

JULY 6, 2020

TO: BOARD OF DIRECTORS

THROUGH: PHILLIP A. WASHINGTON
CHIEF EXECUTIVE OFFICER

FROM: BOB GREEN
CHIEF SYSTEM SECURITY AND LAW ENFORCEMENT
OFFICER

SUBJECT: LAW ENFORCEMENT OVERTIME (LAPD)

ISSUE

During the June 25, 2020, Regular Board meeting related to discussions about the efficacy of staffing by law enforcement during the first two weeks of June, there was a request for clarification about the coverage of law enforcement on Metro's system amid the 'Black Live Matters' protests and the City's declaration of emergency.

Metro's Systems Security and Law Enforcement (SSLE) staff was directed to clarify its previous overtime analysis that was expressed within the Board Box issued on June 24, 2020 (Attachment A). SSLE conducted a thorough After Action Review (AAR) and analysis of deviations from assigned shifts. SSLE will provide a full briefing during the August Board Cycle.

As noted in that previous communication to the Board Directors, staff advised that although there was a noticeable decrease in the number of officers who signed up for overtime, these deviations and cancellations were adequately filled by remaining standby staff without any discernable public safety impact to Metro. As the analysis continues to support this conclusion, this document provides additional information related to how LAPD officers are assigned to work on Metro's system.

DISCUSSION

LAPD's Transit Services Bureau is contractually obligated to deploy 24 Supervisors and 128 Officers over three shifts daily. The overtime program is

based on a Cash Overtime Allotment for Scheduling and Timekeeping (COAST) system. LAPD officers sign up for overtime shifts utilizing this computerized process which allows them to submit their names for overtime and then have up to 48 hours to confirm their assignments.

During the discussion of this overtime model at the June 2020 Regular Board meeting, there was a perception that, during the period from June 12 through June 24, 2020, there were approximately 700 LAPD officers who called out sick and did not show up to work. An assessment of actual performance during this time period shows that a number of LAPD officers signed up for overtime, then canceled their request within the approved timeframe (*officers can cancel their shift for any reason 72-hours prior to their detail*), which then afforded the LAPD Scheduling Unit to fill those positions with other officers on the standby list and full-time officers. The standby list can range anywhere from 60 to 300 officers daily and provides a backup resource to remedy the effects of legitimate cancellations. As such, there was no massive absence of LAPD officers creating a public safety crisis, as standby and fulltime officers were able to fill the vacancies as designed by the contract model.

In sum, the numbers that called off from June 12 through June 24 was 1,872. 1,591 were filled and 281 positions were not filled for an 85% fill rate. This left 22 officers per day short, which equates to 3 less units per shift each day. This rate falls within the standard deviation of coverage as officers may be involved in an incident, or a special event, which, in combination with average sick calls is manageable without risk.

Although Metro requires that we maintain an adequate presence on the system to support contract terms and key performance indicators, our law enforcement model is built to accommodate changes resulting from various scenarios. SSLE leadership audited LAPD's compliance rate from July 2019 to May 2020 and found that they maintained a 99.1% staffing fill rate.

NEXT STEPS

Metro's Chief of System Security and 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 ensure that overtime positions are filled as a priority.

Moreover, as a follow-up to communication with LAPD's Chief Moore on June 25, 2020, Metro is ensured that LAPD will only pay cash overtime to all LAPD officers as a permanent incentive to support Metro's contractual terms.

Staff will develop a contingency planning model for future scenarios to prevent any extreme impact on Metro resulting from overtime cancellations.

ATTACHMENT

Attachment A – Law Enforcement Overtime Board Box, June 24, 2020




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JUNE 23, 2020

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, disincentives 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.