

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

June 7, 2024

[Clerk's note: Except where noted, public, staff and Committee 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 1:33 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**

Committee Member Dillard moved to approve the minutes of the March 29, 2024, MTS Public Security Committee meeting. Committee Member Rodriguez seconded the motion, and the vote was 5 to 0 in favor with Committee Member Donovan absent.

**DISCUSSION ITEMS**

**4. Prevention and Deterrence of Lewd Acts on Public Transit (Karen Landers and Dan Brislin)**

Karen Landers, MTS General Counsel, and Daniel Brislin, MTS Deputy Director of Transit Security and Passenger Safety, presented on Prevention and Deterrence of Lewd Acts on Public Transit. They outlined: the definition of lewd acts, statistics on MTS reports under lewd acts from 2023 to April 2024, the barriers MTS faces with prosecution and accountability, how MTS as an agency acting on behalf of passengers would benefit the prosecution process if they could be positioned as a victim, and a pilot project with the San Diego City Attorney's Office.

**Public Comment**

There were no Public Comments.

**Committee Comment**

Committee Member Hall expressed his agreement with the topics presented and the pilot program underway. Committee Member Hall recommended opening this discussion as a statewide issue and involving politicians for their support to benefit all transit systems. He shared that in Santee, the sheriff's department uses a "No Trespass Agreement" form. Committee Member Hall recommended that MTS create a similar form to distribute to patrons committing these crimes as a preventive measure. Ms. Landers agreed and said that MTS has an exclusion policy in process, though not yet Board adopted, and stated the policy outlined the procedures, timelines, and circumstances adopted before revoking someone's riding privileges and emphasized the importance of having sufficient evidence to support conduct issues. She added that the review process might include additional steps for prosecution if necessary and if a case was deemed prosecutable, MTS could issue an exclusion order to revoke the individual's riding privileges. Committee Member Hall proposed using the "no trespass agreement" form as a backup for these cases, noting that in Santee, the form is valid for three years and recommended that MTS establish a time frame for the form's eligibility. Committee Member Hall

inquired whether Transit Security was verifying if individuals committing these offenses also had valid fares, and if not, suggested that they should be held accountable for this as well.

Committee Member Hall urged MTS to take proactive measures to hold patrons who abuse the transit system accountable for their actions and emphasized that certain individuals should be banned from using transit services and highlighted the committee's responsibility to respond to public demands for increased security to ensure safety is upheld.

Chair Montgomery Steppe thanked Committee Member Hall for his participation and made mention that MTS has allocated significant funds to address security concerns. Chair Montgomery Steppe asked how the video recording system would be utilized in the prosecution process for these cases, pointing out that MTS would need to act as the victim to present the evidence. Chair Montgomery Steppe inquired whether the discussed process had been tested in court. Ms. Landers reported that the San Diego City Attorney has agreed to support MTS with this plan. She had initially reached out to the City Attorney to inquire if a bill was necessary for MTS to be considered a victim on behalf of a patron and, after further discussions, the City Attorney's criminal team determined that a bill was not necessary for MTS to take action. Ms. Landers highlighted the need to change the mindset around pressing charges, noting that relying solely on a victim to press charges is not always practical and emphasized that Transit Enforcement often cannot pursue cases if the victim is unwilling to press charges. Ms. Landers stressed the importance of educating witnesses about MTS's commitment to addressing these issues and preventing recurrence. If necessary, with the victim's contact information and statement, MTS is hoping the agency can still prosecute a case as the victim.

Chair Montgomery Steppe acknowledged that the process can be particularly intimidating for those affected by such incidents. Committee Member Rodriguez asked about the differences between a lewd act, indecent exposure, and sexual battery. Mr. Brislin explained that a 314 in the California Penal Code refers to indecent exposure, which involves someone exposing themselves in public and potentially causing offense to others. He further clarified that a lewd act typically involves masturbation or any form of self-touching. Mr. Brislin also mentioned that there are different sections in the Penal Code associated with these acts, which pertains to sexual battery and involves physically touching another person in a self-gratification act, with a person being the victim.

Committee Member Gonzalez expressed curiosity about the process and wanted to understand how the data was collected and compiled. Mr. Brislin explained that every incident reported to MTS is documented in a narrative form and after the report is created, the Crime Analyst then tracks this data throughout the year. Sharon Cooney, Chief Executive Officer, added that this process only applied to cases that are reported, and there might be incidents that go unreported or are not witnessed. Committee Member Gonzalez raised a question regarding the possibility of knowing the gender of the victims involved in the incidents. Mr. Brislin responded that the gender of the suspects is known for each incident and stated that presenting the gender data to the committee could be easily done. Committee Member Gonzalez expressed the importance of taking a step back and focusing on the bigger picture, which is to expand transit ridership. Committee Member Gonzalez emphasized that the committee members have advocated for the system's expansion and affordability for riders, however, Committee Member Gonzalez stressed the need to prioritize safety, stating that incidents like the ones discussed were completely inexcusable and should not occur in a transit system. Committee Member Gonzalez expressed wholehearted support for ensuring a safer experience for residents and inquired how the program would be implemented across the various jurisdictions outside the City of San Diego. Ms. Landers informed that Mr. Brislin has been in contact with other jurisdictions and expressed

the hope of establishing a consistent process across the entire system. Mr. Brislin added that he plans to collaborate with the City Attorney responsible for misdemeanors and felony cases and emphasized the importance of interpreting the Penal Code and jury instructions to reach consensus throughout the county and with this, MTS's main goal would be to prosecute these cases in a similar manner. Mr. Brislin explained that in law enforcement, there are situations where a victim may prefer not to be involved in the process and with the proposed changes within MTS, the agency would be able to gather evidence, build a case, and submit to the City Attorney or the District Attorney for evaluation and potential prosecution. Committee Member Gonzalez asked about the scenario where a patron does not come forward with a complaint, but the incident is captured on the surveillance system. Mr. Brislin expressed optimism that with the approved measures, Transit Enforcement would be able to prosecute such incidents based on MTS surveillance footage, even if no victim or witnesses came forward. Committee Member Gonzalez expressed gratitude for the presentation and reiterated the importance of ensuring the safety of public transit.

Ms. Cooney discussed MTS's philosophy regarding incident reporting. She mentioned that if no one reports an incident but it is discovered through video footage or other evidence, it will be flagged and reported as a crime, even if the victims do not wish to testify. Committee Member Gonzalez asked if this policy would be implemented going forward. Ms. Cooney confirmed that this process has been in place for the past three years. Committee Member Gonzalez inquired if the incidents mentioned were included in the data presented during the meeting. Ms. Cooney responded that while the footage was under review for other reasons and a crime was identified during the review process, it would be reported. Committee Member Gonzalez thanked staff for the presentation and encouraged further discussion.

Committee Member Dillard expressed gratitude for the presentation and inquired about the availability of data on the mental state of the suspects involved in the crimes discussed and if the mental state of the suspects could potentially impact the prosecution process. Ms. Landers responded stating that the mental health status of the suspects in the data was unknown. Ms. Landers explained that speculating on such issues would be inappropriate, and it would ultimately depend on the evaluation of the incidents by the prosecutors during the pilot project and based on that evaluation, MTS would determine whether to proceed with the case, while also considering the importance of not tolerating unlawful conduct and learning from how to handle criminal prosecutions appropriately. Ms. Landers mentioned that currently, reported cases from MTS remain in the system without any further action being taken. Mr. Brislin agreed with Ms. Landers, stating that assuming the suspects have mental health issues would be speculative. He pointed out that it is unknown whether the suspects were under the influence, carried mental health issues, or were sexual predators during the crimes. Mr. Brislin emphasized that differentiating between these factors would be challenging, but the impact of the crimes would remain the same. Committee Member Dillard expressed concern that if the suspects tended to be unsheltered individuals, it would create difficulties in identifying the victims of these incidents and how they would be handled. Mr. Brislin acknowledged the challenge and explained that it is the responsibility of the investigators to gather identifiable information on the suspect, send it to the District Attorney or the City Attorney for review, and ultimately build a case or issue an arrest warrant. Mr. Brislin stated that the Data Analyst would assist in gathering information to determine if the suspect is a regular rider in the system. Committee Member Dillard thanked MTS staff for their responses.

Chair Montgomery Steppe asked if there was a specific timeframe or set date to provide information on the testing and training of the pilot program and whether it would effectively

address these types of crimes. Ms. Landers expressed her desire to begin testing the pilot program as soon as possible and potentially coordinate the training dates with the City Attorney's office in the next month. She also mentioned that the investigator position should be filled by next month. Mr. Brislin informed the committee members that the investigator position has been posted, and while they review candidates, himself and Mr. Curran are evaluating reported lewd acts and preparing them for presentation once confirmation is received that the cases can proceed with prosecution. Committee Member Dillard requested that MTS staff provide updates on this topic in the next meetings and expressed appreciation to MTS staff.

### **Action Taken**

Informational item only. No action taken.

## **5. Assaults on Employees (Tim Curran)**

Tim Curran, MTS Director of Transit Security and Passenger Safety, presented on Assaults on Employees with support from Brian Riley, Chief Operating Officer (Rail) and Jared Garcia, Manager of Safety (Bus). They presented on: assaults on CCI's (Code Compliance Inspectors), assaults on TSO's (Contract Security Officers), assaults on Trolley Operators, assaults on Bus Operators, assaults on other MTS employees, MTS Rail division training, MTS Rail active shooter and emergency SOP's (Standard Operating Procedure) and MTS Bus risk reduction program.

### **Committee Comment**

Committee Member Gonzalez referred to the previous agenda item and Committee Member Hall's comments and asked if there were other tools or options available in case there was no ability to prosecute, where MTS could voluntarily ban patrons from using MTS services in the future due to their criminal activities. Mr. Curran said MTS has previously prepared ban letters for certain individuals, aside from the possible criminal prosecution options available by the City Attorney or the District Attorney, the ban letters would be used for a frequent offender. Mr. Curran said these letters would be sent after all incidents and reports were documented and reviewed by the MTS Legal Counsel and after it is approved, the individual will receive this letter and will be banned for 60 days, 90 days, or up to a year from using the transit system. Committee Member Gonzalez asked if that option was only available after they were prosecuted and found guilty in court or if it was an available option regardless of prosecution. Mr. Curran added that it has been done numerous times even if there was prosecution or not, specifically with individuals that have violated transit rules many times and carry numerous citations and incidents that the agency has submitted to the courts. Ms. Landers added that MTS Legal staff has worked hand in hand with the Security Department to come up with a process like this even though the individual does not have a constitutional right to ride transit, but it is a public benefit. Ms. Landers noted that there is a heightened standard for people to use public transportation and if the agency were to arbitrarily ban someone from using it, that action could be subject to challenge and also does not represent MTS's mission statement. Ms. Landers added that before banning an individual from public transit, MTS would gather enough evidence to prove they were unduly interfering with transit operations and its safety and give the individual an opportunity to appeal; if the individual did not agree with the agency's decision, they could dispute the decision in court.

Chair Montgomery Steppe thanked MTS staff for the explanation.

Committee Member Hall asked if the quantity of incidents an individual is linked to was considered to take action or if there was a procedure being followed. Ms. Landers offered to

prepare a presentation on the Exclusion Policy and highlighted the extensive time and research invested to ensure the policy was practical and legally sound. Ms. Landers added that the policy was developed using documented cases that provide sufficient evidence and matched the severity of the incidents to support the bans and added that the main goal of the policy is to correct individuals conduct through specific time frame bans, making them aware of the repercussions of their actions to then regain the benefit to ride transit and for this to happen, individuals would need to prove that they will not repeat their offenses. Committee Member Hall asked if this exclusion policy was ever used for fare evasion. Mr. Curran responded no.

Chair Montgomery Steppe added that it would be challenging to utilize these options for fare evasion since there has never been enough delineation between these types of crimes relating to fare evasion. Chair Montgomery Steppe stated that it is necessary to enforce safety in order to protect riders when crimes like these occur as opposed to fare evasion which is considered more like receiving a speeding ticket while driving, hence receiving a civil penalty. Chair Montgomery Steppe asked Brian Riley, Chief Operating Officer (Rail), if there were any other solutions he heard were being utilized on a national level during his training visits to other states to mitigate the rise of these crimes in public transportation. Mr. Riley shared that during his visit to Cleveland, he attended a presentation covering assaults on employees prepared by the FTA (Federal Transit Administration) and shared that most of the transit systems are following de-escalation guidelines and offering de-escalation training. Mr. Riley added that for these types of crimes the situation becomes a challenge to enforce prosecution when there is no victim or someone who is willing to go to court and press charges; and that enables the suspect to continue. Mr. Riley says he thinks MTS as an agency is aligned with the measures and de-escalation focus like the addition of the risk reduction program for employee's other transit agencies are following throughout the United States regarding assaults on public transit employees. Jared Garcia, Manager of Safety (Bus), added that on the bus side of the agency, they are evaluating the vehicles and making sure they have the driver barriers as a protection for employees. Chair Montgomery Steppe thanked MTS staff for the presentation and for their efforts and acknowledged that unfortunately the number of assaults on employees was high and might increase compared to last year.

Committee Member Dillard asked if during the risk reduction program training offered to the bus employees, if there was any feedback gathered from the employees and if there was open communication available on how they feel the training prepared them since these incidents are very unpredictable. Mr. Garcia shared that every year bus operators have an eight-hour training focused on customer service and de-escalation training where breakout sessions are offered which include asking bus operators about their frustrations. Mr. Garcia responded that the training was updated yearly with different concepts and scenarios and mentioned that this year's focus was to update the training and include recorded interviews with veteran bus operators who share their experiences, how they interact with passengers and how they cope with difficult situations, making the training very powerful and easier to understand and promote empathy on the various types of communities bus operators serve and encounter on a daily basis.

Committee Member Dillard thanked Mr. Garcia for the updates on the training and agreed that feedback is valuable especially for employees that are on the front lines. Mr. Riley added that in the rail division, even though there are not many assault incidents within their employees, they acknowledge the importance of mental health and if an incident does come up, they make sure to have open communication with the employees and offer resources available to them.

Committee Member Dillard thanked Mr. Riley. Chair Montgomery Steppe thanked staff for the presentation.

### **Action Taken**

Informational item only. No action taken.

#### **6. Single Text Security Phone Number (Tim Curran and Mark Olson)**

Tim Curran, MTS Director of Transit Security and Passenger Safety, and Mark Olson, Director of Marketing and Communications, presented on Single Text Security Phone Number. They presented on: challenges MTS and patrons have faced with the Security Hotline, evaluation and selection of the single text security phone number, awareness campaign, tactics used to promote the security hotline, advertising, rider comments, next steps and 2024 Security Initiatives.

### **Committee Comment**

Chair Montgomery Steppe thanked staff for the presentation and asked if the calls were received by a live person. Mr. Curran responded yes. Chair Montgomery Steppe asked if there was a way to monitor the type of calls received. Mr. Curran responded they received various type of calls covering a multitude of reported incidents.

Committee Member Dillard thanked staff for the presentation and asked how the missed text messages or calls were handled. Mr. Curran responded that with the old system that was previously used as the security hotline, the calls or text were received through a smartphone. While the Dispatchers were in their stations, they usually look at their computer screen with their headset on and answer incoming calls; during their tasks, sometimes the phone would be on vibrate and the calls or texts couldn't be heard due to its vibration status or due to dispatchers monitoring their screen and this would create a missed call. Mr. Curran added that most of their calls were answered in less than a minute but mentioned that on rare occasions they were delayed. Member Dillard asked if there was any data showing the time frames where large number of calls or texts would be received. Mr. Curran said he did not have the information available but knew that the majority of calls and text messages are received during busy commuter hours, generally 6am to 9am and from 5pm to 8pm, and added that he can provide those numbers in the future. Member Dillard shared she had a family member living in Seattle that she would visit often and during her visits she would use the Link light rail for her commute and noticed that during Seattle rush hours, the sheriff's department would step on the trains, not really interact with the passengers but make their presence known to patrons. Member Dillard asked Mr. Curran how he felt about doing something similar to minimize passengers worrying about safety. Mr. Curran provided an overview of the procedures Code Compliance Inspectors (CCI) and Transit Security Officers (TSO) follow when situated in stations and how their presence is being tracked by the department by step-ons and step-offs. He explained that while a CCI or TSO is in a station and a train pulls in, part of their duties is to step on to that train, unless dealing with an incident, and make their presence known. Mr. Curran added that the same protocol was being followed by the Sheriff's department in North County. Ms. Cooney shared that previously MTS Transit Enforcement had support by a Joint Agency Task Force (JATF) supported by a federal grant that would pay the participating jurisdictions and offer support by riding the system and showing their presence on board Trolleys, buses and in stations on a regular basis and how bringing this support back has been a topic of conversation. Member Dillard asked if there was data available that showed if the safety issues minimized during the support. Ms. Cooney and Mr. Curran both agreed that there was a faster police response during incidents, more coverage during the busiest times of the day while the task force was in place and additionally helped law enforcement understand what Transit Enforcement dealt with on a daily basis while continuing to keep people safe and comfortable

while riding transit. Member Dillard recommended bringing that support back as additional safety and stated it would make a big difference by showing their presence to keep the calls to a minimum and maintain order.

Chair Montgomery Steppe thanked staff for the presentation and asked the Security & Passenger Safety Community Advisory Group (CAG) to contribute feedback on this topic.

### **Action Taken**

Informational item only. No action taken.

## **7. Fare Evasion Revenue Impact Analysis (Karen Landers)**

Karen Landers, MTS General Counsel, presented on fare evasion impact analysis with support from Israel Maldonado, MTS Director of Fare Technology, and Mike Thompson, MTS Deputy Chief Financial Officer. She presented on: fare evasion diversion program pilot, fare evasion rates and how to determine them, fare evasion rates- PRONTO data, concerning trends, revenue loss estimates, individual PRONTO card analysis and what the data reads, other research/outreach, diversion program modifications under consideration, and next steps.

### **Committee Comment**

Chair Montgomery Steppe thanked staff for the presentation and acknowledged it contained many valuable points, one of them being the shift in the revenue collection system from Compass to PRONTO. Chair Montgomery Steppe shared that she is a choice rider, very familiar with both the Compass and the PRONTO system and made mention that the revenue issues highlighted by Ms. Landers during the presentation demonstrated a change in the rider's behavior between the two systems. Chair Montgomery Steppe said that the Compass system allowed free transfers throughout the day with a day or monthly pass, making it more accessible for daily riders. Compared to the PRONTO system that only allows two-hour transfer windows which increased the cost for riders leading some to risk receiving an infraction, rather than purchasing an additional ticket to cover their ride. Chair Montgomery Steppe asked about the potential revenue impact of transitioning from an advanced payment system to a stored value system from an accounting perspective. Ms. Landers explained that currently, stored value is not recognized as fare revenue and if a patron purchases a pass but never uses it, the stored value will not be accounted for as fare revenue. Larry Marinesi, MTS Chief Financial Officer, added for clarification that stored value purchases are considered deferred revenue and not recognized as revenue in the data presented. Chair Montgomery Steppe emphasized the importance of distinguishing the two fare systems in the analysis. Ms. Landers commented that as far as fare revenue, patrons may have the idea that once they add funds to their accounts, they believe that MTS has the revenue of the purchased fares, when if their stored value is not being used each time a patron rides, MTS does not count with that revenue. Ms. Cooney added that previously, the stored value in the Compass system raised the same question on what to do with the funds in the accounts. Mr. Marinesi mentioned that if the patrons did not participate in the tapping process, the funds will sit in the accounts until they are used. Chair Montgomery Steppe asked about the impact on MTS revenue following the implementation of a two-hour transfer window compared to the previous system, noting that the agency is not receiving the same amount of money for tapped or untapped trips. Chair Montgomery Steppe highlighted that there are various ongoing discussions, including those on fare evasion and farebox recovery and while these topics are interconnected, they are very different, especially considering the agency's recent overhaul of its revenue system. Chair Montgomery Steppe mentioned the data presented helped clarify the differences among the fare systems and explains why the on-the-

spot payments present a challenge. Chair Montgomery Steppe asked what would happen to the patron if removing the on-the-spot payment was instituted and replaced with the \$25 fine. Ms. Landers responded that the patrons without a fare would receive a citation, be eligible to participate in the diversion program and have four months to pay the \$25 fine, do three hours of community service, appeal, or if the patron decides to not participate, the citation, would be sent to court. Ms. Landers added that in those circumstances there would be more citations issued due to many patrons currently not following public transit rules and instead choosing the on-the-spot payment option. Chair Montgomery Steppe asked from a practical perspective when the \$25 fine is not promoted as an option, acknowledging that there will be back and forth between the CCI that is giving the citation and the person that is receiving it, but mainly determining the difference between going straight to a citation or providing the opportunity to participate in the diversion program. Ms. Landers responded that a citation would take time and stated that it mainly relied on patrons understanding that the \$25 fine will be taken at that time from their account. If they do not present a fare, and if a citation does get issued and the diversion program is offered, there might be more of an understanding instead of receiving backlash from patrons when the \$25 fine gets taken from their account and how that may present an issue between the CCI and the patron now that they won't have a way to finish their ride compared to just paying \$2.50 for a ticket. Ms. Cooney added that at this time, the agency is trying to have open card payments ready to go before Comic-Con and if the agency focuses on programming the pay on the spot \$25 fine, the lengthy process raises a concern with timing for the upcoming events. Chair Montgomery Steppe stated that when it comes to prioritizing operations, timing should not be a reason to discard possible options due to a timing concern. Ms. Cooney stated that the main goal would be to try to implement this new process but not before providing the option to participate in the diversion program, while in the meantime try to surface the questions and concerns that will bring if the on the spot \$25 fine are followed. Chair Montgomery Steppe thanked MTS staff.

Committee Member Hall raised concerns about the \$25 fine and the extended payment terms of the Diversion Program. Committee Member Hall noted that credit card transactions incur a service charge of approximately 3-4%, which should be accounted for in a credit card payment. Additionally, Committee Member Hall suggested the possibility of a separate online payment portal for credit card or check payments and maybe reducing the \$25 fee to \$20 to cover the extra charge. Ms. Landers stated that the agency usually absorbs the credit card fees and is open to the board's direction on this matter. Committee Member Hall inquired about the annual cost to MTS for covering these fees. Ms. Landers explained that the Diversion Program is designed not as a revenue generator but to close loopholes and encourage fare payment, aligning with the agency's civil justice goals. Ms. Landers added that ideally, the usage of the Diversion Program would remain at a normal level, with people paying the \$25 fine once and then continuing to pay their fare regularly. Ms. Landers noted that after implementation, it would be necessary to evaluate if the \$25 fine is appropriate or if it might need adjustment. Committee Member Hall highlighted the data from the PRONTO analysis showing that some patrons have been caught without a fare over 51 times, indicating a disregard for transit revenue and suggested discussing measures to keep such repeat offenders off the transit system. Committee Member Hall also questioned if the fines might not be high enough to deter fare evasion and shared an observation from his PRONTO app, noting he had an unused \$8 fare from two years ago and did not really know how to use it. Committee Member Hall recommended the agency to consider escalating penalties for multiple violations and potentially issue exclusion letters to persistent offenders. Ms. Cooney acknowledged Chair Montgomery Steppe's point about the transfer window issue with the PRONTO system and stated that many patrons have realized they can make four trips for only \$2.50 and has observed this firsthand.



Ms. Cooney shared an observation during a trip of seeing patrons in waiters' uniforms in Pacific Beach likely using both a bus and Trolley to get home, risking fare evasion on the Trolley due to the cost. Ms. Cooney emphasized that this behavior often stems from patrons trying to maximize their household economics, rather than having a criminal mindset. Committee Member Hall emphasized that revenue must eventually become a focus and mentioned that credit card fees cost the agency around several hundred thousand dollars and that over the past two years, revenue losses have ranged between \$14 million and \$19 million. Committee Member Hall stressed the urgency to take action to prevent further revenue loss. Ms. Landers noted that the agency currently lacks the technical capability to manage repeat offenders effectively and stated that implementing such a system would be a significant effort and highlighted that other programs only offer diversion for the first-time offenders, with subsequent offenses resulting in escalating fines. Ms. Landers explained that while staff can run reports on individual PRONTO cards, inspectors in the field cannot determine if an infraction is a patron's first or fiftieth infraction. Ms. Landers expressed hope that future technological advancements would allow this to be integrated into the fare check system and added that one reason the diversion program does not track the number of infractions is a challenge of implementation and the ease with which patrons could cheat the system by switching PRONTO cards. Committee Member Hall mentioned that the possibility of getting contact information such as name, address etc. linked to the cards is possible. Ms. Landers mentioned that regular transit users may need to experience 1-2 diversion program penalties before realizing that evasion is not worth the risk. Ms. Landers emphasized that the PRONTO system provides an affordable option, covering all trip segments, and it is in the passengers' best interests to pay their fares. Committee Member Hall acknowledged the understanding of the budget and losses but expressed concern that, eventually, the budget will not match the revenue. Committee Member Hall stressed the need for immediate changes to avoid total chaos within the next two years.

Committee Member Rodriguez thanked MTS staff for their presentation and expressed feeling conflicted, echoing his colleagues' concerns, noting the disparity between those who consistently pay and those who do not. Committee Member Rodriguez emphasized the need to explore alternative revenue sources to reduce the cost of ridership while acknowledging the ongoing challenge of increasing transit usage to reduce the number of drivers and lower the carbon footprint. Committee Member Rodriguez viewed the increase in ridership from 34 to 38 million within a year as positive and encouraged MTS to continue finding ways to generate revenue to make transit more accessible for everyone.

Committee Member Dillard thanked staff for the presentation and agreed that the increase in ridership was positive and contradicted the local complaints she had received about low ridership on buses and Trolleys. Committee Member Dillard expressed disappointment about the financial losses and emphasized the need to take action. Committee Member Dillard inquired whether there had been a discussion about the unused funds on PRONTO cards, specifically if a time limit could be set for these funds to remain on the card and, if not used, whether they could legally be reclaimed by MTS as revenue. Ms. Landers responded that an analysis has not been conducted, but the primary concern with the suggestion was the customer service impact. Ms. Landers explained that some occasional riders load their PRONTO cards with funds in advance for future events, such as Padres games or events at Snapdragon Stadium, and expect those funds to remain available and implementing a time limit might also generate operational issues. Israel Maldonado, MTS Director of Fare Technology, thanked Committee Member Dillard for her question and noted that this is an issue many agencies with significant amounts of stored value are also grappling with, similar to the unresolved gift card regulations in California. Mr. Maldonado added that there has been ongoing communication among agencies regarding this matter, and it needs to be addressed not just at

the state level but nationally as well. Mr. Maldonado mentioned that some PRONTO cards have not been used for over two years despite having funds available, highlighting the importance of having these discussions. Ms. Landers mentioned that MTS does not typically provide refunds unless in extraordinary circumstances and stated that the issue is less about refunding money and more about the obligation to provide a future ride, which requires keeping the card active. Committee Member Dillard inquired if there was a limit on how much could be added to the card. Mr. Maldonado responded that the limit is \$300 per account, but the concern lies in how to handle balances that remain unused for extended periods. Committee Member Dillard observed that \$300 per account is a significant amount and suggested that if there is no benefit or discount for prepaying beyond the monthly amount, there should be a cap if funds remain unused for 60 to 90 days, with the goal of encouraging patrons to use their funds. Ms. Landers suggested discussing the matter with the finance team and preparing a presentation on the deferred income from stored value, the amount, and the potential next steps. Ms. Landers added that it might not directly address the fare evasion issue but would focus more on how the stored value within the PRONTO fare system could be managed. Committee Member Dillard expressed concern about the unresolved issues related to revenue losses and urged the need for solutions that are both legally sound and beneficial in mitigating the negative impacts and recommended further discussion on the topic.

Chair Montgomery Steppe expressed support for the two-hour transfer window offered by the PRONTO system and the \$25 fine for fare evasion. Chair Montgomery Steppe emphasized the need for policy changes and review, acknowledging that some aspects of the program may currently be ineffective.

#### **Action Taken**

Informational item only. No action taken.

#### **OTHER ITEMS**

##### **8. Committee Member Communications**

There was no Committee Member Communications and Other Business discussion.

##### **9. Next Meeting Date**

The next Public Security Committee meeting is scheduled for September 20, 2024, at 1:30 p.m.

##### **10. Adjournment**

Chair Montgomery Steppe adjourned the meeting at 3:44 p.m.

/S/ Monica Montgomery Steppe

/S/ Jasiel Estolano

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Chairperson  
San Diego Metropolitan Transit System

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Committee Clerk  
San Diego Metropolitan Transit System

Attachment: Roll Call Sheet

SAN DIEGO METROPOLITAN TRANSIT SYSTEM  
PUBLIC SECURITY COMMITTEE MEETING

ROLL CALL

MEETING OF (DATE): June 7, 2024 CALL TO ORDER (TIME): 1:33 p.m.

ADJOURN: 3:44 p.m.

REPRESENTING	BOARD MEMBER	ALTERNATE	PRESENT (time arrived)	ABSENT (time left)
Chair	Montgomery Steppe <input checked="" type="checkbox"/>	no alternate	1:33	3:44
Committee Representative	Dillard <input checked="" type="checkbox"/>	no alternate	1:33	3:44
Committee Representative	Donovan <input type="checkbox"/>	no alternate	ABSENT	ABSENT
Committee Representative	Gonzalez <input checked="" type="checkbox"/>	no alternate	1:33	3:44
Committee Representative	Rodriguez <input checked="" type="checkbox"/>	no alternate	1:33	3:44
Committee Representative	Hall <input checked="" type="checkbox"/>	no alternate	1:35	3:44

COMMITTEE CLERK: /S/ Jasiel Estolano