

LAW ENFORCEMENT MANAGEMENT INSTITUTE

THE ROLE AND RESPONSIBILITIES  
OF TRANSIT POLICE.

A LEARNING CONTRACT  
SUBMITTED IN PARTIAL FULFILLMENT  
OF THE REQUIREMENT FOR  
MODULE I

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## INTRODUCTION

Through the years mass transit properties have been the targets of a steadily increasing volume of criminal activity, along with a simultaneous and diminishing ability of city and county law enforcement agencies to meaningfully address the problem. Crime has spread to schools, colleges, housing projects, transit properties, parks and other areas within the jurisdiction of states, counties, cities, and districts. Local law enforcement agencies, who have borne the ultimate responsibility for controlling crime in these jurisdictions have found themselves with inadequate resources to meaningfully concentrate their efforts, a concentration which in many instances necessarily traverses several law enforcement jurisdictions.

A multitude of police agencies have emerged to handle these unique areas and to support local law enforcement. The net result has been the establishment of special purpose police agencies which possess a variety of police authority. These agencies include School District Police, Campus Police, Park Rangers, Airport Police, Port Authority Police, Housing Authority Police, and Transit Police.

The creation of these agencies has filled many voids and has made significant inroads towards the curbing of crime problems.

## CRIME ON MASS TRANSIT SYSTEMS SINCE 1853

During the early 1800s, a need developed for transportation systems widely available to the general public in urban areas. Since that time, public transit systems have evolved from a city version of the stagecoach known as an omnibus (1820) to the complex integrated bus and rapid rail system of today [Holt 1972]. Since public transportation is for the general public, the problems passengers encountered would probably reflect the social, economic and political problems of those cities and city areas in which the passenger rode. One of these problems would be crime. The following is a brief review of crime in public transit systems since 1853.

### Public Transit Crime: 1853 - 1941

There is evidence that acts which would endanger passengers and transit companies were of concern as early as 1853. For example, in London, the Metropolitan Police were assigned a responsibility for inspecting public transit vehicles. While this activity was primarily aimed at safety standards for vehicles, it had the peripheral effect of maintaining a reasonable level of passenger security. The police, in order to inspect vehicles on the street, would have to stop them and any problem could be brought to their attention [Barker and Robbins 1963]. In 1859, Alexander Easton, wrote that intoxicated passengers and children playing around street cars were the cause of serious accidents and that the collection of fares from passengers and smoking were also concerns

that were reflected in the regulations of several "street or horsepower railway." The pickpocketing of passengers, ["Pickpockets at Work.."1867] assaults on transit employees, ["A Conductor Murdered...", 1898], and theft of fare revenues by employees, were subjects of concern in the 1860s and 1870s [The New York Times 1869].

While pickpocketing seemed the most frequently reported crime on public transit systems, there were other incidents of crime such as, robbery, assaults, vandalism, etc.--reported during the early 1900s. Several incidents occurred in 1900 that illustrate this. For example, streetcars became targets for "Jesse James" style robberies and at Richmond, Virginia, a trolley line was blocked by stones and the crew and passengers were robbed [Diddleton 1967].

In response, states began to authorize the hiring by public transit systems of their own security personnel or permitting of contract security officers. One of the first transit police forces was authorized by Pennsylvania in 1901. The state statute authorized the members of the Street Railway Police "to severally possess and exercise all the powers of policemen in the county in which they shall be so authorized to act..." [Pennsylvania Statutes, Title 67, Chapter 2, Section 1371, et al, 1901]. New Jersey followed suit in 1904 by allowing street railways to have police officers with full police power [New Jersey Statutes, 48: 3-38, 1904].

During the late 1920s and early 1930s, studies of public transit were conducted by persons connected with what has become known as "The Chicago School of Sociology" [Carey 1976]. Subjects of these studies referred to vandalism and detailed the use of public transit as "playgrounds." In Clifford Shaw's "The Jackrollers," for example, it is stated that part of the established and accepted play life of the gang and that of the neighborhood was "stealing rides on trucks and streetcars..." [Shaw 1930].

While the evidence from 1853-1941 is limited, existing documents indicate that pickpocketing was perceived to be the most frequently or, at least, the most documented type of crime committed. Violent crimes--robberies, assaults, etc.--apparently were not considered a significant threat. This was to change after World War II.

#### Public Transit Crime: 1941-1970

During World War II, public transit crime received little attention. This was a period when privately owned transit systems were being consolidated into publicly owned systems and legislation was being enacted to create the agencies (in New York and Chicago) to provide those systems with authority for their own police forces [New York Laws, Code of Criminal Procedure, Section 154, 1947 and Illinois Revised Statutes, Chapter 111-2/3, Section 327, 1949]. It was not until the mid 1950s that public transit crime began to attract serious attention. It was not until the turbulent 1960s though, that crime on public transit systems reached

the boiling point, resulting in the public's demands for increased protection.

During January of 1964, roving gangs began to prey on passengers on New York's transit system. Racial tensions of the era were reflected in the confrontations between black and white passengers [The New York Times, 1964b]. This resulted in requests for the New York Legislature to set up a commission for probing transit crime [The New York Times, 1964c] and conducting an extensive study of the transit police department [The New York Times, 1964d]. The findings of the investigation resulted in a 20 percent increase in manpower in the New York City Transit Police [The New York Times, 1964e]. During the summer of 1964, racial turmoil again was reflected in transit crime. Street riots spilled over into the subways, with passengers and employees becoming targets for assaults and robberies [The New York Times, 1964f]. It was noted that serious crimes committed in the subways increased by 29.6 percent during fiscal 1964 [The New York Times, 1964g]. This resulted in transit police being put on overtime [The New York Times, 1964h].

The crime problem continued into 1965 with a reported 52.5 percent increase in overall transit crime [The New York Times, 1965i]. To further increase police coverage, housing authorities, corrections officers, and sanitation police were permitted to ride free and 800 more men were added to the New York transit police force [The New York Times, 1965j].

New York city transit crime decreased somewhat in 1966 because of increased patrols [The New York Times, 1966k]. Philadelphia's subway crime also abated after police dogs were introduced [The Chicago American, 1968].

While the problem in New York City abated, the crime problem on public transit surfaced in Chicago in 1967. Newspapers gave major coverage to the problem, with the result that Chicago Police were assigned to aid the Transit Authority Police in patrolling the system [The Chicago Sun Times, 1967]. The situation continued into 1968, and more police were added over the period.

It was during 1968 that the first in-depth study of crime on urban transit systems was initiated [Stanford Research Institute 1970]. The study, primarily limited to crime involving buses, was a long-range response to the demands of employees' union, the Amalgamated Transit Union. The union was threatening to strike in some cities due to a high volume of attacks upon robberies of bus operators [Misner and McDonald 1970].

The immediate result of the union demands for better protection for its members was the institution of fare systems that required the passenger to pay his fare in the exact amount. This eliminated the need for bus drivers to carry money to make change, reducing their potential as a target for robbers. Although this innovation virtually eliminated robberies of bus drivers, other transit crime continued into the 1970s.



### Transit Crimes: 1970 - 1977

In 1970, as a result of another publicized "crime wave" on its rapid transit systems, Chicago added more police to patrol the system [The Chicago Tribune, 1970]. Chicago decided, however, that a study should be undertaken to see what besides continuous manpower increases, could be done to make rapid transit secure. An in-depth study of crime on a rapid transit system was conducted by the Carnegie-Mellon University, as a result. The study revealed that police officers were assigned to fixed or mobile posts and that, in most cases, there was poor communication between them and the police dispatchers [Carnegie-Mellon 1973].

The consultants suggested that some of the police officers assigned to fixed or mobile posts, especially those covering areas which were affected by new surveillance systems, be reassigned to riding posts on especially high crime routes. The objective of this recommendation was to deemphasize police surveillance of stations while promoting a greater reliance on electronic crime deterrence. Eventually, even trains would be covered by some form of electronic surveillance systems. The ultimate hope would be to reduce greatly the security forces allocated to the transit system, return police personnel to street duties patrol where they were badly needed, and yet retain a high degree of responsiveness to transit crime.

As transit crime continued to mirror the social conditions of the 1960s, official interest heightened. In 1971, a

study was released with recommendations for changing the design of subway stations and trains to eliminate hazardous areas from the subway schedule [Harris 1971]. In 1972, vandalism to transit vehicles and properties was reviewed, resulting in a major research effort by the American Public Transit Association [Lyndall 1971]. The year 1973 saw similar concern rising in Great Britain over crime on their transit systems. British cities were experiencing violence and vandalism on buses and trains, and, under the threat of strikes by workers, more police patrols and electronic equipment were added [Skerry 1973].

In 1974, a study of the relationship between police activity and crime over an 8-year period on the New York City Transit System was published. Among its conclusions, was: "...the decrease in the felony crime rate was genuine and substantial. The deterrent effect of this form of uniformed patrol is therefore conclusive." However, subsequent revelations of falsified crime reports seriously damaged the validity of the study's findings [Chaiken 1974].

#### New Issues in Public Transit Crime:

Attention to crime on public transit systems had focused mostly on the larger cities with rapid transit systems to this point, but was beginning to change. In 1974, Portland, Oregon [Passenger Transport 1971] and San Francisco [Hager 1974] organized transit security forces to cope with crime problems in their transit systems.

The major problem that exists for transit peace officers is the lack of multi-jurisdictional authority to enforce state laws, city ordinances and the rules and regulations of their own transit authority in the different states, counties and cities through which the transit system operates.

For the most part, states have addressed the problem by passing legislation authorizing transit properties to employ peace officers. These officers are commissioned with full police powers to enforce state law, city ordinances, and the authority's rules and regulations anywhere in the transit zone regardless of the crime's location in the transit zone. Several states have also passed legislation to include transit peace officers in the code of criminal procedure, penal code, or other statutes which define who is a peace officer in their state. While the arrangements have proven successful, they have not addressed all the general issues involved in the relationship between transit systems and multi-community policing.

#### THE GENERAL EFFECTS OF PRESENT MULTI-COMMUNITY POLICING

The major general problem in policing an inter-community mass transit system has been a jurisdictional one. Each community within the system is a separate political entity having no generalized police power to investigate crimes occurring in other jurisdictions. Also, no community wants a crime charged to it statistically if the crime occurred in another jurisdiction. As a result, when some confusion exists as to where a crime occurred, no police department,

among these implicated, wants to accept responsibility for it. To further complicate matters, mass transit authorities are governmental entities separated from the communities they serve, while the responsibility for passenger safety rests in the hands of the many jurisdictions served by the transit systems.

The transit crime problem does share a number of characteristics with more routine crime events, however, in a crime situation where moving vehicles are involved, for example, a jurisdictional problem naturally arises since those involved may be passing through several different communities (each with its own police department and jurisdictional issues). A crime also can be perpetrated in one community and reported from an adjacent community. When the second community's police respond and then find that the crime probably occurred in another jurisdiction, the complainant is usually instructed to notify the police department of the community where the crime occurred. This "multi-jurisdictional" nature of crime causes two kinds of confusion: first, the complainant may not know where to report the crime; and, second, the police departments are confused, legitimately, about who is truly responsible.

In the case of transit crimes the matter is simpler: one mass transit police department (part of an already separate municipal entity) can be made responsible for all passenger safety in the transit system. This solves the confusion [Wallace 1974].

## QUANTITY OF JURISDICTIONS

It is worth noting the large number of jurisdictions having transit police arrangements. Their scope of responsibilities are demographically and geographically extensive. The Washington Metropolitan Area Transit Authority (WMATA) and Transport of New Jersey have transit operations and jurisdictional agreements in three states. The Port Authority Transit Corporation (PATCO), and Port Authority Trans-Hudson Corporation (PATH) have operations within two states.

The police officers of the Port Authority of New York and New Jersey are unique in law enforcement... Their primary jurisdiction is the Port District, a circle roughly 25 miles in radius centered on the Statue of Liberty. Within the circle they police the airports, tunnels and bridges, containerports, railroad and terminals of the Port Authority and protect the public that uses them. The circle, however, is no more than a pencilled overlay on a map of the New York-New Jersey Metropolitan Region. To cover the real terrain, Port Authority police officers were granted full police powers in both states. They can apprehend one of a pair of suspects at the southernmost tip of New Jersey and pursue the other to an arrest on the New York-Canadian border [N.J. (Pub. Util.) Laws 25 C. 32:1 McKinney 1921].

It takes a division 1,200 strong--a police force equal to that of Kansas City, Missouri--to perform all the duties of PANY/NJ [Rosen 1989].

Table I below shows the number of jurisdictions in which transit police operate.

TABLE I

NUMBER OF JURISDICTIONS IN WHICH TRANSIT POLICE OPERATE

| <u>TRANSIT SYSTEMS</u> | <u>JURISDICTIONS</u> |                 |                         |
|------------------------|----------------------|-----------------|-------------------------|
|                        | <u>STATE</u>         | <u>COUNTIES</u> | <u>CITIES OR OTHERS</u> |
| NYCTA                  | 1                    | 1               | 1                       |
| SEPTA                  | 1                    | 1               | 1                       |
| PATCO                  | 2                    | 2               | 2                       |
| PATH                   | 2                    | 2               | 5                       |
| TRANSPORT OF N.J.      | 3                    | 20              | 3                       |
| WMATA                  | 3 <sup>(1)</sup>     | 4               | 22 <sup>(2)</sup>       |
| BART                   | 1                    | 4               | 17                      |
| SCRTD                  | 1                    | 5               | 87+                     |
| CTS                    | 1                    | 1               | 37                      |
| PAT                    | 1                    | 4               | 129                     |
| MARTA                  | 1                    | 2               | 17                      |
| MBTA                   | 1                    | -               | 79                      |
| METRO-HOUSTON, TX      | 1                    | 3               | 19                      |
| NFTA                   | 1                    | 1               | 1                       |
| DART                   | 1                    | 4               | 14                      |

Notes: (1) The District of Columbia is considered a state.

(2) Includes federal agencies such as FAA, Capitol Police, etc.

Source: Transit Security Guidelines Manual, Chapter 6,  
p. 6-2 (1979)

JURISDICTIONAL AGREEMENTS

Many transit systems police departments do not have individual jurisdictional agreements with the particular municipalities in which they operate. For most properties, the authority for operation is spelled out by either an act of the state legislature(s) or a by-law or ordinance of the community(ies) under which they operate. Although the METRO Transit Police in Houston operates in 15 cities and 4 counties, it does not have jurisdictional agreements with any

of the cities or counties included in its territory. The authority to operate is spelled out in Article 1118x, Section 13c, Texas Revised Civil Statutes. (Amended, 1989). Section 13(c) of Article 1118x states:

An authority may employ and commission its own peace officers with power to make arrests in all counties where the system is located when necessary to prevent or abate the commission of an offense against the laws of the state or a political subdivision of the state when the offense or threatened offense occurs on or involves the system of the authority, to make arrests in cases of an offense involving injury or detriment to the system, to enforce all traffic laws and investigate traffic accidents which involve or occur in the system, and to provide emergency and public safety services to the system or persons who use the system.

Any person, for an authority in which the principal city has a population of more than 1.5 million according to the most recent decennial census, commissioned under this section must be a certified peace officer who meets the requirements of the Texas Commission on Law Enforcement Officer Standards and Education, who shall file with the authority the sworn oath required of peace officers, and who is vested with all the powers, privileges, and immunities of peace officers in all counties where the system is located, provides services, or is supported by a general sales and use tax. Tex. Rev. Civ. Stats. Art. 1118x, Section 13(c) (Amended 1989).

In 1977, representatives of the Arlington County (Virginia) Police Department, the Arlington County Sheriff's Office and the Washington Metropolitan Area Transit Authority Police entered into a mutually beneficial, jurisdictional agreement (or memorandum of understanding) permitting the Metro Transit Police to provide police service to the Metro Transit System, its patrons, employees, properties, and the citizens of Arlington County. (see Appendix A) This very comprehensive "understanding" lists a section on definitions and then describes a number of responsibilities for the Metro

Transit Police, including:

1. Patrol of Metro property.
2. Incident reports.
3. Arrests.
4. Transport of arrestees.
5. Booking arrestees.
6. Identification, fingerprints and photographs of arrestees.
7. Arrestee to court officer.
8. Court appearance.
9. Court liaison.
10. Investigations of misdemeanors and felonies.
11. Crime scene search.
12. Prisoner property custody.
13. Securing and executing warrants.
14. Securing and executing search warrants.
15. Detention of prisoners; male, female juvenile.
16. Evidence collection, preservation and presentation.
17. Ballistics identification and examination.
18. Death/injury notices.
19. Crowd control.
20. Towing from WMATA property.
21. Breathalyzer tests.
22. Collateral.
23. Citations for misdemeanors.
24. On-the-job training.
25. Training for Arlington officers.

The Washington Metropolitan Area Transit Regulation Compact Article I and Section 76 of Article XVI was amended by the 94th Congress to provide for the protection of the patrons, personnel and property of the Washington Metropolitan Area Transit Authority [D.C. Code, Sec. 1-1431 note]. This act rather completely provides the authorization for the WMATA Transit Security/Police Authority and responsibilities. (see Appendix B).

It is also noteworthy that transit system jurisdictional agreements have reported that their agreement is of a permanent nature and not subject to termination after a fixed period.



### ARREST POWERS

Most transit systems having a police/security department have arrest powers on the transit system and elsewhere within their operational jurisdiction. For example, the New York City Transit Police Officers are authorized to "detect and arrest offenders, in and about transit facilities." [N.Y. (Pub. Auth.) Law 1204-16 (McKinney 1947)]. The San Francisco Bay Area Rapid Transit Police (BART) also are authorized to enforce law and make arrests for violations of state criminal statutes, municipal ordinances and the rules and regulations of the district when the offense is committed 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 [Cal. (Pub. Util.) Code S 28767.5 (West 1978)]. The Massachusetts Bay Transportation Authority Transit (MBTA) police officers; however, have the power to make arrests within the territorial limits of the authority [1968 Mass. Acts c. 664].

The majority of transit systems; however, either do not have the total responsibility for policing parking lots adjacent to the transit system or share that responsibility with local police.

### MUTUAL AID

In all instances in which there is a transit system police department there is either a written or understood agreement for mutual aid when a transit system police

department needs assistance or when the transit system police must supply aid to the local jurisdiction police.

#### PROMULGATION OF REGULATIONS

The Authority for a transit system promulgating its own regulations is usually established by a state law or municipal ordinance or sometimes by a jurisdictional agreement. One of the principal regulations which is usually most helpful to a transit police system is the authority to arrest any person "interfering with the normal operation of the transit system." This type of authority will usually permit a transit system to provide regulations concerning assaults, disturbing the peace, and the misdemeanors of operating a radio on board a vehicle, smoking, eating or other action not conducive to the safe operation of the transit system.

#### TRANSIT POLICE USE OF JURISDICTION'S FACILITIES

Table 2 illustrates the use of jurisdictions' facilities by those transit systems having police departments. It is typical for transit police departments to use the municipality's or county jail facilities, although some systems (Massachusetts Bay Transportation Authority) have detention facilities for one or two arrestees on a temporary basis. Table 2 shows...

TABLE 2

TRANSIT POLICE USE OF JURISDICTION'S FACILITIES

| <u>TRANSIT SYSTEM</u> | <u>JAIL</u> | <u>TRAINING SCHOOL</u> | <u>TRAINING MATERIALS</u> | <u>FIRING RANGE</u> | <u>USE OF RECORDS LIBRARY</u> |
|-----------------------|-------------|------------------------|---------------------------|---------------------|-------------------------------|
| NYCTA                 | Yes         | Yes                    | Yes                       | Yes                 | Yes                           |
| NFTA                  | Yes         | -                      | -                         | -                   | -                             |
| PATCO                 | Yes         | Yes                    | Yes                       | Yes                 | Records                       |
| PATH                  | Yes         | -                      | -                         | -                   | -                             |
| WMATA                 | Yes         | Yes                    | Yes                       | Yes                 | Yes                           |
| BART                  | Yes         | -                      | -                         | -                   | -                             |
| SCRTD                 | Yes         | Yes                    | Yes                       | Yes                 | -                             |
| CTA                   | Yes         | -                      | -                         | -                   | -                             |
| MARTA                 | Yes         | Yes                    | -                         | Yes                 | Yes                           |
| MBTA                  | Yes         | Yes                    | Yes                       | Yes                 | Yes                           |
| METRO-HOUSTON         | Yes         | Yes                    | Yes                       | Yes                 | -                             |
| SEPTA                 | -           | -                      | -                         | -                   | -                             |
| TRANSPORT OF N.J.T.P. | Yes         | -                      | -                         | Yes                 | -                             |
| DART                  | Yes         | Yes                    | -                         | Yes                 | Yes                           |

Source: Transit Security Guidelines Manual, Chapter 6,  
p. 6-4 (1979).

COURT JURISDICTION

Usually the court having jurisdiction over a misdemeanor or felony arrest is the court within the jurisdiction where the offense was committed.

The Port Authority Transit Corporation Transit Police interstate agreement is unique in that it permits PATCO to select the jurisdiction in which it wishes to request court action, regardless of the location of the offense. PATCO takes advantage of this ability by bringing its cases to court in the jurisdiction in which they are most likely to get speedy and effective rendering of decisions favorable to transit interests.

None of the responding transit systems indicated any percentage of fines allocated to the transit system. In almost all instances the fines are allocated to the jurisdiction in which the offense was committed. However, at PATCO since trial may be set in any jurisdiction, the fines are allocated to the court (jurisdiction) in which the proceedings take place. The Port Authority Trans-Hudson Corporation has indicated that fines are divided between the city and state in its area.

### CONCLUSION

Transit Crime, its actuality and its perception, significantly influence the ridership patterns of most transit systems in the United States and abroad. In some respects, this is not a new situation in America since crime on U.S. transit systems first appeared with the introduction of the city version of the stagecoach or "omnibus", in 1820 and have continued to the complex integrated bus and rapid rail system of today. Pennsylvania was the first state in this country to establish its own transit police department in 1901. Since that time, several transit properties have established their own transit police force.

The major role of these transit police departments has been to provide protection to the patrons, employees, and transit property. In most cases the responsibilities of transit police officers include, but are not limited to, responding to calls for service on the transit systems, conducting revenue escorts, providing traffic direction, conducting

accident investigations, making arrests, and conducting preventative patrol at Park and Ride Lots, transit centers, and bus stops. Transit police officers also conduct bus checks and respond to emergency alarms on buses and properties of the Authority. Finally, transit police officers also provide police services on transit ways on the freeways and on diamond lanes in downtown districts.

For mass transit property that continues to experience an increase in crime on transit systems and for transit authorities not now having a transit police force, it is most likely that their own police forces will be established in the future. The Dallas Area Rapid Transit Authority (DART) is the latest transit property to initiate its own transit police force and represents another illustration of this long-range trend in law enforcement.

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**APPENDIX A**

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE ARLINGTON COUNTY POLICE DEPARTMENT,  
THE ARLINGTON COUNTY SHERIFF'S OFFICE AND  
THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY POLICE**

MEMORANDUM OF UNDERSTANDING BETWEEN  
THE ARLINGTON COUNTY POLICE DEPARTMENT,  
THE ARLINGTON COUNTY SHERIFF'S OFFICE AND  
THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY POLICE

DEFINITIONS

- A. "Arlington Police" means an officer of the Arlington County Police Department.
  - B. "Arlington officer(s)" means officers of the Arlington county Police Department and/or Deputies of the Arlington County Sheriff's Office.
  - C. WMATA means the Washington Metropolitan Area Transit Authority.
- 1. PATROL OF METRO PROPERTY - Will be accomplished by following the Joint Policing Concept. Arlington Officers will have concurrent jurisdiction with Metro Transit Officers. Except for the stations at National Airport, the Pentagon, and Arlington Cemetery, Arlington officers will have primary police responsibility on platforms, parking lots and in stations. Metro Transit Officers will have primary responsibility on Metro trains, tracks and in tunnels.
  - 2. INCIDENT REPORTS - There will be an exchange of reports made by Metro Transit Officers and Arlington Officers of incidents occurring on WMATA property in order to comply with the requirements of the Central Criminal Records Exchange and departmental needs.
  - 3. ARRESTS - When an arrest is to be effected, it will be made by the officer observing the infraction or the first officer on the scene.
  - 4. TRANSPORT OF ARRESTEES - Arlington officers will transport arrestees if requested and available.
  - 5. BOOKING OF ARRESTEES - Arlington officers will perform all booking procedures on arrests made by Metro Transit Officers in the Arlington jurisdiction.
  - 6. IDENTIFICATION, FINGERPRINTS AND PHOTOGRAPHS OF ARRESTEES - Arlington officers will perform all identification procedures on arrests made by Metro Transit Officers and processed through the Arlington County Criminal Justice System.

7. ARRESTEE TO COURT OFFICER - Arlington officers will assist in transporting an arrestee to the appropriate committing Court Officer.
8. COURT APPEARANCE - Metro Transit Officers will appear in court as necessary to testify in any matter resulting from his/her police action. Officers of either department will appear and assist as witnesses when necessary in a court hearing.
9. COURT LIAISON - The Arlington Police Court Liaison Officer will assist Metro Transit Officers with problems related to court schedules and appearances.
10. INVESTIGATIONS OF MISDEMEANORS AND FELONIES - All follow-up investigations will be accomplished by following the joint policing concept. Primarily, Metro Transit Police will investigate all incidents on trains and in tunnels and Arlington Police will investigate incidents occurring on the stations and in parking lots.
11. CRIME SCENE SEARCH - Initially, Arlington Police will conduct crime scene searches until such time as Metro Transit Police officers develop expertise in crime scene search techniques.
12. PRISONER PROPERTY CUSTODY - Prisoner's property will be held for safe keeping by the detention facility, in accordance with existing law.
13. SECURING AND EXECUTING WARRANTS - Metro Transit Police will secure, and execute warrants necessary to the discharge of their official duties. Unserved warrants will be retained in Metro Transit Police headquarters. Through WALES, all police agencies will be notified when a warrant has been executed.

All grand jury indictments and bench warrants issued from the Arlington County Circuit Court, shall be processed through the Arlington County Sheriff's Office. These warrants shall be executed by Arlington and/or Metro Transit Officers. All capias' issued from any Arlington County Court, shall be processed, and served by the Sheriff's Office.

14. SECURING AND EXECUTING SEARCH WARRANTS - When it is necessary to secure a search warrant, Metro Transit officers will work through the Arlington Police in order to meet all legal requirements. Metro Transit Officers will execute search warrants issued on their petition. Arlington officers will assist in executing the warrant if requested.

15. DETENTION OF PRISONERS, MALE, FEMALE, JUVENILE - Persons arrested by Metro Transit Officers will, if legally ordered, be incarcerated in local detention facilities. All juveniles detained or arrested by Metro Transit Officers will be processed in accordance with Arlington county Criminal Justice Procedures.
16. EVIDENCE COLLECTION, PRESERVATION AND PRESENTATION - All evidence collected will be preserved and presented by the police agency with the primary policing function.
17. BALLISTICS IDENTIFICATION AND EXAMINATION - All guns officially coming into the possession of a Metro Transit Officer will be examined by the Regional Crime Laboratory through the cooperation of the Arlington Police.
18. DEATH - INJURY NOTICES - Notice to next of kin of death or serious injury on WMATA property will be made by the police agency assuming the primary police function.
19. CROWD CONTROL - Problems related to crowd control will be a shared function between Metro Transit Police and Arlington officers.
20. TOWING FROM WMATA PROPERTY - If it is determined that the Arlington Police have jurisdiction, necessary towing will be done by Arlington Police Contract firms under the terms of the existing contract.
21. BREATHALYZER TESTS - Arlington officers will conduct all breathalyzer tests.
22. COLLATERAL - All collaterals for offenses resulting from arrests or citations issued by Metro Transit officers will be handled by the Arlington County Central Violations Bureau.
23. CITATIONS AND MISDEMEANORS - The authority granted to Virginia officers to issue summons for misdemeanors shall be extended to Metro Transit Police officers.
24. ON-THE-JOB TRAINING - The Arlington Police will provide on-the-job training for Metro Transit Police officers as mandated by law for Minimum Training Standards for Police Officers in Virginia.
25. TRAINING FOR ARLINGTON OFFICERS - Metro Transit Police will provide specialized training for Arlington officers with respect to Metrorail hazards, policing in tunnels and the safety features throughout the Metrorail System.

APPENDIX B

PUBLIC LAW 94-306  
94TH CONGRESS, H.R. 8719  
JUNE 4, 1976

PUBLIC LAW 94-306  
94TH CONGRESS, H. R. 8719  
JUNE 4, 1976  
AN ACT

To provide for an amendment to the Washington Metropolitan Area Transit Regulation Compact to provide for the protection of the patrons, personnel, and property of the Washington Metropolitan Area Transit Authority.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That the Congress hereby consents to, and adopts and enacts for the District of Columbia, amendments to articles I and XVI of title III of the Washington Metropolitan Area Transit Regulation Compact (D.C. Code, sec 1-1431 note) as follows, which amendments have been adopted substantially by the Commonwealth of Virginia and the State of Maryland:

(1) Section 1(g) of article I is amended by striking "and" at the end thereof.

(2) Section 1(h) of article I is amended to read as follows:

"(h) 'Transit Zone' or 'Zone' means the Washington Metropolitan Area Transit Zone created by and described in section 3, as well as any additional area that may be added pursuant to section 83(a); and".

(3) Section 1 of article I is amended by adding at the end thereof the following:

"(i), 'WMATC' means Washington Metropolitan Area Transit Commission".

(4) Section 76 of article XVI is amended to read as follows:

"76. (a) The Authority is authorized to establish and maintain a regular police force, to be known as the Metro Transit Police, to provide protection for its patrons, personnel, and transit facilities. The Metro Transit Police shall have the powers and duties and shall be subject to the limitations set forth in this section. It shall be composed of both uniformed and plainclothes personnel and shall be charged with the duty of enforcing the laws of the signatories, the laws, ordinances, and regulations of the political subdivisions thereof in the Transit Zone, and the rules and regulations of the Authority. The jurisdiction of the Metro Transit Police shall be limited to all the transit facilities owned, controlled, or operated by the Authority, but this shall not limit the power of the Metro Transit Police to make arrests in the Transit Zone for violations committed upon, to, or against such transit facilities committed from within or outside such transit facilities while in hot or close pursuit, or to execute traffic citations and criminal process in accordance with subsection (c). The members of the Metro Transit Police shall have

concurrent jurisdiction in the performance of their duties with the duly constituted law enforcement agencies of the signatories and of the political subdivisions thereof in which any transit facility of the Authority is located or in which the Authority operates any transit service. Nothing contained in this section shall either relieve any signatory or political subdivision or agency thereof from its duty to provide police, fire, and other public safety service and protection, or limit, restrict, or interfere with the jurisdiction of or the performance of duties by the existing police, fire, and other public safety agencies.

"(b) Except as otherwise provided in this section, a member of the Metro Transit Police shall have the same powers, including the power of arrest, and shall be subject to the same limitations, including regulatory limitations, in the performance of his duties as a member of the duly constituted police force of the political subdivision in which the Metro Transit Police member is engaged in the performance of his duties. However, a member of the Metro Transit Police is authorized to carry and use only such weapons, including handguns, as are issued by the Authority, and only in the performance of his duties or while on the transit facilities owned, controlled, or operated by the Authority in direct transit to and from a duty assignment. A member of the Metro Transit Police is authorized to carry such weapons only while in direct transit to and from a duty assignment and is subject to such additional limitations in the use of weapons as are imposed on the duly constituted police force for the political subdivision in which he is engaged in the performance of his duties.

"(c) Members of the Metro Transit Police shall have power to execute on the transit facilities owned, controlled, or operated by the Authority any traffic citation or any criminal process issued by any court of any signatory or of any political subdivision of a signatory, for any felony, misdemeanor, or other offense against the laws, ordinances, rules, or regulations specified in subsection (a). However, with respect to offenses committed upon, to, or against the transit facilities owned, controlled, or operated by the Authority, the Metro Transit Police shall have power, except in the State of Maryland, to execute criminal process within the Transit Zone.

"(d) Upon the apprehension or arrest of any person by a member of the Metro Transit Police pursuant to the provisions of subsection (b), the officer, as required by the law of the place of apprehension or arrest, shall either issue a summons or a citation against the person, book the person, or deliver the person to the duly constituted police or judicial officer of the signatory or political subdivision where the apprehension or arrest is made, for disposition as required by law.

"(e) The Authority shall have the power to adopt rules and regulations for the safe, convenient, and orderly use of the transit facilities owned, controlled, or operated by the Authority, including the payment and the manner of the payment of fares, or charges therefor, the protection of the transit facilities, the control of traffic and parking upon the transit facilities, and the safety and protection of the riding public. In the event that any such rules and regulations contravene the laws, ordinances, rules, or regulations of a signatory or any political subdivision thereof which are existing or subsequently enacted, these laws, ordinances, rules, or regulations of the signatory or the political subdivision shall apply and the conflicting rule or regulation, or portion thereof, of the Authority shall be void within the jurisdiction of that signatory or political subdivision. In all other respects the rules and regulations of the Authority shall be uniform throughout the Transit Zone. The rules and regulations established under this subsection shall be adopted and published in accordance with all standards of due process, including, but not limited to, the publishing or otherwise circulating of a notice of the intended action of the Authority and the affording to interested persons the opportunity to submit data or views orally or in writing, and the holding of a public hearing. Any person violating any rule or regulation of the Authority shall, upon conviction by a court of competent jurisdiction, pay a fine of not more than \$250 and costs.

"(f) With respect to members of the Metro Transit Police, the Authority shall -

"(1) establish classifications based on the nature and scope of duties, and fix and provide for their qualifications, appointment, removal, tenure, term, compensation, pension, and retirement benefits;

"(2) provide for their training and for this purpose, the Authority may enter into contracts or agreements with any public or private organization engaged in police training, and this training and the qualifications of the uniformed and plainclothes personnel shall at least equal the requirements of each signatory and of the political subdivisions therein the Transit Zone for their personnel performing comparable duties; and

"(3) prescribe distinctive uniforms to be worn.

"(g) The Authority shall have the power to enter into agreements with the signatories, the political subdivisions thereof in the Transit Zone, and public safety agencies located therein, including those of the Federal Government, for the delineation of the functions and responsibilities of the Metro Transit Police and the duly constituted police, fire, and other public safety agencies, and for mutual assistance.



"(h) Before entering upon the duties of office, each member of the Metro Transit Police shall take or subscribe to an oath or affirmation, before a person authorized to administer oaths, faithfully to perform the duties of that office".

Sec. 1. The Mayor of the District of Columbia is authorized and directed to enter into and execute on behalf of the District of Columbia amendments, substantially as set forth in the first section of this Act, to title III of the Washington Metropolitan Area Transit Regulation Compact with the State of Maryland and the Commonwealth of Virginia, which amendments shall become effective immediately upon execution of same.

Sec. 3. (a) Subchapter II of chapter 9 of title II of the District of Columbia Code is amended by adding at the end thereof the following new section:

"§11-921. Jurisdiction with respect to violations of the Rules and Regulations of the Washington Metropolitan Area Transit Authority.

"The Superior Court has jurisdiction with respect to any violation, committed in the District of Columbia, of the rules and regulations adopted by the Washington Metropolitan Area Transit Authority under section 76(e) of title III of the Washington Metropolitan Area Transit Regulation Compact".

(b) The chapter analysis for such chapter 9 is amended by inserting immediately after the item relating to section 11-923 the following new item:

"11-924. Jurisdiction with Respect to Violations of the Rules and Regulations of the Washington Metropolitan Area Transit Authority".

Sec. 4. The Council of the District of Columbia shall have authority to enact any act adopting on behalf of the District of Columbia amendments to the Washington Metropolitan Area Transit Regulation Compact, but in no case shall any such amendment become effective until after it has been approved by Congress.

Sec. 5. The right of Congress to alter, amend or repeal this Act is hereby expressly reserved.

Approved June 4, 1976

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**LEGISLATIVE HISTORY:**

HOUSE REPORT No. 94-279 (Comm. on the District of Columbia).

SENATE REPORT No. 94-832 (Comm. on the District of Columbia).

**CONGRESSIONAL RECORD:**

Vol. 121 (1975), July 28, concurred and passed House.

Vol. 122 (1975), May 18, concurred and passed Senate, amended.

May 24, House concurred in Senate amendment.