

**Date:** February 24, 2021

**To:** Board of Directors



**From:** Doug Kelsey

**Subject: RESOLUTION NO. 21-02-07 OF THE TRI-COUNTY METROPOLITAN TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING INTERGOVERNMENTAL AGREEMENTS FOR TRANSIT POLICE SERVICES**

**1. Purpose of Item**

This Resolution requests that the TriMet Board of Directors (Board) authorize the General Manager to enter into multiple Intergovernmental Agreements for Transit Police Services.

**2. Type of Agenda Item**

- Initial Contract
- Contract Modification
- Other Intergovernmental Agreements

**3. Reason for Board Action**

Board approval is required for Intergovernmental Agreements (IGAs) that obligate the District to spend more than \$1,000,000.

**4. Type of Action**

- Resolution
- Ordinance 1<sup>st</sup> Reading
- Ordinance 2<sup>nd</sup> Reading
- Other \_\_\_\_\_

**5. Background**

For over 30 years, TriMet has provided a dedicated Transit Police Division (Division) to ensure a safe environment on the transit system for TriMet’s riders and employees. Following the General Manager’s decision to redirect \$1.8 million annually from the transit police budget to explore new community-based services to expand our safety approach, the Reimagining Public Safety outreach process and Transit Public Safety Advisory Committee led to several recommendations for improvements to public safety.

The Transit Public Safety Advisory Committee recommended additional training for security personnel, increasing personnel on the system, and creating mobile crisis teams to assist individuals on the system with behavioral health needs. These recommendations are included in our Reimagine Public Safety program, and we will be providing the Board with an update on the program and new partner agreements in the near future.

Customer feedback showed that the majority of riders and employees feel safer with the presence of transit police to assist to our riders, employees and TriMet contractors, and to respond to emergencies. Consistent with the previous efforts related to public safety, approval of these transit police agreements allows TriMet to pursue policing arrangements that continue to reimagine public safety on transit. The community-based policing model underpinning these agreements allocates policing resources where they are truly needed, and prioritizes officer response to situations that require a law enforcement presence.

TriMet is preparing a five-year strategic plan for transit police that will incorporate and support the Reimagine Public Safety initiative. This strategic plan will also develop performance measurements for transit police activities. The proposed IGAs memorialize TriMet's existing policy that police generally should not be involved in fare inspections, which almost exclusively should be done by non-law enforcement. Transit police will participate in all training as recommended by the Public Safety Advisory Committee, including training in anti-racism, bias, cultural humility, mental health and de-escalation.

This Resolution authorizes a series of new Intergovernmental Agreements that will continue to provide TriMet with regional, multijurisdictional transit police services. Through numerous IGAs, this Resolution continues the practice of having the Transit Police Division staffed by sworn police officers from the jurisdictions within TriMet's service area. These IGAs retain the same general structure for transit police services: a prime agreement with one law enforcement agency that provides command, administrative staff and police officers for the Division, and subsidiary agreements with other jurisdictions to supply police officers to the Division who serve under the command of the prime agency.

With the expiration of the current IGAs for transit police, TriMet staff took the opportunity to assess the way TriMet provides safety and security services. The comprehensive assessment considered staffing levels, a comparative analysis of police services in other transit systems, performance metrics, deployment, and operational costs. Following this review and assessment, TriMet determined that improved law enforcement services could be provided successfully through a prime contract with the Multnomah County Sheriff's Office (MCSO) as the new prime contract agency to lead the Division.

Shifting from the City of Portland to MCSO as the primary agency to provide command and administrative support for transit police will provide new opportunities to better link our customers to services offered by Multnomah County. MCSO has proven to be a leader in innovative policing strategies, including its Homeless Outreach and Programs Engagement (HOPE) team. The proposed IGA specifies that police services include coordinating and assisting with other services offered by Multnomah County, such as services for those on transit without housing and individuals in need of behavioral health treatment.

Costs for individual IGAs with the several jurisdictions can vary year-to-year depending on officer availability, situational demands, significant events and agency size. Agencies within the District's service area provide officers to the Division based on their own staffing levels, and may not be able to provide the same number of officers every year. This accounts for the variation in costs from agency to agency.

This Resolution authorizes IGAs with both MCSO and other jurisdictions for seven years. Additional law enforcement agencies may be added as staffing levels allow. Estimated budgets for the IGAs are as follows:

<b>Jurisdiction</b>	<b>Estimated Budget - Fiscal Years 2021-2028</b>
Multnomah County Sheriff's Office	\$82,524,839
Clackamas County Sheriff's Office	\$4,251,400
Beaverton Police	\$1,905,800
Gresham Police	\$2,785,400
Hillsboro Police	\$1,466,000
Port of Portland Police	\$1,466,000
Washington County Sheriff	\$2,066,000
Transit Police Administration	\$2,052,400
<b>Total</b>	<b>\$98,517,839</b>

**6. Financial/Budget Impact**

The final budgets for the Transit Police Division's IGAs are determined annually in coordination with the annual budget processes of TriMet and the participating agencies. The total budget for the IGAs through 2028, assuming the present number of officers, an administrative fee, benefits and overtime is estimated to be approximately \$98,517,839. Total IGA costs will be based on TriMet's actual requirements, and funds may be transferred between police agencies depending on officer availability. For Fiscal Year 2022, TriMet's estimated transit police budget is approximately \$15,406,300.

**7. Impact if Not Approved**

If the Board were to fail to approve this Resolution and decline to authorize the IGAs, it would leave TriMet without a dedicated Transit Police Force, which would jeopardize the safety and security of our passengers, employees and contractors, and could result in a loss of ridership. The failure to authorize this Resolution also could have a significant impact on the mental health professionals asked to respond to rider emergencies, because they often must rely on police support.

**RESOLUTION NO. 21-02-07**

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TRANSPORTATION DISTRICT OF OREGON (TRIMET) AUTHORIZING  
INTERGOVERNMENTAL AGREEMENTS FOR TRANSIT POLICE SERVICES**

**WHEREAS**, TriMet has authority under ORS 267.200 to enter into Intergovernmental Agreements to provide transit police services; and

**WHEREAS**, the total amount of the several Intergovernmental Agreements for transit police services with law enforcement agencies serving in the TriMet district exceeds \$1,000,000; and

**WHEREAS**, by Resolution dated October 25, 2017, the TriMet Board of Directors adopted a Statement of Policies requiring it to authorize Intergovernmental Agreements obligating TriMet to pay in excess of \$1,000,000;

**NOW, THEREFORE, BE IT RESOLVED:**

1. That the Intergovernmental Agreements shall conform with applicable law.
2. That the General Manager or his or her designee is authorized to execute Intergovernmental Agreements with law enforcement agencies in an aggregate sum of not more than \$98,517,839.

Dated: February 24, 2021

\_\_\_\_\_  
Presiding Officer

Attest:

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Recording Secretary

Approved as to Legal Sufficiency:

***Gregory E. Skillman***  
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Legal Department