

Clause 4 in Report No. 8 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on May 19, 2016.

4

York Region Transit (YRT/VIVA) 2015 Enforcement and Security
Annual Report

Committee of the Whole recommends adoption of the following recommendation contained in the report dated April 21, 2016 from the Commissioner of Transportation:

1. The Regional Clerk forward a copy of this report to the York Regional Police Services Board, as required under the Joint Services Agreement.
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Report dated April 21, 2016 from the Commissioner of Transportation now follows:

1. Recommendation

It is recommended that:

1. The Regional Clerk forward a copy of this report to the York Regional Police Services Board, as required under the Joint Services Agreement.

2. Purpose

This report provides a summary of the York Region Transit (YRT/Viva) 2015 Enforcement and Security Annual Report (2015 Annual Report). A copy of the 2015 Annual Report (Attachment 1) will be provided to York Regional Police Services Board as required under the Joint Services Agreement.

3. Background

Annually, YRT/Viva Enforcement and Security reports Special Constable activities to York Regional Police Board as required under the Joint Services Agreement

In 2005, the Region and York Regional Police (YRP) entered into a Joint Services Agreement for the purpose of launching YRT/Viva's Special Constable Program as part of the new bus rapid transit service, Viva. The 2015 Annual Report outlines all Special Constable activities that occurred throughout the year including, recruitment, training, incidents, complaints and operational statistics.

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.

YRT/Viva Special Constables are authorized to enforce York Region's Transit Bylaw in both York Region and the City of Toronto

The Region's Transit Bylaw includes provisions for the enforcement of proper fare payment, 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 2015 Annual Report to the City of Toronto Police Services Board.

4. Analysis and Options

YRT/Viva provides security, customer assistance and fare enforcement services through its Enforcement and Security Section

YRT/Viva's Special Constables and Fare Media Inspectors travel the transit system to monitor the correct use of fares and compliance with Viva's proof-of-payment system.

Table 1 outlines the number of inspections performed by the YRT/Viva Enforcement and Security from 2012 to 2015, and provides the corresponding evasion totals and annual evasion rate.

Table 1
2012 to 2015 Inspections Performed

Year	Inspections	Evasions	Evasion Rate %
2012	526,270 ¹	3853 ²	0.73
2013	465,151	7,473	1.61
2014	664,840	6,655	1.00
2015	498,203	7,338	1.47
Total	2,154,464	25,319	1.18

1. Higher inspection totals due to the introduction of the unclassified fare box inspections program onboard YRT/Viva conventional services.
2. Decrease resulting from 56 days of free transit service following the 2011/2012 bus operator strike.

YRT/Viva Enforcement and Security monitors activity on YRT/Viva vehicles and properties to ensure the safety, security and comfort of all customers.

Identified in the 2015 Annual Report is a complete list of activities performed by Special Constables outside of the proof-of-payment system. Table 2 shows the activities most often performed by YRT/Viva Special Constables.

Table 2
2015 Activities by Type

Activity	Occurrences
Closed circuit television video seizures	1955
Lost and found articles processed	590
Assist calls (Passenger emergency, disturbance)	154
Damage to Property	120
Fraud	60

YRT/Viva's Enforcement and Security staff participate in a number of transit initiatives and events pertaining to revenue protection and collection, operations, safety and security, community outreach and customer service

Listed below are the transit initiatives YRT/Viva Enforcement and Security staff were involved in 2015:

- Increased fare revenue recovery through enforcement and the auditing, monitoring of revenue data for conventional transit services
- Changes to court process and staffing schedules increased fine revenue collection by 20 per cent
- Partnered with York Regional Police:
 - Assisted with diversity campaign
 - Provided community oriented response for proof-of-payment system activities
 - Conducted safety and security initiatives
- Community Outreach
 - Developed outreach programs with 360 Kids youth outreach services focusing on youth in need using transit services
 - Participated in a number of presentations to local high schools providing education and transit awareness to students
 - Delivered transit safety presentations to Access to Better Living and Employment (A.B.L.E Network) members
 - Organized YRT/Viva's participation in the Big Brothers Big Sisters of York Holiday Wish Program
- Davis Drive rapidway launch
 - Developed station staffing plan for YRT/Viva staff
 - Organized York Regional Police Paid Duty Officers
 - Provided customer education
- 2015 Pan Am/Para Pan Games
 - Ensured safety and security within the YRT/Viva system
 - Provided crowd control and passenger loading

Link to key Council-approved plans

This report links to the following Council-approved plans and policies:

Vision 2051: Safe and Secure Communities

- Developing sustainable community safety and crime prevention strategies through community mobilization, engagement and education.

5. Financial Implications

In 2015 YRT/Viva Enforcement and Security recovered revenue totalling \$321,880

Table 3 outlines revenue collected in 2012, 2013, 2014 and 2015.

Table 3
Provincial Offences

Year	Offences Issued	Revenue Collected
2012	2,416 ¹	\$139,965
2013	4,099	\$203,978
2014	5,288	\$268,739
2015	5,907 ²	\$321,880 ³

1. Decrease resulting from 56 days of free transit service following the 2011/2012 bus operator strike.
2. Increased offences issued due to terminal staffing and enhanced deployment changes.
3. Increased revenue collected through change in staff deployment and court scheduling.

6. Local Municipal Impact

The presence of YRT/Viva Enforcement and Security improves customer safety and system security, protects Regional assets, and serves as a proactive deterrent to acts of graffiti and vandalism throughout York Region's transit system.

7. Conclusion

In 2015 the YRT/Viva Enforcement and Security provided revenue protection and a safe and secure environment to customers, employees and the general public.

YRT/Viva will provide the York Regional Police Services Board with the attached 2015 Annual Report, as required under the Joint Services Agreement and MOU with the City of Toronto Police.

YRT/Viva 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.

York Region Transit (YRT/Viva)
2015 Enforcement and Security Annual Report

The Senior Management Group has reviewed this report.

April 21, 2016

Attachments (1)

6734386

Accessible formats or communication supports are available upon request



2015 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 Special Constable activities including recruitment, training, complaints and statistics. The Annual Report includes all YRT/Viva Enforcement and Security's activities including both classes of positions; Special Constables and Fare Media Inspectors.

In 2015, YRT/Viva had an approved workforce of 17 Special Constables and eight Fare Media Inspectors.

Staffing

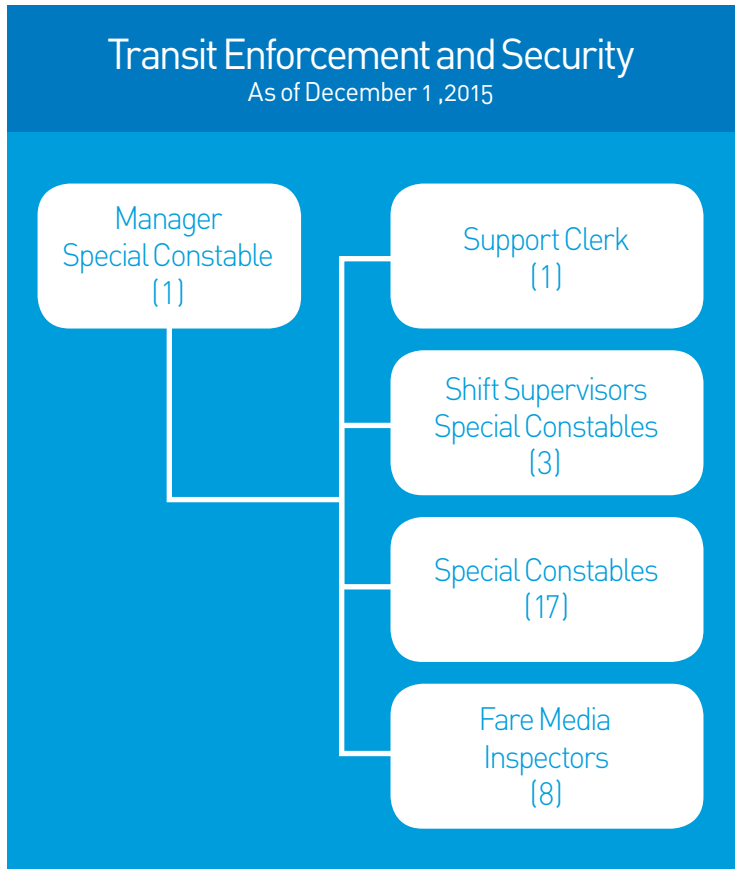
Supervision

The YRT/Viva Enforcement and Security unit consists of 30 positions.

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.

Fare Media Inspectors also provide additional fare inspection and customer service functions.



Staffing changes

In 2015, there were two appointments and two Special Constable resignations.

Three Fare Media Inspectors were hired filling vacant positions due to promotion, retirement, and temporary leaves.



Appointments (Jan. 1 to Dec. 31)

Total applications	New	Resumed	# of Special Constables
2	2	0	2

Attrition (Jan. 1 to Dec. 31)

Terminations	Suspensions	Resignations	Retirements
0	0	2	0

Affiliations and associations

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

1. Ontario Association of Chiefs of Police (OACP)
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:

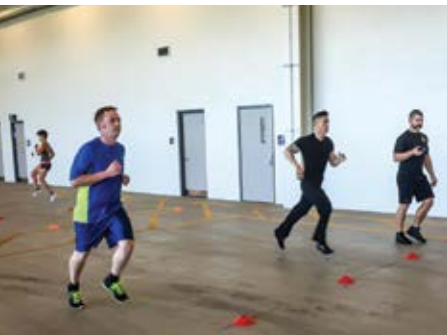
- Wallet badge with wallet and agency identification card
- Soft body armour with internal and external carriers
- Two sets of standard handcuffs with cases
- Expandable baton with carrier
- Container of OC foam with carrier
- Serialized memo book with carrier
- Flashlight with carrier
- Forge cap/hard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

Training and Professional Development

In 2015, outside annual recertification training, YRT/Viva Enforcement and Security participated in additional training sessions to raise staff awareness and development.

Mandatory			
Course/topic	Delivered by	Duration	No. staff trained
Annual Use of Force Requalification	The Control Institute Professional Vendor	24 hours	22
Basic Special Constable Training	The Control Institute Professional Vendor	22 hours	2
Basic Fare Inspector Training	The Control Institute Professional Vendor	2 weeks	3
Standard First Aid & CPR Requalification	Red Cross c/o YRT instructor	4 hours	22
Standard First Aid & CPR Initial	Red Cross c/o YRT instructor	6 hours	4

Outreach and awareness			
Course/topic	Delivered by	Duration	No. staff trained
Alzheimer's Awareness	Alzheimer Society of York Region	2 hours	12
Animal Protection	OSPCA	2 hours	12
Crisis Intervention with the Hostile & Aggressive Individual	Canadian Training Institute	12 hours	3
Diversity	YRP Diversity Equity and Inclusion Bureau	4 hours	5
Social Media in Law Enforcement	Hosted by Niagara Regional Police Service	3 days	3
Suicide Alertness	SafeTALK – Living Works	7 hours	23
The Engaged & Healthy Workforce Lecture	Blue Line	8 hours	1
Working with Autistic Children, Youth and Young Adults	Kennedy House Youth Services	7 hours	5
YRT/Viva Accessibility for Ontarians with Disabilities Act (AODA)	York Region Transit Mobility Plus	2 hours	14



External and Canadian Police Knowledge Network (CPKN)

Course/topic	Delivered by	No. staff trained
Customer Service in Police Environment	CPKN	23
Fitness Appraiser Certification	Hosted by Toronto Police Service	2
Homelessness Awareness	CPKN	23
Joint Health & Safety Committee Certification P1	OSG	3
On Combat	Grossman Academy	1
Physical Systems Master Planning	ASIS International	1
Transit Supervisor Certification Course	Transportation Safety Institute	1
Youth at Risk	CPKN	23

Reporting

In 2015, YRT/Viva Enforcement and Security investigated 3,169 occurrences. They are listed by category.

Reporting trends (2012–2015)				
Occurrence type	2012	2013	2014	2015
Assault	22	14	19	21
Assistance (assist passenger/medical)	115	133	***145	***154
Bomb threat	2	1	1	1
Breach of probation	0	0	0	0
Damage to property	72	67	116	120
Digital audio request	0	0	2	5
Disturbance	77	84	46	51
Drugs/drug paraphernalia	1	7	15	7
Fare dispute	11	15	18	21
Fire	5	2	4	4
Fraud	28	43	29	60
Indecent act	1	2	0	2
Information	12	7	15	6
Mischief	2	1	2	3
Missing person	2	7	2	5
Motor vehicle collision	36	9	17	11
No category	5	4	0	0
Obstruct peace officer	1	0	0	0
Other	11	5	10	9
Policy violation	5	1	2	1
Property	498	338	*478	*593
Robbery	0	0	1	0
Safety/security concern	49	42	62	49
Safety/security hazard	2	4	8	5
Seized video	1,300	1,660	2,395	1,955
Special detail/request to investigate	11	30	**164	**58
Suspicious incident	10	3	9	15
Terrorist incident	0	0	0	0
Theft	2	3	4	5
Uttering threats	3	3	2	4
Vehicle concerns	2	1	0	2
Warrants – arrest	1	1	1	0
Weapons	1	5	4	2
Totals	2,287	2,492	3,571	3,169

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

** Special detail includes follow up investigations to concerns reported by customers and staff. Increase due to enhanced reporting.

*** Increased reported occurrences due to staffing at terminals.



In 2015, seized video, lost and found property and assistance (assist passenger/medical) were the top three types of occurrences investigated by YRT/Viva Enforcement and Security.

Property

In 2015, YRT/Viva Enforcement and Security processed 593 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 policy for disposal of property.

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

Complaints relating to Special Constable conduct are reviewed by the Manager of Enforcement and Security. If the allegations meet the requirements of the complaint criteria under '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 Media 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 Media 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

Complaint investigations

Complaints	by YRT/Viva	by YRP	Resolved	Outstanding
42	42	0	42	0

Complaints by position

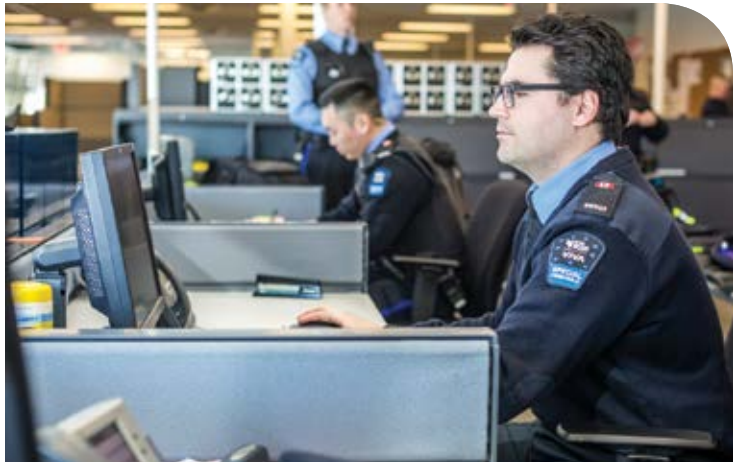
Position	Received	Unsubstantiated	Substantiated	Informal resolution
Special Constable	18	18	0	0
Fare Media Inspector	24	24	0	0

Use of Force (UOF) reporting

Type of force used	Number of incidents	UOF report submitted
Expandable baton	1*	1
OC foam	1*	1

* Equipment drawn but not deployed

2015 Enforcement Statistics



Criminal Code of Canada

Section number and charge	2012	2013	2014	2015
Sec. 129 Obstruct Peace Officer	1	0	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	1	0	0
Sec. 380 Fraud under \$5,000	0	1	0	0
Sec. 393 Fraud in relation to fares	28	38	29	60
Total	29	40	29	60

Provincial offences – no arrest

Occurrence type	2012	2013	2014	2015
Liquor License Act	13	15	19	18
Trespass to Property Act	30	11	26	28
Total	43	26	45	46

Provincial offences – arrest

Occurrence type	2012	2013	2014	2015
Liquor License Act	1	6	7	9
Mental Health Act	1	0	0	2
Trespass to Property Act	11	10	4	3
Total	13	16	11	14

2015 revenue protection statistics

Provincial offences		Fine revenue recovery	
Year	Number of tickets filed	Year	Amount
2012	2,416 ¹	2012	\$139,965
2013	4,099	2013	\$203,978
2014	5,288	2014	\$268,739
2015	5,907 ²	2015	\$321,880 ³

- 1 Decrease resulting from 56 days of free transit service following the 2011/2012 bus operator strike
- 2 Increased offences issued due to terminal staffing and enhanced deployment changes
- 3 Increased revenue collected through scheduling improvements and court process

Annual system inspections and evasions

Year	Fares inspected	Evasions	Evasion rate %
2012	526,270*	3,853**	0.73
2013	465,151	7,473	1.61
2014	664,840	6,655	1.00
2015	498,203	7,338	1.47

* Higher inspection totals due to the introduction of the Unclassified Inspections Program on conventional services.

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

Fare box unclassified revenue by contractor

Contractor	Revenue	Unclassified revenue	Unclassified revenue %
Transdev	\$4,191,796.24	\$119,010.08	2.84
Miller Transit	\$2,244,739.00	\$54,682.17	2.44
Tok Transit	\$1,349,421.50	\$34,607.68	2.72



2015 Major Accomplishments

- Increased fare revenue recovery through the enforcement, auditing and monitoring of revenue data for conventional transit services
- Increased fine revenue by 20 per cent by refining the court process, strategic enforcement and staff scheduling
- Partnered with York Regional Police:
 - Diversity educational campaign
 - Community oriented response for proof-of-payment system activities
 - Safety and security initiatives
- Community outreach:
 - Further developed outreach programs with 360 Kids youth outreach services
 - Participated in presentations to local high schools
- Davis Drive rapidway launch:
 - Station staffing
 - Organized YRP Paid Duty Officers
 - Provided customer education
- 2015 Pan Am and Parapan Am Games:
 - Safety and security within the YRT/Viva system
 - Crowd control and passenger loading
 - Customer service





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