



## Legislation Text

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**File #:** 2016-0238, **Version:** 1

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Clerk 05/02/2016

A MOTION relating to public transportation, accepting a report, including a work plan, that provides options and recommendations on how to implement transit-related policies in response to Motion 14441.

WHEREAS, Motion 14441, was passed by the council October 26, 2015; and

WHEREAS, it is the policy of the county that juveniles should not be charged criminally for fare evasion on transit division (also known as "Metro Transit") buses. Juveniles may still be issued civil citations for failure to pay appropriate fare on Metro Transit buses, but failure to respond to these civil citations or to pay fines associated with these citations should not give rise to criminal charges, and

WHEREAS it is also the policy of the county that both Metro Transit's suspension of use process and the process to appeal any suspensions of use for violations of K.C.C. chapter 28.96 (commonly known as "the Metro Transit Code of Conduct"), infractions or criminal charges that do not involve violence should align with the county's equity and social justice principles in both intent and impact, and provide due process protections. Further, in considering more equitable processes, the potential impact of a suspension of use privileges on that individual's ability to attend school, to work, to comply with court-mandated appointments, to take part in mental health or substance abuse treatment or to engage in other activities that might benefit the individual's development or well-being should be considered. Whenever possible, the impact of a suspension of use privilege should be mitigated by creating reasonable and reasonably enforceable exemptions, including when a suspension of use becomes effective, and by reasonably calculating the length of suspension to achieve its desired impact, and

WHEREAS, it is also the policy of the county to improve geographic equity of access to court for individuals living throughout King County who are cited with civil infractions for fare evasion, and

WHEREAS, it is also the policy of the county to ensure that relevant transit personnel achieve developmental competence in relation to working with juveniles through appropriate training, and

WHEREAS, the council requested that the executive develop and transmit to council a report, including a work plan, that provides options and recommendations on how to implement the transit-related policies described in Motion 14441, subsections A. through D., and

WHEREAS, the report should also include, with respect to Motion 14441, subsection B., an option to implement the policy through court-issued suspension of use orders for periods longer than twelve hours, the estimated costs or savings associated with implementing these policies, an examination of the impact to public safety of these changes and a summary of the equity and social justice implications of shifting from the current approach to the policies in Motion 14441, and

WHEREAS, the report should be undertaken by the executive in consultation with county staff including but not limited to: representatives from the sheriff's office, the prosecuting attorney's office, the superior court, the district court, the transit division, the department of public defense and the office of performance, strategy and budget, as well as in consultation with community organizations focused on juvenile rights;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

The council hereby accepts the report and work plan, which are included in Attachment A to this motion, and by doing so agrees that following the recommendations contained in the report and work plan will:

A. Implement council policy direction related to the penalty for juvenile fare evasion; and

B. Implement policies and practices related to Metro Transit's suspension of use process and the process to appeal suspensions issued for nonviolent violations of the Metro Transit Code of Conduct that align with the county's equity and social justice principles in both intent

and affect.