



King County
King County Councilmember Joe McDermott

December 9, 2019

Mr. Peter Rogoff, CEO
Sound Transit
401 S. Jackson
Seattle, WA 98104

Dear Mr. Rogoff,

Thank you for ensuring that the Rider Experience and Operations (REO) Committee received an update on the work currently underway to review Sound Transit's fare enforcement practices. The [presentation](#) on October 3 was helpful and we appreciate the interdisciplinary staff group's commitment to reviewing current practices and policies, hearing from communities directly impacted, and bringing recommendations to the Board for how we can improve the program.

As Directors of the Board, we want to underscore our support for reforming the agency's fare enforcement program. Ultimately, Sound Transit is a public service. We build and operate transit so people can access opportunities – so they can get to school, training, services, and work. We should not be punishing people trying to use transit; we should be compassionately helping people ride right.

Therefore, we strongly support the mission and vision for the interdisciplinary staff group presented at REO. It is critical this work centers around equitable access and outcomes for all customers. We absolutely should be striving to create “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.”

A rider's decision to evade fare may simply boil down to their inability to afford the fare. According to the [audit](#) on King County Metro's RapidRide Fare enforcement program, research has shown that there are some riders who will evade fare no matter the consequences. That same audit also found very few of the fines are ever paid. In 2016, for example, “District Court processed 3,515 citations and only 94 were paid outright.” This makes us question whether fare enforcement is actually a security issue, or if this is a customer accessibility issue that needs a different approach.

It is our understanding that [research](#) has not found a correlation between fare enforcement and fare evasion. Nor is there evidence that shows lighter penalties for fare evasion will encourage less payment or result in greater revenue loss for the agency. As we continue to look at this program, we want to ensure the funds we spend on fare enforcement are worth it and that the program centers equity and customer service.

As you continue with the comprehensive review and prepare to make recommendations, we ask the following:

- **Bring this issue to the Board in February.** Initially this review was going to culminate in a proposal to the Board before the end of this year. During the REO Committee, we learned that the deadline has been moved to February 2020. We ask that this work remain a priority. Please plan on presenting findings and recommendations to the Board in February with any required Board action set for no later than March 2020.
- **Include youth in your outreach.** Please ensure the community outreach includes talking with youth, specifically youth of color and youth in households with low-incomes.
- **Conduct an audit and involve a third-party.** Consider hiring a third party to conduct a full audit. Also, ensure a third party is involved with designing, administering, and analyzing the engagement surveys and data.
- **When presenting to the Board, we believe the following questions need to be addressed:**
 - What cars are checked, at what times of day, and at what stations/locations along the line? How are cars chosen and, if this is left up to officer discretion, how is the agency accounting for implicit bias (i.e., could the officer subconsciously be choosing a car after seeing a crowd of young people, a person of color, or person who appears homeless board)?
 - Clarity on what informal warnings are and how and when they are used. Speak to officer discretion and whether implicit bias is accounted for.
 - More information on why the available [data is showing a disparate impact on Black riders](#) and a plan to address this.
 - How many people are ending up in collections and for what amounts? Who is ending up in collections – what are the demographics of this group?
 - What would the costs and benefits be to bring enforcement in-house and out of the court system?
 - What firewalls are in place to ensure law enforcement (local and federal) do not have access to fare violator information? In addition to the technology, are our policies and practices working to protect rider information?
 - What would it look like to separate fare enforcement from security and treat it as a customer service issue first rather than a security concern?
 - What kind of de-escalation training do officers receive? Does their training include skills for working with people who might not speak English, people from cultures different from their own, people with a mental or physical disability, people living with mental health issues, and people experiencing homelessness?

Additionally, we ask that the following actions be evaluated and included among reform ideas brought to the Board:

- Give riders a fresh start by clearing out existing infractions, fines, and halt any collections proceedings.
- Remove the possibility of an infraction resulting in criminal penalties or collections proceedings.
- Stop enforcement during the on-board survey and until a new program is rolled out. Ask officers to go into education mode only.

- Lower the fine to no greater than \$50 so it is more commensurate with a parking infraction.
- Develop additional resolution options for people who self-identify as unable to pay.
- Improve the ability to dispute a ticket in person, specifically add locations throughout the region (not just in Shoreline or via mail).
- Conduct aggressive information and enrollment efforts for ORCA LIFT, Regional Reduced Fare Permit, and other existing subsidy programs.

If any of these suggestions have already been evaluated, have little impact to Sound Transit, and could offer immediate relief to riders, we support swift implementation and will work with you on any necessary Board actions.

Mr. Rogoff, we hope you share our concern and sense of urgency. Your leadership is essential to shifting how the agency approaches this aspect of customer service and will no doubt influence how the work, and necessary focus on equity, is prioritized within and across the agency. We look forward to working with you to create a more equitable, customer-centered fare enforcement program and improved rider experience. We also look forward to a larger discussion about how to weave equity into all of Sound Transit's work.

Sincerely,



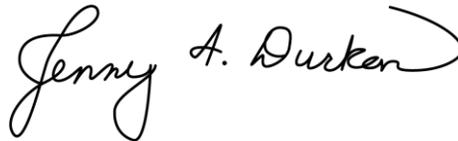
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King County, District 8



Councilmember Claudia Balducci
King County, District 6



Executive Dow Constantine
King County



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City of Seattle



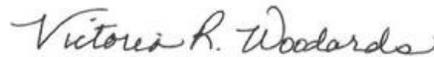
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