## STAFF REPORT

|  |  |  |  |
| --- | --- | --- | --- |
| **Agenda Item:** | 7 | **Name:** | Greg Doss |
| **Proposed No**.: | 2016-0134 | **Date:** | March 15, 2015 |

**SUBJECT**

Proposed Motion 2016-0134 would require the Executive to submit an action plan to increase the security of transit passengers and operators.

**SUMMARY**

Proposed Motion 2016-0134 notes that it is the policy of the King County Council that the safety of transit operators and passengers is of paramount importance and that measures should be taken to ensure that Metro Transit services and facilities are convenient, accessible and safe for passengers and operators.

The motion requests that the Executive develop and transmit to Council an action plan that supports the strategies outlined in the Metro system security plan and identifies and prioritizes specific activities that can be undertaken to enhance the safety and security of Metro Transit's customers and employees.

The motion asks the Executive to consider in its action plan (a) information about current security plans and an analysis of the relative success of these programs; (b) an analysis of the reliability and potential expansion of video cameras on transit coaches; (c) an analysis of fare enforcement policies and the relationship to operator and passenger security; (d) an analysis of current staffing levels for Metro Transit police and contract personnel used to provide security in the transit tunnels and at metro stations; (e) an analysis of the potential benefits that could be derived from Metro Transit police and security personnel deployment based on real-time crime reporting; (f) an analysis of the benefits that might be achieved by adding dedicated personnel in the Prosecuting Attorney's Office and Department of Public Defense; (g) an analysis of how transit safety programs can be implemented so as to avoid disparate impacts on disadvantaged communities; (h) a comparison of Metro Transit passenger and operator security programs with programs operated by transit systems in other cities; (i) a funding plan and potential budget for action plan recommendations; and (j) a recommended timeline for implementation of recommended actions.

**BACKGROUND**

Assaults on Metro bus drivers and passengers have received additional attention after two recent incidents in which a passenger struck a King Count Metro operator and threatened a Sheriff’s Deputy at knifepoint (February 25th), and a passenger was killed in an on-board shooting that apparently targeted the victim (February 3rd).

The attacks, as well as a long term interest in the safety and security of transit passengers and operators, have prompted the Executive and Council to review the various safety measures, processes and protocols used by Metro Transit security and the Metro Transit Police force.

The Metro Transit Police, a unit of the Sheriff's Office, is responsible for the safety and security of the Metro Transit system. The Transit Police administer County policies that regulate of conduct of transit users as well as the behaviors that give rise to civil infractions and criminal charges. Metro Transit is responsible for identifying and preventing actions or behaviors that can threaten operator and passenger security and will result in arrest, immediate expulsion or a suspension of use privileges.

**Metro System Security Plan:** The King County Metro Strategic Plan for Public Transportation (2013 Update)[[1]](#footnote-1) identifies its first objective as “Keeping People Safe and Secure.” The Strategic Plan notes that Metro protects the safety and security of its customers, employees and facilities in a variety of ways, including planning, policing, facility design and collaboration with other agencies on safety related matters. It notes that the System Security Plan guides Metro’s efforts to maintain and improve the safe operations of its vehicles and the safety and security of its facilities.

The System Security Plan was last updated in December 2011. The System Security Plan indicates that Metro Transit’s security is based on the successful integration of four primary objectives that include (1) reducing vulnerability, (2) deterring or preventing potential threats, (3) responding to security risks, and (4) managing the consequences for any security related incidents.

The System Security Plan outlines the strategies applied by Metro Transit to achieve the security system objectives noted above. Some of the strategies focus on Systems Design, including the use of security technology, while others focus on Security Assessment strategies that may require coordination with the Federal government or other local law enforcement agencies. Each strategy and sub-strategy is supported by specific standard operating procedures that can be executed by Transit personnel or Transit Police.

**Transit Police Staffing and Deployment**: The Transit Police are responsible for the safety of 1,458 coaches and 222 routes, including Rapid Ride lines and regional Sound Transit Bus service that is operated by Metro Transit. Transit Police monitor 10 Transit Centers, 130 Park and Ride lots (Metro and WSDOT) and routes that carry an average daily ridership of more than 400,000 people.

The Metro Transit Police force is composed of approximately 68 FTEs, including 39 Patrol Deputies and Sergeants, 10 Bike Squad FTEs, 11 Detectives, five Anti-terror teams and various administrative and Command Staff.[[2]](#footnote-2)

The Metro Transit Police primarily employ geographic deployment of Deputies to garner ownership of specific assigned areas. The agency also utilizes a “Top Route” or “Hot Spot” deployment to address emerging safety and security issues. The Agency Commander has indicated that he uses his flexible forces, such as the bike squads, to provide proactive responses to information that he receives from other law enforcement agencies or from the Security Incident Reports (SIRs) that are created when Metro drivers are the victims of or witnesses to criminal or other reportable behavior.

**Transit Security Services**: King County Metro Transit presently contracts with the private sector to provide the level of security services required to meet organizational needs. Securitas Security Services USA, Inc. is presently Metro’s security provider. Securitas provides unarmed security services at many Metro facilities, as well as on board Rapid Ride coaches. These services include standing security posts within the Downtown Seattle Transit Tunnel, roving security patrols, 24/7 monitoring of security systems and closed caption TV systems at select transit centers, and conducting revenue service fare enforcement operations. Present staffing level is approximately 120 security officers.

**Transit Crime**: Assaults on operators are widely defined and can mean anything from a physical attack to spitting on a driver. The Transit Police have indicated that the annual number of assaults on operators have decreased from a high of 180 in 2005 to a current level of about 80, or roughly seven per month, in 2015. Other statistics tracked by Transit Police show that there are five or fewer assaults on passengers per month and approximately 25 passenger disturbances per month.[[3]](#footnote-3)

Transit Police Command staff have indicated that some of the reduction in operator assaults is due to the Operator Assault Reduction Program, which was launched in 2008. Command staff have indicated that the program includes quick Deputy response to reports of operator assaults, early intervention for operators, emphasis patrols by plain clothes Detectives, use of the Suspension and Exclusion Policy as a tool to restrict offenders from the system, an operator assault reward fund and the launching of follow up investigations.

Metro Transit has provided information on its 2014 Strategic Plan Progress Report information that summarizes positive gains in safety-related issues. In addition to the reduction in operator and passenger assaults noted above, the progress report found customer satisfaction with personal safety while riding the bus at night remains high, as does satisfaction with the safe operation of the buses.

Customer satisfaction regarding safety and security was also assessed via rider surveys. In 2014, 74 percent of riders said that they were “very satisfied” with the safe operations of the bus, a statistic that was consistent with prior years. Most of the remainder of riders said they were “somewhat satisfied.” When asked about personal safety while riding the bus at night, Metro Transit reports that 81 percent said they are very or somewhat satisfied, which is similar to the average for the previous four years.

**Fare Enforcement and Suspensions of Use-Related Policies**: In 2015, the Council passed Motion 14441, which established four policies related to the treatment of individuals for transit violations.[[4]](#footnote-4) That motion also directed the Executive to transmit to Council in 2016 a work plan for implementing these policies and any legislation, including supplemental appropriation requests, necessary for their implementation.

Following the first committee hearing on what became Motion 14441, staff received information from affected County agencies and stakeholder groups on potential impacts they identified. At the time, Metro Transit, Transit Police and King County Sheriff’s Office expressed concerns related to any policies or actions that could have the effect of reducing the tools available to law enforcement to advance the goals of the Metro Transit Security Program, including reducing crime and reducing the fear of crime on Metro Transit facilities.[[5]](#footnote-5)

King County Metro has convened a group of stakeholders, the Transit Safety and Equity Work Group, to undertake the work set out in Motion 14441. According to Metro Transit, that group includes representatives from Metro Transit Police, the Prosecuting Attorney’s Office, the District Court, the Superior Court, the Department of Public Defense, Metro Transit operations, and stakeholders from non-profit organizations such as TeamChild and the Public Defenders Association. Council staff expect the work plan and related legislation requested by Motion 14441 to be transmitted at the end of April 2016.[[6]](#footnote-6)

**ANALYSIS**

**Cameras on Buses:** Metro Transit staff has indicated that Metro currently has cameras on 44 percent of its buses. On February 25, 2016, the Executive announced that Metro will install cameras in 80 percent of all buses by 2019 and 100 percent of all buses by 2021. Former Metro Transit General Manager Kevin Desmond told the Council’s Transportation, Economy and Environment Committee that not all busses can be immediately converted because some older buses lack the wiring necessary to install cameras. He indicated that Metro’s plan is to put cameras on all buses with suitable wiring within the next two years. In some cases, Metro Transit will wait for non-suitable, older coaches to go out of service before installing cameras on the replacement coaches. Mr. Desmond indicated that Metro will transmit a budget request to install cameras as part of the Executive’s proposed 2017-2018 biennial budget. Mr. Desmond noted that preliminary estimates for overall costs range between $6 million and $7 million.

The Executive’s response to the proposed motion would outline the reliability of cameras when used for security purposes and might address issues such as camera placement, the number of required cameras, and the potential outcomes that might be achieved through an expansion of the use of video cameras. Such outcomes may include the use of camera footage for evidentiary purposes when prosecuting crimes, or the deterrence value of camera systems as determined by the available research. Additionally, the Executive could address potential equity and social justice issues or privacy rights issues that might accompany a policy that outfits every bus with one or more cameras.

**Real Time Crime Reporting and Transit Police Staffing**: A real time crime reporting system can aggregate multiple data sources to improve situation awareness and aid in the deployment of proactive resources. Officers coming on duty can check on criminal activity in their respective areas and plan patrols appropriately. Detectives can identify hot spots, look for crime patterns and analyze data for associations. These kinds of systems help law enforcement agencies maximize the use of scarce resources.

The Metro Transit Police force currently uses a mix of 911 information, crime information from local law enforcement partners, Deputy on-views and Metro driver Security Incident Reports (SIRs) to develop the deployment strategies for its flexible forces. The Transit Security Chief has indicated that there is a lag time in some of these information sources and that this lag affects his ability to deploy his forces in a manner that could maximize the timeliness of the information as it becomes available. As part of the analysis of the potential benefits that could be derived from real-time crime reporting, Metro Transit may identify technological innovations that could provide faster and potentially more relevant crime information to guide deployment strategies and proactively address crime issues.

The Transit Security Chief has indicated that the agency has produced a Staffing and Response Plan paper and submitted it to Metro Transit. At the time of this writing, the Staffing and Response Plan paper has been requested, but not provided to Council staff.

The proposed motion requires an analysis of current staffing levels for Metro Transit Police and contract personnel used to provide security in the Downtown Seattle Transit Tunnel and at transit stops and stations. Such an analysis, in combination with a strategic deployment plan that includes real-time use of flexible proactive assets, might allow Metro Transit to determine an appropriate / necessary overall number and mix of security staff and Deputies.

**Dedicated Prosecutors and Public Defenders**: Many jurisdictions dedicate criminal justice resources (courts, prosecutors, or public defense attorneys) to focus on specific crimes that warrant additional attention. The creation of dedicated prosecution or defense teams can allow one or more attorneys to gain expertise on the issues and to ensure more consistency in the treatment of the cases. Dedicated prosecution or defense teams may also be able to process cases more quickly, thus having a greater impact on public safety.

The King County Prosecutor has established dedicated resources to focus on areas such as domestic violence and elder abuse. In the latter example, the Prosecutor has created a unit trained to address the special circumstances inherent in all cases. The elder abuse team works collaboratively with police, social service agencies, and medical professionals to improve the referral, investigation, and, ultimately, prosecution of cases of abuse and neglect of vulnerable adults. The unit also provides training to first responders to that they can better recognize and react to such cases.

In a similar way, dedicated prosecutor or defense resources may change the way Metro Transit addresses and processes the perpetrators of transit crime. Some other jurisdictions are considering this approach. For example, District Attorney Robert M. Morgenthau of Manhattan recently announced the appointment of a prosecutor to act as a ''special coordinator for transit crime'' in his office.

The proposed motion would require an analysis that would allow the Executive, Prosecutor’s Office and Department of Public Defense to ascertain whether transit crime or offenders could benefit from specific, dedicated resources.

**ATTACHMENTS**

1. Proposed Motion 2015-0134

**INVITED**

1. Rob Gannon, General Manager, Metro Transit, King County Department of Transportation
2. Major Dave Jutilla, Metro Transit Police Chief

1. http://metro.kingcounty.gov/planning/strategic-plan/index.html [↑](#footnote-ref-1)
2. Metro Transit Police presentation to the Regional Transportation Committee on October 21, 2015 [↑](#footnote-ref-2)
3. Metro Transit Police presentation to the Transportation, Economy and Environment Committee on March 1, 2016 [↑](#footnote-ref-3)
4. The policies were as follows: Juveniles should not be charged criminally for fare evasion on Metro buses; Metro’s suspension of use process and the process to appeal any suspensions of use for violations of the Metro Transit Code of Conduct, infractions or criminal charges that do not involve violence should align with the county’s equity and social justice principles in both intent and impact, and provide due process protections; improve geographic equity of access to court for individuals living throughout King County who are cited with civil infractions for fare evasion; ensure that relevant transit personnel achieve developmental competence in relation to working with juveniles through appropriate training. [↑](#footnote-ref-4)
5. Proposed Motion 2015-0256, Staff Report on July 21, 2015, pg. 8. [↑](#footnote-ref-5)
6. Motion 14441 Extension Letter to Council, February 11, 2016. [↑](#footnote-ref-6)