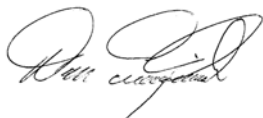


Item No. 11.1.7

**Halifax Regional Council
October 21, 2008**

TO: Mayor Kelly and Members of Halifax Regional Council



SUBMITTED BY:

Dan English, Chief Administrative Officer



Wayne Anstey, Deputy Chief Administrative Officer - Operations

DATE: September 17, 2008

SUBJECT: Metro Transit Security

ORIGIN

At the Halifax Regional Council meeting on Tuesday, June 24, 2008 a request for an information report was put forward by Councillor McInroy to review and report to Council on Transit Special Constable Security forces in other Canadian and North American jurisdictions as well as to identify the legislative requirements to implement such a system in Halifax.

RECOMMENDATION

It is recommended that Halifax Regional Council approve the staff recommendation for Metro Transit to research and develop an appropriate Transit By-law to support the operation of a safe, secure transit system.

BACKGROUND

Similar to other areas of society, mass transit systems across Canada and the United States have been experiencing a rise in the number and type of aggressive and violent incidents over the last number of years. This trend is substantially related to the steady increase in ridership being encountered. Transit properties have had to implement various initiatives to achieve a greater degree of system safety and security. The implementation of a Transit Police Division, or other security focused division, is only one option to be considered. The establishment of this type of division occurs only after other initiatives have been implemented and a solid security focused foundation built. Transit Police forces are in place in Canada with transit systems that provide multi-modal transportation options (including subways, light rail and/or dedicated transit ways) with service to remote/low traffic areas and which serve a different urban environment than Halifax.

Metro Transit has experienced an increase in the aggressiveness of incidents occurring against its operators. Though violent incidents continue to occur there has been no change in the number of incidents in the past 18 months during which specific statistics have been kept.

Over the past year, Metro Transit has worked diligently to develop an effective safety and security strategy for both employees and passengers. The 2008/09 Transportation and Public Works (TPW) Business Plan outlines several key security related initiatives for implementation. Metro Transit will establish a safety and security coordination office to improve overall security and to funnel safety and security related issues through one point of contact. In addition to improved system monitoring and evaluation, this office will be instrumental in leading the development of a Transit By-Law to be brought forward to Regional Council for recommended implementation.

Other initiatives implemented to support a safe and secure transit system include:

- a multi-colour transfer system to reduce fare related disagreements
- three additional service supervisors for on-road operator and passenger support
- improved relationship with police through information sharing and improved response times
- the mobile surveillance camera system project; and
- the creation of a “Safety Tips for Operators” booklet to provide reminders about behaviour clues and tips to help with deal appropriately in confrontational situations.

Canada’s largest transit properties are implementing on-board security cameras through a phased in approach as cameras have been identified as a significant deterrent to criminal activity while supporting evidence for convictions should that activity occur. Metro Transit has identified the installation of on-board mobile surveillance cameras as a priority project for complete implementation within this fiscal cycle. Award - RFP No. 08-130, Supply and Installation of Mobile Surveillance Equipment for Metro Transit Vehicles is also being presented to Council for consideration.

DISCUSSION

Throughout the review of North American transit properties, evidence supports the implementation of a security force for large properties that carry more than four times the number of passengers of Metro Transit (just over 18 million passengers annually with a consistent growth rate of at least 6.5%). The number of issues and events encountered by these properties, combined with the size and scope of their tax base, warrants and supports the creation of a security force division. When comparing Transit properties in the United States, careful evaluation is required as the legislation and funding levels are vastly different from those in Canada. The United States Federal Government provides substantial funding to transit properties in light of anti-terrorism initiatives resulting from 9/11 and the creation of Homeland Security. The attached table provides an overview of representative transit properties across both Canada and the United States.

Consultation with Halifax Regional Police and HRM Risk Management occurred with concurrent support for the approach being recommended by Metro Transit. The partnership developed with Halifax Regional Police will continue ensuring appropriate response to security/emergency calls and to investigate assaults, vandalism and other criminal incident.

Careful consideration has been given to the concept of a Transit Police division in Metro Transit. The preferred approach for Metro Transit and Halifax Regional Municipality is to implement a phased security strategic plan building on previously implemented initiatives. The initial step is to create a safety and security focused office that will monitor, analyze, and evaluate safety/security related information while bringing forward recommendations for improvement. Included in this step is the research and development of a Transit By-Law and the establishment of security-based information for both operators and passengers. The focus of the Transit By-Law will be similar to all Canadian Transit Properties to enforce fare payment and to regulate passenger conduct.

To create and support a Transit Police force, significant consideration must be given to the identification of direct operating resources, initial and continual training and development, enabling legislation, mechanisms for increased legal services and courtroom services, and supporting administrative and supervisory services for the force. None of this is easily achieved without significant resource re-alignment and multi-jurisdictional cooperation. Preliminary costing estimates suggest initial operational costs would exceed \$1.2 million in the first year of operation.

A related project currently underway is the Transit Secure Program Consulting Study which has been completed, and a Comprehensive Security Plan is being developed to ensure Metro Transit has a manageable and practical approach to investing in effective security enhancements. Some of the recommendations from the study are already planned for implementation (some of which have been mentioned previously) including a formal Security Audit, Security Awareness training, security awareness program development, ID program, installation of mobile security cameras aboard all buses, and improved vehicle location through a GPS system.

BUDGET IMPLICATIONS

The implementation of security initiatives discussed in this report have been identified through the 2008/09 business planning process. Funds are already secured to create a security office within Metro Transit. The research and development of a Transit By-Law can be completed within existing resources.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ALTERNATIVES

1. Council could choose not to support the recommendation to research, develop and implement a transit by-law to offer the correct support to transit employees and passengers to improve system security. This is not the recommended alternative.
2. Council could choose to not accept the approach of Metro Transit and recommend the implementation of a Transit Police force without the appropriate supporting legislation and administrative organization. This is not the recommended alternative.

ATTACHMENTS

Appendix "A" - Transit Property Review Table

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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Appendix “A” - Transit Sytem Security Overview Transit Properties in Canada and the United States

Transit Property	Annual Ridership	Vehicle & Staff Complement	Transit Police	Security Initiatives - Special Constables and Transit Police	Legislative Support
Metro Transit	18 M	311 buses 625 employees	No	None	None
OC Transpo Ottawa, ON	91.8 M	960 buses 2,277 employees	Yes	Transit Special Constables ¹ Uniformed and plainclothes Transit Special Constables are sworn Peace Officers that provide services for OC Transpo in conjunction with City Police.	<ul style="list-style-type: none"> gCity by-law respecting public transit - By-Law #2007 - 268 gCriminal Code of Canada gControlled Drug and Substances Act gLiquor License act gTrespass to Property Act gSafe Streets Act
Edmonton Transit System (ETS) Edmonton, AB	61.9 M	801 buses 49 Trolleys 37 Light Rail 2030 FT employees 199 PT employees	Yes	The Edmonton Transit Safety and Security Division (ETSSD) ² is made up of trained Security Officers that work for the Edmonton Transit System. ETS has begun installing cameras on its fleet of buses in phased approach.	gBy-Law No. 8353 - to regulate and control the conduct of passengers using vehicles, stations and facilities of Edmonton Transit
Calgary Transit	90.3 M	863 buses 149 Light Rail 2327 employees	Yes	The Calgary Safety and Security Section ³ is comprised of 69 peace officers patrolling the system. A Police Inspector from Calgary Police Service has recently been seconded as the new head of security.	gBy-Law Number 4M81 - to regulate the conduct of passengers on public vehicles
Winnipeg Transit Winnipeg, MB	37.4 M	535 buses 1,366 employees	No	Winnipeg Transit does not have an established security division or Transit Police force. Their latest business plan identifies the implementation of On-Board Security Camera System for the entire fleet as an area of priority by 2011.	None

Transit Property	Annual Ridership	Vehicle & Staff Complement	Transit Police	Security Initiatives - Special Constables and Transit Police	Legislative Support
Victoria Regional Transit System BC Transit Victoria, BC	19.2 M	245 buses and vans 560 employee	No	No specially established security division of Transit police force. On-road supervision is provided by Road Supervisors and supported by police services.	None
Mississauga Transit Mississauga, ON	23 M	371 buses 645 employees	No	Transit Enforcement Team ⁴ A Transit Enforcement Officer is an enforcement officer that has the authority to arrest, issue fines or ban someone from using the system. This is a new division who works closely with city police with significant links with the TTC.	<ul style="list-style-type: none"> gCriminal Code of Canada gPublic Works Protection Act gTrespass to Property Act gTransit By-Law 425-03 - to regulate bus passenger transportation system
TTC	460 M	1640 buses 700 subway cars 248 streetcars 11,235 employees	Yes	TTC Special Constable Services ⁵ (Currently 95 with 176 by 2011) TTC Special Constables have the same powers of arrest as a Police Officer.	<ul style="list-style-type: none"> gCriminal Code of Canada gTrespass to Property Act gLiquor License Act gSection 17 Mental Health Act gBy-Law #1 - Relating generally to the conduct of persons using the public transit system and property of the TTC
Brampton Transit Brampton, ON	12 M	290 buses 667 employees	No	Brampton Transit does not have an established security division or Transit Police force.	None
Metro Transit Minneapolis, MN	73 M	821 buses 2055 employees	Yes	Metropolitan Transit Police ⁶ Metro Transit has its own police force committed to the safety of its customers and drivers, serving seven counties and 85 cities in the region.	Supported by a variety of legislative documents for the United States through local, state and federal initiatives.

Transit Property	Annual Ridership	Vehicle & Staff Complement	Transit Police	Security Initiatives - Special Constables and Transit Police	Legislative Support
Massachusetts Bay Transportation Authority (MBTA)		1000 buses 608 Rail cars 10 Street cars 493 commuter rail cars 298 vans 5,782 employees	Yes	MBTA ⁷ has 300 sworn police officers and despite this significant complement expansion continues. The MBTA has begun to install cameras on 155 buses of its fleet which will record digitally and will transmit live images locally to the Transit Police enforcement vehicles.	Supported by a variety of legislative documents for the United States through local, state and federal initiatives.
Pierce Transit Seattle, WA	14 M	270 buses 1,038 employees	Yes	Office of Public Safety ⁸ Newly formed division of Pierce Transit that is being phased over the next few years. They are a security division and not a police division.	Supported by a variety of legislative documents for the United States through local, state and federal initiatives.
Dallas Area Rapid Transit Dallas, TX	103.4 M	742 Buses 1,780	Yes	DART Police officers ⁹ are licensed peace officers of the State of Texas who have all the rights, privileges, obligations, and duties of any other peace officer in the state of Texas while on the property under the control of DART or in the actual course and scope of the officer's employment.	Supported by a variety of legislative documents for the United States through local, state and federal initiatives.
Muni Transit San Francisco, CA	200 M	1,131 buses, trolley cars and light rail 4,500 employees	Yes	Security and Enforcement Division ¹⁰ is a division of the San Francisco Police Department. Led by a Deputy Chief, the division includes Parking Enforcement, Transit Fare Inspectors, Muni Response Team (MRT), and the San Francisco Municipal Transportation Assistance Program	Supported by a variety of legislative documents for the United States through local, state and federal initiatives

- 1 OC Transpo Special Constables have the powers of a Police Officer to enforce the Criminal Code of Canada, the Controlled Drug and Substances Act, the Liquor License act, the Trespass to Property Act, and the Safe Streets Act on all transit vehicles and property. Special Constables put safety first with the powers of a Police Officer to enforce the law and protect customers and employees on all transit vehicles and property. Special Constables form part of the Transit Law Enforcement team that also includes Transit Fare Enforcement Officers who check fares and Communications Officers who monitor

surveillance cameras, answer emergency calls and dispatch assistance.

2. ETSSD strives to enhance the safety and security of customers, employees and the general public. Security Officers actively promote order maintenance, disorder prevention and voluntary compliance with social norms surrounding acceptable transit use. There is continual review of safety and security efforts to maximize customer and employee safety all across the system
3. The Calgary Safety and Security Section focuses on the safety and security of transit customers through the enforcement of the Transit By-law, responding to incidents involving customer safety, and by patrolling the LRT line on a regular basis in uniform and out of uniform and providing assistance to customers.
4. Mississauga Transit Enforcement Team works in partnership with area police services and other security units to ensure passengers travel safely and employees can work in a safe work environment.
5. TTC Special Constables have the same powers of arrest as a Police Officer to enforce the Criminal Code of Canada, the Controlled Drugs and Substances Act, the Trespass to Property Act, the Liquor License Act, and section 17 of the Mental Health Act on all TTC properties and vehicles. TTC Special Constables enhance public and employee safety and deal with emergencies. They conduct walking and mobile patrols, fare evasion inspections and law enforcement.
6. There are 144 Metro Transit Police Officers, 60 of which are part-time officers and five administrative staff dedicated to one thing: public safety. The Metro Transit Police Officers also enforce fares. Metro Transit Police Officers are the only force that requires its officers to complete at least two years of college. Transit officers have the same powers as City police officers.
7. MBTA has determined that the department is stretched too thin and partner extensively with local police forces throughout the district. The MBTA has its own police academy that matches the standards of any other police academy with an additional focus of the unique environment of a transit system.
8. The Pierce Transit System is planning to hire 15 transit security officers and 3 transit security sergeants in 2008 and to double the complement in 2009. This group will be responsible for monitoring the overall critical aspects of the transit system and to respond to public safety related calls that occur on the system. The division directly liaises with other first responders.
9. Dallas Area Rapid Transit Police, the law enforcement power granted to DART Police officers is subordinate to the law enforcement power of a municipality in which the power is attempted to be exercised. There are just over 200 DART Police Officers.
10. San Francisco Municipal Transportation Agency (SFMTA) will receive over \$7 million in 2008 to improve security and public safety on San Francisco's transit system, the Municipal Railway (Muni). The Operations and the Security and Enforcement Divisions ensure a safe and secure transit system for customers and Employees. The SFMTA funds will go primarily towards improving security surveillance and security measures at SFMTA facilities and towards purchasing one incident command bus and two command vans. These command vehicles will allow SFMTA Security and Enforcement personnel to fully monitor emergency and large-scale events, better support Muni Operations