

## SOUND TRANSIT SECURITY STANDARD OPERATING PROCEDURES

### SOP-SEC 10-04 Writing and Issuing Warnings PAGE 1 of 4

Effective: 04-01-2017

Supersedes: First Edition 11/01/2010, Second Edition 03/01/2012, Third Edition 12/23/2013, Fourth Edition 01/01/2015

Issuing Office: SECURITY DIVISION-FARE ENFORCEMENT

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## FARE ENFORCEMENT SOP: WRITING AND ISSUING WARNINGS

### 1.0 PURPOSE:

This directive establishes the Standard Operating Procedure regarding Writing and Issuing Warnings to be used by the Fare Enforcement Division of Sound Transit in the accomplishment of its assigned responsibilities. This SOP defines the circumstances in which a warning will be issued vice a citation. This directive also outlines the required documentation of any warning.

### 2.0 SCOPE:

This directive applies to all Securitas Employees assigned to the Sound Transit contract/ Fare Enforcement Division.

### 3.0 DEFINITIONS:

- a. **FEO** - Fare Enforcement Officer
- b. **Fare Violator** – A passenger without valid proof of payment
- c. **Fare Media** - Valid proof of fare payment that is approved by Sound Transit and presented by passengers.
- d. **Proof of payment** – evidence of fare prepayment authorized by a regional transit authority for the use of its facilities.
- e. **TVM** – Ticket Vending Machine
- f. **ORCA Reader** – ORCA card platform verifier
- g. **Defendant** – Person that committed the violation
- h. **Identification** – A person's personal information including their full name, date of birth, and mailing address.
- i. **Handheld**- Panasonic FZ-X1 device used by officers to check fare and issue infractions.

### 4.0 AUTHORITY:

RCW 81.112.210 authorizes Sound Transit to designate persons to monitor fare payment who are equivalent to and are authorized to exercise all the powers of an enforcement officer. This grants Fare Enforcement Officers the authority to issue citations to violators under RCW 81.112.220. It is the policy of Sound Transit to treat every passenger with respect and dignity, including those passengers without proof of payment. The success of the Fare Enforcement Program is dependent upon a fair and consistent approach by all Fare Enforcement Officers when issuing warnings, interacting with the public and potential violators. FEOs will not discriminate based on age, race, religion, gender, physical disability or economic status.

### 5.0 DIFFERENTIATING INTENTIONAL FROM UNINTENTIONAL VIOLATORS

It is necessary to differentiate between fare evaders and passengers that may not be intentionally violating fare law. There are many reasonable explanations as to why a passenger may not have valid proof of payment.

- a. **Unintentional Failure To Pay Fare**
  1. The TVMs or ORCA readers were malfunctioning at the time they boarded.
  2. The passenger did not understand the barrier free environment.
  3. The passenger is a visitor from out of town.

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4. It is the passenger's first time using the transit service.
5. The passenger was given inaccurate information by someone that they assumed to be a reputable source.
6. The passenger did not understand that a round trip ticket is only valid on the date printed on the front of the ticket.
7. The passenger did not understand the "tap on, tap off" procedure.
8. Passenger assumed the TVM was malfunctioning due to their lack of experience with TVMs.
9. Other reasons where it is obvious that the passenger was not intentionally evading fare.

**b. Intentional Fare Evasion**

- a. The passenger presents altered or forged fare media.
- b. The passenger presents youth fare and attempts to deceive the FEO about their age.
- c. The passenger presents nontransferable fare media that has obviously not been issued to them but claims that it was.
- d. The passenger has a history of Failure to Pay or Present Proof of Payment.
- e. Failure to cooperate with FEOs (lying or attempting to deceive and refusing to comply with instructions or present identification).
- f. Passenger presents wrong way fare media and it is obvious the passenger understands the system.
- g. Passenger presents expired fare media.
- h. Other reasons where it is obvious that the passenger understands the fare system and by their actions it is obvious they are intentionally evading fare.

***As a general rule, it is assumed that a passenger is not intentionally evading fare until the facts of the situation establish otherwise. These facts will be determined by the passenger's statement, behavior and follow-up investigation. Follow-up investigation is a crucial element to all fare violation contacts. Follow-up investigation includes, but is not limited to; verifying claims of malfunctioning equipment; checking the Citation/Warning Log for a history of fare violations; determining if the passenger is educated on the use of Sound Transit fare media and equipment.***

***Note:It is typically indicative of someone who is unwilling to take responsibility for their actions when a passenger is deceptive during the identification/interview process, but this does not prove intent to commit a fare violation by itself.***

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**6.0 CONTACTING A PASSENGER FOR PROOF OF PAYMENT**

- a. Determine if the passenger has valid proof of payment.
  1. If the passenger has valid proof of payment, break contact and resume duties.
  2. If the passenger does not have proof of payment, follow steps b, c, and d below.
  
- b. Determine why the passenger does not have valid proof of payment.
  1. If the passenger has a verifiable (360, FEO knowledge, etc.) reason for not having proof of payment due to an issue regarding Sound Transit Orca readers or TVMs, this passenger will not be cited or entered into the warning log. Disregard steps c and d below.
  2. If the passenger does not have a legitimate reason for not having proof of payment, continue to steps c and d below.
  
- c. Identify the passenger – This can be accomplished on the train or on the platform upon exit.
  1. To properly identify a passenger the FEO needs to document their first, middle, and last name; date of birth; physical attributes (*i.e. sex, race, height, weight, eye color*); and current address.
  2. State or Federal picture identification cards are ideal, but not always available. If the passenger provides the FEO with their identifying information and has evidence to corroborate that information (*i.e. Passport, School ID, bank card, etc.*) the FEO may choose to accept the information that they have provided as valid. ***Never photograph a credit card, bank card, Social Security Card, Social Security Number, or anything that appears to be financial information.***
  3. If the passenger has no ID or refuses to present ID they will be asked to verbally identify themselves and to provide corroborating documentation.
    - a. When a violator is unwilling to present identification or otherwise identify themselves, the FEO will contact the King County Sheriff's Office (Sound Transit Division) for assistance.
    - b. When a violator is cooperative but is unable to present identification, the FEO may contact Sound Transit Police for assistance.
  4. The FEO will take a photograph of the face of the violator when the violator is identified by means other than government issued identification. The photo will be taken with the FEO's issued handheld.
  
- d. Advise the passenger if they will be issued a warning or citation.
  1. If the passenger is found to have previous FE contacts in the repeat offense check, the FEO will issue a citation to the passenger. If an FEO issues a second warning, notes must be provided and attached to the warning.
  2. If no contact history is found in the repeat offense check, the contact will be considered an educational contact and documented in the Warning Log.
  3. If the passenger has been contacted by Fare Enforcement and issued two prior citation within the past year, the FEO will initiate a Theft of Services case.
  4. ***Every Passenger contact that involves a fare violation will result in a warning, citation or theft of services charge. ( See SOP-SEC 10-05 Filing a Theft of Services Case***

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**7.0 ENTERING A WARNING IN THE HANDHELD:**

- a. Warnings will be completed in the field via the FEO's handheld device.
- b. FEO's will Log into the Fare Inspection application on their device.
- c. Scan the violators ID card. If the violator does not have a state ID, information must be hand entered into the handheld once verified by STPD.
- d. The information entered into the device will be verified and accurate. When entering information into the handheld device, careful attention should be given to providing all of the necessary information that was gathered.
- e. Once all information is entered and verified, the FEO will verify the "warning" box is checked on the upper left hand corner and select print to complete the contact
- f. Once back in the office, FEOs will sync their handheld in order for the warnings to upload to the Officer Command Center.

**8.0 VOID A WARNING**

- a. If an FEO makes a mistake when entering a warning, they will reenter a new warning with the correct information.
- b. Warnings can only be voided if caught on the same day of issuance.
- c. The FEO will complete a warning void form and submit to their supervisor who will review and approve. Supervisors will track all 'warning void' requests and maintain accurate records.

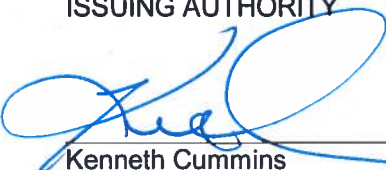
**9.0 REVIEW:**

The Director of Public Safety or Delegate will ensure all Directives, Policies, and Procedures are reviewed at least annually to ensure compliance with ST 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.

**10.0 SUPERSESSSION:** First Edition 11/01/2010, Second Edition 03/01/2012, Third Edition 12/23/2013, Fourth Edition 01/01/2015

**11.0 EFFECTIVE DATE:** 04-01-2017

ISSUING AUTHORITY



Kenneth Cummins  
Director of Public Safety