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TO: BOARD OF DIRECTORS

THROUGH: PHILLIP A. WASHINGTON 
CHIEF EXECUTIVE OFFICER

FROM: ASTON T. GREENE 
EXECUTIVE OFFICER, SYSTEMS SECURITY AND LAW ENFORCEMENT

SUBJECT: LAW ENFORCEMENT OVERTIME

ISSUE

During the week of June 12-19, 2020 several social media and news outlets reported that there were forty cancellations of LAPD officers from the LA Metro law enforcement services contract. While briefing the June 18th, 2020, Executive Management Committee on the Monthly Update on Transit Safety and Security Performance, this matter was raised by Board Director Sheila Kuehl out of concern for any debilitating impacts on public safety. Staff was directed to report back by the Regular Board Meeting on June 25, 2020, if any discernable patterns related to this overtime issue was identified and, if so, what remedies are in place to ensure Metro's continued level of security.

DISCUSSION

As a result of the death of George Floyd on May 25, 2020, many cities across the nation experienced major protest activities. The City of Los Angeles began to experience these large events beginning May 28, 2020, and some continue to be scheduled at the time of this report.

Consequentially, the Los Angeles Police Department (LAPD) has communicated that they have expended approximately 40-million dollars due to overtime, which far exceeded their budgetary reserves to address unusual occurrences. As such, the LAPD's Chief of Police, Michel R. Moore, advised his management personnel that as of June 7, 2020, they must curtail overtime costs and that compensation for overtime shall be in the form of compensatory time.

Metro's law enforcement contract with LAPD consists of designated positions for

LAPD officers to sign up as overtime. Presumably, this new policy, announced by LAPD Chief Moore, disincentivizes LAPD officers to sign up for positions because the preference for most officers is to get paid overtime instead of compensatory time. This Board Box addresses this concern based on contract review and two weeks' worth of overtime analysis.

The period of contractual law enforcement services between LA Metro and LAPD is from March 1, 2017, to June 30, 2022. The contract services consist of both administrative staff and certified officers to provide basic and advance law enforcement services to include, but not limited to, response to 911 emergencies, presence on Metro's system to reduce vulnerability to terrorism, response to customer complaints related to criminal activity (i.e. sexual harassment), and special assignments to support Metro's homeless outreach and engagement services.

The majority of these functions are supported by LAPD officers who have received training on transit security and who are working overtime. There are 144 overtime shifts per day on Metro's system for LAPD's jurisdictional coverage. These positions are strategically aligned with the priorities established by Metro's System Security and Law Enforcement Department. Additionally, LAPD has 97 full-time officers that are not deployed daily to overtime positions but provide strategic missions such as the LAPD's Homeless Outreach Proactive Engagement (HOPE) Team and Community Liaison Units.

Staffing goals by LAPD must be met per the contract's Scope of Work Section 1.0 which in part, reads that LAPD must meet the service coverage, showing the list of staff per service area that LAPD initially committed under contract. Additionally, Section 2.2, provides for the performance metrics by which LAPD will be evaluated based on the contract. One of the performance metrics is the ratio of staffing levels and vacant assignments. The Chief System Security and Law Enforcement Officer meets weekly with LAPD to ensure compliance with these terms, which are also the basis of the monthly Update on Transit Safety and Security Performance report.

For the week of June 12, 2020, through June 19, 2020, there were 696 cancellations of overtime assignments, of which 525 shifts (75%) were covered with a standby list and by backfilling positions with full-time LAPD officers assigned to the Transit Services Division. The remaining positions that were not filled by LAPD officers working overtime, were covered by the backup officers with no significant delays in response to 911 calls. Moreover, on a daily basis 81% of the shifts were filled during this week (144 shifts per day, with an average of 27 shifts left without an officer to fill the position.)

The full-time LAPD officers that supported the vacancies were re-assigned from the Special Problems Unit (SPU), HOPE Teams, and the Senior Lead Officer (SLO) Unit so there was no direct impact to calls of service on the system. The

functions for these units were temporarily suspended to support priority staffing on Metro in accordance with the base contract scope of work.

Unlike reports from other Cities (i.e. Atlanta, GA), there was no evidence of LAPD officers calling out sick in any form of protest, which would be a violation of both their oath of office and the Metro contract.

Incidentally, as indicated by the table below, Metro's contracts with the Los Angeles Sheriff's Department and the Long Beach Police Department reported no unusual occurrences related to call-outs.

Call-out Rates: Week of June 12 –19, 2020

	Assignments	Call-outs	Filled	Vacant	Variance
LAPD	1008	696	525	171	17%
LASD	763	10	753	10	.01%
LBP	84	1	83	1	.01%

Note: From all three law enforcement agencies, during the period of review, the system had over 90% coverage of all assignments.

Prior to the LAPD overtime changes, but still during the COVID-19 emergency operations involving their services, and as indicated in the April 'Update on Transit Safety and Security Performance' report, there was no significant increase rate of unfilled assignments.

In summary, both the contract terms which are monitored regularly and the research related to the actual number of cancellations during the week of June 12-19, 2020, there is was no significant impact on the integrity of Metro's security services provide by LAPD.

NEXT STEPS

LA Metro Chief of System Security & Law Enforcement Officer will continue to monitor LAPD for adherence to contract terms and make necessary adjustments to ensure maximum coverage for primary areas with LAPD full-time staff and continue to request overtime positions be filled as a priority.