

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

March 11, 2021

1. ROLL CALL

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

2. APPROVAL OF MINUTES

Mr. Hall moved to approve the minutes of the November 12, 2020 Public Security Committee meeting. Ms. Galvez seconded the motion, and the vote was 5 to 0 in favor, with Vice Chair Aguirre and Ms. Weber absent.

3. PUBLIC COMMENTS

James Anderson – Mr. Anderson is looking for support from the committee regarding training officers on mask policies.

Michelle Krug – Ms. Krug inquired how often the officer cameras are turned on and how accessible the body worn camera policy is to the public. She is also interested in MTS having a permanent Steering Committee and being a member of it.

4. Video System Procedures (Karen Landers)

Karen Landers, General Counsel, provided a presentation on the proposed video system procedures. She first noted, in response to the public comment, that the body worn camera policy is in the standard operating procedures and is available to the public upon request and includes when the officers need to turn on their cameras. Ms. Landers continued the presentation and reviewed the Video System Procedures document that was created as a result of the American Public Transportation Association (APTA) Peer Review Report. Ms. Landers stated the purpose of the document is to have all the information in one central location and to have it available to staff and the public. She stated the comprehensive document describes the different video systems MTS has and the different processes MTS goes through with the video systems. She continued to discuss the video systems, the recording protocols, authorizing access to video system, video recording storage and access to video recordings, video retention and record requests for video system recordings. Ms. Landers stated MTS would like to solicit feedback as the document is being finalized.

COMMITTEE COMMENTS

Ms. Galvez asked what it takes for an employee to mark specific video incidents. She also asked if the process was consistent and if employees knew how the system operated. Ms. Landers explained that it depends on the system, but that all employees that work on those systems know how to operate them properly. Ms. Galvez commented that it would go a long way to make passengers feel safer on public transportation if they knew about the cameras. She noted that passengers should understand that they have the right to request video to be retained and include a website or phone number for them to contact. Ms. Landers stated information could be added to the policy and language could be added to the website explaining the process. Ms.

Galvez then asked about the live feed access Memorandum of Understandings (MOUs) and if they were now in place for Chula Vista. Ms. Landers stated that the MOU has been executed, however Chula Vista is still internally deciding when they want to turn it on and still need to submit employee access authorization information.

Mr. Whitburn noted that the videos systems can be used for external law enforcement investigations and asked if there were parameters for that process. Ms. Landers clarified that any cooperation with law enforcement has to be authorized by MTS staff. Mr. Whitburn stated the number of cameras on the bus seem like a lot and asked if that was typical. Ms. Landers replied there are eight cameras including outside and inside of the buses. She noted that bigger buses have more cameras and are intended to provide a view of the entire bus to capture vehicle accidents and/or onboard passenger incidents.

Chair Montgomery Steppe inquired about a web portal or an email address in regards to intake process for video record requests. Ms. Landers stated that there is no video record request email but MTS does have a public records act email that goes to the legal department staff to review and process. Ms. Landers commented that MTS could add a section on how to request video and include contact information. Ms. Landers also stated that MTS could create a section on the website that talks about MTS video, how to request it and why it should be requested earlier rather than later.

Action Taken

No action taken. Informational item only.

5. Director's Security Update (Al Stiehler)

Al Stiehler, Director of Transit Security & Passenger Safety, introduced himself then proceeded to provide his presentation. He discussed enhancements made to deployments, the new Training Sergeant position, de-escalation and anti-biased policing training, and the partnership (including training) with Psychiatric Emergency Response Team (PERT). Mr. Stiehler went on to discuss overdose cases and deaths in San Diego and around MTS property. He mentioned how in a few cases medics used Naloxone (Narcan) to help save a person's life. Mr. Stiehler mentioned he would like to equip MTS code compliance officers with this life saving medication and stated that MTS has been certified to use Naloxone (Narcan). Mr. Stiehler mentioned that MTS is just in the research stage and still need policies, supplies and training. He is proud to announce that MTS has instituted their first bus operations support team called Bus Enforcement Support Team (BEST) and what that entails. He discussed staffing and what will be posted for the Mid-Coast expansion. Mr. Stiehler mentioned the debut of the new code compliance uniforms and the positive feedback received thus far from the current beta deployment. He concluded his presentation with the partnerships that he has been working on developing since his arrival.

COMMITTEE COMMENTS

Ms. Galvez welcomed Mr. Stiehler and asked that he add Chula Vista Police Department and their Homeless Outreach Team to his partnership development list.

Mr. Elo-Rivera inquired about plans on centering racial justice and equity on the day to day work in transit security and enforcement. Mr. Stiehler stated that one of the roles for the Training Sergeant will be to provide trainings to remind all the officers of their role in the community and

how we have to be better partners. Ms. Cooney commented that MTS has pre-COVID-19 data on who is riding the transit system and is trying to come up with a way to safely determine the demographics of the people traveling with MTS during COVID-19. Ms. Cooney mentioned one of the initiatives that MTS is working on is ensuring enforcement practices are equitable and non-discriminatory.

Chair Montgomery Steppe asked about POST certification and if there is a target number for how many certified officers MTS should have on staff. Mr. Stiehler stated that it would make MTS less dependent on local law enforcement for following up on major incidents, but that it is a big policy decision that has not been discussed yet.

Action Taken

No action taken. Informational item only.

6. Fare Evasion Diversion Program Update (Samantha Leslie and Karen Landers)

Ms. Landers introduced the presentation stating that MTS is still in the early days of the Diversion Program and with COVID-19, it is hard to put the data into context. She stated the goal is to get more people to take part in the program. Ms. Landers stated MTS is still gathering data and evaluating what this program means to MTS. She commented that the participation rate of this program is not an indication of the program and its success. Ms. Landers turned the presentation over to Samantha Leslie, Staff Attorney – Regulatory Compliance, who proceeded to give an overview of the Diversion Program and the data MTS is collecting. Ms. Leslie reviewed the data and results of the program to date.

Ms. Landers continued the presentation stating the program needs more people to participate. She stated MTS is not sure how much the COVID-19 pandemic is affecting participation in the program. Ms. Landers mentioned that MTS is trying to expand the existing pilot by submitting motions to dismiss to the court for citations that went to court after the 120-day period. Ms. Landers stated that MTS is looking into offering diversion for citations that were issued before the program was started. Ms. Landers mentioned that MTS is working with the Public Defender's Office to identify where MTS can participate and offer some post-conviction relief. She stated MTS is working with the Marketing department on conducting a ridership survey to collect data on current rider demographics and then work with a data scientist to make sure MTS is properly analyzing the data collected. Ms. Landers concluded her presentation with some next steps, which include developing new survey questions for code compliance inspectors and security officers to gain additional perspectives on the diversion program and developing more data gathering tools to help MTS evaluate the program.

PUBLIC COMMENT

Cris Sotomayor – Ms. Sotomayer stated how appreciative she is of the Diversion Pilot Program and hopes it will become permanent.

COMMITTEE COMMENTS

Ms. Galvez stated she would be interested in knowing where the individuals receiving multiple citations are heading to, such as school, work, shopping, etc. She is concerned with the large number of individuals who do not want to cooperate. She asked where the citations are being written and if these individuals are contacted for more than just fare evasion. Ms. Galvez asked

in regards to the refuse to cooperate contacts if those contacts were made onboard transit vehicles or sitting near a bus stop or platform. Ms. Landers stated it would have had to be in a paid fare zone or on a vehicle. Ms. Landers mentioned MTS may be able to work with the officers to potentially track whether contacts were onboard or in a station.

Mr. Elo-Rivera asked if there was any distinction between how a youth would be treated versus young adult/adults. Ms. Landers stated that MTS has a juvenile diversion program already in place. Ms. Leslie stated the juvenile diversion program is similar to the Fare Diversion Pilot Program and that the juveniles pay \$25 within 125 days and the citation does not go to court.

Mr. Whitburn asked what happens when a fare evader is detected and refuses to cooperate. Ms. Landers stated that the individual will have the opportunity to purchase a fare at that moment in lieu of being cited. She stated those that refuse to work with or cooperate with the officers mostly just walk away, but do not always leave the system.

Ms. Weber mentioned that she would like to see a breakdown of each city and the citations being issued in those districts. She stated it would be helpful to include that as a data point so MTS can be more focused on how to make improvements and identify who wants to utilize community organization assistance.

Chair Montgomery Steppe appreciates the next steps and appreciates MTS looking at the data set collected. She asked about the courts willingness to entertain the thought of having an automated program in the future. Ms. Landers stated that MTS asked the courts to do something a little more automatic and the response was that MTS could submit the motion to dismiss or the defendant could go to court with proof of completion of the diversion program. Ms. Landers stated that MTS will try to work with the individuals that have to go to court, but who also want to participate in the Diversion Program.

Action Taken

No action taken. Informational item only.

7. COMMITTEE MEMBER COMMENTS

There were no committee comments.

8. NEXT MEETING DATE

The next meeting date is scheduled for Thursday, May 13, 2021 at 2:00 p.m. [Clerk's Note: this meeting was subsequently cancelled and rescheduled to Friday, June 11th at 1:00pm.]

9. ADJOURNMENT

The meeting was adjourned at 3:21 p.m.

/s/ Paloma Aguirre
Vice Chairperson

Attachment: A. Roll Call Sheet

PUBLIC SECURITY COMMITTEE
SAN DIEGO METROPOLITAN TRANSIT SYSTEM

ROLL CALL

MEETING OF (DATE) March 11, 2021

CALL TO ORDER (TIME) 2:01 p.m.

CLOSED SESSION _____

RECONVENE _____

ADJOURN 3:21 p.m.

COMMITTEE MEMBER	(Alternate)	PRESENT (TIME ARRIVED)	ABSENT (TIME LEFT)
AGUIRRE	<input type="checkbox"/>		
ELO-RIVERA	<input checked="" type="checkbox"/>	2:00 p.m.	3:21 p.m.
GALVEZ	<input checked="" type="checkbox"/>	2:00 p.m.	3:21 p.m.
GLORIA	<input type="checkbox"/>	2:00 p.m.	3:21 p.m.
	WHITBURN <input checked="" type="checkbox"/>		
HALL	<input checked="" type="checkbox"/>	2:00 p.m.	3:00 p.m.
MONTGOMERY STEPPE	<input checked="" type="checkbox"/>	2:00 p.m.	3:21 p.m.
WEBER	<input checked="" type="checkbox"/>	2:26 p.m.	3:21 p.m.

SIGNED BY THE CLERK OF THE COMMITTEE:

Karen Wisniewski

CONFIRMED BY THE GENERAL COUNSEL:

Karen Cantor