

MINUTES
MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM
PUBLIC SECURITY COMMITTEE (PSC)

March 29, 2024

[Clerk's note: Except where noted, public, staff and board member comments are paraphrased. The full comment can be heard by reviewing the recording at the [MTS website](#).]

1. Roll Call

Chair Montgomery Steppe called the Public Security Committee meeting to order at 2:01 p.m. A roll call sheet listing Public Security Committee member attendance is attached.

2. Public Comments

There were no Public Comments.

3. Approval of Minutes

Board Member Hall moved to approve the minutes of the September 28, 2023, MTS Public Security Committee meeting. Board Member Donovan seconded the motion, and the vote was 6 to 0 in favor.

DISCUSSION ITEMS

4. Annual Security Report (January 1, 2023, through December 31, 2023) (Tim Curran)

Tim Curran, MTS Director of Transit Security and Passenger Safety, and Daniel Brislin, MTS Deputy Director of Transit Security and Passenger Safety, presented on the annual security report for the 2023 calendar year. They presented on: the overview of the department, security service area, trolley and bus crime statistics, assaults throughout the system, non-compliant arrests, fare inspections and citations, Narcan administrations, encampment details, ridership experience campaigns, Bus Enforcement Support Team (B.E.S.T.), outreach efforts, special enforcement, first responder awareness education, Security & Passenger Safety Community Advisory Group (CAG) 2024 priority items, and departmental updates for 2024.

Committee Comments

Board Member Gonzalez thanked staff for the report and asked if the homeless outreach team enforced citations for loitering. Mr. Curran answered that no enforcement is done from inspectors on loitering. However, the outreach team promotes homeless services and resources to those in need. Board Member Gonzalez asked how they proactively coordinate with other agencies to remove illegal encampments across MTS properties. Sharon Cooney, MTS Chief Executive Officer, explained that the agency is in constant communication with other agencies regarding encampment locations, depending on the location, the department designates a team to provide support and remove the encampment. Board Member Gonzalez encouraged the continued coordination with partner agencies to address encampment issues and commended the future supply of Narcan with contract security. Mr. Curran stated that management is discussing supplying contracted security with Narcan due to the rising demand.

Chair Montgomery Steppe asked about the security details conducted for fare validation and if the data presented captured the 2023 calendar year. Mr. Curran responded that it did. Chair Montgomery Steppe asked how the percentage for fare evasion was calculated and how patrons that had interest in purchasing a fare were included in the evasion rate data and asked that the information become available. Mr. Curran responded that the evasion rate percentage was a calculation between the amount of fare citations, PRONTO validations and fares purchased in the PRONTO machines. Any patrons with interest in purchasing a fare would fall under fares purchased.

Chair Montgomery Steppe suggested that staff bring forward the American Public Transportation Association (APTA) Peer review recommendations to reassess their initial review of the implementations and have that topic be agendaized for both the CAG and PSC. She asked the committee to share any priority items that they would like the CAG to review. Board Member Hall requested the CAG discuss reasonable enforcement for fare evaders.

Board Member Rodriguez asked if MTS works with Caltrans to address encampments along the rail corridor. Mr. Curran confirmed that the camp team works directly with Caltrans to clear camps. Board Member Rodriguez asked if the camp team participated with the First Responder Awareness education team. Mr. Curran will discuss future opportunities for involvement of the camp team with the First Responder Awareness Team and Caltrans.

Board Member Dillard recommended that the upcoming CAG meetings also discuss options for patrons who have received continuous citations from Transit Enforcement and what they would consider appropriate action for offenders with multiple citations. Board Member Dillard was concerned that compounding citations could affect a fare evader's record or credit in the future and would keep them in a cycle of crime and possible financial instability. Karen Landers, MTS General Counsel, mentioned she has been in contact with a member of the CAG who works with the Public Defender's Office and the homeless outreach court. Staff can work to prepare a presentation showing the resources available for patrons that have acquired numerous citations. Board Member Dillard supported the presentation to avoid any possible inequities. Ms. Landers added that the current MTS Diversion Program provides for citation forgiveness through community service hours in lieu of the fine, and she noted that staff could present on the Diversion Program at future CAG and PSC meetings.

Chair Montgomery Steppe also asked that CAG contribute feedback related to the Diversion Program.

Board Member Gonzalez added that the CAG Committee should have proactive involvement on recommendations regarding Transit Enforcement, and noted how it would be helpful to hear their ideas since these have mostly been delivered by staff.

Action Taken

Informational item only. No action taken.

5. Fare Evasion and Special Enforcement Details (Karen Landers and Tim Curran)

Karen Landers, MTS General Counsel, and Mr. Curran presented on Fare Evasion Special Enforcement Details. They outlined: Special Enforcement Projects in reference

to Fare Evasion, data analysis after the special details are enforced and the process Code Compliance Inspectors follow to begin fare inspection in stations, PRONTO education efforts, PRONTO data analysis from prior years up to the beginning of the Diversion Program, and ridership experience campaigns. They also presented the next steps on the analysis of the Diversion Program and noted that SDSU Graduate Program students are currently working on a Capstone Project focused on the MTS Diversion Program.

Committee Comments

Board Member Gonzalez acknowledged that the data gathered from the program raises the question of whether it is generating an increase on patrons not paying their fare before boarding. Board Member Gonzalez asked MTS staff if they will be providing recommendations to change the outcome. Ms. Cooney confirmed that after staff receives feedback from CAG, staff will present a recommendation to the PSC and noted that MTS supports the continued Diversion Program. Board Member Gonzalez said he looks forward to additional ideas and questioned if there was a possibility of offering an on-the-spot fare payment with a higher toll before a citation is provided. Ms. Landers said that it has been considered and that at one point MTS did not have the technological ability to do a change like that example, but now the PRONTO system has improved, and that the option of a higher on-the-spot fare could be implemented. Ms. Cooney mentioned that part of the problem with offering on the spot purchases is that riders usually choose to walk away instead of purchasing a fare.

Chair Montgomery Steppe asked what the percentage of folks that walk away without paying a fare is. Ms. Landers replied that she did not have the data in front of her and that she would follow up with the requested information.

Board Member Hall asked if the department initiated enforcing fares before boarding, what the data analysis would be. Ms. Landers acknowledged that previously, the agency had a 3% fare evasion rate. Now that the agency does not enforce fares, data suggests that patrons are realizing there are no repercussions for not having a fare. Ms. Cooney referenced the previous MTS fare system, Compass, that also required validation prior to boarding. Ms. Cooney shared that the marketing team continues to work on education efforts. Ms. Cooney noted that now it is time to become more stringent in the fact that patrons must validate their fare or deboard. Board Member Hall requested to have a financial analysis on fare revenue in the case that enforcement increases and what that percentage would be. Board Member Hall referenced Part 1 and Part 2 crime incidents and asked if there was a possibility to review how many of these patrons that commit crimes have paid their fare. He asked if it was possible to issue a service ban from the system. Mr. Curran responded that the priority of the Code Compliance Inspectors is to clear the incident, provide aid, keep patrons safe and let the transportation continue its course. After the incident, the security team will provide citations to each party involved. Board Member Hall mentioned the crimes happening are a concern, and he encouraged monitoring patterns of patrons who commit crimes and evade fare and consider a service ban with an appeal process for the ban.

Board Member Dillard feels that allowing patrons the opportunity to walk away does not allow for accountability. Ms. Landers clarified that after encountering a patron without a valid fare, the Code Compliance Inspectors deboard the patron and advise that they are not free to leave until a citation has been issued. After this interaction, the patron has the

option to participate in the Diversion Program by paying a fine, performing community service or appealing the citation. The goal is that once a patron has experienced this repercussion, they would be motivated to pay their fare to avoid going through the program again. Mr. Curran added that the security team performs de-escalation tactics. He stated that if an interaction creates an unsafe environment, security will act, otherwise, they allow folks to walk away. Board Member Dillard thanked staff for the presentation and clarification of the program.

Board Member Rodriguez referenced the PRONTO data graph and asked staff about the correlation between low fare purchases in 2022 and early 2024. Ms. Landers stated that the 2022 data is not as precise since the program had only been active for six months since the analysis was performed. However, for this year, patrons have become comfortable with little to no repercussions when fare evading. Board Member Rodriguez recommended MTS to investigate the fare evasion issue by making public transit more accessible. He also suggested working with non-governmental organizations and cities to support public transit ridership subsidies to make transit as affordable as possible to residents.

Chair Montgomery Steppe provided historical context on MTS's Legislative Program - Priority 6, which is to support legislation that will eliminate the requirement of transit agencies to meet fare box recovery ratios and replace it with state or federal funding providing a sustainable mechanism to allow for free public transit. Chair Montgomery Steppe mentioned that prior to the Diversion Program, Transit Enforcement was issuing large amounts of citations. After the first SDSU Graduate program analysis on MTS fare enforcement, it was discovered that the majority of patrons were Hispanic or Black patrons with multiple infractions and were unable to continue with their lives due to the number of citations received. The discovery of this data informed MTS to make changes to their practices, including the creation of the Diversion Program. The main goal of the program is to provide reliable options for patrons that wish to avoid a fare citation impacting their record with the court system. Chair Montgomery Steppe stated that the program should be considered a middle ground for those patrons who do not comply with purchasing a fare. She noted it is important to acknowledge that change might also involve enforcement as long as order and compliance is honored, and good morale is maintained throughout the Transit Enforcement team. Chair Montgomery Steppe spoke about the customer satisfaction surveys received and changes MTS has made from receiving additional feedback from patrons and said that more informative data will come along after the delivery of the SDSU Graduate Analysis. Chair Montgomery Steppe thanked staff for the presentation and requested historical context from the last six years. Chair Montgomery Steppe recommended to finding the reason for why these numbers changed so drastically and looks forward to the CAG meeting for further discussion and recommendations.

Action Taken

Informational item only. No action taken.

6. For-Hire Vehicle Administration (Leonardo Fewell)

Leonardo Fewell, MTS Manager of For-Hire Vehicle, presented on For-Hire Vehicle Administration. He presented on: For-Hire Vehicle legal authority, MOUs with Cities, FHVA Budget, Permitted Vehicles, Taxi and Non-Taxi Permits Over Time, FHVA

Regulatory Responsibilities, Regulatory Responsibility from San Diego Sheriff's Department in correlation with FHVA, Driver's Badge, Vehicle markings and Permit Decals, Field Inspections and Benefits, Field Contact Statistics, Communication with Law Enforcement agencies, Taxicabs and Requests for Emergency Assistance, Wheelchair Accessible Vehicles, NEM and Charters, Low-Speed Vehicles, Jitneys and MTS Efforts to Assist the For-Hire Vehicle Industry, Emerging Issues, Driver Licensing and Contact Information.

Committee Comments

Board Member Rodriguez asked why Uber or Lyft vehicles are not considered under the same transportation category as taxicabs. Mr. Fewell responded that Uber and Lyft are a particular type of transportation regulated by the state and fall under the California Public Utilities Commission regulations. Board Member Rodriguez asked if there was a current state bill that would change Uber and Lyft to be considered under the same range as a For-Hire vehicle. Mr. Fewell responded that there were no current bills working towards adding local control over transportation network companies like Uber or Lyft. Board Member Rodriguez asked to confirm the amount of permits MTS provides. Mr. Fewell responded with 838 permits. Board Member Rodriguez made a comparison on the amount of vehicles Uber and Lyft have operating and noticed how they had an unfair advantage over the taxicab industry. He expressed interest in having MTS set up a legislative platform where there is a competitive playing field between transportation network companies and the taxicab industry in San Diego.

Action Taken

Informational item only. No action taken.

OTHER ITEMS

7. Committee Member Communications and Other Business

There was no Committee Member Communications and Other Business discussion.

8. Next Meeting Date

The next Public Security Committee meeting is scheduled for June 7, 2024, at 1:30 p.m.

9. Adjournment

Chair Montgomery Steppe adjourned the meeting at 3:39 p.m.

/S/ Monica Montgomery Steppe

Chairperson
San Diego Metropolitan Transit System

/S/ Jasiel Estolano

Committee Clerk
San Diego Metropolitan Transit System

SAN DIEGO METROPOLITAN TRANSIT SYSTEM
PUBLIC SECURITY COMMITTEE MEETING

ROLL CALL

MEETING OF (DATE): March 29, 2024 CALL TO ORDER (TIME): 2:01 p.m.

ADJOURN: 3:39 p.m.

REPRESENTING	BOARD MEMBER	ALTERNATE	PRESENT (time arrived)	ABSENT (time left)
Chair	Montgomery Steppe <input checked="" type="checkbox"/>	no alternate	2:01 p.m.	3:39 p.m.
Committee Representative	Dillard <input checked="" type="checkbox"/>	no alternate	2:01 p.m.	3:39 p.m.
Committee Representative	Donovan <input checked="" type="checkbox"/>	no alternate	2:01 p.m.	3:39 p.m.
Committee Representative	Gonzalez <input checked="" type="checkbox"/>	no alternate	2:01 p.m.	3:39 p.m.
Committee Representative	Rodriguez <input checked="" type="checkbox"/>	no alternate	2:01 p.m.	3:39 p.m.
Committee Representative	Hall <input checked="" type="checkbox"/>	no alternate	2:01 p.m.	3:39 p.m.

COMMITTEE CLERK: /S/ Jasiel Estolano