The issue of violence against transit operators is a priority for Canadian transit systems, CUTA and the industry as a whole. A single assault on a transit operator represents a much larger threat to both public safety and the public's sense of security when using transit.

This paper reviews important data on violence against transit operators, shows what some innovative transit systems are doing in response, and summarizes progress with legislation that recognizes the critical nature of each assault on the men and women responsible for the safety of millions of people every day.

UNDERSTANDING THE PROBLEM

Transit operators generally work within arm's reach of customers, and interact with them frequently. Part of their job is to answer questions and enforce rules regarding fares and transfers. They are also the first line of contact with customers who may be angry, impaired or mentally ill. They are responsible for preserving a safe environment on their vehicles, and may be called upon to intervene in conflicts between passengers.

These circumstances create the very real risk that operators will become victims of assault at some point in time. All too frequently, they are grabbed, hit or spat on, or become the targets of threats, verbal abuse and thrown objects.

About 2,000 assaults against transit system employees are reported in Canada each year. That's more than five every day, with more going unreported. The risks of violent acts against transit operators are great, because most of these crimes occur on transit vehicles. Every assault against a transit vehicle operator is also a direct threat to dozens—even hundreds—of innocent customers, other road users and bystanders.

CUTA statistics reveal that just over 75% of assaults on transit employees occur on vehicles, and about 15% occur in stations. About 45% are categorized as Level 1 assaults (causing little to no physical harm), Level 2 assaults (causing bodily harm or involving weapons) or sexual assaults, while 31% involve threats or harassment.

THE INDUSTRY'S RESPONSE

The transit industry is working hard to protect employees, and by extension transit customers and other members of the public, from violence. CUTA is playing a key role in this effort through the Transit Ambassador program, working with transit systems to train operators to avoid, recognize and defuse potential conflicts.

Visible reminders to transit customers about using SMS to report non-emergency incidents

A third initiative of Transit Police is the new OnDuty smartphone app, released in June 2014. It allows transit customers to easily report problems to Transit Police, read news and information, see recent alerts (e.g. missing persons, special events, service disruptions), access social media, and view maps of crime hotspots. In Ottawa's first month of public usage, Transit Police recorded 315 conversations that involved a total of 4,800 text messages—a 40% increase over the number of conversations recorded the previous month using the 87-77-77 text service alone. Passengers have used OnDuty to report a wide variety of issues including fights, harassment, assault, sexual assault, drugs, disturbances, liquor use on the system, suspicious circumstances, mischief, panhandlers and people with medical issues. About 78% of conversations led to the creation of police files.

STOPPING VIOLENCE AGAINST TRANSIT OPERATORS
The opportunity for operators to disengage and extricate themselves from potentially violent situations does not exist. They cannot walk away or withdraw from the incident, because they are locked in the driver’s seat and operating a large vehicle.”

- Neil Dubord, Chief Officer of Metro Vancouver Transit Police, testifying before the Senate Legal and Constitutional Affairs Committee on June 12, 2014

This is a bill that balances Parliament’s right to provide direction to the courts in defined circumstances with judicial discretion at sentencing. It is a bill that I believe will help protect transit operators and passengers. I ask for your support for Bill S 221.”

- Senator Bob Runciman, Chair of Senate Legal and Constitutional Affairs Committee

On June 18, 2014 CUTA staff appeared before the Senate Legal and Constitutional Affairs Committee to support Bill S-221. They were joined by Ottawa City Councillor and OC Transpo Chair Diane Deans, and labour representatives from the Amalgamated Transit Union and Unifor. The Committee adopted the bill and sent it to third reading in the Senate—the farthest any legislation regarding transit operator assaults has ever progressed in Parliament. If approved by the Senate, the bill will go to the House of Commons, where it would follow the regular legislative process.

LEGISLATORS SUPPORTING OPERATORS

Transit systems are not alone in their will to reduce violence against their employees. Parliamentarians are also rising to this public safety challenge. Since 2011, five different private member’s bills on this matter have been introduced in the House of Commons or the Senate. The bills varied in which section of the Criminal Code they sought to amend, and also in the definition of exactly which workers they sought to protect. Though differing in detail, the bills shared the key priority for industry members. CUTA will continue to lead the sharing best practices, and in seeking the active support of Canadian legislators, law enforcement agencies, and the judiciary.

AN ONGOING COMMITMENT

For CUTA, any assault on a transit operator is unacceptable. Addressing the issue of violence against transit employees is a key priority for industry members. CUTA will continue to lead in:

- Sharing best practices, and in seeking the active support of Canadian legislators, law enforcement agencies, and the judiciary
- Close the upper barrier for your personal safety.

TTC information encouraging operators to use their plexiglass barriers

- Court advocates assisted 2,327 employees who were victims of violent crime between 2009 and 2013. Immediately after an assault, advocates contact victims and help them deal with stress by taking time off, changing routes or seeking counselling. They also communicate with police about the investigation, track the status of culprits after arrest and through the courts, speak with Crown Attorneys on behalf of the victim, attend the accused’s court appearances, help with victim impact statements, advocate for appropriate penalties, and report back to victims.
- News releases are written for cases where the culprit is sentenced to significant time in jail. Such cases also typically involve temporary and/or partial bans from using the transit system.
- TTC information encouraging operators to use their plexiglass barriers

Two-part plexiglass barriers are available for operators, 98% of whom use the lower panel and 16% of whom use the upper panel. These barriers do not prevent all incidents: in 2013, 17 assaults involved culprits reaching around upper barrier and ten of these incidents resulted in physical contact.