

FY2024 Oversight Hearing Questions

1. Please provide, as an attachment to your answers, a current organizational chart for your agency with the number of vacant, frozen, and filled FTEs marked in each box. Include the names and titles of all senior personnel and note the effective date of all collected information on the chart.

ANSWER:

See Attachment #1

2. Please provide a list of the Board of Directors as of January 1, 2024, in table format. List the incumbent, the appointment authority (e.g., Mayor of the District of Columbia), and the date the term expired (or will expire). For any vacant seat, please state how long the seat has been vacant.

ANSWER:

Board Member		Role	Appointing Authority	Start of Term	Term Expiration
Tracey Hadden Loh	DC	Principal Director	DC Council	November 04, 2021	June 30, 2025
Spring Worth	DC	Alternate Director	DC Council	December 23, 2022	June 30, 2024
Valerie Joy Santos	DC	Principal Director	DC Council	November 22, 2023	June 30, 2027
Vacant (since 1/22/2021)	DC	Alternate Director	DC Council (Mayoral Nominee)		June 30, 2022 ¹
Joe McAndrew	MD	Principal Director	Governor of Maryland/Maryland Secretary of Transportation	April 10, 2023	n/a
Michael Goldman	MD	Alternate Director	Montgomery County/WSTC	December 8, 2022	June 30, 2024
Donald Drummer	MD	Principal Director	Governor of Maryland/WSTC	July 15, 2021	June 30, 2023
Thomas Graham	MD	Alternate Director	Prince George's County/WSTC	May 22, 2019	June 30, 2023
Paul Smedberg	VA	Principal Director	Commonwealth of Virginia/NVTC	January 03, 2019	January 5, 2026
Canek Aguirre	VA	Alternate Director	City of Alexandria/NVTC	March 05, 2021	January 7, 2025
Matt Letourneau	VA	Principal Director	Loudoun County/NVTC	January 03, 2019	January 5, 2027
Walter Alcorn	VA	Alternate Director	Fairfax County/NVTC	January 16, 2020	January 4, 2024
Sarah Kline	Fed	Principal Director	USDOT/Secretary of Transportation	September 09, 2021	September 7, 2025
April Rai	Fed	Alternate Director	USDOT/Secretary of Transportation	December 22, 2022	December 14, 2026
Kamilah Martin-Proctor	Fed	Principal Director	USDOT/Secretary of Transportation	September 09, 2021	September 7, 2025
Bryna Helfer	Fed	Alternate Director	USDOT/Secretary of Transportation	September 09, 2021	September 7, 2025

Notes:

1 - Term expiration date is for previous appointee (Jeff Marootian)

3. What metrics are regularly used by the agency to evaluate its operations? Please be specific about

which data points are monitored by the agency.

ANSWER:

- The Strategic Transformation Plan defines a suite of metrics that Metro uses to evaluate our operations and progress towards achieving our goals and objectives.
See Appendix A:
https://www.wmata.com/initiatives/strategic-plan/upload/230314_STP_Report.pdf.
Metro provides quarterly reports on Service Excellence KPIs:
<https://www.wmata.com/about/records/public-records.cfm#performance>
Progress on Talented Teams KPIs will be shared at the February 8, 2024, Board meeting, and progress on the environmental sustainability metrics was shared at the January 11, 2024, Board meeting:
[4A-FY23-Environmental-Sustainability-Report.pdf \(wmata.com\)](https://www.wmata.com/initiatives/strategic-plan/upload/230314_STP_Report.pdf)
- Metro also produces the Annual Line Performance Report that evaluates every Metrobus Line against the metrics in the Metrobus Service Standards:
<https://www.wmata.com/about/records/public-records.cfm#performance>

4. Please describe any new initiatives or programs that the agency implemented in FY22, FY23, and FY24, to date, to improve the operations of the agency. Please describe any funding utilized for these initiatives or programs, as well as the results or expected results of each initiative.

ANSWER:

With input from regional stakeholders, the WMATA Board of Directors adopted a Strategic Transformation Plan. Under the plan, WMATA is modernizing the way we deliver service to our customers, both externally and internally. The plan also serves as the organization’s North Star, establishing clear priorities for Metro, expanding transparency around performance metrics, and promotes collaboration with our partners. Investments at WMATA include both operational and capital investments to deliver on the goals and objectives of the plan. Through these efforts, we are enhancing process efficiencies across the business groups that directly support our Operations and Delivery functions. These programs are innovating processes across Metro to drive down costs, modernize our capabilities, and enhance public safety on the Metro system. Investments made through the Capital Improvement Program are anticipated to maintain or improve operations by addressing state of good repair, safety, and modernization needs. Metro provides comprehensive quarterly reporting against yearly Capital Improvement Program planned activities on our website here: [Capital Program Documents | WMATA](#). Some recent examples of projects and initiatives implemented to improve operations are:

Funding	Project	Anticipated Results
Capital	Enterprise Resource Planning (ERP) Modernization Program: Software system to automate and streamline core business processes by linking multiple systems and reporting on an integrated digital platform.	Cost savings & efficiencies will be recognized from consolidating 35 systems to one, saving licensing fees, as well as transitioning from on-premises to a cloud structure, saving over \$8M annually once implemented.

Operating	Security focus including hiring private security in stations and partnership with jurisdictional police	Increase visibility of security personnel in Metrorail to reduce crime and increase riders' and employees' sense of security. An increased sense of security can contribute to increased ridership and rider satisfaction.
Operations & Capital	Digital Modernization: Establish secure, modernized infrastructure and processes to digitally activate the Strategic Transformation Plan.	This will reduce staff hours, external risk, and standardize systems and document control.
Capital	Metro Integrated Command and Communications Center (MICC)	Increase coordination and communication between Metrorail and Metrobus to collaborate on incident response and customer communication.
Capital	Enterprise Video Operations & Security System: Integrating all 30K cameras across Metro's fleets, station facilities, administrative buildings to fully support the Metro Integrated Command and Communications Center, enhancing safety and mitigating risk.	A cultural shift in operationalizing an enterprise video system designed to reduce crime, enable faster response times, and enable proactive decision-making during incident response.
Capital	Metrorail Faregate Retrofit	Reduce fare evasion on Metrorail. Initial results show an approximately 70% decrease in fare evasion after installation of retrofit faregate barriers.
Capital	Metrobus Fare Collection Upgrades	Increase the speed of transactions while reducing out-of-service rates. This project also supports installation of rear-door boarding fare collection equipment. These efforts are anticipated to increase travel speed (decrease travel time) on Metrobus.
Operating	Metro LIFT Reduced Fare Program	Providing a reduced fare product to increase ridership by making Metro more accessible to this community.

5. Please provide an update on 24/7 bus service in the District, including:
- a. The routes that will offer 24/7 service;
 - b. How the routes were selected; and
 - c. Anticipated service levels or throughput on the routes offering 24/7 service.

ANSWER:

On December 17, 2023, Metrobus began operating 24-hour bus service in the District of Columbia on 14 routes serving all eight wards. The service improved frequency after 9pm and extended hours for these routes between 2am to 4am, creating full 24-hour service. Between the hours of 9 p.m. and 7 a.m., Metrobus now operates every 20 minutes or better on routes A6, A8, B2, H4, S2, V2, W4,

X2, 32, 33, 52, 70, 80, 92 - with two routes extended to serve additional bus stops after Metrorail operations close for the night. The routes were selected because they are part of Metro's 12-minute frequent service network, which provides service every 12 minutes or better between the hours of 7 a.m. and 9 p.m. daily.

Service started during the holidays when travel is historically low, 2am to 4am ridership has averaged 600 boardings on weekdays and 750 boardings on Fridays and Saturdays, with 26,000 total boardings over the first five weeks of service. Since the first week of service, ridership during the new service hours increased 32 percent, with the strongest growth on Friday and Saturday nights. Ridership has also increased during the hours of improved frequency, by about 250 boardings per day between midnight and 2am, and by about 300 boardings per day on weekend mornings between 4am to 6am, a 23 percent increase compared to recent weeks. Metro will continue to monitor service and ridership as awareness of the service increases. For context, prior to launching the new service, there were 950 boardings on weekdays and 1,300 boardings on Friday and Saturday nights from midnight to 2am, and 2,300 boardings on weekdays and 1,250 on Saturday and Sunday mornings from 4am to 6am.

6. Please list any capital projects completed by WMATA in FY23 and FY24, to date.

ANSWER:

WMATA's FY2023 Capital Improvement Program and FY2024 Capital Improvement Program are described in our Approved Budget Books, which are available on our website. The Capital Improvement Program updates project delivery status, expenditures, and forward-looking proposed budget needs. Updated progress information is available through the quarterly progress reports published on the Capital Documents page of wmata.com.

7. Please list all currently open capital projects for WMATA as of January 2024, including those projects managed or overseen by another agency or entity. Include a brief description of each, the total estimated cost, expenditures to date, start and completion dates, and the project's status. Also, indicate which projects are experiencing delays and which require additional funding.

ANSWER:

WMATA's FY2025 Proposed Capital Improvement Program is available on our website. The Capital Improvement Program updates project delivery status, expenditures, and forward-looking proposed budget needs. Updated progress information is available through the quarterly progress reports published on the Capital Documents page of wmata.com.

8. Please describe WMATA's current efforts to leverage the dedicated funding provided by each member jurisdictions to borrow debt and enable WMATA to accelerate capital improvements.

ANSWER:

Since 2020, WMATA has received approximately \$2.9 billion in proceeds from debt issuances backed by dedicated funding. These additional resources have enabled WMATA to accelerate reducing the State of Good Repair backlog in the Capital Improvement Program.

WMATA's Board of Directors approved a resolution in May 2020 authorizing establishing a senior lien against WMATA's unrestricted dedicated capital funding and authorized establishing a subordinate, second lien in 2023. With the lien in place, WMATA has leveraged the dedicated capital funds for the following bond issuances.

1. Senior Lien (established 2020)
 - Series 2020A \$545.0M (Project Fund \$635.3M)
 - Series 2021A \$784.4M (Project Fund \$970.0M)
 - Series 2023A \$392.0M (Project Fund \$425.0M)
2. Subordinate, Second Lien (established 2023)
 - Second Lien Series 2023A \$797.8M (Project Fund \$869.8M)
 - Second Lien Series 2024A, proposed \$1,041.3M (preparing to seek Board approval)

The leverage of Dedicated Funding with long-term debt has allowed WMATA to accelerate capital improvement projects by increasing the size of the yearly capital budget without increasing jurisdictional capital contributions. The Dedicated Funding debt capacity is forecast to be exhausted at the end of FY2028, before the end of the six-year planning period (FY2025 to FY2030).

9. Please describe how WMATA plans in FY25 to balance potential fare reductions to increase ridership with collecting enough fare revenue to address ongoing revenue reduction.

ANSWER:

Metro has not proposed any fare reductions for FY2025. Metro staff proposed broad fare increases to help reduce the FY2025 funding deficit and the WMATA Board has authorized public hearings on potential fare increases of up to 25 percent on Metrorail, Metrobus, and MetroAccess, and up to 20 percent on station parking fees.

10. Please list and describe any investigations, studies, audits, or reports on your agency or any employee of your agency that were completed in FY23 or FY24, to date.
 - a. Please list and describe any ongoing investigations, audits, or reports of your agency or any employee of your agency.

ANSWER:

[Semiannual-No-31-IG-Final_redacted-1.pdf \(wmataoig.gov\)](#)
[Semiannual-No-32-IG-Final_Redacted.pdf](#)

11. What is the total value of all contracts procured in FY23 by WMATA for goods and services?
 - a. Of this, what percentage of the value was with District businesses?

ANSWER:

Total value of all contracts and district contracts procured in FY2023		
	Prime	Prime and Sub
<i>\$ in millions</i>	Total Contract Value	Total Contract Value
Total Prime Contracts (All States)	\$ 2,129.4	\$ 2,129.4
Total Contracts (DC)	\$ 92.4	\$ 103.1
Percentage to DC Businesses	4.34%	4.84%

- b. What steps has WMATA taken to increase contracting with entities owned and/or led by women, Black District residents, and other District residents of color? (Moore)

ANSWER:

The Small Business Programs Office (SBPO) Equity Initiatives include developing partnerships within the DMV with the District of Columbia Mayor’s Office, Conference of Minority Transportation Officials (COMTO) National office, and Local Small Business Organizations that to help grow small business community and introduce them to WMATA contracting opportunities and WMATA’s Procurement Processes and Socio-economic Programs.

These efforts also include utilizing WMATA’s Small Business Programs Office Newsletter and developing new outreach strategies to better serve WMATA and small businesses, such as our signature series “Meet the Primes”. This outreach series was added to the already successful educational and informational outreach events that WMATA’s Procurement and Small Business Teams present.

- 12. Please list each contract over \$1,000,000 million for goods or services procured in FY23 and FY24, to date, by WMATA from District businesses including the name of the vendor and contract value.

ANSWER:

\$ in millions

FY2023 Contract Awards Over a Million Dollars to District Businesses			
Contract ID	Name	State	Total
C20053	Clearing Inc	DC	\$3.4
C20077	Aon Consulting Inc	DC	\$1.5
C20102L	WSP USA Inc.	DC	\$5.9
CACCT222047-W05-D	IBS Management & Consultancy Service LLC	DC	\$7.1
CACCT222047-W05-F	Susan Fitzgerald & Associates, Inc.	DC	\$2.3
CIT01222273	EastBanc Technologies, LLC	DC	\$1.1
CMPD233305	DC Metropolitan Police Department	DC	\$2.0
COPMS233240	Ignyte Group	DC	\$4.0
CPLNT211123-CQ	JLT Trucking Inc	DC	\$2.3
CQ17013E	IBS Management & Consultancy Service LLC	DC	\$2.7
CQ19090M	Yellow Cab Company of DC Inc.	DC	\$2.8
F20101_SS_B	Susan Fitzgerald & Associates, Inc.	DC	\$2.6
FQ18033A	Parsons Transportation Group Inc	DC	\$7.6
FQ18033C	WSP USA Inc.	DC	\$15.3
FQ18033F	DHA/RK&K Joint Venture	DC	\$22.4
CIT01233411	Annuk Incorporated	DC	\$1.2
CIT0123334	EastBanc Technologies, LLC	DC	\$1.6
Total FY2023 Contract Awards to District Businesses			\$85.8

\$ in millions

FY2024 Contract Awards Over a Million Dollars to District Businesses			
Contract ID	Name	State	Total
CACCT222047-W05-D	IBS Management & Consultancy Service LLC	DC	\$1.1
CACCT222047-W05-F	Susan Fitzgerald & Associates, Inc.	DC	\$3.0

CCPPM23008	WSP USA Inc.	DC	\$6.0
CIBOP211233D	Deloitte Consulting LLP	DC	\$1.4
F20101_SS_B	Susan Fitzgerald & Associates, Inc.	DC	\$3.4
FQ18033A	Parsons Transportation Group Inc	DC	\$25.7
FQ18033C	WSP USA Inc.	DC	\$34.7
FQ18033F	DHA/RK&K Joint Venture	DC	\$39.3
F20101-11	Susan Fitzgerald & Associates, Inc.	DC	\$1.2
Total FY2024 Contract Awards to District Businesses			\$115.8

- a. What is WMATA doing to increase the volume (both dollar value and number of vendors) with District businesses and with entities owned and/or led by Black District residents and other residents of color?

ANSWER:

WMATA hosted 14 informational and educational outreach events in calendar year 2023: The following list includes hosted and participated outreaches totaling 47 events. In 2023, WMATA certified 84 DBE's, 88 SBE's and 99 MBE's.

WMATA Hosted Outreach Events:

1. **January 23, 2023**- SBPO's SBA Workshop presentation by David Hincapie and Diverse Business Outreach Event.
2. **February 16, 2023** – SBPO's Business Success Series Vol 1 – Grow Your Business with Automated Business Operations – collaboration with DC Small Business Development Center at Howard University
3. **February 21, 2023** – SBPO's A Small Business's Guide to Commercial Insurance featuring the Maryland Insurance Administration
4. **February 27, 2023**- SBPO's Business Success Series Vol 2 – Networking to Success – collaboration with DC Small Business Development Center at Howard University
5. **March 16, 2023** – SBPO's Business Success Series Vol 3 – How to Stand Out from Your Competitors – collaboration with DC Small Business Development Center at Howard University
6. **March 16, 2023** – SBPO's Business Success Series Vol 3 – How to Stand Out from Your Competitors – collaboration with DC Small Business Development Center at Howard University
7. **March 23, 2023** – SBPO's Meet the Primes: Kiewit, Motorola, ImmixGroup & Nauxis
8. **March 27, 2023** – SBPO's Business Success Series Vol 4 – Winning Government Contracts: Know Your Partner – collaboration with DC Small Business Development Center at Howard University
9. **April 4, 2023** – SBPO's Business Success Series Vol 5 – The Price is Right: Things to Consider When Pricing Your Products – collaboration with DC Small Business Development Center at Howard University
10. **April 13, 2023** – Surety Bond presentation by Peter Gibbs
11. **June 28, 2023** - Doing Business with Metro and DC Department of Small & Local Business Development
12. **August 15, 2023** – Metro Procurement Fair
13. **October 3, 2023** – Metro presenta: "Programas de Certificaciones para Pequeños Negocios"
14. **October 17, 2023** – SBPO's Meet the Primes

SBPO Attended Outreaches:

1. **January 27, 2023** – WSP's Washington DC Small

2. **February 28, 2023** – MBE Night in Annapolis hosted by former Delegate Herman Taylor
3. **March 20, 2023** - Spring Soiree – Federal Govt Contractors Networking Event hosted by J Schaus & Associates
4. **March 29, 2023** - PRMT Open House New Carrollton
5. **April 5, 2023** – Gerald Verno New Carrollton Outreach.
6. **April 12, 2023** – 2023 Annual CRMSDC MBE Input Committee Breakfast
7. **April 19, 2023** – 32nd Annual Government Procurement Conference Expo
8. **May 12, 2023** – MWMCA 20th Annual Spring Breakfast Meeting/Business Showcase
9. **June 1, 2023**- Meet the Primes – Metropolitan Washington Airports Authority
10. **June 8, 2023**- Annual 316 Wing/316 CONS Small Business Summit
11. **June 14, 2023**- Anne Arundel County Central Services MBE Outreach
12. **June 15, 2023**- 2023 City of Baltimore Procurement Conference
13. **June 15, 2023**- TriState MSDC Biz Matchmaker
14. **June 22, 2023** - Townhall Meeting | Compass Institute for Diversity, Equity & Inclusion
15. **June 29, 2023**- Disadvantaged Business Enterprise Networking Event
16. **July 19, 2023**- 2023 USDOT Prime & Subcontractor Matchmaking Event
17. **July 19, 2023**- National Small Business Federal Contracting Summit (in person)
18. **July 20, 2023**- Minority Outreach Fair Md. Washington Minority Companies Association
19. **July 25, 2023** – Meet the Mentors Office of Small and Disadvantaged Business Utilization
20. **July 26, 2023**- National Small Business Federal Contracting Summit U.S. Women's Chamber of Commerce – Virtual
21. **July 27, 2023** – Meet & Greet Event hosted by The Blue Book Network
22. **August 2, 2023** – USAID Exhibit and Networking Conference
23. **September 14, 2023** – Small & Diverse Business Expo – Clark Construction
24. **September 15, 2023** – WHC: Money Maryland Anne Arundel County
25. **September 18, 2023** – Synergy BWI Business Networking Event
26. **September 23, 2023** – Latinos in Transit
27. **September 27, 2023** – 2023 NIGP Area II Regional Conference
28. **October 11, 2023** – Meet the Primes – Baltimore County Public Schools
29. **October 12, 2023** – DC Quality Initiative Conference – Maryland Transportation Builders Assoc.
30. **October 24, 2023** – DSLBD District Connect
31. **November 15, 2023** – Small Business Summit – USDOT
32. **November 16, 2023** – Technical Assistance Program - Hensel Phelps
33. December 14, 2023 – Minority Outreach Fair

13. Please list each collective bargaining agreement that is currently in effect for agency employees. Please cite the bargaining unit and the duration of each agreement (including expiration date). Please note whether the agency is currently in a bargaining and when that bargaining should be completed.

ANSWER:

CBA(s)	Term	Duration of Agreement
ATU L689	4 years, No negotiations are pending currently	7/1/2020 - 6/30/2024
Teamsters L922	4 years, No negotiations are pending currently	11/1/2020-10/31/2024
FOP	7 years, No negotiations are pending currently	10/1/2017-9/30/2024
Teamsters (Special Police) L639	4 years, 9 months: No negotiations are pending currently	10/1/2021-6/30/2026
OPEIU L2	4 years, No negotiations are pending currently	7/1/2021-6/30/2025

14. How many grievances have employees or labor unions filed against agency management in FY23 and FY24, to date? Please list each of them by year. Give a brief description of each grievance and the outcome as of January 1, 2024. Include on the chronological list any earlier grievance that is still pending in any judicial forum. If the answer to this question exceeds 20 entries, provide this answer as an attachment.

ANSWER:

Cases by Grievance Type (FY 23)

Grievance Types	Number
Contract Interpretation	198
Discharge	68
Discipline	201
Medical	81
GRAND TOTAL	548

Cases by Grievance Type (FY 24)

Grievance Types	Number
Contract Interpretation	20
Discharge	5
Discipline	13
Medical	2
GRAND TOTAL	40

Cases by Grievance Outcome (FY 23)

Outcome Status	Number
Incomplete	208
Remand to Previous Step	2
Denied	320
Granted	1
Settled	17
Grand Total	548

Cases by Grievance Outcome (FY 24)

Outcome Status	Number
Row Labels	
Incomplete	11
Continued	2
Denied	26
Settled	1
Grand Total	40

Judicial/Administrative Process (FY23)

Arbitrations	Number
Grievances Invoked to Arbitration	86

Grievances Pending Administration Process (Arbitration)	42
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15. Please list any outstanding strikes or other organized labor actions impacting WMATA or WMATA-contracted services during FY23 and FY24, to date, and provide a status update on the negotiations to resolve any ongoing actions.

ANSWER:

There are no outstanding strikes or other organized labor actions impacting WMATA or WMATA-contracted services.

16. Please describe the agency’s procedures for investigating allegations of sexual harassment committed by or against its employees.

ANSWER:

See Attachment 17

17. Please describe the agency’s procedures for investigating allegations of other forms of misconduct.

ANSWER:

See Attachment 17

18. List chronologically and describe each allegation of sexual harassment and misconduct received by the agency in FY 2023 and FY 2024 (as of January 1, 2024) and the resolution of each as of the date of your answer.

ANSWER:

FY23 Sexual Harassment Allegations (7/1/22 – 6/30/23)

Total Number of cases – 34

Open	Closed
8	26

Resolution

Cause	No Cause	Counseling	Notice of Right to Sue	Other
15	6	1	1	3

Corrective Action

Counseling	Suspension
5	12

FY23 Other Discriminatory Misconduct

Total Number of Cases – 100

Open	Closed
22	78

Bases

Age	9
Color	4
Nation Origin	11
Race	18
Sex/Gender	17
Sexual Orientation	3
Disability	11
Religion	3
Retaliation	32
Genetic Information	2
Military/Veteran	2

Resolution

Cause	No Cause	Notice of Right to Sue	Counseling	Withdrawal	Other
19	21	25	2	1	8

Corrective Action

Suspension	Counseling	Termination	Training
13	7	1	1

FY24 Sexual Harassment Allegations

Total Complaints -13

Open	Closed
7	6

Resolution

Cause	No Cause	Other
3	3	1

Corrective Action

Suspension
3

FY24 Other Discriminatory Misconduct

Total Number of Cases – 30

Open	Closed
17	13

Bases

Age	Color	Nation Origin	Race	Sex/ Gender	Sex Orient	Retaliation	Disability
4	1	2	7	3	4	7	4

Resolution

Cause	No Cause	Notice of Right to Sue	Other
3	6	3	1

Corrective Action

Suspension
3

19. Please provide a breakdown of the number of WMATA employees by jurisdiction of residence.
- How many employees were hired in FY2022 and FY2023, to date (as of January 1, 2023)?
 - How many of these new hires were residents of the District of Columbia when hired?

ANSWER:

See Attachment #1

20. Please provide the most current versions of the following WMATA or the Metro Transit Police Department (“MTPD”) policies:
- WMATA’s Body-Worn Camera Policy; and
 - MTPD’s policy on carrying and administering NARCAN.

ANSWER:

- Body-Worn Camera Policy – Attachment 20a
 - Narcans Policy – Attachment 20b
21. Please provide, for each month in FY23 and FY24, to date, a chart showing the net number of MTPD hires and separations.

ANSWER:

FY2023 New Hires (July 2022-June 2023)

New Hires (July 2022 - June 2023)		
Month	Civilian	Sworn
2022		
July	0	5
August	7	0
September	1	0
October	7	0
November	4	2
December	7	7
2023		
January	2	1
February	1	0
March	2	0
April	2	0
May	1	0
June	3	1
Total	37	16

FY2023 Separations (July 2022-June 2023)

Separations (July 2022 - June 2023)		
Month	Civilian	Sworn
2022		
July	1	0
August	0	0
September	1	1
October	1	1
November	2	1
December	2	1
2023		
January	1	2
February	1	6
March	0	0
April	1	5
May	1	4
June	1	0
Total	12	21

FY2024 New Hires

New Hires (July 2023 - June 2024)		
Month	Civilian	Sworn
2023		
July	0	1
August	0	1
September	0	4
October	5	5
November	6	6
December	1	13
2024		
January	0	3
Total	12	33

FY2024 Separations

Separations (July 2023 - December 2023)		
Month	Civilian	Sworn
2023		
July	2	0
August	3	2
September	0	0
October	4	1
November	1	1
December	2	2
2024		
January	5	0
Total	17	6

22. In September of 2022, WMATA announced a new initiative to create a crisis intervention staff to be deployed with MTPD. Please provide an update on plans to measure, train, and grow this team.
- a. How many clinicians and managers does WMATA currently employ to address mental health incidents?
 - b. How many incidents has this team addressed since its launch in ~~September 2022?~~ December 2022?

ANSWER:

- a. There are currently eight civilian Crisis Intervention Specialists (CIT), three sworn Officers, one Sergeant, and one Lieutenant. Two additional specialists will be onboarded by the end of February 2024.
 - b. The Crisis Intervention team has had 9,462 contacts with customers, employees, and vulnerable populations since launching this initiative. Making routine wellness checks, the team visited 714 stations, boarded 911 buses and 2,640 trains.
23. Please provide an update on the deployment of the new Customer Experience Liaison (“CXL”) outreach program, including specifically citing how many times they were activated for special events or service disruptions and other notable occasions when they were needed. Please also provide a brief update on the Metro Ambassador program and how these programs have worked collectively to improve the customer experience and reduce incidents of crime or violence across the system.

ANSWER:

The Customer Experience Liaison position title was modified to Metro Ambassador prior to employees functioning in the position in April 2023. The Metro Ambassadors provide a highly visible uniformed presence to assist Metro customers as needed; monitors activities in and outside of Metro stations and on trains, platforms, and buses during revenue service; provides administrative assistance to customers; and acts as a liaison between Metro, the customer, and the community.

Metro Ambassadors perform a variety of customer service duties and support functions and have been especially helpful during special events and service disruptions. Through their presence on trains, buses, in and outside of stations and on platforms, the Metro Ambassadors provide proactive engagement with customers for WMATA. These employees are in liaison with Metro Transit Police, Special Police, and the Metro Integrated Command Center and provide immediate reports on criminal activity to improve communication and response times on incidents.

Metro Ambassadors have provided customer support for numerous special events around the DC Area venues (Nationals Park, Capital One Arena, FedEx Field), as well as larger annual organized events such as July 4th/Independence Day celebration, Army 10K miler, and the Marine Corp Marathon. Metro Ambassadors also provide customer service and shuttle bus support during most WMATA rail service adjustment events; most recently during the December 2023 Red Line shutdown between Metro Center and Gallery Place-Chinatown stations.

24. Please provide an update on the effectiveness of the partnership agreement that the District’s MPD and MTPD signed in February 2023. What specific data points did WMATA assess to evaluate the partnership and what best practices or lessons learned were drawn from these efforts?

ANSWER:

This partnership is a valuable tool to prevent crime and enhance police presence, and visibility within the Metro Rail System. To evaluate the effectiveness of this initiative, crime statistics were analyzed to determine if there was a reduction of crime at the stations where MPD officers were assigned. This initiative confirms that enhanced police presence reduces crime and disorder, and the value of partnerships with our jurisdictional allies. This collaborative effort has reduced crime and enhanced safety for our riders and the communities within the District of Columbia.

The effectiveness of this partnership is demonstrated and highlighted by a recent robbery snatch that occurred on a Red Line train. The victim while on the train was using a mobile device. A perpetrator snatched the device and exited the train at Metro Center. MPD Officers working the supplemental patrol detail immediately were able to stop and positively identify the perpetrator on the scene. The arrest was made by MTPD.

DC Supplemental Staffing Impact on Part I Crimes at Select Stations (Through 12/31)				
	Pre-Implementation Count	Post-Implementation Count	Total	Percent Change
Allied Security (214 Day Comparison)	239	190	429	-21%
Other Agencies (238 Day Comparison)	58	34	92	-41%
Total	297	224	521	-25%

Notes:

- The start date for Allied Security deployment was 6/1/23.
- The start date for Other Agencies was 5/8/23.

Agency-Wide Supplemental Staffing Impact on Part I Crimes at Select Stations (Through 12/31)				
	Pre-Implementation Count	Post-Implementation Count	Total	Percent Change
Allied Security (214 Day Comparison)	239	190	429	-21%

Other Agencies (238 Day Comparison)	100	81	181	-19%
Total	339	271	610	-20%

Notes:

- The start date for Allied Security deployment was 6/1/23.
- The start date for Other Agencies was 5/8/23.

25. Please provide as an attachment MTPD’s most recent Five-Year Crime Report, including closure rates for offenses if not otherwise included in the report.

ANSWER:

Five-Year Crime Report: Five Year Crime Report (wmata.com)

Closure Rates: CY2022-CY-2023 Part-1 Crimes

Clearance Rate CY 2022 & CY 2023		
Part 1 Crime	CY 2022	CY 2023
Aggravated Assault	68%	65%
Arson	86%	0%
Burglary	0%	0%
Homicide-MTPD	100%	100%
Rape	67%	71%
Robbery	57%	53%
Theft Auto	25%	11%
Theft Bicycle	11%	7%
Theft From Auto	6%	6%
Theft From Building	18%	26%
Theft of Vehicle Parts	0%	0%
Theft All Other	31%	35%
Theft Pickpocket	19%	31%
Theft Snatch	40%	45%

26. Please describe how Use of Force, Stops, and Arrests by the MTPD are tracked, investigated, and reported to the public.

ANSWER:

MTPD policy requires every Use of Force (UOF) incident be documented and entered in MTPD’s reporting system and reviewed by officials. MTPD is committed to accountability and transparency, and thus, WMATA includes demographic breakdown of any persons involved in UOF-related incidents as well as data that accounts for departmental-approved methods of force used by officers. MTPD has an automated Early Warning System overseen by the Office of Professional Responsibility and Investigations. This system tracks a variety of actions to include uses of force. Any use of force that is alleged to be in violation of departmental policy is fully investigated and if merited reviewed by a prosecutorial entity. MTPD has prepared a use of force summary for 2022, to be released to the public that includes stops as well as stop and frisks.

27. Please describe any steps or initiatives taken by MTPD in FY23 and FY24, to date, to improve the safety of children on their ride to school, including any partnerships with the District’s safe passages programs.

ANSWER:

MTPD is committed and ed on protecting our school-aged children. This includes forming a Youth Advisory Council, participating in the Mayor’s Safe Passage Program, forming a Youth Services unit, responding to local schools to share Metro Safety tips, and participating in a variety of youth service programs – all to forge relationships and guide our youth. In addition to the safe passage program, MTPD also identified stations highly traveled by youth during peak times and assigned officers for high visibility.

28. Please provide a list of any community engagement events led by MTPD or in which MTPD participated in FY23 or FY24, to date.

ANSWER:

During FY2023 and FY2024, MTPD and the Community Services Bureau (CSB) led and participated in engagement events demonstrating a commitment to compassionate community policing, specifically in the areas of Youth Services, Community Outreach, and Crisis Intervention.

Youth Services: Deploys sworn and civilian officers to meet monthly with area youth sharing information on college and career readiness, arts programming, early childhood education, and sports/athletics.

Community Outreach: Sworn and civilian officers meet monthly with school-aged children and community members in the DMV service area to discuss and hold various planned programming such as: Youth Advisory Council, Safe Passage, and Restorative Justice. Weekly outreach activities are held at Metro stations to share crime prevention, safety awareness, and promoting positive relations between the public and MTPD Officers.

During the reporting period, 192 engagements were held and included several large-scale events:

- Participation and partnership with area law enforcement: Annual National Night Out Event; Health Fair at Open Door Baptist Church; Faith & Blue events in DC and MD; Holiday Shop-with-a-Cop.
- Inaugural Back-to-School event at Fort Totten station, attended by over 1500 people.
- Holiday outreach events (Halloween, Thanksgiving, and Christmas) providing sweet treats, 350 hot meals during Thanksgiving, warm clothing/accessories, and toys to over 1,000 people during Christmas.

Crisis Intervention: Specialists bridge the gap between law enforcement and individuals experiencing homelessness and mental health or substance use crisis. See response to question #22.

29. Please describe enforcement actions taken and/or policies developed to reduce fare evasions at Metrorail stations in the District of Columbia during FY22 and FY23, to date.
- a. Please provide a chart showing the total number of notices of infraction issued for fare evasion each month in FY23 and FY24, to date, broken down by jurisdiction.
 - b. Please include in your response the number of incidents where an individual issued a notice of infraction for fare evasion refused to provide their identity or contact information, including their:
 - i. Name;
 - ii. Address; or

iii. Date of birth.

ANSWER:

MTPD has conducted Point of Entry (POE) details where fare enforcement is the focus. The reason behind the fare enforcement is two-fold; WMATA is losing millions of dollars from fare evasion and an internal study found that 97 percent of the violent crimes committed on Metro were committed by an individual who fare evaded. Therefore, many individuals who would have otherwise committed a violent crime within the Metro system have been stopped for fare evasion.

The POE details are conducted in three different methods. MTPD conducts surges at three stations (one per MTPD District). During the surge, each District conducts POE from opening until closing. The surge stations are conducted in all three jurisdictions and are chosen based on their numbers of fare evaders as well as criminal activity. Additionally, the correlation of fare enforcement to the reduction of fare evasion during those days is tracked to verify that enforcement does, in fact, reduce fare evasion.

Secondly, each district has POE teams that conduct fare enforcement at hot-spot locations. These teams will respond as a team and will saturate the station in either uniform or plain clothes to conduct fare enforcement. Finally, POE teams are used to conduct fare enforcement on buses in the bus bays as well as on certain bus routes.

On non-surge days, many times the districts will partner-up and create an ad-hoc POE team to deploy at one station. The chosen station is rotated between districts and, again, chosen based on crime and fare evasion rate. Additionally, MTPD just created “Pop-Up” POE details where Sergeants will take one-hour out of their tour and partner with two Officers for fare enforcement at a station of their choosing.

FY 2023 (Jul 22 – Jun 23)													
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
Maryland	5	1	8	19	30	8	59	28	56	126	486	540	1366
District of Columbia						2	9	9	66	69	29	17	201
Virginia	12	6	14	18	45	13	17	15	13	143	216	181	693
Total	17	7	22	37	75	23	85	52	135	338	731	738	2260

Notes:

- The data includes arrest and summons/citation dispositions for fare evasion.
- Offender name, date of birth, and address information for incidents that occurred in DC:
 - ***Name:** all incidents contained an offender name (the offender’s name was gained after they were arrested for a separate offense, and some that provided names consented to the issuance of a citation which resulted in <1% of civil citations being adjudicated or paid; current District law does not give the police officer the authority to issue citations for individuals that fare evade out of the system without paying).
 - **Date of Birth:** there were 53 incidents in which the offender did not provide a DOB.
 - **Address Information:** offenders did not provide an address in 10 incidents.

FY 2024 (Jul 23 – Jan 24)								
Jurisdiction	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Total
Maryland	366	618	355	489	782	669	462	3741
District of Columbia	81	105	88	19	45	75	36	449
Virginia	166	235	173	119	181	110	84	1068
Total	613	958	616	627	1008	854	582	5258

30. Please describe the process for WMATA customers to submit complaints or comments and the procedure for responding to and resolving those complaints, including for MTPD.

ANSWER:

[This question is for Customer Service as well in terms of receiving complaints. MTPD has provided its process, but **Customer Service should also provide a response.**]

WMATA Customer Complaint Process:

Customers have several options by which to submit complaints to Metro:

- Submit a [Customer Contact Form](#).
- Call Customer Relations at 202-637-1328.
- Submit a paper comment form, which are available inside all Metrorail stations.

All complaints will be entered and tracked in Metro's Customer Relationship Management database. All customers will receive an initial acknowledgement of their complaint within five business days, and where possible complaints will be resolved on first contact. Further correspondence and feedback to the customer is determined based on issue type, severity, and customer request(s).

For additional support on accessibility-related complaints, customers may contact the Metro ADA Ombudsman in the Office of ADA Policy and Planning (ADAP). The findings and responses of all investigations handled independently by ADAP will be submitted to the Customer Relationship Management database for inclusion in the record created following the customer's initial complaint. Contact information for the ADA Ombudsman is as follows:

Barbara J. Milleville ADA Ombudsman
Office of ADA Policy and Planning
300 7th St SW, Washington, DC 20024
202-962-1100
TTY 202-962-3780
access@wmata.com

MTPD Customer Compliant Process:

Citizens can submit a commendation or complaint on the WMATA website at <https://www.wmata.com/about/transit-police/feedback.cfm> or by contacting an MTPD division at one of the phone numbers provided at <https://www.wmata.com/about/transit-police/contact-us.cfm>. Additionally, complaints can be made in person at police districts or by requesting an official respond to the scene of an incident. Citizen complaints are also submitted via WMATA's Twitter account, as shown the Social Media attachment above. The MTPD investigates all complaints regardless of the method of receipt.

The Office of Professional Responsibility and Inspections is notified of all complaints received. The investigating official will then investigate the allegations, reviewing evidence. The investigating official's chain of command reviews the investigations. There may also be other internal reviews by other WMATA's departments, based on the incident and the member being investigated.

The MTPD Investigations Review Panel meets quarterly to review completed MTPD internal investigations. The review panel consists of both sworn and civilian members from WMATA's jurisdictions. The review panel selects the cases that will be reviewed at the quarterly meeting, based on matters selected for their review, according to the review panel's charter. The Office of Professional

Responsibility and Inspections represents the MTPD at the meetings and answers all questions the review panel members raise. The review panel then provides a list of recommendations regarding the reviewed cases, and the MTPD responds to recommendations provided by the review panel.

31. Please provide an update on the Metro Transit Police Community Academy and what lessons WMATA learned from the first cohort of community members who completed the program. What are WMATA’s plans to continue this program, and what goals have been identified for graduates of the program?

ANSWER:

The MTPD launched the first cohort of the Community Police Academy in September 2023 and graduated the first class on November 29, 2023. The eight-week program consisted of nine community members from across Maryland, the District of Columbia, the Commonwealth of Virginia, and three WMATA employees.

These community members learned firsthand about police operations, police training, procedures, and philosophy. They also participated in scenario-based training, classroom discussions with members from several of our specialty units, and a ride-along. The ability to participate in a ride-along gave each community member a unique real-time experience based on the officer they were shadowing. These experiences included traffic stops, patrols of the system, priority responses to calls, welfare checks, and more.

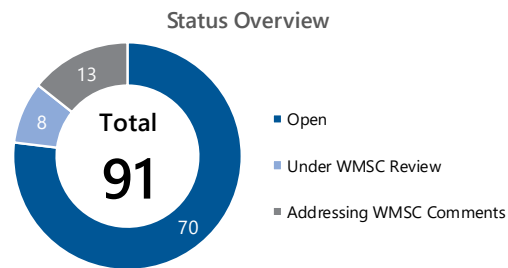
The Department realizes the importance of working with the community and receiving their input to maintain an effective police department. MTPD also wants to ensure the community realizes Metro does have its own police department and that we want to continue to build relationships and grow with the community we serve.

MTPD plans to continue the Community Police Academy program and will hold one session in the fall each year. The program is free to the public and open to residents of Maryland, the District of Columbia, and the Commonwealth of Virginia, as well as Metro employees and members of local civic and governmental organizations.

32. Please list all outstanding Washington Metrorail Safety Commission (“WMSC”) Corrective Action Plans (“CAPs”) that WMATA is required to complete, the status of each CAP, and the anticipated date of completion. (Impastato)

ANSWER:

CAP Status Index		Total
GRAND TOTAL		91
O	Open	70
UR	Under Review	8
O/AC	Open/Addressing Comments	13



For more details, please see attached *Oversight Hearing – WMSC Open CAPs (01-31-24).pdf*.

33. Please provide a detailed update on any “root cause” analyses and other assessments conducted

concerning the problems with WMATA's 7000 series trains, including the findings and conclusions of the National Transportation Safety Board from its Final Report issued on January 2024 and any other preliminary updates. Please include in your response:

- a. A description of the structure and method of analysis used;
- b. The timeline breakdown of the analysis;
- c. All findings and conclusions; and
- d. The status of WMATA's implementation of any recommendations for corrective action and any engineering and mechanical changes to the 7000 series fleet consistent with the WMSC's January 17, 2024, Order.

ANSWER:

(a) As part of the NTSB investigation, WMATA implemented a comprehensive and holistic approach to conducting the root cause analyses as part of its investigation into the wheelset migration issues experienced on the 7000 series fleet. This approach resulted in independent analyses from multiple parties including the vehicle manufacturer (Kawasaki), component suppliers (ORX), WMATA vehicle engineering, vehicle engineering consultant (Hatch), and an outside engineering firm (MxV). A summary list of analyses conducted, along with the timeline breakdown is included below.

(b) A timeline of the primary analyses conducted during the investigation is provided below:

- Spin Testing of Sample Wheelsets - April 21-28, 2022
- Statistical Analysis of Failed Wheelsets – Spring 2022
- Industry Standards Review – Spring 2022
- Press Fit Analysis – Summer 2022
- Comparative Industry Review – Summer 2022
- Review of Published Literature on Wheelset Migration– Spring/Summer 2022
- On Track Testing – 6/13/22-6/30/22
- Finite Element Analyses (FEA) – Spring through Fall 2022

(c) The comprehensive findings and conclusions of each investigative party are available in NTSB Docket RRD22LR001, and NTSB Final Report published on January 4, 2024.

(d) As part of the National Transportation Safety Board (NTSB) investigation, NTSB investigators and all parties to the investigation reached consensus that the probable cause of the October 2021 derailment can be safely mitigated by increasing interference fit and press tonnage of the 7000-series wheelsets. Consistent with this finding and recommended remediation, WMATA launched the Wheelset Replacement Program in summer 2023. Through 1/21/2024, 260 wheelset assemblies have been successfully pressed in accordance with the new requirements (higher interference fit and pressing tonnage), designed to mitigate wheel microslip leading to ratchet extrusion. This program will continue until the wheelset assemblies on all 7K rail vehicles have been remediated per the new requirements.

WMATA Vehicle Engineering used trend analyses to establish the criteria for back-to-back inspections on the 7K wheelsets. Vehicle data are reviewed and analyzed for anomalies or trends related to wheel movement.

34. Please provide a detailed update on any new policies and procedures that WMATA is undertaking or will undertake in response to safety concerns on the 7000 series trains, including specific protocols for training, inspection, and routine maintenance of the trains.

ANSWER:

By the end of January 2023, WMATA moved to a 7-day inspection interval, as per the Washington Metrorail Safety Commission (WMSC)-approved Return to Service Plan. As part of the National Transportation Safety Board (NTSB) investigation, NTSB investigators and all parties to the investigation reached consensus that the probable cause of the October 2021 derailment can be safely mitigated by increasing interference fit and press tonnage of the 7000-series wheelsets. In March 2023, Metro submitted a data analysis to request the increase of inspection cycle from 7-day to 30-day. The recommendation was based on the mileage and movement/trend analysis collected during the implementation of the previous versions of the plan. After further collaboration, WMSC approved the final iteration of the Return to Service Plan on April 10, 2023, which allowed WMATA to move from a 7-day to a 15-day inspection interval for a 30-day period then to a 30-day inspection cycle. The plan also outlines how railcars with the implemented safety mitigation solution are no longer subject to this return to service plan and will revert to the periodic inspection schedule.

The plan includes a monthly submission by the Metrorail Vehicle and Track Working Group, an interdisciplinary team chartered in October 2022. The submission consists of data collection and analysis related to vehicles including wheel movement data and analysis consisting of measurement data and movement of the wheels relative to baseline and vehicle-track interaction (VTI) analysis including responses to trends observed in VTI data requiring a special condition assessment, and any corrective actions taken.

Metro developed the wheelset replacement program to press wheels on the 7000-series fleet at a higher standard following extensive engineering and data analysis and based on a technical report citing engineering experts who identified a technical issue, microslip due to reduction in contact pressure, as the probable cause of 7000-series wheel migration. Under the new process, with concurrence from the WMSC, Metro has increased the interference fit and press tonnage used to mount the wheels onto the axles. The program includes the requalification/inspection of used axles, the repressing of wheels and overhauled bearings onto the axles in a structured process filled with inspection hold points. The press records are digitized to facilitate tracking and system integration.

Wheel pressing per the new process started on October 23rd. A total of four-wheel sets must be pressed for every railcar. On-car testing of the new wheelsets is performed, and then all associated paperwork from the wheel press, reinstallation, and testing processes is reviewed by multiple departments for correctness and completeness followed by a Certificate of Compliance (CoC) sign-off by multiple departments including the Department of Safety that manages the safety certification process. Only upon approval by all parties can the railcar then be returned to service. Details of every repressed wheelset are shared with WMSC.

After 20,000 miles in passenger service, Metro will perform additional inspections, wheel measurements, and engineering analysis on the railcars before the 7000-series return to the standard periodic inspection intervals.

To date, 48 cars have safely returned to passenger service under the Wheelset Replacement Program. Of note, nearly 69 million miles have been run and over 33,000 inspections completed since May 2022. There have been 14 back-to-back and 13 journal bearing exceedances reported to WMSC.

35. In a May 17, 2022, Safety Order, the WMSC cited concern with “procedural shortcutting.” Please

respond with specific steps that WMATA has taken to address culture change that promote the highest standards of training, safety, and transparency.

ANSWER:

The May 2022 WMSC Order related to management of third rail power. Extensive steps have been taken to improve safety, performance, and culture in this area. Metro immediately conducted a 'stand down' training of all personnel in the field and in the control center, which mitigated identified hazards in the short term. A workload and staffing assessment were completed for the Power Desk, and a new staffing plan was implemented to ensure all functions had sufficient resources and time to complete their respective tasks. The procedure for employee physical assessments was reviewed and updated; Power Desk staff underwent a fatigue assessment to ensure schedules aligned with fatigue management best practices. Power Desk managers were provided with extra coaching and development to hone their management skills and performance. Additional trainings were developed comprising classroom training, a minimum of 320 hours of on-the-job training, weekly assessments, and skill drills/practicals to demonstrate staff's ability to execute the specialist tasks; training concludes with a scenario-based certification test. In conjunction with the safety and quality teams, an internal oversight process was designed and implemented by the Power Desk management team to ensure quality and compliance with procedures. The telephone systems and recording software in the room were verified and upgraded. The procedures for the de-energization and re-energization of third rail power have been redrafted to include use of a digital code to ensure clearer accountability and reduced risk during the third rail re-energization process; this new procedure is undergoing software integration and testing and will be trained and launched in 2024. The Power department more broadly is nearing completion of its implementation of the Safety Risk Management process to systematically identify, manage, and mitigate safety hazards.

36. In the February 2022 final Safety Report by WMSC, WMSC found that "Metrorail diapasons not consistently follow the incident command system structure...and these deficiencies have contributed to ineffective and improper emergency response and emergency management." Please outline specific steps WMATA has taken to ensure corrective action meets the recommendations laid out in the WMSC report.

ANSWER:

In July 2023, WMATA launched the new Incident Management Framework. The framework is in three parts. First, it lays out new, improved procedures for incident management based on FEMA's National Incident Management System; it replaces WMATA's Standard Operating Procedure 1A. It sets the expectations for Metro Initial Responders, and how incident command is established and managed, including when jurisdictional fire and police departments are on scene. Second, the Incident Management Framework provides different levels of training for WMATA personnel designated to respond to and manage incidents; the level of training is dictated by the different level of responsibility assumed by personnel during an incident. Third, the framework ensures oversight by the Office of Emergency Preparedness, which monitors performance of the agency in relation to the framework; performance data are gathered from hotwashes immediately after incident command ends, as well as from After Action Reviews held shortly after serious or complex incidents. This three-part framework lays the foundation for improvement in how WMATA manages incidents and continues to mature during calendar year 2024.

37. In January 2023, and again in August 2023, the WMSC issued findings that raised concern about WMATA training and certification of Metrorail operators. This followed a string of similar concerns around certification lapses in 2022 that led to an operator shortage. Please provide a detailed

update regarding all actions taken to bring all rail operators into full compliance with certification standards.

ANSWER:

In May 2022, WMATA implemented the Train Operator Recertification Recovery Plan to bring operators with lapses in refresher training and recertification into compliance. The Train Operator Recertification Recovery Plan, which included a 5-day Train Operator Refresher Course and a 1-day Pre-Certification exercise prior to the recertification, was proposed as the most prudent method to address the identified lapses.

WMATA presented the plan to the Washington Metrorail Safety Commission (WMSC) in May 2022 with a goal of bringing all lapsed operators in compliance by September 2022. The Office of Rail Transportation, Office of Car Maintenance, and Rail Operations Quality Training provided dedicated trains, certification staff and Training Instructors to ensure all lapsed operators were completed by the plan's end date.

As of January 2024, all active Train Operators are certified and current on all required refresher training. The following actions were implemented post the recovery plan to ensure lapses in refresher training and recertification are mitigated:

- Updating of the Performance Standardization Program Manual for Train Operations, which included the elimination of the waiver certificate and places operators with lapses in recertification in a non-operating status until recertified.
- Leveraging technology to create Train Operator certification reports that provide real-time certification statuses of all active train operators.
- Increased internal auditing of training/certification reports to identify expired certifications for employees who have been out of work and are returning to duty.
- Increased availability of trains for training and certification due to the re-entry of the 7000 series beginning in May 2022.

38. Please provide an update on efforts to ensure rail and bus operators are receiving the required training and continuing education and training necessary to operate railcars and buses across the system. Has WMATA developed or will develop a protocol for continuous training and certification for Metrorail and Metrobus operators?

ANSWER:

Rail Operator Training

Rail Operations Quality Training (ROQT) provides continuous training for train operators emphasizing the importance of staying updated with evolving technologies safety procedures and operational practices. The program is comprehensive, covering technical skills, safety protocols, emergency procedures, customer service, and other relevant topics. Ensuring that the content aligns with industry standards and regulations, Rail Training facilitates a structured learning approach and regular assessments to gauge understanding and proficiency of train operators.

The use of train simulators integrates realistic simulation to provide hands-on experience in various scenarios, including emergencies, equipment failures, and challenging operational conditions.

Periodic feedback is gathered from operators and stakeholders to encompass necessary adjustments to enhance the overall training experience.

ROQT meets monthly with Rail Transportation to encompass necessary adjustments to enhance the overall training experience. Rail Transportation provides a comprehensive list of train operators requiring bi-annual refresher training to be conducted by ROQT.

Train operators receive required training and continuing education through comprehensive curriculum, current technical skills, safety protocols, and customer service training.

The implementation of simulation training, utilizing our 7000-series simulators, provides hands-on experience in various scenarios. Student feedback ensures ongoing valuation and improvement of the training program. The use of incident data ensures that the training program evolves, and train operators are trained on the most current and effective protocols, enhancing their preparedness to handle unexpected situations. Instructor led sessions to address specific learning gaps, and peer learning is encouraged to foster a collaborative environment. Recordkeeping of operators training progress is meticulous adding in compliance audits.

Technology integration remains a priority, with updates on train control systems and train simulators incorporated into the program. Overall, an initiative-taking approach to continuous improvement ensures well equipped with the necessary skills and knowledge to operate railcars safely and efficiently.

ROQT meets monthly with Rail Transportation to discuss necessary adjustments to enhance the overall training experience. Rail Transportation provides a comprehensive list of train operators requiring bi-annual 5-day refresher training to be conducted by ROQT.

Train Operator Training Cycle:

- Action 1. The initial train operator and certification program is 17-week.
 - 5-weeks of Classroom Training
 - 8-weeks of Yard Practical Training (8 hours of non-revenue stick-time)
 - 4-weeks of On-the-Job Training (30 hours of revenue stick-time)
 - Certification (combine evaluation of practical and written exam). Four (4) practical certification categories:
 - Preparation for Service
 - Mainline Operation
 - Yard Operation
 - Miscellaneous (Troubleshooting)
- Action 2. The bi-annual refresher is 5-days and covers competencies related to train operation on both Legacy and 7K series railcars.
 - 2-days of Legacy Train Training
 - 2.5-days of 7K Series Railcar Training
 - 0.5-day exam
- Action 3. The bi-annual recertification is 1-day with a combined practical and written exam. Four (4) practical certification categories:
 - Preparation for Service
 - Mainline Operation
 - Yard Operation
 - Miscellaneous (Troubleshooting)

Bus Operations Training

Bus Operations Training (BTRN) is committed to consistently supporting Bus Services (BUSV) principal initiative of delivering patrons to their final destinations safely and without accidents. BTRN offers targeted training that teaches the pillars of defensive driving, proper Standard Operational Procedure adherence, and onboard evaluation of Bus Operators, all to ensure Metro's customers are connected to life's opportunities.

BTRN routine offerings, beyond the new Bus Operator Candidate Training Program, are recorded in Enterprise Learning Management (ELM) System by BTRN's Training Coordinator and Curriculum Development Specialist. Enterprise Learning Management System (ELM) is Metro's official system of record used to maintain all employee development programs, and technical and compliance-related training. The system serves as the platform for delivering and tracking course content, schedules, enrollments, and completions.

BTRN offers the following required training for Bus Operators:

- Bus Operator/ Commercial Driver's License (CDL) Training Program: This training is ongoing every month, with 15-30 students every six weeks. Fatigue, Transportation Security Awareness (TSA), Ethics, National Incident Management System (NIMS) 100 & 700, Bloodborne Pathogens (BBP), and Sexual Harassment trainings are embedded into this course.
- Commercial Driver's License (CDL) Training: Held several times a month, based on how many new students require a CDL and how many internal employees require a CDL.
- Remedial/Post Accident Training: Held daily, Monday through Friday, with a maximum capacity of three operators per class.
- 2-Day Bus Operator Refresher Training: Depending on the need, this class is offered between one and three times weekly, with a maximum capacity of 18 operators per class. Fatigue, TSA, and Ethics training are embedded into this course.
- Back-To-Bus Training: Held weekly, with 2-5 operators per class.
- Quality Assessment Refresher (QAR) Training: Held twice a week with up to four operators per class.
- Ad Hoc Training Classes: These classes, which vary in duration and are provided based on business need, include—1-Day Performance Behavior Analysis (PBA), 7-Day Line Platform Instructor (LPI) Initial Training, 5-Day LPI Refresher Training, 3-Day Customer Service Training, and Non-Passenger Bus (LPI) Training Program Bus Operator Mentorship Pilot Program. To ensure continuous training and certification for MetroBus Operators, Bus Operations Training follows a Bus Services work instruction for a Bus Operator Refresher Training Process. Two-day Bus Operator Refresher training is completed every three (3). In addition, the Annual Onboard Assessment is completed annually to maintain annual contact with Bus Operators to ensure their method of operation is in accordance with Metrobus Standard Operating Procedures (SOP).

All Bus Operators are required to present a valid Commercial Driver's License and WMATA-issued Department of Transportation (DOT) card when they check in daily. Tenured and Student Bus Operators are not to be issued a manifest and/or dispatched in service without these items on their person.

Bus Operations Training also utilizes incident data to inform improvements to the training provided to Bus Services. One of the ways this is accomplished is through the use of the DriveCam application and a program called Performance Behavioral Analysis (PBA). The

purpose of the Performance Behavior Analysis (PBA) Program is to reduce risky driver behaviors, which would lead to reduced collisions, reduced injuries, and improved KPI's by emphasizing consistent monitoring and the standardization of the usage of DriveCam.

Additionally, a Coaching Manual was created to focus on providing best practices for effectively coaching Operators with DriveCam Events. The Coaching Manual encourages coaching with Emotional Intelligence, providing feedback and balanced communications, and creating action plans in collaboration with the Operator to improve their performance. Effective coaching can be a positive influence by empowering employees to enhance those behaviors that lead to improved safety outcomes.

39. What recommendations from the Riders' Advisory Council and the Accessibility Advisory Council has WMATA implemented in FY23 or FY24, to date?

ANSWER:

The chart provided delineates the requests from AAC and its subcommittees, illustrating how WMATA addressed and incorporated those requests throughout 2023 and 2024 to date:

AAC's Requests 2023	WMATA's Responses
<u>MetroRail Subcommittee:</u>	
- Add whiteboards in Metrorail stations at Station Managers Kiosk.	<u>Implemented</u> – WMATA implemented the use of white boards.
- Faregates prototypes enhancements based on AAC recommendations.	<u>Implemented</u> – Top clear glass with color banner for visibility.
- Fare Vending Machines (FVM) feedback.	<u>Implemented</u> – Recommendations included in equipment specifications.
- AAC Handbook on Rail Designs shared with 8K Team.	<u>Implemented</u> – Handbook reviewed and recommendations incorporated.
- 8k seat configuration and space for wheelchair users.	<u>Implemented</u> – Changes made as per AAC recommendations.
- 8k station ahead list (digital) in railcar.	<u>Under consideration</u> for implementation.
- Improved lighting in Metro Stations.	<u>Ongoing</u> – Break dust cleaned and ambient lighting issues under review.
- Wayfinding signs reinstatement.	<u>Implementing</u> – Digital Station Ahead Lists in progress.
- Adding more elevators at stations.	<u>Ongoing</u> – Efforts presented through Guaranteed Access Program.
<u>Metrobus Subcommittee:</u>	
- Pilot E-paper sign recommendations at Braddock Road.	<u>Implemented</u> – Digital signs updated as per AAC recommendations.

- Consistency in Metrobus announcements.	Ongoing – WMATA Bus Maintenance addressing software issues.
- Strobe light at Greenbelt pilot.	Implemented – Final design no longer has flashing light.
- Review of safety concerns with floating bus stops.	Ongoing – Discussions held, pilot review, advocacy for accessibility features.
- New digital screens inside Metrobuses.	Implemented – Screens with large font size and high contrast included.
MetroAccess Subcommittee:	
- MetroAccess flat fare.	Implemented – Flat fare implemented with a cap of \$4.
- Comfort issues with MetroAccess vans.	Implemented – Minivans purchased for improved ride and comfort.
- Address Call Center delays.	Implemented – Artificial Intelligence program TiM implemented. Evaluation of the program is underway.
- MetroAccess communication via IVR for public hearings.	In progress – Considered for implementation.
- MetroAccess advance notice of service cuts.	In progress – Information to be shared as it becomes available.
AAC's Requests 2024	WMATA's Responses
WMATA Budget:	
- Talking points for budget advocacy efforts.	Provided – Budget summaries and talking points shared with AAC members.

Riders' Advisory Council Recommendations/Status FY23 and YTD FY24

Date	Recommendation	Status
July 2022	<i>Blue/Yellow Line Shutdown</i> – Ensure riders are provided with realistic estimates of additional travel time when using rail replacement shuttles	
July 2022	<i>Blue/Yellow Line Shutdown</i> – Incorporate information about replacement shuttles into online Trip Planner	Implemented – online Trip Planner includes shuttle segments when required due to trackwork
September 2022	<i>Blue/Yellow Line Shutdown</i> – As needed, adjust shuttle service to respond to shifting travel patterns or other service issues	
November 2022	<i>Fares/Service</i> – Recommend Board move forward with elimination of peak/off-peak differential	Implemented – as part of FY24 budget
November 2022	<i>Fares/Service</i> – Further explore refinements to current distance-based fare structure to reduce the number of fare increments	Considered as part of FY24 budget development; not implemented

November 2022	<i>Fares/Service</i> – Implementation of reduced fares for low-income riders	Implemented – Metro Lift program implemented as part of FY24 budget
November 2022	<i>Fares Service</i> – Evaluate possibility of expanding rail service hours, especially on weekends	Under Consideration: Expansion of weekend operating hours will be taken out for public comment as part of FY25 budget outreach February/March 2024
February 2023	<i>Major Trackwork</i> – Ensure that fare structure doesn't penalize customers who travel through work zones	
February 2023	<i>Major Trackwork</i> – Ensure that accurate real-time information is provided for customers using replacement shuttle services	In process – staff is working on updated contracted shuttle requirements for 2025 to include real-time information
March 2023	<i>Metro Performance Report/Dashboard</i> – Include relevant public safety information as part of the customer dashboard	Not implemented as part of dashboard; public safety statistics available through MTPD at: https://www.wmata.com/about/transit-police/crime-stats.cfm
April 2023	<i>8000 Series Railcar Design</i> – Supportive of open gangway concept and proposals for revised seating layout on new railcars	Implemented into revised design for 8000 Series railcars
April 2023	<i>Metrobus "Courtesy Stops"</i> – Supportive of Metro proposal to allow customers to request stops at locations other than posted bus stops after dark	Implemented
September 2023	<i>Metrobus "Courtesy stops"</i> – Evaluate program and expand hours from current 9p-5a to 'dusk-to-dawn' at operator discretion	
June 2023	<i>Major Trackwork/Alternative Service</i> – Provide alternative service that is more responsive to rider travel patterns, not strictly replacement for closed segments/stations	
January 2024	<i>FY25 Budget</i> – Limit proposed FY25 fare increase to maximum of 20%	Under consideration – FY25 budget docket contains up to 25% fare increase; final action on FY25 budget, including fare levels, set for April 2024

40. Please provide an overview of WMATA's rationale for returning to automatic train control and the responses it is taking following oversight testing by the WMSC, which ruled that WMATA is not prepared to return to the use of its automated operating system.

ANSWER:

Like autopilot in planes, Automatic Train Operations (ATO) provides energy saving enhancements through optimized acceleration and braking. Additionally, ATO makes the starts and stops of train operations smoother. The technology also helps operator

efficiency by helping customers keep consistent arrival and departure schedules, achieving better on-time performance for the entire system.

Metro opened its doors in 1976 with ATO. Metro is now restoring ATO functionality systemwide to create another layer of safety and performance to its operations today. This improved system will add technology for our train operators and a better ride for our customers.

As Metro continues to advance its rail automation program, and with WMSC concurrence, Metro went live with automatic door operations as a first phase of rail automation, in December 2023. Thousands of auto door openings have resulted, without a single safety failure. The WMSC and Metro have conducted two productive workshops, the latter on ATO, to review and improve Metro's Concept of Operations.

Bifurcating the delivery of the program to advance auto doors first enables Metro to deliver safety and service benefits to the customers, to be extended systemwide this spring, while continuing to deliberately advance a program driven by industry experts and best practice leaders, which kicked off with an American Public Transportation Association Peer Review giving Metro a green light to restore the safety benefits of the automated rail subsystems.

This sequencing also enables a comprehensive safety certification process that Metro anticipates will result in concurrence from the Washington Metrorail Safety Commission (WMSC).

41. Please list all outstanding audit recommendations from the WMATA Office of the Inspector General, the status of each recommendation, and the anticipated date of completion.

ANSWER:

Insofar as OIG activity is concerned, the information sought by the request as to completed activity and audit recommendations is contained in OIG's Semiannual Reports to the Board of Directors, Nos. 31 and 32. Upon completion in March 2024, the next Semiannual Report will be provided as a supplement.

[Semiannual-No-31-IG-Final_redacted-1.pdf \(wmataoig.gov\)](#)
[Semiannual-No-32-IG-Final_Redacted.pdf](#)

42. The Council has adopted a Sense of the Council resolution ([PR 24-154](#)) urging a more aggressive schedule for transitioning to electric buses. Please provide a detailed description of WMATA's current efforts toward systemwide bus electrification. In the description, identify all barriers to electrification and how WMATA will look to overcome them.

ANSWER:

Every trip taken by transit today reduces greenhouse gas emissions and supports cleaner air. Converting the bus fleet to zero-emissions provides further reductions in greenhouse gas emissions and improvements in regional air quality. Metro is advancing efforts to transform its fleet of nearly 1,600 buses, nine facilities, and workforce to support 100% zero-emission bus (ZEB) operations to improve regional air quality and reduce greenhouse gas emissions.

In April 2023, Metro's Board of Directors adopted zero-emission bus goals that accelerated its transition by three years:

- Purchase only lower-emission and electric buses in the next bus procurement
- Transition to 100% zero-emission bus purchases by 2027
- Transition to a 100% zero-emission bus fleet by 2042

Metro's funding constraints put the ZEB Program at risk. The proposed capital program includes continued funding to convert three of Metro's nine bus garages (Northern, Bladensburg, and Cinder Bed Road) to zero-emission facilities, and purchase approximately 400 electric buses. Funding constraints limit Metro's capacity to purchase additional electric buses and delay construction of additional facility infrastructure to support those buses, putting zero-emission transition goals at risk.

Recent ZEB Program Highlights

- In November 2023, Metro put its first two 60-foot battery-electric buses into service. This is part of Metro's ZEB Deployment: Phase 1, a project that will include 12 battery-electric buses at Shepherd Parkway Bus Division in Southwest DC (*described in response to Question 43 below*).
- In June 2023, Metro received a \$104 million FTA Low or No Emission Vehicle Grant to support the conversion of Cinder Bed Road Bus Division in Fairfax County, Virginia to a fully battery-electric bus facility, the procurement of battery-electric buses for the region, and associated training.
- In March 2023, Metro released its first Zero-Emission Bus Transition Plan, which identifies a pathway to transition the fleet, facilities, and workforce to zero-emission operations by 2042. As part of the Transition Plan, Metro coordinated with the local electric utilities that serve its garages to explore the anticipated utility improvements needed to support the new fleets at each facility; Metro continues to work with the utilities to ensure power is provided to support battery-electric bus charging at facilities as they undergo conversion.
- In March 2023, Metro launched a regional ZEB working group to coordinate with regional transit partners, including DDOT, and ensure efficient delivery of zero-emission bus services across the region.
- Metro has begun to make its facilities ready to support ZEBs. Design and construction are underway at Northern and Bladensburg Bus Garages in the District of Columbia and planning work is underway at Cinder Bed Road in Virginia.

Additional information is available at: <https://www.wmata.com/initiatives/plans/zero-emission-buses.cfm>.

Barriers

In addition to funding constraints noted above, Metro is seeking to mitigate the following additional barriers:

- Cost. The conversion to a zero-emission fleet requires significant upfront capital investments for buses that are more expensive in comparison to traditional internal combustion engine buses. Additionally, significant costs are associated with making facilities ready to support the charging or fueling needed for zero-emission buses. As outlined in Metro's Zero-Emission Bus Transition Plan, the expected incremental cost of the full ZEB conversion is more than \$2 billion. Metro has secured two FTA grants and will continue to apply for Federal funding to support the transition.

- Facility readiness. It is important to have facilities ready to support zero-emission buses when taking delivery of these vehicles, as the design and construction of new or converted facilities have long lead times. Electric utilities will need to upgrade their systems to provide the needed power for battery-electric bus charging. Metro continues to coordinate with PEPCO and other local electric utilities to assess existing conditions and review Metro's power requirements to support any future battery-electric bus charging at our facilities. Additionally, nationwide there are significant lead times on manufacturing and delivery of electric gear and equipment, which adds delays to the completion of construction.
- Bus acquisition. There are now only three ZEB manufacturers that comply with Buy America requirements. Transit agencies currently expect lead times of 18-24 months for bus deliveries from when contracts are awarded, as other transit agencies simultaneously ramp up their requests for ZEBs and supply chain issues persist. Metro has reached out to our peer agencies and started working together on developing standard bus technical specifications minimizing customization and costs. Metro is also reviewing and implementing industry best practices to improve contractual management of bus procurements. Additional work is being done at a national level with APTA, FTA, and the White House to bolster the bus manufacturing sector, reduce supply chain challenges, and improve competition.
- Range of battery-electric buses. The range of battery-electric buses is expected to be less than half that of an internal combustion engine bus. To provide reliable service Metro will continue to conduct route modeling to align initial deployments of battery-electric buses to routes they can serve and assess whether strategies such as en-route opportunity charging, introducing zero-emission fuel cell buses, or increasing bus fleet size may be needed to provide required levels of service. These additional strategies may also introduce additional costs and complexities.

43. Please provide a detailed update on the status of WMATA's electric bus pilot program, including implementation timelines, number of buses, and usage data, if available.

ANSWER:

Metro launched Phase 1 of its Zero-Emission Bus Deployment at Shepherd Parkway Bus Division in Southwest DC. This project includes twelve battery-electric buses and the installation of overhead pantograph chargers and supporting electrical infrastructure at Shepherd Parkway. This initial deployment allows Metro to gain hands-on experience operating battery-electric buses and charging equipment to continue to provide safe and reliable service to our customers as we scale up this technology. An FTA Low or No Emission Vehicle Grant awarded in 2020 supports the first two buses and chargers. The first two 60-foot battery-electric buses began revenue service in November 2023, operating on the W4 route between Anacostia and Deanwood Metrorail stations serving Wards 7 and 8. Metro expects to complete installation of additional chargers and electrical equipment in early 2024 and deliver the remaining ten 40-foot buses starting in 2024.

44. In November 2021, WMATA announced plans to begin two-door entry on all Metrobuses by the close of 2022 in an effort to reduce boarding times. Please provide an update on these efforts, including the percentage of Metrobus fleet that are currently operating with two-door entry to date.

ANSWER:

In December 2024, all-door boarding was launched on eight routes, routes T18 and F4 in Maryland; routes 32 and 36 in DC; and routes 16A, 16C, 16E, and 16M in Virginia. Additional routes will be added in CY2024 as rear-door target installation is completed on additional buses. The rollout

schedule aims to balance the need for a consistent customer experience on any given route as well as the operational and dispatching considerations at bus divisions (depots).

45. Please provide an update on the number of new fare card readers installed on Metrobuses through January 2024, including the number of card contacts monthly during calendar years 2022, 2023, and 2024 to date.

ANSWER:

WMATA’s fare collection system includes three passenger-facing pieces of equipment: cash accepting farebox; independent of the farebox, there are two SmarTrip validators, one in front by the farebox and one at rear door. This response provides an update on the status of installation for each of these types of equipment.

As of February 2, 2024, 780 new fareboxes have been installed on buses (50% of the bus fleet). Front and Rear Door smart card validators are installed on 498 buses. Front door only smart card validators are installed on 282 buses. We are averaging 40 new fareboxes installed weekly. Installation of the new fareboxes started Summer 2023 and the goal is to complete all installations by Summer 2024. Metro continues to monitor the performance of the fareboxes, working through technology issues and ensuring that operators are trained on policies and procedures for logging on and reporting equipment issues.

Boardings made with taps on these fareboxes are as follows:

Month	Boarding Taps	Buses with New Readers
February 2023	3,547	4
March 2023	2,919	4
April 2023	8,014	7
May 2023	16,249	6
June 2023	23,670	40
July 2023	98,967	97
August 2023	223,289	201
September 2023	447,606	318
October 2023	707,197	443
November 2023	866,050	544
December 2023	1,024,447	638
January 2024	1,104,922	714

46. Please provide a detailed update on the fare gate retrofitting project at Metrorail stations across the system, including the number of card contacts daily, weekly, and monthly for the period to date since the fare gates were installed. Also, please explain the rationale for prioritization of stations for replacement and an update on when other stations across the system will be replaced.

Answer:

Month	Total entries	Total exits	Avg weekday entries	Avg weekday exits
Jul-23	64,169	64,262	10,678	10,582

Aug-23	718,835	726,003	25,992	26,168
Sep-23	971,682	982,825	37,918	38,293
Oct-23	1,119,750	1,129,097	41,820	42,106
Nov-23	1,198,010	1,214,159	47,569	48,274
Dec-23	1,587,738	1,602,261	60,938	61,646

As of January 30, 2024, 16 stations, incorporating 22 percent of faregates, have been retrofitted with barrier doors, stronger motors, and taller railings of adjacent fencing. Fare evasion at these stations has dropped significantly – up to 70 percent reduction in fare evasion. Metro anticipates that this systemwide retrofit program at all 98 stations will be complete in the fall of 2024. The remaining stations will be retrofit in an order that tracks the levels of recorded fare evasion events from highest to lowest.

Fort Totten was used as the test site to evaluate prototypes due to its single mezzanine with space to add additional test gates, good underlying power and communications infrastructure, and high levels of fare evasion such that interventions could be tested to measure success.

Based on the success at Fort Totten, the program expanded to nine other stations. Stations were selected that had a single mezzanine, good underlying power and communications infrastructure, were balanced across the region, and had a range of fare evasion rates. Following these ten stations, Metro retrofit our large, multi-mezzanine transfer stations at Union Station, Metro Center, L’Enfant Plaza and Gallery Place/Chinatown. Additional materials were available that enabled Metro to also retrofit Tysons and Capital South stations.

47. Please provide a monthly breakdown of WMATA ridership figures for bus, rail, and MetroAccess during FY22, FY23, and FY24, to date.

ANSWER:

Rail Tap													
<i>(Trips in Ms)</i>	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
FY22	4.7	4.3	5.0	5.1	4.4	4.2	3.3	3.8	5.8	6.3	6.2	7.0	60.1
FY23	6.7	6.6	6.8	7.2	6.7	6.3	6.9	6.6	8.8	8.5	8.8	8.9	88.8
FY24	8.7	8.7	9.1	9.8	8.8	7.6							52.7

Bus APC													
<i>(Trips in Ms)</i>	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
FY22	5.9	6.1	7.1	7.6	6.8	6.7	4.8	5.8	7.2	7.4	8.0	7.4	80.8
FY23	7.8	8.4	8.8	8.7	8.1	7.8	8.2	7.8	9.1	8.8	9.8	9.2	102.5
FY24	9.1	9.6	9.8	10.3	9.3	9.0							57.1

Access													
<i>(Trips in Ks)</i>	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Total
FY22	108.5	110.8	113.0	118.9	112.8	108.2	81.2	96.8	116.3	115.4	114.4	110.9	1,307.2
FY23	110.9	118.2	116.1	118.3	113.3	111.9	113.8	107.2	123.3	113.3	126.6	121.2	1,394.1
FY24	115.4	126.7	118.9	127.1	117.8	114.0							720.0

48. How much did WMATA receive from the District for the Kids Ride Free program in FY23 and FY24, to date?

ANSWER:

WMATA received \$13.9 million for fiscal year 2023 and has received \$7.9 million through December for fiscal year 2024.

a. Are there any additional implementation costs for the Kids Ride Free program that WMATA assumes?

ANSWER:

The costs WMATA assumes for program administration are not covered in the Memorandum of Understanding (MOU). These costs are absorbed in the operating budget as part of normal operations. Otherwise, there are no additional costs for the Kids Ride Free program that WMATA assumes.

49. Does WMATA record the number of card taps for Kids Ride Free cards?

a. If so, please provide a chart showing monthly Kids Ride Free card taps during FY19-FY24, to date.

ANSWER:

Yes, WMATA does record the number of card taps for Kids Ride Free which is why it is important that all kids in the program be counted when using the system. Please see the table below for taps from FY 2019-2023.

DCPS Kids Ride Free

Mode	Fiscal Year	2019	2020	2021	2022	2023
Bus	Student Taps	5,142,003	4,229,605	297,514	1,184,600	1,125,067
	Operator "Taps"	2,410,615	1,547,965	59,798	1,291,352	1,590,235
	Total Bus	7,552,618	5,777,570	357,312	2,475,952	2,715,302
Rail	Student Taps	4,913,662	4,659,772	828,453	2,070,042	3,126,734
	Station Manager "Taps"	89,648	70,419	20,600	81,057	110,731
	Total Rail	5,003,310	4,730,191	849,053	2,151,099	3,237,465

50. How much did WMATA receive from the District for Metrobus service in the District in FY23 and FY24, to date? Please explain how the amount the District provides for Metrobus services is split among local and regional bus service and the sources of the District's funding for Metrobus service in DC.

ANSWER:

District of Columbia Metrobus Operating Subsidy ¹			
(\$ in millions)	Regional	Non-Regional	Total
FY23 Metrobus	\$205.4	\$34.8	\$240.2

FY24 Paid YTD Q3 Metrobus	\$149.1	\$29.4	\$178.5
FY24 Budget Metrobus	\$198.8	\$39.2	\$238.0
FY24 Paid YTD Q3 24-Hour Metrobus ²	\$0.0	\$4.6	\$4.6
FY24 Budget 24-Hour Metrobus ²	\$0.0	\$6.9	\$6.9

1. Please note, the amounts above are illustrative and are no longer how the WMATA subsidy is developed. Due to 3% annual subsidy caps in Maryland and Virginia, since FY2020, Metro's subsidy allocation process has involved the growth cap of three percent being applied to WMATA's base subsidy, as well as to total individual contributions from the District of Columbia, the State of Maryland and the Commonwealth of Virginia. Subsidy modal allocations are based on calculated percentages of each jurisdiction's contribution and does not use variables of the historic modal formula."

2. For purposes of the reimbursable agreement, bus service associated with the 24-Hour Overnight Bus Network is billed according to the non-regional platform rate. Payment received year to date includes startup costs.

51. Please provide an update on the Better Bus Project, including how WMATA has or will incorporate feedback from across the region into its next network redesign plan.
- When is the expected release date for the iterative version of the project plan?
 - What steps will be taken to collect, analyze, and incorporate data from outreach and engagement with stakeholders?
 - What is the expected release date of the Year One Better Bus Network maps, and what, if any, likely barriers could delay or prohibit the overall completion of this project?

ANSWER:

Last fall, Metro collaborated with our jurisdictional partners to finalize the revised Visionary Network to incorporate feedback from the extensive outreach and engagement on the draft Visionary Network in 2023 and develop a draft Year One Network – a transformative bus network within existing resources which is the first step in implementing the Visionary Network. Metro also advanced other initiatives that support and align with the redesigned network, including:

- Developed alternative Metrobus subsidy allocation formula concepts to modernize how costs are allocated and increase transparency in service costs. Revised formula options were discussed with jurisdictional partners in fall 2023.
- Conducted customer research and developed a recommendation for a route naming system that will be incorporated into the draft Year One Network.
- Identified stops to be consolidated as part of the draft Year One Network.
- Continued ongoing engagement with union leadership and operations staff to ensure awareness and gather input.

After the FY2025 budget process is completed, Metro plans to present to the Board and engage the public and other stakeholders this spring to gain input on the draft Year One Network.

52. Please explain any significant impacts on your agency, if any, of any legislation adopted at the federal, state, or local level during FY23 or FY24, to date.

ANSWER:

The most significant legislation effecting Metro in the past year is the implementation of the Infrastructure Investment and Jobs Act. Metro applied for and received \$104 million to support electrification of the Cinder Bed Road garage, which will support our Strategic Plan sustainability goals.

53. Please provide a detailed description of the continued effect of the pandemic on WMATA ridership, including but not limited to budgetary shortfalls, system maintenance issues, and effect of personnel hiring and retention, and outline specific steps WMATA is taking to mitigate those impacts and identify ways to improve services to improve revenue growth. What post-pandemic policies have been adopted and lessons learned from the pandemic have WMATA incorporated into its ongoing operations?

ANSWER:

Ridership impact:

Ridership on all three modes suffered significant declines at the onset of the pandemic. As the region recovers from the pandemic and moves into different phases of recovery, ridership continues to be affected.

While ridership is currently below pre-pandemic levels, WMATA has seen a recovery with ridership year-to-date (YTD) through December reaching 70% of pre-pandemic levels. However, recovery between the modes has been uneven with Metrorail at 58%, Metrobus at 87%, and MetroAccess at 57%. Furthermore, the prevalence of telework has altered Metrorail ridership patterns with an increased percentage of shorter distance trips within the core of the Metrorail system that occur during off-peak periods.

As expected, there has also been a concurrent recovery in passenger revenue as ridership recovers. However, with shifting ridership patterns, elevated non-tap rates, and fare structure changes to induce ridership, passenger revenue YTD has recovered to only 50% of pre-pandemic levels.

54. How much, if any, formula funding does WMATA expect to receive or has received from the Infrastructure Investment and Jobs Act, the Inflation Reduction Act, or any other recent federal legislation? Has WMATA identified any competitive or application-based funding authorized in recent federal legislation? If yes, please describe the types of projects that WMATA plans to use this funding for or has used any funding already received for.

ANSWER:

WMATA received nearly \$124 million of additional federal formula funds (urbanized area, state of good repair, and bus and bus facilities) in FY2023 because of the passage by Congress in 2021 of the Infrastructure Investment and Jobs Act (IIJA). The higher level of federal formula funding under the IIJA is currently authorized through federal fiscal year 2026, WMATA's fiscal year 2027. IIJA also increased the amount of funding available for discretionary grant opportunities as is evident in WMATA's recent award of \$104 million under the FTA's discretionary Low and No-Emission bus program which was the highest award nationwide. This award will fund the conversion of the Cinder Bed Bus Garage to a fully electric facility, buys approximately 100 battery-electric buses, and develops a workforce training program for drivers, mechanics, and first responders to ensure safe and efficient operations of the fleet.

55. Please provide an update on the federal government's transit subsidy program, including:

- a. How many SmarTrip cards are registered through the federal government’s transit subsidy program as of January 1, 2024?

ANSWER:

The reports for the SmartBenefits Commuter Benefit Program* do not aggregate data based on the nature of a client’s business. The report provides summary data for each SmartBenefits client and totals for the entire program. Per the Commuter Benefit Monthly Order Report, 172,156 SmarTrip cards were enrolled in SmartBenefits across all clients for the December 2023 benefit month.

* The SmartBenefits Commuter Benefit Program is the program that applies commuter benefit funds to SmarTrip cards. That includes commuter benefit funds received from federal agencies.

- b. Has WMATA identified instances of fraud in the federal government’s transit subsidy program—e.g., instances of a SmarTrip card registered to the federal government’s transit subsidy program being sold or otherwise transferred to a non-federal government employee?

ANSWER:

No, further explanation under C

- c. What systems does WMATA have in place to detect fraud?

ANSWER:

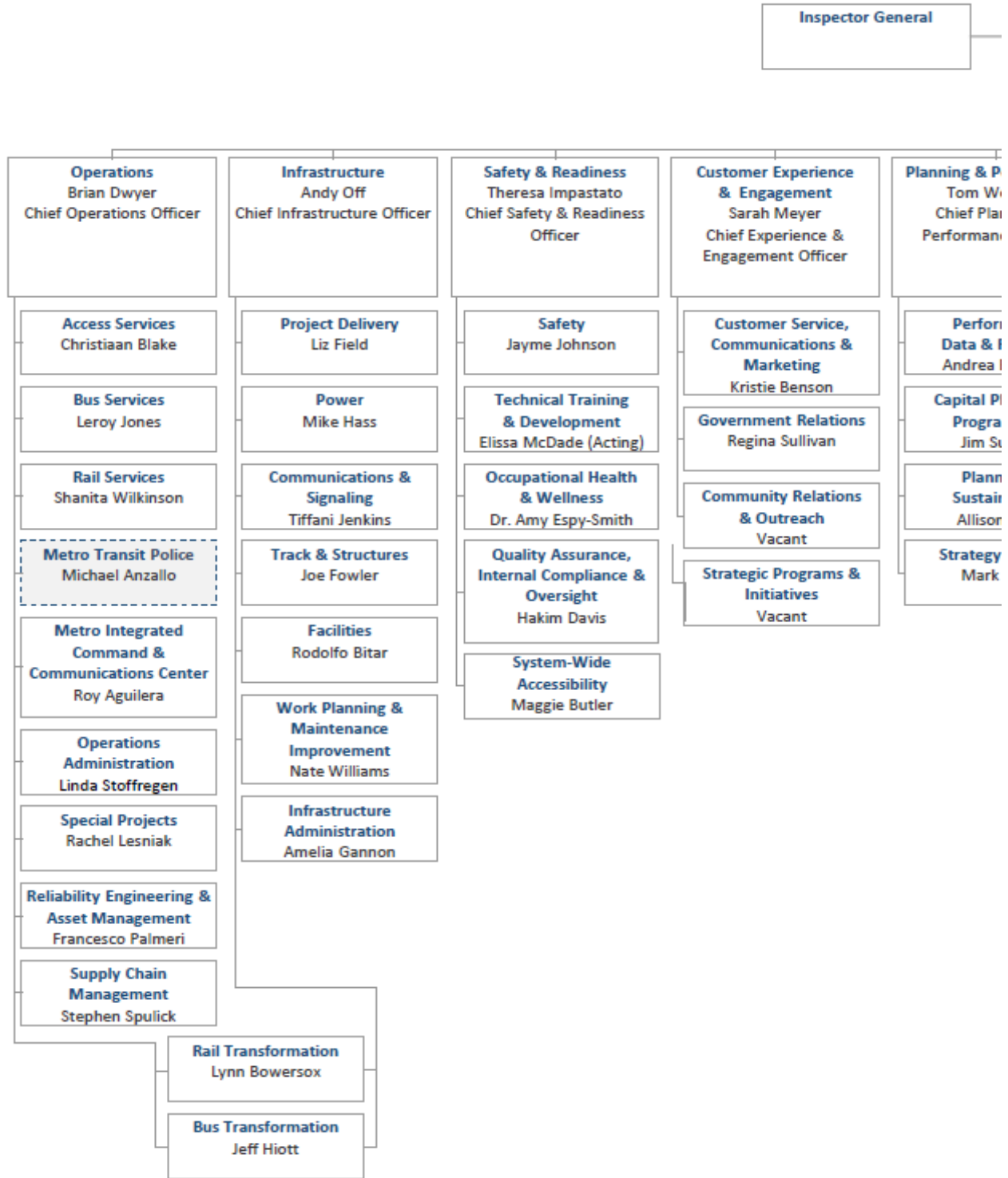
Fraud detection of the kind described above (e.g., a federal employee selling a card to anyone else) is the responsibility of each federal participating agency. Each federal agency is in the best position to determine if the SmartBenefits requested by an employee is appropriate based on the employee’s employment status, residence location, the frequency the employee commutes to the office, and the office location that the employee is assigned to. The SmartBenefits system offers monthly online reports with SmartBenefits claims by each employee to help clients that subsidize the benefit assess if the subsidy requested by an employee is reasonable.

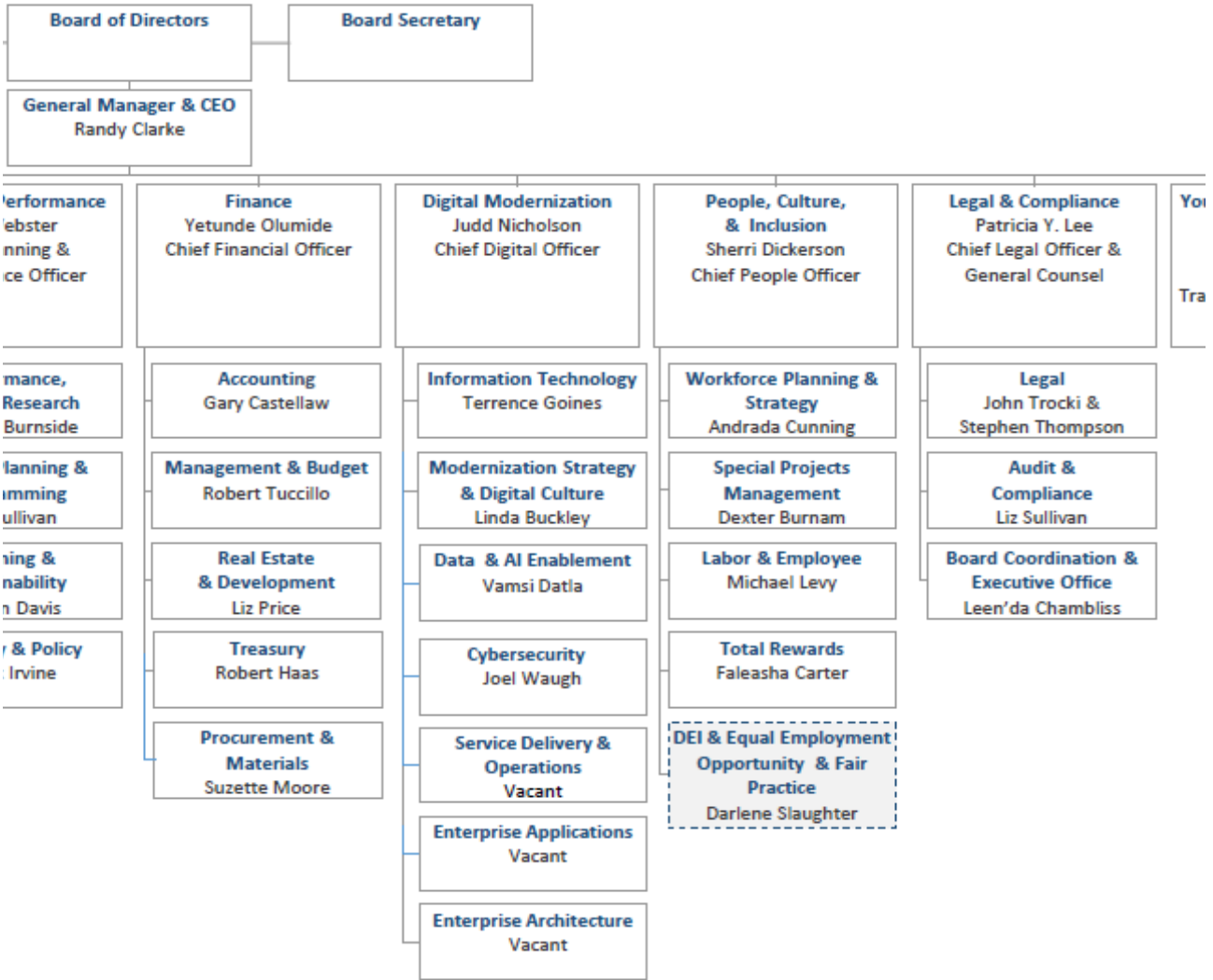
56. How many riders have used the “Your 2023 Metro Report” to review their transit ridership in CY2023?

ANSWER:

70,000+ views in the first five days

Overall Org Chart





...

**ur Metro Transformation
Office**
Kimmy Feldbauer
Director of Strategic
Information & Enterprise
Collaboration

Dotted Line to GM



Washington Metropolitan Area Transit Authority

PROCEDURE

Procedure Number: FAIR-OEE0-P04-00
Discrimination Complaint Investigation Process

November 16, 2020

Revision History

Revision No.	Revision Date	Reviser/ Author	Document Section No. (if applicable) or N/A	Description of Changes
0	11/16/20	Jan Bryant		Initial Release

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1 Scope

- 1.1 The scope of this standard operating procedure (SOP) applies to all WMATA employees, contract employees, and applicants for employment who file a complaint of discrimination. They are covered by the Washington Metropolitan Area Transit Authority's (WMATA's) Policy Instruction (P/I) 7.1.1, *Equal Employment Opportunity and Affirmative Action*, and shall not be discriminated against based on the identified protected categories listed in P/I 7.1.1. Harassment based on the protected categories is also prohibited. WMATA employees, contract employees, applicants for employment and former employees will be afforded the right to file a complaint of discrimination for violation of P/I 7.1.1 and other WMATA nondiscrimination policies [see P/I 7.1.5, *Non-Retaliation*, P/I 7.1.2, *Anti-Sexual Harassment and other Harassment*, and P/I 7.1.4, *Religious Accommodation*].
- 1.2 This document has been created in compliance with the Quality Management System Plan (QMSP), Policy Instructions 1.1 *Document Governance and Hierarchy*, 6.1 *Records Management*, and WMATA's Records Retention Manual.

2 Purpose

- 2.1 The purpose of this procedure, which is directed by the Department of Fair Practices (FAIR) at WMATA, is to process Title VII Equal Employment Opportunity complaints of discrimination in accordance with federal law, regulations of the Federal Transit Administration (FTA), Equal Employment Opportunity Commission and WMATA's P/I, 7.1.1 *Equal Employment Opportunity and Affirmative Action*. These policies prohibit discrimination based on race, ancestry, color, age (40 years or older), national origin, ethnicity, religious creed or belief, physical or mental disability, marital or familial status, legally protected medical conditions, genetic information, military or veterans status, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender (including gender identity and gender expression), sexual orientation, citizen status, protected activity (such as opposition to or reporting of prohibited discrimination or harassment), retaliation/reprisal for filing a complaint of discrimination, participating in the equal employment opportunity complaint process or having opposed prohibited discrimination or any other status or classification protected by applicable federal law.

3 Definitions

- 3.1 **Alternative Dispute Resolution (ADR)** - refers to any means of settling disputes outside of the courtroom. FAIR utilizes mediation as its ADR method.
- 3.2 **Complainant** – the employee who is filing a complaint of discrimination.
- 3.3 **Respondent** – the alleged discriminating individual.
- 3.4 **Harassment** – a form of employment discrimination that violates Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967 (ADEA), and the Americans with Disabilities Act of 1990, (ADA). Harassment is unwelcome conduct that is based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful where 1) enduring the offensive conduct becomes a condition of continued employment, or 2) the conduct is severe or pervasive enough to

- create a work environment that a reasonable person would consider intimidating, hostile, or abusive.
- 3.5 **Equal Employment Opportunity** – the idea that everyone should be treated fairly and given equal opportunity when being considered for various employment decisions (including hiring, promotion, termination, compensation, etc.). It provides that no one can be denied employment or treated differently with regard to any workplace decision on the basis of race, color, sex, religion, and national origin.
- 3.6 **Quality Management System Plan (QMSP)** – The QMSP is a WMATA plan to be used both internally and externally. It guides employees through WMATA’s expectations and standards that must be met and maintained to ensure compliance with requirements. The responsibilities, procedures, and documents comprising the Quality Management System (QMS), including the QMSP, apply to all offices, departments, and projects within the Authority’s responsibility. The QMSP is also used externally to introduce the QMS to the Authority’s customers, stakeholders, contractors, suppliers, and vendors.

4 Acronyms

- 4.1 **ADA** – Americans with Disabilities Act
- 4.2 **ADEA** – Age Discrimination in Employment Act of 1967
- 4.3 **ADR** – Alternative Dispute Resolution
- 4.4 **CHRO** – Chief of Human Resources
- 4.5 **EEO** – Equal Employment Opportunity
- 4.6 **EEOC** – Equal Employment Opportunity Commission
- 4.7 **FAIR** – Department of Fair Practices
- 4.8 **FTA** – Federal Transit Administration
- 4.9 **HCM** – Human Capital Management
- 4.10 **HR** – Human Resources
- 4.11 **IBOP** – Internal Business Operations
- 4.12 **P/I** – Policy Instruction
- 4.13 **QMS** – Quality Management System
- 4.14 **QMSP** – Quality Management System Plan
- 4.15 **ROI** – Report of Investigation
- 4.16 **SAFE** -- Department of Safety and Environmental Management
- 4.17 **SOP** – Standard Operating Procedure

4.18 **WMATA** - Washington Metropolitan Area Transit Authority

5 Responsibilities

5.1 Office of Fair Practices (FAIR) –

- 5.1.1 Responsible for providing timely and quality EEO complaint processing services to all complainants.
- 5.1.2 Responsible for processing complaints promptly and with integrity, trust and impartiality throughout the counseling, investigation and resolution of the EEO complaint.
- 5.1.3 Responsible for ensuring complainants, their representatives, witnesses, and other participants in the EEO process are free from restraint, interference, coercion, discrimination, and reprisal at all stages in the presentation and processing of a discrimination complaint, including the pre-complaint counseling stage.
- 5.1.4 Responsible for informing employees that allegations of reprisal in discrimination complaints, like EEO complaints, be brought to the attention of FAIR management.
- 5.1.5 Responsible for trying to resolve complaints at the earliest possible stage to achieve better employee relations, reduce administrative costs, and avoid prolonged litigation.
- 5.1.6 Responsible for offering to resolve EEO disputes at the lowest level possible by explaining and offering alternative dispute resolution (ADR). Participation in an ADR process is not intended to affect the rights of an employee to file: (1) a discrimination complaint; (2) a grievance under a negotiated agreement; or (3) a complaint filed with the EEOC.
- 5.1.7 Responsible for conducting informal counseling during the informal complaint process to try and resolve allegations of discrimination complaints.
- 5.1.8 Responsible for arranging and participating in ADR mediation efforts.
- 5.1.9 Responsible for acknowledging receipt of formal complaints of discrimination.
- 5.1.10 Responsible for issuing procedural determinations and recommendations concerning discrimination complaints.
- 5.1.11 Responsible for managing the EEO investigation process.
- 5.1.12 Responsible for providing quality customer service.
- 5.1.13 Responsible for ensuring FAIR employees have a thorough knowledge of the applicable laws, policies and regulations related to the processing of EEO complaints.

- 5.1.14 Responsible for having FAIR staff conduct themselves in a highly professional manner and avoiding the appearance of compromising the integrity of the EEO complaint process.
 - 5.1.15 Responsible for avoiding personal involvement with aggrieved persons, complainants, responsible management officials, witnesses, representatives, or any other participant in the EEO complaint process.
 - 5.1.16 Responsible for applying competent skill, exercising sound judgment and exhibiting professional demeanor in performing their duties.
 - 5.1.17 Responsible for holding confidential all interview notes, and other records that comprise the FAIR complaint file, and data that are derived from the investigative process (except in special circumstances such as court or administrative subpoenas).
- 5.2 WMATA Employees**
- 5.2.1 Responsible for complying with requests from FAIR for interviews or documents (failure to comply may result in correction action, up to and including termination).
 - 5.2.2 Responsible for maintaining the confidentiality of the investigative process and their interaction with FAIR.
- 5.3 EEO Coordinator**
- 5.3.1 Responsible for following up on initial contact by complainants.
 - 5.3.2 Responsible for conducting the initial screening of complainants.
 - 5.3.3 Responsible for determining if complaint is/is not covered by discrimination policy.
 - 5.3.4 Responsible for directing complaints to the appropriate department if not covered by discrimination policy, filing information appropriately, and copying complainant on action taken.
 - 5.3.5 Responsible for obtaining a docket number from PeopleSoft HCM, which includes inputting data into PeopleSoft HCM re the complainant, and filing the data in the FAIR Shared Drive (T drive).
 - 5.3.6 Responsible for updating the FAIR files in PeopleSoft HCM and on the FAIR Shared Drive after the intake interview by the EEO Officer.
 - 5.3.7 Responsible for closing out the case in PeopleSoft HCM.
 - 5.3.8 Responsible for creating and maintaining the “Master – All Cases Assigned” Excel spreadsheet (see Figure 1).

5.4 EEO Officer –

- 5.4.1 Responsible for interviewing complainant.
- 5.4.2 Advises the complainant of other departments to look into if complaint is not covered by discrimination policy.
- 5.4.3 Explains the ADR process to the complainant if appropriate.
- 5.4.4 Documents and files all case information.
- 5.4.5 Will meet with and counsel the respondent and go over the allegations and the policies that may have been violated. The Manager – Civil Rights Compliance may do this as well.
- 5.4.6 Drafts Employee Counseling Forms (see Figure 2).
- 5.4.7 Responsible for updating the Information Required Sheet (see Figure 3) and sending it to the EEO Coordinator to close the case in PeopleSoft HCM. Can also be performed by Manager – Civil Rights Compliance.

5.5 Human Resources (HR) Welcome Center Receptionist –

- 5.5.1 Responsible for receiving walk-in complainants and providing the information to the EEO Coordinator

5.6 PeopleSoft HCM –

- 5.6.1 Responsible for storing employee information and employee discrimination complaint information.
- 5.6.2 Responsible for issuing docket number for discrimination complaints.

5.7 Manager, Civil Rights Compliance –

- 5.7.1 Responsible for assigning complaints to EEO Officers.
- 5.7.2 Meets with and counsels the respondent and goes over the allegations and the policy(ies) that may have been violated. The EEO Officer may do this as well.
- 5.7.3 Responsible for updating the Information Required Sheet (see Figure 3) and sending it to the EEO Coordinator to close the case in PeopleSoft HCM. Can also be performed by the EEO Officer.
- 5.7.4 Responsible for reviewing and approving the investigative reports and closing letter determinations.

5.8 Attorney or Union Representative –

- 5.8.1 Responsible for following WMATA's rules and procedures during interview process.

5.9 Witnesses

- 5.9.1 Responsible for following WMATA's rules and procedures during complaint process.
- 5.9.2 Responsible for maintaining the confidentiality of the complaint process.
- 5.10 **Respondent** –
 - 5.10.1 Completes a counseling form (see Figure 2).
 - 5.10.2 Takes part in counseling procedure if appropriate.
 - 5.10.3 Takes part in mediation procedure if appropriate.
 - 5.10.4 Cooperates with the investigative process and maintains the confidentiality of the complaint process.

6 Process Steps

- 6.1 **Complainant contacts FAIR.** Contact can be made in different ways:
 - 6.1.1 Telephone Calls – Employees may contact FAIR by Voicemail messages at 202.962.1082 (FAIR main office number). The EEO Coordinator or FAIR staff shall respond to the voicemail message. The voicemail messages are housed in the “Civil Rights” inbox which is accessible to all FAIR staff. FAIR staff ensure the information is provided to the EEO Coordinator for follow up.
 - 6.1.2 Emails – Employees may contact FAIR by email at the following address: OEEOHotline@wmata.com. The EEO Coordinator and FAIR staff have access to emails though the “OEEO Hotline” and the EEO Coordinator shall respond to the voicemail.
 - 6.1.3 Walk-Ins – Employees may walk into the Headquarters Office and ask to speak with a FAIR staff member through the HR Welcome Center. The HR Receptionist will contact a member of FAIR staff at the FAIR main office number, 202.962.1082. The EEO Coordinator will follow up.
 - 6.1.4 Management Referral – can be received by anyone in the FAIR office via email, telephone call or walk-in. The EEO Coordinator will follow up.
- 6.2 **EEO Coordinator – Docket Number and Case Filing**
 - 6.2.1 The EEO Coordinator logs into PeopleSoft HCM through WMATA's homepage to acquire a docket number for the complaint by clicking on the Tab – Applications, scrolling down and double clicking on – PeopleSoft HCM.
 - 6.2.1.1 PeopleSoft HCM - Once logged into PeopleSoft HCM, the EEO Coordinator will be able to retrieve any missing information needed on the Complainant and the Respondent by going to:
 - **Main Menu > Workforce Administration > Personal Information > Modify a Person:** Employee's Profile Information – searching by first/last name or employee ID.

- **Biographical Information** – e.g., birth date, gender, etc.
- **Contact Information** – e.g., address, phone number, email, etc.
- **Regional** – ethnicity, citizenship, military status
- Next, for “job information”, the EEO Coordinator will access location, supervisor, union representation, etc., and then go to **Main Menu > Workforce Administration > Job Information > Job Data: Employee Information** – can search by name of employee ID.

6.2.2 EEO Coordinator creates the case files as indicated below in the folder titled “EEO Case Files” on FAIR’s Shared Drive.

6.2.2.1 Documents or other electronic media are saved in the case file.

A folder is created by the EEO Coordinator as follows:

- Right click on EEO Case files > dialogue box appears > click “New” > then click “Folder”. Note: double-click on the folder labeled “EEO Case Files” to see current EEO case files.
- Right-Click on “New folder” > click “Rename”.
- Rename using the following format: **Last Name, First Name**.
- Right-click on the “named” file folder > dialogue box appears > click “New” > then click “Folder” > Rename “sub-folder” to the docket number “2020-000XXX” and enter the initials of assigned EEO Officer.
- Right-click on “Docket Number” > dialogue box appears > click “New” > click “Folder”. Create at least seven new folders and rename each as:
 - **TAB A** Complaint,
 - **TAB B** Correspondence,
 - **TAB C** Witness Statements & Interviews,
 - **TAB D** Documents Reviewed,
 - **TAB E** ROI & Exhibits,
 - **TAB F** Determination Documents, and
 - **TAB G** Corrective Action.

6.2.2.2 Assignment of Docket Number – A Docket Number is assigned to the case automatically when the EEO Coordinator inputs the information into PeopleSoft HCM. Information includes the basis of the complaint, respondent’s information and summary of allegations. PeopleSoft HCM forwards an email to the EEO Coordinator assigning a docket number to the complainant’s file.

- 6.2.3 The EEO Coordinator updates the “Master All Cases Assigned” Excel spreadsheet (see Figure 1) located in the EEO Case File. All EEO case tracking is done on the FAIR Shared Drive.
- 6.2.4 The EEO Coordinator conducts an initial screening interview with the complainant to determine if the matter is covered by the non-discrimination policies.
- 6.2.4.1 If the matter is not covered by any of the nondiscrimination policies, the EEO Coordinator will document that determination in the PeopleSoft HCM EEO Complaint Tracking Module (CTM) and be referred to the appropriate WMATA office for resolution, and the referral is copied to the complainant.
- 6.2.4.2 The file is also recorded in the FAIR Shared Drive.
- 6.2.4.3 If the facts presented are sufficient to warrant an inquiry by FAIR, the claim is
- documented in PeopleSoft HCM by the EEO Coordinator,
 - the allegation is reduced to writing by the EEO Coordinator,
 - a file is created under the complainant’s name on the FAIR shared drive by the EEO Coordinator, and
 - all notes taken during the initial screening are filed in the Shared Drive by the EEO Coordinator.

6.3 Intake Interview Process

- 6.3.1 After the initial screening interview, if the facts presented warrant an investigation by FAIR, information is given to the Manager-Civil Rights Compliance who assigns the matter to an EEO Officer.
- 6.3.2 The EEO Officer conducts an intake interview of the complainant.
- 6.3.2.1 The EEO Officer provides information to the complainant.
- 6.3.2.1.1 During the intake interview, the assigned EEO Officer will explain the mission and general functions of FAIR, discrimination laws enforced by FAIR, protected categories, and inform the complainant of the complaint process.
- 6.3.2.2 Collects enough information to frame the claim(s) and basis(es).
- 6.3.2.3 Gathers information and affords the complainant an opportunity to achieve an informal and mutually acceptable resolution of the complaint.
- 6.3.2.4 Conducts a limited inquiry for the purpose of jurisdictional questions.
- 6.3.2.5 Seeks resolution of disputes at the lowest possible level.

6.3.2.6 Educates and explains the benefits of the ADR process.

6.3.2.7 Advises complainant of other departments where they can pursue their concerns if the matter is non-EEO related, i.e., referral to Employee Relations, back to management, the negotiated grievance process, etc.

6.3.3 The EEO Officer documents all intake interview information and all contact with employees and actions in the Investigation Activity Log (see Figure 4).

6.3.4 The EEO Officer saves all documentation in the appropriate case folder on the FAIR Shared Drive.

6.4 **Process Following the Intake Interview**

6.4.1 If complainants choose to file a formal complaint of discrimination after they the intake interview, they must do so on a FAIR Discrimination Complaint Form (see Figure 5). All formal complaints alleging discrimination **MUST** contain the information outlined below:

- Full name, address, work, home and cellular telephone numbers, personal email address and other contact information of the complainant;
- Full name, job title, work, home and cellular telephone numbers, person email address and other contact information of the respondent;
- A statement explaining the alleged discrimination with description of who, what, when, and how the alleged discrimination occurred;
- The date(s) of the alleged discrimination. If the allegation is more than 30 days old FAIR has the discretion to determine the allegations are untimely;
- If the alleged discrimination is continuing in nature, range of dates when alleged discrimination took place;
- A statement as to what the complainant is seeking for recourse to their concerns; and
- Complainant's signature on the formal complaint of discrimination.

6.4.2 Once the complaint has been completed and signed, FAIR staff notifies the EEO Coordinator of any changes for updates in PeopleSoft HCM and to FAIR assignment sheets.

6.4.3 Informal Process –

6.4.3.1 Contacts made with FAIR are considered official allegations and FAIR will review the facts to determine whether an investigation must be conducted. In most instances, if FAIR determines that an investigation is necessary, the complainant will be asked to complete and sign a Discrimination Complaint form.

- 6.4.3.2 In cases where appropriate, alternative dispute resolution (ADR), mediation, may be pursued.
- 6.4.3.2.1 The EEO Officer, who is an experienced mediator, offers the complainant the opportunity to resolve the complaint through mediation (through ADR), where the EEO Officer will arrange a meeting to sit with the complainant and respondent to discuss their grievances and to try and reach agreement on a resolution.
 - 6.4.3.2.2 If the complainant does not agree to mediation the EEO Officer continues with the formal process for complaint resolution (see 6.4.6).
 - 6.4.3.2.3 If the complainant agrees to mediation, the EEO Officer contacts the respondent with the offer of mediation.
 - 6.4.3.2.4 If the respondent does not agree, the EEO Officer continues with the formal process of complaint resolution. Both the complainant and the respondent must agree to mediation for the process to take place.
 - 6.4.3.2.5 If the respondent agrees to mediation, the EEO Officer arranges to meet with the respondent and complainant together to discuss their grievances and to come to agreement on how to resolve the case.
 - 6.4.3.2.6 During the meeting, the EEO Officer facilitates the discussion by offering different options that the complainant and/or respondent may want to explore.
 - 6.4.3.2.7 If the complainant and respondent cannot reach agreement on complaint resolution, the EEO Officer continues with the formal process of complaint resolution (see 6.4.6).
 - 6.4.3.2.8 If the complainant and respondent reach agreement on complaint resolution, the EEO Officer drafts the agreement at the end of the meeting and has both the complainant and respondent sign the agreement. The EEO Officer destroys all notes taken during the meeting, and provides a copy of the agreement to the complainant and to the respondent, and places a copy in the Investigation Activity Log (see Figure 4).
 - 6.4.3.2.9 The complainant and respondent are then responsible for carrying out the terms of the resolution agreement. They may request that the EEO Officer assign someone to supervise that the agreement is being followed. Both the complainant and the respondent must agree on the supervisor.

6.4.3.2.10 If the resolution agreement is breached, the complainant may then file a new discrimination complaint if he or she so chooses.

6.4.4 If the complainant does not wish to file a complaint and has clearly articulated a basis upon which a complaint could be filed, FAIR staff, in consultation with the Manager-Civil Rights Compliance or the FAIR Director determines whether counseling the respondent is appropriate to address the concerns raised.

6.4.4.1 In such instances, the EEO Officer will draft an Employee Counseling Form (see Figure 2). The template is found in the FAIR Shared Drive.

6.4.4.2 The EEO Officer or the Manager-Civil Rights Compliance will meet with the respondent and go over the allegations and the policy(ies) that may have been violated.

6.4.4.3 The respondent will sign and date the Employee Counseling Form (see Figure 2) which will be saved in the FAIR Shared Drive.

6.4.4.4 The Information Required Sheet (see Figure 3) is updated by the EEO Officer or the Manager-Civil Rights Compliance and sent to the EEO Coordinator to close the case in PeopleSoft HCM.

6.4.5 There may be instances where the complainant does not want to proceed with a complaint but has provided enough information to FAIR that it will be necessary for FAIR to conduct a formal investigation.

6.4.6 Formal Process - There are two ways in which the complainant can file a formal complaint.

6.4.6.1 After an intake interview, the EEO officer will prepare the formal complaint based on the information provided by the complainant.

6.4.6.1.1 The FAIR Formal Complaint Form (see Figure 5) must be signed and dated before it can be filed with FAIR.

6.4.6.1.2 The date of the signed/dated FAIR Discrimination Complaint Form (see Figure 5) will be used as FAIR's acceptance and filing date of the complaint.

6.4.6.2 The second way to file a complaint is for the complainant to complete FAIR's Discrimination Complaint Form (see Figure 5), sign and date it and send it to the OEEOHotline@wmata.com.

6.5 After the Complaint has been Filed with FAIR

6.5.1 The EEO Coordinator updates the PeopleSoft HCM entry with signature, date and any other relevant information.

- 6.5.2 The Manager-Civil Rights Compliance assigns the complaint to an EEO Officer for investigation.
 - 6.5.2.1 Timeframe: Upon receipt of a signed complaint of discrimination, the EEO Officer will begin the investigation process. The investigation process should be concluded in 90 business days. If the investigative process cannot be concluded in the 90-business day timeframe, the EEO Officer will provide written documentation for the delay to the Senior Vice President of Internal Business Operations (IBOP) and document the complaint file as to the reasons for the delay.
 - 6.5.2.1.1 If the respondent is a Local 689 union member, then the investigative process must be completed within 60 calendar days.
 - 6.5.2.2 Note: There will be circumstances where investigative activities are undertaken but fall short of a full investigation. Such instances will be determined by the Director of FAIR. In such instances the assigned EEO Officer will document all interviews conducted or evidence gathered and reviewed as noted above.
 - 6.5.2.2.1 To conclude the truncated process, EEO Officer will prepare a memorandum to file outlining actions taken, information/evidence gathered and reviewed, analysis of the allegations and evidence/information supporting or negating the allegations and a determination.
- 6.5.3 The EEO officer assigned to the complaint is responsible for investigating accepted claims of prohibited employment discrimination
 - 6.5.3.1 The EEO Officer is responsible for interviewing complainant, respondent and all relevant witnesses and documenting the interview with interview notes to the complaint file on the FAIR Shared Drive.
 - 6.5.3.1.1 The EEO Officer will ask open-ended, non-judgmental questions.
 - 6.5.3.1.2 Avoid asking leading questions or those with a simple “yes” or “no” answer, except related to allegations witnessed by the individual.
 - 6.5.3.1.3 Use investigation interview forms where appropriate.
 - 6.5.3.1.4 Avoid the appearance of impropriety or favoritism in conducting interviews.
 - 6.5.3.1.5 Observe and record all physical and verbal reactions of the witnesses during the interviews. The EEO Officer will not record conclusions or opinions regarding credibility about witnesses.

- 6.5.3.1.6 Interview each witness separately by telephone, video conference or in- person in an office or room where the discussion will not be overheard by other witnesses, the alleged harasser, or any other unauthorized persons.
 - 6.5.3.1.7 Before beginning the interview, explain the purpose of the interview by referring generally to recent complaints about the relationship between the complainant and the respondent.
 - 6.5.3.1.8 Emphasize that WMATA takes these charges very seriously and is investigating these charges by interviewing all potential witnesses in compliance with WMATA policy.
 - 6.5.3.1.9 Explain that upon completion of the investigation, FAIR will attempt to determine what occurred, and will take appropriate action based on its determination.
 - 6.5.3.1.10 Both the potential complainant and the alleged discriminating individual (respondent) should be advised that each will be apprised of the results of the investigation and any referrals for appropriate corrective action. Both parties will also be advised the complaint process is confidential and should not be discussed in the workplace or among co-workers.
 - 6.5.3.1.11 Instruct any witnesses interviewed not to discuss the matters covered during the interview with any co-employee or the complainant or the respondent. Explain to the witness that confidentiality is necessary to protect the integrity of the investigation and to ensure that WMATA receives trustworthy information in an atmosphere free from coercion. FAIR will maintain each person's confidentiality throughout the investigation to the best of its ability.
 - 6.5.3.1.12 Explain to all witnesses that retaliation will not be tolerated by anyone. If someone attempts to retaliate against them for participating in this investigation, advise the witness to contact FAIR immediately to report such.
- 6.5.3.2 The EEO Officer will document the interviews on the Interview Notes Form (see Figure 6), found in the FAIR Shared Drive and shall reflect the date and method of interview.
- 6.5.3.3 The EEO Officer will consider credibility determinations, if applicable. Factors include: the results of the investigation. memory - perception - truthfulness - corroboration or lack thereof - bias of witnesses - consistency of accounts - prior misconduct or lack thereof, and implications of such conduct - plausibility of accounts and non-verbal communication.

6.5.3.4 The EEO Officer will gather pertinent documents and records, and conduct whatever inquiry is necessary.

6.5.3.4.1 Insofar as FAIR is committed to maintaining its records electronically, EEO Officers are required to ensure investigative documents, including interview notes, statements taken, documents received and reports of investigation, are maintained in the appropriate complaint file folders on the FAIR Shared Drive.

6.5.3.5 The EEO Officer will collect various data and information sources to obtain, analyze, and present facts.

6.5.3.6 The EEO Officer will resolve discrepancies by conducting additional fact-finding, securing additional witness testimony, and reviewing additional documents.

6.6 Preparation of the Report of Investigation (ROI)

6.6.1 Upon completion of any investigation, each EEO Officer shall complete a Report of Investigation (ROI) (see Figure 7). There is a template of this document maintained on the FAIR Shared Drive at \Forms-Quick\SAMPLE Report of Investigation.docx.

6.6.2 The EEO Officer will compile an investigative file and prepare an investigative report, summarizing all relevant facts to decide the likelihood whether violation of Metro's anti-discrimination policies did or did not occur as alleged - -Cause or No Cause finding.

6.6.2.1 If there is a cause finding, the EEO Officer in collaboration with FAIR management will make a recommendation regarding corrective action. The investigation need not be exhaustive but adequate and thorough to make a determination.

6.6.3 When an EEO Officer begins drafting an ROI, that document should be titled *draft* and saved as the EEO Officer develops the completed document. The sections of the ROI are as follows:

6.6.3.1 Background should begin stating the date the complaining party filed the complaint. The Background section should state a summary of the complaint. In some instances, the complaint may be sufficiently simple to be fully included in the background. The first reference to the complaining party and the alleged discriminating individual (respondent) should include in parentheses the identifier(s) of the protected category/categories incorporated in the complaint. For example, in a complaint alleging race, the race of the complaining and responding party should be incorporated in parentheses immediately after the first reference. The Background should also include what the complaining party alleged occurred or was said that the complaining party believes/feels/perceives or alleges was discriminatory and what Policy/Instruction is implicated.

- 6.6.3.2 Scope of Review is a summary of what was investigated in the investigation as well as identification of the assigned EEO Officer.
- 6.6.3.3 Interviews of Complainants, Respondents, & Witnesses – These sections should be completed based on information secured during interviews conducted but may also include information provided in other ways. Interview notes should be written in the 3rd person except where direct quotes are used. Information regarding when and how the interview was conducted should be in the first paragraph. Information provided in interviews during the investigation upon which the complaint determination relies or is based needs to be included in the summary of the statement of the person providing that information.
- 6.6.3.4 Analysis – this section should start with statements regarding the applicable or implicated Policy/Instruction(s) citing specific provisions used in reaching the complaint determination. The analysis should reflect a summary of facts or evidence reviewed or considered in reaching a decision as to whether the allegations are substantiated. It is the responsibility of the EEO Officer to determine the finding for the complaint: a finding of Cause, where the allegation(s) of a violation of the implicated policy/instruction was/were substantiated; a finding of No Cause, where the allegation(s) was/were not substantiated.

Recommendation – Where the decision on the complaint is Cause, the EEO Officer, in consultation with Employee Relations and FAIR management, will incorporate recommendations to ensure that the violative behavior substantiated by evidence/information will not reoccur. Recommended corrective actions may include a) counseling; b) disciplinary suspension; c) demotion; d) training; or e) termination. FAIR will strive to recommend corrective actions consistently based on the type of violative behavior identified through investigation. Factors in determining appropriate remedial action to take include: - credibility of alleged respondents, complainants and witnesses - prior conduct, if any (positive or negative) - prior discipline of alleged harasser - level of harassment, including type and frequency of conduct - alleged harasser's knowledge of WMATA's rules of conduct - prior disciplinary "precedent" for identical, similar or analogous misconduct - public and employee relations issues.

6.7 Closing a Complaint

- 6.7.1 Communication of Findings and Finalization of Investigation – After the Director of FAIR approves the ROI via email and upon a “No Cause” finding, EEO Officers prepare closing letter determination for the complaining and the responding party.
 - 6.7.1.1 There is a template for these documents. [.\.\Forms-Quick\Determination Template2.docx](#).

- 6.7.2 The Manager-Civil Rights Compliance reviews and approves the closing letter determinations.
- 6.7.3 Once the closing letter determinations are approved, they are sent to the complainant and respondent(s). The FAIR complaint investigative process is completed and the complaint is closed as of the date the respondent's closing letter.
- 6.7.4 If the ROI results in a "Cause" finding, the EEO Officer prepares a determination memorandum, approved by the Manager- Civil Rights Compliance and/or the Director of FAIR for the respondent's executive level management personnel.
 - 6.7.4.1 A template of this document is on the FAIR Shared Drive at ..\..\Forms-quick\Determination memo to Mgmt-.docx. The EEO Officer prepares closing letter determinations for the complainant and respondent(s) as outlined above. The complaint investigative process and complaint is closed as of the date of the complainant's closing letter. The complaint file will remain open until FAIR receives documentation of the implementation of the corrective action.
- 6.7.5 To close out the complaint, the EEO Officer updates the Information Required Sheet (see Figure 3) document with the closing date. This document is sent to the EEO Coordinator to close the complaint in PeopleSoft Human Capital Management (HCM).
- 6.7.6 If FAIR recommends corrective action, FAIR will notify and consult with Employee Relations (for non-represented employees) and Labor Relations (for represented employees) about the recommended corrective action and request documentation of the corrective action once it is completed.

7 Safety Management

- 7.1 This document has been created in compliance with WMATA's safety plan and safety policy. Any hazards and risks associated with the processes within this document have been evaluated for safety, and have appropriate mitigation strategies established as part of WMATA's overall risk assessment management, where applicable and/or relevant. This document is also subject to monitoring for safety risk mitigation adherence and safety performance, and has effective communication practices in place, including adequate safety training to ensure competencies, and to solicit feedback from the affected employees, where applicable and/or relevant. For further guidance on WMATA's safety plan, visit the Department of Safety and Environmental Management's (SAFE) intranet homepage.
- 7.2 FAIR follows a formal data security policy to protect background check information. Employees, contractors, and supervisors are trained on WMATA's data security policies. Employee data is only collected for job-related information. FAIR only retains information for as long as the records must be kept, following Federal, state and local recordkeeping, disposition and privacy laws. The Chief of Human Resources (CHRO) is responsible for maintaining all background check records in a manner that ensures confidentiality and integrity of information policy [WMATA Policy

Instruction 7.2.3, *Criminal Background Checks*, Section 4.01]. FAIR staff members (employees and contractors) are instructed to inform management if they suspect someone has gained unauthorized access to protected information. Unauthorized copying, transmitting, viewing, or use of sensitive employee information is subject to discipline, up to and including termination. FAIR also implements administrative, technical and physical controls to properly secure employee records. Paper records are stored in a locked location with access limited to one individual who is responsible for maintaining the files. Electronic records are encrypted, password protected and maintained on a secure server. Electronic systems are evaluated regularly to ensure that new technology and viruses do not compromise security. Medical records of personnel are always separate from employee personnel files, per the Americans with Disabilities Act (ADA) of 1990.

8 References

- 8.1 WMATA Policy Instruction (P/I) 1.1 *Document Governance and Hierarchy*
- 8.2 WMATA Policy Instruction (P/I) 6.1 *Records Management*
- 8.3 WMATA Records Retention Manual
- 8.4 Policy Instruction (P/I) 7.1.1/2 Equal Employment Opportunity and Affirmative Action
- 8.5 Policy Instruction (P/I) 7.1.5 Non-Retaliation
- 8.6 Policy Instruction (P/I) 7.1.2/2 Anti-Sexual Harassment and Other Harassment
- 8.7 Policy Instruction (P/I) 7.1.4 Religious Accommodation
- 8.8 Policy Instruction 7.2.3, *Criminal Background Checks*
- 8.9 Americans With Disabilities Act (ADA) of 1990 (42 U.S.C. § 12101)
- 8.10 Age Discrimination in Employment Act of 1967 (ADEA)

9 Records

Figure 1. Master – All Cases Assigned

First Contact Date	Case #	Type of Complaint (Formal, Informal, External, Other)	Date of Formal Complaint	CP Last Name	CP First Name	Title	CP Department	Baror	RP Last Name	Title	RP Department	Union (L689, L639T, L922, L2, NONREP)	Date Arrived	Notes	
C. Elliott - 6 Informal - 1 Title VI - 3 - L689															
J. Bryant 1 - Informal															
K. MRodriguez - 4 Formal - 2 Informal - 1 L689															
5/23/2020	2020000170	Formal	6/25/2020				SUPV, Car Inspection	RAIL	Harassment/ Sexual			MECHAA ELEC-CHNT	RAIL	NONREP	5/23/2020

Figure 2. Employee Counseling Form (2 pages)

WASHINGTON METROPOLITAN AREA TRANSIT ADMINISTRATION



OFFICE OF FAIR PRACTICE

Office of Equal Employment Opportunity
600 Fifth Street, N.W., Suite 7G
Washington, DC 20001

EEO COUNSELING INFORMATION

Employee Being Counseled/Employee ID number

1. This document captures information shared during a counseling session provided after concerns were raised by another employee.
2. The intent of this document is to memorialize the important policy issues and advice provided to guide future behavior and activities so as to comply with all relevant WMATA policies and procedures.
3. Reprisal or retaliation action will not be permitted against any parties involved in the incident from which this complaint arose.
4. In the event that there is a reoccurrence of the type of behavior alleged by this employee or any conduct which violates the policies discussed further corrective action will be taken, up to and including termination, depending upon the severity of the violation or behavior.

ADVISEMENT

[What Happened] Concerns have been raised that since you came to Perry, there have been allegations that you have been discussing with other employees the prior sexual harassment complaint filed against you by Jane Roe. Allegations have been made you have engaged in conversations regarding that sexual harassment complaint with more than one other employee. You are hereby advised that if such conversations are taking place this could constitute retaliation in violation of the following WMATA policies:

WMATA's P/17.1.2/1 *Anti Sexual Harassment and Other Harassment* ("the Policy") requires all WMATA employees to avoid any action or conduct that could be viewed as harassment or retaliation. [Add something about what was alleged] This would include discussing the complaint that was filed against you and disparaging the Complainant.

WMATA'S General Manager's Policy Statement on Harassment and Retaliation also states employees must avoid any action or conduct which could be viewed as retaliatory. It is important

that you avoid acting in any manner towards patrons, especially those who have filed a complaint, which could be viewed as retaliation.

This policy states that WMATA will not tolerate harassing conduct which affects tangible job benefits, interferes with work performance, or creates a hostile, intimidating, belittling or offensive work environment. Nor, does WMATA tolerate retaliation.

Please be advised that WMATA will investigate all complaints or allegations of conduct which could be construed as sexual harassment and is committed to taking appropriate action to correct identified violations of any of these policies.

This document constitutes a clear statement of WMATA policies governing your conduct as an employee and outlines of the expectations for your conduct towards WMATA patrons. By signing this document, you acknowledge that: you received a copy of each of the aforementioned policy(ies); you understand these policies; you understand the expectations for your conduct as a WMATA employee; and you understand the potential consequences of failing to fulfill those expectations. Signing this document does not constitute an admission of wrongdoing or violation.

Signatures	Date	
John Doe #		
Investigator name OEEO		

Figure 3. Information Required Sheet (2 pages)

PEOPLE SOFT
INFORMATION REQUIRED FOR A "DOCKET NUMBER":

DOCKET NO: _____ **DATE:** _____ **Investigator Initials:** _____

To **OPEN** an inquiry, initial information is required: *(PeopleSoft HCM: Workforce Administration > Job Information > Job Data):*

1. Employee's Name/ID number
2. Employee's Dept ID/Location ID number
3. Employee - Union Represented
4. Respondent's Name/ID number
5. Respondent's Dept ID/Location ID number
6. Respondent - Union Represented
7. Summary of Allegation: *(A brief description of the allegations is needed for PeopleSoft and the master assignment sheet.)*

Use this section to **OPEN/CLOSE** an inquiry, choose a bases:

1. Bases for Complaint: _____

1 - Age	10 - Military or Veteran Status
2 - Ancestry	11 - National Origin
3 - Citizenship Status	12 - Race
4 - Color	13 - Religion
5 - Disability - Mental	14 - Reprisal (Retaliation)
6 - Disability - Physical	15 - Sex/Gender
7 - Ethnicity	16 - Sexual Harassment
8 - Genetic Information	17 - Sexual Orientation
9 - Marital or Familial Status	18 - Status as a Parent

"Issues" of **Claim** - Type the number(s) that applies: _____

1 - Appointment/Hire	15 - Other
2 - Assignment of Duties	16 - Pay including Overtime
3 - Awards	17 - Promotion
4 - Conversion to Full-Time	18 - Reasonable Accommodation
5 - Disciplinary Action - Demotion	19 - Reassignment - Denied
6 - Disciplinary Action - Other	20 - Reassignment - Directed
7 - Disciplinary Action - Removal	21 - Reduction-in-Force
8 - Disciplinary Action - Reprimand	22 - Reinstatement
9 - Disciplinary Action - Suspension	23 - Release from Temp Position
10 - Duty Hours	24 - Retirement
11 - Evaluation/Appraisal	25 - Termination
12 - Examination/Test	26 - Terms/Conditions of Employment
13 - Harassment	27 - Time and Attendance
14 - Medical Examination	28 - Training

2. Final Resolution Code: Type the resolution type from the list below that applies _____

<u>CODE</u>	<u>DESCRIPTION (Formal Closure)</u>	<u>EXAMPLE:</u>
VNC	No Probable Cause	Unsubstantiated
VPC	Probable Cause	Substantiated
<u>CODE</u>	<u>DESCRIPTION (EEOC Charge Closure)</u>	<u>EXAMPLE:</u>
NRS	Notice of Rights to Sue	EEOC Dismissal Notice
<u>CODE</u>	<u>DESCRIPTION (Informal Closures)</u>	<u>EXAMPLE:</u>
EEC	EEO Counseling	CP doesn't want to file formal, wants RP to top.
EPR	Employee Assist Referral	Gathering info – asking questions – general information.
EAV	Employee Advisement	General advise given to employee about the about the complainant process, jurisdiction of OEEO or general advice about EEO matters.
MAV	Management Advisement	General advised give to management about an EEO issue
VAC	Administratively Closed	No contact, all attempts made, no basis indicated. Failed to participate in process and failed provide information
VAR	Alternative Dispute Resolutions	CP agreed to try to resolve issues through mediation or other alternative dispute resolution methods
VOT	Referred to Other	Referred to Other offices/departments not listed (Talent Acquisition, HR, OHAW, etc.)
VAD	Referred to ADA	
VER	Referred to Employee Relations	
VLR	Referred to Labor Relations	

3. Resolution Comments: A brief statement referencing a "closing" document or action taken: (Type your statement below. **PLEASE INDICATE: CAUSE or NO CAUSE; or CORRECTIVE ACTION TAKEN: Counseling/Other/Suspension (# OF DAYS FOR SUSPENSION) /Termination/Training**)

Final Closeout Date: _____

Figure 4. Investigation Activity Log (2 pages)

OEEO Activity/Investigation Log Case Number		
Contact's Name	Date of notice/informal contact	
Contact's Phone number (office/cell)	Contact's Email address	
Contact's Job Title	Contact's Work Location	
Location of alleged incident/event	Date of alleged incident/event	
Alleged Discriminating Person's Name	Alleged Discriminating Person's Phone or email	
Alleged Discriminating Person's Job Title		

+

Date	Activity Performed	Performed By

Name
2019-000000


Page 1 of 2

Date	Activity Performed	Performed By

Name
2019-000000

Page 2 of 2

Figure 5. FAIR Discrimination Complaint Form (2 pages)



Office of Equal Employment Opportunity
 Department of Fair Practice

DISCRIMINATION COMPLAINT FORM

The Office of Equal Employment Opportunity (OEEO) is the component of WMATA responsible for ensuring the Activities of the Authority are undertaken in compliance with all applicable federal laws that prohibit discrimination and retaliation, as an employer and as a provider of public transportation services. OEEO is responsible for the development, administration, and monitoring of WMATA's Equal Employment Opportunity Program (EEO), Affirmative Action Plan (AAP), and Title VI Program. These two programs ensure the fair and equitable treatment of applicants, employees, and customers. OEEO is the arm of corporate commitment to equal employment opportunity and non-discrimination and serves to ensure compliance with applicable federal laws.

Please complete this form and email it to OEEOHotline@wmata.com

Date:

<p>Person Filing Complaint:</p> <p><input style="width: 100%; height: 20px;" type="text"/></p> <hr/> <p>Name Emp #</p> <p><input style="width: 100%; height: 20px;" type="text"/></p> <hr/> <p>Position</p> <p><input style="width: 100%; height: 20px;" type="text"/></p> <hr/> <p>Department/Location</p> <p><input style="width: 100%; height: 20px;" type="text"/></p> <hr/> <p>Day Time Phone</p> <p><input style="width: 100%; height: 20px;" type="text"/></p> <hr/> <p>E-mail</p> <p><input style="width: 100%; height: 20px;" type="text"/></p>	<p>Person or Entity you are Filing a Complaint about:</p> <p><input style="width: 100%; height: 20px;" type="text"/></p> <hr/> <p>Name</p> <p><input style="width: 100%; height: 20px;" type="text"/></p> <hr/> <p>Position</p> <p><input style="width: 100%; height: 20px;" type="text"/></p> <hr/> <p>Department/Location</p> <p><input style="width: 100%; height: 20px;" type="text"/></p> <hr/> <p>Day Time Phone</p> <p><input style="width: 100%; height: 20px;" type="text"/></p> <hr/>
--	--

What is the basis of alleged violation (please check area(s) that applies to your complaint):

<input type="checkbox"/> Disability (Mental or Physical)	<input type="checkbox"/> Religion
<input type="checkbox"/> Race	<input type="checkbox"/> Marital or Familial Status
<input type="checkbox"/> National Origin, Ancestry, Ethnicity	<input type="checkbox"/> Retaliation (for participation in a protected activity)
<input type="checkbox"/> Military/Veteran Status Discrimination	<input type="checkbox"/> Sexual Harassment
<input type="checkbox"/> Color	<input type="checkbox"/> Sexual Orientation/Gender Identity
<input type="checkbox"/> Age (40 and over)	<input type="checkbox"/> Sex (including pregnancy, childbirth, etc)
<input type="checkbox"/> Genetic Information	

Issues
 Promotion
 Discipline
 Hostile Work Environment
 Transfer
 Harassment
 Assignment
 Sexual Harassment
 Hiring
 Overtime

Other:

Witness Information (Attach additional sheets if necessary)

Name _____
Position Title _____
Department/Work Location _____
Contact Phone _____
Date and time witnessed incident _____

Please clearly describe the discriminatory violation that has occurred in the last six (6) months that you would like to bring to the attention of OEEO. Describe the nature of the incident, the date, where the incident occurred, names of any witnesses and alleged wrongdoers and their contact information. Please also include copies of any supporting documentation (do not include the original documents). Please attach additional pages if needed.

Requested Remedy (Attach additional sheets if necessary)

By signing this document you confirm the contents of the information you provided is accurate and truthful to the best of your knowledge.

Signature


Figure 6. Interview Notes Form

[INTERVIEW NOTES]

Date: □	□		
Participants			
Names: □	Job-title.....	Empl.#□	Contact.#□
□	□	□	□
□	□	□	□

Figure 7. Report of Investigation Form (2 pages)

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY



DEPARTMENT OF FAIR PRACTICES

Office of Equal Employment Opportunity
 600 Fifth Street, N.W., Suite 7G
 Washington, DC 20001

REPORT OF INVESTIGATION
 Complaint Number: 2018-000000

DRAFT

Name of Complainant, Title
 Department
Complainant

Against

Name of Respondent, title
 Department
Respondent

BACKGROUND

Here provide date of complaint, issues and policies alleged to have been violated.
 On October 16, 2018, _____, Job Title filed a complaint with the Office of Equal Employment Opportunity (OEEO) alleging he/she was subjected to discriminatory treatment on the basis of _____. Mr./Ms. _____ (Complainant) alleged that _____, Job Title, (state allegation) the basis of _____ in violation of Washington Metropolitan Area Transit Authority's (WMATA) Policy Instruction 7.1.1 EEO Policy or 7.1.2/2, *Anti-Sexual Harassment and Other Harassment (the Policy)*, when:

The Complainant seeks:

SCOPE OF REVIEW

An investigation was conducted to determine whether the Respondent's alleged behavior constituted a violation of Title VI or any applicable Metro Policies, _____, job title, investigated the allegations set forth in this complaint.

Report of Investigation 2018-000000 Page 1 of 2
 Name of Complainant

COMPLAINANT'S STATEMENT
Complainant's name, title and location
Summarize statement based on questions asked during the interview.

RESPONDENT STATEMENT
Respondent's name, title and location
Summarize statement based on questions asked during the interview.

WITNESSES STATEMENTS

ANALYSIS AND FINDINGS
The Respondent has admitted to making comments to the complainant which are based on the fact that she is a woman. He has admitted that he kissed her hand. Unwanted comments based on sex, even if said in jest, are prohibited by the Policy. Likewise, unwanted contact, such as kissing another person, is also prohibited by the policy. Therefore, we find that the Respondent has violated the Policy.

IV. RECOMMENDATIONS:
OEEO recommends that management refer the Respondent to OEEO for a review of the Policy so that he is aware of the requirements of the Policy and WMATA's expectations of all employees.

FINDING: No Cause/Cause

Submitted by:

Your name
Title

December 24, 2018
Date

*Report of Investigation 2018-000000
Name of Complainant*

Page 2 of 2

10 Appendices, Attachments and/or Exhibits

N/A

11 Approvals

Controlled Document I hereby state that I have found no errors of this controlled quality document,
and thus the document is ready for release

Content Approved

Name Jan M. Bryant

Title: Director, Office of Fair Practices

Jan M Bryant

Signature

November 16, 2020

Date

Controlled Quality Document

I authorize this controlled quality document for release.

Document Authorized for Release

Name _____

Title: DQMS Manager/Coordinator (or similar function)

Signature

Date

Metro Transit Police Department

Office of the Chief of Police



General Order

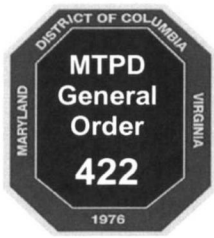
422 – Body Worn Camera

Document Number: MTPD-OC-GO-422-00

Effective Date: 01/27/2023

Revision History

Revision No.	Revision Date	Description of Changes
00	1/27/2023	Initial release



Body Worn Camera

100.1 MISSION STATEMENT

The mission of the Metro Transit Police Department (MTPD) is to protect Metro patrons, personnel, transit facilities, and revenue by providing law enforcement and public safety services.

100.2 PURPOSE AND SCOPE

This order describes the policies and procedures for MTPD's Body Worn Camera Program ("BWC Program").

100.3 ACCOUNTABLE PERSONNEL

This General Order applies to all MTPD Members.

100.4 POLICY

Body Worn Camera ("BWCs") will be used to further the mission of MTPD to promote public trust and to enhance its service to community by recording events, actions conditions, and statements by all parties during consensual encounters, traffic stops, detentions, arrests, and other incidents, as well as to promote the safety of officers and the public.

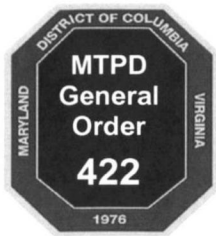
100.5 PROCEDURES

There are no specific procedures germane to the execution of this General Order outside of the Policy Section of this General Order and/or as described in the Department Procedures/Operations Manual.

100.6 RESPONSIBILITIES

Public-facing members of the rank of Lieutenant or below (and/or civilian equivalent), will be issued a BWC, and when working in an operational assignment shall:

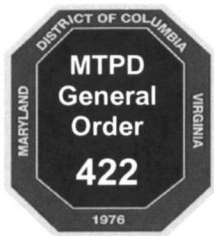
1. Successfully complete all MTPD-required training related to BWCs prior to being issued a BWC.
2. Follow existing officer safety policies as outlined in MTPD General Orders ("GOs") and MTPD procedures. The safety of all parties shall be the primary consideration during contacts, stops and arrests – not the recording of an event.
3. Mount their BWCs at the beginning of their shift using an MTPD-approved method and using MTPD-issued mounting equipment.



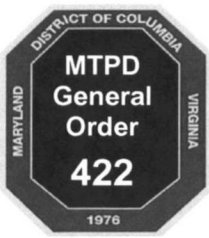
4. Wear their BWC for the entire shift.
5. Return BWCs to a docking station at the end of tour.
6. Maintain their BWCs in an operational and charged state without any data from previous shifts.
7. Inform any person, absent exigent circumstances, at the start of the recording, that the audio and video of the BWC is on and recording.
8. Use only MTPD-issued BWCs.
9. Store BWC recordings in MTPD-approved storage databases only.
10. Upload all BWC data at the end of their shift, or, if necessary, during their shift, to ensure storage capacity of their BWC is not exceeded.
11. Dock their BWCs at the end of their shift in designated storage locations at MTPD facilities.
12. Turn in their cameras to their BWC Unit Coordinator for reassignment in accordance with Part "Responsibilities of Officials and Supervisors, BWC Unit Coordinators Shall number 3." of this order whenever the Member is placed in a work status that is not full time and which will last for 30 days or more.
13. Notify an on-duty official upon observing or becoming aware of an apparent violation, by a Member or other WMATA personnel, of WMATA's or MTPD's General Orders, procedures, rules, regulations, directives, or the laws of any Compact jurisdiction, when reviewing BWC recordings.
14. Notify an on-duty official as soon as reasonably able, but no later than the end of their shift, of any incident for which they did not activate their BWC and complete the Malfunction/No Recording Form (Attachment C).
15. Notify an on-duty official immediately of any malfunctioning or inoperable BWC equipment, including any docking station and complete the Malfunction/No Recording Form (Attachment C).

B. Members equipped with BWCs shall not:

1. Remove, dismantle, or tamper with any hardware or software associated with BWCs or any related applications.
2. Discontinue or stop recording for any mandatory recording event as provided in this General Order, even when asked to do so by a subject or a member of the public, except for those providing an anonymous tip. The Member shall request that an official respond to the scene to assist if the Member cannot resolve the issue.

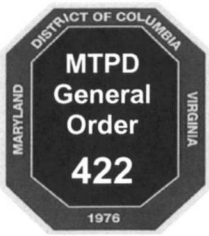


3. View BWC recordings at the scene of an incident unless approved by the Watch Commander.
4. Destroy, delete, edit, alter, modify, tamper with, or otherwise use BWC recordings in violation of this policy. All BWC recordings are the sole property of MTPD, and Members who tamper with BWC recordings may be subject to criminal investigation and prosecution.
5. Copy, record, download or share a BWC recording without written approval of a Captain or above, or the on-duty Watch Commander, and then only for official law enforcement purposes. The approving official shall notify the BWC Manager of any such action.
6. Wear or use their BWCs when working outside employment or off-duty.
7. Wear, use or take their BWCs home, unless approved by the on-duty Watch Commander. The on-duty Watch Commander shall notify the BWC Manager by email of any such approvals no later than the completion of the Watch Commander's tour of duty.
8. Activate their BWCs during any court or other judicial proceeding.
9. Use a BWC assigned to another member. If members inadvertently use any other member's BWC, they shall immediately notify their on-duty supervisor and send an email to the BWC administrative address and their assigned BWC Coordinator.
10. Record on private property unless present for law enforcement purposes.
11. Intentionally record any activity other than for official law enforcement purposes.
12. Record other Members intentionally unless the recording is required by or, is in compliance with, this General Order.
13. Record a particular person based **solely** on the person's race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, family responsibility, homelessness status, physical disability status, matriculation status, or political affiliation.
14. Record in places where a reasonable expectation of privacy exists, such as in locker rooms or restrooms, unless recording is required for the performance of official duties and is otherwise authorized by this General Order, by regulation, or statute.
15. Record confidential informants.
16. Use any device or instrument, electronic or otherwise, to intentionally interfere with the capability of the BWC.
17. Upload, post or share any BWC recordings on any website or through any electronic devices, except as described in this policy.
18. View recordings for anything other than official law enforcement purposes.



100.7 DEFINITIONS

- a. Body Worn Camera (“BWC”): Camera system with internal memory for storage of recorded audio and video designed to be worn on the clothing of or otherwise secured to a person.
- b. BWC Unit Coordinators: Member assigned by police district to assist with the implementation and use of BWCs within their district.
- c. MTPD Central Complaint Number (“CCN,” also called “MTP number”): Unique number that the Communications Division issues to MTPD members upon request when recording events via an incident or offense report, arrest, or other type of event. The first four digits of the MTPD CCN correspond to the year in which the report is being taken.
- d. Digital evidence: BWC recordings, including photographs, audio, and video footage, captured by BWCs, and stored digitally.
- e. Docking station: Hardware connected to WMATA’s network that is designed to charge BWCs and offload recordings.
- f. Day: Refers to calendar days of the year.
- g. Data: Information associated with BWC recordings, such as time, date, location, officer interaction/offense categorization and badge number.
- h. Major incident scene: Any crime scene, natural disaster or other incident that causes loss of, or disruption to, bus or rail service, or causes a substantial risk of exposing customers or employees to a significant hazard.
- i. Metadata: Information embedded in the digital creation of a BWC record.
- j. Member: Any sworn or unsworn personnel assigned to MTPD.
- k. MTPD BWC Program Director: MTPD Deputy Chief of the Administrative Bureau, designated by the Chief of Police to oversee the BWC program.
- l. Official: Member with rank of sergeant or above.
- m. Office of Professional Responsibility and Inspections (“OPRI”): MTPD office responsible for investigating allegations of serious MTPD employee misconduct and conducting periodic inspections and audits.
- n. Serious Use of Force: Includes all firearm discharges by members except those involving range and training incidents and animals; all uses of force resulting in a serious physical injury; all head strikes with an impact weapon; all uses of force resulting in a loss of consciousness or which create a substantial risk of death or of serious disfigurement, disability or impairment of the functioning of any body part or organ; all uses of force by a member involving the use of neck restraints or techniques intended to restrict a subject’s ability to breathe; and, all other incidents involving a death or serious injury.



- o. Subject: Any individual who is not an on-duty law enforcement officer who has been recorded by a BWC.

100.8 PROCEDURES FOR BWC-EQUIPPED MEMEBRS

A. Functionality. Members shall:

1. Inspect and test their BWCs to determine that they are operational and functioning properly at the beginning of every shift prior to the Member's deployment. Members working extended shifts shall inspect and test their BWCs at the beginning of a subsequent shift.
2. Notify the Communications Division over the radio if their BWC is lost, damaged, malfunctioning, or inoperable and the Communications Division will note that information in the CAD. In addition, the Member shall:
 - a. Notify an on-duty Sergeant without delay after notifying the Communications Division; however, if working an active scene, the Member may clear the scene first before notifying an on-duty sergeant, who will notify the Watch Commander.
 - b. Complete an Officer Report, except for reasons related to a low or uncharged battery. The on-duty sergeant shall notify the Watch Commander and the MTPD BWC Coordinator. The Watch Commander will notify the BWC Program Manager.
3. Verify that their BWC is fully charged and does **not** contain data from a prior shift. If the BWC contains data from a prior shift, Members shall immediately notify the on-duty Sergeant and their BWC Coordinator.

B. Operations:

Members shall start their BWC recordings as soon as they are dispatched to a call for service, or as soon as they self-initiate any police investigation or action, by consent or otherwise, whether inside a WMATA facility or elsewhere, including, but not limited to: all contacts, stops, or arrests; identifications; transports of prisoners; hospital guard duty; major incident scenes, or any other incident for which a Member deems it appropriate to activate the BWC, in accordance with this General Order.



C. First Amendment Assemblies

1. Members shall activate their BWC during First Amendment deployments when they are actively engaged in crowd control, undertaking any law enforcement action or investigation, or directed to activate their BWCs by the Event or Detail Commander.
2. Members shall categorize their recordings of First Amendment assemblies as "First Amendment Assembly" in the MTPD-approved database.

D. Sexual Assaults

Members who initially respond to allegations of sexual assault shall activate their BWCs but shall only ask victims questions sufficient to enable them to determine the crime committed, and to obtain the required information for a lookout broadcast.

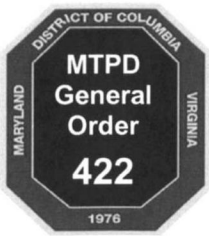
E. Medical Facilities, Ambulances, and Patient Privacy

1. Members shall record ambulance transports when the officer reasonably deems it necessary for law enforcement purposes.
2. Members shall avoid recording in the common areas of medical facilities unless necessary to comply with the requirements of this General Order.
3. When Members are required to record in medical facilities, they shall position themselves in such a way as to afford the patients as much privacy as reasonably available under the circumstances.

F. Members equipped with BWCs who are on the scene of an incident and who are not the primary reporting Member shall inform the reporting member of their BWC recording so that the primary Member may record this information in his or her report.

G. Deactivation of BWCs

1. Once activated in accordance with this order, a member shall not deactivate their BWC until or unless the Member has:
 - a. Cleared the assignment, incident, contact, detention or arrest;
 - b. Transferred custody of the arrestee to another Member or another agency in any incident involving an arrest;
 - c. Terminated a search for which the Member believes they will have no further interaction with the person or property; or,



- d. Terminated a pursuit and returned to service through the dispatcher.
 - e. Notified the Communications Division of Member's need to take a break. Communications Division will document the Member's break in CAD.
2. In some limited circumstances, Members may be ordered by a Watch Commander or official of higher rank to deactivate their BWCs for issues of national security or for other high-level security concerns. Members shall document this order and the name of the ordering official in their incident reports and the ordering official will notify the Deputy Chief of Homeland Security Intelligence and Investigations Bureau of the deactivation.
 3. Members will, when responding to back-to-back events without any BWC deactivation between events, enter the CCNs corresponding to both events in the BWC ID field.

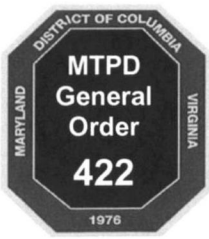
H. Requirements for Members Before End of Shift

1. Members, prior to the end of their shift, shall:
 - a. Document any activation of the BWCs, by writing "BWC Activated" at the beginning of the narratives of event reports, arrest paperwork, and citations.
 - b. Record the member's last and first name and badge number at the beginning of narratives if different from the reporting member listed on the report.
 - c. Document, in the narrative section of all related reports, any delay or failure by a member to activate their BWC, or any interruption of a BWC recording that is required to be recorded by this General Order.
 - d. Label and categorize recordings of search warrants, pre-planned arrest warrant executions, and forcible entries. Label and categorize all other recordings in accordance with this General Order.
 - e. Upload recorded data to the storage database.
 - f. Charge BWC cameras in an MTPD-approved BWC docking station.
 - g. Complete the Malfunction/No Recording Form (Attachment C) if required.

100.9 Labeling and Categorizing BWC Recordings

A. BWC Title Field. Members shall add a title – IN ALL CAPS – to each of their BWC recordings in the following format:

1. Start date of recording (formatted as the year first (4 digits), followed by the month and day) - type of event - address (including the quadrant) (e.g., 20150220 - MISSING PERSON - 1751 M ST NW)
2. In cases where MTPD is responding to an event being handled by another agency, the member should add the name of the other agency to the end of the title (e.g.,



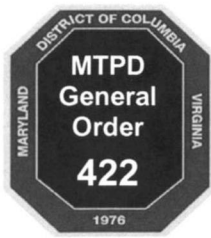
20150220 - MISSING PERSON - 1751 M ST NW - US CAPITOL POLICE).

B. BWC ID Field: Members shall enter the MTPD CCN in the ID field (with no hyphens or dashes).

1. If no MTPD CCN numbers were drawn for the event, the member shall:
 - a. Enter the citation number or the Call for Service (CFS) number in the ID field when applicable; or
 - b. Type "NA" in the ID field if there is no CCN or other internal tracking number.
 - c. Label and categorize ("tag") up to two MTPD CCNs in the "ID" field, separated by commas.

C. BWC Categories

1. Members shall label BWC recordings with one or more categories from the list below, choosing the first applicable category and adding additional categories if needed. Members shall not use any category other than those listed below.
2. BWC Categories:
 - a. For Supervisory Review. Members shall notify their supervisors, prior to the end of their shift, of any BWC recordings that fall in any of the three categories below, and the supervisor shall review the BWC within 24 hours of the notification:
 - i. A Member dies or is injured during the performance of their duties;
 - ii. Any incident for which the Member generated a use of force report; or
 - iii. The Member is involved in an incident that results in a fatality including, but not limited to, in-custody deaths, car accidents, or vehicular pursuits with a fatality.
 - b. Murder / Manslaughter
 - c. First and Second-Degree Sexual Offenses
 - d. Sexual Offenses Other Than First and Second Degree
 - e. Death Report / Suicide
 - f. Crime Involving a Public Official
 - g. Any Other Felonies
 - h. Search or Arrest Warrant
 - i. Forcible Entry Absent Warrant
 - j. Other Misdemeanors (no arrest)



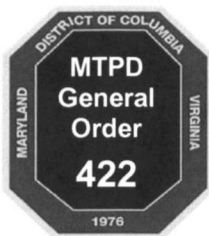
- k. First Amendment Assembly
- l. Internal Investigations - OPRI
- m. Internal Investigations - District
- n. Incident - No Arrest
- o. Warrant/Papered Arrest/Ongoing Criminal Investigation
- p. No Papered Arrest
- q. Contacts initiated for a law enforcement or safety purpose
- r. Stop and/or Frisks (i.e., traffic, pedestrian, or bicycle) as defined in General Order 325.
- s. Criminal Citations and Summonses
- t. Civil Infractions
- u. BWC Testing – includes recordings taken by members to ensure their BWCs are operating properly.
- v. Training (designation by BWC Manager only).

D. Accidental Recordings

1. Members who accidentally activate their BWC may submit a deletion request to their assigned BWC coordinator through their chain of command to rank of Captain or above, who shall forward the same to the MTPD BWC Manager, who shall confirm the recording is accidental and eligible for deletion.
2. Members shall ensure the request contains sufficient information (e.g., date, time, member's badge number) to locate the recording.
3. The MTPD BWC Program Director shall review accidental recordings and determine whether the recording should be deleted. If the recording was accidental and was not made under the procedures of this General Order, the BWC Manager shall document this finding in the recording notes and delete the recording. An audit log on the history of every recording will be maintained in the storage database.

E. Member Access and Review Pending Use-of-Force Investigations, In-Custody Deaths, Criminal Investigations, or Administrative Investigations

1. Members may review their and any other officer's BWC recordings for any law enforcement purpose, except those members involved in any serious uses of force, in-custody deaths, or who are the subject of a potential or pending criminal investigation may not view their BWC recording related to the incident(s) or view



those of another member or of another agency. OPRI will determine when and if the member may view any of these recordings.

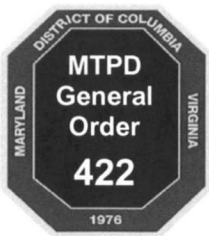
2. Members who are conducting criminal investigations shall:
 - a. Review and re-categorize BWC recordings in accordance with their investigative findings.
 - b. Document reviews of any associated BWC recordings in their Report of Investigation.
3. Members with the rank of sergeant and above, civilian BWC coordinators, OPRI investigators, and designated WMATA employees may download BWC recordings for investigations or any authorized administrative or litigation purpose.

F. Review by MTPD Officials of BWC Recordings of Uses-of-Force and Serious Misconduct.

1. Watch Commanders shall, as soon as possible but no later than the end of their shift, review any BWC recordings related to all uses-of-force and alleged serious misconduct that occur on their shift and of which they are aware.
2. If any investigation is initiated, Watch Commanders or any other official involved in the investigation shall request, and the responding OPRI member shall verify, that all related BWC recordings are uploaded and categorized.
3. Officials shall provide OPRI the following information for any incident associated with an OPRI tracking number:
 - a. Whether the subject Member was wearing a BWC at the time of the incident.
 - b. Whether the incident involved a violation of this General Order.
 - c. Whether any other Members who witnessed the incident were wearing BWCs.

G. When conducting internal or administrative investigations of incidents where BWCs are present, investigating officials shall:

1. View all available BWC footage as part of their investigation.
 - a. Add a category (*i.e.*, "Internal Investigations OPRI" or "Internal Investigations District") to the recordings related to their investigations.
 - b. Document whether their investigative findings are consistent with available BWC footage and address the existence of any material discrepancies between subject, complainant, or witness statements and the BWC footage.



- c. OPRI shall limit access to the BWC recordings during any internal investigation.

H. When completing internal investigations, officials shall also include the following information in the “Prologue” and any other sections of the investigation as appropriate:

- 1. A listing of each member, including a badge number, present at the incident;
- 2. Whether each member was equipped with a BWC, and whether the BWC was activated.

I. Investigating officials shall initiate a separate investigation to include creation of independent OPRI tracking numbers to document a policy violation related to the BWC. In addition, investigating officials shall include new OPRI tracking numbers in the “Discrepancy Section” of the original investigative report -- if one exists – in which the policy violation was discovered.

J. Warrants and Forcible Entries

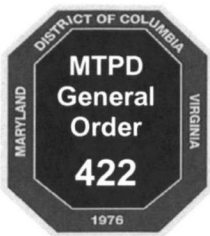
Absent exigent circumstances, all members participating in the execution of all searches Warrants, pre-planned arrest warrants and forcible entries shall activate their BWCs.

- 1. Members shall ensure that BWC recordings are categorized for retention purposes, as provided below:

Category	Resolved	Unresolved
1. Murder / Manslaughter	75 Years	100 Years
2. Felony Sexual Assault	75 Years	100 Years
3. All Other Sexual Offenses	5 Years	15 Years
4. Death Report / Suicide	75 Years	100 Years
5. Crime Involving a Public Official	15 Years	15 Years
6. All Other Felonies	10 Years	10 Years
7. Search or Arrest Warrant	6 Years	6 Years
8. Forcible Entries Absent Warrant	6 Years	6 Years
9. Internal Investigations (OPRI or District)	15 Years	15 Years

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10. First Amendment Assembly	5 Years	
11. All Other Misdemeanors	5 Years	
12. Use of Force	5 Years	
13. No-Papered Arrest (Felonies and Misdemeanors)	5 Years	
14. Contact/Stop/Citations/ Civil Infraction	5 Years	
15. Incident – No Arrest	5 Years	
16. Other Administrative Investigations	5 years	
17. BWC Testing	90 days	
18. Juvenile Victim [Youth and Family Services Division (YFSD) ONLY]	Indefinite	
18. Recordings subject to PARP requests, litigation or litigation holds	Original category retention or 8 years, whichever is longer; if request is withdrawn, the original category retention period will control.	
19. Metadata	5 years	

L. BWC Recordings Used in Training

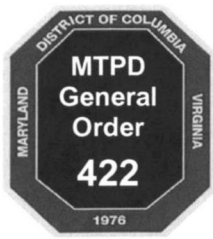
Members, through the chain of command, may suggest BWC recordings that may be of value for departmental training. Officials may also suggest BWC recordings that can be used for group discussions or other training. Any suggested recordings for training shall be reviewed and approved by OPRI. If approved by OPRI, the BWC recording will be forwarded to the Deputy Chief for Administrative Services Bureau for final approval. The BWC Program Manager, upon approval, will categorize the video as “Training” in the MTPD database.

100.10 RESPONSIBILITIES OF OFFICIALS AND SUPERVISORS

A. Sergeants shall:

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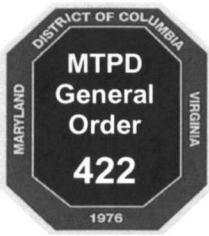
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2. Issue BWCs only to members who have received MTPD's BWC training.
3. Remind members at the beginning of each shift to check that BWCs are fully charged and functioning with appropriate mounting equipment.
3. Store any damaged or malfunctioning BWC equipment in the district safe and notify a BWC Coordinator immediately of the malfunction.
4. Replace any malfunctioning or inoperable BWCs with another BWC immediately upon being notified of the malfunction when a BWC Unit Coordinator is not available. A Sergeant shall notify the BWC Unit by email of any such replacement.
5. Conduct internal investigations regarding any damaged or lost BWCs and equipment.
6. Note on the daily assignment schedule any members deployed without a BWC and document the serial number and BWC number of any BWC temporarily issued to a member.
6. Review, in a timely manner, all recordings categorized as "For Supervisory Review," and then re-categorize any incorrectly categorized recordings.
7. Conduct reviews of the BWC recordings to check that all devices are functioning correctly by randomly picking at least one incident for each Member of their squad every quarter; the review shall also include checking the Member's compliance with the requirements of this General Order.
8. Remind Members to turn in their BWCs prior to the end of their shift and store BWC devices in designated, secured locations at MTPD facilities.

B. BWC Unit Coordinators shall:

1. Provide technical support to Members in their assigned units who have BWCs.
2. Replace any malfunctioning or inoperable BWCs with another BWC immediately upon being notified of the malfunction.
3. Return to the Quartermaster the BWCs of members who have been, or are anticipated to be, in less than full duty status for 30 days or more and notify the MTPD BWC Program Manager of any returns.
4. Report any malfunctioning or inoperable docking stations to the BWC Manager.
5. Conduct annual reviews of members' BWC recordings to determine whether members are recording mandatory events as outlined in this General Order.



6. Document BWC equipment malfunctions and failures, and within five business days of notice of the malfunction or failure, make a request of the vendor to repair and/or replace the equipment.
7. Conduct quarterly reconciliations of BWC assignments with the Quartermaster.

C. District/Division Commanders shall verify each Member has received the required BWC training prior to being issued a BWC and will be responsible for oversight of BWCs in their Districts and/or Divisions in compliance with this General Order.

D. The MTPD BWC Program Manager shall:

1. Serve as the custodian of records for all BWC recordings.
2. Serve as the system administrator of any BWC software applications.
3. Be responsible for coordinating and tracking requests for BWC recordings from other law enforcement agencies.
4. Delete accidental recordings.
5. Serve as the primary point of contact with the BWC vendor.

E. The MTPD Quartermaster shall:

1. Obtain the BWCs and coordinate their distribution through the BWC Unit Coordinators.
2. Maintain an inventory of BWCs and provide BWC Unit Coordinators a list of all assigned BWCs on a quarterly basis for reconciliation.

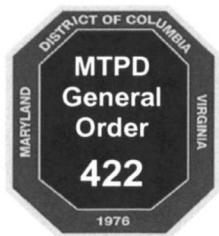
F. Bureau Chiefs shall institute a process to verify that BWC recordings of papered cases and no-papered arrests are categorized appropriately.

100.11 INTERNAL WMATA REQUESTS:

Internal WMATA requestors outside of MTPD, who need access to a BWC recording for investigations or any authorized administrative or litigation purpose, may request BWC recordings by MTPD-BWC-FORM_002_00_Body Worn Camera Request Form.

100.12 External Law Enforcement Requests for BWC Recordings

External requests from law enforcement agencies for BWC recordings will be provided through a process to be determined by the Chief of Police or his/her designee. **100.13**



EXTERNAL, NON-LAW ENFORCEMENT, REQUEST FOR BWC RECORDING

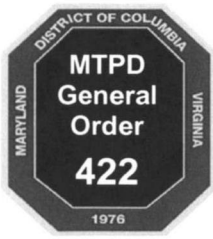
External requests for BWC recordings, other than from law enforcement agencies, shall be processed in accordance with the normal course of business. Any third party that is not a law-enforcement agency shall pay any and all costs associated with such preparation, review, and production of BWC video. For instances in which BWC recordings are not released in the normal course of business, such requests shall be processed pursuant to WMATA's Public Access to Records Policy ("PARP") including payment of processing fees in accordance with PARP.

100.1 REFERENCES

1. General Order 336 (Preliminary Investigation of Sexual Assaults)
2. General Order 130 (Use of Force)
3. General Order 701 (Courts)
4. General Order 325 (Contacts, Stops and Frisks)
5. WMATA's Public Access to Records Policy ("PARP")

100.13 ATTACHMENTS

1. Attachment A: Body Worn Camera Approved Wearing Methods
2. Attachment B: Body Worn Camera Request Form
3. Attachment C: Body Worn Camera Malfunction/Failure to Activate Form



100.14 APPROVAL

I hereby approve this General Order and charge all named responsible for the implementation of this General Order.

A handwritten signature in black ink, appearing to read "M. Anzallo", written over a horizontal line.

1-30-2023

Approved:
Michael L. Anzallo
Chief of Police
Metro Transit Police Department

Date

Metro Transit Police Department

Office of the Chief of Police



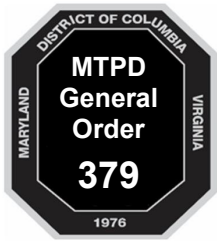
General Order 379 – Narcan

Document Number: MTPD-OC-GO-379-00

Effective Date: 11/21/2022

Revision History

Revision No.	Revision Date	Description of Changes
00	11/21/22	Initial release



Narcan

100.1 MISSION STATEMENT

The mission of the Metro Transit Police Department (MTPD) is to protect Metro patrons, personnel, transit facilities, and revenue by providing law enforcement and public safety services.

100.2 PURPOSE AND SCOPE

It is the policy of the Metro Transit Police Department to render emergency care to preserve life. In the case of those experiencing opioid overdoses trained members are authorized to administer naloxone to counteract the effects of the opioid.

100.3 ACCOUNTABLE PERSONNEL

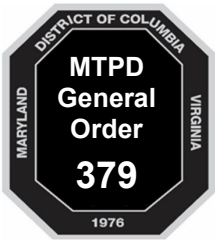
All MTPD sworn members are responsible for this general order.

100.4 POLICY

It is the policy of this Department, to ensure the safety and security of our passengers and employees. Members will respond to calls for assistance and attempt to determine if an opioid overdose has occurred. Members will request medical assistance and render aid as possible.

100.5.2 Administrative Requirements

- A. Members will inspect their naloxone prior to their tour of duty for any damage, leaks, etc. If a member determines that their naloxone is damaged, they will notify their supervisor. Supervisors will return damaged naloxone to the Training Division and will issue the member a new kit.
- B. Supervisors will conduct monthly inspections of naloxone devices assigned to their members.
- C. Members will document the use of naloxone in the narrative of the Case/Officer reports, to include if it was effective or not. Crime Analysis & Police Records Division staff will update the report, at the time of approval, to include NARCAN as a Special Study.
- D. Supervisors will notify the Watch Commander any time naloxone is used. Watch Commanders shall note any member's provision of naloxone on the Watch Commander's Report before the end of their shift



- E. In the event any member administers naloxone to an MTPD member, Supervisors will fill out on-duty injury paperwork and will notify the Exposure Control Officer. Any member administered naloxone will be transported to a hospital
- F. Members shall not alter the naloxone devices in any way.
- G. Members shall not leave naloxone devices in department vehicles upon the conclusion of their shift. Members shall not store department issued naloxone in their own personal vehicles. Naloxone should not be exposed to extreme heat or cold for extended periods of time. Members shall store their naloxone at room temperature between 59 degrees Fahrenheit to 77 degrees Fahrenheit.

100.4.2 Safety

- A. Naloxone temporarily reverses the effects of an opioid overdose; however, Naloxone will not reverse the effects of an overdose related to a non-opioid substance.
- B. Naloxone is safe for and has been approved for use by all populations, including children, pregnant women, and the elderly.
- C. Naloxone generally takes effect within two to five minutes after administration. Individuals who are revived from opioid overdoses, upon regaining consciousness, may be agitated and/or awake in a combative state. Officers should be prepared to deescalate the situation.

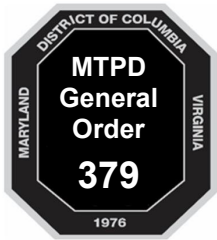
100.5.2 Opioid Overdose Symptoms

The below chart denotes some symptoms that can help differentiate individuals suffering from an opioid overdose from individuals that may be under the influence of another intoxicant. This list is not all inclusive. If, based on their investigation, members believe the individual is experiencing an opioid overdose, members will administer naloxone.

Under the Influence	Opioid Overdose
Normal skin tone	Pale, clammy skin, blue lips and/or fingertips
Muscles relaxed; speech is slowed or slurred	Breathing infrequent or has stopped
Sleepy looking; glazed eyes	Unconscious; deep snoring or gurgling
Relaxed muscles, responsiveness to verbal and tactile stimulations	Unresponsive to pain stimuli
Normal heart rate and/or pulse	Slow or no heart rate and/or pulse

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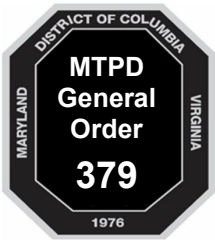
PROCEDURES

100.5.1 Procedures

- A. Members are responsible for checking the expiration date on the Naloxone and return expired packages to their component coordinator.
- B. When arriving on the scene of a person suffering from a suspected opioid overdose, members will notify Emergency Medical Services (EMS) if EMS/Fire units are not present.
- C. Members will wear their Personal Protective Equipment (PPE) and exercise universal exposure precautions.
- D. Members will assess the affected individual and determine, if possible, the circumstances responsible for the affected individual's current state, based on witness statements, members' observations on scene and other evidence such as drug paraphernalia.
- E. When members believe that the individual is suffering from a Medical Emergency caused by an opioid overdose, members will administer their department issued naloxone, unless Fire/EMS is already on scene. After the member administers the naloxone, the affected individual will be placed in the recovery position and members will monitor the individual's condition.
- F. If an individual experiences a negative allergic reaction to naloxone, members will seek the appropriate medical assistance and provide first aid as necessary.
- G. If a member does not know whether the overdose is related to an opioid or a non-opioid substance, the member may administer naloxone.
- H. If the victim does not wake up within two (2) minutes, the member should re-assess the individual and decide whether an additional dose should be administered. Members may administer additional doses based on their training.
- I. If the affected individual becomes unresponsive; stops breathing; and/or has a weak pulse or no pulse, members will carry out the appropriate basic life saving measures.
- J. Members will inform the affected individual of the importance of receiving medical attention at the hospital or medical facility.
- K. If the individual declines medical transport, members should assess the individual and determine if the individual is an imminent danger to themselves or others. Members should determine whether an involuntary committal is warranted based on their investigation. An overdose, standing alone, may not meet this criterion.

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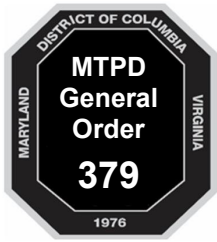
- L. If a member believes that the individual appears to have the capacity to make their own medical decisions and the individual declines medical transport, the individual will not be detained, absent other exigent factors.
- M. Members will request that the affected individual identify himself or herself on a consensual basis, absent a crime.
- N. Members may discard used naloxone dispensers in trash receptacles.
- O. Members can obtain additional naloxone at the MTPD Training Division through their chain of command.
- P. Members believing an MTPD K9 needs naloxone may administer naloxone to a K9 with the concurrence of the K9's handler.
- Q. Members will notify their supervisor as soon as practical whenever they administer naloxone, but prior to the end of their tour of duty.
- R. Members administering Naloxone will inform treating medical personnel of the time and dose.

100.5.2 Juvenile Procedures

- A. Members may administer naloxone as a life-saving measure to juveniles, whether a guardian is present or not.
- B. If naloxone is administered to a juvenile, the juvenile's legal guardian will be notified of its use as soon as practical but prior to the end of the tour of duty.
- C. Members will transport all juveniles who have been treated with naloxone to a hospital and/or medical facility unless the juvenile's legal guardian directs otherwise.

100.5.3 Naloxone Coordinator

- A. The Deputy Chief, Administrative Services Bureau, will appoint a Naloxone Coordinator.
- B. The Naloxone Coordinator will:
 - 1. Monitor and order the department's naloxone supply. Naloxone kits should be available at the Districts, CID and the Training Division
 - 2. Maintain logs of the number of naloxone kits issues to each member
 - 3. Coordinate any necessary training
 - 4. Preparing an annual report regarding the department's naloxone usage



100.6 RESPONSIBILITIES

This general order applies to all MTPD sworn members. There are no individual/position-related responsibilities outside of this general order and/or as described in the Department Procedures/Operations Manual.

100.7 DEFINITIONS

The following words and terms will have these assigned meanings.

100.7.1 Naloxone - Opioid antagonist used to reverse the effects of opioid overdose using a nasal spray device. By administering naloxone, commonly known by the brand-name Narcan, an opioid overdose is reversed as it displaces opioids from receptors in the brain.

100.7.2 Opioid - Class of drugs that includes the illegal drug heroin, synthetic opioids (i.e., fentanyl), and prescription pain relievers such as oxycodone, hydrocodone, codeine, morphine. Opioids are chemically related; they interact with opioid receptors in the body's nerve cells the body and brain and are often used in pain mitigation.

100.7.3 Opioid Overdose - An acute condition, potentially fatal, due to excessive opioids in the body, manifested by respiratory and/or central nervous system depression.

100.7.4 Naloxone Coordinator - A member of the MTPD Training Division, appointed by the Deputy Chief, Administrative Services Bureau, who will be responsible for overseeing the department's naloxone program.

100.8 REFERENCE

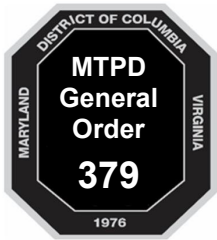
100.8.1 MD Code, Health General, 13-3108. Immunity from liability

100.8.1 Code of the District of Columbia 7-403. Seeking health care for an overdose victim.

100.8.1 Maryland Overdose Response Program, Educational Training Program Core Curriculum

100.9 RECORDS

100.9.1 N/A



100.10 APPROVAL

I hereby approve this general order and charge all named responsible for the implementation of this general order.

Approved:
Michael Anzallo
Chief of Police
Metro Transit Police Department

Date

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