



Metro

Los Angeles County
Metropolitan Transportation Authority

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**REGULAR BOARD MEETING
DECEMBER 4, 2014**

SUBJECT: PROVIDING TRANSIT PASSES AND FARE EXEMPTION FOR LAW ENFORCEMENT PERSONNEL

ACTION: RECEIVE AND FILE REPORT REGARDING PROVIDING TRANSIT PASSES TO LAW ENFORCEMENT

MODIFY POLICY PERMITTING SWORN LAW ENFORCEMENT PERSONNEL TO RIDE METRO TRANSIT SYSTEM UNDER FARE EXEMPTION

RECOMMENDATION

- A. Receive and file report on providing complimentary transit passes to all law enforcement personnel in MTA's service area.
- B. Revise the Sworn Uniformed Fare Exemption Policy to remove the requirement that law enforcement shall be in uniform at all times in order to qualify for fare exemption.

ISSUE

In September 2014, a motion (Attachment A) by Mayor Garcetti, Supervisor Molina, Supervisor Antonovich, and Director Fasana and Amended by Director Dupont-Walker requested that staff "report back at the January 2015 Board meeting on the feasibility of extending complimentary transit passes to all law enforcement personnel in MTA's service area". Staff is prepared to provide the report for the December 2014 Board Meeting.

Metro has been providing transit passes to law enforcement personnel. Staff determined it was feasible and has been providing transit passes to law enforcement agencies since April 2013 under the existing policy. Metro would like to provide complimentary passes to plain clothes law enforcement. The current Sworn Uniformed Fare Exemption Policy requires all law enforcement to be in uniform at all times in order to qualify for fare exemption. This

requirement restricts available law enforcement personnel currently utilizing Metro transit system to perform situation intelligence to deter and/or prevent crimes.

DISCUSSION

In October 2014, Metro staff, in order to recreate interest in our program, mailed correspondence to the Chiefs of Police throughout the Los Angeles County area, requesting them to survey their respective departments to identify officers who wish to apply for TAP cards which can be used on both Metro buses and trains and Metrolink trains. Metro has received numerous requests and we currently have 1,530 officers enrolled in our program. Please see Attachment B for a sample of the correspondence sent to law enforcement agencies and Attachment C for a listing of all agencies the correspondence has been mailed to.

The current Sworn Uniform Fare Exemption Policy was approved by the Executive Management and Audit Committee on August 17, 2006 as an opportunity for Metro to garner more law enforcement presence in Metro transit system. One of the requirements under this policy is for law enforcement to be in uniform at all times in order to qualify for fare exemption.

Today, with the changing requirements of the Metro transit environment, it is important to have situation intelligence that can be provided by plain clothes law enforcement personnel utilizing Metro transit system. Staff is requesting Board action to revise the current policy (Attachment D) to remove the uniform requirement. This Board action will permit more sworn law enforcement officers from all municipal police agencies operating within Los Angeles County to ride the Metro transit system and enhance opportunities for intelligence gathering to make Metro a safer transit system. The recommended revised policy (Attachment E) is available for review.

Currently, a Metro liaison assists in the distribution of TAP cards as well as promoting the law enforcement tap card program. Staff will determine additional outreach efforts in order to increase participation in the program.

Once we receive feedback from police agencies, staff enters in the officers information (badge number, first and last name, title, and agency) into a database. Once the information is entered, the TAP department assigns a specified Law Enforcement Tap Card to the officer and staff sends the TAP card to the contact at the respective police agency. Officers receiving the card are required to sign a form detailing Metro and Metrolink's policies within six months of receiving the card and send a copy back to Metro Transit Court. Once the form is signed, it is entered into the database as complete, and the form is filed.

NEXT STEPS

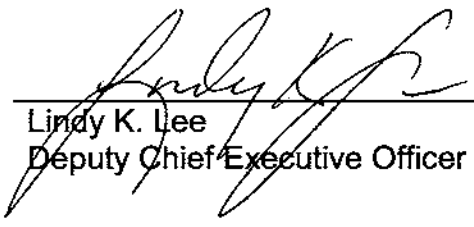
Staff will work with impacted departments in order to ensure proper dissemination of the updated policy. Staff will also modify correspondence sent to law enforcement agencies to reflect the policy change and will continue outreach efforts.

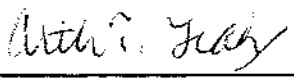
ATTACHMENTS

- A. Board Motion
- B. Sample correspondence sent to law enforcement agencies.
- C. List of police agencies in Los Angeles County that correspondence has been mailed.
- D. Fare Exemption Policy: Sworn Uniformed LSW Enforcement Personnel
- E. Revised Fare Exemption Policy: Sworn Law Enforcement Personnel

Prepared by:

Duane Martin, DEO Project Management, Office of the CEO


Lindy K. Lee
Deputy Chief Executive Officer


Arthur T. Leahy
Chief Executive Officer

ATTACHMENT A

WE FURTHER MOVE that the MTA Board direct the CEO to:

- A. Add and begin the hiring process for a minimum of three public safety-related fulltime positions to be approved by the aforementioned committee by January 2015:
 - 1. A public safety executive to oversee all aspects of public safety related to MTA
 - 2. A compliance officer exclusively devoted to administering contract compliance with regards to MTA's current and future policing contracts
 - 3. A Metro security chief to supervise MTA's Metro Security force

- D. Report back at the November 2014 Board meeting on a proposed staffing plan to properly administer contract compliance with regards to MTA's current and future policing contracts.

- E. Submit the annual Transit Community Policing Plan to the MTA Board in July of each year.

- F. Present the System Safety, Security, and Operations Committee each month with a performance report of the transit policing contract, including but not limited to criminal activity, fare enforcement, response times, deployment, and perception of safety as well as an annual report in July of each year.

- G. Report back at the January 2015 Board meeting on the feasibility of extending complementary transit passes to all law enforcement personnel in MTA's service area.

- H. Notify the Board in closed session on a quarterly basis of all claims, litigation, and citizen complaints filed against the MTA involving the transit policing contract. For all new claims and litigation, provide a brief written explanation of the claim, results of any investigation, and proposed corrective actions. Present proposed settlements to the Board in closed session at least two weeks prior to any final settlement consideration or agreement. All settlements presented to the Board must include a formal corrective action plan.

ATTACHMENT B

October 21, 2014

Mark Yokoyama, Chief
Alhambra Police Department
211 S First St
Alhambra, California 91801

Dear Chief,

The Los Angeles County Metropolitan Transportation Authority (Metro) is unique among the nation's transportation agencies. It serves as transportation planner and coordinator, designer, builder and operator for one of the country's largest, most populous counties. Portions of Metro's transit system are equipped with gates and possession of a TAP card (Transit Access Pass) is required.

Metro and Metrolink policies presently allow uniformed law enforcement officers from police agencies throughout Los Angeles County to ride the bus and rail transit system at no cost, and we encourage free use of Metro's system, provided they comply with certain conditions. These conditions include being in uniform, presenting photo identification upon request, standing when the train or bus is crowded, and taking appropriate action when needed. Program policy details have been attached for your reference and briefing use.

Please survey your respective departments to identify officers who require access and/or wish to apply for a TAP card which can be used on both Metro buses and trains and Metrolink trains. This media is non-transferable and is to be used **EXCLUSIVELY** by sworn law enforcement personnel with full peace officer powers.

Please direct a member of your staff to contact Stephanie LaRue at larues@metro.net or 213.922.2689 or Helen Valenzuela at valenzuelah@metro.net or 213.922.6928 in order to coordinate the release of cards for your agency. While Metro will need to know the number of TAP cards your agency requires, distribution to your staff, internal security protocols, and adherence to Metro terms of use will be incumbent upon your agency to administer.

Should you have questions, please contact staff noted above. Thank you.


Lindy K. Lee
Deputy Chief Executive Officer

ATTACHMENT C

Alhambra Police Department
Arcadia Police Department
Azusa Police Department
Baldwin Park Police Department
Bell Police Department
Bell Gardens Police Department
Beverly Hills Police Department
Burbank Police Department
Bureau of Street Services Investigation and Enforcement Division
California State University, Northridge Police Department
California State University, Pomona Police Department
Ciaramont Police Department
Compton School Police Department
Covina Police Department
Culver City Police Department
Downey Police Department
El Monte Police Department
El Segundo Police Department
Gardena Police Department
Glendale Police Department
Glendora Police Department
Hawthorne Police Department
Hermosa Beach Police Department
Huntington Park Police Department
Inglewood Police Department
Irwindale Police Department
La Verne Police Department
Long Beach Community College District Police Department
Long Beach Police Department
Long Beach Unified School District School Safety
Los Angeles Police Department
Los Angeles County Sheriff's Department
Los Angeles Airport Police Department
Los Angeles School Police Department
Manhattan Beach Police Department
Maywood Police Department
Monrovia Police Department
Montebello Police Department
Montebello School Police Department
Monterey Park Police Department
Palos Verdes Estates Police Department

Pasadena Police Department
Pomona Police Department
Port of Los Angeles Police Department
Redondo Beach Police Department
San Fernando Police Department
San Gabriel Police Department
San Marino Police Department
Santa Monica Police Department
Sierra Madre Police Department
Signal Hill Police Department
South Gate Police Department
South Pasadena Police Department
Torrance Police Department
Vernon Police Department
West Covina Police Department
Whittier Police Department

**FARE EXEMPTION POLICY:
SWORN UNIFORMED LSW LAW ENFORCEMENT PERSONNEL**

It will be the policy of the Los Angeles County Metropolitan Transportation Authority (Metro) to permit sworn and ~~uniformed~~ law enforcement officers from all municipal police agencies operating within Los Angeles County to ride the Metro transit system under fare exemption if officers meet the following conditions:

- ~~Wear full uniform (short or long sleeve) with Sam Browne equipment (no raid jackets, specialized uniforms or the like);~~ **Must be a full-time peace officer, on-duty or traveling to or from work assignment.**
- **If in plainclothes, Present** department-issued photo identification ~~to the fare inspector (Security Assistant) or operator upon request.;~~ and
- Stand **in a crowded train or bus to allow customer to sit.** ~~when the train or bus is crowded or when otherwise asked to do so by Metro Staff.~~

~~If participating officers are found to be out of compliance with this policy, they will be asked to pay the appropriate fare.~~ **When found to be out of compliance with this policy, appropriate fare shall be paid upon request.**

Implementation of this policy will help encourage ~~municipal sworn and uniformed~~ law enforcement officers to ride the Metro system at no cost. Additionally, ~~uniformed~~ law enforcement personnel will augment **Metro's contract law enforcement services** ~~Los Angeles Sheriff's Department deputies and security assistants (fare inspectors) should~~ law enforcement action be required. The presence of **additional** ~~these additional~~ uniformed law enforcement officers traveling through the Metro system **will assist in deterring potential criminal or unwanted activity on** ~~is expected to provide a deterrent effect upon those who might otherwise be inclined to commit criminal acts while using the Metro System. Moreover, their nearby presence may potentially speed the response time in the even a criminal act is committed.~~

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**REVISION OF FARE EXEMPTION POLICY:
SWORN LAW ENFORCEMENT PERSONNEL**

It will be the policy of the Los Angeles County Metropolitan Transportation Authority (Metro) to permit sworn law enforcement officers from all municipal police agencies operating within Los Angeles County to ride the Metro transit system under fare exemption with the following conditions:

- Must be a full-time peace officer, on-duty or traveling to or from work assignment.
- If in plainclothes, present department-issued photo identification upon request.
- Stand in a crowded train or bus to allow customers to sit.

When found to be out of compliance with this policy, appropriate fare shall be paid upon request.

Implementation of this policy will help encourage law enforcement officers to ride the Metro system at no cost. Additionally, law enforcement personnel will augment Metro's contracted law enforcement services should law enforcement action be required. The presence of additional law enforcement officers traveling through the Metro system will assist in deterring potential criminal or unwanted activity on the Metro system.