

KING COUNTY METRO SECURITY STANDARD OPERATING PROCEDURES

SOP-TS 102-20 Non-Discrimination 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: NON-DISCRIMINATION

1.0 PURPOSE:

This directive establishes the Standard Operating Procedure for ensuring compliance with King County Metro's Non-Discrimination Policy for members of King County Metro's Fare Enforcement Division team.

This SOP defines the basic responsibilities of the FEOs and the FE Supervisor. It outlines how Fare Inspections are monitored to assure discrimination does not occur. Details on how to do On Board Coach Inspections and Fare Inspection Techniques are outlined in SOP-TS 102-01 and 102-02. Details on Issuing a Warning or Notice of Infractions are outlined in SOP-TS 102-03 and 102-04. Use of Discretion is further outlined in SOP-TS 102-07.

The purpose of this specific SOP on Non-Discrimination delineates how the other related SOPs are monitored in relationship to FEO discretion and fair treatment of all passengers.

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. **Communications Center** – King County Sheriff Department dispatch radio center
- c. **DFI** – FEO's Daily Fare Inspection Log
- d. **Evader** – Passenger without valid fare
- e. **FE** - Fare Enforcement
- f. **FEO** – Fare Enforcement Officer.
- g. **ID** – Valid form of identification
- h. **KCM** - King County Metro
- i. **KCSO** - King County Sheriff Office
- j. **NOI** - Notice of Infraction
- k. **POP** - Proof of Payment
- l. **Tap** – When an ORCA card is validated by the platform reader

4.0 AUTHORITY:

It is the policy of King County Metro (KCM) to prevent discrimination by treating every passenger with dignity and respect including those passengers without valid Proof of Fare Payment. FEOs will not discriminate based on Age, Race, Religion, Gender, Physical Disability or Economic Status. The success of the Fare Inspection Program is dependent upon a fair and consistent approach by all FEOs when contacting passengers.

5.0 NON-DISCRIMINATION - FEO Responsibilities

- a. FEOs shall conduct inspections for all passengers on board the coach.

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- b. When a passenger without valid Proof of Fare Payment is contacted, the FEO may stop inspection until the evader is identified or wait to identify them after they disembark the coach.
- c. FEOs may identify a fare evader by behavior or actions that are consistent with fare evasion and they may be singularly inspected upon exiting the coach.
- d. FEOs will contact the KCSO Regional Communications Center if the evader refuses to provide valid ID.
- e. A fare evader **without** previous contact that is cooperative will be handled as follows:
 - i. The fare evader may be asked to exit the coach at the next stop in order to gather the pertinent personal information in a more private setting. Once the FEO receives proper identification, the passenger will be informed that they are free to board the next coach but they will have to purchase valid fare.
 - ii. The fare evader will be informed that if no previous contact exists, they will receive a warning.
 - iii. After it is determined the fare evader has no prior history, verified by a call the Security Monitoring Center, they will be given a warning and educated on the requirements to have valid Proof of Fare Payment.
 - iv. The fare evader's identification information will be entered into the Fare Enforcement Contact Log.
- f. A fare evader who is not cooperative, who presented fraudulent or altered fare, who has been contacted before, or by the totality of the circumstances are determined to be an intentional evader, will be handled as follows:
 - i. The fare evader will be asked to exit the coach at the next stop in order to gather the pertinent personal information in a more private setting.
 - ii. A Notice of Infraction (NOI) will be served to the fare evader by the FEO.
 - iii. The fare evader's identification information will be entered into the Fare Enforcement Contact Log.
 - iv. The FEO will complete an affidavit that clearly articulates why this fare evader was issued a NOI rather than a Warning. The narrative will be factual information to establish the elements of fare evasion.
- g. Information related to a fare evader who refuses to identify himself/herself or does not have valid identification will be called into the KCSO Regional Communications Center for ID verification.
- h. All passengers contacted, fare evaders warned, and fare evaders issued a NOI will be listed on the DFI.
- i. When an fare evader has been determined to have multiple NOIs, the FEO will follow procedures outlined in SOP-TS 102-05 in order to recommend that a misdemeanor fare evasion case be filed by the Metro Transit Police.

6.0 NON-DISCRIMINATION - FE Supervisor Responsibilities

- a. Supervisor(s) will review each DFI Log completed by the FEO for accuracy and comprehensiveness.
- b. The Supervisor(s) will do a search on each name the FEO entered in his/her DFI Log to assure that the fare evader has not been warned numerous times.
- c. If the evader has been previously warned and is entered again as a warning, the Supervisor will discuss the contact with the FEO to determine why a NOI was not written. The Supervisor may direct the FEO to issue a NOI.
 - i. Orca cards are unique in that they may contain a monthly pass that has already been paid. If the passenger did not tap their card, they have not provided valid Proof of Payment. However,

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discretion may be used in this circumstance to issue a second warning depending on how long it has been since the previous non-tap occurred. The FEO can review the passenger's "tap" history on the Orca reader.

- ii. Whenever a passenger has been warned more than once, a narrative explaining the circumstances of the additional warning will be attached with the Contact Log entry.
- d. When a passenger has been issued a NOI, the Supervisor will check the fare evader's history in the Contact Log and review the narrative presented by the FEO.
 - i. The narrative will articulate the complete details of the contact.
 - ii. The narrative will differentiate between those evaders who have been previously warned or issued a NOI from those who through their actions warrant a NOI without a previous warning.
 - iii. Any previous NOI will be noted in the narrative and the NOI number written in the appropriate box on the front of the NOI.
 - iv. All fare media will be copied and provided as evidence for the NOI.
- e. If a NOI has been issued that is not justified (based upon the standard established in this SOP), it will be voided by the FEO at the direction of the Supervisor(s) and/or FE Manager.
- f. Monitoring the discretion of the individual FEO is a principle responsibility of Supervisor(s) to assure discrimination does not occur.
- g. **If it is suspected that any FEO is not in compliance with KCM's Non-Discrimination Policy or not being consistent in their treatment of passengers, a thorough investigation shall be conducted by the Supervisor. FE management shall take disciplinary action against the FEO, up and including removal from the KCM account, if it is determined as a result of the investigation that the FEO violated this policy or treated passengers disparately.**

7.0 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.

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

9.0 EFFECTIVE DATE: 01/15/2015

ISSUING AUTHORITY

Gail Israelson
KCM Contract Security Coordinator