



## Board Report

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

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

**ACTION: RECEIVE AND FILE**

### **RECOMMENDATION**

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

### **ISSUE**

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

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

### **BACKGROUND**

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

#### *Mission Statement*

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

#### *Values Statements*

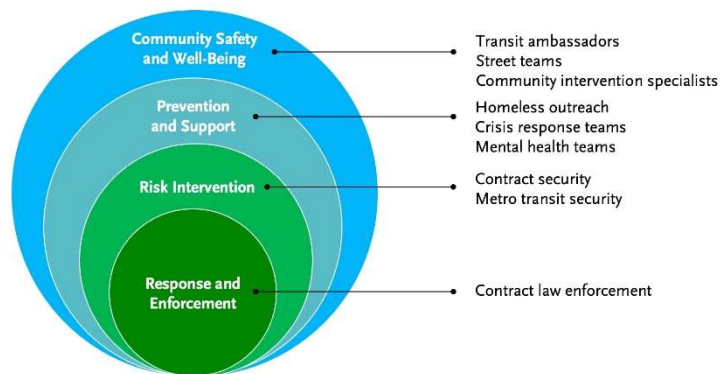
- Implement a Human-Centered Approach
- Emphasize Compassion and a Culture of Care
- Recognize Diversity

- Acknowledge Context
- Committed to Openness and Accountability

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

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

Metro's Layered Public Safety Ecosystem



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

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

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

intervention specialists, and street team personnel.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Support staff = Administrative, management, detectives, analytics

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

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

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

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

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

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

## Review of Large Transit Agencies

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

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of transit environments.

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

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

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

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

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

**DISCUSSION**

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

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

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

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

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

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

### ***Engaged Visibility***

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

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

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



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

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

### ***Cultural Alignment***

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

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

### ***Fiscal Sustainability***

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

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

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

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

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

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

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

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

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

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

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

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

### ***Response Time***

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

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

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

### ***Dedicated Staffing***

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

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

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

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

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

### ***Transparency***

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### *Increased Insurance*

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

### ***Opportunities***

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

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

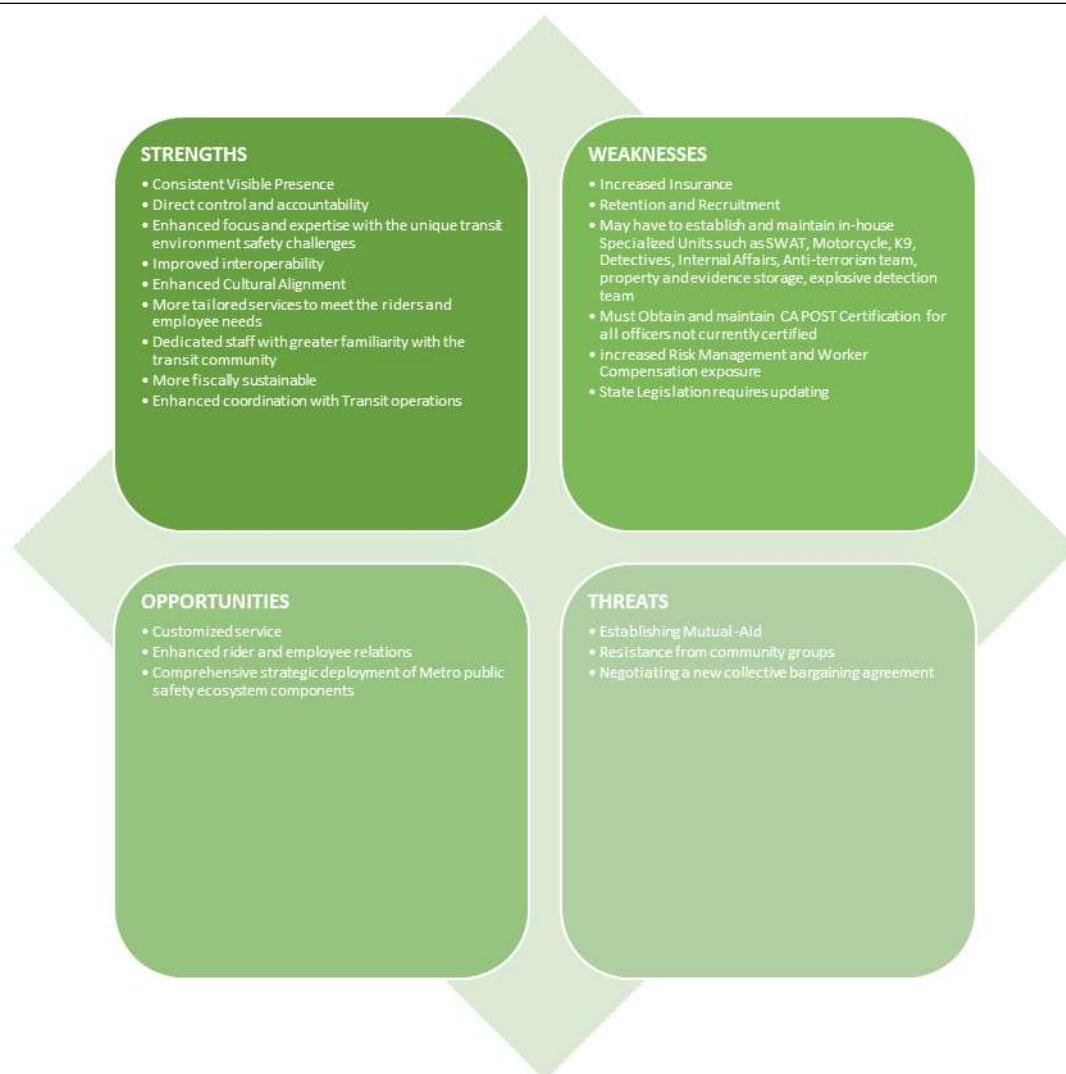
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environment for everyone.

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

## **Threats**

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



See Attachment A for the full Feasibility Report.

## **DETERMINATION OF SAFETY IMPACT**

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

## **EQUITY PLATFORM**

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

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

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

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

### **NEXT STEPS**

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

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

### **ATTACHMENTS**

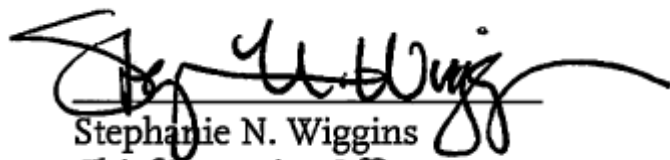
Attachment A - Feasibility Study

Attachment B - Homeless Outreach Summary

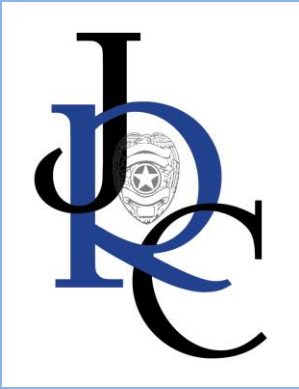
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# **LACMTA In-House Public Safety Department Feasibility Study**

**Final Report**

**June 2023**

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## **INTRODUCTION**

Between 1989 and 1997, the LACMTA (i.e., Metro) and its predecessor agencies conducted numerous studies to establish an effective and efficient policing model. In 1996, the Metro Board opted to assimilate the existing MTA Transit Police Department (MTA PD) into the Los Angeles Police Department (LAPD) and the Los Angeles County Sheriff's Department (LASD) and then contract with these agencies for transit policing services. In June 1997, the merger of 300 MTA PD officers was completed and the MTA PD was disbanded.

Currently, policing services are provided to Metro riders and employees through contracts with LAPD, LASD, and Long Beach Police Department (LBPD). In FY22, the actual Metro expenditures on policing contracts was \$154 million. The approved FY23 Metro budget for the policing contracts is \$172.9 million; a 12.3% increase from FY22 expenditures. These contracts were approved for five years with an optional one-year extension and are currently in their sixth and final year. In March 2023, the Metro Board authorized the negotiation and execution of contract modifications to extend the current contracts annually through June 30, 2026. In addition, the Board approved an assessment of the feasibility of establishing an in-house public safety department to support Metro's public safety mission and values statements.

Metro engaged Justice Research Consultants, LLC to prepare this feasibility study for developing a public safety department within Metro as a potential alternative to the existing multi-agency law enforcement services rendered by LAPD, LASD, and LBPD. The feasibility study identifies the law enforcement models of other large U.S. transit agencies and addresses the question of whether Metro can establish an in-house public safety department which will result in enhanced safety and security to Metro riders and employees at a reduced cost.

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

As part of its reimagining public safety initiative, the safety of Metro riders and employees is viewed as part of an ecosystem of varied services that provide a comprehensive care-based approach to safety and security. In 2022, Metro established a comprehensive approach to ensuring public safety on the system by implementing a multi-layered safety program to address the different aspects of safety. Each layer in the public safety ecosystem adds value and enhances the overall security and safety of the Metro system. Instead of relying solely on a single strategy, a layered approach provides a more effective response to the safety issue by having the right response deployed to the safety concern. The six components of the ecosystem and their core responsibilities are noted below.

- 1) Contract Police** - The core responsibilities of contract police are visibility, deterrence, and crime response.

**2) Metro Transit Security**– The core responsibilities of Metro transit security are fare and code of conduct enforcement, revenue protection, bus and rail security, employee escorts, and facility patrol (including opening and closing rail stations).

**3) Contract Security** – The core responsibilities of contract security are providing safety and security services at Metro rail stations, bus divisions, maintenance facilities, terminals, and parking lots.

**4) Transit Ambassador Program**– The core responsibilities of the transit ambassador program are customer information, security awareness, and visibility.

**5) Homeless Outreach** – The core responsibilities of homeless outreach are engagement with unhoused riders on the Metro system and connection to social and behavioral services.

**6) Mental Health Crisis Outreach** – The core responsibility of mental health crisis outreach is response to mental health crisis incidents.

### **TRANSIT POLICING MODELS**

In this section, the FY23 staffing levels and costs for each of the Metro public safety ecosystem components is discussed as well as the police service models within large U.S. transit agencies.

#### **FY23 Safety and Security Staffing Levels and Budgets**

Table 1 illustrates the current number of budgeted personnel for each of the six public safety ecosystem components as well as their respective FY23 budget. This includes field personnel as well as supervisory, administrative, and support personnel. In addition, the number of personnel available for field and specialized unit deployment and the average number of personnel deployed in the field each day are provided.

The personnel and budget numbers were provided and validated by Metro personnel. They serve as the baseline in this report, since it is the current level of safety and security personnel provided for the Metro system.

The three contract agencies provide a total of 645 budgeted personnel to Metro. This includes 344 patrol officers/deputies, 82 officers/deputies assigned to specialized units, 70 patrol and specialized unit sergeants, and 149 administrative and support personnel, including detectives. Of the 344 patrol officers, an average of 263 officers are patrolling the Metro system daily. The 82 officers assigned to specialized units include K-9, homeless and mental health crisis outreach, community policing, and problem response.

**Table 1: FY23 Safety and Security Staffing Levels and Budgets**

<b>Public Safety Ecosystem Component</b>	<b>FY23 Authorized Staffing Levels and Budgets</b>			
	<b>Number of Budgeted Personnel</b>	<b>Personnel Pool for Field/Patrol Deployment</b>	<b>Avg. Deployed Daily on System</b>	<b>Annual Budget (millions)</b>
Contract Police	645	344	263	\$172.9
<i>Patrol Officers</i>	344			
<i>Specialized Unit Officers</i>	82			
<i>Patrol/Specialized Unit Sergeants</i>	70			
<i>Administrative/Support Staff</i>	149			
Metro Transit Security*	290	138	133	\$40.2
Contract Security	322	251	241	\$24.5
Transit Ambassador Program**	437	424	265	\$33.0
Homeless Outreach***	85	85	85	\$15.3
Mental Health Crisis Outreach****	30	30	-	\$10.0
<b>Total</b>	<b>1,809</b>	<b>1,272</b>	<b>987</b>	<b>\$295.9</b>

\*Includes 30 SSLE non-contract staff

\*\*Includes 2 Metro FTEs, 15 vendor program administrators, 359 transit ambassadors, 28 community intervention specialists, and 33 street team personnel

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

\*\*\*\*Metro staff has been unable to get responses to the RFP to fill the mental health crisis outreach teams.

Table 2 provides the number of personnel provided by each contract police agency. Metro contracts with LAPD for 290 total personnel. Of these personnel, 138 are patrol officers, 39 are police officers assigned to specialized units (e.g., K-9 Unit and Special Problems Unit), 32 are patrol and specialized unit sergeants, and 81 are administrative and support personnel, including detectives. An average of 138 LAPD patrol officers are deployed daily on the Metro system. Since LAPD patrol officers work for Metro on an overtime basis, the average number of daily deployable patrol personnel is the same as the available patrol personnel pool in Table 2.

Metro contracts with LASD for 326 total personnel. Of these personnel, 188 are patrol deputies, 41 are deputies assigned to specialized units (e.g., K-9 Unit and Mental Evaluation Team Unit), 34 are patrol and specialized unit sergeants, and 63 are administrative and support personnel, including detectives. An average of 115 LASD patrol deputies are deployed daily on the Metro system. Since LASD provides full-time patrol deputies, a total of 188 personnel is available for patrol deployment to provide 7 day a week deployment and cover personnel leave.

Metro contracts with LBPD for 29 total personnel. Of these personnel, 18 are patrol officers, 2 are police officers assigned to a specialized unit (i.e., Quality of Life Unit), 4 are patrol sergeants, and 5 are administrative and support personnel, including a detective. An average of 10 LBPD patrol officers are deployed daily on the Metro system.

Overall, on average, there are 263 police officers patrolling the Metro system daily.

**Table 2: FY23 Contract Police Agency Personnel by Category**

Contract Police Agency	FY23 Authorized Staffing Levels and Budgets		
	Number of Budgeted Personnel	Personnel Pool for Patrol Deployment	Avg. Patrol Deployed Daily on System
LAPD*	290	138	138
<i>Patrol Officers</i>	<i>138</i>		
<i>Specialized Unit Officers</i>	<i>39</i>		
<i>Patrol/Specialized Unit Sergeants</i>	<i>32</i>		
<i>Administrative/Support Staff</i>	<i>81</i>		
LASD	326	188	115
<i>Patrol Officers</i>	<i>188</i>		
<i>Specialized Unit Officers</i>	<i>41</i>		
<i>Patrol/Specialized Unit Sergeants</i>	<i>34</i>		
<i>Administrative/Support Staff</i>	<i>63</i>		
LBPD	29	18	10
<i>Patrol Officers</i>	<i>18</i>		
<i>Specialized Unit Officers</i>	<i>2</i>		
<i>Patrol/Specialized Unit Sergeants</i>	<i>4</i>		
<i>Administrative/Support Staff</i>	<i>5</i>		
<b>Total</b>	<b>645</b>	<b>344</b>	<b>263</b>

\*Since LAPD patrol officers/sergeants work for Metro on an overtime basis, the number of daily deployable LAPD patrol personnel is the same as available personnel pool.

### **Policing Models in Large Transit Agencies**

It is common for large transit agencies to have their own police department. These specialized police departments are responsible for ensuring the safety and security of passengers, employees,

and the transit system itself. In-house transit police proactively address the specific challenges and dynamics of transit environments.

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

As illustrated in Table 3, six of the 10 largest U.S. transit agencies have a transit police department. Of those that do not, the Chicago Transit Authority utilizes contract police services provided by the Chicago Police Department, the San Francisco Municipal Railway receives police services through the San Francisco Police Department, LACMTA contracts with three law enforcement agencies, and King County Metro Transit receives police services through a contract with the Sheriff's Office. The remaining transit agencies have a transit police department.

However, the Metropolitan Transit Authority (MTA) in New York utilizes a hybrid approach to police services by having a transit police department as well as contracting with a municipal police department. The 1,095 police officers within the MTA Police Department provide law enforcement services for Grand Central Terminal, Penn Station, and all MTA infrastructure (i.e., track, yards, shops, stations, and railroad crossings) of the Metro-North Railroad, the Long Island Rail Road, and the Staten Island Railway. Complementary, the police officers assigned to the New York City Police Department Transit Bureau provide law enforcement services for the MTA subway lines, trains, and stations within New York City.

**Table 3: Police Departments within Ten Largest U.S. Transit Agencies**

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

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

### **BENEFITS OF IN-HOUSE PUBLIC SAFETY DEPARTMENT**

Six primary benefits of an in-house transit public safety department are discussed below: cultural alignment; engaged visibility; fiscal sustainability; dedicated staffing; accountability & transparency; and response time.

#### **Cultural Alignment**

An agency’s mission and values can serve as the foundation for its practices, such as training, performance, discipline, and hiring. Cultural alignment with an organization’s mission and values is crucial for achieving success. An in-house public safety department can align culturally with Metro’s organizational mission and values. By having an in-house public safety department, Metro would have the authority to set required trainings, performance expectations, and disciplinary processes, and shape the recruitment and selection process to ensure the hiring of employees aligned with Metro’s mission and values. This will enable Metro to establish a solid foundation

for safety practices and ensure that public safety employees are working in alignment with Metro values. The Metro mission and values recognize that policing is not the only way to keep people safe which is reflected in the six components of the Metro public safety ecosystem.

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

### **Engaged Visibility**

The OIG's audit reports over the past several years illustrate the persistent challenges with contract police services, including an inability to provide information on the following deployment metrics: number of train and bus boardings, how much time is spent riding trains and buses, and how much time is spent at train stations. The report also found that deployment practices "provide little visible security presence on the Metro Bus System." Many of the deployment challenges with contract police services are intractable, recurring year after year in the annual OIG audit reports, without remedy. These challenges have included poor police visibility on buses, trains, and at stations as well as inconsistent staffing at key critical infrastructure locations.

These issues are more readily addressed with an in-house public safety department, which can adopt a policing style that emphasizes service and allows the transit agency to manage deployment locations and times directly. Due to a greater degree of oversight, accountability, and control over police resources with an in-house public safety department, Metro can increase service provision to riders and employees. Transit policing is different from local policing, with the former emphasizing "engaged visibility" and the latter emphasizing response to calls for service. Commonly, an emphasis on "engaged visibility" leads to the provision of service, while an emphasis on responding to calls for service leads to law enforcement.

The primary objective of a transit public safety department is engaged visibility. By having a dedicated public safety department, Metro can better manage the officer's role to be visible on the system and proactively engage and build relationships with the riding community, while still being able to respond to calls for service as needed.

The purpose of engaged visibility is to foster trust, promote positive police-community relationships, and enhance the effectiveness of law enforcement efforts. By being present and



involved throughout the Metro system, officers can gain a better understanding of the concerns of riders and employees, build rapport, and establish open lines of communication. This can lead to improved collaboration, increased community support, and more effective crime prevention and problem-solving initiatives.

## **Fiscal Sustainability**

One of the challenges faced by Metro today in providing contract police services is the rising cost of those services. Over the past several years, Metro has experienced significant cost increases for police services. Initially awarded for five years at \$645.6 million, the multi-agency law enforcement services contract awarded to LBPD, LAPD, and LASD in 2017 has been modified seven times, increasing the total contract value to \$916.5 for the six-year contract period ending on June 30, 2023.

The recent procurement yielded significantly higher bids valued at \$1.48 billion for a 5-year period (FY24 – FY29) in contrast to the Independent Cost Estimate of \$829.5 million. The significantly higher bids are partially due to coverage needed for the continued expansion of the Metro service area (i.e. new rail lines) and the cost structure where all LAPD costs are charged at an overtime rate rather than a straight time rate.

However, the cost for contract police services is escalating at an unsustainable rate. In comparison, Metro OMB estimates an average annual increase of about 5% with an in-house public safety department. This includes increases for wages, fringe benefits, insurance, workers' compensation, liability, non-labor costs, administrative and overhead allocation, and wages for on-board training.

One of the advantages of an in-house public safety department is that it provides greater control over costs while still providing high-quality police services that meet the needs of Metro customers and employees. The consolidation of law enforcement contract services into a single, in-house public safety department presents significant opportunities for enhancing efficiency and reducing expenses. Currently, Metro's multi-agency model results in unnecessary duplication of management and administrative efforts. Each of the three law enforcement agencies performs identical support functions. The savings resulting from the elimination of duplicated services can be reinvested into the system.

In addition, such a consolidation effort could improve the overall consistency of service delivery. Multiple agencies can result in conflicting approaches to policing strategies throughout the system. This can lead to confusion, inconsistency, and inefficiency in service delivery. However, by consolidating under a single leadership structure, Metro can ensure more streamlined and unified directives. Through an in-house public safety department, Metro can eliminate redundancy, streamline communication, and provide better resource allocation.

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

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

### **Dedicated Staffing**

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

In contrast, currently, all 138 LAPD daily patrol officers are selected through a random, blind lottery system to work in an overtime capacity. Consequently, some officers may work overtime shifts only on a monthly or annual basis, depending on their preferences, which means they do not have the opportunity to learn the nuances of policing on a transit system or get to know riders and employees.

An average of 115 LASD patrol deputies assigned to its Transit Services Bureau are deployed daily. Since these deputies are dedicated to the Metro system, personnel leave is covered through relief patrol personnel or overtime which ensures full staffing on each shift. However, the OIG audit report stated: "The visible presence of LASD contracted law enforcement personnel on the Metro System is very limited." This is due to the deployment of LASD patrol deputies in vehicles, as opposed to foot patrol, because of the need to respond to calls for service. According to the OIG audit report, LASD patrol deputies are assigned to ride trains on only 12 of the 178 weekly shifts. The opportunity for LASD patrol deputies to engage with Metro riders and employees is minimal with its current deployment method.

An average of 10 LBPD patrol officers are assigned to Metro daily. LBPD offers a hybrid approach to Metro assignment with some of these officers being permanently assigned to work the Metro

system and the remaining officers supplementing coverage on an overtime basis. In addition, specialized services such as K-9 (as needed) and motorcycle patrol are provided by LBPD on an overtime basis.

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

### **Accountability & Transparency**

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

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

### **Response Time**

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

The annual OIG audit reports have consistently identified concerns regarding the deployment of police personnel on the Metro system. When police resources are not adequately deployed,

response times increase. With an in-house public safety department, Metro will have control over the deployment of its police resources and may be able to improve response times.

## **PUBLIC SAFETY SERVICE DELIVERY MODELS**

In this section, the in-house public safety department model is presented as well as an enhanced safety and security model which reinvests costs savings for moving away from contract law enforcement into other Metro public safety ecosystem components.

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

This study aimed to assess the feasibility of creating a public safety department within Metro, addressing the pivotal question: *Can Metro establish an in-house public safety department that will result in enhanced police services to Metro riders and employees at a reduced cost?*

By assuming direct management and control over law enforcement service, Metro gains the ability to allocate resources, optimize staffing levels, and significantly reduce unnecessary expenses associated with contracted services. This in-house approach ensures a leaner and more efficient utilization of resources. In short, this study found that through the implementation of an in-house public safety department, Metro could see substantial cost savings compared to reliance on contract services.

To effectively illustrate a consolidated in-house public safety department, a detailed personnel structure was developed to demonstrate an efficient and comprehensive public safety department. As illustrated in Table 4, an in-house public safety department could require 464 personnel dedicated to the provision of police services. This includes 290 patrol officers, 52 specialized unit officers (e.g., K-9, problem response, and community policing), 39 patrol and specialized unit sergeants, and 83 administrative/support staff, including detectives. Of the 83 administrative and support personnel, 17 are command staff personnel, 3 are sergeants, 9 are detectives, 8 are specialized assignment officers, and 46 are non-sworn support personnel.

Under the current contract law enforcement system, 426 officers are assigned to patrol or specialized units. Under the in-house public safety department model, this number has been reduced to 342 as illustrated in Table 4. The reduction is due largely to the expected minimal deployment of two officer units under the in-house model. Currently, the contract police officers are almost exclusively deployed as two officer/deputy units. Two officer units should be strategically deployed based on conditions and initiatives, but overall, they should be minimally utilized. By reducing the use of two officer units, the in-house public safety department model will not only be able to reduce the overall number of police personnel but increase system coverage in comparison to current contract deployment practices.

The in-house public safety department model also significantly reduces the number of administrative/support personnel from 149 under the current contract services model to 83 (see Table 4). Therefore, the administrative overhead to operate an in-house public safety department is less costly. In addition, Metro currently provides the contract law enforcement agencies with facilities, vehicles, and equipment which can be used by the in-house public safety department, significantly reducing start-up costs.

**Table 4: Number of In-House Public Safety Department Personnel**

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

To test the expectation of decreased costs with an in-house public safety department, an estimated budget was developed based on the personnel categories depicted in Table 4. Salaries, burdened rates, training and equipment costs, and retirement benefits were budgeted at \$100.8 million. Metro Risk Management estimated the annual costs for insurance (\$20 million), workers' compensation (\$3.1 million), and general liability (\$2.9 million) for operating a public safety department. The general liability costs align with the same for BART PD. Over the past 6 years, BART PD has averaged \$2 million per year for third party liability claims and lawsuits filed against the District for police actions. In addition, Metro OMB estimated costs for administrative overhead allocation (\$6.3 million) and on-board training wages (\$2.3 million).

As illustrated in Table 5, it is estimated the total annual budget for a Metro public safety department will be \$135.4 million if Metro were to implement one today. The estimated budget for an in-house public safety department is 21.7% less than the \$172.9 million that Metro has budgeted for policing contracts in FY23. Therefore, cost savings from a Metro public safety department in comparison to contract police services are expected.

The in-house public safety department model presented in Table 5 maintains the FY23 personnel levels and budgets for the other five components of the Metro public safety ecosystem. It only changes the personnel levels and budget for police services. As indicated, the costs decrease \$37.5 million per year.

**Table 5: In-House Public Safety Department Model – Personnel and Budgets**

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

### **Enhanced Safety and Security Model**

Metro riders and employees are concerned about their safety. The need for safety is a fundamental human need, but it is recognized that safety has differential meanings for individuals. In the survey discussed in the Metro Customer Experience Plan 2022, participants expressed concern about their safety at bus stops and train stations as well as on buses and trains, especially at night. Overall, out of the 40 service factors rated by Metro riders, all but one of the bottom ranked issues involve safety. The bottom ranked issues are below.

- Presence of security staff on *buses* and *trains*
- Enforcement of Metro rules on *trains*
- Personal security on Metro *trains* and *buses* at night
- Personal security at Metro *train stations* and *bus stops* at night
- How well Metro addresses homelessness on *buses* and *trains*
- Shade at bus stops

Safety related findings from a survey completed in summer 2021, which included both customers and employees, found that women and nonbinary individuals tend to feel less safe than men on the Metro system. This was further illustrated in Metro's *Understanding How Women Travel* report (2019) which stated:

Women feel unsafe on public transit, and it is impacting how often they ride, when they ride, and if they ride at all. Among women, safety on transit is a top concern voiced across every mode of data collection, and their concerns center around harassment and personal security, as well as physical safety and design of vehicles, stations, and stops. ***These concerns collectively obstruct women's freedom of movement*** [emphasis added].

The results of the customer experience survey illustrated that most riders support both additional armed and unarmed security personnel throughout the Metro system. Over 60% of the riders surveyed want additional armed security officers, and this result is consistent across all racial/ethnic groups. In addition, over 70% of the riders surveyed want additional unarmed security officers. Furthermore, of the Metro employees surveyed, ***39% reported feeling safe rarely or never***.

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

The availability of these savings opens avenues for enhancing safety and security measures in various ways. For instance, investing a portion of the savings into hiring additional Metro transit security and contract security would enhance Metro's efforts to maintain a safe and secure environment, protect people and property, and deter criminal activities. Furthermore, allocating additional resources towards homeless outreach programs could further help address the complex challenges faced by Metro to provide a care response to social issues specifically related to individuals experiencing homelessness, untreated mental health, and addiction issues within the

transit system. Additionally, the Metro ambassador program provides welcome customer service, helps customers feel safer aboard trains and buses and on platforms, helps de-escalate any potential situations, and serves as eyes and ears on the system that were previously not there. Providing additional resources for each of these components is discussed below.

## **Transit Security**

Since the role of Metro transit security has evolved into a customer-facing role, additional personnel can be utilized which not only reflects the responsibility for fare and code of conduct enforcement but also the need to increase security and visibility throughout the Metro system. Transit security should adopt the primary objective of engaged visibility as discussed regarding transit policing. Transit security should positively interact with Metro riders and employees and provide a deterrent to crime and disorder. Strategic deployment throughout the Metro system including critical infrastructure locations as well as the bus and rail system is needed.

Metro could consider an increase in the number of Metro transit security personnel from the 290 positions that are currently budgeted, to 432. Of these 142 additional personnel, 128 include transit security officers that would be deployed on the Metro system including 38 additional officers for code of conduct compliance initiatives, 32 additional officers for bus riding teams, 30 additional officers for a visible security presence at Union Station, and 28 additional officers for rail riding teams. The remaining 14 additional personnel include 11 transit security sergeants, 2 lieutenants, and 1 captain. The estimated annual budget for enhanced staffing levels for Metro transit security would be \$60.9 million based on the FY23 budget.

## **Contract Security**

Within the enhanced safety and security model, the number of contract security officers could increase from 322 to 394 to support rail system growth. Of the 72 additional contract security officers, 18 officers would be assigned to the Regional Connector, 42 officers would be assigned to the Purple Line extension, and 12 officers would be assigned to the Airport Connector. The estimated annual budget for enhanced contract security would be \$29.9 million based on the FY23 budget.

## **Transit Ambassador Program**

Under the enhanced safety and security model, the number of ambassador program staff could increase from 437 to 501. The increase in staffing allows for broader deployment of staff riding trains and buses across the system. The 64 additional personnel allow for the deployment of 36 additional transit ambassadors on the bus and rail systems. It also provides 28 transit ambassadors for the deployment of “surge teams” to support special operations such as the Drug-Free Metro campaign, as well as support for unexpected service disruptions or planned sporting or



entertainment events, without disrupting coverage across the system. The increase could also help support service expansion. The estimated annual budget for enhanced transit ambassador program personnel would be \$37.8 million based on the FY23 budget.

### Homeless Outreach/Crisis Response

Metro's homeless services program is a key component of the multi-layered public safety model. The expansion of outreach services would be a critical component of standing up an in-house public safety department. With the enhanced safety and security model, Metro could increase the number of homeless outreach personnel from the current 85 personnel to 118. Homeless outreach personnel are deployed in multidisciplinary teams which consist of an outreach worker, a case manager, and several specialized personnel such as an addiction specialist, mental health worker, or medical personnel. The increase in homeless outreach personnel could improve Metro's ability to compassionately engage with unhoused riders and connect them with social and behavioral services. The estimated annual budget for enhanced homeless outreach personnel would be \$21.2 million based on the FY23 budget.

As illustrated in Table 6, the current FY23 public safety staffing and budget model includes 1,809 personnel and a budget of \$295.9 million. The enhanced safety and security model which includes an in-house public safety department provides 1,939 personnel and a budget of \$295.2 million. By strategically reallocating resources, Metro can not only strengthen its safety priorities but also create a safer and more secure transit experience for all.

**Table 6: Public Safety Service Delivery Models – Personnel and Budgets**

Public Safety Ecosystem Component	FY23 Staffing and Budget Model		In-House Public Safety Department Model		Enhanced Safety and Security Model	
	Number of Personnel	Annual Budget (millions)	Number of Personnel	Annual Budget (millions)	Number of Personnel	Annual Budget (millions)
Police	645	\$172.9	464	\$135.4	464	\$135.4
Metro Transit Security	290	\$40.2	290	\$40.2	432	\$60.9
Contract Security	322	\$24.5	322	\$24.5	394	\$29.9
Transit Ambassador Program	437	\$33.0	437	\$33.0	501	\$37.8
Homeless Outreach	85	\$15.3	85	\$15.3	118	\$21.2
Mental Health Crisis Outreach	30	\$10.0	30	\$10.0	30	\$10.0
<b>Total</b>	<b>1,809</b>	<b>\$295.9</b>	<b>1,628</b>	<b>\$258.4</b>	<b>1,939</b>	<b>\$295.2</b>

## **PUBLIC SAFETY SERVICE DELIVERY SUMMARY**

Table 6 compares the three staffing and budget models developed in this report.

The FY23 staffing and budget model includes the current number of *authorized/budgeted* personnel for each of the six public safety ecosystem components and the FY23 budget for each. Overall, there are 1,809 positions with an annual budget of \$295.9 million.

The in-house public safety department model reduces the number of police personnel by 181, from the FY23 staffing and budget model of 645 to 464 and maintains the current level of staffing and budget for each of the other five public safety ecosystem components. The total number of positions is 1,628 with an annual estimated budget of \$258.4 million. The estimated annual budget has been reduced by \$37.5 million in comparison to the FY23 current budget.

The enhanced safety and security model builds upon the in-house public safety department model by leveraging the potential \$37.5 million in savings to enhance the current public safety ecosystem. The total number of personnel has increased from 1,628 in the in-house public safety department model to 1,939 in the enhanced safety and security model. In sum, 311 personnel are added to the Metro public safety ecosystem including 142 transit security personnel, 72 contract security personnel, 64 transit ambassador program personnel, and 33 homeless outreach personnel. The estimated budget for the 1,939 personnel is \$295.2 million - \$700,000 less than the FY23 current budget of \$295.9.

## **CONCLUSION**

This feasibility study report concludes with a discussion of the challenges with developing an in-house public safety department and Metro's legal authority to have its own police department.

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

It is important to discuss the challenges Metro will face if it develops an in-house public safety department. The challenges include liability, personnel recruitment and retention, and establishing and maintaining in-house specialized units.

#### **Liability**

There are financial risks associated with lawsuits against the police. The most common lawsuits regarding the interaction between a police officer and an individual involve the use of force and the operation of motor vehicles. Since transit policing differs from municipal and county policing, the threat of liability is reduced. This is primarily due to the clearly defined area of responsibility

associated with transit policing, which minimizes exposure to the types of incidents that lead to lawsuits against the police.

The use of force is the most common basis for a lawsuit. Use of force most commonly occurs during arrests. Transit police departments make far fewer arrests than municipal and county agencies, thus limiting liability exposure. Regarding Metro, there were about 2,800 arrests in 2022, in comparison to over 255 million riders for the same year. In addition, transit police officers are commonly assigned to foot patrol instead of vehicles, which reduces potential liability for traffic related claims. Because of these two factors, transit policing carries less liability risk than municipal and county policing.

Of note, over the last six years of the law enforcement contracts, LAPD has had three officer involved shootings and no transit-related lawsuits, LASD has had two officer involved shootings and no transit-related lawsuits, and LBPd has had zero officer involved shootings and one transit-related lawsuit. Over the last decade, Metro's transit security officers have not discharged their weapons and no transit-related lawsuits.

Furthermore, Metro Risk Management estimates the annual costs for general liability for an in-house public safety department at \$2.9 million. For comparison, over the past 6 years, BART PD has averaged \$2 million per year for third party liability claims and lawsuits filed against the District for police actions.

### **Personnel Recruitment and Retention**

It is recognized that each component of the Metro public safety ecosystem faces recruitment challenges including Metro contract providers such as contract security, homeless outreach, and mental health crisis outreach. Regarding police departments specifically, most large police departments throughout the U.S. are having difficulty attracting, hiring, and retaining police officers. To be competitive in the labor market, a Metro public safety department would require a multifaceted approach that considers the unique needs and expectations of the labor market.

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

The development of a large fully staffed police department typically takes 3-5 years. This timeframe is feasible in the context of Metro's current policing contracts, which can be extended

for up to 3 years and can be modified at any time, in whole or in part, as Metro implements new public safety programs. Therefore, as Metro public safety officers are released from field training, a commensurate decrease in contract police services can occur, thus ensuring full police staffing on the Metro system as the transition to an in-house public safety department occurs.

### **Establishing and Maintaining In-House Specialized Units**

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

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

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

# **Appendix**

## **Metro Board of Directors Question Responses**

This appendix includes the questions raised by Metro Board members about the law enforcement feasibility study during the March 23, 2023 Board meeting. The responses are provided by Wanda Dunham Consulting.

### **Questions from Board Member Karen Bass**

Overall question - How do transit agencies across the nation do in-house law enforcement?

#### **1) When did those in-house law enforcement departments form and how long have they existed?**

According to the American Public Transportation Association (APTA), numerous transit police departments were established more than 40 years ago. Below is a list of transit police departments, the year they were established, and the number of years they have been in existence.

• MBTA-Boston, MA	1968	55 years
• Port Authority Allegheny County-Pittsburgh, PA	1968	55 years
• MTA-Baltimore, MD	1971	52 years
• BART-Oakland, CA	1972	51 years
• WMATA-Washington, DC	1976	47 years
• MARTA-Atlanta, GA	1977	46 years
• Greater Cleveland, OH RTA	1977	46 years
• Houston Metro-Houston, TX	1979	44 years
• SEPTA-Philadelphia, PA	1981	42 years
• DART-Dallas, TX	1989	34 years
• UTA-St. Lake City, UT	2002	19 years
• VIA-San Antonio, TX	2003	20 years
• RTD-Denver, CO	2004	19 years
• METRO RTA-Akron, OH	2017	6 years
• CAPMETRO-Austin, TX	2021	2 years

#### **2) How are other transit agencies handling the national increase in homelessness and substance abuse?**

In 2022, Dallas Area Rapid Transit (DART) entered into an agreement with Downtown Dallas, Inc. to create a private-public partnership to address an increased homelessness issue in the downtown area.

Houston Metro launched a Homeless Action Team (HAT) in 2018 because they recognized a need to connect community members experiencing homelessness with several services. HAT officers have worked with the Metropolitan Council's Housing and Redevelopment Authority to place more than 300 people in more permanent housing thanks to the HRA's federally funded rental assistance program. Metro currently has six officers assigned to the HAT team.

In April 2021, as the vulnerable population increased on their system, SEPTA-Philadelphia launched its SCOPE program, a comprehensive and compassionate response to the challenges of the vulnerable population. SCOPE stands for: Safety, Cleaning, Ownership, and Partnership Engagement.

## TRANSIT COOPERATIVE RESEARCH PROGRAM (TCRP) SYNTHESIS 121

Research Sponsored by the Federal Transit Administration in Cooperation with the Transit Development Corporation

Transit Agency Practices in Interacting with Who Are Homeless

Case examples provide additional details on challenges, solutions, partnerships, and lessons learned at six agencies:

- Fort Worth, Texas: Fort Worth Transportation Authority
- Madison, Wisconsin: Metro Transit
- Oakland, California: Bay Area Rapid Transit
- Philadelphia, Pennsylvania: Southeastern Pennsylvania Transportation Authority
- Phoenix, Arizona: Valley Metro
- Washington, D.C.: Washington Metropolitan Area Transit Authority

*Findings suggest that people who are homeless are an issue for transit agencies regardless of size, although larger agencies are more likely to characterize homelessness as a major issue. Successful policies target behavior rather than groups or individuals. Codes of conduct and consistent enforcement clarify agency expectations.*

*Findings also suggest that partnerships are essential, and that enforcement is necessary but not sufficient. People who are homeless are often incorrectly viewed as a homogeneous group. Case workers and others at social service and nonprofit agencies have a much greater understanding of people who are homeless, and they can persuade these individuals, who may initially be service-resistant, to accept services. Among survey respondents, law enforcement personnel from transit police or security departments consistently emphasized the need for partnerships and the options for these partnerships offered to their police officers. Transit agencies reported that partnerships result in enhanced customer security and perceptions, provision of help for those who need it, and increased sensitivity to the people and issues involved.*

*Transit agencies and their social service and nonprofit partners are experimenting with new approaches to interactions with people who are homeless. One promising practice is to set up drop-in centers staffed by social workers in transit facilities and stations. Initial results suggest that the ability to do client intake onsite at the transit station or center is very effective in persuading people who are homeless to seek and accept help.*

*Actions taken by transit agencies have resulted in enhanced safety and comfort for all customers. In addition, many respondents and nearly all case examples reported successful outcomes for specific individuals who are homeless, along with improved customer satisfaction. In the absence*

*of a broader societal fix for homelessness, agencies can (and deserve to) acknowledge their role in these success stories.*

### **3) Do agencies combine law enforcement with social services and if so, how?**

While crisis intervention is not a new concept, it is a relatively new concept for transit agencies. As a part of the recent pandemic, law enforcement agencies were in search of creative solutions to address mental health, homelessness, and substance abuse issues which were heightened due to reduced ridership. Agencies went in search of proven programs such as the CAHOOTS (Crisis Assistance Helping Out On The Streets) program. The CAHOOTS program has been in existence for over 30 years and has a proven record of success. CAHOOTS is a collaboration between local police and a community service group called White Bird Clinic in Eugene, Oregon. Others have also made a name for themselves such as the STAR (Support Team Assisted Response) program in Denver, Colorado. Their goal is to send the right people to help with crisis related calls.

Today, transit agencies are getting onboard with integrating mental health professionals into their agencies, such as the Houston Metro CARES unit which officially launched in 2021 and consists of 2 shifts with a police officer and clinician working together. Regional Transit District (RTD) Denver launched their program in 2019 with the assistance of grant funding and hired four mental health clinicians and 1 homeless outreach coordinator. Every transit agency has adopted a unique approach to the combination of social services and law enforcement officers. For example, at RTD Denver and Houston Metro their mental health clinicians are paired with law enforcement officers.

### **4) Did they start as pure law enforcement or were they combined with social services to begin with?**

In 2021, CAPMETRO-Austin launched its multi-phased public safety approach with the addition of 4 mental health clinicians, 15 ambassadors and established a new in-house Police Department. The clinicians, ambassadors and law enforcement are all separate with their own supervisors who report up to the head of the Public Safety Division.

### **5) How are these agencies' law enforcement officers trained?**

All law enforcement officers are required to comply with accredited training through the state Peace Officer Standards and Training (POST). The current requirement for the Basic POST certification to become a certified Peace Officer in CA is a minimum of 664 hours which covers 42 separate areas of instruction.

The following colleges and law enforcement academies offer Basic POST Academy Training in the Los Angeles area:

Sheriff's Departments:

- Los Angeles County, Orange County, San Bernardino County, Riverside County



Colleges:

- Rio Hondo College
- Golden West College

Police academy time frame ranges from 22-24 weeks depending on location. Upon completion of the Basic Peace Officer Course, agencies will provide a field officer training process to familiarize the officers with the Metro system. In addition, they will provide expanded transit specific training with a care-based focus to include mental health crisis intervention, anti-bias, de-escalation, conflict resolution, and exceptional customer service training to align with Metro's core values.

#### **6) Have the in-house forces been effective?**

The number one benefit according to transit law enforcement agencies surveyed to having in-house police departments was it resulted in cost savings. The effectiveness of in-house police departments is difficult to answer, however, we could say that transit agencies are finding ways to enhance the existing security forces by introducing a re-imagined public safety model to address the needs of riders. The primary goal of transit systems should be for law enforcement to have engaged visibility. This objective is accomplished when police officers positively interact with riders and employees and provide a deterrent to crime and disorder.

When dealing with contract policing some of the more common complaints have included poor police visibility on buses, trains, and at stations, extended response times, and inconsistent staffing at key critical infrastructure locations. These issues are more readily addressed within an in-house transit police department.

In-house transit police departments are also enhanced through the adoption of a policing style which emphasizes service. Due to the decentralized nature of law enforcement in the U.S., police departments can adopt policing styles which fit the needs of the community. Transit policing is different than local policing with the former emphasizing engaged visibility and the latter emphasizing response to calls for service. Commonly, an emphasis on engaged visibility leads to the provision of service while an emphasis on responding to calls for service leads to law enforcement. A transit police department allows the agency to hire and train police officers who fit the service mission of the department.

#### **Question from Board Member Fernando Dutra**

##### **1) Why was the prior Metro PD disbanded?**

At the Metro Transit Policing Ad Hoc Committee, held on October 4, 1996, the merger of the MTA Transit Police Department with the Los Angeles Police Department (LAPD) and the Los Angeles County Sheriff's Department (LASD) was approved. This would be known as the Transit Policing Partnership. As part of the MTA Transit Law Enforcement Transition Action Plan, MTA would transfer appropriate MTA police and security personnel, assets, and functions to the Transit

Policing Partnership except for the MTA's in-house security guards, with full implementation effective January 5, 1997. After several delays, the actual mergers occurred in November of that year.

*According to the Board document, the purpose of the law enforcement merger was an opportunity to enhance the public service of all three agencies. Staff analyses had revealed that the partnership would be a significant enhancement of law enforcement service for the MTA and its passengers. At the same time, this consolidation of law enforcement agencies would be an enhancement of general law enforcement for the people of the City and County of Los Angeles.*

### **Questions from Board Member Holly Mitchell**

#### **1) How are multidisciplinary teams incorporated?**

For the multidisciplinary teams to be incorporated effectively, there would need to be a clearly defined deployment and operational plan created that would identify each of the areas roles and responsibilities and having adequate oversight and accountability to ensure that everyone is aligned and productive.

Transit agencies are searching for creative ways in which to enhance transit visibility and improve the perception of security. In 2020, MARTA launched its ambassador team with 15 non-sworn individuals to serve as additional eyes and ears for law enforcement and to perform duties that would free up sworn law enforcement officers to handle the more serious activities. MARTA ambassadors are called "Protective Specialist" and they are embedded within each of the police precincts and work within that zone to get to know the regular riders and create a community policing type rapport with the riders and gain the trust and camaraderie with the police officers they will be assisting. MARTA also created this position to serve as a pipeline for potential recruiting opportunities for those non-sworn community members who were looking for a job but did not meet the current law enforcement qualifications. Since the program's inception, several of the Protective Specialists have gone on to become sworn police officers with MARTA.

Also, in 2020, Bay Area Rapid Transit (BART) launched a new ambassador program deployed on trains to increase the presence of uniformed personnel on trains to address customers' concerns about safety and security. The unarmed ambassadors are recruited from the ranks of the BART Police Department's Community Service Officers, non-sworn personnel who perform a variety of police services. The ambassadors received additional de-escalation and anti-bias training before the program launched. The ambassadors are also trained to respond to customers' questions, complaints, or requests for service. They will observe and report and call upon an officer when enforcement is needed.

SEPTA moved uniformed ambassadors into place to help riders with no destination. According to SEPTA, their ambassadors work with those who need social services. They report that this is a

new effort to improve safety on SEPTA and designed to supplement police and help with unruly passengers and fare evaders.

**2) What percentage of the total staff would be unarmed in a new Safety department?**

Under the enhanced safety and security model option presented in the feasibility study, there will be 206 Transit Security Officer I positions (unarmed), 127 Transit Security Officer II positions (armed), and 15 Transit Senior Security Officer positions (armed) when Metro Transit Security is fully staffed. Of these 348 positions, 206 are unarmed (59.2%).

**3) What training will they receive and how will they work with transit ambassadors?**

This question was answered above regarding training. However, Metro transit police and the transit ambassadors can have an excellent working relationship. The supervisory teams for both units can collaborate on deployment needs and share information. Metro staff can participate in the orientation process for all new ambassadors.

**4) How are they sourced/where they are recruited from?**

For Metro to develop a professional transit police department, the unit must be able to attract and retain high quality personnel. To be competitive in the labor market, Metro will have to offer favorable incentives, salary and benefits comparable to that offered by the LAPD, LASD and other local law enforcement agencies.

Studies have shown that retired military personnel make excellent transit police officers due to the similarities of their duties of standing watch in the military. Therefore, the Metro police department can partner with Metro's existing military recruiter to help identify interested soldiers who may be approaching retirement or have a desire to leave the military but wish to remain in the area.

Existing law enforcement officers from neighboring departments who may have an interest in transit policing are another source. Existing Transit Security Officers II's or above may have a desire to transition to a sworn law enforcement position and meet all POST selection qualifications.

MTS will partner with internal communications and recruiting to develop a recruitment strategy to leverage their expertise and suggestions on innovative methods that could be used to garner qualified candidates.

**5) What kinds of workforce development opportunities could flow from bringing more people into the agency, as opposed to contracted through our partners?**

Having a Metro PD will allow Metro to provide people interested in a law enforcement career opportunities to pursue this interest. These opportunities could include community service officer,

cadet, and police explorer programs. Metro could also develop a unique workforce development opportunity to hire transit security officers and transition them into police officers.

**6) Are there cost savings to this approach, and can those cost savings go toward more rider amenities like clean and secure bathrooms, more ambassadors, or spaces for vendors and entertainers to perform near the system?**

Overall, it is estimated the total annual budget for a Metro PD will be \$135.4 million. The FY23 Metro budget for contract police services is \$172.9 million. Therefore, cost savings from a Metro PD in comparison to contract police services are expected. How cost savings are reallocated to other Metro initiatives will be determined by the Metro Board and the CEO.

**Question from Board Member Tim Sandoval**

**1) Financial analysis**

The FY23 Metro budget for contract police services is \$172.9 million. The feasibility report estimated the annual costs for a Metro PD at \$135.4 million.

## **Homeless Services**

The homelessness crisis continues to challenge communities nationwide, including their respective transit agencies. In Los Angeles, the crisis is among the most severe in the country, with more than 69,000 people experiencing homelessness (PEH) throughout the County. Over the last three years, there has been a noticeable increase in people experiencing homelessness seeking shelter on the transit system. Metro conducted its point-in-time count in March 2022 and estimated that approximately 800 individuals experiencing homelessness were sheltering at the rail and bus rapid transit stations on any night.

In January 2023, Metro commenced an evaluation at Metro end of line stations and an assessment of impacts on nearby local communities. This evaluation included point-in-time counts of PEH at the end of line rail stations and a demographic survey to better identify the need for social services to support unhoused riders. The count revealed that, on average, 555 unhoused individuals disembark nightly at Metro's 12 end of line rail stations. While transit vehicles and stations are not designed to be used as a shelter, they can be viewed as an encampment as they provide refuge from the cold winter weather and the summer heat.

Metro's primary role is that of a transit operator, not a homeless service provider, yet the magnitude of the crisis requires all hands on deck. Metro customers are concerned about homelessness on the system. We have heard from our customers through various channels, surveys, social media, customer care, and community meetings that homelessness is a top priority area for improvement. Metro riders told us that homelessness significantly impacts their customer experience.

The lack of adequate local, state, and federal resources to prevent and respond to homelessness represents an existential threat to the thousands of individuals experiencing homelessness daily in LA County. It also threatens to undermine the willingness of residents to take public transit, even as the system rapidly expands via the most extensive transit construction program in the country.

The impact of the homeless crisis on our system is well documented. In a 2018 brand survey, 64% of respondents felt that there were too many homeless people on the system, and some responded that they avoid Metro entirely due to widespread homelessness on the system. Metro also recognizes the urgency of curtailing behaviors and conditions that adversely affect the health and safety of other customers and employees. Metro's 2020 and 2022 Customer Experience Survey found that how Metro addresses homelessness on buses was one of the top 5 improvements that our bus and rail customers want to see. Based on the How Women Travel survey, the top reason

that women find it difficult to ride transit is that they do not feel it is safe. Safety perceptions for waiting at a station were even lower.

The presence of homeless individuals on public transit can create a range of problems that can negatively affect the customer experience. Some of the challenges include:

Safety concerns, sanitation and hygiene issues, increased maintenance costs, and decreased ridership. Homelessness often coincides with mental illness, substance abuse, and criminal activity. This can lead to situations where customers on public transit feel threatened or unsafe. Many homeless individuals lack access to proper sanitation and hygiene facilities, which can result in unpleasant smells and unsanitary conditions. This can make it difficult for other customers to use public transit comfortably. Homeless individuals on the Metro system deter other riders from using transit, either through their behavior or through their presence on transit vehicles or facilities.

Metro has increased its security presence, outreach, support programs for homeless individuals, and sanitation efforts to address these challenges. Metro has had to expand custodian crews on trains, stations, and ancillary areas to address cleanliness issues caused by PEH. In FY 24 Metro estimates the agency will spend \$200.9 million on cleaning efforts, an increase of 13% over FY 23. Recently, Metro's Director of Safety Certifications determined that custodians must wear Tyvek suits and Powered Air Purifying Respirators (PAPR) when cleaning in ancillary areas due to potential health risks. The agency has seen a drastic increase in homeless individuals living in ancillary areas in the rail stations where tremendous amounts of human waste and drug paraphernalia are left behind. PAPRs provide a higher level of respiratory protection by filtering out harmful airborne particles and reducing the risk of inhaling contaminants such as fecal matter. This helps protect custodians from exposure to pathogens, bacteria, and unpleasant odors associated with human waste, ensuring their safety and well-being while performing their cleaning duties.

Over the past five years, Metro allocated more than \$28 million in advancing solutions to support unhoused individuals who take shelter on the Metro system. Since 2017, Metro has funded dedicated multidisciplinary outreach teams (MDTs), contracted through the County of Los Angeles Department of Health Services' (DHS) Housing for Health Program, to provide service on the Metro system. Metro is on track to double that amount, with FY 24 spending projected to exceed \$15 million annually.

Non-profit community-based organizations staff the MDTs and specialize in supporting PEH dealing with mental health concerns and addiction. The program recently expanded from eight teams to sixteen teams. Ninety-four outreach staff are working for six CBOs (Path, CCM, LA Mission, USHS, HOPICS, and LAFH) providing homeless services on the Metro system. MDTs are deployed 7 days a week, between 3:00 a.m. - 6:00 p.m. on weekdays and 7:00 a.m. - 6:00 p.m. on weekends. The teams assess the needs of unhoused riders and connect them with services such as medical care, social

services, and food in addition to emergency, short-term, interim, and long-term/permanent supportive housing (including family reunification) when available. Despite the significant efforts, the scale of homelessness on the system far exceeds Metro's ability.

The County of Los Angeles Department of Health Services' Housing for Health Program sets the key performance indicators (KPIs) for Metro's MDTs. The KPIs include metrics such as outreach contacts, Homeless Management Information System enrollments, referrals, and placements interim and permanent housing. Metro's street-based outreach teams consistently surpass county metrics for engagement and housing. Since 2018, Metro's outreach teams have connected 4,609 people to interim and permanent housing. For FY 23, Metro is at 106% of the KPI related to connections to interim and permanent housing with 524 individuals connected to housing. DHS sets the outreach contacts KPI based on service area size. In FY 23, Metro's MDTs are at 43% of the KPI target for outreach contacts. Given the expansive size of Metro's system, the MDTs struggle to meet this KPI, indicating the need for additional MDTs on the system.

Homelessness on public transit is a complex issue that requires a multifaceted approach. While providing security personnel and sanitation efforts can help address some of the immediate challenges of homelessness on public transit, these measures alone are not enough to fully address the problem. More comprehensive solutions are needed to address the underlying causes of homelessness and provide the support and resources that homeless individuals need to maintain stable housing and improve their overall well-being.

As a public transit agency, Metro has limited resources to address the issue of homelessness. The crisis is a complex issue that requires a multifaceted approach. While providing security personnel and sanitation efforts can help address some of the immediate challenges of homelessness on public transit, these measures alone are not enough to fully address the problem. More comprehensive solutions are needed to address the underlying causes of homelessness and provide the support and resources that homeless individuals need to access and maintain stable housing and improve their overall well-being.



# IN-HOUSE PUBLIC SAFETY DEPARTMENT FEASIBILITY STUDY

Gina Osborn

Chief Safety Officer



# Metro's Layered Public Safety Ecosystem

- In **2022** Metro established a comprehensive approach to ensuring public safety on the system by implementing a multi-layered safety program to address the different aspects of safety.
- Each layer in the public safety ecosystem adds value and enhances the overall security and safety of the Metro system.



# Strengths of an In-House Public Safety Department



ENGAGED  
VISIBILITY



CULTURAL  
ALIGNMENT



TRANSPARENCY



RESPONSE  
TIME



DEDICATED  
STAFFING



FISCAL  
SUSTAINABILITY

# In-House Public Safety Department Model

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

- Under the current contract law enforcement, police officers are almost exclusively deployed as two officer/deputy units except for LASD who has the ability to deploy a one officer unit.
- Under the in-house model, the focus is on increased visibility and coverage, and as a result, the assumption of patrol deployment would be primarily one officer units.
- The primary one officer unit approach is typical in a transit policing environment and consistent with most LA County police agencies.
- The in-house model streamlines redundancies reducing the number of administrative/support personnel by almost 60% .
- The estimated budget for an in-house public safety department is **\$135.4M** or **21.7%** less than the \$172.9M that Metro has budgeted for policing contracts in FY23.

# Weaknesses of Establishing an In-House Public Safety Department



LIABILITY



CRITICAL STAFFING  
SHORTAGES



ESTABLISH AND  
MAINTAIN IN-HOUSE  
SPECIALIZED UNITS



OBTAINING AND  
MAINTAINING CA  
POST CERTIFICATION



INCREASED RISK  
MANAGEMENT  
AND WORKERS  
COMPENSATION  
EXPOSURE

# Opportunities of Establishing an In-House Public Safety Department



CUSTOMIZED SERVICE



ENHANCED RIDER AND EMPLOYEE  
RELATIONS



COMPREHENSIVE STRATEGIC DEPLOYMENT  
OF METRO PUBLIC SAFETY ECOSYSTEM  
RESOURCE STRATEGIES

# Threats of Establishing an In-House Public Safety Department



ESTABLISHING MUTUAL -AID



RESISTANCE FROM COMMUNITY  
GROUPS



NEGOTIATING A NEW COLLECTIVE  
BARGAINING AGREEMENT

# Next Steps

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

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