

Clause 7 in Report No. 9 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on May 21, 2015.

7

York Region Transit (YRT/Viva)
2014 Enforcement and Security Annual Report

Committee of the Whole recommends adoption of the following recommendation contained in the report dated April 23, 2015 from the Commissioner of Transportation Services:

1. Recommendations

It is recommended that this report be received for information only.

2. Purpose

This report provides a summary of the York Region Transit (YRT/Viva) 2014 Enforcement and Security Annual Report (Annual Report). A copy of the Annual Report will be provided to York Regional Police Services Board as required under the Joint Services Agreement (Attachment 1).

3. Background

In September 2005, York Region Transit (YRT/Viva) began operation of its Viva bus rapid transit service

The Viva service operates using an off-board fare collection system known as the Proof-of-Payment Program. A Joint Services Agreement was established between York Region and York Regional Police Services Board to provide for Special Constables to administer the Proof-of-Payment system for the Region's new Viva service. The agreement assigned certain powers to YRT/Viva's Special Constable section to allow staff to enforce revenue protection, and provide security services for YRT/Viva in conjunction with York Regional Police.

The Joint Services Agreement requires an annual report to the York Regional Police Services Board

YRT/Viva's 2014 Annual Enforcement and Security report outlines all Special Constable activities that occurred throughout the year including recruitment, training, complaints and statistics by YRT/Viva Enforcement and Security section.

YRT/Viva Special Constables are authorized to enforce York Region's Transit Bylaw

YRT/Viva Special Constables have Peace Officer powers as set out in the Criminal Code of Canada. These include enforcement of offences relating to Obstructing or Resisting a Peace Officer, Obstructing Justice, False Pretences, Forgery, Uttering a Forged Document, Fraud Under \$5,000 and Fraud in Relation to Fares.

The Region's Transit Bylaw includes provisions for the enforcement of proper fare payment, the safe conduct and protection of all persons travelling on public transit vehicles and using transit facilities within the YRT/Viva system.

In 2010, the Joint Services Agreement was amended to provide Special Constables with enforcement powers within the City of Toronto

The Chiefs of Police for York Region and the City of Toronto entered into a Memorandum of Understanding (MOU) governing the terms under which YRT/Viva Special Constables may carry out their duties, as they pertain to YRT/Viva within the City of Toronto. The MOU provides for York Regional Police Services Board to forward a copy of the Annual Report to the City of Toronto Police Services Board.

4. Analysis and Options

The Annual Report provides York Regional Police Services Board with a summary of all 2014 YRT/Viva enforcement activities

The YRT/Viva Enforcement and Security section travels the YRT/Viva system to monitor the correct use of fares and compliance with Viva's proof-of-payment

system. They also provide a uniformed presence ensuring the safety, security and comfort of customers traveling on YRT/Viva vehicles and transit properties. In 2014, YRT/Viva completed a Transit Enforcement best practice review of peer agencies

Information received through the review indicates YRT/Viva's current evasion rate is well below the industry average of approximately four per cent, as reported by the American Public Transit Association, and defines industry best-practice. In 2014, the evasion rate for the Viva Proof-of-Payment system was 1.16 per cent.

Table 1
2014 Inspections Performed by Fare Type

Fare Type	Inspections	Evasions	Evasion Rate %
Proof-of-payment	536,266	6231	1.16
PRESTO	64,157	360	0.56
Conventional Farebox	64,417	64	0.10
Total	664,840	6,655	1.00

Table 2 outlines the number of inspections performed by the Enforcement and Security section from 2011 to 2014, and provides the corresponding evasion numbers rate.

Table 2
2011 to 2014 Inspections Performed

Category	Inspections	Evasions	Evasion Rate %
2011	396,495	5,488	1.38
2012	526,270 ₁	3,853 ₂	0.73
2013	465,151	7,473	1.61
2014	664,840	6,655	1.00
Four-year Total	2,052,756	20,769	1.01

₁ Higher inspection totals due to the introduction of the Unclassified Farebox Inspections Program onboard YRT/Viva conventional services

₂ Decrease resulting from 56 days of free transit service following the 2011/2012 bus operator strike

Identified in the 2014 Annual Report are other activities performed by Special Constables outside of the Proof-of-Payment system. Table 3 shows the activities most often performed by Special Constables.

Table 3
2014 Activities by Type

Activity	Occurrences
Closed circuit television video seizures	2395
Lost and found articles processed	478
Special detail/request to investigate	164
Assist calls (passenger emergency, disturbance)	145
Property damage	116
Safety and security concerns	62

Annually, Enforcement and Security staff participate in a number of transit initiatives and events pertaining to revenue protection and collection, operations, and customer service

Listed below are transit initiatives YRT/Viva Enforcement and Security staff were involved in 2014.

- Increased fare revenue recovery by monitoring data, cash and ticket deposits into conventional vehicle fareboxes
- Increased fine revenue collection through court process improvements and efficient staff scheduling
- Partnered with Crime Stoppers of York Region, providing customers an anonymous outlet to report crime on transit
- Partnered with GTA Transit Enforcement agencies in information sharing
- Established a community partnership with 360 Kids Youth Outreach program focusing on youth in need travelling on transit
- Helped reduce bus operator speeding, through monitoring of real time data and communications with operation and maintenance contractors
- Provided customer service, security and assistance through the PRESTO community outreach program
- Assisted with the second launch of the Highway 7 rapidway sections, and with the station staffing plan for Transit staff and Paid Duty Officers
- Partnered with York Regional Police Community Oriented Response for Proof-of-Payment system activities

- Introduced a P25 Standard Public Safety Standard Radio system for staff that partners with York Regional Police communications systems
- Completed a best practices review of Enforcement practices involving participating North American peer agencies

Link to key Council-approved plans

Vision 2051: Safe and Secure Communities - YRT/Viva Enforcement meets the vision in developing sustainable community safety and crime prevention strategies through community mobilization, engagement and education.

5. Financial Implications

YRT/Viva Enforcement and Security issued 5,288 provincial offences, and recovered revenue totalling \$266,740

Table 4 outlines revenue collected in 2011, 2012, 2013 and 2014.

Table 4
Provincial Offences

Year	Offences Issued	Revenue Collected
2011	4,317	\$259,329
2012	2,416 ₁	\$139,965
2013	4,099	\$203,978
2014	5,288	\$266,740

₁ Decrease resulting from 56 days of free transit service following the 2011/2012 bus operator strike

6. Local Municipal Impact

The presence of YRT/Viva Special Constables on the YRT/Viva system improves security and customer service, helps protect Regional assets, and serves as a proactive deterrent in reducing graffiti and vandalism throughout York Region communities.

7. Conclusion

In 2014, YRT/Viva Enforcement and Security section provided required revenue protection and a safe and secure environment to customers, employees and the general public.

Under the Joint Services Agreement between the Region and York Regional Police Services Board, an Annual Report is required to be submitted by the Region to the Board, who will forward the report to the City of Toronto Police Services Board, as required under the MOU. Staff will continue to liaise with York Regional and City of Toronto Police to ensure the terms of the Agreement and MOU are fulfilled.

For more information on this report, please contact Ryan Keay, Manager, Transit Enforcement and Security at ext. 75769.

The Senior Management Group has reviewed this report.

April 23, 2015

Attachments (1)

6081805

Accessible formats or communication supports are available upon request



2014 Annual Report

YORK REGION TRANSIT
ENFORCEMENT and SECURITY



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Background

In September 2005, York Region Transit (YRT/Viva) began operating its Viva bus rapid transit service. This service uses an off-board fare collection system commonly known as *proof of payment*.

A Joint Services Agreement was established between York Region and The Regional Municipality of York Police Services Board to provide a Special Constable program for the new service. The YRT/Viva Enforcement and Security section would provide transit revenue protection and security services in partnership with York Regional Police (YRP).

The Transit Special Constable program was introduced as an 18-month pilot project with the launch of Viva. In June 2007, the program received permanent approval by the Ministry of Community Safety and Correctional Services.

In 2010, the jurisdiction for Enforcement and Security expanded into the City of Toronto through a formalized agreement with the Toronto and York Regional Police Services Boards.

As part of the *Joint Services Agreement*, Transit Enforcement and Security must provide an annual report to the Toronto and York Regional Police Services Boards outlining all activities including recruitment, training, complaints and statistics.

In 2014, YRT/Viva had an approved workforce of 15 Special Constables and 12 Fare Media Inspectors.

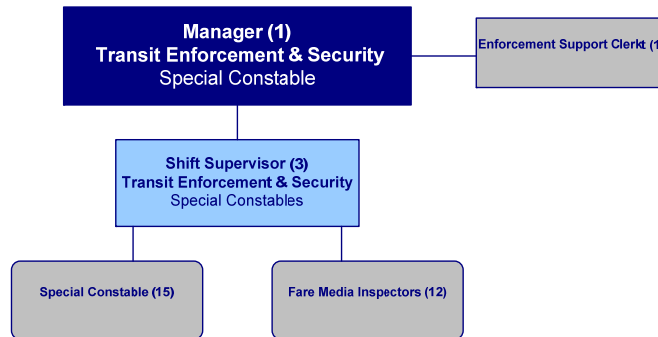


Supervision

The YRT/Viva Enforcement and Security unit consists of 32 positions as outlined in the following diagram:

YRT/VIVA TRANSIT ENFORCEMENT AND SECURITY

As of December 31, 2014



General supervision of the unit is provided by Shift Supervisors who report to the Manager.

Uniformed Special Constables provide dedicated security and law enforcement duties, and maintain revenue protection through fare inspection.

Appointments

In 2014, there were no appointments to YRT/Viva Enforcement and Security and two Special Constables resigned.

Applications	New appointments	Re-appointments	Special Constables
(Jan. 1 - Dec. 31) 0	(Jan. 1 - Dec. 31) 0	(Jan. 1 - Dec. 31) 0	(Jan. 1 - Dec. 31) 0
Terminations	Suspensions	Resignations	Retirements
(Jan. 1 - Dec. 31) 0	(Jan. 1 - Dec. 31) 0	(Jan. 1 - Dec. 31) 2	(Jan. 1 - Dec. 31) 0

Training and Professional Development

Mandatory Training

Course/topic	Delivered by	Duration	Total trained
Annual use of force requalification	Certified professional vendor	24 hours	19
Standard first aid and CPR requalification	Red Cross certified instructor	8 hours	3

Additional Training

Course/topic	Delivered by	Duration	Total trained
Accredited crisis intervention with the hostile and aggressive individual	Canadian Training Institute	16 hours	27
Terrorism event pre-incident indicators	Canadian Police Knowledge Network	1.5 hours	23
Recognition of emotionally disturbed persons	Canadian Police Knowledge Network	2 hours	23
Transit Safety Institute (TSI)	Transit System Security	40 hours	8
Risk assessment and vulnerability assessments	ASIS International	16 hours	1
Crime prevention through environmental design (CPTED)	CPTED Professional Training Institute – CPTED Ontario	40 hours	1
Coach officer training	Canadian Police Knowledge Network	2.5 hours	3
Occupational health and safety: frontline officer	Canadian Police Knowledge Network	2 hours	2
Social media investigations	Canadian Police Knowledge Network	2 hours	1
The theory of truth and deception	Canadian Police Knowledge Network	2 hours	1
Aboriginal awareness	Canadian Police Knowledge Network	6 hours	1
Deception detection techniques	Canadian Police Knowledge Network	4 hours	1

Outreach and Awareness Training

Course/topic	Delivered by	Duration	Number who received training
Youth outreach programs	360 Kids	1 hours	15
Gangs and drug awareness	YRP	2 hours	20

Affiliations and Associations

YRT/Viva Enforcement and Security maintains membership with the following organizations:

1. Canadian Association of Chiefs of Police (CACCP)
2. Association of Black Law Enforcers (ABLE)
3. Municipal Law Enforcement Officers' Association of Ontario (MLEAO)
4. Prosecutors' Association of Ontario (PAO)
5. Ontario Police Video Training Alliance (OPVTA)
6. Canadian Police Knowledge Network (CPKN)
7. ASIS International (ASIS)

Equipment

The following equipment is issued to all Special Constables:

- Wallet badge with wallet and agency identification card
- Soft body armour with internal and external carriers
- Two sets of standard handcuffs with cases
- Expandable baton with carrier
- Container of OC foam with carrier
- Serialized memo book with carrier
- Flashlight with carrier
- Forge cap/hard hat
- Reflective safety vest



Reporting

In 2014, YRT/Viva Enforcement and Security investigated 3,571 occurrences. They are listed below by category:

Occurrence type	2010	2011	2012	2013	2014
Seized video	624	930	1,300	1,660	2,395 ₁
Property	630	495	498	338	478 ₂
Special detail/request to investigate	5	1	11	30	164 ₃
Assistance	32	48	115	133	145 ₄
Damage to property	107	125	72	67	116
Disturbance	54	69	77	84	46
Fraud	51	77	28	43	29
Safety/security concern	24	39	49	42	62
Fare dispute	6	9	11	15	18
Assault	13	23	22	14	19
Motor vehicle collision	17	47	36	9	17
Drugs/drug paraphernalia	12	8	1	7	15
Information	14	21	12	7	15
Missing person	1	1	2	7	2
Other	11	0	11	5	10
Weapons	1	0	1	5	4
Safety/security hazard	1	0	2	4	8
No category	4	0	5	4	0
Suspicious incident	6	10	10	3	9
Theft	4	8	2	3	4
Uttering threats	0	0	3	3	2
Digital audio request	0	0	0	0	2
Fire	1	8	5	2	4
Indecent act	0	0	1	2	0
Bomb threat	0	0	2	1	1
Policy violation	1	2	5	1	2
Vehicle concerns	1	0	2	1	0
Warrants – arrest	0	2	1	1	1
Mischief	2	10	2	1	2
Terrorist incident	0	0	0	0	0
Obstruct peace officer	1	0	1	0	0
Robbery	4	2	0	0	1
Breach of probation	0	1	0	0	0
Totals	1,627	1,936	2,287	2,492	3,571

₁ Increase in occurrences resulting from requests from Risk Management and contractors to mitigate and/or substantiate risk and accident claims.

₂ Lost and found property processed by YRT/Viva Enforcement and Security received from the contractors.

³ Special details include follow-up investigations to concerns reported. Increase due to enhanced reporting

⁴ Increased reported occurrences due to staffing at terminals.

In 2014, seized video, lost and found property and assistance (assist passenger/medical assist) were the top three types of occurrences investigated by YRT/Viva Enforcement and Security.

Property

In 2014, YRT/Viva Enforcement and Security processed 478 pieces of property into evidence lockup. Property that was secured as lost and found or was no longer required for court or investigative purposes was either returned to the lawful owner or disposed of in accordance with the YRT/Viva Enforcement and Security process for disposal of property.

All moneys are turned over to the YRT/Viva Finance section while all items of value are donated to a local charity. Eyeglasses, cell phones and batteries are recycled. All other items are destroyed. Every item is itemized and a disposition record is maintained for audit purposes.

Complaints

All public complaints relating to staff conduct, security/safety, fare evasion and warning/fine disputes are forwarded to YRT/Viva Enforcement and Security Shift Supervisors for review, assessment and investigation.

Serious complaints relating to Special Constable conduct are reviewed by the Manager of Enforcement and Security. If the allegations meet the requirements of 'Schedule E' of the *Joint Services Agreement*, they are forwarded to the York Regional Police Professional Standards Bureau for investigation.

Adjudication and penalties are the responsibility of the Manager of Enforcement and Security. Complainants are advised of the findings of all investigations. All complaints are investigated in accordance with YRT/Viva Enforcement and Security procedures, and are within the parameters of the *Joint Services Agreement* and all Regional policies and procedures.

Investigation findings pertaining to Special Constable and Fare Inspector conduct complaints are defined and categorized as follows:

Unsubstantiated

- No evidence exists to support the allegation; or
- Evidence exists and if believed, would not constitute misconduct; or

- The identification of the Special Constable or Fare Inspector involved cannot be established.

Substantiated

- Complaint found to be supported by statements or evidence.

Informal Resolution

- May include an apology, an explanation by a management member and referral to education, training or various forms of mediation.

Complaints	Investigated by YRT/Viva	Investigated by YRP	Resolved	Outstanding
39	39	1	38	1

Complaints by Category

Complaint type	Received	Unsubstantiated	Substantiated	Informal Resolution
Special Constable	19	19	0	0
Fare Media Inspector	19	19	0	0

Use of Force Reporting

Type of force used	Number of incidents	Use of force report submitted
Expandable baton	0	0
OC foam	0	0

2014 Enforcement Statistics

Criminal Code of Canada

Section Number & Charge	2011	2012	2013	2014
Sec. 129 Obstruct Peace Officer	0	1	0	0
Sec. 139 (2) Obstruct justice	0	0	0	0
Sec. 362 (2)(b) False pretense under \$5,000	0	0	0	0
Sec. 366 Forgery	0	0	0	0
Sec. 368 Uttering forged document	0	0	1	0
Sec. 380 Fraud under \$5,000	0	0	1	0

Sec. 393 Fraud in relation to fares	77	28	38	29
Total	77	29	39	29

Provincial Offences – No Arrest

Occurrence Type	2010	2011	2012	2013	2014
Liquor License Act	8	6	13	15	19
Trespass to Property Act	0	2	30	11	26
Total	8	8	43	26	45

Provincial Offences – Arrest

Occurrence Type	2010	2011	2012	2013	2014
Liquor License Act	1	4	1	6	7
Trespass to Property Act	0	4	11	10	4
Mental Health Act	0	0	1	0	0
Total	1	8	13	16	11

2014 Revenue Protection Statistics

Fine Revenue

Provincial Offences

Year	Fine Recovery	Year	Tickets Filed
2006	\$136,835	2006	3,365
2007	\$232,308	2007	4,747
2008	\$166,067	2008	3,684
2009	\$189,937	2009	3,657
2010	\$199,302	2010	4,452
2011	\$259,329	2011	4,317
2012	\$139,965 ₁	2012	2,416 ₁
2013	\$203,978	2013	4,099
2014	\$266,740	2014	5,288

₁ Decrease resulting from 96-day bus operator strike and 56 days of free YRT/Viva services.

Annual System Inspections

Evasions

Year	Fares Inspected	Evasions	Evasion Rate (%)
2010	351,184	5,730	1.60 ₃
2011	396,495	5,488	1.38 ₃
2012	526,270 ₁	3,853 ₂	0.73
2013	465,151	7,473	1.61
2014	664,840	6,655	1.00

¹ Higher inspection totals due to the introduction of the Unclassified Inspections Program.

² Decrease of evasions resulting from 96-day bus operator strike and 56 days of free YRT/Viva services.

³ Proof of payment only.

Fare Box Unclassified Revenue by Contractor

Contractor	Revenue	Unclassified Revenue	Unclassified Revenue (%)
Miller Transit	\$2,033,039.94	\$65,292.39	3.21
Veolia Southwest	\$4,252,850.58	\$134,263.49	3.16
Tok Transit	\$1,399,252.08	\$38,013.55	2.72

2014 Major Accomplishments

- Increased fare revenue recovery by monitoring data, cash and ticket deposits into conventional vehicle fare boxes
- Increased fine revenue collection through court process improvements and efficient staff scheduling
- Partnered with Crime Stoppers of York Region to provide an outlet for customers to report crime on transit anonymously
- Partnered with Greater Toronto Area Transit Enforcement agencies in information sharing
- Established community partnership with 360 Kids Youth Outreach program focusing on youth in need using transit
- Helped reduce bus operator speeding through monitoring of real-time data and communication with operations and maintenance contractors
- Provided customer service, security and assistance through the YRT/Viva PRESTO community outreach program
- Assisted with the launch of the second Highway 7 rapidway sections, including station staffing plan for YRT/Viva staff and paid duty police officers
- Partnered with YRP Community Oriented Response for proof of payment activities
- Introduced a P25 Standard Public Safety Standard Radio system for staff that integrates with YRP communication systems
- Completed a best practices review of YRT/Viva Enforcement and Security practices with North American peer agencies

