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Los Angeles County
Metropolitan
Transportation
Authority

TO: MTA BOARD MEMBERS AND ALTERNATES
FROM: FRANKLIN E. WHITE *F. White*
SUBJECT: MTA TRANSIT POLICE DEPARTMENT

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RECOMMENDATION:

In order to achieve optimum security for the MTA's public transit system, it is recommended that the Board of Directors: (a) adopt a policy to maintain and strengthen the MTA Transit Police Department; (b) authorize the CEO to provide the MTA Transit Police Department with all necessary and appropriate support to ensure that it can effectively perform the Authority's critical transit security and law enforcement mission; (c) authorize the CEO to expeditiously negotiate a transition of all sworn transit police officers from the current RTD retirement plan to the California Public Employee's Retirement System (CALPERS); and (d) direct the CEO to pursue legislation providing 830.1 peace officer status to the MTA Police.

BACKGROUND:

Since 1989, the MTA and its predecessor agencies have conducted no less than five (5) major studies and policy debates regarding the optimum method for accomplishing our critical transit security and law enforcement mission. Throughout these policy discussions, the most appropriate role for the MTA Transit Police Department (MTAPD) has been rigorously scrutinized. While these policy discussions may have involved separate rail lines or bus system, the efficacy of maintaining a dedicated MTAPD has been the essential focus of the analysis.

Over the years, this continuing policy debate has caused severe morale and operational problems within the department. In addition, our transit police officers do not receive the industry standard protections in the benefits program. Other local law enforcement agencies are now hiring and they are offering competitive compensation packages. Exit interviews and resignation notices of our officers cite lack of MTA Board support, the inadequate benefit package and incessant talk of the merger as reasons for leaving the MTAPD.

The nearly continuous employment uncertainty, with its impact on professional career planning and development, has reached the point where the MTAPD's attrition rate

has risen dramatically (to an annualized 26%) in the few months after the MTA Board opposed the Metro Transit Police Officers Association's (MTPOA) efforts for California Penal Code reform (830.1 PC issue). In a serious development, for the first time in memory, Senior Transit Police Officers including Sergeants are opting to leave the department in search of stability and basic professional appreciation. And, the lack of parity in retirement benefits when compared to officers serving in other police agencies is a serious additional contributor to the high attention.

As a culmination of six years of uncertainty and frustration, and citing the continuing lack of Board support, last month the MTPOA voted with an 85% majority to merge with the LAPD and LASD. This extraordinary action was taken after years of bitter internal debate and contentious discussion of this issue. The feelings among our transit police officers are very strong on this question.

Briefings conducted for the Labor Ad Hoc Committee have detailed the significant issues involved in this decision. The attached briefing document provides a brief historical context and an outline of the major points of this topic. This document, and the recent staff presentation for the Labor Ad Hoc Committee, enumerate the salient points for Board consideration.

ALTERNATIVES CONSIDERED:

Alternative I: Retain MTA Transit Police Department and Provide all Necessary and Appropriate Support. (Recommended)

Retaining the MTAPD and providing all necessary and appropriate support for the department is, in the judgment of staff, the most responsive and cost-effective method of accomplishing the Authority's law enforcement and security mission. Those key elements in providing this necessary and appropriate support to render this option viable are enumerated below.

Alternative II: Direct the Chief Executive Officer to Negotiate with the Los Angeles Police Department and the Los Angeles County Sheriff's Department to Effectuate a Merger of the MTAPD with those Agencies. (Not Recommended)

Selection of this alternative would require that the CEO negotiate an agreement with the LAPD and LASD that would protect the vital interest of the MTA, its passengers and its employees. Any such negotiation should be based on the fundamental premise that the MTA would receive undiminished law enforcement services at comparable cost.

DISCUSSION:

Alternative I - Retention of a viable and dedicated MTA Transit Police Department - is recommended because previous analyses have concluded that this option is the most cost effective course of action for the Authority. In all of the past discussions, debates and analyses, it has been established that retention of a dedicated transit police force is in the best interest of the Authority.