

6. Muni Response Team and Station Agents

- The San Francisco Police Department (SFPD) Muni Response Team provides security services to the San Francisco Municipal Transportation Agency (SFMTA) through a work order. The Muni Response Team has a limited role providing proof of payment services, primarily responding to requests for assistance from Transit Fare Inspectors (TFIs). The SFMTA and SFPD are currently drafting a new Memorandum of Understanding (MOU) for Muni Response Team services. The SFMTA and SFPD should incorporate the Budget Analyst's recommendation for the SFMTA to conduct periodic 100 percent sweeps of the light rail system to detect fare evasion in coordination with the Muni Response Team into the new MOU between the agencies.
- Although adult fare evasion citations became a civil rather than criminal citation in February 2008, the SFPD Muni Response Team issued 54 criminal infraction citations to adults between February 4, 2008 and March 31, 2009. During the course of this audit, the Muni Response Team had ceased issuing criminal citations to adults for fare evasion and related offenses.
- Station Agents staff the nine Metro Stations, of which six have primary and secondary booths. Fare evasion is facilitated by the current, long-standing practice of not systematically staffing the Embarcadero, Montgomery Street, and Civic Center secondary booths, and of not staffing the secondary booths for breaks. Station Agents disable the coin receptacles at the secondary booths when the station is not staffed, and during these times, habitual fare evaders and other Metro System patrons enter unhindered through the utility gate. The SFMTA should fully staff the primary and secondary booths to decrease fare evasion through the utility gates adjacent to the secondary booths.

Both the San Francisco Police Department (SFPD) Muni Response Team and the San Francisco Municipal Transportation Agency (SFMTA) Metro Station Operations Unit provide support to the Proof of Payment (POP) program.

SFPD Muni Response Team Support of the Proof of Payment Program

The SFPD Muni Response Team provides security to the SFMTA through a work-order agreement. Muni Response Team officers ride along with Transit Fare Inspectors (TFIs) on the light rail trains at the request of the POP program. Muni Response Team officers can require adult fare evaders to provide identification, which TFIs cannot do.

The Draft Memorandum of Understanding Should Include Muni Response Team Participation in the POP Program

The City Attorney is currently drafting a new Memorandum of Understanding (MOU) between the SFPD and SFMTA regarding the Muni Response Team's security services on the Municipal Railway (Muni). The prior MOU, which expired in June 2005, did not specify the Muni Response Team's role in providing support to the POP program. In Section 3, *Transit Fare Inspector Deployment*, the Budget Analyst recommends that SFMTA develop a calendar of periodic 100 percent sweeps, in accordance with POP program procedures, varying by time of day and location, and coordinated with the Muni Response Team (see Recommendation 3.6). The SFMTA and SFPD should include this recommendation in the new MOU.

The SFPD Muni Response Team Has Been Issuing Outdated Citations

Until the time of the management audit, the Muni Response Team continued to issue criminal infraction citations under Section 640 of the State Penal Code to both adult and youth fare evasion violators, although adult fare evasion was converted to a civil rather than a criminal infraction in February 2008.

Between February 1, 2008, and March 31, 2009, the Muni Response Team issued 54 criminal infraction citations under Section 640 of the CA Penal Code to adults, although the revised Traffic Code provisions converting adult fare evasion to a civil infraction prohibited uniformed officers, fare inspectors, or anyone else from filing criminal infraction citations. The Sergeant in charge of the Muni Response Team has stated that no one had informed him and that he was otherwise unaware that sworn officers could no longer cite adults under Section 640 of the CA Penal Code for fare evasion and related offenses. The Muni Response Team Sergeant, subsequent to conversations with the Deputy City Attorney and attorneys assigned to the SFPD, has suspended his officers from citing adults under Section 640 for fare evasion offenses.

Unstaffed Station Booths Facilitate Fare Evasion

The Metro Station Operations Unit is responsible for staffing the nine underground Metro Stations located in the Market Street Subway (the six stations between Embarcadero Center through Church Street) and the Twin Peaks Tunnel (the stations at Castro Street, Forest Hill, and West Portal), as shown in Figure 2 of the Introduction to this audit report. These nine Metro Stations comprise the controlled-access segment of the Metro System.

The nine Metro System stations include:

- Four BART (Bay Area Rapid Transit) System controlled stations, the Embarcadero Station through the Civic Center Station; and,

- Five Muni-only stations, the Van Ness Avenue Station through the West Portal Station.

Station Agents assigned to the Metro Station Operations Unit staff the station booths of this controlled access segment of the Muni Metro System. Six stations have primary and secondary booths.

- In the four stations where Muni and Bart are collocated, the primary and secondary booths are located at opposite ends of those stations, approximately one city block apart from each other.
- At the Van Ness Avenue and West Portal stations, the primary and secondary booths are located in close proximity to each other.

Metro Station Booth Staffing

The primary and secondary booths differ, although not to a great degree, in the equipment provided. With the exception of West Portal, which affords line-of-sight platform-level surveillance from both booths, primary booths contain Closed Circuit Television (CCTV) monitors for platform-level surveillance, and are equipped with a NextBus monitor that displays train activity in the subway system.

Primary Booth Staffing

Station Agents staff primary booths the entire time that a station is open, including relief staffing by Break Agents when the assigned Station Agent is on a lunch or rest break. On weekdays, Station Agents staff primary booths from 4:30 a.m. until 1:15 a.m. Saturday staffing is from 5:30 a.m. until 1:15 a.m., and Sunday staffing is from 7:30 until 1:15 a.m.

Secondary Booth Staffing

On weekdays, Station Agents staff secondary booths from 6:15 a.m. (Embarcadero, Montgomery, and Powell), or 8:15 a.m. (Civic Center, Van Ness, and West Portal) until 9:30 p.m., with the exception of West Portal, which is staffed by a Muni Street Supervisor rather than a Station Agent after 1:00 p.m. Station Agents staff the Powell Street secondary booth, which is the only secondary booth staffed on weekends, from 7:30 a.m. until 1:15 a.m., the same staffing hours as at the primary booth.

Effect of Unstaffed Secondary Booths

Fare evasion is facilitated by the current, long-standing practice of not systematically staffing the Embarcadero, Montgomery Street, and Civic Center secondary booths, and of not staffing the secondary booths for breaks. Station Agents disable the coin receptacles at the secondary booths when the station is not staffed, but during these times, fare evaders may enter unhindered through the utility gate.

Wednesday is a farmer’s market day at the United Nations Plaza, with much passenger activity at the Civic Center secondary booth. One need only observe the behavior of patrons using the secondary booth utility gates when the Station Agent is on break to understand the magnitude of fare evasion and other unauthorized entry activity. In response to the following Budget Analyst inquiry, “What action taken by the Metro Station Operations Unit would most improve the Proof of Payment Program?,” the Metro Station Operations Unit Manager responded as follows:

Staffing secondary booths at all times would be the most effective deterrent to fare evasion. Increasing patrol by Fare Inspectors would also help.

The Budget Analyst obtained similar responses from TFIs, citing the lack of Metro Station coverage during breaks and on weekends as one of the most notable flaws in the fare enforcement aspect of the POP program.

In order to determine the number of authorized positions and available-for-duty Station Agents that the Metro Station Operations Unit would require to staff the 195 eight-hour and 53 ten-hour shifts per week needed to fully staff the primary and secondary booths, including staffing for breaks, the Budget Analyst performed the analysis shown in Table 6.1. The analysis includes staffing for scheduled absences, such as for vacations and training, and for unscheduled absences, such as sick leave with pay and jury duty. The Metro Station Operations Unit currently uses overtime pay to staff all station booth requirements for holidays. Further, the Metro Station Operations Unit reports that more Station Agents volunteer for holiday staffing than are required, thus negating the need to consider additional positions to compensate for holidays.

Table 6.1
Metro Station Operations Unit
Weekly Metro Station Booth Staffing Requirements

	Weekly Shifts		Staffing				Total
	8 Hour Shifts	10 Hour Shifts	8 Hour		10 Hour		
			Regular	Extra Board	Regular	Extra Board	
<u>Weekday</u>							
Primary	60.00	30.00	12.00		7.50		
Secondary	50.00	10.00	10.00		2.50		
Breaks	30.00		6.00				
Subtotal	140.00	40.00	28.00		10.00		
<u>Weekend</u>							
Primary	27.00	9.00	5.40		2.25		
Secondary	12.00	4.00	2.40		1.00		
Breaks	16.00		3.20				
Subtotal	55.00	13.00	11.00		3.25		
Total	195.00	53.00	39.00	8.00	14.00	3.00	64.00

* Rounded up from 13.25 positions.

As shown in Table 6.1 above, on a weekly basis, 39 Station Agent positions would be required to staff the 195 eight-hour shifts. Eight Station Agent positions would be required to staff extra-board positions. On a weekly basis, 14 Station Agent positions would be required to staff the 53 ten-hour shifts. Three Station Agent positions would be required to staff the ten-hour extra-board positions. Thus, a total of 64 ready-for-duty Station Agents are required to staff all of the station secondary booths except West Portal, which is in direct sight of the primary booth and has at least one Street Supervisor in the secondary booth until transit service ends at 1:00 a.m. (until 9:30 p.m. on weekdays), including providing secondary booth coverage for breaks. According to the analysis performed by the Budget Analyst, on weekends, the four Metro Stations collocated with BART would receive secondary booth staffing until 1:15 a.m., including coverage for breaks.

Opportunities to Improve Customer Service and Efficiency

Station Agents cite the lack of suitable change machines at three of the four collocated BART stations (excepting the Embarcadero Station), and the malfunctioning of fare gates at all Metro Stations, as two concerns for both Metro System patrons and Station Agents.

Change Machines

The five Muni-only stations all have change machines for exchanging the coinage required for fares. According to information provided by Station Agents, the Muni Finance Division reliably replenishes the change machines on a timely basis.

In contrast to the change machine availability at the Muni-only stations, with the exception of the Embarcadero Station, Station Agents at the collocated stations must rely on BART ticket or change machines that are often incompatible with the coinage needs of Muni patrons. The BART change machines that read “CHANGE” only provide \$5 bills in exchange for \$10 and \$20 bills. The BART “PASS” machines provide change for \$1 bills. Consequently, Station Agents inform Muni patrons requiring change for a \$5 bill to make a purchase either from a coffee shop or other vendor within the station or to exit the station and obtain change from a facility on the surface. The auditors have also observed a Station Agent suggest to a patron that he add value as small as \$0.05 to a BART ticket and obtain change in coinage of \$4.95 for a \$5 bill.

According to the SFMTA, they will begin installing new change machines in the Muni Metro stations collocated with BART in October 2009, funded by \$40,000 from the American Recovery and Reinvestment Act.

Faulty Fare Gates

The Muni Metro Subway fare gates are in continuous need of maintenance due to malfunctioning of the FastPass readers, the transfer dispensing mechanisms, and the coin reader mechanisms. Currently, according to the Muni Maintenance Manager in charge of the Digital Maintenance Shop, the fare gates, which were installed in the Muni Metro Subway 30 years ago, have approximately 250 failures per month requiring Technician assistance. Because the existing fare gates have exceeded their designed service life, they are failing at an increasing rate, with many necessary parts no longer being manufactured. Most failures are repaired by a Technician visit within one shift of their occurrence. Simple failures that do not require tools – such as jammed passes, transfers and coins— are handled by Station Operations personnel (Station Agents).

American with Disability Act (ADA) and utility gates in various station booth areas are located directly to the rear of the Station Agent. Some of the booths have mirrors that permit oblique observation of the ADA or service gate, but Station Agents are severely restricted in observing activities, or facilitating entry or exit for patrons requiring assistance. In any configuration of new fare gates, ADA and utility gate entrances should accommodate Station Agent observation and control, to the extent possible.

The SFMTA is in the process of replacing the Muni Metro station fare collection system, including remodeling station booths, with the intent of completing design and advertising for contractors by December 2009. The current schedule calls for the project to be fully completed by March 2012. The total project is expected to cost approximately \$45.7 million, funded by federal grants and economic stimulus funds and state bond and other funds.

Signage

The Metro Stations lack required signage, notifying patrons of what constitutes acceptable proof of eligibility to use a discount ticket, in compliance with the California Public Utilities Code. The Public Utilities Code requires SFMTA to post the policy defining acceptable proof of eligibility.

Because no such posting exists in the Metro Stations or on Muni Transit vehicles, citations issued for failure to produce acceptable proof of eligibility to use a discount ticket could be invalidated.

Conclusions

The Metro Station Operations Unit is responsible for controlling access to the nine underground Metro Stations located in the Market Street Subway and the Twin Peaks Tunnel. The Station Agents staffing the station booths occupy the first line of responsibility in establishing an effective Proof of Payment System in the controlled access segment of the Metro System—their primary function is to facilitate access to the

Metro System by patrons who are admitted by virtue of having displayed valid proof of payment or by having obtained proof of payment by paying a proper fare. The absence of systematic weekend staffing at the Embarcadero, Montgomery, and Civic Center secondary booths, and the lack of relief agents for staffing the same secondary booths during lunch and rest breaks by the secondary booth Agents, is a weakness in the overall Proof of Payment system.

Recommendations

In order to ensure appropriate and timely law enforcement practices, the Deputy Director of Security and Enforcement should:

- 6.1 Ensure that SFPD Muni Response Team and SFMTA Transit Fare Inspectors have current training and information on all Proof of Payment Program ordinances and regulations.
- 6.2 Ensure that a new Memorandum of Understanding for SFPD services includes provisions specifying services to be provided to the Proof of Payment Program, including the role of the SFMTA Muni Response Team in supporting the POP Program 100 percent sweeps of the light rail system.

In order to curtail fare evasion resulting from unstaffed Metro Station booths, the SFMTA Executive Director/Chief Executive Officer should:

- 6.3 Staff the Metro Station Operations Unit with 64.0 FTE 9131 Station Agent positions to provide Station Agent coverage of primary and secondary Metro Station booths.

In order to increase Metro Station efficiency, the SFMTA Executive Director should:

- 6.4 Install Metro Station signs for use of discount passes.
- 6.5 Consider reconfiguring access gates for ADA compliance as part of the proposed replacement of fare gates at the Metro Stations.

Costs and Benefits

The SFMTA would incur costs of approximately \$475,000 to hire an additional 5 Station Agents (59 positions currently funded compared to the recommended 64 positions to staff both the primary and secondary Muni Metro station booths). The SFMTA would only have to increase daily revenues from decreased fare evasion on the Muni Metro light rail by approximately 1.35 percent to pay for the costs of the additional positions.