



REFERENCE #:	AG.00.02.P1
ISSUE DATE:	02/01/2024
EFFECTIVE DATE:	02/01/2024
SUPERSEDES:	New

Passenger Code of Conduct Procedure

I. Purpose

This procedure establishes the process for managing potential violations of Metra's *Passenger Code of Conduct Policy*.

II. Procedure

A. Expulsions

Metra Police Officers may expel anyone who violates Metra's *Passenger Code of Conduct* from Metra facilities by verbally ordering the person or issuing a written order to immediately exit the facilities.

B. Confiscation of Fare Media/Suspension of Riding Privileges

1. Metra Police Officers may confiscate persons' fare media and/or suspend riding privileges under the following circumstances:
 - a. The person's conduct causes another person/others to reasonably believe there is a threat to safety, including assault and battery;
 - b. The person's conduct causes another person/others to reasonably believe there is a threat of criminal sexual assault; or
 - c. The person engages in an act of public indecency.
2. In the event Metra wishes to confiscate a person's fare media or suspend riding privileges, a Metra Police Officer will provide a written notice at the time of the alleged violation, identifying:
 - a. The reasons for the confiscation of fare media/suspension of riding privileges;
 - b. The person's rights to contest or appeal the confiscation of fare media/suspension of riding privileges;
 - c. The procedure for determining whether the confiscation of fare media/suspension of riding privileges was necessary (including the time and location of a hearing); and
 - d. The procedure for reapplying for reinstatement of riding privileges.

If it is not practicable to issue a written notice at the time of the alleged violation, an authorized Metra employee will issue notice by personal service or mail the notice by certified mail, return receipt requested, and first-class mail to the person's current address.

If the person is detained in jail, Metra will follow the appropriate procedures under the Illinois Code of Civil Procedure to issue this notice to the person.

C. Timeline to Determine Whether Confiscation of Fare Media/Suspension of Riding Privileges is Necessary

Metra will conclude its investigation into whether suspension of riding privileges/confiscation of fare media is warranted within 30 calendar days of the notice of suspension/confiscation of fare media.

D. Administration of the Confiscation of Fare Media/Suspension of Riding Privileges Hearing Process

Metra's Chief Executive Officer/Executive Director (CEO/ED) is designated to oversee the administrative process and make a recommendation on whether a confiscation of fare media/suspension of riding privileges is warranted. The CEO/ED may delegate that responsibility to another Metra employee ("hearing official"). The hearing official will contact any alleged victims and/or relevant witnesses to request their participation in advance of the hearing. The hearing official will also determine the length of the confiscation/suspension, if the hearing official determines confiscation/suspension is warranted. The individual whose fare media was revoked or riding privileges were suspended may bring legal counsel to the hearing. Metra counsel may participate in the hearing as necessary. A court reporter will transcribe each hearing.

The individual whose fare media was revoked, and any victims/witnesses, may attend the hearing in person, by telephone, or virtually.

The hearing will proceed as follows:

1. Metra will present its evidence supporting the need for confiscation of fare media/suspension of riding privileges.
2. The individual whose fare media was revoked or riding privileges were suspended or the individual's legal counsel will then have the opportunity to respond to Metra's evidence by making a presentation (oral or written) and/or offering documents to refute Metra's evidence. These documents can include affidavits.
3. The alleged victims of the violation and witnesses/related parties may also make a presentation (oral or written) and/or offer documents in response to Metra's evidence.
4. Metra's hearing official will then make a finding regarding the confiscation of fare media/suspension of riding privileges.
5. If Metra's hearing official determines that confiscation/suspension is necessary, the official will provide the individual with a written notice of the findings. This notice will outline the steps necessary to appeal the confiscation/suspension.
6. If the hearing official determines that confiscation/suspension is warranted, Metra will reimburse the individual for the value of remaining credits or unexpired passes as of the date of the confiscation/suspension.

E. Appeals Process

Appeals will proceed as follows:

1. A suspended rider must contact Metra to request an appeal. The appeal request can be made via telephone by calling (312) 542-8383, which is a monitored voicemail account, and leaving their callback information. Alternately, the appeal request can be made by emailing riderappeals@metrarr.com.
A Metra representative will respond to the requesting individual to confirm logistics, including the hearing date and time, and hearing format (web conference, teleconference, or in-person).
2. Metra will designate an official to oversee the appeal process ("appeal official"). The appeal official will be a different person than the hearing official.
3. The appeal official will review the evidence and hearing transcripts to determine whether the confiscation/suspension should be upheld.

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Suspended riders have the right to two appeals after Metra’s finding. If the length of the suspension is longer than one year, a suspended rider may petition Metra to reinstate ridership privileges one calendar year after Metra’s suspension finding.

F. Quarterly Reporting of Confiscations/Suspensions

Metra’s Chief Executive Officer/Executive Director will delegate the responsibility to oversee the process of quarterly reporting information regarding confiscations/suspensions as outlined in Metra’s Passenger Code of Conduct Policy to another Metra employee. This information includes the number of individuals subject to confiscation of fare media/suspension of riding privileges, the individuals’ demographic information, the conduct leading to the confiscations/suspensions, the locations and/or descriptions of the locations where the conduct occurred, the citations to the statutory authority for which the persons were arrested/charged (if applicable), the dollar amount remaining on the fair media (if any), and the confiscation/suspension lengths.

III. Approval

(Signature on file)

James M. Derwinski, CEO/Executive Director

Date

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IX. History

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