

Transit Tickets and No Fixed Address

Recommendation

That the March 24, 2021, Citizen Services report CR_8129, be received for information.

Previous Council/Committee Action

At the February 19/21, 2020, City Council meeting, the following motion was passed:

That Administration provide a report responding to the information gathered by the Student Legal Services of Edmonton, on the disproportionate ticketing of individuals with no fixed addresses, by Edmonton Transit Peace Officers, including information on:

- the policies that govern the enforcement of bylaw 5590, which includes bylaws 8353 and 14614,
- the current training program for Transit Peace Officers in regards to working with vulnerable people,
- and partnerships with social services like 24/7 crisis diversion.

Executive Summary

In response to the December 2019 Student Legal Services' report related to ticketing of individuals with no fixed address, Administration reviewed the recommendations and provided a response to each concern with suggested actions. The term no fixed address relates to multiple contexts that include, but are not limited to: a person failing/unwilling to provide their address, a person who has no personal information to substantiate an address, a person in transit through Edmonton or a person experiencing homelessness.

In order to accurately reflect the reality of support that transit peace officers provide to vulnerable populations, data collection now includes the capture of interactions that result in well-being assistance or recommendations or referrals to social agencies as an alternative approach to enforcement.

Peace officers receive training related to discretion, tactics and public interaction from the Government of Alberta and the City of Edmonton. Training in serving the vulnerable sector is mandatory and includes Indigenous Awareness and Code of Conduct. Administration is exploring other opportunities to build a deeper

understanding of marginalized and vulnerable populations and has completed a comprehensive review of all enforcement bylaw provisions and their effect on vulnerable citizens (March 24, 2021 Citizen Services report CR_8484 Community Safety and Well-being Bylaw Review).

Report

In December 2019, Student Legal Services of Edmonton published a paper highlighting the disproportionate ticketing of individuals with no fixed address compared to those who provided a municipal address for incidents like loitering, fare evasion, jaywalking and trespassing. The opinion paper also provided other findings and recommendations for Administration's consideration. Administration provided information through freedom of information requests to Student Legal Services during its development and drafting.

Since the paper was presented in 2018, the number of tickets issued overall and specific to those individuals with no fixed address has decreased while the number of referrals to other service providers and warnings has increased. There was an escalation in the number of incidents of social disorder and more calls for service regarding social disorder in 2020 due to the pandemic response, specifically related to the temporary transit fare suspension and limited shelter capacity.

In recent years, transit peace officers have changed how they interact with offenders on the transit system providing assistance to those individuals in need over other enforcement methods (Attachment 1). Staff are diverting individuals to safety and well-being programs or support agencies instead of using formal sanctions. Staff received additional coaching to help them coordinate medical aid, provide service referrals, supply personal necessities and/or transport to other locations or shelters if required. The uptake in referrals is due to this new approach.

Historical data, analysis and the insight from the report provided by Student Legal Services of Edmonton have highlighted the need for program improvement, a closer review of enforcement practices and have raised awareness of issues surrounding systemic racism and bias (Attachment 2).

No Fixed Address Context

Administration used the terms no fixed address, NFA or non-fixed address to describe:

- a person failing/unwilling to provide their address
- a person who has no personal information to substantiate address
- a person in transit through Edmonton
- a couch surfer (no permanent address)
- a person experiencing homelessness
- a person who is incapacitated and unable to comply

- a person who left the scene before the ticket was issued or investigation completed
- situations where officers exercise discretion and do not request such information

Peace officers recognize many citizens that fall into these categories may be experiencing homelessness or are otherwise considered marginalized. In 2020, approximately 43 percent of peace officer interactions were with individuals with no fixed address. To shape approaches and programs, transit peace officers now track interactions where they are providing vulnerable persons with well-being assistance or recommendations or referrals to social agencies as an alternative approach to enforcement. Data previously only included enforcement actions taken. In October 2019, peace officers began tracking when assistance/referrals were given instead of tickets or warnings to better reflect the situation and allow for a more extensive analysis of interactions.

Training Program (Vulnerable Sector Related)

Peace officers have three levels of training in relation to discretion, tactics and public interaction. The first level of training for peace officers is the Community Peace Officer Induction Program, a six-week training program hosted by Alberta Justice and Solicitor General which includes preparing peace officers for different scenarios and interactions with community members, discretion tactics and enforcement options.

As City employees, officers also take mandatory training which can be applied to communities of diversity, including Respect in the Workplace, Indigenous Awareness, Code of Conduct and the Freedom of Information and Protection of Privacy Act. The orientation establishes the City of Edmonton's expectations when dealing with all persons and information they encounter.

Based on a new recruit's previous training and experience, peace officers also take part in field officer training where they are paired with a senior officer to provide in-the-field training and mentorship. The program has defined outcomes and evaluation components to ensure a practical or applied learning approach is achieved.

Partnerships and Approaches

Peace officers partner with a number of social agencies such as Boyle Street, REACH Edmonton, Edmonton Mennonite Centre for Newcomers, iHuman, YESS and Native Counselling Services of Alberta to provide services and referrals to individuals when needed. Administration also recognizes that more work, coordination and closer contact is required with 24/7 Crisis Diversion services and other social agencies as well as continuing or expanding programs and approaches such as the Public Washroom Strategy, Providing Accessible Transit Here (PATH) and setting expectations for acceptable behaviour by all riders of the transit system that promote safety, livability and a positive user experience.

Corporate Outcomes and Performance Management

Corporate Outcome: Edmontonians are safe and secure in our community			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Assistance and education to vulnerable people rather than enforcement penalties	Total tickets issued (no fixed addressed tickets)	2020: 4,984 (NFA 2,923) 2019: 11,583 (NFA 5,741) 2018: 11,693 (NFA 5,684)	Increase of Assistance provided to vulnerable communities versus Violation Tickets issued
	Total warnings issued	2020: 43,226 2019: 34,991 2018: 22,025	
	Total number of assistance type actions	2020: 6,836 2019: 1,358	

Attachments

1. Use of Warnings and Violation Tickets Data
2. Student Legal Services Recommendations - Administration's Response

Others Reviewing this Report

- C. Owen, Deputy City Manager, Communications and Engagement
- G. Cebryk, Deputy City Manager, City Operations
- K. Fallis-Howell, Acting City Solicitor