

Testing Blue Line trolley

A CRUCIAL TEST THAT WILL AFFECT PUBLIC TRANSIT'S FUTURE

for years to come in Los Angeles is fast approaching.

The 22-mile Blue Line trolley, now being completed at an estimated cost of \$871 million, is scheduled to start light rail service July 16 between downtown L.A. and Long Beach. It will be the first actual service on a commuter rail line since county voters approved collection of an extra half a percent sales tax 10 years ago to help finance construction of a 150-mile rail network.

Voters' perception of how the Blue Line works and so whether collection of the extra sales tax over the past decade was justified well could determine whether the tax should be continued or axed. If the Blue Line flunks the test, voters well could revolt and decide continuation of the extra tax was not justified to build more such rail lines.

Thus, if L.A. is to create a commuter rail system to relieve traffic congestion and reduce vehicular air pollution, it is imperative for the Blue Line to be a success. Security of the passengers will be a particularly important key to that success as the Blue Line passes through some of L.A.'s worst gang-infested turf.

If passengers feel threatened, they will get off the Blue Line and resume riding in automobiles, thereby transforming the trolley into a very costly white elephant.

In an effort purely to protect its turf, not passengers, Southern California Rapid Transit District, which will operate the Blue Line and all other commuter rail lines in L.A. County, wants RTD transit police to provide the security.

The Los Angeles County Transportation Commission, which is constructing but will not operate the Blue Line, justifiably is concerned the RTD transit police force is inadequate. A peer review last year of the RTD transit police force found it operating under strength and plagued by both high turnover and low morale.

Thus, the commission is urging the L.A. County Sheriff's Department be hired by RTD to provide security on the Blue Line from day one to establish who is charge — the security force or gangs. With so much riding on the success of the Blue Line, there should be no question about which of the two public safety forces — RTD transit police or the Sheriff's Department — should provide the security from the outset.

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by the defendant, take him before a magistrate of the county in which the warrant was issued, who must admit the defendant to bail in the amount specified in the endorsement referred to in Section 815a, and immediately transmit the warrant, complaint, and undertaking, to the clerk of the court in which the defendant is required to appear. (Enacted 1872. Amended by Stats.1933, c. 242, § 4; Stats.1951, c. 1674, § 35.)

Cross References

- Bail,
Admission, see § 1268.
Bailable offenses, see § 1271.
Magistrates having power to allow, see § 1277.
Nonbailable offenses, see § 1270.
Order admitting defendant to bail, see § 1269a.
Taking, see § 1269.
Complaint for offenses triable in inferior courts, see § 740.
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Public offenses, see § 15.

CHAPTER 4.5. PEACE OFFICERS

Section

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Cross References

- County fish and game wardens, power of arrest, see Fish and Game Code § 878.
Fish and game department deputy, power of arrest, see Fish and Game Code § 851.
Fraudulently personating peace officer as misdemeanor, see § 538d.
General service department employees, see Government Code § 14613.
Harbors and watercraft officers, see Harbors and Navigation Code § 71.2.
Horse racing board, see § 337.9.
Investigators, bureau of criminal identification and investigation, see § 11052.
Juvenile probation officers, see Welfare and Institutions Code § 283.
Labor division enforcement officers, see Labor Code § 95.
"Law enforcement member" defined, see Government Code § 20017.75.
Livestock identification inspectors, see Food and Agricultural Code § 20432.
Mental health counselors, see Welfare and Institutions Code § 6778.
Motor vehicles, department employees, see Vehicle Code § 1655.
Narcotics enforcement, division employees, see Health and Safety Code § 11103.
Peace officers, defined, see § 7; Government Code § 50920.
Persons with powers of peace officers,
Aeronautics, enforcement of rules, see Public Utilities Code § 21252.
Agricultural Code, enforcement of provisions, see Food and Agricultural Code § 7.
Alcoholic beverage control, employees, see Business and Professions Code § 25755.
Attorney general, special agents and investigators, see Government Code § 12571.
California highway patrol, see Vehicle Code § 2409.
Cemeteries, designated persons, see Health and Safety Code § 8325.
Coroners, see § 830.10.
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Delinquents, institution employees, see Welfare and Institutions Code § 1076.
Dental board inspectors, see Business and Professions Code § 1704.
Food and drug inspectors, see Health and Safety Code §§ 216, 26230.
Foreign peace officers in fresh pursuit, see § 852.2.
Forest protection officers, see Public Resources Code § 4156.
Furniture and bedding inspectors, see Business and Professions Code § 19206.
Harbor policemen, enforcement authority, see Harbors and Navigation Code § 663.5.
Probation officers and deputies, see Code of Civil Procedure § 131.4.
Professional and vocational standards, department investigators and inspectors, see Business and Professions Code § 160.
Sergeant at arms, legislature, see Government Code § 9194.5.
State college police, see Education Code § 89560.
State park employees, see Public Resources Code § 5008.
State treasurer, guards or messengers, see Government Code § 12304.
Toll takers, see Vehicle Code § 23252.
Weights and measures, sealers and deputies, see Business and Professions Code § 12013.

§ 830. Peace officers; persons included and excluded

Any person who comes within the provisions of this chapter and who otherwise meets all standards imposed by law on a peace officer is a peace officer, and notwithstanding any other provision of law, no person other than those designated in this chapter is a peace officer. The restriction of peace officer functions of any public officer or employee shall not affect his status for purposes of retirement. (Added by Stats.1968, c. 1222, § 1.)

Cross References

Attorney fees, actions arising out of the performance of duties of peace officer as defined in this chapter, see Code of Civil Procedure § 1021.7.
 Local emergencies, highway patrol officers members of state police division, see Government Code § 8598.
 Minimum standards for public officers or employees having powers of peace officers, see Government Code § 1031.
 State of emergency or state of war emergency, classes of state employees authorized to be peace officers, see Government Code § 8597.

§ 830.1. Sheriffs, police, marshals, constables, inspectors and investigators of district attorneys; designated department of justice personnel

(a) Any sheriff, undersheriff, or deputy sheriff, regularly employed and paid as such, of a county, any police officer of a city, any police officer of a district (including police officers of the San Diego Unified Port District Harbor Police) authorized by statute to maintain a police department, any marshal or deputy marshal of a municipal court, any constable or deputy constable, regularly employed and paid as such, of a judicial district, or any inspector or investigator regularly employed and paid as such in the office of a district attorney, is a peace officer. The authority of any such peace officer extends to any place in the state:

(1) As to any public offense committed or which there is probable cause to believe has been committed within the political subdivision which employs him; or

(2) Where he has the prior consent of the chief of police, or person authorized by him to give such consent, if the place is within a city or of the sheriff, or person authorized by him to give such consent, if the place is within a county; or

(3) As to any public offense committed or which there is probable cause to believe has been committed in his presence, and with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of such offense.

(b) The Deputy Director, assistant directors, chiefs, assistant chiefs, special agents, and narcotics agents of the Department of Justice, and such investigators who are designated by the Attorney General are peace officers. The authority of any such peace officer extends to any place in the state as to a public offense committed or which there is probable cause to believe has been committed within the state. (*Added by Stats.1968, c. 1222, § 1. Amended by Stats.1977, c. 220, § 1; Stats. 1980, c. 1340, § 5; Stats.1981, c. 744, § 1.*)

Cross References

Alcoholic beverage laws, powers of peace officers to enforce, see Business and Professions Code § 25755.
 Carrying loaded firearms as misdemeanor, exclusion of peace officers, see § 12031.
 Destructive devices, sales to peace officers, exemption, see § 12302.
 Firearm silencers, authority of peace officers to possess, see § 12501.
 Issuance of notice of violation following traffic accident, see Vehicle Code § 40600.
 Local law enforcement officers to have powers of peace officers during state of local emergency, see Government Code § 8598.
 Local summary criminal history information furnished to peace officers defined in this section, see § 13300.
 Peace officer, defined, see §§ 7, 830; Government Code § 50920.

Public offense defined, see § 15.

Public safety officer defined to include peace officer as defined in this section, see Government Code § 3301.

State employees having powers of peace officers as defined in this section during state of emergency, see Government Code § 8597.

State summary criminal history information furnished to peace officers defined in this section, see § 11105.

Training and recruitment of peace officers, see § 13510 et seq.

Workers' compensation for heart trouble or pneumonia, right of peace officers, see Labor Code § 3212.5.

§ 830.2. Members of highway patrol, state police division, national guard, University of California police, state university and college police; designated personnel of departments of corrections, fish and game, parks and recreation, and forestry

The following persons are peace officers whose authority extends to any place in the state:

(a) Any member of the California Highway Patrol, provided that the primary duty of the peace officer shall be the enforcement of the provisions of the Vehicle Code or of any other law relating to the use or operation of vehicles upon the highways, as that duty is set forth in the Vehicle Code.

(b) Any member of the California State Police Division, provided that the primary duty of the peace officer shall be to provide police services for the protection of state officers, and the protection of state properties and occupants thereof, as set forth in the Government Code.

(c) Members of the California National Guard have the powers of peace officers when they are (1) called or ordered into active state service by the Governor pursuant to the provisions of Section 143 or 146 of the Military and Veterans Code, (2) serving within the area wherein military assistance is required, and (3) directly assisting civil authorities in any of the situations specified in Section 143 or 146. The authority of the peace officer extends to the area wherein military assistance is required as to a public offense committed or which there is reasonable cause to believe has been committed within that area. The requirements of Section 1031 of the Government Code are not applicable under those circumstances.

(d) A member of the University of California Police Department appointed pursuant to Section 92600 of the Education Code, provided that the primary duty of the peace officer shall be the enforcement of the law within the area specified in Section 92600 of the Education Code.

(e) A member of the California State University and College Police Departments appointed pursuant to Section 89560 of the Education Code, provided that the primary duty of the peace officer shall be the enforcement of the law within the area specified in Section 89560 of the Education Code.

(f) Any member of the Law Enforcement Liaison Unit of the Department of Corrections, provided that the primary duty of the peace officer shall be the investigation or apprehension of parolees, parole violators, or escapees from state institutions, the transportation of

those persons, and the coordination of those activities with other criminal justice agencies.

(g) Members of the Wildlife Protection Branch of the Department of Fish and Game, provided that the primary duty of those deputies shall be the enforcement of the law as set forth in Section 856 of the Fish and Game Code.

(h) Employees of the Department of Parks and Recreation designated by the director pursuant to Section 5008 of the Public Resources Code, provided that the primary duty of the peace officer shall be the enforcement of the law as set forth in Section 5008 of the Public Resources Code.

(i) The Director of Forestry and employees or classes of employees of the Department of Forestry designated by the director pursuant to Section 4156 of the Public Resources Code, provided that the primary duty of the peace officer shall be the enforcement of the law as that duty is set forth in Section 4156 of the Public Resources Code. (*Added by Stats.1968, c. 1222, § 1. Amended by Stats.1969, c. 1206, § 1; Stats.1970, c. 1454, § 3; Stats.1971, c. 631, § 2; Stats.1971, c. 632, § 2; Stats.1971, c. 1469, § 6; Stats.1976, c. 1079, § 52; Stats.1976, c. 420, § 4; Stats.1980, c. 1340, § 6; Stats.1982, c. 1277, § 2; Stats.1987, c. 367, § 1.*)

Section 109 of Stats.1976, c. 1079, provided that the amendment by Stats.1976, c. 420, was to prevail over the amendment of § 830.2 by Stats.1976, c. 1079.

Cross References

- Alcoholic beverage laws, powers of peace officers to enforce, see Business and Professions Code § 25755.
- Carrying loaded firearms as misdemeanor, exclusion of peace officers, see § 12031.
- Destructive devices, sales to peace officers, exemption, see § 12302.
- Issuance of notice of violation following traffic accident, see Vehicle Code § 40600.
- Local summary criminal history information furnished to peace officers defined in this section, see § 13300.
- Public safety officer defined to include peace officer as defined in this section, see Government Code § 3301.
- State summary criminal history information furnished to peace officers defined in this section, see § 11105.
- Workers' compensation for heart trouble or pneumonia, right of peace officers, see Labor Code § 3212.5.

§ 830.3. Particular officers

The following persons are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty or when making an arrest pursuant to Section 836 of the Penal Code as to any public offense with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of that offense, or pursuant to Section 8597 or 8598 of the Government Code. These peace officers may carry firearms only if authorized and under those terms and conditions as are specified by their employing agencies:

(a) Alcoholic beverage control employees. Persons employed by the Department of Alcoholic Beverage Control for the enforcement of Division 9 (commencing with Section 23000) of the Business and Professions Code and designated by the Director of Alcoholic Beverage

Control, provided that the primary duty of these peace officers shall be the enforcement of the laws relating to alcoholic beverages, as that duty is set forth in Section 25755 of the Business and Professions Code.

(b) Department of consumer affairs, employees; board of medical quality assurance and dental examiners, investigators. Persons employed by the Division of Investigation of the Department of Consumer Affairs and investigators of the Board of Medical Quality Assurance and the Board of Dental Examiners, who are designated by the Director of Consumer Affairs, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 160 of the Business and Professions Code.

(c) Voluntary fire wardens. Voluntary fire wardens as are designated by the Director of Forestry pursuant to Section 4156 of the Public Resources Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 4156 of that code.

(d) Department of motor vehicles; employees. Employees of the Department of Motor Vehicles designated in Section 1655 of the Vehicle Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 1655 of that code.

(e) California horse racing board; investigators. Investigators of the California Horse Racing Board designated by the board, provided that the primary duty of these peace officers shall be the enforcement of Chapter 4 (commencing with Section 19400) of Division 8 of the Business and Professions Code and Chapter 10 (commencing with Section 330) of Title 9 of Part 1 of the Penal Code.

(f) State fire marshals. The State Fire Marshal and assistant or deputy state fire marshals appointed pursuant to Section 13103 of the Health and Safety Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 13104 of that code.

(g) Food and drug investigators. Inspectors of the food and drug section as are designated by the chief pursuant to subdivision (a) of Section 216 of the Health and Safety Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 216 of that code.

(h) Labor standards enforcement division; investigators. All investigators of the Division of Labor Standards Enforcement, as designated by the Labor Commissioner, provided that the primary duty of these peace officers shall be enforcement of the law as prescribed in Section 95 of the Labor Code.

(i) State departments of health services, social services, mental health, developmental services, alcohol and drug programs, office of statewide health planning and development, and public employee's retirement system investigators. All investigators of the State Departments of Health Services, Social Services, Mental Health,

Developmental Services, Alcohol and Drug Programs and the Office of Statewide Health Planning and Development, and the Public Employees' Retirement System, provided that the primary duty of these peace officers shall be the enforcement of the law relating to the duties of his or her department, or office. Notwithstanding any other provision of law, investigators of the Public Employees' Retirement System shall not carry firearms.

(j) Exposition and state fair marshals and police. Marshals and police appointed by the Board of Directors of the California Exposition and State Fair, pursuant to Section 3332 of the Food and Agricultural Code, provided that the primary duty of the peace officer shall be the enforcement of the law as prescribed in that section.

(k) Bureau of fraudulent claims of the department of insurance. The Chief of the Bureau of Fraudulent Claims of the Department of Insurance and those investigators as designated by the chief, provided that the primary duty of those investigators shall be enforcement of Section 556 of the Insurance Code.

(l) Department of housing and community development; employees. Employees of the Department of Housing and Community Development designated under Section 18023 of the Health and Safety Code, provided that the primary duty of these peace officers shall be the enforcement of the law as that duty is set forth in Section 18023 of that code.

(m) Office of the controller investigators. Investigators of the office of the Controller, provided that the primary duty of these investigators shall be the enforcement of the law relating to the duties of that office. Notwithstanding any other provision of law, the peace officers designated pursuant to this subdivision shall not carry firearms.

(n) Department of corporations investigators. Investigators of the Department of Corporations designated by the Commissioner of Corporations, provided that the primary duty of these investigators shall be enforcement of the provisions of law administered by the Department of Corporations. Notwithstanding any other provision of law, the peace officers designated pursuant to this subdivision shall not carry firearms.

(o) Contractors' state license board employees. Persons employed by the Contractors' State License Board designated by the Director of Consumer Affairs pursuant to Section 7011.5 of the Business and Professions Code, provided that the primary duty of these persons shall be the enforcement of the law as that duty is set forth in Section 7011.5, and in Chapter 9 (commencing with Section 7000) of Division 3, of that code. The Director of Consumer Affairs may designate as peace officers not more than three persons who shall at the time of their designation be assigned to the special investigations unit of the board. Notwithstanding any other provision of law, the persons designated pursuant to this subdivision shall not carry firearms.

(p) Office of emergency services, law enforcement division; chief and coordinators. The chief and coordi-

nators of the Law Enforcement Division of the Office of Emergency Services.

(q) Office of secretary of state; investigators. Investigators of the Office of the Secretary of State, designated by the Secretary of State, provided that the primary duty of these peace officers shall be the enforcement of the law as prescribed in Chapter 3 (commencing with Section 8200) of Division 1 of Title 2 of the Government Code and Section 12172.5 of that code. Notwithstanding any other provision of law, the peace officers designated pursuant to this subdivision shall not carry firearms.

(r) Deputy director for security and lottery security personnel. The Deputy Director for Security, as designated by Section 8880.38 of the Government Code, and all lottery security personnel assigned to the California State Lottery and designated by the director, provided that the primary duty of any of those peace officers shall be the enforcement of the laws related to assuring the integrity, honesty, and fairness of the operation and administration of the California State Lottery.

(s) Employment Development Department investigators. Investigators employed by the Investigation Division of the Employment Development Department, designated by the director of the department, provided that the primary duty of those peace officers shall be the enforcement of the law as that duty is set forth in Section 317 of the Unemployment Insurance Code.

Notwithstanding any other provision of law, the peace officers designated pursuant to this subdivision shall not carry firearms. (*Added by Stats.1968, c. 1222, § 1. Amended by Stats.1969, c. 1511, § 1; Stats.1970, c. 468, § 2; Stats.1970, c. 1454, § 4; Stats.1970, c. 1589, § 1; Stats.1970, c. 1591, § 1; Stats.1970, c. 1592, § 3; Stats.1971, c. 631, § 3; Stats.1971, c. 632, § 3; Stats.1971, c. 701, § 2; Stats.1971, c. 716, § 203; Stats.1971, c. 1695, § 1; Stats.1972, c. 618, § 117; Stats.1972, c. 1377, § 71; Stats.1974, c. 639, § 2; Stats.1974, c. 1403, § 12; Stats.1975, 2nd Ex.Sess., c. 2, § 10.5; Stats.1976, c. 42, § 1; Stats.1976, c. 1406, § 1; Stats.1976, c. 1435, § 3; Stats.1977, c. 1252, § 359; Stats.1977, c. 220, § 2; Stats.1978, c. 429, § 157.5; Stats.1978, c. 1138, § 1; Stats.1979, c. 573, § 3; Stats.1980, c. 10, § 2; Stats.1980, c. 676, § 250; Stats.1980, c. 1340, § 7; Stats.1981, c. 973, § 1; Stats.1981, c. 975, § 22; Stats.1982, c. 548, § 2.5; Stats.1982, c. 1277, § 4; Stats.1984, c. 57, § 1; Stats.1984, c. 940, § 1; Stats.1985, c. 1241, § 1; Stats.1986, c. 898, § 2; Stats.1988, c. 685, § 1; Stats.1988, c. 1552, § 2.)*

Cross References

- Assault with deadly weapon or force upon peace officer as defined in subd. (a) of this section, see § 245.2.
- Drawing or exhibiting firearm in presence of peace officer, see § 417.
- Effect of amendment of section by two or more acts at the same session of the legislature, see Government Code § 9605.
- Local summary criminal history information furnished to peace officers defined in this section, see § 13300.
- Off-duty peace officers, performance of normal duty within jurisdiction of employing agency, see Labor Code § 3600.3.
- Public safety officer defined to include peace officer as defined in this section, see Government Code § 3301.

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State summary criminal history information furnished to peace officers defined in this section, see § 11105.
Workers' compensation for heart trouble or pneumonia, right of peace officers, see Labor Code § 3212.5.

§ 830.31. Arson investigators; fire department or fire protection agency members; park rangers; community college police; welfare fraud investigators or inspectors; child support investigators or inspectors; coroner and deputies; BART police; harbor or port police; municipal utility district security officers; county water district security officers; security director of public utilities commission of a city and county

The following persons are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty or when making an arrest pursuant to Section 836 as to any public offense with respect to which there is immediate danger to person or property, or of the escape of the perpetrator of that offense, or pursuant to Section 8597 or 8598 of the Government Code. Those peace officers may carry firearms only if authorized and under terms and conditions specified by their employing agency.

(a) (1) Members of an arson-investigating unit, regularly paid and employed in that position of a fire protection agency of the state, of a county, city, or district, if the primary duty of the arson investigators is the detection and apprehension of persons who have violated any fire law or committed insurance fraud.

(2) Members of a fire department or fire protection agency of the state, or a county, city, or district regularly paid and employed in that position if the primary duty of fire department or fire protection agency members other than arson investigators when acting as peace officers is the enforcement of laws relating to fire prevention and fire suppression.

(b) Persons designated by a local agency as park rangers, and regularly employed and paid as such, if the primary duty of the peace officer is the protection of park and other property of the agency and the preservation of the peace therein.

(c) Members of a community college police department appointed pursuant to Section 72330 of the Education Code, if the primary duty of the peace officer is the enforcement of the law as prescribed in Section 72330 of the Education Code.

(d) A welfare fraud investigator or inspector, regularly employed and paid as such by a county, if the primary duty of the peace officer is the enforcement of the provisions of the Welfare and Institutions Code.

(e) A child support investigator or inspector, regularly employed and paid as such by a district attorney's office, if the primary duty of the peace officer is the enforcement of the provisions of the Welfare and Institutions Code and Section 270.

(f) The coroner and deputy coroners, regularly employed and paid as such, of a county, if the primary duty of the peace officer are those duties set forth in Sections

27469 and 27491 to 27491.4, inclusive, of the Government Code.

(g) A member of the San Francisco Bay Area Rapid Transit District Police Department appointed pursuant to Section 28767.5 of the Public Utilities Code, if the primary duty of the peace officer is the enforcement of the law in or about properties owned, operated, or administered by the district or when performing necessary duties with respect to patrons, employees, and properties of the district.

(h) Harbor or port police regularly employed and paid as such by a county, city, or district other than peace officers authorized under Section 830.1, and the port warden and special officers of the Harbor Department of the City of Los Angeles, if the primary duty of the peace officer is the enforcement of the law in or about the properties owned, operated, or administered by the harbor or port or when performing necessary duties with respect to patrons, employees, and properties of the harbor or port.

(i) Persons designated as a security officer by a municipal utility district pursuant to Section 12820 of the Public Utilities Code, if the primary duty of the officer is the protection of the properties of the utility district and the protection of the persons thereon.

(j) Persons designated as a security officer by a county water district pursuant to Section 30547 of the Water Code, if the primary duty of the officer is the protection of the properties of the county water district and the protection of the persons thereon.

(k) The security director of the public utilities commission of a city and county, if the primary duty of the security director is the protection of the properties of the commission and the protection of persons thereon. (Added by Stats.1980, c. 1340, § 9. Amended by Stats.1981, c. 32, § 1; Stats.1981, c. 973, § 2; Stats.1982, c. 267, § 2; Stats. 1983, c. 468, § 1; Stats.1984, c. 211, § 1; Stats.1987, c. 291, § 1.)

Former § 830.31 was repealed by Stats.1980, c. 1340, § 8.

Cross References

Public safety officer defined to include peace officer as defined in this section, see Government Code § 3301.
State summary criminal history information furnished to peace officers defined in this section, see § 11105.

§§ 830.35, 830.36. Repealed by Stats.1980, c. 1340, §§ 10, 11

§ 830.4. Security officers, etc.

The following persons are peace officers while engaged in the performance of their duties in or about the properties owned, operated, or administered by their employing agency, or when they are required by their employer to perform their duties anywhere within the political subdivision which employs them. These officers shall also have the authority of peace officers anywhere in the state as to an offense committed, or which there is probable cause to believe has been committed, with respect to persons or property the protection of which is

the duty of the officer or when making an arrest pursuant to Section 836 of the Penal Code as to any public offense with respect to which there is an immediate danger to person or property or of the escape of the perpetrator of the offense. These peace officers may carry firearms only if authorized by, and under such terms and conditions as are specified by, their employing agency:

(a) Security officers of the California State Police Division.

(b) The Sergeant at Arms of each house of the Legislature.

(c) The coordinator of security for the judicial branch, and the bailiffs of the Supreme Court and of the courts of appeal.

(d) Guards and messengers of the Treasurer's office.

(e) Officers designated by the hospital administrator of a state hospital under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services pursuant to Section 4313 or 4493 of the Welfare and Institutions Code.

(f) Any railroad policeman commissioned by the Governor pursuant to Section 8226 of the Public Utilities Code.

(g) Persons employed as members of a police department of a school district pursuant to Section 39670 of the Education Code.

(h) Safety police officers of the County of Los Angeles.

(i) Housing authority patrol officers employed by the housing authority of a city, district, county, or city and county or employed by the police department of a city and county.

(j) Transit police officers of a county, city, or district.

(k) Any person regularly employed as an airport law enforcement officer by a city, county, or district operating the airport or by a joint powers agency, created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code, operating the airport.

(l) Court service officers in a county of the second class or a county of the third class.

(m) Security officers of the Department of General Services of the City of Los Angeles designated by the General Manager of the department. Notwithstanding any other provision of law, the peace officers designated by this subdivision shall not be authorized to carry firearms.

(n) Firefighter/security guards employed by the Military Department.

(o) Security officers of the Department of Justice. (Added by Stats.1968, c. 1222, § 1. Amended by Stats.1969, c. 1506, § 1; Stats.1970, c. 1428, § 56; Stats.1970, c. 1592, § 3; Stats.1970, c. 1593, § 1; Stats.1971, c. 637, § 1; Stats.1971, c. 1593, § 310; Stats.1972, c. 1062, § 2; Stats.1973, c. 48, § 1; Stats.1973, c. 145, § 2; Stats.1973, c. 853, § 1; Stats.1974, c.

379, § 1; Stats.1974, c. 1006, § 1; Stats.1975, c. 73, § 1; Stats.1975, c. 609, § 1; Stats.1976, c. 94, § 1; Stats.1976, c. 147, § 1; Stats.1976, c. 1079, § 53; Stats.1976, c. 1291, § 1; Stats.1976, c. 1292, § 1; Stats.1977, c. 306, § 7; Stats.1977, c. 1252, § 360; Stats.1977, c. 1073, § 1; Stats.1978, c. 380, § 124; Stats.1978, c. 429, § 158; Stats.1978, c. 703, § 5; Stats.1979, c. 373, § 241; Stats.1980, c. 1340, § 12; Stats.1981, c. 114, § 1; Stats.1982, c. 1582, § 25; Stats.1983, c. 1148, § 1; Stats.1983, c. 1292, § 6; Stats.1984, c. 211, § 2; Stats.1984, c. 518, § 1; Stats.1984, c. 610, §§ 1, 2.7; Stats.1987, c. 150, § 1; Stats.1987, c. 1371, § 2; Stats.1988, c. 322, § 1; Stats.1988, c. 1223, § 5.)

Section 3 of Stats.1984, c. 610, provides, in part:

"Section 2.7 of this bill incorporates amendments to Section 830.4 of the Penal Code proposed by this bill, AB 2518 [Stats.1984, c. 518], and SB 931 [Stats.1984, c. 211]. It shall only become operative if (1) all three bills are enacted and become effective on or before January 1, 1985, but this bill becomes operative first, (2) all three bills amend Section 830.4 of the Penal Code [Section 830.4 was so amended], and (3) this bill is enacted after AB 2518 and SB 931, in which case Section 830.4 of the Penal Code as amended by Section 1 of this bill shall remain operative only until the operative date of AB 2518 and SB 931 [Jan. 1, 1985], at which time Section 2.7 of this bill shall become operative and Sections 2 and 2.5 of this bill shall not become operative."

Section 3 of Stats.1987, c. 1371, provides:

"It is the intent of the Legislature that the changes effected by Section 2 of this act shall serve only to define peace officers, the extent of their jurisdiction, and the nature and scope of their authority, powers, and duties, and that there shall be no change in the status of individuals for purpose of retirement, workers' compensation, or similar injury or death benefits, or other employees benefits."

Cross References

Employment of peace officer as security guard during labor dispute, see Labor Code § 1112.

Institutions for the mentally disordered, see Welfare and Institutions Code § 4313.

Peace officer powers of employees of treasurer's office, see Government Code § 12304.

Public safety officer defined to include peace officer as defined in this section, see Government Code § 3301.

State summary criminal history information, see § 11105.

§ 830.5. Parole and probation officers; correctional or medical facility employees; firearms

The following persons are peace officers whose authority extends to any place in the state while engaged in the performance of the duties of their respective employment and for the purpose of carrying out the primary function of their employment or as required under Sections 8597, 8598, and 8617 of the Government Code. Except as specified in this section, these peace officers may carry firearms only if authorized and under those terms and conditions specified by their employing agency:

(a) A parole officer of the Department of Corrections or the Department of the Youth Authority, probation officer, or deputy probation officer, or a board coordinating parole agent employed by the Youthful Offender Parole Board. Except as otherwise provided in this subdivision, the authority of the parole or probation officer shall extend only (1) to conditions of parole or of probation by any person in this state on parole or probation; (2) to the escape of any inmate or ward from a state or local institution; (3) to the transportation of

another while armed with any of the weapons mentioned in Section 12020, or while armed with any pistol, revolver, or other firearm capable of being concealed upon the person, without having a license or permit to carry such firearm as provided by this chapter, the fact that he was so armed shall be prima facie evidence of his intent to commit the felony if such weapon was used in the commission of the offense. (*Added by Stats.1953, c. 36, § 1. Amended by Stats.1961, c. 2042, § 1.*)

Cross References

Charge in accusatory pleading, see § 969c.
 Felony, defined, see § 17.
 Firearms capable of being concealed upon the person, see § 12001.
 Licenses to carry concealed weapons, see § 12050 et seq.
 Possession of deadly weapons with intent to assault another, see §§ 467, 12000 et seq.

§ 12024. Repealed by Stats.1953, c. 1332, § 2

See, now, § 1203.

§ 12025. Carrying weapon concealed within vehicle or on person; offense; arms in holsters or sheaths

(a) Except as otherwise provided in this chapter, any person who carries concealed within any vehicle which is under his or her control or direction any pistol, revolver, or other firearm capable of being concealed upon the person without having a license to carry such firearm as provided in this chapter is guilty of a misdemeanor. Any person convicted under this subdivision who has previously been convicted of any felony, or of any crime made punishable by this chapter, is guilty of a felony, and if probation is granted, or if the execution or imposition of sentence is suspended, it shall be a condition thereof that he or she be imprisoned in the county jail for not less than three months.

(b) Any person who carries concealed upon his or her person any pistol, revolver, or other firearm capable of being concealed upon the person without having a license to carry such firearm as provided in this chapter is guilty of a public offense and is punishable by imprisonment in a state prison, or by imprisonment in a county jail not to exceed one year, or by a fine not to exceed one thousand dollars (\$1,000), or by both such fine and imprisonment. Any person convicted under this subdivision who has previously been convicted of any felony or of any crime made punishable by this chapter, is guilty of a felony, and if probation is granted, or if the execution or imposition of sentence is suspended, it shall be a condition thereof that he or she be imprisoned in the county jail for not less than three months.

(c) Firearms carried openly in belt holsters are not concealed within the meaning of this section, nor are knives which are carried openly in sheaths suspended from the waist of the wearer.

(d) Every person convicted under this section who has previously been convicted of a misdemeanor offense enumerated in Section 12001.6 shall be punished by imprisonment in the county jail for at least three months and not exceeding six months, or, if granted probation, or if the execution or imposition of sentence is suspended, it shall be a condition thereof that he or she be imprisoned in the county jail for at least three months.

(e) The court shall apply the three-month minimum sentence as specified in subdivisions (a), (b), and (d) except in unusual cases where the interests of justice would best be served by granting probation or suspending the imposition or execution of sentence without the minimum imprisonment required in subdivisions (a), (b), and (d) or by granting probation or suspending the imposition or execution of sentence with conditions other than those set forth in subdivisions (a), (b), and (d), in which case, the court shall specify on the record and shall enter on the minutes the circumstances indicating that the interests of justice would best be served by such a disposition. (*Added by Stats.1953, c. 36, § 1. Amended by Stats.1955, c. 1520, § 1; Stats.1975, c. 1161, § 2; Stats.1976, c. 1139, § 306.5; Stats.1982, c. 136, § 8; Stats.1983, c. 1092, § 327; Stats.1983, c. 1129, § 2.*)

Cross References

Defendant armed with dangerous or concealed weapons, allegations as to possession, see § 969c.
 Felony,
 Defined, see § 17.
 Punishment, see § 18.
 Firearms capable of being concealed upon the person, see § 12001.
 Licenses to carry concealed weapons, see § 12050 et seq.
 Misdemeanor,
 Defined, see § 17.
 Punishment, see §§ 19, 19a.
 Misdemeanor violation of this section while committing act relative to threatening crime victim, witness or informant, punishment, see § 140.
 Nuisance,
 Blackjacks, slungshots, billies, etc., see § 12029.
 Unlawful carrying on person or within vehicle of dirk, dagger, pistol, etc., capable of being concealed on person, see § 12028.
 Persons exempt from provisions of this section, see § 12027.
 Switch-blade knives having blades longer than two inches, see § 653k.

§ 12026. Persons exempt; weapons at residence or place of business

Section 12025 shall not be construed to prohibit any citizen of the United States over the age of 18 years who resides or is temporarily within this State, and who is not within the excepted classes prescribed by Section 12021, from owning, possessing, or keeping within his place of residence or place of business any pistol, revolver, or other firearm capable of being concealed upon the person, and no permit or license to purchase, own, possess, or keep any such firearm at his place of residence or place of business shall be required of him. (*Added by Stats.1953, c. 36, § 1.*)

Cross References

Licenses to carry concealed weapons, see § 12050 et seq.

§ 12026.1. Authority to transport or carry concealable firearms

(a) Section 12025 shall not be construed to prohibit any citizen of the United States over the age of 18 years who resides or is temporarily within this state, and who is not within the excepted classes prescribed by Section 12021, from transporting or carrying any pistol, revolver, or other firearm capable of being concealed upon the person, provided that the following applies to the firearm:

(1) The firearm is within a motor vehicle and it is locked in the vehicle's trunk or in a locked container in the vehicle other than the utility or glove compartment.

(2) The firearm is carried by the person directly to or from any motor vehicle for any lawful purpose and, while carrying the firearm, the firearm is contained within a locked container.

(b) The provisions of this section do not prohibit or limit the otherwise lawful carrying or transportation of any pistol, revolver, or other firearm capable of being concealed upon the person in accordance with this chapter.

(c) As used in this section, "locked container" means a secure container which is fully enclosed and locked by a padlock, key lock, combination lock, or similar locking device. (*Added by Stats.1986, c. 998, § 1.*)

§ 12027. Persons exempt

Section 12025 does not apply to or affect any of the following:

(a) Peace officers. Peace officers listed in Section 830.1 or 830.2 whether active or honorably retired, other duly appointed peace officers, honorably retired peace officers listed in subdivision (c) of Section 830.5, full-time paid peace officers of other states and the federal government who are carrying out official duties while in California, or any person summoned by any such officers to assist in making arrests or preserving the peace while he is actually engaged in assisting such officer.

The Department of Justice shall provide subsequent arrest notification pursuant to Section 11105.2 regarding honorably retired peace officers listed in subdivision (c) of Section 830.5 to the agency from which the officer has retired.

The agency from which a peace officer is honorably retired may, upon initial retirement of the peace officer, or at anytime subsequent thereto, deny or revoke, for good cause, the retired officer's privilege to carry a weapon as provided in this subdivision.

A retired peace officer who retired after January 1, 1981, shall petition the issuing agency for renewal of his or her privilege to carry a concealed firearm every five years. Any peace officer who has been honorably retired shall be issued an identification certificate, which shall give the retired officer the privilege to carry a weapon pursuant to this subdivision when the issuing agency has

endorsed the certificate indicating that the privilege exists. Where the officer retired after January 1, 1981, the endorsement shall specify the date when the endorsement is to be renewed again. A retired peace officer shall have no privilege to carry a weapon pursuant to this subdivision in the absence of the endorsement.

An honorably retired peace officer listed in subdivision (c) of Section 830.5 authorized to carry firearms by this subdivision shall meet the training requirements of Section 832 and shall qualify with the firearm at least annually. The individual retired peace officer shall be responsible for maintaining his or her eligibility to carry a firearm.

(b) Merchants. The possession or transportation by any merchant of unloaded firearms as merchandise.

(c) Members of armed forces. Members of the Army, Navy, or Marine Corps of the United States, or the National Guard, when on duty, or organizations which are by law authorized to purchase or receive such weapons from the United States or this state.

(d) Authorized military or civil organizations. Duly authorized military or civil organizations while parading, or the members thereof when going to and from the places of meeting of their respective organizations.

(e) Guards or messengers. Guards or messengers of common carriers, banks, and other financial institutions while actually employed in and about the shipment, transportation, or delivery of any money, treasure, bullion, bonds, or other thing of value within this state.

(f) Members of shooting clubs. Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while such members are using any of the firearms referred to in this chapter upon such target ranges, or while going to and from such ranges.

(g) Licensed hunters or fishermen. Licensed hunters or fishermen while engaged in hunting or fishing, or while going to or returning from such hunting or fishing expedition.

(h) Members of antique gun clubs. Members of any club or organization organized for the purpose of collecting and displaying antique or historical pistols, revolvers or other firearms, while such members are displaying such weapons at meetings of such clubs or organizations or while going to and from such meetings, or individuals who collect such firearms not designed to fire, or incapable of firing fixed cartridges or fixed shot shells, or other firearms of obsolete ignition type for which ammunition is not readily available and which are generally recognized as collector's items, provided such firearm is kept in the trunk. If the vehicle is not equipped with a trunk, such firearm shall be kept in a locked container in an area of the vehicle other than the utility or glove compartment. (*Added by Stats.1953, c. 36, § 1. Amended by Stats.1959, c. 1854, § 1; Stats.1963, c. 1677, § 1; Stats.1965, c. 281, § 2; Stats.1968, c. 1222, § 61; Stats.1969, c. 1012, § 1; Stats.1974, c. 1090, § 1;*

Machine guns, sale to or possession by police departments, sheriffs, city marshals and military and naval forces, see § 12201.

Tear gas weapons, official use by peace officers, see § 12403.

§ 12031. Carrying loaded firearms; misdemeanor; punishment; exceptions.

(a) Except as provided in subdivision (b), (c), or (d), every person who carries a loaded firearm on his or her person or in a vehicle while in any public place or on any public street in an incorporated city or in any public place or on any public street in a prohibited area of unincorporated territory is guilty of a misdemeanor.

Every person convicted under this section who has previously been convicted of an offense enumerated in Section 12001.6, or of any crime made punishable under this chapter, shall serve a term of at least three months in the county jail, or, if granted probation, or if the execution or imposition of sentence is suspended, it shall be a condition thereof that he or she be imprisoned for a period of at least three months.

The court shall apply the three-month minimum sentence except in unusual cases where the interests of justice would best be served by granting probation or suspending the imposition or execution of sentence without the minimum imprisonment required in this subdivision or by granting probation or suspending the imposition or execution of sentence with conditions other than those set forth in this subdivision, in which case, the court shall specify on the record and shall enter on the minutes the circumstances indicating that the interests of justice would best be served by such a disposition.

(b) Subdivision (a) shall not apply to any of the following:

(1) Peace officers listed in Section 830.1 or 830.2, whether active or honorably retired, other duly appointed peace officers, honorably retired peace officers listed in subdivision (c) of Section 830.5, full-time paid peace officers of other states and the federal government who are carrying out official duties while in California, or any person summoned by any such officers to assist in making arrests or preserving the peace while the person is actually engaged in assisting such officer.

The agency from which a peace officer is honorably retired may, upon initial retirement of the peace officer, or at any time subsequent thereto, deny or revoke, for good cause, the retired officer's privilege to carry a weapon as provided in this paragraph. A retired peace officer shall petition the issuing agency for renewal of his or her privilege to carry a loaded firearm in public every five years. Any peace officer who has been honorably retired shall be issued an identification certificate, which shall give the retired officer the privilege to carry a weapon pursuant to this subdivision when the issuing agency has endorsed the certificate indicating that the privilege exists. The endorsement shall specify the date when the endorsement is to be renewed again. A retired peace officer shall have no privilege to carry a weapon pursuant to this subdivision in the absence of the endorsement.

(2) Members of the military forces of this state or of the United States engaged in the performance of their duties.

(3) Persons who are using target ranges for the purpose of practice shooting with a firearm or who are members of shooting clubs while hunting on the premises of such clubs.

(4) The carrying of concealable weapons by persons who are authorized to carry such weapons pursuant to Article 3 (commencing with Section 12050) of Chapter 1 of Title 2 of Part 4.

(5) Armored vehicle guards, as defined in Section 7521 of the Business and Professions Code, (A) if hired prior to January 1, 1977; or (B) if hired on or after such date, if they have received a Firearms Qualification Card from the Department of Consumer Affairs, in each case while acting within the course and scope of their employment.

(c) Subdivision (a) shall not apply to any of the following who have completed a regular course in firearms training approved by the Commission on Peace Officer Standards and Training:

(1) Patrol special police officers appointed by the police commission of any city, county, or city and county under the express terms of its charter who also under the express terms of the charter (i) are subject to suspension or dismissal after a hearing on charges duly filed with the commission after a fair and impartial trial, (ii) must be not less than 18 years of age nor more than 40 years of age, (iii) must possess physical qualifications prescribed by the commission, and (iv) are designated by the police commission as the owners of a certain beat or territory as may be fixed from time to time by the police commission.

(2) The carrying of weapons by animal control officers or zookeepers, regularly compensated as such by a governmental agency when acting in the course and scope of their employment and when designated by a local ordinance or, if the governmental agency is not authorized to act by ordinance, by a resolution, either individually or by class, to carry such weapons, or by persons who are authorized to carry such weapons pursuant to Section 607f of the Civil Code, while actually engaged in the performance of their duties pursuant to that section.

(3) Harbor policemen designated pursuant to Section 663.5 of the Harbors and Navigation Code.

(d) Subdivision (a) shall not apply to any of the following who have been issued a certificate pursuant to Section 12033. Such certificate shall not be required of any person who is a peace officer, who has completed all training required by law for the exercise of his or her power as a peace officer, and who is employed while not on duty as such peace officer.

(1) Guards or messengers of common carriers, banks, and other financial institutions while actually employed in and about the shipment, transportation, or delivery of any money, treasure, bullion, bonds, or other thing of value within this state.

Public safety officer defined to include peace officer as defined in this section, see Government Code § 3301.

Public employees retirement, "county peace officer" to include person employed pursuant to this section, see Government Code § 20021.8.

State employees having powers of peace officers as defined in this section during state of emergency, see Government Code § 8597.

State summary criminal history information furnished to peace officers defined in this section, see § 11105.

Youth Authority, powers and duties, see Welfare and Institutions Code § 1750 et seq.

§ 830.5a. Repealed by Stats.1980, c. 1340, § 14

§ 830.6. Reserve or auxiliary officers; deputies; posse comitatus

(a)(1) Whenever any qualified person is deputized or appointed by the proper authority as a reserve or auxiliary sheriff or city policeman, a deputy sheriff, a reserve police officer of a regional park district or of a transit district, or a deputy of the Department of Fish and Game, and is assigned specific police functions by that authority, the person is a peace officer; provided, the person qualifies as set forth in Section 832.6, and provided further, that the authority of the person as a peace officer shall extend only for the duration of the person's specific assignment. A transit district reserve officer may carry firearms only if authorized by, and under those terms and conditions as are specified by, his or her employing agency.

(2) Whenever any qualified person is deputized or appointed by the proper authority as a reserve or auxiliary sheriff or city policeman, a deputy sheriff, or a reserve police officer of a regional park district or of a transit district, and is so designated by local ordinance or, if the local agency is not authorized to act by ordinance, by resolution, either individually or by class, and is assigned to the prevention and detection of crime and the general enforcement of the laws of this state by that authority, the person is a peace officer; provided the person qualifies as set forth in paragraph (1) of subdivision (a) of Section 832.6, and provided further, that the authority of the person shall include the full powers and duties of a peace officer as provided by Section 830.1, or in the case of a transit district reserve police officer, the powers and duties which are authorized in Section 830.4.

(b) Whenever any person is summoned to the aid of any uniformed peace officer, the summoned person shall be vested with the powers of a peace officer as are expressly delegated to him or her by the summoning officer or as are otherwise reasonably necessary to properly assist the officer. (Added by Stats.1968, c. 1222, § 1. Amended by Stats.1977, c. 987, § 1; Stats.1979, c. 987, § 1; Stats.1980, c. 1301, § 1; Stats.1980, c. 1340, §§ 15, 15.5; Stats.1986, c. 160, § 1.)

Cross References

Drawing or exhibiting firearm in presence of reserve or auxiliary peace officer, see § 417.1.

Training and recruitment of peace officers, see § 13510 et seq.

§ 830.7. Persons not peace officers but having powers of arrest

The following persons are not peace officers but may exercise the powers of arrest of a peace officer as specified

in Section 836 during the course and within the scope of their employment, if they receive a course in the exercise of those powers pursuant to Section 832:

(a) Persons designated by a cemetery authority pursuant to Section 8325 of the Health and Safety Code.

(b) Persons regularly employed as security officers for institutions of higher education, recognized under subdivision (a) of Section 94310 of the Education Code, if the institution has concluded a memorandum of understanding, permitting the exercise of that authority, with the sheriff or chief of police within whose jurisdiction the institution lies.

(c) Persons regularly employed as security officers for health facilities defined in Section 1250 of the Health and Safety Code which are owned and operated by cities, counties, and cities and counties, if the facility has concluded a memorandum of understanding permitting the exercise of that authority with the sheriff or chief of police within whose jurisdictions the facility lies.

(d) Employees of the California Department of Forestry designated by the Director of Forestry and approved by the Secretary of the Resources Agency.

(e) Employees of the Public Utilities Commission assigned to the Transportation Division, designated by the division director and approved by the commission, to the extent necessary to enforce the provisions of the Public Utilities Code. (Added by Stats.1980, c. 1340, § 17. Amended by Stats.1983, c. 161, § 1; Stats.1984, c. 905, § 1; Stats.1985, c. 462, § 1.)

Former § 830.7 was repealed by Stats.1980, c. 1340, § 16.

Cross References

Cemetery authority, powers of arrest as provided in this section, see Health and Safety Code § 8325.

§ 830.8. Federal employees

(a) Federal criminal investigators are not California peace officers but may exercise the powers of arrest of a peace officer as specified in Section 836 and the powers of a peace officer specified in Section 5150 of the Welfare and Institutions Code for violations of state or local laws provided that such investigators are engaged in the enforcement of federal criminal laws and exercise such arrest powers only incidental to the performance of their federal duties. Such investigators, prior to the exercise of such arrest powers, shall have been certified by their agency heads as having satisfied the training requirements of Section 832.

(b) Duly authorized federal employees who comply with the training requirements set forth in Section 832 are peace officers when they are engaged in enforcing applicable state or local laws on property owned or possessed by the United States government, or on any street, sidewalk or property adjacent thereto, and with the written consent of the sheriff or the chief of police, respectively, in whose jurisdiction the property is situated. (Added by Stats.1980, c. 1340, § 18. Amended by Stats.1984, c. 905, § 2.)

TRANSIT POLICE NOT LISTED HERE

PREPRINT SENATE BILL No. 12

Proposed by Senator Presley

October 12, 1988

An act to amend Section 25755 of the Business and Professions Code, to amend Sections 39671 and 72330 of the Education Code, to amend Section 3332 of the Food and Agricultural Code, to amend Sections 3301, 9194.5, 14613, and 74368 of the Government Code, to amend Section 12020 of the Health and Safety Code, to amend Sections 488.5, 557.5, 557.6, and 669.5 of the Insurance Code, to amend Section 3600.3 of the Labor Code, to amend Sections 148.5, 190.2, 409.5, 409.6, 830, 830.1, 830.2, 830.3, 830.5, 830.6, 830.7, 830.8, 830.9, 830.10, and 12028.5 of, to add Sections 830.32, 830.33, 830.34, 830.35, 830.36, 830.37, and 13526 to, to repeal and add Sections 830.31 and 830.4 of, and to add Article 4 (commencing with Section 13540) to Chapter 1 of Title 4 of Part 4 of, the Penal Code, to amend Section 10334 of the Public Contract Code, to amend Section 4156 of the Public Resources Code, to amend Sections 8226, 12820, 22558, and 30504 of the Public Utilities Code, to amend Section 25258 of the Vehicle Code, and to amend Sections 4313 and 4493 of the Welfare and Institutions Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

Preprint SB 12, as proposed, Presley. Peace officers.

(1) Existing law specifies that members and security officers of the California State Police Division have the powers of peace officers.

This bill would delete reference to security officers.

(2) Under existing law, several code sections in the Penal Code classify various officers and employees of state and local agencies as peace officers.

This bill would recast those sections by designating peace officers in the several sections of the Penal Code according,

in part, to the officers' and employees' occupation. The bill would also make numerous conforming and technical changes.

(3) Existing law requires the Commission on Peace Officer Standards and Training to pay from the Peace Officers' Training Fund to each eligible local government agency state aid for training expenses of full-time regular paid employees of the eligible agencies.

This bill would prohibit an allocation from the fund to a local government agency if the agency was not entitled to receive funding from the fund in accordance with the law as it read on December 31, 1989.

(4) Existing law requires the Commission on Peace Officer Standards and Training to undertake certain training programs regarding peace officers.

This bill would require any person or persons desiring peace officer status under the law who, on January 1, 1990, were not entitled to be designated as peace officers to request the Commission on Peace Officer Standards and Training to undertake a feasibility study, as specified, regarding designating the person or persons as peace officers. It would require the request and study to be undertaken in accordance with regulations adopted by the commission. It would require the commission to issue its study and recommendations within 18 months of the request and to provide a copy of the same to the Legislature. The bill also states that any section of any act enacted by the Legislature during the 1989 calendar year, which takes effect on or before January 1, 1990, and which amends, amends and renumbers, adds, repeals and adds, or repeals a section amended, amended and renumbered, repealed and added, or repealed by this bill, shall prevail over this bill, whether that act is enacted prior to, or subsequent to, this bill.

The bill would provide that a section included in the Briggs Death Penalty Initiative Act, proposed to be amended by this bill, shall become effective only when approved by the voters.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

- 1 (a) Safety police officers of the County of Los Angeles.
- 2 (b) Persons designated by a local agency as park
- 3 rangers, and regularly employed and paid in those
- 4 capacities, if the primary duty of the peace officer is the
- 5 protection of park and other property of the agency and
- 6 the preservation of the peace therein.
- 7 (c) Security officers of the Department of General
- 8 Services of the City of Los Angeles designated by the
- 9 general manager of the department. Notwithstanding
- 10 any other provision of law, the peace officers designated
- 11 by this subdivision shall not be authorized to carry
- 12 firearms.
- 13 (d) Housing authority patrol officers employed by the
- 14 housing authority of a city, district, county, or city and
- 15 county or employed by the police department of a city
- 16 and county.

17 SEC. 24. Section 830.32 is added to the Penal Code, to
 18 read:

19 830.32. The following persons are peace officers
 20 whose authority extends to any place in the state for the
 21 purpose of performing their primary duty or when
 22 making an arrest pursuant to Section 836 as to any public
 23 offense with respect to which there is immediate danger
 24 to person or property, or of the escape of the perpetrator
 25 of that offense, or pursuant to Section 8597 or 8598 of the
 26 Government Code. Those peace officers may carry
 27 firearms only if authorized and under terms and
 28 conditions specified by their employing agency.

29 (a) Members of a community college police
 30 department appointed pursuant to Section 72330 of the
 31 Education Code, if the primary duty of the peace officer
 32 is the enforcement of the law as prescribed in Section
 33 72330 of the Education Code.

34 (b) Persons employed as members of a police
 35 department of a school district pursuant to Section 39670
 36 of the Education Code.

37 SEC. 25. Section 830.33 is added to the Penal Code, to
 38 read:

39 830.33. The following persons are peace officers
 40 whose authority extends to any place in the state for the

1 purpose of performing their primary duty, or when
2 making an arrest pursuant to Section 836 as to any public
3 offense with respect to which there is immediate danger
4 to person or property, or of the escape of the perpetrator
5 of that offense, or pursuant to Section 8597 or 8598 of the
6 Government Code. Those peace officers may carry
7 firearms only if authorized and under terms and
8 conditions specified by their employing agency.

9 (a) A member of the San Francisco Bay Area Rapid
10 Transit District Police Department appointed pursuant
11 to Section 28767.5 of the Public Utilities Code, if the
12 primary duty of the peace officer is the enforcement of
13 the law in or about properties owned, operated, or
14 administered by the district or when performing
15 necessary duties with respect to patrons, employees, and
16 properties of the district.

17 (b) Harbor or port police regularly employed and paid
18 as such by a county, city, or district other than peace
19 officers authorized under Section 830.1, and the port
20 warden and special officers of the Harbor Department of
21 the City of Los Angeles, if the primary duty of the peace
22 officer is the enforcement of the law in or about the
23 properties owned, operated, or administered by the
24 harbor or port or when performing necessary duties with
25 respect to patrons, employees, and properties of the
26 harbor or port.

27 (c) Transit police officers of a county, city, or district.

28 (d) Any person regularly employed as an airport law
29 enforcement officer by a city, county, or district
30 operating the airport or by a joint powers agency, created
31 pursuant to Article 1 (commencing with Section 6500) of
32 Chapter 5 of Division 7 of Title 1 of the Government
33 Code, operating the airport.

34 (e) Any railroad policeman commissioned by the
35 Governor pursuant to Section 8226 of the Public Utilities
36 Code.

37 SEC. 26. Section 830.34 is added to the Penal Code, to
38 read:

39 830.34. The following persons are peace officers
40 whose authority extends to any place in the state for the

1 not on duty: a parole officer of the Department of
2 Corrections or the Department of the Youth Authority, a
3 correctional officer employed by the Department of
4 Corrections or any employee of the Department of the
5 Youth Authority having custody of wards or any
6 employee of the Department of Corrections designated
7 by the Director of Corrections. A parole officer of the
8 Youthful Offender Parole Board may carry a firearm
9 while not on duty only when so authorized by the
10 chairperson of the board and only under the terms and
11 conditions specified by the chairperson. Nothing in this
12 section shall be interpreted to require licensure pursuant
13 to Section 12025. The director or chairperson may deny
14 or revoke for good cause a person's right to carry a
15 firearm under this subdivision. That person shall, upon
16 request, receive a hearing, as provided for in the
17 negotiated grievance procedure between the exclusive
18 employee representative and the Department of
19 Corrections, the Department of the Youth Authority, or
20 the Youthful Offender Parole Board, to review the
21 director's or the chairperson's decision.

22 (d) Persons permitted to carry firearms pursuant to
23 this section, either on or off duty, shall meet the training
24 requirements of Section 832 and shall qualify with the
25 firearm at least quarterly. It is the responsibility of the
26 individual officer to maintain his or her eligibility to carry
27 firearms off-duty.

28 SEC. 32. Section 830.6 of the Penal Code is amended
29 to read:

30 830.6. (a) (1) Whenever any qualified person is
31 deputized or appointed by the proper authority as a
32 reserve or auxiliary sheriff or city policeman, a deputy
33 sheriff, a reserve police officer of a regional park district
34 or of a transit district, or a deputy of the Department of
35 Fish and Game, and is assigned specific police functions
36 by that authority, the person is a peace officer; provided,
37 the person qualifies as set forth in Section 832.6, and
38 provided further, that the authority of the person as a
39 peace officer shall extend only for the duration of the
40 person's specific assignment. A transit district reserve

1 officer may carry firearms only if authorized by, and
2 under those terms and conditions as are specified by, his
3 or her employing agency.

4 (2) Whenever any qualified person is deputized or
5 appointed by the proper authority as a reserve or
6 auxiliary sheriff or city policeman, a deputy sheriff, or a
7 reserve police officer of a regional park district or of a
8 transit district, and is so designated by local ordinance or,
9 if the local agency is not authorized to act by ordinance,
10 by resolution, either individually or by class, and is
11 assigned to the prevention and detection of crime and
12 the general enforcement of the laws of this state by that
13 authority, the person is a peace officer; provided the
14 person qualifies as set forth in paragraph (1) of
15 subdivision (a) of Section 832.6, and provided further,
16 that the authority of the person shall include the full
17 powers and duties of a peace officer as provided by
18 Section 830.1, or in the case of a transit district reserve
19 police officer, the powers and duties which are
20 authorized in Section ~~830.4~~ 830.6.

21 (b) Whenever any person is summoned to the aid of
22 any uniformed peace officer, the summoned person shall
23 be vested with the powers of a peace officer as are
24 expressly delegated to him or her by the summoning
25 officer or as are otherwise reasonably necessary to
26 properly assist the officer.

27 SEC. 33. Section 830.7 of the Penal Code is amended
28 to read:

29 830.7. The following persons are not peace officers but
30 may exercise the powers of arrest of a peace officer as
31 specified in Section 836 during the course and within the
32 scope of their employment, if they receive a course in the
33 exercise of those powers pursuant to Section 832:

34 (a) Persons designated by a cemetery authority
35 pursuant to Section 8325 of the Health and Safety Code.

36 (b) Persons regularly employed as security officers for
37 institutions of higher education, recognized under
38 subdivision (a) of Section 94310.1 of the Education Code,
39 if the institution has concluded a memorandum of
40 understanding, permitting the exercise of that authority,

1 amended to read:

2 12820. (a) A district may employ a suitable security
3 force. The employees of the district that are designated
4 by the general manager as security officers shall have the
5 authority and powers conferred by subdivision ~~(i)~~ (a) of
6 Section ~~830.31~~ 830.34 of the Penal Code upon peace
7 officers. The district shall adhere to the standards for
8 recruitment and training of peace officers established by
9 the Commission on Peace Officer Standards and Training
10 pursuant to Title 4 (commencing with Section 13500) of
11 Part 4 of the Penal Code.

12 (b) Every security officer employed by a district shall
13 conform to the standards for peace officers of the
14 Commission on Peace Officer Standards and Training.
15 Any officer who fails to conform to these standards shall
16 not continue to have the powers of a security officer.

17 SEC. 44. Section 22558 of the Public Utilities Code is
18 amended to read:

19 22558. In addition to all other powers authorized by
20 this part, the Santa Maria Airport District may employ
21 airport policemen in accordance with ~~paragraph (17)~~ of
22 subdivision ~~(a)~~ (d) of Section ~~830.4~~ 830.33 of the Penal
23 Code.

24 SEC. 45. Section 30504 of the Public Utilities Code is
25 amended to read:

26 30504. The district is authorized to maintain a suitable
27 security force comprised of transit police officers and
28 security guards. Persons designated as transit police
29 officers are peace officers pursuant to Section ~~830.4~~ 830.33
30 of the Penal Code. The district shall adhere to the
31 standards for recruitment and training of peace officers
32 established by the Commission on Peace Officer
33 Standards and Training pursuant to Title 4 (commencing
34 with Section 13500) of Part 4 of the Penal Code in the
35 recruitment and training of its transit police officers.
36 Every transit police officer employed by the district shall
37 conform to the standards for peace officers of the
38 Commission on Peace Officer Standards and Training
39 and the commanding officer of the unit shall, not later
40 than July 1, 1979, (1) have at least 10 years of active law

1 enforcement experience in a capacity of employment
2 requiring peace officer status and (2) have met the
3 requirements for the advanced certificate of the
4 Commission on Peace Officer Standards and Training,
5 (3) have attended a POST-approved law enforcement
6 management course, and (4) have an associate of arts
7 degree or higher. Any such officer who fails to conform
8 to such standards by July 1, 1979 shall not continue to have
9 the powers of a peace officer.

10 SEC. 46. Section 25258 of the Vehicle Code is
11 amended to read:

12 25258. (a) An authorized emergency vehicle
13 operating under the conditions specified in Section 21055
14 may display a flashing white light from a gaseous
15 discharge lamp designed and used for the purpose of
16 controlling official traffic control signals.

17 (b) An authorized emergency vehicle used by a peace
18 officer, as defined in Section 830.1, subdivision (a), (b),
19 (c), (d), ~~(e)~~ (f), (g), or (h), or (i) of Section 830.2,
20 subdivision ~~(e)~~, ~~(g)~~, ~~(h)~~, (a) or ~~(i)~~ (b) of Section 830.31
21 830.32, and subdivision ~~(g)~~, ~~(j)~~ (a), (b), (c), or ~~(k)~~ (d) of
22 Section 830.4 830.32, and subdivision (a) of Section 830.34,
23 of the Penal Code, in the performance of his or her duties
24 may, in addition, display a steady or flashing blue warning
25 light visible from the front, sides, or rear thereof.

26 SEC. 47. Section 4313 of the Welfare and Institutions
27 Code is amended to read:

28 4313. The hospital administrator of each state hospital
29 may designate, in writing, as a police officer, one or more
30 of the bona fide employees of the hospital. The hospital
31 administrator and each such police officer have the
32 powers and authority conferred by law upon peace
33 officers listed in Section 830.4 830.2 of the Penal Code.
34 Such police officers shall receive no compensation as such
35 and the additional duties arising therefrom shall become
36 a part of the duties of their regular positions. When and
37 as directed by the hospital administrator, such police
38 officers shall enforce the rules and regulations of the
39 hospital, preserve peace and order on the premises
40 thereof, and protect and preserve the property of the

Mr. Luke Zill RECEIVED
TRANSIT POLICE

OCT 03 1988

LEGAL DEPARTMENT

JAMES P. BURGESS, CHIEF
SO. CALIF. RAPID TRANSIT DIST.

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

INTER-DEPARTMENTAL MEMORANDUM

DATE: September 30, 1988

TO: Chief James P. Burgess
FROM: Benjamin J. Sterling
SUBJECT: Off-duty Weapons for Transit Police

This Department has carefully reviewed your memorandum dated September 12, 1988 with the attached proposal concerning the authority of officers to carry weapons while off-duty.

As a result of that review, we must advise you that there has been no change in our several opinions to you on this subject.

It is also our opinion that we are not authorized to participate in the preparation of proposed legislation which would not significantly advance District statutory purposes. This would be particularly true where such proposed legislation could result in increased public liability and litigation exposure for the District as well as possible denial of workers' compensation benefits for off-duty injuries.

Your attention is directed to the fact that in the statutory language cited in the attachment to your memorandum, transit police officers are described as security officers, who are peace officers only while on duty.

Such security officers may also have the authority of peace officers under very limited circumstances only one of which specifically relates to District patrons or property.

The remaining off-duty circumstances are those which are most removed from the legitimate statutory purposes of the District. They could also expose you and your officers to the greatest risk of loss of workers' compensation benefits for off-duty injuries.

Benjamin J. Sterling
Benjamin J. Sterling
Senior Associate Counsel

BJS: gk

TD 91-5
F 5/80

File	
Chief	✓
Asst. Chief	SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT
CSA	
Cprns.	2
Admin.	3
Invest.	4
Serv. Inspc.	
Support	

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 425 SOUTH MAIN STREET
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 CHIEFS OFFICE

DO NOT INCLUDE MORE THAN ONE
 SUBJECT IN THIS COMMUNICATION

83 JUL 22 A 9:10

DATE: July 20, 1983

James P. Burgess

OM Richard T. Powers

BJECT: Attached Memorandum re: Weapons Carrying

This office recently received your memorandum of transmittal requesting comments regarding the attached memorandum signed by Mr. Mendoza of your department, and an article from the June 1983 issue of PORAC NEWS.

The issue of whether or not the District has the authority to prohibit off-duty transit police officers from carrying concealed weapons, or to allow them to do so, has been raised several times and has been the subject of several opinions from this office.

We have consistently concluded that the District does not have the authority to grant transit police officers authority to carry firearms off-duty nor may the District prohibit them from so doing if they otherwise have lawful authority to do so.

We have arrived at the same conclusion reached by the Attorney General as set forth in 65 Ops. Atty. Gen. 527 (#81-1216, September 3, 1982) which is cited in the PORAC NEWS article, ie., that the employing agency does not have the authority to prohibit or allow "§830.4" officers to carry concealed firearms while off duty. We do not however arrive at that conclusion for the same reasons.

The Attorney General's office, in analyzing the peace officer status of the persons described in §830.4, correctly, in our view, interprets the first sentence of the section, reading

"The following persons are peace officers while engaged in the performance of their duties in or about the properties owned, operated or administered by their employing agency or when they are required by their employer to perform their duties any where within the political subdivision which employs them."

as meaning that there are limitations as to time and space that such personnel are in fact peace officers. We totally agree with the Attorney General's opinion that the clear meaning of that language is that at times other than those specified such security personnel (transit police officers) are not peace officers.

July 20, 1983

We note a difference in the language of §830.4 which we believe is significant when compared to other statutes in Chapter 4.5 of the Penal Code.

§830.1 declares

"Any sheriff .. city policeman... is a peace officer. The authority of any such peace officer extends to any place in the state:..."

§830.2 declares

"The following [members of law enforcement sections of enumerated state agencies] are peace officers whose authority extends to any place in the state:..."

§830.3 declares

"The following [members of specialized boards and agencies of the state not usually associated in the public's eye as law enforcement personnel] are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty or when making an arrest pursuant to §836....

(Note: There are four categories of personnel under §830.3 who are, by legislative edict, forbidden to carry firearms.)

§830.31 declares

"The following persons...are peace officers whose authority extends to any place in the state for the purpose of performing their primary duty or when making an arrest pursuant to §836....

§830.5 declares

"The following persons [correctional, parole officers] are peace officers whose authority extends to any place in the state while engaged in the performance of the duties of their respective employment."

Each of the above sections declares without exception that the defined persons are peace officers with no limitation as to time or place. §830.4 however, does limit the defined persons to the time they are

"engaged in the performance of their duties in or about the properties owned, operated or administered by their employer..."

First, unlike all the other sections cited above, §830.4 in the second sentence declares

"Such officers (not peace officers) shall have the authority of peace officers anywhere in the state

[1] as to any offense with respect to persons or property the protection of which is the duty of such officers, or

[2] when making an arrest pursuant to §836 of the Penal Code..."

We note also in §830.3, although four categories of persons defined therein are peace officers when making an arrest pursuant to P.C. §836, the Legislature has specifically denied those persons the right to carry firearms.

We also note the statement by the Attorney General at p. 533

"We interpret the provision (such peace officers may carry firearms only if authorized ...by their employing agency) to be applicable only to employment related situations."

Subsequent to the time this Attorney General's opinion was issued, the Legislature amended P.C. §830.5, applicable to correctional, parole and probation officers by adding subsection (c) which reads in part

"(c The following persons [already defined as peace officers] may carry firearms while not on duty.

[1] A parole officer of the Department of Corrections or the Department of the Youth Authority, or

[2] A Correctional Officer employed by the Department of Corrections, or

[3] Any employee of the Department of the Youth Authority having custody of wards, or

[4] Any employee of the Department of Corrections designated by the Director of Corrections.

Nothing in this section shall be interpreted to require licensure pursuant to [P.C.] §12025...."

This quite obviously was in response to a prior Attorney General's Opinion, 64 Ops.Cal.Atty.Gen. 832, 837 which was that

"Nothing in this opinion is intended to detract from the right of a peace officer, as defined in §830.5, to seek a license under sections 12050-12054 to carry a concealable firearm, and, if licensed, to carry such firearm while not performing peace officer duties." (Emphasis supplied).

It is clear that the Legislature, having found it necessary to specifically permit §830.5 peace officers to carry weapons while off-duty, without the necessity of being licensed, has determined that such persons are not peace officers having blanket authority to carry such weapons pursuant to P.C. §12027. The only rational conclusion that can be reached is that without such legislative change those defined peace officers could not do so without a license.

This is in accord with our previously rendered opinion that if properly licensed to do so nothing prevents an off-duty transit police officer from carrying a concealed or loaded firearm. Moreover, that same opinion concluded that the words "peace officer" in §12027 would include a transit police officer while exercising the authority of a peace officer granted by the second sentence of §830.4. We find agreement on this issue in the Attorney General's opinion, p. 532.

We also note, pursuant to Labor Code §3600.2 that

"(a) Whenever any peace officer defined in Section 50920 of the Government Code is injured...[by virtue of exercising peace officer authority] but is not at the time acting under the immediate direction of his employer, he...shall [be considered to have been] acting under the immediate direction of his employer. Any injury [etc.] incurred under [these] circumstances...shall be deemed

July 20, 1983

to have arisen out of and been sustained in the course of employment for workers' compensation and all other benefits."

Gov. Code §50920 is very explicit and defines a "peace officer" as being

"[a] sheriff...constable...marshal...or policeman of a city or town, regularly employed and compensated as such...

We observe from the preceding code excerpts that the Legislature has decreed that certain "peace officers" are within the course and scope of their employment at any time subject to two basic exceptions, namely if the officer is acting for compensation for one other than his primary employer, and if the employer by charter, ordinance or departmental regulation expressly prohibits the activity giving rise to the injury. (Gov't Code §50920(b)(1), (2)).

Penal Code §830.4 peace officers are not included within the provisions of Labor Code §3600.2.

Responding directly to Mr. Mendoza's memorandum, there is no case law on the question whether off-duty security personnel may carry concealed firearms. People v. Derby (1960) 127 Cal.App.2d 626, 2 Cal.Rptr. 401, to which the article in PORAC refers, involved an on-duty CHP officer who made an arrest in a battery case.

Cervantes v. J.C. Penny Co. Inc. (1979) 156 Cal.Rptr. 198 and People v. Corey (1978) 147 Cal.Rptr. 639 were both cases involving city policemen who were moonlighting as private guards. The issue in Corey was whether a police officer while acting as a private guard would be considered a police officer for the purposes of P.C. §243 which provides for enhanced punishment for battery against a police officer. The issue in Cervantes was whether a police officer while acting as a private guard, extended to the merchant for whom he was working the authority of a peace officer to arrest on probable cause. The court concluded no in both cases.

The last paragraph of Mr. Mendoza's memorandum regarding days off and officers' records is unclear. If the reference to officers having taken days off because of off-duty incidents refers to situations wherein an officer had to go to court or make other appearances because of the off-duty exercise of peace officer authority, it is this department's opinion that what any off-duty District employee does on his own time is outside the purview of the District's control unless it would create a conflict of interest. Any employee of the District may effect a citizens arrest pursuant to §837 of the Penal Code. The authority

July 20, 1983

of a peace officer extends arrests with a warrant or without a warrant whenever he has "reasonable cause to believe" that a crime has been committed. P.C. §836. (See also Cervantez, supra, p. 204, fm. 4).

Although peace officers are granted authority to arrest on reasonable cause, if one of our transit police officers chooses to exercise peace officer authority independently and for non-District related business that is his responsibility and decision. If as a result of such action the officer is required to lose time from work to appear in court, etc., such is not the responsibility of the District.

If on the other hand the reference is to a disciplinary action taken as a result of an off-duty incident which substantially was in violation of the law or District policy each case would have to be judged on its own facts and merits and be subject to the disciplinary and grievance procedures set forth in the District-PORAC agreement.

This department is also concerned about the implications raised by paragraph 3 of the Mendoza memorandum, reading "[o]ther officers have been confronted numerous times by felony suspects that they have arrested while off-duty." We do not understand how, or why, members of our security department are becoming involved in "numerous" felony-suspect arrests while off-duty any more than would any other employee of the District.

In summary we agree with the ultimate conclusion by the Attorney General in Opinion 81-1215 that the District has no authority to permit or prohibit the carrying of concealed weapons by transit police officer employees of the District when such employees are off-duty. However, if a transit police officer elects to carry firearms while off-duty, and without having a permit therefor, it is our opinion that he is in violation of the law.

It is also our opinion that any employee of the security department would properly be subject to disciplinary action by the District if it is determined that he or she was carrying a concealed or concealable firearm off-duty without a permit therefor or otherwise having lawful authority to do so.

Therefore we recommend that the statement now required of transit police officers regarding the carrying of weapons off-duty continue to be signed. A sentence could be added thereto to provide for those situations wherein such officers otherwise have lawful authority, or a permit, to carry such weapons.

James P. Burgess

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July 20, 1983

Finally, we categorically disagree with the conclusions reached in the PORAC NEWS article of June, 1983 for the reasons stated in this opinion.



Richard T. Powers
General Counsel

RTP:gk

AUTHORITY OF TRANSIT POLICE OFFICERS

Transit Police Officers are Peace Officers pursuant to Section 830.4 (j) penal code which defines the following conditions:

1. While engaged in the performance of their duties in or about the properties owned, operated, or administered by their employing agency.

or

2. When they are required by their employer to perform their duties anywhere within the political subdivision which employs them.

or

3. Anywhere in the state as to an offense committed, or which there is probable cause to believe has been committed, with respect to persons or property the protection of which is their duty.

or

4. When making an arrest pursuant to Section 836 penal code as to any public offense with respect to which there is an immediate danger to person or property or of the escape of the perpetrator of the offense.

I understand that once off duty, I am not authorized to carry a gun, either concealed or exposed, unless I have obtained a concealed weapon permit, either through prior Law Enforcement service or through my local jurisdiction.

I also understand that any weapon carried by me must be registered with the Transit Police Department.

With my signature, I attest to having read, understand, and will comply with the aforementioned statement.

Date

Signature

DRAFT

TO: Robert S. Korach

FROM: Chief James P. Burgess

SUBJECT: Supreme Court Decision - Lopez -vs- SCRTD

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S.C.R.T.D.

In reviewing the decision, the issue in question was whether or not the District could claim immunity as a government entity from any lawsuits arising out of injury to passengers aboard its vehicles.

The California Supreme Court in its ruling held that the District is not entitled to the immunity under the Government Code Sections 845, 820, and 815.2, subdivision (b).

The issue that is to be retried is what, if any, liability the District has for injuries sustained to passengers aboard its vehicles from criminal action. In this instance, the allegation has been made that while plaintiffs were on board a RTD bus as fare-paying passengers, a group of juveniles began harassing other passengers and a violent argument ensued. The bus driver was notified of the altercation, but failed to take any precautionary measures and continued to operate said bus. The argument eventually escalated into a violent physical fight and plaintiffs were injured.

In the opinion, the Court makes numerous references to what the District can do regarding providing security for passengers aboard its vehicles. The opinion states carriers could have radio communication between the bus driver and local police or bus headquarters to enable the driver to call for assistance when needed, and buses could be equipped with alarm lights to alert nearby police or carrier personnel of criminal activity taking place on board the bus.

Since the District has already equipped the buses with silent alarms, outside warning lights, and flashing head and side signs alerting the need for police assistance, it would appear we have met at least this test.

The decision further goes on to state that bus drivers, especially those on routes with a history of criminal activity, should be trained to recognize and deal with potentially volatile situations. We currently have a program in effect that all new bus drivers are provided not only the information in their Operator's Handbook for dealing with emergency situations, but specific instructions from the Transit Police Department regarding how best to deal with volatile situations. Little, if any, follow-up on this particular training cycle is provided.

We could consider reinstating the informal Transit Police rap sessions at the Divisions to discuss problems of this nature.

One of the key assertions in the decision is the RTD bus driver, present on the scene and aware of a violent disturbance, did nothing to protect plaintiffs, but simply continued to drive the bus as if nothing was wrong.

It further points out that Section 2100 of the Civil Code, in essence, represents a decision by the legislature that bus drivers must act to protect passengers from assaults by fellow passengers, at least to the extent required by the exercise of utmost care and diligence and consistent with their personal care and safety.

It appears that it would be to our advantage to reemphasize to all bus operators the need for them to utilize the means at their disposal -- the emergency alarm system, the bus radio, etc. -- should there be an altercation aboard their buses. In the event an altercation does take place on the bus, bring the bus to a halt as soon as it can be safely accomplished, regardless of schedules, and open the doors to allow passengers at least the opportunity to leave the bus. This would minimize the liability exposure to the District and the driver. It may be that a driver's failure to act could expose him to a punitive damage claim.

In her concurring decision, Chief Justice Byrd states: "While the risk of crime is common to all citizens, the danger is enhanced for bus passengers who may be, in effect, sealed in a moving steel cocoon. They have no say as to who else may be admitted onto the bus and they may have no means of avoiding another passenger bent on attack. The means of summoning help and the means of escape may be in the exclusive control of the bus driver".

It is appropriate that a complete review of the driver's handbook be conducted regarding directions to summoning police assistance to aid passengers, and when it is appropriate to stop the bus and allow egress to all passengers.

JPB:bh

(1.81)(2)

MARC J. POSTER
ATTORNEY AT LAW
11661 SAN VICENTE BOULEVARD, SUITE 1015
LOS ANGELES, CALIFORNIA 90049
(213) 879-3795

January 14, 1986

Mr. Richard T. Powers
Ms. Suzanne B. Gifford
Office of General Counsel
Southern California Rapid Transit District
425 South Main Street
Los Angeles, California 90013

Re: Lopez v. Southern California Rapid Transit District

Dear Counsel:

This is my preliminary report on the California Supreme Court's decision in Lopez v. SCRTD which concerns the liability of SCRTD for injuries to a bus passenger suffered in an assault by a fellow passenger. Rejecting the arguments we made on behalf of SCRTD, the decision holds that SCRTD may be liable as a common carrier for such an assault. The decision illustrates the continuing judicial expansion of liability for governmental entities for the crimes of others.

1. What The Case was About.

Carmen Lopez and members of her family filed an action for damages against SCRTD in superior court. According to their complaint, they were paying passengers on an SCRTD bus. There was a history of violence on this particular bus route. A group of juveniles began harassing passengers, and a violent argument ensued. The driver was notified of the altercation but failed to take any precautionary measures. While the driver continued to operate the bus, the argument escalated into a violent physical fight and the plaintiffs were injured.

SCRTD moved to dismiss the action on the ground that, assuming all the facts alleged in the complaint were true, the law would still not hold SCRTD liable for the plaintiffs' injuries. SCRTD contended that it should not be responsible for preventing assaults by third persons on its buses, and even if it could be responsible, the Legislature has granted immunity to public entities from liability for losses caused by the failure to provide adequate police protection services or by a discretionary decision not to take crime-fighting action. The superior court agreed that SCRTD was immune from liability and dismissed the action.

Mr. Richard T. Powers
Ms. Suzanne B. Gifford
January 14, 1986
Page Two

2. What the Supreme Court Decided.

The Supreme Court reversed the superior court's ruling and held that if the facts alleged by the plaintiffs were true, SCRTD could be liable for the injuries. The Supreme Court overruled two decisions of intermediate appellate courts in other cases which had exonerated SCRTD in similar circumstances.

The Supreme Court explained that SCRTD was a "common carrier", an entity which transports persons for a fee. By state statute, a common carrier is bound to use utmost care and diligence for the safe transportation of passengers. By judicial decision, this duty of utmost care includes protection of passengers against assaults by fellow passengers. The same duty of care applies to public, as well as private, common carriers.

The Supreme Court also ruled that, although the Legislature had created specific immunities from liability for public entities in cases involving failure to provide police protection services and certain discretionary acts, the alleged facts did not necessarily invoke these immunities.

The Supreme Court did not hold SCRTD liable without fault for third-party assaults on passengers. The Court emphasized that "carriers are not insurers of their passenger's safety and will not automatically be liable, regardless of the circumstances, for any injury suffered by a passenger at the hands of a fellow passenger. Rather, the carrier is liable for injuries resulting from an assault by one passenger upon another only where, in the exercise of the required degree of care, the carrier has or should have knowledge from which it may reasonably be apprehended that an assault on a passenger may occur, and has the ability in the exercise of that degree of care to prevent the injury." The Court explained that ejecting unruly passengers or summoning police are precautionary steps which a bus driver could take, consistent with his or her own personal safety, which might prevent assaults and which do not rise to the level of providing police protection services or exercising discretion at the policy-making level.

Mr. Richard T. Powers
Ms. Suzanne B. Gifford
January 14, 1986
Page Three

3. What the Supreme Court Did Not Decide.

The Supreme Court declined to decide if or in what circumstances the statutory immunities for police protection services and for discretionary actions would apply to SCRTD. It left for another day the decision whether or not in some circumstances SCRTD might have a duty to post armed guards on its buses.

4. What the Supreme Court's Decision Means to SCRTD.

The Supreme Court's decision thus does not necessarily require substantial alteration in day-to-day operation of SCRTD buses. SCRTD's present policy is to take due care, consistent with financial constraints and the personal safety of its drivers, to protect passengers from assaults by fellow passengers. Drivers are instructed how to respond to potentially violent situations, and they may eject unruly passengers or summon the police by radio or flashing lights.

On the other hand, the Supreme Court's decision will affect day-to-day conduct of litigation with SCRTD. It opens the door to more lawsuits by passengers injured in altercations with fellow passengers. SCRTD, of course, is seen by plaintiffs as a "deep pocket" which, under the rule of joint liability, is responsible for all of a plaintiff's damages even if it is only minimally responsible for causing those damages. Even if these additional lawsuits prove to be without merit, and most of them will, they now will have to be litigated beyond the pleading stage to establish the non-liability of SCRTD.

The full impact of the Supreme Court's decision will be measured over time as future individual cases are decided by courts and juries. They will decide whether SCRTD policies are reasonable in all the circumstances, as SCRTD believes those policies are.

5. What the Supreme Court's Decision May Mean to Other Public Entities.

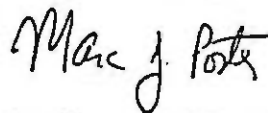
The Supreme Court's decision focuses on the liability of public common carriers. The same ruling would apply not only to bus companies, but to other forms of public transportation such as subways, cable cars, trains, and jitneys.

Mr. Richard T. Powers
Ms. Suzanne B. Gifford
January 14, 1986
Page Four

However, the decision may have an indirect impact on the liability of public entities which are not common carriers. One section of the decision discusses the "special relationship" between a common carrier and its passengers as a basis of liability. It gives other examples of "special relationships", including that between the possessor of property and visitors on the property. Thus, although not held to the same standard of "utmost" care of a common carrier, any public entity may be responsible for assaults on visitors to its property by third persons if the public entity has not taken reasonable precautions against the foreseeable danger of such attacks. Indeed, in one case against a community college, the Supreme Court has held that the college could be liable to a student who was assaulted in a campus parking lot where the condition of the property was conducive to such assaults and the college knew of the danger but did not protect or warn the student.

The trend of the law, under the guidance of the present Supreme Court, is thus toward holding public entities liable much as private persons or entities would be in similar circumstances for crimes committed by third persons. If the costs prove to outweigh the benefits of such expanded liability, relief for public entities such as SCRTD may come only with a significant change in the philosophy of the courts or in direct action by the Legislature.

Respectfully submitted,



MARC J. POSTER

MJP/rw



This letter was sent to the police jurisdictions (checked) on the attached list (August 3-4-5, 1983)

The Transit Police Department of the Southern California Rapid Transit District, in conjunction with the Los Angeles Police Department and the Los Angeles Sheriff's Department, have developed formal agreements which define the role and responsibilities of each agency.

In an effort to standardize operations with all the police jurisdictions in the District's service area, we have prepared a model Departmental policy for use by other agencies. This policy represents the areas of concern expressed by the Los Angeles Police Department and the Los Angeles Sheriff's Department.

I'm sure that you can appreciate the challenge facing our officers who must perform their duties in the many jurisdictions throughout our service area. It is, therefore, important that a common policy be agreed upon by each agency. The recommended procedure is a guideline and subject to modification to suit each agency's individual needs. The general intent is to expose your officers to the existence of the Transit Police Department and to avoid any conflict should the occasion arise where Transit Police Officers take enforcement action in your community.

I hope you will consider incorporating this policy in your Operations Manual.

I appreciate the cooperation and assistance rendered in the past. If you have any questions regarding the enclosed policy, please feel free to contact me at 972-6234.

Sincerely,

James P. Burgess
Transit Police Chief

Attachment

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

DATE DECEMBER 23, 1982

OFFICE CORRESPONDENCE

FILE NO.

FROM: RICHARD T. FREEMAN, CHIEF
HARRY S. HANSEN, CHIEF
JERRY L. HARPER, CHIEF
FIELD OPERATIONS DIVISIONS

TO: STATION COMMANDERS
FIELD OPERATIONS DIVISIONS

SUBJECT: SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT POLICE
INTER-AGENCY OPERATIONS POLICY

In a spirit of cooperation and to minimize duplication of efforts, we will work with the Southern California Rapid Transit District Police Department as we do with other specialized agencies with concurrent jurisdiction, such as the Los Angeles County Park Patrol and the California Highway Patrol in non-traffic matters. In view of our responsibility for the total policing of our jurisdiction, it will be useful to consider SCRTD field units as a supplement to our efforts within their specific area of concern. Since we retain responsibility for all matters following an arrest by such agencies, it is desirable that an SCRTD field unit making an arrest in our jurisdiction follow through with the same standards of arrest review, booking, evidence handling and reporting, utilizing the same policies and procedures as would a field unit of this Department. This should aid our investigators and court deputies in their subsequent processing of cases originated by the SCRTD.

In addition to the economies and efficiencies of this cooperative approach, concern for morale and effectiveness is enhanced by avoiding instances of SCRTD officers merely acting as informants in locating matters to which our units are summoned for handling.

We enjoy a completely cooperative relationship with the SCRTD police. The following guidelines conform to the manner in which we have been mutually working since they achieved peace officer status. They are stated for the benefit of units whose contacts with them are infrequent.

Citation, bail and other release policies for persons arrested by SCRTD shall be the same as those for persons arrested by LASD personnel.

Reporting

Routine reports without workable information and not requiring immediate investigative follow-up will be prepared by SCRTD officers, forwarded to the appropriate station and processed per Manual of Policy and Procedures case assignment. When any question arises in the mind of an SCRTD officer as to the above, he will bring it to the immediate telephonic attention of the appropriate LASD Watch Sergeant. Decisions as to handling, reporting and follow-up will be made by the Watch Sergeant.

A copy of all original and supplemental reports written by members of this Department describing incidents occurring on SCRTD property or conveyances shall be forwarded to the SCRTD Police Department.

Citations written by SCRTD officers will be processed and handled to conclusion by the SCRTD Police Department without involvement of the Sheriff's Department.

Criminal Investigation

As with other limited function or limited concurrent jurisdiction policing agencies, investigation and case filing of all reported incidents shall remain the responsibility of the Sheriff's Department. Individual investigators may utilize the technical assistance of SCRTD officers when offered or when available.

Vehicle Towing

SCRTD requests for tow trucks will be made to the appropriate station which will dispatch the tow service consistent with Department procedures.

Follow-up procedures involving vehicles towed by SCRTD officers shall remain the sole responsibility of the SCRTD Police Department. Station Watch Commanders may provide technical assistance in such matters as requested by SCRTD personnel.

Citizen complaints arising out of vehicle towing shall be referred to SCRTD.

Thomas

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 20

DECEMBER 17, 1982

SUBJECT: DEPARTMENT PROCEDURES CONCERNING TRANSIT POLICE OFFICERS
OF THE SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

A substantial portion of the area serviced by the Southern California Rapid Transit District is geographically located within the boundaries of the City of Los Angeles, and its properties are policed by personnel of this Department as well as Transit Police Officers. To eliminate duplication of public safety services, the law enforcement responsibilities of the Transit Police are delineated.

This Order describes Department responsibilities concerning crime reporting, arrest, and booking procedures involving law enforcement activities of Transit Police Officers of the Southern California Rapid Transit District (SCRTD).

PROCEDURE:

- I. **SCRTD, TRANSIT POLICE OFFICERS, POWERS OF ARREST.** Transit Officers are peace officers when on duty and may make arrests, conduct investigations, and complete reports involving routine criminal matters as may be necessary to protect the personnel and property of the SCRTD.
- II. **INVESTIGATIVE RESPONSIBILITIES.** The responsibility for conducting *all* follow-up investigations, including misdemeanor follow-up and those cases involving juveniles, shall remain with the Department. The Department shall conduct *both* the preliminary and the follow-up investigation of any complex felony crimes, crimes of violence involving the use of any weapon, and crimes involving the loss of property worth more than \$1000, occurring in the City of Los Angeles.

Note: SCRTD conveyances shall not be unnecessarily delayed to investigate any incident.

If at the scene, Transit Police Officers will conduct all other preliminary investigations and complete reports of crimes occurring on SCRTD property or conveyances.

III. **REPORTING PROCEDURES.**

A. **Department Supervisor's Responsibilities.**

DR Number Issuance and Report Approval. All Transit Police reports shall be approved by a supervisor of this Department prior to acceptance. The approving supervisor shall ensure that appropriate DR numbers are obtained from the concerned Area records unit, or Vehicle Information Processing Unit, Records and Identification Division (R&I), by the Transit Police Officers after report approval.

Note: Transit Police forms are similar to Department reports and shall be processed in accordance with Department procedures.

B. **Records Unit Responsibilities.** Records unit personnel shall distribute Transit Police reports in accordance with the normal distribution *plus* one copy to the SCRTD, Transit Police Department.

C. **SCRTD Responsibility.** Crimes investigated by Transit Police Officers will be reported to this Department on Transit Police report forms within 24 hours of the completion of the report.

Exception: Crime reports requiring immediate teletype transmission will be delivered to the concerned geographic Field Services Division watch commander immediately upon completion.

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DECEMBER 17, 1982

IV. ARREST PROCEDURES.

Arrest-Department Responsibilities. When an arrest is initiated by Transit Police Officers, Department personnel shall assume responsibility for the follow-up investigation of the crime. The Transit Police Officer involved will complete the booking, arrest and other related reports.

V. BOOKING OF TRANSIT POLICE OFFICERS' ARRESTEES. The Los Angeles Police Department shall furnish jail facilities for adult prisoners arrested within the City of Los Angeles by Transit Police Officers.

Note: Adult and juvenile arrests initiated by Transit Police which require transportation to an outside custodial facility shall be the responsibility of the Transit Police Officers initiating the arrest.

All bookings made by Transit Police Officers shall be approved by a Department investigating officer or Field Services Division watch commander. Department personnel providing booking approval shall ensure that the arresting Transit Police Officers provide juvenile arrest and booking information to the Area/division teletype operator within 30 minutes of obtaining the booking number.

Excess personal property of such arrestees shall be accepted by this Department.

A. Department Supervisor's Responsibilities.

1. **Improper Arrests.** When a supervisor of this Department becomes aware that an arrest effected by a Transit Police Officer is improper, he shall request that a supervisor from the Transit Police immediately review the matter. It shall be the responsibility of the concerned supervisor of this Department to make the final determination on accepting custody of an arrestee.
2. **Juvenile Booked as an Adult.** When it is learned that a person under the age of 18 years has been booked as an adult by officers of the Transit Police, the concerned supervisor of this Department shall, without delay, cause the juvenile to be segregated from adult prisoners and notify the concerned investigating officer, and, if applicable, the Transit Police. Processing of the juvenile shall then be the same as set forth by Section 4/705.62 of the Department Manual.
3. **Prisoner Complaints of Misconduct.** In any case where a prisoner complains of misconduct by an employee of the Transit Police Department, the concerned Department supervisor shall notify the supervisor in charge of the concerned Transit Police employee. When misconduct constituting a crime is alleged against the officer, the concerned supervisor of this Department shall ensure that the appropriate crime report is taken, and complete an Employee's Report Form 15.7, describing the allegation. The Employee's Report and a copy of the crime report shall be forwarded to the reporting supervisor's commanding officer, who shall ensure that copies of both reports are forwarded to the Commanding Officer, Internal Affairs Division. The Commanding Officer, Internal Affairs Division, shall forward copies of both reports to the Chief of the Transit Police Department. The original crime report shall be processed in the normal manner.

B. Department Jailer Responsibility.

1. **Booking Information.** When an arrestee is booked by Transit Police Officers, the Department jailer shall include the following information on the Booking and Identification Record, Form 5.1:

DISTRIBUTION "A"

DECEMBER 17, 1982

- * In the box entitled "DIV. & DETAIL ARRESTING", insert "SCRTD", as appropriate;
 - * In the box entitled "CHARGE", following the inserted charge, add the arraignment court;
 - * In the box entitled "ARRESTING OFFICER", insert the name and identifying number of the arresting officer, followed by "SCRTD".
2. Prisoner Arraignment. The jailer having custody of a prisoner booked by Transit Police Officers shall cause the prisoner to be transported to and arraigned at the proper court as an "SCRTD case".
- C. Transit Police Medical Treatment Responsibility. Prior to the booking of a sick or injured person at a Department facility, the arresting Transit Police Officers shall provide evidence of medical treatment and medical authority to book the arrestee to the approving supervisor of this Department.
- VI. EVIDENCE AND PROPERTY PROCEDURES. Officers of the Transit Police shall be permitted to book evidence and property into custody of this Department. When Transit Police book evidence and property into the custody of *their* own Department they shall be responsible for the disposition of the evidence and property to the same extent as officers of this Department. Department officers accepting custody of a Transit Police arrestee shall assume responsibility for the custody of and follow-up for all evidence and property associated with the arrest.

When property or evidence is booked, the concerned Transit Police Officer shall be given one copy of the Receipt for Property Taken into Custody, Form 10.10.

- A. Gas Chromatograph Intoximeter Tests. Gas Chromatograph Intoximeter tests required for a Transit Police investigation shall be provided by a qualified Transit Police Officer or an officer of this Department.

Note: When a Transit Police employee is not qualified to administer the Gas Chromatograph Intoximeter tests, and the tests are administered by a Department employee, these tests shall be witnessed by the concerned Transit Police employee.

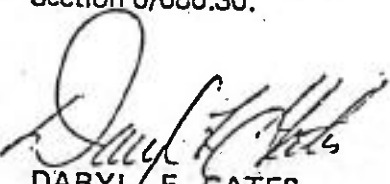
Expert testimony in court relative to the Gas Chromatograph Intoximeter shall be provided by the Los Angeles Police Department.

- B. Fingerprint Investigation. Fingerprint investigation required for Transit Police investigations within the City shall be provided by Scientific Investigation Division.

Exception: Developing and lifting of latent prints *may* be conducted by qualified Transit Police Officers.

AMENDMENTS: This Order adds Sections 3/416, 3/416.05, 4/203.27, 4/219.45, 4/510.36, 4/606.08, 4/675.38, 5/094 and amends Sections 4/212.44, 4/550.30, 4/604.20, 4/648.10, 4/648.20 and 4/705.62 of The Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Operations-Headquarters Bureau, shall monitor compliance with this directive in accordance with the provisions of Department Manual Section 0/080.30.



DARYL F. GATES
Chief of Police

DISTRIBUTION "A"

SUPPLEMENTAL FACT SHEET

Confusion of reporting procedures and responsibilities for investigation of certain crimes, dictates the necessity for further clarification and the following examples of when Transit Police Officers will handle the preliminary investigation and complete reports of crimes occurring on Southern California Rapid Transit District property or conveyances.

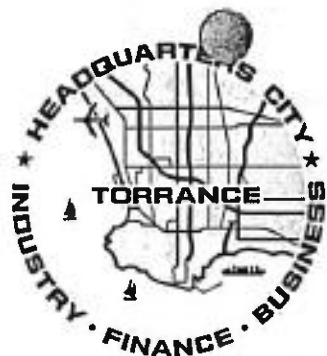
Example No. 1: A suspect has forged a SCRTD monthly bus pass and has been arrested by Transit Police Officers. In this example Transit Police Officers shall complete the necessary preliminary investigation, complete all necessary reports relating to the forgery arrest, and book the suspect in the appropriate Department jail facility.

Example No. 2: A battery has occurred aboard a SCRTD bus and a 77th Unit has been dispatched to handle the investigation. When the 77th Unit arrives at the location, they do not observe any Transit Police Officers at the scene. The Los Angeles Police Department officers shall immediately begin the preliminary investigation of the call for service and complete the necessary reports for the investigation.

Example No. 3: A 390-Down has occurred aboard a SCRTD bus and a Wilshire Unit arrives, they observe Transit Police Officers *are* at the scene of the crime. In this example, Transit Police Officers are responsible for conducting the preliminary investigation and completion of all necessary reports relating to the crime.

Officers of this Department should remember that if an investigation does not involve a complex felony crime, crime of violence involving the use of *any* weapon, or a crime involving the loss of property worth more than \$1000, occurring in the City of Los Angeles, and Transit Police Officers are *at the scene* of the occurrence, Transit Police shall be responsible for the investigation and all related reports. However, officers of this Department shall not delay any investigation awaiting the arrival of a Transit Police Officer. Any necessary assistance in arrest, transportation, or booking and property procedures, shall be provided by officers of this Department.

POLICE DEPARTMENT
DONALD E. NASH
POLICE CHIEF



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TRANSIT POLICE DEPT.
S.C.R.T.D.

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CHIEFS

CITY OF TORRANCE

3300 CIVIC CENTER DRIVE, TORRANCE, CALIFORNIA
TELEPHONE (213) 328-3456 90503-5056

83 NOV 18 24 00

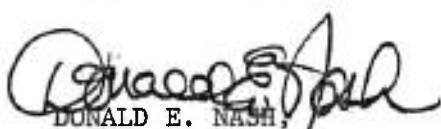
November 16, 1983

Chief James P. Burgess
Transit Police Department
425 South Main Street
Los Angeles, California 90013

Please find enclosed a recent Torrance Police Department Staff Order that outlines our policy governing the interface between our two departments.

As you will see, we borrowed heavily from the draft document that you sent us in your letter of 05 August 1983. We do not anticipate any problems, but if any should occur I am certain that our respective staffs will be able to resolve the problem in a professional and timely manner.

If there is any way that I, or my Department, may be of any further assistance to you don't hesitate to contact me.


DONALD E. NASH,
CHIEF OF POLICE

TORRANCE POLICE DEPARTMENT

STAFF ORDER #83-13

16 NOV 83

TO: ALL PERSONNEL
FROM: DONALD E. NASH, CHIEF OF POLICE
SUBJECT: POLICY: SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT POLICE


It is the policy of the Torrance Police Department to fully cooperate with the Southern California Rapid Transit District (SCR TD) Police (Transit Police). Transit Police Officers are authorized to make arrests pursuant to sections 830.4 and 836 of the Penal Code. Transit Police are normally responsible for the protection of life and property on, or within, SCR TD property. Transit Police shall conduct initial investigations of crimes occurring on SCR TD property within the City of Torrance, but the Torrance Police Department shall retain overall jurisdiction and conduct any crime scene investigation, or follow-up investigation necessary.

REPORTS. Transit Police shall be responsible for the correct completion of all crime and arrest reports, and for booking their prisoners into the Torrance Jail. All crime and arrest reports shall be made on TPD forms, issued Torrance DR numbers, and be approved by the Torrance Watch Commander. Reports shall be processed in accordance with existing TPD policy and procedures, except Records Division shall make and forward one copy of each relevant document to the Transit Police Headquarters.

BOOKING. Transit Police shall book their prisoners into the Torrance Jail in accordance with existing TPD policy and procedure, and prisoners shall be handled as if arrested by a Torrance Officer. The Watch Commander is not required to approve any questionable arrests (he should confer and review the matter with a Transit Police supervisor), or accept any Transit Prisoner who requires, or appears to require, medical attention or aid. The Arresting Officer block on the Booking Report shall indicate the SCR TD Transit Police Officer's name, serial number, and agency. Transit Officers shall be given a copy of a receipt showing all property and evidence booked into TPD custody for each Transit Prisoner.

If there is any question as to whether a Torrance Officer, or a Transit Officer should handle any given incident, the question shall be resolved giving the Torrance Officer jurisdiction. Normally Transit Officers on the scene will be clearly able to handle the incident, and should be allowed to perform their function. Torrance Officers should not unnecessarily delay a SCR TD vehicle.

With the increased emphasis on use of Rapid Transit systems as an alternative to private vehicles, the number of occasions where Torrance Officers come into contact with Transit Officers is likely to increase. The good relationship that has characterized the Torrance - CHP interface is expected to form the pattern of our future relationship with the Transit Police.


DONALD E. NASH,
CHIEF OF POLICE



6326 PINE AVENUE, BELL, CALIFORNIA 90201 • Telephone 588-6211

FRANKLIN D. FORDING, CHIEF

83 OCT 3 P 3: 03

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CHIEFS OFFICE

September 30, 1983



POLICE DEPARTMENT

Chief James P. Burgess
Transit Police
425 South Main Street
Los Angeles, CA 90013

Dear Chief Burgess:

I would like to thank you for sending me your model departmental policy, which we have incorporated in our department's operational manual.

I would like to commend you and members of your staff for producing an extremely well written policy. I believe that by adopting policy, it will not only assist your agency but mine as well.

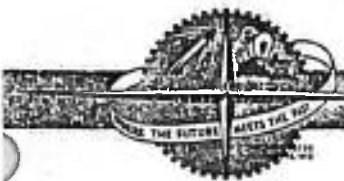
If I can be of any further assistance, please feel free to call upon me at any time.

Sincerely,

F. D. Fording
F. D. Fording
Chief of Police

FDF:bp

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Asst. Chief		<input type="checkbox"/>
Oprns.		<input type="checkbox"/>
Admin.		<input type="checkbox"/>
Invest.		<input type="checkbox"/>
Serv. Inspc.		<input type="checkbox"/>
Support		<input type="checkbox"/>



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CHIEFS OFFICE

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CITY OF EL MONTE RECEIVED

CITY HALL • 11333 VALLEY BOULEVARD
EL MONTE, CALIFORNIA 91734
TELEPHONE (213) 575-2225

MAY 2 1983

GENERAL MANAGER
S.C.R.T.D.

ADMINISTRATIVE OFFICER/EXECUTIVE DIRECTOR
COMMUNITY REDEVELOPMENT AGENCY
L. C. (LARRY) BEVINGTON
ASSISTANT ADMINISTRATIVE OFFICER
LEONARD THERRIEN
ADMINISTRATIVE ASSISTANT
GRACE T. BLACK

April 29, 1983

John A. Dyer, General Manager
So. California Rapid Transit
District
425 So. Main Street
Los Angeles, CA 90013

TRANSIT

MAY 05 1983

POLICE

Subject: District Letter of March 25, 1983

Dear Mr. Dyer:

Your letter of March 25, 1983 has been reviewed, and it accurately expresses the operating conditions which should be followed at the El Monte Terminal. We all recognize the budgetary restrictions and problems of today and the possibility that they may change at any time, forcing a review/reconsideration.

The City appreciates the cooperative attitude of the District Transit Police during the review of this problem. The safety of citizens while they are in the City of El Monte is a matter of primary concern to all of us and we will do everything possible to cooperate in protecting their safety.

Please feel free to call me directly if there are matters of concern which we should discuss.

Sincerely,

L. C. Bevington
Administrative Officer

LCB:caf

cc: Police Chief Wayne Clayton

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MAY 4 1983

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Owns.	<input type="checkbox"/>
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Invest.	<input type="checkbox"/>
Serv. Inspc.	<input type="checkbox"/>
Support	<input type="checkbox"/>

Visit Friendly El Monte



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CHIEFS OFFICE

John A. Dyer
General Manager

MAR 25 1983

Mr. Larry C. Bevington, Administrative Officer
City of El Monte
11323 Valley Boulevard
El Monte, California 91734

Dear Mr. Bevington:

We have reviewed the El Monte City Council action pertaining to policing responsibility at the Southern California Rapid Transit District facility located in your City. In an effort to clarify any misunderstanding, there are a couple of comments we would like to make on the Council action.

The Proposition A monies received by the District are required to be used to subsidize a reduced fare and are not available for expansion of our Transit Police operations. This subsidy will expire in 1985, at which time we will be making some critical budget decisions affecting District service. We have enclosed a copy of Proposition A which explains the limitations on the uses of these monies.

Representatives of our Transit Police met with Chief Clayton and Assistant Chief Wiles of your Police Department and developed a general understanding of City and District security arrangements. We are currently exploring ways to utilize our limited resources to accommodate this increased responsibility. Our Transit Police were not intended to have primary policing jurisdiction in any portion of our service area. Rather, we have concurrent jurisdiction and supplement local agencies relative to transit related incidents. We are, therefore, not equipped to handle complex follow-up investigations, input information into state computer systems, or report crime statistics to the state as required by law. We have relied on the local police jurisdiction to perform these functions.

Our experience with this mutually agreed upon procedure throughout our service area has been that the District relieves local agencies of a substantial portion of preliminary response and reporting time. This allows them additional man-hours for other police activities. However, given our large service area (2,200 square miles) and our limited police resources, we must deploy personnel to those lines which are experiencing a disproportionate number of criminal incidents.

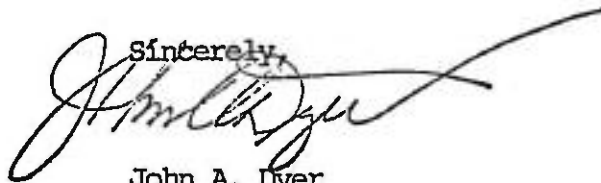
Larry C. Bevington
Page Two

We are confirming our understanding that the El Monte Police Department has primary jurisdiction for crimes committed within the El Monte Terminal. In cases at the Terminal, they will respond to emergency situations, conduct follow-up investigations of reports and arrests and maintain statistical information and handle other incidents occurring at the terminal which require computer input to the state. The Southern California Rapid Transit District will provide the following services to the best of its ability at the El Monte Terminal:

- o All routine patrol and nonemergency services
- o All parking enforcement
- o Traffic accident investigations with the exception of injury or major damage
- o Internal investigations except those requested by the District to be conducted by the El Monte Police Department.

The District is concerned about the safety of patrons using our service. We anticipate that the past cooperation of the City of El Monte will continue toward this objective. If there are any areas of misunderstanding relative to security responsibility at the El Monte Terminal, please contact my office.

Sincerely,



John A. Dyer

Attachment

HLB:bh



JAMES H. JOHNSON
CHIEF OF POLICE

RECEIVED
TRANSIT POLICE DEPT.
City of El Segundo

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CHIEFS OFFICE

EL SEGUNDO POLICE DEPARTMENT
83 DEC 7 10 51 AM '83
348 MAIN STREET
EL SEGUNDO, CALIFORNIA 90245
(213) 322-9114

December 5, 1983

Mr. James P. Burgess
Transit Police Chief
Southern California Rapid Transit District
425 South Main Street
Los Angeles, CA 90013

Dear Chief Burgess:

On August 5, 1983, you wrote and asked me to consider the adoption of a policy which in effect recognizes the responsibilities and authority of the officers of your command. The draft policy also identifies interagency responsibilities.

I certainly appreciate your concern that such authority be recognized and formalized by a process. However, I am not certain that our mutual objectives will be achieved by the El Segundo Police Department adopting the aforementioned policy. The Penal Code establishes the peace officer authority of transit police officers, and I don't think that the concerned policy is necessary for our purposes.

A better alternative may be for my training manager to utilize the material contained in the draft material and disseminate it as part of a training process. I am sure that there is some uncertainty on the part of our officers as to the role of transit police officers, and the draft policy clearly addresses that.

We have no problem in working with your personnel in regard to joint investigations, and, as a matter of procedure, see no difficulty in transit police officers conducting preliminary investigations if they are in a position to do so. Additionally, our jail facility will accept bookings resulting from arrests made by transit police officers.

In closing, I anticipate that our past good working relationships will continue and we will make ourselves available to assist you in any way that we can.

Sincerely,

J. H. JOHNSON
Chief of Police

JHJ:aj

File	BH	U
Chief		
Asst. Chief		
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Admin.		
Invest.		
Serv. Inspc.		
Support		

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TRANSIT POLICE DEPT.
S.C.R.T.D.



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CHIEFS OFFICE

City of GLENDALE

CALIFORNIA

POLICE DEPARTMENT

140 N. Isabel St.
Glendale, CA 91206
Telephone: (213) 956- 4940

October 17, 1983

Chief James P. Burgess
Southern California Rapid Transit District
425 S. Main Street
Los Angeles, California 90013

Dear Chief Burgess:

Thank you for providing this department with a copy of your model departmental policy statement for our review.

The challenges to you and your officers, as you traverse many jurisdictions in southern California, are well appreciated. The development of a common policy for use by the widely varying police agencies within your service area is a monumental task, and your efforts in that regard may be commended.

Fortunately, in the City of Glendale, since 1964, we have responded to only 78 incidents involving SCRTD conveyances. Of those, only 8 involved circumstances other than traffic collisions. Our existing departmental policies address intra-agency cooperation on all matters of mutual concern. Our position, therefore, is that we will respond to any SCRTD related crime as we would any other reported incident in the community. If your officers need to make a separate report of the incident, we will provide whatever assistance we can.

I look forward to our continued cooperative relationship.

Sincerely,

David J. Thompson
Chief of Police

File	
Chief	
Asst. Chief	
.	
Oprns.	
Admin.	
Invest.	
Serv. Inspc.	
Support	



RECEIVED
 TRANSIT POLICE DEPT.
 S.C.A.
 CITY OF INGLEWOOD CALIFORNIA

ONE MANCHESTER BOULEVARD / P.O. BOX 8500 / INGLEWOOD, CALIF. 90301

03 AUG 19 2:50

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 copy of order also
 H*

ADDRESS ALL COMMUNICATIONS:
 JOSEPH T. ROUZAN, JR.
 CHIEF OF POLICE

August 16, 1983

Chief James P. Burgess
 Southern California Rapid
 Transit District
 425 So. Main Street
 Los Angeles, CA 90013

Dear Jim:

In response to your correspondence of August 5, we are putting out a special order which endorses your recommendation as it relates to procedures concerning transit police officers and their authority and responsibilities in our city.

With only minor changes to your draft we have adopted the entire concept. I might commend you on a fine document; I find it very workable and it should satisfy both agencies.

I appreciate the opportunity to work with you, and hope that we can continue to maintain this very positive, effective, and efficient relationship.

Sincerely,

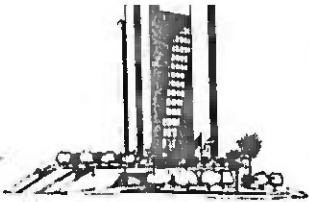
J.T. Rouzan
 JOSEPH T. ROUZAN, JR.
 Chief of Police

File	✓
Chief	
Asst. Chief	
CSA	
Comm.	1
Admin.	
Invest.	2
Serv. Inspec.	
Support	3

JOSEPH T. ROUZAN, JR.
 Chief of Police



TELEPHONE:
 213 / 649-7200



CITY OF LONG BEACH

RECEIVED
CHIEFS OFFICE

400 WEST BROADWAY • LONG BEACH, CALIFORNIA 90802 • (213) 590-7260

CHARLES B. USSERY
CHIEF OF POLICE

Ref. 4.0

September 21, 1983

James P. Burgess, Transit Police Chief
Southern California Rapid Transit District
425 S. Main Street
Los Angeles, CA 90013

File	<input checked="" type="checkbox"/>
Chief	<input checked="" type="checkbox"/>
Asst. Chief	<input type="checkbox"/>
	<input type="checkbox"/>
Ops.	<input type="checkbox"/>
Admin.	<input type="checkbox"/>
Invest.	<input type="checkbox"/>
Serv. Inspc.	<input type="checkbox"/>
Support	<input type="checkbox"/>

Dear Chief Burgess:

In response to your request for a concurrent jurisdiction agreement, this letter will constitute my consent for SCRTD Police Department police officers to act as Peace Officers in the City of Long Beach while engaged in the performance of their duties in or about the properties owned, operated, or administered by the SCRTD. This consent is given pursuant to Section 830.4(j) of the California Penal Code and is subject to the following conditions:

1. The Transit Police Officers shall act as Peace Officers only when enforcing State or local laws in the City of Long Beach in or about the properties owned, operated, or administered by the SCRTD.
2. The City of Long Beach shall not incur any liability, whatsoever, arising out of or resulting from the enforcement of State or local laws by Transit Police employees in or about the properties owned, operated, or administered by the SCRTD and the SCRTD shall defend and hold harmless the City of Long Beach from any and all claims which may be made or brought against the City of Long Beach as a result of the actions of Transit Police employees enforcing State or local laws in or about the properties owned, operated, or administered by the SCRTD.
3. On non-arrest related crime reports, the Transit Police Officers may complete their initial investigative report on their own report forms, however, they shall be finalized on our report forms and immediately submitted to a Station Supervisor of this Department for review, approval, and issuance of a Long Beach Police Department crime report number. These reports shall be processed in accordance with Department procedures and a copy of the report shall be given to the reporting Transit District Police Officer. Further, the Transit Police Officers shall be responsible for the preparation of all reports which are required or may become necessary in conjunction with the booking of prisoners into the City of Long Beach Jail facility. All arrest and connecting crime reports will be submitted on Long Beach Police Department forms. The Long Beach Police Department shall conduct all required follow-up investigations, including the obtaining of criminal complaints, and the routine transportation of prisoners to Long Beach Courts.

ADMINISTRATIVE OPERATIONS BUREAU
(213) 590-7337

PATROL BUREAU
(213) 590-7213

INVESTIGATIVE OPERATIONS BUREAU
(213) 590-7359

PLEASE ADDRESS ALL CORRESPONDENCE TO THE CHIEF OF POLICE

James P. Burgess, Transit Police Chief

September 21, 1983

Page 2

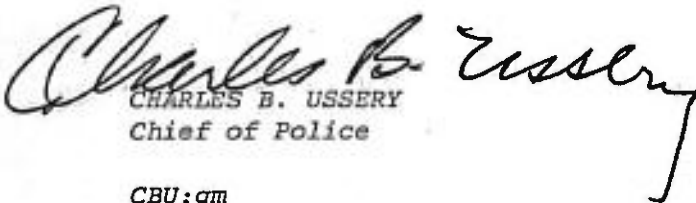
Any unusual or non-routine prisoner movement shall be the responsibility of the Transit Police.

4. Under Section 13020 of the Penal Code, the Long Beach Police Department will comply with the reporting requirements associated with SCRTD Police Department arrests booked into the City of Long Beach Jail.
5. The SCRTD Police Department personnel shall at all times be and remain Transit District employees while acting within the scope of their employment, and shall not in any way be compensated by the City of Long Beach.
6. The Transit District personnel herein designated as Peace Officers shall comply with POST Manual Regulations Section 1005(D1) and maintain a basic Post Certificate, in addition to completing advanced training requirements at the Long Beach Police Department or some other academy approved by this Department.

The above is provided to update all files pertaining to this subject and replaces all prior consents.

Sincerely yours,

LONG BEACH POLICE DEPARTMENT


CHARLES B. USSERY
Chief of Police

CBU:gm

RECEIVED
TRANSIT POLICE DEPT.
S.C.R.T.D.

CITY OF PALOS VERDES ESTATES

DEPARTMENT OF PUBLIC SAFETY
JOHN E. DOLLARHIDE, DIRECTOR

83 AUG 25 P 2:18

POLICE
MONTE J. NEWMAN,
DEPUTY CHIEF
(213) 378-4211



FIRE
STEPHEN L. COOKUS,
DEPUTY CHIEF
(213) 378-4275

340 PALOS VERDES DRIVE WEST, PALOS VERDES ESTATES, CA 90274

August 24, 1983

Mr. James P. Burgess
Transit Police Chief
Southern California Rapid Transit District
425 S. Main Street
Los Angeles, California 90013

Dear Jim:

Please be advised that this Department has incorporated the policy that was developed jointly by the RTD Police, LAPD and LASD.

The effective date is August 24, 1983

We are enclosing a copy of this policy as written for this Department for your information.

Sincerely,


JOHN E. DOLLARHIDE, DIRECTOR

copy: file

JED/mm
enclosure

*Check to see
that nothing
more than the
name was
changed.*

POMONA POLICE
DEPARTMENT

Transmittal Slip

DATE: 5-24

TO: Lt. Sterling Putnam

DEPARTMENT _____

FROM: Virginia Dixon

Records Bureau Manager

<input type="checkbox"/> For your info	<input type="checkbox"/> Please follow-up
<input type="checkbox"/> Per our conversation	<input type="checkbox"/> Please check
<input type="checkbox"/> Per your request	<input type="checkbox"/> Please rush
<input type="checkbox"/> For your file	<input type="checkbox"/> Please return
<input type="checkbox"/> For your approval	<input type="checkbox"/> Please call me
<input type="checkbox"/> For signature	<input type="checkbox"/> For your comments

Comments: This is our procedure. If you
have any comments, give me a call.

7-406.0 TITLE
DEPARTMENT PROCEDURES CONCERNING TRANSIT POLICE OFFICERS
OF THE SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT.
5-9-84
Related Procedural Manuals: REC. 3-401

7-406.1 Synopsis:

Procedures for handling arrests, reporting and follow-up of law enforcement activities initiated by Transit Police Officers of the Southern California Rapid Transit District (SCRTD).

7-406.2 Policy/Overview:

We enjoy a completely cooperative relationship with the SCRTD Police. In this spirit of cooperation, and to minimize duplication of efforts, we will work with the Southern California Rapid Transit District Police Department as we do with other specialized agencies with concurrent jurisdiction. In view of our responsibility for the total policing of our jurisdiction, it will be useful to consider SCRTD Field Units as a supplement to our efforts within our specific area of concern. Since we retain responsibility for all matters following an arrest by such agencies, it is desirable that an SCRTD Field Unit making an arrest in our jurisdiction follow through with the same standards of arrest review, booking, evidence handling and reporting, utilizing the same policies and procedures as would a Field Unit of this Department. This should aid our Investigators in their subsequent processing of cases originated by the SCRTD.

7-406.5 Procedures:

I. SCRTD, TRANSIT POLICE OFFICERS, POWERS OF ARREST

- A. Transit Officers are peace officers when on duty and may make arrests, conduct investigations, and complete reports involving routine criminal matters as may be necessary to protect the patrons, the personnel and the property of the SCRTD or when making an arrest under circumstances defined under Penal Code Sections 830.4 or 836.

II. INVESTIGATIVE RESPONSIBILITIES

- A. The responsibility for conducting all follow-up investigations, including misdemeanor follow-up and those cases involving juveniles, shall remain with this Department.
 - (1) SCRTD conveyances shall not be unnecessarily delayed to investigate any incident. If at the scene, Transit Police Officers will conduct preliminary investigations and complete reports of crimes occurring on SCRTD property or conveyances.
- B. When complex crimes occur, requiring crime scene preservation and investigation, Transit Police will notify this Department. This Department will respond and handle as directed by circumstances.

III. REPORTING PROCEDURES

- A. Department Supervisor's Responsibilities.
 - (1) File Number Issuance and Report Approval- All Transit Police reports shall be approved by a supervisor of this Department prior to acceptance. The approving supervisor shall ensure that appropriate file numbers are obtained for the Transit Police Officers after report approval.
 - (2) Transit Police Standardized Preliminary Investigation Report shall be processed in accordance with Department procedures.
- B. Records Unit Responsibilities.
 - (1) Records Unit personnel shall distribute reports pertaining to the SCRTD in accordance with the normal distribution plus one copy to the SCRTD Transit Police Department.
- C. Investigating Incidents.
 - (1) Crimes investigated by Transit Police Officers should be reported to this Department on Transit Police Report Forms before the end of their shift. Time

delay within twenty-four hours will inhibit an already restrictive system.

EXCEPTIONS: Crime reports requiring immediate teletype transmission will be delivered to the Watch Commander immediately upon completion.

D. Citations.

- (1) Citations written by SCRTD Officers will be processed and handled to conclusion by the SCRTD Police Department.

IV. ARREST PROCEDURES

A. Arrest-Department Responsibilities.

- (1) When an arrest is initiated by Transit Police Officers, Department personnel shall assume responsibility for the follow-up investigation of the crime. The Transit Police Officer involved will complete the booking, arrest and other related reports.

V. BOOKING OF TRANSIT POLICE OFFICERS' ARRESTEES

- A. Police Department shall process prisoners arrested within the City of Pomona by Transit Police Officers in the same manner as if they were arrested by this Department.
- B. Emergency or non-routine transportation of Adult or transportation of Juveniles arrested by Transit Police to an outside custodial facility shall be the responsibility of the Transit Police Officers initiating the arrest. This does not include such routine transportation as to court or county jail, etc.

All bookings made by Transit Police Officers shall be reviewed by a Department Patrol Supervisor. Bulk personal property of such arrestees shall be accepted by this Department.

VI. DEPARTMENT SUPERVISOR'S RESPONSIBILITIES

- A. Questionable Arrests - When a supervisor of the Department becomes aware that an arrest effected by a Transit Police Officer is

questionable, he shall contact the available supervisor from the Transit Police Department, 213/972-3600, who will immediately review the matter. The Transit Police supervisor will then notify the Department supervisor of his decision, indicating if the Transit Police still requests acceptance of the prisoner. This Department's supervisor will make the final determination on accepting the custody of the arrestee.

- E. Juvenile Booked as an Adult - When it is learned that a person under the age of 18 years has been booked as an adult by Officers of Transit Police, the concerned supervisor of this Department shall, without delay, cause the juvenile to be segregated from adult prisoners and notify the appropriate Department Personnel and the Transit Police, 213/972-3600. The Transit Police shall provide a unit to assist in any necessary additional processing of the juvenile.

F. Prisoner Complaints of Misconduct - Should a prisoner complain of misconduct by an SCRTD employee within our Jail confines, a Department representative will participate in the investigation. The SCRTD shall have primary responsibility for investigating this type of complaint.

VII. EVIDENCE AND PROPERTY PROCEDURES

- A. Officers of the Transit Police shall be permitted to book evidence and property into custody of this Department. Department Officers shall assume responsibility for the custody of and follow-up for all evidence and property to the same extent as if it was booked in by officers of this Department. When Transit Police book evidence and property into the custody of their own Department they shall be responsible for the disposition of the evidence and property.
- B. When property or evidence is booked, the concerned Transit Police Officer shall be given one copy of the property report.
- C. Blood Alcohol Testing Equipment.

(1) Blood Alcohol Testing Equipment for a test required for a Transit Police investigation shall be conducted by a qualified Transit Police Officer or an Officer of this Department.

(a) When a Transit Police employee is not qualified to administer the Blood Alcohol Testing and the tests are administered by a Department employee, these tests shall be witnessed by the concerned Transit police employee.

(2) Expert testimony in court relative to the Blood Alcohol Testing shall be provided by this Department, when necessary.

D. Fingerprint Investigation.

(1) Developing and lifting of latent prints shall be conducted by qualified Transit Police Officers.

(2) If Transit Police Officer is not trained in developing/lifting of prints, this Department will assist.

E. Vehicle Towing.

(1) Vehicles towed shall be on the storage forms of this Department. This will ensure some consistency in reporting. Subsequent administrative hearings which may be required will be conducted by a Transit Police Department representative. This Department may provide technical assistance in such matters as required by SCRTD. The SCRTD shall be responsible for the results of a negative hearing decision.

(2) This Department will be responsible for handling other situations, i.e., stolen, recovered, abandoned vehicles requiring completion of state forms, computer input and notifications.

VIII. CLARIFICATION OF RESPONSIBILITIES

A. Confusion of reporting procedures and responsibilities for investigation of certain

crimes, dictates the necessity for further clarification and the following examples of when Transit Police Officers will handle the preliminary investigation and complete reports of crimes occurring on Southern California Rapid Transit District property or conveyances:

- (1) A suspect has committed a robbery on an RTD bus and has been arrested by Transit Police Officers. In this example, Transit Police Officers shall complete the necessary preliminary investigation, complete all necessary reports relating to the robbery arrest, and book the suspect in the Jail facility. This Department will complete all follow-up activity, i.e., interrogating suspects, filing case, arraignment, etc.
- (2) A battery has occurred aboard an SCRTD bus and a Pomona Unit has been dispatched to handle the investigation. When the Pomona Unit arrives at the location, they do not observe any Transit Police Officers at the scene. The Pomona Police Department Officers shall immediately begin the preliminary investigation of the call for service and complete the necessary reports for the investigation. This Department will handle all follow-up on this report.
- (3) A 647(f) Down has occurred aboard an SCRTD bus and a Pomona Unit arrives. They observe Transit Police Officer/s are at the scene of the crime. In this example, Transit Police Officers are responsible for conducting the preliminary investigation and completion of all necessary reports relating to the crime. This Department is responsible for any follow-up of the arrest.

B. Officers of this Department should remember that if an investigation does not involve a complex felony crime, requiring crime scene preservation and investigation, and Transit Police Officers are at the scene of occurrence, Transit Police shall be responsible for the preliminary investigation

and all related reports. However, Officers of this Department shall not delay any investigation awaiting the arrival of a Transit Police Officer. Any necessary assistance in arrest, transportation, or booking and property procedures, shall be provided by Officers of this Department.

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TRANSIT POLICE DEPT.
S.C.R.T.D.

83 AUG 25 P 2: 23



CITY OF SAN MARINO
POLICE DEPARTMENT
2200 Huntington Drive
San Marino, California 91108
(213) 282-2131

August 23, 1983

Chief James P. Burgess
S. Calif. Rapid Transit District
425 South Main Street
Los Angeles, California 90013

Dear Jim:

Please be assured of complete cooperation of the San Marino Police Department. Your standardized operations procedures concerning roles and responsibilities between our Departments has been adopted.

Any time your Officers wish to contact our Department for any reason, please do not hesitate.

Kindest regards,

A handwritten signature in cursive script that reads "Jim".

James W. Moore
Chief of Police

RECEIVED
CHIEFS OFFICE

City of South Gate

8620 CALIFORNIA AVE, SOUTH GATE, CALIFORNIA 90280 • (213) 567-2222



NORMAN E. PHILLIPS
CHIEF OF POLICE

September 19, 1983

Chief James Burgess
Southern California Rapid Transit District
425 S. Main Street
Los Angeles, California 90013

Dear Jim:

In regard to the suggested procedure concerning your Transit Police and their actions within the City of South Gate, as well as their interaction with our officers, please be advised that we have incorporated the procedures in our Policy and Procedure Manual.

Thank you for the suggested policy, as I fully agree with standardizing your operations with other affected departments. Please be advised of our full cooperation with your department.

Sincerely,

Norman E. Phillips
Chief of Police

NEP/RAS:dk

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TRANSIT POLICE DEPT.
S.C.R.T.D.

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT
TRANSIT POLICE DEPARTMENT
INTERDEPARTMENTAL MEMORANDUM

89 JAN 13 P 10

DATE: JANUARY 13, 1989
 TO: ERNEST R. MUNOZ - ACTING CHIEF OF POLICE
 FROM: LT. R. EUTSEY

SUBJECT: CRIME STATISTICS FISCAL YEAR

The Transit Police Department Crime Statistics report for YEAR 1988 is summarized as follows:

	JULY-DEC 1988 =====	JULY-DEC 1987 =====
OPERATOR - ROBBERY	10	10
PASSENGER - ROBBERY	23	17
OPERATOR - BATTERY	61	50
PASSENGER - BATTERY	62	62
OPERATOR - ADW	14	19
PASSENGER - ADW	19	14
	=====	=====
TOTAL	189	172

1988 Ave. Ridership 207,121,000 .09 Crimes/100,000 Passengers
 1987 Ave. Ridership 212,624,000 .08 Crimes/100,000 Passengers

Total Passenger-Operator Incident Reports:

TOTAL	326	381
-------	-----	-----

1988 Ave. Ridership 172,121,000 .16 Crimes/100,000 Passengers
 1987 Ave. Ridership 176,624,000 .18 Crimes/100,000 Passengers

Enforcement Activity	1988 =====	1987 =====
TOTAL ARRESTS	521	421
ADULT ARRESTS	377	299
JUVENILE ARRESTS	144	122
FELONY ARRESTS	121	117
MISDEMEANOR ARRESTS	286	235
WARRANT ARRESTS	114	69
FINES & FORFEITURES	\$40,082.00	\$24,755.00
FIELD INTERVIEWS	860	1153
RANDOM BOARDINGS	25035	25127
PART-TIME HOURS	0	0
CALLS FOR SERVICE	4801	5327
WARRANT BAIL	\$183,598.00	\$94,376.00
VIOLATIONS 640 PC	294	370
CITATIONS	2947	3828
SERVICE INSPECTIONS	11274	11091
VALUE OF PROPERTY LOST/STOLEN	\$285,351.77	\$245,167.42

TN - DECEMBER, 1988

SUPPORT SERVICES MONTHLY REPORT
TRAINING

DATE	EMPLOYEE/ATTENDEES	TOPIC/LOCATION
DECEMBER 12	INV. ALDRAN	DRUG AWARENESS FOR SUPERVISORS
DECEMBER 13	OFCS QUIJAS, MORIN JR.	FTO SCHOOL
DECEMBER 14	LT. EUTSEY, SGT. BURMLEY	CUBIC ELECTRONIC FAREBOX
	BARBERIC, MCRILEY, OFCR.	
	WILLIS, INVS. ALDRAN, JONES	
	HATHY	
RESEARCH AND DEVELOPMENT -		
	LT. EUTSEY	ELECTRONIC FAREBOX CONTROL
		ACCESSING AND RELEASING DMV INFO
		CASHROOM PROCEDURES AND SECURITY

TH - DECEMBER, 1988

SUPPORT SERVICES MONTHLY REPORT
MEETINGS ATTENDED

DATE	EMPLOYEE/ATTENDEES	TOPIC/LOCATION
DECEMBER 1	SGT. MCRILEY	PRE-SERVICE ORAL INTERVIEWS
	LT. PAPA	O & M COMMITTEE - METRO RAIL
DECEMBER 8	LT. EUTSEY, C. WILLIAMS	MONITORING OF DMV RECORD STATUS
	INV. ALDANA	MEETING WITH BOARD MEMBER
	INV. ALDANA	LAPD MARCO DIVISION
DECEMBER 13	SGT. MCRILEY	RIO HONDO - CONFERENCE WITH CREWETS
DECEMBER 14	SGT. MCRILEY	CUBIC ELECTRONIC FAREBOX TRAINING
DECEMBER 15	SGT. MCRILEY	SOUTH BAY TRAINING COMMITTEE MTG
DECEMBER 19	LT. PAPA, SGT. ARMSTRONG	SECURITY SUB COMMITTEE MEETING
DECEMBER 20	LT. PAPA	RAIL UPDATE
DECEMBER 21	LT. PAPA	SECURITY GUARD 11 ORAL INTERVIEW
DECEMBER 22	SGT. MCRILEY	RIO HONDO PRE SERVICE INTERVIEWS
DECEMBER 27	LT. EUTSEY	CASH ROOM PROCEDURES AND SECURITY
DECEMBER 28	LT. EUTSEY	CASH ROOM PROCEDURES AND SECURITY

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

TRANSIT POLICE DEPARTMENT

CALENDAR YEAR DECEMBER, 1988 INCIDENT REPORT

DESCRIPTION	OPERATOR				PASSENGER				OTHER				TOTALS	
	1988 MONTH	1987 MONTH	1988 YTD	1987 YTD	1988 MONTH	1987 MONTH	1988 YTD	1987 YTD	1988 MONTH	1987 MONTH	1988 YTD	1987 YTD	1988 YTD	1987 YTD
MURDER	0	0	0	0	0	0	0	0	0	0	0	2	0	2
RAPE														
A. FORCE	0	0	0	0	0	0	0	1	0	0	1	0	1	1
B. ATTEMPT	0	0	0	1	0	0	1	1	0	0	1	0	2	2
TOTALS	0	0	0	1	0	0	1	2	0	0	2	0	3	3
ROBBERY														
A. FIREARM	0	0	5	4	0	1	5	5	0	0	4	3	14	12
B. D/WEAPON	0	2	8	4	0	2	10	8	1	0	6	7	24	19
C. FORCE	0	0	9	8	4	1	40	29	1	1	23	33	72	70
D. STAGECOACH	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTALS	0	2	22	16	4	4	55	42	2	1	33	43	110	101
ASSAULT														
A. ADW	0	1	38	33	4	5	52	42	3	3	15	21	105	96
B. GBI	0	0	0	0	0	0	0	0	0	0	0	0	0	0
C. BATTERY	0	9	114	116	11	6	126	136	3	2	29	33	269	285
D. OFFICERS	0	0	0	0	0	0	0	0	0	0	15	7	15	7
TOTALS	0	10	152	149	15	11	178	178	6	5	59	61	389	388
LARCENY-THEFT														
A. GRAND	0	1	2	3	0	0	32	36	1	0	45	44	79	83
B. PETTY	0	4	30	37	0	1	12	17	19	9	129	72	171	126
C. BUS HIJACK	0	1	2	3	0	0	0	7	0	0	0	1	2	11
D. PICKPOCKET	0	0	0	0	11	22	192	248	1	0	10	19	202	267
TOTALS	0	6	34	43	11	23	236	308	21	9	184	136	454	487
BURGLARY														
A. RTD BLDG.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1	1	9	8	9	8
B. VEHICLE	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	6	5	39	38	39	38
TOTALS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	7	6	48	46	48	46

DESCRIPTION	OPERATOR				PASSENGER				OTHER				TOTALS	
	1988 MONTH	1987 MONTH	1988 YTD	1987 YTD	1988 MONTH	1987 MONTH	1988 TYD	1987 TYD	1988 MONTH	1987 MONTH	1988 TYD	1987 TYD	1988 TYD	1987 TYD
MOTOR VEHICLE THEFT														
A. BUS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	5	7	5	7	5
B. RTD VEH.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	0	9	9	9	9
C. MISC. VEH.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	5	28	40	28	40
TOTALS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	10	44	54	44	54
OTHER FELONY														
TOTALS	0	0	1	1	0	0	5	12	7	1	33	11	39	24
HISSILES														
A. INJURY	0	3	13	16	0	0	2	5	1	1	7	9	22	30
B. NON-INJURY	0	0	3	2	0	0	0	0	2	2	30	17	33	19
TOTALS	0	3	16	18	0	0	2	5	3	3	37	26	55	49
ARSON TOTALS														
TOTALS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FRAUD TOTALS														
TOTALS	0	0	0	0	0	0	0	1	2	1	36	40	36	41
VANDALISH														
FELONY	N/A	N/A	N/A	N/A	0	0	0	2	0	0	0	0	0	2
MISD.	N/A	N/A	N/A	N/A	0	0	0	0	33	17	268	159	268	159
TOTALS	N/A	N/A	N/A	N/A	0	0	0	2	33	17	268	159	268	161
SEX OFFENSES														
(EXCEPT RAPE)														
TOTALS	0	0	4	1	0	0	10	6	0	0	4	1	18	8
DISORDERLY CONDUCT														
(NO ARREST)														
TOTALS	0	0	14	8	0	1	2	4	1	1	15	17	31	29
OTHER MISD.														
TOTALS	0	2	9	20	1	0	6	8	0	4	46	23	61	51

DESCRIPTION	OPERATOR				PASSENGER				OTHER				TOTALS	
	1988 MONTH	1987 MONTH	1988 YTD	1987 YTD	1988 MONTH	1987 MONTH	1988 YTD	1987 YTD	1988 MONTH	1987 MONTH	1988 YTD	1987 YTD	1988 YTD	1987 YTD

OFFENSES SUMMARY

MURDER	0	0	0	0	0	0	0	0	0	0	0	2	0	2
RAPE	0	0	0	1	0	0	1	2	0	0	2	0	3	3
ROBBERY	0	2	22	16	4	4	55	42	2	1	33	43	110	101
ASSAULT	0	10	152	149	15	11	178	178	6	5	59	61	389	388
LARCENY-THEFT	0	6	34	43	11	23	236	308	21	9	184	136	454	487
BURGLARY	-----N/A-----				-----N/A-----				7	6	48	46	48	46
NOTOR VEH. THEFT	-----N/A-----				-----N/A-----				0	10	44	54	44	54
OTHER FELONY	0	0	1	1	0	0	5	12	7	1	33	11	39	24
MISSILES	0	3	16	18	0	0	2	5	3	3	37	26	55	49
ARSON TOTALS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FRAUD TOTALS	0	0	0	0	0	0	0	1	2	1	36	40	36	41
VANDALISM	-----N/A-----				0	0	0	2	33	17	268	159	268	161
SEX OFFENSES	0	0	4	1	0	0	10	6	0	0	4	1	18	8
DISORDERLY	0	0	14	8	0	1	2	4	1	1	15	17	31	29
OTHER MISD.	0	2	9	20	1	0	6	8	0	4	46	23	61	51
TOTALS	0	23	252	257	31	39	495	568	82	58	809	619	1556	1444

SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT

TRANSIT POLILICE DEPARTMENT
DECEMBER, 1988 ARREST REPORT

DESCRIPTION	ADULT				JUVENILE				TOTALS	
	1988 FELONY	1988 MISD	1988 YTD	1987 YTD	1988 FELONY	1988 MISD	1988 YTD	1987 YTD	1988 YTD	1987 YTD
MURDER	0	0	0	0	0	0	0	0	0	0
RAPE										
A. BY FORCE	0	0	1	0	0	0	0	0	0	0
B. ATTEMPT	0	0	0	0	0	0	0	0	0	0
TOTALS	0	0	1	0	0	0	0	0	0	0
ROBBERY										
A. FIREARM	0	0	3	3	2	0	3	0	6	3
B. O/WEAPON	1	0	6	4	0	0	1	5	7	9
C. STRONG ARM	0	0	14	15	0	0	6	2	20	17
D. STAGECOACH	0	0	0	0	0	0	0	0	0	0
TOTALS	1	0	23	22	2	0	10	7	33	29
ASSAULT										
A. ADM	3	0	47	56	0	0	7	2	54	58
B. GBI	1	0	5	5	0	0	0	0	5	5
C. BATTERY	0	4	59	78	0	0	0	7	59	85
D. OFFICERS	0	0	16	5	0	0	2	2	18	7
TOTALS	4	4	127	144	0	0	9	11	136	155
LARCENY-THEFT										
A. GRAND	0	0	9	14	0	0	0	1	9	15
B. PETTY	0	1	11	14	0	1	4	1	15	15
C. GRAND THEFT PRSN	0	0	12	4	0	0	0	0	12	4
D. PICKPOCKETS	1	0	12	25	0	0	0	0	12	25
TOTALS	1	1	44	57	0	1	4	2	48	59
BURGLARY										
A. RTD BLDG.	0	0	0	1	0	0	0	0	0	1
B. VEHICLE	1	0	1	11	0	0	4	3	5	14
TOTALS	1	0	1	12	0	0	4	3	5	15

TRANSIT POLICE DEPARTMENT - MONTHLY ARREST REPORT

DESCRIPTION	ADULT				JUVENILE				TOTALS	
	1988 FELONY	1988 MISD	1988 YTD	1987 YTD	1988 FELONY	1988 MISD	1988 YTD	1987 YTD	1988 YTD	1987 YTD
MOTOR VEHICLE THEFT										
A. BUS	0	0	1	2	0	0	0	0	1	2
B. RTD VEHICLE	0	0	1	0	0	0	0	0	1	0
C. BUS HIJACKS	1	0	2	3	0	0	0	0	2	3
D. MISC. VEHICLE	0	0	6	7	0	0	3	0	9	7
TOTALS	1	0	10	12	0	0	3	0	13	12

PART II

MISSILES

A. INJURY	0	0	3	3	0	0	1	1	4	4
B. NON-INJURY	0	0	8	0	1	2	6	16	14	16
TOTALS	0	0	11	3	1	2	7	17	18	20

ARSON TOTALS	0	0	0	0	0	0	0	0	0	0
---------------------	----------	----------	----------	----------	----------	----------	----------	----------	----------	----------

FRAUD TOTALS	0	1	5	11	0	1	2	0	7	11
---------------------	----------	----------	----------	-----------	----------	----------	----------	----------	----------	-----------

VANDALISM TOTALS	0	8	31	19	0	33	282	123	313	142
-------------------------	----------	----------	-----------	-----------	----------	-----------	------------	------------	------------	------------

SEX OFFENSES

(EXCEPT RAPE) TOTALS	0	0	5	3	0	0	0	0	5	3
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DRUG LAWS

A. MARIJ. LESS OZ.	0	0	10	14	0	0	1	0	11	14
B. MARIJ. MORE OZ.	5	0	8	8	0	0	0	0	8	8
C. SALES	0	0	0	0	0	0	0	0	0	0
D. OTHER NARCOTICS	4	7	75	38	0	0	2	0	77	38
TOTALS	9	7	93	60	0	0	3	0	96	60

TRANSIT POLICE DEPARTMENT - MONTHLY ARREST REPORT

DESCRIPTION	ADULT				JUVENILE				TOTALS	
	1988 FELONY	1988 MISD	1988 YTD	1987 YTD	1988 FELONY	1988 MISD	1988 YTD	1987 YTD	1988 YTD	1987 YTD
GAMBLING - TOTALS	0	0	0	3	0	0	0	0	0	3
DRUNK - TOTALS	0	2	60	63	0	1	2	0	62	63
DISORDERLY CONDUCT - TOTALS	0	0	16	26	0	0	9	2	25	28
WEAPONS LAWS - TOTALS	0	0	19	14	0	2	6	5	25	19
OTHER TOTALS	1	3	46	39	0	0	7	3	53	42
TOTAL ARRESTS	18	26	492	488	3	40	348	173	840	661
HARRANTS										
1. TRAFFIC	0	0	21	27	0	0	0	0	21	27
2. MISDEMEANOR	0	8	162	128	0	0	0	1	162	129
3. FELONY	1	0	22	17	0	0	0	0	22	17
TOTAL	1	8	205	172	0	0	0	1	205	173
TOTAL - ALL ARREST	19	34	697	660	3	40	348	174	1045	834
MISDEMEANOR ARRESTS LESS HARRANTS										
		26	294	269		40	321	9	615	278
FELONY ARRESTS LESS HARRANTS										
	18		210	219	3		28	24	238	243
HARRANT ARRESTS										
									205	173

TRANSIT POLICE DEPARTMENT - MONTHLY ARREST REPORT

DESCRIPTION	ADULT				JUVENILE				TOTALS	
	1988 FELONY	1988 MISD	1988 YTD	1987 YTD	1988 FELONY	1988 MISD	1988 YTD	1987 YTD	1988 YTD	1987 YTD

ARREST SUMMARY

MURDER	0	0	0	0	0	0	0	0	0	0
RAPE	0	0	1	0	0	0	0	0	0	0
ROBBERY	1	0	23	22	2	0	10	7	33	29
ASSAULT	4	4	127	144	0	0	9	11	136	155
LARCENY-THEFT	1	1	44	57	0	1	4	2	48	59
BURGLARY	1	0	1	12	0	0	4	3	5	15
MOTOR VEHICLE THEFT	1	0	10	12	0	0	3	0	13	12
MISSILES	0	0	11	3	1	2	7	17	18	20
ARSON TOTALS	0	0	0	0	0	0	0	0	0	0
FRAUD TOTALS	0	1	5	11	0	1	2	0	7	11
VANDALISM	0	8	31	19	0	7	282	123	313	142
SEX OFFENSES	0	0	5	3	0	0	0	0	5	3
DRUG LAWS	9	7	93	60	0	0	3	0	96	60
GAMBLING	0	0	0	3	0	0	0	0	0	3
DRUNK	0	2	60	63	0	1	2	0	62	63
DISORDERLY CONDUCT	0	2	16	26	0	0	9	2	25	28
WEAPONS LAWS	0	0	19	14	0	2	6	5	25	19
OTHER FEL./MISD.	1	3	46	39	0	0	7	3	53	42
WARRANTS	1	8	205	172	0	0	0	1	205	173
TOTALS	19	36	697	660	3	14	348	174	1044	834

TRANSIT POLICE DEPARTMENT - MONTHLY ARREST REPORT

DESCRIPTION	ADULT				JUVENILE				TOTALS	
	1988 MONTH	1987 MONTH	1988 YTD	1987 YTD	1988 MONTH	1987 MONTH	1988 YTD	1987 YTD	1988 YTD	1987 YTD
VIOLATIONS										
INFRACTIONS										
TRANSIT VIOLATIONS										
A. FARE EVASIONS	6	14	126	143	1	0	8	7	134	150
B. PASS MISUSE	0	3	18	26	0	1	6	8	24	34
C. RADIO PLAYING	0	3	15	28	0	0	2	0	17	28
D. SMOKING/EATING	27	14	288	271	1	2	39	21	327	292
E. SPITTING	0	0	3	2	0	0	0	0	3	2
F. DISTURBANCE	11	17	148	209	0	4	57	55	205	264
640 P.C. TOTALS	44	51	598	679	2	7	112	91	710	770
PARKING										
PARKING	224	328	2772	5189	0	0	0	0	2772	5189
TRAFFIC										
TRAFFIC	126	97	1722	1073	0	4	8	15	1730	1088
MISDEMEANORS										
MISDEMEANORS	5	2	20	11	0	0	2	0	22	11
TOTALS	399	478	5112	6952	2	11	122	106	5234	7058

ADDITIONAL INFORMATION	THIS MONTH 1988	THIS MONTH 1987	YEAR TO DATE 1988	YEAR TO DATE 1987
	. WARRANT BAIL	19999	9282	259629
. FINES-FORFEITURES	0	0	97827	97524
. BOARDINGS	2991	3763	44754	46683
. FIELD INTERVIEWS	97	132	1761	2216
. PART-TIME HOURS	0	0	0	0
. CALLS FOR SERVICE	696	1101	10430	10144

LONG BEACH-LOS ANGELES RAIL TRANSIT PROJECT
SECURITY OPERATIONS PLAN
FINAL REPORT (WBS L040)

January 23, 1987

Prepared For

LOS ANGELES COUNTY TRANSPORTATION COMMISSION

By

SOUTHERN CALIFORNIA RAIL CONSULTANTS

In association with

CURRY ASSOCIATES, INC.
3600 South Harbor Blvd, Suite 115
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EXECUTIVE SUMMARY

Since the inception of the Long Beach-Los Angeles Rail Transit Project, the Los Angeles County Transportation Commission (LACTC) has been aware of the potential for problems associated with the security of patrons, employees, equipment, and facilities during the operation of the rail transit system. It was recognized that portions of the rail transit line would operate through some of the historically highest crime areas in the Los Angeles region and that the security of the patrons, employees, equipment, and facilities must be of a primary concern throughout the design, construction, and operation of the transit system.

In addition to an early security analysis and security provisions contained in the Design and Performance Criteria for the rail transit project, three specific security related documents have been developed to analyze the security risks, evaluate their effect on the transit system, and provide for operational procedures for dealing with the identified risks. The three documents are as follows.

- o Security Risk Analysis: a generic document describing recognized security risks associated with the transit system.
- o Station Security Evaluation: a detailed station by station evaluation of security problems, mitigating measures, and recommended courses of action.
- o Security Operations Plan: an overall plan for dealing with security during operation of the system including staffing, procedures, and working relationships.

This report, the Security Operations Plan Report, is the third of the three documents and it presents an overall plan for providing security in connection with the operations and facilities of the Long Beach-Los Angeles Rail Transit Project.

1.0 INTRODUCTION

This document has been prepared for the Southern California Rail Consultants (SCRC) to describe security functions to be carried out in connection with the operations of the Los Angeles County Transportation Commission's Long Beach-Los Angeles Rail Transit Project. Based on the analysis of data tabulated for station areas and presented in the Station Security Evaluation Report, the entire corridor may be generally characterized as a 'high crime' area where concerns for personal and property security should be considered as absolutely critical. Without adequate attention to providing for the security of passengers and property, projected ridership levels may not be attained for the system.

1.1 Purpose of the Report

The security operations plan describes security and law enforcement functions to be carried out by transit police officers, security guards, and fare inspectors for the Long Beach-Los Angeles Rail Transit Project. Recommendations are made concerning staffing levels, training requirements, and the use of contract services for selected functions. Analysis results are intended as input to continuing O&M cost estimating activities.

1.2 Scope of the Report

The security operations plan has been developed for planned operations of the Long Beach-Los Angeles Rail Transit Project only. When implemented, security operations for the Long Beach-Los Angeles rail transit line will be integrated to some degree with on-going security operations for bus transit services in the corridor. Furthermore, it is anticipated that security operations for the Century Freeway rail transit line will be carried out in conjunction with security operations for the Long Beach-Los Angeles rail transit line.

The security operations plan is based on the assumption that responsibilities for criminal matters occurring on SCRTD vehicles and at SCRTD facilities will remain generally as currently defined. It is further assumed that the SCRTD Transit Police Department will assume maximum responsibility in providing for high levels of perceived and actual security on the line, to the extent permitted by the Department's authority and by requirements for maintaining the Department's working relationship with local law enforcement

agencies having primary jurisdiction for criminal matters in the rail corridor. In this regard, the plan is limited to addressing security and law enforcement functions for all aspects of the system which will be implemented by the SCRTD Transit Police Department or possibly contractors engaged by the Department for selected functions.

The security operations plan considers system security functions for both the startup year, 1990, and the system design year, 2000.

1.3 Project Overview

In late 1982, the Los Angeles County Transportation Commission (LACTC) began its planning process for the Long Beach-Los Angeles Rail Transit Project with the initiation of detailed route evaluation and environmental studies. The project was defined in three major segments -- downtown Los Angeles, mid-corridor, and Long Beach -- and alternatives were analyzed for each of these three segments. In March of 1985, the Commission approved the startup of the entire project, and detailed design work was commenced. Initial construction activities were begun in 1985. The Commission is responsible for the design and construction of the project, but when completed, responsibility for the operation of the system will be transferred to the Southern California Rapid Transit District (SCRTD).

The total route is approximately 21 miles in length, with about 15 miles of it following an existing Southern Pacific railroad right-of-way. Much of the project route is essentially the same as the last line operated by the Pacific Electric Railway's 'Red Cars', which ceased operation in 1961. Design and service characteristics will be upgraded and modernized to meet current transit standards. The transit line will include 21 stations, and incorporate conventional light rail vehicle technology. The two-track system will be powered from overhead electrical catenary wires. Vehicles will be 6-axle, articulated, approximately 90 feet in length, with a maximum capacity of 200 passengers each. The vehicles will be similar in design, appearance, and performance characteristics to those being used on the San Diego Trolley and San Francisco MUNI systems.

The system will operate in subway in downtown Los Angeles, under Flower Street, between 7th and 12th Streets. South of 12th Street to Washington Boulevard, a reserved right-of-way will be provided with stations located on the east side of Flower Street. Continuing east on Washington Boulevard, a reserved median will be available with stations located in the center of the street. In the mid-corridor, the

line will pass through the cities of Compton and Carson, and through the unincorporated areas of Florence, Graham, Willowbrook, and Dominguez Hills in Los Angeles County along an exclusive at-grade and elevated right-of-way. In Long Beach, the system will be located at-grade in reserved lanes in the center of Long Beach Boulevard. Stations will be located in the median in the center of the street.

It is planned that the system will operate seven days per week, 20 hours per day from 5:30 a.m. until 1:30 p.m. For the startup year, the frequency of service is planned as being every ten minutes during peak periods and not less often than every twenty minutes during low ridership time periods. For the design year, increased ridership levels are projected so that the frequency of service will be increased to every six minutes during peak periods. Trains will operate with consists of one or two vehicles, with one vehicle trains operated when warranted by low ridership levels. It is planned that all trains will serve all stations on the line, and no express or limited stop services are envisioned for the line.

1.4 Security Goals and Objectives

Early in the Long Beach-Los Angeles Rail Transit Project, the Los Angeles County Transportation Commission (LACTC) established two principal goals for the security of the system. They are as follows.

1. The security and well being of the patrons, employees, and the general public shall be of paramount importance in the design and operation of the system.
2. Patrons and employees shall be able to move freely throughout the system with a high level of perceived security, as well as actual security. Adequate provisions for the deterrence, detection, and response to criminal acts shall be included in the planning, design, and operation of the system.

1.5 Public Transit Security Operations

Providing security for the Long Beach-Los Angeles rail transit line will require cooperation and coordination between law enforcement agencies having jurisdiction for the various communities traversed by the line. Four law enforcement agencies share primary jurisdiction for criminal matters in the rail system corridor. These agencies include the following.

Los Angeles Police Department
Los Angeles County Sheriff's Department
City of Compton Police Department
City of Long Beach Police Department

In addition, the SCRTD Transit Police Department functions as a specialized law enforcement agency, such as the Los Angeles County Park Patrol and the Police Department of the Los Angeles City School District, with concurrent jurisdiction for routine criminal matters affecting SCRTD passengers, employees, equipment, and facilities.

For rail transit operations, it is anticipated that responsibilities for criminal matters occurring on SCRTD vehicles and at SCRTD facilities will remain as currently defined. Responsibility for law enforcement on the trains, in the station areas, and along the right-of-way will need to be a cooperative effort of the SCRTD Transit Police Department and the local police agencies in the rail transit corridor. Within the limits of its authority and agreements with local police agencies, the Transit Police Department must be prepared to assume maximum responsibility in providing for high levels of perceived and actual security on the line. Without high levels of security being provided, it is likely that projected system ridership levels will not be achieved by the project, and that costly damage to and defacement of system facilities and equipment will be incurred.

The following sections summarize the existing operations of the SCRTD Transit Police Department and the jurisdictional breakdown of police responsibilities for the transit line. Figure 1-1 illustrates the areas of responsibility for the law enforcement agencies serving the rail corridor as reference for the following sections.

1.5.1 SCRTD Transit Police Department

The SCRTD Transit Police Department was established on January 1, 1978. Its authority is based on the California Penal Code, Title 3, Section 830.4(j). The Department currently reports to the SCRTD's General Manager, and consists of 135 authorized positions including approximately 77 positions for fully sworn police officers and 41 security guard positions.

The Department currently operates from facilities located in downtown Los Angeles. It is planned that the Department will be relocated in early 1987 but the location of its new facilities has not been finalized.

1.5.1.1 Organization

Figure 1-2 shows the Department's organization and personnel assignments. The chart does not include radio dispatching personnel who are provided for the Department by the SCRTD's Transportation Department.

The Transit Police Department has been organized into three units. The investigations unit normally operates on one shift, five days per week, and is primarily concerned with internal District crime investigations and undercover operations. The Department's operations unit is on duty seven days per week, 24 hours per day providing security for the District's facilities and responding to incidents occurring on SCRTD buses and at SCRTD facilities throughout the metropolitan area. The Department's support services unit normally works on one shift per day, five days per week. It is responsible for the Department's recordkeeping, court liaison for citations issued, and related administrative duties.

1.5.1.2 Operating Procedures

The SCRTD Transit Police Department has agreements in place with the Los Angeles Police Department and the Los Angeles County Sheriff's Department. Formal agreements have not been implemented with other local law enforcement agencies in the District's service area but these agreements generally define the responsibilities of the SCRTD transit police concerning the handling of criminal acts committed on SCRTD vehicles and at SCRTD facilities throughout the service area. In considering the role of the transit police in providing security for the transit line, it is important to understand that the Department is limited in its authority. The following paragraphs based on the Department's existing interagency agreements describe selected aspects of the Department's operating procedures which illustrate the scope of the Department's responsibilities.

Making Arrests. SCRTD transit police officers have arrest powers on the transit system and elsewhere within the District's operational jurisdiction as defined by Section 830.4 of the California Penal Code. When an arrest is to be effected in connection with a routine crime occurring on SCRTD property or vehicles, it will be made by the first police officer on the scene.

When crimes requiring immediate on-site investigative followup or crime scene preservation occur on SCRTD property or vehicles, the local police agency having jurisdiction will assume responsibility for conducting preliminary on-site investigations, making arrests, preserving the crime scene,

Figure 1-1

POLICE DEPARTMENT SERVICE AREAS IN THE
LONG BEACH-LOS ANGELES RAIL TRANSIT CORRIDOR

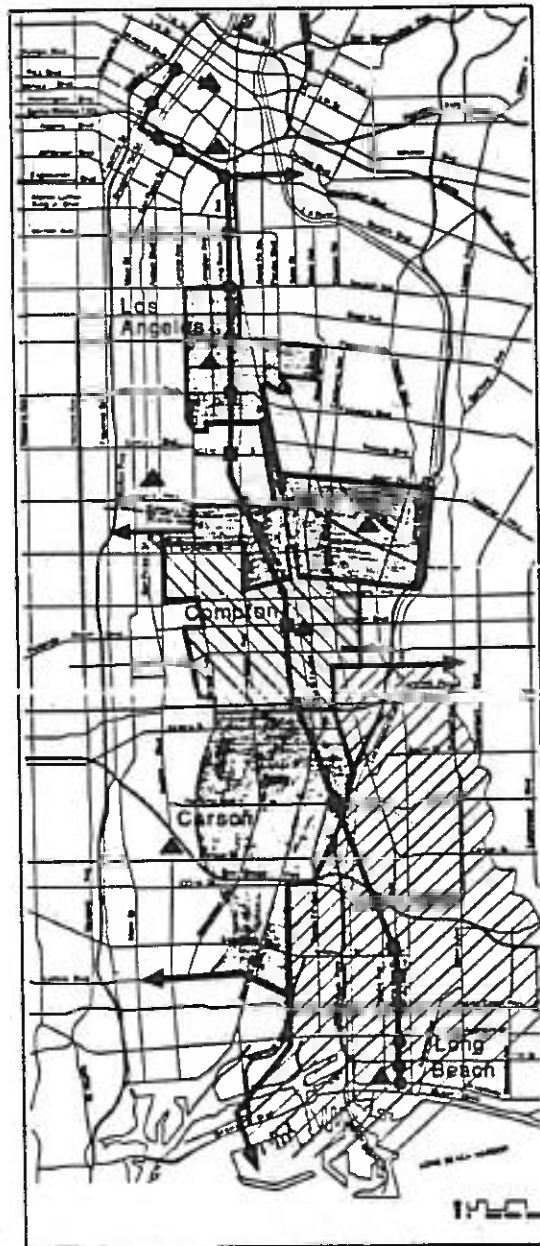
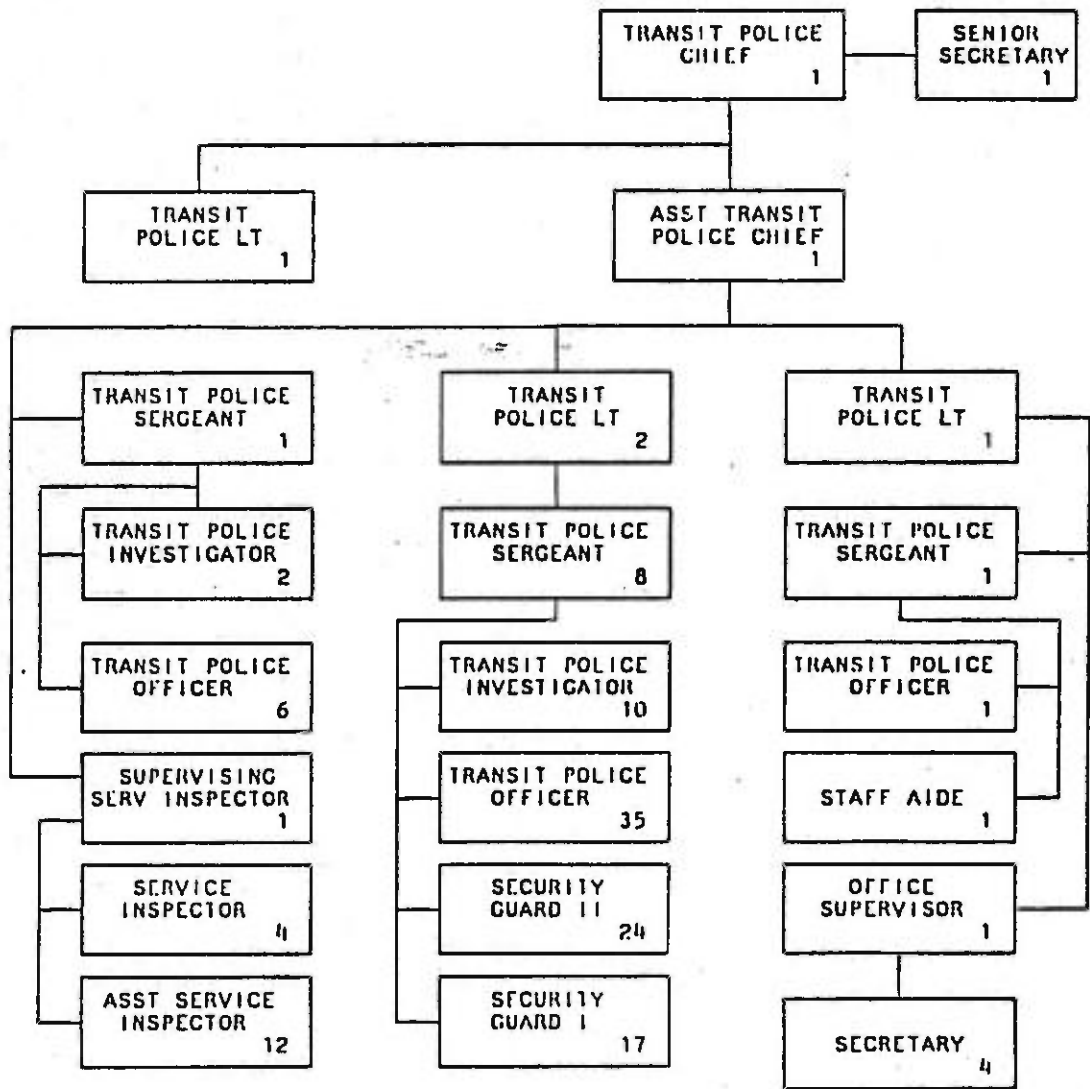


Figure 1-2

SCRTD TRANSIT POLICE DEPARTMENT
EXISTING ORGANIZATION AND STAFFING



and completing all necessary reports. The existing agreement with the Los Angeles Police Department specifies that it will assume responsibility in all instances for complex felony crimes, crimes of violence involving the use of any weapon, or crimes involving the loss of property worth more than \$1,000. In practice, transit police officers handle the majority of crimes that occur on SCRTD property and vehicles, except for a small number of cases where specialized investigative and laboratory resources are necessary.

Booking of Arrestees. Jail facilities for persons arrested by a transit police officer will be provided by the local police agency having jurisdiction. The transit police officer involved is responsible for completing the booking, arrest, and other related reports. Transportation to jail facilities for booking and emergency or non-routine transportation of adult and juvenile arrestees to outside custodial facilities is the responsibility of the transit police officers making the arrest.

Followup Investigations. Following an arrest by a transit police officer, the responsibility for conducting all followup investigations including the processing of preliminary reports for misdemeanors and those for cases involving juveniles remains with the local police agency.

Citations. Citations written by transit police officers are processed and handled to conclusion by the SCRTD Transit Police Department.

Vehicle Towing. Requests for towing by transit police officers are handled by local police agencies according to their usual procedures. Local police agencies are responsible for the handling of stolen, recovered, and abandoned vehicles.

Evidence Booking and Preservation. Local police agencies will book evidence provided by transit police officers into custody, and shall be responsible for its preservation. Transit police officers may also book evidence into the custody of the Transit Police Department.

1.5.2 Los Angeles Police Department

The Los Angeles Police Department will have primary police responsibility for seven passenger stations and approximately 6.9 miles of right-of-way including the line's subway section in downtown Los Angeles. The passenger stations included in the Department's jurisdiction are located in the Central and Newton Areas of the Central Bureau and in the Southeast Area of the South Bureau as follows.

<u>Passenger Station</u>	<u>Area</u>
Seventh Street	Central
Pico Boulevard	Central
Grand Avenue	Shared between the Central and Newton Areas
San Pedro Street	Newton
Washington Boulevard	Newton
Vernon Avenue	Newton
103rd Street	Southeast

1.5.3 Los Angeles County Sheriff's Department

The Los Angeles County Sheriff's Department will have primary police jurisdiction for five of the transit line's 21 passenger stations and approximately 5.5 miles of right-of-way. The passenger stations included within the jurisdiction of the Sheriff's Department are as follows.

<u>Passenger Station</u>	<u>Police Station</u>
Slauson Boulevard	Firestone
Florence Avenue	Firestone
Firestone Boulevard	Firestone
Imperial Highway	Lynwood
Del Amo Boulevard	Carson

The system's central control facility located adjacent to the Imperial Highway station is within the jurisdiction of the Sheriff's Department Lynwood Station.

1.5.4 City of Compton Police Department

The City of Compton Police Department will have primary police jurisdiction for two of the transit line's 21 passenger stations and approximately 3.1 miles of right-of-way. The following passenger stations are included within the City's jurisdiction.

Compton Boulevard
Artesia Boulevard

1.5.5 City of Long Beach Police Department

The City of Long Beach Police Department will have primary police jurisdiction for seven of the transit line's 21 passenger stations and approximately 5.5 miles of right-of-way. The following passenger stations are included within the City's jurisdiction.

Wardlow Road
Willow Street
Hill Street
Pacific Coast Highway
Anaheim Street
Sixth Street
First Street

The system's main yard and shop facilities located adjacent to the transit line approximately four miles from the downtown Long Beach terminal of the line are within the jurisdiction of the City of Long Beach Police Department.

2.0 SYSTEM SECURITY FUNCTIONS

In this chapter, security and law enforcement functions to be implemented in connection with the operation of the Long Beach-Los Angeles rail transit line are examined. The following seven functions have been included in the chapter.

- Patrols by police officers on trains and in police cars.
- Fare payment inspection.
- Station area security provided by non-sworn security personnel for selected stations only.
- Facilities security provided by non-sworn security personnel assigned to the main yard and shops and to the central control facility.
- Revenue collection.
- Monitoring of CCTV and alarm systems.
- Radio dispatching.

The analysis of security-related functions has been based on four important assumptions. These assumptions are as follows.

1. It is assumed that responsibilities for criminal matters occurring on SCRTD vehicles and at SCRTD facilities will remain generally as currently defined. In other words, local police agencies serving the rail corridor will retain their primary jurisdiction for criminal matters and will continue to be responsible for all investigations related to crimes committed on SCRTD vehicles and at SCRTD facilities.
2. It is assumed that cooperative working agreements, similar to those currently in place with the Los Angeles Police Department and County Sheriff's Department, will be executed with the Long Beach and Compton Police Departments.
3. It is assumed that the SCRTD Transit Police Department will have adequate facilities located in the Central Control Building adjacent to the Imperial Highway station. In order to minimize lost time waiting for transportation to jail facilities, it may be advisable to provide for the preliminary booking and temporary holding of arrestees at this location. However, it is assumed that these capabilities will be limited and not require that additional manpower be considered.
4. It is assumed that the rail transit system will operate 20 hours per day, seven days per week. For this analysis, it is further assumed that work shift assignments can be efficiently scheduled for this

length of operating period. This may require that selected work shifts be scheduled as ten hours per day, four days per week, or that split work shifts be scheduled as necessary. For certain job classifications, the scheduling of work shifts of this type may be problematic. It is also possible that the rail transit line will be operated for 24 hours per day which would impact staffing levels and associated costs.

2.1 Patrols

The entire corridor may be generally characterized as a 'high crime' area where concerns for personal and property security should be considered as absolutely critical to the success of the project. Transit police officers will patrol the system on trains and in police vehicles during all operating hours. In conjunction with the routine patrol activities of local police agencies serving the rail corridor, the presence of transit police officers throughout the system will contribute significantly to the perceived and actual security of the passengers and employees on trains and in station areas as well as provide for the protection of system equipment and facilities. Undercover patrols may also be undertaken by transit police officers when appropriate.

As already noted, it has been assumed that jurisdiction for law enforcement on the trains, in the station areas, and along the right-of-way will continue in accordance with the Transit Police Department's working relationship with the local police agencies in the rail transit corridor, specifically the Los Angeles Police Department, Los Angeles County Sheriff's Department, City of Compton Police Department, and City of Long Beach Police Department.

With regard to the responsibilities of the local police agencies serving the corridor, it is recognized that these agencies may be impacted by the opening of the rail transit line. Increased investigative workloads or increased criminal activity related to transit passengers parking on the streets in the vicinity of transit stations are examples of adverse impacts which may be experienced by the local police agencies.

2.1.1 Function Description

In addition to providing for the surveillance of system facilities and right-of-way, transit police officers in cars will need to respond to calls for assistance from police officers riding on trains, fare inspectors, and security guards assigned for station and facilities protection. These

calls may be for assistance with an emergency, for making an arrest, or for providing transportation where an arrest has already been made or where transportation may be required for other reasons. These officers along with transit police officers on trains will also need to respond to intrusion alarms when activated for facilities and equipment on the line. Additionally, it is anticipated that police investigators will be assigned to car patrols to assist with the supervision of both sworn and non-sworn personnel assigned to security functions at various locations along the 21-mile transit line.

Analysis results presented in the Station Security Evaluation Report have provided the basis for the following criteria for system patrolling by police officers on trains and in police vehicles.

On Trains from 5:30 a.m. to 9:00 a.m.

One transit police officer riding approximately two out of every three trains on the average. During this time period, transit police officers may elect to alight at selected stations along the line, and then board a following train or train travelling in the opposite direction. By working in this manner, the visibility of the limited number of police officers assigned for rail system security in this time period should be maximized.

Fare inspectors will also be riding trains in this time period but no security personnel will be assigned to stations and only a limited number of police officers will be assigned to patrol duty in cars along the rail transit corridor.

On Trains from 9:00 a.m. to 6:30 p.m.

One transit police officer riding approximately every third train during the midday and p.m. peak period operating hours, primarily on the Long Beach and Los Angeles segments of the line only. Along these segments, transit police officers may elect to alight at selected stations along the line, and then board a following train or train travelling in the opposite direction. Fare inspectors will also be riding trains in this time period, and selected stations will be attended by security guard personnel commencing at approximately 10:00 a.m.

On Trains from 6:30 p.m. to 2:00 a.m.

One transit police officer riding each train who will also be responsible for on-train fare inspections in the late evening and night hours. During this time period, it is anticipated that one car trains will be operated so that the

police officer will only need to be concerned with passenger activities in the one car where the train operator will also be situated. Selected stations will also be attended by security guard personnel in this time period.

In Police Cars from 5:30 a.m. to 9:00 a.m.

Two transit police officers will be assigned to one or possibly two car patrols for this time period. If additional assistance is required, it will need to be provided by local police officers in cars.

In Police Cars from 9:00 a.m. to 6:30 p.m.

Cars with two transit police officers will be assigned to the rail transit corridor, with responsibility primarily in the mid-corridor segment to provide on-call support to transit police officers and fare inspectors riding on trains, to assist security guards at selected stations, and to respond to alarms when activated for facilities and equipment on the line. In conjunction with local police patrol cars, it should be possible to provide police car assistance with adequate response times to any mid-corridor station area and to stations in downtown Los Angeles and downtown Long Beach.

It may be possible to assign only one police officer to a car for selected hours in this time period. This might be done with cars assigned in pairs to operate in close proximity to each other, so that two cars would be available to respond to most calls if necessary but increased police visibility on the streets would be provided.

In Police Cars from 6:30 p.m. to 2:00 a.m.

Cars with two transit police officers will be assigned to the rail transit corridor, with responsibility primarily in the mid-corridor segment to provide on-call support to transit police officers riding on trains, to assist security guards at selected stations, and to respond to alarms when activated for facilities and equipment on the line. In conjunction with local police patrol cars, it should be possible to provide police car assistance with adequate response times to any mid-corridor station area and to stations in downtown Los Angeles and downtown Long Beach.

For the mid-corridor segment during this time period, local police agencies indicate that they have only limited capabilities available for responding to calls involving routine matters. Consequently, it may be more difficult in to provide for adequate response times at the mid-corridor stations in this time period. This will need to be evaluated following the commencement of actual train operations.

2.1.2 Staffing Requirements

For the startup of rail system operations, application of the criteria results in the following weekday staffing levels.

<u>Time Period</u>	<u>On Train</u>	<u>In Police Cars</u>	<u>Total</u>
5:30 a.m. - 9:00 a.m.	8	2	10
9:00 a.m. - 3:30 p.m.	2	6	8
3:30 p.m. - 6:30 p.m.	4	6	10
6:30 p.m. - 2:00 a.m.	6	6	12

In estimating the number of police officers to be deployed in police cars, it has been assumed that local police officers in cars will continue to respond to calls for assistance in the mid-corridor area and in the downtown Los Angeles and downtown Long Beach areas to the maximum extent possible within the limitations of existing staffing allocations. These calls will include responding to situations where local police involvement is called for by interagency agreement, responding to assist with routine matters where no transit police officers in cars or on trains are available for assistance, or responding to investigate intrusion alarms activated for facilities and equipment on the line where no transit police officers are available.

Note that the actual frequency of patrols on trains will be lower than specified by the criteria when operations are commenced. Police officers will be engaged in activities related to making arrests, booking arrestees, assisting passengers, and other tasks that will cause patrol duties to be interrupted. Staffing requirements have been based on the criteria without making any adjustments to account for lost patrol time.

Assuming that work shift assignments can be efficiently developed for distribution of patrols throughout the hours of operation, this staffing plan consists of approximately 28 weekday work shift assignments. Adding work shift requirements for Saturdays and Sundays and assuming that each police officer is available approximately 230 days per year, it is estimated that 42 personnel are required for system patrol duties. Of this total, it is recommended that eight positions be filled at the investigator level and the remaining 34 positions as police officers. This split corresponds roughly with that currently employed in the SCRTD Transit Police Department.

Currently, it is estimated that up to one half of the transit police investigators and officers assigned to patrol

duties in the Department's operations unit are typically working in downtown and south central Los Angeles. It is reasonable to assume that these officers will be able to assist to some degree with calls for service in connection with rail transit operations. Since it is not planned to significantly curtail bus services in the rail transit corridor, the amount of assistance which may be provided by these officers will be limited. For manpower planning purposes, it may be assumed that approximately one half of the officers currently assigned to bus services in the rail transit corridor can be effectively utilized for rail transit patrol duties. This assumption serves to reduce staffing requirements for rail transit system patrol duties to 31 personnel, of which it is recommended that seven positions be filled at the investigator level and the remaining 24 positions as police officers.

For planned year 2000 rail operations, application of the criteria for system patrol requirements results in the following weekday staffing levels.

<u>Time Period</u>	<u>On Train</u>	<u>In Police Cars</u>	<u>Total</u>
5:30 a.m.- 9:00 a.m.	14	2	16
9:00 a.m.- 3:30 a.m.	4	8	12
3:30 p.m.- 6:30 p.m.	8	8	16
6:30 p.m.- 9:00 p.m.	6	8	14
9:00 p.m.- 2:00 a.m.	6	8	14

Assuming that work shift assignments can be efficiently developed for distribution of patrols throughout the hours of operation, this staffing plan consists of approximately 38 weekday work shift assignments. Adding work shift requirements for Saturdays and Sundays and assuming that each police officer is available 230 days per year, it is estimated that 53 personnel will be required for system patrol duties. Assuming that transit police investigators and officers currently assigned to patrol duties in downtown and south central Los Angeles will be able to assist to some degree with calls for service in connection with rail transit operations (as already described for the startup year), staffing requirements for rail transit system patrol duties may be reduced to approximately 42 personnel. Of this total, it is recommended that approximately nine positions be filled at the investigator level with the remainder filled as police officers.

2.2 Fare Inspection

Fare collection for the system will be self-service. No barriers will be installed in the stations. Single-ride

tickets will be sold at vending machines provided at each station. The ticket vending machines will have changemaking capability so that separate changemaking machines will not be necessary. A force of fare inspectors will ride the trains and randomly inspect tickets or passes for validity.

The fare inspector will be a primary point of contact with the passenger. As such, the highest standards of professional behavior must be expected of inspectors at all times. In terms of public acceptance, enforcement of the fare collection system and receipt of revenues, the fare inspector is critical to the success of the system. The philosophy for fare inspection should be low profile, with pleasant yet firm, enforcement of the fare system which reflects both the public relations and enforcement functions of the program.

2.2.1 Function Description

Three approaches to fare inspection are possible. Fare inspection duties may be carried out by police officers, by uniformed and armed security officers, or by uniformed and unarmed fare inspectors not having security responsibilities. For the Long Beach-Los Angeles rail transit line, it is recommended that fare inspection be a combined function of a unit of inspectors within the Transit Police Department, transit police officers, and security guards on duty at selected stations. The inspectors will have primary responsibility for fare inspections, and will not have direct security responsibilities beyond writing citations, incident reporting, and safety. This combined approach to fare inspection has been adopted based on the following considerations.

- It recognizes that fare inspection by fully sworn police officers is frequently an inappropriate use of their time.
- Giving security responsibilities to fare inspectors may be a problem, in that fare inspectors may not be as well trained or motivated for security matters.
- Using security officers for fare inspection duties may serve to minimize staffing requirements for both the on-train patrol and fare inspection functions, but security officers may not convey the desired public image to passengers and may serve to provoke passengers under certain circumstances.
- The use of a combined force should provide greater flexibility for the performance of fare inspections without compromising the deployment of security personnel throughout the system.

During the late evening and night hours, transit police officers will perform fare inspection duties as they patrol the system. A limited amount of inspection may also be performed by police officers during daytime and evening off-peak periods. Security guard personnel assigned to selected stations may also be employed for fare inspections, although it is expected that the presence of security guards should serve to significantly discourage fare evasion by boarding passengers at these stations. Police officers on trains and in police cars will be expected to respond to trouble calls from fare inspectors. Fare inspectors will have primary responsibility for fare inspections during the day, particularly during peak periods. In subsequent sections of this report when fare inspectors are referred to, this is also intended to include the fare inspection functions of transit police officers and security guards assigned to selected stations.

The authority of the fare inspectors will be based on the California Penal Code, Title 3, Section 836.5. Under Section 836.5(a), a public officer or employee, when authorized by ordinance, may arrest a person without a warrant whenever he has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his presence which is in violation of a statute or ordinance which such officer or employee has the duty to enforce. Based on the experience of other transit operators, it is proposed that the authority of fare inspectors be limited to issuing citations. If a fare evader refuses to cooperate, the inspector has legal authority to make a full arrest. However, policy should require that the inspector not attempt to make an arrest and take fare evaders into custody. Instead, inspectors should be directed to contact, via radio, for assistance by transit police officers. If the evader still refuses to cooperate when the transit police arrive, the transit police will make an arrest, take the individual into custody, and book the evader in accordance with standard operating procedures.

2.2.1.1 On Train Fare Inspections

Fare inspectors will board trains, at random, noting the time, station boarded, direction, and car number on the daily ticket inspection report. After entering the car, the inspector will estimate the number of passengers on the car. Then, moving from front to rear or rear to front, every individual in the car along the inspector's line of movement should be checked for proof of payment. Passengers without proof of payment should be asked if they understand the fare system or had some other reason for not having a valid proof of payment, such as the malfunction of fare ticketing

machines at a station. When the check is complete, the inspector will move onto the second car in the train at the next station or leave the train and check the next train on the schedule.

Inspectors may be assigned to work alone, in pairs, or paired with a police officer depending on the specific operating procedures adopted for the line.

2.2.1.2 At Station Fare Inspections

All stations will be marked off into paid and unpaid areas, using signs and stripes painted onto the platforms. Persons standing in the paid areas must have proof of payment, just as persons riding on trains.

If persons in station areas do not appear to be passengers, they should be requested to leave the station area immediately. If they refuse, citations should be issued as on the trains. If the individual resists, the inspector should request police aid via radio. Inspectors should use discretion in enforcing fare regulations on groups of individuals who appear to be rowdy or inebriated. In such cases, it will be preferable to request police assistance than to risk a confrontation.

Fare inspectors should visually inspect stations each time they are in such areas. This inspection should include checking for evidence of vandalism, graffiti writing, and burnt out or broken lights. In addition, the ticket vending machines at stations should be checked for tampering or vandalism. Any problems evidenced by these inspections should be reported to the central control dispatcher.

2.2.1.3 Issuance of Warnings and Citations

The SCRTD Board of Directors has sufficient authority to empower its fare inspection personnel to issue warnings and citations in connection with the enforcement of fare payment regulations. The authority is provided in accordance with Section 836.5(d) of the California Penal Code.

SCRTD will issue a policy statement, which may vary from time to time, on whether inspectors should favor citations or warnings. This should be based on current evasion rates, patterns of evasion, and other relevant factors. During the first few weeks of operation, warnings should be favored. regardless of policy, inspectors should have some discretion based on considerations such as the passenger's attitude, whether the evader is elderly or appears confused, recognition of the person as a prior evader by the inspector, and the inspector's perception of his or her own safety at

the time. In certain instances where the passenger has been recognized as a prior evader, inspectors may call in by radio to determine whether the evader is listed on the 'fare evader list' maintained in the central control office by transit police personnel.

The inspectors should be informed by the central control dispatcher when ticket vending machines at a station are not functioning. This will prevent evaders from avoiding citations by claiming that the ticket vending machines were not working at the station where the train was boarded.

If the inspector is satisfied that the passenger did not intentionally evade payment of a fare, the inspector will explain the fare payment system to the passenger politely, detailing the various forms of payment possible. Then, the passenger will be issued a warning ticket and given a copy of the tariff brochure in the appropriate language. The passenger should leave the train at the next station to purchase a ticket.

If the inspector decides that fare payment has been intentionally avoided, the inspector will issue a citation to the passenger. If the passenger refuses to give the inspector identification or to state his or her name and address, the inspector must warn the individual that he or she is subject to arrest. If the passenger continues to refuse, the inspector should call for police assistance by radio. Transit police officers will then be dispatched to meet the inspector's train at the next station or nearest station where it is possible to intercept the train.

2.2.1.4 Other Duties of Inspectors

Although passengers should be referred to passenger assistance phones in the stations, fare inspectors will be expected to provide route and schedules information and assistance concerning rail transit and bus services to passengers. Additionally, fare inspectors must be prepared to deal with emergency situations such as fires and derailments. They should be familiar with all emergency equipment on the trains and in stations including fire extinguishers, fire alarms, escape paths from stations, and emergency stairs. Inspectors should also be trained in first aid and cardio-pulmonary resuscitation techniques.

2.2.2 Staffing Requirements

Transit police will perform fare inspection duties as they patrol the system during the late evening and night hours and to a limited extent during daytime and early evening off-peak periods. Fare inspectors will have primary

responsibility for fare inspections during the day and evening hours. Security guard personnel assigned to selected stations may also be responsible for fare inspections.

Sufficient staffing will be required in order to ensure that a minimum of 15 percent of riders are checked. Experience from other transit operators where this approach to fare collection is employed indicates that between 15 and 25 percent of riders should be checked in order to ensure that fare regulations are being enforced in an adequate manner. For initial system operations, it is projected that approximately 35,600 passengers will use the system each weekday. To provide for the required level of fare inspection on weekdays, Saturdays, and Sundays, it is estimated that eight fare inspectors will need to be employed. Inspectors may be assigned to work alone, in pairs, or paired with police officers depending on the specific operating procedures adopted for the line. For planned year 2000 operations when weekday ridership levels are projected to increase to 54,700 passengers, it is estimated that 12 fare inspectors will need to be employed.

Clerical support will be needed to be provided for the fare inspection function in order to assist with the scheduling of work daily assignments and the processing of warnings and citations.

2.3 Station Area Security

Special attention is required to provide for the protection of passengers, employees, property, and facilities in the station areas. Transit police officers patrolling on trains and in police cars will monitor station area activities. While patrolling on trains, transit police officers may elect to alight at selected stations along the line, and then board a following train or train travelling in the opposite direction after checking the station area. Local police officers patrolling in the vicinity of the stations will also provide for the monitoring of the station areas. Security systems are also planned for each of the 21 passenger stations. CCTV cameras will monitor the station platforms including areas where the ticket vending machines are installed, and intrusion alarms will be provided for the ticket vending machines and other equipment located in the station area. Lastly, analysis results presented in the Station Security Evaluation Report indicated that eight stations should be attended for selected operating hours in order to ensure that individuals and property in the station areas are effectively protected from criminal acts. This section of the report is concerned with the manpower requirements for these eight passenger stations.

2.3.1 Function Description

Eight stations have been identified as 'high risk' stations where additional attention needs to be directed to ensure that individuals and property in the station areas are effectively protected from criminal acts. The eight stations are as follows.

Downtown Los Angeles
Seventh Street
Mid-Corridor
Vernon Avenue
Slauson Avenue
Firestone Boulevard
103rd Street
Imperial Highway
Artesia Boulevard
Del Amo Boulevard

At these stations, uniformed and armed security personnel will be on duty from approximately 10:00 a.m. through 2:00 a.m., seven days per week. These personnel will not be sworn police officers, and will not have authority to make arrests except as provided for by the California Penal Code, Title 3, Section 837 which relates to arrests by private persons (ie citizen's arrests). Security guard personnel assigned to selected stations may also be employed for fare inspections, although it is expected that the presence of security guards should serve to significantly discourage fare evasion by boarding passengers at these stations.

2.3.2 Staffing Requirements

Sixteen daily work shift assignments will be required in order to provide for security personnel at the eight stations for the selected operating hours. Allowing for weekday, Saturday, and Sunday requirements and assuming that each security officer will be available for approximately 230 days per year, it is estimated that 25 security personnel will need to be employed to provide for station area security. This requirement will not vary from the startup year to year 2000 operations.

2.4 Facilities Security

Security needs to be provided for the main yard and shops and for the central control facility. It is planned that the main yard and shops area will be fenced.

2.4.1 Function Description

At the main yard and shops located adjacent to the mainline tracks between the passenger stations at Del Amo Boulevard and Wardlow Road, access to and egress from the site will be controlled through one location. A uniformed and armed security guard will be stationed at this location for 24 hours per day, seven days per week corresponding to the hours that the main yard and shops facility will be in use. When necessary, assistance will be obtained from transit police officers assigned to patrol duties in the rail transit corridor or from the Long Beach Police Department. If further investigations indicate that assistance cannot be obtained at this location in a timely manner, a second security officer should be assigned for selected shifts.

The central control facility is located adjacent to the Imperial Highway station. A uniformed and armed security guard will be stationed at this location for 24 hours per day, seven days per week in order to control access to the facility during operating hours and to provide surveillance of the facility during non-operating hours. This security guard might also be employed to monitor parking areas adjacent to the central control facility by CCTV systems as well as to monitor alarm systems for the facility.

2.4.2 Staffing Requirements

Assuming that each security officer will be available for at least 230 days per year, it is estimated that nine security personnel will need to be employed to provide for security at the main yard and shops and at the central control facility. This requirement will not vary from the startup year to year 2000 operations.

2.5 Revenue Collection

Revenue must be picked up from the various stations and transported to the SCRTD counting facility located in downtown Los Angeles. This function must be performed efficiently and securely with consideration for the safety of the revenue collection crews, robbery prevention, money room scheduling, and the speedy deposit of revenue in the bank in order to get full interest credit.

2.5.1 Function Description

The details of the ticket vending machine design and operation have not been finalized. Consequently, it is not possible to provide a description of the anticipated revenue collection operating procedures. Staffing requirements have

been estimated based on assumptions concerning revenue collection methods, and may need to be updated when final specifications for the fare collection systems have been developed.

2.5.1.1 Machine Servicing

The ticket vending machines must be serviced on a regular basis to collect fare revenues, resupply ticket stocks, and resupply coins and bills for changemaking. This process must be done securely and in such a way that the machines are left in serviceable and secure condition. In addition, various registers in the machines may need to be read or probed in order to establish accountability for the collection of fare revenues.

2.5.1.2 Servicing Intervals

It is assumed that the ticket vending machines will need to be serviced daily. It is possible that some machines may need to be serviced more often due to high usage rates or an insufficient number of machines at high ridership locations. After startup, experience with factors such as the number of passengers using dollar bills will determine the frequency at which machines will need to be serviced.

2.5.1.3 Revenue Carts

Revenue carts are required for servicing of the ticket vending machines. Each revenue cart will be prestocked at the central counting facility with the proper amount of change and tickets. Generally, the carts will need to have the following features.

- Slots for cashboxes and bill cassettes, if used, for the ticket vending machines. Each cart should have enough slots to hold one cashbox for each ticket vending machine being serviced.
- Holders or drawers for ticket stock.
- Drawers for coins.
- Locking, hinged cover which restricts access to the various internal compartments.
- Rubber wheels and brake.

It is possible that the carts could be a two wheel 'hand truck' design, or alternatively, larger four wheel carts. Individual carts could be provided for servicing each station or, several stations could be serviced by a single cart. The number of carts must be determined based on the usage rates of tickets and change at the various stations, servicing frequency, and desired capacity of the carts.

2.5.1.4 Revenue Transportation

Revenue transportation may be done by train or by truck. Many rapid rail transit systems in the United States utilize trains for the collection of revenue. Specially designed cars, regular cars used exclusively for this particular assignment, or regular trains in passenger service may be used for the transportation of revenue collection personnel with carts. This may be done during regular operating hours or at night while the rest of the system is closed down. Alternatively, a transit system may choose to collect revenue from the stations with the revenue collection crews using trucks. Trucks are used by BART and by San Diego's light rail transit system.

For the Long Beach-Los Angeles rail transit line, it is recommended that revenue be collected using revenue collection crews in trucks. It is anticipated that two revenue trucks will be necessary for revenue collection from the 21 rail transit stations. Generally, the revenue trucks should have the following specifications.

- Payload space adequate to hold approximately one half of the carts to be used each day. If smaller trucks are used, it will be necessary to return to the counting room to exchange carts.
- Truck chassis with a lift gate that folds and stows under the body and an armored cab. The payload space should be securely locked but does not need to be armored. Revenue collection crew members will ride in the armored cab or in a following car.
- Two-way radio for communication with central control including silent alarms (not including vehicle location information).

A review of station site plans indicates no reserved parking which could be used by the revenue collection truck. Consideration must be given to the availability of adequate parking for the revenue truck at all stations. The parking space should be reasonable close to a curb cut in order to permit the revenue cart to be pushed from the street to the station.

2.5.1.5 Machine Repairs

It is assumed that no field repairs to ticket vending machines that would expose open coin reservoirs or permit access to cashboxes or bill cassettes will be required. Therefore, it is not necessary that a transit police officer or security guard be present when field repairs are being made by maintenance personnel.

2.5.2 Staffing Requirements

Two revenue collection crews will be required each day. Each revenue collection crew will consist of two security guards, one of whom will be responsible for driving the revenue truck, and one revenue collector. The security guard assigned to operate the revenue truck will remain with the truck at all times, including when parked on the streets near the stations waiting for revenue to be removed from machines.

The revenue collector will be responsible for transporting vault carts between the truck and the ticket vending machines in the stations, loading and unloading the carts, removing revenue from the machines, restocking the machines, and maintaining records of the machine servicing.

The second security guard will be responsible for providing protection for the revenue collector as he or she transports carts between the truck and the station area. This guard may ride in the revenue truck from station to station if there is adequate room or follow the revenue truck in a police car, and may be responsible for some audit duties in connection with machine servicing.

To provide for two revenue collection crews servicing machines seven days per week, six security guards will be needed. This requirement is based on assumptions concerning the frequency of machine servicing and related factors which will need to be updated when the specifications for the fare collection systems have been finalized. Staffing requirements for revenue collection might increase from startup year to design year operations but it is not possible to estimate the change. It is also possible that additional security guard personnel may be needed to monitor certain machine repair activities where access to the cashbox or coin reservoirs is required.

2.6 Security Systems Monitoring

It is planned that the Long Beach-Los Angeles Rail Transit Project will include the following communications and surveillance systems designed to enhance the level of perceived as well as actual system security.

- CCTV cameras deployed at each of the 21 passenger stations to monitor the station platforms including areas where the ticket vending machines are installed. Design criteria for the placement and number of CCTV cameras are currently being finalized.
- Two-way communications between patrons at the stations and central control; between passengers and

- vehicle operators on the trains; and between vehicle operators and the central control dispatcher.
- Intrusion alarms at traction power substations, ticket vending machines located in the station areas, communications rooms, and selected subway ancillary areas in accordance with the system design criteria.
 - Silent alarms provided between vehicle operators and central control for on-train emergencies where voice communication is not possible.

2.6.1 Function Description

Security personnel will be responsible for monitoring intrusion alarms at the traction power substations, ticket vending machines located in the station areas, communications rooms, and other selected locations. Train operations and CCTV monitoring personnel at the central control facility will be responsible for monitoring the CCTV, communications, and silent alarm systems. If a situation arises where passenger safety may be endangered, central control personnel will notify the transit police dispatcher so that an appropriate police response to the situation can be initiated. It is planned that the CCTV system will permit camera images to be relayed to a monitor at the transit police dispatcher's location.

2.6.2 Staffing Requirements

There are no security personnel staffing requirements for this function. Police dispatching personnel at the central control facility will be responsible for monitoring intrusion alarms and for coordinating with train operations personnel in the event of emergencies or other situations where police assistance may be required. With regard to CCTV monitoring for system security purposes, the CCTV systems can be effectively employed by police dispatching personnel as a means of viewing a location where a problem has been reported in order to obtain additional information concerning the nature and circumstances of the reported problem.

2.7 Radio Dispatching

For the effective coordination of transit police and local police in responding to incidents occurring on the rail transit system, the police radio dispatching function is of critical importance. Representatives of the local police agencies serving the rail transit corridor have stressed the need for effective communications from the transit police as the basis for maximizing each agency's willingness and ability to respond for calls for assistance in a timely

manner.

2.7.1 Function Description

The radio dispatcher will maintain communications with all transit police personnel assigned to patrol, facilities and station area security, fare inspection, and other duties in the rail transit corridor. Additionally, the police radio dispatcher will be the central point of contact for coordination with train operations personnel throughout the operating hours. For example, coordination will be required for emergencies or other situations identified by train operations personnel where police assistance may be required, for holding trains outside of station areas until transit police arrive on the platform to provide assistance, for informing operations personnel of problems such as burnt out or broken lights when noted by security personnel, and for informing fare inspectors when all ticket vending machines at a station are not in working order.

2.7.2 Staffing Requirements

To provide for radio dispatching during the rail transit system operating hours on seven days per week, four police dispatchers will need to be employed. This requirement should not vary from the startup year to year 2000 operations. During non-operating hours, it should be possible for the radio dispatching duties related to train operations to be assumed by other police dispatching personnel.

3.0 TRANSIT POLICE ORGANIZATION AND STAFFING FOR RAIL TRANSIT OPERATIONS

This chapter addresses organization and staffing requirements for the security and law enforcement functions to be implemented in connection with the operation of the Long Beach-Los Angeles rail transit line. When implemented, security operations for the rail transit line will be integrated to some degree with on-going security operations for bus transit services in the corridor. Furthermore, it is anticipated that security operations for the Century Freeway rail transit line will be carried out in conjunction with security operations for the Long Beach-Los Angeles rail transit line. Implementation program requirements are reviewed, and the possible advantages and disadvantages of using contractors for selected security-related functions are examined.

3.1 Organization and Staffing

3.1.1 First Year Operations

Figure 3-1 summarizes the organizational structure and level of additional staffing required to support first year rail transit operations. For first year operations, a total of 95 positions related to security and law enforcement functions have been specified. This total may be broken down as follows.

<u>General Function</u>	<u>Number</u>
supervision	8
train and car patrols	31
facilities security	34
specialized functions (including fare inspection and revenue collection)	14
police radio dispatching	4
clerical	4

These staffing requirements are based on the results of the detailed functional analysis presented in the preceding chapter, and additional considerations concerning requirements for supervisory and support services positions as follows.

Transit Police Lieutenant. For initial rail transit operations, it is recommended that a Transit Police Lieutenant be added to direct rail transit security functions.

Transit Police Sergeants. Supervision of the rail transit security functions will be provided by seven Transit Police Sergeants, who will be responsible to the Transit Police Lieutenant designated for rail operations. This level of supervision is generally consistent with current levels employed in the Department for police investigators, police officers, and security guards. It should allow for two sergeants to be on duty for midday through night operating hours on weekdays.

Police Radio Dispatchers. Four Police Radio Dispatchers will be required to provide coverage during all operating hours. In order to efficiently schedule work shifts for the 20 hours of operation daily, it will be necessary to employ work shifts consisting of four 10-hour days per week or to split work shifts between radio dispatching and other duties for selected personnel. Currently, these positions are provided for the Transit Police Department by the District's Transportation Department.

Transit Police Investigators. Seven Transit Police Investigators will need to be added for rail transit security operations. This level of staffing is generally consistent with current levels employed in the Department for police investigators.

Transit Police Officers. For patrol duties in connection with initial rail operations, analysis results indicate that 24 additional Transit Police Officers will be required.

Security Guards. Security Guards will be required for providing protection at selected station areas, the main yard and shops, and the central control facilities. Security guard personnel will also be responsible for assisting with revenue collection. For initial rail operations, it is estimated that 40 security guard personnel will be necessary. These personnel will correspond with the District's Security Guard II classification.

Fare Inspectors. For first year operations, it is estimated that eight Fare Inspectors will be required.'

Clerks. Clerical assistance will be necessary to assist with fare inspection work scheduling, the processing of warnings and citations, liaison with local courts, evidence storage and retrieval, equipment tracking, and general office and recordkeeping duties. It is estimated that four clerical personnel will be required, probably

assigned for one shift per day each weekday.

3.1.2 Design Year Operations

Figure 3-2 summarizes the recommended organizational structure and level of additional staffing required to support design year rail transit operations. For year 2000 operations, it is estimated that the number of positions related to security and law enforcement functions will be increased by 16. Generally, this increase corresponds with the projected higher ridership levels and increased number of trains. A total of 111 additional positions related to rail transit security functions have been specified. This total may be broken down as follows.

<u>General Function</u>	<u>Number</u>
supervision	9
train and car patrols	42
facilities security	34
specialized functions (including fare inspection and revenue collection)	18
police radio dispatching	4
clerical	4

Changes in staffing from the startup year to the design year have been identified for the following positions.

Assistant Transit Police Chief. When the Metro Rail and other light rail transit lines are opened for revenue service, an Assistant Transit Police Chief position should be introduced for rail transit security functions, including those related to the operation of the Long Beach-Los Angeles rail transit line. This position is not included in the count for design year operations since it is intended for all rail operations.

Transit Police Sergeants. The number of Transit Police Sergeants will be increased by one to eight for design year rail operations. This level of supervision is generally consistent with current levels employed in the Department.

Transit Police Investigators. It is recommended that the number of Transit Police Investigators be increased to nine for rail transit security operations. This is increased from seven additional positions required for startup year operations.

Transit Police Officers. For patrol and revenue collection duties in connection with design year rail operations, analysis results indicate that 33 Transit

Police Officers will be required. This is increased from 24 additional positions required for startup year operations.

Fare Inspectors. For design year operations, it is estimated that 12 Fare Inspectors will be required due to increased system ridership levels. This number is increased from eight additional positions required for startup year operations.

3.2 Implementation Program Requirements

In order to implement the security program for the Long Beach-Los Angeles rail transit line, three implementation program requirements need to be addressed.

3.2.1 Hiring and Training Program Planning

Security functions require the employment of 95 persons for startup year operations. The recruitment and training of this number of personnel will require considerable lead time, perhaps as long as two years in advance of the date of system startup. For nearly all of the positions being added, previous law enforcement experience as well as certification by the Commission on Peace Officer Standards and Training would be required or highly desirable. Additionally, special attention needs to be given to identifying functions which may be contracted for. Through the use of contractors, it should be possible to ease the initial requirements for startup hiring and training as well as to shorten the lead time necessary for the commencement of hiring.

3.2.2 Rail Operations Training Program Development

The training program will be applicable for current transit police employees as well as for new employees being hired for the startup of the Long Beach-Los Angeles rail transit line. The training program should also be extended for local law enforcement agencies where officers will be required to respond to incidents occurring on the rail transit system. At a minimum, it is planned that the training program should encompass the following subjects.

- system orientation
- safety
- track and wayside description
- station operations
- tariffs and fare collection procedures
- all aspects of fare inspection procedures
- vehicle familiarization
- communications
- emergency procedures

Throughout the rail operations instruction program, considerable emphasis on safety and responding to emergencies will be required. The operation of rail transit trains involves an operating environment of underground and overhead facilities where the track, switches, and other potentially hazardous equipment will be relatively unfamiliar to most police officers and security personnel. Proper use of the facilities, including prompt and effective action in the handling of emergencies should be emphasized in all training activities.

3.2.3 Fare Inspection Training Program Development

The training program for fare inspection personnel should include, at a minimum, the following subjects.

- tariffs and fare collection procedures
- public relations
- citation writing and arrest procedures
- judicial process for citations
- court testifying
- all aspects of fare inspection procedures
- company policy and procedures
- self protection techniques
- first aid
- use of emergency equipment on trains and in stations
- radio procedures
- working with law enforcement personnel
- public transit routes and schedules

3.3 Security Services Contractors

The use of contractors for selected security-related functions should be considered by the SCRTD Transit Police Department. There are numerous local and nationwide private firms that are able to offer security-related services. For selected functions, this approach could provide the District with at least two important advantages.

- In view of the nearly doubling in size of the Transit Police Department, the use of contractors could ease initial requirements for hiring and training.
- The use of contractors can be less costly than the costs of hiring full-time employees. Investigations undertaken in connection with the preparation of this report indicates that a cost savings of at least ten percent should be possible for security officer personnel.

On the other hand, there are possible disadvantages associated with the use of contractors. Contractors are not able to provide fully sworn police officers. For functions where it has been determined that fully sworn police officers should be employed, it would be necessary to utilize security officers having limited police authority instead of fully sworn police officers. For these functions, it might be preferable to utilize local police agency personnel if possible, rather than to relax the qualifications being sought for the personnel assigned to the functions. Also as a disadvantage, it is possible that contractor personnel may not convey the desired public image to transit passengers.

In spite of the possible disadvantages, it is recommended that the use of contractors for station and facilities security, and perhaps for revenue collection functions be considered in detail by the District.

Figure 3-1

TRANSIT POLICE DEPARTMENT ADDITIONAL
STAFFING REQUIREMENTS FOR FIRST YEAR
RAIL TRANSIT OPERATIONS

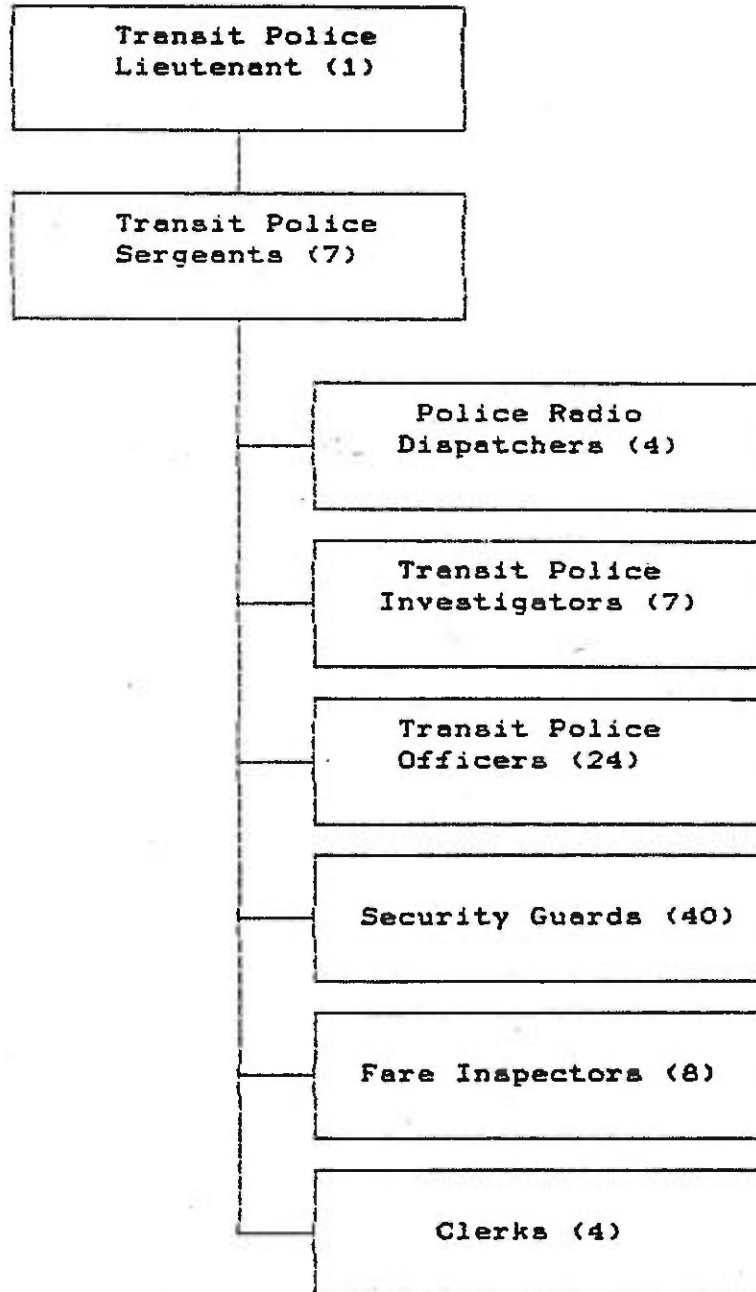


Figure 3-2

TRANSIT POLICE DEPARTMENT ADDITIONAL
STAFFING REQUIREMENTS FOR DESIGN YEAR
RAIL TRANSIT OPERATIONS

