

## **Metro Transit Suspension Process**

The initial step in the process is the contact of a violator by a deputy for a suspected transit violation in, on, or against metro transit property or employees. A violation is defined as any act that violates local, state, or federal laws.

Once the deputy has determined that the offender has committed a qualifying violation, and the deputy pursues enforcement action, the deputy may issue a suspension notice to the violator. Enforcement action includes any action taken by the deputy to commence the process for filing a civil infraction or a criminal case: arrest, booking, civil or criminal citations.

The deputy must have received training in the suspension program. All new MTP deputies receive this training.

Three criteria for the issuance of a suspension notice: transit violation, enforcement action, and trained deputy.

Once the deputy has issued the suspension notice, both the notice and the incident report are reviewed by a CIU detective to ensure compliance. If the suspension notice is not compliant with policy, the notice is voided and an attempt is made to notify the violator.

See the next page for the administrative and appeal process.

## Prepared by Detective Megan Dauber for Metro Transit Police

## Administrative Review

- All issued suspensions are reviewed by a member of Metro CIU prior to entry in the suspension database.
- This review is to check for general policy compliance and errors.

## Timely Request

- Must be requested while suspension is active
- If the request is not directly from the suspended person, the requestor shall provide verification of their authority to represent the person in writing with an original signature from the suspended person.
- Requests may be submitted in writing, by phone, or via email.

## Screen for Rider Contract

- Rider contract will be offered by CIU when the suspension is for less than 30 days, the suspended person has no prior rider contracts, the person has had no more than 1 previous suspension in the past 12 months, and the person is willing to sign and abide by the terms of the rider contract.
- Suspended persons are not obligated to accept rider contract if they wish to have a full appeal

## Written Summary

- The summary is prepared by a CIU detective
- The suspended person or representative may submit additional information to the panel for review.
- Upon request, a copy of the brief and the suspension notice may be provided to the suspended person directly from CIU.
- Summary packet will include a copy of the notice and verification if relevant.

## Appeal

- The suspension panel will review the suspension notice, brief, and any additional information provided by the suspended person.
- The suspended person may submit additional information or may speak with the panel in person or by phone
- The suspension panel may modify, defer, uphold, or repeal a suspension
- The suspension panel's decision is documented at the bottom of the suspension panel summary.

## Response

- A CIU detective will notify the suspended person in writing (within 10 days) of the suspension panel's decision.
- If the suspension is repealed, the database will be updated and written notification will be provided as soon as practicable.
- If the suspension is not repealed, the notification will include an invitation to address the panel or present additional relevant information.
- This decision is final and is not subject to further appeal
- This decision is final and not subject to further appeal (unless the person becomes eligible for another appeal because charges were dropped on the case)