35%
Ridership (Millions)	12.4	11.7	-6%	10.3	-12%	9.6	-7%	-23%
Per 1 Million Riders	8.22	10.85	32%	11.55	6%	6.88	-40%	-16%
Per Day	0.28	0.35	25%	0.33	-5%	0.18	-45%	-35%
<b>Reported Part 1 Property Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Burglary	0	1	0	1	0%	2	100%	NA
Larceny-Theft	160	144	-10%	97	-33%	51	-47%	-68%
Grand Theft Auto	66	55	-17%	41	-25%	11	-73%	-83%
Arson	0	1	NA	0	-100%	1	NA	NA
Totals	226	201	-11%	139	-31%	65	-53%	-71%
Ridership (Millions)	12.4	11.7	-6%	10.3	-12%	9.6	-7%	-23%
Per 1 Million Riders	18.20	17.18	-6%	13.50	-21%	6.77	-50%	-63%
Per Day	0.62	0.55	-11%	0.38	-31%	0.18	-53%	-71%
<b>Reported Part 2 Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Battery	45	35	-22%	27	-23%	29	7%	-36%
Battery on Op	0	0	0%	0	NA	0	NA	NA
Sex Offenses	6	5	-17%	5	0%	4	-20%	-33%
Weapons	11	3	-73%	8	167%	11	38%	0%
Narcotics	53	25	-53%	26	4%	21	-19%	-60%
Trespassing	19	9	-53%	3	-67%	1	-67%	-95%
Vandalism	44	31	-30%	31	0%	17	-45%	-61%
Totals	178	108	-39%	100	-7%	83	-17%	-53%
Ridership (Millions)	26.4	11.7	-56%	10.3	-12%	9.6	-7%	-64%
Per 1 Million Riders	6.74	9.23	37%	9.71	5%	8.65	-11%	28%
Per Day	0.49	0.30	-39%	0.27	-9%	0.23	-16%	-53%

Source: Analysis of crime reported by LASD for FYs 2015 to 2017, and reported by LAPD, LASD, and LBPD for FY 2018



Exhibit 42 Metro Expo Line Comparison of Reported Crime FY 2015 to FY 2018								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
<b>Reported Part 1 Violent Crime</b>								
Homicide	0	0	NA	0	NA	0	0%	NA
Rape	0	0	NA	0	NA	0	0%	NA
Robbery	28	28	0%	57	104%	46	-19%	64%
Agg Assault	16	14	-13%	21	50%	20	-5%	25%
Agg Assault on Op	0	0	0%	0	0%	0	0%	0%
Totals	44	42	-5%	78	86%	66	-15%	50%
Ridership (Millions)	9.9	10.7	8%	17.1	60%	19.2	12%	93%
Per 1 Million Riders	4.43	3.93	-11%	4.56	16%	3.44	-25%	-22%
Per Day	0.12	0.12	0%	0.21	75%	0.18	-14%	50%
<b>Reported Part 1 Property Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Burglary	0	0	0	1	0%	0	-100%	NA
Larceny-Theft	131	68	-48%	146	115%	164	12%	25%
Grand Theft Auto	6	8	33%	1	-88%	0	-100%	-100%
Arson	0	0	NA	0	NA	0	NA	NA
Totals	137	76	-45%	148	95%	164	11%	20%
Ridership (Millions)	9.9	10.7	8%	17.1	60%	19.2	12%	93%
Per 1 Million Riders	13.81	7.10	-49%	8.65	22%	8.54	-1%	-38%
Per Day	0.38	0.21	-45%	0.41	95%	0.45	10%	18%
<b>Reported Part 2 Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Battery	16	14	-13%	32	129%	47	47%	194%
Battery on Op	0	0	0%	0	NA	1	NA	NA
Sex Offenses	0	5	NA	11	120%	9	-18%	NA
Weapons	7	1	-86%	1	0%	2	100%	-71%
Narcotics	16	7	-56%	9	29%	4	-56%	-75%
Trespassing	7	4	-43%	2	-50%	2	0%	-71%
Vandalism	29	12	-59%	14	17%	3	-79%	-90%
Totals	75	43	-43%	69	60%	68	-1%	-9%
Ridership (Millions)	9.9	10.7	8%	17.1	60%	19.2	12%	93%
Per 1 Million Riders	7.56	4.02	-47%	4.04	1%	3.54	-12%	-53%
Per Day	0.21	0.12	-43%	0.19	58%	0.19	0%	-9%
Source: Analysis of crime reported by LASD for FYs 2015 to 2017, and reported by LAPD, LASD, and LBPD for FY 2018								



Exhibit 43 Metro Red Line Comparison of Reported Crime FY 2015 to FY 2018								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
<b>Reported Part 1 Violent Crime</b>								
Homicide	0	0	NA	1	NA	0	0%	NA
Rape	0	2	NA	3	50%	2	33%	NA
Robbery	43	52	21%	46	-12%	55	20%	28%
Agg Assault	76	51	-33%	57	12%	30	-47%	-61%
Agg Assault on Op	0	0	0%	0	0%	0	0%	0%
Totals	119	105	-12%	107	2%	87	-19%	-27%
Ridership (Millions)	47.7	46.0	-4%	45.6	-1%	43.8	-4%	-8%
Per 1 Million Riders	2.49	2.28	-8%	2.35	3%	1.99	-15%	-20%
Per Day	0.33	0.29	-12%	0.29	0%	0.24	-18%	-27%
<b>Reported Part 1 Property Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Burglary	2	1	-50%	3	200%	0	-100%	-100%
Larceny-Theft	133	120	-10%	98	-18%	160	63%	20%
Grand Theft Auto	5	10	100%	7	-30%	13	86%	160%
Arson	0	0	NA	2	NA	0	-100%	NA
Totals	140	131	-6%	110	-16%	173	57%	24%
Ridership (Millions)	47.7	46.0	-4%	45.6	-1%	43.8	-4%	-8%
Per 1 Million Riders	2.93	2.85	-3%	2.41	-15%	3.95	64%	35%
Per Day	0.38	0.36	-6%	0.30	-16%	0.47	58%	24%
<b>Reported Part 2 Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Battery	105	98	-7%	112	14%	188	68%	79%
Battery on Op	0	0	0%	0	NA	0	NA	NA
Sex Offenses	25	23	-8%	27	17%	38	41%	52%
Weapons	15	7	-53%	11	57%	0	-100%	-100%
Narcotics	120	66	-45%	75	14%	0	-100%	-100%
Trespassing	35	34	-3%	31	-9%	24	-23%	-31%
Vandalism	30	30	0%	22	-27%	22	0%	-27%
Totals	330	258	-22%	278	8%	272	-2%	-18%
Ridership (Millions)	47.7	46.0	-4%	45.6	-1%	43.8	-4%	-8%
Per 1 Million Riders	6.92	5.61	-19%	6.10	9%	6.21	2%	-10%
Per Day	0.90	0.71	-22%	0.76	8%	0.75	-2%	-18%

Source: Analysis of crime reported by LASD for FYs 2015 to 2017, and reported by LAPD, LASD, and LBPD for FY 2018



Exhibit 44 Metro Gold Line Comparison of Reported Crime FY 2015 to FY 2018								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
<b>Reported Part 1 Violent Crime</b>								
Homicide	0	1	NA	0	-100%	0	0%	NA
Rape	0	1	NA	0	-100%	1	0%	NA
Robbery	14	14	0%	13	-7%	15	15%	7%
Agg Assault	19	15	-21%	15	0%	9	-40%	-53%
Agg Assault on Op	0	0	0%	0	0%	0	0%	0%
Totals	33	31	-6%	28	-10%	25	-11%	-24%
Ridership (Millions)	14.0	15.4	10%	16.6	8%	16.2	-2%	16%
Per 1 Million Riders	2.35	2.01	-14%	1.69	-16%	1.54	-9%	-34%
Per Day	0.09	0.08	-11%	0.08	0%	0.07	-14%	-22%
<b>Reported Part 1 Property Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Burglary	3	1	-67%	2	0%	0	-100%	-100%
Larceny-Theft	85	94	11%	56	-40%	54	-4%	-36%
Grand Theft Auto	11	14	27%	16	14%	9	-44%	-18%
Arson	0	0	NA	1	NA	0	-100%	NA
Totals	99	109	10%	75	-31%	63	-16%	-36%
Ridership (Millions)	14.0	15.4	10%	16.6	8%	16.2	-2%	16%
Per 1 Million Riders	7.06	7.08	0%	4.52	-36%	3.89	-14%	-45%
Per Day	0.27	0.30	10%	0.21	-30%	0.17	-18%	-36%
<b>Reported Part 2 Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Battery	26	30	15%	19	-37%	47	147%	81%
Battery on Op	0	0	0%	0	NA	0	NA	NA
Sex Offenses	7	6	-14%	16	167%	11	-31%	57%
Weapons	13	2	-85%	3	50%	1	-67%	-92%
Narcotics	38	18	-53%	19	6%	4	-79%	-89%
Trespassing	4	50	1150%	9	-82%	3	-67%	-25%
Vandalism	36	49	36%	42	-14%	21	-50%	-42%
Totals	124	155	25%	108	-30%	87	-19%	-30%
Ridership (Millions)	14.0	15.4	10%	16.6	8%	16.2	-2%	16%
Per 1 Million Riders	8.84	10.06	14%	6.51	-35%	5.37	-18%	-39%
Per Day	0.34	0.42	25%	0.30	-29%	0.24	-21%	-30%

Source: Analysis of crime reported by LASD for FYs 2015 to 2017, and reported by LAPD, LASD, and LBPD for FY 2018





Exhibit 45 Metro Bus Lines Comparison of Reported Crime FY 2015 to FY 2018								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
<b>Reported Part 1 Violent Crime</b>								
Homicide	0	1	0%	0	-100%	0	0%	0%
Rape	1	4	300%	0	-100%	5	0%	400%
Robbery	127	97	-24%	96	-1%	167	74%	31%
Agg Assault	143	139	-3%	107	-23%	94	-12%	-34%
Agg Assault on Op	30	18	-40%	20	11%	6	-70%	-80%
Totals	301	259	-14%	223	-14%	272	22%	-10%
Ridership (Millions)	334.8	320.7	-4%	276.7	-14%	280.8	1%	-16%
Per 1 Million Riders	0.90	0.81	-10%	0.81	0%	0.97	20%	8%
Per Day	0.82	0.71	-14%	0.61	-14%	0.75	22%	-10%
<b>Reported Part 1 Property Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Burglary	6	4	-33%	4	0%	2	-50%	-67%
Larceny-Theft	293	319	9%	293	-8%	315	8%	8%
Grand Theft Auto	19	14	-26%	13	-7%	21	62%	11%
Arson	0	2	NA	1	-50%	0	-100%	NA
Totals	318	339	7%	252	-26%	338	34%	6%
Ridership (Millions)	334.8	320.7	-4%	276.7	-14%	280.8	1%	-16%
Per 1 Million Riders	0.95	1.06	11%	0.91	-14%	1.20	32%	27%
Per Day	0.87	0.93	7%	0.69	-26%	0.93	34%	6%
<b>Reported Part 2 Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Battery	142	225	58%	189	-16%	323	71%	127%
Battery on Op	63	114	81%	83	-27%	73	-12%	16%
Sex Offenses	29	65	124%	46	-29%	75	63%	159%
Weapons	25	29	16%	19	-34%	5	-74%	-80%
Narcotics	126	73	-42%	79	8%	19	-76%	-85%
Trespassing	10	23	130%	6	-74%	6	0%	-40%
Vandalism	134	179	34%	144	-20%	63	-56%	-53%
Totals	529	708	34%	566	-20%	564	0%	7%
Ridership (Millions)	334.8	320.7	-4%	276.7	-14%	280.8	1%	-16%
Per 1 Million Riders	1.58	2.21	40%	2.05	-7%	2.01	-2%	27%
Per Day	1.45	1.94	34%	1.55	-20%	1.55	0%	7%
Source: Analysis of crime reported by LASD for FYs 2015 to 2017, and reported by LAPD, LASD, and LBPD for FY 2018								



Exhibit 46 Union Station Comparison of Reported Crime FY 2015 to FY 2018								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
<b>Reported Part 1 Violent Crime</b>								
Homicide	0	0	0%	0	0%	0	NA	NA
Rape	0	2	0%	0	-100%	2	NA	NA
Robbery	1	4	300%	1	-75%	0	-100%	-100%
Agg Assault	17	6	-65%	17	183%	9	-47%	-47%
Agg Assault on Op	0	0	0%	0	0%	0	NA	NA
Totals	18	12	-33%	18	50%	11	-39%	-39%
Ridership (Millions)	NA	NA	NA	NA	NA	NA	NA	NA
Per 1 Million Riders	NA	NA	NA	NA	NA	NA	NA	NA
Per Day	0.05	0.03	-40%	0.05	67%	0.03	-39%	-39%
<b>Reported Part 1 Property Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Burglary	5	5	0%	5	0%	0	-100%	-100%
Larceny-Theft	42	27	-36%	42	56%	55	31%	31%
Grand Theft Auto	2	1	-50%	2	100%	4	100%	100%
Arson	0	1	NA	0	-100%	0	NA	NA
Totals	49	34	-31%	49	44%	59	20%	20%
Ridership (Millions)	NA	NA	NA	NA	NA	NA	NA	NA
Per 1 Million Riders	NA	NA	NA	NA	NA	NA	NA	NA
Per Day	0.13	0.09	-31%	0.13	44%	0.16	20%	23%
<b>Reported Part 2 Crime</b>								
Crime	FY 2015	FY 2016	Change	FY 2017	Change	FY 2018	Change	Total Change
Battery	37	19	-49%	37	95%	36	-3%	-3%
Battery on Op	0	0	0%	0	NA	0	NA	NA
Sex Offenses	4	3	-25%	4	33%	5	25%	25%
Weapons	7	1	-86%	7	600%	0	-100%	-100%
Narcotics	36	10	-72%	36	260%	0	-100%	-100%
Trespassing	12	2	-83%	12	500%	9	-25%	-25%
Vandalism	4	7	75%	4	-43%	4	0%	0%
Totals	100	42	-58%	100	138%	54	-46%	-46%
Ridership (Millions)	NA	NA	NA	NA	NA	NA	NA	NA
Per 1 Million Riders	NA	NA	NA	NA	NA	NA	NA	NA
Per Day	0.27	0.12	-56%	0.27	125%	0.15	-44%	-44%
Source: Analysis of crime reported by LASD for FYs 2015 to 2017, and reported by LAPD, LASD, and LBPD for FY 2018								



## Appendix B: Schedule of Recommendations and Proposed Actions

Exhibit 47 Metro Security Performance 2018 Review Recommendation Summary and Proposed Actions					
No.	Recommendation	Staff Assigned	Agree or Disagree	Proposed Action	Completion Date Estimate
1	The Metro SSLE Department should continue to work with contract law enforcement agencies to improve the complete and accurate reporting of crime that occurs on the Metro System.				
2	The Metro SSLE Department should continue to work to develop a more macro approach to oversight and monitoring of contracted law enforcement resources using the GPS function of the Mobile Phone Validators (MPV) assigned to contracted law enforcement personnel and the data generated from them.				
3	The Metro SSLE Department should consider providing more detailed information on reported crime to distinguish between violent crime and property and petty crime.				
4	The Metro SSLE Department should collect and report response time information for all three categories of calls for service.				
5	The Metro SSLE Department should use the GPS function and data generated to provide reliable and meaningful information on the amount of time contracted law enforcement officers spend on various parts of the Metro System.				
6	The Metro SSLE Department should work with the contract law enforcement agencies to review, revise and adopt Key Performance Indicators (KPI) including baseline or target levels of performance for each KPI.				



No.	Recommendation	Staff Assigned	Agree or Disagree	Proposed Action	Completion Date Estimate
7	<p>The Metro SSLE Department should continue to develop the Metro Community Policing plan and ensure it includes:            Specific training in Problem Oriented Policing for law enforcement personnel to assist Metro in addressing matters related to crime and disorder            Attendance at community meetings and other events designed to foster Metro’s relationship with the community            Protocols to obtain feedback from bus and rail managers that will be used in the overall policing strategy</p>				
8	<p>A. LAPD should continue monitoring the contract requirements to ensure all personnel meet the required certification and complete the transit policing training before working on any Metro assignments.            B. Metro SSLE Department should continue monitoring the contract requirements for qualifications and training of personnel to ensure compliance.</p>				
9	<p>A. LAPD should submit the required payroll records with the monthly invoice.            B. Metro should continue to monitor LAPD’s billings to ensure all the required supporting documents are submitted with the invoices</p>				
10	<p>A. LAPD should submit the list of maximum fully burdened hourly rates for each labor classification for overtime in accordance with the contract</p>				



No.	Recommendation	Staff Assigned	Agree or Disagree	Proposed Action	Completion Date Estimate
	requirements. Also, the escalation rate included in the calculation of the maximum fully burdened hourly rates should not exceed the maximum escalation rate stipulated in the contract. B. Metro SSLE Department should work with LAPD to ensure that the list of maximum fully burdened hourly rates complied with the contract requirements. Metro should also review the billing rates for overtime for all invoices to determine the extent of overbillings for FY 2018.				
11	A. LAPD should submit the list of maximum fully burdened hourly rates for all labor classifications in accordance with the contract requirements. For any additional labor classifications not identified in the list of maximum fully burdened hourly rate, LAPD should submit a revised list to Metro for approval prior to incurring the cost. B. Metro SSLE Department should continue to monitor LAPD's billings to ensure only the approved labor classifications are billed and included in the list of maximum fully burdened hourly rates. Metro should also review the billing rates for straight time for all invoices to determine the extent of overbillings.				
12	A. LAPD should return the overbilled and overpaid amount of \$3,874.99 to Metro.				



No.	Recommendation	Staff Assigned	Agree or Disagree	Proposed Action	Completion Date Estimate
	B. Metro SSLE Department should continue monitoring LAPD's billings to identify and resolve billing discrepancies.				
13	A. LAPD should submit the prevailing Cost Allocation Plan (CAP) rate together with the list of maximum fully burdened hourly rates for overtime. B. Metro SSLE Department should continue to monitor LAPD's billings to ensure the overtime overhead rate billed was based on the CAP overhead rate approved by the Federal Government in effect at the time the work was performed.				
14	A. LAPD should submit to Metro in a timely manner the monthly Summary of Problem-Oriented Policing projects. B. Metro's SSLE Department should continue to monitor LAPD's submission of reports and stamp the date received on reports to ensure all the required reports are submitted in a timely manner and with complete information to allow Metro to determine the calculation of the reported figures.				
15	A. LAPD should provide the equipment in the quantities listed in Exhibit E of the contract. B. Metro SSLE Department should continue to monitor LAPD's equipment to ensure the quantities listed in Exhibit E of the contract are properly provided and in a timely manner.				



No.	Recommendation	Staff Assigned	Agree or Disagree	Proposed Action	Completion Date Estimate
16	A. LASD should continue monitoring the contract requirements to ensure all personnel complete the safety training and transit policing training before working on any Metro assignments. B. Metro SSLE Department should continue monitoring the contract requirements for qualifications and training of personnel to ensure compliance with the contract.				
17	A. LASD should issue an additional credit amount of \$1,699.68 to Metro. B. Metro SSLE Department should continue monitoring LASD's billings to ensure each job position meet the service levels promised on Form 575 and the billing rates are in compliance with the contract.				
18	A. LASD should submit to Metro in a timely manner the report for number of cases referred for follow-up investigation and the subsequent disposition. B. Metro SSLE Department should work with LASD to resolve any issues regarding the required reports. Also, Metro should continue monitoring LASD's submission of reports to ensure all the required reports were submitted in a timely manner and with complete information to allow Metro to determine the calculation of the reported figures.				
19	A. LBPD should continue monitoring the contract requirements to ensure all personnel have completed the				



No.	Recommendation	Staff Assigned	Agree or Disagree	Proposed Action	Completion Date Estimate
	transit policing training before working on any Metro assignments. B. Metro SSLE Department should continue monitoring the contract requirements for qualifications and training of personnel to ensure compliance.				
20	A. LBPD should inform Metro the amount expected to exceed the estimated cost specified in the contract for each year before incurring the costs. B. Metro SSLE Department should continue monitoring LBPD's billings, payments and contract amount to ensure that costs do not exceed the contract amount.				
21	A. LBPD should submit the daily summary of assignments for all hours worked and payroll records with the invoices. B. Metro SSLE Department should continue monitoring LBPD's billings to ensure all the required supporting documents were submitted with the invoices.				
22	A. LBPD should return to Metro the overbilled and overpaid amount of \$14,643.89. B. Metro SSLE Department should continue to monitor LBPD's billings to ensure only the approved labor classifications are billed and included in the list of maximum fully burdened hourly rates. Metro should also review the billing rates for all invoices to determine the extent of overbillings for FY2018.				





No.	Recommendation	Staff Assigned	Agree or Disagree	Proposed Action	Completion Date Estimate
23	Metro SSLE Department should review the billing methodology specified in the contract for equipment cost and determine whether the contract should be revised.				
24	Metro SSLE Department should continue monitoring LBPD's submission of reports to ensure all the required reports are submitted in a timely manner and with complete information to allow Metro to determine the calculation of the reported figures.				
25	The SSLE Department should continue and complete efforts to develop key performance indicators for Metro Security during FY 2019.				



## File Summary

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<b>File Number</b>	<b>Title</b>	<b>Current Status</b>
2019-0481	<b>Informational Report</b>  RECEIVE AND FILE OIG report on Metro Security Performance Review Fiscal Year 2018.  <b>Introduced:</b> 6/6/2019  <b>Meeting Date:</b> 7/18/2019  <b>Drafter:</b> taylorm@metro.net	<b>Agenda Ready</b>  <b>Controlling Body:</b> Operations, Safety, and Customer Experience Committee  <b>Sponsor(s):</b> Operations, Safety, and Customer Experience Committee and Executive Management Committee

# Office of the Inspector General Metro Security Performance Review Fiscal Year 2018

## Metro Operations, Safety, and Customer Experience Committee

July 18, 2019

BCA Watson Rice, LLP





# Background and Scope

1. Metro awarded three separate 5-year firm fixed unit rate contracts to the LAPD, the LASD, and the LBPD for transit law enforcement services in 2017.
2. The Metro Board directed the OIG to annually audit each law enforcement services contract.
3. The audit is to ensure that Metro is receiving the services it is paying for.
4. This report evaluates transit security performance provided by the three Contractors and Metro's Transit Security Department during FY 2018.



# Crime and Safety Trends

1. Reported Violent Crime decreased by 18% between FYs 2015 and 2018, with most of this decrease (14%), occurring between FYs 2017 and 2018.
2. Reported Property Crime decreased 15% between FYs 2015 and 2018, with a decrease of 16% occurring between FYs 2015 and 2017, and an increase of 1% occurring between FYs 2017 and 2018.
3. Rider perceptions of safety on the Metro Train system declined slightly and rider perceptions of safety on the Metro Bus system improved slightly between FYs 2015 and 2018.



# Key Recommendations

There were 25 recommendations, but these are some key ones:

1. Improve the reporting of crime that occurs on the Metro System:
  - A. More detailed information on reported crime to distinguish between violent crime and property and petty crime, and
  - B. Report crimes related to the Metro System but handled by Non-Metro assigned personnel.
2. Strengthen oversight and monitoring of resources using the GPS function of the Mobile Phone Validators.
3. Review, revise, and adopt KPIs including baseline or target levels of performance.
4. Continue and expand monitoring and oversight of contract compliance, including:
  - A. Reviewing invoices for potential overbilling,
  - B. Enforcement of training requirements,
  - C. Staying within budget, and
  - D. Deployments that increase rider perceptions of safety.
5. Improve documentation to support billings.
6. Seek some refunds of small amounts due to Metro.



**Board Report**

**File #:** 2019-0481, **File Type:** Informational Report

**Agenda Number:** 26.

**OPERATIONS, SAFETY, AND CUSTOMER EXPERIENCE COMMITTEE  
EXECUTIVE MANAGEMENT COMMITTEE  
JULY 18, 2019**

**SUBJECT: OFFICE OF THE INSPECTOR GENERAL REPORT ON METRO SECURITY  
PERFORMANCE REVIEW FISCAL YEAR 2018**

**ACTION: RECEIVE AND FILE**

**RECOMMENDATION**

RECEIVE AND FILE OIG report on Metro Security Performance Review Fiscal Year 2018.

**ISSUE**

On February 23, 2017, the Metro Board passed a motion directing that the Inspector General conduct an annual audit of each law enforcement services contract to determine how key performance indicators are measuring up against actual performance metrics. The audit is to ensure that Metro is receiving the services it is paying for.

**BACKGROUND**

In 2017, LACMTA (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) for transit law enforcement services to support day-to-day operations across Metro’s entire service area. Metro also directly employs transit security officers who perform fare checks and bus/rail patrolling.

**DISCUSSION**

**A. Trends in Crime, Perceptions of Safety, and Safety and Security Complaints**

There are three key outcome measures that can be used to evaluate the effectiveness and trends of Metro’s safety and security approach and program. These are the level of reported crime on the system, the perceptions of safety by users of the system, and the number of safety and security complaints made by users of the system.

**Reported Crime**

Total reported Violent Crime on the Metro System decreased by 18% between FY 2015 and FY 2018,

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with most of this decrease (14%), occurring between FY 2017 and FY 2018. Total reported Property Crime on the Metro System decreased 15% between FY 2015 and FY 2018, with a decrease of 16% occurring between FY 2015 and FY 2017, and an increase of 1% occurring between FY 2017 and FY 2018.

Obtaining complete and accurate reporting of crime that occurs on the Metro System continues to be challenging. This is partially due to the fact that the Metro System operates within multiple jurisdictions with their own law enforcement agencies who respond to, handle, and report crime that may not be reported to Metro.

In addition, in the LAPD service area of the Metro System, LAPD neighborhood patrol units respond to and handle many crimes that occur within the Metro System. An unknown number of these crimes are not reported to the LAPD Transit Policing Division and so are not tracked and reported to Metro.

We recommend the Metro System Security and Law Enforcement (SSLE) Department continue to work with contract law enforcement agencies to improve the complete and accurate reporting of crime that occurs on the Metro System.

### **Rider Perceptions of Safety**

Perception of crime and disorder on the Metro System creates a risk to the confidence in safety held by passengers and Metro employees and poses a risk to the reputation of Metro as a safe and secure system. Passengers who perceive the system to be unsafe will not use the service, and therefore reduce the number of people using transit and Metro's ridership.

Based on Metro rider surveys conducted annually, rider perceptions of safety on the Metro Train system declined slightly and rider perceptions of safety on the Metro Bus system improved slightly between FY 2015 and FY 2018. These changes in perceptions of safety are small and within the margin of error for the survey. However, it is important to continue to monitor rider perceptions of safety on the Metro System and to develop strategies to address concerns and improve that perception.

### **Complaints Regarding Safety and Security**

Another important indicator of the public or riders' perception of the safety of the Metro System is the number of complaints received regarding safety and security. During the period from FYs 2015 to 2018, rider complaints for the bus system regarding passenger safety or conduct issues were not among the top ten complaints. However, for the rail system, rider complaints regarding passenger safety or conduct issues were the second most common complaint of the top ten complaints for FYs 2015 to 2017. For FY 2018, complaints regarding passenger safety or conduct issues dropped to five of the top ten.

We recommend the SSLE Department continue to monitor rider survey results regarding perceptions of safety of riders on the Metro System and complaints regarding safety and passenger conduct issues and develop strategies to improve those perceptions and reduce complaints.

## **B. Resource Monitoring and Oversight**



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The SSLE Department is charged with ongoing oversight of the contracted law enforcement services as well as the operations of Metro Security.

### **Audits of Contracted Law Enforcement Personnel Presence**

Metro has and will continue to have a substantial investment in resources devoted to system safety and security. Ensuring that these resources are effectively and efficiently used is very important.

Oversight and monitoring of contracted law enforcement resources has been problematic. Metro has had some difficulty in ensuring that law enforcement personnel assigned to Metro are actually present and performing as assigned. Historically, Metro has not had an effective means of verifying the accuracy of staffing information provided by contract law enforcement, or of verifying that personnel charging time on the Metro contract are actually present and providing the contracted services.

Beginning with FY 2018, the SSLE Department implemented regular “audits” of law enforcement personnel to monitor consistency between personnel time reported and the invoiced costs. Beginning in September 2017, Metro also began conducting “field audits” of law enforcement personnel in addition to the comparison audits of information provided by contracted law enforcement agencies. These field audits involve taking the roster of law enforcement personnel assigned to work and verifying that those personnel are actually in the field and providing the contracted service. These field audits strengthen Metro’s contract oversight and monitoring.

### **GPS Based Contracted Law Enforcement Oversight and Monitoring**

The SSLE Department has been working to develop and implement an effective method of tracking and monitoring the activities of safety and security resources deployed on the Metro System using the GPS function on smartphones used by Metro safety and security personnel.

The Mobile Phone Validators (MPV) provided to contracted law enforcement officers are now GPS enabled and are able to provide information on the location and movement of the MPV and law enforcement resources. Metro has not yet begun using the GPS function and information generated to track or monitor the activities of contracted law enforcement resources.

We recommend the SSLE Department should work to develop a more macro approach to oversight and monitoring of contracted law enforcement resources using the GPS function of the MPV assigned to contracted law enforcement personnel and the data generated from them.

### **Oversight of Other Law Enforcement Contract Requirements**

In our review of compliance with the contract terms, we found some instances of non-compliance by all three law enforcement agencies with qualifications and training of personnel assigned, reports and information being provided to Metro, equipment provided under the contract, and appropriate support for invoices submitted. Increased monitoring and oversight of these requirements seems warranted given the size of the contracts and the importance of the services being provided.

We recommend the SSLE Department should consider expanding monitoring and oversight of other contract requirements including qualifications and training of personnel, required reporting, equipment provided, and invoice support and compliance with the contract. We also recommend

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Metro seek reimbursement for overbillings and overpayments resulting from noncompliance with contract terms during FY 2018.

### **C. Key Performance Indicators (KPI)**

It is essential that Metro clearly define performance expectations for each of the contract law enforcement agencies and use meaningful performance indicators to evaluate how well these expectations are being met.

#### **Reporting of Crime and Incident Response Time Indicators**

Two of the KPI included in each of the law enforcement contracts were intended to provide information on the outcomes of the law enforcement service provided including changes in the number of crimes reported and increases in crime incident response times.

In crime reporting the emphasis should be on violent crime, which is obviously the most impactful to the Metro System and has the greatest impact on Metro's riders. Reporting all crime in the aggregate is less meaningful because violent crimes such as homicide, robbery and rape are given the same weight as lesser crimes such as larceny, petty theft, and vandalism.

A primary workload for law enforcement is responding to and handling incidents that occur on the Metro System or calls for service. Metro's SSLE Department currently only collects and reports response time information for emergency calls for service. While emergency calls for service are obviously the most important calls, tracking and reporting response time on less urgent incidents and calls for service is also important.

Often these lower priority calls for service involve quality of life issues and concerns as well as victims of property crimes. A slow response to these incidents can have a negative impact on the perception of the riding public transit that the system is safe and well protected. In addition, not requiring contract law enforcement agencies to track and report these response times communicates to them and their officers that these calls are not important.

We recommend that Metro's SSLE Department begin to collect and report on response times for all calls for service that require a law enforcement response.

#### **Visibility of Law Enforcement Security Personnel Indicators**

Providing a visible security presence within the Metro System is an important strategy for providing both a sense and reality of safety. Three of the KPI included in each of the law enforcement contracts were intended to provide information on the visibility of law enforcement security personnel on the Metro System. These are 1) the ratio of proactive versus dispatched activity, 2) the number of foot and vehicle patrols of bus stops, transit centers, train platforms, plazas, and stations, and 3) the number of bus and train boardings.

Contract law enforcement agencies were only able to report on the ratio of proactive versus dispatched activity. Contract law enforcement agencies were not able to report on the other two KPI. While these are important indicators and would provide useful information on the level of activity and visibility of contracted law enforcement personnel, it was not practical for the law enforcement

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agencies to reliably collect meaningful information for these indicators. As discussed in Section B of this report, using the GPS function and the data generated could provide more reliable and meaningful information on the amount of time contracted law enforcement officers spend on each of these activities related to KPI 2 and 3 above.

### **Law Enforcement Personnel Presence Indicator**

One of the KPI included in each of the law enforcement contracts was intended to provide information on the presence of the contracted law enforcement personnel. This is the ratio of staffing levels and vacant assignments. This indicator is important in both communicating to the contract law enforcement agencies the need to actually staff contracted assignments and to report how effectively these positions are actually being staffed. Reported staffing levels collectively were at 98.5% or above during FY 2018.

### **Baseline Expectations and Other Potential Performance Indicators**

It is important to establish baseline expectations or targets for each performance indicator. This not only clearly communicates performance expectations, but it also can help drive improvements in performance through the development and implementation of new strategies. Baseline performance levels for each KPI have not been developed.

We recommend Metro's SSLE Department work with contract law enforcement agencies to establish baseline or target performance levels for each of the KPI currently in use. They should also work together to determine if additional KPI would be appropriate and meaningful.

## **D. Community Policing**

Community policing within a transit system should place an emphasis on quality of life issues. The customers of the Metro System must feel safe and secure. The presence of security, in whatever form, must have a "felt presence;" that is, they must be visible and engaged without becoming oppressive and threatening.

### **Metro Community Policing Plan**

The Metro SSLE Department is in the process of developing a community policing plan for the Metro System. The Metro Community Policing Plan will be a unified plan instead of having each of the three law enforcement agencies develop individual community policing plans. The Metro Community Policing Plan is part of Metro's new Equity Platform, which aims to assure equity across all programs impacting transit service, planning, and policing. The SSLE Department expects to have a draft Metro Community Policing Plan completed by the Fall of 2019.

We recommend the Metro SSLE Department continue to develop the Metro Community Policing Plan and ensure it includes specific training in Problem Oriented Policing for law enforcement personnel, attendance by law enforcement personnel at community meetings, and protocols to obtain feedback from bus and rail managers.

### **Law Enforcement Service Request (LESR) System**

Metro employees, including bus and train operators, maintenance personnel, customer service

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representatives, and others are the front-line representatives of Metro and have ongoing and direct interaction with the riding public. The LESR system implemented in FY 2018 should provide good information on Metro employee safety and security issues and concerns on the system going forward.

During FY 2018, a total of 935 law enforcement service requests were generated by Metro employees. Our review of the requests and responses indicate that law enforcement agencies are using the LESR to identify and resolve issues and concerns.

### **E. Compliance with Specific Contract Requirements**

The contracts with the three law enforcement agencies each contain specific requirements related to personnel and training, billing, required reports, and other contractual requirements.

#### **Overview of Law Enforcement Contract Requirements**

Each of the contracts with the three law enforcement agencies includes specific contract requirements. This includes requirements for the experience and training of law enforcement personnel assigned to Metro, billing information and supporting documentation, required information and reports on activities, and other information on equipment provided.

#### **Los Angeles Police Department (LAPD) Contract Compliance**

The following are the results of our review of LAPD's contract compliance:

- LAPD was not in compliance with two of the contract requirements related to personnel and training.
- The total amount billed and paid to LAPD for FY 2018 did not exceed the estimated cost specified in the contract for Year 1.
- Invoices submitted to Metro were based on actual services provided and supported by daily summary of assignments and hours worked using the cost data from the payroll system. However, actual payroll records were not submitted with the invoices as required.
- For overtime charges, we were unable to determine whether the billing rates exceeded the approved maximum fully burdened hourly rates because the list of maximum fully burdened hourly rates that LAPD submitted to Metro was not in compliance with the contract.
- Eight labor classifications totaling \$281,400.77 were not found in the required list of maximum fully burdened hourly rates.
- For straight time charges, we identified a total amount of \$3,874.99 as overbilled by LAPD and overpaid by Metro.
- LAPD invoiced an overhead rate of 12.76% for overtime hours that was unsupported by

adequate documentation.

- LAPD met 8 out of 9 contract requirements for submitting required reports to Metro. The reports were submitted with adequate information and in a format that allows Metro to determine the calculation of the reported figures. However, no information was provided as to when these reports were submitted to Metro so we were unable to determine if the reports were submitted on time in accordance with the contract.
- Exhibit E of the contract provides a list of equipment that the LAPD was supposed to provide under the contract. We found that LAPD did not provide the equipment in the quantities listed in Exhibit E.

### **Los Angeles County Sheriff's Department (LASD) Contract Compliance**

- LASD was not in compliance with two of the contract requirements related to personnel and training.
- The total amount billed and paid for FY 2018 to LASD did not exceed the estimated cost specified in the contract for Year 1.
- Except for a credit amount understatement of \$1,699.68, the billing rates were consistent with Metro's approved rates. Invoices were based on actual services provided and supported by Payment Certification, the Service Level and Billing Status Report, and the Patrol Compliance Report.
- LASD met 7 out of 8 contract requirements for required reports. The reports were submitted in a timely manner, with adequate information and in a format that allows Metro to determine the calculation of the reported figures.

### **Long Beach Police Department (LBPD) Contract Compliance**

- LBPD was not in compliance with the contract requirement for Transit Policing training.
- The total amount billed and paid for FY2018 exceeded the estimated cost specified in the contract for Year 1 by \$885,578.
- Daily summary of assignments for all hours worked and payroll records were not submitted with the invoices.
- The billing rates exceeded Metro's approved maximum fully burdened hourly rates for three labor categories. Only one of the three labor categories was listed in the approved maximum fully burdened hourly rates. We identified a total amount of \$14,643.89 as overbilled by LBPD

and overpaid by Metro.

- The billing methodology for equipment cost was not consistent with the contract agreement.
- LBPD met 8 out of 9 contract requirements for required reports. The reports were submitted with adequate information and in a format that allows Metro to determine the calculation of the reported figures. No information was provided as to when these reports were submitted to Metro so we were unable to determine if the reports were submitted to Metro on time.

## **F. Fare and Code of Conduct Compliance 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.

### **Code of Conduct and Parking Enforcement and Citations**

The vast majority (98%) of the citations for Metro Code of Conduct violations are issued by Metro Security. This demonstrates the substantial change in the transfer in responsibility for fare and code of conduct enforcement from contracted law enforcement to Metro Security. The number of Code of Conduct citations issued increased substantially (162%) between FY 2017 and FY 2018. Total citations are 35% below the level for FY 2013.

### **Performance Indicators for Metro Security**

The role and responsibilities of Metro Security have expanded substantially over the past few years and now includes primary responsibility for enforcing Metro's 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.

The SSLE Department reports they will be developing KPIs for Metro Security during 2019. These KPIs will cover two key areas: Fare Enforcement and Critical Infrastructure Protection. The fare enforcement KPI will focus on effective strategies to increase fare compliance. The critical infrastructure KPI will focus on assessing and mitigating security threats to the transit system and its critical structures.

## **FINANCIAL IMPACT**

Adoption of the recommendations in this report does not increase the financial impact on the agency.

## **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

The recommendations in this report support Strategic Plan Goal 2.1 (Improving security), Goal 5.6 (fostering and maintaining a strong safety culture), and Goal 2 (delivering outstanding trip experiences).

## **NEXT STEPS**

Metro management should:

- Complete the Schedule for Tracking Metro's Proposed Actions in response to the recommendations provided in Appendix B of the report as determinations are made on implementing the recommendations; and
- Periodically report to the Metro Board on the status of actions taken to implement the recommendations.


### **ATTACHMENTS**

Attachment A - Metro Security Performance Review Fiscal Year 2018

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Inspector General



