



Tuesday, February 14, 2023

Dear Regional Transit District (RTD) Board of Directors –

The Colorado Coalition for the Homeless (CCH) is writing to express concern over the proposed changes to the Code of Conduct policy that will be presented to the Operations and Safety Committee on Wednesday, February 15, 2023. As an organization that provides housing, healthcare, services, and advocacy on behalf of those experiencing homelessness or suffering from housing instability, we are very concerned that these new and revised policies will directly impact members of the unhoused community at much higher rates than any other passengers. In many instances, transit services are a necessity rather than a convenience for people experiencing homelessness to get to appointments, work, shelter, or in some cases, to stay out of extreme weather. RTD services and locations are taxpayer funded public resources that should be easily accessible by all members of our community, not just those that are housed. Violations of the Code of Conduct can result in the suspension from the use of RTD services which could severely restrict the ability of unhoused individuals from equally accessing this critical public service. Three proposed provisions have more to do with users' perceived status or identity than the impact of the behaviors they purport to address.

We are particularly troubled by proposed provision #34 which prohibits "remaining on the RTD system for more than one continuous trip without exiting the paid area and re-entering by paying or validating a second fare or riding on the system indefinitely without exiting the system as indicated by the totality of the circumstances." This provision is concerning in both its application and enforcement. How will RTD know if someone does not have a specific destination or planned stop? What if a round-trip ride from the airport to Union Station is, in fact, someone's continuous trip? How does enforcement of this provision relate to the safety and use of RTD services by other passengers? How will RTD officers ensure that this provision is not enforced disproportionately against individuals that they believe to be unhoused?

CCH is also concerned with the application and enforcement of proposed provision #39 which prohibits "occupying or remaining on RTD property where the totality of the circumstances indicates that an individual is not using RTD services, contracting lawful business, engaging in protected speech, or otherwise exercising a fundamental right." This provision could negatively impact the ability of people, housed or unhoused, to spend time in places like Union Station. This proposed provision seems to be crafted to specifically target people experiencing homelessness who may be using bus and train stations to protect themselves from extreme weather, to take respite from a day of walking through the city, and to access spaces intended to be available to all members of the public.

Provision #42, which prohibits "unauthorized use of an electrical or data outlet," is also concerning. It is not clear what "unauthorized use" entails. Does that mean that anyone who wishes to charge their phone or computer at Union Station or on other RTD properties must ask permission to do so? As with proposed provision #34, we are concerned about the application and enforcement of this provision and the high likelihood that it will be disproportionately targeted at and enforced against people experiencing homelessness.

We would also like to express frustration at the way the Code of Conduct was revised. In prior years, since 2016, RTD has engaged community in the development and revision of the Code of Conduct to ensure that it did not discriminate against or disproportionately impact any specific groups of individuals including members of the unhoused community. In fact, it was our belief that RTD made a commitment to a stakeholder process for any future changes. In previous years, CCH has dedicated staff time and resources to engage thoughtfully in that process as a partner with RTD. However, these changes have been proposed and made public with no stakeholder engagement, no feedback from the public, and no conversations by people who will be directly impacted by the policy. In making decisions about how to best allocate public resources for public transportation that is a service for all members of the community, it seems RTD has missed a critical step in the process.

We look forward to seeing this process slowed down a bit and participating in any upcoming stakeholder meetings. Please feel free to reach out with any questions or concerns.

All the Best –

A handwritten signature in black ink, appearing to read 'Cathy Alderman', with a stylized, flowing script.

Cathy Alderman, Chief Communications and Public Policy Officer

Colorado Coalition for the Homeless

[calderman@coloradocoalition.org](mailto:calderman@coloradocoalition.org) 303-319-9155