

KING COUNTY METRO FARE ENFORCEMENT STANDARD OPERATING PROCEDURES SOP-TS 102-08 Handling Juveniles Page 1 of 3

Effective: 01/15/2015

Supersedes: All previous Fare Enforcement Manuals

Issuing Office: KING COUNTY METRO TRANSIT SECURITY DIVISION

FARE ENFORCEMENT SOP: HANDLING JUVENILES

1.0 PURPOSE:

This directive establishes the Standard Operating Procedure to be used by the Fare Enforcement Division of King County Metro (KCM) in for handling juveniles during Fare Enforcement Operations.

2.0 SCOPE:

This directive applies to all King County Metro Fare Enforcement Officers.

3.0 DEFINITIONS:

- a. **Coach** – Any Rapid Ride vehicle where FEOs have legal authority to enforce the Washington State RCWs relating to KC Metro's Fare Payment Policy
- b. **FE** - Fare Enforcement
- c. **FEO** – Fare Enforcement Officer
- d. **Guardian** – A person having legal authority/custody of a child
- e. **Juvenile** – A person under the age of 18
- f. **KCM** - King County Metro
- g. **NOI** - Notice of Infraction
- h. **POP** - Proof of Payment
- i. **RCW** – Revised Code of Washington.
- j. **SOP** - Standard Operating Procedure

4.0 AUTHORITY:

It is King County Metro's policy to handle juveniles as a special population. RCW 26.28.010 sets the Age of Majority at 18 years of age. RCW 9A.04.050 specifically outlines that a child under eight years of age is incapable of committing a crime and a child of eight and under the age of twelve years of age is presumed to be incapable of committing a crime. The presumption for a child of eight and under the age of twelve years of age may be removed if there is proof that they have sufficient capacity to understand their actions and know that they were wrong.

RCW 13.40 is the Juvenile Justice Act of 1977.

RCW 13.40.250 governs traffic and civil infraction cases.

RCW 13.40.070 governs complaints to the juvenile court.

RCW 13.40.100 sets forth that the parents/guardians will be summoned by the court whenever the juvenile is also summoned.

RCW 13.04.030 allows for a court of limited jurisdiction to preside over infractions that are committed when the juvenile is 16 or 17 years of age. The court of limited jurisdiction is generally the District Court of the county where the violation was committed.

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5.0 JUVENILE VIOLATORS 12 YEARS OF AGE AND UNDER:

- a. FEOs will not issue NOIs to juveniles 16 years of age or under.
- b. As set forth in Section 8.0 of this document, whenever an FEO contacts a juvenile without valid POP who is 16 years of age or under, the FEO will contact the parents/guardians.
- c. The FEO will not take a juvenile off the coach and leave them unattended.
 - i. If a juvenile leaves the scene by means other than re-boarding a coach, FEOs will write an incident report surrounding the facts of the incident. (This only applies to juveniles between 8 and 12 years of age.)
- d. When a juvenile between 8 and 12 years of age becomes a habitual violator (three (3) or more contacts without valid POP in a one year period), the FEO will contact King County Metro Police to determine if they will file a case with the juvenile prosecutor.
 - i. It will be critical to have detailed narratives from the previous contacts in order to remove the incapable presumption and file a NOI. These previous warning narratives will be provided to the FE Filing Officer in a format similar to a Misdemeanor Fare Evasion Statement outlined in SOP-TS 102-05.

6.0 JUVENILE VIOLATORS 13 TO 15 YEARS OF AGE:

- a. Juveniles 13, 14, or 15 years of age will be handled as all other KCM FE SOPs direct.
- b. As set forth in Section 8.0 of this document, whenever an FEO contacts a juvenile who is 13, 14, or 15 years of age without valid Proof of Payment (POP), the FEO may contact the parents/guardians if they feel it is necessary based on the totality of the circumstances.
- c. When a juvenile 13, 14, or 15 years of age becomes a habitual violator (found to be without valid POP), the FEO will attempt to contact the parents/guardians of the juvenile upon the 3rd contact in a one year period, regardless of whether the juvenile is to receive a Warning or Notice of Infraction (NOI). The FEO shall advise the parents/guardians of the consequences of repeated fare violations.
- d. The proper court for these NOIs is the Juvenile Court.

7.0 JUVENILE VIOLATORS 16 AND 17 YEARS OF AGE:

- a. Juveniles 16 or 17 years of age will be handled as all other KCM FE SOPs direct.
- b. As set forth in Section 8.0 of this document, whenever an FEO contacts a juvenile without valid POP who is 16 or 17 years of age, the FEO may contact the parents/guardians if they feel it is necessary based on the totality of the circumstances.
- c. The proper court for these NOIs is the District Court.

8.0 CONTACT OF A PARENT/GUARDIAN REQUIREMENTS:

- a. Whenever a FEO contacts a juvenile without POP who is 12 years of age and under, the FEO shall immediately contact the parent/guardians.
 - i. The FEO will identify the juvenile and obtain a phone number for the parent or guardian.
 - ii. The FEO will contact the parent or guardian and explain the circumstances.

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- iii. The FEO and the parent or guardian will attempt to reach agreement on how to resolve the circumstances, including how to safely get the juvenile to their original destination. If the FEO and the parent or guardian are not able to reach agreement, or if the parent or guardian is not able to be reached, the FEO will call King County Metro Transit Police for assistance.
- iv. The FEO will document this contact by making a Warning Log entry and will attach a narrative giving the details of the fare violation, parent/guardian contact and the outcome.
- b. Whenever an FEO has issued a NOI to a juvenile who is 13, 14, or 15 years of age the FEO will attempt to contact the parents/guardians to advise them of the pending NOI and the circumstances surrounding the charge. However, this contact may be done after the contact has been completed.
- c. FEOs will treat juveniles who are 16 or 17 years of age in the same manner as adults when they are charged with an infraction. The FEO, as a courtesy, may, depending on the surrounding circumstances, contact a parent/guardian to advise them of the pending NOI and the circumstances surrounding the charge. However, this is not required.

9.0 SAFETY AND SECURITY OF A JUVENILE IS OF UTMOST IMPORTANCE:

- a. King County Metro expects FEOs to utilize the utmost care in any dealings with juveniles. Whenever a juvenile is contacted, the top priority is their safety and security.
- b. FEOs will inform the juvenile that they are allowed to board the next available coach even if they are unable to pay the required fare. The FEO may provide the juvenile with a Free Ride Pass.
- c. FEOs are not authorized to physically force a juvenile to re-board a coach.

10.0 REVIEW:

The KCM Contract Security Coordinator or Delegate will ensure all Directives, Policies, and Procedures are reviewed at least annually to ensure compliance with King County Metro Security Division policy. Directives, Policies, and Procedures will be updated immediately if division procedure changes or when a facility adds or deletes post positions or procedures and duties.

11.0 SUPERSESSION: All previous Fare Enforcement Manuals. All memorandums are unaffected.

12.0 EFFECTIVE DATE: 01/15/2015

ISSUING AUTHORITY

Gail Israelson
KCM Contract Security Coordinator