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TO: Contracts, Operations, Maintenance, and Safety Committee

FROM: Frank Castellon, Chief System Safety, Security and Compliance Officer
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SUBJECT: System Safety, Security, and Compliance (SSSC) Department Activities - Update Q3 FY24

Issue

Staff is providing a summary of the Authority’s safety, security, and compliance activities for Q3 for Fiscal Year (FY) 2024.

Recommendation

Receive and file.

Strategic Commitment

This report aligns with the Strategic Business Plan commitment of:

- **Safety is Foundational:** We will stay on the leading edge by deploying new technologies and processes to enhance the safety and security of our riders, our fellow employees, and the communities we serve. Law enforcement services provide safety and security to the Metrolink commuter rail system and its passengers.

Background

The Authority's mission is to provide safe, efficient, and on-time transportation service for the southern California region. The SSSC Department works to optimize the agency's safety and promote a positive safety culture in the workplace through education, engineering, and

enforcement, as well as auditing and inspecting for safety and regulatory compliance. Using a data-informed approach, the department utilizes leading and lagging data indicators, coupled with management experience, research, and professional expertise to understand current trends and make decisions about the use of Agency resources in areas of focus.

Additionally, the SSSC Department tracks and evaluates inspections conducted by the Federal Railroad Administration (FRA) and other regulatory agencies. These inspections apply the general and permanent rules published in the Code of Federal Regulations (CFR), Transportation (Title 49 CFR Part 200-299) to oversee agency compliance and assess penalties for violations against freight and commuter railroad agencies. The FRA conducts inspections and audits agencies' records to monitor and enforce railroad safety regulations specified in Title 49 CFR. The Authority places paramount importance on safety and regulation compliance.

The primary mission of the Authority's law enforcement services is to ensure public safety onboard the trains, to coordinate enforcement with the cities along the Authority's right-of-way (ROW), and to assist with the Authority's fare enforcement and physical security program.

Discussion

Areas of Focus

The SSSC Department is developing a Safety Management System (SMS) approach of utilizing data to drive safety actions in an effort of continuous improvement on the Metrolink System. In Q3 the SSSC department established its yearly Area of Focus locations on the system as determined through Risk-Based Hazard analysis to be an area of greater risk (based on various factors such as historical strike data, vandalism, trespasser reporting, etc) and required by the agencies System Safety Program Plan. The five areas identified are the San Gabriel Subdivision (Mile Post [MP] 16.72 to MP 20.90, MP 25.5 to 28.56, MP 60.0 to 64.0), Orange Subdivision (MP 174.0-177.0), River Subdivision (MP 0.0- MP 3.5), Ventura Subdivision (MP 445.3- MP 457.3), and Valley Subdivision (MP 7.3-MP 7.9). The purpose is to dedicate resources toward and partner with other agencies to reduce the number of safety incidents in that location through the most economical engineering, enforcement and education methods and approaches, in an effort to identify effective mitigation strategies and reduce overall system incidents. Our goal is to reduce the number of incidents in these locations by 5%.

Data Analysis

The SSSC Department has recently developed data metrics that compare the exposure we may have to train strikes given the frequency of trains. The logic behind this is to compare between years to adjust for variability. One major variable is the amount of train traffic that runs on the system.

Although there has been a recent increase in strikes as outlined in the next section, the overall strike rate per revenue train operated on the system has actually declined. Train data between calendar year 2022 and 2023 shows an increase of 37% more revenue trains for the 2023 calendar year. Comparing that to strikes, the incident rate (strikes/revenue trains) declined to .17% from a peak of .25% in 2022 and below the 2021 rate of .19%. The SSSC department is

pursuing these new metrics in anticipation of a wider variation in the frequency of trains across time periods as the agency expands service, and to account for that variability.

Additionally, many of the strikes on the Metrolink System are outside of our sphere of influence to be able to make a significant impact, such as Foreign Trains (Amtrak, BNSF Freight) on Foreign Lines (BNSF/UPRR). As a result, the SSSC Department focuses the bulk of the efforts on areas we can influence.

Systemwide Strikes

In Quarter 3 (Q3) FY 2024, there were 21 total strikes systemwide, an increase of 10% compared to Q3 FY2023 when there were 19 strikes systemwide, and a 34% decrease in strikes compared to Q2 FY2024 where 29 strikes occurred systemwide.

Staff continued directed law enforcement efforts through LASD, focusing targeted enforcement in areas that, according to data trends, correlated to higher trespasser activity and strikes. To aid this effort, we continued to stress to field staff and contractors the importance of reporting trespass events. Additionally, in Q3, staff deployed two artificial intelligence (AI) cameras to assist in identification of trespassers and continued to pursue technological assistance in reducing trespassers on the right-of-way.

Staff has used data trends resulting in targeted right-of-way law enforcement patrols, outreach to homeless shelters in targeted areas and engineering strategies that deterred trespassing along the right-of-way.

The Authority continued to take steps to address the issues of trespassers, homeless encampments and vandalism in historically problematic areas of our rights-of-way. In January 2024, a multi-agency team led by SSSC staff was deployed on the Ventura, San Gabriel, and Orange Subdivisions to enhance collaboration, awareness, and foster information sharing among various law enforcement agencies and member agency partners. This team includes Metrolink Staff, Los Angeles County Sheriffs, Orange County Sheriffs, and San Bernardino County Sheriffs, LAPD, Santa Ana PD, LA Metro, SBCTA, OCTA, and Union Pacific.

Assault Reporting Requirements

In April 2023, the National Transit Database (NTD) amended the reporting requirements for assaults on transit workers. The SSSC department has been refining its processes to align with these requirements. Background on these requirements is outlined below:

Assault on a Transit Worker (NTD Definition)

A circumstance in which an individual knowingly, without lawful authority or permission, and with intent to endanger the safety of any individual, or with a reckless disregard for the safety of human life, interferes with, disables, or incapacitates a transit worker while the transit worker is performing the duties of the transit worker. Federal Transit Administration (FTA)

Non-Major Summary Incident/Event

Less severe incidents or events that do not meet the requirements of Reportable Events:

- Other safety occurrences not otherwise classified (injuries); and

- Fires.

Non-Major Monthly Summary Report (S&S-50)

Commuter Rail (CR) modes must only report non-major assaults on a transit worker.

Physical Assault on a Transit Worker (NTD Definition) : An assault in which the attack involves physical contact with the transit worker. This could include any physical contact with the victim from the attacker's body, a weapon, a projectile, or other item.

Non-Physical Assault on a Transit Worker (NTD Definition) : An assault in which the attack involves no physical contact with the transit worker. This could include threats or intimidation that did not result in any physical contact with the transit worker.

Accountable injury or illness (FRA Definition) means any abnormal condition or disorder of a railroad employee that causes or requires the railroad employee to be examined or treated by a qualified health care professional, regardless of whether or not it meets the general reporting criteria.

NTD vs FRA Reporting

NTD – Currently all Non-Major non-physical and Non-Major physical assaults must be reported to NTD.

FRA – Major assaults resulting in injury are required to be reported to the FRA.

FRA – The FRA requires the Agency to report accountable injuries or illnesses. The FRA does not require the Agency to report other accidents/incidents that does not meet the threshold.

NTD – The NTD is trying to fill the gap in reporting by requiring the Agency to report he assaults that would have otherwise been unidentified.

SSSC Staff is now reporting assaults to NTD that are not the same as the FRA because of the definition of the FRA's accountable injury or illness definition and the NTD's definition of assault.

Conductor Assaults/Other Assaults

In an effort to deter unruly passengers and prevent assaults on train conductors, SCRRA staff continued to collaborate with LASD, Allied Universal, and Amtrak to increase law enforcement and security presence in areas where data analysis suggested unruly passengers were more likely to be present. FY 24 Q3 saw a decrease in assaults with 2 assaults on conductors resulting in one FRA reportable injury. The Authority averaged .67 assaults on conductors per month systemwide in Q3 FY2024 compared to .83 assaults on conductors per month during Q1 and Q2 FY2024. This is a decrease of 20% and brings the average assaults on conductors per month for FY2024 to .78.

During Q3, there were 33 assaults on transit workers system-wide, 1 resulting in an FRA reportable Injury.

Rule Violations and Reportable Injuries

Q3 of FY2024 saw a total of 1 rules violation, an 80% decrease compared to 5 in Q3 FY2023.

During Q3, there were four total FRA reportable employee injuries, which is a decrease of 33% compared with the number of injuries reported in Q3 of FY2023 which had six reportable injuries. Of the reported injuries, three were attributed to Amtrak, and one Alstom employee suffered an injury. One of the injuries was a result of an assault on a conductor. While none of the reportable injuries have been catastrophic, management remains committed to working closely with our contractors and contract managers to mitigate future occurrences.

The investigation of suspected rule violations and reportable employee injuries is a critical part of our operations in our proactive efforts to preventing future incidents. As such, a comprehensive Root Cause Analysis is generally conducted with the departments responsible for contractor oversight and the contractor/employee involved. Throughout this process, the SSSC Department collaborates with management to identify any contributing factors that may have led to such incidents and work together to recommend measures aimed at preventing and mitigating future occurrences.

The root cause committee continued to conduct investigations and make recommendations to mitigate future incidents and across various contractors. Q3 Root Cause Analysis investigations for violation found complacency to be a contributing factor.

Compliance staff contribute to the effort to reduce injuries and rule violations by conducting systemwide safety inspections, investigating and conducting Root Cause meetings, attending contractor safety committee meetings, review incident trends, follow-up on corrective actions taken by SCRRRA Staff and contractors, and conduct audits for regulatory compliance on SCRRRA departments and Operations contractors. The compliance team conducted 264 Safety Inspections, held 2 root cause meetings and led 12 Code of Federal Regulations (CFR) 270 audits for regulatory compliance.

In Q2 the Compliance staff implemented additional video review to include all contractors who move locomotive equipment. Staff continued this video review in Q3, and there have been no rules violations attributed to movement of on-track equipment for this time period.

The SSSC Department proactively addresses workplace injuries and rule violations by conducting a quarterly Workplace Safety Campaign week aimed at enhancing employees' safety awareness and reinforcing the importance of maintaining a secure work environment. This quarter's theme was "Work Safe. Work Proud."

The Q3 campaign took place from February 26-March 1 and featured the following key safety messages:

- Take Ownership of your Work
- Prepared for Tomorrow (Proactive, not reactive)
- Thinking -- The why behind your decisions
- Goals
- Reporting Trespassers and Vandalism

Throughout the two weeks, 2171 contacts were made through 164 face-to-face and virtual meetings with employees and contractors.

Human Trafficking

In January, Metrolink became signatory to the Department of Transportation's Transportation

Leaders Against Human Trafficking (TLAHT) initiative comprised of transportation and travel industry stakeholders working jointly to maximize their collective impact in combating human trafficking. During Q3, SSSC Department staff established elements of the pledge by providing awareness training for SCRRA and contractor employees, increasing public awareness through outreach and marketing, and creating a mechanism for reporting issues to our Security Operations Center for tracking these incidents on our system. To date, there have been no reports of human trafficking entered into our tracking system.

Vandalism Incidents

System-wide, we continued to address vandalisms related to wire thefts. Staff and staff, and our Los Angeles County Sheriff's (LASD) Metrolink Bureau are working to implement the following mitigating measures:

- Conducted undercover operations at high vandalism locations,
- Conducted risk assessments at vandalized locations,
- Partnered with local police agencies for additional resources and patrols,
- Partnered with Los Angeles County Sheriff's Department Major Crime Unit to provide additional resources (Assist with case analysis, filings, operations support, and detective work),
- Explored the use of mobile closed-circuit television and security observation towers to detect and deter vandals.

Awarded USDOT Strengthening Mobility Revolutionizing Transportation (SMART) Grants Program FY2023

In Q3, SSSC was awarded a \$1,300,000 grant to deploy artificial intelligence track intrusion detection, paired with positive train control systems, on a 1.5 mile stretch of regional railway in a dense urban area. This funding will enable SCRRA to develop a prototype intrusion detection system for the right-of-way and grade crossings that will be integrated with the Positive Train Control (PTC) system to determine the area affected, establish restrictions for trains, send notifications to affected trains to slow or be brought to a stop. SSSC is scheduled to meet with Department of Transportation grant Staff in April 2024 to discuss initiation of phase 1 of the grant. Once the grant is initiated, the project duration is anticipated to be 18 months.

Regulatory Inspections

The regulatory inspection count in Q3 of FY2024 saw an increase in inspections of the Authority by the FRA and CPUC to 41 compared to the 13 inspections conducted in Q3 of FY2023. This signifies a 215% increase of inspections. Relatively, the number of defects assigned by the inspectors increased 20% as 6 defects were identified in Q3 of FY2024 compared to 5 the same time period in FY2023. Defects (as opposed to violations) are items noted by the inspector that require corrective action but do not result in fines. The Q3 regulatory inspections of the Authority resulted in zero reported violations.

Training

The SSSC Department continued promoting a culture of safety awareness throughout our organization and beyond by providing training for employees, contractors, and external stakeholders, including law enforcement and fire agencies. In Q3, department staff conducted

