



Annual Report on King County Metro Fare Enforcement and Fare Violation Programs

REQUIRED BY ORDINANCE 18789

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Executive Summary

Over the last year, King County Metro revamped its fare enforcement practices and launched its new Fare Violation Program to implement recommendations issued from the King County Auditor's Office, address findings from Metro's own internal review, and advance King County's equity and social justice goals. Metro's new fare enforcement model aims to meet the directives for fare enforcement measures (per King County Code) and make meaningful changes to increase access to public transportation and minimize negative, inequitable impacts to King County's most vulnerable populations.

Many changes have occurred in King County's transit landscape since Metro began fare enforcement in 2010, including the elimination of the Ride Free Area in downtown Seattle, the availability of more fare media such as ORCA and ORCA LIFT cards, and the increased complexity of customers transferring between more modes of transit service and transit service providers. In addition to having an impact on our customers' experiences with paying fare properly, these changes also add more layers of complexity to managing fare evasion effectively and equitably.

Currently, Metro uses fare enforcement to minimize fare evasion on all six of its branded bus rapid transit service lines, more commonly known as RapidRide. Additionally, Metro will begin expanding off-board payment, to other (non-RapidRide) routes to optimize speed and reliability of bus service in the downtown Seattle corridor. When new RapidRide lines and other optimized routes go into service, fare enforcement operations may also expand.

In April 2018, the King County Auditor's Office published a report based on an audit conducted on Metro's RapidRide lines and concluded that the existing fare enforcement model may be contributing to negative and inequitable outcomes, particularly for riders experiencing homelessness or housing insecurity. Metro's own internal review of fare enforcement in 2017-2018 agreed with the recommendations that emerged from the audit, and Metro quickly moved to implement changes.

Metro convened a workgroup of transit and community-based advocates and stakeholders, including Transportation Choices Coalition, Transit Riders Union, Seattle/King County Coalition on Homelessness, Puget Sound Sage and OneAmerica, to develop informed revisions for Metro's fare enforcement model, policies and procedures.

Leading up to the implementation of the new Fare Violation Program, Metro spent months with the workgroup to develop processes for this program, including: conducting two months of a survey study to gather data from riders who were found to be without proof of payment to inform resolution recommendations, archiving the fare enforcement database in October 2018, performing a warning-only phase to more clearly understand the current state of fare evasion in the Metro system, and developing the administrative details and partnerships necessary for implementing the alternative resolution options for fare evasion violations.

Also in October 2018, amendments to King County Code authorized Metro to utilize an alternative fare violation resolution process and administer issued fare-related citations in-house, separating fare-related citations from the courts as civil infractions.

The new King County Metro Fare Violation Program aims to secure access to transit and payment of fares while acknowledging and addressing the barriers that affordability and enforcement can present to some, especially individuals with low or no income.

The benefits of the new program include:

- Eliminating the chance that a rider ends up in a cycle of debt and court interactions over a fare evasion infraction.
- Offering a reduced infraction fee and multiple alternatives, including non-monetary options, for resolving an infraction.
- Allowing riders ample—and clearly defined—time to resolve their infraction.
- Utilizing proactive outreach efforts to connect riders to appropriate resolutions and resources for sustainable results.
- Collecting meaningful data that empowers Metro to address root causes of fare evasion.

Metro fare enforcement officers resumed issuing fare evasion violations in January 2019, once all policies and procedures were satisfactorily in place. As the new Fare Violation Program began to apply these new processes, early learnings began to emerge and adjustments were made—and will continue to be made.

One early indicator is the need for Metro to develop more access to affordable fares, indicated by the percentage of riders engaged by the Fare Violation Program who reportedly have no income and identify as homeless or are experiencing housing insecurity. The Fare Violation Program is collaborating with Metro's income-based fares program to help inform their work as well as the ORCA LIFT team to identify opportunities for increasing riders' access to Metro's existing reduced fare programs.

The Fare Violation Program upholds many of the principles and guidelines outlined in King County's Equity and Social Justice Strategic Plan. It aims to ensure that all people in King County can use public transit without fear of being criminally penalized because of their level of resources and significantly minimizes disproportionate, negative impacts from fare evasion for people of color, immigrants and refugees and those with low or no income.

The biggest takeaway in the early stages of the new Fare Violation Program is that fare enforcement operations, when done with our riders' circumstances in mind, is a vital component to identifying and meeting the needs of Metro's customers. Fare enforcement officers are at the frontline of communication and customer service with riders. This engagement provides relevant data that directly informs Metro's fares work and advances the agency and County's equity and social justice goals.

Background

King County Metro began its Fare Enforcement Program in 2010 to support Metro's fare box recovery and foster a safer experience for both customers and operators. Metro conducted its first fare evasion study in 2010, which was performed by bus operators. A subsequent proof of payment test period was performed by Metro Transit Police on the RapidRide A Line. This study provided evidence that fare enforcement would be beneficial in minimizing fare evasion as Metro incorporated more bus rapid transit service lines.

Three top strategies for addressing fare evasion emerged from Metro's first study (2010-B0098):

- Eliminate the Ride Free Area in downtown Seattle.
- Provide more Transit Police or fare checkers.
- Simplify fare structures.

Metro implemented all three of these strategies since that time, one of which was instituting the King County Metro Fare Enforcement Program.

Metro currently uses fare enforcement to minimize fare evasion on all six of its branded bus rapid transit service lines, more commonly known as RapidRide. Additionally, in March 2019, Metro will begin expanding off-board fare payment to other (non-RapidRide) routes to optimize speed and reliability of bus service in the downtown Seattle corridor when buses cease operation in the Downtown Seattle Transit Tunnel. Off-board fare payment allows riders to board using any door on the bus, not just the front door.

By 2027, Metro plans to add seven more RapidRide lines, providing additional riders with better connections, more frequent buses, and faster, easy-to-use service. Metro has planned long-term investments for a total of 26 RapidRide lines that will help bring frequent transit service to 70 percent of King County residents. When these new RapidRide lines and other optimized routes go into service, fare enforcement operations may also expand.

While off-board fare payment decreases the time buses spend loading and unloading passengers, it also increases the risk of riders deliberately boarding without paying a valid fare.

To mitigate this risk, many transit agencies utilize some sort of fare enforcement, which typically deploys officials to inspect for proof of payment and issue penalties to riders without a valid ticket or pass. [King County Code Title 28.96](#) (KCC) and Revised Code of Washington (RCW) [RCW 35.58.580 \(2\)](#) provide the directive for fare enforcement measures to be undertaken by King County Metro. Moreover, King County Metro's fund management policy states that Metro will recover at least 25 percent, and will maintain a target of recovering 30 percent, of its operating costs from fare box revenues.

Under the authority of the King County Code and Revised Code of Washington, and empowered by King County Metro, fare enforcement officers monitor fare payment through inspecting for proof of payment

in a standardized method. They request personal identification from a passenger who does not produce proof of payment and issue violations related to fare evasion.

Fare enforcement officers are also instrumental in providing customer service through educating Metro riders about fare payment and fare resources, supporting the safety and security of Metro's coaches, and responding to emergencies in Metro's system when necessary.

Since its implementation in 2010, Metro had reviewed the operational performance of its fare enforcement program as new RapidRide lines were added, but had not performed a system-wide review of the program's overall effectiveness or reviewed the enforcement model for equity impacts.

In April 2018, the King County Auditor's Office published a report based on an audit conducted on Metro's RapidRide lines and fare enforcement performance.

In this report, three key recommendations were made:

- Metro should align its fare enforcement model and activities with Metro and King County's equity and social justice goals and monitor progress toward those goals.
- Metro should prioritize the implementation of technology projects to improve the ability of officers to do their work and collect useful data.
- Metro should develop a more robust performance management framework.

At the time of the audit, Metro's fare enforcement model included issuing a civil infraction that carried a penalty fine of \$124, and up to \$250 after 30 days, which was referred to district courts for administering of the resolution process. In order to resolve these infractions, individuals would need to schedule a hearing with the court and/or pay the penalties set by the King County Prosecuting Attorney. Further, if an infraction went unresolved with the courts, collection and court delinquency actions could be taken against the individual. If an individual had three or more unresolved infractions, their infractions could be escalated to a misdemeanor charge. The auditor's report found that less than 3% of fare-related infractions referred to the courts were ever resolved.

The auditor's report also found this fare enforcement model may be contributing to negative and inequitable outcomes, particularly for riders experiencing homelessness or housing insecurity. Between 2015 and 2017, nearly 25 percent of all fare evasion citations and 30 percent of fare evasion-related misdemeanors were given to individuals who may have been homeless or experiencing housing instability (based on addresses cross-referenced with shelters or inconsistent addresses provided), potentially creating debt, interactions with the criminal justice system and lasting impacts for some of the most vulnerable of individuals who were issued infractions. See Appendix A for a sample of the auditor's report data.

Metro's own 2017-2018 internal system review agreed with the key recommendations of the auditor's report. In order to minimize these unintended, adverse impacts related to the existing fare enforcement model, Metro took quick action to implement meaningful changes.

Balancing Fare Enforcement with Equity and Social Justice

In the spring and summer of 2018, Metro convened a workgroup of community advocates and key stakeholders. These partners included representatives from OneAmerica, Puget Sound Sage, Seattle/King County Coalition on Homelessness, Transportation Choices Coalition and the Transit Riders' Union, as well as other stakeholders.

This workgroup was given a significant task: to advise Metro on balancing fare enforcement policies and procedures with King County's equity and social justice goals to minimize negative, inequitable impacts to the County's most vulnerable populations. Metro also put few limitations on this workgroup; fare enforcement is a requirement of our transit system (per King County Code Title 28.96 and RCW 35.58.580(2)) and a penalty is necessary to be effective (as demonstrated from industry peers' experiences). The workgroup reviewed other fare enforcement models in the industry and found that none, at the time they were observed, sufficiently aligned with our equity and social justice goals.

The workgroup advocates held a collective, overarching goal to increase access to public transportation for underserved communities and address disparate impact on low-income and people of color riders. Metro and its partners would need to reimagine a fair and just system that accomplishes the following:

- Secures access to transit and payment of fares while acknowledging and addressing the barriers that affordability and enforcement can present to some.
- Ensures that low-income residents can use public transit without fear of being criminally penalized because of their level of resources.
- Significantly reduces disproportionate negative impacts and experiences for people of color, immigrants and refugees, and those with low or no income.
- Builds a transit system where all feel safe, comfortable, and have easy access to help when they need it.

In addition to assisting Metro to develop recommendations for a reduced-impact fare enforcement model, workgroup partners identified other key ways that Metro could commit to addressing the following underlying issues in furtherance of an equitable system:

- **Information and outreach.** Because many riders may not know what payment options, subsidies, benefits, and programs are available to them, Metro should leverage face-to-face time that officers have with customers, and create more opportunities for fare officers to act as ambassadors. For example, officers can provide customers with information on how to pay and reduced fare options such as ORCA LIFT.

- **Capital infrastructure.** Because many people may not be accustomed to using off-board payment systems, or may not have adequate opportunity to pay or load their cards when trying to catch a bus or train, Metro should expand and enhance opportunities for riders to pay. For example, add ORCA card readers near the back of buses and install additional places to load funds on ORCA cards.
- **Affordability.** Because people with very low or no income cannot afford the fare but still have ongoing mobility needs (and are disproportionately impacted by fines), Metro should continue to review fare structure and programs to find ways to give access to public transportation to those who need it most.
- **Decreasing bias.** Because people of color, people with limited English proficiency, and those with mental health conditions may feel disproportionately unsafe interacting with officers (and are likely to experience bias in interactions), Metro should consider increasing race and social justice training for officers, improving hiring practices, demilitarizing uniforms of officers, and looking for opportunities to help decrease escalation, and potentially dangerous situations, in protocol.
- **Data collection.** Because Metro does not currently have adequate information on who doesn't pay and why, disproportionate impacts by race, and the full extent of experiences with enforcement, Metro should move to "education mode" quickly, work with paid focus groups—both before and after implementation of the Fare Violation Program—and leverage the planned fare evasion study to include questions on enforcement.
- **Ongoing improvement of customer experience in enforcement.** Because it is in the best interest of Metro and its riders to move quickly to decriminalize the fare enforcement program and revise and improve the program as more information is obtained, Metro should build in ongoing review and evaluation of the fare enforcement program through data, focus groups, and surveys.
- **Cross-agency coordination.** Because Metro strives to provide a seamless transit service with its partner agencies, enforcement procedures should be consistent—regardless of where you ride. Metro should work with Sound Transit and Community Transit and any other agencies that use fare enforcement to ensure a consistent experience for all customers.

Metro took early, fast action to immediately minimize impacts to vulnerable individuals, based on the preliminary audit findings and input from fare enforcement staff and key stakeholders, including:

- Suspending any criminal referrals related to fare evasion for adults (juveniles were not at risk).
- Increasing the warning opportunities for youth.
- Instituting new de-escalation and implicit bias awareness training requirements for fare enforcement officers.
- Creating a Quality Assurance Supervisor position in the Fare Enforcement Program.

The workgroup developed a work plan to amend the existing rider suspension and violation resolution processes. Upon King County Council's acceptance of this work plan in July 2018, Metro fare enforcement ceased issuing infractions while the workgroup set out to learn more and develop informed recommendations for implementing new processes.

In August-September 2018, Metro conducted a survey study period. The purpose of this survey study was to collect new, relevant data that would inform the development of new fare evasion infraction processes and a more robust performance management framework for Metro's Fare Enforcement Program. This survey may also help inform future fare programs, such as the creation of an income-based fare, to ensure riders can sustain fare payment and avoid interaction with fare enforcement.

During this study period, Metro's fare enforcement officers operated in an "education and surveying mode" on all RapidRide lines. Fare enforcement officers boarded buses and checked for valid proof of fare payment per usual standard operating procedures. However, instead of issuing warnings or violations to customers without valid proof of payment, they distributed surveys to collect data to help Metro better understand the barriers to fare payment among different rider populations.

Officers also used these interactions as an opportunity to educate riders about the ORCA LIFT program and to give out free ride tickets to customers who indicated they could not afford the fare. During this time, officers inspected over 89,000 riders and encountered approximately 4,000 riders without valid fare for an evasion rate of 4.7%¹. Of these 4,000 individuals, roughly 3,600 participated in the survey.

There were several key takeaways for Metro from the survey study period, including the evidence of a slight increase in fare evasion from 2017 to 2018 (but, overall, little to no change in the evasion rate since the first data of 2010). The uptick in fare evasion may be the result of more accurate tracking of evasion rates than previously known, or it may have been impacted by increases in homelessness in the region, or even still, the region's over-crowding on transit systems may have led to an increase in fare evasion due to the increase in people in general.

More importantly for the workgroup, the study showed that 53% of people who evaded fare were below 200% of the federal poverty level, and 43% of people who evaded fare earned less than \$1,000 per month, which further supports the need for an income-based fare that focuses on individuals with very low or no income and additionally supports a fare violation resolution program that considers adverse impacts to these populations. See Appendix B for a sample of the survey study period data.

The combined efforts of the workgroup and the survey study helped Metro develop near-term efficiencies with regards to the fare enforcement program operations, including changes made to training requirements for fare enforcement officers; informed changes to the data utilized to measure the fare enforcement program's long-term effectiveness and impacts; and changes to the fare violation

¹ For comparison, Metro's 2010 Fare Evasion Study demonstrated an evasion rate of 4.8%, if the Ride Free Area and children under 6 are excluded from the Metro ridership at that time.

resolution processes to provide more equitable resolution options aimed at fostering sustained access to transit service.

In October 2018, the fare enforcement database was archived and everyone started anew. With the conclusion of Metro’s study period, fare enforcement officers began issuing warnings, along with providing educational information related to fare payment, to individuals who were found without valid proof of fare payment. Issuing warnings includes collecting identification information and entering data into the fare enforcement database. Also in October 2018, Ordinance 18789 was passed, which amended King County Code to allow Metro to utilize an alternative fare violation resolution process and administer issued fare-related citations in-house, separating fare-related citations from the courts as civil infractions. This intentionally minimizes adverse financial or legal impacts to individuals. Fare evasion tickets were still not being issued during the development of the new resolution processes.

The new King County Metro Fare Violation Program was developed as an in-house program in order to administer the new fare violation resolution processes developed by the workgroup and stakeholders. The benefits of the new program include:

- Eliminating the chance that a rider ends up in a cycle of court or collections actions as a direct result of a fare evasion infraction.
- Offering a reduced infraction fee and multiple alternatives, including non-monetary options for resolving an infraction, including but not limited to registering for ORCA LIFT (or other reduced fare programs) or completing community service.
- Allowing riders ample—and clearly defined—time to resolve their infraction.
- Utilizing proactive outreach efforts to connect riders to appropriate resolutions and fares resources for sustainable results.
- Collecting meaningful data that empowers Metro to address root causes of fare evasion.

The Fare Violation Program intends to utilize proactive outreach and flexible resolution processes to assist individuals with resolving their violations and maintaining access to transit services. The workgroup developed five resolution options for individuals to choose from²:

- A. Pay the administrative fine of \$50, reduced to \$25 if paid within 30 days. Payable to King County Metro Fare Violation Program.
- B. Load \$50 (equal to the fine) funds to an existing ORCA card or \$25 funds to an existing ORCA LIFT card. Verified by Fare Violation Program staff.
- C. Perform four hours of community service. Verified by Fare Violation Program staff via community-based organization confirmation.

² This list does not reflect the final options that were revised from early recommendations based on early program development learnings. See page 7-8 for current list of options.

- D. Enroll in one of Metro's reduced fare programs, such as ORCA LIFT. Verified by Fare Violation Program staff.
- E. Appeal your violation. Appeals administered in-house by the Fare Violation Program Manager.

In November 2018, two full-time staff were hired to begin putting the Fare Violation Program into action, one Outreach Coordinator and one Program Manager. This team of two worked closely with the existing Fare Enforcement Operations team to:

- Develop appropriate data tracking necessary for outreach and sound decision-making related to resolving violations.
- Establish processes and materials that provide adequate tools to fare enforcement officers in the field.
- Implement in-house administrative processes for effective accountability.

The development of this new program has been a rich collaboration among a wide variety of roles including regulatory enforcement-minded individuals, human services staff, communications and marketing staff, frontline fare enforcement officers, Metro's customer-oriented outreach staff and various program and planning staff.

Fare enforcement officers began issuing fare evasion violations once again on January 7, 2019, after all internal processes were satisfactorily in place for the new Fare Violation Program. Proactive outreach efforts began in December 2018 when letters were mailed to approximately 6,000 individuals who had received warnings from Metro fare enforcement officers since October 1, 2018. Outreach to those who received a warning focuses on how to avoid the common mistakes of fare payment, education on available fare media and Metro's existing reduced fare programs. During inspections, fare enforcement officers continue to use these interactions as an opportunity to educate riders about off-board fare payment and to increase rider awareness of ORCA LIFT and other reduced fare programs.

At the time of developing this report, only one month of fare violation data and four months of fare evasion warnings data are available. However, in addition to this data, some important qualitative learnings and adjustments occurred in the first months.

Some key learnings have emerged early on in the implementation of the Fare Violation Program. As we began the work of implementing the five initial resolution options put forth by the workgroup, we further explored how each resolution option was being utilized. We discovered some potential obstacles and made early adjustments to remove barriers in order to make each resolution as accessible as possible to all individuals. Some examples of early adjustments include:

- Allowing for an in-person payment option through partnering with the King County Treasury Office.
- Adjusting the minimum funds loaded to an existing ORCA or ORCA LIFT card (per Option B) based on the average card-load for these fare media.

- Reducing the minimum number of community service hours from four to two based on feedback from community-based organizations regarding the average accessible “shift” for volunteers and input from our workgroup partners regarding the local minimum wage per hour in relation to the administrative fine.
- Including Regional Reduced Fare Permits and Youth cards in our options and materials.
- Including minimum \$5 funds to be added to a new reduced fare media, such as an ORCA LIFT card, after learning these fare media are typically issued without funds added to them.

These adjustments are intended to address the root causes of fare violation occurrences by empowering individuals to access fare media resources and learn how to pay and maintain fare properly in order to sustain their access to transit service.

Based on these early adjustments, the final resolution options offered, at this time, to individuals who receive a fare violation are:

- A. Pay the administrative fine of \$50, reduced to \$25 if paid within 30 days. Payable to King County Metro Fare Violation Program.
- B. Load a minimum of \$25 funds to an existing ORCA card, or minimum of \$10 funds to an existing ORCA LIFT card. Verified by Fare Violation Program staff.
- C. Perform two hours of community service. Verified by Fare Violation Program staff via community-based organization confirmation.
- D. Enroll in one of Metro’s reduced fare programs, such as ORCA LIFT, or obtain a Regional Reduced Fare Permit or Youth card, and load a minimum of \$5 funds to your new card. Verified by Fare Violation Program staff.
- E. Appeal your violation. Appeals administered in-house by the Fare Violation Program Manager.

Individuals are given 90 days to complete one of these resolutions. During this 90-day period of time, the Fare Violation Program proactively attempts to reach the individual at least five times, including early outreach following an issued warning, through as many forms of contact are available for the individual. When a violation is resolved within 90 days of the issue date, the violation is closed and the record of the violation is maintained in the fare enforcement database for one year from the date it is issued.

If a violation is not resolved within 90 days of the issue date, the individual moves to a pending suspension list after 90 days. If an individual on the pending suspension list encounters fare enforcement officers without valid proof of payment again while on that list, they will be issued a 30-day suspension from Metro service. Once that 30-day suspension is completed successfully without further encounters with fare enforcement officers, the violation is closed.

If a currently suspended rider encounters fare enforcement officers during that suspension period, they may be charged with misdemeanor trespassing issued by Metro Transit Police. The Fare Violation

Program has an outreach plan that makes every attempt to assist individuals in resolving their violations within the 90-day grace period in order to prevent an individual from receiving a suspension. Suspension data will not be available for the new program until April 2019 or later, based on our January launch date of this new process. See Appendix C for the pathway of the new resolution process.

Obtaining accurate contact information for individuals has proven to be the biggest challenge to proactive outreach. Due to the change from the issuance of civil infractions to an administrative process, fare enforcement officers can no longer request verification from Metro Transit Police, who use a law enforcement database to validate the identity of riders who do not have identification or refuse to provide information. While fare enforcement officers do everything they can to encourage individuals to give accurate mailing addresses, phone numbers and/or emails, often an individual will only give a mailing address and it's difficult for a fare enforcement officer to know if it is true without verification.

Early outreach efforts have shown approximately 30 percent of mail is returned undeliverable. In order to reduce the rate of returned mail and increase our ability to reach individuals, fare enforcement officers now perform web-based address verification during their "intake" contact and encourage individuals to provide a phone number. While this seems to have improved the rate of returned mail, we are also seeing a high percentage of warnings and violations issued to individuals who identify as homeless or experiencing housing insecurity; mailing addresses are not always reliable.

The program is still working on solutions to partner with shelters, housing units and direct service providers in order to reach those individuals who may be most adversely impacted by not resolving issued violations. The program is also developing a walk-in location for riders to resolve violations.

Another key learning in this early stage of implementation is that these options still may not effectively meet the needs of the *most* vulnerable of individuals who receive fare violations—individuals who identify as homeless, potentially have no income, and may have other underlying challenges such as mental health or disabilities that may prevent them from accessing the non-monetary resolution option (Option C). We realize the need to connect more deliberately with community-based organizations to develop easier-to-access volunteer options to share with our program "clients" (individuals who have fare violations to resolve) and the need to develop another non-monetary resolution option for those clients who are not able to perform community service for a variety of reasons. Both of these avenues are a work in progress at this time.

Also, we learned that while earlier data may have provided a general idea of "repeat offender" outcomes (reflected in the audit report data as the smaller number of infractions that may have resulted in misdemeanors over a three year period—see Appendix A), these repeat offenders seem to equate to only a very small number of individuals. These individuals also typically identify as homeless, potentially have no income, and may have other underlying challenges such as mental health or disabilities. And, as evident by the high number of encounters with fare enforcement officers, these individuals have a demonstrated need to access transit on a very regular, consistent basis.

Leading with the intentions of the program to minimize adverse impacts to our most vulnerable populations, the fare violation and fare enforcement program teams have begun to develop potential alternatives to offer flexibility for a repeat offender who meets the following criteria: identifies as homeless, is not able to perform community service, and is receptive to working with program staff through a customized resolution process.

Fare Violation Program staff review their unique circumstances and develop a customized resolution option in order to minimize their risk of potential suspension from service after their violations have aged beyond 90 days. Once program staff confirm the individual is receptive to working with fare enforcement officers and fare violation program staff, these individuals are marked in our fare enforcement database as “under review.” This signifies to our fare enforcement officers that they should contact fare violation program staff *each* time they encounter the individual on board a coach.

This helps program staff maintain contact with these individuals—and it provides fare enforcement officers with a new tool to help individuals resolve their violations while still maintaining access to transit. So far, after one full month since the program’s establishment, there are two individuals that program staff are working with under the “under review” status. The total number of repeat offenders who have eight or more violations is a small group of individuals, but these individuals’ violations make up nearly 10% of the total evasion rate.

One customized resolution option might be to establish an agreement with the individual to provide qualitative data in the form of a focus group or survey participation to inform Metro’s income-based fares program, which is intended to meet these particular individuals’ unique needs. Another customized resolution may be to work with an individual’s social services case manager to coordinate a community-service plan for the individual or an accountability plan (for example, accessing a particular human service that might be vital to the individual’s current circumstances). Other customized resolutions may emerge as the unique needs of our riders are realized and the built-in adaptability of the Fare Violation Program continues to foster partnership opportunities with human service providers.

Another factor that needs further examination is the misuse of fare media or “counterfeit” fare tickets. Fare enforcement officers have encountered individuals who do not want to use their human services bus tickets, ORCA LIFT or Youth cards for fare payment. We are working with King County’s Department of Community and Human Services to identify the reasons. Metro staff have also indicated there may be a number of counterfeit fare tickets in circuit.

Based on responses to the fare violation program outreach efforts, the misuse of fare media (for example, lacking identification such as a photo), may not be uncommon. We have received responses from individuals who received outreach letters related to an issued warning or violation under their name, stating they have not encountered fare enforcement officers or accessed transit services in recent months. We believe that individuals using these media may be falsely identifying themselves. It is difficult to investigate and verify identification related to these fare media. It’s also difficult for fare enforcement officers to fact check identity information provided to them during contact.

The biggest takeaway from the first stages in the implementation of the new program and new resolution processes is that fare enforcement operations, when done with our riders' circumstances and experiences in mind, is vital to identifying the tangible needs of Metro's customers. Fare enforcement officers are among the first in communication with riders. These encounters provide relevant quantitative and qualitative data that, in turn, informs Metro's fares programs and other service developments, which ultimately impacts Metro's equity and social justice goals.

Pathway for the first year of the Fare Violation Program

In the first months of establishing the Fare Violation Program, Metro has accomplished the following actions in addressing earlier defined key recommendations³:

- ✓ Established alternative fare violation resolution processes that separates fare evasion from the courts system, minimizing potentially compounding impacts related to fare evasion.
- ✓ Motioned for all open fare evasion court cases to be closed and collection action be withdrawn.
- ✓ Established meaningful data collection and reporting to monitor both operations performance and outcome impacts.
- ✓ Established an effective, proactive outreach plan for riders who are issued warnings and violations related to fare evasion.
- ✓ Established a technology capital project, scheduled for later this year, to implement new mobile devices, allowing fare enforcement officers to enter and access data and issue tickets from one device while in the field.

During the first year, the Fare Violation Program will continue development through its plans to:

- Transcreate all new fare enforcement and fare violation resolution materials in Spanish and other languages as data may demonstrate the need for (Q2, 2019).
- Establish a website, providing riders better access to fare enforcement information and the ability to resolve violations easily online (Q2, 2019).
- Further develop non-monetary resolution options that suit a variety of individuals' abilities (Q2-3, 2019).
- Establish more opportunities for specialized training for fare enforcement officers (such as mental health service and implicit bias training).
- Develop partnerships with local shelters and human service agencies to further the program's proactive outreach efforts (ongoing).
- Develop deliberate partnerships with community-based organizations to offer accessible volunteer opportunities (ongoing).

³ Based on April 2018 Auditor's report: 1) Alignment model with County and Agency ESJ goals; 2) Prioritize technology improvements to increase efficiencies; 3) Develop more robust performance measures

- Further develop internal partnerships with bus operators and other service agents onboard coaches and in the field with our customers to ensure alignment with program and agency goals (ongoing).

Fare Violation Program and Fare Enforcement Operations teams continue to work closely together to monitor the effectiveness of the new processes and adjust as needed. These teams operate cohesively, learning from each other's varying experiences from first contact in the field, to applying data inputs, and through the resolution process (and even in connecting individuals to other critical services).

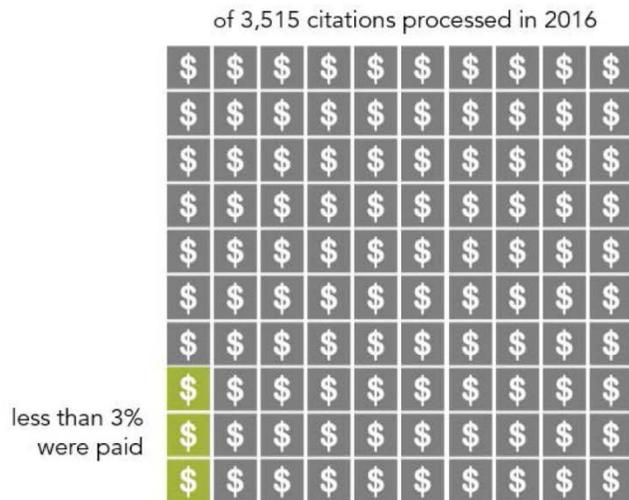
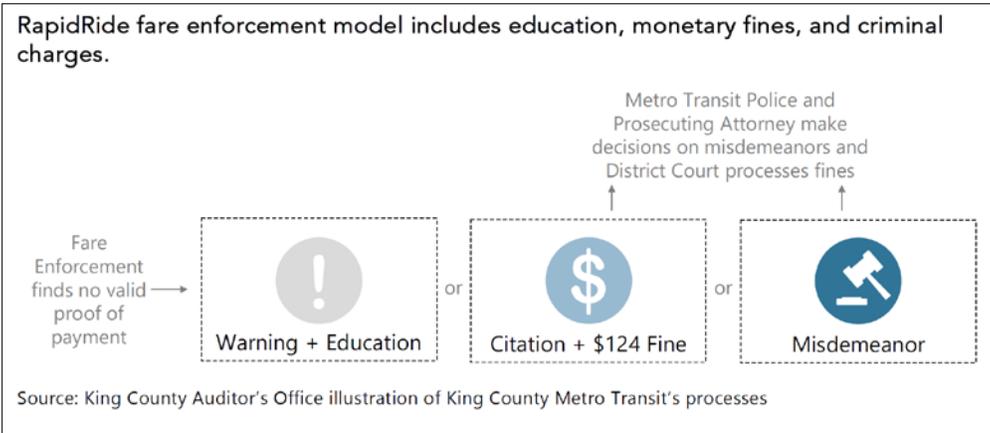
Fare Enforcement and Fare Violation programs will track the following performance measures to continuously evaluate the progress and effectiveness of these programs:

- Rate of fare evasion compared to Metro's general ridership.
- Rate of fare evasion compared to RapidRide (and other fare enforcement-assigned routes) ridership.
- Rate of number of contacts/ inspections to number of warnings (education) and number of violations issued.
- Demographics of fare evaders.
- Number of fare violations resolved and by option.
- Number of new enrollments to reduced fare options compared to rate of fare evasion (to demonstrate reduction in fare evasion as increased access to sustainable fare media is achieved).
- Number of repeat offender fare evaders connected to sustainable fare media.
- Number of repeat offender fare evaders that engaged in and/or completed custom resolution plans.
- Number of fare evaders connected to direct (non-transit) human service providers through fare enforcement or fare violation referral/partnership.

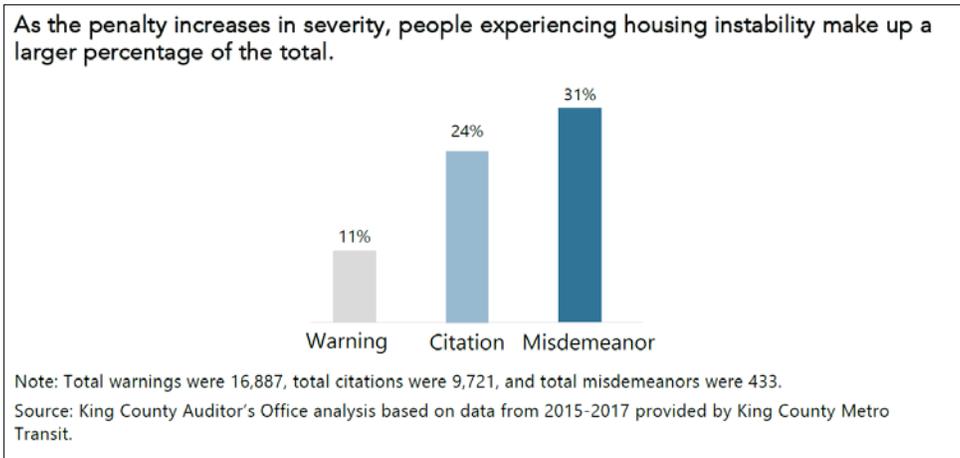
Metro also continues to work with original workgroup partners who assisted in developing the alternative resolutions to maintain connection to the populations these advocates represent, and continuously improve our evolving fare enforcement training requirements and violation resolution processes. As a result of this workgroup's input, Metro's Fare Enforcement Program has implemented new or updated training requirements for fare enforcement officers in de-escalation and implicit bias awareness. We will be seeking other training opportunities in working with mental health and/or homeless populations as available.

The first year of the Fare Violation Program is effectively a time for meaningful data collection and applying learnings to develop baseline measures. Moving into the second year with relevant, full-cycle data will allow us to set informed targets and goals to continue to measure the program's effectiveness and further influence Metro's fares policies and programs.

Appendix A: King County Auditor’s Office Report on RapidRide Fare Enforcement, April 2018 – sample data



Note: The number of citations processed by District Court is less than the number issued by Transit in 2016.
 Source: King County Auditor’s Office analysis of data provided by King County District Court.



Appendix B: Fare Enforcement Survey Study Period, August-September 2018 – sample data⁴

Figure 1 Total Passengers Inspected vs. No Fare

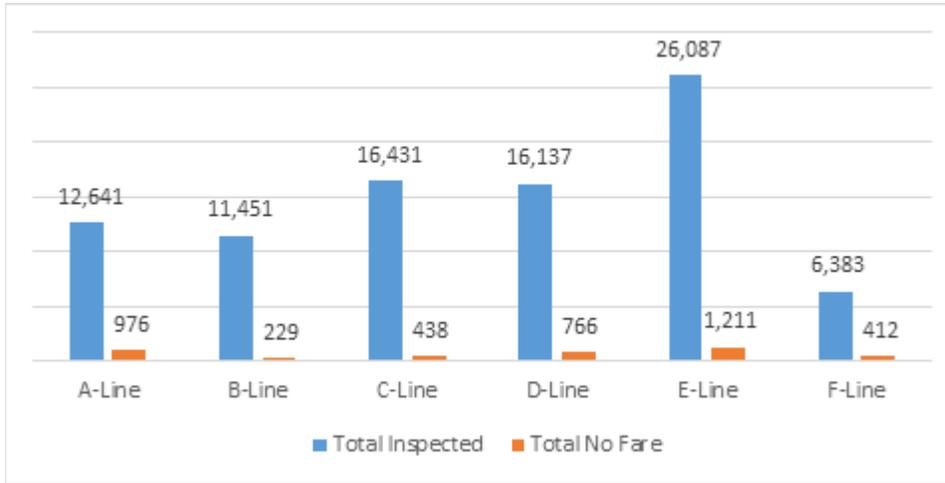


Figure 1 shows the total share of passengers inspected by line over the course of the study period, August 1 – September 30, 2018.

Figure 2 Fare Evasion Rate by Line

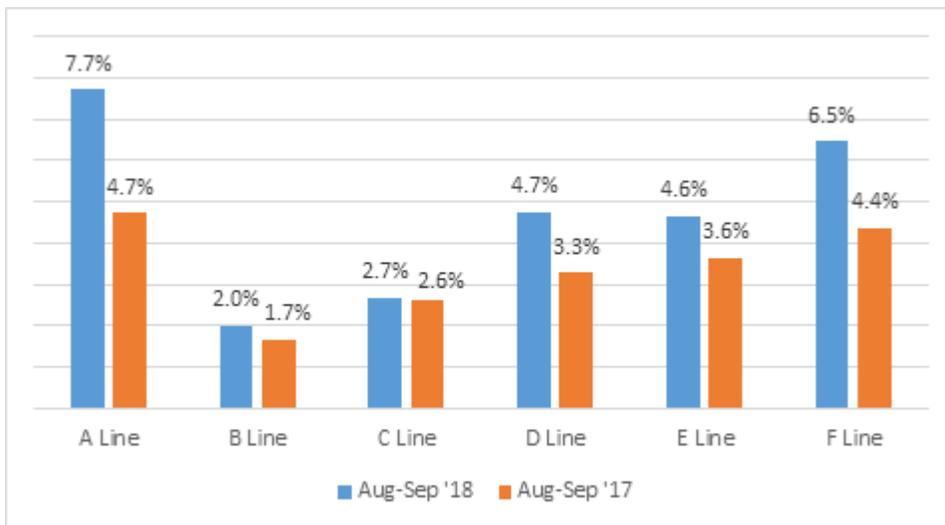


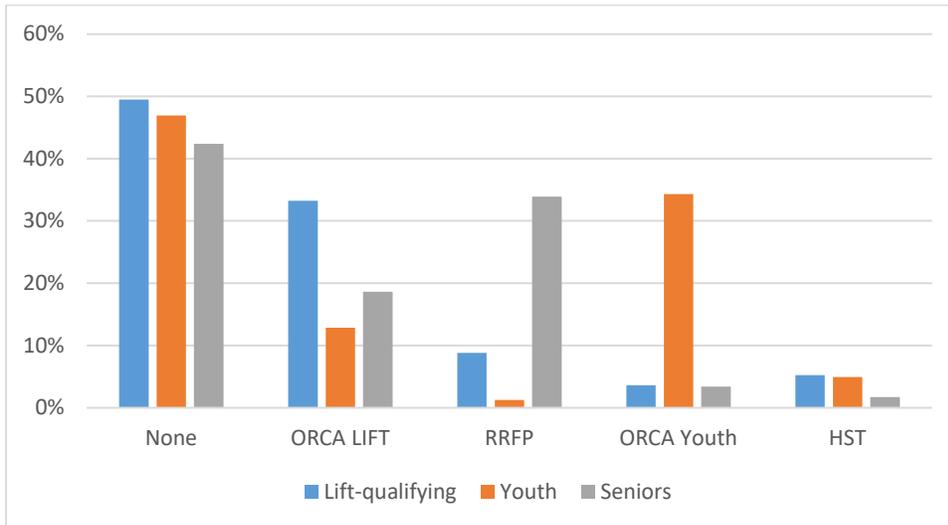
Figure 2 shows evasion rates by line during the study period compared to fare evasion rates reported from August and September of 2017. **The most notable difference is that each line during the study period has a higher evasion rate than was reported during the previous year.** While this discrepancy could indicate the evasion rate grew, it could also mean the study period saw a more accurate reporting of actual evasion rates. That being said, it should be noted that evasion rates did not see much growth over the course of the study period.

⁴ Full survey study report was developed for internal purposes only, available upon request.

Appendix B: Fare Enforcement Survey Study, August – September 2018, Sample Data

Figure 3 shows fare media utilization among different rider groups, including youth, seniors, and those who would qualify for LIFT based on reported income and household size as provided in the survey. Even once segmented by these criteria, the highest share among each group (>40%) does not use the discounted fare product for which they should ostensibly qualify. Just over a third of LIFT-qualifying riders report to ever using LIFT. The same is true for RRF among senior riders and ORCA Youth among youth riders.

Figure 3 Reduced Fare Program Usage by Rider Group



The study also analyzed demographics (including race and ethnicity, age, and income) among fare evaders who participated in the survey. Figure 4 shows reported race and ethnicity among survey participants. It should be noted that respondents were able to select multiple races and ethnicities. While the majority chose only one option, around 6% reported more than one race or ethnicity.

Figure 4 Race and Ethnicity

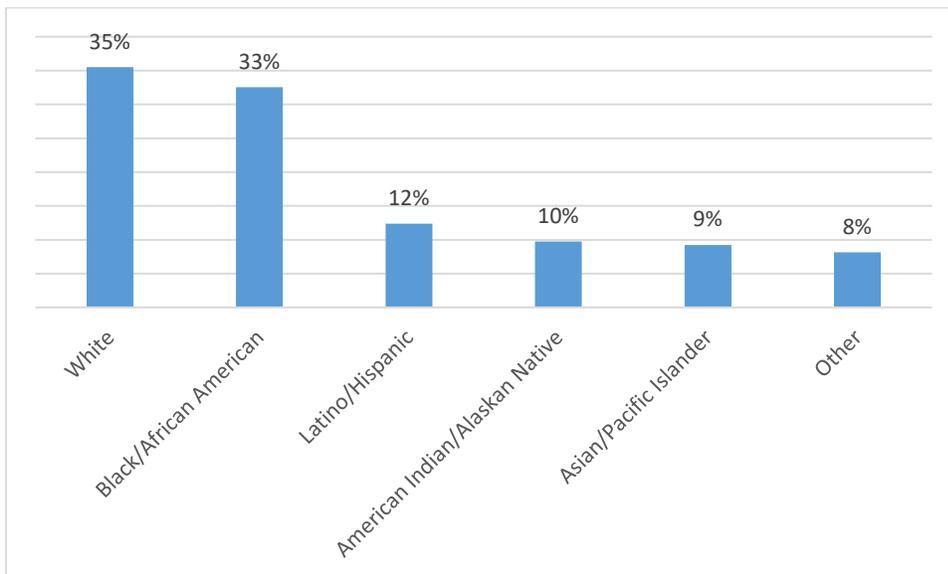


Figure 5 below shows age groups among survey respondents, with nearly half (47%) falling within the 19-34 year age range. The median age among respondents was 30.

Appendix B: Fare Enforcement Survey Study, August – September 2018, Sample Data

Figure 5 Age Group

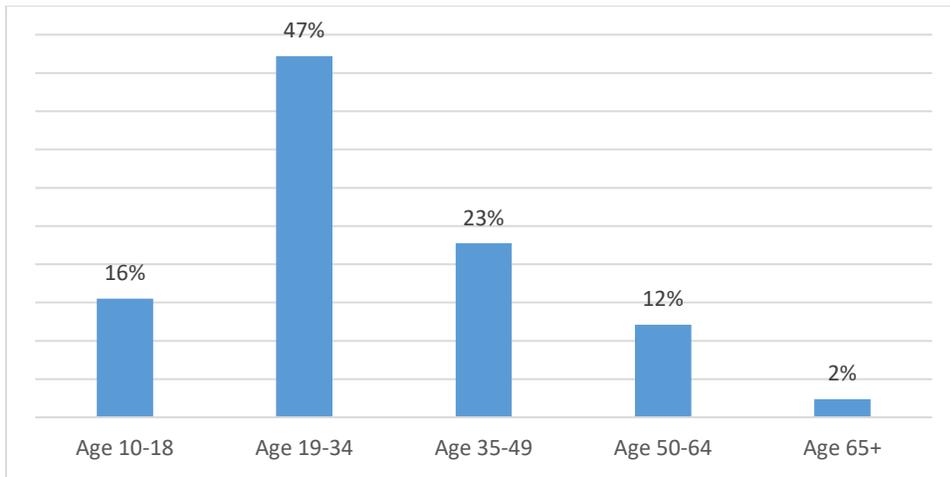
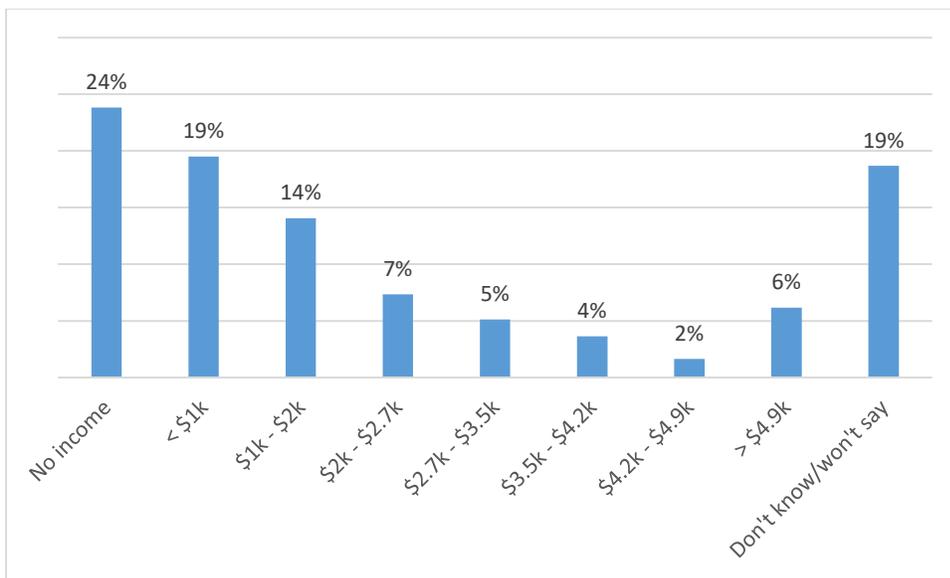


Figure 6 shows income among survey participants, of which nearly a quarter reported to have no income, followed by 19% who live in households earning less than \$1,000 per month. **Among the nearly 2,300 riders who reported both income and household size, 43% live at or below 200% of the Federal Poverty Level.** This data does not include those who reported income as “don’t know/ won’t say”.

Figure 6 Monthly Household Income



Appendix C: New Fare Violation Resolution Process roadmap



1

- Rider cannot provide proof of fare payment to Fare Enforcement Officer upon inspection
- First time encounter*/ Individual not recorded in fare enforcement database
- **Warning issued** and recorded

2

- **Adult** rider cannot provide proof of fare payment to Fare Enforcement Officer upon inspection
- Individual's information appears in fare enforcement database as being issued a previous warning
- **Violation issued** and recorded

3

- ***Youth** rider cannot provide proof of fare payment to Fare Enforcement Officer upon inspection
- **Youth's** information appears in fare enforcement database as being issued two previous warnings
- **Violation issued** and recorded



- **Violation recipient has up to 90 days to complete a resolution option**
- Penalty fine is reduced if paid within 30 days
- Appeals (or customized resolutions) to be requested within 45 days



- **Violation is resolved before 90 days from violation date**
- No longer at risk of suspension from service
- Record of warnings and violations remain in the database for only one year



- **Violation is not resolved within 90 days from violation date**
- Risk of being suspended from service for 30 days (per violation)
- Potential for trespassing charges if found on a coach during the time of a suspension

Fare Violation Program staff are working hard to reach individuals starting at the Warning phase.

Fare Enforcement Officers are encouraging individuals to resolve violations quickly, emphasizing the fare resources like LIFT and the five resolution options available.

Options to resolve focus on sustaining access to transit service.

Appendix D: Fare Enforcement and Fare Violation Program Data, January 2019

Ordinance 18789 added a new section, Section 2, to King County Code Chapter 2.16 that called for the following data to be included in this report:

“A. For each RapidRide bus route, all other regular bus routes, and for total bus service the executive shall provide data on the following:

- 1. The number of warnings issued for fare evasion and the number of people that have received warnings by bus route;*
- 2. The number of fare evasion citations issued and the number of that people that have received these citations by bus route, this should include identifying the number of individuals that receive multiple citations during the reporting period and how many citations they received;*
- 3. The number of citations resolved, showing the method used to resolve the citations;*
- 4. The number of people suspended as a result of fare evasion;*
- 5. The number of criminal trespass charges issued to individuals as a result of fare evasion violations;*
- 6. The report should also include data showing the demographics of persons issued citations, including but not limited to race, age, gender, income and housing status as available; and,*
- 7. The report should also include performance measures showing the activities and effectiveness of the program outreach manager....”*

The following data included in Appendix D responds to these requirements. At the time of this report, suspension data (KCC CHAPTER 2.16, Section 2A.4) and criminal trespass data (KCC CHAPTER 2.16, Section 2A.5) is not available because under the revised process, suspension from transit service as a result of fare violation does not occur until after 90 days from the date a violation is issued, and only if the violation goes unresolved during that time. The soonest possible suspensions based on this new process would occur no sooner than April 2019. Trespass charges, resulting from fare evasion, could only occur if a suspension is not complied with. In the 90 days until an individual is at risk of suspension, the Fare Violation Program is proactively pursuing those individuals who may be at risk of suspension through outreach efforts, education on fare payment and fare resources, and providing assistance with completing resolution options.

Appendix D: Fare Enforcement and Fare Violation Program Data, January 2019

Figure 1 and Figure 2 respond to KCC CHAPTER 2.16, Section 2A.1; requiring “the number of warnings issued for fare evasion and the number of people that have received warnings by bus route”

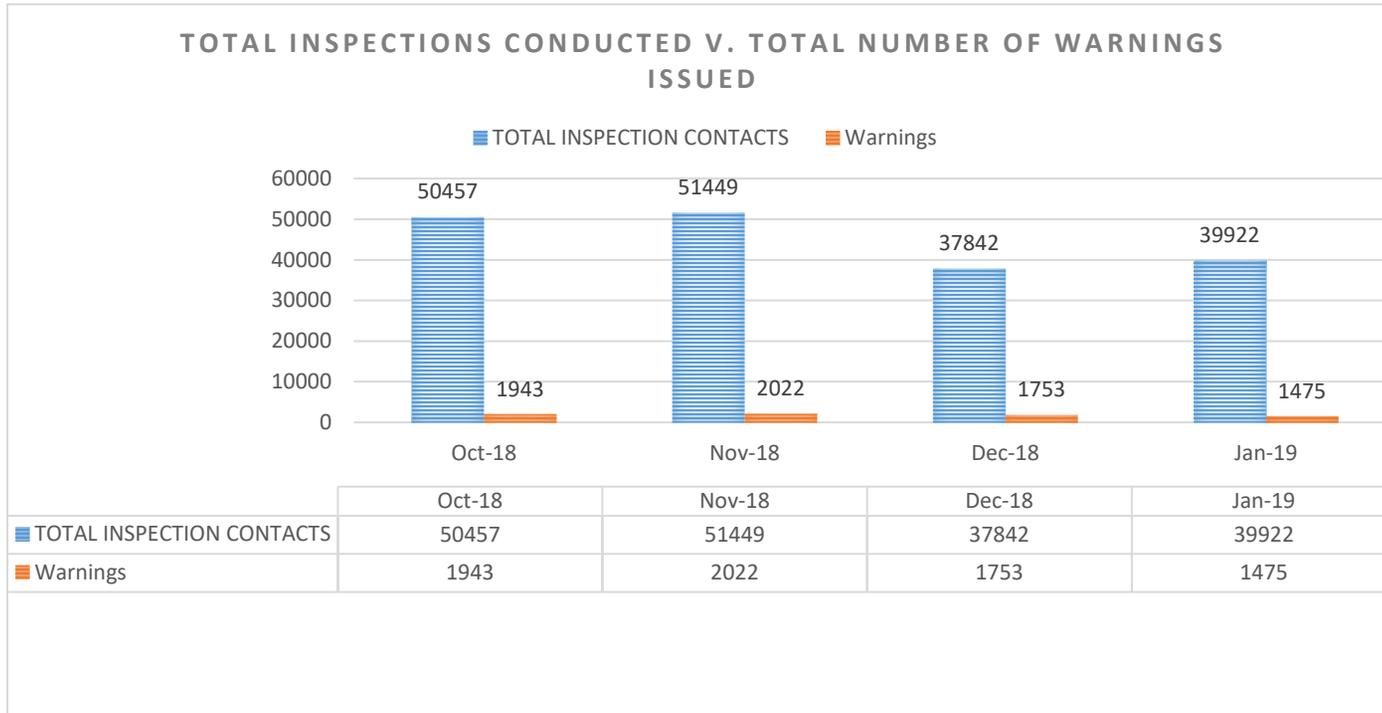


Figure 1 Total Inspections v Warnings Issued

Appendix D: Fare Enforcement and Fare Violation Program Data, January 2019

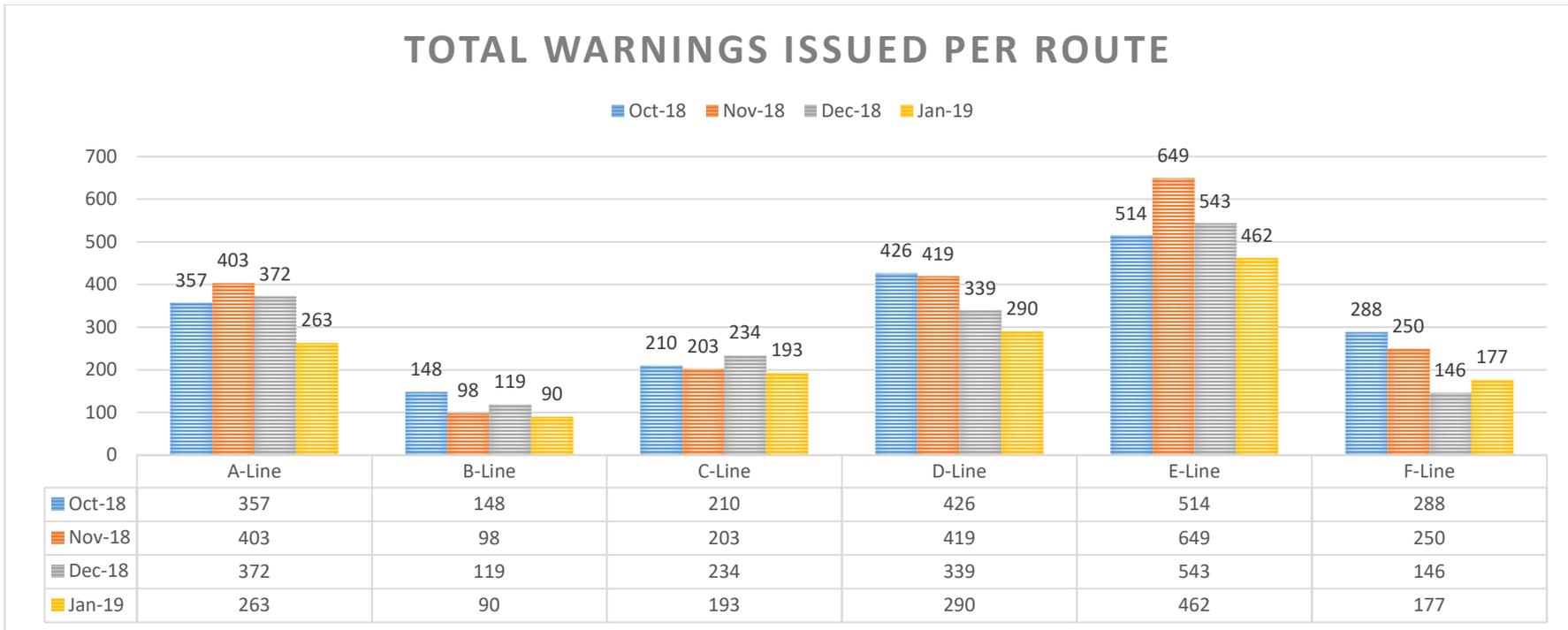


Figure 2 Total Warnings Issued per Route

Following Metro’s survey study period conducted in August and September 2018, Metro fare enforcement officers began issuing warnings in October 2018. Under the revised fare enforcement procedures, fare enforcement officers issue a warning during a first contact with an individual who does not present valid proof of payment. Youth are afforded two issued warnings prior to a violation being issued. Documenting of an issued warning includes obtaining the individual’s identification and contact information to be included in the fare enforcement database. From the period of October 2018 to January 2019, violations were not being issued, therefore multiple warnings may have been issued and documented to an individual during this time.

Appendix D: Fare Enforcement and Fare Violation Program Data, January 2019

Figure 3 and Figure 4 respond to KCC CHAPTER 2.16, Section 2A.2; requiring “the number of fare evasion citations issued and the number of that people that have received these citations by bus route, this should include identifying the number of individuals that receive multiple citations during the reporting period and how many citations they received”

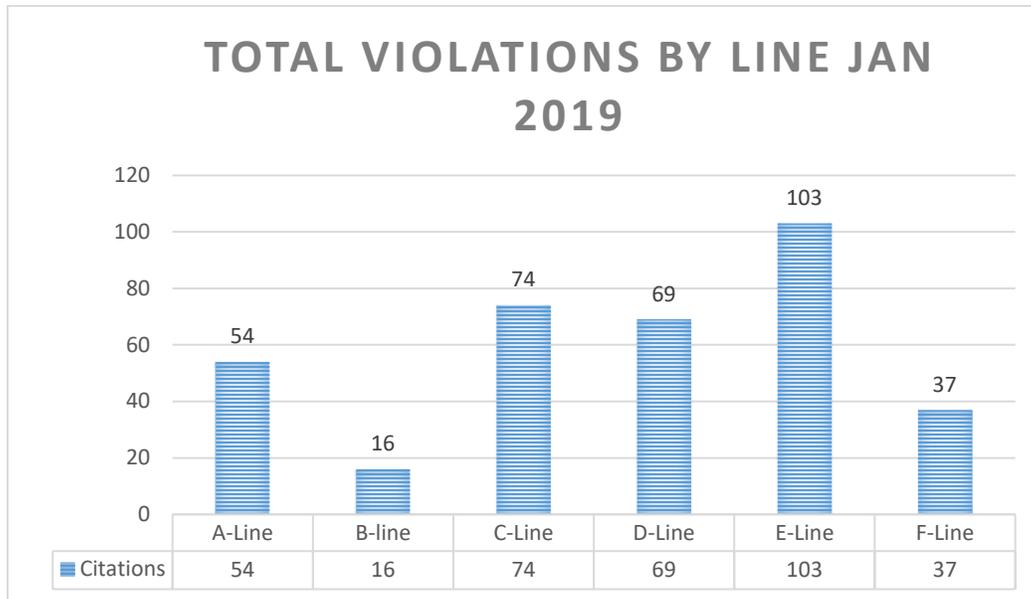


Figure 3 Total Violations by Line, Jan 2019

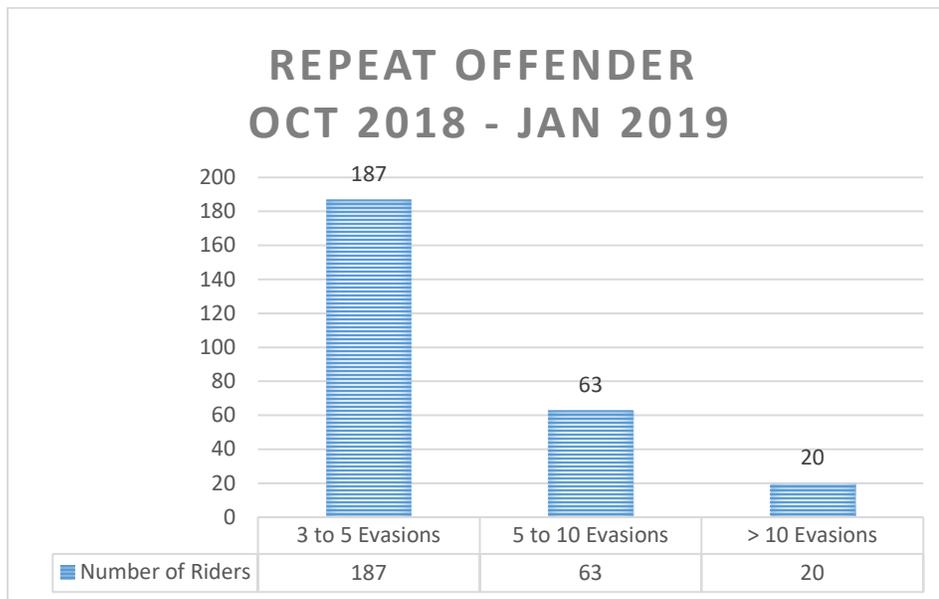


Figure 4 Repeat offenders Oct 2018 - Jan 2019

Metro fare enforcement officers began issuing violations again in January 2019, once all new program procedures were satisfactorily developed. Figure 3 demonstrates the number of violations issued for January 2019. Figure 4 demonstrates the number of individuals who have multiple recorded warnings and violations dating back to October 2018 when fare enforcement officers began documenting issued warnings again.

Appendix D: Fare Enforcement and Fare Violation Program Data, January 2019

Figure 5 responds to KCC CHAPTER 2.16, Section 2A.3; “The number of citations resolved, showing the method used to resolve the citations”

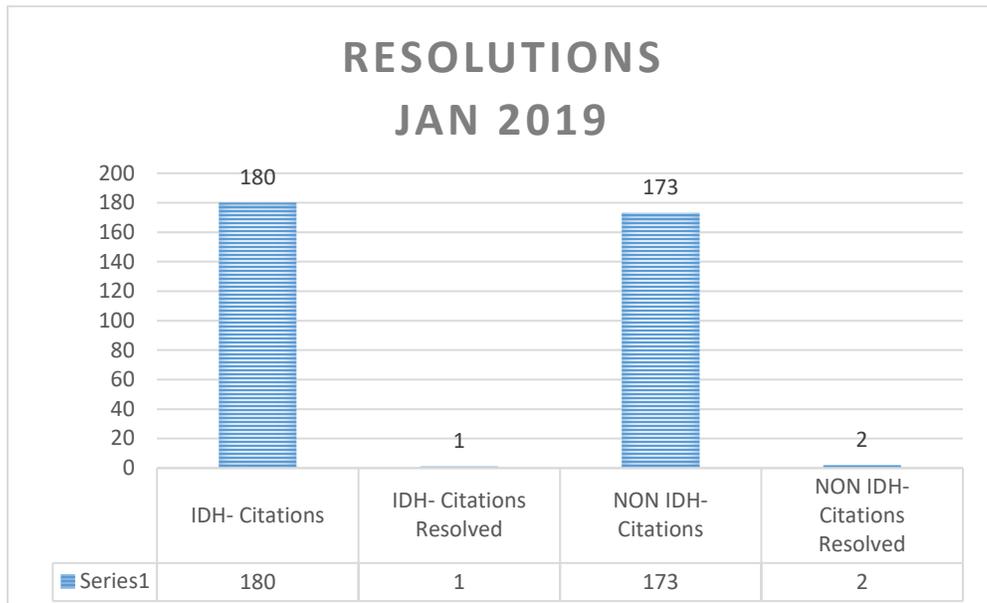


Figure 5 Resolutions Completed Jan 2019

Metro began issuing violations (referred to as citations in KCC Chapter 2.16) in January 2019. In the first month, the total number of citations issued was reportedly 353. As broken down in Figure 5, 180 violations were issued to individuals who identified as homeless (IDH), while 173 violations were issued to individuals who are presumably not homeless or chose not to identify as such. In the first month of the new resolution process being available, three resolutions were completed. Two of these individuals chose Option A, to pay the reduced fine of \$25 within 30 days of the violation issued date. One of these individuals chose Option B, to load minimum of \$25 funds to an existing ORCA card.

Also demonstrated in Figure 5 is the number of IDH individuals and non-IDH individuals who resolved violations.

Appendix D: Fare Enforcement and Fare Violation Program Data, January 2019

Figures 6 – 9 respond to KCC CHAPTER 2.16, Section 2A.6; "... data showing the demographics of persons issued citations, including but not limited to race, age, gender, income and housing status as available"

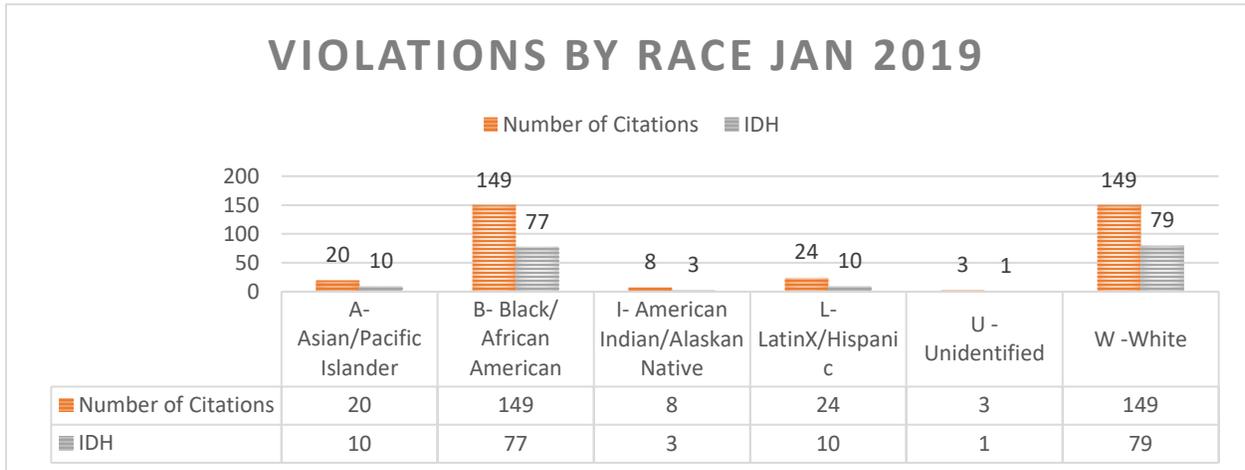


Figure 6 Violations by race; Jan 2019

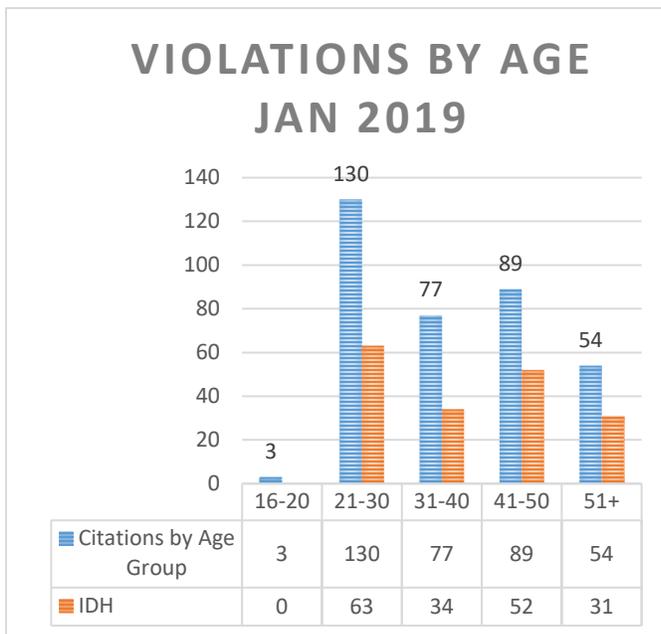


Figure 7 Violations by age; Jan 2019

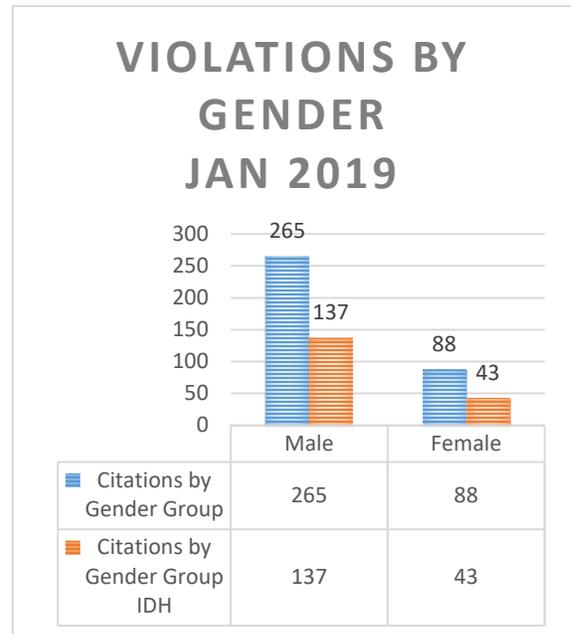


Figure 8 Violations by gender; Jan 2019

Appendix D: Fare Enforcement and Fare Violation Program Data, January 2019

Metro’s survey study in August - September 2018 asked participants to identify race, among other demographics. Figure 9 compares the demographics data received during the study period to the data for individuals who received violations issued in January 2019. Overlaid with race identification is the data for individuals who identified as homeless (IDH). It is important to note that individuals were able to choose multiple races in survey responses and all answers were counted, therefore survey data may not be as accurate as violations data.

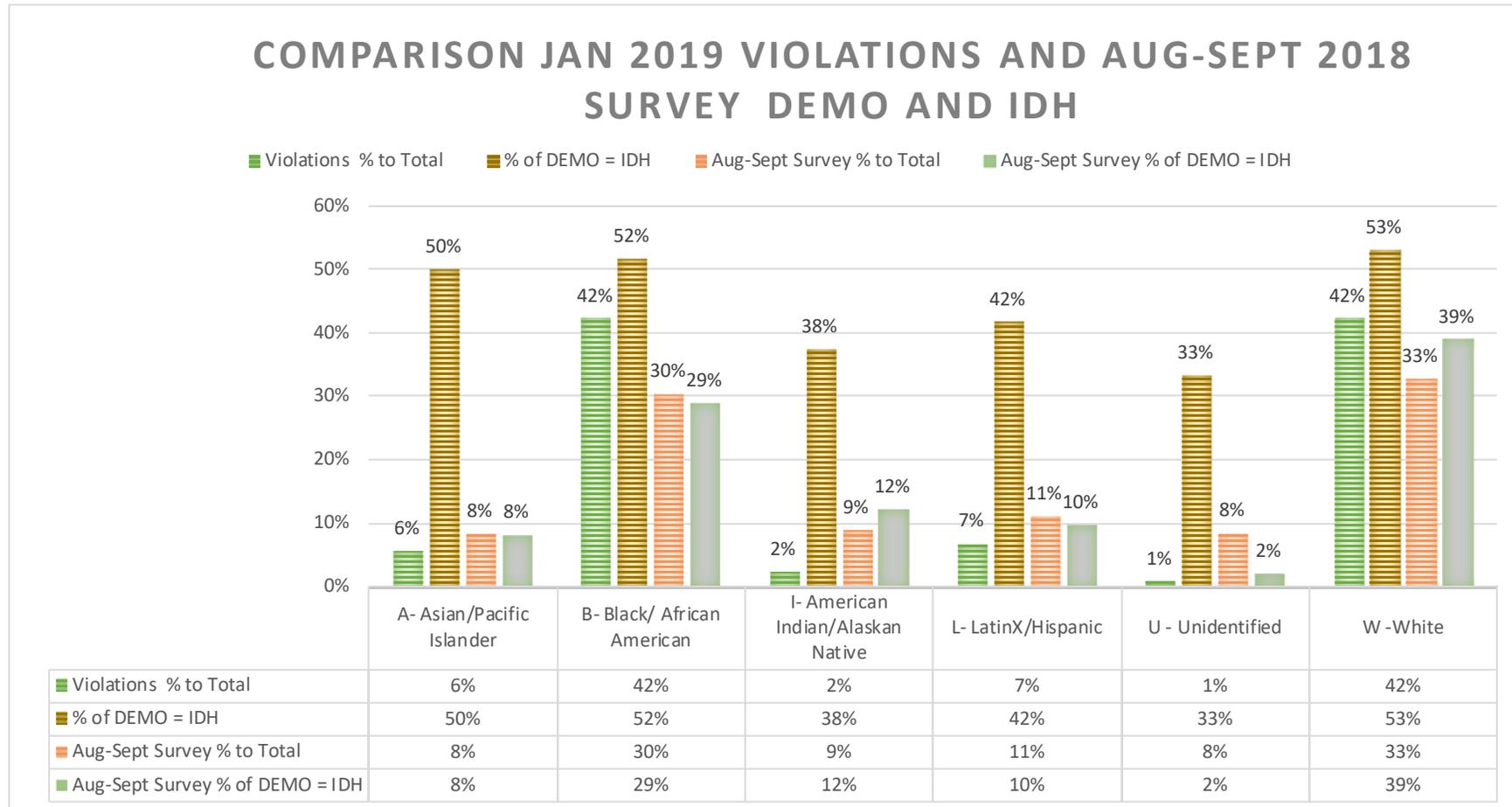


Figure 9 Race + IDH; Violations issued compared to Survey Study Data

Figures 10 responds to KCC CHAPTER 2.16, Section 2A.7; “performance measures showing the activities and effectiveness of the program outreach...”

Warnings Outreach	
1475	Total Warnings Issued (Jan 2019)
1205	Warnings issued to unique individuals
257	No viable mailing address or contact info provided
948	Letters mailed to warning recipients
374	Letters returned undeliverable, addresses marked as "bad" in database
Violations Outreach	
353	Total Violations Issued (Jan 2019)
116	Phone numbers on record/ calls attempted
	30% <i>Listen, ask questions and seem likely to follow-through on resolution options</i>
	10% <i>Claim it's the wrong number</i>
	50% <i>No answer, leave a voicemail</i>
	5% <i>No answer, no option for voicemail</i>
	5% <i>Call back with questions about resolution processes</i>
164	Letters mailed to date for Phase 2 outreach*

Figure 10 Program Outreach Summary

The Fare Violation Program staff established a phased outreach plan that is intended to reach an individual at least five times during the 90 days they have to resolve their violation.

- 1) Letter mailed to Warning recipients; done every two weeks. Letter is educationally focused, emphasizing the most commonly made mistakes when paying fare and introducing recipient to Metro fares resources, such as ORCA LIFT.
- 2) Letter mailed to Violation recipient at or around one week after violation is issued and entered in the fare enforcement database. This letter is focused on the resolution timeline and the options available, emphasizing to resolve quickly to avoid accumulation or escalation of violations.

*This step was originally a phone call, adjusted to a letter due to the low number of phone numbers received during intake contact. If the individual has a phone number listed, program staff will call in addition to sending a letter.

- 3) Ideally a phone call (but may also be a letter) at or around 21 days from violation date. In this step, program staff discuss their option to reduce the fine if paid within 30 days and the 45 day time restriction for requesting an appeal.
- 4) Letter and/or phone call at or around 75 days from violation date; to discuss risk of suspension from service if violation is unresolved after 90 days.

Appendix D: Fare Enforcement and Fare Violation Program Data, January 2019

- 5) Phone call and/or letter at or around 1 week prior to 90 days from violation date. This is a more direct warning to the individual that they will be placed on the Pending Suspension list on a specified date (90 days from violation date).

Not included in the numbers demonstrated in Figure 10, we began proactive outreach in December 2018 by mailing introductory letters to the nearly 6,000 warning recipients listed in the database at that time. From this mailing, we received few responses and were able to learn early on about the usefulness of the data. Approximately 70% of those first letters were received, allowing us to apply early adjustments to our processes when receiving and verifying mailing addresses and contact information from individuals. Fare enforcement officers now use a web-based address verification app in the field in order to gather more reliable contact data.

Our biggest challenge in proactive outreach is not having viable contact information for many individuals. In order to solve this challenge, Fare Violation Program staff are seeking to partner with shelters and agencies most commonly associated with many of the individuals in the fare enforcement database and with human service agency offices that provide access to ORCA LIFT and other resources. Fare enforcement officers are also empowered to call the Fare Violation Program phone number (staffed by a team of staff) *during* a contact in the field with our most prolific fare evaders in order for program staff to make a personal connection and attempt to provide assistance.

Proactive, customer-service focused messaging is underlying tone and approach the Fare Violation and Fare Enforcement programs lead with as these teams continue to make every attempt to identify and meet the needs of Metro's customers.