

INTRADEPARTMENTAL CORRESPONDENCE


BPC # 18-0165
20

May 9, 2018
8.1

REVIEWED

TO: Honorable Board of Police Commissioners

FROM: Chief of Police


RICHARD M. TUFANK
EXECUTIVE DIRECTOR

5/11/18
DATE

SUBJECT: THE LOS ANGELES POLICE DEPARTMENT'S REPORT ON HOMELESSNESS AND MENTAL ILLNESS ON THE METROPOLITAN TRANSPORTATION AUTHORITY SYSTEM

RECOMMENDED ACTIONS

1. It is recommended that the Board of Police Commissioners REVIEW and TRANSMIT the attached report titled, *The Los Angeles Police Department's Report on Homelessness and Mental Illness on the Metropolitan Transportation Authority System* to the City Council Public Safety Committee.

DISCUSSION

At its January 24, 2018, meeting, the Public Safety Committee heard a Motion (Martinez-Bonin, Council File No. 17-0475) related to the Police Department's (LAPD) efforts to address sexual harassment and sexual assault on the Metropolitan Transportation Authority (Metro) system in the City of Los Angeles. During the discussion of this motion, LAPD noted that individuals experiencing homelessness or suffering from mental illness often report instances of harassment or assault. Further, some individuals suffering from untreated mental health issues on the Metro system pose a threat to their own safety and to the safety of other passengers. After a robust discussion, the issue was continued so that LAPD could gather more data and report back to the Committee at a later date.

Transit Services Bureau compiled information regarding the efforts of the Department and have addressed the questions and issues within the Department's report. Should you have any questions, please contact Transit Services Bureau at (213) 922-3614.

Respectfully,


CHARLIE BECK
Chief of Police

Attachment

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Approved *May 15, 2018*
Secretary *Maria Silva*

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TO: Chief of Police

FROM: Commanding Officer, Transit Services Bureau

SUBJECT: THE LOS ANGELES POLICE DEPARTMENT'S REPORT ON HOMELESSNESS AND MENTAL ILLNESS ON THE METROPOLITAN TRANSPORTATION AUTHORITY SYSTEM

At the request of the Director, Office of Operations, Transit Services Bureau (TSB) was requested to submit a written response to the City Council in response to a Motion from Councilmember Nury Martinez on the following:

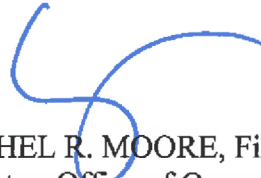
- Explain how the Department, specifically TSB, handles homelessness and mental illness on Metro buses, trains, and stations in the city.
- Address sexual harassment and assault on Metro buses, trains, and stations in the City.
- Include how specialized units such as Mental Evaluation Unit/Systemwide Mental Assessment Response Team (SMART) and Homeless Outreach and Proactive Engagement (HOPE) Team, are being used.

Attached is the requested fact sheet response that addresses the above questions. If you have any questions, please contact Transit Services Bureau at (213) 922-3614.

APPROVED:



BOB GREEN, Deputy Chief
Commanding Officer
Transit Services Bureau



MICHEL R. MOORE, First Assistant Chief
Director, Office of Operations

Attachments

THE LOS ANGELES POLICE DEPARTMENT'S REPORT ON HOMELESSNESS AND MENTAL ILLNESS ON THE METROPOLITAN TRANSPORTATION AUTHORITY SYSTEM

April 25, 2018

BACKGROUND

At the request of the Director, Office of Operations, Transit Services Bureau (TSB) was asked to respond to a Public Safety Committee request. The Public Safety Committee heard a motion related to the Police Department's efforts to address sexual harassment and sexual assault on the Metropolitan Transportation Authority (Metro) system in the City of Los Angeles. Further, there was discussion regarding some individuals that are suffering from untreated mental health issues that might pose a threat to their own safety and the safety of other passengers. It was requested that the Department gather more information and provide a written response on the following:

- Explain how the Department, specifically Transit Services Bureau (TSB) handles homelessness and mental illness on Metro buses, trains, and stations in the City.
- Address sexual harassment and assault on Metro buses, trains, and stations in the City.
- Include how specialized units such as Mental Evaluation Unit (MEU)/Systemwide Mental Assessment Response Team (SMART) and Homeless Outreach and Proactive Engagement (HOPE) Teams, are being used.

FINDINGS

Persons Experiencing Homelessness

The Los Angeles Police Department (LAPD) took over policing responsibility of the Los Angeles County Metropolitan Transportation Authority system within the City of Los Angeles boundaries on July 1, 2017. The LAPD Transit Services Bureau initially deployed four HOPE officers daily on an overtime basis to handle outreach and service referrals for persons experiencing homelessness (homeless) in the Metro system and had a dedicated Transit Services Division (TSD) supervisor to provide guidance and oversight of these officers. The HOPE effort has since been expanded to a dedicated TSD supervisor, four full time officers, and seven overtime officers. One of the overtime positions is dedicated to officers that are currently assigned to MEU. Transit Services Bureau is working with Metro to fund additional officers dedicated to HOPE with the goal of increasing the number of full time HOPE officers to ten by Fiscal Year 2018/19.

Transit Services Bureau models the HOPE Team after the current geographic bureau HOPE Teams. The officers engage the homeless throughout Metro's system and work to identify the following:

- Level of vulnerability;
- Mental Health needs;

- Substance abuse;
- Veteran status;
- Family or other potential support systems;
- Significant health or disability issues;
- Situations that create obstacles such as unmarried couples, pets, and pending criminal cases;
- Past attempts to seek help that were unsuccessful.

While Metro does have static encampments at several locations throughout the City, there are a large number of homeless persons who have been entrenched in the system for years who are constantly on the move throughout the system, and have not had repeated engagement with service providers like those in encampments. The challenge for officers is trying to establish an immediate rapport with individuals to assess their needs and connect the individuals to services. The TSB HOPE Team does not have a dedicated service provider component. As a result, assistance is sought out on a case-by-case basis using past and developing partnerships.

The primary resource on Metro's Red line is the Metro-funded C3 Teams which are comprised of Department of Health Services, People Assisting the Homeless, prior homeless volunteers, and a registered nurse.¹ Los Angeles County is currently launching E6 Teams that will have responsibilities that include the Metro system.² Currently, there is one E6 Team deployed in Service Planning Area 4 (The People Concern) that is focusing their initial efforts at the 7th Street Metro hub.³ The Los Angeles Homeless Services Authority (LAHSA) has made themselves available as much as possible without additional funding or a Memorandum of Agreement (MOA). Several other entities have also responded to TSB HOPE requests on a case-by-case basis including the Department of Mental Health Psychiatric Mobile Response Teams, Veteran Affairs, The Dream Center, and others throughout the various Service Planning Areas.

The TSB HOPE effort also includes addressing several clean up needs within Metro stations, platforms, non-revenue tracks, and several Metro-adjacent encampments that impact operations and/or public safety. Metro is currently working on developing an encampment protocol to address cleanup operations on their property. The Transit Services Bureau HOPE Team maintains partnerships with several agencies to address adjacent encampments. These agencies include Metrolink, Union Pacific, California Department of Transportation, California Highway Patrol, Department of Public Works, Park Rangers, Bureau of Sanitation, Department of Transportation, Department bureau HOPE Teams and several contractors. The cleanups are conducted following established protocols by each agency and are supported by HOPE officers as needed.

¹ City, County, Community (C3) is a multidisciplinary and multiagency program made up of a dedicated team of service providers from the Los Angeles County Department of Mental Health, Health Services, Substance Abuse Prevention and Control, as well as Los Angeles Homeless Services Authority and Americorps staff.

² A multidisciplinary outreach team that includes a case manager, health outreach worker, mental health outreach worker, substance abuse outreach provider, and LAHSA Emergency Response Team personnel.

³ The County of Los Angeles is divided into eight geographic areas. These distinct regions allow the Department of Public Health to develop and provide relevant public health and clinical services targeted to the specific health needs of the residents in these different areas.

Enforcement is used as a last resort except for situations where criminal activity is ongoing or presents an immediate public safety concern. There have been many cases where more aggressive homeless or outside individuals victimize other homeless resulting in theft, narcotics sales, assaults, and prostitution. In these cases, TSB will move toward enforcement to remove the criminal element. In other cases, TSB has made or become aware of arrests and have reached out to service providers in addition to the City Attorney for in-reach and court directed mental health or substance abuse assistance.

Many homeless enter the rail system as soon as the trains start daily operations. The homeless will attempt to stay on the system as long as possible or jump on and off at several stations to avoid law enforcement and security until peak ridership times where they can blend in crowded train cars. Many homeless come from outside the City and some have valid fare that either they have purchased, received from shelters, or were provided during jail release. These individuals continue to move around the system and will try to stay on the train until the last run of the day. Strategies for deployment have been developed for both the TSB HOPE Team as well as the TSD foot beat units. The TSD foot beat units assist Transit Security Officers with sweeps at all stations during closing. An average of 60-120 homeless are cleared out of 16 stations of the Red/Purple lines each day. During these sweeps, the majority of the homeless are not receptive to outreach and there are no options for shelters that have intake during these hours. In urgent situations, such as homeless families, TSD will look for any resource that can make an exception for late night intake or opportunities to secure a motel room, with the expectation that a service provider will be able to follow up in the morning.

The foot beat officers attempt to keep the homeless without valid fare off the system at several stations until Transit Security Officers resume fare enforcement at the morning peak rider period. Department and Transit Security are not able to provide presence at all locations along the Red and Purple lines or address the large influx of homeless that come from outside the City. Department personnel and Transit Security exchange information to adjust deployment as needed to cover as much of the system as possible and to address trends of increased homeless. The TSB HOPE officers are deployed Monday through Thursday from 6:00 AM to 4:00 PM to address homeless issues on all Metro rail, bus, and properties within the City. The HOPE Team is deployed during this period due to the need for service providers, maintenance, and cleanup resources.

The Transit Services Bureau HOPE Team experiences the same challenges seen throughout the City. There is an ongoing need for outreach with a sense of urgency. The systems that exist to assist the homeless are often complex and difficult to navigate for individuals that focused on their day-to-day survival. There is a lack of readily available resources for substance abuse and mental health issues and a lack of available shelter space throughout the City. Several concerns have been expressed by the homeless regarding the fear of the shelter environment. There are a lack of transitional programs for substance abuse and mental health needs, especially for single individuals which constitutes the majority of the City's homeless. There is an ongoing need for affordable housing options and the need for increased wrap-around services to assist with the transition out of homelessness. There is

an urgent need for services on Metro's system, as outreach and other resources have been slow in coming.

There are large number of homeless suffering from mental illness that enter the Metro system daily. Some have been entrenched in the system for years and have a pattern of using Metro property, trains, and buses for a safe place to stay. Many more are from areas surrounding Metro property that attempt to use the system for everything from having a safe place to rest to having a place to use narcotics. It has become apparent that engaging someone on an occupied moving train or bus is difficult. The additional challenge is that officers encounter individuals who are approaching or are in crisis. In most cases throughout the City, when officers engage homeless with mental illness who are in crisis, it is outdoors and there is room for both the homeless and officers to give each other some space. Typically, the community will not approach or be in close proximity to the interaction between officers and someone in crisis. In the Metro system, many of the encounters occur in stations, train cars, and buses, often with several citizens also in the immediate area. In addition, there is the added risk to the homeless, officers, and community due to moving trains and buses.

Transit Services Bureau has established strategies that enhance our efforts in addressing the mental health needs on the Metro system. Starting on September 1, 2017, TSB requested that LAPD MEU officers be assigned to one of the overtime HOPE positions. These officers have been deployed with the HOPE Team for a total of 1,080 hours since that time. The goal is to utilize the experience and resources that MEU officers possess and to have the officers engage homeless that suffer from mental illness during pre-crisis to connect them to services. In addition, the MEU assists with evaluations, 72-hour holds, exchange of information with the Department of Mental Health, and intake for possible conservatorship cases with the chronic high-risk individuals. The use of HOPE and MEU officers as well as the continued training and discussion regarding de-escalation has resulted in the reduction of use of force incidents.

In addition, TSB HOPE has begun dialogue with the Los Angeles County Supervisor's Office and will be scheduling future meetings to discuss first responder contacts with those suffering from mental illness, as well as the potential need for changes to current State laws regarding the criteria for determining if an individual is gravely disabled, the length of holds to stabilize individuals, and the need for a transitional or step-down program for the high-risk repeat patients.

The TSB HOPE Team is also involved in efforts to address the need for additional resources and wrap-around services. The HOPE Team has been involved in discussions regarding the need for transitional housing options modeled after the San Fernando Valley Rescue Mission that would be available for singles, homeless persons with pets, as well as support for organizations like the Dream Center. The Dream Center has an interest in providing shelter with a more relaxed intake process and expanded hours with the intention of providing a place to stay, food, and showers while working to move them into a transitional program in the morning. The TSB HOPE Team has also partnered with GoBeThe1 who provided approximately 150 welcome home boxes that contain several

common household items. The TSB HOPE team has distributed these boxes to the Department of Mental Health, LAHSA and the Union Rescue Mission to assist the newly housed. Boxes have also been provided to several community members who are struggling to avoid homelessness. In addition to the welcome home boxes, a large amount of furniture was offered through GoBeThe1. The TSB HOPE Team assisted in coordinating the donation through the Dream Center.

The above-mentioned efforts have resulted in a marked decrease in rider complaints regarding homeless and several comments from riders regarding the improvement of their experience while using the Metro. A review of the most recent complaints submitted to Metro's Customer Relations during the month of March indicated there were 29 homeless complaints related to rail and 3 related to buses. This is a considerable decrease from the rate of complaints prior to July 1, 2017. Most of the complaints involved homeless being observed on the train or platform. The complaints are usually during the first few hours of operation on the Red and Gold lines. A review of complaints outside of the City also shows complaints during the early morning hours. To address this ongoing issue, Transit Security has conducted task force operations to curb the influx of homeless. There are also ongoing efforts to increase Transit Security at the end of the lines both in and outside of the City. There are no current serious crime trends involving the homeless. However, there is the ongoing trend of trespass and fare evasion throughout the system and property.

Sexual Assault and Harassment

Transit Services Bureau continues to look at ways to improve reporting and tracking of both crime and complaint incidents within the transit system including incidents of sexual harassment and sexual assaults. The information is used to develop data driven strategies for public awareness, education, deployment of resources, crime suppression, and enforcement.

Through LAPD reporting it was determined that there were 58 sex-related crimes reported from December 1, 2017 to March 31, 2018. These included:

- Rape – 7 (at least four cases have indications that the victims suffered from an altered mental state due to drugs or mental illness).
- Sexual Battery – 33
- Lewd Conduct – 17
- Child Annoy – 1

The number of crimes per month were:

- December – 17
- January – 7
- February – 17
- March – 17

The crimes were evenly spread throughout all week days and occurred mostly between the hours of 5:00 AM and 9:00 PM. Twenty-five crimes occurred at train stations with ten of the incidents

occurring at Union Station. The incident locations were spread out over 16 LAPD Areas. While the 33 sexual battery incidents are similar in nature, there is no identifiable pattern.

In addition to LAPD reporting, Metro provided reports of all incidents with the category code of “sexual harassment” collected through their Customer Relations Department. The reports reviewed were from incidents that occurred from December 1, 2017 to March 31, 2018. There were three incidents during this period down from 22 incidents reported from July 1, 2017 to November 15, 2017. The reports often indicate an origin and destination but do not always indicate the exact location of occurrence making it difficult to determine if the incident occurred in the City or County. No patterns have been identified.

Two events occurred on a bus line and one on the Red line. Two events name a bus operator as the suspect. One incident has been determined to be unfounded by Metro.

The incidents included one instance of verbal harassment and two cases of sexual battery.

The Department has also requested reporting information provided by Peace Over Violence (POV). Peace Over Violence was contracted by Metro as part of their “It’s Off Limits” campaign. The current agreement outlines several data requests to be reported to Metro. Transit Services Bureau met with Metro and POV to discuss reporting, and there has been great improvement in the detail of incident reports. The number of reported incidents has decreased dramatically and there were no identifiable patterns.

The previous number of reported incidents by month from December 2016 to September 2017 were as follows:

	Dec/Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep
Sexual Harassment	28	53	25	51	26	17	22	17	11
Sexual Battery	19	11	18	8	19	4	5	4	1
Total	47	64	43	59	45	21	27	21	12

The number of reported incidents monthly from October 2017 to March 31, 2018 are as follows:

	Oct	Nov	Dec	Jan	Feb	Mar
Sexual Harassment	7	5	9	3	4	3
Sexual Battery	0	3	2	3	5	1
Total	7	8	11	6	9	4

Transit Services Bureau is continuously looking for ways to improve all the above-mentioned reporting methods and analysis. We also have an ongoing effort to effectively exchange information with Metro bus operations through bus and rail operator rap sessions, Metro Security, and Allied Security. The information is being used to identify serious crimes, trends, problem locations, and repeat offenders. Resources are then deployed based on all available information to address the incidents through high visibility, plain clothes operations,

enforcement, and investigative teamwork with the impacted LAPD Areas. Additional strategies include requests for adjustments of deployment to Transit Security Officers, and site surveys to determine the need for environmental changes including lighting, restricted access, cameras and clear line of sight that would reduce the incidence of sexual-related harassment and assaults.

Transit Services Bureau continues to pursue both stay away court orders and making full use of Metro's exclusion program. Transit Services Bureau is working to ensure that all misdemeanor arrests are flagged for City Attorney Neighborhood Prosecutor review and prosecution. All arrests including repeat offenders of any type, violent crime, and sexual related crimes will include a request for a stay away order. Having the Neighborhood Prosecutor involved will also reduce the chance that a new case will inadvertently remove a prior case that had a stay away attached. The Metro exclusion program is currently being used to address individuals that have been cited for three Metro code of conduct violations within 90 days. The exclusion can be for a period of up to 180 days and advise the subject they cannot be on the transit system and could be arrested for trespass. Transit Services Bureau is working with Metro to move forward on enforcing the full extent of the associated Assembly Bill No. 468 that would also include exclusion based on any arrest or conviction of any misdemeanor or felony committed in or on a vehicle, bus stop, or light rail station of the transit district for acts involving violence, threats of violence, lewd or lascivious behavior, or possession for sale or sale of a controlled substance.

The LAPD/Metro partnership will continue to assess and address the needs to increase public safety and reduce the incidents of sexual harassment and assaults. Transit Services Bureau will continue to look for opportunities to increase public awareness and education, improve policing efforts, and address environmental changes when possible to have a lasting improvement.

In order to provide an easier method for victims of sexual harassment to report incidents, MTA launched a multi-faceted campaign in the spring of 2015, to stop sexual misconduct on MTA buses and trains. "It's Off Limits" encourages victims of sexual assault to report the incident to law enforcement. They offer three ways to report sexual harassment or assault:

1. Call (888) 950-7233 (POV Sexual Harassment Hotline)
2. Use the Transit Watch mobile phone application
3. Pick up a red phone in any Metro Station

The MTA advises victims on their website: "If you've experienced sexual harassment while riding Metro, we are here to listen. Call our 24/7 confidential hotline. Call 1.844.OFF.LIMITS or 1.844.633.5464." The use of the confidential hotline as well as the Transit Watch application and the red phone in any Metro Station does not have an impact on a person's immigration status.

Note: Two phone numbers are active for victims to report sexual violence.

Transit Services Bureau will continue to work with MTA toward providing a balanced public awareness and education effort as it relates to preventing sexual crimes. Suggestions on improving ease of reporting and awareness include:

- Enhance and install METRO signage along rail and bus platforms, bus depots and stops.
- Develop flyers and pamphlets for TSD personnel, who work the overtime details and/or Senior Lead Officers (SLOs) Citywide, to distribute at the highest sex crime locations. The goal is to raise public awareness on sexual misconduct and sexual assault on public transportation. An informed customer can protect themselves and others from sexual misconduct which will discourage others from engaging in all forms of sexual violence. Metro's "It's Off Limits" campaign is a customer and aggressor awareness campaign marketed throughout Metro's system through the use of visual signage throughout stations and on the buses and trains, audio announcements on the system, and advertised throughout on the website. Transit Services Bureau works in collaboration with Transit Watch to answer calls and refer to the hotline if there is an incident that can be met with hotline support. Metro also provides all Metro law enforcement partners, including LAPD, pamphlets to hand out to patrons if they are in contact with a reported incident and/or to share to provide awareness to patrons that counselors are available to offer support.
- Metro not only educates the public, but also educates the operators, by attending rail and division meetings, to describe efforts and provide public awareness of the hotline program.
- Develop public service announcements to educate riders that sexual violence will not be tolerated systemwide in addition to the "It's Off Limits" campaign.

CONCLUSION

It is expected that LAPD officers conducting foot beats in bus and train stations, platforms, and transit properties will continue to create a safe and positive atmosphere for riders as well as train and bus operators, Metro employees, and vendors. The ongoing analysis of data and deployment strategies will ensure that TSB will effectively drive down crime and harassment numbers and build relationships that should reduce the fear of reporting incidents of sexual crimes and harassment.

Due to TSD's relatively new inception, the Department is continuously evaluating the coordination of resources and how to best address the issues of sexual harassment/assault and homelessness within Metro's systems. The Department is also committed to working with Metro as well as with our partners from the Los Angeles Sheriff's Department and the Long Beach Police Department.