

**RESOLUTION NO. R2018-29**  
**Expulsion and Suspension Policy**

<b>MEETING:</b>	<b>DATE:</b>	<b>TYPE OF ACTION:</b>	<b>STAFF CONTACT:</b>
Executive Committee	08/02/2018	Recommend to Board	Bonnie Todd, Executive Director of Operations
Board	08/23/2018	Final Action	<b>Ken Cummins, Director, Public Safety</b> <b>Steve Tucker, Deputy Director, Public Safety</b>

**PROPOSED ACTION**

Updates the Expulsion and Suspension Policy.

**KEY FEATURES SUMMARY**

- The Board adopted an Expulsion and Suspension Policy in 2010. The policy authorizes Sound Transit Police to suspend or expel riders who violate any federal, state, or local law committed on a Sound Transit vehicle or at a Sound Transit facility.
- The key change is to remove policy and procedure language about honoring expulsions and suspensions from operating partners and conducting expulsions and suspensions under policies and procedures established by those operating partners. The policy language also clarifies that expulsions or suspensions may be used as stand-alone actions if needed.
- The changes are being made to reflect current practice and will provide clarity to Sound Transit’s contracted law enforcement personnel.
- The policy continues to require that Sound Transit maintain a suspension panel with the authority to review and issue suspensions.
- Under the policy, Sound Transit will also coordinate implementation of the Expulsion and Suspension Policy with operating partners including the ability to share records and data of expulsions and suspensions with Sound Transit’s operating partners.

**BACKGROUND**

RCW 9.91.025 establishes unlawful conduct on transit vehicles and in transit facilities. Unlawful conduct includes smoking, alcohol consumption, littering, unruly behavior, and vandalism. The Expulsion and Suspension Policy authorizes Sound Transit Police to suspend or expel riders who are in violation of RCW 9.91.025 or any other federal, state or local law committed on Sound Transit vehicles or at Sound Transit facilities. Suspensions and expulsions are generally not stand alone law enforcement tools and should be used in conjunction with official enforcement action.

Sound Transit’s operating partners, King County Metro (KCM), Community Transit and Pierce Transit (PT) have established expulsion and suspension policies, allowing authorized personnel to suspend riders from their systems. Currently, expulsions and suspensions by KCM, CT and PT are not enforced by Sound Transit law enforcement.

Expulsions and suspensions are necessary and widely-used tools of transit and law enforcement agencies. The ability to issue an expulsion or suspension can defuse a potentially dangerous situation by temporarily removing a hostile rider from the transit system.

Suspensions will be monitored through a suspension database, maintained by Sound Transit Law Enforcement. The database of “suspended persons” is reviewed during police contact by both Sound Transit and King County Metro assigned deputies (when the person is on Sound Transit property or vehicles).

Suspended riders are able to appeal or review their suspension. Sound Transit maintains a Suspension Panel with the authority to review and issue suspensions. The Panel members are appointed by and act on behalf of the chief executive officer. In the time this policy has been implemented, there has been one appeal process.

**FISCAL INFORMATION**

Not applicable to this action.

**SMALL BUSINESS/DBE PARTICIPATION AND APPRENTICESHIP UTILIZATION**

Not applicable to this action.

**PUBLIC INVOLVEMENT**

Not applicable to this action.

**TIME CONSTRAINTS**

A one month delay would not create a significant impact.

**PRIOR BOARD/COMMITTEE ACTIONS**

Resolution No. R2010-07: Adopted an Expulsion and Suspension Policy.

**ENVIRONMENTAL REVIEW**

LS 7/26/18

**LEGAL REVIEW**

AJP 7/27/18



RESOLUTION NO. R2018-29  
**Expulsion and Suspension Policy**

A RESOLUTION of the Board of the Central Puget Sound Regional Transit Authority updating the Expulsion and Suspension Policy and superseding Resolution No. R2010-07.

WHEREAS, the Central Puget Sound Regional Transit Authority, commonly known as Sound Transit, was formed under chapters 81.104 and 81.112 of the Revised Code of Washington (RCW) for the Pierce, King and Snohomish Counties region by action of their respective county councils pursuant to RCW 81.112.030; and

WHEREAS, Sound Transit is authorized to plan, construct and permanently operate a high-capacity system of transportation infrastructure and services to meet regional public transportation needs in the Central Puget Sound region; and

WHEREAS, in general elections held within the Sound Transit district on November 5, 1996, November 4, 2008 and November 8, 2016, voters approved local funding to implement a regional high-capacity transportation system for the Central Puget Sound region; and

WHEREAS, Sound Transit is committed to providing customers a safe environment at transit facilities and onboard transit vehicles; and

WHEREAS, Sound Transit contracted law enforcement, fare enforcement officers, contracted security staff, and transit operators promote safety systemwide; and

WHEREAS, the Board approved an agreement with the King County Sheriff's Office for law enforcement services through a transit police force; and

WHEREAS, RCW 9.91.025 establishes unlawful conduct on transit vehicles and in transit facilities.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Central Puget Sound Regional Transit Authority that Resolution No. R2010-07 is hereby superseded with an updated Expulsion and Suspension Policy, which is hereby adopted as follows:

**1.0 Scope**

1.1 In addition to criminal and civil penalties applicable under federal, state, and local law, in order to maintain a safe, secure, and orderly system, a person using the Sound Transit system who commits a transit violation may be subject to immediate expulsion from transit properties and/or suspension of the privilege of using Sound Transit facilities.

**2.0 Definitions**

2.1 Expulsion: An order, given orally or in writing, to leave and/or refrain from using a Sound Transit facility.

2.2 Sound Transit facility: A vehicle or facility owned or operated by Sound Transit.

2.3 Suspension: The loss of a person's privilege to use a Sound Transit facility for a specified period of time.

2.4 Transit violation: An act that violates RCW 9.91.025, RCW 81.112, or any other federal, state, or local law, when that act is committed in, on or in relation to a Sound Transit facility.

**3.0 Policy**

- 3.1 Sound Transit contracted law enforcement are authorized to issue expulsions and suspensions to persons in violation of RCW 9.91.025 or any other federal, state or local law committed on Sound Transit vehicles or facilities.
- 3.2 Sound Transit contracted law enforcement are authorized to conduct expulsions and suspensions from Sound Transit facilities under procedures established by Sound Transit.
- 3.3 Expulsions and suspensions are generally not standalone law enforcement tools and should be used in conjunction with official enforcement action.
- 3.4 Sound Transit will coordinate the implementation of this policy with its operating partners.
- 3.5 The chief executive officer is authorized to:
  - 3.5.1 Develop procedures and take necessary action to implement this policy,
  - 3.5.2 Share records and data of expulsions and suspensions with Sound Transit's operating partners;
  - 3.5.3 Establish a suspension panel with the authority to review and issue suspensions; and
  - 3.5.4 Appoint suspension panel members.
- 3.6 Persons who have been suspended from Sound Transit facilities have a right to appeal or review their suspension.

**4.0 References**

- 4.1 Resolution No. R2009-02 Fare Enforcement Policy for Commuter Rail and Light Rail Facilities
- 4.2 Resolution No. R2017-13 Safety Policy
- 4.3 Resolution No. R2017-14 Security, Law Enforcement and Emergency Management Policy

ADOPTED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on August 23, 2018.

  
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John Marchione  
Board Vice Chair

ATTEST:

  
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Kathryn Flores  
Board Administrator