

Fare Enforcement Review Update

December 14, 2016

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Fare Enforcement Review Update

- Brief review of data and research
- Data on enforcement actions
- Options for changing the model
- Next steps

Fare Enforcement Review Update

- Community & partner outreach
- Data analysis
- Enforcement penalties/legal review
- Training & procedures

Customer & Community Feedback

- Listening sessions
- Riders Club survey
- Transit Equity Advisory Committee (TEAC)

Data Analysis & Research

- Fare evasion survey
- Ridership survey
- Independent data review

Fare Evasion Survey (MAX)

Spring 2016

- 14.5% fare evasion

Spring 2015

- 9% fare evasion

Spring 2014

- 10% fare evasion

Application of Enforcement Actions

- Independent study conducted by PSU Criminal Justice Policy Research Institute

Analysis of Racial/Ethnic Disparity in TriMet Fare Enforcement Outcomes on the MAX 2014-2016

**December 14, 2016
TriMet**

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Key Questions:

1. Do racial/ethnic disparities in TriMet fare enforcement outcomes exist?
2. If so, what factors may be contributing to the disparity, including racial/ethnic bias?

Key Terms:

✓ *Disparity* = differences in enforcement outcomes between racial/ethnic groups of riders *based on **an expectation of each group's likelihood*** of receiving a warning, citation, or exclusion.

1. Looking for patterns in fare enforcement data that indicate **large thresholds of disparity** between racial/ethnic groups that may be **indicative of systemic bias, but cannot be considered comprehensive evidence or proof.**
2. Need for **multiple benchmarking** approaches.
3. Even in absence of finding patterns indicative of systemic bias, bias it **does not mean a transit agency should be any less vigilant** in ensuring its enforcement practices are fair and un-biased through continued training, data monitoring, and policy reflection.

Data:

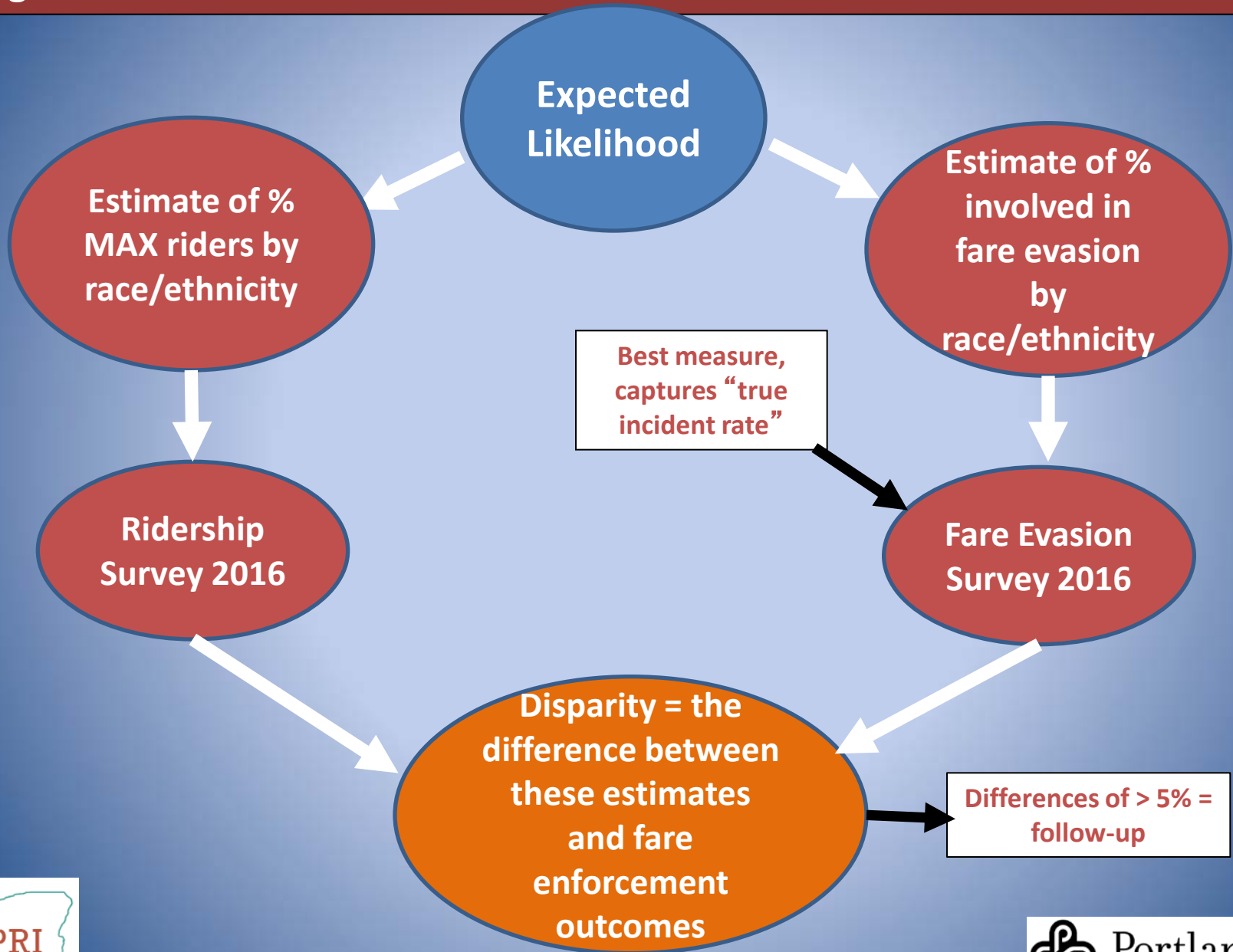
54,594 fare enforcement incidents on the MAX from March 29, 2014 to March 29, 2016.

* 98% of all fare enforcement incidents occur on MAX

Baseline Surveys:

- 2016 Ridership Survey
- 2014-2016 Fare Evasion Survey

Baseline Test # 1: Comparing Evasion Outcomes to Expected Likelihood of Getting Caught



Baseline Test # 1: Expected Likelihood of Being Caught

Table 1: Ridership and Fare Evasion Survey Results

Race	% of MAX Riders (Ridership Survey 2016) ¹	% Fare Evaders (Fare Evasion Surveys 2014-16)	Difference
African American	7.0%	14.8%	-7.8%
Asian	9.0%	3.4%	5.6%
Hispanic	12.0%	12.9%	-.90%
Native American	4.0%	NA	
Multi-Racial	5.0%	NA	
Other	2.0%	NA	
Unknown	NA	6.4%	
Non-White	35.0%	37.6%	-2.6%
White	65.0%	62.3%	2.7%

Baseline Test # 1: Results

Table 4: Racial/Ethnic Proportions for Baseline Survey and Fare Enforcement Outcomes

Race	% Riders	% Evaders	% incident	% warn	% cite	% excl ¹
African American	7.0%	14.8%	18.0%	15.5%	17.7%	22.4%
Asian	9.0%	3.4%	4.8%	6.1%	4.8%	2.9%
Hispanic	12.0%	12.9%	8.8%	10.3%	8.5%	9.5%
Unknown	5.0%	6.4%	1.8%	3.0%	1.6%	1.6%
Non-White	35.0%	37.6%	34.0%	35.8%	33.3%	37.3%
White	65.0%	62.3%	66.0%	64.2%	66.7%	62.7%

¹ Note: "excl" refers to the percentage of exclusions for each racial/ethnic group.

Conclusion 1 = Differences between the fare evasion survey results and enforcement outcomes are small and indicate little disparity. Thus, it does not appear TriMet fare enforcement on the MAX is systemically biased towards certain races and ethnicities, however the elevated percentage of African American riders being excluded should be examined more closely.

Baseline Test # 1: Repeat Offending

Conclusion 2 =

- 25.6% of incidents involved the same person at least once.
- African Americans involved in 25.5% of incidents with repeat violators, much higher than the 14.8% estimate of fare evasion.
- Strengthens validity of the fare evasion survey estimate.
- Unique challenge - future research should explore economic, health, and other hardship factors that may trigger repeat violations.

Table 6: Repeat Fare Enforcement Violators

Race	% repeat (all)	% repeat (within race)
Total Repeat	25.5%	
African American	25.5%	36.1%
Asian	2.7%	14.3%
Hispanic	6.2%	18.0%
Native American	1.0%	34.5%
Unknown	0.3%	4.0%
Non-White	35.6%	26.7%
White	64.4%	24.9%

Baseline Test # 1: Exclusions

Table 7: Exclusions by Repeat Violations and Fare Inspector Agency

Race	Total Excl ¹	% Repeat Violator	% Non-Repeat Violator	% TriMet Inspector	% Local LE agency
Total Avg.		37%	63%	57%	43%
African American	1322	46%	54%	59%	41%
Asian	174	24%	76%	72%	28%
Hispanic	563	23%	77%	58%	42%
Native American	51	45%	55%	57%	43%
Unknown	92	0.4%	2.1%	63%	37%
White	3702	37%	63%	55%	45%

- Results reinforce the impact of repeat violations as a contributing factor to exclusions, particularly for African American riders.
- Large proportion of exclusion decisions involve local law enforcement agencies (43%), thus exclusion causes and any policy solutions more complex.

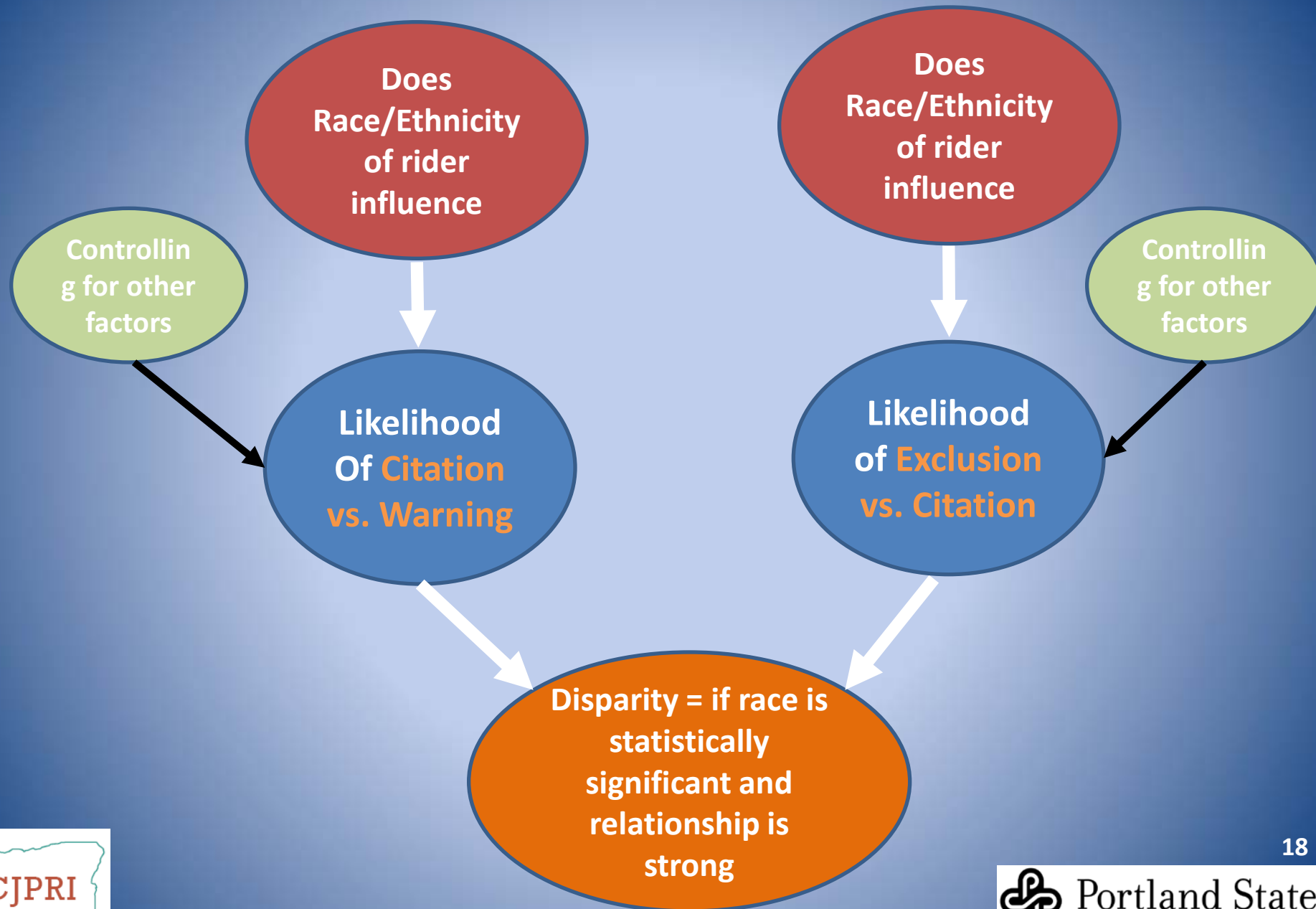
Baseline Test # 1: Geographic Variation

Table 8: Top 50% Stop Locations Where Fare Enforcement Occurs by Race/Ethnicity

	Number of incidents	% of total incidents	African American	Asian	Hispanic	Native American	Unknown	White
All stops, % of incidents	54,594		18.0%	4.8%	8.8%	0.8%	1.8%	66.0%
<i>Top 50% of stop locations</i>								
Rose Quarter TC	10,755	19.7%	19.0%	4.2%	7.6%	0.8%	4.2%	67.0%
Gateway TC	2,457	4.5%	20.4%	4.6%	8.5%	0.7%	4.6%	63.8%
82 nd Ave	2,213	4.1%	23.8%	4.4%	8.3%	1.0%	4.4%	60.9%
Old Town/Chinatown	2,182	4.0%	21.2%	4.5%	9.0%	1.0%	4.5%	62.9%
Hollywood/42nd Ave	2,009	3.7%	20.7%	3.5%	8.1%	0.3%	3.5%	66.1%
Lloyd Center/11th	1,803	3.3%	19.6%	5.0%	8.8%	0.9%	5.0%	64.6%
Providence Park	1,484	2.7%	12.3%	4.5%	7.8%	1.2%	4.5%	72.2%
Hollywood/42nd Ave	1,461	2.7%	22.7%	4.4%	7.0%	0.8%	4.4%	63.7%
PSU South/5th & Jackson	1,167	2.1%	14.2%	11.1%	6.2%	1.0%	11.1%	65.5%
Skidmore Fountain	1,123	2.1%	17.1%	4.8%	9.7%	0.4%	4.8%	66.9%
Albina/Mississippi	803	1.5%	23.9%	3.0%	5.2%	0.7%	3.0%	65.0%
% of incidents at top 50% stops		50%	19.7%	4.9%	7.8%	0.8%	1.6%	65.2%
% of incidents at all other stops		50%	17.2%	4.0%	8.7%	0.8%	2.5%	66.8%

- There is no particular MAX stop location that appears to be a potential driver of any racial/ethnic distributions.

Baseline Test # 2: Does Race/Ethnicity of Rider Influence More Serious Outcome



Baseline Test # 2: Findings

No sig. findings in juvenile analysis.

Table 10: Relationship between race/ethnicity and warnings, citations, and exclusions using logistic regression (Adults only)

Race	Comparing Citations vs. Warnings	CI (EXP)	Comparing Exclusions vs. Citations	CI (EXP)
African American	Small positive, but statistically significant ¹	1.097-1.326	Small positive, but statistically significant ¹	1.098-1.342
Asian	Small negative, but statistically significant ¹	.723-.952	Non-significant	.679-1.048
Hispanic	Non-significant	1.025-1.312	Non-significant	.696-.970
Non-White	Non-significant	.994-1.144	Non-significant	.980-1.161
White	<i>Comparison group</i>		<i>Comparison group</i>	

Conclusion 3 = Although there were two positive significant relationships in the adult analysis, the size of the relationship and difference between significance and insignificance was relatively small enough that the results are unlikely based on a systemic bias in TriMet fare enforcement, future studies should continue to assess these relationships.

- ✓ *High proportion of repeat violations is an important phenomenon to develop a better understanding of. Repeat violations influence exclusions and are therefore a centralizing issue impacting other outcomes and racial/ethnic distributions.*
- ✓ *In general, disparity thresholds were not large enough to be indicative of systemic bias. Rate of adult African American exclusions is noteworthy and deserving of further understanding, particularly its relation to repeat violations.*
- ✓ *Recommend continued monitoring, data improvements, and seeking additional benchmarks. This is a developing field of inquiry.*

QUESTIONS

A Balanced Approach to Fare Enforcement

Objectives:

- Decriminalize fare violations
- Decrease fare evasion
- Support consistent application of TriMet Code

Decriminalize Fare Violations: Administrative Option

- Seek legislative authority for TriMet to offer an administrative resolution for first time offenders
- Establish a period of time for riders to pay the fine at a reduced amount in order to avoid collateral consequences

Decriminalize Fare Violations: Community Service Option

- Evaluate the option of community service in lieu of payment

Exclusion Hearings & Simplified Requests for Modifications

- TriMet exclusion hearings will be conducted in-house
- Exclusion administrator and the hearings officer will both have authority to modify exclusions

Decrease Fare Evasion

- Increase the number of personnel performing enforcement
- Increase time spent doing enforcement
- Increased customer awareness

Consistent Application of TriMet Code

- Additional training for TriMet personnel
- Alternate deployments developed
- Consistent application of TriMet Code

Next Steps

- Seek legislative change for pilot of administrative option (Q1 – 2017)
- Develop administrative option implementation plan (Q1 – 2018)
- Investigate community service option
- Implement customer awareness campaign

Next Steps

- Implement training
- Increase the frequency of inspections
- Review staffing levels



Questions?