



SOUTH CENTRAL
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DISRUPTIVE PASSENGER SUSPENSION POLICY

“DRIVEN BY OUR COMMITMENT TO EXCELLENCE”

Approved by SCT Board of Directors, May 23, 2024

John Schubert, SCT Board President

Disruptive Passenger Suspension Policy

PURPOSE

This policy complies with 70 ILCS 3610/5.6. South Central Transit (SCT) provides public transportation that is open to all members of the public, without regard to race, sex, religion, disability, age, national origin, pregnancy, gender, sexual orientation, income level, or any other personal factor ("Personal Characteristics"). It is expected that SCT personnel will treat all its passengers with dignity and respect. However, from time to time, there are situations when a passenger's conduct is so disruptive or offensive that it threatens the welfare, comfort and safety of the passengers and SCT drivers and/or the safe operation of the Transit System. In such circumstances, SCT reserves the right to suspend a passenger's riding privileges and fare media. This policy has been established to protect the welfare of, and to assure the safety and comfort for, the general public riding SCT vehicles or on SCT property and to protect the continuing safe operation of the Transit System.

Suspension of riding privileges and confiscation of fare media are limited to:

- (1) violations where the person's conduct places transit employees or transit passengers in reasonable apprehension of a threat to their safety or the safety of others, including assault and battery, as those terms are defined under Sections 12-1 and 12-3 of the IL Criminal Code of 2012;
- (2) violations where the person's conduct places transit employees or transit passengers in reasonable apprehension of a threat of a criminal sexual assault, as that term is defined under Section 11-1.20 of the IL Criminal Code of 2012; and
- (3) violations involving an act of public indecency, as that term is defined in Section 11-30 of the IL Criminal Code of 2012.

Disruptive passengers, as described above, should be handled carefully to protect the safety of the other passengers and the driver and the safe operations of the Transit System. Care should be taken by SCT employees to help ensure that resolving the situation does not make the experience even more disruptive for other passengers. The bus operator should request police and/or supervisory assistance when the situation warrants.

These situations shall be handled in a consistent manner, without regard to any Personal Characteristics of the individual(s) involved. The bus operator shall document all incidents involving disruptive passengers via SCT's Incident/Accident Report. These reports will be given to the bus operator's supervisor for review. The supervisor along with the safety security officer will review all reported incidents.

Notice of Suspension or confiscation of fare media

Written notice shall be provided to an individual regarding the suspension of the individual's riding privileges or confiscation of fare media. The notice shall be provided in person at the time of the alleged violation, except that, if providing notice in person at the time of the alleged violation is not practicable, then the District shall make a reasonable effort to provide notice to the individual by either personal service, by mailing a copy of the notice by certified mail, return receipt requested, and first-class mail to the person's current address, or by emailing a copy of the notice to an email address on file, if available. If the person is known to be detained in jail, service shall be made as provided under Section 2-203.2 of the Code of Civil Procedure. The written notice shall be sufficient to inform the individual about the following:

- (1) the nature of the suspension of riding privileges or confiscation of fare media;
- (2) the person's rights and available remedies to contest or appeal the suspension of riding privileges or confiscation of fare media and to apply for reinstatement of riding privileges; and
- (3) the procedures for adjudicating whether a suspension or confiscation is warranted and for applying for reinstatement of riding privileges, including the time and location of any hearing.

The hearing process to determine whether a suspension or riding privileges or confiscation of fare media is warranted, and the length of the suspension shall be concluded within 30 business days after the individual receives notice of the suspension or confiscation.

Notwithstanding any other provision of this Section, no person shall be denied the ability to contest or appeal a suspension of riding privileges or confiscation of fare media, or to attend a hearing to determine whether a suspension or confiscation was warranted, because the person was detained in a jail.

Hearing Process

The District's administrative suspension hearing process is as follows:

- (1) The Suspension Hearing Committee that will consist of the County Supervisor, Safety Security Officer, and Director of Operations, will oversee the hearing to decide whether a suspension was warranted and the length of the suspension was appropriate.
- (2) The accused and related parties, including legal counsel, may attend this hearing in person or by telephone. The location, date, and time of the hearing will be included on the notice of suspension form issued to the passenger.
- (3) The Suspension Hearing Committee shall present the suspension-related evidence and outline the evidence that supports the need for the suspension.

(4) The accused or the accused's legal counsel can present and may make an oral or written presentation and offer documents, including affidavits, in response to the Suspension Hearing Committee's evidence.

(5) The Suspension Hearing Committee shall make a finding on the suspension.

(6) The value of unexpended credit or unexpired passes shall be reimbursed upon suspension of riding privileges or confiscation of fare media.

(7) The alleged victims of the violation and related parties, including witnesses who were present, may attend this hearing in person or by telephone.

(8) The alleged victims of the violation and related parties, including witnesses who were present, can present and may make an oral or written presentation and offer documents, including affidavits, in response to the Suspension Hearing Committee's evidence.

Request For Review Determination

At the conclusion of the review, a notice of determination will be mailed (or made available by other means) to the individual that had riding privileges suspended.

Appeal

A passenger who has been issued a suspension may appeal the denial of service to the Appeal Review Board, by submitting a written request for an appeal. See Exhibit B. The written request must be received by the Appeal Review Board within ten (10) business days of the date of the notice of suspension. Upon receipt of the appeal request, the Appeal Review Board will schedule an appeal hearing with the individual. Upon the conclusion of the appeal hearing, the Appeal Review Board will render a decision on the appeal and issue a notice of determination to the passenger. A reinstatement date of transit privileges will be included on the notice of determination.