King County

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

KING COUNTY

Signature Report

September 20, 2016

Motion 14741

Proposed No. 2016-0453.1 **Sponsors** Dembowski

A MOTION accepting a transit passenger and operator security action plan to enhance the safety and security of transit customers and employees, in response to Motion 14595.

WHEREAS, public transportation plays a vital role in increasing mobility and access throughout King County, with the transit division ("Metro Transit") providing more than one hundred twenty million transit boardings during 2015, and

WHEREAS, ensuring the safety and security of Metro Transit services and facilities, as measured by minimizing operator and passenger disturbances and assaults, is one of the goals of the 2011-2021 Strategic Plan for Public Transportation, and

WHEREAS, it is the policy of the county 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, and

WHEREAS, Metro Transit has a system security plan to guide its efforts to maintain and improve the safety and security of its operations and facilities, and

WHEREAS, the council requested that the executive develop and transmit to council a transit passengers and operator security action plan that supports the strategies outlined in the 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, and

WHEREAS, the plan should include, but not be limited to:

1. Information about current security plans and programs that are being implemented for transit passengers and operators, including analysis of the relative success of these programs;

2. An analysis of the reliability and potential expansion of video cameras on transit coaches and the potential use of cameras by operators for security purposes;

3. An analysis of the fare enforcement policies and practices and the relationship between fare enforcement policies to operator and passenger security, including lessons learned from the implementation of fare enforcement measures on the rapid ride lines;

4. 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;

5. An analysis of the potential benefits that could be derived from Metro Transit police and security personnel deployment based on real-time crime reporting;

6. An analysis of the benefits that might be achieved by adding dedicated personnel in the prosecuting attorney's office and department of public defense;

7. How transit safety programs can be implemented so as to avoid disparate impacts on disadvantaged communities;

8. A comparison of Metro Transit passenger and operator security programs and incident levels with security programs operated by transit system in other cities around the country;

9. A potential budget for action plan recommendations, including identification of funding sources and proposed funding levels for the 2017/2018 biennial budget; and

10. A recommended deployment strategy and a timeline for implementation for the recommended actions, and

WHEREAS, the plan and report should be undertaken by the executive in consultation with county staff including but not limited to: representatives from the sheriff's office, the prosecuting attorney's office, the department of public defense, Metro Transit operators and the Metro Transit police;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

The action plan in response to Motion 14595, Attachment A to this motion, is hereby accepted.

Motion 14741 was introduced on 9/12/2016 and passed by the Metropolitan King County Council on 9/19/2016, by the following vote:

Yes: 9 - Mr. von Reichbauer, Mr. Gossett, Ms. Lambert, Mr. Dunn, Mr. McDermott, Mr. Dembowski, Mr. Upthegrove, Ms. Kohl-Welles and Ms. Balducci
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

J. Joseph McDermott, Chair

ATTEST:

Anne Noris, Clerk of the Council

Attachments: A. Metro Transit Passenger & Operator Security Workplan in response to Motion 14595

King County

Metro Transit Passenger & Operator Security

Workplan in response to Motion 14595

September 2016

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Executive Summary

By Motion 14595, the King County Council requested that the Executive develop and transmit a passenger and operator security action plan that supports the strategies outlined in the King County Metro Transit (Metro) 2011 System Security Plan and responds to one of the goals of the 2011 – 2021 Strategic Plan for Public Transportation: ensuring the safety and security of Metro services and facilities by minimizing operator and passenger incidents and assaults. The security action plan will identify and prioritize specific activities that can be undertaken to enhance the safety and security of Metro's customers and employees. The security action plan includes, as requested:

A. Information about current system security plans and programs that have been implemented for transit passenger and operators, including analysis of the relative success of these programs;

B. An analysis of the reliability and potential expansion of video cameras on transit coaches and the potential use of cameras by operators for security purposes;

C. An analysis of fare enforcement policies and practices and the relationship between fare enforcement and operator and passenger security, including lessons learned from the implementation of fare enforcement measures on RapidRide lines;

D. An analysis of current staffing levels for Metro Transit Police (MTP) and contract personnel used to provide security in the transit tunnels and at Metro facilities;

E. An analysis of the potential benefits that could be derived from MTP 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 (PAO) and the Department of Public Defense (DPD);

G. An analysis of how transit safety programs could be implemented so as to avoid disparate impacts on disadvantaged communities;

H. A comparison of Metro passenger and operator security programs and incident levels with security programs operated by transit systems in other cities around the country;

I. A potential budget for action plan recommendations, including identification of funding sources and proposed funding levels for the 2017/2018 biennial budget;

J. A recommended strategy and timeline for implementation of recommended actions.

Metro has comprehensive security plans that rely on three main elements: education, enforcement and engineering, all with the intention of keeping Metro passengers and employees safe and making the system even safer from a wide range of threats. In forming this security action plan, Metro Transit staff focused on those high probability, high impact events of passenger-to-passenger disturbances and operator assaults.

Over the last 10 months, Metro has been engaged in a comprehensive review of its safety systems and safety culture. This review was designed to provide a roadmap for Metro to foster a positive safety culture within Metro's safety systems. At the same time, this review has also laid the groundwork for Metro to comply with pending regulations from the Federal Transit Administration (FTA) regarding safety management systems (SMS).

This work, along with a series of workshops jointly sponsored by Metro and the Amalgamated Transit Union Workers, Local 587 (ATU), helped to design and prioritize the near-term and longer-term strategies identified in this security action plan.

Methodologies for this project included:

- Document and safety data reviews;
- Interviews, focus groups, and workshops;
- Safety & security meeting attendance;
- Visual inspections and ride-alongs;
- An agency-wide safety culture survey;
- Transit agency benchmark research (including a site visit to TriMet in Portland, OR) and
- A review of forthcoming FTA SMS requirements.

A high-level summary with near-term strategies, descriptions and target dates is provided below. Further details can be found in the pages that follow the Executive Summary. Below are pictures taken at the various Security Workshops jointly sponsored by Metro and ATU held between May – July 2016.

Strategy	Item Description	Target Date	Status
Metro/ ATU Partnership for Operator Security	Expanding education, enforcement, and engineering efforts to reduce operator assaults in cooperation with ATU	Ongoing	3 Workshops held; additional workshop scheduled for 10/2016
On-Board Camera Systems (OBCS)	Ensuring all newly in-service coaches are equipped with OBCS & existing fleet is retrofitted with OBCS	December 2018	In progress; part of 2017-2018 budget proposal
Increased Metro Transit Police (MTP) staffing	Additional MTP personnel	1st Quarter 2017	In progress; part of 2017-2018 budget proposal
Operator personal security	Modify Metro Transit policy to allow for use of personal mobile devices to notify 911 in certain circumstances	August 2016	Drafted; distributed at 3rd Security Workshop
MTP authority to manage chronic offenders	Develop MTP authority mechanisms to issue criminal trespass violations to repeat on-bus violators	3rd Quarter 2016	August 2016 consideration of "trespass" ordinance
Operator shields	Design and implement a test of retractrable Operator Shields on certain routes	4th Quarter 2016	To form design team August 2016
Crime analysis	Utilize dedicated crime analyst to identify trends, predict issues, and mitigate emerging trouble within the system	1st Quarter 2017	In progress; part of 2017-2018 budget proposal
FTA Rule-making process on regulator requirements to reduce/ mitigate the impact of operator assaults	Participate in hearings to aid in proposed FTA rule to address assaults	2nd-4th Quarters4 2016	In progress
Public View Monitors	Design and implement a test of public view monitors on RapidRide lines	4th Quarter 2016	To form design team September 2016

Strategy	Item Description	Target Date	Status
Eliminate Paper Transfers	As part of longer-term fare policy review, examine ways to equitably eliminate paper transfers, a major source of friction between operators and customers	2018	Work with jursidictions to review current fare policy and ORCA options underway
Training for Operators & others on incident response team	Expand ongoing education for operators, supervisors, control center coordinators in collaboration with ATU, 911 Center staff, and representatives across Metro Transit	January 2017 roll-out	To form design team September 2016
Public Education	Expand public awareness of Metro code of conduct, through public announcements, signage, and school partnerships	2nd Quarter 2017	To form design team November 2016

Background

World events, such as the bombings of passenger rail systems in Madrid, London, Mumbai, and the 2016 Brussels' Metro and Istanbul's airport attacks underscore the threats and vulnerabilities associated with public transportation. Mass transit systems also suffer from day-to-day threats of trespass, vandalism, theft and personal injury. In response, public transportation systems are placing renewed emphasis and focus on system-wide security.

King County Metro Transit (Metro) is no exception; Metro operates in a continuous mode of assessing and enhancing its capacity to prevent, deter, respond to and manage security threats and challenges. Metro's transportation services, and those it operates on behalf of, Sound Transit Link Light Rail and City of Seattle Streetcar, are integral to the local and regional infrastructure. The safety and security of Metro's passengers, employees, equipment and facilities are vitally important at all times.

Metro services cover 2,100 square miles with 1,512 coaches, and 213 fixed routes and alternative services. It provides six RapidRide routes and nine regional Sound Transit bus routes operated and maintained by Metro. Metro's average weekday ridership is approximately 400,000, and annual ridership is approximately 121 million boardings. There are 16 transit centers throughout the system, six Metro-owned and 10 Sound Transit-owned. Eleven transit centers have park-and-ride lots. Including these transit centers with parking, there are more than 130 designated Park & Ride lots and over 8,000 Metro bus stops. Each of these facilities and services has inherent risks, and security plans and programs are designed to attempt to address those risks.

Metro has a comprehensive Security System Plan (SSP), outlining strategies to achieve its security mission and system security objectives. That plan is a guiding document, an over-arching plan that generally informs the intent of the agency relative to internal and external security measures. The SSP is regularly updated with the latest revision process slated to begin in the third quarter of 2016 to align the agency's SSP with the Department of Homeland Security/Transportation Security Administration's (DHS/TSA) "BASE" (Baseline Assessment & Security Enhancement) review. The BASE review is a voluntary program Metro participates in to improve its security posture. Metro and DHS/TSA are concluding the 2016 BASE review, which is typically conducted every three years. Metro's decision to use the newest BASE review to rewrite its SSP is intended to not only simplify future reviews, but to streamline the federal assessment of Metro's security efforts during processes such as the Transit Security Grant Program application review.

From low-probability/high-impact events such as terrorism, to high-probability/low-impact events such as general security disturbances, the SSP outlines efforts Metro undertakes to prevent, deter, detect, interrupt, manage, and recover from security threats to the system. The actual mechanical efforts those phases require are not outlined in the SSP, but are generally described within agency policies, procedures or other operating documents. It is important for the SSP to remain somewhat high-level and elastic, in order to allow Metro to expand or contract its programs based on emerging or evolving threats.

The focus of this security action plan centers on those events that are high probability and have significant impact on its victims, namely passenger and operator assaults and other on-board disturbances.

A. Current Security Plan & Programs

Metro Transit Security System Resources

Metro Transit has an integrated security system that relies on coordination between and among Transit Operators, Transit Control Center Coordinators, Transit District Supervisors, King County Sheriff's Office 9-1-1 Center, the Metro Transit Police precinct of the King County Sheriff's Office, local law enforcement agencies, contracted security services and Fare Enforcement Officers. All play unique roles to allow for a coordinated and integrated security system for Metro Transit customers and staff. Each has a myriad of standard operating procedures and protocols to prevent and respond to issues posing security threats to passengers and employees. In addition, each operating base has a Base Security Committee that endeavors to discover security issues facing operators and the public riding their buses, and to communicate those concerns to security resources in Metro to address those concerns.

The cornerstone for this security system is a dedicated law enforcement security service, provided by contract with the King County Sheriff's Office (KCSO). That contracted service constitutes the Metro Transit Police (MTP). MTP works in partnership with the over 26 local law enforcement agencies in which Metro properties, facilities, and fleet are located and operate.

Metro also contracts for security services in order to monitor 24/7 real-time security alarm events and closed circuit television of certain transit centers, parking garages, transit operations facilities; provide 24/7 security in the Downtown Seattle Transit Tunnel (DSTT); and patrol select properties from among over 130 park-and-ride lots and transit centers.

Security officers are responsible for monitoring suspicious behavior and circumstances, violations of the DSTT code of conduct, providing customer service, investigating alarms and assisting emergency response personnel. More information on the current staffing levels for MTP and contract security services is set forth in Section D.

Fare Enforcement Officers (FEOs) provide an additional layer of security presence on the RapidRide lines. Fare enforcement was instituted at Metro with the inauguration of Metro's first Bus Rapid Transit line, "RapidRide," in 2011 and has since expanded to six lines. FEOs inspect passengers for proof of fare payment while on board public transit vehicles and at transit stations and facilities. They also educate passengers about the fare, assist passengers in purchasing fare, escort them off the bus, and issue notices of infraction to passengers without valid fare. FEOs observe and report potential safety hazards, security issues, law violations, and assist Metro and other law enforcement officers in the event of accidents, emergencies and other incidents.

The presence of FEOs has a generally calming effect on negative onboard behaviors, and increases security during the time the FEOs are on the coach. Coach operators report feeling more secure and supported with the presence of FEOs. The public, via rider surveys, also have shown support for the program. An analysis of fare enforcement policies and their relationship to passenger and operator security is set forth in Section C.

Finally, the Transit Control Center (TCC) utilizes TCC Coordinators to provide first-level response to coach operator calls for assistance in the event of a security incident. They ensure law enforcement, medical assistance or any other appropriate emergency response is dispatched to the facility or coach where the incident is occurring. Coordinators also dispatch Transit Operations District Supervisors, who are deployed in the field and the DSTT on a 24/7 basis to respond and assist operators in need.

Bus Security Policing Program

The intent of the MTP is to promote safety and security on coaches and in facilities for transit employees and riders. Because it is not resourced as a dedicated "stand alone" transit police agency, it works in partnership with local law enforcement agencies.

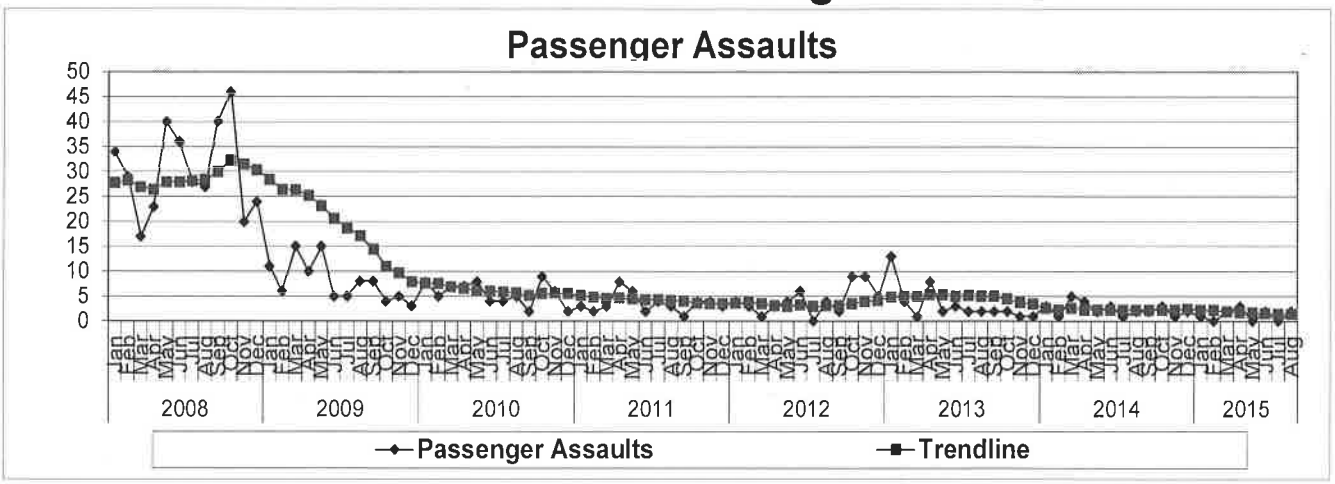
MTP has taken the lead in designing and implementing a program focused on reducing crime and disorder on-board Metro coaches. Specifically, MTP focuses its resources in order to:

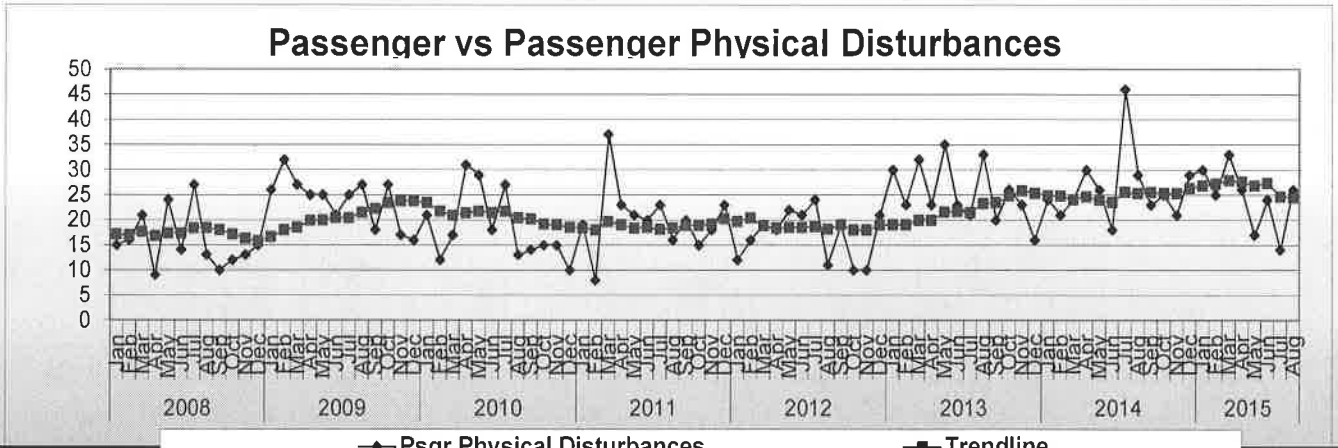
1. Promote safety and security in transit operations and facilities;
2. Reduce crime and the fear of crime to increase a sense of security for Metro employees and riders;
3. Encourage riders to observe laws, ordinances and Metro policies;
4. Increase the safety and security of Metro employees and customers through information and awareness initiatives;
5. Plan for and support regional emergency response and homeland security efforts;
6. Encourage local law enforcement agencies in the region to consistently enforce mass transit-related laws and ordinances on Metro coaches and facilities;
7. Provide timely and professional police responses to in-progress crimes and security incidents on Metro coaches and facilities;
8. Provide documentation for referral to the Prosecutor's Office when applicable; and
9. Enhance intermodal transportation security.

Concept of Metro Transit Police Operations

In 2013, MTP re-focused its priorities by returning to a geographic deployment with layered emphasis patrols and activities using the Bicycle Emphasis Enforcement Squad (BEES), Patrol and Investigations. In addition to responding to requests for transit police assistance, MTP also proactively deploys both uniformed and plain-clothed staff to provide an on-site presence with an emphasis on certain routes, locations and times of day. This deployment is determined by a review and analysis of security incident reports generated by transit operators as well as crime reports that indicate a higher probability of incidents. In this way, MTP makes focused, emphasis patrol efforts to both reduce crime and the fear of crime using crime trends, identification of so-called "hot spots" and top problem routes. It reviews and focuses on crime fighting and investigations, focusing its efforts on sexual misconduct crimes, to keep sexual predators off the transit system, other crimes of violence against persons, property crimes, and code of conduct/quality of life issues.

On-Board Problems - Passenger Physical Disturbances and Passenger Assaults





The trends for passenger assaults have generally trended lower while the rate of physical disturbances have remained relatively constant. Although the entire system of security resources deployed effectively across Metro operations and facilities has kept passenger-against-passenger assaults and physical disturbances fairly low, passenger-to-passenger conflict remains a threat both here and worldwide for transit agencies. Metro Transit staff participate in international forums to learn and incorporate best practices in reducing and mitigating the impacts of passenger-to-passenger conflict.

Operator Assault Reduction Program

In 2013, 28 transit workers died due to violence on the job across the United States.[1] Transit perators face the worry of assault on a daily basis. Assaults against transit workers pose a

[1] Bureau of Labor Statistics Census of Fatal Occupational Injuries, TABLE A-1, Fatal Occupational Injuries by Industry and Event or On Exposure, All United States, 2013

serious threat on many levels by threatening the physical safety and emotional well-being of transit workers, endangering passengers, and lowering employee morale. The emotional effects of assaults can deter transit employees from returning to work and passengers from using transit services.

The vast majority of assaults against transit workers nationwide are non-fatal, and only about two percent involve weapons.[2] A full 60 percent involve spit or other such bodily fluids.

In 2009, Metro reviewed its response to a persistent number of operator assaults. Led by the MTP, the operator assault reduction program has proven highly effective in reducing operator assaults. The collective goal was and is to get to zero assaults. Note that the term "assault" is broadly defined here to include overt physical and verbal acts by a passenger or other member of the public against a transit worker.

Metro and MTP deploy the following strategies to address operator assault:

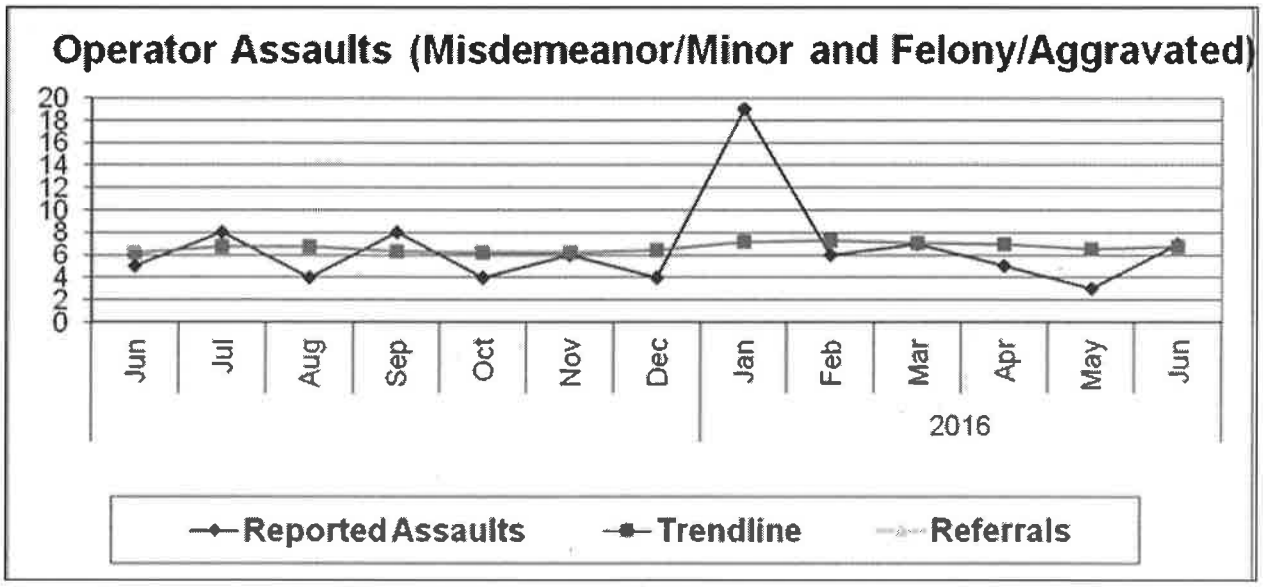
- Deputy response to reports of an operator being assaulted;
- Thorough follow-up investigations (which, for example, resulted in a record 26 arrests in 2015);
- Communication outreach to customers;
- Training of bus operators in defusing hostile situations;
- Early interventions for operators that have repeat assaults to encourage changes in operator practices which may reduce or defuse hostile situations;
- Emphasis patrols by deputies and plain-clothed detectives;
- Use of King County Metro Suspension and Exclusion Policy as a tool to restrict offenders from using the system;
- Use of the ATU-sponsored Operator Assault Reward Fund; and
- Legislative efforts to enhance the penalties for violating the Code of Conduct and for assaulting a bus driver.

[2] TCRP Synthesis 93: Practices to Protect Bus Operators from Passenger Assault, p. 23

The Federal Transit Administration (FTA)'s Transit Advisory Committee for Safety (TRACS) evaluated the causes of operator assaults and made recommendations for reducing and mitigating them in transit properties. TRACS developed the following summary of risk factors for assaults against transit workers:

- Direct interaction with the public, especially with passengers who may be intoxicated, have mental illness, or be experiencing frustration due to fare increases, service reductions, or delays;
- Working alone, in isolated or high-crime areas, during late night or early morning hours raises the risk of assault against transit operators;
- Handling and/or enforcing fares. Most assaults against bus operators occur during fare disputes;
- Having inadequate escape routes. Due to the nature of the operator's compartment, Transit operators often lack a way to escape from passengers who threaten or begin to assault them.[3]

Metro has taken a firm stance related to fare disputes, because they are a leading cause of assaults and other on-board disturbances. Specifically, in its rules and policies, Metro prohibits employees from enforcing fare rules; rather, operators are allowed to state the fare once, if it is safe. Operators are prohibited from getting into disputes about fares, as a strategy for reducing the risk of assaults.



Following a sudden increase in operator assaults in early 2016, Metro and ATU jointly sponsored a series of security summits focused on operator assaults. The action items resulting from the joint summits form the basis for the near and longer term milestones and deliverables that are set forth in Section J.

On June 13, 2016, the FTA launched a publicly-accessible National Online Dialogue to address the problem of transit worker assaults. Open until July 25, 2016, the dialogue offered

[3] TRACS 14-01 Report: Preventing and Mitigating Transit Worker Assaults in the Bus and Rail Industry, July 2015, p. 2-3.

stakeholders such as Metro an opportunity to help the FTA identify causes of assault against transit workers and to identify strategies to reduce or mitigate assaults.

Using the information gathered from the dialogue, the FTA will develop a proposed rule to address assaults on bus and rail transit operators as required by the Fixing America's Surface Transportation (FAST) Act. Metro participated in this dialogue and will continue to monitor the status of the FTA recommendations that come as a result of the national conversation. Along with the action items stemming from the Joint Security Summits, Metro will use the recommendations resulting from the FTA's work to form its updated operator security program.

B. Use of On-Board Cameras

Overview

In February 2016, Executive Constantine directed Metro to develop a plan to equip 100 percent of its operating coaches with on-board camera systems (OBCS) within as short of a timeframe as reasonable. The increase to full OBCS coverage requires both the retrofit of existing coaches and the inclusion of OBCS on all new coaches purchased.

Transit utilizes on-board camera systems with multiple goals and objectives in mind. The visible presence of OBCS does enhance operator and passenger perceptions of safety and security. However, the primary benefits are realized post-incident. Specifically, OBCS improves the outcome of investigations and mitigates liability risks inherent to the operation of public transportation. A video recording provides invaluable post-incident information to those investigating accidents of unlawful or other acts that violate Metro Transit's Code of Conduct.

Most OBCS programs consist of three main components: the cameras themselves, a digital video recorder (DVR) with on-board video storage and a software management package. Most large transit properties use sophisticated OBCS management packages that allow program administrators, transit police, risk managers and other frequent video users to request video remotely over a cellular or other type of wireless communication network. Currently, Metro's system requires a security staff member to physically remove the DVR's hard-drive, replace it with another one, and return to the office to download the video by cabling the extracted hard-drive to a desktop computer.

Metro is in the planning stages to develop and implement a camera/video management system. This system would provide for cataloging, retrieval and remote downloading of video images from the cameras on the individual buses. The camera management system would also provide "health monitoring" of system components providing an alert when a component is not working. A key element of this future system is the ability to move the video images on and off the buses. Metro has a separate technology project underway to implement the "Next Generation Wireless" system to replace the aging 4.9 network that is in place today. While this effort is largely associated with lifecycle planning, it will also provide more capacity for moving video images between the bus and the central system. Metro's Next Generation Wireless communication infrastructure is projected to be in place in late 2019 or early 2020. Coincident with the availability of the next generation wireless infrastructure, Metro would implement the camera/video management system. At that time, the resources needed to manually manage video images (DVR retrieval) and to manually conduct health checks on the camera components can be discontinued as the efficiencies of a comprehensive automated solution is available. Although available features vary, most software packages include on-demand and event-triggered automated download, activity tracking, reporting, and encryption of archived

video. Software can also include Intelligent Vehicle Systems (IVS) analytics that provide statistical information to analyze accident causes.

Metro's last several bus orders have included factory-installed camera systems, a practice that Metro plans to continue in future procurements. However, in order for each bus Metro operates to be OBCS equipped during this decade, retrofit OBCS installation on existing buses is required. Metro has also embarked on a regular, preventive maintenance schedule of all coach cameras and recording devices to increase reliability. The goal of the monthly preventive maintenance inspections is to ensure that a minimum of 95 percent of camera systems are operating.

As of May 2016, 734 buses of the 1,520 buses Metro operates (or 48.2 percent) are OBCS equipped. Of the 1,520 buses operated by Metro, 1,406 buses are King County Metro-owned, of which 671 (or 47.7 percent) are OBCS equipped. Metro operates the remaining 114 buses under contract with Sound Transit, who owns the vehicles, of which 63 (or 55 percent) are OBCS equipped. Through the delivery of new buses equipped with factory installed OBCS, the percentage of Metro's fleet operating with OBCS is expected to reach 55.6 percent by the end of 2016.

Manual video retrieval and preventive maintenance procedures will continue through at least the fourth quarter of 2019, when wireless communication is expected to be available allowing remote retrieval and system monitoring, as well as other OBCS management software features.

Once the systems are installed and the next generation wireless infrastructure is in place, remote monitoring of the cameras will be available to the MTP. While a demonstration system is currently in place on the RapidRide coaches using the cellular Wi-Fi infrastructure on the coaches, more robust remote monitoring requires the element of the complete package to be in place: camera/video management system, wireless infrastructure and camera systems on all buses.

Body Cameras

Visible OBCS on buses may have some effect in deterring assaults and certainly have the ability to assist in investigating and charging those who assault operators. Private body cameras, owned and operated by the operator, would have little or no deterrent impact because they would not be readily visible to potential assailants. They would have potential value in investigating and charging those who assault operators. However, in certain circumstances, their use off of the bus could violate state law, subjecting the operator using the camera to civil and criminal penalties. Recordings made in the course of public duty may also be public records and subject to production under the Public Records Act. The contours of properly responding to public records requests regarding employee personal electronic equipment are evolving. It is difficult for the County to ensure such records are properly maintained. Responding to public records requests in this area subjects the County to significant costs and could result in penalties if a request is not properly processed..

Body cameras range from a personal body camera (PBC) that is a video and audio recording system, often worn on the front of a shirt, which provides first-person perspective and provides more complete chain of evidence for body camera systems to other tools including personal electronic devices. Typically, law enforcement personnel use PBCs to record interactions with the public or to gather video evidence at crime scenes. In contrast, a personal electronic device, such as a cell phone, personal computer or even Google glasses, has limited comprehensive chain of custody advantages and often has limited audio or video recording capabilities.

New studies published in May 2016 by the European Journal of Criminology and the Journal of Experimental Criminology, found that assaults against police officers increased by 15 percent when body cameras are worn. In addition, the rate of violence imposed on citizens by officers remained largely unchanged. However, if officers turned their cameras on and off during their shift, using the technology at their own discretion, the likelihood they would use physical force spiked, suggesting that a mandatory use policy could aid in curbing excessive force.[4] The implications for transit operator use remain unknown.

Washington State requires the consent of two parties for any recording of any private conversation, either in person or electronically.[5] Violations of the rule could result in criminal and civil penalties. Conversations on a bus, where it is advertised that recordings may be made, hold no reasonable expectations of privacy. Conversations taking place off a bus may be considered private and thus audio recording without first obtaining consent may be a violation of state law.

Regardless of whether an employee is using his or her own equipment, such recording done in the course of employment may be a public record.[6] The operator may be required to provide such recordings to the County for production under the Public Records Act. Employee use of their own personal recording equipment while on duty is a relatively new issue for transit properties. The County canvassed many other transit organization and no other transit properties were found to specifically permit the use of PBCs by transit operators.

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[4] Ariel B., Sutherland A, Henstock D., et al. (2016) Wearing body cameras increases assaults against officers and does not reduce police use of force: Results from a global multi-site experiment. *European Journal of Criminology;* Ready J and Young J (2016) The impact of on-officer video cameras on police-citizen contacts: findings from a controlled experiment in Mesa, AZ. *Journal of Experimental Criminology*.

[5] RCW 9.73.030 (1)(b).

[6] Nissen v. Pierce County, 183 Wn.2d 863 (2015)(work-related text messages sent or received on a personal cell phone within the scope of employment are public records).

C. Analysis of Fare Enforcement Policies & Practices

FARE Enforcement

Fare Enforcement was instituted at Metro with the inauguration of Metro's first Bus Rapid Transit (BRT) line, RapidRide, in 2011. Since the introduction of the BRT transportation model with the A Line, Metro has expanded to six BRT lines across its service area. Fare Enforcement Officers (FEOs) audit passengers for payment of fare on the RapidRide buses, which have all-door boarding and removes the coach operator from the fare collection process. This system allows for coaches to move more rapidly and removes one of the most common triggers of operator assaults.

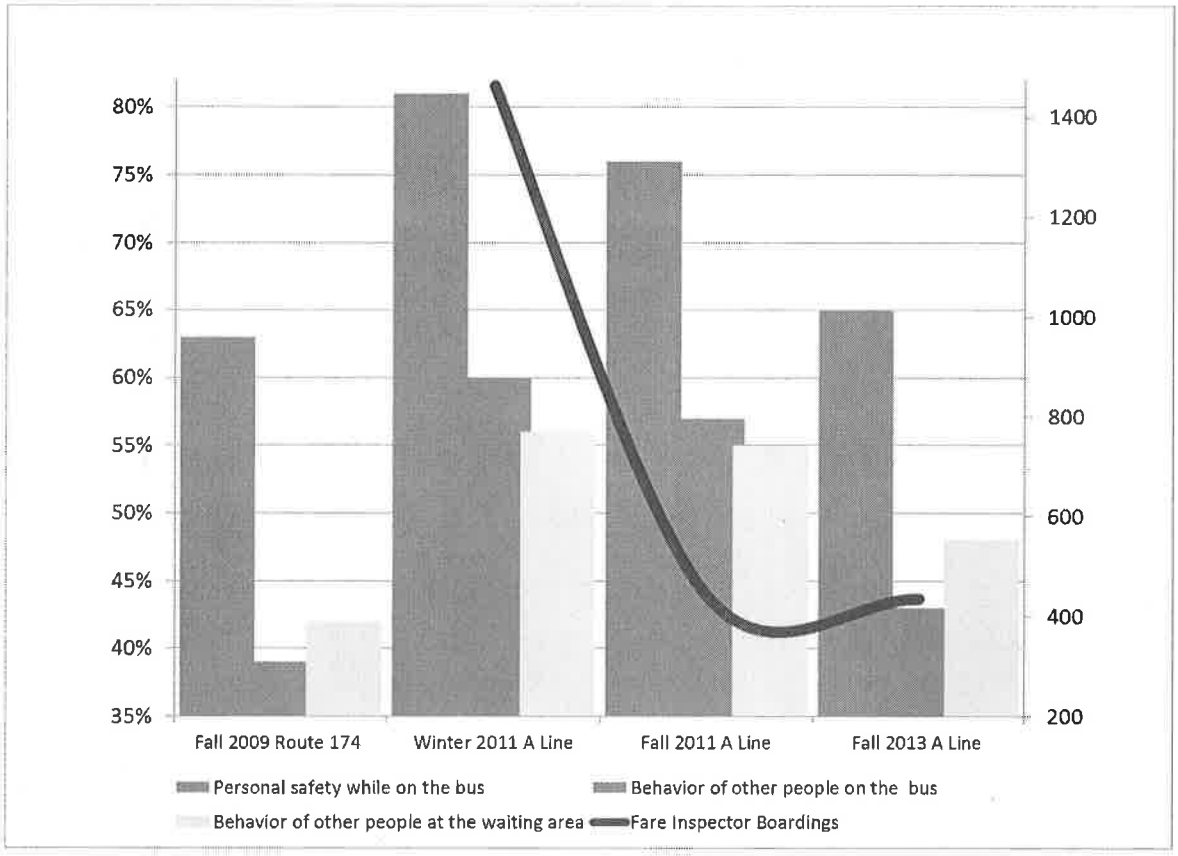
Metro modeled its fare enforcement practices on those initiated by Sound Transit on its light rail service, although in the years since roll-out of the A Line, Metro has differed in some significant ways. For example, Sound Transit's FEOs check passengers on a daily basis (achieving a roughly 10% penetration rate on average). Metro achieves single-digit penetration percentages on each of the six lines. This still equates to many thousands of passengers who interact with FEOs each month, and hundreds of infractions issued to those who have not paid their fare. Key learnings have included the advantages gained by increasing deployment of FEOs to a nearly round-the-clock schedule (including holidays), the need to vary their coverage to avoid predictability, the importance of close MTP support in the event of trouble, and the value of a close working relationship between Metro Transit Security (contracted security) and MTP.

The presence of FEOs has a generally calming effect on negative on-board behaviors, and increases security during the time the FEOs are on the coach. Overwhelming coach operator support for the program has resulted in calls for FEOs to expand to other routes, but FEOs are currently only deployed on the BRT model routes.

The public, via rider surveys, has shown support for the fare enforcement model as well. Metro began surveying riders before the RapidRide A Line started operation. In 2009, a survey of Route 174 riders provided a baseline for nine factors, including personal safety. A Line riders were surveyed 3 months, 6 months, and 2 years after service commenced. Each survey asked riders to rate their satisfaction with three measures of personal safety while riding the bus, personal safety while on the bus, behavior of other passengers on the bus, and behavior of other people at the waiting area.

Similar pre- and post-RapidRide rider surveys were conduct for each RapidRide line as they began operation.

Although no direct correlation between the presence of FEOs and riders' perception of their personal safety can be established, surveying riders' satisfaction provides a voice to the question. As the number of times FEOs boarded the bus fell from a high of almost 1,500 times in the winter of 2011 to 435 times in the fall of 2013, riders' personal safety perception also fell from 81 percent responding they were very satisfied/satisfied during the winter of 2011 to 65 percent in the fall of 2013.



D. Metro Transit Police & Contract Security Staffing

Metro Transit Police Staffing Levels

Beginning in 2007, Metro Transit moved from a combination of KCSO staffing augmented by off-duty police security officers, toward a dedicated 24/7 Metro Transit Police service provided as a contract service by the KCSO. Currently, Metro Transit contracts with KCSO for 68 fully commissioned officers.

MTP is comprised of two units managed by separate Captains under the leadership of one precinct Major. The two units, Metro Operations and Metro Investigations, currently deploy 65 commissioned deputies and detectives to accomplish the mission of providing safety and security for the employees and passengers of King County Metro as well as Sound Transit's bus operations contracted with King County Metro Transit.

The operations unit polices a service population of more than 400,000 and over 1,400 coaches on a daily basis with 47 commissioned uniformed officers. This is accomplished by dispatching uniformed radio cars and 10 bicycle emphasis sergeants and deputies.

Current State Deployment Assumptions

Metro Transit Police has the opportunity to deploy patrol resources across four major sectors in King County. Each of these sectors has a number of individual major patrol districts/distinct cities to patrol. There are insufficient resources to fill each sector on a 24/7 basis. Throughout this report, they will be referred to as four distinct Patrol Sectors that are made up of multiple SPD Precinct boundaries in the City of Seattle and multiple cities outside of Seattle as noted below:

1. **Central Sector :** Central Business District (CBD), DSTT, SPD West Precinct, SPD East Precinct, Capitol Hill, Ballard and Central District
2. **North Sector:** North Seattle, SPD North Precinct, University District, Aurora, North Seattle, North King County/Shoreline, Kenmore, Woodinville, etc.
3. **South Sector:** Rainier Valley, SPD South Precinct, West Seattle, Renton, Tukwila, White Center, Burien, SeaTac, Kent, Des Moines, Auburn, Federal Way, Maple Valley, Covington, etc.
4. **East Sector:** Mercer Island, Bellevue, Redmond, Kirkland, Issaquah, North Bend, Newcastle

Sector Assignments

The first two deployable patrol deputies at MTP are always assigned to the Central Sector on a 24/7 basis. The second two deployable patrol deputies are deployed to either the North Sector or South Sector of King County. If at least six transit deputies are available to deploy during a shift, two deputies are assigned to Central, two North and two South. MTP has never had the resources to consider daily geographic deployment to the East Sector. There is flexibility during shift overlaps to temporarily cover some sectors more robustly. At times during the shifts and deployments, when one or more transit deputies are actively involved in enforcement efforts, the ability to re-route and respond to high priority calls such as Emergency Alarms or Priority Requests to Talk (EA/PRTT from a coach) from the 1,400 buses is not possible. Response times from an alternate sector unit could take 20-45 minutes for an arrival to a transit emergency.

MTP has the availability of the Bicycle Emphasis Enforcement Squad (BEES) for emphasis activities in the Central Sector (CBD/DSTT), North Sector and/or South Sector. The two squads from the BEES are highly mobile and available for emphasis transit patrols and directed patrol missions across various parts of the system. The BEES have a minimum staffing of three deputies daily.

As detailed in Section H, the current level of staffing is low in comparison to other transit properties with similar ridership. The KCSO has applied for a federal grant to fund seven additional deputies and Metro Transit is proposing additional resources in the next biennium budget.

Metro Transit Security Staffing Levels

Metro contracts for security services in order to monitor 24/7 real-time security alarm events and closed circuit television of certain transit centers, parking garages, transit operations facilities; provide 24/7 security in the DSTT; and patrol select properties from among over 130 park and ride lots and transit centers.

Security officers are responsible for monitoring suspicious behavior and circumstances, violations of the DSTT code of conduct, providing customer service, investigating alarms and assisting emergency response personnel. Metro currently contracts for 111 security personnel, providing 4,440 hours of regularly scheduled hours.

Protecting employees and passengers by preventing dangerous situations from developing, detecting pre-operational surveillance by those intent on doing harm, responding to developing incidents, and managing them to maintain a stable situation until police resources arrive are just a handful of the manifold tasks security faces. To increase security and move from a reactive to proactive framework, Metro will explore the following:

- Increasing DSTT security staffing to a level that would enable highly visible security presence on all levels of the five stations, including plazas, mezzanines, and platforms.
- Adding roving security patrols for transit centers, bus stops, and park-and-rides.
- Expanding and upgrading CCTV camera coverage of KCM facilities.

E. Real Time Reporting

The primary mission of the Metro Police is to:

- Respond to calls for service
- Monitor, and provide emphasis to the top 10 KCM routes based on collected data, primarily from paper incident reports and non-integrated databases
- Respond to "hot spots" based on request for special emphasis or other indicators that an ongoing problem exists.

Currently, MTP deploys resources to various geographic sectors within its jurisdiction with additional emphasis activities within the Central Sector of Seattle. To aid its emphasis patrols and to research and solve crimes, it relies on paper reports and non-integrated databases to identify crime patterns. Many police departments nationwide are moving to implement technology to allow for deployment in a more predictive basis as well as to aid in solving crimes in real-time by having access to a plethora of data at their fingertips.

MTP currently uses a number of databases to conduct investigations. However, KCSO crime analysts are tasked with manually gleaning reports and bulletins and hand entering data to produce pin maps of historical crime data. While this is still of some limited use, the data is static and dated and rarely represents the current picture as crime is rarely static in occurrence.

Currently MTP staff are exposed to raw data from a variety of sources and most of these formats are entered directly into a database of some function. Further, some are not currently geo-located to a specific standard. While providing relevant information, like pin maps, the data is historical and soon becomes dated. All Security Incident Reports (SIR) received by Metro's Operations Security Liaison (OSL) are forwarded to the Criminal Investigation Unit sergeant and from there disseminated to the appropriate sergeants or retained for further investigation.

Currently there is no system to quantify and qualify the data submitted in an SIR. This is mainly due to the fact that SIR's are generated by transit operators who then submit them to dispatchers and base chiefs. Additionally, although the route/run/coach is noted, SIRs do not provide MTP with a geographic location of where the event occurred. The task of geo-locating is performed by a MTP clerk and is often a best guess. SIRs and MCS complaints fall into the same conundrum.

Transit Control Center's (TCC) database gathers live, geo-located data on all transit related problems, such as security and safety incidents. As such, this information could provide additional real-time information data to MTP personnel to refine deployment strategies. MTP is exploring how to most effectively capture both SIR data and integrate it with TCC data.

The possibility exists to access and display real-time, as well as historical, crime data. This has the potential to tap the TCC database which contains Coordinator Service Records (CSR) data which can be extrapolated to provide real-time crime data. This, in turn, could be viewed by deputies in the field. IT support staff have preliminarily designed an IT interface to provide real-time data with current KCSO databases. The potential exists for Metro staff, supervisors and executive decision makers to utilize data from CRS reporting to analyze accidents, service disruptions, and mechanical failures on the Metro system from a real-time perspective, allowing for more responsive policing.

With more robust, integrated data, the potential exists for then predicting where future crimes may occur, based upon mathematical algorithms. During a recent APTA security roundtable conference, Chief Paul MacMillan from Massachusetts Bay Transit Authority (MBTA) and Chief Barry Cross from the Metro Vancouver Transit Police presented on the effectiveness of the predictive model of policing. Both agencies have adapted commercially available software to download, assess and analyze the crime on their respective transit systems. Both also credit the predictive policing model with significant decreases in the transit system crime rate (2014 APTA Conference, Security Round table, Montreal, Quebec).

F. Dedicated PAO and DPD staffing

Metro has a service area of more than 2,000 square miles and two million residents, and operates across 39 cities within King County. It also operates routes in Snohomish and Pierce counties under a contract with Sound Transit. Given Metro's geographic span, violations of law and the code of conduct are processed in a number of ways. If a violation of law occurs on a Metro coach or premise, an arrest or citation may be made by MTP or one of the law enforcement agencies in the jurisdiction where the violation occurs. Charges may be brought by a city attorney's office, or for those cases arising in unincorporated King County, by the King

County Prosecuting Attorney's Office (PAO). Those charges are then processed in either King County District Court or a city's municipal court. There is limited aggregated data to indicate the disposition of misdemeanors committed, charged and prosecuted throughout the Metro system. In contrast, crimes against persons resulting in felony prosecutions are routed through the PAO and each is pursued to the fullest extent possible. Public defenders are assigned if defendants meet eligibility requirements. Given the geographic spread of Metro and the range of infractions that occur, staff from the PAO and the Department of Public Defense (DPD) concurred that dedicating resources within their agencies would not improve outcomes.

That said, no transit system can enforce its way to better conduct. Rather, connecting those who in engage in regular violations to their underlying service needs may be a better way of addressing some of the issues presented on Metro coaches. For example, transit operators encounter "sleepers" – or non-destination passengers who ride to find a warm, dry place to sleep. The task of getting sleepers off the coach may lead to tense and at times, violent interactions between them and the operator. Dedicated community service teams, partnering with MTP, to immediately connect violators with community services such as shelter and case management may assist in reducing the repeat incidents of rule violations. Pilots to test these concepts have been in place and will continue to be explored. Current examples of this include partnership efforts between the MTP and the Crisis Solution Center as well as the Law Enforcement Assisted Diversion (LEAD) Program.

The Law Enforcement Assisted Diversion program (LEAD) is a point of arrest diversionary process which provides MTP deputies with an additional option in a drug or prostitution arrest situation. LEAD is a collaborative process where certain qualifying individuals are provided with an opportunity to seek assistance from designated social service providers in an effort to disrupt the cycle of criminal behavior based on social, financial, or substance abuse needs. The LEAD program is a cooperative effort between the KCSO, King County PAO, LEAD policy coordinating group, and the Seattle Police Department.

The LEAD program has been designated as a top priority for the KCSO. Programs such as LEAD and Mental Illness and Drug Dependency programs (M.I.D.D.) / Crisis Solution Center are an effort to reduce the total daily population of the King County Jail and get services to qualified individuals sooner. Diversion and other programs seek to implement policies that replace physical bookings with outreach and social services, with the goal of deterring low level criminal behavior. A large population of unlawful bus conduct offenders do not qualify for LEAD, however, because those offenses are not currently within the scope of the LEAD program; specifically, they are not eligible crimes.

Metro deputies are encouraged to utilize the LEAD program in lieu of physical booking wherever the arrest meets the qualifications of the program and the deputy determines that the candidate meets the criteria and is amenable to treatment/assistance. The arresting deputy is not required to utilize the LEAD program when he/she does not believe the offender is amenable to participation. Efforts are underway to expand the LEAD program into areas of South King County.

G. ESJ Implications of Transit Safety & Security Programs

In April 2016, the King County Executive transmitted a report to Council which was the result of months of intense collaboration on the part of Metro, various King County partners, and

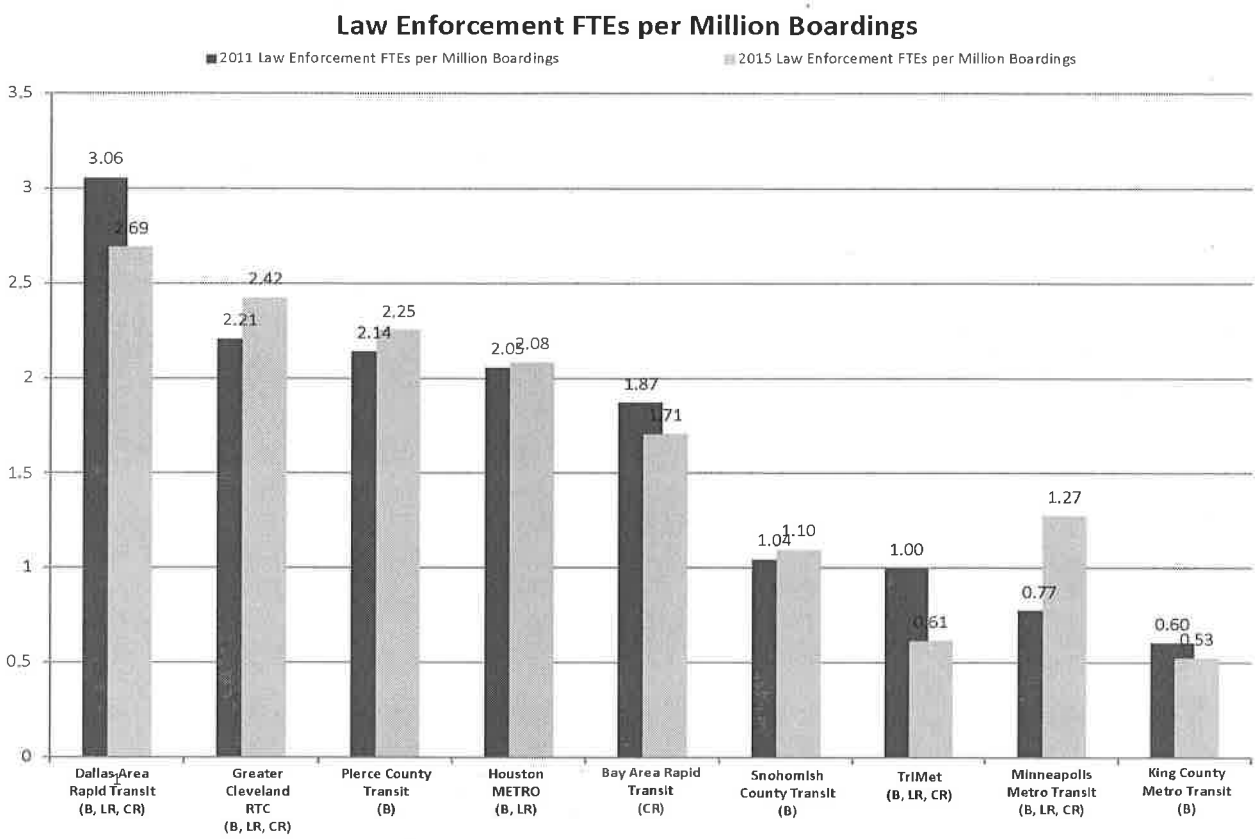
community advocates. This report, Transit's Safety & Equity Workgroup Report, was called for by Council Motion 14441, which sought to examine a number of security practices used by Metro and how those practices impact disadvantaged populations. Further, the motion sought to remedy unintended consequences of those practices, resulting in a more equitable approach by Metro while still maintaining a safe riding environment for the public. The executive summary of the report stated, in part, that it intended to address a number of issues stemming from transit violations. Specifically, it recommended decriminalizing juvenile fare evasion, improving due process steps when proposing suspension of a rider's access to Metro services, and ensuring court hearings are scheduled closer to the home of those cited with fare evasion. Finally, the stakeholders recommended increasing Metro staff's competency in working with juveniles, through a recommended training series. Steps are underway to implement these recommendations.

The approach taken to address the motion's key elements, namely engaging underprivileged and potentially vulnerable groups, is one to replicate on an ongoing basis to ensure its safety and security programs are not unduly impacting any one segment of Metro's riding public. Ongoing training of both Metro staff, the MTP, as well as contracted security personnel, will be a priority moving forward. Further, Metro is committed to using the County's developed Equity and Social Justice Impact tool to evaluate additional components of its security and safety programs.

H. Comparison of Transit Security Programs

Metro Transit Police resources compared to other Transit Police Departments

The Metro Transit Police (MTP) is made up of fully commissioned members of the King County Sheriff's Office (KCSO) through a partnership contract. The current contract is comprised of 68 commissioned FTEs. Metro is the ninth largest transit agency in the country based on annual ridership data. In 2011 and again in 2015, a compare and contrast survey was completed that provides snapshots of the ratio of commissioned transit police law enforcement officers per million annual riders. The results for 2011 and 2015 Resource Surveys are listed in the following tables.



2015 Transit Police Survey	Transportation Modes	2011 Annual Ridership	Police FTE's	2011 Law Enforcement FTEs per Million Boardings	2015 Annual Ridership	Police FTE's	2015 Law Enforcement FTEs per Million Boardings
Dallas Area Rapid Transit	B, LR, CR	68,700,000	210	3.06	92,500,00	249	2.67
Greater Cleveland RTC	B, LR, CR	46,200,000	102	2.21	47,025,879	114	2.42
Pierce County Transit	B	12,150,000	26	2.13	14,223,779	32	2.25
Houston METRO	B, LR	76,900,000	158	2.05	81,600,00	170	2.08
Bay Area Rapid Transit	CR	111,100,000	208	1.87	125,979,396	215	1.71
Snohomish Community Transit	B	9,600,000	10	1.04	10,040,550	11	1.10
TriMet	B, LR, CR	58,250,000		1.00	110,711,776	68	0.61
Minneapolis Metro Transit	B, LR, CR	69,700,000	54	0.77	87,250,000	111	1.27
King County Metro Transit	B	120,554,000	68	0.60	129,356,000	68	0.53

The 2011 and 2015 fixed route annual ridership noted above for Metro also includes the annual ridership of Sound Transit (ST) Express Service, operated by Metro. This is due to the fact that MTP provides security services for ST Express Service, per an MOU between the two transit agencies. Annual ridership for DART, ACCESS or Van Pool is not included in the 2011 and 2015 surveys even though these additional multi-modal mass transit services receive security support from the MTP. It is clear that Metro has lower resources devoted to its transit police than other, similarly-sized transit agencies.

Comparison of other components of Security Programs

All transit agencies deploy a variety of risk control strategies to prevent assaults and other disturbances to their systems. Best practices include a combination of engineering, education and enforcement strategies. Through its Comprehensive Safety Systems Review, recently held security workshops, and participation in the FTA's rule-making process, Metro has assessed its own programs as it compares components with those of other transit agencies world-wide. Strategies considered best practice to reduce or mitigate the effects of operator assault include the following:

Engineering:

- Installing protective barriers, video surveillance, automatic vehicle location systems, and overt or covert alarms on vehicles

Education:

- Training employees how to de-escalate potentially violent situations, the importance of reporting assaults, and reviewing and improving agency response to reports of assaults
- Educating the public about reporting assaults by conducting public awareness campaigns, providing resources and incentives for passengers to report assaults, and meeting with passengers to discuss strategies for preventing assaults

Enforcement:

- Enforcing transit agency policy by posting passenger codes of conduct, suspending service for assailants, posting police alerts on transit vehicles and property in high-risk areas, providing legal support for transit workers who file complaints, and collaborating with other agencies and organizations to develop social safety plans and advocate for changes in state and local legislation to better address assaults again transit employees.

Metro has either deployed or is evaluating these strategies. Working with a cross-section of transit operators, MTP, the Amalgamated Transit Union, Local 587, and other Metro staff, an action plan was developed and is set forth in Section J below. Other strategies most agencies, including Metro, already employ include:

- Providing support for transit workers by offering psychological support and post-incident counseling, responding to every report of assault or other serious incident, and involving transit workers in safety committees
- Collecting data regarding the number, location, times, and types of assaults as well as the number, type and implementation times of each risk control strategy to enable the evaluation of the effectiveness of each strategy and the overall Safety Management System in preventing transit worker assaults.

No transit property has deployed every strategy. Rather, it determines the best combination of risk control strategies to adopt initially and then how to phase additional strategies into its system.

Nationwide task forces are underway to develop design standards to inform individual transit ageny strategies.

I. Potential Budget

There are a number of resource needs Metro is currently exploring to keep its system safe and make it even safer. These will be eventually formulated as part of the Executive's proposed budget to the King County Council this fall.

As noted in this report, Metro is exploring increasing its MTP force, to include additional deputies, a detective, and other staffing resources to make the system safer. In addition, crime analysis support is included in the proposed budget to help provide more effective deployment of police officers. The KCSO is applying for federal grants to help offset the costs of increasing staff resources to the MTP force.

Other requests include the funds necessary to equip 100 percent of Metro's coaches with on-board camera systems. The request includes both the costs of the capital project as well as ongoing staffing needed to install and maintain the system.

Finally, staffing and consultant support is requested to aid in moving to a comprehensive Safety Management System framework required by new regulations.

J. Recommended Deployment Strategy & Timeline

As a result of the 2016 Joint Security Summit and follow-up workshops, Metro committed to deploying several near and long-term strategies to reduce operator and passenger-on-passenger assaults and other disturbances. Those strategies are set forth below:

Strategy	Item Description	Target Date	Status
Metro/Amalgamated Transit Union (ATU) Partnership for operator security	Expanding education, enforcement, and engineering efforts to reduce operator assaults in cooperation with ATU	Ongoing	3 Workshops held; additional workshop scheduled for 10/2016
On-Board Camera Systems (OBCS)	Ensuring all newly in-service coaches are equipped with OBCS & existing fleet is retrofitted with OBCS	December 2018	In progress; part of 2017-2018 budget proposal
Increase Metro Transit Police (MTP) staffing	Additional MTP personnel	1st Quarter 2017	In progress; part of 2017-2018 budget proposal
Operator personal security	Modify Metro policy to allow for use of personal mobile devices to notify 911 in certain circumstances	August 2016	Drafted; distributed at 3rd Security Workshop
MTP authority to manage chronic offenders	Develop MTP authority mechanisms to issue criminal trespass violations to repeat on-bus violators	3rd Quarter 2016	August 2016 consideration of "trespass" ordinance
Operator shields	Design and implement a test of retractrable Operator Shields on certain routes	4th Quarter 2016	To form design team August 2016
Crime analysis	Utilize dedicated crime analyst to identify trends, predict issues, and mitigate emerging trouble within the system	1st Quarter 2017	In progress; part of 2017-2018 budget proposal

Strategy	Item Description	Target Date	Status
FTA rule-making process on regulator requirements to reduce or mitigate the impact of operator assaults	Participate in hearings to aid in proposed FTA rule to address assaults	2nd-4th Quarter2016	In progress
Public view monitors	Design and implement a test of public view monitors on RapidRide lines	4th Quarter 2016	To form design team September 2016
Eliminate paper transfers	As part of longer-term fare policy review, examine ways to equitably eliminate paper transfers, a major source of friction between operators and customers	2018	Work with jursidictions to review current fare policy and ORCA options underway
Training for Operators & others on incident response team	Expand ongoing education for operators, supervisors, control center coordinators in collaboration with ATU Local 587, 911 Center staff, and representatives across Metro	January 2017 roll-out	To form design team September 2016
Public education	Expand public awareness of Metro code of conduct, through public announcements, signage, and school partnerships	2nd Quarter 2017	To form design team November 2016