

National Conference on Mass Transit Crime and Vandalism

Compendium of Proceedings

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Conducted by

The New York State Senate
Committee on Transportation

October 20-24, 1980

SENATOR JOHN D. CAEMMERER, CHAIRMAN
Honorable MacNeil Mitchell, Project Director

Department
of Transportation

Mass
Transportation
Administration

Department of
Transportation

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Minor editing and deleting of text has been done where the content of the material did not apply to the Conference proceedings.

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**NATIONAL CONFERENCE
ON
MASS TRANSIT CRIME AND
VANDALISM**

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The New York State
Senate Committee on Transportation
in Cooperation with The
Urban Mass Transportation Administration
Office of Transportation Management

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*Senator John D. Caemmerer
Committee Chairman*

*Honorable MacNeil Mitchell
Project Director*

**THE SHERATON CENTRE
NEW YORK CITY
OCTOBER 20-24, 1980**

New York State Senate
Albany, New York
March, 1981

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NEW YORK STATE SENATE COMMITTEE ON TRANSPORTATION

January, 1981

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Dear Concerned Citizen:

Crime and vandalism on public transportation systems throughout the nation, but most particularly in major urban areas, has become an increasingly serious problem with far-reaching implications.

National economic conditions and energy conservation policies heighten the need for safe, efficient and secure public transportation systems. High crime rates, particularly with respect to violent crime, and equipment damaged by vandals only deter public transit ridership. This in turn defeats efforts by all levels of government to promote the use of public transportation.

Early in 1980, the New York State Senate Committee on Transportation proposed that a National Conference be conducted to focus attention on the dimensions of the mass transit crime and vandalism problem. As a result of the foresight, understanding and cooperation of the Urban Mass Transportation Administration of the U.S. Department of Transportation, a grant was obtained from the UMTA to help our committee conduct the first National Conference on Crime and Vandalism in Mass Transit.

The following is a compendium of the proceedings of this conference held October 20-24, 1980 in New York City. Not only was this the first conference of its kind held on this problem, but nearly 150 dedicated participants from throughout the United States and Canada were in attendance.

This compendium is being sent to you with our compliments and that of the Urban Mass Transportation Administration. We hope it will encourage you to join in our efforts to eliminate this grave and far-reaching problem. We welcome your comments and suggestions.

Sincerely,

JOHN D. CAEMMERER
Chairman



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The Conference in Brief

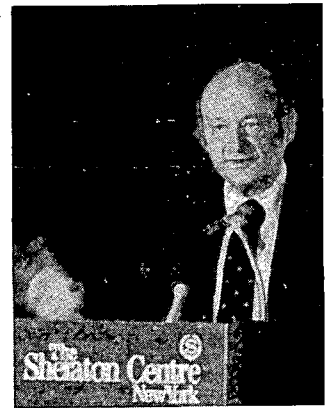
To highlight the nature of the transit crime problem, Senator Caemmerer, together with Richard Ravitch, Chairman of the Metropolitan Transportation Authority in New York and Lois Cohen, New York Representative for the U.S. Secretary of Transportation, conducted a press conference to outline the objectives of the National Conference.



▲ Senator John D. Caemmerer, conference chairman, briefs conference attendees prior to inspection of major crime areas on the New York City subway system.



▶ New York City Mayor, Edward I. Koch was a keynote speaker at the Conference.



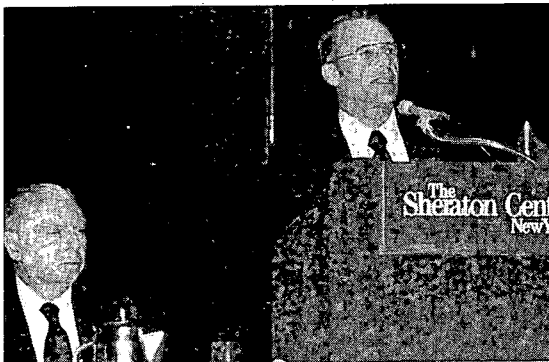
Numerous panel sessions were conducted on all facets of the mass transit crime and vandalism problem.



▲ Conference attendees received a briefing from New York City Transit Authority Police Officials on the problems of mass transit crime and vandalism.

James B. Meehan, Chief, New York City Transit Police was a featured speaker at the Conference.

Hon. MacNeil Mitchell, Conference Project Director and Steering Committee Chairman, listens as Jack Gilstrap, Executive Vice President, American Public Transit Assn., addresses the Conference.



▶ Anne Nolan, Public Safety Program Manager, Southeast Michigan Council of Governments, was a plenary session speaker.





INTRODUCTION

The objective of the National Conference on Mass Transit Crime was to gather together representatives from a wide variety of backgrounds and occupations to examine this serious problem and the alternatives available to deal with it. From the discussions that occurred during the Conference, participants were encouraged, through a series of plenary and workshop sessions, to develop and exchange ideas as to what may be done to combat an increasingly disturbing situation with respect to our transportation systems.

The Conference was held at the Sheraton Centre Hotel in New York City from October 20 to October 24, 1980. It was conducted by the New York State Senate Transportation Committee, chaired by Senator John D. Caemmerer. Project Director for the Conference was the Honorable MacNeil Mitchell, who also serves as Special Counsel to the Senate Transportation Committee. The Conference was funded by a grant from the Office of Transportation Management of the Urban Mass Transportation Administration.

The National Conference on Mass Transit Crime was divided into a series of five plenary sessions, all of which were followed by a gathering of the participants into small interactional group workshops. At the latter, serious discussion took place on the points developed by the speakers at each of the plenary sessions. The topics of the plenary sessions were:

- I Nature of the Mass Transit Crime Problem
- II Requirements for Security and Safety on Mass Transit Systems
- III The Law Enforcement Problem
- IV Public Perceptions of the Mass Transit Crime Problem
- V Funding Mass Transit Crime Prevention Efforts

The purpose of this Compendium is to present the remarks of all of the speakers, whether they were made in the plenary sessions or during the luncheons and dinners that were part of the Conference program. In their entirety, these remarks provide a comprehensive overview of the nature and scope of the problem of violent and nonviolent crime on public transportation systems as well as possible solutions for consideration on a uniform basis throughout the nation.

The individual speeches made at the plenary sessions were often supplemented by material that was handed out to all participants. No questioning of the speakers at the plenary sessions was allowed except to clarify information for the audience. All speakers were actively encouraged, however, to circulate throughout the workshop groups that immediately followed each plenary session.

The focal point of activity for the Conference occurred in the small workshop groups that succeeded each of the plenary sessions. The nearly 150 attendees were divided into six workshop groups for the Conference, with each group selectively arranged so that representatives from as many diverse occupations and backgrounds as possible could be placed in each group. The objective of this procedure was to achieve the highest possible level of interaction that could be attained in each workshop group by the attendance of many diverse individuals in each group.

The small workshop groups were chaired by a moderator, whose duty was to terminate any irrelevant comments and maintain a constant pace of discussion. The moderator was assisted by a facilitator, who was a knowledgeable authority in the area of mass transit crime and vandalism. Since all attendees, moderators and facilitators remained in the same workshop throughout the Conference, a very commendable amount of open interaction and exchange of ideas developed in the workshop groups. In addition, rapport and a spirit of camaraderie was established among the participants during the Conference. This led to the proposal and discussion of alternatives designed to cope with the increasingly serious problem of crime on public transportation systems. Of the options that were suggested to combat crime on public transportation systems, some were embodied in a resolution format and were voted on by the entire Conference at the Concluding Session. All of the Resolutions that were adopted can be found in the appendices of this Compendium.

At the Concluding Session of the Conference the moderators of each of the workshop groups made a brief presentation outlining the major points of discussion that were considered by the members of their group. Included in the presentations by the moderators was a synopsis of the consensus of the workshop group regarding each major point of discussion. The remarks of the moderators at the Concluding Session are contained within the text of this Compendium.

Immediately following the presentations submitted by the workshop moderators, the participants engaged in the adoption of resolutions which arose from the discussion in the workshop groups. The resolutions which were adopted may be found in Appendix E. A summary of the discussion that took place during the adoption of resolutions at the Concluding Session may also be found in the text of this Compendium.

Participants to the Conference were also provided the opportunity of hearing from a number of competent experts from law enforcement groups, the transit industry, the judiciary and involved citizenry.

At the Keynote Dinner the attendees received an official welcome from Mayor Edward I. Koch, who addressed the grave problems that crime poses towards our society and our daily way of life. Of course, of particular concern to Mayor Koch was the disastrous effect that crime has had on the ridership of the New York City subway system and how this has exacerbated the financial condition of the Metropolitan Transportation Authority.

The Concluding Banquet was addressed by Dr. William J. Ronan, a former Chairman of the Metropolitan Transportation Authority, who eloquently expounded on the contemporary problems faced by managers of mass transportation systems. In addition, the Conference participants heard from a variety of experts during the luncheons that were included as part of the Conference program.

All of the remarks made by speakers during the luncheons and dinners are included in this Compendium. Since the speeches made at the luncheons and dinners were not ac-

accompanied by companion workshop group sessions, they were intended to be solely for the benefit of the participants and to supplement the comments made by speakers in the plenary sessions.

In planning the National Conference on Mass Transit Crime, the staff of the New York State Senate Committee on Transportation had the great good fortune of advice and assistance from a distinguished Steering Committee. The members of the Steering Committee are listed in the appendices. This Committee has met four times in fulfillment of their duties for the Conference, and their participation has been of inestimable value in the success of this project.

From the moment the idea of a conference of this sort was conceived, it became clear that the exchange of information and ideas by the Conference participants would be the primary asset to be gained from this endeavor. For the first time ever in history, responsible individuals, from all walks of life, had an opportunity to discuss vital issues of mutual concern regarding the topic of mass transit crime. The list of the attendees for the Conference is contained within the appendices and it is impressive. Representatives from transit management, unions, the criminal justice system, law enforcement, concerned citizen groups, the media, and others took part.

At the close of the Conference program, many new contacts were made by the participants and much hope for the future

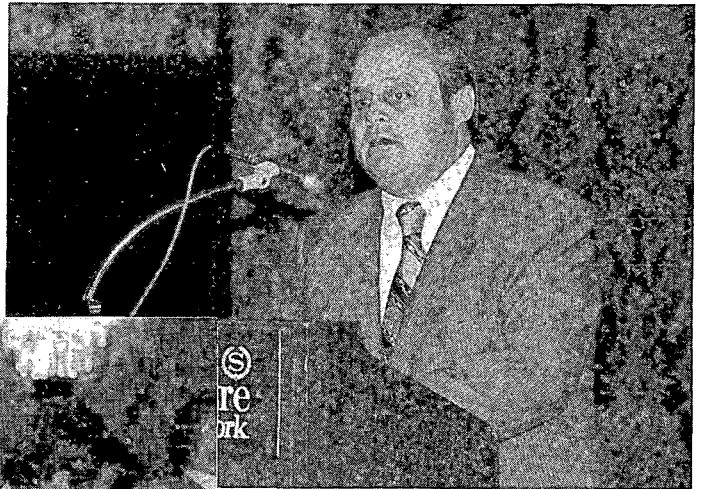
was apparent. This was evidenced by a resolution calling for federal funding of regional conferences so that concerned individuals in positions of responsibility may be kept abreast of the "... problems, approaches and possible solutions in the field of transit crime." This resolution was unanimously adopted by the Conference participants.

It was the objective of this Conference to reach a consensus among the participants as to what may constructively be done to mitigate the increasingly troublesome problem of mass transit crime. All of the resolutions adopted at the Concluding Session are intended to function as guidelines for any future activity in the battle against crime on public transportation systems. In this way, it is possible for all those who attended this Conference to leave their mark on any progress that occurs in this area. It is to be hoped that the results achieved at this Conference may serve as a spring board upon which to build for the future. Possibly a small committee of those participating can be developed for the purpose of channeling statistical data and uniformity of crime prevention efforts in the future.

What follows is a transcript of the actual proceedings of the National Conference on Mass Transit Crime, as recorded by an official shorthand reporter, which the members of the New York State Senate Committee on Transportation hope will be very enlightening.

Nature of the Mass Transit Crime Problem

State Senator John D. Caemmerer, Chairman, New York State Senate Committee on Transportation, and Conference Chairman, delivers the introductory remarks during the first plenary session.



*Plenary Session I
Tuesday, October 21, 1980*

NATURE OF THE MASS TRANSIT CRIME PROBLEM

SENATOR MacNEIL MITCHELL: The hour of 9:00 having arrived, this first session of the National Conference on Mass Transit Crime and Vandalism is hereby convened. I welcome all of you.

Our first opening will be a montage of slide presentations designed to give you a visual impact of some of the problems with which all of us are confronted in this phenomenon.

It has been arduously and meticulously prepared in conjunction with Howard Blankman, president of Howard Blankman, Inc., present member of the Nassau County Planning Commission, and we're happy to say a former Director of Communications for our Legislative Committee, and Ronald C. Kane, who is Assistant General Manager of the New York City Transit Authority.

Mr. Kane has great familiarity with the problems confronting transit systems generally in combatting crime and vandalism. I shall now ask Mr. Kane, prior to the showing of the slides, to provide a short introduction to what is intended by the presentation. Those of you who went on the field survey last evening witnessed at first hand some of what will be depicted in the slides but all of you should gain a better understanding of the problem by what you will be seeing. Please proceed Mr. Kane.

MR. RONALD C. KANE: To open today's program and, hopefully, to set the tone for the Conference, we have prepared an audio/visual presentation which dramatizes the problems associated with crime and vandalism on mass transit.

Some of the slides are dramatizations to emphasize how riders can help to protect themselves from becoming victims of muggers, rapists and hoodlums. Some of the problems are unique to subway systems but by and large the problem affects all mass transit, both bus and subway, across the nation, in fact, throughout the world.

Basically, the problem of crime is universal. Crime on mass transit is only a reflection of the crime that occurs in the streets.

There are, however, problems unique to mass transit. Those of us who operate these mass transit systems must look to overcome the problems of public perception; crimes as perceived by the user and, more importantly, the news media.

Incidentally, there is a segment of this presentation that deals with an actual emergency rescue operation at the scene of a derailment in which many persons are severely injured and some died. We did feel it necessary to show these victims to help dramatize the seriousness of the problem we all face.

SENATOR MITCHELL: I give you now the narrator Mr. Howard Blankman.

MR. HOWARD BLANKMAN: Thank you. Before I begin, I wish to give credit to Phoebe Munn, our vice-president and creative director of Howard Blankman, Inc. who had such a great part in putting this all together. (The text of Mr. Blankman's narrative is contained in Appendix H.)

SENATOR MITCHELL: There will be a short intermission and the first plenary session will start promptly at 9:30.

SENATOR JOHN D. CAEMMERER: Good morning, ladies and gentlemen, and welcome to the National Conference on Mass Transit Crime and Vandalism and, of course, welcome to the great City of New York.

Some of you took a tour last night, and I don't know if we lost anybody. I assume everybody recovered from the tour and got back to the hotel safely.

For the next few days, you will be dealing with a subject, transit crime, that is extremely important to millions of New Yorkers who use our subways, buses and commuter railroads every day. The plain fact is that many citizens are afraid to use portions of the public transportation system in the New York metropolitan area.

Fear of crime is discouraging use of our transit network at a time when responsible public officials recognize that increased use of mass transit is one of the ways we can reduce our excessive dependence on foreign oil. If we need a reminder, the current war between Iran and Iraq has made us aware, again, of just how critical this dependence really is.

New Yorkers have a right to be proud of their public transportation system. New York has the largest subway system in the world. Our suburbs are served by the most extensive commuter rail network in the country, including the Long Island Railroad and the CONRAIL system which operates in the State of Connecticut and in the suburbs north of New York City.

New York's public transportation system is the product of decades of hard work and dedication on the part of a large number of businessmen and politicians, as well as thousands of workers. An extensive and adequate system is in place because responsible leaders had the vision to see what was necessary and the ability to make the vision a reality.

Lately, however, rapidly growing crime rates have made it difficult for New Yorkers to be proud of their public transportation system. Crime has always been a problem on transit lines in New York. On the first day the subway opened, for example, a Mr. Henry Barrett was relieved of a \$500 diamond horseshoe pin that he was wearing.

But until relatively recently, transit crime was largely confined to pickpocketing, farebeating and minor acts of vandalism. People did not fear bodily harm when they rode the subway during the 1930s.

Now, however, New York's extensive public transportation network and especially the New York City subway has become the target of attack by violent criminals who seem to know no limit to their depravity. The problem first became severe during the 1960s and has been growing in magnitude ever since.

Recently crime rates have been rising very rapidly. In August of 1979, there were 337 robberies on the subway. In August of 1980 there were 558. Over the same period the number of larcenies rose from 541 to 982, almost a doubling in one year's time.



On the first evening of the Conference, attendees were given a first hand look at some of the security problems, and solutions, associated with the New York City subway system.

On top of this increase in the number of serious crimes, graffiti and vandalism remain serious problems in the New York City subway system. Many subway cars, for example, are completely covered with ugly scribbling. The graffiti epidemic makes many passengers think no one is in control of the subway, thereby hiking public feelings of insecurity.

Violent crime, together with the graffiti and vandalism does not encourage New Yorkers to be proud of their subway, nor does it do anything at all to increase transit ridership. We must reverse this situation. We must act to protect current riders from crime and we must recognize that if we want to increase transit ridership, we must find a way to make passengers feel safe and secure.

Last week I asked members of my staff to find out what could be done to reduce crime on public transportation lines in New York. One of the things we discovered was that transit crime is a problem not just in New York but on most large transit systems in the United States and Canada. It also became evident that different approaches were being tried to combat crime by various transit agencies.

It, therefore, occurred to us, that it would be useful if people seriously concerned with reducing crime on our transit systems could get together and discuss what has been done in the past and what can be done in the future to get the criminals off our transit lines. The Urban Mass Transportation Administration agreed with us, and the result is this Conference.

Project Director MacNeil Mitchell has been fortunate to secure the services of many excellent speakers who will cover various aspects of the transit crime problem during the five plenary sessions. Senator Mitchell has been aided in his

efforts by a distinguished Steering Committee which has worked hard to make this Conference a success.

The Project Director has also done a fine job in convincing a number of well qualified people to serve as leaders of the small group workshops which will follow each plenary session, but perhaps most importantly the participants in this conference represent a broad cross section of persons who want to reduce crime on public transit, including police officers, labor union officials, transit managers, legislators and government officials.

Also attending this conference are several individuals from the private sector and from many civic groups. The aim of the conference is to reach a consensus regarding what needs to be done to reduce transit crime, not just in New York but across the country and in Canada.

In our deliberations, I trust that we New Yorkers will learn from those of you from other metropolitan areas and also that you may learn something from us. All of us want to feel free, want to free public transit systems from crime, and all of us want to encourage transit ridership. We all want to be proud of our transportation systems we have striven to preserve and promote, and all of us working together during the next few days, hopefully, can come up with solutions to this problem.

Some of you may have heard that just yesterday, three Congressmen from New York met at 42nd Street which, again, is the highest crime area on the subway system, and said they were going to introduce a \$50 million federal program to provide that sum of money to our transit systems across the country.

Congressman Peter A. Peyser and Congressman Mario Biaggi from this area were two of those Congressmen. That's encouraging to get that kind of recognition and to have it coincide with what's happening here now in New York with this conference.*

We'll listen to the Mayor of New York City tonight, who is testifying on other crime problems today before another Senate committee here in New York. So we are really involved in a subject that is receiving a great deal of attention from the public, the press and all of you.

I am privileged to introduce the first of our speakers this morning, Mr. James Burgess, who is the Director of Public Safety of the Southern California Rapid Transit District in Los Angeles.

Mr. Burgess has a degree from the California State University in Police Administration. He served for 20 years in the Alhambra, California police department, achieving the rank of Captain, and on July 10, 1978 was appointed transit police chief in the Southern California District.

But we're delighted to have a native New Yorker come back from California to be with us this morning. Mr. Jim Burgess.

MR. JAMES P. BURGESS: Thank you, Senator. It's really a treat to come back to New York. When I go back to my old neighborhood, it's incredible what's happened up there. I'm married to a native Californian and she really can't understand the beauty of growing up on the streets of New York. Last year was the first time she had the opportunity to see my old neighborhood. In fact, it was the first time in 25 years I had the opportunity to see the South Bronx, with the exception of a few years ago when, you might have recalled, that during the World Series, they were showing some burning buildings in the background. That was my old neighborhood.

What's happening in the South Bronx, though, is symptomatic of what's happening in the United States. I think there's just a complete breakdown in morals throughout the country particularly in our large metropolitan areas.

Recent F.B.I. statistics point out that there is a ten percent increase in Part I crimes overall throughout the United States. In Los Angeles, that mecca, the crime rate has exceeded 12 percent, and we anticipate that we'll record 2,000 homicides in Los Angeles County alone this year.

A few years ago, we were appalled at the fact that we had 1,000 homicides in Los Angeles County. In a very few years now, we've doubled that.

Transit operations, and particularly transit bus operations, which I will deal with, since Los Angeles has the largest all-transit bus property in the United States, out of necessity, operate in high crime areas. The transit-dependent, in many instances, live in a high crime-low income area and since no safe zone is provided for transit operations, street crime also becomes transit crime.

The criminal element that plagues our society seeks whatever victim or area that will best supply them their need, whether their need is money, jewelry or just to having to vent their rage through a person or picture that symbolizes authority. I think all our transit properties really symbolize authority, and I think maybe that's some of the problems

we're having with the graffiti. Just a government-run operation!

Transit bus operations provide an arena that is made for these predators, and I don't feel there is any other word that I can use in mixed company for the people that prey on the system, other than "predator."

A large group of victims in a confined space are transported to their territories, their sanctuaries. Recently in Los Angeles, we had a series of what we classify as stage coach robberies, and the first slide that you were shown this morning depicted a stage coach robbery. We distinguish the stage coach robbery from a passenger or an operator robbery inasmuch as what it is—both operators and passengers are robbed at the same time in one incident.

In this particular series, a gang of young juveniles 14 to 18 years old waited at bus stops outside the housing projects where they resided. As the buses pull into the bus stops, these modern age Jesse James don bandanas and, armed with handguns and sawed-off rifles, board the bus through the front and rear door carrying paper bags and hold up passengers and the operators, demanding all their valuables and money. They exit the bus, disappear back into the project and prosecuting and catching them is very difficult.

I cite this example as one that is not only unique to transit bus crimes; it covers all crimes associated with transit bus crimes and crime in general. The suspects were young. The age of the suspects involved, victimizing our passengers and operators was between 14 and 19. They belong to a gang.

This particular group belonged to a gang that lived in a project and was responsible for roughly 90 percent of the crime in that particular area, crimes of assault, robbery, rape, kidnap, you name it. They live in a low income-high crime area. Perhaps they're a victim of society themselves, but more than anything they have a complete disregard for persons and property.

The incidents also received wide media attention. I think that's something that, while crime does receive wide media attention, transit crime itself receives a lot more attention sometimes than it deserves. In all too many instances, transit crime is reported out of context with the crime in the area.

While that may be disconcerting to us who are responsible for combatting transit crime, it is justified to some extent, since an affront to an operator or passenger on a transit vehicle is an affront against order itself. People who ride transit vehicles should be afforded the opportunity to ride in safety. It's a system that, by and large, is provided for them by their government, paid through taxpayers' money, and in some instances the court has said that.

In a situation a few years ago a homicide that occurred on our property, our bus, the family was awarded \$80,000, and the District was held negligent.

The stage coach incidents also revealed all weaknesses that we have in the criminal justice system. The suspects were all repeat offenders. The 16-year-old had been arrested five times for armed robbery. Recently the California Attorney General revealed a statistic that 57 percent of the people arrested in California for felony crimes were convicted. I thought that's really great. That's not too bad a batting average, considering what's happening in our courts today.

* A copy of this bill is found in Appendix G.

But the report went on to state also that only six percent of the people convicted of felonies in the State of California ever received any state prison time.

On reviewing the case, the district attorney initially refused to issue a complaint on it. Everybody was ready to criticize the district attorney, but on investigation we found that we probably didn't—we know we didn't complete the case and present it properly.

Because of the high media attention, we were able to buy some time, review the case, put it together with other cases and eventually get a filing in this particular incident. This same group and other gangs were involved with other crimes and violence which included transit crimes, rape and kidnapping. The complaints were filed. Hopefully, we'll get some successful prosecution and, even more so, hopefully we'll get some sentencing and, hopefully, some of the reasons would be that the crimes involved crimes against transit vehicles.

It's a success story from my particular point of view in that the initial apprehension of the subjects involved were made by transit police officers with the newly formed police agency for the Southern California Rapid Transit District. We were reformed January 1st of 1978. I was brought on board in July of 1978, and our first really good arrest in any particular case has been this one.

It points up the need, particularly in our area in Los Angeles where the district encompasses 2,300 square miles, we go into five counties and we relate with 88 different law enforcement jurisdictions. This particular crime that had taken place bordered on the City of Los Angeles' jurisdiction and the Los Angeles County's jurisdiction. The fact that we had an investigator assigned to coordinate the case enabled us to get successful complaints issued.

It points up the need for a transit police agency that was brought about because of Proposition 13 in California, which drastically reduced the tax revenue available to provide law enforcement officers out on the street. Our job is not to take over complete responsibility for transit crimes in the Southern California Rapid Transit District. What our job is to do is to coordinate the efforts in law enforcement agencies and assist them in prosecuting transit crimes and bring them to their jurisdiction.

All too often because an officer is traveling through many jurisdictions and many lines, it's very difficult to work the bus. You can get on a bus in the City of Alhambra, five minutes later you're in the City of Los Angeles, ten minutes later you're in the city of Compton. In a situation like this, it's very difficult to have officers getting on and off the buses.

We work to identify the crimes. We work very closely with the Los Angeles Police Department and the Sheriff's Department. Two representatives I'm glad to see are in the audience today.

In the same regard, we're also preparing statewide legislation to identify the lesser transit crimes, the transit crimes that really plague the system because, while we have some serious crimes in Los Angeles, it is not of an epidemic nature such as some of the ones that I've heard here in New York.

I have to say one thing about the crimes and the graffiti in New York. The talent available in New York far exceeds

anything we have available in Los Angeles. Outstanding! I've never seen such complete devastation in one place in my life as on the subway trains I saw last night.

As I said, we are seeking statewide legislation to adopt a code of conduct throughout the state of California for transit crimes such as fare evasion, radio playing, smoking, spitting, eating, drinking, you name it, the crimes that really are not spelled out any place in any real code, except some vague reference to them.

In addition to having a tool for law enforcement to work with, it will make the prosecutor's job easier. Hopefully, it will highlight the problem to the judges, and part of the program is to bring the revenues generated from the fines levied against the particular perpetrators back to the transit properties to use to offset vandalism and other crime-related costs and possibly even to train transit police officers.

We don't purport to have all the rationale and logic and wisdom available in California to deal with the problem, but we're certainly open to suggestion, and it's a learning process and that's what we'll be doing here.

Thank you very much.

SENATOR MITCHELL: Ladies and gentlemen, I'm former Senator MacNeil Mitchell, Project Director, and I'll be introducing the balance of the speakers.

Union members have a tremendous interest in the nature of the mass transit crime problem, and we thought that it would be helpful to all concerned if we had two members of the two outstanding unions here to give you some of their views.

The first member is an outstanding individual who is known throughout the country, and the world, for that matter, and active, most active here in this city. He's the International Executive Vice-President of the Transport Workers Union of America, and he's the President of Local 100, the largest segment of that particular union.

I give you now Mr. John E. Lawe.

MR. JOHN E. LAWE: Good morning. At the outset let me first of all thank Senator Caemmerer and his staff for putting this conference together, and let me welcome all those people that took time out to come into our city and give us their advice and knowledge and their experiences throughout the country because, indeed, we need it.

I have, over the years, attended many seminars regarding mass transit and particularly crime, and I have so many statistics here that I know I'd bore you, and I'm not going to go into a lot of statistics, but I think that if there is one thing that I, as president of the local that operates here in New York City can impart to you, and that is that of the tremendous fear that exists amongst our members who work down in the subway and who drive the buses every day.

I drove a bus in this city for 17 years right out here on Fifth Avenue and on Broadway and in the Bronx, and pretty much throughout the state. So when I speak, I kind of speak from experience. I've been there, and I've heard and witnessed all the many sad cases that our members have been exposed to, visited them in a hospital after they've either been hit or knifed or shot or hit over the head with some instruments and have to wear a support for the rest of their life.

So that we've had the experience of, I think, the most ex-

tended vandalism in the country and the speaker previous to me indicated that he believed that to be a fact.

I'm delighted that this conference is taking place because if anybody stands to be the benefactor, certainly it's our members, and I'm hoping that there may be some light at the end of the tunnel here, and that collectively we can do something about it.

One of the mistakes, I think, we've made over the years, and I've been critical of it many many times and I'm going to continue to be. When they're right I'm going to support them and I'm going to do what I can to support them because if we don't work together in this tremendous transit system that we have here in New York, there is no way that we can survive.

Unfortunately, over the years I, in particular, have seen change, nothing but change, and the more we change the worst it seems to get. I understand that our society moves and moves fast, but nevertheless I think that you have to look at the industry itself. There is absolutely no solution to mass transit except to give the people good, clean, efficient service.

You can not hope to build a transit system on gimmicks, and we've seen too many gimmicks over the years, but that's why I'm skeptical and that's why the many times when I get a microphone, I am critical of management and yes, you're our members, and the union has been criticized that maybe we're not doing all we should either.

I've been critical of management in several areas, and one of them certainly is the fact that, over the years, we had as many as 1,200 platform conductors who were in uniform on every platform in this city directing the people, getting the doors closed and certainly they were a crime deterrent because they were there in uniform. But management, in their wisdom, decided that, in order to save money, that they would cut down those platform conductors to the point that we have some 230 left, and you spread 230 platform conductors throughout the city, you don't get very good coverage.

We have watched our police force deteriorate to the point where they're becoming ineffective because they don't have the numbers. It scares us. I met very recently with Dick Ravitch who is the chairman of the MTA, a man I have a lot of respect for, I met with him and Mr. Kaufman, as recently as two or three weeks ago, and I pleaded with them, I begged them as a matter of fact. I told them our members are scared.

Just a short time before that, we had one of our railroad clerks and those are the people that supply your tokens when you're going down in the subway, who went in the bathroom. On his way back, he was attacked by two of those hoods that we heard described a while ago. The doctors stopped counting stitches after 200. They had a Samurai sword and they cut that poor railroad clerk up to the extent that he had to get over 200 stitches.

We had a young girl in her 30s who was shot through the eye because she wasn't giving the money up fast enough to those damned thugs and vandals. She'll never see again. She doesn't even have a sense of smell. We had two women that were burned alive, you might say, in one of our bullet-proof booths.

I do want to say at this point that if there was any area that I got cooperation in, it was in erecting and completing those bullet-proof booths for the protection of our railroad clerks. They're all completed with the exception of about 90 part-time booths.

So now those same thugs and vandals have found another way to get around that. They bring gasoline onto the platform with them and they have it in a container of any description. They demand the money from our railroad clerks. If they're not moving fast enough, they either pour it into the booth, set it afire there, or pour it around the booth and create a furnace.

So that it's going to take all the talent assembled here today, and I hope for not too long more to come up and devise a means where we can get a handle on this tremendous crime problem that we have.

I know that some of you probably saw the subways for the first time last night, and you've seen what has happened. I have been watching them over the past 25 years, I rode the subway when it was safe, clean and efficient, but because of the vandalism which is not alone confined to the subway, it's also on our buses; it's almost impossible, almost impossible, to keep our rolling stock in shape by the time the vandals get finished with it. And then, unfortunately, over the years with a change in management, everybody comes up with a new gimmick that I talked about. Well, let's try this and let's try that, and we've tried all of those things and each time there was change, our system seemed to go further down.

I may be repetitious, but I'm going to say it again. There is absolutely no solution for mass transit except, number one, preventive maintenance, number two, regular service. In 1975, when this city had the financial crunch, it was the first time that we in the subway had everybody panicked and they said, "We got to save money in every department."

Mass transit was no exception. The one mistake made there was that the more you cut back in mass transit, the more money you'll lose.

We tried at that time desperately. We went before any forum we could get—and I'm talking about we, the Transport Workers Union—and we begged them. If you cut back on the runs, you're going to increase the problems, because the more you cut back the more money you'll lose. You're not going to save the city.

But what happened? We lost 825 bus runs in one clear swoop. We lost 311 subway runs, and that was for dollars. The revenue started to go down. The class that was coming wasn't sufficient to maintain the system, and we didn't contribute one damned thing to the financial problems in the city. Only more than that, we hurt it, because, again, there is no way, no way, that you can cut back on mass transit and save money.

The people in this city are not riding mass transit today. They're not riding it because it's not safe. I listened to the radio coming in, find out that the number one train on the upper West Side is just not operating from 168th Street, from 137th to 168th. It's a sad commentary on our mass transit in this city.

There's an awful lot of work to be done. I'm scared to death that it's going to collapse and we in the Transport Workers

Union are going to do our share to make sure it keeps operating.

I said at the outset that I had statistics here that I wasn't going to bore you with. To show you how concerned we've been over the years, going back in February of 1977, this is a copy of a three-page ad that we took in each of the three leading newspapers in this city at the cost of, I think, something like \$50,000 to alert the legislators and the public to the extent of the crime that prevailed in our subway system because we didn't believe that anybody knew exactly what was happening. At that time and in those ads we begged the legislators and the people responsible to do something about it in the name of savings.

We saw our police force cut back and, again, I think that's pennywise and pound foolish, because the people are not riding.

I wish I had some solution to the problem, and evidently if I had one, there wouldn't be a need for a conference like this. But one thing we got to make our minds up to, and that is there are several areas that we must "attack" is the word to be used. Our courts in particular.

Those hoodlums—we hear about turnstile justice; it's all around us. How many repeated arrests are made, some of them back 10 and 12 times. Some of them have committed murder more than once on the subways. I asked Dick Ravitch, "When are you going to get some more police?" He said, "It's pretty sure to be a year before we have them in place." I said, "We can't afford to wait." I asked him to consider putting back some of the platform conductors that were removed, or to take our property protection people and give them two-way radios and put them down there so they could contact the police if there was any immediate danger. He replied that they can't afford it, there's no money.

So what are we going to do, just sit by and see the whole system collapse? I think we're on our way there.

I hope that with all the talent that has come in here today that they can give us some encouragement, because I have a very scared membership down there. I could give you statistics of the crime alone that our railroad clerks have reported. And 572 of our railroad clerks were stabbed and shot, and like I said before they were burned, they were robbed and they were assaulted in various ways. Our conductors are spat at and hit with pocketbooks and weapons of all descriptions. Our motormen have been shot. Our bus drivers have been shot, and we are near the state of panic.

I don't care where the money has got to come from. We've got to make our mind up that, if we want to keep this mass transit system great, we have to return it to being the clean, efficient, safe mass transit system that we knew. It's in a sorry state today, and until we make our minds up that we're going to buckle down and the very fact that we have some Congressmen coming to our aid and particularly Senator Caemmerer who has worked very close to the situation and is very aware of it, is very concerned, and he always had an open door for me when I went there with my problems, and I'm delighted that he gave us a particular chance, the Transport Workers Union and, indeed, the Amalgamated Workers, which my good friend Walter Bierwagen will speak to, because we need your help and we need it desperately.

I could go on for a long time and tell you the experiences we've had. But the one message that I wanted to leave with you is that the Transport Workers Union, and we have 34,000 members in this city, that the Transport Workers Union will do what we have to do. I had a board meeting last night, and when we meet, inevitably we get to the point of the crime and the risks that our people take every day, and I told them and they are ready for it, that we got to make our contributions to this situation and we will.

But that is not going to stop me from criticizing management when I feel it should be criticized because, unfortunately, and I want to say this, and I've said it before, we don't have the practical, experienced people in transit that we had years and years ago.

Now, I know it's pretty difficult to get that type of individual today. I'm hopeful that new people in transit won't be offended by my statement because I got to go back to what I said before, there's absolutely no solution for mass transit except to put the service out there and service the people.

The longer you have to wait on a platform or on the street, the more exposed to crime you are. Let's bring the people back into the subways and the buses and let's stop the gimmicks. You know, recently the fad has turned up in this country, if something isn't working right let's get an analyst in or somebody in to study it and let's spend millions and millions of dollars to see what the situation is. It makes me sick.

You know, I picked up the paper the other day and I read where the MTA is spending \$1.2 million to come in and analyze the mechanics in the MTA in general. My friends, let me tell you, we have one of the finest schools in this country for training mechanics, but since 1975 it has been underutilized and, again, in the name of saving money, and now we're going to solve that by giving somebody \$1.2 million to come in to tell us that, yes, we need more trained mechanics.

Sure, we know we need more trained mechanics. The amount of trains that are breaking down on the road every day is absolutely unbelievable, because we don't have the parts and because it's not been properly supervised. I am going to say that, bear in mind that we have a problem that needs to be addressed and we better address it soon.

But again I'll go back and say we are here ready, willing and able to make our contribution and we will, and I hope that we can find a solution before the end of this conference and that, by learning from your expertise, that we will benefit.

I want to thank you very much for your patience. Good to see you all. Thank you.

SENATOR MITCHELL: Thank you very much, John Lawe. We very much appreciate the help that you have provided our committee through the years.

One reason we don't have questions and answers during these plenary sessions is the fact that, as some of you know from past experience with us, we break up into small workshops of 20 to 30 people, individual workshops where the same people will attend at each time after each plenary session.

Our next speaker is Chief Angus MacLean. He's the Director of Security for the Washington Metropolitan Area Transit Authority. He's a graduate of the University of Maryland.

He's a member of the International Association of Chiefs of Police. He's had 35 years of worldwide experience in police work, and I can only say that from personal experience I know that he has had a great hand in making the Washington Metro—with the newer or newest type of equipment and stations that they have there—making it one of the safest that there is at the time.

I give you now Chief MacLean.

CHIEF ANGUS B. MacLEAN: Good morning, ladies and gentlemen. I would like to thank, first, Senator Caemmerer, Senator Mitchell and your wonderful staff for giving us permission to be here and talk a little bit about Washington and what we've done.

Now, to set the stage a little bit, can I see the hands of you ladies and gentlemen who have been aboard our trains and bus system in Washington, D.C.?

(There was a show of hands.)

Well, you don't need me really here to talk then. I want to present a little bit of the positive side. Certainly we have crime. We sure do have crime in Washington.

We have a Tri-state Region centered on the District of Columbia, Maryland and Virginia. We support about two million people in that region. We have 1,800 buses. We have 1,600 on the road in the rush hour, about 400,000 passengers a day. We have 38 rail stations, surface and sub-surface, and 35 miles of track. Now, that's about 320,000 passengers daily.

Now, that's about a half million dollars revenue per day and that's about 55 percent of what it costs to run the system. The rest has to come from subsidy.

Our Metro Transit Police force totals 1,191 sworn officers, 60 guards, 30 support personnel so that gives you just about a total of 1,281 people. The subject is that we're supposed to talk about right in this period, what is the nature of the mass transit crime, and I'm going to add two words, in Washington.

My report is just going to sort of summarize the last four and a half years as to what's happened down there. Our philosophy is, and always will be, one crime is ten too many and we certainly have crime. It's not as sensational as it is in New York, maybe not in Chicago, Los Angeles, but any one person that's a victim, they don't care to hear this business, we don't have much crime. Any crime is too much crime and that's the way we look at it.

So my report is going to be basically, we've been moderately successful in keeping crime suppressed. So far now, this is a heck of a thing to have to say, moderately successful. We've only had three murders on the buses in the last four and a half years. Well, maybe compared to New York that's not an awful lot, but to us it's just unthinkable.

We don't have an awful lot of rapes that are reported, but in the past four and a half years we've had three rapes of female bus operators and two other rapes in our parking lots in the rail stations, and again it's not great but if you're the victim or the victim's family, it sure is great.

Crimes against property were low up until about a year ago, and they're picking up. Burglaries have skyrocketed. Why? We have a nice target. We have the fare vending machine and within that machine is never less than \$2,000. With a

crowbar and a sledgehammer and a torch, an alarm that doesn't work all the time, there you are. What do you expect? Just exactly what we get.

Vandalism last year, railroad-bus cost us approximately \$150,000. It's just \$150,000 to be paid in salary, given better transportation, cleaner transportation, just a waste, a clean waste, but again I think we have kept the system moderately safe, not as safe as we want it, and don't ever you think that we're satisfied with it, not at all.

When we started this system, we started planning the system, this starts about 1969, our authority visited every property that had a mass transit rail system in the United States and in Canada and in Mexico and in Europe and in Japan and in Russia. The basic question was: "If you had to build this system over, what would you do? How would you do it?" We took the recommendations, brought them back, and that's basically what we've built.

Now, just think of the design. You saw it on the slide; those of you that have been there recall it. Each station is about the same. They're uniform, maybe a little bit too uniform from a monotony standpoint, from an architectural standpoint, but from a police and a security standpoint they're very handy because you can look down and see 600 feet straight and nothing to hide, no place to hide. Maybe if you're a little skinny thing, you might get behind one of those vent shafts, but there's not many of them and every one of those stations have or has at least eight closed circuit television cameras. Every mezzanine has a uniformed station attendant.

Johnny mentioned the platform fellows that you used to have up here, and there's got to be, though they're not police officers, it's got to be a helper, somebody has got to be there to help in a hurry. Front line communications, you've seen those telephones with the little star button in the lower left-hand corner. When we press that star button, it's straight right to the command post, override.

If you need emergency call, you get it like that and that's right at the station attendant's kiosk. Loud speakers on each train. You have an emergency, the train stops in the tunnel. What's the normal thing? People get claustrophobia. If there's a little smoke you get panicky very quickly so with the use of that loud speaker, somebody with a little bit of smarts you can keep that panic down. At least so far we've been able to.

Every train car, at the end of it, there's a button push to talk, passenger can push that, talk to train attendant, train operator. Of course, the operator has immediate two-way communication. Thank heaven most of the time in the train we've used that for medical support. You'd be surprised the amount of people that have heart attacks in the area.

We have a coverage of one uniformed transit police officer that covers three stations and the trains that run in between those stations. As far as I'm concerned, that's not enough, but when you take our bodies and divide them up, well, that's all we can afford, but we use the plainclothes transit police detail and we put them selectively where we think the crime is going to be or where there has been selective enforcement.

We use decoys. We have good use of decoys. We have especially two that work very good. One is a blind man, sent to Columbia House for the blind here, in how to use the

white-tipped cane, powdered wig, you know, and the whole thing and we never lose a case, never lose a case.

We have a dummy, has a good watch that doesn't work. Well, now what, what time is it, you know, and, of course, he has a wallet sticking out, little John calls him a gimmick, but it's a gimmick that takes a hoodlum off the street for a while.

Aggressive enforcement: we've been accused by the media some time of being a little too aggressive enforcing the laws against smoking and eating and spitting and playing radios. Well, the fact of the matter is we don't make an arrest. We warn people, and if they don't heed the warning, then they are going to be arrested and they are going to be taken to the closest judicial officer, and what happens usually, it depends on the judicial officer. We operate in three major jurisdictions.

One of the major jurisdictions is very, very strict. One is very loose and one is in-between. Again, that's up to the voters to correct that.

We utilize five patrol zones and patrol cars that we can get around and check those bargain huts, check the stations, transport prisoners and it's not enough but it's as much as we have. The train composition and, of course in the rush hour, the biggest train we can use is eight cars, the reason being that the station is 600 feet long, the cars are 75 feet each, eight times 75 you'd have to unload in the tunnel, there would be more trains, it will pull them, it won't work. The minimum is two, and we usually cut down to four as soon as 8 o'clock at night comes along to keep the people this close together; safety in numbers.

Everybody, all the transit police officers and just about everybody in the rail system, has a radio. All the uniformed police and fire officers in the jurisdictions are permitted to ride that subway system and the bus system free of charge, the reason being we get extra police protection, no cost except the ride. Many of the local police departments secure passes for their detectives and especially in the downtown areas, it's much faster using the train than it is to use a car to perform the duties so, therefore, we get some extra work out of that.

Concurrent jurisdiction: we don't have any problem about who's responsible. We have primary jurisdiction on the trains. Local authorities have primary jurisdiction on stations in the parking lots. As a matter of fact, though, whoever gets there first takes the case, every jurisdiction that we work in, and we have 29 of them, police jurisdictions. We have a written memorandum of understanding, who does what in the primary case.

Now, in the District of Columbia, in case of suicide, you must use our metropolitan police. That's the law. In Virginia, we must do the investigation and all the follow-up.

So we have very good liaison with our other police agencies and with the other governmental agencies.

We had a very strong anti-vandalism program. We utilized professional athletes going out to talk to kids in the school, play football with them, take them down to the Redskins' training camp and, unfortunately, three weeks ago our prime mover, in that a fellow named Harold MacLendon was struck by a car and he's barely hanging onto life right now, so we're going to come up with more athletes and continue

that program. It's been a big help getting the kids, I won't say on our side but at least they're not against us.

We get excellent public support, very good. I've never had a better bunch of people to work for than our passengers.

We utilize silent alarms on our buses. It's a discreet touch which comes in and we can get a police car there within a matter of minutes because we know where the bus is in the computer. We have a budget type alarm, toggle switch, that's used for noisy kids and disorderly drunks and so forth, but the toggle, the lights flash around the top, the first police car that sees it stops the bus and takes over.

Now, what I've been talking about is the last four and a half years. It has been moderately successful, but I'm really concerned about the future. If you had a chance to read the report on transit crime here that's in your handout, it sure sums it up, and that's what worries me. What's going to happen there in the future? We're the new kid in the block. We've been able to keep it up and I'll tell you why.

When we started that first five stations and first five miles of track, we put 100 police officers in that place. We were saturated with uniformed and plainclothes policemen. The first pickpocket there, the victim was an Assistant United States Attorney, and the two detectives down there almost had a fist fight over who was going to book the first pickpocket.

But that's the way it went. The perception, the perception of safety was there then and it's still there and unfortunately, we're now operating on 38 stations and 1,800 buses. We went from 130; we're at a fixed strength of 190 now. We're stretched, we're stretched thin. There's only one reason, and you heard John Lawe talk about it, budget.

This year my authority is 12 million dollars short right now. We don't know where it's going to come from. We have the bills and don't have the money to pay for them.

Now, I'd just like to sum up. I certainly agree, we're going to have to have safe mass transit systems, and it can be done. We've proved it can be done. We didn't have the problem, of course, that New York did because we're the new kid. We had all the benefit that New York and every other transit system had, but I know it can be done here if, and only if, the bullet is really grabbed.

We have to put the funding, the transit police support, the metro police support, maybe the National Guard support. But after that what happens to the hoodlums? The correction systems haven't worked. We haven't cured too many hoodlums by putting them in jail. Maybe we should go back to the old style where we just put them away and leave them away. Get done with this parole, get rid of this crazy revolving door justice, murderers out on the road on personal recognizance, and we had some robbers down there, we know them by their first name, take them in and they beat us out on the paperwork.

I don't believe, as Americans, we want to see a police officer on every mezzanine and every car. I certainly don't and I don't think most people do, but we certainly have the right to demand safety of our own selves and our families, our loved ones, and any other person in this great country of ours.

I know we can do it. People have talked about it. We've been talking about it. There's been studies here about transit

security that will fill this ballroom, and I think now is the time to act, and I'm sure with the assembly that we have here, we can at least come up with some ideas on how to do it. And I want to thank you very much for listening.

SENATOR MITCHELL: Thank you very much, Chief MacLean.

Geographically speaking, the largest transportation union in this country and Canada is the Amalgamated Transit Union, and I feel that it is quite fitting and appropriate that we now have some words on this very important problem of what the mass transit crime situation is from Mr. Walter Bierwagen.

He's the International Vice-President of the Amalgamated Transit Union and I give you now Mr. Bierwagen.

MR. WALTER J. BIERWAGEN: Thank you, and good morning. Thank you for permitting the ATU point of view to be expressed here at this National Conference on Mass Transit Crime and Vandalism.

I'm here at the direction of the International President of the Amalgamated Transit Union, Dan V. Maroney. Mr. Maroney asked that I express his greetings and best wishes for a successful and productive conference. He also extends his regrets that the duties of his presidency at the moment do not permit him to come here to attend this very important conference, not only to you but to our members.

We also want to express the greetings of our other officers, my own fellow vice-president George Link is here in the audience, as well as all of the 160,000 members of the Amalgamated Transit Union in the United States and Canada.

We also want to say thank you to the New York State Senate Committee on Transportation for their sponsorship and forward look of this long needed conference on mass transit crime, and to all of the others who have had a role in formulating this program. Such a public expression of concern and interest by public officials and public bodies can have a salutary effect on the morale of the most likely victims of transit crimes against persons: the bus driver, the motorman, the conductor and the transit system users; and it can help to focus public attention and public support for the need to stop this ongoing serious and oftentimes fatal incidents for the need for solving these very serious, sometimes fatal incidents of crime in our mass transit systems.

As union members, as employees, and as fellow citizens, we also have a concern about the crimes against transit property, such as vandalism and petty theft—which are siphoning millions of dollars away from the productive task of improving service, and instead using those funds for the wasteful task of repairing and cleaning up the ravages of these forms of transit crime.

I'm not a criminologist. I'm a bus driver, here working out of classification. If I have any experience in this field, it is in the field of being a victim. I know the sudden feeling of helplessness that comes over a bus driver when a group of hoodlums unexpectedly attack you while you are seated, defenseless—boxed in by the steering wheel and a farebox.

I can understand the sudden fright of a passenger who is subjected to an armed robbery or, worse yet, other physical attacks. It is not difficult for any union officer who takes seriously his or her responsibility for the job site welfare of

their union members to comprehend the mental and physical anguish of a female bus driver who is subjected to felonious attack.

Many of the robberies and physical attacks of bus drivers were eliminated after 1968 but only after bus drivers nationwide were subjected to a tidal wave of such assaults and attacks. In Washington, D.C. alone, almost 400 aggravated assaults took place in a 12-month period culminated by the shooting death of a bus driver.

Our people, in protest, went out on a limited strike for 17 nights in support of our demand that the money bait be removed from the transit vehicle. We thus invented the exact fare plan which swept the country in the next year or two and continues to be in general effect today.

Robberies were all but eliminated, but for some time thereafter the criminal element turned to subjecting bus drivers to unprovoked physical attacks perhaps as an expression of frustration over the fact that the "quick take" of a bus driver's change carrier was no longer available to them or because the uniformed but defenseless driver was an easily available symbol of the resented authority or maybe because the assailant resented the fact that the bus driver had a job and he did not. Such incidents are not infrequent today.

A new form of robbery appears to be a growing trend: robbery of passengers. Recently such a robbery took place in Washington, right in front of the precinct station house. All of the passengers were robbed of their valuables while a pistol was held at the head of the bus driver. Similarly, other such incidents have taken place on intercity buses while traveling on darkened but still well-traveled interstates and parkways.

The variety of transit crimes committed are of the same nature as those committed on the streets. It appears to be that one way of eliminating this burden from our transit systems is to attack these serious types of crimes one at a time, trying to isolate each category of criminal. But, enough of amateur criminology on my part.

For our union, there are some policy truisms that are and should be expressed here.

It is not our intention to even consider having the bus driver, motorman, conductor or station attendant perform police duties. We're not trained for that purpose. We have duties that leave us exposed to retaliation. We insist that the police duties be performed by trained, qualified, properly equipped police forces, employed in sufficient numbers to deter crime if by no other way than by their visual presence and activity.

Many crimes can be eliminated by taking innovative initiatives such as we did in 1968 through the adoption of the exact fare system.

It has been the view of the Amalgamated Transit Union that a prepaid, no-fare system would have a salutary effect on many aspects of transit goals, including the reduction of transit crimes, and the nation's need to conserve energy. It would eliminate the money bait completely. It would reduce the cost of operations by eliminating the fare collection system. It would enhance ridership, and general use of mass transit. It would reduce dependency on the private auto and substantially reduce the use of imported oil.

Such a recourse—short of such a recourse, this nation

should take a look at innovations being tested in many cities in Europe, principally the honor system which also looks to eliminating the bus driver from the fare collecting system. Such devices have been in use in Europe, and the idea is spreading, with new techniques being studied and tested. Basically such systems provide for fare distribution—fare ticket distribution by mechanical or some other nondriver source, mechanical ticket validation at boarding point, and spot checking by fare inspectors. Failure to have a properly validated ticket subjects the offending passenger to a severe fine or penalty.

Significant, permanent reduction of transit crime is likely to come as a result of basic system change. No-fare systems

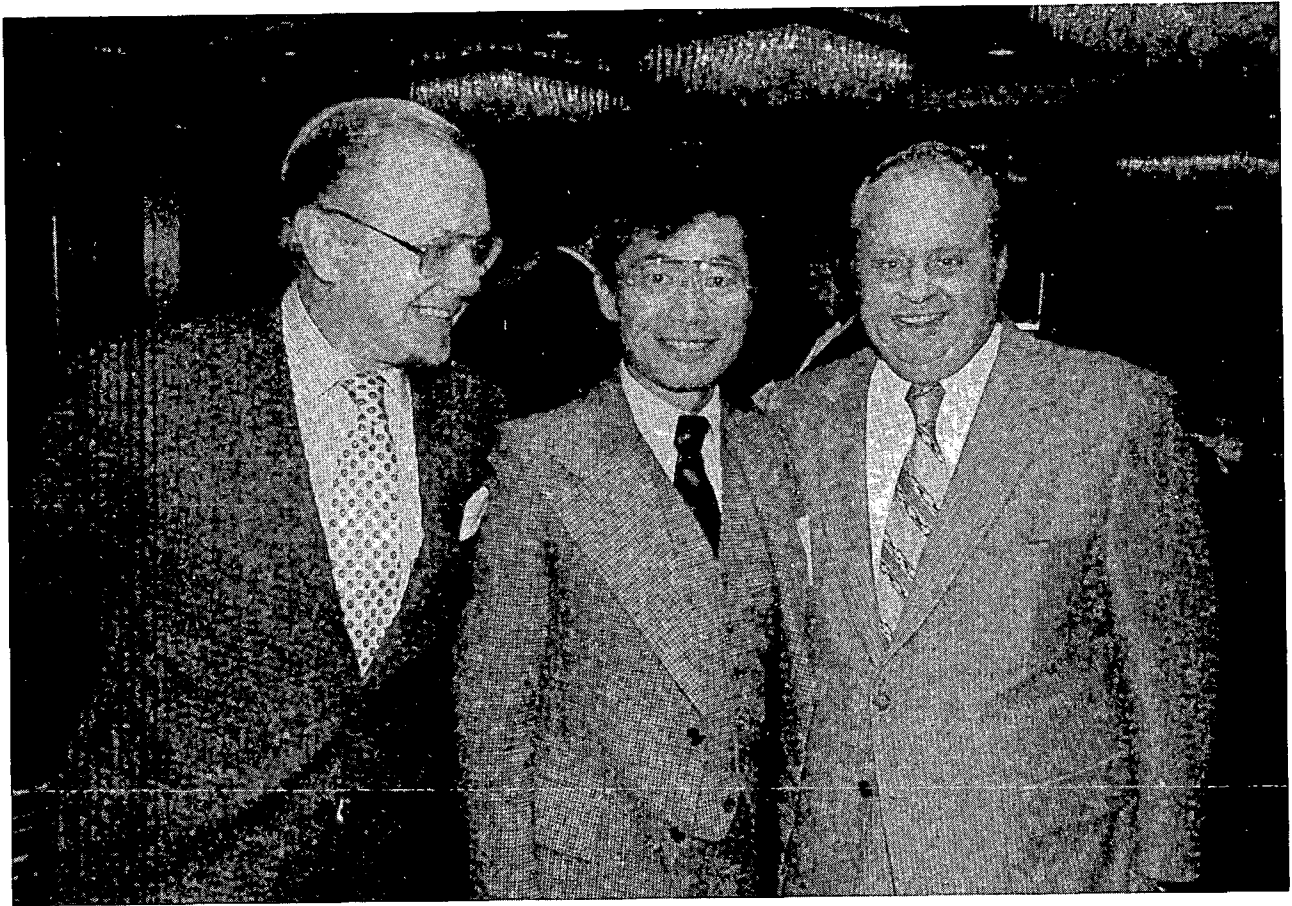
and the honor systems are the kinds of changes that need to be carefully looked at and tested for the possible impact on mass transit crime.

There are other innovative ideas that I'm sure are just awaiting discovery by groups such as these here in attendance today. The ATU, and I am sure that other transit unions in the transit industry will cooperate with responsible—any responsible agency, and with our employers in constructive efforts to resolve and eliminate the crime problem on our mass transit systems.

And I thank you for listening.

SENATOR MITCHELL: Thank you very much.

Luncheon Proceedings



Prior to delivering his address at the Luncheon on Tuesday, October 21, 1980, Mr. George Takei from the Southern California Rapid Transit District (center) shared a pleasant moment with C. Carroll Carter from MASS TRANSIT magazine (left) and Sen. John D. Caemmerer, Chairman, New York State Senate Transportation Committee (right).

Tuesday, October 21, 1980

LUNCHEON PROCEEDINGS

SENATOR MITCHELL: Ladies and gentlemen, may I have your attention just for one minute, please. Want to welcome you to the luncheon.

Senator Caemmerer will be here shortly to introduce our distinguished speaker.

One other thing, inadvertently there was no mention made earlier of the particular fact that this particular conference is being sponsored with the aid of a full grant from the Urban Mass Transit Administration of the Department of Transportation in Washington. I want to give full credit to them, and Marvin Futrell is right here, who is in the Office of Transportation Management, and he has been a tower of strength for us.

So let's all of us realize that it would not have been possible without that particular contribution.

SENATOR CAEMMERER: Good afternoon, again, ladies and gentlemen. I hope you've all had your lunch and enjoyed it. I'd like to introduce the people sitting at the dais so you'll know who they are.

First on my far left, a member of my committee and a State Senator of New York, Senator Carol Berman.

Sitting next to Carol is a gentleman I've known for 30-odd years. We were classmates in college in the class of January, 1949, at the University of Notre Dame, and he went on to honest work while I went into politics, but he is the publisher of the MASS TRANSIT magazine, one of the great magazines representing our industry in this country: C. Carroll Carter.

Next to him, a gentleman you heard from this morning, Mr. James Burgess, Director of Public Safety of the Southern California Rapid Transit District.

Our Project Director and tough task master, Senator MacNeil Mitchell, from New York State.

On my far right another member of my committee and the New York State Senate, Senator Owen Johnson from Suffolk County.

Next to him is a gentleman you also heard from this morning, the Director of Security for the Washington Metropolitan Transit Authority, Chief Angus MacLean.

Sitting next to him that man with that great New York City accent, in the great tradition of great union leaders in that fine union who you may remember Mr. Michael Quill, an inimitable person in this great City of ours, for many years. But the president of the Transport Workers Union of New York City, Mr. John Lawe.

And sitting next to John is the International Vice-President of the Amalgamated Transit Union, Mr. Walter J. Bierwagen.

I'm delighted to have the opportunity to introduce our next speaker.

I had the great good fortune to meet him quite a few years ago when he took time out to come and testify before another conference that we had here in New York City on one of the great public safety tragedies we deal with in our country, and that's the problem with drinking and driving.

But I got to know him as a very sincere person involved in all things affecting transportation in this great nation of ours.

He's been deeply involved in public transit since 1973, when he started service on the Southern California Rapid Transit District board. He has served as vice-president of that board and just finished a two-year term as the Vice-President of Human Resources Development of the American Public Transportation Association.

In that position, he traveled the country to help promote public transportation as a career and to try and bring to entry as many bright young people as possible, because certainly we need them in this great industry that we're all involved in.

Most of you know him, or those of you who are old enough, know him as Lt. Sulu on the popular, very popular TV show STAR TREK.

But I'm very delighted to introduce to you Mr. George Takei who came all the way here from Southern California to share a few words with us this afternoon. George Takei.

MR. GEORGE TAKEI: Thank you very much, Senator, for that nice introduction. It's always a pleasure to be here in New York City. I consider this the city where my soul resides and occasionally it's good to be back here and put the body and soul together.

When I was first appointed to the Southern California Rapid Transit District board by Mayor Bradley, people would always come up and ask the question, "Why an actor on the public transit district board of directors?" And particularly because Mayor Bradley has a reputation for appointing people who have some background in history in whatever charge that he gives to his appointees.

Well, Mayor Bradley takes no end of delight in saying, and particularly at luncheons and dinners like this when he introduces me, that as the helmsman of that public transit vehicle called the U.S.S. Enterprise, I'm a grizzled veteran at public transit and that's why he feels very comfortable in appointing me to the Rapid Transit District board.

However, I'm finding that contemporary transit, as opposed to that futuristic STAR TREK transit is very, very complex, quite different. While we were flying through the galaxies, we could plot a new course without having to file an environmental impact report or call public hearings, nor have to consider 13-C ramifications. So it was a very, very simple, clean kind of transit that I was involved in and, of course, one of the complexities of providing public transportation today is the issue that this conference is addressing, a very crucially important one, because when we ask the public to board our buses or subway vehicles, we are assuming minimally the responsibility of transporting these people from where they're beginning and taking them to their destination in safety. It's part and parcel of the service. Safety and security is part and parcel of the service that we offer.

We're failing at that in many respects, and the failure is accelerating in many respects. This morning we saw a graphic presentation of the crime and violence and graffiti that we have on our public transit vehicles, and we heard

from our various experts of the nature and the increasing number of those situations and some of the phenomenon such as the stage coach robberies that we're experiencing in Los Angeles, and we've had some hijackings of buses as well.

So it is a very crucially important issue that we face today and the next three days at this conference. However, I think it's important that we keep this issue in context, that we see it in a societal framework. We're involved in public transit, and so we're very concerned about it, and we get whipped by the media and so we're very self-conscious about the problem, but this problem permeates throughout our society.

The rapes and the violences and the mugging and the assaults that happen on our buses are happening in larger numbers on the streets of our cities. Burglaries in our homes, our schools, in fact there was a network television program recently, an hour show that examined the accelerating alarming rate of violence in our schools, and how education is paralyzed because of this issue. So it's a problem that permeates the whole of our society.

Of course, there's cold comfort in our knowing that we live in a societal situation here. We have to deal with the problem as it manifests itself in our area and we are responding to it, and I'd like to share some of the responses that we are coming up with in Southern California.

As the incidences and the nature of the crimes and violence perpetrated in our system increased, we had to seriously consider allocating more funds for this area. It was, on our policymaking board, a very hotly debated issue. How much of our scarce, hard to gather public transit funding are we going to allocate for ensuring safety?

A few years ago we upgraded our security agents to another status. We improved the peace officers training program and now they are able to make arrests, carry weapons and last year, we designated that special agent's department as a transit police department. So we've upgraded our security area in that respect.

The safety and security of our bus drivers became a very, very alarming issue recently, and job action was threatened in Southern California, and so this was another very distressing problem that we had to confront and our response, I must say, is a stopgap one, but it is an action that we did take and I think we need to share with you, and that's to approve the carrying of CN gas, mace, by our operators.

I know that this is injecting, introducing, another new element in the complex security situation that we have here, and this is on a voluntary basis. It's not mandatory. The training for the use of this device is at the volition of the individual operators, and the cost of that is paid by the individual operators, but they are reimbursed for the cost of the training and for the purchase of the device by the District.

It has legal and liability ramifications, so it's something that we did after giving considerable thought to it, but these are some of the responses that SCRTD has come up with. But because this is a societal problem, we can't be the only ones working in this arena. It's got to be a partnership with all of the other various agencies and sectors and institutions in society.

We make it a very big point to emphasize that all these programs on the part of the Southern California Rapid Transit District are to assist the police department, the Los Angeles Police Department and the Los Angeles County Sheriffs Department. We are there to buttress their program.

We've extended liaison with our judicial area to make sure that the offenders are not placed in revolving doors and that the efforts being made by our transit security people or the transit police people as well as the police department and the County Sheriffs Department is not for nought.

We've got an extensive outreach program with the community because that's an important partner in this battle that we have. We've secured the assistance of athletic heroes to talk with youngsters. We've launched a program called "We Tip." Where crime prevention concerns people, they participate in a program of providing our transit security police people with information that will improve our apprehension and conviction rate.

That's a very important point to make to a society, to let them know that people who are apprehended are going to be convicted and will have meted out to them the appropriate punishment.

We have concerned community groups that we interface with to get their participation in creating a climate of concern about the crime situation in public transportation.

But it seems to me one of the key agencies or institutions that we've got to involve in this is the media. They're the ones that help us connect with the larger community. They're the ones that color and shape the nature of that communication so we need to have a media that informs the community on transit crime and violence stories in the context of the entire society.

Certainly a shooting on a bus is very dramatic and it's something that we should be concerned about and the media people will respond that it is happening and we have the responsibility to report that, but there are shootings happening throughout our cities that are not played up in this context. I think we need to have the media people to get a sense of responsibility and context in the reporting of crime and violence on our transit vehicles.

We need to have them understand the kinds of efforts being made by the transit agencies in dealing with them, and we need to have them understand that public transit is a critically important keystone in society and that the way they treat problems in public transit can be either enhancing of society, or they can contribute to an erosion of the situation that we have.

We need to have the confidence of the public in considering public transportation an alternative to their transportation needs. When one of our crucial national concerns is energy conservation, we need to have public transit as a viable alternative for people to consider. When Los Angeles, just two weeks ago, survived probably the worst siege of smog in a decade we need to have people consider public transportation as a viable alternative to the use of their automobiles that contribute significantly to the smog situation in Los Angeles.

We need to keep public transportation as a meaningful option for people to have available to them. If they perceive

public transit as something dangerous, something fearful, something that they would not put their wives and daughters on, then it's making a profound impact on our national goals and our environmental goals, and the President needs to be aware of that important contribution that public transit is making to this whole matrix of our society.

We need to have public transit—the media needs to be a key partner in our struggle with the crime and violence problem. We need to have them aware of the solutions that we're coming up with, but we need to have them aware of public transit in its place in the whole make-up of society, and I'm very grateful for the fact that the New York Senate Committee on Transportation is providing this kind of forum. I noticed during the workshop session that we have many people from the media attending. I welcome their participation and their contribution to this, and I hope that they will carry the message out beyond this conference because we transit people are here struggling with it, but our efforts have got to be multiplied.

The problem has been defined many times at many conferences, and there have been many solutions proposed and outlined in papers, in conferences, in various situations. I would consider this conference this week here successful if we act on the various solutions that we know are available.

We've defined and redefined the problem. We've offered solutions, and the important thing now is for us to start attacking those problems, for us to start taking action, and this conference would be—could be considered successful when that starts to happen, and I look forward to the ripple effects from this conference being positive, and certainly, if its ripple effect is positive, it's going to be a profound one on our society and certainly an important one with our efforts for improving public transportation.

My thanks to Senator Caemmerer and Senator Mitchell for their leadership in bringing this together, and I look forward to a very successful conclusion to this conference.

Thank you very much.

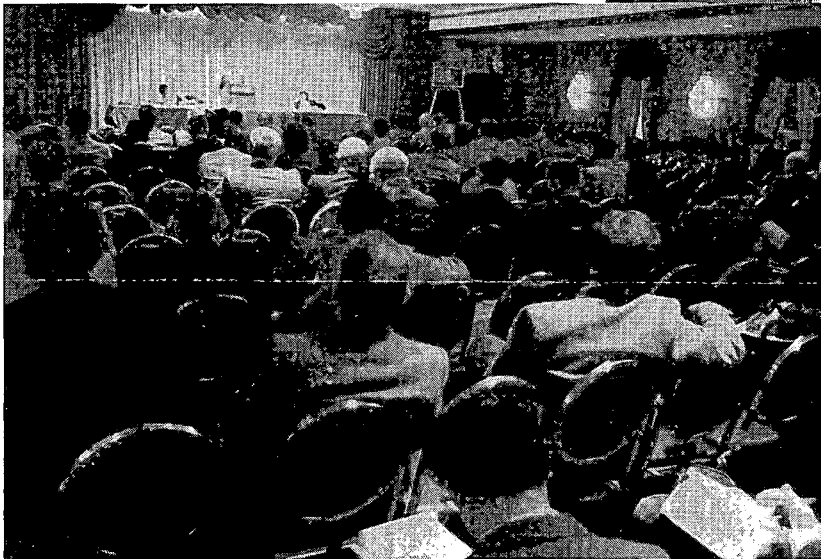
SENATOR CAEMMERER: Thank you, George, very much. We appreciate those fine words.

I'd like to pay recognition again to the Urban Mass Transportation Administration, who have provided funding for this conference. We want to keep thanking them for that, because that funding is critical. We hope it's multiplied many, many, many times with some of the suggestions that have come out of this conference.

Thank you.

Requirements for Security and Safety On Mass Transit Systems

The Conference, sponsored under a grant supplied by the Urban Mass Transportation Administration, was attended by over 150 officials from throughout the United States and Canada.



*Plenary Session II
Tuesday, October 21, 1980*

REQUIREMENTS FOR SECURITY AND SAFETY ON MASS TRANSIT SYSTEMS

SENATOR MITCHELL: The hour of 2:15 having arrived, this plenary session number two is hereby convened.

Senator Caemmerer is unavoidably detained. He will be here, however, to welcome Mayor Koch and the speakers this evening.

We hope you've enjoyed and gathered some useful information thus far from the sessions this morning and the luncheon. This afternoon, we're on a slightly different subject to be followed by the workshops, and we have three very important speakers on the requirements for security and safety on mass transit.

The first speaker is a transplanted Englishman who was born in England but for most of his life he served in Canada, our good neighbor to the north. We're happy to know that there are attendees here from a number of the Canadian transportation authorities and cities, notably Toronto, Montreal, and as far west as Calgary. I'm told that in Calgary, they are just beginning to feel the influx of the crime wave in mass transit, but I think that everybody can gain something from what we have this afternoon.

Mr. Jack Townsend has served for 34 years in the Toronto Transit Commission. He worked his way up and has been through all facets of the activities of that Commission. I think that he can give us some very helpful illumination on what is transpiring there and what he feels are the necessities for safety and security. And without further ado I give you Mr. Jack Townsend, Director of Security for the Toronto Transit Commission.

MR. JOHN W. TOWNSEND: Thanks very much, Senator Mitchell. Good afternoon, ladies and gentlemen. As the designated spokesman for the Toronto Transit Commission, I consider it an honor and a privilege to have the opportunity to share with you some of our thoughts and experiences with respect to the elements of safe mass transit.

Before proceeding, it may be appropriate to provide a brief overview of our system so that any figures or statistics which are stated later can be assessed relative to the size of our operation.

The Toronto Transit Commission provides public transportation for metropolitan Toronto, which has a population of two and a quarter million and an area of 240 square miles. The average weekday ridership of the system is approximately 1.2 million. During 1980 we expect to carry 360 million passengers.

Our subway is 31 miles in length and has 57 stations, serviced by a fleet of 618 subway cars. There are 123 surface routes with a total length of 700 miles. These are serviced by 1,230 buses, 150 trolley coaches and 360 street cars. Street cars are light rail vehicles, to the younger members of our audience probably.

Although a large percentage of the total population use our services and we must, therefore, accept the fact that some of the problems present in the community are likely to appear in the system, it is reassuring to note that less than one

percent of Metro Toronto criminal activities occur on the transit system.

Our challenge is to continue to provide a real and perceived environment which will serve as a strong deterrent to the small percentage of our customers who are unwilling to respect the rights of others.

In our attempt to provide this environment, we must recognize that, although we identify some individual elements which appear significant, it is essential that we do not lose sight of a basic truth; that is, there is no single element which can, by itself, satisfy the need to provide a safe and secure transit system.

The steering committee who worked so effectively in providing guidance for this conference has identified some basic requirements for security and safety under the following headings: Design and architecture, policing strategy and citizen and media involvement.

Before sharing with you some of Toronto's experiences, I must emphasize that our approach is site-specific and while we have enjoyed a measure of success, the total package is not necessarily the answer for other transit properties.

First, design and architecture: although we can not claim that the design of the original four and a half miles of Toronto subway which opened in 1954 fully anticipated the level of criminal activities which now exist in the community, it was nevertheless built with concern for safety and easy maintenance which were inherently resistant to most forms of vandalism.

It was also recognized that a high level of lighting backed up by an adequate emergency lighting system was essential. The basic concepts of good lighting, the use of vandal-resistant material and a high standard of cleanliness has been retained over the years. The new subway stations are designed with the specific objective of eliminating alcoves and other locations which might cause security problems.

We have also retrofitted the older stations by blocking up telephone alcoves and selling them for other uses. Closed circuit television stations monitored by the collector or in your property by the attendant, is now provided at all unattended entrances throughout the system. The provision of public telephones at platform level and strategically placed mirrors at blind corners are further security features of the subway station.

In 1976, a passenger assistance alarm was added to the subway cars. This system consists of one inch by seven foot long pressure-sensitive strips located above the car window. The strip is designed to indicate that it is to be used to obtain assistance in the event of illness, accident, fire, vandalism, or a security incident.

There is also a warning that improper use could lead to fine or imprisonment. When the alarm is activated, it simultaneously produces an audible alarm in the car in which it is pressed, a light in the exterior of that car and an audible alarm in both the operators' and guards' cabins.

If the alarm is sounded while the train is in a station, it is investigated immediately. If the alarm is received after the train leaves the station, the motorman immediately contacts the transit control center and continues to the next station. Transit control uses the hot line to the Metro police and also dispatches the EC supervisory and security personnel to the scene.

On arrival at the next station, the guard exits via the staff door leaving the balance of the train doors closed. He proceeds to the car displaying the exterior light, makes a quick assessment of the situation and signals the motorman if the doors are to be opened.

This is an operating procedure which received the greatest amount of consideration before it was adopted because there was concern that the few seconds delay in opening the doors might cause a problem to escalate. However, with an average response time of the Metro police of less than four minutes, and with the experience of over 1,000 usages without any adverse effects, we feel that the public has confidence in the system and the probability of apprehension represents a strong deterrent to criminal behavior.

Although the system was installed primarily for security purposes, it is gratifying to note that more than half the use is for illness or accidents. In addition to the alarm, mirrors to provide the motorman and guard with an excellent view of the cabs or cars rather, in which they are operating, were also introduced four years ago. During late hours and reduced ridership, female passengers are encouraged to ride in either the motorman or guards' cars where the mirrors are considered an effective deterrent to any would be offenders.

For the benefit of 113 people in the audience, that's the guards' cars, not the guards' cab.

Our surface leg is not yet fully equipped with two-way voice communications but all vehicles have a driver's distress alarm system that can be activated by the operator from either his driving position or by using a stop cord if he leaves his seat to investigate. A microswitch in the seat cushion automatically transfers the alarm facility to the pull cord when the driver's seat is vacated. Once activated, the horn sounds and the four-way flashers are energized.

This rather basic system which is dependent on the police to call the police or a path in the police car, has proved extremely effective not only in defusing problem situations but has resulted in an 80 percent apprehension rate when used.

Concern for the safety of our passengers also extends to such basic items as the location of bus stops. For example, stop locations are selected adjacent to street lighting.

In addition to this basic surface alarm system, approximately 100 of our buses are now equipped with a communications information system which we call CIS. This contains some significant security features including two-way voice communication, silent alarm and discreet remote monitoring, since the CIS system also provides continuous tracking of vehicle locations and is accurate within 100 feet, reliable in dispatching help as soon as possible and has proved effective.

More vehicles are now being equipped in the next phase of this project and ultimately it is hoped that the complete surface fleet will have the facility.

Policing strategy is the second basic requirement identified by the steering committee. The policing strategy in Toronto is very simple. Our local Metropolitan Toronto Police serve exactly the same 240 square miles that we do, and they are responsible for law enforcement in the community, including our transit system.

We are extremely fortunate not only for the exceptionally high caliber of the police force but also for their total commitment to ensuring the safety and security of our passengers. All police patrols whose areas include subway stations, conduct routine visits and arrive on the system as part of their tour of duty. The extent of this visible presence is strongly influenced by the statistical data which is maintained by both the police and our own safety and security department.

A computerized security statistics program covering all criminal activities on the system was introduced in 1976. This permits us to effectively monitor trends by type of activity, time, location, et cetera, and we are in daily contact with the police at the divisional level and, in addition, the TPC Superintendent of Security and I meet quarterly with the Metro Police Deputy Chief of Operations for older vehicles in transit.

Although the visible presence of the blue uniform is considered essential, close monitoring security occurrences permits quick reactions to developing problems and there have been a number of occasions where special squads of plainclothes police officers have been formed to deal with specific situations.

In addition to the resources of the Metro Police force, which numbers over 5,500 officers, the TPC has its own small security force who are essentially supplied to maintain the conditions by law. This, by law, covers such activities as illegal entry, loitering, smoking on vehicles, tampering with commission property and the playing of radio and portable recorders.

Our people are on duty in the subway during all operating hours and last year they issued 937 warnings and 169 charges for by-law offenses. Investigators are in plainclothes and are not armed. They are dispatched to all reported security incidents and they are first on the scene. Their role is to ensure the safety of our passengers and to try and contain the situation until the Metro Police arrive.

Further activity which supports the policing strategy is the continuing dialogue between union and management to ensure that all operating personnel are instructed in the skill of dealing with difficult situations. Early this year a four-hour passenger relations program was presented to all operators at one of our six operating divisions.

Although it is much too early to draw any firm conclusions, it is interesting to note that during a year where an increase in the number of assaults on our operators is occurring, the only division recording a decrease for the year to date is the one where the operators have participated in the passenger relations program.

Citizen and media involvement is the third and final element of a safe transit system which I'd like to review. In Toronto, there is continuing evidence that not only are the overwhelming majority of our passengers law-abiding, but they also have considerable pride of ownership. In order to encourage the continuing involvement of our riders, we have a

reward system which provides for payment of \$100 for information leading to the arrest and conviction of anyone committing vandalism.

Last year we paid out \$1,200 to the public and employees who provided this type of information.

Through letters to the editors of the local newspapers, visitors to our city often compliment us on the cleanliness of the system and this undoubtedly helps to enhance public pride. We also feel good but not smug about these comments. In addition to publishing letters to the editor, the local media including newspapers, radio and television are generally supportive of our efforts to provide a safe and secure transit system. Occasionally, an incident will be subject to some initial reports which tend to magnify it seriously, particularly if we are unable to supply details while the investigation is in progress.

To minimize this type of situation, we maintain an open policy of providing all information which can be substantiated. We're also convinced that it is important to instill this pride of ownership at the earliest possible age level. For the past six years, the Commission has conducted a student transit program, a total of 700 schools have been visited and almost a quarter of a million students from kindergarten through grade 6 have received instruction on the safe use of the Commission's vehicles and facilities.

An important element of this training program is identifying that the children and their parents are the real owners of the transit system. It is our hope and belief that this program helps to promote a positive attitude toward a teaching scene which will, we hope, in most cases continue through adolescence into adulthood.

Some years ago, it was recognized that the many shopping plazas in the Metro Toronto area represented an opportunity for us to meet our passengers and their families in an atmosphere which would permit us not only to inform them of the commission safety and security programs but also to listen to their comments and concerns. There is considerable evidence that this type of interaction between representatives of our transportation, marketing, community relations and safety security departments promotes greater understanding, and further enhances the sense of public ownership.

What is now a regular feature of the shopping plaza activities began about five years ago when the commission created Barney Beaver. Barney began as a cartoon character identified with the student transit program. In more recent years, Barney came to life as a six-foot beaver.

MR. DOMINIC BANAZZO: Come on Barney, get in here.

MR. TOWNSEND: Our problem with this furry creature—he's in good hands. Barney is supposed to be a six-foot beaver, but today he's six-foot-three because of the stuffing we've got in him. Yeah, I know you're trying to tell the people that "Barney Beaver loves safety and New York City."

Joe Heaney, our Superintendent of Security in Toronto, is wearing our Barney Beaver costume today. He really isn't the regular Barney. We have a couple of inspectors from our training center who go out almost every week to talk to school children about safety and vandalism.

Thanks very much for your attention.

SENATOR MITCHELL: Although it's emblazoned throughout most of our publicity, I want to recite once again the fact that while the State Senate Committee on Transportation under the able chairmanship of Senator John Caemmerer is the instigator and activator of this conference, the funding does come from the Department of Transportation in Washington, Urban Mass Transportation Administration and the Office of Transportation Management. We certainly want to give them credit.

Our next speaker is John B. Schnell. He's the Manager of the American Public Transit Association. He's had an active career in transportation, served in all sorts of facets of that particular association. He's a noted expert on security and has spoken throughout the world on security problems in transit.

He was formerly on the staff of the Institute of Transportation Engineers, and he is a county engineer in Maryland and a township engineer in Upper Marion Township in Pennsylvania. I am very pleased that he, who has served long and been very helpful to us during the planning of this conference, can now regale you with his thoughts on the topic of security in mass transit.

I give you now John Schnell.

MR. JOHN B. SCHNELL: Following on an animal act, I won't attempt any of the regalement which was afforded by Jack Townsend, but we'll do what we can.

I put together something that is not very easily seen, because even my visuals didn't make it, and I'm sure you all won't be able to see it from there, but I have a pyramid and we'll talk to you about this pyramid.

I had thought that we would be able to display it for you on the screen. There will be copies or some copies of the presentation here.

I'm going to talk about nine elements of a secure mass transit system. It is not uncommon after a wave of violent crime in a large city transit system for a local newspaper to decry such violence, to demand immediate action by public officials and in doing so to devote no small amount of copy toward these ends. Articles might advocate the more efficient allocation of manpower, new employment tactics, greater visibility of uniform police or the use of undercover police.

Generally, these articles mount a campaign for one specific action that a city should take which can and often does include the firing of one director of transit security and hiring of another. I must take this opportunity to emphasize that there is no panacea, no single activator procedure can possibly guarantee the eradication of vandalism or crime in any transit system.

In this presentation, I suggest that there are nine essential elements each as important as another, that together enhance the security of the mass transit system. Relative security is achieved through maximizing all of these elements. When I talk of relative security, I mean that it is foolish to think that crime will ever be totally eliminated.

A transit system undoubtedly reflects the society of which it is a part, but as public transportation is hardened as a target; that is, it is made more resistant to crime, then, law breakers will seek out other settings in which to ply their anti-social trade.

For the purpose of illustration, I've depicted these nine elements as a pyramid. The principal advantage of doing so is to show the interdependence of each element and incidentally at lunch, George Takei referred to it as a partnership program, and he was saying the same thing that I am; there is no one thing that will do it all for us.

As any component is undermined, destroyed or becomes shaky, the structure of the entire pyramid is jeopardized, thereby weakening security. While I made reference to nine key ingredients in reference to security, the pyramid consists of ten blocks. I view the center block as the adhesive element, if you will, or glue of the entire program. Let's now discuss each of the pyramid building blocks.

Block number one—I don't have any beavers, but at least I've got a block—is transit management. We'll start with transit management, because it is impossible to achieve security in a system unless management takes the initiative and provides leadership. While transit management sets policy, it must be able to justify its policies to board members, city managers, police chiefs and city council members.

Management has the difficult job of evaluating the needs of all departments within the transit system, establishing priorities and then allocating scarce resources among the departments in such a way that will optimize their use. In doing so, management must decide whether the incremental improvement of a proposed change in say the maintenance department will provide as much for the public as the same amount of money spent in the operation of the security department.

Transit management has the opportunity to create or destroy morale, even in light of funding shortfalls. Existing security personnel, if provided with sufficient incentive, could work to the limits of their capabilities to optimize security. Unfortunately, inept management can easily destroy this esprit de corps, the will to do the best job possible with the resources that are available.

The concept of incentive takes two forms, the first being encouragement and praise for a job well done. On the other hand, there is fear. That is, management sets goals and objectives for its security operation and expects them to be met. It is management's responsibility to establish realistic goals that are attainable given existing personnel, facilities and funding.

Unrealistic goals can only erode morale. A clearly defined chain of command is vital toward the end of meeting goals. Management must provide leadership through example. Bob Johnson, General Manager of PATCO customarily walked from one end to the other of the PATCO train which he rode to work picking up trash and newspapers that thoughtless passengers had left behind. Thus, through example, he emphasized to nonmaintenance employees the importance of a clean rail system.

PATCO incorporated this philosophy into its policy toward graffiti. By expeditiously removing graffiti the same day it was discovered, PATCO made it clear to would-be graffiti artists that their work would not remain in the public's view for long.

Transit management can help simplify or ameliorate the job of its security department through good working relationships with outside bodies. These include but are not limited to local police, school groups, citizen boards and the news

media. For example, coping with, rowdiness aboard buses is greatly facilitated by cooperation with the school board, PTA, principals and teachers.

Finally, transit management has ultimate responsibility for decisions involving the design and construction of new facilities. Whether the project be a new subway system or a simple bus shelter, it is management's job to solicit input from the various departments to help optimize each department's ability to function.

You've heard many stories probably of new transit systems, new facilities being constructed and the security department doesn't know anything about it until after the structure is complete.

The second block is that which I'll call culture. Every community is tied to and shaped by past actions interrelated. These interrelated determining forces can be broadly categorized as geographic, social, political, economic and artistic. Together they are the ingredients of culture.

A city's unique sense of place is either derived from the diversity of those components and their infinite permutations. That is what makes two of our largest cities, New York and Los Angeles, so completely different in appearance from each other.

It also creates differing transportation requirements for each city. It has been my experience, at the risk of overgeneralizing, that the following factors determine the level of transit crime one might find in a given city:

One, size of the city and the transit system, and that has to do with the degree of being anonymous that a hoodlum or individual can have in the system;

Two, integrity and strength of local government and leadership;

Three, homogeneity of the population and the general respect for the law;

Four, economic health and rate of unemployment; and

Five, level of ridership.

A third block refers to local government. Transit management action is inexorably tied to local government for several reasons, financial considerations being paramount. The long decline of mass transit after World War II resulted in the transfer of its responsibilities from the private to the public sector.

Seeing that private operators could not stay in business and continue to lose money, local governments began to subsidize their operations. Thus, our perception of transit has evolved to where it is used simply as another vital municipal service rather than a private profit-making concern.

Federal subsidy programs now provide up to 80 percent of the cost of new rolling stock and facilities. Individual communities are required to produce a 20 percent local share. Since this share cannot possibly be met through farebox revenues, the decision to appropriate the local shares necessarily is a political one falling into the hands of local decision-makers. One continuing debate in transit security circles is whether or not it is desirable to have a separate, sworn transit police force whose responsibility would include passenger protection, internal security and protection of transit system property.

The alternative is to use existing municipal police personnel for all functions except internal security. Both methods have advantages and drawbacks, when each has been used successfully and unsuccessfully in various cities. Let me emphasize that, regardless of the security apparatus employed, there can be no substitute for cooperation with the local police departments through agreements with the systems and constant communication.

I can recall one day in the Philadelphia subway system when I asked Bob King how the emergency assistance alarm located in the cashier's booth worked. It activates a pair of blinker lights above the subway entrance at the police car level.

I went up stairs to observe and spotted a Philadelphia police car with two officers parked directly across from the subway entrance. Nothing happened. Several minutes later I walked over to the car and asked one of the officers what the blinker lights meant. His reply was, "Who are you?" Obviously, it is not a good example of cooperation between the transit system and local police.

Major sporting events, rock concerts and political rallies, especially require cooperation and coordination between transit systems and the various government departments. Failure to do so can only create problems, as evidenced by the tragedy occurring prior to the WHO concert in Cincinnati.

Funny, at transit security meetings, we sometimes discuss this element and everyone gets involved, the ambulance crews, and traffic control outside the stadium, but the transit system people are the last to be invited, and sometimes you have to beat your way in to get into that meeting to help conduct the planning.

Procedures for the selection or election of school board and transit board members are established by local government. Without a desire or incentive on the part of decision-makers to provide first class leadership on these bodies, political patronage will inevitably result.

Purely political hiring and firing of transit officials and staff following local elections can also have a devastating effect on the morale of transit system employees.

Finally, a transit system must feel confident that local government will support it in the event of emergencies. After flooding of the Susquehanna River ravaged the Town of Wilkes-Barre, Pennsylvania, it was necessary for state and local government to make the appropriate administrative changes immediately in order to allow an overnight quadrupling of mass transit facilities and ridership.

Block number four we'll call design and architecture or design for short. Cities electing to build new rail systems have the opportunity to incorporate security considerations into the actual design as well as to enhance the community's image and citizens' pride through aesthetic amenities. The Montreal Metro and Toronto Centro are systems where both ends can be achieved simultaneously, in those cities, with a unique architectural treatment and to decorate each with local works of art.

On the other hand, in the Washington, D.C. subway there is a conspicuous absence of decorative elements and each station had been given an identical monumental treatment. While each city has employed different design criteria, both

have achieved similar ends. The key issue in rapid transit facilities is not security per se, but a passenger's perception of security as well. It is, therefore, important that designers try to optimize perceived security.

Four elements that should receive consideration are: One, graffiti. The presence of graffiti implies weak security. On the Washington Metro, a floating mezzanine, and you saw this concept in this morning's pictures provided for us before the initial session, the floating mezzanine concept is employed whereby it is extremely difficult for passengers to touch, let alone write on the massive barrel-vaulted walls and ceiling.

Two, design. Where possible, long sight lines should be incorporated into station design so that attendants and police are able to see as large an area of the platform as possible. It is important to minimize dark or obscured areas. This element also facilitates the use of closed circuit television equipment.

Visibility enhances perceived security. The paved area of the station should be clearly separated from the free area which should be as clean as possible, and observable from both those entering the station and kiosk attendance.

Three, communications. Station attendants must be able to communicate with police, train operators and other transit system personnel. A public address system is indispensable to every station.

Four, technology. Certainly this is implied in the above three items. Technology is implicit today in the design of stations for closed circuit television surveillance, but it is important that transit systems use proven technology, hardware systems that are reliable under everyday use.

Block number five, citizens' involvement. And since we have to have the glue in here, we'll put that between first. Citizens' involvement can take many forms but its most essential ingredient is the collective concern to either maintain or improve current conditions. It may be encouraged by a high level of civic pride or precipitated by an existing state of crime and corruption that demands change.

As a public facility, a transit system is one of the first concerns where a citizen may become involved. In the past, Philadelphia police have been reluctant to arrest graffiti artists or subway vandals, knowing full well they would be relying on an overcrowded and uncooperative court system. Even crimes of a more serious nature that are committed on the subway do not come to trial.

Clearly, there was a general lack of concern attributable not to any specific group, but collectively to everyone and that's part of the message. We all know our role and why we're here today as citizens, as either transit officials or police officials, but as a role as public citizens, we've got to encourage other public citizens to take an active role as the electorate to demand change.

The City of Toronto has encouraged the idea that the public owns the local transit system, which is really true in any city. Occasional incidents of vandalism have resulted in phone calls by concerned citizens and then appropriate arrests and I'm referring to in the Toronto system where, when somebody sees graffiti or something occurring on the platform, they don't cower in the corner. They pick up the phone and call right then and say, "There's a graffiti artist working," right then and with luck he's arrested. I don't think that's likely to happen in too many other cities.

Creating an atmosphere of citizen involvement takes time. Considerable bus shelter vandalism in Ottawa resulted in OC Transpo's trying a two-pronged approach. First graffiti was removed and bus shelters cleaned on a daily basis. In addition, police distributed calling cards to local property owners and tenants, asking them to call the authority should they observe questionable activity at any shelter.

These individuals were assured they would remain anonymous and OC Transpo would aggressively pursue prosecution of those caught in the act. I was glad to hear Jim Burgess and George Takei in the discussion session this morning refer to the "We Tip" program and if you haven't heard about it, find Jim or George Takei and other SCRTD people, because I think that's something we could all use in our cities.

In New York City the Guardian Angels have received considerable publicity. The media and other outside agencies have sometimes praised them for helping to introduce a measure of pride, respect and security to the transit system. Vigilante activity, however, should not be sanctioned by a transit system as this necessarily entails all manner of liability and legal ramifications.

In some cities rowdy student behavior aboard buses has prompted transit to curtail transit service from a particular school or schools in order to get the attention of school authorities and parents. When service disappears, parents and school officials are forced to realize that a problem exists and to take appropriate action.

Block number six: transit security police. Again, I must emphasize that the key to success of a transit security police force is leadership, morale and training. In many transit systems, internal security is a serious problem. Vigilance is a price of preserving 98 percent of the fares collected. Rules and procedures for fund handling must periodically be evaluated and modified. Certainly an element of fear of apprehension must be placed in the minds of employees, and this must be reinforced through constant supervision and periodic surveillance.

Technology is helpful, but only insofar as the capabilities of those who must use it. For example, closed circuit television surveillance must be monitored by individuals. If they do not know what to look for, if they become bored or pay less attention, then, the technology itself accomplishes nothing. A good example of this has occurred, in many of our systems already. You've got to have people with street sense watching monitors.

If they observe a person on a station platform who does not take the train, then you've got to realize that person is there for another reason. There are a lot of things to look for.

Facility guards are effective only if they conscientiously make the rounds, and this can only be realized with adequate support and supervision. The transit security police force may use many tools such as surveillance, communication, equipment and the use of other agencies, such as the very occasional wresting of additional security forces, the use of informants and the technique of placing a knowledgeable security specialist as an employee in sensitive areas. This is sometimes hard to do but, if you can accomplish it, it can pay off.

This specialist can usually within two or three months know everything that is going on at that transit system and

whether any of the drivers, mechanics, farebox vault pullers or others are stealing money or if there is a racket of stealing some of the maintenance inventory or even purchasing equipment that is never received. A transit security police department should develop and nurture a positive relationship with the school system, local police force, courts, and for the appropriate external agencies without whose cooperation the department cannot effectively operate.

The use of police dogs in transit can be extremely beneficial. But it can only be accomplished with the same type of close liaison and cooperative effort and salesmanship with all other agencies as well as the public.

When Gene McBride of the PATCO transit security department wanted to institute the use of dogs, he spent two years of slowly selling the concept to all of the local civic, school, public and municipal agencies. The PATCO dogs riding on every nighttime train provide a near perfect system of how to protect the passengers and ensure the maximum perceived security.

As I'm sure many of you know, some other transit systems have used dogs and some, many of them, have discontinued the use of dogs due to problems or perceptions of the public as to whether the dogs are there to protect them or harass them.

Block number seven: local police. I've already stressed the importance of a transit system's cooperation with local police. Some transit security chiefs elect to participate in periodic meetings with local police officials as a means of sharing information and exchanging ideas. In the metropolitan areas where there are a number of municipal governmental units, a written cooperative agreement between police agencies may be necessary.

These are desirable not only from an operational standpoint, but from an economic standpoint as well. For example, a training facility can be shared by several law enforcement agencies, thereby decreasing the economic burden on each. The sharing of manpower can also be helpful. In Boston, the former MBTA chief of police, Dick Kenney, once swapped undercover officers with Quincy, Massachusetts.

By doing so, he was able to apprehend a dishonest subway starter after catching him in the act of loading sacks of stolen quarters into his automobile. Under normal circumstances, this would not have been possible as the employee was perfectly familiar with the regular undercover officers from MBTA. Meanwhile, the MBTA officer was making narcotics arrests in Quincy, Massachusetts.

Block number eight: judiciary. Ultimately, the courts must pass judgment on individuals accused of breaking the law. Thus the transit system security can be enhanced only through the cooperation of the judicial system. Without it, routine police work becomes an exercise in futility leading to frustration and low morale. Although a judicial system may not be corrupt in the normal sense of the word, there may be so much politics involved in the normal administration of justice that if a city councilman, alderman or ward leader calls a juvenile court official, magistrate, et cetera, and asks him to be lenient or dismiss a charge against a particular juvenile or adult, he is expected to do so.

This type of corruption feeds on itself and can only undermine the entire judicial and police system. Eventually, the

police have no incentive to make any arrests and crime is encouraged. The selection process for the judicial system can be important in determining the quality of the people selected. The news media can perform an important function by serving as a watchdog and effectively criticizing the judiciary when appropriate. This is certainly a major merit of our free press system.

There are many studies showing that an entirely too lenient judiciary promotes recidivism, which only transit courts can discourage as crime. Experience in Atlanta and Los Angeles illustrates the difficult constraints presented to the judiciary system when insufficient capacity for detention, jail and rehabilitation centers exist.

The judiciary could remind local grand juries that more facilities are needed, but only the electorate—that's you and I—and municipal officials can accomplish the planning and budgetary actions necessary to implement the new facilities needed.

Block number nine: news media. George Takei referred in his speech to the importance of the news media. The news media possess substantial inherent power and, depending upon the individual publication or station, it can assume an active or a passive posture. Naturally, it should be a high priority of transit management to maintain an open working relationship with the local press, radio and television.

A good investigative reporter feeling that he is not receiving complete and accurate information from the transit public affairs office will undoubtedly dig deeper and his inconvenience might be reflected in a story with an unfavorable slant against the transit system.

A transit system must establish a clearly defined chain of command for release of information to the public about accidents or emergencies. The information should be honest and released as soon as it can be verified. By devoting too much coverage or sensationalizing a story, the media can fully encourage transit crime. Pictorial coverage of vandalized buses after major high school football or basketball games often encourages students from other high schools to do the same thing in hopes of gaining similar notoriety.

In Toronto, for example, gruesome front page coverage of suicides on the subway led to an increase in the number of attempted suicides until officials persuaded local newspapers to downplay such incidents.

Examples concerning good and bad relations with the news media abound. There was a story several years ago in a Philadelphia newspaper which was highly critical of the transit system describing an incident in which a young woman was forced off a bus while kicking and screaming, by a male abductor. She was subsequently alleged to have been beaten and raped in a nearby alley. This afternoon incident was reported in the evening press, and the first a transit system official knew about it was through phone calls from other news media asking for more information on the incident.

After several days of follow-up news coverage denouncing the transit system for not having their drivers even report this horrible circumstance, and during which the local TV and radio were highly critical of the transit system, it became apparent that the incident never occurred at all.

Careful investigation by the transit system found that riders on all buses had not seen or heard any abduction of a

woman at that time or that location. The investigation further revealed that that woman was having an affair with the man who had beaten her and, in order to cover up, she made up the abduction story so her normal boyfriend would not know the real circumstances.

All of this horrible publicity could have been avoided by two things:

1. The establishment of a good working relationship with the local press which would deter the press from ever printing an unsubstantiated horror story; and
2. Accomplish such an arrangement with the news media which can only be done by always providing an honest, quick distribution of facts and information concerning events that do occur.

So, in conclusion, we talked about the glue, put our pyramid together here, the central block in this pyramid has not yet been mentioned. I view the central block as not another element of a secure mass transit system but as a glue that holds the entire pyramid together.

This glue is the characteristics of the person who is responsible for actions and responsibilities and all of the other elements in security. These characteristics of leadership through persistence, guts, vigilance, to name a few, are the glue which will keep this structure of security visible and effective and provide a high level of perceived security for the public.

In the real estate market, successful realtors and agents are not born or developed by means of their instinctive sales ability or their ability to articulate. Generally the principal key to a successful real estate agent is persistence.

Persistence is also necessary to be a leader or manager in a transit system. Your efforts may often seem to be of no avail, but when you know you're right and your actions or proposed actions are in the best interest of the transit system and society, you must persist until you are successful and, lastly, it must be remembered that transit is for people.

This was the theme of APTA in one of the past years and is always true. The theme actually means that transit is not only for the people who ride it but the transit management and the employees are made up of the same people, and that is people serving people.

Another part of the glue is the type of transit management of the Montreal Urban Community Transportation Corporation and the Port Authority Trans-Hudson who both allow their key security personnel, Nick Benedetto and Joe Slawsky—and Joe Slawsky is in the room here with us and is our present chairman of the APTA Transit Security Committee—these systems allow their key personnel to serve on the Transit Security Committee and continually share experiences and practices with one another so that the transit industry will benefit by the reporting of their advice in the transit security guidelines manual.

In closing, I'd like to express my thanks to Senator Caemmerer and to Senator MacNeil Mitchell and Carey Roessel and others on Senator Caemmerer's staff for giving me the chance to speak here today. They have shown great leadership, dedication and enthusiasm in making this National Conference on Mass Transit Crime a reality.

Just remember, without the glue, you've got nothing.

SENATOR MITCHELL: Thank you very much, Jack Schnell. First, I want to thank Barney Beaver and Jack Townsend for that fine T-shirt. On it is inscribed "Barney Beaver says 'SAFETY BEGINS WITH YOU,' " and I think that we all ought to take that message home.

I also would like to say a kind word again for George Takei because he, in the midst of a series of important conferences and meetings that he has in his Southern California District, took time out at our special request to come here just for the day to give that illuminating talk this noon.

Our next speaker is a native originally of New York, in fact, upstate New York and in Syracuse. He had the temerity to go south some time ago and he started his career there as the City Manager of Richmond, Virginia. Thereafter he was a County Manager of Fulton County in Georgia, and since 1972, he has become and served capably and admirably as General Manager of the Metropolitan Atlanta Rapid Transit Authority.

I give you now Mr. Alan Kiepper, the General Manager.

MR. ALAN KIEPPER: Thank you, Mr. Mitchell. It's certainly appropriate on this program that Atlanta should follow Toronto, because if there is a transit system that we've modeled ourselves on, it is the system in Toronto. In my opinion, it's the finest, most comprehensive public transportation system in this hemisphere, and I urge all of you, if you want to find out how to develop a fine system, you can use no better model than Toronto.

Since some of you may not be familiar with MARTA and just what it is and the type of program that we've been involved in, I want to very briefly sketch our program, because it's important to have an understanding of what our experience has been in the field of security and crime.

The Metropolitan Atlanta Rapid Transit Authority is a state authority created by the Georgia General Assembly. The members of the board of directors are appointed by the local government in Metropolitan Atlanta. We also have three state members who serve on the board.

In November of 1971, there was a major community referendum on public transportation, and the essential question was whether the citizens of Metropolitan Atlanta would levy a special one percent public transportation sales tax to fund an ambitious and comprehensive public transportation program. They had defeated a similar referendum in 1968, which had a property tax base but MARTA regrouped and came back in 1971 and by a somewhat less than thumping margin of 471 votes out of 125,000 cast in one of the counties, Fulton County, the key county, the proposition carried.

So since 1971 we have had a one percent tax which currently yields about 100 million dollars a year, half of which is used for capital improvements to the bus system and the construction of our rail system. The remainder is used to support operations. So we have had a solid, dedicated source of local funding to match the federal grants which have come to us in goodly number to build our program and, as such, I realize that we are atypical and many of the things that we have been able to do are because we have been well funded beyond the purse of most transit agencies. And so I sometimes feel a little self-conscious talking about some of the things we've been able to do, because I know

many of you would like to do those things but simply do not have the resources.

We took over and we purchased the Atlanta transit system, which was a private bus company serving the metropolitan area. Fortunately, it was the only public transportation agency in Metropolitan Atlanta, so by purchasing it, we had a virtual monopoly and still have a monopoly on all public transportation services in the area. That's another advantage we have. We are the only provider of public transportation services in the entire area.

We purchased 500 aging buses from the Atlanta transit system. With federal grants, we've been able to expand our fleet to 840 buses. They were operating about 19 million annual vehicle miles. We're now up to 33 million vehicle miles. The last 12 months of Atlanta transit system operation, they carried 57 million passengers. We have topped 100 million passengers in this year, so we've virtually doubled the level of participation in public transportation in Atlanta in the last eight and a half years.

We have invested heavily in new facilities for maintenance, have two new maintenance garages. We've purchased almost 700 new buses so our bus fleet has the lowest average age of any major bus fleet in the United States. We began design of a 53-mile rail system in 1972 right after the referendum and opened the first leg of that system on June 30, 1979. Incidentally, we did that after four and a half years of construction.

We cut two years off the time the two newest systems prior to us took to open a new system. We did it in four and a half years. It took them six and a half years to open their first line. Prior to the time that we began construction and during the design stage, we went out in the community to talk to people about the system, find out what their interests were, what their concerns were and as far as the rail system was concerned, the greatest concern that we detected in the community was security.

The citizens of Atlanta had an image of a rail system as being a very unsafe place where they would be subject to all sorts of criminal activity. I don't mean to offend George Takei, but I believe that the entertainment industry has fostered this, unfortunately, because just about every time public transportation is mentioned on television or in the movies, it's in an unfavorable light, and we are considering at MARTA sponsoring a love story that would take place on one of the MARTA lines.

We did, incidentally, service the locale for a movie about the 21st century recently. There wasn't an awful lot of romance associated with it, but we didn't sponsor that particular one. So in the design of our system, we paid particular attention to security and from day one, one of our prime objectives was to design a system that would sort of ooze security when you walked into it.

Our stations are individually designed, not unlike Washington. We have a separate design for each station, and one of the reasons for that was because the communities became involved in the design of stations and the stations tried to reflect the particular community in which they're located. This is an important element in our program, as I will stress later, which is trying to develop a sense of ownership and participation on the part of the citizens of Atlanta in the system and as a result each system does have a strong community identification.

As was mentioned, high light levels, open areas, absence of nooks and crannies, closed circuit television which we use in all stations, a public address system which we use quite effectively, and I'll discuss that a little later, telephones in great number throughout our stations, ready access to telephones.

We decided in the interests of keeping labor costs to a minimum and, of course, labor costs are the single biggest cost that any transit system has, to design our stations to be unattended. So our stations are designed so that they can operate without attendance. We do have people circulating through the system, but we do not have attendant booths, and there is no one stationed in the stations while they're in operation, although normally there will be a MARTA employee in the station engaged in some activity, cleaning, maintenance, security patrol or something like that, but the stations are designed and do operate for all of the day unattended, although that doesn't mean there aren't people circulating through there.

We now have 12 miles and 13 stations of our system in operation and we will be opening additional segments of the system each year from this point on, at least up until 1985 and beyond. We hope to complete the 53-mile, 40-station system by 1990 and the regional planning commission has now set a goal of a 106-mile system, so it looks like we'll be building for a long time to come.

We, in our bus system, started in 1975 to add radios, two-way radios to the system and all of our buses, all vehicles, all MARTA vehicles are equipped with two-way radios. In addition, the buses have a secret alarm system which a driver can activate with his heel. He doesn't have to make any move to do it which sends out a coded signal to our communications headquarters, identifies the bus, and we're able to get both MARTA police and local police on the scene usually within a matter of minutes and our rate of apprehension is quite high.

We have developed a reputation on our system as MARTA being one of the safest places to be in Metropolitan Atlanta, and I can say in all seriousness that serious crime on the MARTA system is almost nonexistent, both in the bus and rail system. We have our share of drunks, some vandals, though not many, and would-be lotharios trying to pick up reluctant damsels.

We also have people who can't wait for a cigarette, and smoking is prohibited in our stations, on our trains or in our buses, or who insist on eating fried chicken on a bus or train. We arrest both drunks and vandals. We give warnings to others and will arrest them for littering, carrying open food, consuming it, smoking or any of the other offenses that I've mentioned, and those who choose to ignore the warnings are arrested.

Swift and decisive action is impressive not only to those who might be arrested, but also to those who might witness the arrests. We also publicize wherever possible the number of arrests we make and our record in the courts.

One of the things that we did just before we opened the rail system was to invite all of the judges and prosecutors from the state and local courts in Metropolitan Atlanta to come and ride on our system and inspect all of our facilities and we, in effect, said to them we've invested many tens of millions of dollars to make this a safe system. We have

communications. We have closed circuit television. We have well-lit stations. They've been laid out to minimize crime but there is going to be some crime, and if it happens and you don't back us up, then all of this will have gone for nought.

It seems to have paid off. We have about a 99 percent conviction record in the state and local courts. We've gotten absolutely splendid support from the courts and if you're arrested for an offense on a MARTA system, your conviction is virtually assured.

Another thing that we have stressed is cleanliness. In fact, I've been accused as putting cleanliness on a pedestal and actually making it a fetish. It's my belief that, if you maintain equipment well and keep it clean and keep it free of graffiti and free of litter, that people will respect it and respond in kind. And that, in fact, has been our experience.

We wash our buses every day and clean them inside as well. We wash our trains every day and clean them inside as well. Knowing my insistence on cleanliness, when we designed our maintenance yard for the rail fleet, the engineers suggested that the bus washing or the train washing equipment be put on the yard leads and, in fact, that's where it is so that every time the trains go into the yards they go through the train washers.

Now, they're not washed every time. They're washed at least once a day, but we don't have to move trains around the yard to wash them. Washing is a part of the routine, and it's a very important part of the routine. If buses are damaged or need painting, the bus is taken off the street.

Our buses are painted white. I'm sorry, I didn't bring some illustrations of them, because I'm very proud of them. I don't know why I didn't do that and we have a blue, yellow and orange stripe that goes down over the exterior of the bus. We removed exterior advertising. We paint the buses every two and a half to three years and, as I said, wash them every day.

Some say this is an extravagance. I say it is an investment, and the fact that our system is free of litter and virtually free of crime, I think, it is a direct reflection of that particular investment.

We also have an agreement, we do have advertising in our rail stations, in our rail cars and in the interior of our buses and we have an agreement and an understanding with Winston Network—that is our advertising agent—that whenever there is graffiti on a piece of advertising literature it will be immediately replaced and by "immediately," I mean within hours and that, in fact, has been done.

We have our own police force, the MARTA transit police. Our police are graduates of the Georgia Police Academy. They're sworn police officers with full police power. They're not security guards. They're police officers. They do have the cooperation and support of the local police and the local police do, in fact, support us well, but because the local police are undermanned and have difficulty keeping at full strength, we felt it important that we have our own security force.

Toronto, I think, is fortunate in having apparently a well-manned, well-paid force that can provide an adequate level of security. Most American cities have trouble policing the streets, much less the transit system.

We have had a problem though, in staffing our transit police. Most of our police in the force initially came from local police agencies and what we've found is that many of them get a little bored with the lack of action on the transit system. There really isn't a lot of crime and, therefore, they don't have a lot of arrests. So several of them have left to go back but we have a good mix now of experienced police officers and people that we have trained on our own.

From the standpoint of security, a rail system has certain advantages over a bus system. We know exactly where the trains are at any given time and how to keep track of them and can send the police to any problem spots. The buses on the other hand are all over the map and very much more difficult to keep track of.

I mentioned earlier that we try to make use of capital investment to keep down labor costs. We have a public address system which can be keyed either from our central communications headquarters or the zone centers which we operate. We have one zone center to each major line and it's at those locations that the closed circuit television monitors are located and are surveilled. We found it quite effective that if we see someone who may light up a cigarette, if over the loudspeaker, a voice, an anonymous voice, will say, "Will the gentleman in the turtleneck shirt who just lit a cigarette in the King Memorial Station please put it out?" No smoking is permitted on the MARTA system, and that's a very effective way of reminding people of the things that are prohibited on the system.

We debated as many of you will, if you build rail systems, whether you should put rest rooms on the system. We were advised by every rail transit system in the world, I think, not to put rest rooms on the rail system as they're nothing but a problem. But our board felt some public pressure and did, in fact, order us to put rest rooms in the system, so we compromised.

We have them, but they're kept locked and you can gain access to them by going to a passenger assistance telephone and indicating your need. You'll be directed to the rest room and the door will be opened by means of an electric strike. We have a television camera monitor on the door so we know who goes in and out, and in that way we maintain a very high level of security in our rest rooms and anyone who operates a rail system will tell you that security in rest room facilities is a very, very high priority. So as a result people apparently don't particularly like to go to the telephone, but those who do can get access and they can be secure in the process.

I mentioned a great deal of apprehension about the rail system on the part of the community, and so we probably engaged in a little overkill in our facility, in the development of our facilities and in our procedures to try to overcome that negative impression. It's always easier to start out with a positive impression, but there was a negative one in the community and we had to deal with it, and I think we have overcome it.

We have had recently, very disturbingly, a number of armed robberies in several of our rail stations—by "a number" I'm talking about six to seven. We think that they are being performed by the same individuals as is quite often the case in crime, and that when we apprehend them, we think we will break it up. But even with our system as secure as it is, the robbers are pretty clever. They've perpetrated their

crimes in those areas of the station which are not surveilled by cameras.

You can't surveil every square inch of a station, though the criminal element is, of course, pretty streetwise and they learn in not too long a time where they can perpetrate their crime. We're staking out the stations and hope to break it up, but this is probably a harbinger of something to come. I'm afraid our crime-free situation which has lasted for about 18 months is probably over, and we're going to have to shift some of our techniques.

We have been accused at times of being a little chicken about our enforcement of graffiti and vandalism, et cetera. We had a case about a year ago of a young man who took a nail and held it down at the foot of an escalator on one of those rubber hand rests and dug a groove in the whole hand rest.

We arrested him, and since the cost of replacing that hand rest was something like \$3,000 and Westinghouse said that that was the only way it could be repaired, he was charged with a felony because of the level of the property that was damaged. His mother decided that she was going to make a big thing of this, that her son was an 18-year-old juvenile who had done nothing more than to stick a nail in a hand rail, and MARTA was prosecuting him for a felony.

Interestingly enough, the reaction of the public and the press was quite the opposite of what the mother expected. We were complimented for being strict in our enforcement of no vandalism in our stations and, while we finally dealt with the youth in a little less harsh fashion, we got a lot of positive publicity over having a hard-nosed attitude toward enforcement.

To summarize what our experience has been in Atlanta, we believe that a high level of cleanliness and maintenance of equipment and facilities creates a good atmosphere for low crime and the absence of vandalism and graffiti.

We believe that the capital investment in well-lit facilities, well laid out, and the capital investment in good communications, closed circuit television and other facilities, will help considerably. Our philosophy is that for every capital dollar that you can invest in a positive way to cut down operating costs, you're going to save many, many dollars in the long run.

We believe in removing graffiti or other evidence of vandalism as quickly as possible. Buses, trains, if they do experience it, are taken out of service almost immediately just as quickly as we can get a replacement piece of equipment on the line or on the street. We have received approval of the General Assembly for the necessary laws and regulations prohibiting graffiti, littering, carrying open food or eating, drinking, smoking and other acts that contribute to litter and contribute to defacement.

We have enlisted and obtained the support of the courts, and I emphasize the importance of this. You can have the best system in the world and the finest police force, but if the courts don't back you up, it will all be for nought in the long run. We believe in having in our situation, and I admit that in other situations it might be different, but in our situation trained transit police with full police powers who know the system, know habitual violators and who work regularly with prosecutors.

We publicize convictions of crime on the transit system, and we let the public know that the courts mean business.

Well, the result of all of these things is that it results in something else. It's something more than the sum of those parts and that something else is a sense of pride and ownership on the part of the citizens of Metropolitan Atlanta in their transit system. It's their system and, by golly, if anybody messes it up or otherwise defaces it or causes it to be an unsafe place, the people who ride it let those people know that that is not satisfactory conduct.

In my opinion, if you can develop that kind of attitude on the part of the citizens and particularly the transit riders, a high sense of ownership and a sense of pride, that will do more than anything else that you can possibly do to keep your

system free of crime and vandalism. It does take an investment in good facilities. It does take an investment in maintenance, but, in my opinion, it is just that, an investment which pays real dividends in public support.

SENATOR MITCHELL: Thank you very much, Alan Kiepper. I think all three of the speakers this afternoon have provided illuminating examples of the topic that we've had under discussion, and I want to congratulate all three of them.

I'm asking these three speakers to circulate around among the six workshops so that the people in those workshops will have an opportunity, as was the case this morning, to ask particular questions.

The meeting is adjourned.

Keynote Dinner



Hon. Edward I. Koch, Mayor, New York City, left, and Massachusetts State Representative, Hon. Louis R. Nickinello, right, were featured speakers at the Conference.

Tuesday, October 21, 1980



KEYNOTE DINNER

SENATOR MITCHELL: Ladies and gentlemen, we have no formal ceremonies. We welcome you all to this keynote dinner. We have been assured that Mayor Koch will be here to deliver one of his blistering welcome addresses and I'm sure that it will be one that will give us an upbeat set-up for the future of this conference. We're not going to have any ceremonies but we're going to start our dinner, and when the soup course is over, we'll wait a few minutes for His Honor, and he will then be in a position to address you when you have a little bit of something in your stomach.

SENATOR CAEMMERER: Good evening, ladies and gentlemen and once again, welcome. I don't know how many cities in this country, where the Mayor walks into a room and gets a standing ovation, and I don't know how many mayors in the history of the City of New York to whom that's happened, with all of the great problems we have in this, the greatest city, we believe, not only in the country but in the world.

How does he do it in a city of this size with the tremendous, horrible, sometimes insolvable, problems that he faces every day? But he's doing it with a verve and a courage and a warmth that is rarely seen on the American political scene, and he's taken time out to greet you, and I know deal with a problem that concerns him greatly.

And so I'm very happy to present to you, Ed Koch, some 220 people from all over this country and from Canada who have the same problem. I thought only New York City had it, but it's all over the country and all over North America.

Ladies and gentlemen, His Honor, the Mayor of the City of New York, Ed Koch.

MAYOR EDWARD I. KOCH: Now, rather than to read my speech, which is a very good speech and anyone who wants it, it's only a dollar a copy. Instead I'm just going to touch upon it and sort of interject in an impromptu way some of the thoughts that I have on some of these matters.

The first thing is, I want to get to the bottom line at the very top, and that is that I have been working with Dick Ravitch and with Jay Goldin and Carol Bellamy and Tom Cuite and all of the citywide officials, and we have concluded, each and every one of us, as you can well expect, that this is one answer that everyone can agree upon as it relates to dealing with crime, and that relates to increasing the transit control spread, and there is no substitute for it.

It has to be done. It's only a question of who can pay for it at this moment. The entire police force in the subways is costing \$106 million annually which is totally paid for by the City of New York.

I would hope that in some form over and above that amount, not that we take away any of it, but over and above that amount that either through internal savings, it's possible to do that. Some say it is through allocation of five cents by way of an additional fare for police protection, subject to safeguards, a trust fund, so it can't be diverted for other purposes or for additional state subsidies over and above what's required to maintain the fare at the current 60 cents, and there are still federal subsidies.

Those are all of the mechanisms that would have to be employed to find these additional sums, but short range between now and the end of the year, and by the end of this week I will have announced that there will be short-term dollars made available for overtime for the police to be hired. So that pending this permanent solution of who will ultimately pay on a permanent basis, the City of New York, between now and December 31st, will make available additional dollars for additional overtime cops.

Very important.

Now, the fact is that crime in the subways is escalating the same way that crime in the streets is increasing across the country. I don't remember, and I don't intend to keep all of the figures in my head, but my recollection is somewhere in the neighborhood of 15 percent is the increased felonies that are taking place throughout the country, and New York City is getting its share. It's not the share we want, but we're getting our share of that increased crime, and the fact that in our own subway system, there has been a 55 percent increase in the transit system felonies when compared with the same period last year, makes it even more difficult for us.

However, when you compare the numbers of felonies that take place in the subways with the number of felonies that occur in the streets, not only in New York City but in all cities, you find that they are very small. The number of felonies reported in a single week at the end of September were 343 felony incidents in the transit system and when you consider that about three and a half million people ride the subways every day and that you have 343 felonies committed in a week, that is not statistically a large number, but it doesn't help to say that if you are the victim.

It is overwhelming and if you know that it occurs, and it occurs in a confined space which is what a subway is, then it becomes even more overwhelming. A crime committed in the subway system has a greater impact emotionally upon the public than a crime committed on the sidewalks of this city. You should know that New York City is not the crime city of the country. Indeed we are 13th down on the list. There are 12 other cities where you are subject to greater crime. Does it make you feel better? No.

Now, how do you deal with these problems aside from the additional personnel that Chief Meehan needs and that we are going to provide him on this basis, with the hope that they will ultimately be funded permanently through resources other than city tax levy dollars? We simply don't have the dollars to do this on a permanent basis.

Well, the first thing, and here, John, I'm going to ask for your intercession and I know God hears my prayers, what we need, John is the fourth platoon. If we don't have the fourth platoon in the transit system, we have it in the police system, we have it in the housing police system. We don't have it in the transit system and it is something that we should have so as to give flexibility to the Chief, and I'm hopeful that you'll be able to help us with that.

The Transit Authority is now building passenger safety into its modernization program with specified waiting areas and

announcements that would come through the sound system telling when the trains are coming in, and closed circuit television and reinforced token booths. But let me say at the outset, there is something horrible about the fact that we have to think short-term, and we will sort of give up the ends of the platforms to the villains.

Think about that. Somehow or other, our approach is well, let's all huddle together in the middle of the station platform or let's all huddle together near the token booth because the villains and the criminals, so to speak, are at the ends of the platforms, and we are never going to do that on a permanent basis.

We're never going to turn over the streets or the subway platforms to the criminals in this city. But until we're able to deal with the problem, obviously, I urge people to take the short-term measures that are necessary, just as I feel kind of strange saying to women who wear gold chains, please don't wear them until the winter and then put them under your coat so they don't appear, because of some—generally they're juveniles.

That doesn't make it any better. Fact is, I would put them in jail just like adults. I must tell you, the day that you say, "A-a-a-h, he's only 15." He's a 15-year-old murderer and he ought to be treated like a murderer. When they rip the necklaces off the necks of women, they ought to be punished as the punks and the thugs that they are, and I've spoken out on this, and I will continue to speak out on it.

So, in addition to that, I also wanted to tell you about graffiti because I think graffiti is something that just, you know, it overwhelms you, and it's a sign of the times. And you know who I blame for graffiti? The New York Times Editorial Board. We all remember back in 1966, something like that, when the New York Times editorial writer said how wonderful—he was on a train and he saw this wonderful Picasso-like painting on the outside of the train.

I don't know if you remember any of this, those of you who live here. Well, immediately, every punk kid in town wanted to be identified as Picasso, and that is how graffiti started in this city and that is not an overstatement. I think the Times Editorial Board recognizes that and even they make an occasional error.

Now, if we were to total the cost of removing that graffiti, it runs into multi-, multi-millions of dollars. It depends on whether you talk about the outside, the inside, I saw a figure once of \$25 million if I were to do it immediately. I don't know that it is that high, but that's a figure that I saw. And then what happens? You remove it and then you'd have it put back on anyway.

So the question is, how do you permanently eliminate it? Well, if you look at the PATH subway, you find that they don't have graffiti. Of course, you can't compare the two, because it's a very small subway, although I never thought of Newark as a rose garden. I come from Newark, I lived in Newark for ten years, and nevertheless that's where the trains are kept at the end of the day, and they're not subject to graffiti. Why? Because they provide protection.

I have suggested—not only I, but Carol Bellamy and Jay Goldin and Tom Cuite, we sent a letter to Dick Ravitch saying, "Why don't you build a fence around the yards, because that's where this graffiti is put on." It's not put on in the stations where the trains go through; it's put on in the

yards. "Why don't you build a fence around the yards and put dogs in there?" You know what the response was? "Well, they might bite somebody." I thought that's what dogs were for.

Well, anyway, what I'm saying is that the subways are extremely important to us. I want to do whatever I can. We're putting in an enormous amount of money, city tax levy funds. The capital budget is overwhelmingly ours. We've put in subsidies. We've reached our limits and we're not able to do that any more. To do more would mean that we would have to reduce our New York City Police Department.

There are only five agencies in which there are any city dollars of any importance. Eighty-three percent of our total city tax levy dollars go to the New York City Police Department, the New York City Fire Department, the Board of Education, Sanitation and Corrections, 83 percent of our total tax levy dollars. We just simply don't have the dollars to put more in. We're going to do what we can, but we desperately need your help and I'm very serious about it.

John has done a tremendous job on this subject. I mean he is Mr. Mass Transit, and I'm really grateful to him.

Thank you.

SENATOR CAEMMERER: Ladies and gentlemen, please continue with dessert, but permit me this occasion to introduce the members on the dais this evening.

Starting on my far left, the Director of Security of the Toronto Transit Commission, Mr. Jack Townsend. Jack.

Representing the American Public Transit Association—and I'm sorry I missed your conference in San Diego; I hear it was great—Mr. Jack Schnell.

The Special Assistant to the Chairman of the Chicago Transit Authority, Mr. Robert Kren. Bob, good to have you with us.

Starting on my far right, the former Chairman of the Massachusetts Bay Transportation Authority, Mr. Robert Foster.

And, again, I want to thank and pay tribute to this gentleman who is the Chief of the Office of Transportation Management of the Urban Mass Transportation Administration, and who provided the funding for this conference, a very important person, Mr. Marvin Futrell. Marvin, thank you very much again.

And now I'd like to introduce the first of our speakers this evening. The first chance I've had to meet him was this evening, but I find out he's been dogging my footsteps in various parts of the country, a gentleman who is a member of the Massachusetts House of Representatives, where he has served as Chairman of the Transportation Committee, I believe, for the last six or seven years.

In addition to that, he has been very active in the National Conference of State Legislatures, the nationwide organization of state legislators from all over the country, and served for three years as Chairman of the Transportation Committee, I think shortly after I retired from that office, Lou, and I know that you enjoy it as much as I do, sharing concerns and problems of legislators from all over the country.

He's recently been appointed by President Carter to the National Task Force on Ride Sharing where he also chairs the subcommittee responsible for making legislative rec-

ommendations on how to encourage ride sharing. I'm very pleased to present to you the Chairman of the Transportation Committee of the House of Representatives of Massachusetts, the Honorable Louis R. Nickinello.

MR. LOUIS R. NICKINELLO: Thank you, Senator. I, indeed, did follow the footsteps of the distinguished Senator from New York, and I was told that I completely unravelled most of his work and I had to go back and redo some of it after he left.

Well, anyway, the field of transportation has been very fruitful for me these past ten years in the House of Representatives in Massachusetts dealing with all aspects of life, and that's what transportation is. You get involved in protecting people using the system. We in the Legislature throughout the country, all the legislatures, even though we're held in so low regard, we do have people come to us with all their problems and from all the turmoil and all the controversy, it's amazing that the legislative process produces some quality both at the state level and at the federal level.

And in that regard I'd just like to touch on a little bit of quality that we produced in Massachusetts, that we hope that people around the country would look at and start setting the tone which will set a tone for you and address your problems and that's funding, finances. That's, as the Mayor said, and it's hard to follow a gentleman like the Mayor, so I'm not the comic and I'll just give you serious remarks, but the Mayor I think touched on it specifically when he talked about the recognition that you need finances, and you need dedicated finances, to address problems in your New York field specifically.

We in Massachusetts and the Senator and I and our Committee on Transportation have fought the last two years to address that problem. Chairman Foster, when he was there, tried to address it and, you know, the people in Massachusetts didn't want to listen. They didn't want to hear it, just like the people in every other state and in Washington. They want to go out their front door and have something available to them and not recognize the cost of that, not think about it, but just have it there, and we don't have that luxury in this country, never have. We've been spoiled, however.

Well, the day of reckoning is here in the '80s and we've got to face it. We politicians have to face it specifically and we have to believe it. So in Massachusetts, the past two years we tried to fight for funding, and we did it through the gas tax, the most controversial type. When the price of the product was escalated, we proposed a change in assessing the gas tax in Massachusetts to a pure variable tax, ten percent of the wholesale price tied to inflation, which would yield constant dollars as the price of the product went up, and we sought to earmark some of that money to transportation, lock it in.

You heard the Mayor say earlier, you need dedicated funds. Well, we recognize that.

Needless to say, we lost the first year but in 1980, in our session before we left, we passed that tax bill. It was effective August 1, 1980. We won't see the fruits of that for a few years, but we believe we set the tone and we've told people in Massachusetts, you can't have the luxury any longer of going out your front door and getting in your car and riding down the street and not thinking about paying for it.

I've maintained the past two years, and I hope to articulate a little bit more during the next two in Congress, that they've got the mandate, a percentage of local share in transit, and they've got to guarantee to the states federal funds coming in consistently, and that's the only way we can maintain protection in service and you can't have it both ways, and you're on the short end of the stick because you're expected to protect the people at all costs, and then, when an incident occurs, it's blown out of proportion. It's like you haven't done your job.

Well, getting in an automobile is the luxury we've always had, that single-occupant vehicle. We can't continue that, and mass transit will never compete with the automobile. We will never provide that type of service. We were never meant to. It's the alternative for us. That's why we need transit and not just in the big city. We need it around this country, in the rural areas, suburban areas, in the urban areas, the alternative, and we've got to fight to pay for it. Thank you very much.

SENATOR CAEMMERER: Thank you, Lou, very much. I wanted to introduce to you the fellow who is the project director, but to tell you about Mac, you've seen him running around here. Mac served 29 years in the New York State Legislature representing what is known as the Silk Stocking District on the East Side of Manhattan and that's where all the wealthy liberals sometimes live; they've been represented in the Congress by John Lindsay, by Ed Koch, now by a fellow named Bill Green, and that was—by the way, his last service was over 16 years ago, so add the 29 to the 16 and he's still going strong, Mac Mitchell, the Project Director of this Conference. Mac.

Now, to our final speaker, I'm very pleased to introduce to you the gentleman who's taken on a very, very difficult job in the City of New York, and he told me tonight he even wonders why he did it, but he has a degree from St. John's University and a bachelor's degree and a master's degree in public administration from the City College of New York.

He's been a lecturer and professor at those schools and currently at John Jay College of Criminal Justice of City University, a renowned School of Criminal Justice in this country. Spent 30 years in the New York City Police Department and during those 30 years, he held command positions in a detective division, intelligence planning and training bureaus.

He served as Chief of Patrol where he was in direct command of 18,000 men in the New York City Department of Patrol force and finally as Chief of Personnel and two years ago at the request of the Mayor and Dick Ravitch and many others he took command of the New York City Transit Police and, of course, one of the hot jobs, if you will, in the City of New York but I'm very pleased to present to you Chief Jim Meehan of the New York City Transit Police.

MR. JAMES B. MEEHAN: Thank you, Senator. I'm still trying to figure out why I took this job. I went this morning to the orientation seminar where everybody was talking about what they hoped would come out of this conference, and whether it would be successful or not, and from my point of view, I want to tell you that I think it has been extremely successful.

The Mayor was here tonight, and he announced that he was

going to give me some more men, even if it's only for three months. I'll take them for three hours, if I can get them, and also I think from my point of view it also has been a success, because I really was beginning to believe that I was the only one in the world that was fighting this mass transit crime problem, and I had to go back to my office at noontime and on the way down in the car, I was listening—I shouldn't admit to traveling in the car, I should have really gone down in the subway—but I was listening to the radio, and I heard one of the radio broadcasters announce that he had been here at this conference and contrary to what anyone was led to believe, there were serious crime problems on mass transit all over the United States and, frankly, for that, I'm grateful to you for coming and letting everybody know that there is such a problem, that it's not just ours here in New York and on the subway. And I'd also like to thank Senator John Caemmerer and his staff and all his people and Mr. Futrell the gentleman from Washington to whom I was speaking today, and didn't even realize he was paying all the freight for this. So I want to thank you for putting this all together and getting the additional people, and at least sharing this with all the people around the country.

I would like to add at least my personal greetings to all the others that you have received, no doubt since you arrived here. Really on behalf of the transit police of the subway system, I want to welcome you. In a sense not only is New York your host, but so is the subway system, and we would like you to get to know us as we really are, our faults and our blemishes, our abilities and our daily achievements.

Some of you yesterday toured the subway system during its most trying, its most punishing period, the evening rush hours. If so, perhaps you came away with the feeling of our problems and our virtues. Yes, we have graffiti. We have noise; we have crime and we have crowds, and yes, we move almost three and a half million fares a day over 230 miles through 460 stations in some 6,000 subway cars, all in relative safety, and I'd like to emphasize that.

Safety is what we're here to talk about. You have mass transit systems of your own and you're familiar with many others, and all of them are important to the cities in which they operate, so I'll spare you any more remarks about the immensity of the New York subway system. But I will say that your biggest mass transit system in the western hemisphere reflects the challenges and problems of the biggest city in the western hemisphere, and not the least of these problems is crime.

Serious crime has risen this year throughout the country. The Mayor mentioned that while he was here. The F.B.I. reported last week that for the first six months of 1980, the nation experienced the biggest increase in five years. Crime has risen in New York City, and, not surprisingly, crime has risen on the New York subway system. After all, what is a mass urban transit system, if it's not an extension of the neighborhoods through which it operates.

A thief may and does snatch a necklace from a pedestrian on the street as readily as he does in the subway. A pickpocket may and does lift a wallet from a shopper in the department store with the same ease as he does on the bus, and the hold-up man may and does rob the corner grocery store with far more frequency than he does the subway change booth.

So when it comes to crime, the transit system is no different from the street. Is that right? It's wrong. Transit systems are different. The subway isn't Greenwich Village or Coney Island or Harlem or the South Bronx. The subway is all of those places. In other words, the transit system is everybody's neighborhood. If a New Yorker lives in Brooklyn, he may not care much about a crime that occurs on the streets of the Bronx or Queens, but if he rides to work every day, he cares very much if that same crime occurs in the subway anywhere in the city.

In a real sense, the whole system is his neighborhood. The same IRT line that brings the Upper West Side into Wall Street also brings the South Bronxite to Times Square. The "A" train which was celebrated by Duke Ellington links Harlem to Midtown Manhattan, but it also links Washington Heights to Bedford-Stuyvesant.

Street crime in any of these areas is of only mild concern to the resident or worker in some other area, but subway crime anywhere in this city might just as well be in anyone's own backyard or living room if one is a subway rider.

What's the effect of this? For one, the press is aware of the public's concern about subway crime, so it directs much more attention to the problem, and perhaps rightly so. And the public demands the highest standard of safety on the transit system, and perhaps that's rightly so also. All of this, however, presents a challenge to a transit police department with the tremendous burden as well as the challenge and opportunity, and I might say it keeps the transit police chief mighty busy.

But what's to be done about the problem? What are the strategies that are available to us? Our basic tools and our strategy in fighting transit crime are no different than those of police departments anywhere. Our most important resource is manpower, the police officer, the transit police officer, who is out on the beat and on the system.

Our fundamental approach has to be to analyze our crime so that we know what occurs when and where and so we can deploy our police officers both in and out of uniform at times and places that will do the most good. In New York we've established special units to deal with special problems. We have a pickpocket squad. We have a graffiti squad. We have a task force that specializes in fighting the necklace snatch problem that has plagued the city in recent months.

We recently set up a robbery squad, highly active plainclothes police officers and detectives, who analyzed patterns of passenger robbery and tried to zero in on the problem. We'll soon have a canine unit, and I should pause just for a minute here. We have right now twelve police officers down in Philadelphia, and a sergeant, being trained at the Philadelphia Police Academy in the use of dog patrols on urban transit systems.

Before we did this, obviously, the use of dogs on the mass subway system is somewhat controversial, and we went to the Mayor and we asked him—and you met Ed Koch tonight. I say that when he's not around, I call him Ed Koch; otherwise, I call him Mr. Mayor. And we said, "Do you have any problem with us bringing in a canine unit on the subway system?" And he said, "Look, bring in lions and tigers if it will do any good."

Manpower is the most important part of the fight on crime,

but hardware and technology can help, too. If the New York subway system were being built now, we could take advantage of the latest design and engineering knowledge and create a subway with maximum security potential. But our subway isn't being built now. It began 75 years ago and it's grown line by line ever since with pillars and passageways and remote corners and other such obstacles to surveillance and security.

But we're trying to make the best of the latest technology anyway. Closed circuit television has been installed in one station and will be completed in two others. Some of you saw one of them yesterday at the Columbus Circle station. By the end of the year, we hope to have completed closed circuit television at the vast Times Square complex.

Communications is vital to the policing of effective mass transit systems whether it be the equipping of police officers with walkie-talkies or radio systems for a train or bus operator, the need for quick communications for quick response to incidents is critical.

Crime analysis, flexible deployment, police manpower, special crime fighting units, closed circuit television, effective communications, all of this is important to policing a transit system. But perhaps more can be done than just policing beyond arresting and rearresting the same pickpockets, gold chain thieves and muggers over and over again.

Perhaps what's needed is a new look at transit crime by the criminal justice system. Since the public expects a higher level of protection on mass transit systems than it does elsewhere, perhaps the criminal justice system should be more demanding in its treatment of transient criminals and impose penalties accordingly.

Yes, I know this is the cops' cop-out. Blame the courts and the prosecutors. I'm not doing that. If the police are overburdened, so are the judges, the district attorneys and the correction officers, but these same dedicated overworked criminal justice officials have to set priorities. If opinion polls and public clamor is a measure, transit crime demands a high priority indeed.

This means, of course, fewer plea bargaining opportunities for recidivists. A habitual felon would be treated as a felon even if he specializes in purse snatching rather than armed robbery. The harmless bag snatcher isn't harmless at all, if a woman is being dragged along the subway platform by a thief riding between the cars of a moving train. The necklace snatch becomes dangerous business if the chain doesn't break quickly enough to release the victim's neck.

Yes, stern treatment of transit crime by our courts and prosecutors might increase caseloads at first, but in the long run it might help to shift the crime rate downward.

The riding public can also help. The average person takes sensible precautions to protect his home against burglars and his car against thieves. So, too, he can take simple common sense measures to protect himself against assailants in the streets, buses, trains, and other public areas.

In the subways, we urge passengers to avoid making a needless display of money and jewelry, to avoid isolated

parts of the station and platform during the late night hours. I think the Mayor commented on that. Wait for the train near the change booth, if possible. If a train is empty, ride in the car where the motorman or the conductor is. Don't fall asleep in the station or on a train.

There are special safeguards against pickpockets and handbag thieves that should be followed in any crowded public place and perhaps the most important crime defense for the public is to be alert and involved. If you look like a potential victim, you may become one. Be aware of what's happening around you. If you see a crime, don't turn your back. You can do much to help, short of physically intervening. Call for help, report the crime, be available to the police as a witness.

We tried to convey this sort of advice through a public education campaign last spring. We didn't undertake this campaign lightly. We had to weigh the value against the very real possibility of frightening the public by adding to its acute concern about transit crime. We decided that the risk was worth it. We posted placards in subway cars and buses. We made public service announcements on radio and television. We distributed leaflets in subway change booths and we even went so far as to issue mock summonses to subway riders who were found violating one or more of our safety principles.

The transit police officer would hand one of these little cards to a subway rider who may have been sleeping on the train or carrying a handbag carelessly. There's no way to measure the effectiveness of this safety campaign. Crime went up any way, but it may have gone up even more if we hadn't made the effort.

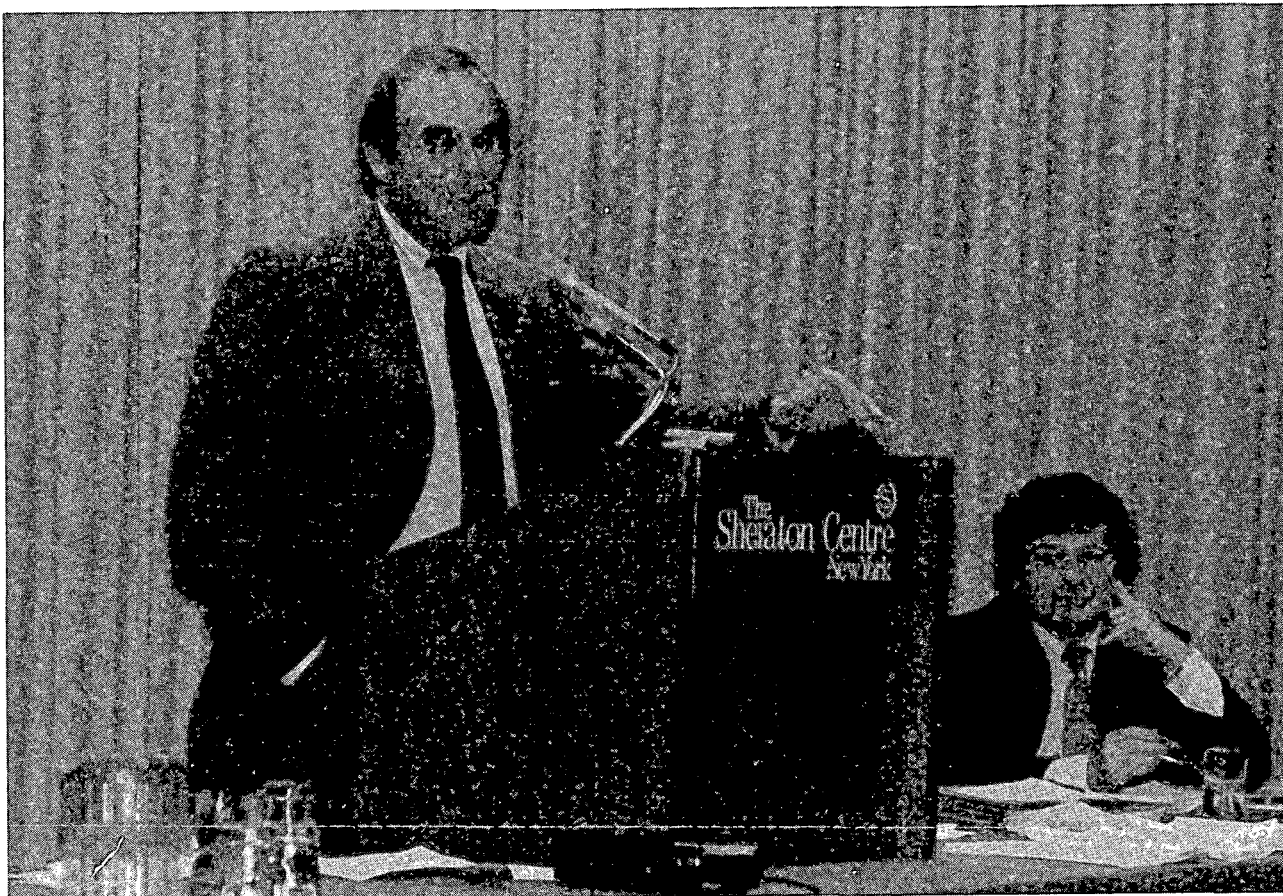
It's a tired cliché, but I think it bears repeating. Mass transit will become more and more important to the life of the city in the future. Mass transit becomes more vital with every rise in the price of oil, with every increase in the cost of cars, with every traffic jam on the streets and with every effort of communities to provide more jobs and to develop more housing.

The New York subway system is this city's lifeline. I'm sure this is only different in degree from the other public transit systems that you represent around the country. As the public becomes more dependent on its mass transit, it demands more, more efficiency and more security. If the public imposes a higher standard of security for its transit system than it does for the streets and the challenge to us is clear, we have to strive to meet it and not to lower it, and I hope that we can accomplish some of this during the course of this next couple of days that we're going to be meeting here.

Thank you very much, and enjoy your visit to New York.

SENATOR CAEMMERER: Thank you, Chief, very much. You know, I never cease to be impressed as long as I am in this business, and Joe and my other colleagues in the Legislature, with the quality of the people involved in transportation in New York. It has been a great day for me. I hope you've enjoyed it, and I hope you'll meet with us promptly at 9 o'clock tomorrow morning. Thank you very much.

The Law Enforcement Problem



Hon. Edward G. Rendell, District Attorney, Philadelphia, addressed the Conference during the plenary session on Law Enforcement. Judge Albert L. Kramer looks on during the proceedings.

*Plenary Session III
Wednesday, October 22, 1980*

THE LAW ENFORCEMENT PROBLEM

SENATOR MITCHELL: Good morning, ladies and gentlemen. We have a star-studded array of panelists this morning, and I can say that the topic on which we're going to be talking is one that is very intriguing, because it strikes at the very heart of what this Conference is about. Without law enforcement, we would have chaos in our mass transit systems and, of course, in our general life as well, but particularly in recent days and years, the law enforcement problem has become critical, and it seems that one of the important tasks of this Conference is by tomorrow afternoon at our concluding session with resolutions and other suggestions that are going to be developed as a result of our workshop meetings.

We want to come up with some kind of really constructive solutions or at least approaches to solutions to this problem that is reacting against us in ever increasing numbers.

This is the first time we've had a national conference of this sort, and I believe that it behooves all of us to try to take home, having people here from all over this country and Canada, and I am sure we will take home with us some ideas, and to translate them into action.

Today we have three people. We have one man from Chicago who can tell us with great vigor what problems they're up against there. We have a man from Philadelphia who can tell us how he finds the problem of deterring crime in mass transit, and we have a judge who will give us some explanations as to how he believes we can approach solutions through the judiciary, and I must say, my own personal conclusion is that—and by the way this is reinforced by what I'm told from every corner of this country—the judiciary must be brought to a realization that the revolving door of justice in connection with these crimes is not the solution and must be avoided at all costs.

To highlight the problem as far as the district attorneys are concerned, we have a man who for many years was Chief of the Homicide Bureau in Philadelphia. He then became the deputy prosecutor against police and political corruption and he did such a good job there that the voters in 1977, in Philadelphia, elected him district attorney for the entire city.

He has served in that capacity since, and has a legion of interesting experiences and revelations to give us.

I give you Edward G. Rendell, who is the District Attorney of Philadelphia.

MR. EDWARD G. RENDELL: At one time in Philadelphia, we did have a policeman and dog on every subway platform. Now, this was about four years ago when our economic situation was a lot brighter and the statistics were absolutely startling. The statistics for crimes and attacks on subways during that time period—it was only about a ten-month time period when a class at the Police Academy was laid off and our mass transportation corporation hired the class on and got the commitment for the dogs.

During that time period, the crime rate in the subways was almost nil but, again, that response is impractical for any

urban center, I would imagine, throughout this country. That type of preventive medicine through security isn't going to work. Our own transportation system, the public transportation system, is working on a number of sophisticated security devices for our subways or buses or whatever.

Some of them are already in place, others are on the way. In my judgment, they'll help but they plain and simply won't do the job, and as long as transit crime is a reality, it's going to have a devastating effect, in my judgment, on the cities and more than just a reality. I think that transit crime is even bigger in its perception than it is in its reality. That's a problem with all crime, but particularly transit crime, and what I'm going to talk to you about is what I believe is the specialized response that government and law enforcement and the legislatures throughout this country should take to the problem of transit crime.

And the first thing anyone will ask you when you talk about a specialized response is: Well, is it justified? Look, we all know crime is bad all over. Crime is bad walking to the grocery store. Why single out transit crime for a specialized legislative response? Is it justified? Well, number one, the answer is, in my judgment, yes, because the cities have no greater task, in my judgment, than to improve mass transit in such a way that people want to ride it.

You all know about the energy crisis, you all know about the problems facing the cities. You all know about the problems facing this country. You all know about our desperate need for inflation reasons, for other reasons, to break our dependency on imported energy sources.

The way to do that obviously is mass transit. If no one drove a car into the 20 major cities of the United States of America, we'd have half of the gasoline problem left to begin with. So mass transit is the key, and government should be doing everything it can to make mass transit more attractive, more conducive to people riding on it at a time when it seems like government is just barely holding their own if not sliding back.

Some transit systems are running better than others, and there's no question ours is an older one, it's antiquated, it's inefficient, it's not as clean as it should be, and our transportation authority is not funded with the type of funding base that is necessary. But lastly, it isn't even safe and if it was clean and if it was efficient, and if we served Egg McMuffins on it, if it wasn't safe, people still would be loathe to ride it.

So, number one, nothing is more vital to government than improving its mass transit system, particularly in the year 1980. Number two, subway and bus and rail commuter riders are different than the ordinary people because they are a captive audience. They have to be there. They have no real choice, particularly the mass of people who work. They plain and simply must be there, and they can't run away.

If you've ever been attacked on a bus or seen someone attacked on a bus, if you've ever been attacked on a moving subway, it's not like being attacked in the street. You've got

no chance, plain and simply no chance. You're a captive audience for thugs, for muggers, for whatever roams in the transportation system.

And thirdly, the perception is greater than the reality, and that's an important fact to deal with. It's an important fact to deal with in all crime, and there was a national study called a FIGGIE report which I don't know if any of you had a chance to read, I read it about a week ago, and the FIGGIE report talks about the perception of crime being greater than the actuality, and that's true of subway crime. In this, Bob King, our head of SPTA here gave figures about subway and bus and rail crime. You might say to yourselves, well, it's bad, but it's not all that horrendous, and it really isn't. But I'd like to show you headlines from one week's worth of newspapers in Philadelphia. You won't be able to read them so I'll read them for you: TERROR REIGN; 30 THUGS BEAT SUBWAY TRAIN RIDERS; CRIME REPORT; ROBBERY ON THE C BUS; TEN YOUTHS TERRORIZE BROAD STREET SUBWAY PASSENGERS; TEN HELD IN EL MUGGINGS DURING WEEK END; PORTRAIT OF AN EL MUGGER; PHILADELPHIA MAN WHO LOVED HORSES STABBED FATALLY NEAR SUBWAY; and a magazine article, which I've left a couple of copies here, called TUNNEL OF TERROR, which specifically delineates the horrors of riding the subways in Philadelphia. This all happened in the same week period as a case which many of you may have heard now in our concourse which joins our subways and our commuter train lines, all of which are run by SEPTA or Southeast Philadelphia Transportation Authority, a 35-year old lawyer left her office around 7 o'clock to go home to her six-year-old daughter and she was attacked in a corner area of the concourse. She was attacked, beaten, raped, robbed and left paralyzed to the point where it's now approximately five, six months later, she has just been able to utter a few words and, according to the doctors, she will be a woman who was a bright vibrant woman, mother of a six-year-old child, who was on her way to a great career, will never be anything other than a person who has the mentality of a four- or five-year-old person at best.

And that all happened in a two-week period. And frankly, it scares the pants off of people, and the perception is worse than the reality.

So, given all of these things, I think it calls for the strongest possible response by law enforcement and government. Senator Mitchell talked about judges and revolving door justice, and without talking about my fellow panelist, the judge, I don't think, number one, in many of the urban centers, judges do the job. There are exceptions to that.

We have 106 judges in Philadelphia, and we've got several good ones. But by and large—depends on your definition of the word "several" I guess. But by and large judges aren't doing the job, and I find out this is not a Philadelphia phenomenon. I was in New York this Monday, and I picked up the newspaper and read where Mayor Koch had just delivered a legislative package aimed at the same purpose. The same idea, that judges simply weren't protecting citizens, and even if they were, by and large, individualized sentences, non-uniform individualized sentences by judges, even if it was carried out with the type of common sense, no-nonsense approach that I guess we all hope for doesn't get the job done either, because deterrence in crime depends on knowledge. I think we're all aware of that.

Forty years ago there was great deterrence in the criminal law because the crime rate was so low. Take Philadelphia, we had about 12 murders a year 32 years ago; we averaged 12 murders a year. Every single murder was front page news, every single murder charge was front page news and every single murder trial was front page news. Well, it's now 32 years later, progress in American life, and we now have 510 murders a year in Philadelphia, and unless it's a sensational murder with a famous victim or sexual overtones or something, you never read about them any more.

Sentences: it doesn't do us any good. On that, the case I talked about, robbery in the "C" bus, two young, one 19-year-old, one 17-year-old got on a bus, they stuck a pistol in the driver's ear, and they proceeded to tell the 15 passengers if they didn't give them all their jewelry and all their money, they were going to blow the driver's head off. One of them went around and collected and the seventh person balked, and they pistolwhipped the driver. She of course at that point complied, as all passengers did. They literally held that bus hostage.

You know I remember the movie called, "Pelham 1, 2, 3," several years ago, and it was fiction, nice fiction. Well, it isn't fiction, what happened on that bus isn't fiction. Well, we were able to apprehend that person, get him brought to trial, and one of the several judges presiding on that case, we asked for the maximum, he gave us just short of the maximum 15- to 30-year sentence. We got some publicity on that sentence, just a little publicity, even though we singled it out, to be a high sentencing, so even non-uniform sentencing by judges, and in many cities my perception is they do not do the job, even if they did the job, it is not the answer.

I think the answer has to come from specialized legislative protection, and it has to come from mandatory sentences for transit crime and particularly and obviously crimes of violence. Pursuant to this thought, my office drafted a bill and Maxine Stotland is the Assistant D.A. in charge of our legislative division who worked on it. She's here, if any of you want to talk to her later.

We drafted a bill and had it submitted to the Legislature where it's now pending and we're hopeful it will be voted on after the election, calling for mandatory five-year sentences for crimes of violence committed on any public transportation carrier platform regardless of who the victim is, whether it be a transportation worker or passenger or whatever. The bill is House Bill 2762, and I'm leaving 20 or 30 copies of it up here on the front along with the news release, in which we explain the bill somewhat and the article on TUNNEL OF TERROR.

I think the bill can be effective, and I think it can pass. In Pennsylvania, we've had a very difficult time passing any mandatory sentencing legislation. First of all, I myself am generally not a believer in mandatory sentencing for first offenders, generally. We tried in my first year in office to get passed a mandatory sentencing bill, a mandatory minimum sentencing bill, for repeat offenders of the five most violent crimes. It was compromised down.

We have now some presumptive guidelines which just don't work because judges don't follow them, plain and simple, and they're not required to follow them, and it was compromised down. The reason it was compromised down, two reasons which I think are very, very elucidating for us, and

we should remember if we're going to try to push this type of specialized legislation, because they're the two road blocks that are always thrown up against mandatory sentencing. One is, well, it's just going to put too many people in the prisons, and we'd love to do it, Mr. District Attorney, and we'd love to do it, Mr. Citizen Group, but we just don't have the prison space and we can't afford it and maybe in a couple of years when we get some more money and a bond issue for more prisons. Too expensive and no room.

They'll show you all sorts of proponents of this legislation who don't oppose it because there's no room, but who oppose it for other reasons, but they'll show you some of the darnedest studies to show you that if your mandatory sentencing legislation goes into effect, you're going to have to have 200 new state prison beds statewide, and that's a crusher.

It's a crusher because most state legislatures in states that have large urban centers don't have that type of money either and are not about to tax people for it, even though this FIGGIE report shows that people would pay increased taxes for more prisons, for tougher sentences, for additional police, if those taxes could be earmarked. Almost 90 percent of the people questioned said they would pay additional taxes for that type of response but, even given that, the legislators plain and simply aren't going to go for it if it's going to cost too much. That's objection number one.

And objection number two is, well, it's great, but other than putting the individual offender in jail and preventing him from committing future crimes, it's just not going to have the deterrent effect, because it's too broad and I don't believe he's going to know about it.

O. K. I think this sentencing bill which is a narrowly drawn bill which will affect, depending on your state or your jurisdiction, will affect a small number of criminals as opposed to general mandatory sentencing, defeats those two objections. One, because its target group is a smaller group, it's not statewide, it's not all robberies, it's not all assaults, it's not all aggravated assaults, it's not all sexual crimes, things like that. It's a smaller target population, so you can demographically show you're not talking about that much of an increase in your prison space, number one. And number two, because it can be an effective deterrent to others, and if it is an effective deterrent to others, that helps solve number one because if it really does deter after a year or two or three of its operation, you're going to have less people that you're putting into prison because it is an effective deterrent.

Why is it an effective deterrent as opposed to other mandatory sentencing legislation? It's an effective deterrent, in my judgment, because you can get the message across, because if this bill passes in Pennsylvania, we've already met with Bob King and people from SEPTA, and as soon as it passes, even before it becomes effective—it's usually a 30-day lag time in Pennsylvania before a bill becomes effective—as soon as it passes, in every bus, in every subway car, not just subway train, in every subway car, on every subway platform and every bus station platform, in every commuter train station, in every taxicab in the City of Philadelphia, there's going to go up a sign and you may have seen them in other states, saying it's the law if you commit a crime of violence on a public transportation vehicle platform, you will do at least five years in prison, period. And those signs do work.

I was out in Kansas City following the Phillies this weekend, we had charter buses that took us from the hotel to the stadium, and they were regular Kansas City Metro buses, and they had a very good looking sign depicting big handcuffs with the phrase, "It's the law!" on it, referring to their mandatory prison sentence, three years to life for crimes of violence committed with a firearm.

Those things can work, and remember the target group we're trying to reach, the people who commit transit crimes ride the transit system, so that it will be 100 percent effective, in my judgment, within three months of the law going into effect, and those signs being up in every bus, subway, et cetera, within three months, 95 percent of the population you want to reach, that target population of potential offenders is going to know about the law. If after six months to a year, they see that there's no deviation and they see that the law is being complied with, it will work, and that's not going to solve the City of Philadelphia's crime problem per se, and muggers who now ride the subway and just snag jewelry, pocketbooks, you name it, everything, they're going to go to shopping centers or they're going to go someplace else.

I mean I'm not going to ignore or mislead any of you to think that's going to dry up, but what it is going to do, it's going to have an impact in the transportation system itself. Most people who commit crimes are very pragmatic, and if you don't believe that, let me refer you to a study. When I was a young Assistant D.A., we did a study of street muggings in one police district for a nine-month period, and in that nine-month period, we found almost no males under 50 who were mugged.

We found the target of muggers were older men and specifically older women. We found nobody who was mugged if they had somebody with them, if they weren't alone or if they were walking a dog. And why is that? Simply because the average street mugger, he may be a junkie, he may be hopped up, he may need money desperately but he sees me walking down the street and he figures "I'm not going to take any chances, I'll wait because three minutes later I'm going to get a 92-pound woman walking down the street and she's just as likely to have as much money as that big guy," and they're not going to go near a dog because that dog can bite or that dog can bark, simple as that.

So the muggers and the people who commit the crimes of violence on the subways are very practical people. If that law is in effect, and if that type of publicity and that type of specifically-delineated target type informational drive gets put out, I think it will work. As I said, all of the experience of ten years in law enforcement convinces me that that type of narrow limited sentences can be a success, and it can be successful. As I said, problem number one, the objection that it's going to put too many people in jail, will dissipate after four or five years because I think you will drive a great deal of the violent crime off the subways.

It's not the only response. There are many, many other things government can do. There are many, many other things that law enforcement can do, but right now it's the most dramatic, it's the most effective and not only do I think it will work in reality, but in closing I can tell you that I think it's going to work in perception, because what the people of our city need, and I'm sure that what the people of your city need is the feeling that somebody is fighting back, and if

they feel, even the perception that somebody is trying, that there's a new law out there that might frighten away the criminals, that might tip the balance of fear away from the ridership and the employees and towards the offenders, then that's going to be a tremendous help, even as much as the reality of what we're going to do with that type of legislation.

The perception of it is going to be tremendously effective so, as I said, I think it can work for us. I'm hopeful it will pass in November. There are copies up here of the legislation, a press release talking about the legislation and that magazine article, and as I said, unfortunately, I can't stay very long—I'll stay, of course, for the panel discussion, but Maxine Stotland from our office will be around if any of you want to talk to her about the legislation.

I appreciate the opportunity to come here. I think this conference is vitally important. As I said, I read in the New York papers, the Boston papers, the same type of headlines I read here. It's not a Philadelphia problem, it's a national problem and energy is not a Philadelphia problem, it's a national problem, and we better do something about it and we better do something about it quick. So I'm glad to see all of you here.

SENATOR MITCHELL: Thank you very much, Mr. Rendell. I'm delighted that you came here. I also wanted to ask Mr. Rendell if he could, and Maxine Stotland, since the real work of this conference takes place in the workshops immediately after this plenary session, and if for any reason the two of you can just wander around for a few minutes to each of the workshops, that will give the people a chance to ask you questions, and we ask all the panelists to try to do that.

Our next speaker is a 23-year police veteran. He has a Master's degree in urban studies from Roosevelt University. He was a commanding officer for many years of the Joint Youth Development Program in Chicago, and at the present time under Chairman Barnes of the Chicago Transit Authority, they are developing and reorganizing their own transit police system.

Most of the cities use the city force but in Chicago, as here, they're now developing a reorganized police system within the transit system itself. For that purpose, Chairman Barnes appointed his number three man in the whole transit force, Earl McGhee, as the Area Superintendent of Investigations.

He has a wealth of experiences that he can deliver for us, and I take great pleasure in introducing Mr. Earl McGhee, the Area Superintendent of Investigations in the Chicago Transit Police Force.

MR. EARL MCGHEE: Thank you, Senator. Good morning. I would like to report to you that the Chicago Transit Authority security department is alive and well.

About ten minutes ago the Senator indicated that this is a first, which brings to mind an incident that happened to me in 1979 during the ice age in Chicago. I had some personal business downtown in the Loop and, of course, trying to get there was fraught with a great deal of anguish and frustration.

Upon my arrival, there were several people there who were in the same boat that I was. As we entered the elevator, there was one young man that was singing and greeting every-

body good morning, and, of course, one gentleman who was very frustrated turned to him and said, "What are you so happy about? He said, "Well, I have never lived this day before and this is a first," and I feel myself somewhat in the same position.

Mass transit, to be an effective alternative to the private automobile, must be acceptable to the user. To be acceptable the service must be efficient, the physical facilities and equipment must adhere to the highest level of safety, the environment clean and the user secure from any actual or perceived danger to their person. To be successful, all of these elements must be to some degree present. I think we all share those words.

My topic for this discussion today will be on how to balance uniform versus plainclothes transit police.

Crime has its adverse effects on mass transit and has been the subject of several studies in the last decade. The Chicago Transit Authority, the CTA, because of its combined bus and rail system, has been the subject of, or participated in, many studies and the pioneer two major anti-crime systems which have had a positive effect on the transit industry at large as these anti-crime systems are adopted by other transit operators.

The systems are a monitoring system which is a radio communication system with silent electronic alarm capabilities for buses and a closed circuit television system combined with passenger-activated alarm devices and telephones for the rail system. These anti-crime measures are designed to utilize modern technology to combat crime and minimize the necessity of maintaining a large, intensive transit police force.

They are not in themselves the total answers to the crime problems. While they are designed to act as a deterrent to crime, they are demand-response systems; that is, if an alarm is activated on a bus, on a rail station, an incident has occurred, or is about to occur, and the police must respond and another crime statistic has been made, because they are a technological system, the very nature requests a police response. They must be supported by the very entity that they were designed to minimize, a dedicated transit police force.

The need to maintain a transit police force supported by technology systems is a vital necessity to make the transit system a viable and acceptable means of transportation to the general public. Mass transit, to be successful, must be acceptable to the user.

Mr. Eugene Barnes, the Chairman of the CTA, while a legislator in the Illinois House of Representatives, was the Chairman of the House Subcommittee on Transportation that conducted an intensive investigation into the problems of security on public transportation. In its report issued in 1979, it noted that, "It is the atmosphere of crime, disorder, intimidation and apprehension that keeps potential riders and forces regular riders away from the system and makes the ride for those who stay uncomfortable at best."

The atmosphere statement was supported in September, 1980 by a research study called the FIGGIE report of fear of crime. It noted that such fear has slowly paralyzed American society. The head of the research team noted that reducing the symbol of disorder and decay was a real pay-off. If our interests in the transit system is in reducing fear, the results

of the survey as to mass transit crime also indicated that the passenger's first choice in reducing their negative perception would be to increase the police forces on the system. This is what's acceptable to the user.

However, it is still being resisted by segments of the transit industry because of potential costs involved. The industry must bring back into proper focus the fact that the mass transit system exists for only one purpose, that is the movement of people from one location to another as quickly and safely as possible. To be successful, the transit system must relate to the need of the user.

This is especially critical in this day and age because of the increased costs of fuel of the private automobile and a national policy of energy conservation through the use of the public transportation system.

Mr. Barnes, when appointed as chairman of the CTA, was in a unique position of implementing and recommending changes of his committee's report. As a result, the CTA has undergone a transformation both psychologically and organizationally. The needs of the users are being given equal consideration on a par with its operating divisions.

Recognizing the adverse in connection with perceived crime on the CTA, Chairman Barnes is restructuring, reorganizing and reinstating the CTA transit police force. This force is supported by the technological system previously described, in conjunction with the police forces of the community in which the CTA operates, and strives to meet the perceived security needs of the user.

When a police force is established, the method of policing the system must be decided. Different police methods are constantly studied. They are the use of uniform police versus the use of plainclothes police officers, the problem being that there is a definite need for both.

The questions are how to balance the need for both and achieve the goal of having an effective and efficient police force. Basically deciding on the best policing method is the philosophy of management towards crime. They are three-fold: Does management want an apprehension-arrest-conviction method of policing? Does management want a crime deterrent method of policing? Or does management want a combination of both?

Each philosophy dictates a certain method of policing. The apprehension-arrest-conviction method requires by its very nature, that the police force be in plainclothes. To apprehend a law violator, the police officer must normally be unrecognizable as such to the perpetrator. This method may be very effective in some instances.

The police force patrolling the CTA was plainclothes from 1949 to 1972. It was very effective in its operations. Law violators were apprehended, prosecutors convicted and it had a high rate of that. This was effective in apprehending law violators. It was not effective in reducing the user's perceived view of crime on the system. In 1972, the force was placed back in uniform.

Patrolling of the transit system in plainclothes differed from that of traditional police departments in that the plainclothes officers randomly ride the system for the purpose of making an armed view arrest. A traditional police department usually has a detective unit which operates in plainclothes. These detectives normally make follow-up investi-

gation after the fact as to individual crimes that have occurred or work on a series of crimes where a crime pattern has been established.

The plainclothes method of patrolling a transit system is useful; in some circumstances, it actually has a negative impact upon the transit system. This is caused primarily by two reasons. First, the transit user does not know that the police officers are present until the officer observes a law violation and apprehends the offender.

While the arrest is commendable, it also indicates to transit users who witness the incident that crime exists on the system, thus either creating or reinforcing a negative perception of the system. Secondly, when an arrest of a law violator occurs, it denotes that a crime has been committed, that employees of the system or users have also become a crime victim, which also has the effect of indicating to the transit user that the transit system is not secure.

A crime deterrent philosophy is more suitable to the needs of the transit system. This allows the system to operate a police force to reduce or eliminate the user's negative perception caused by crime and to reduce the number of crimes committed on the system.

This task is achieved by having and utilizing a dedicated, well-trained, mobile and highly visible uniformed police force with sufficient manpower to allow officers to be used in plainclothes mode when necessary, supported by the technological anti-crime system.

A police force whose officers are highly visible to the transit user should increase the user's sense of security with a corresponding decrease in the user's negative perception of the system with a reduction in the rate of crime on the system because of the deterrent effort of the uniformed police officer.

While a highly visible uniformed force may address the problem of a user's perception of crime, it does not serve as a panacea to the total crime problem. The uniformed force should be augmented by a plainclothes unit or utilize its uniformed officers in a plainclothes mode when necessary to respond to a specific type of crime and crime patterns.

The need is to have flexibility to respond to any situation without detracting from the user's sense of security.

The crime problems specific to the transit system as reflected by system statistics of users and employees complaining, and by the experience gained in policing operation of the system, will dictate to transit management the policing method that is best suited for that system. The best indicator that the proper balance is being achieved in their police force will be the reduction in crime rate and passengers complaining.

The stated method, and even the implementation of these methods, in itself does not constitute the full picture. The final element is the systematic involvement of the criminal justice system and if it does not work in concert to liquidate, eradicate or control crime on the mass transit system, and society in general, then we're back to square one.

Thank you.

SENATOR MITCHELL: Thank you very much, Mr. McGhee, and I'm counting on you and the other panelists, if possible, to circulate around among the workshops where the real essence of the conference takes place.

Will you please convey our regards to Chairman Barnes. We have a great admiration for him and for the work that he's doing in the Chicago Transit Authority.

Our next and last panelist served a number of years in the Massachusetts Legislature. He was a chief policy adviser to Governor Sargent. He's an adjunct professor in urban affairs at Brandeis University, and for a number of years he has been director of the "Earn-It Program" which is a program that tries to do things with offenders against transit and it—this "Earn-It Program" was featured on one of the "60 Minutes" programs last year, so that I think it won an award.

But in the meantime, he has served for a number of years as the Chief Judge of the District Court in Quincy, Massachusetts.

I give you the Honorable Albert L. Kramer.

JUDGE ALBERT L. KRAMER: Mr. Rendell said that judges aren't doing their job very well. I want to agree with him. I think the criminal justice system, in the words of Gerry Ford, on the scale of one to ten is doing terrible. I'd like to add, I think that prosecutors as well, and the entire criminal justice system is failing, and they're failing for a lot of reasons.

One of them is because they're still relying on very simplistic answers, by putting signs up, and mandatory sentencing and it will all go away, just get a copy of the legislation and your problems will be over.

The problem is it's much more complicated than that. The problem is that we have not had a refreshing idea within the criminal justice system in what seems an awfully long period of time, and because we keep asking for more of the same, we have misdirected our attention toward becoming creative as CTA has with their affairs, because looking at crime obviously can involve a lot of different reasons for it, a lot of different approaches to solve it.

Just for a moment to talk about Mr. Rendell's solution, not to have a debate about that, this country has relied on jails more than any other country in the world except for the tip of Russia and South Africa. We put more people away, and continue to do so, to the point where we're bursting at the seams. We have no space; we are paying \$25,000 to \$30,000 a year to maintain people now in cells that cost \$50,000 or \$60,000, and the legislatures aren't going to pass legislation to put more in jails. You can't even build them, even if you got the money, because people don't want them. We've packed them in to the limit.

We have more people in jail here at the rate of 72 per 100,000 compared to 28 per 100,000 for all other countries. Japan, Sweden, all the countries in Europe, have found that they have a reduced crime rate without that heavy reliance. Yet we continue to ask about putting first and second and third offenders in jail.

As every one of you know, a disorderly person is not going to go to jail, and I think it's important to look at what kinds of crimes you're looking at, that you do have to deal with, that's causing all the problem.

First of all, there was a poll taken in Massachusetts about transit crime, and three out of five people believed there was more crime on MBTA than in Boston, which wasn't true. The perception of crime in quantity, I think, comes from the headlines that we see here, from the TV, et cetera. I'm not saying there isn't crime that exists in subways, but percep-

tion, as Mr. Rendell points out correctly, is totally disproportionate to what is occurring.

You know, I looked at a study just done in Massachusetts by our Legislative Research Council called CRIME IN PUBLIC TRANSPORTATION, and it's a very recent one. It was completed in February, 1980 and it looked at what kinds of crimes we're witnessing in the transit system. It's more to look at that than to really honestly talk about dealing with the issues.

It shows that in 1979, there were 1,916 incidents of crime. 1,377 can be reduced to mere police responses. I'm not sure that there were convictions, or actual crimes took place but 1,740 of them were disorderly, 608 drunk. We're talking about half the crimes dealing with alcohol, half the crimes dealing with alcohol in Massachusetts.

Then we get into some vandalism, not as heavy as we think, but heavy enough, I think that Mr. McGhee can attest to his study in 1978 that showed 11,000 incidents of crime. His was heavier, he had about 9,000, I believe, that had to do with vandalism so that in Chicago I gather we're dealing with more than that so we're dealing with vandalism, we're dealing with alcohol. There are crimes against persons, larceny, purse snatching, robberies and the occasional personal injury from assault by means of dangerous weapons.

That's not the major crime that you're looking at, but they have to be dealt with because the perception of the public and how they think about transportation deal with these issues, but we have to start off dealing with both.

How has the criminal justice system begun to deal with both of them? Well, the record has been terrible, as I said in the words of Gerry Ford, because we have a system of complete leniency in the court. The answer is not to try to put first and second offenders in jail, however, because by either being too harsh or too lenient, we don't get the work done.

Let me take you to a courtroom, as most of you perhaps have been, and tell you what really exists and let me agree with Mr. Rendell completely on this, and I'm sure as a district attorney, he witnesses it daily. The Massachusetts study showed that 81 percent of the people involved with vandalism had a previous record of one to three offenses. Eighty-three percent had a juvenile record, so the courts can do something because when you're involved with repeat offenses, it means we get a crack at them on the first and second occasion to alter that behavior.

We get a chance to do something about it, but in the case of the average first offense there is an attorney who comes to court and says, "Your Honor, I have a client who comes from a poor home, father is an alcoholic, he has had it very hard. I know you want to give this young fellow a chance. What I would suggest, Your Honor, don't give him a record, postpone the case for a year; we call it continued without a fine, dismiss it if there is no trouble, and if there is trouble then bring him back and hit him."

Or "He comes from a wonderful family, I know his parents well. I can tell Your Honor he'll never do it again, give him a break." It makes no difference where they come from, the request is still the same, take no action, and the usual response, I'm sure the great frustration of Mr. Rendell, is the response of doing nothing. They're released to the community, nothing happens.

Every so often, a judge will attempt to order restitution, and then it turns out that 40 to 50 percent of the individuals are unemployed and so restitution doesn't get paid or, if it is, the parents get it paid and we also find most young offenders and most other offenders are between the ages of 13 and 27, who end up not paying for what occurs.

Massachusetts shows some statistics in terms of property damage, and the MBTA experienced \$4.5 million in equipment and material loss over a six-year period due to vandalism. What was the restitution received by the Transit Authority for that loss? 1971 restitution, \$286 that year; 1972, \$269; 1973, \$377; 1974, \$27, maybe two people pitched in to pay that one; 1975, and I tell you why it's going up in 1975, because our court came into existence with this program, very little effect statewide obviously, \$2,787; 1976, \$2,425.

There is no policy for people taking responsibilities for their act. In 1975, when I was a judge and experienced daily this frustration, a young man appeared before me who had broken some windows and I heard the lawyer say, "Your Honor, he comes from a rich family, a poor family," I forgot which, "give him a break," and I said, "What's the boy going to do about the damage?" He said, "Your Honor, the parents will pay," and I said, "The parent didn't do it. What's he going to do about it?" He said, "Judge, he isn't working," so I said, "I'll get him a job. If he doesn't take the job and if he doesn't pay the damages, there is no second chance."

The lawyer stopped, then went outside. I heard an argument between him and his client. He came back and said, "Your Honor, he'd be very pleased to do it." That night I had to get on the phone, call some people, and I was so angry that I made that promise out of frustration. Finally, I got somebody who said "Yes, Judge, we'll give it to you. I'll give him work." He went to work, to my surprise, and paid the money.

We started to put a lot of people to work, so that the restitution payments that used to be \$3,000 in 1975 are now \$108,000 in our court. We began to do some other things. What I thought we would do is share with you why we've been the subject of a lot of publicity. I'm glad about that, because it led to a lot of projects nationally, a lot of LEAA money that we helped procure, a lot of growth in social and work service that I want to talk to you about, and so we've had occasion to be on major television news magazines and other TV stations and there have been headlines and the sort.

So I thought I would take one, a major crime, which was in a television news program, take that and talk a little about major crime and wrap it up for you.

(A film is shown.)

JUDGE KRAMER: What you're looking at is a success story. I want to talk about that. But then I want to talk about the failures, because in a way, that's more important. We're not dealing with honor students that all succeed. We have a 70 percent success rate of kids that learn a lesson, that pay restitution, means a lot of money for damages, and I want to complete that story. But then I want to talk about the 30 percent who don't make it the first time with us, and how we get compliance out of that 30 percent, until another 25 percent comply and then what we do with the last five percent and talk about jail, because we have to be realistic about the successes and failures.

Let me continue with the normal case, 70 percent of the cases which complete this program. There are many things we do. Incidentally, that program was also subsidized through a CETA program so the woman who paid the money in that grant not only paid some money but got some free labor. Most of them are private jobs. A good part of the jobs are all CETA money in which we put kids to work in public places, transportation places you can put them in, which allows them to get the money to pay the victims and allows them a job in combination.

But we have a lot of kids, for instance, we put on work crews, cleaning up the various kinds of public areas—we have a historic railroad, the first in the country, that they just cleaned up, and we had a lot of publicity because Quincy finally has its historic railroad cleaned up to be a historic landsite done by 15 or 20 kids a day working off their particular crime, because some crimes don't have monetary restitution. You may catch somebody before they do something.

Now to catch somebody before they do something, or disorderly conduct, we have them pay by having them make it up in the community by working community service. They may have to do 10 or 15 days of work during weekends or during the week itself. There is no reason why they can't clean up transportation yards if they're caught doing transportation crimes.

But let's talk about the alcohol problem. Many of the people involved with disorderly conduct and alcohol abuse, which you see in transit areas a good deal of the time, are causing most of the commotion, most of the disturbance, most of the pushing, most of the problems for passengers. What do you do with them when they come to the courts?

You're not going to send them to jail realistically. Well, we get them to work eight or ten days, or several weekends in a detoxification center. We have a place called Faxon House, in which every week several of our kids go through, our youngsters, some a little older. Why? Because in the detoxification center, there are two AA meetings a day and there is a volunteer coming in. They must, of necessity, participate.

If any of you know the problems in dealing with alcoholics, you know there is a very high level of denial. Most people don't admit to it. They don't admit they have a problem. I have had people appear before me for operating a vehicle while under the influence of alcohol three times and they think they don't have an alcohol problem. It's much easier to have a volunteer participate in an alcohol program, to come in with their defenses down, to do their community service, than it is to sentence them into alcohol programs. It's better than the usual probation even though that works as well.

We have a youngster pulling a fire alarm. We have him go down to the firehouse to learn about the vulnerability. You can match in community service along with the restitution. Now, there is a book called *THE EARN IT STORY*. If any of you are interested, you can write me in my court and I'll be able to refer you to it, but one of the unions, I don't know if I'll find the actual quote, but one of the unions began to make a statement that we thought we were going to have union problems with kids working in community service.

One of the unions made a statement that they were very pleased such a program exists finally, it was the transit union that was there, to have kids finally work in the various

yards doing work of various kinds to make up expenses. So you can get the cooperation of management with unions once this occurs.

What about the kids that fail? What about the youngsters? And let's talk about the more serious crimes because out of the 70 percent, they work out. What do you do with the 30 percent that don't? Let me talk about a concept called tourniquet sentencing, the carrot and the stick, which courts can do and which you can influence your courts to do.

I'll make up a case, although I can give you a number of these. A young man tears up a whole bunch of track at night going on some kind of a drunk, and the damage is something like \$1,400. Of course, first you have to evaluate what the restitution is to be allowed in the program and this was hard to do because the transit company, of course, doesn't hire outside contractors. They have their own personnel, they repair their own equipment, so you have to negotiate a contract as to what the actual repair would have been, because you don't contract it out. You work out what the restitution is, and we did, around \$1,500.

The young man was given the job, he went to work, he kept a third for his own expenses, kept a third so he could travel to and from the job, and he started to pay some restitution. He paid \$150, he was given the chance to save his record. It was continued a year without a fine. He could be dismissed if he paid it. What happened? He stopped paying. He came before another judge in our court because we all have part of this program now.

That judge increased the penalty. That's important. Said O.K., I'll give you a chance but I'm going to find you guilty, you have a record, I'm going to give you 30 days in the House of Correction. I'll suspend it, suspended sentence, but you got the record, providing you pay the remainder of the restitution and \$100 additional restitution for interest and court costs for the inconvenience. The boy, of course, agreed. He said he'd get his own job. He didn't want to be referred to another job.

He went out and didn't come back, didn't pay for a couple months, still didn't get in any more trouble, came back to court. Now I guess the obvious answer is, send him away for 30 days and forget the restitution and that might be what most people would recommend. It's not what happens with our tourniquet sentence approach which is just turn it a little more. He came before me and I gave him ten weekends in jail. I said, "You start this Friday. That one you do. When you come out, there's going to be two newspapers here in court for you to use in looking for jobs. You don't have to come here, you don't have to pay restitution. But if you get a job and pay one-tenth after you're out I'll stay your ten weekends one weekend and if you pay another one-tenth of the new cost of restitution, I'll stay another weekend. If you don't do it that weekend you'll spend another weekend in jail." So he spent two weekends in jail, but earned enough to pay off the balance of his restitution for the remaining weekends.

So what did he learn? He learned that it cost him \$100 more. He lost his record although it cost him time in a jail while he completed his undertaking. Now we get another 25 percent to complete by turning the tourniquet and turning it immediately. That's the problem, I think Mr. Rendell will tell you about the criminal justice system with great frustration.

You bring people in who violate probation and who violate it on the street, and there is no lesson given to the violator.

If it was going to cost them, I'm going to exert due process right on the spot because that's how you feel, that's normal, you hurt, you want to hurt back. That's punishment, that's vengeance, that's retribution. It really doesn't have a place; it doesn't teach anything, it's only returned anger, but penance is important, and that is the price you have to pay which makes it more uncomfortable to do what you're doing than not doing it.

If the courts make you pay a price that is not uncomfortable compared to what you get, then there is no deterrent. So the idea of restitution in combination, it costs you, you pay the price. It makes you pay back. You must earn that chance. That's the name of it, which is important, "EARN-IT."

What about serious offenses? Let's take somebody involved with assault and battery or somebody who is involved with a robbery and maybe a second offense. Nobody is going to argue, given that kind of a problem, that the person ought to be returned to the street because we are fearful of a repeated crime. Well, I'll tell you, even then, instead of sending them away for a year, we send them for six months, we call it split sentencing. After six months they come out, the sentence is suspended, provided they meet the restitution payments.

So they've done some time and they have a chance to earn their way out of jail which is crowded, which is really not a lesson to teach as much. It's a bottom line you use to get them to do other things, and we put them in the program, and we've had success with that and if people fail, they go to jail. Now, to me as I say, jail was the bottom line.

As a friend of mine once said, if you have a problem, mental problem or a health problem, you, particularly a health problem, didn't run to a surgeon because he'll operate, and operations are very, very risky, you go to an intern, and then if it doesn't work, you go to a surgeon. Well, jail to me is very risky. You put people in, they learn to be hotter, they're isolated from the community with greater risk and more crime.

But listen, after you've been to the intern, after you've tried restitution, after you've tried to give them a chance, after you've tried community service, you've got to use the surgeon because the bottom line is, it's more risky to leave them in the communities. That kind of common sense, it seems to me, neither harsh nor soft, is what we've got to do in the system and for your kinds of crime, the crimes dealing with vandalism, loss of equipment. It's important that you show that, if you take the time to bring people to a criminal justice system, it pays you.

I think you ought to be compensated, if somebody causes you \$200 worth of damages, for your time in court, for the time of going to the police, restitution ought to make the victim whole. I think unless that person is willing to pay it, then I think that person should not be entitled to the opportunity of a second chance or the opportunity to remain in the community. I think this is what's got to be infused in the system.

Now, I know mandatory sentencing and I can understand it as an approach because it just sounds so right. You know, somebody does something he knows he's going to go to jail, he goes, but I've watched two or three things happen. I'm

sure Mr. Rendell, if I continue too long, will want to spend 10 or 15 minutes and have a good argument against it, so I'll only spend two, so you won't be in trouble. I have seen that prosecutors who find, for instance, in our gun law which says you better know the law because if you carry a gun in Massachusetts, you go away for a year.

Well, somebody from out of state carries a gun; we reduce it from carrying to possession, and so we negotiate before it comes into the courtroom. If we don't like somebody who comes in because he wears long hair down to his rear end we prosecute, but if he wears a nice suit and he comes from a nice place we reduce the charge, so prosecutors outside the courtroom begin to make those decisions rather than inside the courtroom. So as a practical matter, we don't enforce anything because when the penalty is too hard, we don't do anything.

My point is, I think we need jail working with a combination of common sense. I don't think Mr. Rendell will argue with that. I'm very impressed with what I read about Mr. McGhee's operation in Chicago, because it has a common sense approach. It talks about uniformed people in subways in order to stop the crime, not so much to detect it alone. It talks about giving people a sense of security, with call but-

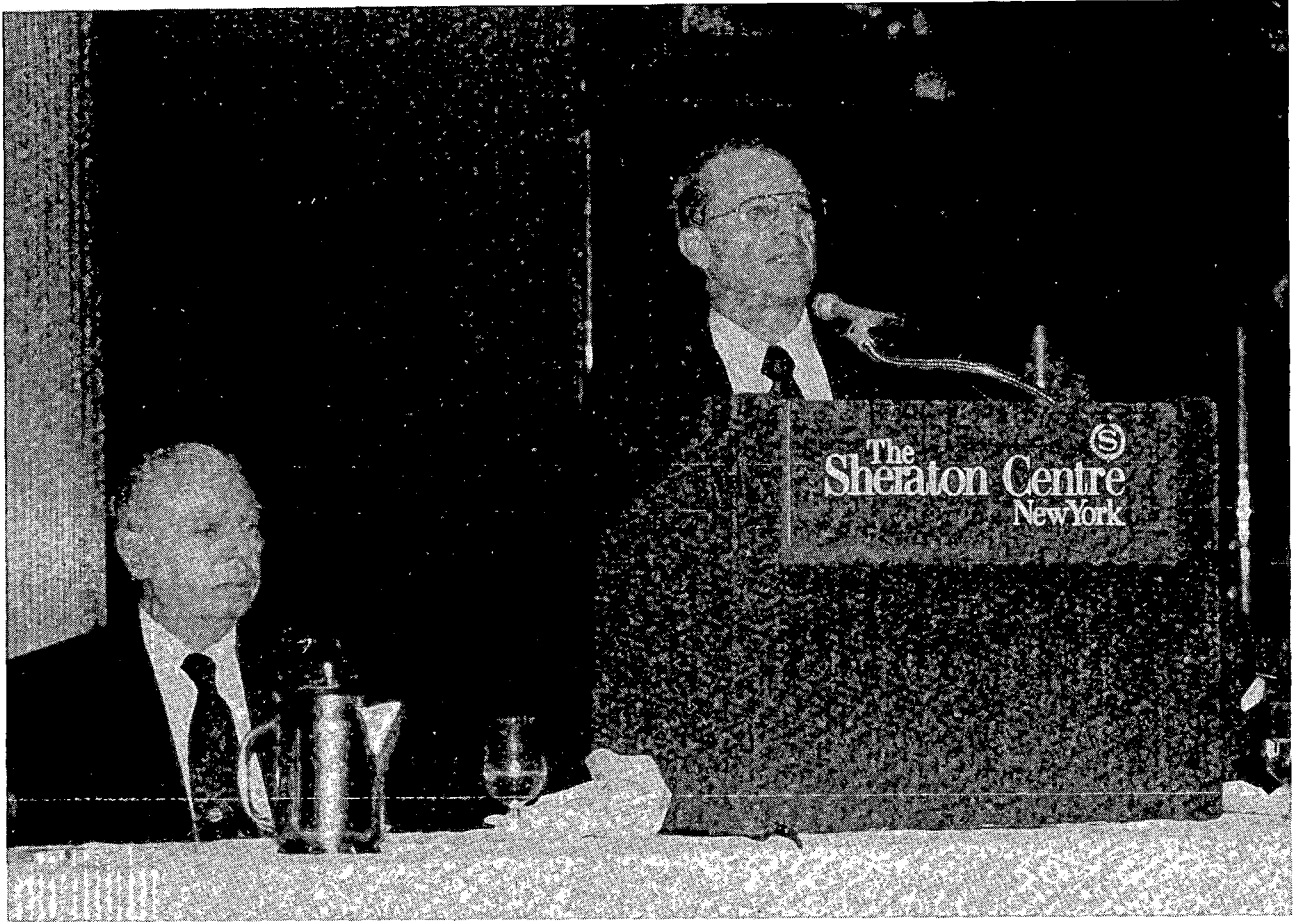
tons and closed circuit TV surveillances as a possibility of what is done, because a lot of people perceive that crime is greater than what it is and with a uniformed person around and with some chance to communicate, that perception of crime in the community gets reduced.

The increase of uniformed security people do that. I think those are the things that are positive. Finally, we catch them when they go through a system of justice that teaches them something, because most offenders aren't like those who appear in Kojak. The question of learning to deal with the expense they have caused people, to take responsibility, to pay back for what they do, these are the kinds of things that I think are very exciting about the possibilities in the criminal justice system and the kinds of things I think will make some sense to you.

I'm delighted to be here. Thank you.

SENATOR MITCHELL: Thank you very much, Judge Kramer, and I am sure there's a message for us. If you people will all go to your workshops, I have prevailed upon these three panelists to circulate for a few minutes among you so that you will have an opportunity of confronting them with your own idea of justice.

Luncheon Proceedings



Mr. Jack R. Gilstrap, Executive Vice President of the American Public Transit Association, addresses the Conference at the Luncheon on Wednesday, October 22, 1980 while Project Director MacNeil Mitchell looks on.

Wednesday, October 22, 1980

LUNCHEON PROCEEDINGS

SENATOR MITCHELL: Ladies and gentlemen, before introducing the head table, or that part of it that will be introduced at this moment, I'd like to state that at the conclusion of our plenary session this afternoon, around 3:15 p.m., there will be another showing of that fine series of slides that we had on yesterday morning at 9 a.m.

On my left here we have Arthur Del Negro, head of the Special Crimes Unit of the National District Attorneys Association.

You all recall the fine speech that Mr. McGhee gave this morning, of the Chicago Transit Authority. Mr. McGhee.

On my right we have Inspector R. Jack Hyde of the Washington Metropolitan Transit Authority.

And we have Miss Anne Nolan of the Southeast Michigan Council of Governments, who will address us this afternoon.

It's a great pleasure for me to turn over the task of introducing our featured speaker to the Editor and Publisher of MASS TRANSIT MAGAZINE, Carroll Carter.

MR. C. CARROLL CARTER: That's one of the difficulties which editors take. They live off of words and sometimes there are altogether too many of them.

I would like to just publicly acknowledge the rather remarkable interest that Senator Caemmerer has in transportation and the accomplishments that have been realized in New York during the time that he has served in the New York Senate and particularly being concerned with this subject.

It's not a sometime thing, the accomplishments of New York with respect to transportation, and other states would certainly do well to take a page from New York's book in having at the State Capitol and in their State Legislature, Senate and House both, legislators skilled, that understand the subject. And, of course, Senator MacNeil Mitchell and Carey Roessel and the others that have done such an excellent job in putting this Conference together, all of us, I'm sure, are indebted to them.

As perhaps some of you know, prior to 1974, there wasn't really a national organization representing all aspects of public transportation. There was, in the early 1940s, beginning in 1942, to be exact, an organization that represented bus transit system operators called the American Transit Association, and that organization stayed in being representing city transit bus operators until 1974. On the rail side of public transportation, there was the Institute for Rapid Transit, which was an outgrowth of the old President's Conference Committee, which were the group of trolley car operators, if you will who, in the middle 1930s, formed a committee for the purposes of attempting to develop a uniform design for a trolley car which subsequently was designed and called the President's Conference Committee Trolley Car or commonly known as the PCC car.

After that effort of those men getting together, bringing themselves together for the purposes of settling on the design for a trolley, they then carried their organization on at the Institute for Rapid Transit, and it wasn't until 1974 that the need was seen for national organization in bringing these two enterprises together, the American Transit Association

and the Institute for Rapid Transit, that we then had a truly national body, the American Public Transit Association.

This is not either a commercial for APTA, nor is it an attempt to be a history lesson, but I think a little bit of background on things is useful in understanding various organizations and their responsibilities and the things that they do.

There have been only two people that have been the executive heads of the American Public Transit Association, one from 1974 until this year, 1980, and your luncheon speaker today is the second of those executive heads of the American Public Transit Association.

Your speaker at luncheon today really is extremely well qualified for the responsibilities that he now has, in that he comes from a background not only with respect to the operations of a transit system, but also with respect to the legislative and governmental affairs side of things.

Prior to coming to public transportation, he worked for the California State Department of Mental Health, for the California State Legislature, and prior to his present assignment, was the General Manager of the Southern California Rapid Transit District for really quite a long period of time, perhaps ten years as General Manager of the RTD.

The RTD in Los Angeles has grown to be the largest bus fleet, entirely bus fleet transit system in the United States and second or third only to Chicago or New York in terms of ridership.

In 1980, the early part of this year, a search was undertaken as to who should be the second executive head of the American Public Transit Association, and it is with a great deal of pleasure that I introduce to you my very good friend, the Executive Vice-President of the American Public Transit Association, Jack Gilstrap.

MR. JACK R. GILSTRAP: Carroll, thank you for that very fine introduction. Senator Mitchell and the head table, I'm very pleased to have been invited to be with you here today and especially it's a pleasure to see some of my friends here, and Jim Burgess over here from Southern California Rapid Transit District is doing such a fine job out there heading up the security department. Jim Burgess has come aboard after we went through quite a process to start the real professionalization of that department. Jim, all I hear is great things about what you're doing out there.

During these two and a half days you're hearing from transit operators and top people across the United States, Canada, you're hearing from security experts, labor leaders, legislators, people from the judiciary, top political leaders, elected officials from several states, and, of course, from your fine state here in New York.

You have the very best sessions. Those which I've heard have been excellent. I thought that the Judge's presentation this morning was encouraging, upbeat, exciting, just had the juices flowing because there was a positive side coming out of this difficult, difficult area of security in transit, and I felt very encouraged, Mr. Chairman, that all of the work that you're putting in is going to lead to some real concrete

product, something positive out of the time and effort that you're putting in.

I think that we can all agree that there is no higher responsibility, any of us carry, than to provide safe and secure transportation to the people we are serving and there is probably no more difficult task facing us. It's a very nebulous area. It's one that's hard to get a handle on.

We struggle with funding priorities, the need for more personnel, we talked about that today and yesterday, the need for improved technology.

The question, can we afford the major kind of financial commitment necessary for security. Or can we afford not to make that commitment? What's more important, a bus in service or two or three security people? They cost about the same, don't they, for a year? Those are tough kinds of issues.

What is an adequate level of security? What is an acceptable level of crime in transit? Is our record good or bad or compared to what? Is crime worse, if it's perpetrated on a transit system, than in your back yard or here in the hotel. If you read the newspapers, I think you might get that impression sometimes.

And in all of this, just who is really responsible for dealing with this matter of crime and vandalism on public transportation? Well, I think what we're getting out of this, and I think very insightfully brought forth by the composition of this conference, is that it's all of our jobs. We are all involved in it. We all share the responsibility.

Success depends upon coordinated effort with the transit operator, of the riders themselves, of the funding agencies, the courts, the society, the general public.

Looking at the transit operator's job, and I must say, after some of the presentations that I've heard this morning, I know that I'm not going to be talking about very many things that haven't already been mentioned, but I would kind of like to survey across the board what seems to me to be the roles that the different players have in this picture.

The operator: well, he's got to recognize security as a top priority. He's got to fund it. Last year, when I put our budget together, Jim and I sat down and we said, "We've got to give more emphasis to this." We budgeted another \$1.25 million in security. But we had to take it out, I have to say, we had to take it out in economies in service and that's what's going on right now, in our outfit, Jim, and you're out recruiting another 40-some people, so you see, Jim and I are very good friends.

The transit operator has got to be willing to innovate and take some risks. Risks are hard things for bureaucrats to take. You've got to be willing to try some new things, and I must compliment the New York transit operators because they stand as leaders in this area of being willing to try things. Your closed circuit television programs that you're moving out with, the pickpocket squad, that's really one of the best in the country from all I hear from our law enforcement people, the excellent training programs that you provide to your security personnel because there are special requirements surely for the security people involved in public transportation. We must always remember that people are and always will be the heart of any attractive operation, and that new program you're doing here in New York that I

think is just excellent is this effort to educate the rider about how to be a safer and more aware patron user of the system.

This, I hope, stands as a model for the transit industry generally. And the operator has got to be prepared to constantly press our manufacturers for improvements in technology. We've seen a lot of that come along. Silent alarms, two-way radios, a blinker light system, which I understand led to an apprehension here just a couple of days ago, vandalism-resistant materials, designs of transit systems, all of these are areas that the transit professional has to put high on his list of priorities.

But the funding agencies, the cities and the counties and the state and the federal government, without their help, it's not going to work, and I'm not telling you anything you don't know. Certainly if you're a city official or a state legislator, you know the pressures on those state and local funds, and so we look to Washington. We were talking about that in one of our earlier sessions just before lunch. I have to tell you that it's very seldom you get those funds you're after without the strings, and I just would offer a cautionary thought to you, and I know that there is direction coming out of your conference to seek additional funds, but take care about those earmarked efforts that lead to a lot of direction from Washington on how they're going to be spent.

But the one thing we do know is that additional tax assistance is required as we increase ridership, simply because fares cannot cope with inflation. You can not raise fares high enough to fund the increase in support services, life security or to expand the transit system. There's probably no city in the United States that needs less to hear that message from someone out of town than New York City, but we've gone through it in Los Angeles just in the last few weeks.

Philadelphia, Detroit, you name it, across the United States, we know that fares cannot be looked on as the way to meet these increased needs. So we must look to our funding agencies for additional help, and I believe we have. It's got to come from all levels—state, local, federal.

The riding public, another member in this team, I think, has a responsibility too. I think they've got to learn how and when to ride to buy maximum security for themselves and, here again, I want to go back and mention this excellent effort that the MTA has under way here in New York City. It's a program attempting to raise the awareness of the rider to help educate the rider to go in twos instead of singularly, wait in lighted areas in the stations, watch the off-peak travel, be careful, put your pocketbook, your purse, in a safe place, common sense alertness. The rider has a responsibility.

The news media have been taking a few licks the last couple of days here, and maybe some of it is deserved because, after all, we see the crime that occurs on the transit system in headlines, where maybe six or seven just like it on the same day are hardly given mention.

There needs to be an increased sensitivity on the part of the news media to the impacting we have on the transit system when they sensationalize about the crime situation in public transit.

What happens when we get big headlines on a transit crime? Well, you know and I know, it tends to hurt your

ridership, cut down the crowding and Lord knows, a crowded transit system is a safe transit system. It tends to reduce your revenues and it is just a vicious cycle making it more and more difficult for us to provide the kind of service and security that a transit system needs.

Balanced reporting or whatever other buzz words you might like, is what I think we deserve and ought to work on, but I'd like to say, too, that perhaps it's partly our responsibility, our responsibility to bring forth the positive side of this security matter as this conference is doing. We are hearing exciting, upbeat, positive programs and results out of what's going on here yesterday, today and tomorrow. I think it's incumbent upon all of us to see that the news media hear about that, learn about it, learn of our concern and the accomplishments and real evidence going into making our transit systems safer.

Then we talk about society generally. Underlining the entire issue is the fact that crime in transit is simply a reflection of the growing lawlessness in society generally. We're experiencing a breakdown in some of our traditional values. We see a disdain in many areas for authority. We see racial tensions that carry over into the transit system, all aggravated to a great extent by our nation's economic problems right now, by underemployment, crowded housing, frustrations and anger about persons displaced and even homeless in many of our large urban centers.

Beyond our professional responsibilities which is the thrust of our meetings here, I think we have to recognize and accept responsibility as individuals, as members of the larger society of which we're a part. We must recognize that there is a need for programs to deal with many of these ills that I've enumerated, but I think the hardest part, the most difficult part of all is for us as individuals to look to ourselves, to look to our own habits, our own attitudes.

The examples we set for our youngsters, for those around us in our everyday life, are extremely important. You know that and I know that, whether we park our car in an illegal place or we run that red light or we cut a few corners on our income tax. Now, that's all part of the picture, that's the tough side of it, how we operate in our offices, how we operate in our bureaucracies and our political campaigns.

We cannot separate ourselves from the general feeling, the general direction that our society tends to be going and so we have to look to the families, and what's left of the family. We have to look to the schools. We have to carry this to the churches and the synagogues and in our social gatherings, to the content of the television and the movies, what we let our kids see, what kind of values we place upon their actions and our own, and until society—and that's all of us—begins to straighten out some of these problems, until we begin to renew our respect for each other as human beings and re-establish a sense of ownership and pride in our institutions and facilities, we're going to have crime problems.

We're going to have them in the streets, in the parks, in our offices, in our factories, in our residences, in our back yard, and incidentally, in that system that carries those people back and forth from those places, which we happen to be directly responsible for.

There's no single solution, no single responsible group. If I were back in the Navy again, Carroll, we'd call this an all hands alert. Now at APTA we're working at it. We've got a very active transit security committee and I see several members of that committee in this room. They're doing a fine job on providing an exchange for ideas and information and sharing experiences. We are working to develop security guidelines, and I think you have a handout piece in your kits that you were provided with for this meeting, listing the subject matter in the guidelines and work that we're doing on security programs.

We considered this a very important contribution to the literature. We're now seeking federal funding on a pilot project which, if we are successful will permit us to systematically review security procedures in effect, develop case studies across the United States and Canada. The emphasis in this program will be on the results, the cost effectiveness of the particular program, with the intent of providing some guidance, some assistance in the decision-making process for those transit systems that are going to decide where to put limited resources in the security area.

And finally, APTA is vigorously supporting the pending transit aid legislation that will be considered by Congress in the post-election session starting probably mid-November.

Now, this legislation, which has passed the Senate and is over in the House has both operating and capital assistance in it. It's absolutely crucial. I'm sure, most of you in this room are involved in helping on that program and helping to support it, but I urge you to make that very high on your list of to do's over the next two or three weeks, because if that bill does not pass, all of the things we're talking about in increased programming, in increased effort in services, will go by the board and we're going to need special help in that lame duck session, Senator, and you know that far better than I do, that to bring the attention of the Legislature in November after this election to this important legislation, will not be easy.

I wish to reiterate my compliments to your New York State Committee on Transportation, to you, Senator Mitchell, to Senator Caemmerer, and all of the staff people who have worked so hard to put this program together, and as Carroll Carter and I were discussing earlier, and I've mentioned it a couple of times, I'm so enthused truly about the positive results that are beginning to come forth from this conference.

I think some of your resolutions and directions can be extremely important in the long run. I appreciate the opportunity to be part of this, and to share some thoughts with you.

Thank you very much.

SENATOR MITCHELL: I want to thank you, both of you, Carroll Carter and Jack Gilstrap, and just want to point out that although we've embraced all the programs wherever we can, it's not only our State Senate Committee on Transportation but the funding of this conference was achieved through a grant from the Urban Mass Transportation Administration in Washington.

Public Perceptions of the Mass Transit Crime Problem



Throughout the entire Conference, the Resolutions Committee met in executive session to finalize resolutions drafted by the workshops.

*Plenary Session IV
Wednesday, October 22, 1980*

PUBLIC PERCEPTIONS OF THE MASS TRANSIT CRIME PROBLEM

SENATOR MITCHELL: The hour of 2:15 having arrived, this plenary session is now hereby convened.

We have three panel speakers this afternoon, and I'm very happy to be able to say that they arrived successfully and somewhat happily.

The first one is a young gentleman who has had quite an enviable record as far as public interest is concerned and from whom I'm sure we'll gain some very accurate and positive impressions.

He's a member of the American Bar Association. He's been on the Board of Advisors and the Council on Municipal Performance, I'm sure that he rates Mayor Koch very well in that respect, Board of Advisors of the New York City Clean Air Campaign, Board of Directors of New York State Environmental Planning Lobby, and had a Rockefeller Foundation fellowship in environmental affairs.

But the reason that we have him here today is because Mayor Koch appointed him as the Chairman of the Permanent Citizens Advisory Committee for the Metropolitan Transportation Authority. In that capacity, he is supposed to be delivering some pungent diatribes on the performance of our transit systems and I'm sure that he will live up to the advance notices.

I now give you with pleasure, Mr. Michael Gerrard.

MR. MICHAEL B. GERRARD: Thank you, Senator. To the extent that my getting here today was a chance, but due to the fact that I have already ridden on five subway trains this morning but I somehow managed to emerge unscathed.

Over the past year we've seen the emergence of a group called the Guardian Angels, and the swirl of controversy which has surrounded them in recent months. I think that this group and this controversy tells us a lot about public perceptions of transit crime which is our topic this afternoon.

I think most of you know that the Guardian Angels are an organization of more than 500 people from New York City who patrol the subways. They are centered in the Bronx, but their activities are throughout the city. They receive certain paramilitary training, and they wear distinctive, very recognizable uniforms, although they're unarmed. They're headed by a fellow named Curtis Sliwa who is a fairly charismatic leader to them and has become one of New York's more adroit publicists.

The public's reaction to the Guardian Angels, I would say, is primarily one of gratitude, and I say that I share that regard. On those trains where I've been a passenger and have seen them, I have felt considerably more secure and I would say that the feeling of security is one of the most important aspects of how satisfying a transit ride is or how unsatisfying it is.

The reaction of the New York City Transit Police has been somewhat less than enthusiastic. I think many of them regard the Guardian Angels as undisciplined vigilantes, and there have been a number of verbal and, in some cases,

physical tussles between the Guardian Angels and the transit police.

There was recently an incident where one of their people was arrested for smoking and then for disorderly conduct, though the grand jury refused to indict him. Then most recently, their leader Sliwa has accused three transit police of kidnapping him and warning him to lay off. That question is now under investigation by the Bronx District Attorney's Office, and clearly if Sliwa is right, then that's a very serious matter. If it turns out that Sliwa is making it up that, too, is a serious matter.

But the New York City Transit Police have not gotten much public support for their opposition to the Guardian Angels and I, frankly, don't think that they should. I think that the transit police are exhibiting a certain amount of uncalled for defensiveness. They see the presence of the Guardian Angels, I think, as a slur on their abilities, their activities, and I don't think it's anything of the sort.

The chief, one of the only complaints that New York subway riders have, I think, against the transit police is just that there aren't enough of them.

There's no question that if you're given a choice between riding on a train with a trained, armed transit policeman or riding on a train with a member of the Guardian Angels, I would rather have the policeman, but that is unfortunately not the choice. The choice that New Yorkers have been confronted with is riding very often on a totally unguarded train and walking around totally unguarded platforms because of the simple lack of manpower.

There aren't enough policemen around to saturate the system and thus there is some necessity for self-help. I think there is also a suspicion on some parts that reaction of the police would be different if the members of the Guardian Angels were from primarily white middle class kids, rather than blacks and Puerto Ricans coming from the same sort of socioeconomic background which is the origin of many of the criminals who the police are sworn to fight and do fight.

The generally favorable public reaction to the Guardian Angels, I think, does show that there is a great deal of desperation on the part of transit riders. There are now more than 300 subway felonies a week in New York City, which I'm sure is more than the total of weekly felonies in many states. Over the past year, there has been a 70 percent increase in transit crime in New York City and there has also been a ten percent decrease in ridership on the New York City transit system.

Now, that decrease in ridership is due to a lot of factors. We had a strike. We had a fare increase. The service has declined to almost inanimate public proportions, but I think that a certain portion of it is due to the increase in crime. One bad experience with crime on a subway is enough to induce a rider to stay off for the rest of his or her life, and these individual experiences are beginning to add up in a major way.

There have been a number of public opinion polls on what the public would like most in the way of improvement in

transit service, and almost invariably, number one is control of crime.

Coming as a close second, interestingly enough, is control of the filth and grime, the cleanliness problem, and number three tends to be on time performance and that kind of thing.

I was surprised in looking at those polls on how high up the cleanliness indicator came in that scale. So you think about cleanliness as a surrogate to the entire environment, the physical and social decay which the transit system has experienced. We have, obviously, a rash of graffiti and the more recent fad of people kicking out windows and glass panels in doors, but smoking has become epidemic and is not only illegal and an annoyance in itself, but it's also one of the reasons why, over the past four years on the New York City subway system, there has been a doubling in the number of fires on the system.

In June there were an average of 20 subway fires a day in New York City and it's only by tremendous good fortune that none of them became major conflagrations. There is the radio problem, blaring radios. There was a crackdown about a year and half ago which was successful for a time, but I think that the effects of it have largely worn off.

The people who engage in the smoking and the radio playing and so forth tend to have an "I-dare-you-to-stop" look about them and an attitude about them which makes their behavior all the more frightening and anti-social. Unfortunately, arresting them and taking them in involves a great deal of time for the transit police, and for that very reason, I think the transit police are reluctant to enforce those laws fully because, of course, they have more important laws to enforce.

One study which the group I chair, the Permanent Citizens Advisory Committee to the MTA, recently did was the study on adjudication of these minor transit offenses, and we recommended that they be decriminalized and transferred to an administrative tribunal such as the New York City Environmental Control Board where they could be handled more expeditiously. You would lose the threat of incarceration, but there's no real threat of incarceration for these people anyway.

Another element of the general air of anarchy underground is the kind of petty harassment, sometimes not so petty harassment, and the fights, the derelicts, and so forth. All this kind of behavior is also technically illegal but the perception of the transit rider is that it is practically never enforced. It is on the par with jaywalking, but it's clearly more hazardous, and its hazards are particularly harshly felt by women who have been subjected to a variety of crimes that men generally are not. Not only rape, but exhibitionism and rovers and that kind of thing and I think that women are disproportionately affected by many kinds of subway crime.

The train crews, the motormen and the conductors are also disproportionately affected. They are victims themselves and I think largely because they're victims, they are hesitant to try to take on an enforcement role themselves. Every subway rider has seen lots of incidents where a conductor will walk by, see a group of people smoking or playing radios or that kind of thing and then just walk right on by. You occasionally even see the transit police do that and that kind of observation is very demoralizing for riders who are made even more to feel that state of anarchy underground.

The situation has gotten to the stage where riders are beginning to feel that self-help may be the only solution, but a number of possible methods of self-help have been discouraged or prevented. One of them is the simple expedient of walking from the subway car where the problem is occurring to the next subway car.

TR-44 and R-46 subway cars in New York, the newer ones, have permanently locked doors for various safety reasons, you might fall out if you walk between them not carefully enough, but they always had emergency switches which could be flipped in case one had to get out to escape a crime or a fire.

Recently the Transit Authority disconnected those switches and now people are just trapped inside those cars with no way out.

Another important method that could be instituted for self-help is placing alarm buttons or voice boxes in subway cars and on subway platforms. Every subway platform in Paris, for instance, has in the middle of the platform a stand which has an intercom to the people who run what is the equivalent of a token booth.

It also has a fire extinguisher and a switch for turning off the third rail in case someone falls off the tracks. The presence of these things would add, I think, considerably to the sense of confidence that people would feel riding the transit system, at least if they were riders fairly often.

I think that things have gotten to the point that people would, in fact, arm themselves on the subways were it not for the realization that displaying a weapon to a mugger is a serious way to get yourself killed. One reason why I think transit crime is perceived as being such a terrible affront on the city and why it receives more attention than its numbers might indicate is the essential randomness.

I am not in fear of being shot by the Mafia or being killed in a barroom brawl because I am able to structure my affairs in a way that I'm not subject to that, but I don't have the choice for all practical purposes of not riding the subway and millions of other people in the city similarly don't have the choice. Whether you are struck by transit crimes depends to only a very small extent on your own behavior unless you engage in one or more of the dumber things that the riders can do.

I think that is one of the reasons why the Renee Katz case, a little over a year ago, received so much publicity. She was the young woman who was pushed in front of a subway train and her hand was severed, she had absolutely no control over it. It was a random act, and people thought, "There but for the grace of God go I," which is not something they feel when they hear about an organized crime killing for the most part.

One indication that people have become very desperate about the transit crime situation is the very favorable reception that the Mayor's proposal to increase the transit fare by five cents has gotten. His proposal is that this five-cent fare increase coming on top of the ten-cent fare increase we had in June would generate about \$50 million which would be put into the transit police.

The New York Post released a poll just last week showing that 62 percent favored that proposal, 27 percent opposed it and about 11 percent were undecided. Interestingly there was no significant variation in feeling toward that proposal

based on income. Even the people at the lower end of the economic spectrum were more than willing to cough up this extra nickel if they felt it would help them.

One of the great skepticisms which has been expressed about the proposal is that there is no guarantee that, although the money is said to be earmarked to the transit police, it's hard to guarantee that it will, in fact, end up there. I think that there are probably ways around that. I think that it might be possible, for instance, for the Transit Authority to enter into a contract with the transit police union whereby the police union would have a right to sue the Transit Authority, or city, if it turned out that the money were being diverted to some other place and it might even be useful to write into the contract a third party cause of action so that citizens could sue if it turned out that the money were being improperly diverted away from the purpose.

I think you might also want to have some kind of systematic monitoring perhaps by the New York City Comptroller's Office or citizens groups like ours, the Mayor's Permanent Citizens Advisory Committee, to make sure the money is going where they say it's going to be going. But I do have other reservations about this proposal. One of them is that I think it would build up too high expectations.

I think clearly what people want and I think what they would expect from this proposal would be saturation of the subway system with police. I think they would expect to see a policeman on every subway train and on every platform and that, unfortunately, just wouldn't happen as I see the figures.

Fewer than 500 policemen are on duty patrolling the system in uniform at any one time, I understand. There are hundreds of trains in service at any one time and 459 stations. Many of those stations would require several policemen to provide anything approaching adequate supervision, so even with this additional amount of money, it is not likely that the saturation point which people want would be achieved.

There are also problems with getting people hired, affirmative action plan difficulties, and so forth. But my most important plan reservation is my notion that we're nickel and diming the system to death. We already had a ten-cent fare increase which would be deferred for what has euphemistically been called the maintenance program, which have been certain, special maintenance programs, for the most part, and here we're talking about five cents for crime, for doors that work, six cents for air conditioning. The list is limitless.

Every single one of those uses to which the money would be put is absolutely necessary and worthwhile, but the combination can drive the fare up so quickly and with so little sense of control over the costs and whether there are other sources of revenue available to or savings available to perform those functions, that I think it's potentially a very dangerous precedent.

The official response to the periodic waves of transit crime that we seem to experience has been generally spasmodic. We have seen several of these waves, or at least they've been perceived as waves by the media, and there is a sudden crash program of more overtime and more hiring and that kind of thing. Of one of those, a new crash program that was announced here last night by Mayor Koch, and there's

no question it's necessary because subway crime has reached intolerable levels, but there have been a lot of activities which I think may have been counter-productive or at least are not the most efficient employment of the very limited resources we have.

One of them is the New York City Transit Police, at least former practice of devoting potential manpower to stopping farebeating, which is an issue that I think is not one that most transit riders would hold dear to their hearts. Nor do I think it is the best route financially necessarily, because I think that the revenue loss which occurs from under-policing is probably of the same magnitude as the revenue gain which is achieved by the presence of those policemen near the token booths.

I think that, additionally, the program of having decoys to impersonate drunks and so forth with money falling out of their pockets is something which does not address the bulk of the transit crime problem. There is relatively little to add to the confidence that most people feel in riding the system. I think one progressive move was the elimination a while ago of free rides for out of uniform New York City policemen and Correction officers, Housing Authority police and Court officers on the subways. They can still ride out of uniform on the buses. I think that that was a mistake.

I also am a little less than enthusiastic about some of the pamphlets that the marketing department of the MTA and the Transit Authority have distributed to subway riders about how to avoid subway crime, because I think that many of them are well suited to the tourist who has never ridden in the New York City subway before. But I do think that the people who do ride them generally, do regard the suggestions as simple common sense which they either do or do not do anyway, but at least they know about them, and I think that the \$100,000 or so that has gone into that program might better have been used to hire three additional transit police.

The one area where there are potential funds available and where these funds, I think, would have a very beneficial impact is on certain capital expenditures such as the installations of alarms, of closed circuit television, of telephones with a free 911 access, of more and more efficient bus radios and better operating surface transit police cars, and I think that a certain amount of money should go into improving the security functions of transit token booth attendants.

The city is now purchasing a large number of these air-conditioned, bullet-proof token booths and their cost is so high that in many cases you could buy a single-family house in the suburbs for what one of those costs.

The effectiveness of these booths, of the occupants of these booths as security people is diminished by the lack of really effective communication with the transit police, and I think to a certain extent their orders are not, or the implementation of their orders are not, such that they engage the security-conscious to the fullest extent.

Let me just finally say that I think public opinion has come to realize that some drastic measures are necessary and the public is willing to pay for those measures if they will lead to some decrease in transit crime, but the public has to be convinced, first, that police will use this money effectively

and that they'll spend their time fighting crime rather than fighting those who want to protect us from the criminals.

Thank you.

SENATOR MITCHELL: Our next panelist has a varied experience in social work and transportation work. She had her education in several of the fine colleges in Michigan. She has, for the last ten years, been associated in varying degrees with the Southeast Michigan Council of Governments and, in that capacity, she has worked closely with LEAA funds in the preparation of at least eight major booklets on transportation matters, not the least of which is the one on crime and security measures in public transportation systems in February of 1979, which I think we have a copy of here. We'll make one available to all the people present.

She has also developed a great system of computerized statistics, one of the best in the nation, and I'm sure that we'll be interested in the perception that she may have and feel that we should have from the standpoint of mass transit crime.

I give you Miss Anne Nolan.

MISS ANNE J. NOLAN: Thank you. One correction, Senator. It was UMTA that actually funded all these things, not LEAA although LEAA was basically the start of the program.

Speaking about public's perception about mass transit crime, when I discovered that this was what I was going to be talking about today, I really did face something of a dilemma. If you really start thinking about it, you really have two problems which automatically surface. They come to the fore, and both of these problems mirror the kinds of contradictions that are found when you talk about this particular topic.

An initial set of problems, for example, automatically revolves around or is associated with the data that has been made available on transit crime. At first glance, for example, there seems to be absolutely no reason, except perhaps for New York City, if you look around the country, there seems to be very little justification for the kind of sensationalized press that occurs over a transit incident.

But at the same time, if you start looking at the data, you find so much unreliable information there, and by and large I think we've never had in this country even to this date a real good knowledge of what is the full extent of transit crime, where is it being perpetrated; where is it happening, and therein lies probably the second problem. So there is a contradiction to begin with right there.

In examining the data inconsistencies, I want to draw your attention, please, first to a publication that you have received and that the Senator so kindly just mentioned, this Crime and Security Measures on Public Transportation Systems.

Now, basically the purpose of this report was to pretty much accept in some way and to get an idea what was the extent of transit crime in this country and, by the way, before I did this, I was a member of the APTA security committee and I was told you better not do that because nobody is going to tell you anything.

I had to do it and thought it would be fun to find out what would happen. I might add we made an awful lot of

follow-up phone calls in about a two-month period to get the data in, but it did kind of pay off.

It was a questionnaire type survey in the back of the report. We kind of tried to give a definition of the crime types as a guide so that we wouldn't get the data too mixed up, and we also tried to seek out pretty much basically what was the extent of the major Part I crimes that the F.B.I. collects annually, and then Part II crimes, those crimes that are the most frequent on transit, and then we tried to give an assessment of what were either the planned or the existing security measures currently in existence.

Now, like many assessments, the survey itself basically reflects something of a mixed bag in terms of what is right with the data, and I'm kind of going on record here, by stating that the responses for the total number of Part I crimes at least, for most transit systems—now there are going to be some exceptions—were accurate.

I think it's more a gut feeling, by the way, that tells me that. I don't want to really have to come up with any valid proof for that, I couldn't do that, but it's a gut feeling that comes from years of experience with the LEAA program and how police departments in general report Part I crime, and I don't know, robberies just seem to make it on the books and they stay there as a data item.

You're talking about ordinance type violations; you are talking about vandalism. It might be something else, but in terms of the Part I crimes, I do think there is a fair degree of accuracy.

If this is the case, then, and if this is true for the majority of survey respondents, then we have to look at a problem that's relatively miniscule for most of the nation and, in this regard, you also have a second handout that was prepared and most of you should have received it today called REPORTED TRANSIT CRIME: PERCEPTIONS AND REALITY.

For example, in terms of this report, I doubt if many of you are too surprised to find that most of the incidents that are reported were ordinance violations and I'm not surprised.

Many of you, though, may get a little surprised about this particular finding on these handouts really. For one thing, that handout affords the comparison between the number of Part I crimes that were reported by the F.B.I. in those comparable jurisdictions in the same reporting year of 1977.

DR. HELEN D. MAYER: What is Part I crime?

MISS NOLAN: Part I crimes indicated on your handout are the seven basic index crimes which are homicide and murder, rape, serious assault, and Michigan has termed aggravated assault, serious anyway, tends to do serious bodily harm, burglary, larceny and auto theft.

Now, if you take a look at these comparisons, they not only support the first contention that the press ought not to sensationalize the reported portion to their actual extent. You know, one cannot help but wonder to what degree transit crime, in terms of the more serious offenses, is actually responsible for generating negative public perceptions.

Now, I have to say right off, after hearing about New York City for three days, obviously that is not the case, but looking at the country as a whole you really wonder where this public perception of this terribly serious problem is, and where it's coming from.

You know, unfortunately, I can not make any reasonable good rate comparisons here. The number of Part I transit crimes represent overall, however, only a miniscule proportion of the nationwide crime problem. Now, for instance, there was just one instance where transit crime exceeded a fraction of one percent of total crimes reported for 42 U.S. cities but for many transit systems the fractional comparisons were practically nonexistent.

With that in mind, we have to say, "What does the data fail to reveal and why, in certain instances, are there fearful public attitudes?" And I think negative perception is possibly more justified than the data suggests they should be, and that, if we go into that I want you to keep that question very much in mind.

First and foremost, the data very simply fails to tell the complete story. In no instance, for example, does the data include information on crimes that occur at coach stops, even though coach stops reflect an integral part of the transit environment, despite the fact that coach stops serve as a major crime target in a large number of U.S. cities. Coach stops, in fact, have taken over as the beer and wine stores in many of our large cities, which were traditionally the targets of late night crimes and robberies and so on. Coach stops have become one of the major or certainly the second major source of armed robbery, I can say to this day in the City of Detroit, let alone rape.

Evidence in support of this contention—I can only come to one place for that unfortunately—is available from data compiled from the Crime Analysis Division of the Detroit Police Department, and since 1977 this division has documented the extent of serious assaultive crimes occurring at coach stops.

Over a three-year period extending between 1977 and 1979, a total of 1,443 offenses focusing on rapes, serious assaults and/or robbery, were perpetrated against transit patrons awaiting to board coaches. Further, while the Detroit Police Department may be the only large metropolitan city in the country to compile such data, it is highly unlikely that it is the only city in the country experiencing a serious number of crimes occurring at coach stops.

Does anyone in here now know of any other police department in the country compiling crime data at coach stops? And this was done by our security effort, in fact it came down from the chief that this would be done. Only in three categories are they doing it, because they didn't want to overload the Crime Analysis Unit with the crimes occurring at coach stops. To my knowledge it's the only one doing it at this time.

Now, from our experience, in Detroit reported by the Metropolitan Detroit Security Police, the Blue Bird Unit, in 1977, for example, this special unit made 407 felony arrests, 1,513 misdemeanor arrests, and they issued 4,667 ordinance file violations.

Now, all of this adds up to a much more sizeable number than the 1,273 total. This is reported by the Detroit Department of Transportation, their coach operators, during the same time period. In the yellow report you're basically seeing the coach operator report. You do not have the data from Detroit so right away, I'm trying to give you the picture if this is Detroit, the coach stop units, and the Blue Bird special unit reporting what's going on in the rest of the

nation? Hopefully when we do a second report of this type, in January of next year, we are going to send out another survey of this nature. Before that time any suggestions, any ideas, where we can get a clear and a more concise picture, and any data that you have that's supplementary of this nature like the Blue Birds in Detroit and the coach stops, please let me know that and any ideas you have will be much appreciated.

Now, while I also indicated that probably Part I crimes were overall accurate, I have to indicate right now, well, yes, that's true to a degree, in terms of the coach stop crimes. But let's take New York City, for example. I have some question on the data in the report as well.

For example, it was recently brought to my attention that a total of 11,665 Part I crimes were reported in 1979. Now, this figure, obviously is considerably higher, in fact, 6,801, or an increase of very substantial proportions over those that were reported in our report. Our report, when it came in, was 4,864.

Now, I don't know if that's true. Did you have that much of an increase in New York? Did you go from 4,864 in 1977 to 11,665 in 1979? That may be the case, but it seemed like a kind of an inflationary growth. I'm not sure, but for whatever reason, there is some problem with the New York data and, hopefully, in the report this can be corrected in the sense that if you would just please report it, Part I or Part II. When you get into the felonious, misdemeanor category, then we get into the prosecutor's office, and it doesn't allow for comparisons really with other U. S. reporting offices or any place else.

Now, comparison drawbacks really further exist in the absence of any crime rates that can be actively drawn and I really know there's tremendous limitations in this kind of handout you get. I was just trying to dramatize, to look at where crime is compared to the rest of its 42 cities as a total. It's pretty minuscule, as you can see. Let us take a look at that and examine it because that might be part of the reason why it's very difficult to get judges to hear your cases.

Last, but not least, though, there is one other issue that comes to mind. It is not just to say that the base data appears minuscule, for the captive rider problems associated with transit crime may be anything but minuscule, of course, and depending on how much credence one might want to place on exposure indexes that have been developed with transit situations in mind, an average patron's chances of being victimized in a transit situation may be much greater than expected. By the way, I was surprised not to have heard a great deal about that. I think, in the past, that has been discussed, but what the exposure rate is I do not know.

It could be maybe ten times worse for a captive rider, for example, than somebody else and I hope that is something we take up before the conference ends. Finally, a lack of comparable data on the coach stop incidents and the reliable information on the full extent of Part II crimes indicates that the transit environment falls short in the fairly obvious optimum point of security.

Now, with these factors in mind, it may be fairly easy to understand why the second problem almost naturally occurs whenever one attempts to gauge how they determine the effect of transit crime on ridership. Most of you, I'm sure,

are aware of many of the variables which can influence such an assessment. No sooner do you establish an assessment to say it's crime that turns riders off, no sooner than you do that and you can make a case and say it's reliability, convenience, and comfort. I think many of you here today are familiar with many of the studies that were done in the early 1970s in Milwaukee, Washington, D. C., Chicago, Cleveland, and so on.

Basically many of the studies did address themselves to transit crime and the influence that public perception has on ridership and, while individual survey results for the most part failed to verify connections between crime occurrence and ridership changes, the Chicago studies clearly indicated the perceptions of the crime affect ridership patterns. I think these same studies also showed that these perceptions were, of course, often very unrealistic.

I think the value of all these surveys, besides lessening their findings, are more on the questions they raise. But to this date, for example, it is not known to what extent riders, and particularly the captive rider population, are, or have been, victims of one or more transit offenses and what we need are some really good victimization-type studies. To date much remains to be known about the actual influence that real and/or perceived periods of crime have on ridership.

I really don't think anybody has the answer to that.

Certainly difficulties are encountered in attempting to apply most of the aforementioned survey results to transit systems in general. A great deal of variance not only reflects different geographical areas of the country, but for many smaller and you know even many medium-sized systems for that matter, let's face it, transit crime is simply not a problem.

It's because of these reasons alone, public perceptions concerning transit crime need to be examined from a different vantage point. In fact, I think one of the shortcomings that are found in most of the survey results, to date, is that public perceptions per se have not been examined as a comprehensive phenomenon. In other words, more meaningful results might accrue if less attention were given to how patrons or potential patrons of public transportation perceive crime, but more on how the perception of the crime about their total environment affects their daily lives.

In other words, to what extent does it keep them indoors at night? To what extent do these same perceptions act as a motivation in taking certain crime prevention measures, and to what extent does their local transportation system actually fit into this larger conceptual context?

As such it may not be sensationalized press stories about transit crime that sets the stage and determine ridership patterns so much as the daily news coverage that currently mirrors a lack of security within a larger environment. For most urban dwellers residing in large metropolitan centers, the same fears that keep them from walking their neighborhood streets at night are probably at work in determining whether to ride the subway or wait at a coach stop. And given a choice, riding the subway might be the least of their worries. And seen in this light, perceptual influences upon ridership contain implications far and beyond perceived fears concerning transit crimes.

It may, in essence, never be enough to prove beyond a shadow of a doubt that a particular transit system is the safest place in the world if, in fact, the surrounding envi-

ronment is really perceived as a pretty scary place and, by the same token, attempts to actually quantify the influence of public perceptions concerning crime on ridership patterns, are governed by three additional factors.

In the first instance, a large segment of our urban population has, within recent years, been inundated with the crime prevention approach to life and I don't want to demean that, the important survival techniques associated with these efforts. In fact, most of my work over the years at LEAA was trying to get people to think that way, but it's probably safe to say, and you know an almost paranoid readiness does almost characterize about urban dwellers. Fear is going to keep you alive in many instances and while it may be difficult if not impossible to determine what effect this has on ridership level, it probably does have some bearing on when, where and how an individual utilizes public transportation.

In terms of this, what I'm talking about here in this readiness, I wanted to give a personal example. A couple of years ago I attended a workshop in northwest New Mexico at a place called the Ghost Ranch, a very remote, beautiful, lovely place, and, upon arriving there, I went and was given a room. I went to the room and unpacked, and I realized there was no lock on the door and no key, and I ran right back to the front office and I said, "You know, there's no key; somebody took my key," and they said, "Oh, no, we never have keys, we never lock the doors."

You never lock the doors. Well, let me tell you coming from the urban eastern environment, I did. I spent two sleepless nights and I finally took the chair and propped it up against the doorknob and felt very secure. See, we come from a deadbolt lock society, and if you're used to that kind of thing when you're even up there in the mountain and nobody is going to come around except the coyotes, you can be in an insecure situation when you're not used to that.

But I see this, and I don't mean to demean it, but I think it affects how we perceive a lot of things. We're prone, I think, to be scared over a lot of things we really don't need to be, and by the same token the attempt to quantify the influence of public perception on ridership is sometimes thwarted by, I think, some of the latest, or let me put it this way, some of the recent survey results which indicate, for example, that it might actually be of very low priority, the fear of crime.

The results of studies conducted by the Gallup organization in 1978 at Princeton University, UMTA, Hughes National Center for Educational Studies indicate that while Americans do not view public transportation too highly, their readiness to utilize public transportation was probably more based on the energy crisis than any fear of crime, one way or the other.

And then finally in recent years we've all realized that the energy crisis gets some very dramatic increases in mass transit ridership, it raises an additional question about what is this actual influence of crime. Is it still existing or did it never exist? For instance, did it always exist in some of these places that have known some of the great increases?

Let me give you an example. Portland, Seattle, Washington, San Mateo, Minneapolis-St. Paul, in spite of these increases, in the last seven or eight years, have been over 100 percent in ridership, and basically they're based on some very real increases and some very innovative programs and so on.

Maybe they're crime free, maybe they didn't have that problem, I don't know. Now, obviously, all of the aforementioned factors characterize an issue that is clouded by complexity and its own contradiction. As such there is little reason to believe that quantitative findings about the deterrent effects of transit crime on patronage can be obtained with ease, and for that matter, I'm not even sure with accuracy.

Problems associated with assessing public perceptions about transit crime will undoubtedly continue until which time perceived fears are understood more fully within a broader conceptual framework. Failure to recognize this aspect could seriously limit even the best intentions, particularly as they affect our larger urbanized centers.

In short, efforts to change negative public perceptions if, in fact, this is a problem, and I don't think we're even convinced this is a problem, must give due consideration to a number of factors including a thorough analysis of the local situation.

In conclusion, I am hopeful and I would like to encourage the hope that during this afternoon's workshop sessions, some guidelines and agreements be reached about some of the issues that were just raised.

Number one, what constitutes and what should constitute the parameters of mass transit environments, and do these parameters include coach stop incidents as an important aspect of the mass transit crime?

Now, I can imagine a lot of people here who have their own transit security force, are probably not too eager to take on that issue of coach stop incidents particularly, but if it deters ridership, the statistics in Detroit indicate that at certain coach stops it does deter ridership, then I think somebody has got to address it. It does bring up that old issue you've got to cooperate with the local police one way or another, you've got to do something because it is affecting both of you.

Number two, what can be done to ensure more accurate transit crime reporting in terms of Part II enforcement violations? Suggestions concerning that issue would be useful because it is those crimes that are causing the problems in public transportation. What can and should be done to quantify the amount of victimization of individuals on our public transportation system?

And last, but not least, what implications are placed on security measures whenever public perceptions concerning transit crime are seen as part of a broader conceptual framework? Because now you're dealing with a different item. Now, when you look at the public perception as being part of a larger picture, as being part of the total environment, how do you fit your transit system into that, and how much do you have to change the total environment to make a better public transportation system?

Thank you very much.

SENATOR MITCHELL: Thank you very much, Miss Nolan. I appreciate your having come all the way from Michigan.

MISS NOLAN: Can I say something quickly? I wanted to mention, and I'm so sorry I didn't do so right at the beginning. I wanted to take this opportunity to thank all of you who continually supplied the data for this report which a lot of my speech came from today, and I would look forward to your cooperation again in January of next year.

SENATOR MITCHELL: Our next speaker has come all the way from San Francisco in the midst of a very heavy pressure of responsibilities and I'm deeply grateful to him, as is Senator Caemmerer, for his willingness to take time out to be here with us.

He obtained his Master's degree from an institution where I was privileged to attend for a short time, at the University of California at Berkeley. He has had a wealth of experience in transit and railroad work in the United States, Canada and Australia.

In 1970 he became active and associated with BART, which, as you know, is the San Francisco Bay Area Rapid Transit District, and he started as a planning engineer. He worked his way up, and only a few years later he became one of three people in the Office of General Management.

In January of 1979, after a nationwide search, he was selected to be the General Manager of BART and I'm sure that he has a wealth of experiences to tell us. He has a few slides which, after his talk, will be exhibited by Ron Kane prior to the second showing of our mass transit crime slides.

So without further ado, I give you now, Keith Bernard, General Manager of the San Francisco Bay Rapid Transit District.

MR. CHARLES KEITH BERNARD: Thank you very much, Senator. It's also useful to be the last speaker, because this way I can comment on some of the earlier remarks, maybe even try and pull them together for you in the context of a transit operator. And BART, after all, is the operator that is supposed to have done it all right, especially in this area, and we may not have done it all right in other areas, but in this area, I think we actually have.

One comment, though, I'd like to share with you. We talked about self-help. Mike says people can self-help themselves. Maybe one of the reasons that there's very little perception of crime on BART or problems on BART is because we have a very interested citizenry and a very responsive police around our system, not just our own police but also the local police.

We had a strike not so long ago, and many of us went out and did normal ordinary work on the system to run it during that strike. I was closing a station one night, and we closed early because we could only serve the commuter periods with all of our operators on strike, and along came a citizen who was really upset because he had just bought a ticket and he couldn't take the train. The sign up there said it was open until midnight, but we were closing at seven o'clock, and he came up to me and had a big argument about why we had to do that and that that was robbery, we were robbing his money, and he was so irate about it he put me under citizens' arrest. I really couldn't reason with the gentleman, and he got mad enough and he called the local police from the station where we had lots of communications capabilities and phones, and in five minutes' time, the local police roared up and it took me 20 minutes to convince them that he didn't have a case.

So that demonstrates the interest that Bay Area citizens have in the system and their willingness to apply self-help if you like, and also the responsiveness of even the local police let alone our own transit police.

Now, it's interesting that we have a great paradox here, because BART is a place where there's very little perception of any crime problem at all, and yet if we look at all the statistics that we've been able to assemble, and I don't want to criticize the statistics because they're important to collect and to make better, but if we look at them, BART turns out to be one of the number one crime problem systems in the nation, but we don't have a problem. You can go to San Francisco and everybody will tell you there is no problem on BART, but don't ride the MUNI.

Most people ride the MUNI and we don't even have that many riding BART yet. So why is that? If we look at the example from New York, where it's said we're in crisis proportions and we look at BART and we take the statistics and we even take all the crimes that are reported in New York, you get a figure of 5.8 crime reports per 100,000 riders.

If you just take the Part I crimes which we talked about before and you separate out of those, even all the auto-related crimes, you get 13.6 per 100,000 riders on BART against New York's, a crisis proportion and we don't have a problem.

So why is that? Why is it that the statistics would show that MUNI is much safer than BART and yet most people know that BART's no problem at all. First answer is the statistics themselves. If you really analyze the Part I crimes which are the most important probably in scaring people off of the system, and you take out from the reports all of our crimes which are auto-related, and then our numbers drop considerably. But even then, we still show up as number five in the country, and on a pro rata basis, a rider or even a total number of incidents reported notice that our Part I crimes do include a lot of auto-related things. 68 percent of our coach stops are located in a giant place. It's called a parking lot and we happen to have about 22,000 parking spaces around the system, probably more than any other system in the country, because BART was built to attract automobile drivers to the stations and then into the city, so we have massive parking lots and a lot of our crimes occur right there, auto theft, petty theft, from the car.

It's also solved a lot of our crimes which are not auto-related which usually take place in the parking lots or around the parking lots and because we have an excellent police department and we pretty much police our own jurisdictions. We cross 17 jurisdictions, we help out in and around parking lots, and we help out when a bus operator calls in on his radio with a problem when he happens to be stopped beside our station.

So a lot of our so-called hard Part I crimes aren't taking place on the BART system at all, but statistically they're being reported and, in fact, we are reporting coach stop incidents with pretty good accuracy.

Another thing probably that our police department is, compared to the scope of budget that's provided elsewhere, they comprise a pretty substantial group of people and they have full jurisdiction and they do excellent reporting, so you can be sure that when you read our statistics, we're picking up everything that's happening and maybe in a lot of the other statistics we're not getting everything that's happening.

But be that as it may, we still have a paradox. You take out all those adjustments and it looks like there's a lot of Part I

crime, and yet there is no perception of that being the case. Now, we have evidence that there is no perception. We have market surveys, ridership profile surveys, and just general common sense of anyone you might speak to in the Bay Area and our surveys would show, for instance, that two years ago even some 27 percent of the people who ride would have said that there was a problem or maybe a problem in policing BART.

We subsequently added two years ago about 30 persons, shifted our resources around and put more people on the trains and fewer people in the parking lots. Parking lot incidents rose, train incidents went down, but the perception as measured by a proper survey was 14 percent of our riders thought that there was a crime problem on BART, truly only 14 percent of the people would say that there is a problem in a statistically accurate survey. I'm sure that kind of a survey in New York would produce the results that maybe 80 percent would say there's a terrible problem on the MTA.

We have other evidence. We have data that says, if you ask people what's important to them in riding transit and they respond multiple answers, they say things like "It's cheaper," 55 percent of them would say it's cheaper. Seventy-five percent would say, "It takes me where I want to go." There may be 70 percent who would say "It's convenient, it's fast, it's reliable," and BART, itself isn't all that reliable yet, and 63 percent of them say "It's safer." Those 63 percent of these people say it's safer and nobody is saying it's really not safe. As statistics go, that's quite a significant number.

When we looked at BART versus MUNI in a survey asking people which is the safest way to go, 78 percent stated that automobiles were totally safe, 55 percent said BART and only 25 percent said MUNI was safe. So the perception of MUNI is that it's either terrible or difficult. The perception of BART is that it's fine, and yet the statistics show that it's the opposite.

So I don't really know how to solve the paradox, but I can say that the media does not think there's a problem on BART. You hardly ever see a story about a crime on BART. In fact, someone pointed out to me this morning that there was an incident a couple of years ago, and it was a fairly major thing. It was editorialized about. The editorial started off saying this is a rare event on BART, and that's the kind of media you certainly want to have if it's true.

We believe it is true, and yet the statistics tell you that maybe it's a serious problem.

Enough for the statistics. I think it's still important to understand maybe why the perception at least is good and we, in fact, think that the fact is good. We have an excellent police force which started off when the system began operations. We overstaffed at the beginning, and our police force has jurisdiction. The only thing they don't do is operate a jail. They even transport prisoners to jail because we aren't able to get total assistance from the local jurisdictions. They carry through all the functions including investigation.

We have plainclothes details. We file the complaints. We appear in court to back up our prosecutions and we're fairly successful in making a lot of them stick where we have a serious case. We have an excellent group of officers. Forty percent at least are lateral transfers from adjacent police departments who already knew the terrain, came to BART

because they were attracted to BART. So we have a very high caliber of officer.

The average officer is maybe 34 years old, probably has three years of college education and has gone through the extensive California training for police officers. He's a full-fledged police officer charged with holding up the law just like any other city police officer in all of California.

Our people are well respected by the local jurisdictions and they're very visible. They have uniforms which are similar to the local police and they look the part and they're respected for the part.

We have more than a police force. We have an excellent system which has a lot of great architectural features, very high quality stations. It looks good. It's not the kind of place where you commit crimes, and people seem to think that's so, although we don't have any research that would really prove that. We have a lot of slides that Ron will go through quickly afterwards, and if you're interested, you're welcome to look at them and see what a pleasant environment it is.

We're designed specifically to be that way. There's open spaces, there's good flow for passengers, they don't congregate and get jammed up in areas. There are few closed up corners or places where people could hide. There's a lot of visibility. Stations are set up with agents who are in booths who survey most of the critical areas of the stations. We are equipped with closed circuit TV in many cases and we hope to have more.

The stations have good communications. You can pick up white phones around the station and usually get an answer from an agent if you have to report an emergency. We have good communications with our police dispatch office through the central control of BART. We have an excellent radio network of our own, so we can dispatch people instantly. We staff for something like a 12-minute normal response, but in emergencies we can handle it in three minutes.

The stations are generally good places to be and they look like good places to be.

We have a big program, of course, to try and deter vandalism and when it occurs, we try and fix it right away. We spend \$500,000 a year which, for us, is a significant sum on repairing vandalism, making sure that graffiti and slashed seats or anything like that is immediately fixed, so that there is not a growing perception that you can do that kind of thing on BART.

Police officers go to the schools and work with children, work with teenagers especially. We've tried doing patrols in the past, and we're going to reinstitute them, we hope. We do a number of things working with the community to try and provide interest in BART. We coordinate well with the local police. We've had problem areas where we meet with community groups. We meet with city council. We work with the local police and between us we work coordinated patrols.

We back each other up and we get pretty good results.

Among other things, I think that we have a pretty alert staff, we have eyes and ears all around the system including just office employees who may be riding on trains or in the stations, and they know how to put the word out very quickly to get a response. So I think the perception from the crimi-

nal point of view is don't mess around on BART because you'll get caught, at least don't mess around with any serious things and we've never had a murder. We have very few of those really aggravated kinds of things that seem to be much more commonplace here.

Those are some of the reasons why I think the perception at least is good and why I think the fact is that it is very good, even though the statistics don't really show it. We feel we need to do more things and we have several programs in motion which will elaborate further on the kinds of things I've just described.

The main thing is that there's always a need for money, and a lot of the things that we could do we could do more of if we had money. So the final closing remark to try and close it off on time, sir, the recommendations that are before this group, I looked at the resolutions that are drafted, one of them is that there be a special priority or a special category of funding for transit.

We couldn't support that more. I think that's very important. We're lucky that we can devote some \$4 million of our \$90 million budget to a police department and another \$500,000 to fix vandalism on the spot. But not everybody can justify that and we, ourselves, could certainly benefit if there was a special category of funding whether it's five cents on the ticket or a UMTA category of funding which would provide strictly for security.

And I'm pleased to note in closing, that at least the statistics would guarantee that we got a lot of the funding because they assure that we have one of the biggest problems.

Thank you.

SENATOR MITCHELL: Thank you very much, Mr. Bernard. I notice that we've had in the room here for some time the General Manager of the New York City Transit Authority, Mr. Stephen Kauffman. I just want to give him a plug and tell him we're glad that he is here. When you can get the General Manager to take time off to attend these sessions, you must know that we've achieved the highest accolade. I just want him to know on numerous occasions in the past I have heard from Ron Kane about the exemplary manner in which Mr. Kauffman handles and fields his manifold responsibilities.

Can we now have the slides? Mr. Kane, do those of Mr. Bernard first, the San Francisco items.

MR. BERNARD: I would suggest we just go through these very quickly, and what they do is give you a feeling for the kinds of architecture that's built in throughout the system and you can look for colorful interiors, open spaces, pleasant looking areas, and I would say, just flip through them very quickly and you get a kaleidoscope of that, and then the other presentation will, I think, make more points with respect to these kinds of things.

This is an example of handicapped access where every station has a phone which is lowered for the handicapped and all of BART, in fact, is accessible to the handicapped in wheelchairs, a sore point with people like Jack Gilstrap.

Bright interiors, high volume interiors, short trains, in fact during our peak hours, so that there's lots of passengers and no big empty cars for people to hide in. Good looking

interiors in the cars themselves. This doesn't look like a place in which you ought to try to commit a crime. This is the 78 percent safe way to travel on.

Fare collection is a big problem for us in terms of machine reliability but we don't get much abuse percentagewise. It's very easy to break through those gates. Another short train.

DR. MAYER: How do the wheelchair people get there?

MR. BERNARD: We have elevators at every station that take you from the street to the mezzanine to the platform and then you can just go right onto the train and have space on the train to put the wheelchair.

These are shots from many different stations, and the repetitive theme which was set as a criteria to all the individual

architects who worked on each station, open spaces, well lighted, good flow room so that people don't congregate and press in certain areas, good visibility. In some cases here, you see closed circuit TV cameras which appear in the agent's booth so that he can be looking on the agent's platform as well as looking at the station.

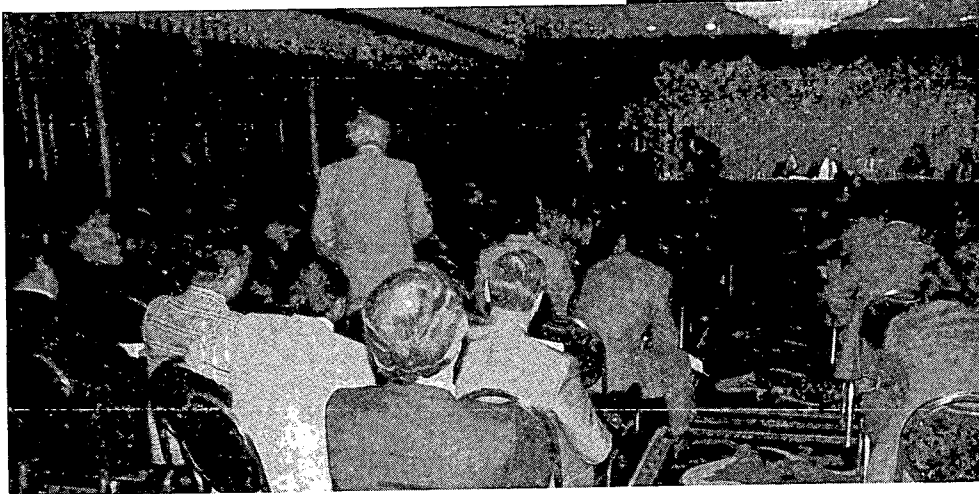
In other cases we have those cameras hooked up right back of central control, people in central can look at different platforms or look at different places on the system.

You might notice that the people who ride BART are all pretty respectable looking people too. They generate an atmosphere of being in a bank or something like that, and maybe banks get robbed.

Thank you.

Funding Mass Transit Crime Prevention Efforts

John B. Kiernan, Chief Counsel, New York State Senate Committee on Transportation, and Conference Resolutions Committee Chairman, presents resolutions drafted by the workshops to the Conference attendees for adoption.



*Plenary Session V
Thursday, October 23, 1980*

FUNDING MASS TRANSIT CRIME PREVENTION EFFORTS

SENATOR MITCHELL: The hour of 9:30 having arrived, this fifth plenary session of the National Conference on Mass Transit Crime and Vandalism is hereby convened.

The topic is a very intriguing, but unexciting one in a way, because it involves funding of mass transit crime prevention efforts. That is a subject that excites everybody negatively because there is always some segment of the population which feels that it's going to be confronted with the extra burden.

I think that somehow the burden of this extra cost, an absolutely vital and necessary cost, must be borne perhaps by two or three segments of the population, but in any event, somebody will have to pay the tariff. As Mayor Koch has proposed here, an extra five-cent increase in the fare, or some people say, "Well, that's great, but how do we know that it will all go to the same fixed purpose?"

However that may be, I don't expect to anticipate what these people will say, but I know that they're going to make suggestions that merit your active and important consideration.

And as some of you, I'm sure all of you, know, we've been very fortunate that the speakers have mingled around in the various workshops, so that at that particular time, the question and answer period is very important.

We had expected Mr. Rand Burgner to be here from the Metropolitan Transportation Authority. The word that I receive is that he was called into an important meeting with the Chairman who, incidentally, will be one of our very important luncheon speakers, and I'm delighted that the man who has come in his place is someone with whom I can be attuned, because I'm an old railroad man. I used to work on the Union Pacific many years ago.

He is Mr. Thomas J. Costello. He's Community Relations Director of MTA. He worked for 30 years for the Pennsylvania Railroad and he will give us some insight on a very unusual arrangement that the MTA and its public relations people have hit upon in order to try to mitigate some of the costs of vandalism.

Mr. Costello.

MR. THOMAS J. COSTELLO: Ladies and gentlemen at nine o'clock this morning, I was preparing for a meeting at two o'clock this afternoon, regarding fares for elderly and handicapped persons on the MTA transportation system. Mr. Burgner came into my office, told me that the Chairman had called an emergency meeting which he must attend, and would I go over to the Sheraton and say a few words in his place.

Naturally, I am not about to make the presentation that he would have made. However, the subject that he was going to discuss with you, I'm prepared to discuss as well.

Mr. Burgner was going to talk to you about the MTA's "Adopt-a-Station" program. It's a program that he was responsible for implementing on the MTA about five years ago. The "Adopt-a-Station" program, as it was implemented initially, was intended to get support of the schools, civic groups, business groups in a community and the district

within a certain area, get them to furnish the funding and the effort and we would furnish the stations.

I'd like to tell you about two instances where stations have been adopted by high schools. The first "Adopt-a-Station" project was in October, 1976, when we interested the Hillcrest High School in Queens, New York in adopting the Parsons Boulevard Rapid Transit station.

The assistant principal of the school, who was the director of the art department, handled the project for the school. I handled the project for the MTA. It was my job to get the representatives from our constituent agency, the New York City Transit Authority, to cooperate in working out with the school this project at the Parsons Boulevard station.

The maintenance of way department, the station department, the engineering department, especially the architectural section, cooperated in every way possible. On the part of the high school, all the art classes decided that they would like to make murals representing transportation, the murals to be placed on the concourse at the Parsons Boulevard subway station, and those kids did a bang-up job.

They prepared 12 murals four feet by four feet, each one representing transportation, and after about three months of work the murals were delivered to the station and maintenance of way departments. The workmen from those departments put the murals on frames and they hung them on pillars at strategic parts of the concourse.

Now, Parsons Boulevard is no different than any of our other subway stations where graffiti and vandalism has been a problem, and one of the objects of this program was to experiment with something that would reduce vandalism, reduce graffiti at a station.

Well, after those kids had the presentation day and those murals were hung in the subway station, it would have been murder for anybody to have done anything to deface the murals or the station adjacent to the murals because these high school youngsters kept an eye on the station at Parsons Boulevard where their murals were hanging. This was their work, and for a couple of years after those murals were hung at the station, I know of only one instance where a mural was defaced. It was taken down promptly and fixed at the high school and put back.

In May, 1977, we worked out another "Adopt-a-Station" project out on the Long Island Rail Road. The suburban stations on our railroads are no different from the subway stations on our rapid transit lines. They're subjected to lots of vandalism. There's graffiti inside and outside.

The director of the civics classes at the Northport High School heard of the project we had worked out in New York at Parsons Boulevard. He got in touch with us and said that Northport High School would be interested in an "Adopt-a-Station" project at the Northport railroad station on the Long Island Rail Road. Would we be willing to work with them on it? Absolutely.

The school solicited the merchants in Northport and raised all the money and the materials necessary to carry out their "Adopt-a-Station" project at the railroad station. Instead of

murals, however, the junior and senior classes went down to the station. They stripped the paint off the ceilings, off the walls, off the benches. They scraped the floors and after they had the station down to the bare essentials that we hadn't seen for maybe 25 years, they applied coats of polyurethane on the benches. They painted the floors and they painted the walls and the ceiling in pastel shades representing the rising sun from the time it rises in the morning until it goes down at night. This was all done by the civics classes at the Northport High School.

They became so interested in the project that they solicited a rug dealer in the community to furnish a rug which they put down in the station, and this is the only station on the Long Island Rail Road that has a rug on the floor. Incidentally, it presented quite a maintenance problem, because you know people using a railroad station are not going to take care of carpeting, and our maintenance people have had quite a job keeping the rug looking presentable. They've had to use vacuum cleaners which were not part of the station porter's equipment.

However, again, we had a presentation and the railroad station was presented to the community jointly by the MTA and by the Northport High School and, again, the children, young people, took a very strong interest in the railroad station that they had converted into a very lovely place, and they kept an eye on it.

Now, the "Adopt-a-Station" program is still an MTA project. However, we now have a director, a young woman who has been hired as a consultant, to handle the program and she's carried things much further than these initial attempts when we had just enlisted the support of the schools in order to get the young people interested in their railroad stations and the community interested in spending a little time, a little effort and, incidentally, a little money which we didn't have, on the railroad stations in their communities.

There are numerous stations which have been done by the schools. There are stations which have been done by industry. Miss Felixia Lally, our director, has a very extensive program, and if any of you were interested in getting details of that program from her, she has put together a small brochure, and I would be glad to give you her address and you could ask her for further information.

I'm sorry that Mr. Burgner was unable to attend. It was an emergency. Otherwise he would have been here, but Mr. Burgner is the man responsible for the "Adopt-a-Station" program on the MTA, and it has been a success.

SENATOR MITCHELL: Thank you very much, Mr. Costello, and I'm sure we appreciate your substituting and I know that we appreciate the job you did. By the way, I suppose maybe that we ought to start "Adopt-a-Car" programs because maybe if we put murals in each car and had the high school student ride the car, there wouldn't be the graffiti there.

After all, vandalism is a part of this program, and two of the speakers here this morning are tackling that particular phase of it. The latter two will be talking on the funding end of it. I should have mentioned that earlier in the program.

Our next speaker is Mr. Gerry Paradis, who is the Director of the Maryland Law Education Project. He is one who has come here especially to indicate the type of work that's being done in that University Center working with schools and students in an effort to curb the flow of vandalism. Mr. Paradis.

MR. GERRARD W. PARADIS: Good morning. I want to tell you a little bit about how I happened to be at this Conference. I'm probably the least likely person to be here.

I'm an educator by training. I know very little about transit or the transit business, but about six weeks ago, I was doing a crime prevention conference in Baltimore. A gentleman by the name of Jack Hyde was in the audience, and we happened to be talking about a vandalism program we operate. Jack said, "Well, let's get together and have lunch."

From that spun the idea that possibly I would have some interest in coming to this Conference and maybe talking to some of you for a few minutes, and so I'm going to keep it very brief, but let me tell you a little bit about what we're involved in, and throw out an idea for you that some of you might find interesting that we run with back home.

Relating to funding, I think that one of the things we can safely say about the programs I'm going to talk about is that they are very inexpensive to operate. It's sort of a direct spinoff on what Mr. Costello was talking about a minute ago, because it is working with the schools, and the schools are very anxious to work with groups such as yours to curb the problems we have in the community, because those problems in the community are dragged into the schools.

So it's got to be an infusion between the community and the schools.

The program I operate happens to be funded by the State Department of Education of the Maryland State Bar Association, and we work on teacher training and curriculum development. We're looking for a positive, long-term approach to solutions to major problems in communities such as violence and vandalism, shoplifting, et cetera.

We have developed out of our program, one of the things we've been involved in is an anti-vandalism program that we are putting into operation throughout the State of Maryland in the junior and senior high schools, at local option by the way. School systems do not have to do this, but we're finding that if we supply the materials and the training which we are funded to do, school systems are more than anxious to get involved in this voluntarily.

An interesting sidelight to this is that I can't keep up with the demand for our material, not only in Maryland but throughout the country. There is just such a demand for these articles, as many of our school systems are looking for ways to curb this particular problem.

We have focused our program on school crime and school vandalism. What I'm throwing out to you today is looking at the possibility of developing something in the area specifically of transit crime and transit vandalism that has been used in the school system in your local jurisdictions and can be developed by your local people.

The thrust of what we're about, I think may be summarized in a very short phrase called reactive versus proactive. Typically in school systems, in the transit business, I've learned the last three days, we have been reactive to problems. What do we do in schools?

There's a problem. We put in gates, chains, we put in glass that doesn't break. In some instances, we put in dogs and police. That is reactive. In the school business, it seems to me what we should be doing is working within the kids' heads. The problem of vandalism is a problem of attitude.

People don't give a damn about property. It's as simple as that, so one of the things we're trying to work with is kids' attitudes.

One of the things we're very much involved in right now is developing an anti-vandalism program for the elementary schools, kindergarten through grade 5. I think Mr. Mitchell, the gentleman from Chicago, mentioned the fact, you know, by the time they get to be 13- or 14-years old you alluded to this, you know, it's too late.

They really start working when they're much younger. So what we're trying to do, for example, we're trying to show kids their own attitude, just to give you one brief insight into this, we take kids and put them in groups and we ask them to react to a situation such as slashing tires. We divide the class in half. We give half the class a sheet of paper which asks, "What would you do if you saw somebody slashing tires?"

Well, we put up signs around the room—call the police, don't get involved, get involved with the act, participate—and the kids have choices. They go around to the different positions in the room, they discuss with each other why they chose what they did. Funny thing happens though. The kids pick different things for different reasons and they start asking each other questions that really don't make sense.

What have we done? We've set it up so that half the group has a sheet of paper that states: This is public property. The other half states: This is your bicycle tires or your car tires. Very different attitude when it's your very own property contrasted to public property and very different attitude and kids begin to understand the attitude of their parents relating to property.

We're trying to add to kids' knowledge and make them aware of the problem in the community and in the schools and let them know that the solution to the problem is theirs. Things such as Mr. Costello is doing such as the "Adopt-a-Station" program would be the sort of thing we ask kids to get involved in.

We don't ask kids to take an exam at the end and pass the unit and say they won't go out and vandalize because they've passed a test. We have asked kids to get involved in the problem. We've asked kids to go out in community groups assisting in cleaning up. We have asked them to go into almost a campaign program of anti-vandalism in their own local community.

My suggestion I guess, for you folks is that this is a relatively inexpensive way to make the public aware of the extent of the problem we have. It's something I think you should do as part of your civic duty to work with the schools in the community. And finally I think it's just good public relations. I think that it's an opportunity for you to extend what you're doing and make the community part of the solution to your problem.

I know it works in Maryland to the extent that we use it, and I feel that many of you are interested in following up and doing something in your communities. I would be glad to sit down and chat with you as to how we operate in Maryland and try to come up with some ideas for you, and I think that you'll find that the communities would be more than responsive to your requests to work with them.

Finally, I've left some materials out in the foyer. This particular piece of propaganda is a fact sheet about our pro-

gram. It has my name and address on it, telephone number if some of you would like to contact me. If any of you are interested in the curriculum, just contact me, I'd be glad to send it to you at no cost. I'll just stick it in the mail.

Thank you.

SENATOR MITCHELL: Thank you very much, Mr. Paradis. Of course, I don't think that I need to repeat the fact that vandalism, when practiced by youngsters right up to the age of high school, is the forerunner of crime and, if enough of the young people right up through high school age can be taught the importance of avoiding vandalism and protecting property, then I think that will be an integral part of educational needs to try to foster an air of avoiding more important and serious crimes as they grow older.

Approaching now the funding question, our next to the last speaker has a distinguished career in the United States Department of Transportation. One of his attributes in the last fiscal year period was distributing some \$40 million in funds from the Urban Mass Transportation Administration, and we thought we might not be able to get him here, because he was so engrossed in trying to distribute this largesse, but he managed successfully to hand the money out.

I'm not sure whether our grant was part of it or not, but in any event, he's familiar with handing out money and I guess because the fiscal year period has ended, he can't hand out any more, but he does have a very fine record. The President brought him into the office personally because of the history of his achievements in state government. He has a financial record in private enterprise of no mean standing, so that just because he happens to be a bureaucrat doesn't mean that he hasn't a fine-tuned knowledge of the importance of the free enterprise system.

He is now the East Coast Regional Administrator for the U.S. Department of Transportation, and I give you Mr. Hiram J. Walker.

MR. HIRAM J. WALKER: Good morning. Senator, the program in Region 2 is \$1 billion, not \$40 million. Thank you.

SENATOR MITCHELL: I prefer to have you say it, so that it will have more of an effect.

MR. WALKER: I was glad to hear Mr. Costello mention the "Adopt-a-Station" program because we have been working with NYCTA in that program. That was a program locally conceived and developed and not one imposed by the federal government.

That was basically a wholly conceived urban initiative program long before the Urban Mass Transportation network program, and we have participated with the TA and local business groups in funding some of those stations, and our participation has been rather modest in this program, and we're very happy about that. We like to see the local initiative on that.

We have been so well pleased with the program that in fiscal year 1981 it's our intent to put \$2 million into that program.

MR. COSTELLO: Thank you.

MR. WALKER: So if any of you have not seen any of these stations, I would suggest that maybe you take a ride, I think the railroad runs to Union Square, take a ride down to Union Square, the 14th Street Station, and take a look at that. It's

really a good effort for a very little bit of money, so I would suggest that you try to do that.

Now, when Senator Mitchell asked that I speak at this Conference, I was very reluctant to do so, and my first reaction was that UMTA doesn't have any program for crime prevention and security, a funding program, and I felt, well, maybe I better call up the Administrator and have him initiate one, and then I thought about it and I thought, well, that probably is not the way to go about it.

Basically, there is no special pot of money for crime prevention and security. However, all of the activities involved, whether it's planning, capital or operating, are eligible for UMTA funding, but what this means, though, is that any of those special projects have to compete with your other transit improvements.

So really it comes down to the local decision on priorities and how you allocate your funds. There are limited, local, state and federal resources for mass transit and then it basically becomes a local decision-making process on which to build. If you and those people interested and involved in crime prevention and security wish the funds to have capital projects funded, then you will have to work within your local process to make sure those are given a high priority.

Now, let me just give you an example of some of the things we have funded here in New York in the last several years. It's not very extensive, but some of it is fairly significant. In the planning area, when I checked the records, I was really very disappointed to see that agencies have not taken advantage of the federal planning grants for this type of activity.

I reviewed the tri-state program, which is an agency that we give something like \$7 or \$8 million a year for planning, which is passed through the Transit Authority, the MTA and numerous other agencies, and I could only find three studies that we funded, and those were basically oriented to special types of studies. None of them were broad comprehensive studies that I would think any agency would want to initiate. They focused on training police radio networks, low light TV surveillance in yards was another, and the third related to surveillance in mass transit systems primarily in stations, and personnel alarm systems and that sort of thing.

In our capital programming, capital funding, there are a number of projects that have been programmed for this year for the Transit Authority and the MTA and a number have already been funded, and these fall in basically three categories of funding and, again, I'm not sure this is tied into any type of comprehensive program. It's all oriented to different categories.

One is property protection and, again, a number of these capital projects have been funded. They are now under design. They are not any of them under construction, but there again one was, basically related to radio systems and electronic surveillance and that sort of thing.

The second category is station improvements. A couple of years ago we approved grants for six stations which would have closed circuit TV installed. The MTA board was a little reluctant to go forward with all six, and they decided to proceed with only three stations and incidentally these stations are on 57th Street, 58th Street and Times Square. You'll probably see this equipment being installed now.

Another station improvement has been to replace the token booths, make them bullet-proof and provide more security for the Transit Authority personnel.

Another project is identifying and developing passenger security areas within the station. A big project when we're talking about a system the size of the Transit Authority, is station lighting, and UMTA has put \$10.7 million just into improving station lighting in the Transit Authority system, and we have to add to that the 20 percent local share in the total amount of the cost.

The third category where capital funding has been provided has been in the area of police department improvement. This includes renovation of police stations, installing communication-information systems, and generally police radio and communication equipment. That last one has been funded at an \$11.9 million level.

Now, basically those are the three areas that we have provided funding in New York City. In our new systems such as in Buffalo, security is an integral part of the design of our systems so in those new systems it is being handled, I think, adequately and John Dyer, who is here from Miami can tell you surely what he is doing down there with the department there.

In our new bus maintenance facilities which are now under construction, similar to those in Rochester, Buffalo, Syracuse, we will be designing security into those facilities.

So basically in the new facilities we are doing something. In the older systems like New York we are attempting to do things with the Transit Authority. However, it's not a federally mandated program, so again I emphasize that it's local option, local priority that governs what is being funded.

Let me just close by commenting on the UMTA fiscal year 1981 appropriations bill. I know many of you out there aren't grant people, but if you take the message back, I would appreciate it, and I have a letter here today that I'm sending out to all grantees, commenting on one of the provisions of that appropriations bill.

The bill was signed by the President on October 9th. I was in a meeting last week in Washington with the Administrator, our Regional Administrator, and the Administrator has signed our operating budget for our 65th program. We hope to have our Section 3 program in the region very shortly, so we're going to have funds available to start making grants within a week to two weeks, and that is much earlier than we have ever had funds available before.

But there are two provisions of the appropriations bill, I'd like to comment on.

The first one in the bill mandates that we close out all pending audits and that we do that by September 30, 1981 and that's an extremely hard work load for us in UMTA and it's going to mean that we're going to have to be working very closely with the authorities to get those pending audits closed out on all projects. All new audits have to be resolved within six months, so that's an increased work load that we hadn't anticipated, but it's something that needs to be done and, so now, it is legislatively mandated that we will do it.

The other point that I want to emphasize, which is more critical and is already influencing the way we do business, is that the appropriations bill placed a 30 percent limit on the amount of money we could spend in the fourth quarter of

the federal fiscal year which is July, August and September. In other words, we can only spend 30 percent of our total appropriation in the fourth quarter, which means Congress intends for the federal government to spread its money out over the entire year rather than spending it in the last three months.

That limit also includes a 15 percent limit on the amount that could be spent in any one month in that quarter. Basically what that means to me is that I have to approve grants for 70 percent of my program by June 30, 1981. By August 31, 1981, I have to approve 85 percent of the funds that I have available, so most of the agencies are going to be hearing from UMTA about this provision and we'll be encouraging you to accelerate all of your programs.

It's not something that bothers us so much in Region 2 since we were beginning to do that two or three years ago, and last year we nearly met that percentage level, so we're not so worried about it, but if you would take that message back, I would appreciate it.

I have letters here that I would lay on the table if you pick one up and take back with you, and for your own interest if you're interested in crime prevention or security type grants, this would obviously apply to you, is to let me just run down quickly appropriations to give you an idea what the amounts are and how those have changed from 1980.

Our Section 3 capital program has increased from \$1.7 billion dollars to \$2.2 billion. Now, our program is more categorized than it used to be. We increased our bus and bus-related programs from \$405 million to \$580 million and our rail modernization program went from \$760 million to \$945 million. The new starts program went from \$390 million to \$495 million. That's a program that John Dyer and I compete for all the time and when we get through funding Buffalo out of that program, we'll have a few million dollars left for Miami.

The Section 5 formula program increased from \$1.4 billion by about \$50 million. That was the one program that was not increased significantly. However, the \$50 million was in the Tier 4 bus capital program, so basically we have received quite an increase in our bus capital funding area.

That is all I have to say. I appreciate the opportunity to meet with you, and if you have any questions I'd be glad to answer them.

SENATOR MITCHELL: Thank you very much, Mr. Walker.

Our concluding speaker for this final plenary session has a distinguished career. He graduated with several degrees from the University of Alabama and he served in various economic and management fields in the State of Tennessee.

He finally ended up as Deputy Regional Administrator for the U. S. Office of Economic Opportunity in Atlanta. Right now, he's busily engaged in developing post haste, I might add, a fine rapid transit system for Dade County, Florida, and he is the Special Assistant to the Transportation Coordinator of Metropolitan Dade County, and I give you Mr. John A. Dyer.

MR. JOHN A. DYER: Thank you, Senator. Ladies and gentlemen, I'm delighted to be here today. It's a pleasure to have the opportunity to talk about what, in many respects, is a boring subject to you and at the same time is critically important to the future of the agencies that you represent as well as transit in general and throughout the United States.

Let me start out first in terms of perspective. If you haven't gotten the perspective from the general managers or the public officials that you work for, that transit in the United States will double in size to 1980, I think you need to go back and talk to the people that are making policy in the urban area that you represent.

Clearly, the compounding energy crisis, the array of long-term energy shortages, the international domestic instability, and the changing growth patterns of the urban United States in terms of organization, are going to mean that in this country, by the end of the 1980s transit ridership may well be twice what it is today.

If we think the problems of mass transit crime and related activities are significant, if we think the problems of operations of major transit systems are significant, we haven't seen anything until we get to the end of this decade.

The automobile, the American love affair with the automobile is not going to end, but it's going to change substantially and we're going to see that cause increasing problems for transit systems simply because they don't have the capacity today to carry the volumes of people that are going to be insisting upon and demanding service well before 1985, and I'm talking in national terms for one second.

Rail systems, heavy rail, bus systems, light rail systems, new developing people mover systems and all the others, even down to paratransit, the entire scenario of transit services will be doubling before the end of the 1980s.

I think Congress clearly is on that track. Obviously this is being accomplished with increases in funding for expansion of bus systems, increases in funding for new start rail systems and increases in funding for modernization, rehabilitation and expansion of existing systems. There are 10 or 12 existing rail systems in the United States today with a couple being built. The most recent up and running is the Atlanta MARTA system, next coming up will be the Buffalo, Baltimore, excuse me; run by the Rapid Transit Administration of the State of Maryland, and then coming up will be Miami and Baltimore at the same time.

In addition to that, there are a number of light rail systems, Portland, San Diego, certainly Houston, Seattle, maybe into the heavy rail systems coming up very quickly. Certainly Los Angeles will be a heavy rail city well before the decade of the 1980s, and in that context for just a minute, let me talk about the funding of mass transit crime prevention activities and efforts.

First, in general as today, funding is available. I think Mr. Walker has very adequately explained the basic federal role and responsibility, and I think if you boil that down, it comes down to being this. There is no specific categorical program available for funding such efforts. However, dollars are available. It boils down to the local decision-makers, how local decision-makers allocate federal, state and local dollars that are available to them.

It's a matter in the final analysis of priorities at the local level. By local, state, planning and administering officials who have responsibility for making policy.

Let me try to go through from the local view for a second how I see a number of these things happening. First, in terms of planning. Transportation planning in general, highways, transit, other things, transit planning, a subset of

transportation planning and mass transit specifically related activities that related to transit planning in general.

All of those things are under the responsibilities of the metropolitan transportation planning organizations, designated MPOs. Those MPOs are designated by governors, approved by the U. S. Secretary of Transportation, and they have the exclusive responsibility as conduits for receiving planning funds.

Those organizations across the country go from councils of government that you've heard representatives speak from yesterday, so-called COGs. COGs, in some states are called area development districts, in other states, area planning and development commissions, in some cases they are metropolitan governments as in the case of Miami, and in a couple of other cases they are regional planning commissions.

Now, those organizations control the planning dollars. UMTA Section 8 planning dollars and Federal Highway Administration Section 112 and 134 planning dollars. Now, the degree to which mass transit planning activities involve prevention of criminal efforts, prevention of criminal activities, really relates to how the dollar develops.

Transportation planners have a lot of methodologies that relate to forecasting growth, forecasting design, doing alternative analyses studies. The relationship between the police activities, the police planners, the people who have knowledge of crime and crime activities and transit planners is really very weak in the United States. That linkage I have not seen certainly anywhere in the state of Florida. I've seen very limited amounts of that nationally.

It's something that you in this room can do a considerable amount with if you're willing to deal with the allocation of dollars and raise the issues through metropolitan planning organizations.

I think it's an important point. We have not done, in Miami, all we need to do by any means. Certainly eligible and in need of being addressed are long-term security and crime prevention. High transit planning needs to be done, needs to be integrated closely with developing new systems and renovating, remodeling and rehabilitating existing systems, whether they be bus, light rail, rail or anything else.

The second thing that needs to be done is that there needs to be consideration of alternatives, how you approach it, what's happening. I kind of suspect in many cases that the techniques and strategy used ten years ago in planning and putting on the street efforts to prevent crime probably don't apply so well today. I think that's been said in a number of ways already this morning. I think it's being said more so every day.

I think the architectural engineering design work ten years ago is probably outdated today in terms of addressing these issues. I don't know that our police and those persons who have managerial and technical skills on the crime prevention side really have adequate input to architectural designers on what should be built, how it should be put in place and what enforcement efforts will occur after you get operational.

Those type things, although they occur in the planning process, there's plenty of opportunity for plan update type things, operational planning to be funded from this source

of funds and, in addition, the business of data collection and the business of special studies.

Data collection that I have seen is not by any means what I would call high quality data collection. Its accuracy is not that good in some cases, and it's very difficult for transit planners to deal with. It's very difficult for people in transit operations who generally don't keep good data to deal with.

The police agencies generally keep better data, and it's a case where transit operators, transit managers and transit policymakers need to have brought to their attention some of the deficiencies that exist, both local and at the state level. It's not really a national issue, no sir, not likely to become a national issue.

I'll pass on by the second part of capital financing which was covered by Mr. Walker just a minute ago. Basically this source being Section 3 and Section 5 of the Urban Mass Transportation Administration's appropriations.

The third element that I want to concentrate on is the one that involves operating costs, recurring costs, continuing operations of the transit system as it interacts in the urban area that it serves. In many cases, that's an all bus system. In most cases it is. In some cases, it's a combination of all, a bus with some fixed guideway type system, rail, light rail, surface, sometimes subway, sometimes aerial structure, heavy rail, sometimes just coming up, I guess our fully automated people mover systems that I think are going to cause another type of security problem that has not yet been addressed very well: just imagine a horizontal elevator running throughout a community, an elevator running in a horizontal direction, instead of vertical. That's what's being discussed with people in the system.

Probably the airport experience has been the most accurate and the best in terms of what that all amounts to. Certainly, the new Atlanta airport, the Skytak airport in Seattle, the Tampa airport, the Miami airport international extension, all have automated systems. Dallas-Fort Worth has an automated system.

Those types of fully automated systems generate some new security and operating problems that don't exist in standard transit operations and it's a case of what type of physical facilities, capital equipment, can be deployed and then how do you address the issue of personal security on board vehicles where there's no operator, in platforms where there is no person who has any fare collection responsibilities or other things. That's quite an extension from the conventional mass transit operations.

Now, in terms of new sources of funds for a second, the ones that I have been able to discern and have been explored and we in metropolitan Dade County and Miami are currently in the process of putting in place, some may not have direct applicability to your circumstance, and in some cases they may well have, but first certainly the whole business of special forms of local taxes, are possible.

Let me suggest a couple of ones that we think have great merit. Something in the way of a value-added tax. In placing new transit facilities, whether they be bus malls, bus facilities or rail or light rail or people mover stations, economic studies show that there's going to be a substantial value added to the existing property and new structures going up if they are in place or rehabilitation or renovation is occurring.

For example, I think we can show in some cases closeness, proximity to transit stations will result in six and eight dollar per square foot increased value. That means the owner of a building should get \$6 more per square foot per year on a rental basis. It means that the commercial or whatever types of space that are there are worth \$6 more per square foot per year. Value-added tax then being 25 cents or 50 cents per square foot for certain purposes could easily enough be dedicated to transit operations or transit security forces or a number of things.

We currently plan in the Miami area to put in security and police and transit operations split 50/50 on the automated people mover system so that there's going to be quite an effort in terms of security in that case.

Second type in terms of money, joint development fees and leases. Perhaps the best single example in the United States right now of joint development is the Washington Metro system, the best in North America probably is Toronto right now. Clearly, where major new structures are going right on top of subway stations, are going right on top of parking structures, where you have 30-, 40-, 50-year leases or specific deeding and selling of property depending on state and local laws, there is all kinds of opportunity in those type of arrangements to ensure that the building owner, developer, whomever is either paying a long-term lease fee for security purposes or is paying in some sort of an in-kind contribution for maintaining his or her own security activities in and around those areas.

The third area, that I think is of substantial significance in any guideway system is the one that involves transit connection fees where, either in subway or in elevated type structures or even in surface structures, a transit operator is providing direct access for a particular facility, whether it be an office building, subway, tunnel connection, aerial structure, elevated overpass, or a covered overpass, whatever, those type of direct connections greatly benefit the economics of the particular structure that has the direct access to the transit system. I believe that developers and owners normally will be willing to contribute quite large sums of dollars just for the benefit of the direct extension.

In many cases transit operators, general managers, in other words, are not really aware of the value that they're giving away at the time they give it away. The effect then gets to be that the transit operator has all the security and responsibility, has most of the responsibility for ensuring that the connection works and gets no real return for that, even though it's a long-term commitment. The only return is more passengers, that's the only return.

It seems to me that the private connection of all those facilities ought to be used as a basis for ensuring that everywhere that occurs at each station, not only the operating cost of the station but the security cost of that station, should be part of the connection fee.

A couple of other things. The voluntary efforts of the private sector in some cases, I believe, in some cities, can be a basis for ensuring that funding for a particular station can occur, just as it was identified a minute ago, in terms of the community adopting a station. Certainly in other countries today, in Europe, in Sweden, private businessmen who benefit, adopt stations and it certainly is something that I think will be transferable into the United States well before the end of the 1980s and one that needs to be addressed.

Again, if it's not addressed pretty quickly by a pretty deliberate policy by the policymakers, whether they be boards, boards with general managers, publicly elected officials or whatever, it simply will be a case where the policy is defined on an ad hoc basis and oftentimes the transit operator doesn't get adequate benefits for what the transit operator is giving away.

There finally are, in some cases certainly, possibilities for fare surcharges. Fare surcharges are a decision that the local metropolitan area could make. For the transit operator, board or the publicly elected officials, fare surcharges will not go down well. Transit riders today feel they pay too much money for transit operations, for transit rides. Yet when you look at the cost of the automobile operation having risen over 100 percent in four years and you look at the cost of transit ridership having risen substantially less than 50 percent nationally over the last four years, it's hard to say that transit riders are paying undue fees in relation to costs for riding transit systems.

Today nationally the farebox, what you and I pay to go through and ride systems, only yields about 35 percent of the total operating costs. The federal government pays about 25 to 30 percent and state and local, general fund appropriations or some type subsidy pay the other 35 to 40 percent of operating costs of transit systems. In short, the transit operator, the transit rider may well pay a third of the cost or just over a third of the cost of the system he rides. Other governmental units are subsidizing the other two-thirds.

Now, the important point in transit and service. Both have been for at least the last hundred years in this country, the pretty much exclusive problem and responsibility of state and local governments. I think a lot of people in the transit industry would be very concerned about major movements toward national federal programs for providing a lot of additional dollars for transit operations and for specifically transit crime prevention or crime prevention in general, simply because that is properly perceived as a state and local responsibility in the governmental system.

What that comes down to saying is, as additional dollars are required for operating systems that have the capacity to double the ridership in the next ten years, we're going to be talking about having to deal with either public funds at the state levels, public funds at the local levels, or we're going to have to look at additional private funds that are specifically related to the benefits derived by the owner or the developer of the facilities that surround transportation facilities. Those are the sources.

One other source: one of the growing problems that has yet to be addressed in all of transit operations is the problem of lack of productivity or declining productivity. It's a problem that pervades the police personnel as well as transit operators, as well as transit maintenance personnel and everybody else. New York City today in its total transit operation has 40,000 employees. The largest 20 cities in the United States all have over 2,000 employees in transit of all types. If those 20 cities double their ridership in the next ten years, are they going to have to double their employees?

I think they can not afford that. I think they're going to have to maybe get another 50 percent increase in their employees' productivity.

Now, how are they going to deal with that issue? It goes back to the productivity of individuals. It goes back to the ability of the leadership in well-organized unions, but on all sides to deal with the productivity issue and it goes to exactly the issue of management and its ability to deal with labor, and at the negotiating table, it is going to be a continuing problem of the 1980s. It simply is going to have to be addressed for the purpose of reallocating dollars back into things that must be priority items.

One of the things that's going to be quite an important priority in my judgment is preventing crimes and criminal activities on, in and around transit systems whether they be buses, rail or anything else. People want to be safe. People want to feel they're safe. People don't want to be in a position and a posture of feeling that their personal security is at stake. They don't want to pay a lot more money to see that.

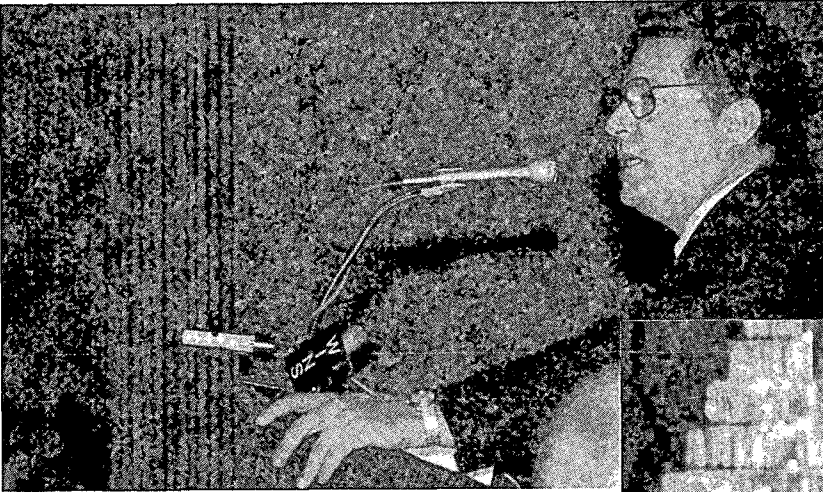
It seems to me that from the standpoint of trying to manage the development of a system and see it put in place, and

integrate the rail with the bus system plus put in place people mover systems, we have got to deal with that issue and deal with it effectively. Otherwise productivity starts slipping. The entire urban area is going to be on the policy-makers' backs and it's a case where not just image is involved. It's a case where a real measurable benefit can be demonstrated, but I would simply conclude with that, saying after we look at all the additional sources of funds we've got to look at ourselves and improve as well.

Thank you very much.

SENATOR MITCHELL: Thank you very much, Mr. Dyer. Senator Caemmerer and I are deeply grateful to you for coming here from Miami in the midst of your heavy duties in developing that important rapid transit system there. We appreciate very much the thoughtful, instructive and well-prepared dissertation you provided on the topic assigned to you. The meeting is adjourned.

Luncheon Proceedings



Hon. Richard Ravitch, Chairman, Metropolitan Transportation Authority, the largest public transportation provider in the nation, was a featured speaker at the Conference.



Thursday, October 23, 1980

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LUNCHEON PROCEEDINGS

SENATOR MITCHELL: The hour of 12:30 having arrived, everybody sit down and the meal will start to be served. Have a good lunch.

SENATOR MITCHELL: The hour of 1:20 having arrived, it's now my pleasure and privilege, before introducing the distinguished Chairman of our Transportation Committee, to introduce the head table. On my right is a gentleman whom you heard this morning, regaling us with tales of money that we might receive from UMTA someday, Hiram Walker.

We have next to him Ronald Kane, the Assistant General Manager of the New York City Transit Authority.

On my left we have Chief Angus MacLean, Chief of Security for the Washington Metropolitan Transportation Authority.

Next to him, I heard this morning some very illuminating and touching remarks on what they're doing to revolutionize Dade County from Mr. Dyer.

Before I introduce, again, the Chairman of our Committee, I'd like to pay tribute while their immediate superior is present, to two of the people who have worked arduously with us and for us in connection with this conference, who are from the Urban Mass Transportation Administration. I'm going to introduce Mrs. Gwen Cooper and Marvin Futrell.

I would like to turn the meeting over to our very distinguished and my good friend, the Chairman of the New York State Senate Committee on Transportation, Senator John D. Caemmerer.

SENATOR CAEMMERER: Thank you, Mac, very much, and good afternoon, ladies and gentlemen. Delighted to see you're still hanging in there with us for what has been a long but very productive week, and we're delighted that you have stayed.

I'm not up here to be a pitch man for Mac, but tomorrow, if any of you have the time, he has outlined a very beautiful, worthwhile day while you're in New York City, and that is, of course, breakfast at WINDOWS ON THE WORLD, which is a magnificent setting atop the World Trade Center and then a great way to see the city and that's by the Sandy Hook pilot boat which will take you around New York Harbor, which is one of the great harbors of the world. So I'm not here to sell the trip, but it's well worthwhile if you have the time to make it tomorrow morning.

More and more, I notice that New York State sends out people to all parts of this great country of ours to do good things in the field of transportation and we met the Chief of Security of the Southern California Rapid Transit District in Los Angeles who was a native New Yorker and I'm delighted to introduce to you another native New Yorker who has accomplished great things in the United States Department of Transportation in Washington. But he was educated in New York State at Cathedral College in Brooklyn and received his M.A. and his Ph.D. at St. Bonaventure College in upstate New York, another one of our great institutions in this state.

He's recently published this year a book entitled UNDER THE SIDEWALKS OF NEW YORK which I commend to all of you as a fine work on the great City of New York and, of

course, the transit system in New York. The former Director of Community Affairs and Marketing at the Massachusetts Bay Transportation Authority in Boston, and he now serves as Director of the Office of Transportation Management of the Urban Mass Transportation Administration in Washington, and I want to thank him before he gets up here for the funding again for this Conference, which I think you will find to have been a very wise investment after we get through with our resolutions this afternoon, and I'm very delighted to present to you Dr. Brian J. Cudahy.

DR. BRIAN J. CUDAHY: Thank you, Senator. After that introduction, I perhaps should sit down. It would have to be downhill. Nobody could quite live up to that one.

I was a little concerned when I walked into the hotel this morning. There are a number of activities going on. Someone came up to me and said, "Are you here for the Marathon?" The fellow didn't know what sort of a mistake he made to ask me that one, and my only thought was I knew this was a long conference, but I didn't think they were holding a marathon.

I should point out to you, by the way, the Senator did point out I'm a native New Yorker and one way of expressing it this week would be to say the paint is not wet on my "I Love New York" button.

The Senator commended my staff and I'd like to take a minute to commend his staff. UMTA does many things well, and lots of things slowly and getting out a grant for a conference workshop seminar of this sort normally takes about four times longer than it should.

The Senator's staff, though, did not allow it to take four times longer than it should. I have a stack of little yellow telephone slips from all the different people in Albany, I think we all have that telephone number down. We can punch it in our sleep. They kept on top of us and as a result of this, their work was very, very professional, and they put a full court press on us, I think that's the word, but as a result of that, we were able to get this project completed much more quickly than I ever thought.

Marvin could tell you there was a time last June when we said we got to push this back six or eight months, we're never going to get it finished, but thanks to the Senator's staff, we did get it finished. They're to be commended for that.

Sitting here I've been trying to think of, you know, you like to have an anecdote or two and the trouble with transit security is there aren't too many anecdotes. It's a very serious subject, but I did think of one but you've got to promise not to tell anybody, keep this to ourselves. A poor fellow's reputation is involved, so promise it won't go beyond this door, but when I was in Boston a fellow who is the General Manager, Joe Kelly—keep that a secret, don't let it out, there was a money room where the money from the buses and subway was counted.

It was on the first floor of an office building, and there were all sorts of locked doors and guys with guns and all that sort of stuff, but at one particular time of the year, there was a

system pick going on. While the system pick is going on, there's all sorts of guys with uniforms coming in and out and picking and that sort of thing, so Kelly goes out to lunch one day and he's coming back, and there are three guys in uniforms with briefcases coming out of the building.

The General Manager wants to, you know, show he's one of the boys, holds the door open, "Hi fellows, how ya doing?" You know, "You guys picked yet?" They kind of looked at him and said "Yeah, yeah, yeah," so he holds the door and says, "So long fellows, see you around," and off they go. And he goes upstairs to his office and as soon as he gets there, he gets a phone call, the treasurer is downstairs bound and gagged. Somebody just stuck up the money room and Kelly says, "They weren't three guys, one with a mustache?" and this and that. He says, "Yeah, yeah." He says "Oh." That's the closest thing I have to a joke in the area of transit.

I'd like to just, if I could take a moment and try and position the Conference for you as to where it fits in the scheme of things that I'm involved in down in UMTA. The office I head is part of UMTA's R and D effort. It's not part of the general money distribution system, not capital grants and operating assistance, all those sorts of things, but rather an office whose principal goal is to develop new management techniques, better management techniques for running transit systems. Not in the hardware area, that's somebody else's function, not in the service area, and not in the security area because that's someone else's, but in the area of management.

Some of my guys, before I got there—I can kind of brag about this, developed something called the "Ruckus" system for dispatching buses with a computer. They've developed training materials for teaching bus drivers and mechanics how to do their work better, we have in maintenance, to explore the management productivity on the labor side of things.

Those are the kinds of things we get involved in. One of the areas we never really did get involved in, either my shop which is called management or the technology side or the service side, and there have been some minor efforts, but the whole area of passenger security has been described by many of our people as the great "head-in-the-sand" issue in transit. We certainly, at the time of the various Congressional hearings each year, the question comes up and we never really have an adequate response.

We don't have a program in passenger security on the research side of things. Again, it was on a long list of things that we knew we weren't dealing with, so it was rather fortunate when the Senator's people came to see me last spring, I think it was, or last summer and suggested the possibility of this Conference. We felt it did help us or will help us to focus our attention on this area, again, from the research point of view, and to try to articulate an agenda of research needs in the area of passenger security.

It was a coming together of sheer happenstance. The Senator's people perceived this as an issue. We had long felt it was an issue that had been ignored, but we really didn't have a way of beginning to address it. I do think the Conference that is now winding down is a perfect way to begin to address it. We really have you here to learn something from you.

Again, this is from our perspective. I'm sure all of you came here with the idea of learning things from each other about successful techniques that your peers in other cities have developed and tried or perhaps even unsuccessful techniques that they have ruled out for helping to combat this problem on their various systems.

We, though, see you all as part of a learning resource that we hope to profit from, and I was very pleased this morning to be sitting in with the Resolutions Committee where 22 or some number of resolutions are being drafted and I can promise you that these will be crafted into our R and D agendas in the months ahead as we seek to help provide you with the tools and the techniques that perhaps can make a dent in this problem.

As I say, it is a "head-in-the-sand" issue. When I was in Boston I used as expressions that I'm sure you've heard here, well, it's not really a problem. It's just a perceived problem, and our transit system is really no worse off than the crime in the neighborhood surrounding the stations, and it's not our problem, it's the city's problem; all those sorts of things that we all say, because we don't really know what else to say. I honestly think that you will serve us very well by your presence here and by your participation in the workshops and, as I say, the deliverability, to use the technical term that comes, that the grants people use, that will result from all of this will be, from our point of view, far less than what you might learn from each other as much as what you might teach us.

So with that, I will thank you for your attendance. I know you've had a very exhausting marathon-like workshop here. It was a very, very, almost discouraging looking agenda because you tend to think of conferences as something where there's a little room to relax. This one really did not have any room to relax. It was a very serious conference.

But I do thank you for your attendance. I thank you on my behalf. I thank you on behalf of Administrator Lutz, and I promise you that the deliberations and conclusions that you have reached will be something that we'll try to take and run with. So thank you very much.

SENATOR CAEMMERER: Thank you, Brian, very much, for those kind words.

I am very delighted to introduce our next speaker, our main speaker to you, because I've only come to know him in the last few years that he's been involved in the hot spots of government in New York State and in New York City.

I always looked with some suspicion on any guy that graduated Phi Beta Kappa from Columbia, and with particular suspicion of anybody who graduated from Yale Law School, but from that point, he did go on to a tremendously successful career as a builder in this great city of ours, as a very young man. Along the way, he became active in almost every conceivable civic group and effort in the City of New York to promote our great city and to become involved in all of its problems. We have in New York State a thing called the Urban Development Corporation and it was conceived and put into existence by then Governor Rockefeller some ten years ago and was designed to put a lot of money into many areas of the state, the depressed areas in housing and office buildings and construction of all kinds, to get economic activity going in various areas of the state.

Well, it ran into big trouble and it ran into tremendous financing problems and it was a real hot potato a few years ago. The man that Governor Carey called upon to take on this unenviable job of trying to put it back into condition and instill it with financial integrity is our next speaker, and he did an absolutely superb job.

Of course, as our transit problems increased in the City of New York, again, the Governor was looking for somebody to take on the hot potato and he chose our speaker and I've come to know him as a man with, I'll use the term intestinal fortitude, and I've found in politics and government that is the one indispensable ingredient. You can be bright, you can be smart, you can be talented, but if you haven't got the guts to stand the heat, as Harry Truman said, you're not going to do the job.

He's taken on a very tough job between two very interesting characters, the Governor of this state and the Mayor of this city. You met the Mayor the other night; interesting he is. Our Governor is the same kind of a character and this fellow stands right in the middle, and is doing a superb job under the most difficult and trying conditions in the world.

I hope he stays in government for a long time, because we need men of his caliber, men of his courage, to do the things that are going to have to be done if we're going to maintain the economic health of this city and other great cities in this country.

Ladies and gentlemen, the Chairman of the Metropolitan Transportation Authority, Mr. Richard Ravitch.

MR. RICHARD RAVITCH: John, I have to tell you that when I got in the subway this morning, coming out of the MTA office at 43rd and Madison, as frequently happens, somebody whom I didn't know recognized my face and looked at me and said, "How can you take responsibility for this junk?" and everybody standing around looked up and started joining in the conversation, and by the time my station came, I was so delighted to get out of the subway. So I have to tell you that your unusually gracious introduction was particularly welcome today.

And I have to sincerely return it. I think that those of you who are involved in the administration of local government know that the ability to get anything done is dependent upon the State Legislature, and whereas we have many, many programs financed by the Legislature and many relationships between administrative agencies and their corresponding legislative committees, there is no function which the state government takes responsibility for where the success, relative success of that operation, is as inextricably tied up to the legislative process as it is in transportation. It's Senator Caemmerer's leadership as Chairman of the Transportation Committee that is the sine qua non of being able to get a majority of the Legislature to recognize the centrality of the mass transit system in New York to the well-being of the economy of the region, and without the Senator and his extraordinary staff, I can only tell you that we would be even further behind the "8 ball" than we are right now. I would return the compliment with all sincerity by saying I look forward to a long, close relationship in which we can hopefully turn this process around and make some improvements that are so desperately needed.

When John invited me to speak today, I hesitated because one of the many subjects on which I am not qualified to speak is the criminal justice system and law enforcement,

and I really didn't know what I could add to a conference in which the leading authorities in this field were going to be discussing the academic and planning approaches to reducing transit crime.

So I thought, rather than repeat a lot of the statistics with which you're familiar, the litany of problems with which you're familiar, I thought I'd address myself briefly to my own perceptions of the relevance of this problem to the conduct of the Metropolitan Transportation Authority.

I'd like to begin by pointing out that crime in the subways seems to me indistinguishable from crime generally throughout this city, and the statistics show that the crime rate varies in our subway systems as it does in the society at large.

And I find myself asking the question, what is the nature of the special responsibility that a board of a metropolitan transit authority has to deal with the problem for which it has no particular unit competence because the more you understand about the nature of the crimes that are committed and the failure of the criminal justice system to deal with it adequately, the more you realize the problem is indistinguishable from the problems that beset society as a whole.

There are very good administrative reasons why the transit police in New York have a dual relationship, a relationship with the Transit Authority itself and with the Police Commissioner of New York, and I am satisfied under the strong leadership of Chief Meehan, that this relationship is working out very effectively. There is going to be closer and closer coordination of the problem of law enforcement in our subways with the general problem of law enforcement in the city.

But you get ultimately, of course, to the question of funding. Traditionally, the City of New York has funded as its single largest contribution today to the cost of running the metropolitan transit system, the funding of the full cost of the metropolitan transit police.

That's a matter of history, of practice, and I would respectfully suggest that it has some inherent logic because the fundamental responsibility for protecting the citizenry in this town is a governmental responsibility. We have faced, as you have heard, and those of you who have lived here would know first-hand, an extraordinary increase in crime, and for the first time a transit authority is considering the question as to whether or not it will really use some of its own resources to supplement what the city is providing to assist in our law enforcement efforts.

I believe very strongly that we have two very special interests in the nature of law enforcement in our subways. Number one, in a strange way, though the property is public property indistinguishable in many respects from the streets that people walk on or the parks that people walk through, that those of us who have responsibility for the transit system have a very special responsibility to the people who go into our property and we can not ignore that.

Number two, when you look at the diminished use of our system, particularly in off-peak hours, you realize that an extraordinary part of our revenue problem comes from the fact that people are reluctant to use the subways during the offpeak hours primarily because of the security problems, real and perceived.

So that we have an economic interest in enhancing people's sense about the security of the system because if they find that it is safe to use it, they will pay more fares and we will have more revenue with which to deal with some of the fundamental physical problems that we have to solve in the next few years, or else there isn't going to be a subway system at all.

I must say that the decision that we're going to face about using our own resources is a tough decision because we don't have the luxury of just deciding as an abstract matter whether we're going to increase the fare solely for the purpose of providing additional police officers. We have to make that decision in the context of a whole series of other needs that we face, meeting increased operating expenses, overhauling the parts of our system that are physically deteriorating that we're not funding out of our inadequate capital budget, and it becomes a very, very tough decision, and we're not going to make it lighter.

I will tell you that I think in fairness that it is the general view of my colleagues and myself what the fundamental responsibility of government is. The issue here is how do you share, or how do you allocate, the burden of protecting the citizenry of this city, the cost of it? How do you allocate that cost between the fare riders and the taxpayers and if the taxpayers, which group of taxpayers, the city taxpayers, the state taxpayers, or the federal taxpayers? I say with some conviction that the well-being of this system is so inextricably tied in, as I referred to before, with the well-being of the economy that I think this is a general obligation of the society, and I think that unless people recognize that this system is going to be used with less and less frequency unless people feel safe in it, we're going to run into the most serious kinds of increased financial problems and that, therefore, the three levels of government have to reconsider the level of funding that they're presently providing.

Perhaps it's politically unwise to acknowledge up front that if we get a negative response to this request, that we might consider using our own resources. Truthfully, we might, but if we do, I only want to make sure that everyone, the public, understands that we will be using resources, farebox resources, that could be used for other purposes to improve our transit system. We think that probably as you divide up responsibility, it is appropriate for this function to be performed by the government rather than through farebox revenues.

Next, I'd like to point out another aspect, which I'm sure has been referred to in this Conference that affects the utilization of our police force, and that is the problem of vandalism. In many ways, though it's always impossible, and properly so, to assert that the destruction of property is as high a priority as the security of human beings, the vandalism problem in our subways has reached extraordinary proportions.

We had 6,500 windows maliciously kicked out of our subway cars in the first six months of this year, requiring not only a vast expenditure of money but requiring that these cars be taken out of service so that those windows could be replaced.

We have had, as you well know, a graffiti problem in our subways and I must say, if I can interrupt myself, that I said rather naively when I took this job that, if there is one thing that I want to do in the few years I serve as Chairman, it is get

rid of the graffiti and, boy, I'm learning the lesson how difficult it is to do that.

But the graffiti problem is absolutely far more important than a lot of people think that it is, because it is a symbol to everybody that goes into the subway that we have totally lost control over our environment, that if we can not control something as simple and as basic as that, it is a reminder to people that their own personal physical security isn't safe.

I know there must have been days when Jim Meehan thought that my priorities were a little crazy, because we spent a lot of time talking about graffiti.

We've given a lot of thought to it. The Mayor suggested that we put double fences up around all of our transit yards and put dogs in between the two fences as a way of keeping out graffiti artists. We found out, upon investigation, that about 75 percent of the graffiti on the inside of the cars was painted on while the cars were in motion and, therefore, the fences were not the solution to the inside graffiti problem which I think is far more serious than the outside graffiti problem.

We found out that the police, the transit police department conducted or accelerated an arrest program for the graffiti artists and we learned a lot of interesting information. We learned that most of them were very young; most of them did not have criminal records, and we watched and saw that the criminal justice system provided absolutely no consequences to the commission of those kinds of acts of vandalism.

Chief Meehan is in the process of working with some academicians for the purpose of trying to come up with a means of determining why these acts of vandalism occur, what kind of people do it, why they do it, in an effort, desperate effort, to try to figure out how to control it.

We realized that painting the inside of the cars was cheaper than cleaning them, particularly with some of the new materials that are used. So we embarked on a rather expensive program to paint with great frequency the inside of our close to 6,000 cars.

The fact is that within two weeks, roughly two weeks, those cars are covered with graffiti all over again, and I have asked the Transit Authority to reevaluate the prudence of spending millions of dollars every year painting a car that is so quickly going to be recovered with graffiti.

To control it significantly would require a number of men, police officers, in the system that's way beyond the realm of possibility. So we come down to possibly understanding better what the cause of it is, which I'm dubious will produce any effective means of controlling it. To me the only answer is that there have to be consequences, consequences in the criminal justice system to the commission of this kind of act of vandalism, and I called up one of the district attorneys in New York who shall remain nameless and I said, "For God's sake, can't you take a couple of these kids that are being arrested and see that they are sentenced to jail so at least the message goes out that we mean business, so that people recognize that there are consequences to the commission of this kind of anti-social act?" And he said to me, and I won't quote him exactly, because it's not very polite, but he said in effect, "Are you out of your mind?" He said, "There are young men in this city who have committed most serious kinds of felonies, including murder, and we can't get them incarcerated and you expect me to give a high priority

to people who smear paint on trains?" He said, "Your problem is with the court system."

So Chief Meehan and I had a long session with the Chief Judge, Chief Administrative Judge in the Criminal Courts, lovely guy, very sympathetic, I don't know the last time he rode in a subway. I wanted to invite him and his colleagues to ride in the subway some time. They haven't accepted the invitation yet, and he described all the problems in the criminal justice system, the overcrowding of the jails, the reluctance to send young people to Rikers Island, the difficulty of supervising some of the other halfway punitive measures such as making the kids clean up or enforcing fines on the families of these artists, and he described with what I'm sure was absolute integrity and conviction, a set of frustrations that he faces every day which left us right back to square one.

But I will tell you that I am convinced that the solution to the vandalism problem is inextricably tied to the overall crime problem because it reflects the same kind of social attitude of not caring enough about what happens because you're not willing to face up to the cost of doing something about it. We think the criminal justice system should provide the answers. I might say one of the things that we're looking at is mandatory sentences for certain kinds of subway crimes. It would be very curious whether the Legislature would seriously consider that, but we think it has considerable merit if society is not going to provide us with the resources to control it in a different fashion.

But it comes down in the final analysis to the fact that we need more police officers, and you have over 3.2 million people who use the subways in New York City every day and we have fewer than 3,000 police officers charged with the responsibility of protecting those people on an around-the-clock basis, and it's not adequate to do the job. I find it extraordinary that a society with all the problems and all the demands on limited public resources that it has, a society that recognizes, first and foremost, that the security of its citizens is the highest priority, is not willing to commit the funds necessary to provide adequate protection. I can't believe that, if the people of this city had their choice and could consciously decide how their resources were going to be spent, that they wouldn't almost unanimously agree that a greater percentage of it ought to be spent on security. And what has happened to the political process so that point of view, that strong conviction on the part of the public, somehow doesn't get translated to the legislative action? That's the interesting question, and that's the question I'd like to leave you with, because there's no doubt the need is there.

There's no doubt there's no real answer other than more police officers and there's no doubt that that's what the public wants. And why is the democratic political system not producing that result?

I wish I could offer you an answer, but I will tell you, to the extent that we have the ability to help the transit police, the city police department, and I might say the Mayor, in his increased concern and attention with the criminal justice problems in New York, are calling the public's attention to the fact that they only have two choices. They have to spend more money, whether in the farebox or in their tax returns or else they're going to face the problem of continuing to be victimized by an increasingly large number of people who are engaged in criminal or anti-social behavior in this city, and the public has to understand that they're responsible for all the consequences of what they do and don't do, and not just the ones that they intend.

Thank you very much.

SENATOR CAEMMERER: Thank you very much, and I don't know whether it happened early enough for the newspapers to pick it up, but there was a particularly brutal act committed last night that I heard on the radio this morning. I don't know whether any of you heard of it or not.

Apparently somebody tried to cheat on a fare and this police officer apprehended the young man who then promptly took his night stick away from him, smashed it over his hand, broke the night stick and then took the jagged end of the night stick and proceeded to stab this police officer anywhere he could get him.

The police officer finally got his gun out and shot the man in the leg and they're both in the hospital, and I hope the police officer is all right.

CHIEF MEEHAN: He is.

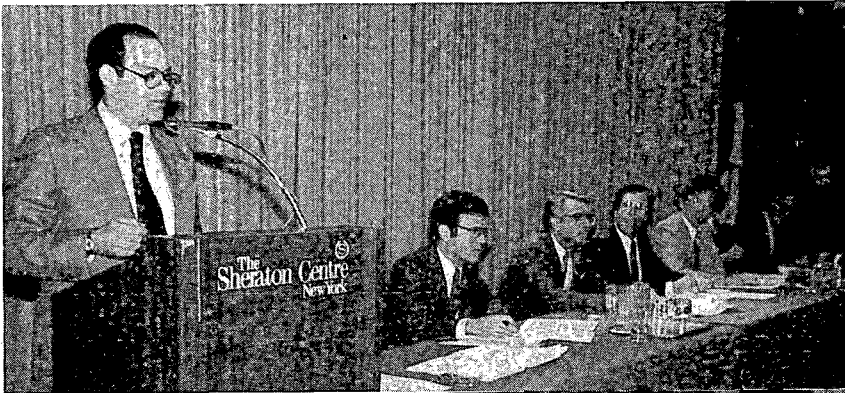
SENATOR CAEMMERER: But that kind of act is precisely what we're talking about, Dick, and rather frightening.

I want to thank all of you, Brian and Dick, for your excellent words to us this afternoon.

I sat with the Resolutions Committee for a short time this morning and they do have some interesting resolutions for you, and I hope you will have an opportunity to participate if not this afternoon, and we'll see you for dinner tonight in the Georgian Room.

Thank you very much; enjoy the afternoon.

Concluding Session



The Resolutions Committee presented more than twenty final resolutions to the Conference. During the adoption session numerous points were made by attendees. Here, Maxine Stotland, Chief, Legislation Unit, Philadelphia District Attorney's Office, asks a question during the resolutions session.



Thursday, October 23, 1980

CONCLUDING SESSION

SENATOR MITCHELL: The hour of 2:30 having arrived, this Concluding Session of the National Conference on Mass Transit Crime and Vandalism is hereby convened.

And at this stage of the proceedings, before asking for reports from the moderators who have been unavoidably detained by a series of conferences, I do want to mention an idea that has developed as a result of the discussions this noon.

The Steering Committee of this particular Conference, in my judgment, may very well decide to continue its deliberations. I know we have to have one more meeting anyway, and we may decide to continue our deliberations in conjunction with other groups and with the Urban Mass Transportation Administration, so that the particular resolutions and other conclusions which emanate from this conference will not die a'borning.

It seems to me that this first national meeting is producing significant and constructive results, and that it should be kept alive in some at least unofficial manner so that what we're going to do, it hasn't been determined completely as yet, but I believe that we will try to start with Brian Cudahy and Marvin Futrell, and with one or two other people who are active throughout the country in developing a liaison forum so that we can keep alive what's developing here today and perhaps lead to another conference in the future.

I see that Mr. Peter Derrick has now arrived. I will ask Mr. Carey Roessel, will you please escort Mr. Derrick to the podium.

Mr. Peter Derrick, who is in charge of the moderators and facilitators, has performed yeoman service, and I do want to pay this moment of sincere tribute to him because he's really had to work hard and constructively in an effort to develop some consensus at these workshop meetings and, as I indicated early in the proceedings, we make a fetish of having excellent speakers who are knowledgeable and instructive at the plenary sessions, but the fundamental and instructive work of the Conference takes place in the workshops that immediately proceed after the conclusion of the plenary proceedings. It is out of these workshops, and then from the resolutions that are developed, that we hope that this Conference will justify the faith that UMTA has bestowed upon us.

So I will ask Mr. Peter Derrick to take over the proceedings here, introduce the moderators, and I'm sure that each one of the moderators is going to have a meaningful set of conclusions that will result from what took place in those five workshops.

Mr. Derrick.

MR. PETER DERRICK: Thank you very much. Senator. I was given the task a few weeks ago of making sure that the workshops were properly organized and that the leaders understood what their task was. I would like to say personally I was assigned to a workshop and I think our workshop group was excellent. Jack Hyde from the Washington Metropolitan Area Transportation Authority was perhaps the best type of person we could have wanted to have as a

moderator, as an expert in the field and to a lot of people in the group, and I think that he did an excellent job as the moderator.

I would like to, first of all, and as a result of my staying in that group, I might add I did not get a chance to go around to any of the other workshop groups, so it will be up to the other moderators or facilitators from those groups to report on what happened in those groups. What I'd like to do, first of all, is introduce the different moderators and facilitators, and then I would like to have them come up here and make a five to ten minute presentation as to what went on in all of the workshop groups.

All of the group leaders were asked to do that yesterday afternoon, and they're aware it was a difficult task we put before them.

I'm going to go a little bit out of sequence and let Mr. Hyde go first, and then I would like the people from Groups 1, 3, 4, 5 and 6 to go.

First of all, I'd like to introduce for those of you who weren't in the groups, the moderators and facilitators. Mr. Ian Lennox in the audience, in the back row; he was the moderator of Group 1, and Mr. Ira Goldman, I think went back to Senator Winikow's office. He's not here today. Jack Hyde, as I say, was the group leader of my group and I think he did an excellent job.

I was facilitator of that group. Mr. Bernard Greenberg, who I have had numerous conversations with during this Conference was the moderator of Group 3, and he was assisted by Susan Mitnick.

O. K. I'm sorry, Captain Joe Slawsky from the Port Authority police was able to fill in for Mr. Ira Goldman for some of the workshop sessions. I talked to him last night and I didn't realize what group he was in, I'm sorry, I beg apology upon that, but those of you who have ridden the PATH system know we've got really two subway systems in New York, PATH is really tiny, the other is the New York City subway system.

The PATH is the one going between New York and New Jersey which is doing an excellent job. It does have TV monitors, an excellent system.

The fourth group was led by a man who heads the Economic Crime Project for the National District Attorneys Association, a gentleman I had the good fortune of meeting two years ago when we worked on our auto theft conference. He worked with the District Attorney's office in Westchester, now works in Chicago but commutes back and forth on an almost weekly basis, Mr. Arthur Del Negro. And he was assisted for a while by Mr. Carroll Carter, who, as all of you know is the editor and publisher of MASS TRANSIT magazine and also Sharon O'Connor of the Senate Transportation Committee staff.

The fifth group, we had a little mix-up on the fifth group, but Professor Joseph Zimmerman, who is the Research Director for the Senate Transportation Committee and Mr. Dave Roos of the New York State Senate, was also there. He works for the Minority Finance people.

The sixth group was led by Mr. William Acquario, who used to work for the Legislature, now works for the Department of Transportation in Albany, and did an excellent job as one of the managers of the MTA management study which was a detailed study done of the MTA in the last few years, an excellent study.

I think I am the only staff person who read that in its entirety. It's a monumental thing. Mr. Olin Needle from Senate Research Service was the facilitator for Group 6. So what I'm going to do is extend a privilege and call up my group first.

MR. JOHN F. HYDE: Thank you, Peter. All the thanks goes to Peter really in our group. He kept us all straight, kept us moving right along.

I would like to say that the members of the group were absolutely fantastic. Everybody showed a genuine interest in their subjects and if we weren't limited by time, we'd still probably be up in some of those workshops talking right now.

The group was made up of quite a varied representation of different disciplines. We had several attorneys in the group, labor was very adequately represented. There were several police officials, city planners, representatives there, some of the technological fields, educators and other professionals. The workshop as a whole participated far beyond our expectations.

The members of the group generally agreed that increased crime does appear to be a sign of the times, and that it has impacted very seriously on mass transit. It was agreed there does not appear to be any single or simple solution, but we must come up with workable, viable methods to make mass transit safe.

The general public must be reassured that mass transit systems are taking adequate measures to increase safety measures for their protection.

Many people feel uneasy when they enter a subway or board a bus. They have a feeling of being trapped, and when they see excessive amounts of graffiti, this feeling becomes heightened, and can immediately be somewhat soothed by the presence of adequate uniformed police. It does appear that an interim solution, therefore, is to increase the number of uniformed police on duty in those systems where the problem is greatest without delay.

The public needs safe mass transportation and they need it now, but as the foreign energy crunch of the foreign oil squeeze gets tighter, the requirement for mass transit will become even more critical to us. Since a vast amount of graffiti and vandalism is caused by juveniles, we felt that we need to develop and employ programs designed to address this group. The State of Maryland, as we heard this morning, has designed a program to adjust the attitude of school children and to make them aware of the cost of vandalism and to point out to them that it's going to affect them. The program that Jerry Paradis talked about today does seem to be working in Maryland. It's a simple inexpensive approach, and it approaches the youth before they really get involved in vandalism. It can start right at the very early stages of school.

We think it's effective and we are hoping to institute some of their provisions.

Another area that must be addressed is the apathy of the general public. In recent months, numerous articles have

appeared in the press that emphasize the fact that just nobody wants to get involved. For instance, in one case, that I'm aware of, a handicapped person fell from the platform onto the subway tracks.

The victim was subsequently hit and killed by a subway train. Nobody saw what happened. It was later learned that there were approximately 17 people in the station at the time it happened, but nobody went to the assistance of this lady, and nobody would come forward to even explain what happened. I think finally one person's conscience got to him and he called an investigator and without giving his name or, again, without wanting to get involved, he did explain that this particular woman was blind, that she came into the system, she was walking down the platform and apparently stepped on her dogs foot. When the dog lurched, he threw her onto the platform.

As the train operator came into the station, he observed the woman there and immediately took evasive action, applied his brakes but it was too late, the train did strike the woman and, unfortunately, it was a fatality.

Another very recent newspaper article described an incident where, in another city, a man fell onto the tracks and approximately 60 people stood by watching him, some of them laughing at him, as he tried to get back up on the platform, but nobody wanted to get involved. Nobody wanted to help him. The train came in and crushed the man to death.

These are only two examples of many which undoubtedly many of you know of more examples, and perhaps some more extreme, but I only mention it to bring out the point that we must get the public involved. They've got to share the action and they've got to accept it.

One suggestion was made by a member of our workshop related to the large number of young people who are unemployed. He felt that this probably contributed as much to vandalism and crime in mass transit as anything else.

The suggestion was made that probably we might want to look back in time a little bit and the revitalization of a program such as the old Civilian Conservation Corps or the CCC of the early 1940s as a means of furnishing employment for large numbers of young people who could even be used to help combat vandalism and clean up some of the graffiti.

During the first session of the workshop, it was the opinion of the group that, in addition to preventing crime by mounting a visible, a highly visible police presence, a rapid response time when an incident did occur was essential. To best combat the nature of transit crime, it was felt that the optimum use of technology such as closed circuit TV, alarms and any other system that technology can come up with in combination with the best deployment of policeman power possible was perhaps the most feasible method to combat crime in our mass transit systems.

During the second workshop, the group felt that a swifter system of justice was needed. It just takes too long from the time a person is arrested until he's arraigned and until he's actually tried. Very often, the same person is released and back out on the street before the police officer can get his report filled out and all too often, the same person goes right on out and goes back to his old trade which is, again, some element of crime. In our own experience, we've had cases of where a person will be arrested two or three times

and guess who we picked up the next morning, it would be the same person.

The group expressed their admiration for the work being done by Judge Kramer in Massachusetts. It was felt that his project might not work in all cities, that it might even engender some youth who couldn't find a job to go out and commit a crime to get a job, but in general, I think it's a good start. I'd like to see a lot more of it, and the group felt that law enforcement and mass transit could certainly benefit by more of a restitution type justice.

It was felt that law enforcement could be greatly improved if adequate funding were made available, and made available immediately. In Workshop Session 4, it was agreed that the public perception of crime in mass transit would affect ridership, that whether people need to use the mass transit or not, if they fear for their life, they're going to avoid it.

They'll walk, they'll car pool, as they have in many cases. They've organized small local bus companies or busing arrangements. Often, after the media gets finished with presenting these horror stories and a hard look at statistics is taken, the crime in the subway system or the crime in mass transit is not any greater or even not as great as crime on the surface could be.

We felt that the media sometimes builds this up and increases the fear and perception in the minds of the public.

In the last session, we had a very active discussion by the workshop members, but failed to produce a viable solution for the funding of mass transit crime prevention efforts. There were any number of things that can be done and perhaps many should be done ranging from increased fares, better management of resources, various types of additional taxes, but in the final analysis, it was felt that all of these things alone would not do it, that additional federal fiscal support for these programs would be required.

In summary, speaking for the group, we'd like to voice our appreciation for the opportunity to participate in this Conference, and we wanted to thank Senator Mitchell and his staff for giving us that opportunity. We certainly hope that this workshop will continue on. Our resolutions were included in our submissions to the Resolutions Committee, our priorities being on the establishment of a special court system to hear transit crime and a resolution to request the federal government establish a special category of fiscal assistance for transit crime prevention programs.

Ladies and gentlemen, thank you very much. It's been a pleasure to be here with you. Thank you, Peter.

MR. DERRICK: Thank you very much, Jack. I've been asked to remind everyone that we would like to begin discussion of the resolutions some time around 3:30. If any of you feel that you've got anything that's been said before by any of the previous leaders, just mention it in passing.

Mr. Ian Lennox with the Philadelphia Crime Commission. I'd like to have him give his presentation now. He was the leader of Group Workshop 1.

MR. IAN D. LENNOX: Thank you. Mention was made that Ira Goldman was the facilitator, who could be there only part of the time. I'd like to recognize Joe Slawsky who was with us for all of the time, so I had the benefit some of the time at

least of two facilitators, and I do appreciate their contributions.

We covered a variety of topics during the three work group sessions. We kept coming back to graffiti, and the insoluble nature of that problem or unsolvable nature of it. Perhaps that was because many of those in our work group had a direct stake in that problem related to it in their transit systems.

The first thing we noted, though, was that we, that is the people in the transit work, tend to create a lot of our own problems. The one basic result, of course, of a reduction in the size of the system for financial reasons just makes that system more attractive for the criminal element. So it's a self-defeating kind of thing.

The more you cut back, the more crime you're going to have. For example, cutting the number of buses forces people to double up. It leaves people stranded at the bus stops and as a result as we've heard before, they become more vulnerable to crime.

We learned another thing that educational programs on the surface sound good, but one experience at least was that talking to older youth about vandalism resulted in an increase in vandalism and, parenthetically, I would hope that no newspaper reporters will feature the fact here that you have this glass breaking, window breaking situation here in New York because we don't have any of that in Philadelphia, but I don't think that's because we're any better. I don't think anybody down there has figured out that that's another way to play havoc with the system.

I would want to say, though, that education does have an effect at the lower levels, kindergarten through sixth grade, we've heard reports on the plenary sessions about that. The New York Transit Authority in the past, has urged arrests, has pursued arrests, but has never appeared in court and, as a result, the courts themselves do not take the things seriously. That, now, has been changed.

Another thing we noted was that transit problems should not be dealt with piecemeal. There's a need for a systems approach. Many times law enforcement is involved only after the fact, but law enforcement has a vital contribution to make in the planning, not only in transit security but in the operation of the systems and not only law enforcement, but the corporate community, citizens themselves. Transit planning should not be done in a vacuum.

Another thing we considered was the use of civil remedies in addressing the crime problem, especially in those situations where the vandalism, the minor crime is being created by affluent sections of the community. The parents here can become sources of restitution.

Restitution, we found, was a viable alternative. We had an extensive discussion on this and learned that in some jurisdictions it's been quite successfully used. In other jurisdictions, for whatever reasons, it has proven to be a failure. So I think restitution is a viable alternative, but I think in applying it, one has to build upon the positive things resulting from other jurisdictions.

Anyone causing intentional injury to another person should be made to pay, whether that is financially or in the criminal sense, in serving time in an institution. Transit employees are a valuable resource. It was pointed out here in New York,

some 40,000 employees, but many times we have severely handicapped these individuals in enabling them to not only do their job, but to take some responsibility for what goes on in the vehicle that they are responsible for. So we talked at some length about the need for immunity and one of the resolutions that we will consider later has to do with urging state courts to provide civil immunity for transit employees.

We also dealt with the question of the need for specialized transit crime courts to handle at least the minor offenses.

One of the members of our task force in the field of architecture pointed out the fact that there is no concerted, coordinated effort to produce graffiti-resistant surfaces. What has been done has been done primarily by local transit authorities trying to design materials, whether it's paint or the panels to solve their own local problem, but unlike LEAA and the field of criminal justice, we have no centralized research efforts designed to produce these materials.

One of the problems that came up, was in the area of supplying buses for use in mass transit and having graffiti-free materials used in them. Let me point out that the problem with buses is that it's the lowest bidder, and so the bus manufacturers have no incentive to add to the cost of their vehicles to provide the external material that will discourage graffiti.

Here, again, one of our problems in Philadelphia was the fact that our local bus producer could not compete with foreign companies in bidding on the use of or providing of buses.

We took issue with one of the speakers in that we felt the Court should be encouraged to take a tougher stance against repeat violent offenders preying on transit riders and we specifically differed with the conclusion that the public is not willing to pay for more prisons. We cited state after state within our work group where legislation was on the books providing for the building or bond issues providing for the building of new institutions and there has not been a public reluctance to do this.

I think the recent reports on public attitudes have indicated that people are willing to pay for added police protection, added institutions, if that money is clearly earmarked for that purpose.

An interesting point that came up which perhaps was discussed in other work groups, it didn't appear to be discussed in the one workshop group that Jack reported on, and that was a rather difficult problem of marijuana smoking on a bus, especially during the cold weather, where the windows are closed and the bus driver himself becomes affected by the smoke and is in danger in some cases of having an accident.

Now, what they've done in Massachusetts, and in New York, is the bus drivers in those situations report in at the end of their run before they take the next bus out and go up on sick leave. You say, well, of what importance is that? That can be very seriously a problem providing you get some civil suits thrown at you, where accidents are caused by neglect on the part of the bus driver.

Well, this goes back to our question here about giving immunity to the bus driver to take some action against those individuals who are doing nothing more than smoking their joints in the rear of the bus. It's an interesting point, because

you can sit back there and imbibe from your little bottle and not necessarily affect the rider sitting next to you or you can sit there smoking your regular cigarette. It may prove annoying, but the marijuana, you say, the smoke itself, it can make everybody else high on the bus.

Well, that I suppose may have some benefit to all but the bus driver. Interesting little point. Perhaps it's something you might consider.

We did come up with, then, three resolutions, one on the immunity for transit employees, a second one which was going to the other work group on transit courts and then a third amendment or a third resolution which will appear as an amendment to 6-A, and I'd just like to read that to you, because we feel it's a valuable one to consider. It's going to be in addition to Resolution 6 on graffiti.

(Resolution 6-A was read by the facilitator.)

We also express appreciation to Senators Caemmerer and Mitchell and their staff for giving us the opportunity for having this Conference, and we have high hopes for future benefits. However, we would make this recommendation: enough studies have been done and, if another conference is held or some continuing kind of effort is carried on, we would recommend that whatever is accepted here in the way of recommendations—and if there are positive programs instituted—that, at the next conference, we receive reports on how we have progressed so far.

In other words, we would hate to have another conference and go over the same ground again. If we're going to meet again, in some form, some of us, at least we can say we have moved from Point A to Point B.

Thank you.

MR. DERRICK: Thank you very much, Mr. Lennox. Once again, I'd like to remind the reporters that I believe the Resolutions Committee would like to get the discussion of the resolutions started as soon as possible so, if at all possible to keep your talk down to ten minutes or so, I'd greatly appreciate it.

The next speaker works for Burns International Security and, as I said before, I've had a number of conversations with him. He is a very, very unique individual. He was the moderator of Workshop Group 3, Mr. Bernard Greenberg.

MR. BERNARD GREENBERG: Thank you, Peter. I'd like to express my appreciation to Senator Caemmerer and Senator Mitchell for the privilege, and I say it's a privilege for a member of private security to talk to you people. So I'm taking off my private security industry banner and resort back to my objective research views of life.

Jack Schnell will understand. I've taken the liberty of dividing my little discussion here in two parts. One is a gratuitous offering in terms of perspective. Based upon my observations of all the speakers, which I thought were outstanding, there were many, many aspects which I thought gave the participants in our workshop much food for thought. But first I would very quickly like to summarize, in the interests of time, to get on with the major resolutions, some of the major points that I thought some of our excellent workshop people—who, incidentally, represented a very, very broad cross section of persons in the transit industry—made.

I appreciate Miss Susan Mitnick's writing up of the resolution while I was writing up this little speech.

The first point that came up in our discussions that much interest was shown in, was the Los Angeles Regional Transit District "We Tip" or secret witness program. In case some of you missed what that was, anonymous tips are provided by persons through an intermediary, and a reward incentive program is offered.

The information is used to pursue a very vigorous investigation leading to identification, apprehension and evidence developed by the separate investigation.

The second point, considerable concern was raised that the courts have treated nonviolent crimes, for example, vandalism, graffiti, and purse snatchers on a low priority basis because of overcrowded dockets, prisons, or they're not viewed so seriously as other Part I crimes.

The suggestion was made that separate alternative administrative courts or transit courts or adjudicating authorities handle such misdemeanor offenses to ensure that the perpetrators receive some penalty for their offenses and not be set free unrepentant.

The group felt that restitution in various forms by offenders was very important.

A third point was that community involvement was also seen as very, very important in order to give a sense of general public ownership and responsibility to maintain a safe and aesthetically pleasing transit environment. Several programs were noted that had been successful and others that had failed for various reasons.

The fourth point: the group recognized that, because of the complexity of the crime problems and the various multi-model transit systems that are operated; for example, surface, subsurface, high-speed, light rail, heavy rail, no one measure can solve all the needs, but it generally was agreed that high visibility, uniformed security personnel is essential.

The unknown factor was that the actual increase in numbers needed is clearly dependent on budgetary considerations, and the relative priority of perceived needs by planners and decision-makers, and I'll have some thoughts on this thing in a few moments.

The fifth point was that the group felt the general public had an awareness and school education programs were very important. One of the members of our group showed a book on marketing and he offered an excerpt, to sell the transit problems, sell the needs, under the banner of marketing.

Some members of the group reported good experiences in public relations, but the group generally couldn't determine whether such programs have actually resulted in the reduction of vandalism instances and have had a deterrent effect. The restitution programs also have not been evaluated as to whether they served as a deterrent to other would-be perpetrators.

The sixth point, the use of volunteers and paraprofessional security personnel particularly, in reference to the Guardian Angels, was decidedly rejected because of the lack of training of these people and lack of controls of excess exercises. The law enforcement representatives felt particularly strongly about the need for trained personnel to deal with the crime problem, particularly where direct interpersonal encounters occur in the transit systems.

At this point, gratuitously I'd like to offer a general perspective on some of the subjects that came up for discussion. In a sense, I'm extremely pleased, and Mr. Ravitch stole all my thunder in his very excellent summation at lunchtime. While he confined his discussion to the New York problems, I think what he stated is clearly applicable on the national and the Canadian scene as well.

One of the concerns I have in learning of the statistics that came up in discussions the last couple of days, having been involved in statistical analysis, I should say that they can be distorted. They can be utilized in many ways. My concern here is to use the statistics so that this Conference particularly and other transit districts don't lose credibility.

For example, briefly, it was stated in the BART situation, in the Bay Area where I live, you saw the beautiful train system they have. It's an excellent system. A quick flash showed you the very crowded Highway 17 which I ride everyday.

You saw the rather elite clientele that ride the BART system. Well, the General Manager certainly pointed out, yes, we do have a lot of reported crimes, 65 percent of them occur in the parking lots. So somebody just looks at the statistics, as he pointed out, we don't have any crime problems on the trains. They're really out there in the parking lots.

Anne Nolan talked about problems in statistics, and no one in the audience said what they had done in Detroit in terms of developing pure transit statistics, and this is of major concern to me. As she stated, you know, when you look at the transit crimes, they are minuscule and those were her words, minuscule in proportion to the other index crimes as reported. This could lead to some overstatement of the need for crime control.

My suggestion here is, one should really look at the relative priority in terms of providing for adequate transit to the public.

It was stated that, in this decade, the need will perhaps double for capacity in ridership, and it's going to happen because of the energy crisis, also the high cost of fuel. Now, everybody is chasing just a few dollars. What I'm suggesting here is that security administrators, decision-makers and planners ought to be involved in a participative management exercise to determine the relative priorities within mass transit.

Can we really afford, do we really have to provide more security officers for a certain crime problem, knowing that it will take away the resources available for increased maintenance, needed for servicing aging vehicles, for purchasing new capital equipment? What I'm suggesting here, a little creativity, a little imagination might go a long way to substitute for just plain bodies. We've suggested electronic systems, fiscal barriers might do something.

I'm suggesting public education, anything and everything, and I think a security administrator will certainly prove his understanding that dollars can't be made available for his particular sector, but what is important is that—and this is the concluding thought, I believe—that the top executive management should take security personnel into their planning process, so that they can expose what are the relative needs based on actual facts and the development of alternative measures that might indeed save dollars.

Thank you.

MR. DERRICK: Thank you very much, Mr. Greenberg. The next moderator is Mr. Arthur Del Negro who, as I said before, is Director of the Economic Crime Project of the National District Attorneys Association. Art.

MR. ARTHUR L. DEL NEGRO: I know Peter won't believe this, but I'm going to make it brief.

Rather than get into any discussions because I don't think we have the time for it, I would simply list a number of points. I'll report on them in that manner.

To summarize our workshop sessions, we agreed on several general observations:

Number one, transit crime is part of the larger problem of the high incidence of crimes, and also the need for comprehensive long-range and short-range planning of mass transit systems.

Secondly, it ties in specifically with a general decline in values in our society, including a lack of respect for property and persons.

Third, the problem is heightened by the public perception of mass transit systems, namely, there is a generally high regard of these systems; therefore, criminals see them as a fertile area for the commission of crimes, and victims see them as areas of higher vulnerability than other areas.

Fourth, the largest cause of problems as seen by our workshop group is a failure of prosecutors, judges and the criminal justice system generally to recognize the true nature of these crimes, resulting in a turnstile form of justice and inadequate dispositions.

And fifth, our last general conclusion is that another major cause is the lack of adequate resources for law enforcement agencies. We offered six resolutions. I'm not going to bother you with the details of them. They're all incorporated in the resolutions you have before you. But they do include the following thoughts:

First, that there should be monies, and we suggested federal monies, available for the establishment of specific transit parts in the criminal justice system and innovative approaches such as the "Earn It" program which we heard about yesterday in Massachusetts, career criminal type of programs, planning programs and administrative dispositions of certain first offenses.

Secondly, we talked about monies being made available for increased and uniform training throughout the country, not localized training, but uniform standards of training throughout states and the country and increased law enforcement personnel and physical resources, technological support for law enforcement personnel, as well as increased resources for maintenance personnel and equipment. We see that as part of the law enforcement problem or the criminal problem.

Next, we suggested greater community involvement through the "Adopt-a-Station" type of program and public awareness programs, and public awareness programs can take a variety of forms such as one-to-one contact with individuals, community groups, media and so on.

We also suggested and feel very strongly that there should be the involvement of media, law enforcement, transit personnel, private industry, private sector, and the general

public in local and regional meetings and also meetings involving individuals involved with similar types of systems.

They may not come from the same region, but they may have similar types of problems, and we suggested these meetings to discuss the problems, the approaches and possible solutions and to try to bring the public perception closer to reality, and I told you, Peter, you wouldn't believe it, but that's it, and thank you very much.

MR. DERRICK: Thank you very much, Art. Our next presenter wasn't informed of the fact that he was going to be a moderator until very late, but I'm sure he did a very capable and able job, the Research Director of the Senate Transportation Committee, he is also a professor at the State University of New York at Albany, Professor Joseph Zimmerman.

PROFESSOR JOSEPH F. ZIMMERMAN: Thank you very much, Dr. Derrick.

What he said was true. I did not know I was going to be a moderator. As it turned out, I was a co-moderator. I had a very able assistant, Dave Roos from the New York State Senate Finance Committee. I'm not going to repeat the points we've just heard. What I'll try to do is very briefly indicate the conclusions we reached, the recommendations that we made to the Resolutions Committee.

One was the use of the Boston decoy system which the Assistant District Attorney in Boston told us produced cases that he could not lose, because there were always two witnesses to whatever the crime happened to be.

Secondly, I talked with the dog man that you met, and he gave me a lot of literature and I reported this to our particular workshop and as a result of this, the workshop recommended that carefully trained guide dog handlers be utilized in yards where vehicles, buses and transit vehicles are stored. These guard dogs would be on leashes. They would not be running loose.

A third recommendation, and similar to what was just mentioned, and that is that transit agencies need to have an expanded public relations program, needs to be much more comprehensive.

The fourth recommendation is that all police in uniform or out should be given free passes to ride on public transit.

A fifth recommendation was that APTA should disseminate information on the "Earn It" program. This was the program that Judge Kramer of the Quincy, Massachusetts Municipal Court described to us yesterday morning.

The sixth recommendation was that transit operators and state and local legislative bodies reexamine whether certain misdemeanors that fall mainly in the category of nuisances, should be decriminalized and violations be subject to administrative adjudication, with penalties to be determined by the legislative bodies, and perhaps include garnishment of wages.

The seventh one was that we encourage appropriate officials to determine where there is a need for a transit part of the criminal court.

For the eighth recommendation, we resolved that the federal, state or provincial and local governments and transit operators should develop a coordinated educational program on public transit safety for targeted groups such as

school children, safety on school buses, elderly, the handicapped, urban groups, and rural groups. This program should involve the media, community groups, transit police, the unions.

The ninth recommendation was that transit operators, in planning routes, bus stops, bus shelters, et cetera, should include the factor of personal safety in their design and be concerned with location of these facilities, lighting, and that they should coordinate their design program with the police.

The tenth recommendation that we came up with was that the transit operators and community groups should develop a demonstration project involving auxiliary police composed of retired police officers and retired transit employees only, but in doing this, and coming up with this demonstration project, special consideration should be given to job protection.

The eleventh recommendation was that the various state regions should consider the adoption of a tax with revenue dedicated to public transportation.

Number twelve was that Congress appropriate funds to the authorization limits for various public transit programs and, finally, that UMTA, in coming up with design specifications for bus and rail cars, should include some standards for personal security which would be incorporated in the design of these vehicles.

MR. DERRICK: Our last and final presenter is Mr. Bill Acquario of the New York State Department of Transportation. He also parenthetically teaches a course at the State University of New York at Albany on transportation planning and politics. So is certainly well qualified to be a moderator. He knows a lot about transportation. Mr. Bill Acquario.

MR. WILLIAM ACQUARIO: Thanks, Peter. What I want to say, first, is I work in public transit management assistance for State DOT and I think one of the first things I want to say and I'm glad I have this chance to say it, is that people are always bringing it up to us that we ought to look to private industry for management, how they do things and seeing how they ran this hotel, I don't think we have to take a back seat to anybody.

Our workshop, like everybody else's, was very active. People worked very hard, and I was amazed at the amount of time we all put in. It's a tremendous thing, and I think everybody had a great deal of satisfaction resulting from the Conference.

I don't want to belabor and go over, because many of the things that we came up with have already been said, but since I can't remember them all, I'm just going to say that our recommendations were, briefly, first we tried to get at the nature of the crime problem, and I think, in summary, it's not easy to really summarize what the nature of it was, but we kind of focused that the problem was centered on juveniles and young adults, and that's the bulk of the target group that we were aiming at.

So all our programs were more or less geared to that age group. First we had programs designed to try to prevent the crimes from taking place, and in this regard we drafted resolutions to, first of all, discourage fare evasion. If you keep these people off the system, it was a feeling that they

wouldn't enter the system for vandalism or crime purposes, if they had to pay the fare.

Second was to educate our youth, and not just in general, but specifically, to give them some pride in their systems, and here we felt perhaps to educate them about jobs in the transit industry. If they could think of transit as a sector of employment and not just as a facility for getting to school, or to recreation or to work, but something to consider, and I think if we all have pride in what we're doing in transportation, it's something that we could pass along to a lot of these kids.

Then we went into the area of better apprehension techniques, and we recommended UMTA grants for further study. I know people have come up and said, "We don't want further study," but study into a lot of these means to get more use, more bang from our buck in a lot of the hardware and a lot of the auxiliary police type things, demonstration projects.

We encourage UMTA to continue to fund these studies. We want, like everybody else, more dollars for security. We don't want it to come out of operating revenues because transit, as Jack Gilstrap says, is heading for a crisis in funding. We don't want to take those dollars necessarily from operating and use them for security, but we want more money for the security, and one of the recommendations we came up with was to use general tax revenues to let the general population pay for transit programs and not just the user.

The general population benefits from a good transit system and should be asked to contribute. In many cases, through general tax revenues, they're deductible on the federal income tax, and so we felt that this would be a good funding mechanism.

We were in favor of more police aids such as the police dogs, and we heard an interesting story from Captain John Tiers in Philadelphia about the dog who went to work by himself. His handler was home, he got a call saying, "Where is your dog?" He said, "He's home here with me." He said, "You better take another look." He took another look, the dog wasn't home. The dog had gone ten blocks, jumped the fence, got on the subway train and was riding back and forth by himself. He didn't cause any harm, but the people were afraid because the dog was alone. That's the only time the dog got to work on time, I think.

The third sector of the recommendations was, what do you do after you apprehend the violators? And this concerned many of the recommendations that you came up with such as criminal justice systems recommendations, uniform statutes, uniform codes, fines, and we did ask that these be returned, a large percentage anyway, maybe 80, 85 percent, maybe 60 percent, be returned to the transit properties, to the authorities and operators.

We want a program of restitution. We want to tie the punishment to the crime. If it's vandalism, somehow they have to pay. If they don't have money, or even if they do have money, it should be tied to some kind of public service, not for money, but they should be made to clean transit stations, to clean property, maybe not clean off the graffiti because that's dangerous, but to clean streets, to clean something or to do some other form of public work. Here we felt it was essential that we involve the business community, since

transit is so essential for business and commerce, not to provide paying jobs, but to provide work opportunities for these people to perform.

We also went to the court personnel to get them involved with transit problems. It seems to be working well in Atlanta, and we would like that kind of a system to be put in place all over, even though as Dick Ravitch said at lunch today, he hasn't seen the court personnel accept his invitation to ride the system yet, but we would encourage that type of invitation to be made on a nationwide basis.

We also favor minimum mandatory sentences for vandalism offenses on transit properties, and we would also favor separate courts for transit offenses. That summarizes our work. I would like not only to thank the members of the workshop, but I would like in the 20 seconds I have left, to thank the people of our workshop because this was their work and this was something they did, summarizing it. Thank you.

MR. DERRICK: Thank you very much, Bill. That concludes this portion. Once again, I would like to thank all the moderators and facilitators for their work. I would also like to echo Bill's appreciation to the members of my group and particularly to one gentleman that made what I think was a stellar contribution to the discussion, Mr. Ed Mitchell from the Chicago Transit Authority. He got the opinion I thought he was talking too much, but I sometimes felt he wasn't talking enough.

I want to thank him again personally. The other members of the group also contributed significantly. I want to turn this over to Senator Mitchell and you won't be seeing me again.

So long.

SENATOR MITCHELL: We now come to the question of acting on the very important work of the Committee on Resolutions, and I'm going to ask the members of that committee to come to the podium: Mr. John B. Kiernan, who is the Chairman.

Before turning the microphone over to John, I do want to congratulate him and his colleagues on the excellence of their work. They devoted long and tedious hours to it, and I believe that out of their labors will come something that will at least help us carry forward and have the work of this Committee serve, this Conference serve, as an impetus to arresting the growth of mass transit crime.

Mr. John B. Kiernan.

MR. JOHN B. KIERNAN: Thank you, Mac. I'd like to just briefly tell you how we went about our work before we actually get into the resolutions themselves. We met about 13 hours on five separate meetings. Last night we met after everybody had finished on the workshops at five o'clock.

We started again this morning a little after nine, and we received resolutions and amendments all the way up 'til noontime and I guess we finished putting them into final form about quarter to one, and I think it is a real tribute to the staff that we had that they could get these things re-typed, one final copy printed, collated, 200 copies in about two hours. I agree with Bill Acquario's observation on the hotel, but I hope you don't think that the Senate Transportation Committee staff runs things the same way.

I think that they, the Conference staff, has done an outstanding job and I would like to particularly thank the staff in

our office who really run the show, particularly Eleanor Maio, who I think is a great staff director. So I would like to acknowledge that at this time.

You received copies of the rules when you registered, and some initial proposals that had been advanced by the Steering Committee of the Conference. You have two pieces of paper that look an awfully lot alike, but one says the first report and one says the second report. Make sure that you have a copy of both of those, and the first order of business is the consideration of the noncontroversial resolutions and they are Resolutions 1 through 11, and 14 through 18, and also an amendment that was submitted about 11:30 this morning to Resolution Number 6, so that it's 6-A on the second report and that's the graffiti resolution.

Now, as you know, in the rules, these were considered to be noncontroversial by the Resolutions Committee, and the rules provide that a noncontroversial resolution does not call for debate, and we can adopt them in a block. If there is anyone who wishes to transfer a noncontroversial resolution at this time to the controversial part of the calendar, you can so indicate, but in order to do that, you need nine people to join with you. Is there anyone who wishes to make a motion at this time?

DR. ARLINE BRONZAFI: A point of information. What about the phrasing, the order of the phrasing? Is that something that can be corrected? I mean, for example, it's a little offensive to consider the protection of your property before the protection of people, and when you list your property items first, so I don't know how that kind of correction, it's not a substantive one, but I find it a little bit difficult to think of protecting the property rather than the riders.

MR. KIERNAN: We have some errors in the resolutions, for instance, where it should say "Now, therefore, be it resolved," it reads, "and, therefore be it resolved." So it appears to be editorial. What we did, with these resolutions, they are the product of about 60 or 70 separate resolutions that we tried to combine and boil down or merge. You have a good point, and it's certainly not the intent of the Conference to indicate that the protection of property is more important than the protection of people, and I would agree with you, and if there is no objection to that, I would, providing that we do not change the actual content of the resolution but just the order in which the items appear.

Is there an objection? What is it?

DR. BRONZAFI: You say transit security measure, you seem to be listing first transit yards, the platform, the equipment and lastly the people. I would say in the security measures, you said one through eleven, innovative transit security measures. I would say it just seems this would appear a little disturbing to me.

MR. KIERNAN: Bear with me. If you want it to protect riders, transit yards, transit platforms and equipment, that's an editorial change, I have no objection to that if no one else has an objection to that.

All right. Now as I said, we are considering the noncontroversial resolutions. Is there anyone else that has a motion they want to make? Is there a motion to approve the noncontroversial part of the calendar?

VOICE: I so move.

VOICE: I second.



Resolution Committee members, left to right: John F. Downing, Niagara Frontier Transportation Authority; Robert J. Kren, Chicago Transit Authority; Martin Schnabel, New York City Transit Authority; and, Albert Provenzano, Amalgamated Transit Union.

MR. KIERNAN: All in favor, aye. Opposed?

Resolutions Number 1 through 11, and 14 through 18 are adopted and the amendment to Resolution 6 on graffiti is adopted.

The next order of business is controversial Resolution Number 12, police transit passes.

The reporter asks if anyone is going to speak during this time to please identify herself or himself. Is there anyone who wishes to speak on Resolution 12, police transit passes?

MR. BIERWAGEN: Will somebody from the committee please explain why they made it controversial?

MR. KIERNAN: There was discussion in the committee meeting that it is not the policy of all transit properties to do it, that it is, in fact, a political issue in many cities, that it could be a matter of collective bargaining and the committee, therefore, did not want to assume and take it on itself to consider it to be a noncontroversial resolution, and that's why it was classified as such.

MR. BIERWAGEN: I hope they don't use that device to determine what's an emergency in collective bargaining.

MR. MacLEAN: I'll just comment, Walter, we had the similar problem you recall. I am Angus MacLean, Metro Transit Police, Washington, D.C. and the claim being that a lot of the citizens think it's a free ride, that officers off duty in plainclothes should pay no fare. Now it's a flip of the coin I'd personally like to have as many police officers as I can on or off duty. I know in our area it is.

MR. KIERNAN: Mr. Matthaei.

MR. MICHAEL MATTHAEI: There was also discussion here in the City of New York—I was instrumental in it—that labor might have had something to do with it because we felt that, if New York City police or transit police would ride our system, that it would impair our job so to speak by not hiring any more. There's no such objection on our part to it.

I think the more police there the better. If one of our uniformed police officers gets in trouble, he can be assisted by an off-duty officer from another department. Insofar as what should be done and as to political interference, or what people think about it, I believe should have no bearing on the answers.

The aim should be the protection of the people that ride the system and if that entails a free ride for a cop who is off duty on the system, that resolution should be adopted.

PROFESSOR ZIMMERMAN: I move to vote on the resolution.

VOICE: I second.

MR. KIERNAN: All in favor, aye. Opposed?

The resolution is approved.

The next resolution is special transit courts. Is there any discussion?

MR. MATTHAEI: Again we would like to know why this became a controversial issue.

MR. KIERNAN: We were aware that we had submitted to us, Mr. Matthaei, a resolution that seemed to advocate administrative adjudication parts rather than transit courts and it

was the feeling in discussion of the committee meeting that, although we should do everything we can to give emphasis to the treatment of transit criminals and speed up the process, that we didn't feel that an administrative tribunal was the proper forum, because their only power has been held in many instances to give only fines.

You can't incarcerate someone at an administrative hearing, and we believe that should still be in the criminal justice system, but because we were aware that someone had offered a substitute, we wanted them, if they wanted to speak, to have an opportunity to debate it and, to do that, we put it on the controversial calendar.

PROFESSOR ZIMMERMAN: Mr. Chairman, if I can speak to that. Workshop 5 did make the proposal for decriminalization of minor offenses, more in the nuisance category, and the proposal was that these infractions be adjudicated by administrative tribunals.

In making that recommendation, the Workshop 5 suggested that it should be misdemeanors that fall more in the nuisance category. We were given an example by one transit authority where it's illegal to eat a turkey sandwich in a subway car. That's a crime, and we didn't feel that it should be treated as a criminal offense resulting in a criminal record.

I don't think that this recommendation necessarily conflicts with the recommendation of Workshop 5 because we were talking about things which probably shouldn't be labelled crimes.

MR. KIERNAN: Mr. Provenzano.

MR. ALBERT PROVENZANO: The very intent was that especially in the City of New York, and I think it's synonymous in Philadelphia, Chicago, Los Angeles and a slew of cities, what we were trying to do here is provide the criminal justice system with an effective way to deal with serious transit offenders. Because of what has happened here, especially in the City of New York we have police, employees and passengers who are crowded into the subways under gross conditions. What we wanted to do here is not only cosmetically and physically, to highlight the problem, to expedite the problem and to show that it's very different and that these hoodlums should not get away with transit crime.

We've got to put this in the forefront. We can't play around with criminals. Let us for once, and I hate cliches and I hate rhetoric, but for once let's think of the victim, because everyone is a possible victim once they get into public transportation. It is not only physically that we should protect the passengers and, if the carriers and the cities and the Department of Transportation feel it is feasible, then it is a great way to really put mass transportation on the track.

MR. WILLIAM McKECHNIE: Bill McKechnie, Transit PBA. I move we adopt the resolution.

VOICE: I second.

MR. KIERNAN: All in favor, aye. opposed?

The ayes have it. The resolution is adopted.

The next resolution is Number 19 entitled "Impact of Section 504 Regulations." Anyone wish to speak to this resolution? Yes, sir.

VOICE: Will you record that that last vote was not unanimous?

MR. KIERNAN: The record will so indicate.

(The following discussion refers to the previous resolution.)

MR. GEORGE MORRISON: Yes. You say the intent of this motion was to address all the crimes, and I don't know whether this was overlooked, but the order calls for to handle all minor crimes on mass transit. I'm not sure whether it's a mistake, our intent or on the resolution or a breakdown in function.

MR. KIERNAN: What we probably should have said is non-capital crimes. There was some feeling that this would probably be a court which would be a court of lower jurisdiction and if there was a homicide, for instance, it would not be handled in a minor court like a traffic court or a housing court. It would be a capital offense, and what we were doing is trying to get the backlog of the more petty offenses or minor offenses and, thank God what we don't seem to have is a backlog of murder cases, and so if the work "minor" is offensive, perhaps we're not as clear as we should have been. It was not the intent of the resolution to specify that every crime committed on a transit system would be in a transit court because, for instance, we didn't want murders, if a kidnapping occurred out of abuse, and so forth. So that was our intent, sir.

Yes, Martin Schnabel.

MR. MARTIN SCHNABEL: Just in further response to that question, what we were trying to accomplish here generally, this is supposed to be a national conference, we're dealing with 50 jurisdictions in the United States and a handful more in Canada.

The resolution speaks in terms of various jurisdictions. Obviously, each jurisdiction defines for itself what it considers a minor crime, a capital crime, et cetera, and by using language that might not be all that specific, where obviously we're reserving to the jurisdiction the right to maintain its own definitions as to what is, in fact, a capital crime and what constitutes a felony and misdemeanor, et cetera, and so I think that was part of the intent there.

MR. MORRISON: I would just offer that I think that this resolution misses the point, at least in addressing the court systems and possibly, I realize you're pressed for time, but it could be better addressed. I think this really is an inapplicable resolution as it's prepared, and in support of the intent that was made, I think it could be more clearly worded and still provide that flexibility.

MR. KIERNAN: Sir, not to cut you off, but I think you are out of order right now unless you wish to make a motion that the vote by which the resolution passed be reconsidered, because it has been adopted by the Conference.

MR. MORRISON: Fine.

(The discussion now returns to Resolution 19)

MR. KIERNAN: Section 504, Number 19, is there any discussion on the Section 504 Resolution?

Mr. Schnell.

MR. SCHNELL: Since New York City has been very forceful in urging upon UMTA and the Congress their view, that the complete enactment of 504 regulations costs an extraordinary quantity of money and will, in effect, not leave sufficient money to do other things, and since, as the resolution

points out, the accomplishment of all the 504 requirements creates some additional security hazards, I'm curious as to whether the Resolutions Committee or why we can not incorporate the more forceful wording that one of the workshops had recommended.

That recommendation had been that Congress be urged to amend Section 504 to ensure that their stated intent to the Department of Transportation earlier this year that they wanted the Department of Transportation to allow local option and to approve waivers, why this cannot be spelled out forcefully enough by Congress so that there is no misunderstanding between Congress and the Department of Transportation?

That, then, would allow New York City to accomplish elderly and handicapped transportation in the manner that they deem best to accomplish, just as many of our other cities feel that the total accessibility on all mass transit vehicles is not the best answer for the handicapped in their own communities.

MR. KIERNAN: We received a new resolution on 504 including one urging its repeal, and I, well, offering a personal observation, I wouldn't have a great deal of problem with that but we're at a conference on mass transit crime, and we felt that the proper subject matter of a resolution was to consider 504 and its relationship to the mass transit crime problem.

We felt that, if we would recommend the adoption of a resolution that went beyond the scope of transit crime we might turn this Conference into a debate over the highway trust fund, gasoline taxes, the 55-mile per hour speed limit, anything else that could possibly impact on the federal DOT budget, and we didn't think that was our responsibility here.

We have felt that we should try and recommend a resolution that indicated the relationship of 504 and the transit crime problem and that is why the resolution that was recommended is more narrow in scope.

MR. SCHNELL: I agree that sounds very logical. I would think, though, that you can draw a very definite parallel between the funds available for aiding all forms of transit security and the complete one-way implementation of 504, but if no one else feels that way, I'll defer.

MR. KIERNAN: Is there any further discussion?

MR. TIMOTHY O'MAHONEY: Tim O'Mahoney from Amalgamated Transit Union in Chicago. This 504 and accessibility for the handicapped is a distinct issue in itself, and it is very controversial, and I think if we tie it in with transit security problems, we're liable to end up with a little bit of a hornets' nest on our hands from these handicapped and elderly who possibly misunderstand our intent, and I think in this forum, we should leave it alone and not deal with 504.

MR. KIERNAN: Is there any further discussion? Is there a motion on the resolution?

VOICE: I move to vote on the resolution

VOICE: I second.

MR. KIERNAN: All in favor, say aye. Opposed? I think we better have a show of hands. Call for a division of the house here. Would everyone who is in favor of the adoption of 504, of the 504 regulation please stand up.

VOICE: You mean as written here?

MR. KIERNAN: As written here. Would you please remain standing? It's very difficult to count.

All right. Would those in favor please sit down and those opposed please stand up. We have a vote—you can sit down. We have a vote of 33 in favor and 31 opposed. Motion is adopted.

The next order of business is mandatory sentences, Resolution Number 20. Anyone wishing to speak to this resolution?

MISS MAXINE STOTLAND: My name is Maxine Stotland. I'm an attorney in the Philadelphia D.A.'s office. I would ask the committee to reconsider the third "whereas" which doesn't seem logical at all when you read the entire page there. You're saying there's a public perception that prosecutions are, well, it's rare to prosecute a transit criminal.

I think there we're talking about for graffiti or other minor offenses and then when you get to the next "resolved" clause, you talk about providing mandatory sentences for violent crime. You're not talking, are you, mandatory sentences for all transit crimes or just the violent ones? If so, then the third paragraph did not make sense.

PROFESSOR ZIMMERMAN: Her point is a good one, Mr. Chairman. It doesn't follow.

MR. KIERNAN: The change you are making, is it in the form of an amendment?

MISS STOTLAND: Yes. I'm suggesting that you strike the third "whereas" clause to be logical.

MR. KIERNAN: Is there an objection to that? All right, hearing no objection, that amendment is adopted. The third "whereas" is deleted, and the question arises on the adoption of the resolution. Yes, sir.

MR. McKECHNIE: Bill McKechnie, Transit PBA, New York City. I move the adoption of the resolution.

MR. KIERNAN: Is there a second?

Any further discussion?

VOICE: I second.

VOICE: Will you explain the deletion?

MR. KIERNAN: The deletion is that the third "whereas" paragraph which reads, "WHEREAS, there is a public perception that transit criminals are rarely prosecuted and usually go unpunished" is deleted. So the resolution just has the first two "whereas" clauses now and then it goes into the "resolved" clause.

All in favor of the adoption of the mandatory sentences, signify by saying aye. Opposed?

The ayes have it. The resolution is adopted.

The next resolution is a controversial resolution dealing with the auxiliary police. Is there any discussion on this resolution?

MR. PROVENZANO: The auxiliary police, while who of us would deny that it sounds real great to have volunteers, our brothers and sisters to go down into the subways to act as auxiliary policemen, let us consider this for a moment.

We're going through some 22 resolutions here, and believe me, I took every one of them seriously.

This Conference is on crime: how to prevent it, how to execute punishment, but I'd like to say this when we think of this resolution. We are kidding ourselves here if you think for a moment, if we put ourselves in the position to believe that piecemeal solutions can correct what is happening to us throughout the nation. I would like to ask: has anyone here had any idea what a new bus costs today? Bob Kren, would you give me the answer to that please?

MR. ROBERT KREN: \$130,000.

MR. PROVENZANO: \$130,000. Do you have any idea what a subway car costs today? We talk into multiple millions of dollars, and yet when it comes to hiring on a permanent basis a person who knows what it's all about, we divorce ourselves from the hiring of permanent police, whether he be called transit police or whatever in whatever particular locality.

Let us not veer off from what the intent is in order to prevent crime. If we can spend the multiple millions in mass transit, why should we shortchange ourselves when it comes to getting an absolute necessity, a permanent police force. If New York City has 21 transit cops and we need 28, by heaven, hire them. Where we have to depend on auxiliary police, when we don't know when they'll show up, when they won't show up, listen, God bless them for the volunteering, but can we afford that luxury? That's all I'm saying.

MR. KIERNAN: There's other discussion.

MISS ANNE MORRIS: Anne Morris, faculty fellow, United States DOT. I think that the cosmetic effect of auxiliary police could be comparable to the cosmetic effect you mentioned for transit courts, and I think that in an ideal world we can hire all the policemen we want, but I think we're going to do a demonstration project here, and one of the problems with transportation in general is that you don't have that much support from the public.

The public has never really been involved in it, and you might find this to be a good way to involve the public and to get more policemen hired in the long run. Thank you.

MR. KIERNAN: Mr. Matthaei.

MR. MATTHAEI: Mike Matthaei from Long Island Rail Road Police Benevolent Association. Strongly opposed to auxiliary police policing the transit system. Those type of individuals that we attract to do that type of job are usually police buffs. They do it for ulterior motives. We don't have auxiliary trainmen. We don't have auxiliary conductors. We don't have auxiliary station cleaners, but we do have auxiliary police.

There are many factors involved in a false perception of security because these people are normally not trained. They can not protect anybody. Legally, they can't take any action. It's totally inadequate, and if you are going to set something up, you will have to give these people a certain amount of authority. In the State of New York it will be prohibitive, the cost especially now that they just changed the laws, the training costs involved, most of all liability to the transit operator, people getting hurt, and it's chaos, it's no good, and I move for a motion that we lay it aside.

MR. KIERNAN: Mr. Derrick.

MR. DERRICK: Peter Derrick. It's my understanding this was adopted without recommendation by the Resolutions Committee, and I ask why the discussion.

MR. KIERNAN: I just tried to clarify it. It is true that the calendar has three different parts and the controversial resolutions are divided into two parts, those adopted, or those reported with the recommendation of the Resolutions Committee for adoption, and those that do not receive that approval, and this is one of those. That's correct, and the reason we felt that it was an issue that had to be discussed, although the majority of the Committee was opposed to the resolution, so the majority did not want to table it, because they felt that there should be a full discussion on it.

The gentleman in the red suit there.

MR. STEPHEN WILDER: Stephen Wilder, Sierra Club. I would just like to point out that it does say an auxiliary police force composed of retired police officers and retired transit employees, and I don't think that includes police buffs.

MR. PROVENZANO: Do you really think a retired policeman would go into the subways as an auxiliary policeman?

MR. KIERNAN: Like to recognize this person in the front.

MR. CHARLES R. HALL: My name is Charles R. Hall from Chicago, Illinois, the bus driver's union.

In Chicago we have such a force, and it's called the transit aides. They put on a uniform and we tell them to ride the buses and the trains, and this is supposed to be a cosmetic effect to deter crime. They put them on the low crime lines. They don't deter anything. If they go out on a high crime line they're going to get killed because they are unarmed and they can not protect anybody.

It is a method of cosmetic use only. It is not useful. The monies that we use to put those people out there could have been used for a mass transit police force in Chicago. They put \$500,000 in there and right now they won't go on any high crime line and they don't stop crime.

MR. KIERNAN: The gentleman on the left here.

MR. EDWARD O'SULLIVAN: Ed O'Sullivan, Port Authority of New York and New Jersey. I would like to submit that we ultimately would have to hire more policemen anyway to protect the auxiliary policemen.

MR. KIERNAN: Mr. Divasso. He hasn't spoken yet, and then I'll get to you.

MR. DIVASSO: I believe you just adopted a resolution on police transit passes. This will give us all the help that we need to protect the system. Give the police back the right to ride free on our transit system and we'll have all the protection that's needed, instead of the auxiliary police.

MR. KIERNAN: Mr. Schnell, and then the gentleman in the back.

MR. SCHNELL: I think we should remember that this is a national conference. That this is not related only to the New York subways or to the Chicago subways. It relates to Everett, Washington, smaller communities.

Now, there are a number of smaller communities that are said to have successfully used retired policemen as auxiliary police to aid transit, to aid everything including the boarding of buses after rock concerts, et cetera, in smaller communities, so this doesn't say that New York has to do this, Chicago has to do this.

It does say that it suggests a demonstration program and I think you've got to remember that you're here, the purpose of our being here is not just for subway systems in New York and Chicago.

MR. KIERNAN: The gentleman in the red tie, and then that next one.

MR. MATTHEW SILVERMAN: Matthew Silverman. I can not in all good faith even vote for this resolution because there are no specifics in the resolution, in the resolution itself, no specifics as to why, your person has retired, no specifics in terms of training that person as an auxiliary policeman along that line. So I can not—I can abstain, but I can not vote yes or no.

MR. KIERNAN: I would just for the record like to point out that this resolution is not the creation of the Committee. We felt we had an obligation to, once we decided to report, report it for discussion, that we weren't going to change it. It was submitted to us exactly with that language, that it be retired police officers and retired transit employees, and that is the only resolution that we did receive on it, so we didn't change it.

MR. SILVERMAN: Can I ask that you ask for abstentions as well as yes or no votes.

MR. McKECHNIE: Bill McKechnie, Transit PBA. The preamble to this resolution says "WHEREAS a lack of adequate policeman power."

Now, the responsibility to provide adequate policeman power is with the authorities and municipalities and what not, and I don't think adequate policeman power can be replaced with a cosmetic approach nor can the authorities or municipalities abdicate their responsibility of providing adequate policeman power.

MR. KIERNAN: That gentleman in the back.

MR. BIERWAGEN: Walter Bierwagen, Amalgamated Transit Union.

In response to the previous speaker's reference to small towns and so forth, this doesn't make any differentiation between small towns and big cities, and when adopted it becomes an indication that this Conference is in favor of auxiliary police, wherever they might be, Washington or anywhere.

MR. SCHNELL: No, sir. It says a demonstration project.

MR. BIERWAGEN: Yes, but it says as a result of it, we're in favor of that, even as a demonstration project, and I can tell you, at least from our point of view, we would never agree to a retired bus driver becoming an auxiliary policeman, because we didn't believe in it when he was a bus driver and actively on duty. We won't believe in it now, he's not trained; he can not do the job. That's why he's retired, and this is a more—probably a more trying job than that of a bus driver.

MR. KIERNAN: The gentleman in the back that's standing.

MR. LENNOX: Ian Lennox. I would feel that I have a real question whether any retired police officer would be willing to come back on duty unarmed, wearing a uniform, trying to perform a job, where he becomes a sitting duck. I'm just thinking of that gentleman last evening, the transit policeman who saved himself from blinding by shooting his assailant last evening, and I say that if you would put auxiliary police in a situation like this with a uniform, without arming

them, and all the officer did last night was try and stop a fare evader, and that person reacted until he was trying to blind the officer, I just couldn't conceive what these auxiliary police officers would do because they'd have no way to defend themselves.

MR. BURGESS: Jim Burgess, Transit Police Chief in Los Angeles. I would like to speak in favor of the motion, but only to clarify it somewhat. You have an entirely different concept of auxiliary policing than we do in Los Angeles. In California, in an effort to stem the rising crime rate on our bus properties, we are hiring off-duty police officers and paying them as transit police officers. So that's an auxiliary police force. They're not full-time police officers with the District. They are part-time police officers.

When you get properly trained, adequately equipped reserve police officers, they can be a tremendous benefit to a transit force. Now, the officer that got attacked last night probably wouldn't have minded having somebody there, no matter what color uniform or what he was doing if for no other reason he could pick up the radio and call for assistance quicker.

Now, I realize the problems you're having here, but don't turn a deaf ear on what's happening in the rest of the country.

MR. PROVENZANO: May I ask a question? Would you make it synonymous to use the word "auxiliary police" when you're saying in effect that you're paying them?

MR. BURGESS: I've got bus drivers that are reserve officers for various locations in the Los Angeles County area that I would love to put out as an auxiliary police officer with my officers.

MR. PROVENZANO: Not to prolong the—

MR. KIERNAN: Excuse me. We can't have a back and forth dialogue here. There are people who haven't even spoken yet.

MR. BURGESS: You must have an entirely different conception of auxiliary police officers than we do. We have laws that require a certain amount of training before you put somebody out as a reserve officer, and in many instances they're trained the same as a police officer, and in many instances, those officers have more experience than the guy that's ridin' the car with him.

MR. KIERNAN: The gentleman on the center aisle.

MR. CHARLES MOORE: Chuck Moore, Los Angeles County Transportation. I'm against auxiliary officers for several reasons. We hired a highway patrolman to come in and work as a manager of maintenance for AMTRAK. A utility worker who is a utility bus washer threatened to kill this police officer and the officer was afraid because he was at the retirement age, about 60 years of age, and he resigned from his job because of that threat.

It's my thinking that, once an officer spends 25, 30 years on a police force, he's not going to want to go out on a train, a subway or bus to try and protect anyone's life because he worked all his life protecting people's lives and he is going to want to live his life and not take any chance on any of these little punks wanting to shoot him.

MR. KIERNAN: Gentleman in the back.

MR. STUART HAYES: In response to the gentleman from Los Angeles, he was talking about present police officers working on their time off. This specifically refers to retired police officers.

Secondly, when you consider retired police officers coming back onto the police duty, this makes no differentiation between public areas and non-public areas such as a steward job, a lot of graffiti, and I might see some applicability for them, but as a municipal official I have to consider there is a public liability to these people if they get injured or have a heart attack or some other type of disability due to taking some action for which they are physically not able to handle.

So I have a lot of problems with this, and I don't think it should be passed. My name is Stuart Hayes.

MR. KIERNAN: Gentleman in the back row.

MR. O'MAHONEY: Tim O'Mahoney, Amalgamated Transit Union in Chicago. I was in the workshop that came up with this resolution and possibly the wording in it is inappropriate to the thought that was generated during the workshop. The idea was that you might have citizen participation in the neighborhoods to be the eyes and the ears of the police, not the police themselves, and that by having organized groups out on the bus lines or around the train stations just to watch, to observe, to be there and be concerned, they would help the police, and they would also be something of a deterrent to somebody who thinks that there's nobody watching the transit station. But I don't really think that the auxiliary police should go out and arrest people or confront people.

MR. KIERNAN: Mr. Schnell.

MR. SCHNELL: I suppose, to resolve the controversy, I have a suggestion. First of all, remember when you're saying that retired police officers might not have the nerve to do certain things, you have to remember that many of the people in this room who are serving in very responsible police functions right now are retired police officers. They've just taken another job, and I'm sure are doing their duty now just as adequately as they did in their first jobs as police officers.

But the way to resolve the problem might be, I don't know how to do this with Robert's Rules of Order, but we just change it to say "composed of appropriately trained retired police officers," and if you want, scratch the retired transit employees. I don't think the retired transit employee has any necessary merit. It could be anyone who is retired and properly trained.

MR. KIERNAN: Jack.

MR. SCHNELL: And then say for appropriate uses. Obviously, you wouldn't put someone not as well trained or not as well armed in a place where you would need a weapon.

MR. KIERNAN: Jack, I'd like to point out we're not operating under Robert's Rules, we're operating under Mitchell's rules of order here, and in order to propose an amendment again, I would have to ask for unanimous consent. If unanimous consent is not given, the amendment fails.

MR. SCHNELL: Well, then, can I ask for unanimous consent because we seem to have a resolvable problem.

MR. O'MAHONEY: No unanimous consent. Call for the question.

MR. DIVASSO: Move on the question.

MR. KIERNAN: All in favor of the adoption of the auxiliary police resolution, signify by saying aye.

MR. SCHNELL: The motion has been made to not pass it. Someone made the motion to not pass.

MR. KIERNAN: Well, I think depending how the vote is, we won't pass it first.

VOICE: The vote was called for.

MR. SCHNELL: He made the motion to not pass it.

MR. DIVASSO: I have no objection to the way you're operating.

MR. KIERNAN: I appreciate that. All right, all in favor of approval of the auxiliary police resolution, the adoption of that resolution, signify by saying aye. Opposed?

All right. The resolution is defeated.

MR. SCHNELL: Don't forget the abstentions.

MR. KIERNAN: The final resolution, again, is in the controversial section without recommendation, UMTA design standards.

Yes, ma'am.

DR. BRONZAFI: I am a consultant to the New York City Transit Authority on passenger safety and services and an environmental psychologist.

May I first direct you to the fact that you did support transit system modernization and passenger security in that you moved to accept a recommendation that we look at the transit facility in terms of security.

May I add that the design of a train or bus is pretty much the same. I will also give you data to support that, something that I've seen and have not really surfaced in this place.

New York City opted to lock their end doors when they purchased the new R-44 cars about seven or eight years ago. They subsequently did that with the R-46s.

I would have to say that matter should really seriously be considered because passengers, and may I also add that the New York City transit authorities, I have been very much responsible for the analysis of all the passenger complaints that come in, that passengers have also articulated that being closed into that locked car is somewhat fearful to them.

Recently New York City, like many other cities, purchased buses with dark windows, and Chief Meehan and I were just talking about that. New York City put into these buses cards for passengers to respond in terms of design features. I'm in the midst of analyzing the responses, and one of the features that they alluded to was the dark window for the following reasons:

They said that the dark window sort of frightened them because they could not see in and see who was in that bus, but further they added, and these are the New York passengers, that a police officer may not be alerted to what might be happening in that bus by looking at this dark window and not being able to see in.

Now, Chief Meehan made that comment to me and he's well versed in police matters, but the passengers of New York City have also made that comment.

Now, I think in light of the fact that you did support the design of stations, I must add that the design of vehicles becomes very important, and may I add just one other thing that people in the City of New York have said.

We now have seats where people can hold onto the back of the seat and people have told me that they don't like being touched or leaned upon, because they're worried that something might be going on that's just not, in quotes, "kosher," so people are somewhat concerned about design features, and I really can't understand why this particular recommendation wasn't part of the earlier recommendation because, as an environmental psychologist, both are really part of the same package.

I would urge you consider this, and I hope New York does because it's now designing a new car.

Is there anyone that wishes to speak to it?

MR. BIERWAGEN: Walter Bierwagen, Amalgamated. I have and the Amalgamated has no objection to this because we have recommended this as part of the law and I'm trying to recollect whether the bill passed by the Legislature now includes the recommendation that a citizens' group be designated by the Secretary of Transportation to help design an acceptable transit vehicle, particularly a transit bus, and our recommendation, of course, included that members of the employee groups, perhaps the transit unions and consumer groups be a part of that design committee by the Secretary of Transportation.

I think to put it in here, it will certainly add momentum to that request.

MR. KIERNAN: Yes, sir.

DR. LARRY RICHARDS: Larry Richards. I have two things to say on this.

The first is, I was wondering why it didn't include stations and facilities since the earlier one does. That's no problem, but I would weaken it a little bit and say not standards but recommendations, keeping in mind the Transbus experience and the problems most of you are familiar about with that and the kind of problems you get into when UMTA tries to set standards.

MR. KIERNAN: That is precisely the point why the Committee felt that it was a controversial resolution, and was not reported with recommendation because the resolution as offered was very specific and was directly addressed to the specifications, not recommendations, so that was the point of discussion at the Resolutions Committee meeting, and we discussed it for a half an hour, and we didn't want to change the person's recommendation because it was not general, it was very specific.

If you're making that in the form of an amendment, you'll have to propose it and we need unanimous consent.

DR. RICHARDS: O. K. I'll propose it.

VOICE: I second.

MR. BIERWAGEN: Mr. Chairman, I'm not quite sure what you mean by it. It says here, the Urban Mass Transportation, in adopting specifications for bus and rail cars, should include standards. That's all.

They're not going to make any recommendations. They're ultimately going to say what the design is going to be. Now,

we should participate, citizen groups, employee groups should participate in the design of it, but it's ultimately going to be a standard, I believe. That's what I read on it anyway.

MR. KIERNAN: Mr. Kren had asked before the hands went up.

MR. KREN: Thank you, sir. As a point of further clarification and especially in response to the comments from the lady from New York—to clarify Resolution Number 2 and this Resolution which is 22, the first resolution did deal with passenger facilities, modernization of facilities. What we're saying in that Resolution Number 2, is that the local communities should decide for themselves what type of standards they want. O. K. It is in support of local option if you will, so we're supporting the position, in other words, when it comes to the windows as a prime example.

The property itself when it sets its own design criteria can eliminate them if they so desire.

MR. WILDER: You're not talking about bus windows. You're talking about station windows, right?

MR. KREN: No, bus windows. I guess what we're arguing in favor of, let's make it clear, what we are arguing in favor of in Resolution 2 versus Resolution 22 is local option. 2 is local option. 22 is not local option; it's a federal mandate and that is why we brought it to the floor without recommendation, considered it controversial.

What we do not want is to have the federal government to get more involved than it is now in setting the design criteria for vehicles or anything else, so what we're doing is supporting local option.

MISS MORRIS: I wondered, in the committee we talked about this, it was very last minute, and we really didn't deal with local versus federal option, and I think what we felt in general was there should be some recognition of the fact that people dealing with security issues should have some say in bus design and that this didn't seem to be the case in the past with UMTA, and that was the reason for the resolution.

It just never went into local options and that sort of thing.

MR. KREN: That is what we're doing in Resolution Number 2.

MR. MITCHELL PALLY: And in 10.

MR. KREN: In its simplest form it's local option versus federal mandates.

MR. KIERNAN: I'm going to recognize this man because he hasn't spoken yet.

VOICE: I'm with United States DOT. I think we have some language here from a federal regulatory standard. When we talk of federal standards, we usually talk performance, either performance or specific standards, and I don't think that you want to constrain yourself to using the term of the federal point of view of only examining the problem from the specifications point of view as the gentleman up front was saying. Performance standards gives the community more latitude to develop their own thinking.

So to me, in reading this, I see some confusion in the language. Also, I don't think there's any problem with the way the personal security aspect of the resolution reads.

However, you might want to consider some kind of language which would include it within, say, a system-safe concept which looks at this problem from a systems respect.

MR. KIERNAN: Doctor?

VOICE: Yes, I wanted to make that point, but I also wanted to clear your point up. It was UMTA that specified the large windows. The local group did not have the option to do that. In fact, to have included the small window in the recently purchased buses took one of the major battles, and may I just add I agree with this gentleman. I think it's the flavor and, I'm not an attorney obviously, so I'm looking for flavor and general idea rather than the specific word, and I really think it should not be left aside because if these dark windows in any way create more problems for the New York City policemen, you'll be very sorry that you opted for that kind of window.

MR. BIERWAGEN: Mr. Chairman, some years ago, five years ago I served on the Office of Technology Assessment, Transportation Board, advisory board, on some transit matters and at that time we had before us certain of the bus manufacturers. We had certain of the bus manufacturers come to us, and they told us in no uncertain terms that they could reduce the cost of producing a bus by 25 percent if the industry would help design a standard bus and reduce the number of options that they required on those buses, and since that time the government has attempted to design such a bus.

They obviously made a mistake. What is now in being continues to be a mistake for a lot of reasons besides the dark windows and a mandate has gone to them that a new bus be designed with citizen help, and come out with a standard that will be acceptable to everyone and produce that 25 percent reduction in a \$135,000 bus. For goodness sakes, we're talking here of trying to fund how to beat crime. This is certainly one of the ways we can reduce the budgets of our communities if we can do what the industry, the private industry, did, in the 1930s when they got together and designed a street car. We've spent millions of dollars and can't design a bus. That looks like we just can't get together on something as simple as a bus. I just don't understand it.

MR. KIERNAN: Is there any further discussion?

VOICE: Motion to accept.

MR. KIERNAN: There's a motion to accept. Excuse me, that gentleman make a motion to approve the—

MR. HALL: Point of order. A lot of confusion around here on this issue and, in all candor, I'd like to try and deal with it. I read this as a resolved that says that when these buses are being designed, that there will be some input other than UMTA input into these buses.

MR. PALLY: No, that's not what it says.

MR. HALL: What I'm reading dealing with personal security in the design of these vehicles.

Now, personal security. We had some buses that UMTA proved that came out with no-slide devices on them. They put plenty of money to put these buses out. The criteria was these buses would not slide. These buses went over a bridge, and some electronic thing set them off and they went into a stone wall, stopped and threw people all over the bus floor.

We complained about it and UMTA said, as far as they knew it didn't happen, and it kept happening in Detroit, Chicago. I don't know if you got them here, but finally they said, take the no-skid devices off.

They got a lot of other features in buses that are not geared to your personal safety on the bus, and what we are saying is when they start working on something like this, there should be input from the transit unions, the public and it deals with the perception altogether. If that's not the issue, let me know.

MR. KIERNAN: No, I think that's the issue. I don't think that's the resolution that's before us though. That's the problem.

MR. HALL: That's the problem.

MR. EDILBERTO CAMACHO: Ed Camacho, New York City Transit Authority.

I read this as just another interested body telling the carriers what they have to have and not have in their equipment. Now, every carrier knows his needs and give the carrier the option. Do you have these things installed or not? But when you're doing it this way, you're telling them it's going to be mandated that he has to have a kneeling system or any other type of system that's going to run the price of the bus up.

MR. KIERNAN: Is there a motion on this resolution? I don't want to cut it off, but we're over our time.

MR. HALL: He and I are talking about the same thing, and I'm opposed to what he's opposed to.

MR. KIERNAN: Is there a motion on this thing?

VOICE: I motion to vote on the resolution.

VOICE: I second.

MR. KIERNAN: All in favor of the design standards resolution, signify by saying aye. Opposed?

All those in favor of it, please stand up. Just, as a point of clarification, the resolution we are voting on is entitled "UMTA Design Standards." There have been no amendments adopted to it. It's being voted on as proposed, so someone thought it had been amended. I just want to clarify it.

All right, 27 in favor. Would the people who are in favor of it please sit down. The people that are against it, please stand up.

27 to 25, the resolution is adopted. Would you please sit down for a second, there are a few other matters of business. Mr. Del Negro has to be recognized. Yes, sir.

MR. DEL NEGRO: I'd like to make a resolution that I think will get unanimous approval. I'd like to move that the resolutions committee be authorized to include an appropriately worded statement in these proceedings that the attendees have appropriately thanked Senator Caemmerer, Senator Mitchell, the New York State Senate Committee on Transportation and its staff and the Urban Mass Transportation Administration of the United States Department of Transportation for having made this highly successful Conference a reality.

CHIEF MACLEAN: Second.

MR. KIERNAN: Thank you.

I also would like to thank the Resolutions Committee. Unfortunately, two of them had to leave, but Al Provenzano on the end from the TWU, Martin Schnabel from the New York City Transit Authority, Mr. Robert Kren from the Chicago Transit Authority, and once again, I would like to also thank Mitch Pally who served as our counsel and worked getting these resolutions together.

MR. PROVENZANO: John, I also wanted to compliment, for the first time in my life, would you convey to Senator Caemmerer and to you, the staff who did such an able job, that you got me sitting down with the bosses and we didn't kill each other.

MR. KIERNAN: And finally, once again, to our staff for putting this thing together so quickly, thank you.

SENATOR MITCHELL: Ladies and gentlemen, the next item we took up before, that was the discussion of future plans and, as I indicated, when some of you were not in the room, it's our intention to have the Steering Committee work in the future with the Urban Mass Transportation Administration and other officials throughout the country to keep focus on the work that we've started here this week.

MR. KIERNAN: I was also remiss in pointing out that Marvin Futrell from UMTA who is our man on the project, I guess manager on this grant, sat in on all the Resolutions Committee meetings and gave a lot of advice and we are very appreciative to him for doing that.

SENATOR MITCHELL: Is there any further business to come before the Conference?

There being none—

MR. WILDER: Move we adjourn.

SENATOR MITCHELL: All right. On the motion, all those in favor, say aye; contrary, nay.

The meeting is adjourned sine die.

Banquet Proceedings

Senator Caemmerer, right, introduces dinner speaker, Hon. William J. Ronan, Commissioner, New York–New Jersey Port Authority and former MTA Chairman. C. Carroll Carter, below, Publisher, Mass Transit Magazine, performs similar duties during a luncheon session.



Thursday, October 23, 1980

BANQUET PROCEEDINGS

SENATOR MITCHELL: Ladies and gentlemen will the house be in order please? Will those assembled here tonight for our Concluding Banquet please rise for the Benediction and remain standing to join with me in singing together the fourth stanza of "America."

O Lord look down with grace and favor upon those gathered here tonight: endue them with strength and confidence in their cause and courage to strive for its successful outcome: May the Lord bless and keep you and may his countenance shine upon and support all of us now and for ever more. Amen.

(The Assemblage then joined Senator Mitchell in singing "America.")

"Our fathers God to thee, author of Liberty To Thee we sing
Long may our land be bright With freedom's holy light
Protect us by thy might, Great God Our King."

Thank you all very much. Now, please be seated and enjoy your dinner.

(At the conclusion of the dinner the following proceedings ensued.)

SENATOR MITCHELL: Before proceeding with the regular order of business, I want to make several announcements. First, John Lawe called up, very agitated because he wanted very much to be with us, complimented Senator Caemmerer on the Conference but said that his doctor had ordered him into bed.

If Mr. Futrell is around, I want, again, to indicate for the record that the Urban Mass Transportation Administration, of which he is a manager of, has contributed and funded this Conference, and Brian Cudahy told me this noon that we were able to use for the first time, emblazoned on the front page of our program, the newest logo of UMTA.

On my left at the head table, Jim Burgess of the Southern California Rapid Transit District, the chief security officer.

Robert Kren, who is Assistant to the Chairman of the Chicago Transit Authority.

Going over to the right, I don't know whether that means conservative, but we have John Kiernan, who is the Chief Counsel and Staff Director of our great State Senate Committee on Transportation.

You have done an outstanding job through this Conference, and I appreciate all that you did.

Bill McKechnie, who is the Chief of the Transit Patrolmen's Benevolent Association.

And Albert Provenzano, who doubles in brass first as the assistant to Ray Corbett of the AFL-CIO and second, and by no means least, is the Legislative Director, tells me what to do, of the Transport Worker's Union.

I always enjoy this treat and that is to turn the meeting over to the maestro who does the mostest and who is the happiest. I give you the Chairman of the Senate Committee on Transportation, Senator John D. Caemmerer.

SENATOR CAEMMERER: Thank you, again, Mac, and because this will be the last occasion on which we'll all be together, I want to pay particular tribute to my staff.

I haven't been around much this last year or so. I've had some physical problems which have kept me away from the Senate and away from a lot of the things I love to do, and I haven't been missed because of the staff that have done such an outstanding job for our committee and for me personally, and I want to thank Mac and Johnny Kiernan and Bert Cunningham and all of the other great men and women that serve me day in and day out in Albany. I am the envy of the State Capitol in Albany with the staff that I have, and I want to pay tribute to them and thank them for all of the great work they've done for me personally.

I always say that legislators come and go, but staffs go on forever, and it's true, and I hope they do go on forever and I'm sure they will long after I'm gone.

This is a real pleasure for me to introduce our guest speaker this evening, because we have been through many battles and many wars together, and he has wound up in respectable retirement. There was a time when I couldn't appear on a platform with him anywhere in New York State. In fact, we've had to go all the way to Tokyo, Japan, I think it was, Bill, or Mexico City before I could say anything nice about him, because the New York press wasn't around to report it.

Those were the difficult days when our great Governor announced, Governor Rockefeller, that we had the finest commuter railroad in the world when there wasn't a damned train running on time. They were breaking down, and the subways were in dire straits and, of course, one of the things and the reasons that we legislators have created authorities all over the country is so that bricks can be thrown at them and not at us, and in this case it's worked superbly in the New York City area.

For the man who has served as dean of a graduate school and here in New York City, he was Secretary to Nelson Rockefeller for many years, a great Governor of our state. He conceived and wrote the legislation which created the MTA, the Metropolitan Transportation Authority. He was the one that carried through to fruition the construction of the Mall in Albany, one of the most beautiful State Capitols in the entire country and a project that truly saved the city and did announce that we were the Empire State. A man that, I think, bought 800 commuter rail cars when nobody knew what a commuter rail car was and had them delivered in 18 months, bought hundreds of new subway cars and turned around a system that had been neglected and beat up and not cared for for 40 years.

From there he went on to the Chairmanship of the Port Authority of New York and New Jersey, one of the great bi-state agencies in this country of ours that operates the great Port of New York, three major airports, tunnels, bridges, the largest container port in the world.

Well, I could go on and on. I think he's been truly one of the exciting, creative, brilliant public figures of our time, and I'm

delighted he's taken a few moments in his respectable retirement, although he's still involved—he's still a member of the Port Authority of New York, and he's involved in private industry now, as a consultant and the vice-chairman of the board of a major company in New Jersey.

I'm delighted he's taken a few moments to spend with us. I'm very happy to introduce to you my dear friend, Dr. William Ronan.

DR. WILLIAM J. RONAN: John, I want to thank you for that very gracious introduction. You know, first of all, I know of no legislator—and I've known a good many legislators because I go back quite a number of years in my association with state government—I know of no one who has brought to the legislative office any more than John Caemmerer, a dedication and an integrity, an intelligence and a concern for public service and, on top of that, a tremendous courage and, John, I'd like to take this occasion to salute you, because John, really, in his legislative career in the state personifies what I, and I used to teach government, would say was a truly excellent legislator.

Now, John is one of those people, however, that also gets things done, which is very important in the legislative world, and in government these days, getting things done is a very difficult thing to do. John does, and that's why, when I bought a house in Glen Cove recently out in the Oyster Bay area, the first thing I did after I had acquired the property was get in touch with John Caemmerer and say, "Why the hell don't you improve the Oyster Bay line of the Long Island Rail Road now that I live out in that area?" I got the appropriate response.

But I shall always remember, John, who really in the darkest days always defended me, and I shall never forget in the Senate of the State of New York when my confirmation for chairman of the MTA was at issue, and finally one of the members got up and said, "We don't want that SOB," and John said, "But he's our SOB," and it passed. John, I'm eternally grateful.

It's very difficult to speak to as distinguished and informed an audience as this, after you've been working on the problems that we're supposed to talk about tonight as assiduously and for the time that you have spent on them. I'm a little reminded of a friend of mine by the name of Robert Moses who, on one occasion when we were dedicating the Botanical Garden, I think it was, they had a whole series of speakers who got up and were talking about the great thing the Botanical Garden was and the merging of public and private, philanthropic and governmental activity and so on. This went on for some time, and then Bob was supposed to give the final speech, the great speech, and he got up and said, "The golden words have all been said," and he sat down.

Now, if I had that much sense, I would say, "The golden words have all been said," and I would sit down. But I am compelled somehow not to quite heed that advice and to share a few thoughts with you, having served in the position of, I guess you'd call it number one in the transit industry here in this metropolitan region for some nine years.

I read Winston Churchill's biography which many of you have read, I'm sure, and he talks about the joy of being number one. Well, all I can say about Winston, he was never

number one as Chairman of the MTA, or it might have been a different kind of a book. And I do miss not being number one, because I miss that woman who used to write me about once a month and say "Drop dead." And I miss the opportunity that 63,000 individuals working for the Metropolitan Transportation Authority and its subsidiaries had each day to make it possible for me to be awakened at night for one reason or another.

But being number one, I did have an opportunity to get a few insights into the subject matter that you've been discussing and perhaps I can share a few thoughts with you on that subject.

I find that, since I left the Metropolitan Transportation Authority, I guess it was 1974, that some of the problems that we had then have become not solved but more difficult. I guess now since I'm the senior member of the alumni association of former chairmen of the MTA, I think there are enough of us to have an association almost now, I will commend the Senator and your organization and this group for your focus on what I think is one of the most significant and difficult problems of our time, crime on the public transport systems.

The seriousness of the problem needs the emphasis that you've given it. I'm afraid its timeliness is all too evident. Safety in public transport must be superior to safety in general, to safety on the streets. The public expects this, and indeed the public demands it.

In this United States of America, we kill more than 40,000 people a year in automobile accidents, and yet there's no public outcry. Unfortunately, it's all too much taken for granted. Automobile accidents with injuries and deaths get little notice in our media, unless there's something very spectacular associated with it.

But let there be one death from an accident on the New York City subway system and that death be a passenger, it will be on every wire service going out of this city. And this is true of most of the rapid transit systems throughout the world.

Despite the fact that hundreds of people are injured daily in this vast New York metropolitan region by automobiles, and many fatalities result from time to time, they never make the six o'clock TV news, but the subway accident will make it not just that day but for days and days thereafter and probably lead to legislative investigations, district attorney's inquiries and the like.

Why is this so? It's because of the public dependence on mass transportation, a dependence shared not only by those who use it but by even those who never or very rarely use it, because the public has come to have a dependence on the existence of this system and wants to be assured of its security and its dependability, I say, and this is rightly so.

And more and more in our metropolitan areas, where so many of us Americans now live, public transport is becoming more and more of a necessity, even though we may not recognize it as such, and as the energy crisis deepens, it will become more and more important.

Our public transport services are as vitally important to the existence of our great metropolitan areas as police and fire and sanitation, water supply, electrical supply and health services, and we've been finally coming around to recognizing this as a matter of national policy. We now have some

public subsidies, a recognition even at the national level of our importance. And I would have to tell you that literally billions of dollars have been spent to build our public transport systems and to make them secure, and the construction of facilities and for equipment and the training of personnel.

And these funds have not been spent in vain, because rail rapid transit is, without any question, the safest form of transportation in the world, whether it be in New York City or elsewhere in the world, and if one stops to consider the incredible millions of people who are carried daily in rail rapid transit systems around the world, it is truly a remarkable performance, day in and day out, a redundancy of service with very little in the way of accidents that take public lives, or cause injuries.

But all of this emphasis on safety and the great success we've had will mean very little if we do not assure another aspect of safety, and that is what you've been discussing here, the problem of crime on mass transit.

The enormous expenditures and the winning of public confidence in the safe transit operations is now being threatened by the rising rate of transit crime. Public transit, we said before, must be safer than transportation in the streets, and public transit crime must be less than the crime in the streets. It has to be, and it was good to learn that Mayor Koch recognized this when he talked to this group earlier this week, because while we've been making all this progress in accident prevention, we have been fighting a rear guard action when it comes to the matter of the increase in crime.

This was true back in the days when I first became associated with public transport back in 1965. It's true today, and I regret to say even more so. The response of the transit systems to crime has been basically defensive. Almost all of the measures which have been taken were measures to defend and measures that added to public and transit expense and that occasioned public inconvenience.

When we found that bus drivers were being robbed and the robberies of bus drivers became rampant in our cities, transit moved to an exact fare so that the driver didn't have to have any cash on him and, of course, this was important. It helped to reduce these crimes, but it also was public inconvenience that played a part.

When we thought we had solved that, we then found the criminal target became the farebox itself, so the farebox was locked and the bus driver was unable to get to the farebox himself. This added more expense to the system.

Then robberies of passengers developed, and we responded with a two-way radio to our bus drivers. Not only for this purpose of crime prevention, but importantly so, and the two-way radio became a very important item in our fighting bus crime and crime in general for that matter.

In rail rapid transit, we found that, after we had sort of moved in on the bus operation, that our change booths, our station agents, became the targets of criminals and we had robberies and we had personal injuries and we had actually some deaths and so we moved to, again, defensive measures. We developed here in this city bullet-proof, air-conditioned change booths.

You've probably seen them if you live in this area, or if you don't, I hope you go down and see these booths which are enclosures of bullet-proof glass.

One of the joys of being number one when we developed this bullet-proof cage was to have a demonstration, and so we went and had a demonstration. This glass will resist a point-blank firing of a .45, and so we had a station agent and we told him to stand behind the glass and we were going to fire point-blank the .45. He looked up and he said, "Not me." And one of those wonderful people that I had working for me, one of whom is here, said, "Well, it would be a very good PR business if the Chairman stood behind the glass," so the Chairman stood behind the glass and somebody pointed a .45 and, fortunately, what they said in theory proved to be true in practice. It did not go through, so I'm here with you this evening.

So, again, we responded with defensive measures. And then we moved also to other things. We were told that the sort of incandescent light bulbs we had didn't put enough light on the platforms, so we went to better lighting, and the strip lighting in the stations and the platform. Again, considerable expense and it greatly improved the environment.

And then we looked at our station platforms and we saw them filled with vending machines, vending soft drinks and cigarettes and candy and all kinds of things, and we found that they were obstacles in the way of good surveillance of the platforms, in addition to being a nuisance in other respects, and not for quotation on this, we found they were the original roach motels as well.

So we got rid of most of the impediments on the platform, and so today we have much better surveillance for police purposes and safety purposes of those platforms. Again, however, a defensive measure. So the soft drink vending machines, the advertising barriers, the newspaper kiosks, went into history. And this, despite the opposition of the advertising fraternity and the vending machine community.

And then we found regrettably that the toilet facilities along the subway system were nests of crime. So we took bold steps by locking the toilet facilities which, again, didn't cause us anything but grief, but again, a defensive measure to reduce crime.

And then we began looking at subway entrances and exits, and we found that a great many people were cheating us out of subway fares by using the swinging gate doors to go in rather than just to come out the exits, and so we locked a lot of those. Again, defensive measures.

Some of the subway entrances themselves were closed particularly during lesser traffic hours. Again, defensive measures.

During this time, we also saw on the subway system, and this had started before my time, it had a police officer on every train and a police officer in every station during what we called the high crime hours, and it was effective to a point, quite effective. But, again, a defensive measure.

And then on top of all this came the graffiti plague here in New York, this public desecration and destruction of public property. This, added to what we already were dealing with, created even more problems and tended to make even more difficult the transit environment. Believe it or not, when we first encountered the vandalism represented by graffiti, one of our leading newspapers ran an article on this great new

art form, and even heralded some of the "artists"—quote, unquote—who were producing it.

Once again our response. We looked for ways to clean up the cars rapidly because the theory was that, if we kept them clean, the graffiti artists would not then spray their spray cans on the cars, and if their graffiti didn't last they would somehow not have the impetus for this great art form. So we spent millions to try to clean up the cars, but the graffiti artists were there just the same.

When we began to introduce new equipment, it was also said that the new shining equipment, if we would keep it clean and shiny would not attract the graffiti artists. I regret to say that didn't work either.

And so we had commissioned studies of various compounds to quickly remove graffiti, again defensive, and we actually also began some positive steps to try to work with some of the youth groups which I'm sure you've been talking about on this whole graffiti problem.

I remember one of the first of those when I met with a group called, I think, the "Grinning Skulls," I think they called themselves, a very interesting group of young men, and we went over here in Grand Central Terminal, and we were going to show the world how we cleaned subway cars of graffiti. And unfortunately, one or two of our judges also gave sentences that these young men who were apprehended should clean subway cars in this fashion with the caustics that we used at that time to clean subway cars, so you had to be all dressed up in the appropriate garb and perhaps wear a mask and all the rest of it.

At any rate, working with this particular group with the television cameras and all the rest of it because we wanted adequate publicity on it, I was working alongside a young man who was going at it very vigorously and I said, "You're doing a very good job." He said, "Man, if I realized I was going to be here doing this, I wouldn't have used that spray can as far as I did." Whether he was pulling my leg or not, I have no way of knowing, but we cleaned it up and showed that, by application in a positive way, we might get something done. But most of the measures that we took unfortunately, were defensive.

And what pleases me about your Conference is that you're looking at positive measures for dealing with these matters, because, very frankly, I think transit has about run out of defensive measures. Clearly, it's a time to go on the offensive against transit crime as, indeed, I would hope our whole society would go on the offensive against crime itself, because a high crime rate certainly is not the price of democracy. For two centuries we've proved that, and there's no point that in the third century it is necessary to assume that we have to have a high crime rate to have democracy.

And it's time to concentrate on the causes of transit crime and on the nature of the perpetrators of these crimes, and to deal realistically with the problems and not just continue to retreat with defensive measures that thus far, while they have helped, have not solved the problem.

It's time to recognize that the public safety and the public convenience should have a priority also over the concerns that we have shown in our society for the criminal few who perpetrate these crimes, and it's time to recognize, I think also, that transit crime is committed by a relatively few persons, and that a great many of the transit crimes are the

result of repeaters or what the sociologists like to call re-
cidivists. I prefer the word "repeater," and we must find
some way of dealing with those who repeat these offenses
against society and persuade them effectively not to con-
tinue to do so.

I think it's time that we also recognize that crime against
public property is also important. We've tended to play
down the crime against property because of the enormity
and the heinous nature of crime against persons, and yet
the two are related, very much so, and so it's time that we
pay some attention to the crimes against property and pub-
lic property in particular. And I think it's time that we also
take a look—and I hope you have—at making the punish-
ment fit the crime.

I'm not at all sure, having talked many times with our transit
police who have commented vigorously on the revolving
door nature of some of our justice system, that we do not, as
a society face up to the fact that the punishment for the
crime must be more effective. The restraint must be more
restrictive or we're not going to be able to solve the prob-
lem.

It is time to recognize, in other words, that we have run the
gamut of our defense measures, and it's time now to face up
to the realities of who commits the crimes, why they commit
them, and what we can do actively in response to these
crimes to prevent them. Your deliberations, your conclu-
sions, your recommendations, should be a major help in
achieving this, and from the perspective of one who has
dealt with the problems of crime and vandalism, I would say
that the subject matter that you're dealing with is fraught
with the greatest of significance because, unless we can
assure the public of the safety, not only against accidents
but against crime of our public transport system, we not
only are not going to encourage people to ride the systems,
but we are playing a very dangerous game when it comes to
the whole matter of energy and the effective use of that
energy.

It is sad to see people taking to other private forms of
transportation or people taking to express buses or to spe-
cial buses when we have in our cities some of the magnifi-
cent rapid transit facilities we have and people leaving be-
cause of a sense of insecurity in riding these systems.

And so I say to you, I look forward to an opportunity to look
at the conclusions and recommendations, the findings of
your meetings and to commend Senator Caemmerer and
the organization for holding this session and to you for
participating and giving of your experience and your
thought.

My only message is, the time for defensive measures is
passing and the time for effective positive action is now.
And thank you for the opportunity of being with you.

SENATOR CAEMMERER: Thank you, Bill, very much for
that interesting historical background and for permitting me
to finally appear on a platform with you in New York very
proudly and declare you to be my friend.

Permit me in conclusion, to thank all of you who have stayed
with us these four days. I think the resolutions that you've
adopted are extremely appropriate, hopefully will be a be-
ginning of an effort by all of us in the major metropolitan
areas of this country and in Canada to go on the offensive,

as Bill Ronan said, to try and beat a problem that we must beat if we're going to have our systems serve us as they must in this great time of energy shortage and crisis and uncertainty.

Your attendance has been just tremendous. Your attention has been just tremendous, and so I want to thank you for your diligence this afternoon in adopting the resolutions that you've adopted. I know that they call for some funding on a state level and certainly speaking for my colleagues,

we're going to try and respond to that. I know they call for funding on a federal level, and we'll be looking to our national representatives to respond to that and I hope that this is just the beginning of a common solution to a very serious problem in the nation.

So I compliment all of you. I thank you. I hope you have an opportunity to stay around and enjoy the trip tomorrow and I wish you a very safe journey home. Thank you all.

CONCLUSION

The purpose of the National Conference on Mass Transit Crime and Vandalism was to develop a consensus among the participants as to what may be done to combat this serious problem. Never before had so many responsible persons, with a keen interest and knowledgeable background of experience in this subject, been gathered together to enlist their considerable expertise in formulating a consensus as to how to deal with the problem of crime on public transportation systems. It is the belief of the New York State Senate Committee on Transportation, that this Compendium provides a comprehensive record as to the ruminations of the body of the Conference on the subject of mass transit crime and what may be done to alleviate its disastrous effects.

The general consensus of the National Conference on Mass Transit Crime and Vandalism was that the problem is as varied as the communities and transit properties in which it exists. Because of the many dimensions of the problem there appears to be no easy solution nor quick cure to the dilemma. Crime on public transportation systems, as with crime in general, has its roots deep within the moral fabric of society. Crime exists throughout our cities and mass transit systems because the social ills of poverty, lack of opportunity and despair are ubiquitous in present day society.

During a series of plenary sessions participants at the Conference had the unique opportunity to hear speakers from a wide variety of professions on the subject of mass transit crime. In the six workshop groups which immediately followed each plenary session, participants were able to discuss all five topic areas in greater detail. The speakers from each of the plenary sessions were encouraged to circulate throughout all of the workshops to lend their considerable expertise to the discussions at hand.

From the conversations that occurred in the workshops, participants were asked to formulate resolutions which were eventually voted upon by the body at the Conference at the Concluding Session. The text of the discussion and debate at the Concluding Session may be found within the body of this Compendium while the resolutions which were adopted may be found in Appendix E.

The 22 resolutions which were voted upon by the participants were divided by the Resolutions Committee into three separate categories. Resolutions 1, 2, 3, 4, 5, 6, 6A, 7, 8, 9, 10, 11, 14, 15, 16, 17 and 18 were selected as noncontroversial resolutions. Due to time limitations, resolutions placed on the noncontroversial calendar were adopted unanimously by a single voice vote. Also because of time constraints, noncontroversial resolutions were not debated at the Concluding Session.

Resolutions 12, 13, 19 and 20 were reported by the Resolutions Committee as controversial resolutions with recommendation for adoption. Resolutions 21 and 22 were reported by the Resolutions Committee as controversial resolutions without recommendation for adoption. All controversial resolutions were subject to debate and some were adopted by only a narrow margin.

Of all the resolutions considered by the Conference, only Resolution 21 was defeated. This resolution dealt with the development of a demonstration project involving the formation of an auxiliary police force composed of retired police officers and retired transit employees. During the debate on this resolution it was pointed out by some of the participants that auxiliary police forces comprised of off-duty police officers are employed in a very effective manner by transit properties in the southwest. Despite the support this resolution received from representatives of these transit properties, it was defeated.

The resolutions which were adopted by the Conference participants are intended to function as guidelines for any future actions in the area of mass transit crime. From these policy statements it is believed that a greater awareness of the dimensions of the problem may be instilled in all persons exercising responsibility for transit operations and in the general public at large.

The Conference achieved a monumental task in bringing together participants from a wide variety of professions and from transit authorities across the United States and Canada in order to develop a consensus on the subject of mass transit crime. Several considerations must be kept in mind to appreciate the full range of this undertaking.

For example, transit police from different cities have to work with a complete array of state and local laws that vary widely. In addition, the responsibility for policing transit systems may be placed upon the local police force or upon a dedicated in-house police force. Also, crime problems vary from city to city. The high degree of attention paid at the Conference to the graffiti problem that plagues the New York City transit system was due partially to the uniqueness of this problem in comparison to other cities.

Another difficulty encountered in the endeavor to develop a consensus among the participants was the great disparity in the design and environment of different transit systems themselves. Clearly, the policing problems encountered in the older transit systems of cities such as Boston, New York, Chicago and Philadelphia cannot be compared to the policing situation in the newer transit systems of Atlanta and Washington, D.C. which were designed for security. Whereas the older transit systems suffer from poor lighting conditions, with stairways and pillars that obstruct vision and offer places for criminals to hide, newer transit systems are well lit, with clear lines of vision, that provide for more efficient policing and do not allow the criminal element any refuge for its activities.

With these factors in mind the accomplishments of the Conference can be fully appreciated. The wide range of individuals and professions that were represented, in addition to the different crime problems that concerned each transit authority in attendance, made the objectives of the Conference difficult to obtain but the results of the effort well worthwhile.

This Conference will be thought of as successful if in the future more attention and sensitivity by members of the

criminal justice system, the media, policymakers and the general public is given to the problem of mass transit crime. It is our belief that the first step has now been initiated in that direction and it is now up to all of us to see the effort through.

It was often stated during the Conference that the public perception of crime on mass transit systems is a very important factor in determining the level of ridership. Since it is the logical thinking of many policymakers and planners that increasing transit ridership is an effective means of eliminating much of our dependence on the automobile, the reduction of crime on mass transit systems appears to be a practical approach to achieving a portion of our long-term energy goals.

Therefore, if our society intends on increasing transit ridership as a means of offsetting our reliance on the automobile and OPEC oil, effective measures designed to combat the increasingly serious problem of mass transit crime must be developed and implemented. Other benefits from increasing ridership, such as cleaner air, more efficient mobility on the highway and less money required for road maintenance, can be gained as well.

No concerted effort in the area of mass transit crime can be developed, however, without a basic understanding of the nature of the problem; both its extent and the type of crimes that are being committed. At present, there exists very little substantive information on the subject. This situation is currently being changed as more interest is being paid to the subject of mass transit crime because of its increasing importance in reducing our dependence on foreign oil. But there still remains much further research to be done in this area, as evidenced by the adoption of a resolution calling for further studies on the topic of mass transit crime and the

institution of a uniform crime reporting system to aid in the analysis of transit crime statistics.

As stated previously, there is no easy solution to the problem of crime on public transportation systems, nor is there a simple solution to the problem of crime in general. Since a transit system can only reflect the nature of the communities in which it operates, the crime problems handled by transit police departments are to a considerable degree symptomatic of the criminal offenses that are being experienced by our society as a whole. Until the crime problems that are besetting transit properties are dealt with by society in a holistic fashion, no long-term solution to the mass transit crime problem can be expected.

In the final analysis it is the transit authorities and, ultimately, the taxpayer who must shoulder the burden for the costs of criminal activity on transit systems. In the past the short-term solutions of "target hardening," that is making a facility stronger and more difficult to violate, and the elimination of service where crime problems become too great, have been some of the accepted approaches to reduce mass transit crime. Today, these measures are either no longer effective or do not make sense in light of the attempt to increase transit ridership. A more comprehensive approach to attack the problem of crime on public transportation systems than what was customarily done in the past need to be developed.

The federal government has begun to recognize its role in the effort to reduce mass transit crime. The New York State Senate Committee on Transportation is already at work to embody in legislation much of the consensus of this Conference. It is our sincere hope that the momentum generated by this Conference, to develop a comprehensive approach to reduce mass transit crime, will continue into the future and that demonstrable results will be achieved.

Appendix A



U.S. Department
of Transportation
**Urban Mass
Transportation
Administration**

National Conference
on
Mass Transit Crime and Vandalism

Conducted by

**THE NEW YORK STATE
SENATE COMMITTEE ON TRANSPORTATION**

Senator John D. Caemmerer, *Chairman*

**Funded with a Grant from the United States Department of
Transportation, Urban Mass Transportation Administration,
Office of Transportation Management**

SHERATON CENTRE HOTEL, NEW YORK CITY

OCTOBER 20-24 1980

PROGRAM OF EVENTS

MONDAY, OCTOBER 20, 1980

- 11:00 a.m. - 9:00 p.m. Registration in Imperial Foyer, 2nd Floor Sheraton Centre Hotel
(No Registration Fee)
- 2:00 p.m. - 3:00 p.m. Meeting of Steering Committee, Diplomat A, 3rd Floor
- 2:15 p.m. - 3:15 p.m. Organization Meeting of Moderators and Facilitators, Consulate Suite, 3rd Floor
- 4:00 p.m. - 5:45 p.m. Optional Demonstration Tour to observe improvements in Transit Security Facilities

EVENING FREE

TUESDAY, OCTOBER 21, 1980

- 8:00 a.m. - 4:00 p.m. Registration continues, Imperial Foyer 2nd Floor, Sheraton Centre Hotel
- 9:00 a.m. - 9:20 a.m. Slide Presentation Dramatizing Crime Problems, Royal A, 2nd Floor
- 9:30 a.m. - 10:30 a.m. PLENARY SESSION—Topic I—*Nature of the Mass Transit Crime Problem*. Introductory remarks by Senator John D. Caemmerer, Chairman, New York State Senate Committee on Transportation, Royal A, 2nd Floor
Speakers: Mr. James P. Burgess, Director of Public Safety, Southern California Rapid Transit District; Chief Angus B. MacLean, Director of Security, Washington Metropolitan Transit Authority; Mr. John E. Lawe, President, Transport Workers Union of Greater New York; Mr. Walter J. Bierwagen, International Vice President, Amalgamated Transit Union
- 10:45 a.m. - 12:00 Noon TOPIC I WORKSHOPS—Room Assignments will be distributed at Registration
- 12:30 p.m. - 2:00 p.m. LUNCHEON—Versailles Ballroom, 2nd Floor,
Mr. George Takei, Director, Southern California Rapid Transit District
- 2:15 p.m. - 3:30 p.m. PLENARY SESSION—Topic II—*Requirements for Security and Safety on Mass Transit Systems*, Royal A, 2nd Floor
Speakers: Mr. John W. Townsend, Director of Security, Toronto Transit Commission; Mr. John B. Schnell, Staff Research Advisor, American Public Transit Association; Mr. Alan Kiepper, General Manager, Metropolitan Atlanta Transit Authority
- 3:45 p.m. - 5:00 p.m. TOPIC II WORKSHOPS—Room assignments will be distributed at Registration
- 6:00 p.m. - 7:00 p.m. RECEPTION—Georgian B, 3rd Floor
- 7:15 p.m. KEYNOTE DINNER—Georgian A, 3rd Floor
Welcome by Hon. Edward I. Koch, Mayor of New York City
Speakers: Hon. Louis R. Nickinello, State Representative, Natick, Massachusetts
Chief James B. Meehan, New York City Transit Police

WEDNESDAY, OCTOBER 22, 1980

- 8:00 a.m. - 10:00 a.m. Registration continues, Imperial Foyer, 2nd Floor, Sheraton Centre Hotel
- 9:00 a.m. - 10:30 a.m. PLENARY SESSION—Topic III—*The Law Enforcement Problem*, Royal A, 2nd Floor
Speakers: Hon. Albert L. Kramer, Presiding Justice of District Court, Quincy, Massachusetts; Hon. Edward G. Rendell, District Attorney, Philadelphia, Pennsylvania; Mr. Earl McGhee, Area Superintendent, Investigations, Chicago Transit Authority

- 10:45 a.m. - 12:00 Noon TOPIC III—WORKSHOPS—Room Assignments will be distributed at Registration
- 12:30 p.m. - 2:00 p.m. LUNCHEON—Versailles Terrace, 2nd Floor
Speaker: Mr. Jack Gilstrap, Executive Vice President, American Public Transit Association; Introduction by Mr. C. Carroll Carter, Publisher, Mass Transit Magazine
- 2:15 p.m. - 3:15 p.m. PLENARY SESSION—Topic IV—*Public Perceptions of the Mass Transit Crime Problem*, Royal A, 2nd Floor
Speakers: Miss Anne Nolan, Public Safety Program Manager, Southeast Michigan Council of Governments; Mr. Keith Bernard, General Manager, San Francisco Bay Area Rapid Transit District; Mr. Michael B. Gerrard, Chairman, Permanent Citizens Advisory Committee to the Metropolitan Transportation Authority
- 3:30 p.m. - 5:00 p.m. TOPIC IV—WORKSHOPS—Room Assignments will be distributed at Registration

EVENING FREE

THURSDAY, OCTOBER 23, 1980

- 9:30 a.m. - 10:30 a.m. PLENARY SESSION—Topic V—*Funding Mass Transit Crime Prevention Efforts*, Royal A 2nd Floor
Speakers: Mr. Rand Burgner, Director of Public Relations, Metropolitan Transportation Authority; Dr. John A. Dyer, Transportation Coordinator, Dade County Transportation Administration, Miami, Florida; Mr. Hiram J. Walker, Regional Director, Urban Mass Transportation Administration
- 10:45 a.m. - 12:00 Noon TOPIC V—WORKSHOPS—Room Assignments will be distributed at Registration
- 12:30 p.m. - 2:00 p.m. LUNCHEON—Royal B, 2nd Floor
 Introductory Remarks by Dr. Brian J. Cudahy, Program Manager, Urban Mass Transportation Administration
Speaker: Hon. Richard Ravitch, Chairman, Metropolitan Transportation Authority
- 2:30 p.m. - 4:30 p.m. CONCLUDING SESSION—Royal A, 2nd Floor
 Reports from Workshop Moderators
 Adoption of Resolutions
 Discussion of Future Plans
- 6:15 p.m. - 7:15 p.m. RECEPTION—Georgian A, 3rd Floor
- 7:30 p.m. BANQUET—Georgian B, 3rd Floor
Speaker: Dr. William J. Ronan, Commissioner, New York-New Jersey Port Authority and Vice-Chairman, Continental Copper & Steel Industries, Inc.

FRIDAY, OCTOBER 24, 1980

Optional Day

- 8:15 a.m.
 (Limited to 75 people.
 Advance Registration
 Fee of \$25) Charter Buses depart from 53rd Street side of Sheraton Centre Hotel for World Trade Center.
- 8:45 a.m. - 10:15 a.m. Breakfast at Windows on the World Restaurant on 107th Floor, One World Trade Center
- 10:20 a.m. Buses Depart World Trade Center for embarkation at the Battery Pier on 120 foot Pilot Boat
- 10:30 a.m. - 2:00 p.m. Inspection trip of New York Harbor (Light Lunch and Refreshments on Board)
- 2:15 p.m. Buses transport passengers back to Sheraton Centre Hotel (arrangements have been made for luggage of those taking this tour to be safely stored at Hotel until 3:00 p.m.)

**NATIONAL CONFERENCE ON
MASS TRANSIT CRIME AND VANDALISM**

**The Sheraton Centre Hotel
New York City**

OCTOBER 20-24 1980

Sponsored by

**NEW YORK STATE SENATE COMMITTEE
ON TRANSPORTATION**

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CONFERENCE FUNDED WITH A GRANT FROM
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URBAN MASS TRANSPORTATION ADMINISTRATION
OFFICE OF TRANSPORTATION MANAGEMENT

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PROGRAM COORDINATORS: Carey S. Roessel
Joyce Fonda Lapham

CONFERENCE STAFF:

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Bert J. Cunningham, *Director of Public Affairs*
MacNeil Mitchell, *Special Counsel*
Mitchell Pally, *Counsel*
Peter Derrick, *Director, Commission on Critical
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C. Carroll Carter, *Publisher, Mass Transit Magazine*
Arthur L. Del Negro, Jr., *Esq., Director, Economic Crime Project, National District Attorneys
Association*
Ronald C. Kane, *Assistant to General Manager, New York City Transit Authority*
Chief Angus B. MacLean, *Director of Security, Washington Metropolitan Transit Authority*
John B. Schnell, *Manager of Research, American Public Transit Association*
Captain William E. Wilson, *Mass Transit Unit, Chicago Police Department*
Robert L. Foster, *Former Chairman, Massachusetts Bay Transit Authority*
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Ian D. Lennox, *Executive Vice President, Philadelphia Crime Commission*
Leonard M. Cutler, *New York State Senate Liason Officer with U.M.T.A.*
Marvin Futrell, *Program Manager for U.M.T.A.*

RESOLUTIONS COMMITTEE

John B. Kiernan, *Chairman*
John Downing
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Martin Schnabel
Mitchell Pally, *Counsel*

Appendix B

JOHN D. CAEMMERER

Senator John D. Caemmerer is Chairman of the New York State Senate Committee on Transportation and the Joint Legislative Commission on Critical Transportation Choices. Since taking office in 1966, Mr. Caemmerer has sponsored laws dealing with environmental protection, tax relief for senior citizens, education, highway and vehicle safety, labor relations and the financing of public transportation.

Of significant impact, Mr. Caemmerer has authored, or co-authored, laws to: reduce highway deaths and injuries caused by drinking and driving; protect an individual's "right to privacy" by restricting the use of data in credit files and by allowing a person to correct credit data inaccuracies; help protect the environment through enactment of the "Oil Spill Prevention and Clean-Up Act of 1977"; and conserve energy and improve the State's transportation network through the "Energy Conservation Through Improved Transportation Bond Act of 1979."

In recognition of his comprehensive work to stem the auto theft problem in New York State, the Law Enforcement Assistance Administration of the U.S. Department of Justice awarded a federal grant to Senator Caemmerer's Transportation Committee to conduct the first National Workshop on Auto Theft Prevention to help guide and coordinate a federal/state attack on the \$2 billion auto theft industry in the United States.

Active statewide and nationally, Mr. Caemmerer is a member of the Executive Committee of the National Committee on Uniform Traffic Laws and Ordinances and a member of the Committee on Suggested Legislation of the Council of State Governments. He has also participated actively with the National Conference of State Legislatures (NCSL) by serving as Chairman of the Transportation Task Force, Vice Chairman of the Intergovernmental Relations Committee, and Chairman of the 700 member State/Federal Assembly, the policymaking body of the NCSL. Mr. Caemmerer is a former member of the National Motor Vehicle Advisory Council and a former member of the Board of the Eno Foundation—a national organization dedicated to improving highway safety.

MACNEIL MITCHELL

MacNeil Mitchell was born in Lime Rock, Connecticut in 1904. He graduated from Yale College in 1926, attended Columbia Law School and received his LL.B from the University of California Law School at Berkeley in 1929. Admitted to the New York State Bar in 1931, he is now engaged in the practice of law with offices at 36 West 44th Street, New York City.

Mr. Mitchell is a member of the Association of the Bar of the City of New York, the American Bar Association and the Fraternity of Phi Gamma Delta. He is a member of the Board of Directors of the Bank of Commerce and of Combined Life Insurance Company of New York; on the Board and Executive Committee of the Carnegie Hall Corporation; and President of Columbia University Club Foundation, Inc. He is Fleet Captain of Devon Yacht Club in East Hampton, New York. Since 1952 he has been a member of the Defense Orientation Conference Association. He was elected its President at the 1972 Annual Meeting and its Chairman of the Board in 1974.

Mr. Mitchell has had extensive political experience, having served as Republican Assemblyman from New York County from 1937 through 1946 and as State Senator thereafter through 1964. He has served as Chairman of the Senate Judiciary Committee and for 22 years was Chairman of the Joint Legislative Committee on Housing. From 1966 to 1976, he was Counsel to the New York Joint Legislative Committee on Transportation and since then he has served as Senior Counsel to the Senate Standing Committee on Transportation. In those capacities he has coordinated for the Committees seven Annual Conferences on transportation matters held in New York City as well as in 1978 a National Workshop on Auto Theft Prevention together with this present Conference.

CHARLES KEITH BERNARD

Charles Keith Bernard was named General Manager of the San Francisco Bay Area Rapid Transit District (BART) by the District's Board of Directors on December 20, 1978, following a five-month selection process on a nationwide basis. Prior to assuming his post as the transit district's Chief Executive Officer, Mr. Bernard was in the dual role as Director of Planning, Budgeting and Research and a member of the Office of the General Manager. Mr. Bernard began his career with the BART system as a planning engineer. He was subsequently appointed as Director of the Marketing and Research Department and later assumed the responsibilities as Director of Planning, Budgeting and Research.

Prior to joining the BART, he was employed in the Research and Development Department of the Canadian National Railways; by the Canadian Corporation for the 1967 World Exhibition as a project engineer on secondary transportation systems; and as a sales and application engineer with Ingersoll Rand (Australia) Pty., Ltd. Mr. Bernard received his Master of Business Administration in Transportation with emphasis in Finance and Operations Research from the University of California, Berkeley, and his Bachelor of Engineering (Mechanical) from McGill University, Montreal.

WALTER J. BIERWAGEN

For thirteen years, starting in 1951, Mr. Bierwagen was President and Business Agent of the Washington Local of the Amalgamated Transit Union (ATU) representing Metro employees. He entered into the national role as Vice-President of the international union, engaging in legislative representation before Congress in behalf of the members of the Amalgamated Transit Union and conducting collective bargaining negotiations for many ATU local unions in the eastern section of the U.S.

In addition, he has been involved in state activities for the labor movement by serving as Vice-President of the Maryland State Federation, AFL-CIO, as well as a principal officer of the Washington Central Labor Council. His interests have gone beyond the labor movement, including active leadership in the Group Health Association, and the development of transit health and welfare and pension funds on the local level.

As mentioned above, Mr. Bierwagen's principal activity has been in the legislative arena, and in that role he played a major part in the development of the Urban Mass Transportation Act of 1964 and its amendments, especially the requirements to protect affected employees, and legis-

lation at the state levels with the same objective. At present Mr. Bierwagen is a Vice-President and Director of Public Affairs for the Amalgamated Transit Union, AFL-CIO.

JAMES P. BURGESS

A 22-year veteran of law enforcement, Chief Burgess has a Bachelor of Science degree from California State University in Los Angeles in Police Science and Administration. Chief Burgess possesses a lifetime teaching credential in Community Colleges in Police Science and Administration. He has had the responsibility for developing numerous community relations programs as a member of the Alhambra Police Department, where he held the rank of Captain and was in charge of patrol services.

Chief Burgess joined the Southern California Rapid Transit District as Transit Police Chief in July, 1978, and has developed and expanded the Department to its current status.

C. CARROLL CARTER

Charles Carroll Carter is Publisher and Editor of MASS TRANSIT the international monthly magazine on transportation in cities. Published in Washington, D.C., MASS TRANSIT was founded by Mr. Carter in April, 1974.

Mr. Carter is the former Special Assistant to the Secretary, U.S. Department of Transportation, having served in that agency from 1969 to 1974. Mr. Carter formerly was the Assistant Administrator of the Urban Mass Transportation Administration in the U.S. Department of Transportation, having been appointed to that position by Secretary John A. Volpe in 1969. Mr. Carter became Special Assistant to the Secretary Claude S. Brinegar in 1972 and served in that position until 1974.

In 1971 and 1972 Mr. Carter represented the Department at international transportation conferences in the Soviet Union, France and Canada. In 1973 the Secretary sent him on an around-the-world trip to the Far East and the Middle East to share U.S. urban transportation research and development results with governments in ten countries. In 1974 Mr. Carter received the Secretary's Award for his work at the Department of Transportation.

Mr. Carter earned a Bachelor of Philosophy degree from the University of Notre Dame in 1949 and a Master of Business Administration degree from the American University in Washington in 1959.

BRIAN J. CUDAHY

Dr. Brian J. Cudahy received his M.A. and Ph.D. from St. Bonaventure University. A native of Brooklyn, Dr. Cudahy is noted for his authorship of several books on the subway systems of Boston and New York. In the past Dr. Cudahy has served as a professor of philosophy at Boston College and as a consultant to the Massachusetts Bay Transportation Authority.

At present, Dr. Cudahy is the Director of the Office of Transportation Management of the Urban Mass Transportation Administration.

JOHN A. DYER

Mr. Dyer received a B.A. in Political Science from the University of Chattanooga, an M.A. in Public Administration and

Economics from the University of Alabama and a Ph.D. in Finance and Administration from the University of Alabama.

Mr. Dyer has extensive years of experience in the management field. He has held the positions of Director of Research, Tennessee Department of Revenue; Assistant Commissioner, Department of Finance and Administration, State of Tennessee; and Deputy Regional Director, U.S. Office of Economic Opportunity, Atlanta, Georgia. Presently, Mr. Dyer is the Special Assistant to the County Manager and Transportation Coordinator, Metropolitan Dade County.

JACK R. GILSTRAP

Jack R. Gilstrap is the Executive Vice-President of the American Public Transit Association (APTA). He was formerly general manager of the Los Angeles-based Southern California Rapid Transit District (SCRTD). As SCRTD General Manager from October, 1970 to August, 1980, Mr. Gilstrap headed the nation's largest all-bus transit system, the third largest urban transportation agency in the United States. Mr. Gilstrap had been with SCRTD for more than 20 years, serving as Assistant General Manager and in other positions at the agency. Before joining SCRTD, Mr. Gilstrap held administrative posts with the California State Legislature and the State Department of Mental Health. He holds a Master's degree in Public Administration from the University of Southern California and is active in the American Society of Public Administrators.

APTA's first Vice-President for Government Affairs, Mr. Gilstrap also served as Chairman of the APTA Government Affairs Committee and as Vice-President of the American Transit Association (ATA), an APTA predecessor. He was a Director of both ATA and another APTA predecessor, the Institute for Rapid Transit (IRT), and served as Chairman of the IRT Public Information Committee. He has served as a member of the Urban Mass Transportation Administration's Capital Grant Criteria Committee, the Federal Aid-Urban Systems Advisory Committee, the Transportation Research Board, and as a Director of the National Safety Council's Board of Directors.

MICHAEL B. GERRARD

Mr. Gerrard received a B.A. in Political Science from Columbia University and a J.D. from New York University Law School. Over the last ten years Mr. Gerrard has authored numerous publications dealing with transportation. As a Policy Analyst with the Council on the Environment of New York City he directed projects on energy and transportation, researching and writing reports to public agencies. From 1976 to 1978, Mr. Gerrard served as consultant and legal intern for the Natural Resources Defense Council, researching into financial and environmental aspects of transportation policies.

Mr. Gerrard chairs the Permanent Citizens Advisory Committee to the Metropolitan Transportation Authority, a position to which he was appointed by Mayor Koch.

ALAN F. KIEPPER

As General Manager of the Metropolitan Atlanta Rapid Transit Authority (MARTA), Mr. Alan F. Kiepper is responsible for operating a fleet of over 840 buses and building and

operating a 53-mile rapid rail system. Mr. Kiepper came to MARTA as General Manager on March 1, 1972, after five years as City Manager of Richmond, Virginia. Before going to Richmond, he spent four years in Atlanta as Fulton County Manager.

Mr. Kiepper is a graduate of the University of New Hampshire and holds a Bachelor of Arts degree in Government. He also holds a Master's degree in Public Administration from Wayne State University in Detroit, Michigan. He is a member of the National Academy of Public Administration.

Mr. Kiepper is a member of the Board of Directors of both the American Public Transit Association and the Transit Development Corporation. He also serves as Vice-President of APTA for Management and Finance.

JOHN B. KIERNAN

Mr. Kiernan received his B.S. and J.D. degrees from Fordham University. He was admitted to the New York State Bar in 1973.

He served as Legislative Assistant to the Joint Legislative Committee on Transportation for two years, and now serves as Chief Counsel and Staff Director of the Senate Committee on Transportation.

Mr. Kiernan has developed expertise in the field of public transportation, especially the operation of the Metropolitan Transportation Authority in New York and the other public transportation systems in New York State.

EDWARD I. KOCH

Mr. Koch was inaugurated as the 105th Mayor of the City of New York in 1978. Previous to achieving this elected office, Mr. Koch had spent two years on the New York City Council and served for nine years in the House of Representatives from Manhattan's "Silk Stocking" District.

During his tenure in the Congress, Mr. Koch was involved in the passage of legislation known as the Federal Privacy Act, the Equal Credit Opportunities Act and the establishment of the National Commission on Marijuana and Drug Abuse. As a member of the Appropriation Committee's Transportation Subcommittee, he was the leader in the fight for the Mass Transit Operating Subsidy bill of 1974. The following year, during New York City's fiscal crisis, he played a major role in the State delegation's efforts to obtain emergency aid from the federal government.

Among Mr. Koch's initiatives while in office as the Mayor of New York are the first balanced budget in over a decade, a merit selection system for members of the judiciary and a major rehabilitation of the City's housing stock.

ALBERT L. KRAMER

Judge Kramer was appointed as Presiding Justice of the Quincy Division of the District Court of Massachusetts in December, 1974. Preceding his appointment, Judge Kramer had served as an Alderman in Chelsea, Massachusetts, been elected twice to the Massachusetts House of Representatives and functioned as the Chief Policy Advisor to the former Governor Francis Sargent. Judge Kramer received his undergraduate and law degrees from Boston University and is an Adjunct Professor at Florence Heller

Graduate School of Brandeis University. He is also a lecturer at the Massachusetts Institute of Technology and at the University of Massachusetts.

Judge Kramer is founder of the National Institute for Sentencing Alternatives at Brandeis University, whose purpose it is to replicate the "EARN-IT" program by training judges and criminal justice professionals to establish restitution and community work service programs. In 1979, he was the recipient of the William H. Burnett Memorial Award, presented by the Alcohol and Drug Problems Association, for the most outstanding contribution by a judge in combatting alcoholism in 1979.

JOHN E. LAWE

John E. Lawe joined the Transport Workers Union (TWU) in 1950, working first in bus maintenance and then as a bus operator. Mr. Lawe quickly advanced through the union ranks reaching the post of Division Chairman in 1964. Since 1971 Mr. Lawe has led the contract negotiations for TWU members on five private bus lines in Manhattan and Queens.

Mr. Lawe became Vice-President of Local 100 in 1968 and President in 1976. He also serves as International Executive Vice-President of the TWU. In addition, Mr. Lawe's commitment to the labor field extends to the New York State AFL-CIO Executive Board, Treasurer of the Public Employee's Coalition, Vice-President of the New York City Central Labor Council and Trustee in the New York City Employee's Retirement System.

ANGUS B. MACLEAN

Angus MacLean joined the Washington Metropolitan Area Transit Authority (WMATA) in September, 1972. His 35 years of worldwide police experience include serving in senior command and staff positions in metropolitan environments; planning and supervising crime prevention and criminal investigation activities; organizing port and rail security services to protect against theft, fraud and sabotage; and serving as senior police advisor to an allied nation.

He is currently responsible for directing the Police and Security Program of the Washington Metropolitan Area Transit Authority. His department, acting in concert with local police departments, provides for the daily protection of 700,000 riders and 6,000 employees—plus providing protection for 55 installations owned or leased by the Authority in the Transit Zone. In addition, the Transit Police provide protection for the collection and storage of Authority revenues.

Mr. MacLean, a graduate of the University of Maryland, was born in Lorain, Ohio and is a member of the International Association of Chiefs of Police and the American Society for Industrial Security. He is a Past Chairman of the Metropolitan Washington Council of Governments' Police Chiefs Committee, and is a Past Chairman of the American Public Transit Association Security Committee.

EARL J. MCGHEE

Mr. McGhee earned his undergraduate degree from Roosevelt University and has a Master's degree in Urban Studies from the same institution. Currently employed by the Chicago Transit Authority, Mr. McGhee has a long history with the Chicago Police Force and served as Commanding Officer of the Joint Youth Development Program.

JAMES B. MEEHAN

James B. Meehan, received a B.A. degree in History from St. John's University and an M.P.A. in Public Administration from the City University of New York. From 1960-1965, he taught Police Personnel Management at the Baruch School of City University, the forerunner of the John Jay College of Criminal Justice. Chief Meehan has authored several publications dealing with police training and crime prevention, and he has lectured at a number of colleges.

Prior to his recent appointment as Chief of the New York City Transit Police Department, Chief Meehan was a member of the New York City Police Department for 30 years. During those 30 years, he held two of the department's highest management positions—Chief of Patrol, in which he commanded the department's 18,000-man patrol force, and Chief of Personnel. He also held command positions in the department's detective, intelligence, planning and training bureaus.

ANNE J. NOLAN

Anne Nolan is a Program Manager for the Southeast Michigan Council of Governments. She received her undergraduate training at Eastern Michigan University and her Master's degree from Wayne State University. She is the coordinator for the Southeastern Michigan Transit Security Committee and is responsible for supervising the Computerized Transit Crime and Accident Program for Southeastern Michigan.

Anne Nolan has authored numerous publications analyzing security measures and statistics regarding the topic of mass transit crime.

LOUIS R. NICKINELLO

Representative Nickinello began his career in public affairs with his election as a town meeting member of Natick, Massachusetts and served for seven years in that capacity. In 1968, he was elected as a Commissioner of Public Works in Natick, and soon became that Board's Chairman. In 1971, after three years on this Board, Representative Nickinello was elected to the Massachusetts House of Representatives where he has served continuously since.

While in his freshman term within the Massachusetts Legislature, Representative Nickinello was appointed as Vice-Chairman of the Committee on Transportation and during his third term he was appointed to that Committee's Chairmanship by the Speaker of the House. Representative Nickinello has extensive experience in transportation policy formation, planning and financing. Such experience has been gained through Chairmanship of the Massachusetts Transportation Committee and as Chairman of the Transportation Committee of the National Conference of State Legislatures.

Recently, Representative Nickinello was appointed as a member of President Carter's National Task Force on Ridesharing, and he also chairs a subcommittee of that Task Force responsible for making legislative recommendations on how to encourage ridesharing.

RICHARD RAVITCH

Richard Ravitch received his Bachelor of Science degree from Columbia University where he graduated Phi Beta

Kappa. Three years later he graduated from the Yale University School of Law.

Active in numerous civic and professional associations, Mr. Ravitch was honored by being the recipient of the Fiorello H. LaGuardia Award in 1976. He has also received formal recognition for his achievements from New York University, the American Institute of Architects, the American Society of Civil Engineers and the City of New York.

Mr. Ravitch has displayed a long standing commitment to the people and City of New York. As Chairman of the New York State Urban Development Corporation, he brought that organization from the brink of financial chaos to a solid state of economic viability. Because of his efforts, this organization has been able to continue its funding of projects to provide housing for the residents of New York City. As Chairman of the HRH Construction Corporation, Mr. Ravitch has attained the status of being one of New York's primary developers over the past decade.

In the spring of 1980, Mr. Ravitch was appointed Chairman of the Metropolitan Transportation Authority by Governor Carey. In that capacity he is responsible for the operation of one of the largest subway, bus and commuter railroad systems in the world.

EDWARD G. RENDELL

Mr. Rendell was elected as District Attorney of Philadelphia in 1978. He serves as the Legislative Chairman of the Philadelphia District Attorneys Association and has worked for the passage of legislation in the areas of wiretapping, investigative grand juries, the use of immunity, the death penalty, mandatory minimum sentencing and tougher juvenile crime laws. This year he plans to fight for the passage of minimum sentencing legislation for violent crimes committed on a transit system and to allow Philadelphia district attorneys, rather than the police, the right to decide the criminal charges against an individual.

Mr. Rendell joined the District Attorney's office in 1968 after graduating from law school and in two years became Assistant Chief of Homicide. Mr. Rendell left the District Attorney's office in 1974 for private practice, but returned two years later as First Assistant to Special Prosecutor Bernard L. Siegel. Since his election, Mr. Rendell has taken steps to expand the District Attorney's office by hiring new prosecutors and detectives, make the office more accessible to the public and to gain federal grant assistance for the institution of new programs.

WILLIAM J. RONAN

Dr. William J. Ronan is currently the Vice-Chairman of Continental Copper & Steel Industries Inc.; a Commissioner of the Port Authority of New York and New Jersey; and the director of several other corporations. He was the Chairman of the Metropolitan Transportation Authority of New York State from its inception in 1966 until 1974 and was also the Chairman of the Port Authority of New York and New Jersey from 1974-1977. He served as Secretary to the Governor of the State of New York under Governor Nelson A. Rockefeller for eight years.

JOHN B. SCHNELL

John B. Schnell is a Manager of Research for the American Public Transit Association (APTA). Among his manifold re-

sponsibilities, he is in charge of coordinating the activities of the Security Steering Committee for APTA. Mr. Schnell has co-authored several studies on the topic of crime and vandalism on mass transit systems.

An engineer by profession, John Schnell has worked as an engineer for private industry, Upper Marion Township in Pennsylvania and has been a Course Director on the graduate level for the Wharton School of the University of Pennsylvania. John Schnell is a member of the Institute of Traffic Engineers and the District of Columbia Society of Professional Engineers.

GEORGE TAKEI

George Takei, one of two directors appointed by the Mayor of Los Angeles to the 11-member SCRTD Board, has served since 1973. He served as Vice-President in 1978-79. Since 1978 he has served as Vice-President of Human Resources of the American Public Transit Association.

Mr. Takei is an active member of the entertainment industry, perhaps best known for his appearances on the popular "Star Trek" television series of a few years ago and the Paramount film "Star Trek—The Motion Picture." He has served on the Academy of Television Arts and Science Blue Ribbon Committee since 1976.

Mr. Takei holds B.A. and M.A. degrees from UCLA. He has taken additional course work in Japan, England and the University of California at Berkeley.

His political activities include serving as a member of the Democratic State Central Committee, as a delegate to the 1972 Democratic Convention, and assisting in Mayor Bradley's 1973 and 1977 election campaigns. He is active in a variety of community activities.

JOHN W. TOWNSEND

John W. Townsend was appointed Director of Safety and Security of the Toronto Transit Commission in 1976. Before attaining this position, Mr. Townsend served as General Superintendent of Plant Operations and as Plant Co-Ordinator.

Mr. Townsend is a certified engineering technician in the Province of Ontario as well as being affiliated with the Ontario and Canadian Associations of Chiefs of Police.

HIRAM J. WALKER

Hiram J. Walker was appointed Regional Director for the Urban Mass Transportation Administration's (UMTA) Region II on June 27, 1977. As Regional Director, Mr. Walker represents the Administrator in discussions with top ranking elected or appointed officials of State and local governments, transit authorities and planning agencies. He maintains close contact with federal, state and local governments relative to urban transportation policy, transportation planning, capital assistance and other facets of the urban transportation program.

Mr. Walker entered the Federal Urban Mass Transportation program in February, 1972, as Representative, Technical Studies Division, Office of Program Operations. The division later became part of the Office of Transit Planning under a UMTA reorganization in 1973. In this position Mr. Walker was responsible for federal planning grant activity in Regions I, II, V and X. His most recent position was Chief of the Planning Assistance Division in the Office of Transportation Planning.

Appendix C

*National Conference Moderators
and Facilitators*

NATIONAL CONFERENCE ON MASS TRANSIT CRIME AND VANDALISM

COORDINATOR OF MODERATORS AND FACILITATORS
Peter Derrick, Director of Policy Studies, New York State
Legislative Commission on Critical Transportation Choices

MODERATORS

Ian D. Lennox
Citizens Crime Commission of Philadelphia

John F. Hyde
Washington Metropolitan Transit Authority

Bernard Greenberg
Burns International Security Services, Inc.

Arthur L. Del Negro
National District Attorneys Association

Joseph Zimmerman
Research Director, New York State Senate
Transportation Committee

William Acquario
New York State Department of Transportation

FACILITATORS

Ira Goldman
Legislative Director, Senator Linda Winikow

Susan Mitnick
Legislative Analyst, Senate Research Service

David E. Roos
Assistant Secretary to Senate Finance Committee, Minority

Sharon O'Connor
Associate Counsel, New York State Legislative Commission
on Critical Transportation Choices

Olin Needle
Legislative Analyst, Senate Research Service

Joseph Slawsky
PATH Commanding Officer and Chairman
of the Security Steering Committee for the
American Public Transit Association

Appendix D

Conference Attendees

CONFERENCE ATTENDEES

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Jackson Heights Community
Development Corporation
Jackson Heights, NY 11372

Acquario, William (MODERATOR)
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Appendix E

RULES AND PROCEDURE FOR ADOPTING RESOLUTIONS AT THE NATIONAL CONFERENCE ON MASS TRANSIT CRIME

1) Resolutions and amendments thereto may be submitted by any participant at the Conference. All resolutions and amendments must be submitted to the Resolutions Committee for consideration.

2) Resolutions and amendments must be in writing and substantially conform to the format prescribed by the Resolutions Committee. NOTE: Clerical and legal staff will be available to aid in preparation of resolutions.

3a) In order for a resolution to be considered in the normal course of business and to be subject to a simple majority vote for adoption, it must be submitted to the Resolutions Committee no later than 12 noon on Thursday, October 23rd, and thereafter reported by Resolutions Committee. A resolution submitted to the Resolutions Committee after 12 noon on Thursday, but prior to the start of the Concluding Session, may be reported by the Resolutions Committee but cannot be adopted unless it is approved by a two-thirds vote of the participants. The two-thirds rule is applicable to these resolutions because the Conference participants will not have much time to review these resolutions as they had to review resolutions submitted in a more timely fashion.

b) Amendments to resolutions submitted to the Resolutions Committee prior to 12 noon may be combined and/or treated as substitute resolutions and may be reported as such by the Resolutions Committee.

c) Unless a resolution or amendment is reported by the Resolutions Committee, it will not be considered at the Concluding Session for adoption. Provided, however, that any previously submitted resolution or amendment not reported can be resubmitted prior to the start of the Concluding Session, and it will be offered to the Conference for consideration, but will be subject to the two-thirds vote.

d) Resolutions or amendments submitted after the start of the Concluding Session will not be considered without the unanimous consent of the assembled Conference participants. Provided, however, that unanimous consent to *consider* such a resolution or amendment does not bind the Conference participants to *adopt* or *approve* such resolu-

tion or amendment. These resolutions will also require a two-thirds vote for adoption.

4) The Resolutions Committee shall have the power to report, recommend, amend, substitute, modify, merge or disapprove any resolution or amendment submitted to it for consideration.

5) The Resolutions Committee will prepare a report containing a calendar of resolutions to be considered at the Concluding Session Thursday afternoon. This calendar will be divided into three sections:

Noncontroversial Resolutions;

Controversial Resolutions—recommended by the Resolutions Committee; and

Controversial Resolutions—not recommended by the Resolutions Committee

To the extent possible it will be indicated whether such resolution requires a simple majority or two-thirds vote.

6) Resolutions on the noncontroversial section of the calendar will not be debated. However, at the request of ten or more Conference participants, a resolution will be transferred to the controversial calendar. Unless there is an objection, resolutions on the noncontroversial part of the calendar may be adopted as a block by a single vote.

7) To the extent possible, copies of proposed resolutions and amendments will be distributed to Conference participants. Copies of the resolutions submitted prior to 12 noon and contained in the report to the Resolutions Committee will be distributed to the Conference participants before 2:00 p.m. Thursday, October 23rd.

8) Resolutions may be submitted by a participant on behalf of a group or association.

9) Wherever the rules refer to a number, percentage or fraction of those participants necessary to enact, adopt or approve a resolution or action, it shall mean those Conference participants present and voting at the Concluding Session.

10) The rules may be amended or suspended at any time by a unanimous vote.

RESOLUTIONS ADOPTED AT THE NATIONAL CONFERENCE ON MASS TRANSIT CRIME

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John Downing
Robert J. Kren
Albert Provenzano
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Mitchell Pally, Counsel to the Committee
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Leonard Cutler, New York State Senate Liaison Officer with
Resolutions Committee

RESOLUTIONS ADOPTED AT THE NATIONAL CONFERENCE ON MASS TRANSIT CRIME

<i>Resolution Number</i>	<i>Title</i>
1	Funding of Mass Transit Crime Prevention Programs
2	Transit System Modernization for Passenger Security
3	Studies to Determine How to Reduce Juvenile Crime
4	Studies to Determine the Effectiveness of Security Programs and Devices
5	Uniform Crime Reporting Procedures
6	Graffiti
6A	Amendments to Resolution #6
7	Public Information Programs
8	Innovative Transit Security Measures
9	Regional Conferences
10	Citizen and Community Participation
11	Restitution for Victims
12	Police Transit Passes
13	Special Transit Courts
14	Federal Funds for Work Restitution Programs for Juveniles
15	Consultation in Planning With Law Enforcement Agencies
16	Increased Funding of Public Transit
17	Marketing to Increase Ridership During Off-Peak Periods
18	Transit Employee Liability
19	Impact of Section 504 Regulations
20	Mandatory Sentences for Violent Crimes
22	UMTA Design Standards

Resolution #1

FUNDING OF MASS TRANSIT CRIME PREVENTION PROGRAMS

WHEREAS, crime on mass transportation systems has become a major problem in large metropolitan areas throughout the United States; and

WHEREAS, fear of crime on public transportation systems, especially on subways, may have a detrimental effect on ridership, with passengers being discouraged from using such systems at a time when many responsible officials are trying to encourage use of mass transportation as a means of lessening our dependence on foreign oil; and

WHEREAS, the federal government has become more involved in public transportation in recent years through the funding of capital projects, the provision of operating assistance monies and the sponsorship of research projects; and

WHEREAS, the federal government has a legitimate interest in protecting its involvement in public transit systems; now, therefore, be it

RESOLVED, The National Conference on Mass Transit Crime and Vandalism urges the Congress and the federal administration to consider the creation of a special category of assistance to transit operators who have especially significant crime problems. Assistance provided should be used only for crime prevention programs, the specific programs to be determined by local transportation operators. Such aid should be in addition to any capital funding or operating assistance currently provided and should be based solely on actual need.

Resolution #2

TRANSIT SYSTEM MODERNIZATION FOR PASSENGER SECURITY

WHEREAS, there is a high incidence of crime on older transit systems in the United States; and

WHEREAS, these older transit systems were not designed with the security of passengers as a primary consideration; and

WHEREAS, many transportation officials believe that improvements can be made in the design of older transit stations to improve public security, such as placing change clerks in locations to observe platforms and mezzanines, the installation of closed circuit televisions, the provision of emergency telephones on platforms and the elimination of dangerous passages; now, therefore, be it

RESOLVED, The National Conference on Mass Transit Crime and Vandalism urges local transportation and planning agencies to give passenger security an increased priority in the modernization of transit systems.

Resolution #3

STUDIES TO DETERMINE HOW TO REDUCE JUVENILE CRIME

WHEREAS, youthful offenders are known to be responsible for a high percentage of crime on public transportation systems; and

WHEREAS, there is a need to develop and evaluate projects designed to control juvenile crime on mass transit; now, therefore, be it

RESOLVED, The National Conference on Mass Transit Crime and Vandalism urges the Urban Mass Transportation Administration of the United States Department of Transportation, in cooperation with the National Institute of Juvenile Justice and Delinquency Prevention, to develop a systematic program of study projects designed to determine how to best reduce juvenile crime on transit systems. Such projects should include evaluation of strategies presently being used in certain cities to curb juvenile crime and the determination of their applicability for other metropolitan areas; and be it further

RESOLVED, that copies of this resolution be forwarded to the United States Secretary of Transportation, to the Administrator of the Urban Mass Transportation Administration and to the Director of the National Institute for Juvenile Justice and Delinquency Prevention.

Resolution #4

STUDIES TO DETERMINE HOW TO REDUCE JUVENILE CRIME

WHEREAS, inasmuch as a variety of security programs and devices have been implemented by transit operators in the United States and Canada, comprehensive documentation of their relative effectiveness is lacking and there is, as a result, a need for intensive evaluation of security measures on both a local and national basis; and

WHEREAS, the extent to which the public's fear of crime on mass transit systems acts to deter transit ridership has yet to be precisely determined; now, therefore, be it

RESOLVED, The National Conference on Mass Transit Crime and Vandalism requests the federal government, particularly the Urban Mass Transportation Administration, to work together with national groups representing transit operators, law enforcement agencies and transit employees, as well as with local organizations, to determine the effects of transit crime on ridership levels and the efficacy of various security programs and devices. Funding for such a consistent program of studies should be provided by the federal government.

Resolution #5

UNIFORM CRIME REPORTING PROCEDURES

WHEREAS, several studies have indicated the need for the implementation of a uniform crime reporting procedure for transit systems; and

WHEREAS, comprehensive security planning and programming must be based on accurate uniform crime reporting procedures, including the establishment of baseline transit crime data for time comparisons and evaluation purposes; now, therefore, be it

RESOLVED, The National Conference on Mass Transit Crime and Vandalism urges the Urban Mass Transportation Administration, in cooperation with the Bureau of Justice Statistics working together with the American Public Transit Association, local transportation authorities, the police and other responsible agencies to develop a nationwide uniform reporting system for transit crime; and be it further

RESOLVED, that the Urban Mass Transportation Administration require the annual submission of transit crime data for all transportation systems to which operating or capital assistance is provided.

Resolution #6

GRAFFITI

WHEREAS, some people have stated that graffiti is an art form which should be tolerated as a method of personal expression; and

WHEREAS, The National Conference on Mass Transit Crime and Vandalism believes that graffiti is an extensive problem on many transit systems; and

WHEREAS, The National Conference on Mass Transit Crime and Vandalism believes that graffiti is a blatant affront to the law-abiding sensibilities of the average citizen and causes a serious perception of a lawless environment on transit systems; now, therefore, be it

RESOLVED, that The National Conference on Mass Transit Crime and Vandalism condemns graffiti and condemns any tolerance of the existence of graffiti; and be it further

RESOLVED, that the Urban Mass Transportation Administration should provide funding for experimental projects to combat the graffiti problem and for research and development programs designed to develop vehicles and materials for use in transit equipment which discourages, and makes more difficult, the application of graffiti on transit property.

Resolution #6A

AMENDMENTS TO RESOLUTION #6

RESOLVED, that the Urban Mass Transportation Administration and the American Public Transit Association be encouraged to disseminate information concerning pro-active programs in the schools and communities which reach out to youth to provide a closer relationship between parents, educators, transit officials and the community and that these outreach programs should include assistance from professionals of many disciplines; and be it further

RESOLVED, that the Urban Mass Transportation Administration and the American Public Transit Association should undertake measures to determine the degree of effectiveness of different outreach programs.

Resolution #7

PUBLIC INFORMATION PROGRAMS

WHEREAS, crime on mass transportation systems has become a major problem in large metropolitan areas throughout the United States; and

WHEREAS, the war on crime in our mass transit systems cannot be controlled solely by our police and law enforcement agencies but must have the full support and cooperation of both the riding and nonriding public; now, therefore, be it

RESOLVED, that The National Conference on Mass Transit Crime and Vandalism urges transit operators to expand their public information programs so as to inform and edu-

cate the public regarding safer riding techniques, to encourage support for programs to reduce crime on transit systems and to encourage our citizens to report any crimes which they see committed on transit systems to the proper law enforcement agencies.

Resolution #8

INNOVATIVE TRANSIT SECURITY MEASURES

WHEREAS, crime on mass transportation systems has become a major problem in large metropolitan areas throughout the United States; and

WHEREAS, police, transit officials and law enforcement agencies should use all reasonable methods so as to ensure a safe environment on mass transportation systems and to protect transit property; and

WHEREAS, graffiti has become a public eyesore throughout many mass transit systems; and

WHEREAS, it has been determined that the lack of adequate controls at transit yards and properties allows the vandalism of subway cars and other transit property; now, therefore, be it

RESOLVED, that The National Conference on Mass Transit Crime and Vandalism recommends that major transit systems throughout the country investigate thoroughly the use of innovative silent alarms, digital tracking systems and police decoys to protect passengers, transit yards, transit platforms and equipment and to curtail the incidence of crime and graffiti on our transit systems.

Resolution #9

REGIONAL CONFERENCES

WHEREAS, it has become evident that transit crime has become a major deterrent to the promotion of ridership on our mass transportation systems; and

WHEREAS, it is essential that the people responsible for the running of both our mass transit and criminal justice systems have the opportunity to meet and discuss this issue, which is of vital importance to both of them; and

WHEREAS, The National Conference on Mass Transit Crime and Vandalism was designed to formulate an agenda of actions which should be taken in the future to bring about a better understanding of this vital issue; now, therefore, be it

RESOLVED, that federal funding be made available immediately for regional conferences on mass transit crime to inform judges, prosecutors, municipal police departments, transit police, juvenile bureaus, legislators, transit employees and media representatives with regards to the problems, approaches and possible solutions in the field of transit crime.

Resolution #10

CITIZEN AND COMMUNITY PARTICIPATION

WHEREAS, it has been recognized that there is no one solution to the transit crime problem; and

WHEREAS, it has been recognized that there must be pro-

grams which include the increased availability of resources to law enforcement agencies and the participation of citizens and the business community concerning the problem of mass transit crime; now, therefore, be it

RESOLVED, that transit operators should immediately encourage local community boards or similar groups, chambers of commerce and civic associations to participate in the development and implementation of plans for the physical improvement and increased security of specific stations with high crime rates.

Resolution #11

RESTITUTION FOR VICTIMS

WHEREAS, crime on our mass transit systems encompasses both attacks against the riders of systems as well as the property of the systems; and

WHEREAS, the physical environment of the mass transit system has a direct impact on the amount of ridership; and

WHEREAS, there has been a dramatic increase in vandalism and graffiti in many of our transit systems; and

WHEREAS, many people do not feel that the criminal justice system has taken a firm enough line against persons who commit these offenses against transit property; now, therefore, be it

RESOLVED, that The National Conference on Mass Transit Crime and Vandalism urges that the members of the judiciary responsible for the enforcement of our criminal laws meet with representatives of mass transit authorities to discuss the dramatic increase in minor property offenses; and be it further

RESOLVED, that a system of restitution from the offender who is convicted of such crimes to the victim be utilized more frequently in jurisdictions where such restitution is authorized and, in addition, consideration should be given to including in such restitution parental liability for juvenile offenders; and be it further

RESOLVED, that in jurisdictions where an appropriate system of restitution is not authorized, the state legislature give consideration to enacting a restitution statute.

Resolution #12

POLICE TRANSIT PASSES

WHEREAS, crime on mass transportation systems has become a major problem in large metropolitan areas throughout the United States; and

WHEREAS, it has been determined in many cities that the presence of police officers on transit systems greatly decreases the incidence of crime in those areas; and

WHEREAS, all police officers should be encouraged to use mass transit systems whenever possible, both on and off duty; now, therefore, be it

RESOLVED, that The National Conference on Mass Transit Crime and Vandalism urges mass transit systems to provide free transit passes to all policemen either uniformed or plainclothed, so as to allow them to ride mass transit systems at all times.

Resolution #13

SPECIAL TRANSIT COURTS

WHEREAS, The National Conference on Mass Transit Crime and Vandalism believes that there is a need for special transit courts because of the ineffectiveness of the present court systems in many jurisdictions in dealing with transit crime cases; and

WHEREAS, such courts would develop expertise in handling transit crime cases and would become aware of the specific problems of transit systems, as well as of the importance of public transportation systems to all of society; now, therefore, be it

RESOLVED, that The National Conference on Mass Transit Crime and Vandalism recommends where transit crime is a serious problem, such jurisdictions establish special transit courts to handle all minor crimes on mass transit systems; and be it further

RESOLVED, that if it is not feasible to establish special transit courts in certain jurisdictions, then at least special parts of the existing court system shall be assigned to handle transit crime cases.

Resolution #14

FEDERAL FUNDS FOR WORK RESTITUTION PROGRAMS FOR JUVENILES

WHEREAS, it is recognized that traditional approaches to law enforcement have not been successful in controlling crime or increasing safety or security in the mass transit system; and

WHEREAS, many acts of crimes against persons and the vandalizing of property in mass transit systems are committed by young people; now, therefore, be it

RESOLVED, that more federal monies be made available to jurisdictions with mass transit facilities for the development, establishment and implementation within court systems of work restitution programs for young people.

Resolution #15

CONSULTATION IN PLANNING WITH LAW ENFORCEMENT AGENCIES

WHEREAS, crime has become an increased concern to both transit operators and riders of such transit systems; and

WHEREAS, it has been determined that physical changes in the design and construction of mass transit systems can have a beneficial effect on the incidence of crime on such systems; and

WHEREAS, law enforcement agencies, through their experience, have a tremendous degree of knowledge which can be taken into consideration in the design of new equipment to improve security on such systems; now, therefore, be it

RESOLVED, that The National Conference on Mass Transit Crime and Vandalism recommends that transit operators consult with law enforcement agencies in the planning of new routes and stations and in the design of equipment to be used on both buses and rapid transit systems.

Resolution #16

INCREASED FUNDING OF PUBLIC TRANSIT

WHEREAS, increased costs and the lack of adequate funding has caused a reduction in manpower on certain public transit systems; and

WHEREAS, the presence and visibility of all operating employees can have a beneficial effect on the reduction of transit crime; and

WHEREAS, The National Conference on Mass Crime and Vandalism believes that public transit is an essential public service, like police and fire service, and is deserving of adequate public subsidies because farebox revenues are not sufficient to meet operating costs; now, therefore, be it

RESOLVED, that The National Conference on Mass Transit Crime and Vandalism urges Congress to increase its level of funding for operating assistance; and be it further

RESOLVED, that state legislatures consider increased support for public transit and the authorization or establishment of dedicated funding sources for public transit, including broad-based taxes.

Resolution #17

MARKETING TO INCREASE RIDERSHIP DURING OFF-PEAK PERIODS

WHEREAS, it has been determined that the public perception of crime on our transit systems has a detrimental effect on the ridership on such systems; and

WHEREAS, transit systems must make a concerted effort to ensure that ridership continues to increase especially because of our national energy problem; now, therefore, be it

RESOLVED, that The National Conference on Mass Transit Crime and Vandalism urges transit operators that marketing efforts be upgraded to increase ridership in off-peak periods to relieve anxiety and the perception of crime on transit systems.

Resolution #18

TRANSIT EMPLOYEE LIABILITY

WHEREAS, it has been determined that concerted efforts must be made to combat crime on our public transit systems through the cooperation of all transit employees; and

WHEREAS, not all transit systems have sufficient police manpower to allow for the sufficient control of such crime; and

WHEREAS, in certain emergency situations which threaten the safety of the riding public, it may become necessary for transit employees to come to the aid of such passengers; and

WHEREAS, some transit employees may be reluctant to take action to protect such passengers in emergency situations because of potential legal liability; and

WHEREAS, in certain instances employees have been disciplined or sued because of actions they have taken in emergency situations; now, therefore, be it

RESOLVED, that The National Conference on Mass Transit Crime and Vandalism recommends that state legislatures enact statutes providing for civil immunity for actions taken

by such transit employees in protecting the safety of passengers in emergency situations.

Resolution #19

IMPACT OF SECTION 504 REGULATIONS

WHEREAS, the job of policing public transit systems is certainly a difficult task; and

WHEREAS, implementation of Section 504 of the Rehabilitation Act of 1973 requires structural changes and the installation of new equipment at certain public transit stations or depots; and

WHEREAS, The National Conference on Mass Transit Crime and Vandalism believes that such changes in equipment may be a possible detrimental effect on crime prevention in public transit; and

WHEREAS, there will be increased costs to local transit operators, if additional employees are necessary to man and monitor the new equipment such as elevators; now, therefore, be it

RESOLVED, that The National Conference on Mass Transit Crime and Vandalism urges that Congress and the United States Department of Transportation immediately undertake studies to determine the possible effects of the Section 504 regulations with respect to transit crime; and, be it further

RESOLVED, that The National Conference on Mass Transit Crime and Vandalism encourages the United States Department of Transportation to continue its studies on the feasibility of utilizing inclinators as an alternative to elevators and other conventional equipment made necessary by Section 504; and be it further

RESOLVED, that if the Congress and the United States Department of Transportation determine that changes and amendments to the Section 504 regulations are not appropriate, then the Congress should consider providing additional financial assistance to transit operators because of the increased operating costs involved.

Resolution #20

MANDATORY SENTENCES FOR VIOLENT CRIMES

WHEREAS, suggestions have been made that special courts be established to handle transit crime; and

WHEREAS, The National Conference on Mass Transit Crime and Vandalism believes that special emphasis should be placed on transit crimes because of its detrimental effect on ridership; now, therefore, be it

RESOLVED, that The National Conference on Mass Transit Crime and Vandalism urges state legislatures to consider the enactment of statutes providing for mandatory sentences for violent crimes committed on public transit systems.

Resolution #22

UMTA DESIGN STANDARDS

WHEREAS, the physical design of transit vehicles can have an impact on transit crime and the ability of criminals to commit crimes on transit systems; now, therefore, be it

RESOLVED, that the Urban Mass Transportation Administration, in adopting specifications for buses and rail cars, should include standards for personal security in the design criteria.

Appendix F

*Material Provided for
Conference Attendees*

LISTING OF MATERIAL PROVIDED TO PARTICIPANTS AT THE NATIONAL CONFERENCE ON MASS TRANSIT CRIME

- 1) Southeast Michigan Council of Governments, *Crime and Security Measures on Public Transportation Systems: A National Overview* (February, 1979).
- 2) Southeast Michigan Council of Governments, *Transit Crime: Perceptions and Reality* (Factual data prepared for the Conference).
- 3) New York State Senate Committee on Transportation, *Transit Crime: Is It Taking Over Our Public Transportation Systems?* (October, 1980).
- 4) Mike Mallowe, "Tunnel of Terror," *Philadelphia* (June, 1980).
- 5) *Mass Transit*, Vol. VII, No. 9 (September, 1980).
- 6) Criminal Justice Publications, *Police*, Vol. III, No. 5 (September, 1980).
- 7) Paul S. Wallace, *Urban Mass Transit: Crime and Related Problems—A Brief Historical Review (1850–1977) With Annotated Bibliography*, (excerpts), (August, 1977), NTIS #UMTA-UTB-50-79-1.
- 8) American Public Transit Association, *Transit Security Guidelines Manual* (Cover Sheet and Table of Contents), (February, 1979).

Appendix G

*Proposed Federal Mass Transit Crime
Prevention Financing Act*

96TH CONGRESS
2D SESSION

H. R. 8343

To provide emergency financial aid to mass transit systems for reduction of violent crime.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 1980

Mr. PEYSER (for himself, Mr. BIAGGI, and Mr. FISH) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide emergency financial aid to mass transit systems for reduction of violent crime.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That this Act may be cited as the "Emergency Mass Transit
4 Crime Act".

5 SEC. 2. (a) The Attorney General may provide emer-
6 gency financial aid to any eligible mass transit system for
7 reduction of violent crime in such systems.

1 (b) In selecting appropriate recipients of amounts under
2 this section, the Attorney General shall consider the follow-
3 ing—

4 (1) past funding levels for security;

5 (2) alternative funding available for increased
6 protection;

7 (3) relative crime rates; and

8 (4) other pertinent factors.

9 SEC. 3. As used in this Act, the term—

10 (1) “mass transit system” means a publicly owned
11 system of transportation by bus, rail, or other convey-
12 ance, providing general or special service to the public
13 on a regular and continuing basis;

14 (2) “eligible mass transit system” means a mass
15 transit system that—

16 (A) furnishes to the Attorney General com-
17 plete data for violent crimes occurring in such
18 system in each calendar quarter; and

19 (B) and for which the number of violent
20 crimes in a calendar quarter less the number of
21 such crimes in the preceding quarter exceeds the
22 average for all mass transit system violent crimes;

23 (3) “violent crime” means a part I crime, as such
24 term is defined in the Federal Bureau of Investigation
25 Uniform Crime Reporting System; and

1 (4) "calendar quarter" means a period of three
2 calendar months ending on March 31, June 30, Sep-
3 tember 30, or December 31.

4 SEC. 4. (a) There are authorized to be appropriated for
5 fiscal years beginning after October 1, 1980, not more than
6 \$50,000,000.

7 (b) No amounts authorized by this section shall be used
8 with respect to schoolbus service, charter service, or sight-
9 seeing service.

10 SEC. 5. The Attorney General shall prescribe such reg-
11 ulations as may be necessary to carry out this Act.

○

Appendix H

Slide Presentation
by
Howard Blankman

SLIDE PRESENTATION BY HOWARD BLANKMAN

Crime in mass transit is not new. This stagecoach robbery has many ancestors in mass transit crime. Consider the time when piracy on the high seas was a fact of life, bandit raids on desert caravans were a hazard of the day and I'm told there was even a pickpocket or two on those ancient galleys.

But mass transit, as most of us here see it, really began with the construction and use of the subway. And crime in the subway began exactly 28 minutes after the official opening of the New York City subway system in 1904. At that moment the subways' recorded its first pickpocket incident.

Mass transit crime varies in magnitude from the most elementary to the ultimate atrocity. Petty larceny, grand larceny, misdemeanor and felony. Since the beginning of time, the world-at-large has bred them all. The intent to commit crime remains universal; only the nature of crime has changed along with its victims. It's coming closer to home. And sorry to say, crime in mass transit is a microcosm of the malaise.

Just consider these: loitering, smoking, spitting, bag snatching, pickpocketing, arson, graffiti, destruction of property, vandalism, mugging, assault, armed robbery, rape and murder. (Police slides of murder victims.)

Unfortunately, these need no explanation. But the statistical relevance of assault, rape or murder on the subways does require closer examination than the newspaper headline. "The truth," according to a popular novelist of our day, "is not what I tell you, but what you believe."

In other words, one's perception of the facts—inaccurate as it may be—is what he or she believes to be true. Expand that thesis and we discover that the general public's perception of the facts is the public's truth.

This Conference, The National Conference on Crime and Vandalism in Mass Transit, focuses on that perception, the truth as we know it, and the remedies, present and hoped for. Our sponsor is the New York State Senate Committee on Transportation. This Conference is funded by the Urban Mass Transportation Administration.

While the problem is global, we will concentrate on the major cities of North America such as Washington, Cleveland, Atlanta, Miami, Toronto, Los Angeles, New York, Montreal, Philadelphia, Chicago, Boston, Pittsburgh, San Francisco and Baltimore. Each of these cities either presently operates a rail rapid transit system or plans to in the near future.

Crime on mass transit is not born in a vacuum. It is a reflection of crime everywhere, such as this pickpocket team operating in a hotel hallway . . . or the senseless graffiti epidemic that shames our public buildings . . . or this unwitting invitation to a mugging. These crimes you are witnessing now, some of us call "Theft of Services." Opening the back door of a bus to aid a fare beat, passing a transfer, or turnstile hopping, or doubling up . . . or the use of slugs. These all are first cousins of non-mass transit theft of service crimes that abound in theaters, sporting events and news stands. While theft of service is not considered major

in terms of crime—there is no loss of life or property—it surely must be considered major in light of mass transit operating deficits. It is conceivable that the nationwide figure tops \$20,000,000.

How mass transit crimes are considered, or better, perceived—by those who furnish the legal tools with which transit agencies gain leverage to deal with these problems—is a matter of great concern. Generally speaking, lawmakers of today seem like lawmakers of yesterday when it comes to the realities of our problem. Smoking and playing radios in public places resulted in a new law but even when we do get meaningful legislation in these matters, the courts seem loathe to apply the kind of stern sentencing mass transit criminals deserve.

In short, too often both the legislature and the courts tend to regard less than violent crimes as unimportant. In truth, they are crimes against the public; their cost is offset by taxpayers' dollars and the punishment should be appropriate.

If the public perceives crime on mass transit to be more severe, and it does, then the punishment should be more severe. To quote Gilbert and Sullivan, "Let the punishment fit the crime."

Graffiti, in its early stages, was not deplored and denounced as it should have been. In fact, a major metropolitan newspaper naively reported the existence of graffiti as "a new art form." Today, you and I know that graffiti adds millions of dollars to maintenance budgets and has resulted in a tremendous loss of ridership because the public views it as frightening and menacing, an example of lawlessness in mass transit. After all, if we can't stop kids from marking up the cars, buses and stations, how secure can the rider be?

And this points up the need for better two-way communication between the media and our mass transit agencies. We hope that those here from the media will stay with us for this entire Conference. The media is a powerful opinion maker and can help us bring to our legislative and judicial bodies the recognition that the prevention of the most simple crimes in public transit is the best solution to the problem.

The problem of crime in mass transit is made more difficult because of our dependence on systems that are old. The early mass transit systems, for example, were built primarily to accommodate people, not prevent crime. Some remain dimly lit and poorly laid out; the perfect incubator for crime—as seen in this picture of an unsuspecting victim rounding a corner . . . or signs that block crimes in action from being seen . . . or entrance and exit turnstiles, the perfect place to trap a victim . . . at unmanned stations . . . or platform posts which hide a lurking attacker or enclosed narrow approach staircases, where a victim's escape is easily blocked and the commission of a crime cannot be seen.

Fortunately, we are learning. Newer mass transit systems consider the security problems while under design. Funds were allocated to provide better lighting. There is an increased use of closed circuit television to monitor station areas, which improves the efficiency of police forces.

Passenger waiting areas are open with fewer, better placed columns. Staircases are exposed and broad; a clear view

between subway cars is possible. And even the graffiti artist has been somewhat frustrated by this wall and moat which prevents the use of spray can and markers to deface the wall.

But sadly, new or old, the problem still exists. And new systems or old, vandalism—which is too often viewed as an innocent prank—frequently leads to bodily injury. (Slides of vandals throwing rocks at on-coming train.)

This railroad conductor was permanently blinded in one eye by a couple of boys who were “only having a little fun.” That’s what they told the judge. (Slides of a conductor holding hands up to bleeding eyes.)

We call it vandalism. But, perhaps vandalism—which may begin innocently enough—should be seen by all of us—mass transit, the media, the legislature and the courts—in its worst potential: mayhem and murder. (Slides of Long Island Rail Road train wreck caused by boys tossing shopping cart on to tracks.) This example of teen-age vandalism in the name of “having a little fun” resulted in a train wreck which caused pain, permanent injury, even death . . . These are actual scenes from a derailment caused by vandals. Some of the people who depended on this train to get them home never made it. Try to convince their families it was only vandalism.

A partial solution to our problems is to make the media and the courts aware that this act of vandalism can lead to this . . . or this. . . . (Slides of dead train wreck victims.)

Arson . . . a crime not readily identified with mass transit . . . persists, nonetheless, as this burned out bus indicates. In some cases the cost is listed only in terms of dollars. But arson in mass transit can be even more costly. We tried to protect our personnel from armed robbery by constructing bullet-proof token booths. We solved one problem, but created another when an arsonist went to work.

Were the two employees trapped inside the token booth victims of arson . . . or murder? In this case the courts saw it as we did and the charge was murder. Fortunately, there are solutions for even this barbaric crime as seen by this completely automatic fire extinguishing system.

We’ve highlighted some of mass transit’s crime and vandalism problems. What’s being done about them? Here’s one well-tested solution: the presence of uniformed police officers is a deterrent to crime. But you can’t have a police officer on every bus, in every subway car, on each platform or stairway. Most transit police rely on two-way radios and radio cars, some even use helicopters. Other key transit personnel rely on two-way radios as well. There are silent alarms to call for help both on the subways and buses.

Closed circuit television cameras cover areas beyond the view of station personnel and when monitored can zero in on a crime in progress—such as this man in the process of

being set up by lush workers, who otherwise would go undetected. (Slides of crime picked up by monitored closed circuit television.)

Another tool of crime prevention in use on some systems is the training of police officers and dogs as law enforcement teams in such key locations as subway stations and cars. Note the wide berth given the dog as he lies quietly on the platform.

Therefore, in addition to educating our own personnel, the media, the legislature and courts, it is imperative that we educate the public transit users with contemporary communication techniques such as posters, car cards and handouts which advise the public where and how to report all crimes and emergencies; the best way to carry one’s handbag; to ride near trainboard personnel during non-rush hours; to wait for trains near token booths on empty platforms; to not invite trouble by needless display of money or jewelry; to not stand on the edge of subway platforms. *EVER.*

And to not travel alone, whenever possible. Another educational task before us is to convince commercial radio and television stations the value of presenting, as a public service, a spot such as this radio spot interview with a mugger.

Mugging is a crime of violence. But not every crime is a crime of violence. Pickpocketing, for example, is most often accomplished without the victim’s knowledge. Yet pickpockets prey on transit users because of the crowded conditions in much the same way they use racetracks, ball games and department stores. Here is a radio spot used by one transit agency to educate its riding public on preventing this kind of crime.

This has been a random sampling of crime and vandalism in mass transit—and how some transit systems are coping with the problem, despite the total absence of federal dollars dedicated to the security of the subway or bus user. Again, perception plays a role in the dilemma of who should pay to make transit secure.

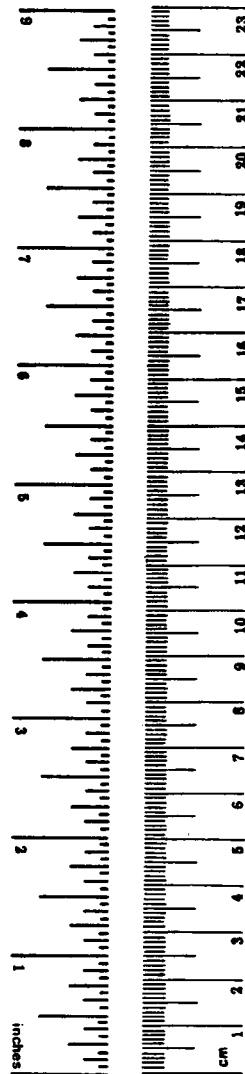
The attention given to skyjacking created the perception that the problem was of such magnitude, each and every airport is now equipped with metal detectors and X-ray machines. If mass transit had even a portion of those funds, just think how its security could be improved. And the problem of crime in transit—far from being parochial in nature, is shared by all major metropolitan mass transit systems in this country.

Where we go from here is to be examined during the next three days of this Conference. But bear in mind, one fundamental observation which must affect the ultimate resolution of this problem: crime and vandalism in mass transit is basically a manifestation of crimes against society everywhere; the crime may be committed on a subway platform or aboard a bus but its roots are elsewhere.

METRIC CONVERSION FACTORS

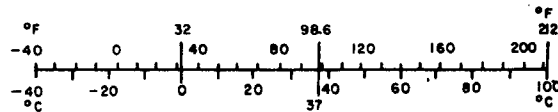
Approximate Conversions to Metric Measures

Symbol	When You Know	Multiply by	To Find	Symbol
LENGTH				
in	inches	2.5	centimeters	cm
ft	feet	30	centimeters	cm
yd	yards	0.9	meters	m
mi	miles	1.6	kilometers	km
AREA				
in ²	square inches	6.5	square centimeters	cm ²
ft ²	square feet	0.09	square meters	m ²
yd ²	square yards	0.8	square meters	m ²
mi ²	square miles	2.6	square kilometers	km ²
	acres	0.4	hectares	ha
MASS (weight)				
oz	ounces	28	grams	g
lb	pounds	0.45	kilograms	kg
	short tons (2000 lb)	0.9	tonnes	t
VOLUME				
tsp	teaspoons	5	milliliters	ml
Tbsp	tablespoons	15	milliliters	ml
fl oz	fluid ounces	30	milliliters	ml
c	cups	0.24	liters	l
pt	pints	0.47	liters	l
qt	quarts	0.96	liters	l
gal	gallons	3.8	liters	l
ft ³	cubic feet	0.03	cubic meters	m ³
yd ³	cubic yards	0.76	cubic meters	m ³
TEMPERATURE (exact)				
°F	Fahrenheit temperature	5/9 (after subtracting 32)	Celsius temperature	°C



Approximate Conversions from Metric Measures

Symbol	When You Know	Multiply by	To Find	Symbol
LENGTH				
mm	millimeters	0.04	inches	in
cm	centimeters	0.4	inches	in
m	meters	3.3	feet	ft
m	meters	1.1	yards	yd
km	kilometers	0.6	miles	mi
AREA				
cm ²	square centimeters	0.16	square inches	in ²
m ²	square meters	1.2	square yards	yd ²
km ²	square kilometers	0.4	square miles	mi ²
ha	hectares (10,000 m ²)	2.5	acres	
MASS (weight)				
g	grams	0.035	ounces	oz
kg	kilograms	2.2	pounds	lb
t	tonnes (1000 kg)	1.1	short tons	
VOLUME				
ml	milliliters	0.03	fluid ounces	fl oz
l	liters	2.1	pints	pt
l	liters	1.06	quarts	qt
l	liters	0.26	gallons	gal
m ³	cubic meters	35	cubic feet	ft ³
m ³	cubic meters	1.3	cubic yards	yd ³
TEMPERATURE (exact)				
°C	Celsius temperature	9/5 (then add 32)	Fahrenheit temperature	°F



*1 in = 2.54 (exactly). For other exact conversions and more detailed tables, see NBS Misc. Publ. 286, Units of Weights and Measures, Price \$2.25, SO Catalog No. C13.10:286.

