

Legislation Details (With Text)

File #: AI-2021-117

Type: Resolution **Status:** Passed

File created: 7/20/2021 **In control:** Board of Directors

On agenda: 8/30/2021 **Final action:** 8/30/2021

Title: Approval of a resolution authorizing the establishment of the Capital Metro Transit Police, as a component of the Capital Metro Public Safety Program, to enhance service to Capital Metro customers and public safety.

Sponsors:**Indexes:****Code sections:**

Attachments: 1. Public Safety Board Presentation

Date	Ver.	Action By	Action	Result
8/30/2021	1	Board of Directors	adopted as amended	Pass

SUBJECT:

Approval of a resolution authorizing the establishment of the Capital Metro Transit Police, as a component of the Capital Metro Public Safety Program, to enhance service to Capital Metro customers and public safety.

FISCAL IMPACT:

Funding for this action is available in the proposed FY2022 Operating Budget

STRATEGIC PLAN:**Strategic Goal Alignment:**

☒ 1. Internal/External Customer Service Excellence ☐ 2. Stakeholder Engagement
☐ 3. Financial and Environmental Sustainability ☐ 4. Staff Development ☒ 5. Agency Growth Management

Strategic Objectives:

☒ 1.1 Safety & Risk ☐ 1.2 Continuous improvement ☐ 1.3 Dynamic Change
☐ 1.4 Culture of Innovation ☐ 2.1 Be an Employer of Choice ☒ 2.2 Organization Development
☐ 2.3 Organization Culture ☐ 3.1 Resource optimization ☒ 3.2 Safety Culture
☐ 3.3 Environmental Leadership ☐ 4.1 Educate & Call to Action ☐ 4.2 Build Partnerships
☐ 4.3 Value of Transit ☐ 4.4 Project Connect

EXPLANATION OF STRATEGIC ALIGNMENT: Transit policing is a specialized service and, given the growth of

Capital Metro that has already occurred and is planned in the future, a specialized and dedicated Transit Police Department is necessary to best serve our customers, staff and public safety at large.

BUSINESS CASE: In-house Capital Metro Transit Police are a necessary part of the overall Public Safety Program. Transit Police will provide enhanced safety for staff and customers and will be better equipped to provide specialized and context-sensitive support to the transit system resulting in increased efficiencies and advancement of CapMetro's mission.

COMMITTEE RECOMMENDATION: This item will be presented to the full board on August 30, 2021.

EXECUTIVE SUMMARY: Capital Metro's Public Safety Program aims to protect Capital Metro staff, customers and the community from harm using multiple, integrated strategies. As part of this comprehensive approach, which includes public safety ambassadors and intervention specialists, the creation of a Transit Police Department is recommended. Transit policing is a specialized service and, given the growth of Capital Metro that has already occurred and is planned in the future, a specialized and dedicated Transit Police Department is necessary to best serve our customers, staff and public safety at large.

Prior to requesting authorization from the Board, staff engaged stakeholders regarding this topic. Capital Metro customers and staff have indicated support for creation of a police department, and they will continue to be engaged as this work progresses.

The action requested of the Board authorizes staff to continue the work done to date regarding Capital Metro's public safety approach and bringing the community along with the process to create a police department. The resolution directs the President & CEO to:

- Engage consultants to guide development and implementation
- Engage the CapMetro DE&I Council, and Board Committees
- Develop a Public Safety Advisory Committee charter and appointment process for Board consideration
- Develop a staff training program and professional standards based on input from industry standards and the Public Safety Advisory Committee
- Create a process by which police auditing and oversight is addressed, and
- Include funding in the FY 2022 Operating Budget to continue this work

DBE/SBE PARTICIPATION: Does not apply.

PROCUREMENT: Does not apply.

RESPONSIBLE DEPARTMENT: Safety

**RESOLUTION
OF THE
CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS**

**STATE OF TEXAS
COUNTY OF TRAVIS**

AI-2021-117

WHEREAS, transit agencies are unique in their interactions with the community, and their public safety needs; and

WHEREAS, Capital Metro’s public safety program aims to protect Capital Metro employees, customers, and the community from unintentional harm using multiple, integrated strategies including the use of public safety ambassadors before enforcement, and enhanced customer care programs; and

WHEREAS, Capital Metro should evaluate and implement a number of considerations to ensure the agency employs the most effective and efficient, context-sensitive, and modern approach to provide the appropriate level of public safety and security; and

WHEREAS, The American Public Transportation Association (APTA) convened a peer review at the request of Capital Metro, to conduct an analysis and make recommendations for restructuring and enhancing the Capital Metro public safety program similar to peer transit agencies; and

WHEREAS, The APTA peer review found numerous reasons to evaluate and update Capital Metro’s public safety program; and

WHEREAS, while the support and tremendous partnership of the Austin Police Department is appreciated and incredibly valuable to Capital Metro, the APTA peer review found that Capital Metro customers and public safety may be better served by specialized dedicated resources, especially as the transit system continues rapid growth; and

WHEREAS, the APTA peer review found that “there was overwhelming support from union members, Capital Metro staff, stakeholders and Board members for creation of a public safety program that includes both ambassadors and community intervention counselors who interact with all members of the community to provide customer service in an unbiased, equitable manner that aligns with the mission and values of Capital

Metro and transit police officers who are employed directly by Capital Metro,” and

WHEREAS, the Capital Metro public safety program will defend against the threat of domestic terrorism through partnerships, education and the application of crime prevention through environmental design principles, to enhance safety and security and protect Capital Metro employees, customers, transit infrastructure and critical systems by developing innovative, policies and procedures to deter attacks, deliver training to employees and first responders, provide security awareness to customers and develop intelligence capabilities for detecting and preventing terrorist attacks.

WHEREAS, Capital Metro has continued to expand the use of Public Safety Ambassadors as the primary resource initially deployed to respond to public safety needs in order to better serve customers and the public; and

WHEREAS, Capital Metro is committed to continuing this ongoing conversation about a transit agency’s role in community and customer safety, and will continue to include stakeholders as this process moves forward;

NOW, THEREFORE, BE IT RESOLVED that the Capital Metropolitan Transportation Authority Board of Directors authorizes the establishment of the Capital Metro Transit Police, as a component of the Capital Metro Public Safety Division, to enhance service to Capital Metro customers and public safety.

The President & CEO is directed to:

1. Engage a professional with expertise in transit policing and public safety to guide the development of the program.
2. Engage the Capital Metro Diversity, Equity and Inclusion Council, and Capital Metro Board Advisory Committees, members of the community, community stakeholder groups and Capital Metro staff to advise on aspects of the establishment of the CapMetro Transit Police necessary policies.
3. Include in the Capital Metro FY 2022 Operating Budget sufficient funding to continue this work over the next year, including resources necessary to hire staff and adhere to requirements under State and Federal law, such law enforcement professional standards, training requirements and internal affairs. Long-range financial projections for the cost of this function, including facilities, equipment, training, personnel, etcetera, are to be developed and shared with the Board.
4. In collaboration with the aforementioned advisory groups, develop a Public Safety Advisory Committee charter and advisor appointment process to be brought to the Capital Metro Board for approval by October 31, 2021, and subsequently provide for appointments by the Board.
5. Develop a staff training program and professional standards for members of the Transit Police with input from industry best practices and the Public Safety Advisory Committee that shall include initial and continuous training.
6. Include in the establishment of the Transit Police, the creation of a process by which internal affairs oversight can be confidently and transparently resolved for the benefit of Capital Metro and the community.

The President and CEO shall report back to the Board on progress at a Board Meeting in early 2022.

Date: _____

Secretary of the Board
Eric Stratton