

Sound Transit Fare Enforcement Action Plan

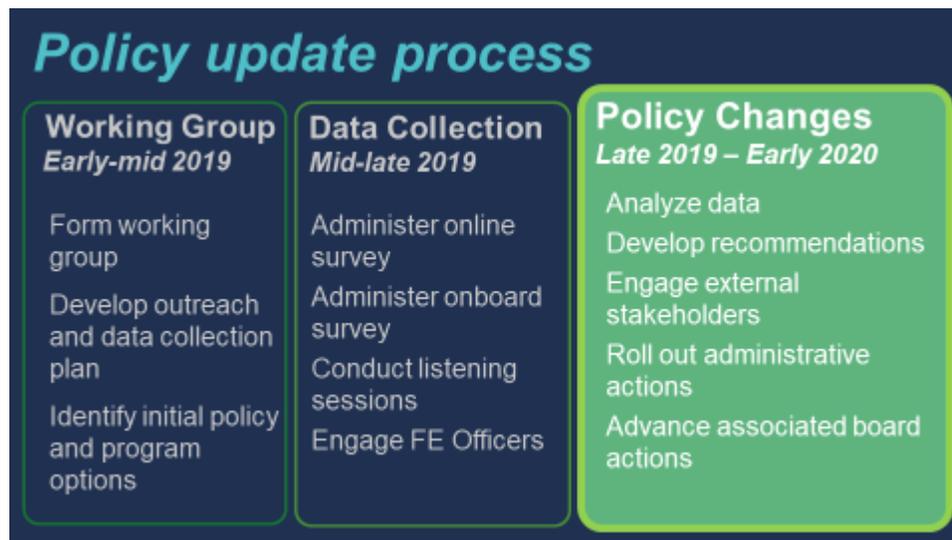
March 2020

1 INTRODUCTION

1.1 Overview

As part of Sound Transit’s continuous improvement process and based on community concerns, the organization set up an internal interdisciplinary workgroup to evaluate current fare enforcement policies, procedures, protocols, and gather community feedback to identify where improvements should be made.

As part of this process, Sound Transit identified a vision, mission and objectives for the interdisciplinary workgroup. These principles have guided the information gathering, proposal development and evaluation. Below is the timeline and key milestones of the work.



1.1.1 Vision

A system where everyone taps—where everyone who has fare media can get to where they want to go, and everyone who needs fare media can get access to it.

1.1.2 Mission

To understand the impacts of our current program and develop recommendations that provide an equitable and customer-focused experience, including safety for all riders, and integrity of decision making, while ensuring strong financial stewardship of taxpayer dollars.

1.1.3 Objectives

- Sound financial stewardship, as indicated by high fare payment rates, low evasion and exceeding farebox recovery minimums.
- Equity and fairness to our riders, stakeholders, community members and taxpayers.

- Continuous improvement that is measurable and accountable.
- Uphold Sound Transit’s values of Customer Focus, Integrity, Inclusion and Respect, and Safety.

1.2 Workgroup Members

The workgroup included leaders from all of the key departments that intersect with fares and fare enforcement. The group included members from the following Sound Transit Departments:

INTERDISCIPLINARY WORK GROUP	
Passenger Experience	Public Safety (Operations)
Equity and Inclusion, including Title VI	Research and Innovation (PEPD)
Finance	Govt and Community Relations
Business/Labor Compliance	Communications
Legal	Office of the CEO
Operations	

1.3 Evaluation Criteria

The interdisciplinary workgroup translated the vision, mission and objectives into several criteria to help evaluate each proposal which directed proposal prioritization and recommendations. The criteria are:

- Racial equity
 - What results related to racial equity are we aiming for in this proposal?
 - Who are the communities of color who will benefit?
 - What are the possible unintended negative consequences if implemented?
- Customer-focused experience
 - Does this proposal make all customers feel welcomed, respected, supported, and valued?
 - Does this proposal prioritize customer service?
 - Is this proposal easy to understand, and does it work with other programs in region?
- Safe for all riders
 - Does the proposal increase security for all riders?
 - Does the proposal increase the feeling of security for all riders?
- Additional criteria

- Short or long-term implementation.
- Expands access to fare media to those who currently find it inaccessible.
- Maintains fare evasion rates.
- Cost to implement - upfront and ongoing.
- Additional personnel needs.
- Maintain fare box recovery.
- Community support.

1.3.1 Definitions

Some of the criteria required definitions for a common understanding for evaluation purposes.

- **Security:** Customers should expect an experience void of harassment or threat of violence.
- **Inclusion:** Involvement and empowerment, where everyone feels welcomed, respected, supported and valued.
- **Racial Equity:** Acknowledgement of historical inequity based on race, where race no longer determines one's socioeconomic outcomes and when everyone has what they need to thrive, no matter where they live.

1.4 Policy and Program Proposals

The interdisciplinary team evaluated many policy and program proposals. These proposals came from benchmarking agencies nationally and locally, feedback from stakeholders, surveys and community conversations. All of the proposals below can be executed through administrative action unless otherwise identified. To implement this package of proposals it could require future budget considerations to ensure that the proposals are resourced for full implementation.

Proposals that were evaluated:

Increase access to fare media

- Expand and extend access to ORCA LIFT and other programs provided in partnership with human service agencies for riders with limited income (consider providing these services at the Westlake booth).
- Participate in an Income Based Fare program pilot program for a two-year pilot starting as early as July 2020 and running 24 months from the beginning.
- Expand communications and public education about ST fare enforcement process and how to use your ORCA card.
- Require officers to provide non-paying riders on-the-spot information about ORCA LIFT and other available programs to access fare media.

Possible resolution pathways

- Increase verbal warnings from 1-2 in a 12-month period.

- Reduce the cost of fines from \$124 to \$50.
- Create citation resolution pathways outside of District Court that includes option to resolve fine by crediting the citation dollar amount to the rider's ORCA card and resolve fine if the rider enrolls in ORCA Lift.
- Design new resolution pathways through the District Court.

Possible changes to procedures and staffing

- Refine the role of fare enforcement officers (FEO's) to incorporate customer service more consistently into how FEO's perform core security and enforcement responsibilities.
- Make FEO officers Sound Transit employees instead of continuing to contract with a third party.
- Review current training modules and Standard Operating Procedures to prioritize training in customer service, de-escalation, and anti-bias training. Track patterns of FEO deployment and locations of enforcement actions.
- Define parameters for times to suspend warnings and citations during severe weather.
- Change fare enforcement officer uniforms.
- Add platform fare enforcement checks.
- Develop a youth-focused program, including defining parameters for enforcement on the first day of school.
- Evaluate the impact and feasibility of accepting partner agency non-ORCA transfers.
- Evaluate current procedure to engage law enforcement on matters solely related to fare enforcement for adults.
- Evaluate and clarify process for addressing bias or discrimination complaints.

1.5 Engagement Strategy

Sound Transit embarked on a significant information gathering effort that included an on-board survey, an online survey, community conversations, fare enforcement officers and stakeholder feedback. This feedback and data informed the proposals developed, and the evaluation of each proposal. The feedback also informs the criteria rating for community support. The summary and details of the engagement effort are documented in the Sound Transit Fare Enforcement - Community Engagement Report 2020.

1.6 Purpose of report

This report contains the results of the internal interdisciplinary workgroup's evaluation of policy and program proposals. Subject matter experts from the workgroup applied their knowledge and experience to evaluate each proposal using the established criteria. Initial analyses were further refined and verified by the data we received from onboard and online surveys and community conversations. Establishing and monitoring key performance metrics will be a key component of the implementation plan and will determine actual performance of proposals included in the near-term action plan. This report includes the near-term action plan.

2 EVALUATION RESULTS

Each policy or program proposal was evaluated by each criteria. Based on the results, the proposals were either included in the Action Plan, categorized as need more information or not recommended at this time. The tables summarize the evaluation results and proposals included in the action plan. Short descriptions for each proposal are included under the table.

2.1 Near-Term Action Plan

To address the key findings in our engagement and to address feedback from the community and our riders, the following proposals are included in Sound Transit’s Fare Enforcement Action Plan. All of the proposals in the Action Plan can be implemented within the next year. Some of the actions will be accomplished within six months and some within 6 -12 months. All of the proposals below can be completed through administrative action unless otherwise identified. All of the proposals below performed well for all or most criteria.

Table 2-1 Near-Term Action Plan

	Equity & Customer Experience		Security		Access to fare media	Evasion rate and farebox recovery	FTE/Cost annual	Community Support
				Perceived				
(Implementation timeline)								
To reduce confusion in ST’s fare system, ST will								
Expand communications and public education to access and use ORCA card (6 months)	✓	✓	✓	✓	✓	✓	\$220,000	High
Greatly enhance “Fare Paid Zone: signage (TBD)	✓		✓			✓	TBD	High
Reduce demographic disparities in access to and use of valid fare media								
Income-based fare program for a two-year pilot (Board motion) (6 months)	✓		✓		✓	✓	\$1.8M	High
Expand/Extend ORCA LIFT incentives (6 months)	✓	✓	✓	✓	✓	✓	\$194,000 (1/4 FTE)	High

	Equity & Customer Experience	Security	Access to fare media	Evasion rate and farebox recovery	FTE/Cost annual	Community Support		
Develop a youth-focused program (6-12 months)	✓	✓	✓	✓		\$350,000 (2 FTE)	High	
Reduce demographic disparity in impact								
Increase warnings in 12 months from 1 to 2 (1 month)	✓		✓		✓	0	High	
Reduce fine from \$124 to \$50 (6 months)	✓		✓	✓		0	High	
Review and enhance officer training (6 months)	✓		✓		✓	\$62,500 (1/4 FTE)	High	
Define parameters to suspend citations and warnings during extreme weather (6 months)	✓	✓	✓		✓	0	High	
Resolution pathways through District Court (6-12 months)	✓	✓	✓		✓	TBD	High	
Fare enforcement policy and procedures								
Refine the role to consistently include customer service in FEO daily activities and track patterns of FEO deployment and locations of enforcement actions (6 months)	✓	✓	✓	✓	✓	0	High	
Evaluate and clarify process for addressing complaints (6 months)	✓		✓		✓	0	High	

2.1.1 Expand communications and targeted education about ST fare enforcement process and how to use your ORCA card

This proposal intends to help customers understand how to access and use available fare media. It could include, but is not limited to, marketing communications and public education about why it is important to tap (even if you have an employer - or school-paid card), marketing communications on the purpose of our program and why it matters; what is a barrier-free system; public service announcements; and on changes to the program. This communications effort should include translated materials and webpages. It could consider announcements on the train.

2.1.2 Participate in an income-based fare program for a two-year pilot

The proposed income-based fare program was developed by King County Metro in partnership with community leaders and members who are experiencing poverty. King County has approved this program to move forward. This proposal allows Sound Transit to participate in a 2-year pilot program with King County to offer this program. The program serves individuals with household incomes less than 80% of the Federal Poverty Level (FPL), initially limited to people participating in six state benefit programs with the same income qualification threshold. Program participants would initially be enrolled by the same agencies that do the majority of enrollment for existing low-income fare program, ORCA LIFT. Participants would receive fully subsidized annual transit passes for use on transit services operated by Sound Transit and King County Metro and could use the ORCA card they are issued through the program to receive discounted fares on other regional transit services. This program will be offered in all ST counties, but still be eligible only on Sound Transit and King County Metro services. Sound Transit will participate in a pilot program when the program starts as early as July 2020 and will participate for 24 months. Participation in this program would come after action by the ST Board.

2.1.3 Expand access to ORCA LIFT and other programs for riders with limited income

Sound Transit has existing programs to help riders who cannot afford full fares. Sound Transit participates with King County Metro in the Human Services ticket program that provides highly discounted bus tickets and Link Day Passes to human service agencies for their very low-income clients. Sound Transit also provides discounted fares to low-income riders through the ORCA LIFT program and has promoted enrollment in ORCA LIFT throughout the region. Since 2018, Sound Transit offered ORCA LIFT cards preloaded with \$10 as an incentive to register for ORCA LIFT at DSHS offices in King, Pierce and Snohomish counties.

This proposal would include:

- Extending the program that provides \$10 pre-loaded on ORCA LIFT cards issued at DSHS offices to incentivize registering for ORCA LIFT. This could include increasing the incentive to more than \$10. (\$194,000)

- Working with human service agencies participating in the human services ticket program to ensure they are aware of the availability of Link Day Passes at a 90% discounted price for their clients.

This proposal would consider:

- Reconfiguring ST's TVMs to reduce the \$5 minimum amount for to be added to ORCA cards to make it easier for low-income riders to add value to their cards.
- Expanding Human Services tickets program, if not in the income-based fare pilot program. (\$150,000).
- Developing and implementing a plan to expand opportunities and locations to access ORCA Lift registrations and card reloading.
- Expanding use of mobile ORCA LIFT registrations around the region at targeted events.
- Allowing online registration for ORCA LIFT.
- Reconfiguration of the Westlake booth.

2.1.4 Develop a youth-focused program

Sound Transit received a large amount of feedback on how to address fare enforcement and youth. Also, the online survey data showed support for unique pathways for youth, and the need for targeted education.

This proposal includes:

- Defining times during the start of school for education instead of issuing warnings or citations.
- Talking with youth about what should be included in the program.
- Targeted communications to youth, especially in communities of color and those close to poverty.
- Changing SOP to ensure that KCSO is not called for fare-only issues with youth riders.
- Ensure FEO training includes specialized training for handling interactions with youth.
- Education in the schools and to caregivers about ST services and how to use the system.
- Target South Seattle and south King County.
- Materials in multiple languages.

The proposal will consider:

- Creating separate pathway (procedures, consequences, resolution pathway, parental communications) for children (6-17) and students (6-18).
- More warnings for youth- up to 4.
- Consider social media channels for communication.
- Youth ambassadors in schools.
- Family bulk fares or discounts.

2.1.5 Increase verbal warnings from 1-2 in a 12-month period.

Sound Transit Fare Enforcement Standard Operating Procedure (SOP) 13-012 7.0 states that all warnings expire 12 months after the issue date. This proposal would increase the warnings

from 1 to 2 in a 12 month period. There is a large drop-off from first warning to citation, and this is reiterated in findings from the online survey. This change to SOP is intended to lead to greater compliance and fewer citations. This proposal also includes changing the SOP to ensure that customers are not ushered off the train after a warning, unless they request help with the technology or something else. The change could also be added to the Board adopted fare enforcement policy.

2.1.6 Reduce the cost of fines from \$124

Board policy set in Resolution No. R2009-02 sets the citation fine of not more than \$124. At the time it was stated to be consistent with most other minor traffic infractions in King County.

The cost of a parking ticket in Seattle is \$44 - \$47. Transit peers of similar size or region complexity charge a penalty between \$50 (WMATA, SFMTA) and \$100 (NY-MTA). LA Metro and TriMet charge \$75 and BART charges \$55 for youth and \$75 for adults.

This proposal would set a fine of \$50 while we continue to explore if early-pay incentives for \$25 within 30 days is allowed by the District Court.

2.1.7 Review current training modules and SOP to prioritize training in customer service, de-escalation, and anti-bias training

Below is the list of current trainings for Sound Transit FEOs. This proposal will continuously review and update SOP and training plans for FEO. This would require updates to contracts, training, performance goals, and enhanced budget for trainings.

Initial training:

- Verbal Judo
- Report Writing
- Information Security
- Radio
- Breaks
- DTS/BATON/AVADE
- Customer Service
- Diversity
- Terrorism awareness
- Post order
- First Aid/CPR/ Stop the Bleed
- BNSF ROW
- Report Writing

Field Training:

- Office familiarization
- SOP training
- Mock Scenarios

- Light Rail familiarization
- Officer Safety
- Geography
- Use of Force
- Verbal De-escalation
- Contact Cover
- Limitations of authority as FEO
- Radio Communications
- Report Writing
- Orca Reader Operation
- Command Center Operations
- Warning/Citations
- Special Populations
- Fare Structure/Policies/RCW
- Conducting Fare Inspections
- FEO Conduct
- Emergency Procedures
- KCSO ST Division
- Proper notifications
- Radio procedures

Ongoing Training:

- Unconscious Bias
- Strategies for Youth (currently scheduled for April 8th and 9th 2020)

2.1.8 Define parameters for times to suspend warnings and citations during severe weather

This proposal would align ST policies with King County policy and would suspend warnings or citations when the emergency snow network (ESN) is in effect. The KC policy states that “it could increase the accessibility of transit service for those experiencing homelessness and other difficulties, and could increase safety by encouraging people to use transit as transportation to reach shelter and avoid driving”. The ESN goes in effect only in severe weather events related to snow. This proposal would allow Sound Transit to avoid warnings and citations when the ESN goes into effect.

2.1.9 New resolution pathways through District Court

Sound Transit is exploring if resolution of civil infractions incurred by riders without proof of payment may be directed to the community court program run by the King County District Court. The community court program is an alternative problem-solving court, and differs from traditional court by seeking to identify and address the underlying challenges faced by court participants. Paired with a resource fair, community courts connect participants with a range of support services on the spot. If routed through community courts, judges could decide, for instance, to waive a fine pending a participant signing up for an ORCA card or enrolling in

ORCA Lift at the adjacent resource fair. This action would expand the locations where fare infractions could be resolved throughout King County. This action also explores adding a Community Court location at Union Station.

2.1.10 Refine the role of fare enforcement officers to incorporate customer service more consistently into how FEO's perform core security and enforcement responsibilities

This proposal would:

- Revise job descriptions, training, and key performance goals to measure customer service outcomes.
- Track patterns of FEO deployment and locations of enforcement actions.
- Require officers to offer non-paying riders on-the-spot information about ORCA LIFT and other available programs to access fare media.

This proposal would consider:

- Ensuring that officers reflect the demographics of the riders/community.

2.1.11 Evaluate and clarify process for addressing bias or discrimination complaints

Currently, the process for riders and taxpayers to file complaints or concerns about fare enforcement, is inconsistent. This proposal would evaluate the current procedures and update them to track and ensure Sound Transit is investigating and addressing complaints. This proposal includes promoting our customer service contacts and Title IV investigations of fare enforcement activities.

2.2 Other ST projects that support fare enforcement improvements

There are efforts underway at Sound Transit that have been on separate tracks from the workgroup analysis, but will support fare enforcement improvements. They will be implemented on separate pathways from this Action Plan, but are related.

2.2.1 Greatly enhance the look and feel of the Fare Paid Zone

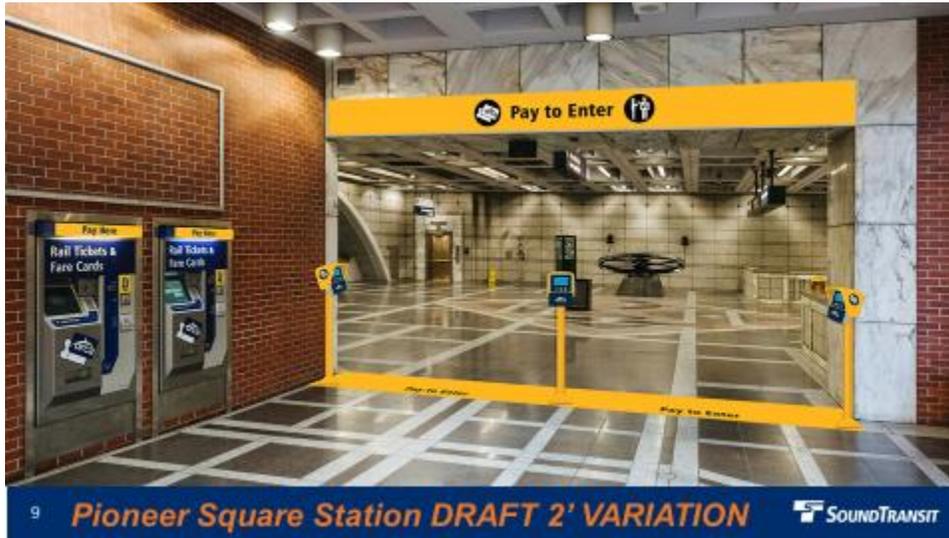
Currently, it is difficult to tell if you are in a Fare Paid Zone. This proposal would enhance the look and feel of entering the Paid Zone with very accessible tapping machines at each entrance. This proposal would strive to make entrances consistent throughout the system.

This proposal includes:

- ORCA Reader Removal from DSTT Platforms
- Design Kit of Parts: Consistent Materials and Design Application
- Physical Fare Paid Zone Threshold/Boundaries

- Clearly organized and more consistent ORCA Reader locations

Here is an idea of how an enhanced Fare Paid Zone could look:



2.2.2 Next Gen ORCA

Through community conversations Sound Transit has heard concerns about the current mobile app and ease of obtaining ORCA and ORCA LIFT. Next Gen ORCA will address concerns by offering:

- Instant loading to ORCA accounts.
- Double the retail locations to get ORCA and load value.
- Easier website interface.
- A new mobile app to add and pay fare from a device.

Action Plan Implementation

All of the proposals above can be done through administrative action except:

- ST's participation in the income-based fare program for a two-year pilot.
- Edits to the board policy to reflect items in the action plan.

Although some of the actions above are not currently budgeted, Sound Transit will shift unused budgets to cover the cost of the proposals in the action plan. The action plan adds 3 FTE and has an estimated annual cost of approximately \$900,000, not including the Income-based fare program.

The Income-based fare pilot is estimated to be no more than \$1.8 million a year for the two year pilot. It may be necessary to come back near the end of the year to amend the budget to accommodate the items in this action plan.

Hiring of the necessary program manager will move forward immediately. The program manager will report to the Chief Customer Experience Officer. The program manager will direct implementation of the action plan and will provide regular reports to the Board and community members.

Sound Transit will share progress and findings transparently with Board and impacted communities through:

- Periodic reports to the Rider Experience and Operations (REO) committee of the Board, stakeholders, and the community.
- Recurring listening sessions.

2.3 Needs more information

Below are the proposals that have been evaluated but are not ready for recommendation, because more information is needed. For these proposals, the workgroup will come back to the Board with more information and potential recommendations.

Table 2-3 Needs More information

	Equity & Customer Experience	Security		Access to fare media	Evasion rate and fare box recovery	FTE/Cost annual	Community Support
			Perceived				
Evaluate impact on accepting non-ORCA transfers	✓		✓	✓	✓	TBD	Med
Stop the procedure to call King County Sheriff (KCSO) in fare-only interactions	✓		✓			TBD	Med
Enforce on platforms as well as trains in unbiased way	✓	✓			✓	TBD	Unknown
Change fare enforcement names and uniforms	✓		✓		✓	TBD	Med

2.3.1 Evaluate impact on accepting non-ORCA transfers

This proposal would review system of transfers and possibly update SOP to extend the amount of time transfers are valid and to accept King County Metro paper transfers on the Sound Transit system. There is consistent feedback from riders that confusion over transfers provides a high occurrence of not being able to show proof of payment. Sound Transit needs to learn more about the paper transfer program to determine if this should be included in the action plan.

2.3.2 Do not call law enforcement on matters solely related to fare enforcement for adults

Update current SOP that directs fare enforcement officers to contact the King County Sheriff Office (KCSO) if rider does not show proof of payment and proof of identity. This would require creating a new protocol regarding the identification of someone who cannot produce proof of

payment. If above 16, current procedure is to engage KCSO. Youth are addressed in proposal to develop a youth focused program.

2.3.3 Move fare enforcement checks from train to platform

Currently, the FEO officers perform fare checks on the trains. Expanding checks to platforms would include a process that systematically checks fares from end to end of the platforms. Moving enforcement to the platform would facilitate enforcement when trains are crowded and enforcement is difficult. This proposal would require a design that would still allow for a system of enforcement to avoid the risk of targeted enforcement or the perception of biased enforcement. This proposal would not be implemented until a process is designed and tested to be equitable and fair.

2.3.4 Change fare enforcement officer name and uniforms

Current uniforms are blue. There was feedback from the community conversation that the current uniforms are too similar to law enforcement, which sets a certain tone on the trains and can be uninviting for some riders. This proposal would change the uniform to make it more customer friendly. This proposal also includes changing the name of fare enforcement officers, ideas emerged from public engagement; fare monitoring, fare customer service, and fare agents.



2.3.5 Continuing Evaluation

All of the proposals above will continue to be evaluated. The program manager will drive further review of the above proposals and come back to the Board with evaluation results.

2.4 Not recommend at this time

Below are the proposals that have been evaluated but are not recommended at this time.

Table 2-4 Not Recommended At This Time

	Equity & Customer Experience	Security		Access to fare media	Evasion rate and fare box recovery	FTE/Cost annual	Community Support
			Perceived				
In house resolution of citations	✓		✓	✓		TBD	High
Make officers ST employees instead of contractors					✓	High	Low
Add payment option on train	✓	✓	✓			TBD	High

2.4.1 In house resolution of citations that includes option to resolve fine by crediting the citation dollar amount to the rider’s ORCA card and resolve fine if the rider enrolls in ORCA Lift.

This proposal would work in a suite of options for citation resolution that would be administered outside of the court system, possibly by Sound Transit employees or contracting with partner agencies to resolve citations.

This proposal would consider:

- Crediting fine on ORCA card for passengers who use the e-purse option.
- Clear fine if ORCA Lift enrollment occurs.
- Resolving fine for community service.

Due to statutory restrictions, Sound Transit cannot resolve infractions outside of district court (RCW 81.112.210). Also, Sound Transit would like to maintain the benefits of having the Court as a third party arbiter for resolving citations.

In addition, the resolution through community service is not supported due to high legal risk, high administrative costs, and does not have the potential to benefit many riders.

2.4.2 Bring FEO officers in house as ST employees instead of continuing to contract with 3rd party

Currently, the FEO team is outsourced through a third-party contract. This proposal would make

FEO officers ST employees, which would allow direct control of priorities, training and management of FEO staff. This proposal has an estimated high cost of implementation and carries risk with it that need to be explored in more depth.

2.4.3 Add payment capabilities on the train by officers or technology

There has been a lot of interest in adding payment options on the train either by allowing officers to collect fare or to add ticket vending machines on the trains. Currently, this is not allowed. After considering this proposal, the following was concluded:

- Off board payment facilitates quick loading of trains and buses, this will gain in importance as ridership and headways increase as more services come on line.
- Collecting fares on the train would require staffing enough fare enforcement officers to inspect every operating train 20 hours a day, 7 days a week. Sound Transit does not have enough resources to support this level of staffing without taking money away from other voter-approved projects and services.
- Letting riders wait to pay their fares until after they board a train without comprehensive staffing, could create a system in which riders could habitually choose not to tap, and ride until an FEO asks for proof of payment. Such a practice would result in a sizable loss in fare revenues.
- This loss in fare revenue is especially a problem for riders whose ORCA cards are subsidized by their employers. Sound Transit asks riders to tap on and off of Link and Sounder trains so we know the correct fare to charge the rider or the supplier of the ORCA card. Link and Sounder fares are based on distance traveled, which is why we teach riders to tap on and off.

