

BART FARE ENFORCEMENT

Balancing Goals,
Community
Concerns, and
Human Costs



Center For
POLICING EQUITY

Acknowledgments

We would like to thank the Bay Area Rapid Transit (BART) Board of Directors, the Office of the Independent Police Auditor (OIPA), and the BART Police Department (BPD) for their commitment to the community they serve. We are grateful for their collaboration throughout this project. We are especially grateful to Russell Bloom, Kevin Franklin, Olivia Jackson, Christopher Vogan, Bevan Dufty, Janice Li, Pamela Herhold, and Robert Powers for their engagement and support.

We would like to thank Neil Steinkamp, Kiersten Acevedo, and Aidan Brady of Stout for their skillful financial analysis and adaptability during this partnership.

We would like to thank the organizations that contributed to the qualitative research of this project, namely: GiGi Crowder of NAMI Contra Costa; Taqwaa Bonner of Legal Services for Prisoners with Children (LSPC), and Tanisha Cannon of All of Us or None, a project of LSPC; Karla Guerra, Maria Sanchez, Sylvia Ogawa, and Nalleli Albarran-Cruz of The Unity Council; and Karla Tinajero Salazar and Andrea Tinajero of Monument Crisis Center.

We would like to thank Carlos Radillo for conducting Spanish interpretation in focus groups, as well as Shelly Ji of NAMI Contra Costa for conducting Mandarin interpretation in focus groups.

We would like to thank the participants of the Working Group for their dedicated time and thoughtful input to this project, its findings, and its recommendations.

Lastly, we are grateful to the Bay Area community for the experiences and openness shared by all the participants in the focus groups, interviews, and surveys.

A Note to Readers

This report contains quotes that include language some readers may find offensive. These quotes are included in this paper for critical analysis and to preserve the integrity of the original source.

Published May 2025

Contents

4	Introduction
7	BART's Goals and Strategies for Fare Enforcement
	Revenue Collection 8
	Improving Safety and Quality of Life 10
12	Community Goals and Concerns
	People Who are Unhoused and People Experiencing Mental Health Crises 13
	Quality of Life 16
	Violence 17
	Property Crime 19
20	BART Fare Enforcement In Practice
	Types of Fare Enforcement 20
	Scale of Fare Enforcement 23
	The Effectiveness of Fare Enforcement 24
27	The Human Cost of Enforcement
	The Scale of Human Cost 29
	Types of Harm Suffered 29
	The Burdensome Consequences of Arrest, Booking, and Detention 32
	The Fiscal Impact of Fare Enforcement on Government and Social Services 33
	Data on Racial Disparities 34
	Community Perceptions of Bias 36
37	Aligning BART's Goals and Activities With Community Needs
	The True Scale of Fare Evasion 38
	Using Fare Enforcement to Address Physical Safety and Public Disorder 39
	Personnel Improvements 41
	Infrastructure and Environmental Improvements 43
	Affordability 47
	Reducing the Harm of Policing 48
51	Recommendations
54	Conclusion
56	Appendix
85	Works Cited
88	Endnotes

Introduction

In 2016, the Center for Policing Equity (CPE) and Bay Area Rapid Transit (BART) partnered to study the impact of policing throughout the BART system. As a result of this partnership, CPE and BART released a report in 2020 that revealed significant operational issues related to racial equity and use of force. Leaders throughout BART accepted 12 specific and actionable recommendations. Additionally, they committed to several areas of the report that called on BART to engage in root cause analysis of the drivers of disparities. By 2022, the BART Independent Police Auditor, on behalf of the BART Board of Directors, engaged CPE in a deeper investigation into the impact of fare evasion enforcement on public safety, racial equity, and access. A full cost-benefit analysis of BART's current fare enforcement operations was also undertaken to complement the scope of this work. This report presents CPE's findings to the entire BART Board of Directors, the leadership of the BART system, and all impacted community members.

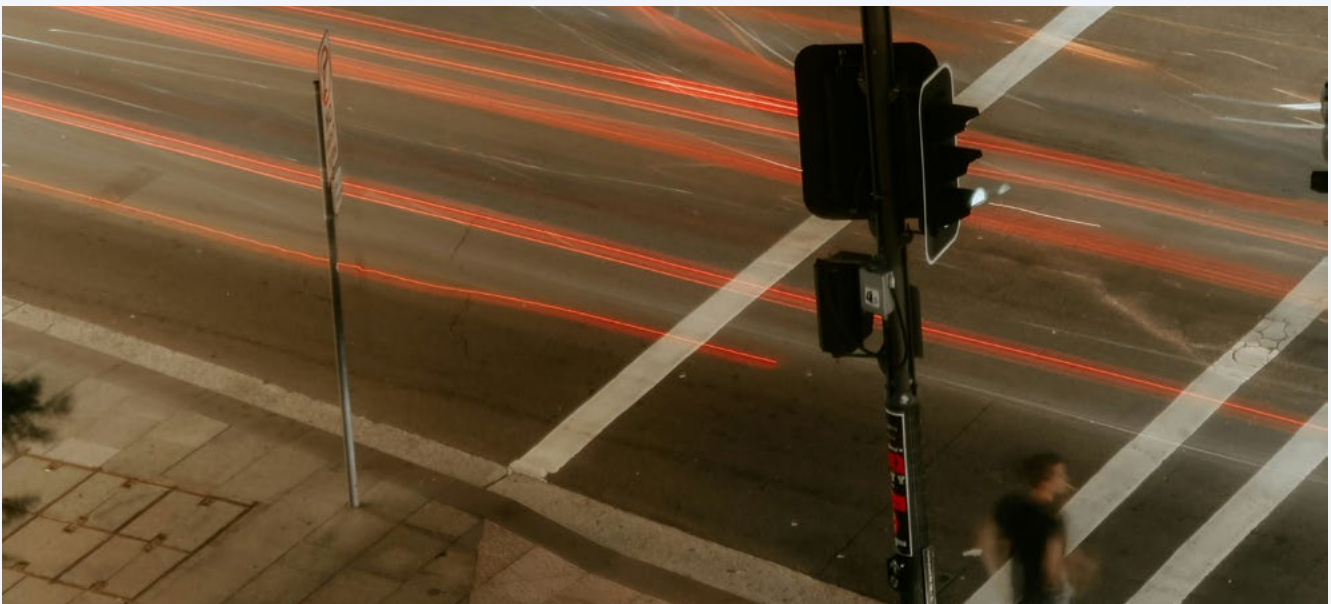
CPE and Stout's analyses suggest that BART's focus on fare evasion recovers minimal revenue, may be addressing an overstated problem, and is not effective at curbing incidents that make riders feel uneasy in the system.

To start, BART agreed to fund CPE's engagement of Stout, a global advisory firm specializing in finance, accounting and transaction advisory, valuation, financial disputes, claims, and investigations, to complete the complementary financial analysis for this report. To determine whether BART's goals are aligned with those of its riders, the CPE team sought first to understand the primary concerns of community members who use the BART system. BART and other organizations have previously conducted surveys and used other methods to gauge riders' perceptions of safety and comfort.¹ CPE aimed to provide a more complete picture

of community sentiment by amplifying the voices of those who have not been adequately represented in those other efforts, particularly members of marginalized groups and those most directly impacted by BART's fare enforcement practices, including those who ride BART out of necessity rather than convenience.

To capture this information, CPE's qualitative research team conducted 14 focus groups² with 95 Bay Area residents living in the five counties served by BART. The 14 focus groups included three Spanish-speaking groups, one Mandarin-speaking group, one youth-focused group (under 18 years of age), and two college student focus groups. The focus groups included discussions about BART riders' perceptions of safety, affordability of fares, contact with BART police, experiences with fare enforcement, and factors that influence riders' decisions to ride BART.³ Community participants also offered perspectives on ways to improve BART's public safety responses.⁴

To analyze BART's fare enforcement operations, CPE requested financial, ridership, and BART Police Department (BPD) data, including arrests, calls for service, proof of payment, and citations, as well as publicly available data under California's Racial and Identity Profiling Act (RIPA). CPE and Stout were denied access to portions of requested data, despite formal requests to Robert Powers, BART General Manager. Despite this lack of full data transparency, CPE and Stout were able to make reasonable estimates of the financial impacts to BART and the riders it serves.



It is impossible to accurately assess the effectiveness or proportionality of BPD's enforcement activities without knowing whether a comprehensive operational strategy exists and, if so, what that strategy is. CPE and Stout's analyses suggest that BART's focus on fare evasion recovers minimal revenue, may be addressing an overstated problem, and is not effective at curbing incidents that make riders feel uneasy in the system. If BART has other explicit objectives for fare evasion enforcement, it should clearly state those goals and explain the specific mechanisms through which they expect those activities to address their goals, including how fare enforcement operations will be deployed to ensure they do not cause disproportionate harm. Without such clarity, police behaviors are more likely to lead to disparate outcomes and provide no benefit to the agency or riders. Similarly, BART, BPD, and interested community members cannot evaluate the effectiveness or justification of police actions if it is unclear why they are being conducted.

This project was a timely undertaking for CPE and BART, as BART's issues regarding revenue and public safety are being addressed without a full understanding of community impacts and goals. It is CPE's hope that the community input, analyses, and recommendations detailed in this report will improve outcomes for BART riders and the wider community that BART serves, as well as the agency's financial solvency.



BART's Goals and Strategies for Fare Enforcement

BART has consistently prioritized fare enforcement, stating that BART's police department "will vigorously enforce transit-related crimes, including fare evasion and proof of payment violations" (Bay Area Rapid Transit Police Department, 2020, Policy 419). To enforce fares, BART has invested in enforcement infrastructure, including hardened fare gates – reinforced gates designed to make fare evasion more difficult – and increased enforcement actions by both BART Police and

other BART personnel. It is important to understand BART's stated reasoning for this level of investment in enforcement, as well as how BART believes its fare enforcement activities will advance its goals.

Revenue Collection

Fare collection is a primary revenue source for BART, with fares at one point covering nearly 70% of BART's operating expenses. By the 2024 fiscal year, only 22% of BART's operating costs were covered by fares (Bay Area Rapid Transit, 2024). In news reports, BART has regularly stated that fare evasion – individuals riding the train without paying the required fare – costs the agency as much as \$25 million each year (Swan, 2018). CPE was unable to verify the calculation and accuracy of this figure. Regardless of the actual figure, BART notes that fares make up an important portion of the overall revenue for the agency. Up until March 2025, BART has communicated that ensuring that more fares are collected is a priority for the financial solvency of the BART system. Against this backdrop, BART has recently expanded its efforts to prevent fare evasion through gate hardening, piloting the new gates at West Oakland in December 2023, with plans to fully deploy them throughout the system by the end of 2025. Shortly after securing the new fare gates, BART acknowledged that its “historical reliance on fare revenue to pay for operations is outdated and no longer sustainable,” (BART, 2024). However, no information regarding what would replace a reliance on fare revenue was specifically outlined.

BART has identified several objectives for gate hardening and fare enforcement activities. Enforcement serves as:

- A general deterrent to fare evasion, with riders choosing to pay fares to avoid being stopped and cited.
- A specific deterrent effect for individuals who are stopped, with those riders choosing to pay rather than evade fares in the future.
- A source of revenue from paid fines and fees.
- A safer system, where fare evaders – whom BART views as disproportionately responsible for crime – are removed.
- New gates are needed because the current gates are beyond their useful life and are creating a negative experience for riders.

It is unclear which, if any, of these issues are driving BART's decision to harden gates and focus on fare enforcement. It is also unclear whether BART has calculated how much revenue will be generated from fare enforcement and what the impact will be on public safety. No such analysis is currently available on BART's website or in its publications, and no such strategy was made available to CPE throughout this project.

Given the lack of public accounting for BART's often-cited figure of fare evasion's \$25 million cost to the system, it is nearly impossible to assess the impact of enforcement activities on reducing any real cost to the system. Because BART has not tracked the prevalence of fare evasion over time, CPE cannot analyze whether fare enforcement efforts have had any deterrent effect.⁵

As for the goal of recovering revenue directly through fines and fees, according to Stout's calculation of the revenue collected from violations of BART's proof of payment ordinance, only between 6% and 12% of civil proof of payment (POP) citations were actually paid (Bay Area Rapid Transit District, 2017). Between 2018 and 2023, the years for which data are available, the highest annual amount collected by BART from these citations was only \$86,613 in 2019. This amount is substantially smaller than the \$2.2 million that BART spent on fare inspection officers and associated expenses in 2023, which does not include the cost of sworn officers deployed to assist with fare inspections and other additional resources required for citation processing and collection activities.⁶



Improving Safety and Quality of Life

In public statements, BART and BPD have linked the crackdown on fare evasion to public safety. See for example, a BART press release regarding gate hardening, which notes that “new fare gates bring a new and improved experience, offering state-of-the-art technology that will boost safety by reducing fare evasion,” (Bay Area Rapid Transit, n.d.) Agency officials regularly assert that the vast majority of people arrested for violent or other serious crimes did not pay for entry into the BART system (Glazer, 2024; Brekke, 2023). Therefore, BART argues that preventing those who avoid paying fares from entering will lead to fewer serious crimes within the BART system.

BART also notes that a goal of fare enforcement is to address “quality of life issues” created by certain riders, often people experiencing homelessness or people with substance use or mental health challenges (Hoeven, 2023). This goal is explicitly articulated by BPD and further confirmed to CPE through observations and experiences of riders and community members who have been impacted by fare enforcement.

Among the BART riders interviewed by CPE, several participants spoke about BART’s use of fare enforcement to identify individuals who have been engaged in more serious crimes. Four participants interviewed by CPE described being initially stopped for a fare check (2), a welfare check (1), or observed fare evasion (1), but subsequently searched, arrested, and booked on charges unrelated to fare evasion. All four of these participants were charged with drug-related offenses. Several participants, particularly those who were unhoused, described being known to BART police officers at certain stations. Describing her observations of BART police’s fare enforcement activities, a White woman, aged 35-44, stated, “I feel like they’re [BPD] too aggressive. They’re looking for more than just fare evasion, you know what I mean? They’re looking for, like, if you have drugs, if you have this, if you have that... It’s not just fare evasion.” A Black man participant, aged 35-44, described two encounters that started as a “welfare check” because he had fallen asleep on BART after working a double shift. He reported that the welfare check turned into a fare enforcement stop because he was asked to provide proof of payment and was subsequently searched. The participant described BPD asking him, ““You got anything going on you?”” The participant replied, “Why are you even asking me that s**t? Like, do I got any guns, weapons, or anything?”

Why are you asking me these things? ‘Oh, could we check your bags?’ I’m like, ‘Bro, get the f**k out of here. But yeah, you can check my s**t.’” Other participants echoed similar experiences of welfare or fare checks escalating into ID checks and other searches.

BART has not been clear on how fare enforcement will reduce violent crime. The agency has not published, nor made available to CPE, any documentation explicitly detailing the rationale for how increased stops or citations for fare evasion would reduce crime or make riders feel safer. It remains unclear what crime reduction strategies BART is relying on and how officer deployments advance safety goals. Without this information, CPE cannot determine implementation metrics to assess whether BART’s crime reduction strategies are effective.

The lack of clearly articulated goals, compounded by BART’s more recent acknowledgment that reliance on fare revenue is unsustainable, also raises questions about whether the agency’s various objectives may be in conflict with one another and whether they can be evaluated. For example, if enforcement aims to have a deterrent effect that leads to more revenue, it assumes that riders who are currently fare evading are able to pay fares and will begin to do so. Riders who are unable to pay a fare will not be able to do so under a stricter enforcement regime. With regard to crime reduction, BART’s public statements suggest that individuals engaging in violent or dangerous behavior will remain out of the system due to impassable fare gates or stricter enforcement. CPE is not suggesting that BART is pursuing conflicting approaches, but rather that CPE cannot establish metrics for evaluating the impact of BART’s fare evasion regime without a clear understanding of BART’s theoretical framework regarding enforcement, revenue, and safety goals.



Community Goals and Concerns

The majority of focus group participants (79%; 75 out of 95) mentioned having safety concerns while riding BART and/or at BART stations. These concerns included fear of serious violence, discomfort with public disorder, and worries about quality of life issues. The most common safety concerns raised by focus group participants were related to nonviolent nuisances and the presence of unhoused people and people with mental illness. The distinction between “Quality of Life

Nuisances” and “Quality of Life Safety-Related” in the qualitative codes was based on whether participants described the behavior as simply an inconvenience or as a safety issue.

In the focus group discussions, some participants made indirect, stereotypical associations between Black and unhoused riders and threats to public safety. This reflects broader patterns in perceptions of personal safety, which are multidimensional (Syropoulos, 2024) and can be skewed by associations with race (Jordan & Gabbidon, 2010). Studies have found strong unconscious and conscious associations of crime with Black and Latine people that distort the reality of actual offense rates (Ghandnoosh & Lewis, 2014).

People Who are Unhoused and People Experiencing Mental Health Crises

The most common concern expressed by focus group participants was related to people who are unhoused and/or have a mental health condition. The descriptive statistics in this section reflect the subset of focus group participants who mentioned safety concerns on BART (75 out of 95). Fifty-three percent (40 out of 75) of participants who expressed public safety concerns mentioned homelessness and/or mental illness as a public safety concern on the train or at the stations.

Public transportation is a common refuge for individuals experiencing homelessness. For example, a 2011 study of unhoused people sleeping overnight on buses in Santa Clara County, California found that it was the only shelter available at night for the majority of the unhoused individuals participating in the study (Nichols & Cavaeres, 2011). In one of CPE’s focus groups, a White woman, aged 35-44, described her experience regarding an unhoused person who appeared to be following her on the train:

“[T]here was a man that followed us into two different train cars, and then he followed us into the elevator. And he was just homeless, looking for, you know, he was just panhandling. And I was a little nervous that he was following us, but I was like, he's harmless. He's probably like, struggling with his mental health.”

Nuanced responses like this were common among focus group participants, who sometimes questioned whether their own fears were substantiated by an actual threat. As an Asian woman, aged 18-24, noted:

“Just going on BART sometimes alone can be a little bit scary ... I don't really know how dangerous homeless people are, but sometimes they get really close and then they start making comments... I get worried, but obviously, like, nothing has ever really happened.”

In many cases, focus group participants expressed sympathy for those who are unhoused while also feeling anxious when they are present at the stations or on the trains. As one participant noted, “it’s better that they’re on the train than in a probably worse condition or situation.”

Other responses regarding people with mental illness highlight similar uncertainty about how to feel when encountering someone who is “talking to themselves” or behaving in a way that is perceived as “strange.” The same White woman, aged 35-44, who expressed uncertainty about the danger posed by the presence of unhoused people described instances where “people kind of talk to themselves” but emphasized that it was not “threatening to my safety.” For others, this same behavior was more concerning. An Asian man, aged 18-24, explained:

“So one of the most common is people speaking loudly to themselves ... when people are saying things not only to themselves, they also say, like, somewhat threatening sounding things.”

Although participants' primary concern was related to the presence of unhoused people and/or people with mental illness, these examples highlight the complexity of these concerns and the self-doubt regarding whether their perceptions are representative of actual safety threats.

Additionally, 23% of participants (17 out of 75) mentioned concerns about sanitation related to the presence of unhoused people or people experiencing mental

illness. These concerns were almost entirely related to odor, public urination, and/or defecation. A White man, aged 55+, noted:

“It [the station] was nasty. You walk in and you smell it. Like I said, you smell death. You smell mental illness.”

A Black Woman, aged 35-44, noted:

“Sometimes [people] stink. Sometimes they’ll just pee randomly on the BART. And I wonder to myself, how do you address something like that without taking away their right to get on public transportation?”

There was broad agreement among CPE focus group participants that improvements needed to be made in how BART addresses people who are unhoused and/or people with mental illnesses. Participants recognized the reality that these populations regularly utilize BART stations and trains as shelter in the absence of other emergency and/or permanent housing options.



Quality of Life

In general, quality of life issues are a major concern on public transportation (Mattson et al., 2021). Quality of life issues include concerns over smoking, loud music, catcalling, panhandling, substance use, public urination, and other violations of public decency within the BART system. In its analysis of focus group data, CPE distinguished between “quality of life nuisances” and “quality of life safety concerns.” The former were described as behaviors perceived as bothersome by focus group participants, while the latter were described as behaviors perceived as threatening participants’ safety or the safety of other passengers. Among those who expressed concerns about quality of life issues, 51% (38 out of 75) reported quality of life nuisance concerns, while 21% (16 out of 75) reported quality of life safety concerns. An Asian man, aged 18-24, said:

“[P]eople are worried about just people breaking the rules ... People, like, smoking on the train or dropping trash or just acting strange, for lack of a better term, right? And that tends to make people kind of uncomfortable because if someone is already breaking one rule, what other rules are they going to break?”

Smoking on the trains or at the stations was a primary quality of life concern. Thirty-one percent of participants (23 out of 75) mentioned smoking in their comments. Other participants expressed concern over violence. For example, a Latine woman, aged 55+, stated:

“You feel insecure because you see young people standing around there, kids ... and you're wondering to yourself, are they going to ask me for money? Are they going to attack me? Are they going to maybe hit me?”

This statement is an example of how perceptions of personal and public safety are subjective. Perceptions of social and physical disorder have been shown to be influenced by race and other factors such as dress styles (Yang & Pao, 2015).

Research conducted by one of CPE’s co-founders has demonstrated how stereotypical associations towards Black people can impact cognitive processes and judgement in criminal justice contexts (Goff et al., 2008). There were other instances where participants' safety concerns appeared to be influenced by race and implicit biases. A Latine woman, aged 45-54, stated:

“I'm not the kind of person who discriminates against anybody or anything like that, but there was this dark-skinned, this Black guy who was clearly on drugs. He was drugged, and he kind of threw himself down.”

Violence

Thirty-two percent (24 out of 75) of participants who expressed concerns about riding BART reported fear of violent crime. This included concerns about their own individual safety, as well as concerns about threats to passenger safety more generally. It is important to consider how large social problems permeate perceptions of safety on BART. For example, an Asian man, aged 45-54, said:

“And I know during the pandemic {there} was some violence towards Asian people, so that's another reason why I didn't really want to go on BART.”

In this case, the participant reports a concern for violence related to anti-Asian American hate crimes. According to a national study using data from four U.S. cities, hate crimes against Asian Americans increased significantly from 2019 to 2021 (Han, Riddell, & Piquero 2022). Although this concern was mentioned by only one participant and is not restricted to acts of violence occurring on BART, reports on Asian American hate crime highlight a broader pattern of fear, especially among the elderly. A Black woman, aged 55+, described the impact the murder of Nia Wilson, a teenager who was killed by another passenger on BART in 2018, had on her decision to ride BART:

“Yeah, I was kind of scared for a minute after the man who killed Nia Wilson. He was sitting behind her on the BART coming from Oakland. After she got killed, I was really scared to be on that BART for a long time.”

Individual acts of serious violence can significantly impact public perceptions of safety and the prevalence of crime, particularly when those incidents are high-profile (i.e., receive significant media coverage) (DeCou & Lynch, 2017; Innes, 2004). For some, however, witnessing violent acts on BART did not necessarily translate to feeling personally unsafe. A Native American woman, aged 35-44, noted:

“I've seen a lot of stuff on the BART. I've seen domestic violence. I've seen people get their bags snatched in the train, I've seen some stuff. I've seen people sleeping in the BART. But I don't know, I guess I've never felt personally unsafe.”



Property Crime

Twenty-one percent (16 out of 75) of participants who expressed safety concerns mentioned property crimes. Property crimes refer to theft that does not involve threats or violence against a person. Participants spoke of general concerns about theft, precautions taken in anticipation of theft, and direct experiences with having property stolen. A Latine woman, aged 45-54, said:

“And then just with people watching your area, your belongings, they try to get close up to you and brush up on you and then they try to pickpocket you real quick ... You got to be aware of your surroundings.”

Others expressed similar concerns about having a purse or cell phone stolen. In some cases, participants had their property taken. A Latine woman, aged 55+, described an experience that occurred while she was trying to load money onto her card at the BART station:

“[There was] an incident that happened to me where I was trying to put money on my card. And a young man ran up to me and grabbed the money from my hand and took off running.”



BART Fare Enforcement In Practice

Types of Fare Enforcement

Fare enforcement at BART takes several forms. Active fare enforcement measures (as opposed to passive measures, such as the use of hardened fare gates) may be enforced by either:

- **SWORN BPD OFFICERS** (“sworn officers”), who are armed and authorized to make arrests and issue criminal citations under state and local laws.
- **BPD FARE INSPECTION OFFICERS** (“FIOs”), who are unarmed and do not have the authority to make arrests but can issue civil citations.

The reasons for an initial fare evasion encounter may include:

- **SWEEPS OR COORDINATED CHECKS** by FIOs in a station or on a train.
- **DIRECT OBSERVATION** by sworn officers of suspected fare evasion (e.g., jumping over a fare gate).
- **ACTIONS** as part of officers' routine assignments or a targeted operation focusing on a particular time and place.
- **A SWORN OFFICER'S RESPONSE** to a call for assistance specifically related to fare evasion (e.g., a notification from a station agent).
- **A SWORN OFFICER'S RESPONSE** to another call for service or officer-initiated encounter that is not for fare evasion but leads to an inquiry about payment status (e.g., a call about a welfare check).

A stop for fare evasion may result in the following enforcement actions:

- **A WARNING**, either written or verbal, which may also include removal from the system.
- **FOR YOUNG PEOPLE, A CIVIL CITATION** under BART Ordinance 2017-2 for failure to show proof of payment or for fare evasion.
- **FOR ADULTS, A CIVIL CITATION** under BART Ordinance 2017-2 for failure to show proof of payment (or a criminal infraction citation for a third violation within six months).
- **FOR ADULTS, A CRIMINAL INFRACTION CITATION** for fare evasion under California Penal Code §640(c)(1) (or a misdemeanor citation or arrest for a third violation).

To gain additional context for BPD's fare enforcement practices, CPE was provided access to a small number of body-worn camera video files. BPD provided 15 videos of varying lengths and circumstances. The videos were captured using the Axon line of products, though the specific camera type or model was not specified. These videos depicted first-person interactions between law enforcement personnel and community members between June 18, 2023 and June 14, 2024. The videos documented 12 incidents of fare evasion. Of those, 33% (4 out of 12)

involved an intentional lack of officer presence. These incidents depicted officers intentionally hiding in a closet or obstructing their presence to more effectively witness fare evasion. While this strategy can be interpreted as a productive and potentially effective method, it also occurs at a time when there are significant public calls for increased officer visibility on trains and in stations.

The extent to which BPD conducts fare enforcement during routine officer shifts, as compared to specific fare enforcement initiatives, is unclear. In discussions with BART officials, CPE was informed that BPD sometimes conducts targeted fare enforcement at specific stations during particular times or dates. According to BPD, these efforts may be in response to repeated requests from station agents or public complaints. However, BPD does not formally track these operations, making it difficult to determine how often these coordinated enforcement actions occur and what proportion of BART's fare enforcement activities are the result of such efforts.

Fare enforcement does not occur in isolation but instead is often interconnected with other BPD actions and priorities. Nonpayment of a fare is an issue that may become evident while officers are investigating a more serious criminal offense. Similarly, a stop for fare evasion may escalate to an arrest or other officer action, including use of force. As discussed above, BART's interest in fare enforcement often extends beyond the fare itself, including the goal of reducing violent crime and/or removing people whom BART views as causing problems within the system. These objectives may drive subsequent actions during fare evasion stops or serve as the initial reasons for other stops that lead to fare enforcement actions. Therefore, the efficacy of fare enforcement must be assessed from multiple perspectives to account for the various competing objectives it supposedly aims to address.

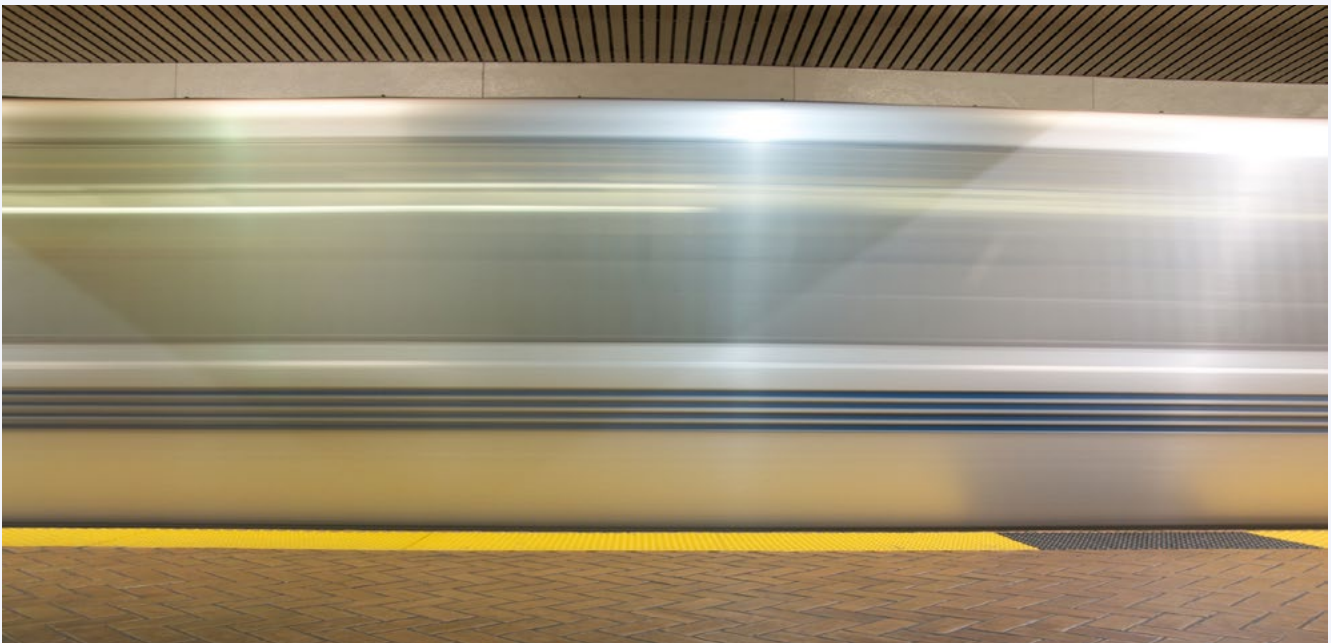
Scale of Fare Enforcement

Number of Incidents

Given the size and scope of BPD's jurisdiction, its fare evasion activities warrant impact evaluation. In 2022, BPD made 3,594 stops for fare evasion, accounting for 37% of all stops that year, and reported using force against 44 people in stops initiated based on fare evasion. Between 2021 and 2023, the average number of Proof of Payment citations issued per year was 7,396; criminal citations under California Penal Code PC §640 (C)(1) averaged 3,586; and arrests (for any offense) resulting from fare evasion stops averaged 198.⁷ This represents approximately half (49.6%) of all criminal citations issued by BPD during this period but only a small fraction (6.6%) of all arrests.

Financial Cost to BART of Fare Enforcement Activities

To understand the time demands of BPD's rider stop practices, CPE used publicly available Racial and Identity Profiling Act (RIPA) data, which was only available for BPD for 2022.⁸ It is important to note that this data predates increased deployment of officers on BART trains, beginning in March 2023.



Although fare evasion constitutes a relatively minor offense (it is most commonly a civil offense, an infraction, or, in very rare cases, a misdemeanor), BPD stops that are based on fare evasion are not necessarily less time- or resource-intensive than other types of police interactions. In 2022, fare evasion stops accounted for a total of 828.5 hours, representing 24.6% of all time spent on BPD stops that year. Furthermore, 8.3% of people stopped for fare evasion were subsequently arrested, leading to additional use of officer resources for detention, transport, and booking.

Stout assessed the financial cost to BART of its fare enforcement activities versus its crisis and welfare response activities. Stout estimated the total number of hours spent by different BPD employees on fare enforcement activities, along with the salaries and other associated expenses. Stout estimated that BART spent \$27.2 million on personnel and associated expenses for fare enforcement in 2023.⁹ Of this amount, \$25.5 million was spent on sworn law enforcement, \$2.2 million on non-sworn fare inspection officers,¹⁰ and \$838,928 on non-sworn community safety officers.¹¹ Stout did not include BPD's non-sworn crisis and welfare response personnel (i.e., Crisis Intervention Specialists [CIS] and Transit Ambassadors) and associated expenses in BART's total fare enforcement costs, as these employees, though situated within BPD, cannot issue fare evasion citations or engage in enforcement activities such as arrests. The total personnel and associated expenses for these non-sworn responders in 2023 was \$4 million.¹²

The Effectiveness of Fare Enforcement

Crime and Safety Goals

As one of BART's goals for fare evasion appears to be the suppression of crime and the apprehension or exclusion of people who the agency suspects are driving crime within the BART system, it is important to understand the impact that fare enforcement specifically has on these goals. While BART publicizes anecdotal evidence of weapons being seized or purportedly dangerous individuals being arrested, it is essential to understand how often these incidents actually occur, particularly when they result from fare enforcement (Bay Area Rapid Transit, 2023). This includes both identifying the total number of such incidents and comparing fare enforcement with other BPD activities, such as non-fare enforcement stops or calls for service responses.

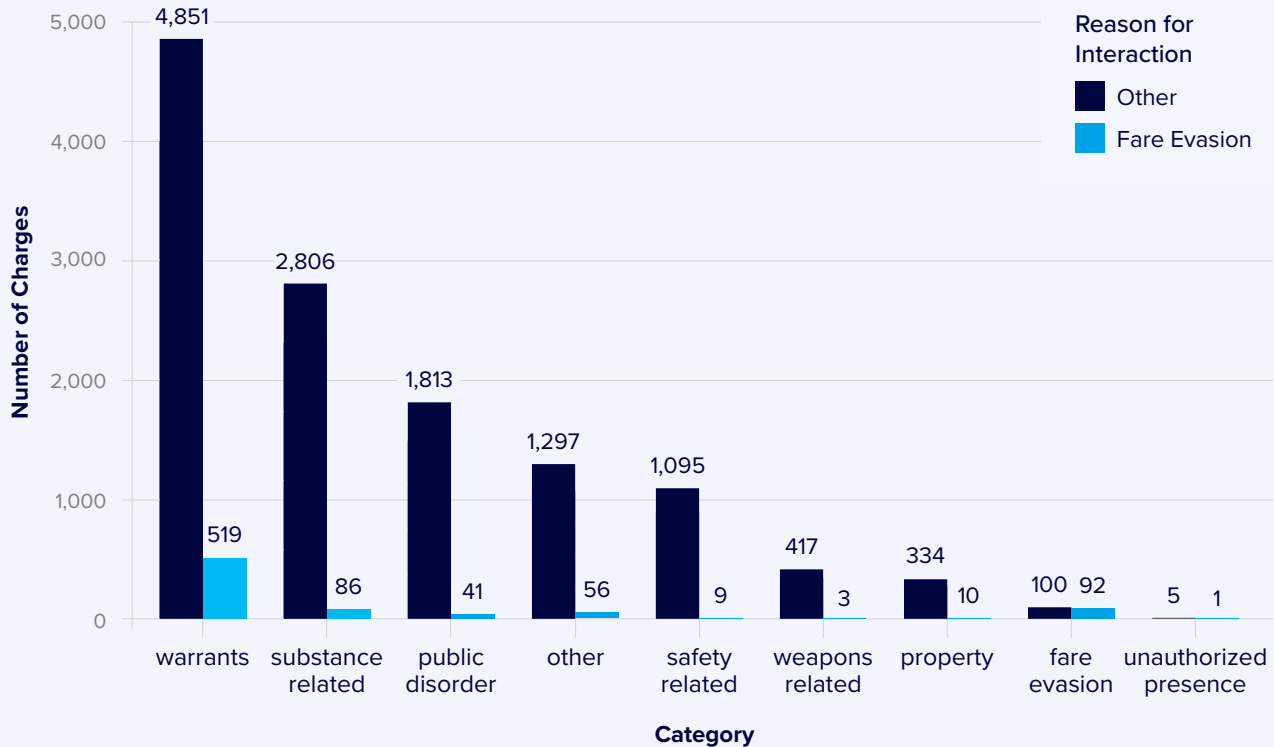
To evaluate the impact of police activities on different safety outcomes, CPE first categorized arrest, citation, and crime data into groups that reflected different concerns for BART and its riders. In addition to fare evasion violations, CPE identified incidents that reflected more serious physical safety concerns, property crimes, and quality of life issues that do not pose an immediate threat to people or property. CPE also identified incidents involving substance use and weapons. These definitions were developed to reflect the specific concerns that community members expressed regarding their experiences using the BART system.¹³

CPE's analysis focused on whether BPD fare enforcement efforts had the same impact on public safety outcomes as other types of stops. This included an evaluation of individual stops based on fare evasion. CPE examined BPD's arrest data to determine which initial stop reasons were associated with enforcement actions based on public safety or public disorder violations, as defined by the categories outlined above, compared to enforcement actions based on fare evasion violations. This approach allowed CPE to understand the relative rate of fare enforcement among all other enforcement actions.

Although RIPA data showed that fare evasion accounted for 37% of initial stop reasons, BPD's arrest data revealed that arrests that began with a stop for fare evasion were only a small percentage (6.6%) of the overall number of arrests. If there were a comparative "preventative" benefit of fare enforcement, CPE would expect to see relatively more arrests for those crimes that may be precursors to more serious incidents, such as weapons-related or substance-related charges. Of arrests that originated from a fare enforcement stop, those resulting in an actual arrest on a fare enforcement charge were a small minority (11.3%). The bulk of arrests originating from fare enforcement were for outstanding warrants (63.5%).

Furthermore, arrests that originated from other types of interactions more frequently included charges related to community concerns than arrests that began with stops for fare evasion. For example, substance use charges occurred in 10.5% of stops for fare evasion, compared to 22.1% for other stops. Similarly, weapons possession charges were present in 0.04% of fare evasion stops, compared to 3.3% of other stops. These findings suggest that fare enforcement, as a strategy to prevent potential problematic behavior, is relatively less effective than other activities that officers are engaging in to address crime and disorder.

All Arrest Charge Categories



Using 2022 RIPA data, CPE examined whether stops and detentions based on fare evasion were more or less likely than non-fare evasion stops to lead to a search or the finding of contraband. BPD performed discretionary searches on 6.8% of people stopped for fare evasion, compared to 17.6% of people stopped for other reasons. This suggests that officers have probable cause to conduct searches less frequently in fare evasion stops than in other stops. Similarly, contraband was found and confiscated 2.1% of the time during fare evasion stops, compared to 7.7% of the time in stops for reasons other than fare evasion. This pattern remains consistent when mandatory searches are included.¹⁴ Taken together, these data suggest that fare evasion stops are ineffective at discovering and confiscating contraband, making them less effective at improving public safety compared to stops for other reasons.



The Human Cost of Enforcement

Whether BPD's enforcement activities achieve their stated goals is only one aspect of determining whether they are a productive or justified use of the agency's time and resources. An equally important consideration is the cost of those activities to the impacted people, and whether those impacts are proportionate to BART's goals.

Although CPE could not identify any existing studies specifically focused on the human cost of fare enforcement stops, research on how police contact impacts community members suggests that burdensome consequences related to health, finances, and social context can be cumulative, particularly for Black and vulnerable groups (Bandes et al., 2019). Importantly, some of these burdensome consequences may be incurred by community members even when police contact does not result in a citation, infraction, criminal charge, and/or arrest.

Goff and Rau (2020) show that the likelihood of burdensome and disparate policing is greater when police officers encounter people who are members of vulnerable “out-groups” – people whom U.S. society deems less valuable or normative. The authors argue that, in the absence of sufficient regulations, burdensome and disparate policing is more likely to occur in situations that evoke feelings of threat or disgust in police officers. “Within the context of policing, disgust and dehumanization may lead to members of vulnerable communities being overpoliced and overcriminalized yet underserved. Some of the extreme outgroups most vulnerable to disgust and dehumanization include homeless people, people with serious mental illness, people with substance abuse disorders, sex workers, welfare recipients, undocumented immigrants, Arab people, and low-income black people” (Goff & Rau, 2020, p. 79).

Kramer and Remster (2022) note that the harm of policing is often underestimated when it fails to account for forms of violence that are more gradual, hidden, and dispersed. This includes the ways in which policing can structure physical space, define community membership, increase stress, worsen physical health, and contribute to economic disparities (Ward, 2015). Alang et al. (2017) show that police contact can be a source of health inequalities, regardless of whether the person is arrested. There is also evidence that simply living in a neighborhood with substantial police contact can increase a woman’s risk of experiencing preterm birth (Hardeman et al., 2020). In sum, police encounters can produce significant emotional and physical harm (DeVylder et al., 2016), as well as a negative effect on an individual’s mental health (Geller, 2021; Geller et al., 2014).

The Scale of Human Cost

Although the maximum dollar amount of a criminal fare evasion citation under California Penal Code §640(c) is \$250, Stout's analysis estimates the average personal fiscal impact for each BART rider who receives a criminal fare evasion citation to be \$1,654.¹⁵ This estimate accounts not only for the direct financial impact of the citation but also includes estimated fiscal impacts due to subsequent consequences, such as lost income, housing instability, unmet medical needs resulting from arrest, and negative impacts on credit scores. Given that an average of 2,540 persons are issued criminal fare evasion citations by BPD each year, the estimated personal fiscal impact of these criminal infraction citations to BART riders total \$4.2 million annually.¹⁶

Types of Harm Suffered

CPE conducted 17 in-depth interviews with BART riders who had been stopped for fare enforcement in the past five years to better understand the types of harm they experienced and the mechanisms through which fare enforcement led to that harm.¹⁷ These interviews were conducted at BART stations with high rates of fare enforcement activity.¹⁸ Interview participants experienced a range of burdensome financial, health, and social consequences as a result of fare enforcement stops, citations, arrests, and/or pretrial jail detention, with a disproportionate negative impact on Black and low-income riders. These encounters often led to severe consequences for the stopped riders, including deteriorating health, financial instability, and negative impacts on their relationships with law enforcement.

Physical and Mental Health Impacts

The burdensome consequences of BART fare enforcement stops included negative physical and mental health impacts. Twenty-nine percent of in-depth interview participants (5 out of 17) reported experiencing physical health impacts as a result of a fare enforcement stop, such as injuries sustained during a subsequent search or arrest. One participant, a self-identified queer Black man, aged 25-34, described his experience of being arrested by BPD for an outstanding warrant that was not for him: "Y'all telling me what I did when I know I didn't do it. Y'all rough handling me, hitting my arms all bent ... I had just had surgery [on my arm] probably about like four months prior to this ... I've got my eyes popping just thinking about this."

Another interview participant, an unhoused White man, aged 35-44, described hopping the gate, after which a BART station agent “came out and kicked me in the back of my legs and dropped me to my knees.” The interview participant went on to say, “of course, me being homeless and not having many resources, I didn’t know where to turn to or what to do.”

The mental health toll of fare enforcement stops was even more pronounced among the participants CPE interviewed. Forty-one percent of participants (7 out of 17) reported that the stress of their encounters with BPD negatively affected their mental health, reporting increased stress, anxiety, depression, and trauma.

Financial Harm

Many of the participants interviewed by CPE had received fare evasion civil citations or criminal infractions, often multiple times between 2019 and 2024. Of the 17 individuals interviewed by CPE, 23.5% (4) received a proof of payment civil citation (POP citation), which requires paying a \$75 fee for adults and a \$55 fee for minors. Additionally, 76.4% (13) received a criminal infraction, with eight of these 13 individuals identifying as low-income Black/African American. Criminal infraction tickets require either payment of a fee (up to \$250) or a court appearance. Only one of the four participants who received a POP citation paid the ticket, while the other three reported being unable to pay the fine due to



lack of financial resources. In a few instances, those who were unable to pay the POP citations reported experiencing negative credit impact after the citations were sent to debt collectors. One housing-insecure White woman, aged 25-44, described the link between unpaid POP citations, her negative credit score, and her subsequent ineligibility for a low-income housing complex in San Francisco. As she described it to CPE, “It was because it made my credit score lower than what they wanted. And it was just those tickets.”

Of the 13 participants who received criminal infraction tickets, 11 reported that they did not pay the fine, and six stated that they failed to appear in court on the date specified on the infraction citation. For these participants, the most common reasons for not paying the fine were financial inability and the need to prioritize other financial obligations, such as paying for food, rent, or childcare. As an unhoused Black man, aged 25-34, stated, “I’ve never really paid, no.... I already got bills to pay. I got a phone bill...I ain’t got time for that. It’s hard out here.” Among the six participants who stated that they failed to appear in court and did not pay the fine, some expressed that they did not believe the citations would cause significant legal consequences, while others did not consider the infractions a sufficient priority to address.

In addition to these 17 in-depth interviews, CPE also conducted 58 brief, 5-minute surveys with BART riders who had been stopped for fare evasion in the past 5 years.¹⁹ The survey findings similarly reflected the burdensome financial impact of POP citations and/or criminal infraction tickets, with a disproportionate financial burden on Black, low-income respondents. Among the 58 survey respondents, 58.6% (34) reported having been issued either a POP citation and/or a criminal infraction ticket. Of those cited, the majority (61.7%, or 21) were Black, and 52.9% (18) were low-income Black riders. Consistent with the patterns observed in the interviews, only 8 of the 34 survey respondents who received a POP citation and/or a criminal infraction ticket actually paid the fine. When asked whether the POP citation and/or criminal infraction ticket had a negative impact on their lives, 64.7% (22) answered yes. Of those reporting a negative impact, 72.7% (16) were Black, and 63.6% (14) were low-income Black riders.

The Burdensome Consequences of Arrest, Booking, and Detention

The burdensome financial, health, and social consequences of fare enforcement stops that resulted in arrests and jail bookings were much greater than those of police stops alone. Of the 17 riders interviewed by CPE, 47% (8) reported being booked into jail following a BART fare enforcement stop and arrest. The most common reasons for arrest and booking were outstanding warrants (7 out of 8) and/or drug-related charges (4 out of 8). Only one participant was arrested for a fare evasion misdemeanor charge in addition to an outstanding warrant. These findings align with those included in the Effectiveness of Fare Evasion section above, which shows that the bulk of arrests originating from fare enforcement were for outstanding warrants (63.5%) and substance-related charges (10.5%).

The eight participants booked into jail following a fare enforcement stop and subsequent arrest experienced negative consequences, including the loss of housing (3), loss of employment (1), loss of property such as bikes and cars (2), loss of financial resources as a result of bail and/or court fees (7), and negative mental and physical health consequences (3 and 3, respectively). One participant, a Black man, aged 35-44, shared his experience of losing \$17,000 worth of property after repeated arrests and incarceration, primarily due to losing his apartment and belongings while in pretrial detention. In addition to property loss, financial strain was a common theme. One Black man, aged 25-34, arrested and booked on an outstanding warrant that was later dismissed by the court, described borrowing money from his sister to post bail. Unable to repay her due to his unemployment, he faced strained relationships with his family members, and his sister suffered negative credit consequences.

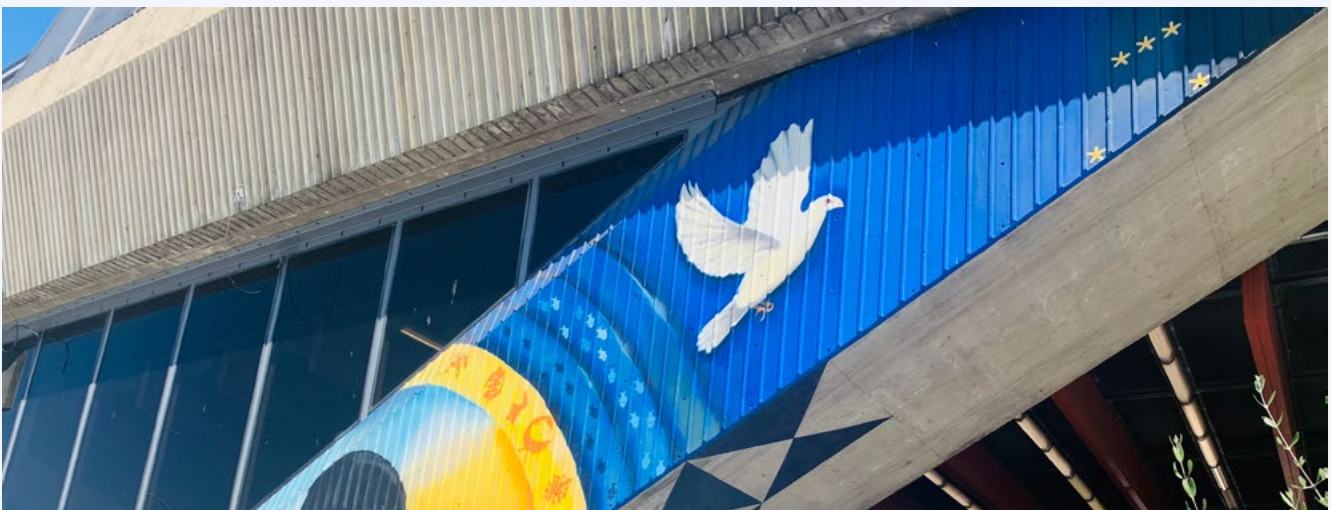
The psychological toll was particularly severe for some participants who were arrested and incarcerated. One Black woman, aged 18-24, described a BPD fare enforcement stop that led to her arrest and booking for charges other than fare evasion and contributed to feelings of worthlessness and deepening depression. This eventually led her to self-harm. Another participant, an unhoused Black man, aged 55+, recounted being stopped, arrested, and jailed for a fare evasion misdemeanor charge. While incarcerated, he had inadequate medical care, preventing him from continuing medically-assisted treatment for substance use and his pre-existing cancer.

The Fiscal Impact of Fare Enforcement on Government and Social Services

While the estimated fiscal burden on individual BART riders who experience fare enforcement citations, arrests, and/or incarceration is significant, it is important to note that government and social services also incur substantial costs related to fare enforcement. These services, which are ultimately paid for by taxpayers, can be broken down into four general categories:

1. Estimated criminal justice fiscal impacts (e.g., costs associated with adjudicating court cases, pretrial and post-sentencing incarceration, reentry services post-incarceration) due to arrests resulting from fare evasion;
2. Estimated fiscal impacts from increased housing instability due to fare evasion citations;
3. Estimated fiscal impacts from increased social safety net utilization due to financial hardship caused by fare evasion citations;
4. Estimated fiscal impacts from increased health care costs due to fare evasion citations.

Stout estimates the total fiscal impact to government and social services to be between \$2.3 million and \$4 million.²⁰



Data on Racial Disparities

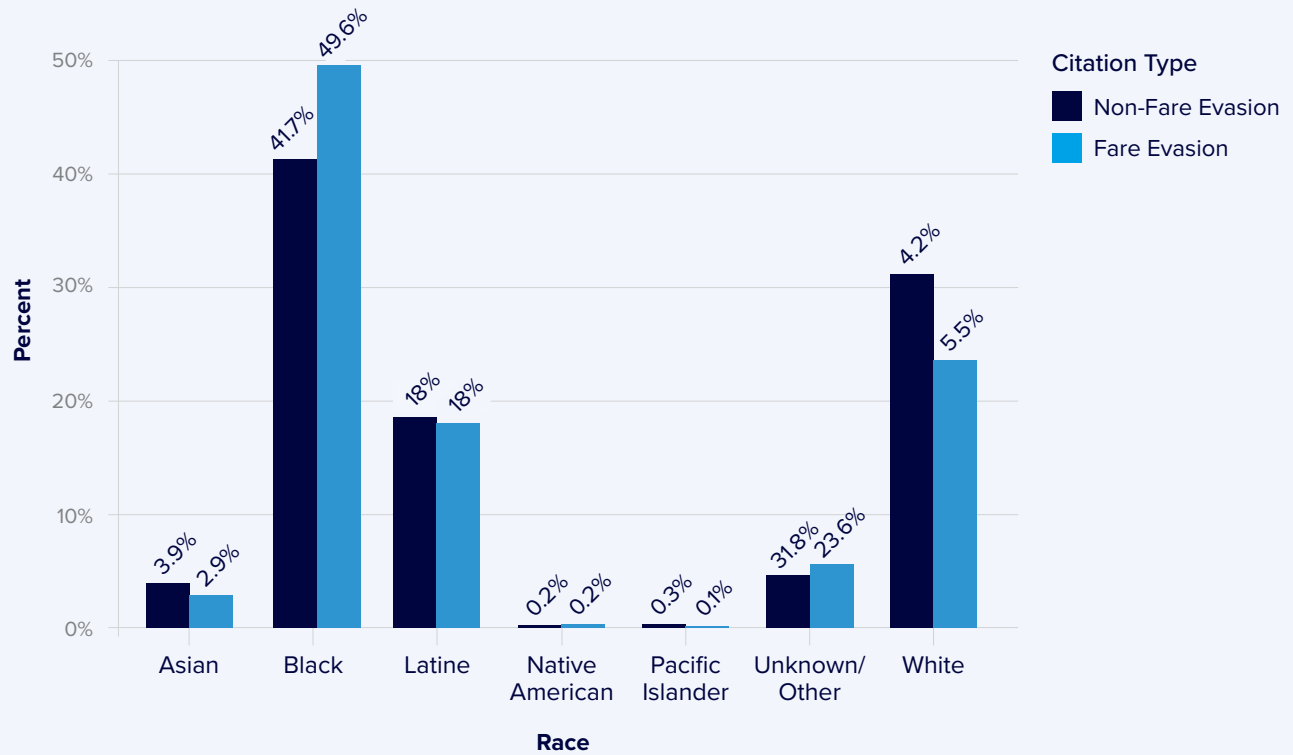
Racial Distribution of Field Interviews, by Fare Evasion as Reason		
Person's Race	Fare Evasion	Non-Fare Evasion
Asian	872 (4.2%)	1,683 (8%)
Black	9,029 (43.5%)	7,578 (36.1%)
Latine	4,411 (21.2%)	4,003 (19.1%)
Native American	70 (0.3%)	76 (0.4%)
Pacific Islander	65 (0.3%)	90 (0.4%)
White	5,237 (25.2%)	6,376 (30.3%)
Other/Unknown	1,094 (5.3%)	1,203 (5.7%)

The racial demographics of people with whom BPD interacted related to fare evasion show disparities that disadvantage Black riders. Those disparities increase as the consequences of the stop become more severe, with the following three discretionary points:

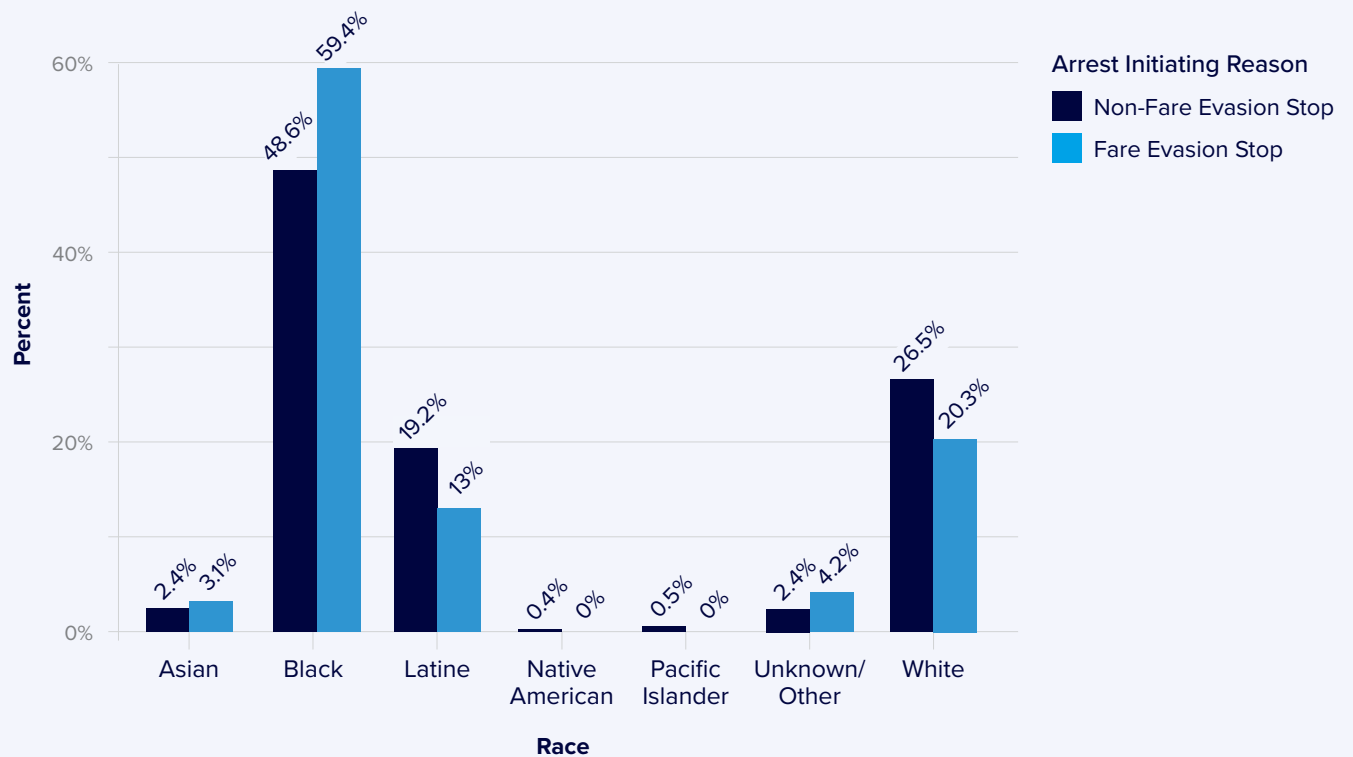
1. The decision to stop.
2. The decision to cite.
3. The decision to arrest.

At each step in this progression, the degree of racial disparity increases. Although specific incidents cannot be traced using these data, this increasing progression suggests that multiple discretionary decisions contribute to the observed racial disparities. Black riders comprised 43.5% of all fare evasion field interviews,²¹ compared to 36.1% of non-fare evasion field interviews. Additionally, Black riders accounted for 49.6% of fare evasion citations, compared to 41.7% of non-fare evasion citations. Finally, Black riders represented 59.4% of arrests resulting from fare evasion stops, compared to 48.6% of arrests resulting from non-fare evasion stops.

Fare Evasion vs. Non-Fare Evasion Citations by Race



Fare Evasion vs. Non-Fare Evasion Arrests by Race



Community Perceptions of Bias

CPE's findings of racial disparities in the stop, citation, and arrest data aligned with feedback from community members. Many interviewees expressed a belief that fare enforcement stops were racially biased. Fifty-three percent of participants (9 out of 17) specifically reported experiencing racial bias or discrimination in their interactions with BART police officers and/or fare inspectors. All of these individuals were Black, and seven out of nine were low-income. One participant, a Black woman aged 25-34, stated that BPD unfairly targeted Black people for fare enforcement, saying, "They pick on people that's Black...they find it more convenient to go for the Black person than they're going for a Mexican, Asian, or White person." Another participant, a Black man aged 55+, recounted an incident where a BPD officer physically pursued him outside the station, believing he had not paid his fare, despite the fact that he had. The officer forced the senior Black rider to return to the ticket booth and verbally threatened physical violence if he did not comply. The Black man felt this encounter was racially discriminatory, stating, "I'm from the South and I know about the racist White people with these jobs."

In addition to racial bias, 23.5% of participants (4 out of 17) felt that BPD disproportionately targets unhoused riders for fare enforcement stops, with all these participants identifying as unhoused or housing insecure. One White man, aged 35-44, noted, "They talk down on you kind of and especially when you're homeless... not everybody's out here just because we want to get high or we want to screw stuff off. Some of us have been put in this position over specific circumstances."



Aligning BART's Goals and Activities With Community Needs

To the extent possible with the data and information available, CPE aimed to understand: (1) BART's goals and strategies for fare enforcement; (2) the concerns and priorities of BART riders and community members; (3) the actions and outcomes of BART's fare enforcement activities in practice; and (4) the consequences of those activities for directly impacted people.

In this section, CPE analyzed whether BART's goals and activities align with the needs and desires of community members, and whether BPD's enforcement actions are addressing those stated goals in a manner that effectively achieves them while minimizing harm to the community.

The True Scale of Fare Evasion

It is clear that BART, like many transit agencies across the country, is facing dire budgetary challenges, despite its \$1.1 billion operating budget for the 2025 fiscal year (BART, n.d.). Decreasing revenue from declining ridership, coupled with rising costs and uncertainty regarding supplemental government funding, places the agency in a precarious position. What remains unclear, however, is the extent to which fare evasion contributes to this fiscal dilemma.

BART's frequently cited figure of fare evasion costing the district \$25 million annually does not appear to be supported by empirical evidence. In no public press releases or other documents does BART explain how this figure was calculated or whether it is still relevant today. CPE and Stout each requested such documentation from BART, but none was provided. Stout's estimate of lost fare revenue for 2023 considered that, even if BART's 2017 estimate of revenue loss due to fare evasion is accurate, significant demographic changes in BART's ridership between 2017 and 2023 make the 2017 estimate inapplicable to 2023. Total ridership in 2023 was approximately 63% lower than in 2017; given this decrease, the total number of fare evasion instances was likely considerably lower as well. By applying the fare evasion rates derived from BART's 2017 estimate – calculated by Stout to range between approximately 3.2% and 5.3% – to the reduced ridership levels in 2023 and adjusting for the increase in average fare prices over the same period, the resulting estimated revenue losses from fare evasion range between approximately \$5.7 million and \$9.5 million in 2023.²²

The inconsistency of these numbers, along with the significantly lower rate calculated by Stout using BART data, calls into question BART's statements regarding the scale and urgency of the fare evasion issue. While fare evasion likely leads to revenue loss for BART, any discussion of enforcement practices and their proportionality cannot be based on an assumption that the underlying problem is more serious than it truly is. Consequently, any efforts by BART to reduce fare evasion – whether through enforcement or infrastructure improvements – must be viewed in the context of this underlying framing of the problem.

Using Fare Enforcement to Address Physical Safety and Public Disorder

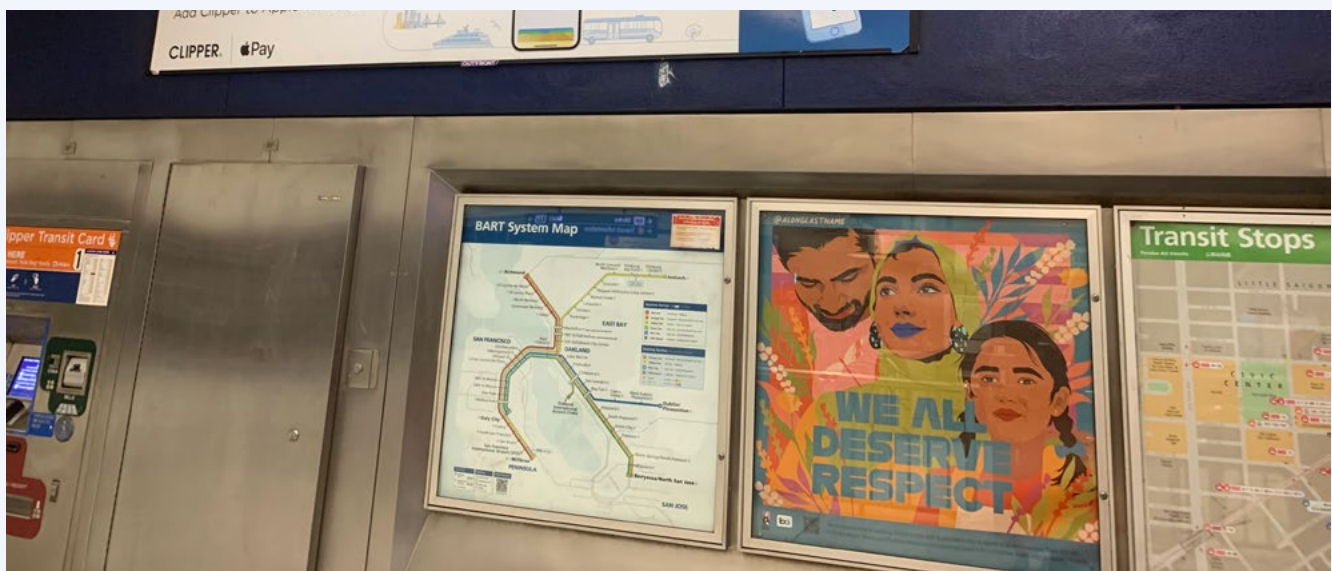
Concerns about safety and public disorder are shared by both the BART Board of Directors and many of the community members with whom CPE spoke. In this instance, BART's stated goals appear to align largely with those of riders, with both focusing on physical safety, general disorder, and the perception of safety based on high-profile incidents. However, it does not appear that BART's operations prioritize these shared goals. While BPD's fare enforcement activities do lead to arrests, those arrests are disproportionately for outstanding warrants (compared to arrests based on other initial stop reasons). Unlike an arrest for an offense observed by an officer or one in response to a community member's call for service, arrests for outstanding misdemeanor warrants do not directly address the crime, safety, and disorder concerns that CPE heard from BART officials and riders. This is particularly true in cases where the warrant relates to an underlying charge that occurred outside of, and is completely unrelated to, the BART system. These arrests, therefore, do little to advance BART's stated safety goals, impose significant costs and harm on the impacted individuals, and use up BPD's time and resources that could be better spent on activities related to specific safety concerns.

With regard to physical safety and perceptions of physical safety, CPE's analysis shows that fare enforcement does not appear connected to any measurable reduction in reported crimes, either related to physical safety or public disorder. Furthermore, CPE's analysis suggests fare enforcement does not appear to be connected to any measurable reduction in violent crime. When considering the resources BART expends on these officer deployments and the significant harm to community members who are brought into the criminal legal system as a result of fare enforcement, it appears that the costs of these activities are not justifiable when they provide no measurable public safety benefit.

Similarly, CPE's analysis shows that fare enforcement may not lead to a reduction in community member complaints of disorderly behavior by other riders. Consequently, as with the issue of physical safety, BART should consider the exorbitant cost of fare enforcement and the lack of benefit regarding public safety or recovery of lost fares through citations. In short, BART should reconsider using fare enforcement as a tool to address public disorder.

Recognizing the shared interest of BART and its ridership in reducing the scale of public disorder that does not pose a physical threat to riders, the agency should further embrace existing approaches that have been shown to address these challenges successfully. BART should be commended for its existing use of such tools and should further expand the use of programs like BART's Transit Ambassador and Crisis Intervention Specialist (CIS) programs. Expanding these roles would not only help address BART's stated goals effectively but may also be financially beneficial. Stout's analysis estimated that an average sworn officer costs BART approximately \$167,000 in salary and associated costs; however, a crisis intervention specialist costs only \$134,000, and a transit ambassador costs only \$98,000. While these programs would not serve as direct replacements for sworn personnel, their expansion may not be as resource-intensive as deploying more officers to address the same issues. Additionally, Stout estimated that a 50% expansion of CIS and Transit Ambassadors would reduce the human costs associated with fare evasion citations for BART riders by \$300,000 to \$1.4 million. Expanding the CIS and Transit Ambassador programs would also reduce fiscal impacts to government and social services by an estimated \$100,000 to \$623,000.²³

The use of such programs is also largely supported by the riders with whom CPE spoke. Seventy-one percent of focus group participants (67 out of 95) recommended personnel-based solutions to concerns about public safety. The descriptive statistics in the following section reflect only the subset of focus group participants who mentioned such recommendations (67).



Personnel Improvements

Among those who made personnel recommendations, 76% of participants (51 out of 67) suggested an alternative approach to public safety. Most participants felt that public safety concerns related to homelessness and mental health conditions should not be addressed primarily by the police or by police alone.

A White man, aged 25-34, suggested approaching people experiencing homelessness with care rather than a punitive response:

“But if they put a shower for the homeless that pay for a ticket ... I think that would be ideal. Some kind of community support worker being there to hand out clothing that would be ideal. And that would not only encourage the homeless to pay for their BART ticket, but it would take care of the smell problem.”

A Black woman aged 55+ disagreed with involving more police in public safety concerns on BART. Instead, she suggested the presence of mental health professionals:

“So maybe instead of bringing the police, where it could turn into a serious incident, like Oscar Grant, which traumatized me for a long time. It could be maybe a trained person for mental illness ... They call them Crisis. Or they de-escalate. They could come with training with de-escalate training and stuff because the police don’t have that.”

The participant, who was unfamiliar with the CIS program, agreed that this was a more appropriate approach than police.

Several participants emphasized that non-police responders, such as CIS or Transit Ambassadors, should partner more effectively with community-based organizations located near specific stations. They stressed that it is not enough to remove people who are unhoused or experiencing mental health crises from

BART, and that BART personnel should develop relationships with community-based organizations that could provide comprehensive assistance and support.

Twenty-eight percent of participants (19 out of 67) suggested coupling police with some non-police personnel, such as social workers, mental health professionals, or people trained in de-escalation. A White woman, aged 25-34, recommended investing more in alternative, non-punitive responses:

“BART police working with mental health trained people as well. And I think I’ve heard they’re starting to integrate that more, but I think that needs to be more encouraged and more policy around that.”

A Latine man, aged 18-24, described his recommendation for a co-response that includes a caseworker:

“So it would be nice if, for example, a police {officer} came along with a caseworker or something like that.”

While there was broad support among focus group participants for public safety responders other than or in addition to police officers, 31% of participants (21 out of 67) explicitly stated that they wanted more police only. This included suggestions that, in addition to more police, BART should adopt other security measures, such as metal detectors and undercover officers. An Asian man, aged 18-24, stated, “I find it safe with police in the train station or inside of the car. I would feel more comfortable and safe. I also prefer the police on the train.”

The call for more police is, in part, related to a lack of awareness about alternative approaches to public safety. Only 13 participants mentioned the existing Transit Ambassador program. Among those 13, most believed that ambassadors would have a positive impact but reported that they were rarely or never present. As an Asian man, aged 18-24, described it, “I don’t think this program has been super successful based on the fact that I’ve personally never seen one.” Thirteen percent of participants (9 out of 67) who recommended a personnel solution described a general interest in more security. However, it was unclear whether this meant more police or an alternative approach to public safety.

Infrastructure and Environmental Improvements

In addition to enforcement activities by sworn and non-sworn BPD personnel, the agency may wish to focus on infrastructure investments that address the concerns of the BART Board of Directors and riders.

Hardened Fare Gates

BART's current efforts to upgrade fare gates to prevent fare evasion are promising, but they also raise some concerns. In general, efforts to address community member behaviors through infrastructure are preferable to those that promote more adversarial contact between police and community members. These efforts may be less expensive for the agency, less dangerous for both officers and community members, and may reduce the harm from legal system involvement that occurs outside of BART's control.

However, the focus on gate hardening continues to perpetuate the notion that fare evasion poses a much greater fiscal and safety risk than it actually does. The cost of these fare gates – both in terms of the financial expense to install them and the cost to riders in terms of reduced accessibility – must be balanced against the problem BART is trying to solve. This calculation must be based on an honest and accurate presentation of the problem that BART is addressing and must be part of a cohesive strategy. Furthermore, if gate hardening proves to be an effective tool for reducing fare evasion, BART should take this success into account and appropriately reduce the priority placed on fare evasion in officers' enforcement efforts.

The impact of hardened fare gates was observed by CPE staff during visits to the BART system and discussed during CPE's focus groups where respondents expressed mixed feelings about the new gates.

CPE's Observations of Hardened Fare Gates

In July 2024, CPE's qualitative research team observed the newly installed gates at West Oakland Station. This was the first station to install the new gate hardening infrastructure, part of a \$90 million initiative that BART implemented to reduce fare evasion (Bay Area Rapid Transit, n.d.). CPE sought to witness the

effectiveness of the new infrastructure on reducing fare evasion and to observe the functionality of the new gates. This was an informal observation, not intended to produce generalizable, scientific results. Observation was limited to a few hours at a single BART station prior to the gate hardening implementation at other stations.

During a timed 15-minute interval on July 24, 2024, CPE observed 34 BART riders entering or exiting through the newly installed gates, paying their fares. During this short period, CPE observed three people evade fares by squeezing through the newly installed gates. Most commonly, people slid through the gates designed for people with disabilities and/or people with bicycles, luggage, or large amounts of property. Each time people forced their way through an accessibility gate, the gate malfunctioned, setting off a consistent beep that required the BART station agent to come out and reset the gates. This occurred three times in a 15-minute period, proving quite burdensome to the station agent. Additionally, CPE observed several instances where riders' card swipes, whether from their phones or cards, would not register. They typically approached the BART station agent and were given access through a side gate that could be unlocked by the operator.

Over the course of CPE's two-hour observation in July 2024, the team witnessed five people force their way through the newly installed gates, sometimes taking as long as five minutes to make it through. The team also observed a Latine rider with many bags who did not have sufficient fare to exit the West Oakland gates.



He approached the station agent but was not allowed to exit. He waited for at least 30 minutes before three BART police officers arrived and began speaking with him. At one point, the BART officers spoke to the rider loudly, expressing frustration. They asked for his ID, which the rider provided. The officers then searched the rider's bags. After about an hour-long interaction with the officers, the rider was eventually arrested, handcuffed, and placed in a BART police car outside the station. BART police took his property and placed it in large plastic bags. In summary, an interaction that started from an inability to pay the BART fare due to insufficient funds ended in an arrest. After the rider was arrested, the BART station agent approached CPE observers and said, "Turned out he had a warrant."

Community Perceptions of Hardened Fare Gates

When CPE conducted its focus groups in October 2024, new gates had been installed at additional stations, including Fruitvale and Civic Center Stations. Among the focus group participants to whom CPE spoke, only 13% (12 out of 95) mentioned gate hardening. A Latine woman, aged 55+, reported feeling positive about the new gates:

"Some of the good things, some of the improvements are the doors, the new doors at the Fruitvale Station ... these new doors that they've installed here are very, very secure."

An Asian woman, aged 18-24, described the potential for the hardened gates to improve safety while questioning their impact on accessibility:

"Like, if we were to make them stronger or taller or whatever so that people can't get past them, maybe that would help improve safety, but it would also maybe make BART less accessible to people who need it."

Environment Improvements

In addition to infrastructure changes at the fare gates, BART may also consider other environmental improvements to address rider concerns. As perceptions of disorder and cleanliness often go hand in hand, more frequent and thorough cleaning of the stations and trains may help ease riders' health and safety concerns. Similarly, an increase in lighting could improve perceptions of safety at a much lower financial cost than, and without the unintended harms of, increased police activity. BART riders expressed interest in such improvements when speaking with CPE and mentioned how concerns about accessibility may factor in as well.

Thirty-one percent of participants (29 out of 95) mentioned a recommendation related to the environment or improvements to accessibility. A Latine woman, aged 45-54, suggested an improvement to the maps:

"If I was able to read that and understand it more, then maybe I could kind of pinpoint where to go or where do I transfer? But I don't know how to read that map you guys have on the walls."

For some participants, the lack of understanding was related to the absence of signs and instructions provided in multiple languages. This includes concerns about the accessibility of announcements. An Asian woman, aged 45-54, stated:

"If something happens that is unexpected, and if this driver is talking in English ... I don't know what happened. So it makes me feel worried. So that may be helpful if there can be some interpreters in different languages."

Additionally, participants mentioned the need for more reliable Clipper Card machines and bilingual staff who can interpret for non-English speaking riders.

Affordability

BART's concerns about revenue and farepayment are also deeply connected to issues of affordability. For some riders, the perception that fares are unaffordable is a reason for not paying when they enter BART. For others, being unable to pay fares may lead them to ride BART less frequently or not at all, further exacerbating BART's financial challenges. While BART's financial situation may not allow for an across-the-board fare reduction, there may be opportunities for targeted discount programs, and increased accessibility and awareness of new or existing discount programs. The topic came up consistently throughout CPE's interviews with riders.

CPE asked all community participants (via one-on-one interviews, short surveys, or focus groups) whether they felt BART fares were affordable. Among the 167 riders who answered the question, "Do you think BART fares are affordable?" a slight majority of 51% (86) answered "no." Notably, this question was posed prior to the 5.5% BART fare increase on January 1, 2025.

Accessibility to Discounted Fares

In general, all 17 participants CPE interviewed in depth would have been eligible for discounted fares based on the household income they reported. However, they were typically not aware of discounted BART fares or how to access the discounts. One participant, who had a senior citizen discounted Clipper Card, described an onerous process of going to the Embarcadero Station to obtain his senior discount card even though he lived in West Oakland. When asked if he knew how to navigate the online application process, he stated, "I don't know how to do it online without help." Indeed, many of the unhoused and/or low-income participants with whom CPE spoke would likely face significant technological barriers to accessing and completing online applications due to a lack of a smartphone, internet, and/or computer access. Additionally, interviews suggested that navigating the paperwork submission process to obtain a discounted fare would likely prove difficult for unhoused and/or housing-insecure BART riders without assistance from a community-based organization.

Reducing the Harm of Policing

CPE's analysis indicates that police involvement in fare enforcement is incredibly resource-intensive, produces serious harm to individuals caught up in the process, and does not necessarily achieve BART's stated goals. Therefore, any future efforts to address fare evasion, safety, or community concerns should consider non-punitive approaches that avoid the risks associated with police contact.

Still, CPE understands that BPD will observe fare evasion as part of their regular duties and will likely continue to play a role in fare enforcement. With that in mind, BART should consider policy and strategy changes that ensure any use of armed officers and civil or criminal penalties is implemented in a manner that minimizes disproportionate harm to community members and reduces the risk of physical confrontations to promote both community member and officer safety.

Formalizing Policy Changes

In practice, BART officers already appear to exercise their discretion on a regular basis in ways that avoid harm from policing interactions. This includes issuing verbal warnings or simply asking a person evading a fare to return to the gates and pay, rather than initiating a legal process. While CPE is encouraged to see officers using their discretion to de-escalate these situations, there is concern that such decisions are not regulated by any BPD policy. Previous research shows that extensive discretion often leads to both conscious and unconscious bias by officers, which can exacerbate racial disparities, such as those seen in BART's fare enforcement (Glaser, 2024). Therefore, any of the policy changes discussed in the following sections should be formalized in a way that ensures their consistent application, and officers should be trained and evaluated on any such changes.

Options to Reduce Policing Harm

In order to avoid unnecessary escalation, BPD fare evasion stops should conclude as quickly as possible and avoid the imposition of punitive measures unless absolutely necessary. BART should consider policy changes that explicitly encourage or require officers to issue warnings instead of citations, especially for people stopped for fare evasion for the first time. Asking a person to return to fare gates rather than expelling them from the system may help avoid conflict that could jeopardize the safety of both officers and community members, while still achieving BART's goals of discouraging fare evasion and generating revenue.

Quickly resolving such interactions will also free up officers to address more serious issues and provide additional support to riders who need assistance.

In the event that BART deems it necessary to issue a citation, BART policy should consider the additional harm that a criminal citation under California Penal Code §640(c)(1) imposes on an individual compared to a civil penalty under the BART fare evasion ordinance. The additional costs associated with a criminal ticket may not be proportional to any benefit BART would receive in terms of deterrence or future compliance. As it stands, the issuance of civil citations to those committing observed fare evasion would not be in conflict with either California Penal Code §640 or the BART ordinance, as BPD already issues such civil penalties to young people who are observed entering the system without paying.

Similarly, in situations where a criminal citation is warranted, BART policies should prioritize an infraction over a misdemeanor for the same reason, recognizing that the additional cost to community members may not be justified by competing judicial interests.

BPD should also consider policy changes regarding arrests for misdemeanor warrants. While BART's policy must comply with the minimum standards for mandatory arrests under California law, the department should consider adjustments to make the policy more permissive for nonviolent misdemeanor warrants, for which the state gives departments discretion on whether to cite or arrest. Arrests



based on outstanding warrants, particularly misdemeanor warrants, consume significant BPD resources during the arrest, detention, transport, and booking process. If such an arrest is not mandated by state law, BART should evaluate whether these arrests are a valuable use of officer time, especially when the alleged underlying offense may have no connection to the BART system.

Collecting Data to Monitor Police Activity

In order to assess the cost and impact of BART's fare enforcement activities moving forward, it is important to have complete and accurate data that allows both internal and external parties to monitor and evaluate the department's activities. BART currently records a significant amount of data across various systems, including dispatch data, arrest and citation logs, RIPA reporting requirements, field interviews, and more.

Currently, however, many of these datasets are not consistently linkable to one another. Although the datasets should be able to be linked, there is often a lack of matches across datasets that should reflect a single incident. As a result, officers spend hours each week entering data that may not be fully utilized. Similarly, some datasets, like field interviews, can be both over- and under-inclusive of certain events, limiting their utility for analytic purposes. Consequently, some questions may not be answerable based on current data collection practices, including how many warnings officers issued, how many people were ejected from the system without a citation, and how many people were engaged without requesting identification.

This applies to systems-level data recording. Documentation regarding deployment decisions, such as when targeted fare enforcement activities occur, is essential for analyzing and evaluating the effectiveness of specific strategies. BART policies, procedures, and data infrastructure should ensure that officer time spent recording data is not wasted and that the data can be used to assess the implementation and impact of various policing strategies and activities.



Recommendations

Given the information contained within this report, CPE offers the following recommendations for the BART Board of Directors to consider, discuss, and potentially adopt:

- Expand BART's Transit Ambassador and Crisis Intervention Team (CIT) personnel as non-police responses to public disorder and community concerns regarding unhoused individuals and people with mental health conditions.
- Establish BART's Transit Ambassador and CIT programs as independent entities, with separate budget and reporting structures from BPD.

- Establish and strengthen collaborative mechanisms between BART's non-police responders and community-based social service providers to improve access to health and human services, particularly at BART stations with high concentrations of people who are low-income, Black, unhoused and/or experiencing a mental health crisis.
- Partner with health organizations that utilize mobile health clinics and outreach workers to provide services to individuals who are unhoused and people with mental health conditions. These health services may include telehealth appointments, medically-assisted treatment, and prescription refills.
- Establish a Law Enforcement Assisted Diversion program within BPD to redirect riders who have had 12 or more fare enforcement interactions in the past two years to Transit Ambassadors and CIT personnel, who will collaborate with community service providers to develop a wrap-around service plan. This approach will reduce the personnel hours spent on fare enforcement for this high target group, as well as the high burdensome costs associated with repeat citations, arrests, and detention for riders with frequent fare enforcement interactions.
- Clarify BPD's warrant policy to eliminate discretion regarding arrests for misdemeanor warrants. The policy should mandate that officers arrest only for an outstanding misdemeanor warrant if required by California Penal Code § 827.1 or a specific BART policy, and that officers must issue a citation in all other instances.
- Partner with other agencies to establish warrant clinics that address outstanding warrants discovered through fare enforcement stops and reduce the fiscal burdens on government and social services caused by arrests for such warrants.
- Revise BPD policy to explicitly require warnings for individuals stopped for fare evasion for the first time. Additionally, update policies to mandate the use of civil proof-of-payment citations instead of criminal citations under California Penal Code § 640, except in specific circumstances.
- Implement data auditing procedures to ensure that all incidents are accurately and comprehensively recorded. At a minimum, this should include a review of data for accuracy and cross-referencing between datasets to ensure all aspects of an interaction are documented. Discrepancies between internal datasets and external mandated datasets, such as those required under RIPA, should be resolved before reporting.

- Implement an evidence-based operational strategy for BPD, based on a causal research design co-developed with BART and an academic partner.
- Improve access to discounted fares for riders who are low-income, youth, seniors, and people with disabilities by automating eligibility for and access to BART discounted cards for individuals with Medi-Cal Benefits Identification Card (BIC), Electronic Benefits Transfer (EBT) cards, Supplemental Security Income (SSI)/Social Security Disability (SSD) eligibility, and student or senior IDs. Discounted card availability should be expanded at BART stations, and more community partners should be formally engaged to assist with discounted card applications online.
- Improve lighting, sanitation, and aesthetics at BART stations through infrastructure development funds. Studies have shown reductions in crime based on changes to built environments (Painter & Farrington, 1999; Welsh & Farrington, 2008).
- Develop a comprehensive safety plan that includes specific goals, logic models, and both intermediate and long-term outcome measures. The plan should be made public to facilitate community feedback and accountability.
- BART should retract public statements about fare evasion that rely on unverified or unsubstantiated financial figures or claims regarding the connection between fare evasion and public safety. Moving forward, BART should avoid making statements that perpetuate these misrepresentations.
- End the enforcement of fare evasion under California Penal Code § 640(c)(1) as a misdemeanor to reduce the human and fiscal harm incurred by BART riders, as well as the impact on social service and criminal legal systems.
- Continue to implement the data collection recommendations accepted from the 2020 CPE Report.
- Establish an advisory board inclusive of community members and BART staff, in collaboration with an empowered entity like the BART Office of the Inspector General, to facilitate and monitor implementation of the recommendations accepted from this report. This advisory board should also address recommendations adopted from other reports generated by CPE and other external entities, such as the California Department of Justice.

CPE is committed to providing continued support on implementing any recommendations that are adopted by the Board, should it be requested.



Conclusion

The primary objective of the partnership between CPE and BART was to better understand BART's fare enforcement operations, particularly how they align with both BART's and community goals and priorities. BART's frequently referenced, yet uncited, figure of \$25 million in annual costs due to fare evasion and subsequent \$90 million initiative to harden its system's gates both position revenue as a central issue for the agency. BART has conflated its approach to addressing revenue loss and fare evasion costs with community calls for improved safety and quality of life factors for riders.

The current approach to fare enforcement within BART not only overstates the financial impacts of fare evasion but also lacks a cohesive strategy to address its underlying issues. The inflated estimates of fare evasion costs – such as the unsupported \$25 million figure – highlight a fundamental misunderstanding of the true financial burden of this issue. Rather than producing clear benefits, fare enforcement operations have detrimental effects on the community, disproportionately impacting Black and Brown riders, as well as individuals who are low-income, people struggling with mental health, and people who are unhoused.

The evidence in this report suggests that punitive measures do not translate into significant revenue recovery or enhanced safety for riders. The racial disparities in fare enforcement activities and the resource-intensive nature of fare enforcement may contribute to community mistrust rather than foster a sense of safety. Moreover, as noted in this report, BART has recently acknowledged that continued reliance on fare revenue is not sustainable. Moving forward, BART must explore more effective, community-backed alternatives to generate and recover revenue and enhance public safety. By shifting the focus away from punitive enforcement measures and toward solutions that prioritize the communities from which its riders come, BART can not only reduce the harms inflicted by current practices but also foster a stronger relationship with the communities it serves.



Appendix

Section I: Qualitative Methodology

Community Engagement

As a national organization committed to community-engaged research and action, CPE dedicated significant resources to building community relationships in the Bay Area before conducting qualitative research related to fare enforcement practices and perceptions of public safety on BART. CPE's Community Engagement team conducted an initial onsite visit in January 2024 to establish new relationships with local organizations and strengthen existing connections. In total, the Community Engagement team met with 19 Bay Area organizations to introduce them to the project and solicit feedback about community perspectives on BART's public safety issues. CPE presumes that local community actors are best positioned to not only have intimate knowledge of public safety issues but to activate CPE's research for advocacy. As such, CPE views community partnerships as integral to ensuring that research design is informed by local actors closest to the problems CPE aims to examine and solve.

Following the initial site visit, substantial time was invested in meeting with organizations via Zoom to discuss the possibility of collaboration. Many organizations expressed interest in collaborating; however, due to the burdensome commitment required to assist with CPE's qualitative research, only five organizations helped organize and recruit community participants for in-person focus groups in October 2024. Despite this, CPE maintained a list of community leaders involved in organizations that were unable to participate in the research component and invited many of them to join the Community Working Group – a group of community members who provided feedback on CPE's recommendations based on research findings. The success of this project was made possible through the collaboration of the community organizations that assisted with outreach and participant recruitment.

Overview of Qualitative Design and Data Collection Phases

The qualitative dimensions of this study were divided into two distinct phases. Phase I aimed to solicit BART riders' experiences with fare evasion enforcement, focusing on police stops, fare evasion citations, and arrests following a fare evasion stop at BART stations with the highest rates of fare enforcement activity. Phase I had two components: (1) a five-minute survey designed to collect a broader sample of BART riders' views on these issues, and (2) one-on-one interviews intended to capture BART riders' experiences with fare enforcement in-depth. Phase II aimed to solicit community members' perceptions of public safety issues on BART to identify community concerns and gather recommendations for improving public safety. This phase involved working with Bay Area organizations to conduct 14 focus groups representing diverse geographic regions and riders served by BART. CPE obtained Institutional Review Board (IRB) approval for the qualitative study from BRANY in June 2024 (Study ID #24-169, Paula Ioanide, Principal Investigator). A more in-depth overview of each of the two phases is provided below.

Phase I Survey

Study Design

Phase I was designed to assess whether BART fare evasion enforcement produces burdensome consequences for BART riders who are stopped, cited, and/or arrested for fare evasion. Additionally, CPE asked questions about fare affordability and the impact of fare evasion citations. CPE collected demographic data from all survey participants, including race/ethnicity, gender, annual household income, and age. Phase I participants had to meet the following eligibility

criteria to participate in the five-minute survey and/or the in-depth one-on-one interviews:

- Respondent had to be a resident of Alameda County, San Francisco County, Contra Costa County, Santa Clara County, and/or San Mateo County (the five counties BART serves).
- Respondent had to be 18 years of age or older.
- Respondent had to have the capacity to provide verbal assent.
- Respondent had to speak and understand English.
- Respondent had to have been stopped for fare evasion by a BART employee between 2019 and 2024.

In anticipation of both (1) the potential difficulty in identifying people who were stopped, cited, and/or arrested for fare evasion and (2) the possibility of BART riders' reluctance to participate, CPE designed the survey to also serve as a recruitment tool for the one-on-one in-depth interviews. Participants who completed the survey and expressed an interest in participating in a more extensive interview were referred to a qualitative researcher at a quiet location outside the BART station.

Phase I Recruitment Locations

A team of two qualitative researchers and one Community Engagement specialist conducted direct recruitment outside the gates of the eight stations listed below over a five-day period (July 22 - 26, 2024). These stations were selected because preliminary analysis indicated they had the highest rates of fare evasion stops by BART Police. The percentages following each BART station name represent the percentage of fare evasion stops out of all pedestrian stops made by police at that station between December 31, 2017, and December 31, 2023. These percentages were

calculated as part of a preliminary analysis of data CPE received from BART.

- El Cerrito (66.7% fare evasion stops out of all pedestrian police stops at that station)
- Bay Fair (51.5%)
- Lake Merritt (46.5%)
- Civic Center (46.2%)
- Fruitvale (45.5%)
- Pittsburg/Bay Point (45.2%)
- Powell (44%)
- West Oakland (38.9%)

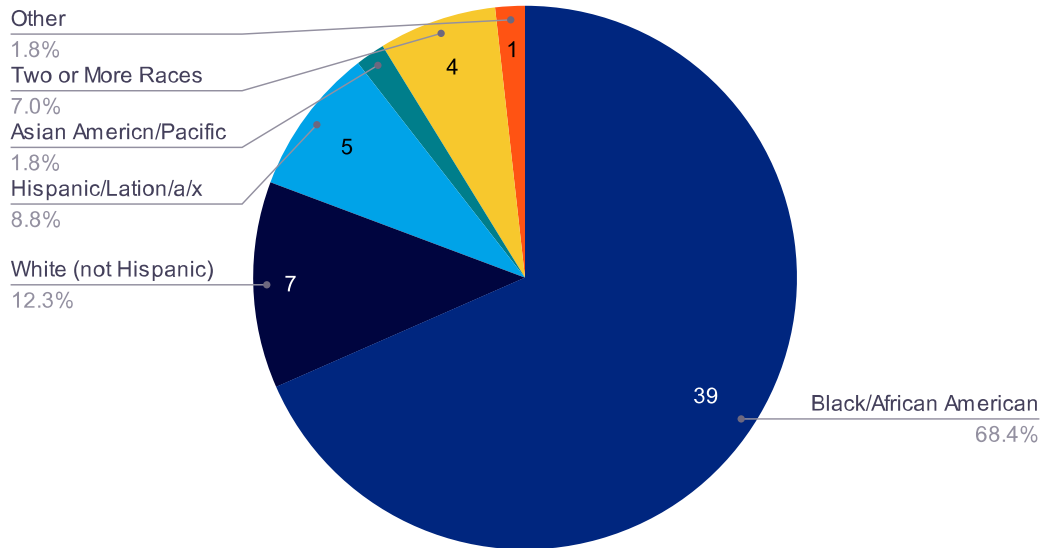
Although the Oakland Coliseum and SFO Airport BART stations had high rates of fare evasion stops, CPE excluded these locations for qualitative recruitment due to the likelihood that riders at those stations were not Bay Area residents.

Survey Collection of Data

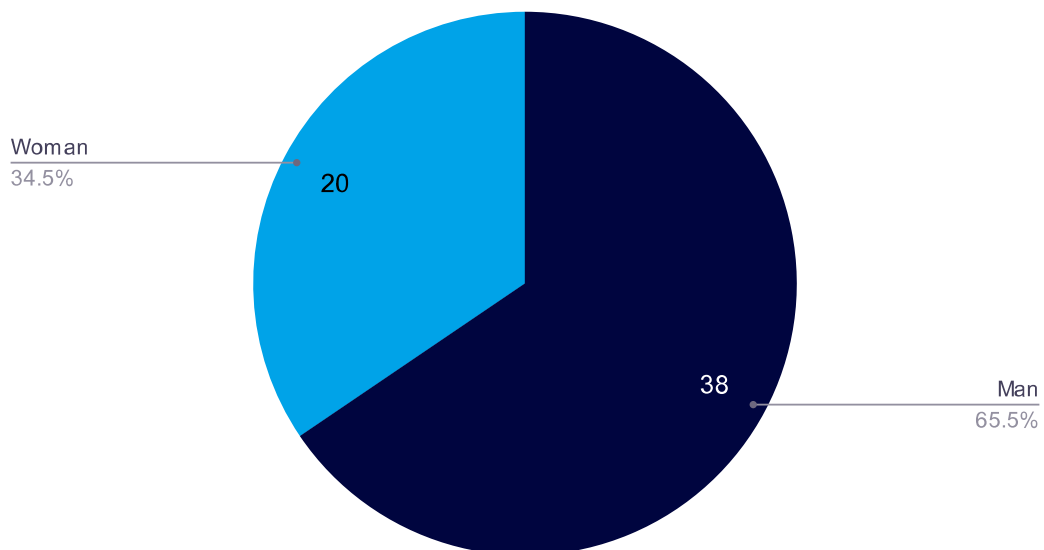
Fifty-eight surveys were completed at the eight BART stations with high rates of fare evasion enforcement. The stations were canvassed on weekday mornings (9 a.m. to 11 a.m.) and afternoons (1 p.m. to 5 p.m.) over a five day period. A convenience sample of potential respondents was selected at each station. CPE's team screened potential respondents to ensure they met the eligibility criteria outlined above. Only those who reported being stopped for fare evasion between 2019 and 2024 were deemed eligible for the survey. The survey was administered verbally by CPE staff interviewers and responses were entered on mobile devices by the CPE team. A \$10 Visa gift card was provided to those who completed the survey.

Demographics of Survey Participants

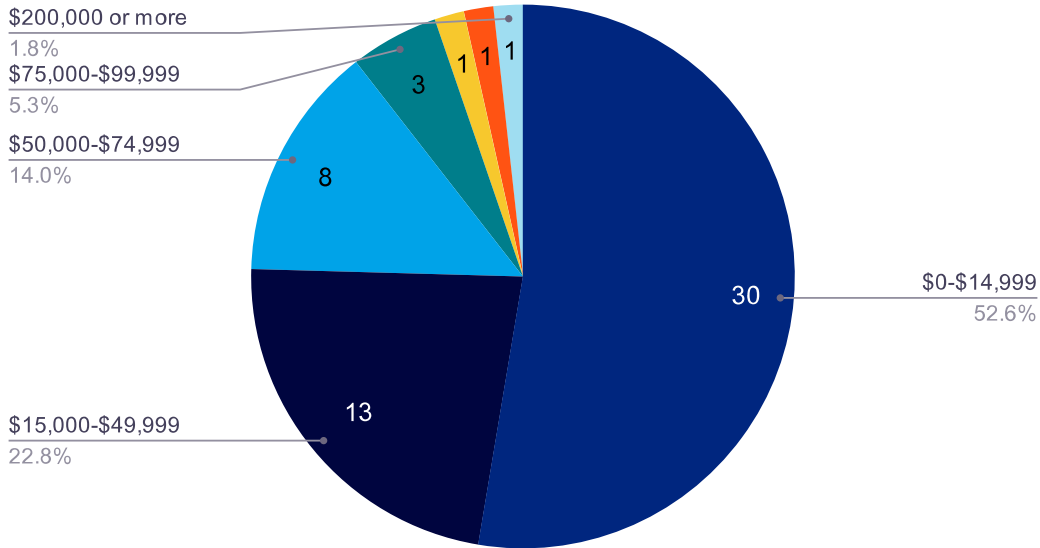
Race/Ethnicity of Survey Participants (=58)



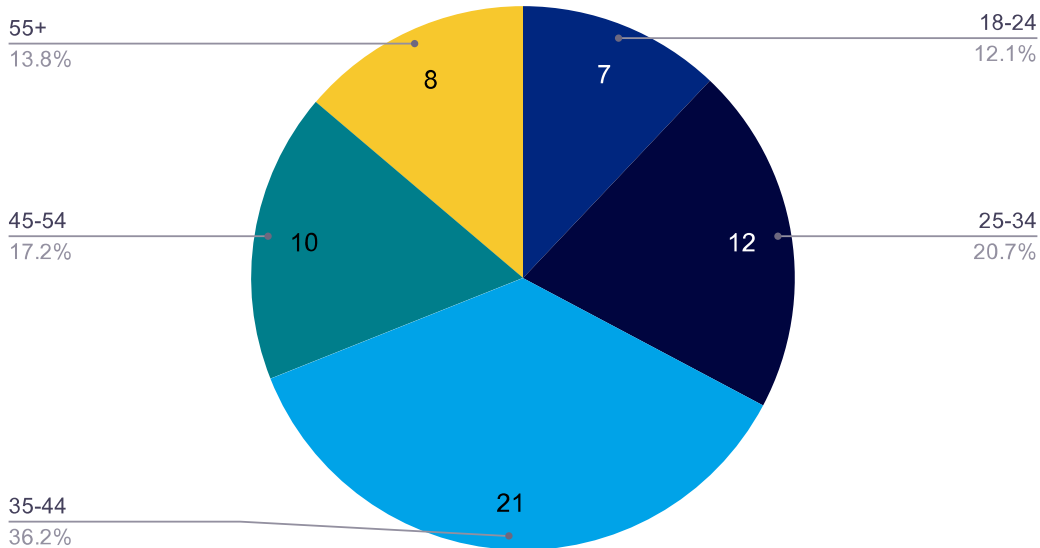
Gender of Survey Participants (n=58)



Annual Household Income of Survey Participants (n=58)



Age of Survey Participants (n=58)



Survey Analysis

Since non-random sampling was used to select survey participants, CPE did not report findings on a majority of the survey's questions. However, survey data on the question of whether participants found BART fares affordable were combined with responses from all other qualitative participants (across Phase I and II) who answered this question to determine a total per-

centage across data samples. The survey data were also shared with Stout to assist in confirming whether certain assumptions and estimates regarding the fiscal burdens of fare enforcement were reasonable. Only a descriptive analysis was performed to understand the demographic profile of CPE's sample and to provide the race, gender, and income distribution across stations.

Phase I One-on-One Interviews

Study Design

The interviews were designed to capture the perspectives of the communities most impacted by fare evasion. Based on preliminary quantitative data showing that Black people were disproportionately impacted by fare evasion enforcement stops, citations, and arrests as well as feedback from community organizations indicating that individuals who are unhoused were also disproportionately impacted, the CPE team oversampled Black and unhoused people. The interviews were designed to last 30 to 45 minutes.

Collection of Data

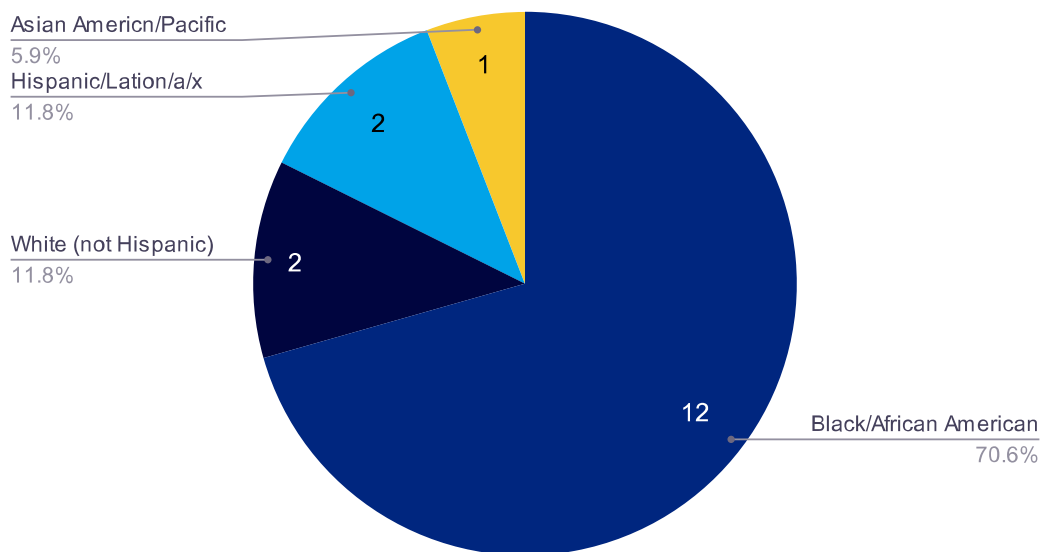
Seventeen one-on-one interviews were conducted with Bay Area residents. Eligible participants were given a \$10 gift card for the survey and an additional \$65 gift card for the interview. The research team initially employed an unbiased recruitment strategy at each respective BART station, approaching every individual exiting the transit gates to ask whether they had ever been stopped for fare evasion and/or a fare check by BART personnel between 2019 and 2024. As the recruitment process proceeded,

it quickly became apparent that most BART riders approached by CPE had not been stopped, but that unhoused and/or Black riders were more likely to have been stopped. This realization led to an increasingly biased recruitment approach, with the CPE team focusing on individuals they believed were more likely to have encountered fare enforcement. Additionally, the team became more effective at identifying survey participants who had experienced more significant downstream consequences and recruiting them for one-on-one interviews. Similarly, a snowball sampling method naturally emerged as participants began recruiting others after completing their interview, using the totaled \$75 gift card incentive as a recruitment tool. This selection bias resulted in an oversampling of the most impacted populations, who would have been difficult to access through the initial unbiased direct recruitment strategy.

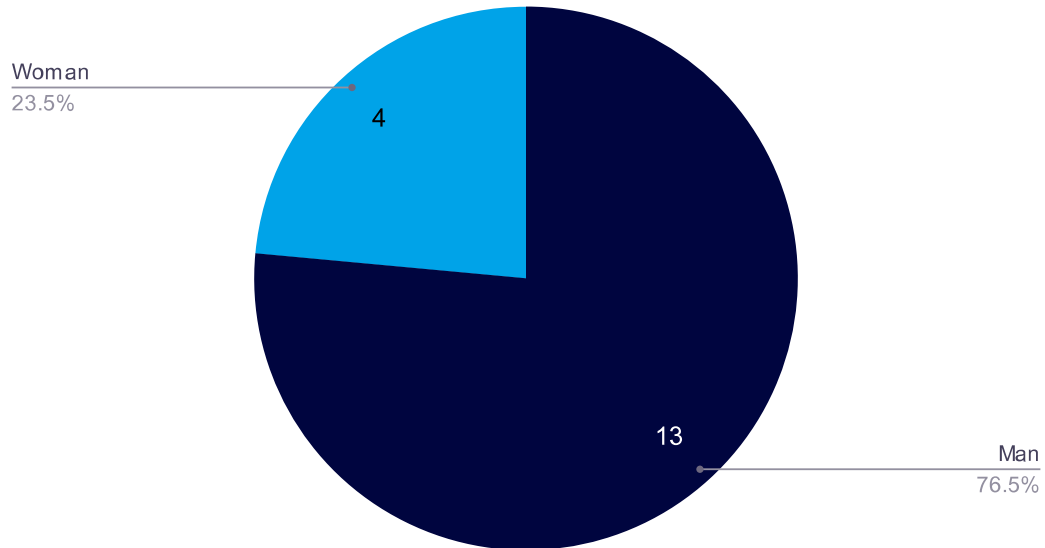
All participants were informed of the study's purpose, risks, and confidentiality guidelines and provided verbal consent to proceed with the interview. Additionally, all participants verbally agreed to be audio recorded using digital recorders.

Demographics of Interview Participants

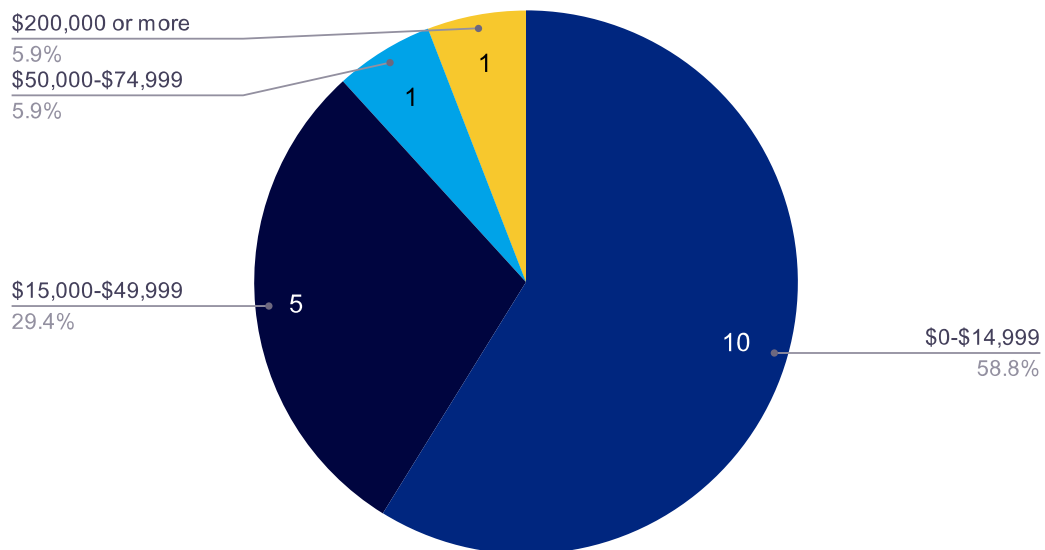
Race/Ethnicity of Interview Participants (n=17)



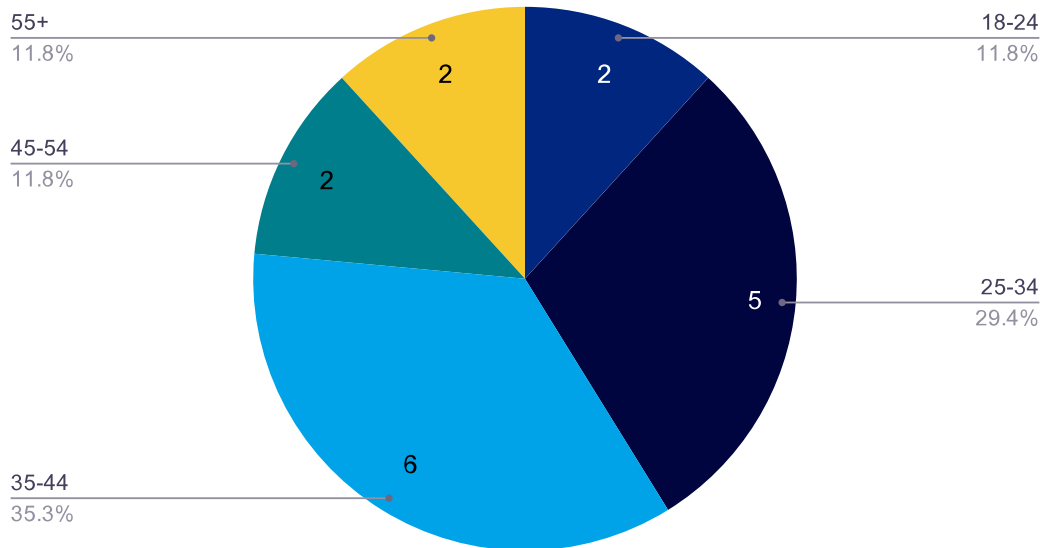
Gender of Interview Participants (n=17)



Annual Household Income of Interview Participants (n=17)



Age of Interview Participants (n=17)



Coding & Analysis

Audio recordings of the one-on-one interviews were transcribed using professional services and de-identified to remove all personally identifiable information. The qualitative research team developed codes and definitions based on the key research questions that CPE aimed to answer:

- How do BART riders experience police presence and police contact?
- Is there variation in BART riders' experience of police presence and police contact by racial identity or socioeconomic status?
- Do BART riders incur personal costs as a result of police contact? If so, what are the most common and burdensome personal costs BART riders incur (e.g., financial, barriers to transportation, psychological/emotional, etc.)?
- Do BART riders incur personal costs as a result of fare evasion enforcement? If so, what are the most common and burdensome personal costs BART riders incur (e.g., financial, time loss, psychological)?
- Do the personal costs incurred as a result of police contact and fare evasion enforcement vary by racial identity, socioeconomic status, and geography?

First, deductive codes, subcodes, and definitions that aligned with the research instrument and key research questions were used to analyze the experiences, impacts, and outcomes of fare evasion enforcement stops, citations, and arrests. Second, inductive codes and definitions that emerged across multiple interviews were developed and integrated into the final codebook.

CPE aggregated counts and percentages to determine how many interview participants across the sample experienced the following:

- Specific police contact outcomes (e.g., discretionary release, citations, arrests, jail booking).
- Negative and/or positive procedural justice experiences (e.g., fair treatment, racial bias, use of force).
- Burdensome impacts (e.g., financial losses, negative mental/physical health outcomes, housing instability, loss of property)

CPE then examined these dimensions across demographic characteristics (e.g., race, income) to determine whether certain groups experienced specific issues disproportionately. CPE identified testimonies and quotes that were thematically representative of emergent themes.

Phase II: Community Focus Groups

Study Design

Phase II was designed to focus on riders' perceptions of safety/crime on BART, fare affordability, experiences with police contact and/or fare evasion enforcement, the factors that influence riders' decisions to use BART, and community perspectives on ways to improve and redesign BART's public safety responses. The goal was to collect a sample representative of populations most likely to be impacted by fare evasion enforcement on BART. Based on CPE's literature review and preliminary statistical analysis identifying groups disproportionately impacted by fare enforcement, CPE's community engagement team sought to build relationships with organizations that serve economically disadvantaged persons, Black and Latine people, and youth ages 14-18. Community organizations were compensated \$300 per in-person focus group for providing use of their locations. Each community staff member who assisted with recruitment received a \$75 gift card. In preparation for the onsite data collection visit, the CPE team met with each organization via Zoom to discuss the study design and recruitment process. Forms were created for each organization that could be distributed via email and/or text, allowing the interested person to select the date and time for the focus group they were available to attend. The CPE team then contacted the first 12 interested individuals who submitted a form for each focus group slot to confirm their participation. If someone did not respond, the next person on the list was contacted.

Eligibility to Participate

The CPE team used the following criteria to determine a participant's eligibility for a community focus group:

- Respondent must be a resident of Alameda County, San Francisco County, Contra Costa County, Santa Clara County, and/or San Mateo County (the five counties BART serves).
- Respondent must have the capacity to provide verbal assent.
- Respondent must be over the age of 14.

Collection of Data

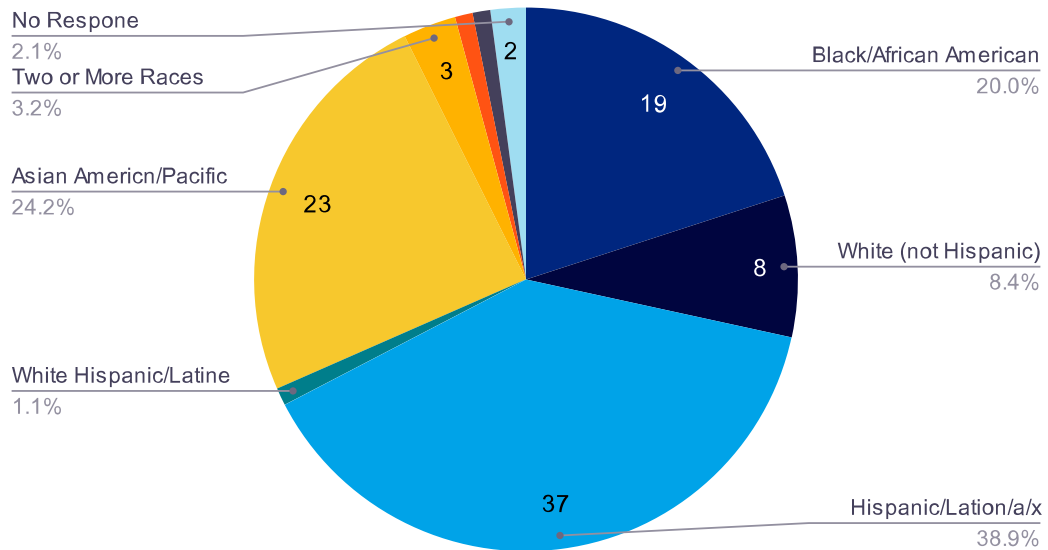
CPE partnered with five organizations to complete 14 focus groups: Unity Council (4), NAMI Contra Costa (3), Monument Crisis (3), All of Us or None (3), a college organization focused on transportation (1). These groups included three Spanish-speaking, one Mandarin-speaking, one youth, and two college student focus groups. Thirteen focus groups were conducted in-person and one was facilitated virtually via Zoom. Spanish-speaking focus groups utilized a professional Spanish interpreter who translated the CPE facilitator's questions and the participants' responses. The Mandarin-speaking focus group used a live interpreter provided by the organization hosting the session.

All focus groups participants were informed of the study's purpose, risks, and confidentiality protocols in accordance with IRB requirements. Verbal consent was obtained from all focus group participants. Additionally, all participants provided verbal consent to be audio recorded using digital recorders. Each focus group was facilitated by a CPE facilitator and supported by one to two CPE note-takers. The size of the focus groups ranged from two to 12 participants. After the focus group, each participant was asked to complete a demographic questionnaire and received a \$75 gift card. The length of the focus groups varied, depending on the size of the group. On average, each focus group lasted between one hour and one and a half hours.

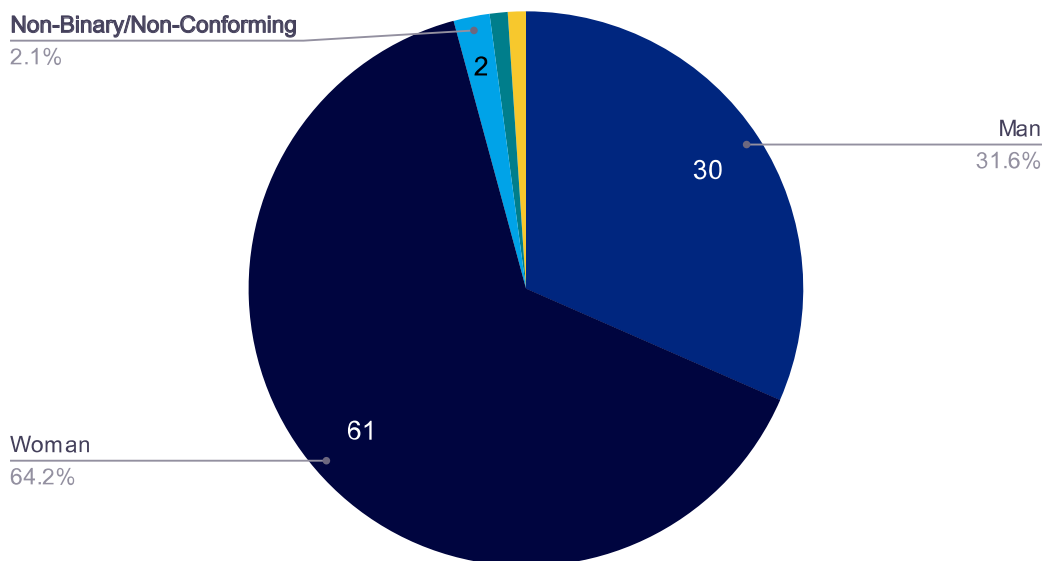
CPE provided food and beverages for all focus group participants using local restaurant providers. Breakfast was supplied for the morning focus groups by a local caterer recommended by a community partner. Due to logistical challenges, lunch could not be provided by a community-recommended partner for the afternoon focus groups; therefore, boxed lunches were supplied instead.

Demographics of Participants

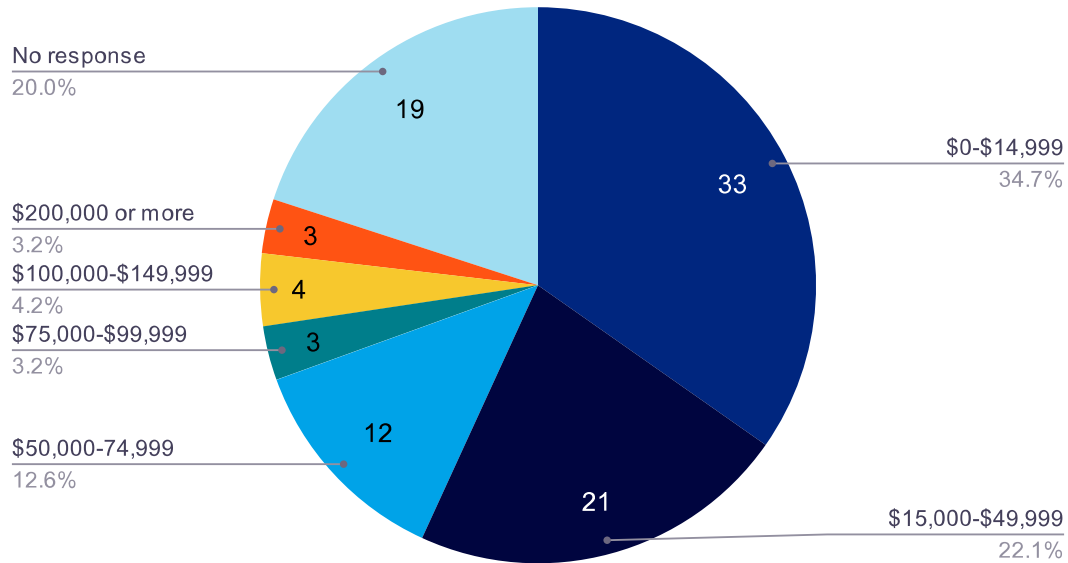
Race/Ethnicity of Focus Group Participants (n=95)



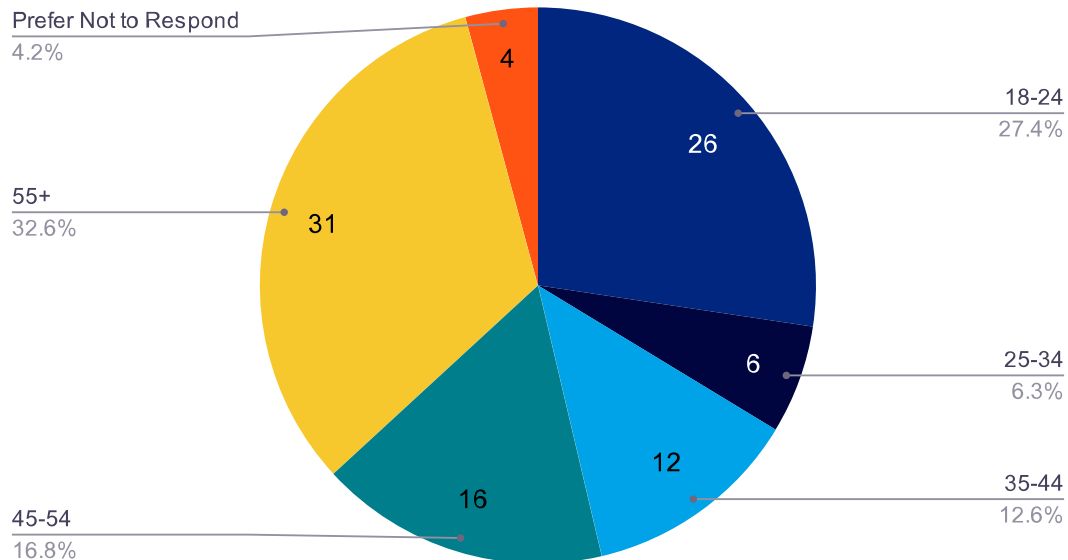
Gender of Focus Group Participants (n=95)



Annual Household Income of Focus Group Participants (n=95)



Age of Focus Group Participants (n=95)



Coding & Analysis

First, deductive codes that aligned with the research instrument were used to analyze participants' perceptions of safety, affordability, experiences with police contact, factors influencing decisions to ride BART, and views on improving and redesigning BART's public safety responses. CPE's deductive codes were driven by the following key research questions:

- What are riders' public safety concerns on BART?
- Do riders' public safety concerns vary by racial identity and socioeconomic status?
- Which of the riders' concerns impact their decision and their ability to ride BART more often?
- Do riders' decisions to ride based on concerns vary by racial identity and socioeconomic status?
- Which of BART's current public safety practices, if any, make riders feel safer or less safe?
- Do these perceptions vary by racial identity and socioeconomic status?
- What public safety responses, measures, and infrastructure interventions do BART riders want more or less of (e.g. Ambassador program, community-driven security, non-police proof of payment, artwork, etc.)?

Second, inductive coding was used to capture several areas that were not accounted for in the predetermined deductive codes but emerged across focus group data. Third, necessary areas for revision emerged from the deductive and inductive coding process. This included a distinction between "Quality of Life - Safety" and "Quality of Life - Nuisance," which was driven by whether the participants themselves identified quality of life behaviors as a safety concern or a nuisance.

CPE aggregated counts and percentages to determine how many focus group participants across the sample spoke to the following issues:

- Public safety concerns when riding BART, and if so, what kinds of concerns (e.g., violence-related, property-related, quality-of-life-related, infrastructure-related).
- Concerns that influenced participants' decisions to ride BART.
- Negative and/or positive procedural justice experiences (e.g., fair treatment, racial bias, use of force) with BART police/fare checkers when stopped for fare enforcement.
- Practices or activities by BART police and/or personnel that made riders feel more or less safe.
- Recommendations for improving public safety responses on BART.

CPE then examined these themes across demographic characteristics (e.g., race, income) to determine whether certain groups experienced specific issues disproportionately. CPE identified testimonies and quotes that were thematically representative of emergent themes.

Section II: Stout Workflows & Exhibits

Stout Workflow I, Exhibit 1.1

Proof of Payment Citations Issued and Paid by Year, Sept. 1, 2018-Aug. 23, 2023

Assessment of Bay Area Rapid Transit Fare Evasion Enforcement						
Workflow I						
Exhibit 1.1						
Proof of Payment Citations Issued and Paid by Year - September 1, 2018 - August 31, 2023						
Time Period	[a]	Number of Proof of Payment Citations Issued	Total Dollar Amount of Citations Issued	Average Citation Fine [b]	Total Dollar Amount of Citations Paid [c]	Percent of Proof of Payment Citations Paid
1 September 1, 2018 - December 31, 2018		2,780	\$ 247,317	\$ 89	\$ 28,645	12%
2 2019		11,519	1,051,238	91	86,613	8%
3 2020		3,593	330,651	92	23,590	7%
4 2021		5,000	455,781	91	38,085	8%
5 2022		1,145	103,333	90	9,450	9%
6 January 1, 2023 - August 31, 2023		10,657	940,612	88	53,400	6%
[a] Source - "pop_citations_102124" - prepared by CPE. Received on October 21, 2024 from CPE. Stout did not independently validate Proof of Payment citation data.						
Notes:						
[b] Average citation fine includes late fees.						
[c] Total dollar amount of citations paid is based on when the citation was issued. For example, if a citation was issued on December 31, 2019, the total amount of citation paid would be reflected in 2019.						
[d] Proof of Payment citations are civil administrative citations resulting from failure to show proof of payment in paid areas or on a train for the first or second time in a 12-month period. The civil citation fine is \$75 for adults and \$55 for minors, and community service options are available. BART Ordinance 2017-2, California Penal Code Section 640(g), California Public Utilities Code 99580.						
[e] Proof of Payment citations with a status of "Open", "Closed", "Hold" and "Dism" are included and Proof of Payment citations with a status of "Warning" are excluded.						

Stout Workflow II, Exhibit 2.13

Estimated Expenses Incurred by BART from Fare Inspection Officers Performing Fare Enforcement, 2023

Assessment of Bay Area Rapid Transit Fare Evasion Enforcement Workflow II - Analysis of the Cost of Fare Evasion Enforcement Exhibit 2.13 Estimated Expenses Incurred By BART from Fare Inspection Officers Performing Fare Enforcement														
		Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Total
Labor Expenses														
1	Average Monthly Fare Inspection Officer Salary in 2023	[a] \$ 6,659	\$ 6,659	\$ 6,659	\$ 6,659	\$ 6,659	\$ 6,659	\$ 6,659	\$ 6,659	\$ 6,659	\$ 6,659	\$ 6,659	\$ 6,659	\$ 79,906
2	Number of Budgeted Fare Inspection Officers	[b] 20	20	20	20	20	20	20	20	20	20	20	20	20
3	Monthly Fare Inspection Officer Salary Cost	\$ 133,176	\$ 133,176	\$ 133,176	\$ 133,176	\$ 133,176	\$ 133,176	\$ 133,176	\$ 133,176	\$ 133,176	\$ 133,176	\$ 133,176	\$ 133,176	1,598,114
4	Monthly Benefits Cost	[c] 39,953	39,953	39,953	39,953	39,953	39,953	39,953	39,953	39,953	39,953	39,953	39,953	479,434
5	Monthly Overtime Cost	[d] 10,654	10,654	10,654	10,654	10,654	10,654	10,654	10,654	10,654	10,654	10,654	10,654	127,849
6	Total Labor Expenses	\$ 183,783	\$ 183,783	\$ 183,783	\$ 183,783	\$ 183,783	\$ 183,783	\$ 183,783	\$ 183,783	\$ 183,783	\$ 183,783	\$ 183,783	\$ 183,783	\$ 2,205,397
7	Estimated Percent of Time Dedicated to Fare Enforcement	[e] 95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
8	Total Estimated Cost of Fare Inspection Officers Performing Fare Enforcement based on 2023	\$ 174,594	\$ 174,594	\$ 174,594	\$ 174,594	\$ 174,594	\$ 174,594	\$ 174,594	\$ 174,594	\$ 174,594	\$ 174,594	\$ 174,594	\$ 174,594	\$ 2,095,127
Non-Labor Expenses														
9	Material Usage	[f] \$ 3,187	\$ 3,187	\$ 3,187	\$ 3,187	\$ 3,187	\$ 3,187	\$ 3,187	\$ 3,187	\$ 3,187	\$ 3,187	\$ 3,187	\$ 3,187	\$ 38,250
10	Professional Fees	4,745	4,745	4,745	4,745	4,745	4,745	4,745	4,745	4,745	4,745	4,745	4,745	56,934
11	Travel and Meetings	563	563	563	563	563	563	563	563	563	563	563	563	6,755
12	Rental Expense	35	35	35	35	35	35	35	35	35	35	35	35	420
13	Repairs & Maintenance	12	12	12	12	12	12	12	12	12	12	12	12	139
14	Other Utilities	964	964	964	964	964	964	964	964	964	964	964	964	11,563
15	Miscellaneous Expense	134	134	134	134	134	134	134	134	134	134	134	134	1,609
16	Total Non-Labor Expenses	\$ 9,639	\$ 9,639	\$ 9,639	\$ 9,639	\$ 9,639	\$ 9,639	\$ 9,639	\$ 9,639	\$ 9,639	\$ 9,639	\$ 9,639	\$ 9,639	\$ 115,670
17	Estimated Allocation to Fare Enforcement Activities	[e] 95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
18	Estimated Non-Labor Expense of Fare Inspection Officers Performing Fare Enforcement	\$ 9,157	\$ 9,157	\$ 9,157	\$ 9,157	\$ 9,157	\$ 9,157	\$ 9,157	\$ 9,157	\$ 9,157	\$ 9,157	\$ 9,157	\$ 9,157	\$ 109,886
19	Total Estimated Expenses Incurred By BART from Fare Inspection Officers Performing Fare Enforcement based on 2023	\$ 183,751	\$ 183,751	\$ 183,751	\$ 183,751	\$ 183,751	\$ 183,751	\$ 183,751	\$ 183,751	\$ 183,751	\$ 183,751	\$ 183,751	\$ 183,751	\$ 2,205,013
[a] San Francisco Bay Area Rapid Transit District Pay Schedule (Noted by Job Title) As of July 1, 2023. The midpoint between the low and high yearly salary for Police Officer divided by 12 to get the estimated monthly salary.														
[b] BPD Vacant Positions.xlsx.														
[c] Benefits are estimated to be 30% of salary based on U.S. Bureau of Labor Statistics data. https://www.bls.gov/news.release/pdf/eb2.pdf .														
[d] BRTBPR-0701283-202312.xlsx. Based on the BART FY 2023 Budget, the total overtime expense is approximately 8% of the total salary expense for exempt personnel.														
[e] Bay Area Rapid Transit Police Department Standard Operating Procedures. March 19, 2024. Fare Inspection Officers primarily conduct enforcement in paid areas and on trains.														
[f] BRTBPR-0701283-202312.xlsx. Non-labor costs are apportioned per budgeted staff personnel.														

Stout Workflow II, Exhibit 2.1

Summary of Estimated Expenses Associated with BART Personnel Performing Fare Enforcement, 2023

Assessment of Bay Area Rapid Transit Fare Evasion Enforcement Workflow II - Analysis of the Cost of Fare Evasion Enforcement Exhibit 2.1 Summary of Estimated Expenses Associated with BART Personnel Performing Fare Enforcement					
Job Title [a]		Estimated Labor Expense incurred By BART Associated with Performing Fare Evasion	Estimated Non-Labor Expense Incurred By BART Associated with Performing Fare Evasion [b]		Estimated Percent of Time Dedicated to Fare Enforcement [c]
Police Officer	[d]	\$ 6,641,873	\$ 129,348		52%
Police Officer (84 hr)	[e]	2,840,415	89,511		52%
Police Officer-Int.	[f]	1,087,320	29,837		52%
Police Officer-Int. (84 hr)	[g]	1,598,361	41,772		52%
Police Officer-Adv.	[h]	5,056,523	128,299		52%
Police Officer-Adv. (84 hr)	[i]	3,767,565	98,462		52%
Master Police Officer	[j]	456,934	11,935		52%
Master Police Officer (84 hr)	[k]	239,891	5,967		52%
Police Sergeant	[l]	1,100,238	25,447		20%
Police Sergeant (84 hr)	[m]	840,182	18,507		20%
Community Services Officer	[n]	789,190	49,738		20%
Fare Inspection Officer	[o]	2,095,127	109,886		95%
Total Estimated BART Personnel Expense Associated with Fare Enforcement Activities based on 2023 Budget (Rounded)		\$ 26,500,000	\$ 700,000	\$	27,200,000
[a] BART informed Stout of the positions involved with fare enforcement via email on 4/26/2024. [b] Non-labor expenses include expenses associated with BART personnel who associated with fare enforcement activities performing their jobs. [c] BART was unable to provide Stout with the percent of time each position involved in fare enforcement spends on fare enforcement activities. Stout utilized BART reports, standard operating procedures and job descriptions to estimate the percent of time each position spends on fare enforcement activities. See footnote [e] in exhibits 2.2 through 2.13 for detailed descriptions of how each percent was calculated. Allocations are subject to feedback from CPE, BART, and BART Board of Directors. [d] See Exhibit 2.2. [e] See Exhibit 2.3. [f] See Exhibit 2.4. [g] See Exhibit 2.5. [h] See Exhibit 2.6. [i] See Exhibit 2.7. [j] See Exhibit 2.8. [k] See Exhibit 2.9. [l] See Exhibit 2.1. [m] See Exhibit 2.11. [n] See Exhibit 2.12. [o] See Exhibit 2.13.					

Stout Workflow II, Exhibit 2.12

Estimated Expenses Incurred by BART from Community Safety Officers Performing Fare Enforcement, 2023

Assessment of Bay Area Rapid Transit Fare Evasion Enforcement Workflow II - Analysis of the Cost of Fare Evasion Enforcement Exhibit 2.12 Estimated Expenses Incurred By BART from Community Services Officers Performing Fare Enforcement																
		Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Total		
Labor Costs																
1	Average Monthly Community Service Officer Salary in 2023	[a]	\$ 5,665	\$ 5,665	\$ 5,665	\$ 5,665	\$ 5,665	\$ 5,665	\$ 5,665	\$ 5,665	\$ 5,665	\$ 5,665	\$ 5,665	\$ 5,665	\$ 67,975	
2	Number of Budgeted Community Service Officers	[b]	43	43	43	43	43	43	43	43	43	43	43	43	43	
3	Monthly Community Service Officer Salary Cost		\$ 243,577	\$ 243,577	\$ 243,577	\$ 243,577	\$ 243,577	\$ 243,577	\$ 243,577	\$ 243,577	\$ 243,577	\$ 243,577	\$ 243,577	\$ 243,577	2,922,926	
4	Monthly Benefits Cost	[c]	73,073	73,073	73,073	73,073	73,073	73,073	73,073	73,073	73,073	73,073	73,073	73,073	876,878	
5	Monthly Overtime Cost	[d]	12,179	12,179	12,179	12,179	12,179	12,179	12,179	12,179	12,179	12,179	12,179	12,179	146,146	
6	Total Labor Costs		\$ 328,829	\$ 328,829	\$ 328,829	\$ 328,829	\$ 328,829	\$ 328,829	\$ 328,829	\$ 328,829	\$ 328,829	\$ 328,829	\$ 328,829	\$ 328,829	\$ 3,945,950	
7	Estimated Percent of Time Dedicated to Fare Enforcement	[e]	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	
8	Total Estimated Cost of Community Services Officers Performing Fare Enforcement based on 2023		\$ 65,766	\$ 65,766	\$ 65,766	\$ 65,766	\$ 65,766	\$ 65,766	\$ 65,766	\$ 65,766	\$ 65,766	\$ 65,766	\$ 65,766	\$ 65,766	\$ 789,190	
Non-Labor Costs		[f]														
9	Material Usage		\$ 6,853	\$ 6,853	\$ 6,853	\$ 6,853	\$ 6,853	\$ 6,853	\$ 6,853	\$ 6,853	\$ 6,853	\$ 6,853	\$ 6,853	\$ 6,853	\$ 82,236	
10	Professional Fees		10,201	10,201	10,201	10,201	10,201	10,201	10,201	10,201	10,201	10,201	10,201	10,201	122,408	
11	Travel and Meetings		1,210	1,210	1,210	1,210	1,210	1,210	1,210	1,210	1,210	1,210	1,210	1,210	14,524	
12	Rental Expense		75	75	75	75	75	75	75	75	75	75	75	75	903	
13	Repairs & Maintenance		25	25	25	25	25	25	25	25	25	25	25	25	298	
14	Other Utilities		2,072	2,072	2,072	2,072	2,072	2,072	2,072	2,072	2,072	2,072	2,072	2,072	24,860	
15	Miscellaneous Expense		288	288	288	288	288	288	288	288	288	288	288	288	3,459	
16	Total Non-Labor Expenses		\$ 20,724	\$ 20,724	\$ 20,724	\$ 20,724	\$ 20,724	\$ 20,724	\$ 20,724	\$ 20,724	\$ 20,724	\$ 20,724	\$ 20,724	\$ 20,724	\$ 248,690	
17	Estimated Allocation to Fare Enforcement Activities	[e]	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	20%	
18	Estimated Non-Labor Expense of Community Services Officers Performing Fare Enforcement		\$ 4,145	\$ 4,145	\$ 4,145	\$ 4,145	\$ 4,145	\$ 4,145	\$ 4,145	\$ 4,145	\$ 4,145	\$ 4,145	\$ 4,145	\$ 4,145	\$ 49,738	
17	Total Estimated Cost of Community Service Officers Performing Fare Enforcement based on 2023		\$ 69,911	\$ 69,911	\$ 69,911	\$ 69,911	\$ 69,911	\$ 69,911	\$ 69,911	\$ 69,911	\$ 69,911	\$ 69,911	\$ 69,911	\$ 69,911	\$ 838,928	
[a] San Francisco Bay Area Rapid Transit District Pay Schedule (Noted by Job Title) As of July 1, 2023. The midpoint between the low and high yearly salary for Police Officer divided by 12 to get the estimated monthly salary. [b] BPD Vacant Positions.xlsx. [c] BRTBPR-0701283-202312.xlsx. Benefits are approximately 30% of salary. [d] BRTBPR-0701283-202312.xlsx. Overtime is approximately 5% of salary. [e] Estimated by Stout using Bay Area Rapid Transit Community Services Officer Job Description. Updated April, 2022. Community Services Officers primarily act as a high-visibility uniformed presence and have the authority to issue citations. [f] BRTBPR-0701283-202312.xlsx. Non-labor costs are apportioned per budgeted staff personnel.																

Stout Workflow VIII, Exhibit 1

Estimated Expenses for Non-Sworn BART Personnel Tasked with Crisis and Welfare Response, 2023

Assessment of Bay Area Rapid Transit Fare Evasion Enforcement Workflow VIII, Exhibit 1 Non-Sworn BART Personnel Tasked with Crisis and Welfare Response			
Job Title		Estimated Labor Expense incurred By BART Associated with Performing Fare Evasion	Estimated Non-Labor Expense Incurred By BART Associated with Performing Fare Evasion
1	Transit Ambassadors	[a] \$ 917,663	\$ 57,835
2	Crisis Intervention Specialists	[b] 2,559,600	115,670
3	Crisis Intervention Specialist Supervisors	[c] 372,600	11,567
4	Total Estimated BART Personnel Expense Associated with Fare Enforcement Activities based on 2023 Budget (Rounded)	\$ 3,800,000	\$ 200,000

Stout Workflow IV, Exhibit 4.1

Summary of Estimated Personal Fiscal Impacts to BART Riders from Fare Enforcement Citations

Assessment of Bay Area Rapid Transit Fare Evasion Enforcement Workflow IV Exhibit 4.1 Summary of Estimated Personal Fiscal Impacts to BART Riders from Fare Evasion Citations				
		Lower		Upper
1	Estimated Lost Income from Incarceration Due to Arrest Resulting from Fare Evasion Citations	[a] \$ 2,000,000	\$	3,200,000
2	Estimated Fiscal Impacts from Housing Instability Due to Fare Evasion Citations	[b] 800,000		1,000,000
3	Estimated Fiscal Impacts from Unmet Medical Needs Due to Fare Evasion Citations	[c] 600,000		800,000
4	Estimated Fiscal Impact of BART Riders Who Had Their Credit Score Lowered Due to a Fare Evasion Citation	[d] 800,000		900,000
5	Total Estimated Personal Fiscal Impact of Criminal Infraction Citations to BART Riders	\$ 4,200,000	\$	5,900,000
6	Annual Number of BART Riders Who Receive a Criminal Infraction Citation	[e] 2,540		2,540
7	Annual Number of BART Riders Who Receive At Least \$250 in Proof of Payment Citations	[f] n/a		500
8	Personal Fiscal Impact per Rider Who Received a Citation	\$ 1,654	\$	1,941
9	Criminal Infraction Citation Fine	[g] \$ 250	\$	250
[a] See Exhibit 2. [b] See Exhibit 3. [c] See Exhibit 4. [d] See Exhibit 5. [e] Source - "citations_fare_evasion_102124" - prepared by CPE [CONFIRM?]. Received on October 21, 2024 from CPE. Stout did not independently validate Criminal Infraction Citation data.				

Stout Workflow V, Exhibit 5.1

Summary of the Estimated Fiscal Impacts Due to the Issuance of Fare Evasion Citations

Assessment of Bay Area Rapid Transit Fare Evasion Enforcement Workflow V Exhibit 5.1 Summary of The Estimated Fiscal Impacts Due to the Issuance of Fare Evasion Citations				
		Lower	Upper	
1	Estimated Fiscal Impacts from Incarceration Due to Arrest Resulting from Fare Evasion	[a] \$ 900,000	\$ 2,200,000	
2	Estimated Fiscal Impacts from Housing Instability Due to Fare Evasion Citations	[b] 900,000	1,100,000	
3	Estimated Fiscal Impacts from Social Safety Net Utilization Due to Fare Evasion Citations	[c] 280,000	330,000	
4	Estimated Fiscal Impacts from Health Care Costs Due to Fare Evasion Citations	[d] 260,000	320,000	
5	Total Estimated Fiscal Impact of Fare Evasion Citations to BART Riders	\$ 2,300,000	\$ 4,000,000	
6	Annual Number of BART Riders Who Receive a Criminal Infraction Citation	[e] 2,540	2,540	
7	Annual Number of BART Riders Who Receive At Least \$250 in Civil Citations	[f] n/a	500	
8	Fiscal Impact per Rider Who Received a Citation	\$ 906	\$ 1,316	
9	Criminal Infraction Citation Fine	[g] \$ 250	\$ 250	
<p>[a] See Exhibit 2.</p> <p>[b] See Exhibit 3.</p> <p>[c] See Exhibit 4.</p> <p>[d] See Exhibit 5.</p> <p>[e] Source - "citations_fare_evasion_102124" - prepared by CPE. Received on October 21, 2024 from CPE. Stout did not independently validate Criminal Infraction Citation data.</p> <p>[f] Source - "pop_citations_102124" - prepared by CPE. Received on October 21, 2024 from CPE. Stout did not independently validate Proof of Payment citation data. The number of BART riders who owed at least \$250 in Proof of Payment citations one year and did not receive a criminal infraction citation, based on 2023.</p> <p>[g] Criminal Infraction citations are Fare Evasion citations given to adult riders who have failed to show proof of payment in paid areas or on a train for at least the third time in a 12-month time period. A Criminal Infraction Citation is a misdemeanor with a fine up to \$250 and can result in a jail sentence of up to 90 days. BART Ordinance 2017-2, California Penal Code Section 640(c), California Public Utilities Code 99580.</p> <p>Notes</p> <p>[h] BART riders who received a Criminal Infraction citation are the primary focus of this analysis as it is a criminal infraction which carries a \$250 fine and can result in jail time if not paid, which is more likely to have a disruptive impact on BART rider's lives compared to a Proof of Payment citation which is a civil infraction that carries a \$75 fine. However, when a BART rider incurs multiple Proof of Payment citation in one year, there can also be a disruptive impact on their lives.</p> <p>[i] Fiscal impacts are estimates of the costs publicly funded entities in San Francisco and California incur due to the issuance of Criminal Infraction Citations. Not every BART rider who receives a Criminal Infraction Citation will experience disruptive impacts to their lives that result in fiscal impacts to publicly funded entities while some BART riders may require services that result in fiscal impacts to several publicly funded entities.</p> <p>[j] This analysis does not contain every fiscal impact incurred by publicly funded entities due to the issuance of Criminal Infraction Citations, only those for which Stout determined it could reasonably estimate. As more research becomes available, Stout could revise and add to the estimated personal fiscal impacts of Criminal Infraction Citations.</p>				

Stout Workflow V, Exhibit 5.2 (page 1 of 2)

Estimated Criminal Justice Fiscal Impacts of Fare Evasion Citations

Assessment of Bay Area Rapid Transit Fare Evasion Enforcement Workflow V Exhibit 5.2 Estimated Criminal Justice Fiscal Impacts of Fare Evasion Citations			
		Lower	Upper
1 Annual Number of BART Riders Who Receive a Criminal Infraction Citation	[a]	2,540	2,540
2 Court Operations Cost per Criminal Infraction Citation	[b] \$	40	\$ 40
3 Court Operations Cost Due to Criminal Infraction Citations		\$ 101,600	\$ 101,600
4 Estimated Percent of Fare Evasion Stops that Result in Arrests	[c]	5%	8%
5 Estimated Annual Number of Fare Evasions Stops that Result in Arrest		127	203
6 Daily Cost of Incarceration	[d] \$	75	\$ 90
7 Average Length of Pre-Trial Detention (Days)	[e]	3	7
8 Total Estimated Cost of Pre-Trial Detention for BART Riders Who Receive a Criminal Infraction Citation		\$ 28,178	\$ 128,016
9 Estimated Cost of Adjudicating Court Case in California	[f] \$	400	\$ 400
10 Total Estimated Cost of Adjudicating Court Cases for BART Riders Arrested After Receiving a Criminal Infraction Citation		\$ 50,800	\$ 81,280
11 Estimated Annual Percent of Arrests that Result in Conviction in California	[g]	74%	74%
12 Estimated Annual Number of Arrests that Result in Conviction		94	150
13 Incremental Daily Cost of Incarceration per Individual	[d] \$	75	\$ 90
14 Estimated Length of Incarceration for Fare Evasion (Days)	[h]	45	90
15 Total Estimated Cost of Incarcerating BART Riders Who Receive a Criminal Infraction Citation		\$ 317,183	\$ 1,217,981
16 Average Social Services Spending Upon Release per Individual	[i] \$	4,533	\$ 4,533
17 Total Estimated Social Services Spending Upon Release of BART Riders from Incarceration		\$ 425,996	\$ 681,593
18 Total Estimated Criminal Justice Fiscal Impacts of Fare Evasion Citations (Rounded)		\$ 900,000	\$ 2,200,000
<p>[a] Source - "citations_fare_evasion_102124" - prepared by CPE. Received on October 21, 2024 from CPE. Stout did not independently validate Criminal Infraction Citation data. The lower bound is based on the number of unique individuals who received a Criminal Infraction Citation after BART Police Department changed their Standard Operating Procedures to increase officer visibility</p> <p>[b] Uniform Bail and Penalty Schedules 2024 Edition. California Rules of Court, Rule 4.102.</p> <p>[c] Lower bound is based on "citations_fare_evasion_102124" - prepared by CPE. Received on October 21, 2024 from CPE. In approximately 5% of Criminal Infraction Citations there was misdemeanor citation issued that would indicate an arrest was made. Upper bound is based a review of fare evasion arrests and summons data from New York City Metropolitan Transit Authority and the Washington Metro Area Transit Authority.</p>			

Stout Workflow V, Exhibit 5.2 (page 2 of 2)

Estimated Criminal Justice Fiscal Impacts of Fare Evasion Citations

<p>[d] Based on average incremental costs per inmate in Bay Area counties, see California Sentencing Institute from the Center on Juvenile and Criminal Justice.</p> <p>[e] Lower bound was estimated using "Pretrial Pilot Program: Final Report to the Legislature." Judicial Council of California. July 2023. Upper bound was estimated using data from the Los Angeles County Pretrial Data Center.</p> <p>[f] Estimated using the filing fee for a civil filing in California. Court Fee Schedule Summary. United States District Court, Northern District of California. This estimate does not contain the incremental cost of public defenders taking on additional case.</p> <p>[g] Chien, Colleen. "America's Paper Prisons: The Second Chance Gap." Michigan Law Review. December 2020. Table A-2.</p> <p>[h] A Criminal Infraction citation is a misdemeanor that carries a jail sentence of up to 90 days. BART Ordinance 2017-2, California Penal Code Section 640(c), California Public Utilities Code 99580. While a BART rider may initially be stopped for a Criminal Infraction Citation, the stop could result in an arrest for another reason such as outstanding warrants or possession of a weapon. Stout did not receive data to estimate the average length of a jail sentence for those arrested by BART PD. 45 days is used as the lower bound average jail sentence for arrested BART riders to capture riders who are only sentences for fare evasion and 90 days for those who are arrested for another reason. Prisoners Families reports that for maximum sentences under two years, the sentence will typically be half the days of the maximum sentence.</p> <p>[i] Estimated using total expenditures and participants served through the Adult Reentry Grant Program - Cohort II. G WHO Cohort 2 Participants & Outcomes Dashboard, Bureau of State and Community Services Research.</p>
<p>Notes</p> <p>[j] Criminal Infraction Citations are criminal infraction citations given to adult riders who have failed to show proof of payment in paid areas or on a train for at least the third time in a 12-month time period. A Criminal Infraction Citation is a misdemeanor with a fine up to \$250 and can result in a jail sentence of up to 90 days. BART Ordinance 2017-2, California Penal Code Section 640(c), California Public Utilities Code 99580.</p> <p>[k] BART riders who received a Criminal Infraction citation are the primary focus of this analysis as it is a criminal infraction which carries a \$250 fine and can result in jail time if not paid, which is more likely to have a disruptive impact on BART rider's lives compared to a Proof of Payment citation which is a civil infraction that carries a \$75 fine. However, when a BART rider incurs multiple Proof of Payment citation in one year, there can also be a disruptive impact on their lives.</p> <p>[l] Fiscal impacts are estimates of the costs publicly funded entities in San Francisco and California incur due to the issuance of Criminal Infraction Citations. Not every BART rider who receives a Criminal Infraction Citation will experience disruptive impacts to their lives that result in fiscal impacts to publicly funded entities while some BART riders may require services that result in fiscal impacts to several publicly funded entities.</p>

Stout Workflow V, Exhibit 5.3 (page 1 of 2)

Estimated Fiscal Impacts from Housing Instability Due to Fare Enforcement Citations

Assessment of Bay Area Rapid Transit Fare Evasion Enforcement Workflow V Exhibit 5.3 Estimated Fiscal Impacts from Housing Instability Due to Fare Evasion Citations			
		Lower	Upper
1 Annual Number of BART Riders Who Receive a Fare Evasion Citation	[a]	2,540	3,040
2 Estimated Percent of BART Riders Who Receive a Fare Evasion Citation Who Are Low-Income	[b]	95%	95%
3 Estimated Annual Number of Low-Income BART Riders Who Receive a Fare Evasion Citation		2,413	2,888
4 Percent of Low Income Californians that are Housing Insecure	[c]	18%	18%
5 Estimated Number of Low Income BART Riders that are Housing Insecure		434	520
6 Incremental Increase in Households that are Housing Insecure Due to an Additional Citation	[d]	29%	29%
7 Estimated Number Of BART Riders Who Would Become Housing Insecure Due to a Fare Evasion Citation		126	151
8 Percent of Housing Unstable Households Who Would Experience a Forced Move	[e]	32%	32%
9 Estimated Number of Housing Unstable BART Rider Households Who Would Experience a Forced Move After Receiving a Fare Evasion Citation		40	48
10 Percent of Forced Moves that Result in Homelessness	[f]	25%	25%
11 Estimated Number of Forced Moves that Result in Homelessness Due to a Fare Evasion Citation	[g]	10	12
12 Estimated Annual Housing Social Safety Net Response per Individual Experiencing Homelessness in California	[h]	\$ 57,000	\$ 57,000
13 Total Estimated Increase in Housing Social Safety Net Costs Due to Fare Evasion Citations		\$ 574,371	\$ 687,436
14 Percent of Housing Insecure Individuals Who Experience Food Insecurity	[i]	78%	78%
15 Estimated Number of Housing Insecure BART Riders Who Would Experience Food Insecurity After Receiving a Citation		98	117
16 Estimated Percent of Food Insecure Individuals Who Would Require Social Safety Net Benefits	[j]	70%	70%
17 Estimated Number of Food Insecure Individuals Who Would Require Social Safety Net Benefits		69	82
18 Estimated Cost of Food Insecurity Social Safety Net Response in California	[j]	\$ 789	\$ 789
19 Total Estimated Increase in Food Insecurity Social Safety Net Costs in California Due to Fare Evasion Citations		\$ 54,123	\$ 92,539
20 Estimated Percent of Individuals Who Experience Job Loss Due to Housing Instability	[k]	15%	15%
21 Estimated Number of BART Rides Who Would Experience Job Loss Due to Housing Instability After Receiving a Citation		19	23
22 Estimated Percent of Individuals Who Require a Social Safety Net Response Due to Job Loss	[l]	40%	40%
23 Estimated Number of Individuals Who Require a Social Safety Net Response Due to Job Loss		8	9
24 Estimated Social Safety Net Benefit Related to Job Loss in California	[l]	\$ 6,641	\$ 6,641
25 Total Estimated Increase in Job Loss Social Safety Net Costs Due to Fare Evasion Citations		\$ 50,063	\$ 59,918
26 Estimated Percent of Individuals Who Would be Eligible for Medi-Cal Social Safety Benefits	[m]	70%	70%
27 Estimated Number of Individuals Who Would be Eligible for Medi-Cal Social Safety Benefits		88	106
28 Estimated Increase in Emergency Department Healthcare Spending Due to Housing Instability		\$ 4,250	\$ 4,250
29 Estimated Increase in Other Healthcare Spending Due to Housing Instability	[n]	1,380	1,380
30 Total Estimated Increase in Health Care Expenditures Due to Housing Instability		496,423	594,144
31 Portion of non-Federal Medi-Cal Funding	[o]	38%	38%
32 Estimated Cost of Increased Medi-Cal Expenditures Due to Fare Evasion Citations		\$ 188,641	\$ 225,775
33 Total Estimated Fiscal Impact of Housing Instability Caused By Fare Evasion Citations (Rounded)		\$ 900,000	\$ 1,100,000

Stout Workflow V, Exhibit 5.3 (page 2 of 2)

Estimated Fiscal Impacts from Housing Instability Due to Fare Enforcement Citations

[a] Source - "citations_fare_evasion_102124" - prepared by CPE. Received on October 21, 2024 from CPE. Stout did not independently validate Criminal Infraction Citation data. The lower bound is based on the number of unique individuals who received a Criminal Infraction Citation after BART Police Department changed their Standard Operating Procedures to increase officer visibility on March 17, 2023 (Bulletin No. 23-72), annualized, while the upper bound additionally contains the number of BART riders who owed at least \$250 in Proof of Payment citations one year and did not receive a criminal infraction citation, based on 2023 annualized.

[b] Stout estimates that approximately 95% of BART riders that receive a Criminal Infraction Citation are low-income. For Low-Income thresholds for Bay Area Counties, see California Department of Housing and Community Development, Division of Housing Policy Development. May 2024.

[c] "2023 California Health Interview Survey." UCLA Center for Health Policy Research

[d] Boddupalli, Aravind et al. "How Fines and Fees Impact Family Well-Being." Tax Policy Center. August, 2024. The link between court fines and citations and housing instability is well documented. The relationship between court fines and citations and housing instability can also both ways, with either leading to the other. See Patillo, Mary et al. "Monetary Sanctions and Housing Instability." The Russell Sage Foundation Journal of the Social Sciences. January 2022.

[e] Pattillo, Mary et al. "Monetary Sanctions and Housing Instability." The Russell Sage Foundation Journal of Social Sciences. January 2022.

[f] Estimated by Robin Hood. https://robinhoodorg-production.s3.amazonaws.com/uploads/2017/04/Metrics-Equations-for-Website_Sept-2014.pdf.

[g] While the issuance of a Criminal Infraction Citation may not be the specific financial hardship that leads to an individual experiencing homelessness, Stout estimates that for a portion of individuals the Criminal Infraction Citation was a factor. Additionally, for BART riders who were experiencing homelessness, receiving a Criminal Infraction Citation can prolong their homelessness or inhibit them from accessing stable housing. Mogk, Jessica. See "Court-Imposed Fines as a Feature of The Homelessness-Incarceration Nexus: a Cross-Sectional Study of the Relationship Between Legal Debt and Duration of Homelessness in Seattle, Washington, USA." Journal of Public Health. June 2020.

[h] Ohanian, Lee. "Despite Spending \$1.1 Billion, San Francisco Sees Its Homelessness Problems Spiral Out Of Control." Hoover Institute. May 2022.

[i] Yousefi-Rizi, Leila et al. "Impact of Housing Instability and Social Risk Factors on Food Insecurity Among Vulnerable Residents in San Diego County." Journal of Community Health. May 2021.

[j] United States Department of Agriculture, Food and Nutrition Services. SNAP Household Participation Rates and Benefits by State.

[k] Desmond, Matthew, Gershenson, Carl. "Housing and Employment Instability Among the Working Poor." Social Problems. January 2016.

[l] Unemployment Insurance Data published by the United States Bureau of Labor Statistics. <https://oui.doleta.gov/unemploy/DataDashboard.asp>.

[m] McConville, Shannon et al. "How Hospital Discharge Data Can Inform State Homelessness Policy." Public Policy Institute of California. September 2022.

[n] Rollings, Kimberly and Ibrahim, Andrew. "Association of Coded Housing Instability and Hospitalization in the US." University of Michigan Institute of Policy and Innovation. November 2024.

[o] "The 2024-2025 Budget: Medi-Cal Analysis." The California Legislature's Analysts Office. February 2024.

Notes

[p] Fare Evasion citations are criminal infraction citations given to adult riders who have failed to show proof of payment in paid areas or on a train for at least the third time in a 12-month time period. A Criminal Infraction Citation is a misdemeanor with a fine up to \$250 and can result in a jail sentence of up to 90 days. BART Ordinance 2017-2, California Penal Code Section 640(c), California Public Utilities Code 99580.

[q] BART riders who received a Criminal Infraction citation are the primary focus of this analysis as it is a criminal infraction which carries a \$250 fine and can result in jail time if not paid, which is more likely to have a disruptive impact on BART rider's lives compared to a Proof of Payment citation which is a civil infraction that carries a \$75 fine. However, when a BART rider incurs multiple Proof of Payment citation in one year, there can also be a disruptive impact on their lives.

[r] Fiscal impacts are estimates of the costs publicly funded entities in San Francisco and California incur due to the issuance of Criminal Infraction Citations. Not every BART rider who receives a Criminal Infraction Citation will experience disruptive impacts to their lives that result in fiscal impacts to publicly funded entities while some BART riders may require services that result in fiscal impacts to several publicly funded entities.

Stout Workflow V, Exhibit 5.4

Estimated Fiscal Impacts from Increased Social Safety Net Utilization Due to Financial Hardship Caused by Fare Evasion Citations

Assessment of Bay Area Rapid Transit Fare Evasion Enforcement Workflow V Exhibit 5.4 Estimated Fiscal Impacts from Increased Social Safety Net Utilization Due to Financial Hardship Caused by Fare Evasion Citations				
		Lower		Upper
1 Annual Number of BART Riders Who Receive a Fare Evasion Citation	[a]	2,540		3,040
2 Estimated Percent of BART Riders Who Receive a Fare Evasion Citation Who Are Low-Income	[b]	95%		95%
3 Estimated Annual Number of Low-Income BART Riders Who Receive a Fare Evasion Citation		2,413		2,888
4 Percent of Households Who Cannot Cover Citation Fine on Their Own	[c]	18%		18%
5 Estimated Number of BART Riders Who Cannot Cover Fare Evasion Citation on Their Own		434		520
6 Percent Who Would Turn to Publicly Funded Social Services	[d]	13%		13%
7 Estimated Number of BART Riders Who Would Turn to Publicly Funded Social Services		56		68
8 Average Amount of Short-Term Social Services Benefits Per Recipient	[e]	\$ 4,952	\$	4,952
9 Total Estimated Fiscal Impacts from Increased Social Safety Net Utilization Due to Financial Hardship Caused by Fare Evasion Citations (Rounded)		280,000		330,000
<p>[a] Source - "citations_fare_evasion_102124" - prepared by CPE. Received on October 21, 2024 from CPE. Stout did not independently validate Criminal Infraction Citation data. The lower bound is based on the number of unique individuals who received a Criminal Infraction Citation after BART Police Department changed their Standard Operating Procedures to increase officer visibility on March 17, 2023 (Bulletin No. 23-72), annualized, while the upper bound additionally contains the number of BART riders who owed at least \$250 in Proof of Payment citations one year and did not receive a criminal infraction citation, based on 2023 annualized.</p> <p>[b] Stout estimates that approximately 95% of BART riders that receive a Criminal Infraction Citation are low-income. For Low-Income thresholds for Bay Area Counties, see California Department of Housing and Community Development, Division of Housing Policy Development. May 2024.</p> <p>[c] Schneider, Daniel et al. "Poverty, Insecurity, and Privilege in the Bay Area." Taking Count: A Study on Poverty in the Bay Area. Tipping Point Community. May 2020.</p> <p>[d] Bloemraad, Irene and Bowyer, Benjamin. "Safety Net or Free Fall? Finding and Giving Help in Hard Times." Taking Count: A Study on Poverty in the Bay Area. Tipping Point Community. May 2020.</p> <p>[e] Stout estimated the average amount of social services benefits per recipient based on the average per person expenditures from the County Adult Assistance Programs. Stout reviewed the San Francisco Department of Human Services 2025 Budget and the San Francisco Safety Net Services Scorecard to estimate per person expenditures.</p> <p>Notes</p> <p>[f] Fare Evasion citations are criminal infraction citations given to adult riders who have failed to show proof of payment in paid areas or on a train for at least the third time in a 12-month time period. A Criminal Infraction Citation is a misdemeanor with a fine up to \$250 and can result in a jail sentence of up to 90 days. BART Ordinance 2017-2, California Penal Code Section 640(c), California Public Utilities Code 99580.</p> <p>[g] BART riders who received a Criminal Infraction citation are the primary focus of this analysis as it is a criminal infraction which carries a \$250 fine and can result in jail time if not paid, which is more likely to have a disruptive impact on BART rider's lives compared to a Proof of Payment citation which is a civil infraction that carries a \$75 fine. However, when a BART rider incurs multiple Proof of Payment citation in one year, there can also be a disruptive impact on their lives.</p> <p>[h] Fiscal impacts are estimates of the costs publicly funded entities in San Francisco and California incur due to the issuance of Criminal Infraction Citations. Not every BART rider who receives a Criminal Infraction Citation will experience disruptive impacts to their lives that result in fiscal impacts to publicly funded entities while some BART riders may require services that result in fiscal impacts to several publicly funded entities.</p>				

Stout Workflow V, Exhibit 5.5

Estimated Fiscal Impacts from Health Care Costs Due to Fare Evasion Citations

Assessment of Bay Area Rapid Transit Fare Evasion Enforcement

Workflow V

Exhibit 5.5

Estimated Fiscal Impacts from Health Care Costs Due to Fare Evasion Citations

		Lower	Upper
1 Annual Number of BART Riders Who Receive a Fare Evasion Citation	[a]	2,540	3,040
2 Estimated Percent of BART Riders Who Receive a Fare Evasion Citation Who Are Low-Income	[b]	95%	95%
3 Estimated Annual Number of Low-Income BART Riders Who Receive a Fare Evasion Citation		2,413	2,888
4 Percent of Low-Income Individuals who Receive a Citation Who Experience Medical Hardship	[c]	52%	52%
5 Estimated Number of BART Riders who Receive a Fare Evasion Citation Who Experience Medical Hardship		1,255	1,502
6 Estimated Medical Expenditures Not Paid Due to Fare Evasion Citation	[d]	\$ 300	\$ 300
7 Total Estimated Cost to Hospitals from Individuals Not Being Able to Pay Their Medical Expenses Due to a Fare Evasion Citation		\$ 376,428	\$ 450,528
8 Pay-to-Cost Ratio for District/Municipal Public Hospitals in California	[e]	70%	70%
9 Total Estimated Fiscal Impacts from Health Care Costs Due to Fare Evasion Citations (Rounded)		\$ 260,000	\$ 320,000

[a] Source - "citations_fare_evasion_102124" - prepared by CPE. Received on October 21, 2024 from CPE. Stout did not independently validate Criminal Infraction Citation data. The lower bound is based on the number of unique individuals who received a Criminal Infraction Citation after BART Police Department changed their Standard Operating Procedures to increase officer visibility on March 17, 2023 (Bulletin No. 23-72), annualized, while the upper bound additionally contains the number of BART riders who owed at least \$250 in Proof of Payment citations one year and did not receive a criminal infraction citation, based on 2023 annualized.

[b] Stout estimates that approximately 95% of BART riders that receive a Criminal Infraction Citation are low-income. For Low-Income thresholds for Bay Area Counties, see California Department of Housing and Community Development, Division of Housing Policy Development. May 2024.

[c] Catterson, Rebecca. "Being Insured Isn't Enough to Get Californians to the Doctor." NORC Health, University of Chicago. June 2024.

[d] Fare Evasion citations are criminal infraction citations given to adult riders who have failed to show proof of payment in paid areas or on a train for at least the third time in a 12-month time period. A Criminal Infraction Citation is a misdemeanor with a fine up to \$250 and can result in a jail sentence of up to 90 days. BART Ordinance 2017-2, California Penal Code Section 640(c), California Public Utilities Code 99580. While the initial fine is \$250, Stout has found in its evaluation of Proof of Payment Citation data that the amount owed on the citation is approximately 20% higher than the initial citation fine due to late penalties. Applying the 20% increase to the \$250 Criminal Infraction Citation fine results in an average amount owed of approximately \$300. See Stout Workflow 1.

[e] Evaluation of Uncompensated Care Financing for California Hospitals Prepared for the California Department of Health Care Services. Navigant. June 2017.

Notes

[f] BART riders who received a Criminal Infraction citation are the primary focus of this analysis as it is a criminal infraction which carries a \$250 fine and can result in jail time if not paid, which is more likely to have a disruptive impact on BART rider's lives compared to a Proof of Payment citation which is a civil infraction that carries a \$75 fine. However, when a BART rider incurs multiple Proof of Payment citation in one year, there can also be a disruptive impact on their lives.

[g] Fiscal impacts are estimates of the costs publicly funded entities in San Francisco and California incur due to the issuance of Criminal Infraction Citations. Not every BART rider who receives a Criminal Infraction Citation will experience disruptive impacts to their lives that result in fiscal impacts to publicly funded entities while some BART riders may require services that result in fiscal impacts to several publicly funded entities.

Stout Workflow I, Exhibit 4.1

Estimated Annual Losses to Fare Evasion in FY 2023

Assessment of Bay Area Rapid Transit Fare Evasion Enforcement Workflow I Exhibit 4.1 Estimated Annual Losses to Fare Evasion in FY 2023			
		Low	High
1	Average Fare per Trip in FY 2017	[a] \$ 3.80	\$ 3.80
2	Estimated Annual Losses to Fare Evasion in FY 2017	[b] \$ 15,000,000	\$ 25,000,000
3	Estimated Number of Fare Evasions in FY 2017	3,947,000	6,579,000
4	Total BART Ridership in FY 2017	[c] 124,171,100	124,171,100
5	Estimated Fare Evasion as a Percent of Total Ridership in FY 2017	3.2%	5.3%
6	Total BART Ridership in FY 2023	[c] 45,336,201	45,336,201
7	Estimated Fare Evasions in 2023	1,441,000	2,402,000
8	Average Fare per Trip in FY 2023	[d] \$ 3.96	\$ 3.96
9	Estimated Annual Losses to Fare Evasion in FY 2023	\$ 5,706,000	\$ 9,512,000
[a] BART 2017 factsheet.			
[b] BART Board of Directors Meeting October 26, 2017. BART has data to support \$6 million in lost revenue due to fare evasion annually but believes the total estimated annual lost revenue is between \$15 and \$25 million.			
[c] Source - "BART Ridership Reports - Daily_Station_Exits.xlsx." from BART Ridership Reports. Downloaded by Stout on September 9, 2024.			
[d] BART 2023 factsheet.			
Note:			
[e] Estimated annual losses to fare evasion using a constant percent of fare evaders estimates losses due to fare evasion in 2023 by assuming the same percent of individuals who evaded fares in 2017 also evaded fares in 2023, additionally adjusting for the change in the average cost of a BART fare.			
[f] Methodology - Using information and data shared from BART regarding it's estimated annual losses to fare evasion in 2017, Stout caculated the estimated fare evasion as a percent of total ridership. The estimated rate of fare evasion was applied to ridership numbers from 2023 to estimate the number of fare evasion in 2023. Finally, Stout estimated number of fare evasions in 2023 by multiplying the average fare per trip in 2023 to estimate the total losses due to fare evasion in 2023.			

Stout Workflow VI, Exhibit 1

Summary of Fiscal Impacts from the Expansion of Transit Ambassador and Crisis Intervention Specialist Programs

Assessment of Bay Area Rapid Transit Fare Evasion Enforcement Workflow VI Model Exhibit 1 Summary of Fiscal Impacts from the Expansion of Transit Ambassador and Crisis Intervention Specialist Programs				
Personal Fiscal Impacts to BART Riders		Lower		Upper
1	Estimated Personal Fiscal Impact to BART Riders Due to Decreased Arrests Due to Crisis Intervention Program Expansion	[a]	\$ 279,000	\$ 1,257,000
2	Estimated Personal Fiscal Impact to BART Riders Due to Decreased Police Contact Due to Transit Ambassador Program Expansion	[b]	20,000	122,000
3	Estimated Personal Fiscal Impact to BART Riders Due to Decreased Fare Evasion Due to Transit Ambassador Program Expansion	[c]	12,000	105,000
4	Total Estimated Personal Fiscal Impacts to BART Riders		\$ 311,000	\$ 1,484,000
Fiscal Impacts				
5	Estimated Fiscal Impact Due to Decreased Arrests Due to Crisis Intervention Program Expansion	[a]	\$ 83,000	\$ 468,000
6	Estimated Fiscal Impact Due to Decreased Police Contact Due to Transit Ambassador Program Expansion	[b]	11,000	83,000
7	Estimated Fiscal Impact Due to Decreased Fare Evasion Due to Transit Ambassador Program Expansion	[c]	7,000	72,000
8	Total Estimated Fiscal Impacts		\$ 101,000	\$ 623,000
[a] See Exhibit 2. [b] See Exhibit 3. [c] See Exhibit 4.				
<p>Notes:</p> <p>[d] The personal fiscal impacts to BART riders are estimates of the disruptive impacts that the BART rider community incurs due to the issuance of Criminal Infraction citations. Not every BART rider who receives a Criminal Infraction Citation will experience disruptive impacts due to their lives while some could experience each of personal impacts calculated in this analysis.</p> <p>[e] Fiscal impacts are estimates of the costs publicly funded entities in San Francisco and California incur due to the issuance of Criminal Infraction Citations. Not every BART rider who receives a Criminal Infraction Citation will experience disruptive impacts to their lives that result in fiscal impacts to publicly funded entities while some BART riders may require services that result in fiscal impacts to several publicly funded entities.</p> <p>[f] Personal fiscal impacts incurred by riders of BART and fiscal impacts to public ally funded entities for fare evasion enforcement should not be aggregated because they are calculated using different methodologies, reflecting distinct economic impacts.</p> <p>[g] Crisis Intervention Specialists perform outreach to individuals experiencing mental health and/or housing insecurity issues and providing linkages to services provided by local organizations.</p> <p>[h] Transit Ambassadors provide a highly visible uniformed presence to assist BART patrons as needed, monitoring activities in BART stations and on BART trains during revenue service.</p>				

Section III: Quantitative Work

A. Data Sources

1. 2022 RIPA data, downloadable from <https://openjustice.doj.ca.gov/data>
2. BART administrative data
 - i. Arrests (2021-2023)
 - ii. CAD (2021-2023)
 - iii. Citations (2021-2023)
 - iv. POP Citations (2021-2023)
 - v. Field Interviews (2021-2023)
 - vi. Ridership (2021-2023)

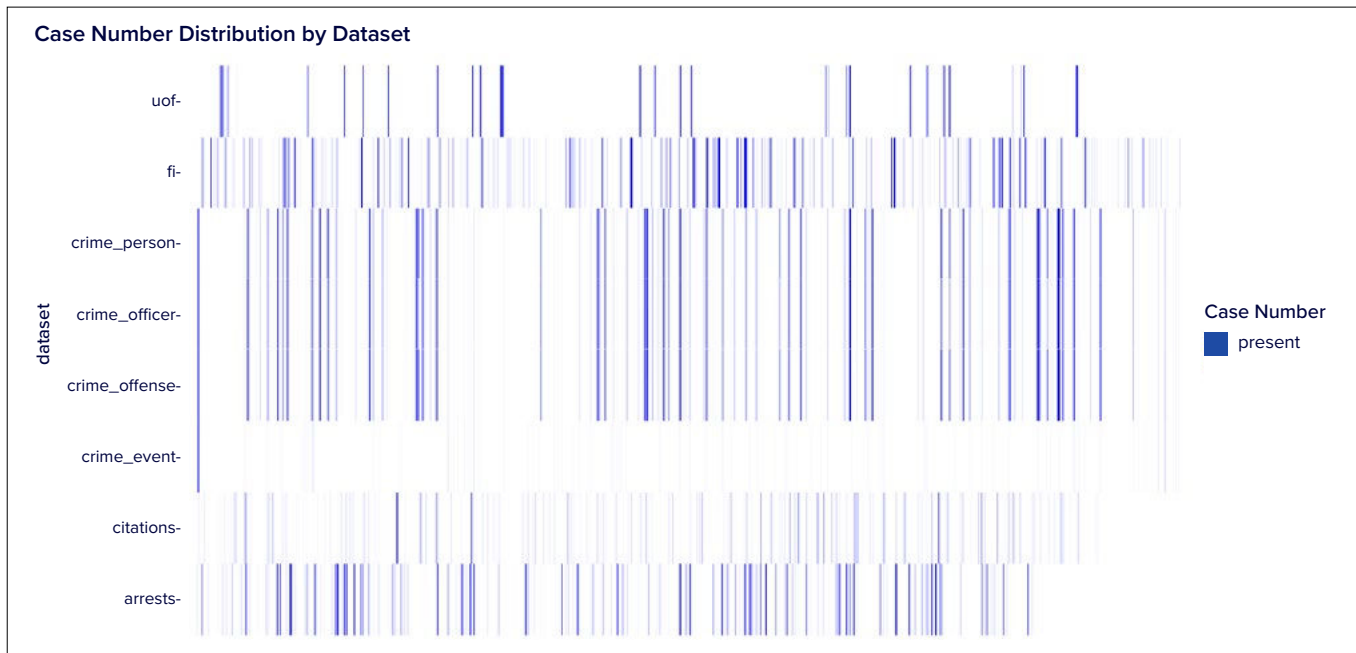
B. Quantitative Methodology

The transfer of data from BART PD to CPE occurred between May and August 2024. The CPE research team validated BART's administrative data by running exploratory analyses, checking for anomalies, and where possible, cross-referencing publicly available RIPA data. For example, counts of arrests in BART's arrest dataset were compared to counts of stops leading to arrest in the RIPA data to assess accuracy.

Data cleaning steps included standardizing common fields across datasets, including race and gender categories, station names, and violation categories. Violation categories are defined in the section below. Each dataset was filtered to include only the date

range of interest: May 2021 - August 2023. Although CPE received data dating back to 2018, this date range was selected both to avoid effects of Covid-19 and because of an observed data reporting change that occurred in May 2021.

Entity resolution was performed to match individuals across datasets, assigning each individual (riders and personnel) a unique identifier to determine counts of individuals engaged by BART PD. Incident resolution was not feasible. Incident identifiers from the raw dataset showed little overlap across datasets (see visualization below), so incidents could not be linked across files.



Descriptive statistics and data visualizations were generated on the cleaned datasets using R software.

C. BART Violation Definitions:

1. Safety Related Offenses

- i. Involve physical harm to another person, or
- ii. The direct in-person threat of physical harm to a person, or
- iii. Cause an immediate, direct, and likely threat of serious harm to a person, or
- iv. Those which have been identified by community members as causing fear of direct harm.

2. Property Related Offenses

- i. Theft offenses that do not involve the use or threat of violence against a person, or
- ii. Offenses that create lasting rather than superficial damage to property (destruction of property, but not graffiti).

3. Weapon Related Offenses

- i. Any offense for which the use of a weapon is a necessary element of the offense (note: CPE used this to further restrict its list of public disorder violations in order to identify those that are public disorder and do not involve weapons).

4. Substance Related Offenses

- i. Any offense for which the use, sale, or possession of a controlled substance or alcohol is a necessary element of the offense.

5. Fare Evasion Offenses

- i. Specifically PC 640(C)(1) violations only.

6. Unauthorized Presence Offenses

- i. Any offense that indicates the alleged person is unauthorized to be in the area, whether by trespass, loitering, or misuse of an access card or pass.

7. Public Disorder Offenses

- i. Those offenses that relate to public and visible behavior that creates conditions that make the BART environment less appealing, less welcoming, and less comfortable for riders.
 - a. This includes behaviors that make riders uncomfortable, and those that impact the physical condition and appearance of BART property.
 - b. This does NOT include offenses that meet this definition but are also identified as safety related.

D. Tables & Figures

1. The table below shows the frequency of all searches conducted and contraband found for fare evasion vs. non-fare evasion stops. This includes all searches, both mandatory and discretionary.

FareEvasion <chr>	SearchConducted <lgl>	n <int>	pct <dbl>	FareEvasion <chr>	ContrabandFound <lgl>	n <int>	pct <dbl>
Fare Evasion	FALSE	3275	88.56138	Fare Evasion	FALSE	304	71.86761
Fare Evasion	TRUE	423	11.43862	Fare Evasion	TRUE	119	28.13239
Other	FALSE	4965	75.28431	Other	FALSE	973	59.69325
Other	TRUE	1630	24.71569	Other	TRUE	657	40.30675

2. The table below shows the frequency of discretionary searches conducted and contraband found for fare evasion vs. non-fare evasion stops. Note that mandatory searches fall under “No Search” here.

FareEvasion <chr>	SearchCondition <chr>	n <int>	pct <dbl>
Fare Evasion	Disc. Search Found Contraband	77	2.082207
Fare Evasion	Disc. Search No Contraband	175	4.732288
Fare Evasion	No Search	3446	93.185506
Other	Disc. Search Found Contraband	509	7.717968
Other	Disc. Search No Contraband	649	9.840788
Other	No Search	5437	82.441243

3. The table below shows the racial breakdown of BART riders who received citations during the study period (2021-2023).

Racial Breakdown of Citations		
person_race	Non-FE Citations	FE Citations
Asian	153 (3.9%)	119 (2.9%)
Black	1654 (41.7%)	2027 (49.6%)
Latine	714 (18%)	735 (18%)
Native American	8 (0.2%)	10 (0.2%)
Pacific Islander	11 (0.3%)	5 (0.1%)
White	1262 (31.8%)	964 (23.6%)
Unknown/Other	168 (4.2%)	226 (5.5%)

4. The table below shows the racial breakdown of BART riders who were arrested during the study period (2021-2023).

Racial Breakdown of Arrests by Stop Reason		
person_race	Non-FE Stops	FE Stops
Asian	318 (2.4%)	6 (3.1%)
Black	6489 (48.6%)	114 (59.4%)
Latine	2566 (19.2%)	25 (13%)
Native American	47 (0.4%)	0 (0%)
Pacific Islander	68 (0.5%)	0 (0%)
Unknown/Other	315 (2.4%)	8 (4.2%)
White	3540 (26.5%)	39 (20.3%)

5. The table below shows a breakdown by race and type of interaction for the 1% of riders with the most fare evasion interactions during the study period (2021-2023).

Number of incidents by race, for top 1% of people with FE interactions, by type				
person_race	arrests	cit	fi	pop
Black	59 (78.7%)	274 (61.2%)	1139 (56.4%)	552 (53.4%)
Latine	2 (2.7%)	52 (11.6%)	229 (11.3%)	107 (10.3%)
White	14 (18.7%)	117 (26.1%)	620 (30.7%)	344 (33.3%)
Asian	NA	3 (0.7%)	22 (1.1%)	29 (2.8%)
NA	NA	2 (0.4%)	8 (0.4%)	2 (0.2%)

Works Cited

- Bay Area Rapid Transit. (2023, January 25). BART's plan to increase safety on transit system paying dividends. *Mass Transit*. <https://www.masstransitmag.com/safety-security/press-release/55000849/bay-area-rapid-transit-bart-barts-plan-to-increase-safety-on-transit-system-paying-dividends>
- Alang, S., McAlpine, D., McCreedy, E., & Hardeman, R. (2017). Police Brutality and Black Health: Setting the Agenda for Public Health Scholars. *American Journal of Public Health*, 107(5), 662–665. <https://doi.org/10.2105/AJPH.2017.303691>
- Bandes, S. A., Pryor, M., Kerrison, E. M., & Goff, P. A. (2019). The mismeasure of Terry stops: Assessing the psychological and emotional harms of stop and frisk to individuals and communities. *Behavioral Sciences & the Law*, 37(2), 176–194. <https://doi.org/10.1002/bsl.2401>
- Bay Area Rapid Transit District. (2017). *BART Ordinance No. 2017-2*. https://www.bart.gov/sites/default/files/docs/01.%20Ordinance%20%232017-2%20%20Proof%20of%20Payment%20Ordinance%20and%20Presentation%20to%20Board_0.pdf
- Bay Area Rapid Transit Police Department. (2020). *BART PD policy manual*. https://www.bart.gov/sites/default/files/docs/Lexipol%20Policy%20Manual%20December%202020_0.pdf
- Bay Area Rapid Transit. (2024, December). *Fiscal year 2024 popular annual financial report (PAFR)*. Bay Area Rapid Transit. https://www.bart.gov/sites/default/files/2024-12/BART_FY24%20PAFR_final.pdf
- Bay Area Rapid Transit. (2024). *BART Facts 2024*. Bay Area Rapid Transit. <https://www.bart.gov/sites/default/files/2024-01/BARTFacts2024.pdf>
- Bay Area Rapid Transit. (n.d.). *Fare gate project*. Bay Area Rapid Transit. <https://www.bart.gov/about/projects/fare-gate>
- Bay Area Rapid Transit. (n.d.). *Financials*. Bay Area Rapid Transit. <https://www.bart.gov/about/financials>
- California Penal Code § 640(c) (West 2018). Retrieved from https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=640.
- California Penal Code § 640(c)(1) (West 2018). Retrieved from https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=640.
- California Penal Code § 827.1 (West n.d.). Retrieved from https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=827.1
- Center for Policing Equity. (2020). *The Science of Justice: Bay Area Rapid Transit Police Department National Justice Database City Report*. <https://www.bart.gov/sites/default/files/docs/CPE%20Report.pdf>

- DeVylder, J. E., Oh, H. Y., Nam, B., Sharpe, T. L., Lehmann, M., & Link, B. G. (2016). Prevalence, demographic variation and psychological correlates of exposure to police victimisation in four US cities. *Epidemiology and Psychiatric Sciences*, 26(5), 466–477. <https://doi.org/10.1017/S2045796016000810>
- Fox News. (2018, August 17). BART dogged by fare cheats [Video]. Fox News. <https://www.foxnews.com/video/5824817107001>
- Geller, A. (2021). Youth–Police Contact: Burdens and Inequities in an Adverse Childhood Experience, 2014–2017. *American Journal of Public Health*, e1–e9. <https://doi.org/10.2105/AJPH.2021.306259>
- Geller, A., Fagan, J., Tyler, T., & Link, B. G. (2014). Aggressive Policing and the Mental Health of Young Urban Men. *American Journal of Public Health*, 104(12), 2321–2327. <https://doi.org/10.2105/AJPH.2014.302046>
- Ghandnoosh, N. (2014). *Race and punishment: Racial perceptions of crime and support for punitive policies*. The Sentencing Project. <https://www.sentencingproject.org/app/uploads/2022/08/Race-and-Punishment.pdf>
- Glaser, J. (2024). Disrupting the Effects of Implicit Bias: The Case of Discretion & Policing. *Daedalus*, 153(1), 151–173. <https://www.jstor.org/stable/48763059>
- Goff, P. A., & Rau, H. (2020). Predicting Bad Policing: Theorizing Burdensome and Racially Disparate Policing through the Lenses of Social Psychology and Routine Activities. *The ANNALS of the American Academy of Political and Social Science*, 687(1), 67–88. <https://doi.org/10.1177/0002716220901349>
- Goff, P. A., Eberhardt, J. L., Williams, M. J., & Jackson, M. C. (2008). Not yet human: Implicit knowledge, historical dehumanization, and contemporary consequences. *Journal of Personality and Social Psychology*, 94(2), 292–306. <https://doi.org/10.1037/0022-3514.94.2.292>
- Han, S., Riddell, J. R., & Piquero, A. R. (2023). Anti-Asian American Hate Crimes Spike During the Early Stages of the COVID-19 Pandemic. *Journal of Interpersonal Violence*, 38(3–4), 3513–3533. <https://doi.org/10.1177/08862605221107056>
- Hardeman, R., Chantarat, T., & Karbeah, J. (2020). Police Exposure As a Determinant of Structural Racism: An Exploration of the Association between Preterm Birth in Neighborhoods with High Police Exposure. *Health Services Research*, 55(Suppl 1), 50. <https://doi.org/10.1111/1475-6773.13396>
- Hoeven, E. (2023, September 7). Will tough new fare gates really solve BART’s problems? *San Francisco Chronicle*. <https://www.sfchronicle.com/opinion/article/bart-fare-gates-toll-18307050.php>

- Innes, M. (2004). Signal crimes and signal disorders: Notes on deviance as communicative action. *The British Journal of Sociology*, 55(3), 335–355. <https://doi.org/10.1111/j.1468-4446.2004.00023.x>
- Jordan, K. L., & Gabbidon, S. L. (2010). Race/Ethnicity and Perceptions of Safety Among a National Sample of Americans. *Criminal Justice Review*, 35(3), 281–294. <https://doi.org/10.1177/0734016810366453>
- Kramer, R., & Remster, B. (2022). The Slow Violence of Contemporary Policing. *Annual Review of Criminology*, 5, 43–66.
- Matier, P. (2019, June 14). Fare evasion costing BART a lot, so stopping it a top priority. *San Francisco Chronicle*. <https://www.sfchronicle.com/bayarea/philmatier/article/Fare-evasion-costing-BART-a-lot-so-stopping-it-a-13999330.php>
- Mattson, J., Brooks, J., Godavarthy, R., Quadrifoglio, L., Jain, J., Simek, C., & Sener, I. (2021). Transportation, community quality of life, and life satisfaction in metro and non-metro areas of the United States. *Wellbeing, Space and Society*, 2, 100056. <https://doi.org/10.1016/j.wss.2021.100056>
- Nichols, L., & Cázares, F. (2011). Homelessness and the Mobile Shelter System: Public Transportation as Shelter. *Journal of Social Policy*, 40(2), 333–350. <https://doi.org/10.1017/S0047279410000644>
- Painter, K., & Farrington, D. (1999). Improved street lighting: Crime reducing effects and cost-benefit analyses. *Security Journal*, 12(1), 17-12. <https://doi.org/10.1057/palgrave.sj.8340037>
- Swan, R. (2018, August 20). BART, dogged by fare cheats, may replace all 600 gates. *San Francisco Chronicle*. <https://www.sfchronicle.com/bayarea/article/BART-dogged-by-fare-cheats-may-replace-all-600-13166401.php>
- Syropoulos, S., Leidner, B., Mercado, E., Li, M., Cros, S., Gómez, A., Baka, A., Chekroun, P., & Rottman, J. (2024). How safe are we? Introducing the multidimensional model of perceived personal safety. *Personality and Individual Differences*, 224, 112640. <https://doi.org/10.1016/j.paid.2024.112640>
- Ward, G. (2015). The slow violence of state organized race crime. *Debating Theoretical Criminology*, 19(3), 299–314. <https://doi.org/10.1177/1362480614550119>
- Welsh, B., & Farrington, D. (2008). Effects of improved street lighting on crime. *Campbell Systematic Reviews*, 4(1), 1-51. <https://doi.org/10.4073/csr.2008.13>
- Yang, S.-M., & Pao, C.-C. (2015). Do We “See” the Same Thing? An Experimental Look into the Black Box of Disorder Perception. *Journal of Research in Crime and Delinquency*, 52(4), 534–566. <https://doi.org/10.1177/0022427815580167>

Endnotes

- 1 See for example, Bay Area Council Survey <https://www.bayareacouncil.org/press-releases/new-poll-overwhelming-support-for-more-police-on-bart-greater-focus-on-cleanliness-and-stronger-enforcement-of-rules/>
- 2 Thirteen focus groups were conducted in-person and one was conducted virtually.
- 3 This report contains quotes that include language some readers may find offensive. These quotes are included in this paper for critical analysis and to preserve the integrity of the original source. Reader discretion is advised.
- 4 For detailed demographic characteristics of focus group participants, please see Section I of the Appendix.
- 5 In contrast, BART has tracked and published data on how the number of paying entries and exits has changed with the installation of new fare gates: <https://www.bart.gov/about/projects/fare-gate>. No similar assessment is publicly available for places or times during which increased fare enforcement by officers took place.
- 6 For a full analysis of revenue recovery from issuance of civil citations, see Stout Workflow I, Exhibit 1.1 in Section II of the Appendix; for estimated fare inspection officer personnel and associated costs, see Stout Workflow II, Exhibit 2.13 in Section II of the Appendix.
- 7 Annualized averages were isolated from 5/1/21 to 8/31/23 due to data availability reasons.
- 8 CPE decided to use RIPA-mandated data because it allows for the tracking of a stop from initiation to outcome in a way that is not possible within any other single administrative dataset. Although the RIPA datasets and BPD administrative datasets do not exactly match, they are closely correlated. These trends and proportions should be taken to estimate a general picture of stops conducted by BPD.
- 9 For a full analysis, see Stout Workflow II, Exhibit 2.1 “Summary of Estimated Expenses Associated with BART Personnel Performing Fare Enforcement” in Section II of the Appendix.
- 10 For full analysis, see Stout Workflow II, Exhibit 2.13 “Estimated Expenses Incurred by BART from Fare Inspection Officers Performing Fare Enforcement” in Section II of the Appendix.
- 11 For full analysis, see Stout Workflow II, Exhibit 2.12 “Estimated Expenses Incurred by BART from Community Safety Officers Performing Fare Enforcement” in Section II of the Appendix.
- 12 For full analysis, see Stout Workflow VIII, Exhibit 1, “Estimated Expenses for Non-Sworn BART Personnel Tasked with Crisis and Welfare Response” in Section II of the Appendix.
- 13 See Section III of the Appendix for additional categories and definitions.
- 14 See section III D of the Appendix for tables.
- 15 Stout’s financial analyses utilized BART data on proof of payment citations, criminal infraction citations, and BART ridership. As this was the scope of information and data provided by BART for Stout’s analysis (despite requests for more complete datasets), these estimates are inherently imperfect and intended to offer reasonable estimates that provide directional guidance regarding the potential costs and impacts that could be reasonably estimated. The calculations of costs to individual riders and subsequent impacts may be understated, as they do not account for other potential impacts that people may experience. Stout also incorporated publicly available research from over a dozen recent peer-reviewed studies, research conducted with U.S. transit authorities, and other publicly available data on publicly funded entities in California and the Bay Area. For a full analysis, see Stout Workflow IV, Exhibit 4.1 in Section II of the Appendix.
- 16 For a full analysis of the estimated personal and fiscal costs of fare enforcement on BART riders, see Stout Workflow IV, Exhibit 4.1, “Summary of Estimated Personal Fiscal Impacts to BART Riders from Fare Enforcement Citations” in Section II of the Appendix.
- 17 Eligibility criteria for interviews also included that the participant: a) must be a resident of one of the five counties served by BART; b) must be at least 18 years old; and c) must speak and understand English. For the demographic characteristics of the participants interviewed, please see the Appendix.

- 18 Based on findings from CPE's [2020 report on BART](#) and preliminary data in this project, CPE selected the following eight stations with high rates of fare enforcement activity to recruit participants for one-on-one interviews: El Cerrito Del Norte, Bay Fair, Lake Merritt, Fruitvale, MacArthur, Civic Center, Powell, West Oakland. Although the Oakland Coliseum and San Francisco Airport BART stations had high rates of fare enforcement activity, CPE excluded these stations due the likelihood that these stations have higher percentages of riders from counties outside those served by BART. Please see Section I of the Appendix for a more detailed overview of the study's qualitative design.
- 19 For a full description of the brief survey participants' demographic characteristics, please see Section I of the Appendix.
- 20 For a full analysis of governmental and social safety net fiscal impacts due to issuance of fare evasion citations, see Stout Workflow V, Exhibits 5.1-5.5 in Section II of the Appendix.
- 21 CPE understands that BPD's field interview data does not capture all stops, and also captures some interactions that are not stops or detentions. Because it covers contacts that do not rise to the level of detentions, CPE views these field interviews as the "lowest level" of fare enforcement contact.
- 22 For a full analysis of BART's estimated losses to fare evasion for fiscal year 2023, see Stout Workflow I, Exhibit 4.1 in Section II of the Appendix.
- 23 For a full analysis of this reduction in burdensome costs to BART riders who are issued criminal infraction citations, see Stout Workflow VI, Exhibit 1.



www.policingequity.org