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Memorandum

DATE: January 31, 2013
TO: Brad Racino
FROM: Rob Schupp
SUBJECT: ANSWERS TO QUESTIONS

1. Who is officially responsible for monitoring MTS contracts -- for making sure contract terms are met?

MTS administrates many contracts. Bill Burke, MTS Chief of Police, is responsible for the security contract.

2. MTS has held a contract with Heritage Security (now Universal) since 1981. Has the district ever considered creating its own police force, as in other cities, such as New York and San Francisco? If not, why? If so, when and what was the outcome of the consideration?

MTS believes it is more cost effective to hire an outside firm. Local police and sheriff departments have jurisdiction on MTS properties. TSS and MTS Code Compliance officers provide another layer of security for MTS passengers.

3. What are the advantages and disadvantages of having a private security force?

The primary advantage is that contracts are bid competitively, saving taxpayers money. The outside firm also indemnifies MTS for liability related to security incidents.

The MTS contract with its private security firm is administered by our Chief of Police and other MTS staff to ensure that levels of service conform to the terms of the contract.

MTS' approach to security for the past 30 years has been to have a collaborative relationship with all law enforcement agencies, including local police departments, the San Diego County Sheriff's Department, Homeland Security, Transportation Security Administration, the Federal Bureau of Investigations, US Marshall, San Diego County Probation Department, the Drug Enforcement Administration, and the Military Police. MTS meets regularly with all of these agencies and the groups work together to provide for a safe environment in and around transit facilities.



MTS also employs Code Compliance Officers whose primary responsibility is to check for fares. Additionally, MTS has three Canine Units who have been trained by the TSA and are deployed throughout the region for bomb detection.

MTS has had a very successful relationship with Heritage/UPS. Statistically, we have one of the lowest crime rates of any transit agency.

4. **Many current and former TSS officers are talking about lack of training -- specifically, that they wouldn't know how to respond to a number of different scenarios, including terrorism and first aid.**

All TSS officers receive training commensurate with their function before going out in the field. All TSS officers are required to receive 16 hours of Orientation and 40 hours of Patrol Procedures for Station Procedures (on-the-job training with supervisor) prior to working without supervision at transit stations.

Training is conducted throughout the year. At the end of one year of employment, a TTS employee will receive 160 hours of training in five phases. Advanced training is also available. All TSS employees are required to fill out log sheets signed by probationary officers to ensure that required training has been completed.

The primary responsibility of these officers – specifically in response to acts of terrorism and first aid – is to observe and report. Officers are trained to call the proper authorities or responders. TSS officers do not provide first aid.

5. **The issue of training has arisen quite a few times in San Diego over the last decade, and every time, MTS spokespeople are quoted as saying all officers are properly trained — repeatedly highlighting the "164 hours" of training referenced in the contracts. Yet every officer we have interviewed has said they've never received this training or most of the training promised in the contracts between Universal and MTS.**

How do you respond?

Security officers representing MTS are properly trained. Please see answer above.

6. **Cal/OSHA fined Heritage/Universal \$20,000 in 2012 for not providing their employees with basic health services, such as Hepatitis-B vaccinations and blood-borne pathogen training? Are you aware of this fine? Can you assure the public that they should not be concerned?**

Heritage/UPS has not been fined for any services rendered to MTS.

7. **Are you aware that Cal/OSHA is currently conducting a separate investigation into Universal? If yes, please elaborate on your concerns with this situation. If no, what are your thoughts?**

MTS was not aware of any investigation into Universal and there are no pending investigations of Universal for services rendered to MTS. Investigations are sometimes prompted by complaints that may or may not be valid.

8. **Are TSS officers normally the first-responders to incidents along the train tracks?**

When something happens along train tracks, there are many parties who may respond. TSS officers and MTS Code Compliance Officers, as well as train operators, are trained to observe and report. If something doesn't look right, all personnel are trained to call the MTS Operations Center. Depending on the circumstance, the following agencies and personnel are among those that could be notified to respond:

- Local law enforcement
- Local fire and paramedics
- Federal agencies, including Homeland Security, TSA and FBI
- MTS Security
- MTS Line Supervisors
- MTS Maintenance of Way
- MTS Light Rail Vehicle Maintenance

9. **MTS holds counter-terrorism drills annually -- why are TSS officers not involved?**

MTS has hosted a number of drills that respond to emergencies, but none have been specifically designed to counter terrorism. TSS officers participate in all drills along with all other appropriate agencies that respond to such emergencies.

10. **We have made multiple requests to interview key MTS personnel involved in the oversight and decision-making. MTS is a government agency, accountable to the public and funded partly by taxpayer dollars. Why have these requests been denied?**

MTS responded to all requests for information and agreed to answer all written questions. Receiving questions in advance allows MTS to research if necessary and provide accurate responses.