



1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
(619) 231-1466 • FAX (619) 234-3407

## Agenda

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM PUBLIC SECURITY COMMITTEE

September 24, 2020

9:00 am

“Meeting will be held via webinar\*”

To request an agenda in an alternative format or to request accommodations to facilitate meeting participation, please call the Clerk of the Public Security Committee at least two working days prior to the meeting. Meeting webinar instructions for the public can be accessed at the following link:

<https://www.sdmts.com/about-mts-meetings-and-agendas/other-committee>

#### ACTION RECOMMENDED

- |     |  |               |
|-----|--|---------------|
| 1.  | ROLL CALL  |               |
| 2.  | <a href="#">APPROVAL OF MINUTES – July 23, 2020</a>  | Approve       |
| 3.  | <u>Public Comments</u> – Limited to five speakers with three minutes per speaker   |               |
| 4.  | <a href="#">Transit Enforcement Outside Organizational Review (Sharon Cooney)</a><br>Action would receive a report on the process for the Outside Organizational Review and approve the creation and appointments to the Ad Hoc Steering Committee (Attachment A). | Approve       |
| 5.  | <a href="#">Women’s Safety and Public Transportation (Angelica Rocha, Circulate SD)</a>  | Informational |
| 6.  | <a href="#">Fare Evasion Diversion Program – Implementation Update (Karen Landers)</a>   | Informational |
| 7.  | <a href="#">Semi-Annual Security Report (January 1, 2020 through June 30, 2020) (Tim Curran)</a>   | Informational |
| 8.  | Committee Member Comments  |               |
| 9.  | Next Meeting Date – November 12, 2020  |               |
| 10. | Adjournment  |               |

Please SILENCE electronics  
during the meeting

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Metropolitan Transit System (MTS) is a California public agency comprised of San Diego Transit Corp., San Diego Trolley, Inc. and San Diego and Arizona Eastern Railway Company (nonprofit public benefit corporations). MTS is the taxicab administrator for seven cities.

MTS member agencies include the cities of Chula Vista, Coronado, El Cajon, Imperial Beach, La Mesa, Lemon Grove, National City, Poway, San Diego, Santee, and the County of San Diego.



## DRAFT

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
PUBLIC SECURITY COMMITTEE  
1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101

July 23, 2020

1. ROLL CALL

Chair Montgomery called the meeting to order at 9:04 a.m. A roll call sheet listing Public Security Committee members' attendance is attached.

2. APPROVAL OF MINUTES

Vice Chair Aguirre moved to approve the minutes of the May 14, 2020 Public Security Committee meeting. Ms. Galvez seconded the motion, and the vote was 4 to 0 in favor, with Mr. Arambula and Mr. Sandke absent.

3. PUBLIC COMMENTS

*Rosa Olascoaga* – Ms. Olascoaga from Mid-City CAN stated she is looking forward to the Fare Diversion Program and she is hoping to work together with MTS in moving away from the criminal court process and moving towards a civil process.

4. New Use of Force Policy – Draft (Scott Ybarrondo)

Scott Ybarrondo, Manager of Operations – Transit Enforcement, provided a presentation on the New Use of Force Policy. Mr. Ybarrondo introduced Debbie Eglin, a certified court use of force expert and a consultant on this project, who assisted in rewriting the MTS Use of Force Policy. He stated the Use of Force Policy is one of the most important policies not only for MTS employees, but also for the public. Mr. Ybarrondo pointed out that MTS is not a law enforcement agency, but the Use of Force Policy should be in compliance with all current laws that govern law enforcement agencies. Mr. Ybarrondo discussed the #8CANTWAIT campaign concepts that are included in the policy, along with two new laws in California, as well as other updates and clarifications. Mr. Ybarrondo stated that all employees will be trained on the new policy and will be given a policy knowledge test that will be kept in their training file.

PUBLIC COMMENTS

*Coleen Cusack* – Ms. Cusack stated she would like to see some reference in the Use of Force Policy regarding infraction contacts. She also mentioned there should be documentation on the retention period for body worn camera footage.

COMMITTEE COMMENTS

Ms. Galvez stated that she applauds the inclusion of the additional measures.

Mr. Sandke commented that he feels MTS is moving in the right direction.

Ms. Weber mentioned that she appreciates MTS taking a proactive approach and would like to

recommend when discussing AB 392 that the purpose of the bill is understood. Mr. Ybarrondo stated that it will be explained during training.

Chair Montgomery asked about guidelines regarding handcuffing. Mr. Ybarrondo stated handcuffing is not considered a use of force tactic and sometimes is done for officer safety. Chair Montgomery asked for more details regarding the knowledge test that will go along with training. Mr. Ybarrondo stated that this is still a work in progress, but the plan is to initially give the test to everyone after the training. He mentioned that defensive tactics and use of force training is done each year and this will be a recurring test during that training. Chair Montgomery asked if this test was for both MTS employees and contracted employees. Mr. Ybarrondo stated that it is for both. Chair Montgomery asked if there would be a need to update the Board Policy to accommodate AB 392 and the MTS Use of Force Policy change. Ms. Cooney replied that the Use of Force Policy is an internal standard and is not at the level of a Board Policy, which would require an approval. She stated that it could be taken to the Board for further discussion. Chair Montgomery suggested taking the policy to the full Board. Chair Montgomery also asked to receive a follow up on the knowledge test, its implementation and suggested MTS have a conversation with the National #8CANTWAIT campaign.

#### Action Taken

Informational item only. No action taken.

#### 5. Transit Enforcement Outside Organizational Review (Manny Guaderrama)

Ms. Cooney introduced this item and noted that with the committee's leadership, MTS would like to understand where it could enhance and/or improve practices in transit enforcement. Manny Guaderrama, MTS Director of Transit Enforcement, continued the discussion and provided a presentation regarding the Transit Enforcement Outside Organizational Review. Mr. Guaderrama discussed the purpose of the review, the scope of study, a proposal to contract with American Public Transportation Association (APTA) and reviewed APTA's process. Mr. Guaderrama stated there are other organizations that conduct similar reviews, such as the Police Executive Research Forum (PERF). He discussed the differences between these organizations and recommended moving forward with APTA for the review.

#### PUBLIC COMMENTS

*Coleen Cusack* – Ms. Cusack would like to see the scope of study extended to include the body worn camera policy and the community image.

#### COMMITTEE COMMENTS

Vice Chair Aguirre asked about the procurement process and if there were other agencies considered to conduct the study. Ms. Cooney stated the study is not being rushed and with the Boards direction, a further review could be done. Vice Chair Aguirre would like to see involvement of community and advocate members in this assessment process. Ms. Cooney stated that it would be important to use the Community Advisory Committee, a broad based committee set up during Elevate SD. Ms. Cooney asked Vice Chair Aguirre for input on specific individuals in the local community that MTS should include in the process. Vice Chair Aguirre stated that she would provide recommendations.

Ms. Galvez commented that industry support could add a lot more resources for the Transit

Enforcement Department.

Mr. Sandke feels that the selection of APTA as a place to start makes sense as they understand the environment in which MTS officers operate. He agrees with using MTS's internal Community Advisory Committee first, but also feels the more input the better.

Ms. Weber stated this is perfect timing to do an internal assessment. Ms. Weber inquired about the use of police officers to do fare inspections. Mr. Guaderrama stated that MTS is not recommending the use of police officers to conduct fare inspections.

Chair Montgomery feels the body worn camera policy should be reviewed during this process as well as the evaluation of fare citations issued to the homeless population. Chair Montgomery asked about the contract information related to camera footage availability from Allied Universal. Karen Landers, General Counsel, commented that the videos are available to MTS for investigations, to law enforcement and for any criminal court proceedings, but there is not a requirement in the contract to make it available to the public. Ms. Landers stated that this is something that can be changed in the new contract going forward. Vice Chair Aguirre asked to review a copy of the Allied Universal contract. Ms. Landers stated she would send Vice Chair Aguirre a copy of the current contract.

#### Action Taken

Informational item only. No action taken.

#### 6. Fare Diversion Program Implementation Update (Karen Landers)

Karen Landers, General Counsel, stated the target start date for the program is September 1, 2020. She then turned the presentation over to Samantha Leslie, Staff Attorney – Regulatory Compliance. Ms. Leslie stated it is a one year pilot program and continued with a summary of the diversion program details including eligibility, program options, citation envelopes, program forms and the online website design. Ms. Leslie discussed the data tracking and community service providers. Ms. Leslie stated the next steps would include advertising, finalizing the SOP, and providing training to staff.

#### PUBLIC COMMENTS

*Coleen Cusack* – Ms. Cusack commented that a lot of her clients do not have access to computers or the internet to upload documentation proof for appeals.

*Rosa Olascoaga* – Ms. Olascoaga asked for other resources to be made available for those who do not have access to the internet to upload documentation proof for appeals. She asked to have a mail in or drop off option at the MTS Transit Store. Ms. Landers replied that it could be incorporated into the program for people to submit proof via mail or drop off at the Transit Store.

#### COMMITTEE COMMENTS

Vice Chair Aguirre commented that she is very encouraged with the progress that is being made. Ms. Aguirre asked for clarification on how the appeal process would work. Ms. Landers stated the appeal process is something MTS already does informally and provided examples and processes currently in place.



Ms. Galvez commented on a job well done, stating she feels it is well written and likes the options included in the program.

Mr. Sandke stated this is great work in a short period of time and feels this program will be a great asset. He also commented that he does not want to lose site of the fact that this program is based on fare evasion. He stated that a programmatic way to fairly address these issues is needed and mentioned this program is definitely a step in the right direction.

Ms. Weber thanked everyone for all the hard work put into this program and is really impressed with all the data that will be collected during this time period.

Chair Montgomery is looking forward to seeing the data that will be collected as well as trying to bring a homeless outreach component to the program. Chair Montgomery asked if the option for riders to pay for a fare after deboarding requires an ordinance update and would that particular aspect be going into effect in September. Ms. Landers stated the intent is to train the officers on that option as part of the diversion program pilot and would be implemented at the same time.

#### Action Taken

Informational item only. No action taken.

#### 7. COMMITTEE MEMBER COMMENTS

No committee member comments.

#### 8. NEXT MEETING DATE

Next meeting date is scheduled for September 24, 2020.

#### 9. ADJOURNMENT

The meeting was adjourned at 10:28 a.m.

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Chairperson

Attachment: A. Roll Call Sheet

**PUBLIC SECURITY COMMITTEE**  
**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**

ROLL CALL

MEETING OF (DATE) July 23, 2020

CALL TO ORDER (TIME) 9:04 a.m.

CLOSED SESSION \_\_\_\_\_

RECONVENE \_\_\_\_\_

ADJOURN 10:28 a.m.

COMMITTEE MEMBER	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
AGUIRRE <input checked="" type="checkbox"/>	9:00 a.m.	10:28 a.m.
ARAMBULA <input type="checkbox"/>		
GALVEZ <input checked="" type="checkbox"/>	9:00 a.m.	10:28 a.m.
MONTGOMERY <input checked="" type="checkbox"/>	9:00 a.m.	10:28 a.m.
SANDKE <input checked="" type="checkbox"/>	9:21 a.m.	10:28 a.m.
WEBER <input checked="" type="checkbox"/>	9:00 a.m.	10:28 a.m.

SIGNED BY THE CLERK OF THE COMMITTEE:

Karen Wisniewski

CONFIRMED BY THE MANUEL GUADERRAMA:

M.E. Guaderrama



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## Agenda Item No. 4

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM PUBLIC SECURITY COMMITTEE

September 24, 2020

#### SUBJECT:

TRANSIT ENFORCEMENT OUTSIDE ORGANIZATIONAL REVIEW (SHARON COONEY)

#### RECOMMENDATION:

That the Public Security Committee receive a report on the process for the Outside Organizational Review and approve the creation of and appointments to the Ad Hoc Steering Committee (Attachment).

#### Budget Impact

None with this item.

#### DISCUSSION:

MTS has commissioned the American Public Transportation Association (APTA) to lead an organizational review of the MTS Transit Enforcement Department this fall. The purpose of this study would be to identify areas where the Transit Enforcement Department can improve its core business practices and incorporate any recommendations, as needed, in the final security contract.

This is an ideal time to perform a review in preparation of the Mid-Coast Trolley Expansion project and because MTS is currently seeking proposals for a new security contract. In addition, law enforcement agencies, local and across the country, are closely examining and rapidly changing their policies, procedures, deployment strategies, hiring processes and core functions. While the MTS Transit Enforcement Department is not a California Peace Officer Standards and Training (POST) certified law enforcement agency, the department does perform several law enforcement functions, such as fare enforcement, enforcement of certain state infractions and misdemeanors approved by the MTS Board of Directors, patron assistance, and security at MTS facilities.



The review would evaluate MTS law enforcement systems and practices compared to other similar sized public transportation systems. This review would analyze:

- Effectiveness of MTS CCIs and Contract Security structure to accomplish goals of the Department, and whether there is a need for a sworn law enforcement contingent
- The overall “organizational climate” of the Transit Enforcement Department, with an emphasis on identifying any biases
- Fare inspection practices
- The handling of personnel issues and employee discipline practices
- MTS Transit Enforcement video retention policies
- Standard Operating Procedures (SOPs) to include, but not limited to:
  - Use of force
  - Supervision
  - Staffing
  - Training
  - Enforcement tactics and procedures
  - Rules of conduct
- CCI training

APTA reviewers will combine a comprehensive review of documents with a site visit. The final deliverable will be a draft report which will be brought to this Committee for its review.

#### Public Participation in the Review

A strong public engagement component will be critical to the success of this review. MTS's Community Advisory Committee (CAC) was created to allow for meaningful dialogue with a wide range of community stakeholders and the people and interests that they represent. A webinar with the CAC on the topic of Transit Enforcement will be held in advance of the APTA review to lay the foundation.

In addition, the Public Security Committee is asked to create an Ad Hoc Steering Committee that would provide advice and assistance to the reviewers, and ultimately, to the Board of Directors. A recommended slate of nominees for appointment to the Steering Committee is attached.

/s/ Sharon Cooney  
Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)

Attachment: A. Organizational Review Ad Hoc Steering Committee Nominees

## Transit Enforcement Department Organizational Review Ad Hoc Steering Committee Nominees

**Eric Henson**

Policy Advisor, Office of Public Security Committee Chair Montgomery

**Hugh Muhammad**

Executive Director, I am My Brother's Keeper. Subject matter expert in public safety, loss prevention, security & emergency preparedness, non-violent physical crisis intervention. Community Emergency Response Team (CERT) instructor

**Megan Welsh**

Criminal Justice Professor, San Diego State University

**Michelle Kreug**

Differently-abled riders advocate

**Rosa Olascoaga**

Community organizer, Mid City CAN. Member of the SD Transportation Equity Working Group

**John Brady**

Advocate for individuals experiencing homelessness, Voices of Our City

**Gabe Gutierrez**

Chula Vista resident and frequent transit user, County of San Diego (HHSA)

**John “Andy” Reilly**

Retired police lieutenant, private sector security management experience. Certified instructor in behavior de-escalation curriculum

**Danielle Richardson**

Representative, Imperial Beach People's Alliance

**Dike Anyiwo**

Public Policy Advisor, San Diego Regional Chamber of Commerce

**Mitchelle Woodson**

Youth legal advocate, Think Dignity

**Jacquelyn Clark**

Lemon Grove Resident. Frequent transit user concerned about accessibility.

**Susan Bisom-Rapp**

Distinguished Professor in Residence (Fall 2020) California Western School of Law; Professor of Law Thomas Jefferson School of Law

# Transit Enforcement Outside Organizational Review

Public Security Committee

September 24, 2020

# Peer Review

- Hired the American Public Transportation Association to lead a peer review of MTS's security organization, processes and policies
- Reviewers will combine a review of documents with a combination of in person and virtual meetings
  - Creation of a Steering Committee to provide advice and assistance to the reviewers, Board
  - Kick off with the Community Advisory Committee: October 8
  - Steering Committee virtual pre-meeting with reviewers: TBD
  - Reviewers on site visit: October 26-30
  - Steering Committee virtual post-review meeting with reviewers: TBD
- Final report to be presented to the Public Security Committee

# Recommendation

Approve the creation of the Ad Hoc Steering Committee and approve the members listed on the attachment.





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## Agenda Item No. 5

### MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM PUBLIC SECURITY COMMITTEE

September 24, 2020

#### SUBJECT:

WOMEN'S SAFETY AND PUBLIC TRANSPORTATION (ANGELICA ROCHA,  
CIRCULATE SD)

#### INFORMATIONAL ONLY

##### Budget Impact

None with this item.

#### DISCUSSION:

Angelica Rocha, with Circulate San Diego, will provide a presentation on women's safety and public transportation.

/s/ Sharon Cooney

Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)



# Women's Street Safety at Nighttime

**Angelica Rocha**  
Planner  
Circulate San Diego





# Agenda

- ◇ Introduction
- ◇ Methodology
- ◇ Interventions & Recommendations



# Women's Safety Research – Why it Matters



**Kaitlin Curtice Wrote A Book**

@KaitlinCurtice



Women:

RT if you've ever walked through a parking lot with your keys between your fingers or pretended to talk on the phone because you felt unsafe.

♡ 81.3K 9:43 AM - Sep 27, 2018



💬 69.5K people are talking about this



# Women's Safety Research - Questions

- ◇ What are the barriers women experience when interacting with the built environment at nighttime?
- ◇ What factors influence a women's perception of whether a street is safe or unsafe at nighttime?
- ◇ What interventions might increase the likelihood of women using public transit at nighttime?





# Factors Influencing Women's Perception on Safety

- ◇ Visibility & Lighting
- ◇ Street Activity
- ◇ Mobility Connections/Trip-Chain



# Methodology

- ◇ Women's Walk Audit Series
- ◇ Online Survey





# Women's Walk Audit Series





# Women's Walk Audit Series

“I’m thinking, **how do I get through here as fast as possible.**”

“**The bus stop is scary.** I would take the bus if it **came more often.**”

“I would not walk down here **with headphones in.**”



# Women's Walk Audit Series

- ◇ Key Findings on Visibility & Lighting
  - ◇ Lighting is #1 concern
  - ◇ Lighting type influences women's perception of feeling safe
  - ◇ Line of sight – constructed barriers & vegetation



# Women's Walk Audit Series

- ◇ Key Findings on Street Activity
  - ◇ Discourse of public space from daytime to nighttime
  - ◇ Women were more uncomfortable walking through residential streets
  - ◇ Frequency of transit
  - ◇ Desire for commercial area with activity, closed and vacant commercial activity causes fear



# Women's Walk Audit Series

## ◇ Key Findings on Mobility Connections

- ◇ Streets without crosswalks are dangerous
- ◇ Pedestrians waiting to cross are not visible at nighttime
- ◇ Dense areas with tall buildings make it hard to orient yourself





# Women's Walk Audit Series

- ◇ Key Findings on Mobility Connections
  - ◇ Streets without crosswalks are dangerous
  - ◇ Pedestrians waiting to cross are not visible at nighttime
  - ◇ Dense areas with tall buildings make it hard to orient yourself as a pedestrian



# Online Survey Results



# Online Survey Results

What infrastructure improvement would have the largest impact on nighttime safety in your neighborhood?



**Lighting**  
48%



**Frequency of Transit**  
16%



**Maintained and Clear Sidewalks**  
12%



**Bike Infrastructure**  
8%

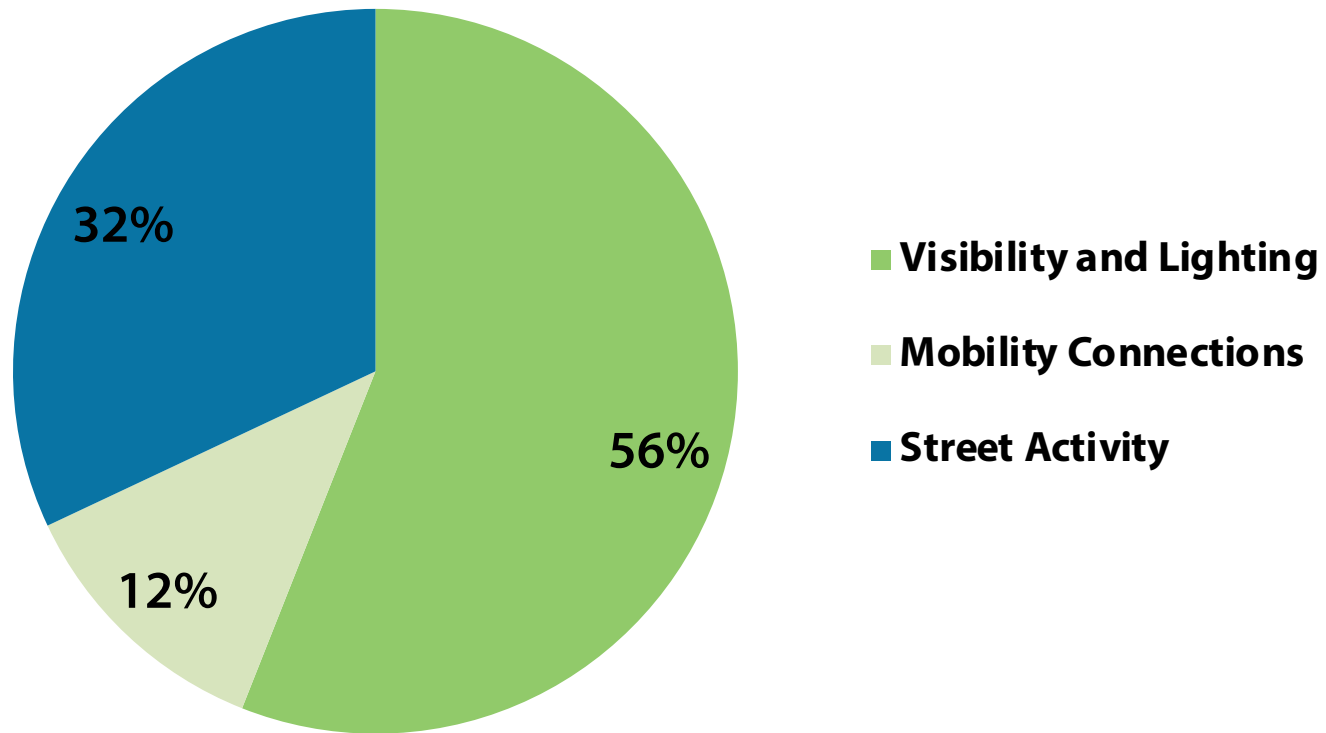


**Nighttime Businesses**  
4%



# Online Survey Results

**Which safety issue is of most importance in your neighborhood at nighttime?**



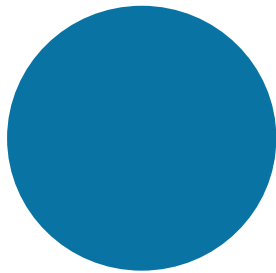


# Online Survey Results

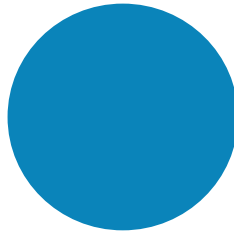
**Do you take public transportation at night-time? Why or why not?**

◇ Yes, 30%

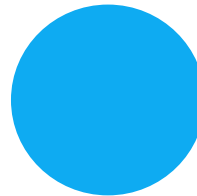
◇ No, 70%



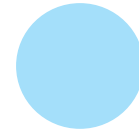
Frequency  
32%



Safety  
28%

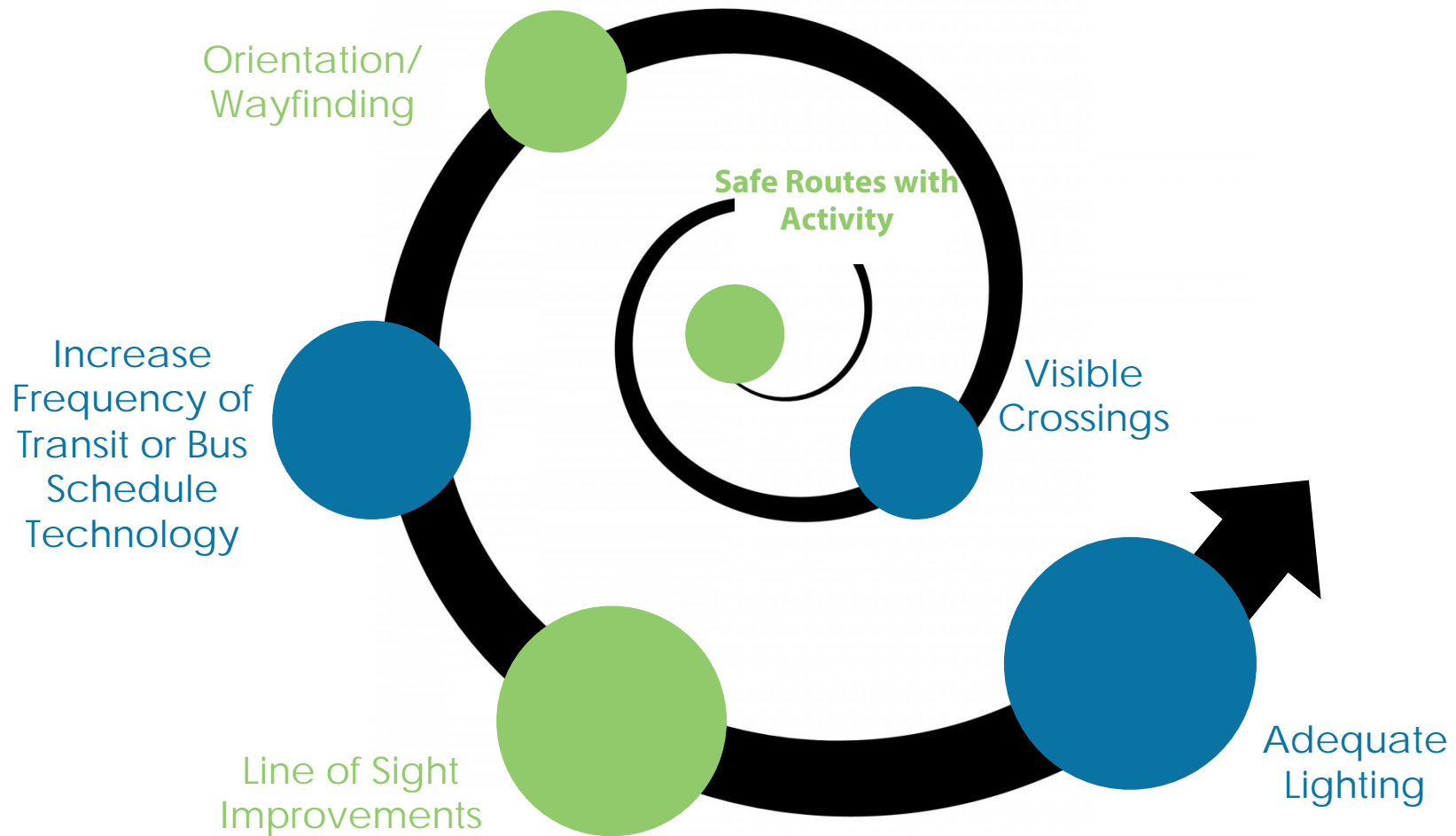


Ride Share  
16%



Length of Ride  
4%

# Creating Safe Streets for Women at Night



# Safe Routes with Activity





# Visible Crossings



# Wayfinding



# Increase Frequency of Transit





# Line of Sight Improvements



# Line of Sight Improvements

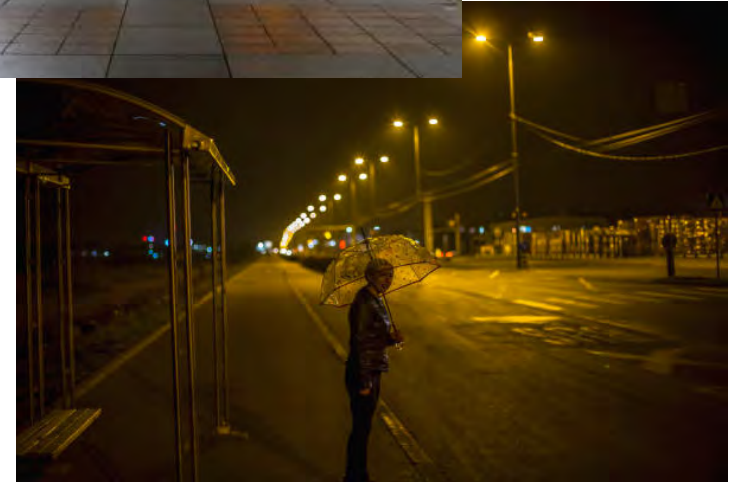




# Adequate Lighting



# Quick Build Solutions vs CIP Projects







# Thank you

**Angelica Rocha**  
[arocha@circulatesd.org](mailto:arocha@circulatesd.org)

@circulatesd  
[www.circulatesd.org](http://www.circulatesd.org)





# Funder Information

This program was funded partly by a grant from SANDAG and the City of San Diego





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## Agenda Item No. 6

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
PUBLIC SECURITY COMMITTEE  
September 24, 2020

SUBJECT:

FARE EVASION DIVERSION PROGRAM – IMPLEMENTATION UPDATE (KAREN LANDERS)

INFORMATIONAL ONLY

Budget Impact

None with this item.

DISCUSSION:

The Fare Evasion Diversion Program began on September 1, 2020. Staff will provide an implementation update for the Program.

/s/ Sharon Cooney  
Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)



# Fare Evasion Diversion Program - Implementation Update

Public Security Committee Meeting  
September 24, 2020

# Summary of Diversion Program

- Effective Sept. 1, 2020, if found without a valid fare:
  - You may pay for a valid fare on the spot; or
  - If you choose not to purchase a valid fare, then issued a citation
- In order to resolve citation/avoid court, you may complete one of the following diversion options:
  - Within 120 days, Pay \$25 at Transit Store;
  - Within 120 days, Perform 3 hours of Community Service
  - Within 15 days, appeal online if can show valid fare

# Implementation Update

## Citation Envelope

- Given by CCI when a passenger is cited for fare evasion
- Citation placed within the envelope
- Summarizes the diversion options
  - CCI describes options to passenger (de-escalation)

**This envelope contains a citation for not having a valid MTS fare.** 

You may be eligible to avoid court and receive a reduced penalty by resolving this citation directly with MTS. To take advantage, complete one (1) of the options in the green box within the listed time. After 120 days, the yellow box contains your only remaining options.

**MTS will hold, and not submit the citation to San Diego Superior Court if you participate in the Diversion Program. Here are your options to resolve this citation with MTS:**

- |                 |   |
|-----------------|---|
| Within 120 Days | <p><b>A. Pay a fine:</b> Within 120 days of date of citation, pay \$25 to MTS. Complete the form included in the citation's envelope and pay either in person (credit card, cash, check/money order) or by mail (check/money order only) at the Transit Store (1255 Imperial Ave, 1st Floor, San Diego CA 92101).</p> <p><b>B. Perform community service:</b> Within 120 days, perform 3 hours of community service at either of the below providers. Proof of completion will be emailed directly to MTS from community service provider.</p> <p><b>1. San Diego Food Bank:</b> Schedule at <a href="http://sandiegofoodbank.org">sandiegofoodbank.org</a>. Notify San Diego Food Bank when you arrive that you are completing community service for MTS.</p> <p><b>2. Homeless Court Program Provider (e.g. Father Joe's Villages):</b> Schedule by emailing <a href="mailto:sandiego@homelesscourtprogram.org">sandiego@homelesscourtprogram.org</a> or by calling (619) 717-6101. Anyone may participate.</p> |
| Within 15 Days  | <p><b>C. Appeal your citation:</b> If you can demonstrate that you had correct fare or that a ticket vending machine was broken, you may be able to appeal your citation to MTS. Appeals must be requested within 15 days of receiving the citation. If the citation is not dismissed after the appeal, you can still resolve it in one of the ways listed above within 120 days of issuance of citation. To submit your appeal, visit <a href="http://sdmts.com/diversionprogram">sdmts.com/diversionprogram</a>.</p>  |

**If you do not resolve this citation within 120 days with MTS, MTS will submit the citation to San Diego Superior Court for adjudication.**


- |                |  |
|----------------|--|
| After 120 Days | <p><b>A. Resolve in Court:</b> After 120 days, you must resolve this citation at court, as identified on the enclosed citation. Once filed in court, the presumptive fine is \$177.50 or more. Additional fines may be assessed for failure to appear or failure to pay by the required date.</p> <p><b>B. Participate in Homeless Court Program:</b> You may be eligible to receive help with your court case, fines or fees through the Homeless Court Program. If you participate and meet the requirements of an approved Homeless Court provider (e.g. Social Service organization), your court case may be resolved at Homeless Court. For more details, visit <a href="http://homelesscourtprogram.org">homelesscourtprogram.org</a>.</p> |
|----------------|--|

For more information, visit [sdmts.com/diversion-program](http://sdmts.com/diversion-program)



# Implementation Update

## Payment Form

 **Metropolitan Transit System**

1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-1498  
(619) 231-1400 • FAX (619) 234-3407

**FARE VIOLATION – DIVERSION PROGRAM**  
Pay Reduced Fine of \$25 within 120 days to Void Fare Violation Citation

**Section A. CONTACT INFORMATION (Please print legibly)**

Name \_\_\_\_\_  
Last First Middle  
Date of Birth \_\_\_\_/\_\_\_\_/\_\_\_\_  
Mailing Address \_\_\_\_\_ Apt. No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_ Phone No. (\_\_\_\_) \_\_\_\_\_  
Email Address \_\_\_\_\_  
(if provided, email will be used to send confirmation that the citation has been dismissed)

**Section B. CITATION INFORMATION**

A copy of your citation **MUST** be provided with this form. Call MTS Security at 619-595-4960 to request a copy.

1. Citation Number \_\_\_\_\_

2. Citation Date \_\_\_\_\_ (payment must occur within 120 days of citation date)

3. Please mark below the violation code section listed on your citation.

☐ MTS Ordinance No. 2 / Public Utilities Code 120450 - No Valid Fare

☐ Penal Code 640 (c)(1) – Fare Evasion

☐ Penal Code 640 (c)(2) – Misuse of Fare Pass

Citations with two (2) or more violations listed are **NOT** eligible for diversion. Citations for misuse of a reduced fare (Penal Code 640(c)(3)) are **NOT** eligible for diversion. Contact MTS Security at 619-595-4960 within 72 hours of being cited with valid proof of eligibility of reduced fare to have your confiscated pass returned and the citation voided.

**Section C. SURVEY (optional)**

Please provide the reason(s) why you did not have valid fare. Your responses are for informational purposes only, will not result in any additional enforcement actions, and will not have any effect on your participation in the Diversion Program.

\_\_\_\_ Forgot fare      \_\_\_\_ Lost Fare      \_\_\_\_ No time to buy fare  
\_\_\_\_ Cannot afford fare      \_\_\_\_ Took Chance / Risked It      \_\_\_\_ TVM broken  
\_\_\_\_ Thought fare was valid      \_\_\_\_ Did not know fare required      \_\_\_\_ Mobile Phone Died  
\_\_\_\_ Don't know how to buy fare      \_\_\_\_ Other: ( \_\_\_\_\_ )

**Section D. SIGNATURE**

I certify to the best of my knowledge that the information on this form is true and correct. I understand that a payment of \$25.00 to MTS will be charged/processed to void the fare violation citation.

\_\_\_\_\_  
Signature Date  
(Parent/Legal Guardian must sign if applicant is under 18)


**Section E. PAYMENT AND SUBMISSION OF FORM**

Return completed form, along with \$25.00 payment and copy of citation, in person (cash, credit card or check/money order) or by mail (check only) to: MTS Transit Store, 1255 Imperial Ave., 1st Floor, San Diego CA 92101. ID is required with check and credit card payments.

**Section F. FOR OFFICE USE ONLY**

Staff Initials \_\_\_\_\_ POS/Transaction ID \_\_\_\_\_ Date Payment Processed \_\_\_\_\_

## Appeal Form

 **LIMITED APPEAL REQUEST – DIVERSION PROGRAM**  
Submit an Appeal within 15 days to Void Fare Violation Citation

**Section A. CONTACT INFORMATION (Please print legibly)**

Name \_\_\_\_\_  
Last First Middle  
Date of Birth \_\_\_\_/\_\_\_\_/\_\_\_\_ Email Address \_\_\_\_\_  
(if provided, email will be used to send communications regarding your citation)  
Mailing Address \_\_\_\_\_ Apt. No. \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ Tel. (\_\_\_\_) \_\_\_\_\_

**Section B. LIMITED APPEAL BASIS**

CITATION NUMBER \_\_\_\_\_ CITATION DAY \_\_\_\_/\_\_\_\_/\_\_\_\_ CITATION TIME \_\_\_\_:\_\_\_\_ AM/PM  
(Appeal within 15 days of citation)

**VIOLATION:** Please mark the violation code listed on your citation (must be only one (1) of the following violations):  
☐ MTS Ord. 2/Pub. Util. Code 120450    ☐ Penal Code 640(c)(1)    ☐ Penal Code 640 (c)(2)

**APPEAL BASIS:** MTS will review an appeal based on **valid fare** or **broken ticket machine**.

☐ **Compass Card No.**  
(if your valid fare was on a Compass Card)    0 1 6 0 \_\_\_\_\_

☐ **Compass Cloud Receipt Order No.**  
(if your valid fare was on a Compass Cloud)    \_\_\_\_\_

☐ **Paper Ticket**  
(if your valid fare was on a paper ticket purchased on a bus or at a trolley station)  
Day \_\_\_\_/\_\_\_\_/\_\_\_\_ Time \_\_\_\_:\_\_\_\_ AM/PM  
Bus No.: \_\_\_\_\_ Bus Route \_\_\_\_\_ and  
Bus Stop: \_\_\_\_\_ or  
Trolley Station: \_\_\_\_\_  
Location of Machine (e.g. Northside of station): \_\_\_\_\_  
Ticket Machine No.: \_\_\_\_\_

☐ **Broken Ticket Machine**  
(if you attempted to buy a fare but ticket machine was broken, either on bus or at trolley station)

**APPEAL EXPLANATION:** Please describe why you are appealing.  
\_\_\_\_\_  
\_\_\_\_\_

**Section C. SIGNATURE**

I certify to the best of my knowledge that information on this form is true and correct. I understand that MTS will investigate the appeal to confirm I had valid fare and/or ticket vending machine was inoperable at the time of citation.

\_\_\_\_\_  
Signature Date  
(Parent/Legal Guardian must sign if applicant is under 18)

**Section D. SUBMISSION OF FORM**


Return completed form in person or by mail to: MTS Transit Store, 1255 Imperial Ave., Suite 100-A, San Diego CA 92101. You may also submit online at [sdmts.com/diversion-program](http://sdmts.com/diversion-program).

# Implementation Update

**Website:** *[www.sdmts.com/diversion-program](http://www.sdmts.com/diversion-program)*

## Diversion Program

- RIDER INFO
- HOW TO RIDE
- ACCESSIBILITY
- SAFETY & SECURITY**
- DIVERSION PROGRAM**
- JUVENILE DIVERSION PROGRAM
- SAFETY TIPS
- LAWS AND RULES
- POPULAR DESTINATIONS
- TRANSIT STORE
- PROMOTIONS
- TRANSIT STATION PARKING
- PUBLIC HEALTH



**Reload your  
Compass Card  
online!**

### Resolve your MTS Fare Citation

Effective September 1, 2020, certain fare violation citations may be resolved with MTS through a Diversion Program. Participating in the Diversion Program can save you money and time. You may be eligible to avoid court and receive a reduced penalty by resolving this citation directly with MTS. MTS will not submit your fare citation to court if you perform one of the below options.

**Eligibility Requirements:**

1. Type of Violation: Only fare violation citations are eligible for Diversion Program. This includes: MTS. Ord. 2, Pen Code 640(c)(1), Pen Code 640(c)(2)). If your citation lists two (2) or more violations or violation Pen Code 640(c)(3) "misuse of reduced fare", then the citation is not eligible for Diversion Program.
2. Date of Citation: Issued on or after September 1, 2020. Any citations issued before September 1, 2020 are not eligible for Diversion Program.

**Pay a Reduced Fine of \$25, within 120 days**

**Perform Community Service within 120 Days**

**Request a Limited Appeal within 15 days**

If you do not complete the above options within the prescribed time, MTS will submit your citation to San Diego Superior Court for adjudication. After 120 days, you must resolve this citation at court, as identified on the citation. Once filed in court, the presumptive fine is \$177.50 (including court fees) or more. Additional fines may be assessed for failure to appear or failure to pay by the required date.

# Implementation Update

## **Data Tracking**

- Tracking all eligible fare evasion citations that can participate in the diversion program and whether or not they participated
- Tracking in the field the result of all fare enforcement contacts by security (e.g. buying a fare, issued cite)

# First Impressions

- Limited data to make conclusive findings on the success of the Diversion Program
  - Still within the 120 day period to pay fine or complete community service.
- Of about 686 eligible citations issued as of 9/21/20:
  - 5 citations have been voided
    - 3 appeal requests, 2 payment forms granted
    - 1 appeal request and 1 payment form pending review



# First Impressions

- Concerning trends to track once more data is available:
  - Early data shows that about half of the citations issued are going to individuals that have received multiple cites
  - Early data shows that when Security finds someone without a valid fare, about half of those contacts are resulting in the person ignoring or not complying with the request to purchase a valid fare or receive a citation.
- Reviewing potential strategies to assist individuals with frequent fare evasion history
- If concerns are substantiated with further data, staff will provide recommendations at the next Public Security Committee Meeting, to address these areas.

Questions/Comments?



1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
(619) 231-1466 • FAX (619) 234-3407

## Agenda Item No. 7

MEETING OF THE SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
PUBLIC SECURITY COMMITTEE  
September 24, 2020

SUBJECT:

SEMI-ANNUAL SECURITY REPORT (JANUARY 1, 2020 THROUGH JUNE 30, 2020)  
(TIM CURRAN)

INFORMATIONAL ONLY

Budget Impact

None with this action

DISCUSSION:

This semi-annual security report covers the period from January 1, 2020 through June 30, 2020. Topics to be discussed will be the crime statistics for the calendar year and information regarding security and enforcement.

Transit Enforcement staff utilized the Automated Regional Justice Information System (ARJIS) database to obtain/identify Part I crimes that were possibly transit related. All law enforcement agencies in the San Diego region report their crime information to ARJIS and this is the most reliable data. Crime statistics where MTS staff was notified/involved are tracked and maintained in the MTS database (eForce). Once a crime was identified as possibly transit related, crime reports were obtained/reviewed to determine if there was a nexus to MTS.

/s/ Sharon Cooney  
Sharon Cooney  
Chief Executive Officer

Key Staff Contact: Julia Tuer, 619.557.4515, [Julia.Tuer@sdmts.com](mailto:Julia.Tuer@sdmts.com)



# TRANSIT ENFORCEMENT 2020 SEMI-ANNUAL SECURITY REPORT

January 1, 2020 through June 30, 2020

Tim Curran

Deputy Director of Passenger Safety  
and Code Compliance Department

September 24, 2020



# INTRODUCTION

## Transit Enforcement Components

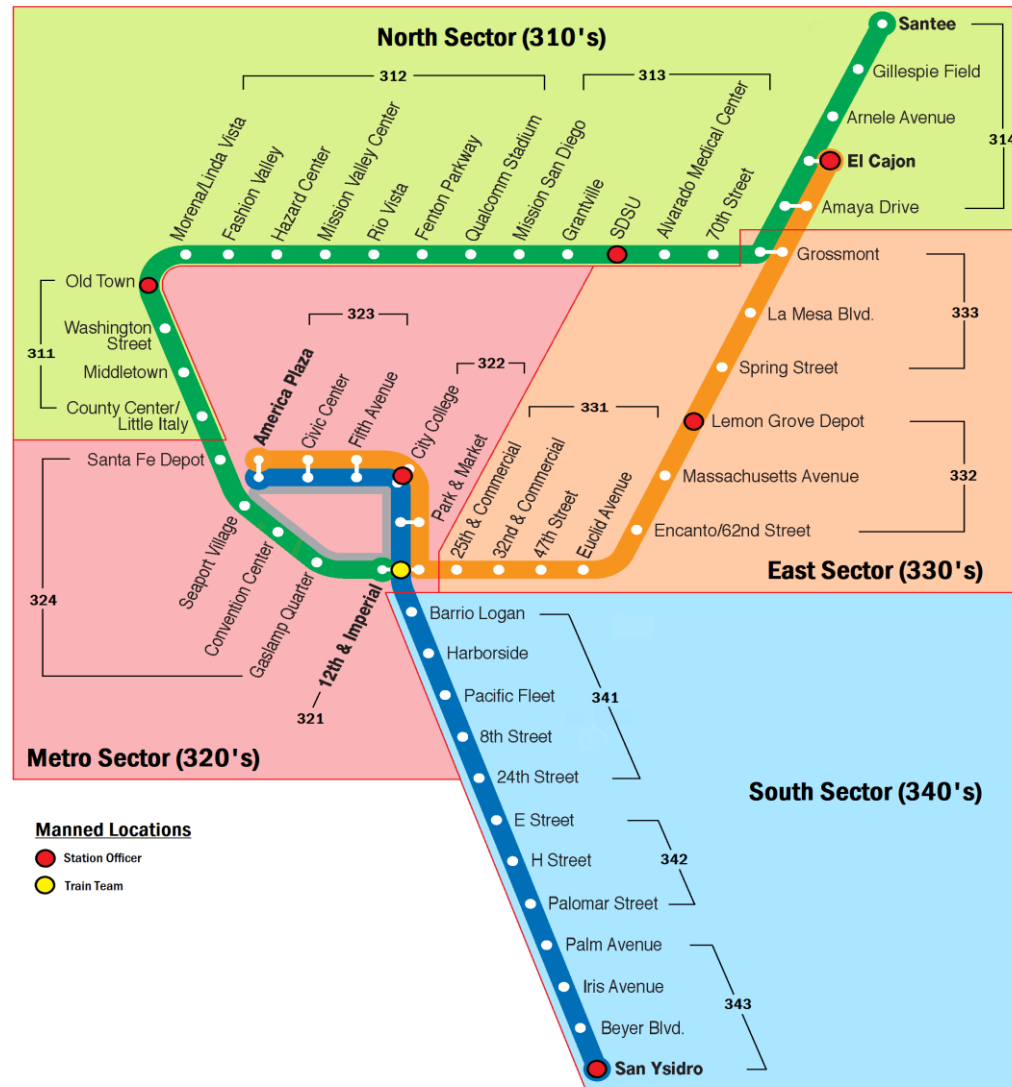
### **Code Compliance Inspectors**

- Public Officers with Powers of Arrest
- Highly visible uniform presence
- 64 Personnel

### **Contract Security Officers - Transit Systems Security**

- Private Person's arrest – 837 PC
- Highly visible uniform presence
- 158 Personnel
- 84 Armed

# MTS Sector/Beat Map



# Part I Reported Crimes: Trolley

## ARJIS Data vs. MTS Response

January through June

ARJIS Data

Part I Crimes	2019	2020
Homicide	0	0
Rape	0	*1*
Robbery	22	11
Aggravated Assault	25	24
Burglary	0	1
Larceny/Theft	52	43
Motor Vehicle Theft	25	17
Arson	1	2
<b>Total:</b>	<b>125</b>	<b>99</b>

MTS Response Data

Part I Crimes	2019	2020
Homicide	0	0
Rape	0	0
Robbery	7	8
Aggravated Assault	10	8
Burglary	1	0
Larceny/Theft	26	33
Motor Vehicle Theft	3	1
Arson	2	6
<b>Total:</b>	<b>49</b>	<b>56</b>

\* SDPD Case – inactive

# Part I Crimes Onboard/Arrests

January through June

## MTS Data

Part I Crimes	2019 Total Crimes	2020 Total Crimes	2019 Onboard	2020 Onboard	2019 Arrests	2020 Arrests
Homicide	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Robbery	7	8	1	3	3	4
Aggravated Assault	10	8	3	4	4	4
Burglary	1	0	0	0	1	0
Larceny/Theft	26	33	0	3	0	1
Motor Vehicle Theft	3	1	0	0	0	0
Arson	2	6	0	1	0	1
<b>Total:</b>	<b>49</b>	<b>56</b>	<b>4</b>	<b>11</b>	<b>8</b>	<b>10</b>



# PART I CRIMES BY SECTOR

January through June

ARJIS Data

	Metro	East Sector	North Sector	South Sector
Homicide	0	0	0	0
Rape	1	0	0	0
Robbery	3	3	0	5
Aggravated Assault	6	3	6	9
Burglary	1	0	0	0
Larceny/Theft	14	5	11	13
Motor Vehicle Theft	0	2	2	13
Arson	1	0	1	0
<b>Total:</b>	<b>26</b>	<b>13</b>	<b>20</b>	<b>40</b>



# MTS Reporting of Part II Crimes: Trolley

January through June

Part II Incidents	2019 Total Crimes	2020 Total Crimes	2019 Onboard	2020 Onboard	2019 Arrests	2020 Arrests
Drunkenness	11	13	1	1	11	12
Drug Abuse Violations	14	19	1	1	14	19
Other Assaults	47	34	15	14	30	20
Vandalism	173	251	70	105	13	14
Sex Offenses	1	6	0	2	1	1
<b>Total:</b>	<b>246</b>	<b>323</b>	<b>87</b>	<b>123</b>	<b>69</b>	<b>66</b>

# Copper Wire Thefts

January through June

There were two incidents of copper wire thefts:

Date	Location	Trolley Line
2/9/2020	S. 13 <sup>th</sup> St	A-yard
2/21/2020	Hill St/El Cajon Blvd	Orange line

# Calls for Service: Bus

January through June

Division	Calls for Service	
	<u>2019</u>	<u>2020</u>
• MTS Bus	69	90
• TransDev E. County Division	20	19
• TransDev S. Bay Division	47	76
	<u>Total:</u>	<u>136</u>

## Top Three Call Types:

• Disturbance Calls	83	133
• Assaults	35	25
• Vandalism	18	27



# MTS Response to Part I Crimes: Bus

January through June

Part I Crimes	2019 Total Crimes	2020 Total Crimes	2019 Onboard	2020 Onboard	2019 Arrests	2020 Arrests
Homicide	0	0	0	0	0	0
Rape	0	0	0	0	0	
Robbery	0	0	0	0	0	0
Aggravated Assault	1	3	0	1	1	2
Burglary	0	0	0	0	0	0
Larceny/Theft	4	7	1	2	0	1
Motor Vehicle Theft	0	0	0	0	0	0
Arson	1	0	0	0	0	0
<b>Total:</b>	<b>6</b>	<b>10</b>	<b>1</b>	<b>3</b>	<b>1</b>	<b>3</b>

# MTS Response to Part II Crimes: Bus

January through June

Part II Incidents	2019 Total Crimes	2020 Total Crimes	2019 Onboard	2020 Onboard	2019 Arrests	2020 Arrests
Drunkenness	2	0	0	0	2	0
Drug Abuse Violations	3	3	1	1	3	3
Other Assaults	11	11	7	7	4	4
Vandalism	34	58	8	20	2	7
Sex Offenses	0	1	0	1	0	1
<b>Total:</b>	<b>50</b>	<b>73</b>	<b>16</b>	<b>29</b>	<b>11</b>	<b>15</b>

# SECURITY & ENFORCEMENT

# Assaults

January through June

- MTS responded to 56 assaults (69 in 2019), both Part I and Part II, on both trolley and bus
  - 22 of those assault cases were on MTS employees (Security Officers, Code Compliance Inspectors, and Bus and Trolley Personnel)



# Fare Inspections and Citations

January through June

There was a 49.43% decrease in fare inspections and a 55.58% decrease in citations issued in 2020

	2019	2020
<b>Fare Inspections</b>	3,306,709	1,672,142
<b>Citations</b>	42,314	18,795

The top three citation violation charges are for Fare Evasion, Smoking and Failure to Comply.

	2019	2020	Percentage Change
Fare Evasion	36,592	16,624	- 54.57%
Smoking	1,862	361	- 80.61%
Failure to Comply	879	437	- 50.28%

# Special Enforcement Details Fare Evasion Rate: Trolley

The Code Compliance Department conducted 13 controlled SED's and 8 non-controlled SED's in 2020. The purpose of these details is to conduct fare inspections of all patrons onboard the trolley, enforce fare evasion and to determine the fare evasion rate.

	# of SED's	Total contacts	Total Fare Violations	Evasion Rate
Controlled SED's	13	21,305	600	2.82%

	# of SED's	Total Contacts	Total Fare Violations
Non-Controlled SED's	8	7,174	256

# SDM Inspections

January through June

	<b>Total Riders Inspected</b>	<b>Total SDMs Inspected</b>	<b>Citations</b>	<b>Warnings</b>	<b>Violation Rate</b>
Trolley	1,672,142	99,081	163	35	0.20%
Bus		1,695	1	0	0.06%

# Transient Encampment Details

Regular Transient Encampment and trespassing details were conducted to address illegal lodging and other nuisance/sanitation concerns on MTS properties. These details resulted in 698 Trespassing/Loitering citations (January through June).

- 56 of those citations occurred along the San Diego River in Mission and Fashion Valley.
- Transit Enforcement provided security during eight clean-ups for a total of 3,760 lbs. of trash and hard debris.

# Non-Compliant Arrests

There was a 31.3% decrease in non-compliant arrests in the first six months of 2020.

January through June

	CCI	TSS	Both CCI and TSS	Total
2019	11	59	301	371
2020	16	45	194	255

There was 1 unfounded Use of Force investigation.



# Ride Assured

“See Something, Say Something”

Month	Number of Texts	Late Responses	Percentage < 1 Minute
January 2020	368	24	93.48%
February 2020	361	9	97.51%
March 2020	340	22	93.53%
April 2020	184	11	94.02%
May 2020	316	15	95.25%
June 2020	300	3	99.00%
<b>TOTAL</b>	<b>1,869</b>	<b>84</b>	<b>95.51%</b>

# Training

## New Code Compliance Inspectors

Phase Training – 280 hours

- 3 weeks in classroom (added one additional week)
- 4 weeks with training officer in the field (two phases)

# Training

## Code Compliance Inspectors

### Yearly:

- De-Escalation/Tactical Communication Training
- Biased Based Policing/Diversity/Discrimination Training
- Defensive Tactics

### Every Two Years:

- First Aid/CPR
- Interaction with Disabled Persons
- These classes will be offered each year on an alternating basis.

# Training

## Code Compliance Inspectors

Bi-monthly:

- Briefing Training

As Needed:

- POST Supervisor Course
- POST Field Training Officer Course
- PC 832 Course

# TSS Security Officers

- 180 hours of training (160 in the field)

## FIREARMS

- 14 hours of firearms training (8 classroom, 6 range)
- Background check through FBI and DOJ
- Qualify every 4 months (Cannot exceed 6 months)



# Security Contract

Current contract expires on June 30, 2021

- Current contract is for 158 full-time positions
  - Armed Officers: 82
  - Unarmed Officers: 60
  - Supervisors, Management, Admin: 16
  - Current contract value - \$41,150,000 (five years)
  - Current armed officer pay - \$19.00/hour
  - Current unarmed officer pay - \$13.50/hour

# End of Presentation

Discussion/Questions?