

# **Staff Study: Operator Safety and Security Environment Review (Paratransit)**

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*Prepared for:*  
Chief Executive Officer

Final

9/1/2017



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CHIEF EXECUTIVE OFFICER

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To: STA Employees  
From: E. Susan Meyer, Chief Executive Officer  
Date: September 6, 2017  
Subject: Safe Environment Study

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The physical assault of a coach operator was the catalyst for us to conduct an extensive review of the safety of all our operators when it comes to customer conflicts.

As I said in my message to you on March 15, Spokane Transit's first priority is, and always will be, the safety of employees and the public we serve. In the wake of a grievous event, we took the opportunity to learn from our experiences and improve our performance. Our Safety Committee conducted a detailed review and produced concrete results. I am now reporting back that our study is complete and we are implementing its recommendations.

Two teams from the Safety Committee reviewed all incidents of verbal threats and physical assaults over the last five years. One team specifically addressed Paratransit incidents and one team addressed Fixed Route incidents. Both teams are to be commended for their teamwork and objectivity they brought to the task.

The major results from the study are as follows:

1. Assaults and verbal threats continue to be relatively rare events. When they have occurred, we have been very successful in identifying and detaining assailants.
2. We improved follow up actions with the operator involved.
  - a. Operators will be relieved after any physical assault or serious verbal threat.
  - b. Department manager will conduct a review of the event with the operator involved.
  - c. There will be a follow up treatment program for the operator involved.
3. We improved and standardized notification and response procedures.
4. Our existing operator procedures and policies are proven to be effective best practices.
  - a. These procedures will be augmented with further de-escalation and self-defense training.
5. An implementation or test plan is in place for various equipment changes.
  - a. Fixed Route will add an on-board audible message that reminds customers that they are under audio and video surveillance.
  - b. Paratransit implemented a new emergency notification capability using the MDC and an open microphone.
  - c. Additional camera locations/positions will be tested for both vans and buses.
  - d. Fixed Route will test driver shields.

The complete study, with its specific recommendations, is available in the drivers' rooms. You can also obtain a copy from your Department Manager.

# OPERATING NOTICE



**TO:** Paratransit Supervisors and Van Operators **CONTROL NO.:** 2017-002  
**FROM:** Steve Blaska, Director of Operations  
**DATE:** September 8, 2017  
**SUBJECT:** Operator Safety and Security Environment Review

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Spokane Transit has just completed a comprehensive review of all Paratransit assault incidents over the last five years. The review was conducted by team from our Safety Committee. It consisted of: Human Resources Director, Operations Director, Safety and Security Manager, Paratransit Department Manager, Paratransit Supervisor/Union representative, and a Van Operator/Union representative.

The objective of the review was fivefold:

1. Obtain a shared perspective of the frequency and severity of driver assaults.
2. Review all procedures pertaining to the organization's response to assault situations. Recommend improvements to those procedures.
3. Review operator actions in these situations to evaluate best practices and enhance training.
4. Develop a standard definition of level of assaults in order to better track incidents and systematize procedures.
5. Identify additional safety/security equipment for our vehicles or personnel. Establish a follow up plan to test candidate capabilities on our vehicles.

## Overall Findings

1. Although any incident where a physical assault or verbal threat occurs is a serious event, fortunately these incidents are rare.
2. It is important to communicate with the operator involved in an assault so he/she has a complete understanding of what actions occurred during the response and post-incident follow up.
3. De-escalation techniques are invaluable and may have prevented some of the incidents that led to a verbal threat or physical assault.
4. STA needs to standardize our procedures and training across the organization in how we consistently handle these events.
5. Clear communications between Dispatch and Operator is essential.

## Specific Actions

1. Operators
  - a. Operators will receive additional training in de-escalation techniques and self-defense techniques. Lessons learned from this comprehensive review and outreach to other agencies' training will be integrated into this training.
  - b. Operators will be relieved after any physical assault and assessed to be relieved after a verbal threat.
2. Dispatch & Supervisors
  - a. Dispatch checklist will document detailed steps for notification, response, communications, and post event actions.
  - b. Supervisors will be trained on how to ask probing questions to comprehend the severity of the event.

3. Department Leaders

- a. The Department Manager or designee will conduct a post-event session for every event. The purpose is to ensure the operator understands all actions that occurred and what the consequences were for the assailant.

4. Administrative Actions

- a. A subgroup of the Safety Committee will review all assaults to review procedures were followed and discover lessons learned.
- b. STA will obtain legal guidance to maximize the consequences to an individual who assaults an STA employee.

5. Equipment Testing

- a. The new on board emergency communication system (orange button) will be implemented.
- b. Additional camera positions will be tested to improve the overall coverage of events on the van.

The above summary represents the major actions identified by the team from the Safety Committee. Each of these major actions includes many specific improvements to training and procedures that are too detailed to do justice in a summarized report. If any employee is interested in more details feel free to discuss this with any member of the committee.

## PARATRANSIT ASSAULT DEFINITIONS

An important first step in any study is to define the issue to be addressed. Our research led us to adopt the American Public Transportation Association (APTA) definition of an assault. This definition includes both physical acts and a verbal exchange that includes a threat. The APTA definition is valuable but it failed to provide guidance as to how to categorize levels of assault.

The Canadian Urban Transit Association (CUTA) has adopted specified assault levels that we found useful in categorizing the severity of events.

Therefore, Spokane Transit adopts APTA's definition of assault and adopts the assault severity categories outlined by CUTA. We also roughly equate the CUTA severity levels to existing Washington State statutes that define degrees of assault. The Washington State statutes are listed in Appendix 1.

### Assault Definition

**America Public Transportation Association (APTA) Definitions:** Overt physical and verbal acts by a passenger that interfere with the mission of a transit worker to complete his/her scheduled run or other duties safely, and that adversely affect the safety of the transit employee or customers.

### Assault Categories

**Canadian Urban Transit Association (CUTA)** goes farther than APTA and defines specified assault levels. CUTA directly ties assault levels to specific offenses established in the criminal code of Canada. The US system has no such direct ties, but we have made rough approximations to Washington State laws.

### Assault Level 1

A person commits an assault when:

- a. without the consent of another person, he applies force intentionally to that other person, directly or indirectly;
- b. he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or
- c. while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person or begs.

### **Layperson Interpretation**

**A Level I Assault** means applying force to another person, directly or indirectly, without consent. It can also mean an attempt or threat, by act or gesture, to apply force to another person. The interpretation of intent is with the intended victim. If he/she believes that the other person has the present ability to effect the assault, then intent can be established. If the perpetrator is visibly armed with a weapon, or an imitation of a weapon, and also begs, this combined situation could be classified a Level I assault. The issue of begging refers to someone who asks you something without an explicit threat, e.g. a street-person asks you for money politely, but then shows you that they have a weapon in their belt, intimating that if you don't comply, they will harm you.

Usually, with this type of offense there is little or no injury to the victim.

### **Examples:**

- slaps, punches, kicks, pushes, or applying force in some other manner to another person. (not in the head)
- spits on another person.
- threatens with gesture (no verbal threat) to assault another person with the victim believing that the person can or will do it. I.e. throwing a punch, but missing.
- begs while visibly wearing a weapon (gun, knife). Begging can be money or bus travel.

Assault Level 1 is roughly equivalent to a violation of **RCW 9A.36.031 (Assault in the third degree)**

### **Assault Level 2**

A person who, in committing an assault:

- a. carries, uses or threatens to use a weapon or an imitation thereof, or
- b. causes bodily harm to the complainant

### **Layperson Interpretation**

Means that an individual carries, uses or threatens to use, a weapon or imitation; or causes bodily harm to the other person.

Usually, with this type of offence; there is some injury, but with no hospitalization to the victim.

### **Examples**

- injuring the other person where medical aid is required , but no hospitalization
- using a weapon or threatens to use a weapon during the assault.

Assault Level 2 is roughly equivalent to a violation of **RCW 9A.36.021 (Assault in the second degree)**

### **Assault Level 3**

A person who, in committing an assault: wounds, maims, disfigures or endangers the life of the complainant.

### **Layperson Interpretation**

Means to wound, maim, disfigure, or endanger the life of the other person.

Usually with this type of offence, there is hospitalization of the victim. This is the most grievous kind of assault there is.

### **Examples**

- grievous harm to the victim as a result of the assault, that could include broken limbs, amputations, loss of sight, disfigurement (such as bad facial scarring), or would put the victim's life in peril as a result of the assault (i.e., a coma).

Assault Level 3 is roughly equivalent to a violation of **RCW 9A.36.011 (Assault in the first degree)**

## APPENDIX #1 - STATE STATUES

### RCW 9A.36.011

#### Assault in the first degree.

1. A person is guilty of assault in the first degree if he or she, with intent to **inflict great bodily harm**:
  - a. Assaults another with a firearm or any deadly weapon or by any force or means likely to produce great bodily harm or death; or
  - b. Administers, exposes, or transmits to or causes to be taken by another, poison, the human immunodeficiency virus as defined in chapter 70.24 RCW, or any other destructive or noxious substance; or
  - c. Assaults another and inflicts great bodily harm.

### RCW 9A.36.021

#### Assault in the second degree.

1. A person is guilty of assault in the second degree if he or she, under circumstances not amounting to assault in the first degree:
  - a. Intentionally assaults another and thereby recklessly inflicts **substantial bodily harm**; or
  - b. Intentionally and unlawfully causes substantial bodily harm to an unborn quick child by intentionally and unlawfully inflicting any injury upon the mother of such child; or
  - c. Assaults another with a deadly weapon; or
  - d. With intent to inflict bodily harm, administers to or causes to be taken by another, poison or any other destructive or noxious substance; or
  - e. With intent to commit a felony, assaults another; or
  - f. Knowingly inflicts bodily harm which by design causes such pain or agony as to be the equivalent of that produced by torture; or
  - g. Assaults another by strangulation or suffocation.

### RCW 9A.36.031

#### Assault in the third degree.

1. A person is guilty of assault in the third degree if he or she, under circumstances not amounting to assault in the first or second degree:
  - a. With intent to prevent or resist the execution of any lawful process or mandate of any court officer or the lawful apprehension or detention of himself, herself, or another person, assaults another; or
  - b. Assaults a person employed as a **transit operator or driver, the immediate supervisor of a transit operator or driver, a mechanic, or a security officer, by a public or private transit company or a contracted transit service** provider, while that person is performing his or her official duties at the time of the assault; or
  - c. Assaults a school bus driver, the immediate supervisor of a driver, a mechanic, or a security officer, employed by a school district transportation service or a private company under contract for transportation services with a school district, while the person is performing his or her official duties at the time of the assault; or

- d. With criminal negligence, **causes bodily harm** to another person by means of a weapon or other instrument or thing likely to produce bodily harm; or
- e. Assaults a firefighter or other employee of a fire department, county fire marshal's office, county fire prevention bureau, or fire protection district who was performing his or her official duties at the time of the assault; or
- f. With criminal negligence, **causes bodily harm accompanied by substantial pain** that extends for a period sufficient to cause considerable suffering; or
- g. Assaults a law enforcement officer or other employee of a law enforcement agency who was performing his or her official duties at the time of the assault; or
- h. Assaults a peace officer with a projectile stun gun; or
- i. Assaults a nurse, physician, or health care provider who was performing his or her nursing or health care duties at the time of the assault. For purposes of this subsection: "Nurse" means a person licensed under chapter [18.79 RCW](#); "physician" means a person licensed under chapter [18.57](#) or [18.71 RCW](#); and "health care provider" means a person certified under chapter [18.71](#) or [18.73 RCW](#) who performs emergency medical services or a person regulated under Title [18 RCW](#) and employed by, or contracting with, a hospital licensed under chapter [70.41 RCW](#); or
- j. Assaults a judicial officer, court-related employee, county clerk, or county clerk's employee, while that person is performing his or her official duties at the time of the assault or as a result of that person's employment within the judicial system. For purposes of this subsection, "court-related employee" includes bailiffs, court reporters, judicial assistants, court managers, court managers' employees, and any other employee, regardless of title, who is engaged in equivalent functions; or
- k. Assaults a person located in a courtroom, jury room, judge's chamber, or any waiting area or corridor immediately adjacent to a courtroom, jury room, or judge's chamber. This section shall apply only: (i) During the times when a courtroom, jury room, or judge's chamber is being used for judicial purposes during court proceedings; and (ii) if signage was posted in compliance with [RCW 2.28.200](#) at the time of the assault.

## **RCW 9.66.010**

### **Public nuisance.**

A public nuisance is a crime against the order and economy of the state. Every place

- 1. Wherein any fighting between people or animals or birds shall be conducted; or,
- 2. Wherein any intoxicating liquors are kept for unlawful use, sale or distribution; or,
- 3. Where vagrants resort; and

Every act unlawfully done and every omission to perform a duty, which act or omission

- 1. Shall annoy, injure or endanger the safety, health, comfort, or repose of any considerable number of persons; or,
- 2. Shall offend public decency; or,
- 3. Shall unlawfully interfere with, befoul, obstruct, or tend to obstruct, or render dangerous for passage, a lake, navigable river, bay, stream, canal or basin, or a public park, square, street, alley, highway, or municipal transit vehicle or station; or,
- 4. Shall in any way render a considerable number of persons insecure in life or the use of property.

## PARATRANSIT SAFETY EVALUATION CHECKLIST

The committee reviewed all the incidents of physical assault or verbal threats over the last five years. The incidents were identified from existing records as well as soliciting employees for any incident that they recalled. Nine incidents were identified for review.

The committee reviewed driver reports, dispatch reports, supervisor reports, security reports and video and audio (as available) of each event.

The summarized results are in the table below. The checklist that was used during the review process is attached (Attachment 1) as well as documentation of each, individual event (Attachment 2).

Paratransit				
Year	Occurrences	Incident	Result	Comments
2012 (4) 2013 (2) 2015 (2)	8	Hit on body/arm	Suspended from service 10 to 180 days	Level #2 = 1 Level #1 = 7
2017	1	No assault/threat		Level 0 = 1

### General interpretations

1. Each of these 8 assaults is a serious offense and STA will aggressively pursue consequences to the assailant. However, the good news is that these events are still infrequent in Spokane. Over the 5 year period, Paratransit delivered over 2 million passenger trips. This interpretation does not minimize the severity of any individual event, but it is helpful for operators to understand the probability of an assault is low.
2. STA's current policies and procedures in the Operator's Handbook which direct Operators to immediately contact dispatch is valid. The critical need is to call on all STA resources to respond as quickly as possible to provide assistance to an Operator in an assault situation.
3. When an event escalates, clear and consistent communication between the operator and dispatch is critical.
4. Existing client files proved to be invaluable in tracking the behavior of customers who have been difficult in the past. A methodology to communicate potentially problematic passengers to operators may have been useful in several cases.
5. Unlike Fixed Route, none of the assaults were the result of an escalation from a fare dispute or enforcing Rules of Conduct. Paratransit assaults have been the consequence of the disability or medical condition of the client who acts out against the driver or other passengers.
6. Paratransit training requirements in de-escalation techniques and self-defense are entirely different from Fixed Route. The nature of the risk from unruly passengers is based on their medical or psychological conditions. STA will reach out to other agencies that cater to this clientele to seek out relevant training conducted for their employees.
7. A physical barrier in the driver compartment is irrelevant for Paratransit.

Attachment 1

Safety Evaluation Form

Fixed Route

Paratransit

Name (Committee Member) \_\_\_\_\_

Date \_\_\_\_\_

Date of incident:

Time of incident:

Driver Involved:

Precipitating Event:

**Packet Review**

	YES	NO	N/A	Response Time
Supervisor Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Security Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Driver Report	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Video	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Audio	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Other Documentation (please list):

\_\_\_\_\_  
\_\_\_\_\_

Were there any exceptions to procedure? Y/N please explain: \_\_\_\_\_

\_\_\_\_\_

Would a driver's shield or any other device have helped to prevent the assault? **Yes** or **No** and reason:

\_\_\_\_\_

What additional training (if any) would be helpful to prevent future occurrences?

\_\_\_\_\_

\_\_\_\_\_

Level of Assault:      1    2    3

Other Recommendations:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## PARATRANSIT

Route Number	Customer Number	Event Description	Driver	Type and Other Information	Level of Assault (0,1,2,3)	Outcome	Possible role for barrier (Yes/No)
109	# 26166	Operator reported that client struck another client while deboarding, hit her in the shoulder and bent her left thumb back.	C Bloom	Physical-struck	2	60 day suspension	No
152	# 33848	Operator reported customer hit her twice while approaching the van	T Taie	Physical-struck	1	60 day suspension	No
130	# 29080	Operator reported customer hit him in the chest and also another passenger in forearm.	K Smith	Physical-struck	1	180 day suspension	No
119	Wheeler	Operator reported that the client struck her and yelled at her.	K Yeats	Physical-struck	1	60 day suspension	No
153	# 10550	Operator reported the customer pushed her and punched her.	T Taie	Physical-struck	1	180 day suspension	No
112	# 29080	Operator reported client hit her before boarding then hit another client.	J Thornton	Physical-struck	1	60 day suspension	No
134	# 42934	Opeartor reported client verbally and physically assaulted the operator.	A Torres	Physical-struck	1	60 day suspension	No
128	# 37934	Operator reported client tore parts of seatbelt casing off and threw them at her.	K Hirst	Physical-struck	1	10 day suspension	No
	# 5435	Operator reported client pushed shoulder into Operator's hip when removing securements.	J Cassell	Physical-struck	0	No Change	No

## Van Operator Procedures for 911 Emergency Situations

- Determine the “911” emergency situation and assess the level of direct threat and danger to self and others (i.e.: threat of bodily harm, vehicle fire or medical emergency)
- Determine the appropriate emergency mode(s) of communications with dispatch

### Voice Radio

Communicate via the shared radio system - others will hear any communicated information. If contacting Dispatch by voice over the Radio, Operators must:

#### Provide Dispatch with the following information:

1. Identify run number
2. Clearly communicate that this is a “911 Emergency”
3. Give the nature of the emergency ( Identify involved or not-involved)
4. Give specific location of the vehicle
5. Make specific request for police, fire department, and/or medical assistance
6. Continue to provide information and updates on radio on an as-needed basis
7. Follow directions from Dispatch, Emergency Responders, and or Supervisors
8. All other Operators maintain radio silence

## Emergency Button Activation

### 1. PRESS THE ORANGE EMERGENCY BUTTON ON THE RADIO FOR AT LEAST 1 SECOND

- Dispatch will receive an emergency alarm and the radio will change to an “Open Mic” mode for sixty seconds
  - For the duration of the next sixty seconds, the radio mic will remain open (keyed) and Dispatch, Supervisors, and Security will be able to hear communication from the van
- During this sixty second period, Dispatch will not be able to communicate with the Operator over the radio
- Dispatch will send an MDC message to the affected van:
  - Route XXX, base is 10-6
  - This will be a message to the driver to inform them that the emergency message has been received and Dispatch is responding
  - There is no need to acknowledge or respond to this message

#### A. IF YOU ARE ABLE TO TALK:

- a. Use short sentences that updates the situation.
  - i. State the situation
  - ii. State your location
  - iii. Include any information Emergency Services might need
  - iv. Repeat yourself
- b. Dispatch may communicate back with you over voice or MDC if they determine it will benefit your situation

#### B. IF YOU CANNOT TALK:

- a. While waiting for assistance to arrive, do not put yourself or passengers in harm’s way
- b. Dispatch will **NOT** attempt to contact you (Voice or MDC) during the incident
  - i. This protects exposing a discrete situation to an attacker
- c. You, or a responding supervisor, will need to notify Dispatch if/when the event is resolved

**Regardless of the communication by the Van Operator after the Emergency button is activated, Emergency Services will be in route.**

## Dispatch 911 Emergency Response Procedures

### Voice Radio

In the event of a 911 Emergency notification received via voice radio, the Dispatcher who is on the radio shall proceed with the following steps:

1. Initiate an emergency log sheet to record all pertinent information to forward to a Supervisor, such as:
  - A description of the incident
  - Vehicle number
  - Time
  - Vehicle location
  - Last and next pick up/drop off addresses
  - Names of customers on board
  - Any other useful trip related information
2. Contact appropriate emergency support, i.e.: law enforcement, fire department, and/or medical assistance by calling 911. Document contact times on the Emergency Log Sheet
3. Ask all other Operators on the radio to maintain radio silence until further notice and send a canned message/radio silence
4. Notify a Supervisor of the emergency situation and provide written documentation of emergency data collected
5. Reassure Van Operator that emergency assistance has been dispatched
6. Solicit information associated with emergency incident
7. Prioritize the monitoring of radio to support the Operator and responding Supervisor
8. Notify **ONE** of the following in order of priority:
  - Paratransit Supervisor, x6026. If a Supervisor cannot be reached:
  - Paratransit Manager, x6015
  - STA Security, x6817
  - Fixed Route Dispatch, x6040, x6041
9. Provide updates as additional emergency information is received

## Discrete Emergency Notification

In the event of a Discrete Radio Emergency notification, all Dispatcher radio systems will receive a PT Emergency notification.

1. Click on the PT Emergency band on the radio computer screen, click the drop down and click the Red Cross in order to receive "Hot Mic" communication from only the van experiencing the emergency and turn up the volume on their speaker to hear more clearly.
2. Contact appropriate emergency support, i.e.: law enforcement, fire department, and/or medical assistance by calling 911. Determine the location of the vehicle using AVL.
3. Dispatch will send an MDC message to the operator experiencing the emergency.
  - Dispatch will send an MDC message to the affected van:
    - Route XXX, base is 10-6
4. Enlist assistance. Any personnel that were alerted to the Emergency Tone should report to the dispatch office to help as needed
5. Notify **ONE** of the following in order of priority:
  - Paratransit Supervisor, x6026. If a Supervisor cannot be reached:
  - Paratransit Manager, x6015
  - STA Security, x6817
  - Fixed Route Dispatch, x6040, x6041
6. Solicit information associated with emergency incident
7. Provide updates as additional emergency information is received
8. Initiate an emergency log sheet to record all pertinent information to forward to necessary personnel, such as:
  - Description of the incident
  - Vehicle number
  - Time
  - Last GPS location reading
  - Last and next pick up/drop off addresses
  - Names of customers on board
  - Any other useful trip related information



## DISPATCH CHECKLIST

1. CLICK ON THE PT EMERGENCY "RED CROSS"
2. TURN UP THE VOLUME
  - LISTEN FOR INFORMATION THAT INDICATES NATURE/LOCATION OF EMERGENCY
3. WHEN "OPEN MIC" PERIOD IS COMPLETE DO NOT ATTEMPT TO CONTACT OPERATOR BY VOICE. SEND MESSAGE OVER MDC "ROUTE XXX, BASE IS 10-6"
4. ENLIST ASSISTANCE IF POSSIBLE
5. CALL 911
6. LOCATE THE VEHICLE USING AVL
7. IDENTIFY
  - VEHICLE NUMBER
  - LOCATION OF VEHICLE
  - NAMES OF CUSTOMERS ON BOARD
  - NATURE OF INCIDENT (IF POSSIBLE)
8. CONTACT – REACH **ONE** OF THE FOLLOWING IN ORDER OF PRIORITY
  - SUPERVISOR           x6026
  - JANET                   x6015
  - SECURITY               x6817
  - FR DISPATCH          x6040 or x6041
9. EMERGENCY LOG CAN BE COMPLETED AS TIME ALLOWS
10. KEEP NOTES TO ASSIST IN COMPLETION OF EMERGENCY LOG

## Supervisor 911 Emergency Response Procedures

All notifications of an emergency should be prioritized and responded to in a rapid manner.

1. Obtain information from Dispatch
2. Prepare to go to the location of the emergency. Collect the following before leaving:
  - Accident Kit
  - Cell Phone
  - Portable radio
  - Note Pad for recording
3. Notify Transportation Manager of the 911 emergency or if not available, delegate another staff person within the department to locate/notify the department manager of the emergency in progress
4. Contact Security
5. Go to the location of the emergency
6. Monitor all radio communications to solicit/gather additional information
7. Notify dispatch of the time of arrival at the emergency scene
8. If you are not certain of what the emergency is (i.e.: MDC silent alarm) approach the vehicle cautiously or wait for back-up support
9. At the scene of the emergency, the supervisor assumes responsibility and authority for Spokane Transit
10. Continue monitoring radio communications via portable radio. Provide updates to the status of the emergency
11. Provide back-up support as needed
12. Relieve Operator from their shift
13. Access the operator for critical incident response support needs and make appropriate referral
14. Complete written documentation of the emergency response
15. CMIST
16. Nurse Triage Hotline



## **Supervisor Checklist**

1. Obtain details of the incident from Dispatch.
2. Notify Transportation Manager. If Manager is not immediately available assign notification task to another employee.
3. Take accident kit, cell phone, portable radio and respond to the scene.
4. Monitor the radio while you are in route.
5. Upon arrival assess the situation and approach the vehicle appropriately.
6. If emergency personnel have not arrived assist as appropriate.
7. Once emergency personnel arrive stand down and let them manage the scene.
8. Take pictures if situation warrants it and if it is appropriate to do so.
9. As soon as possible offer support and assistance to the Van Operator.
10. Provide updates to the Transportation Manager on a regular basis.
11. Transport Operator to medical facility or back to base as appropriate.
12. Contact critical incident response support for the Operator if appropriate.
13. Have Operator complete and submit a Van Operator Report or Incident Report.
14. Complete and submit a Supervisor Investigation Report.

## PARATRANSIT POST ASSAULT ADMINISTRATIVE CHECK LIST

### **Paratransit Manager 911 Emergency/Assault Response Procedures**

1. Upon notification of the emergency or assault call Director of Operations and provide the name of the Operator, location of the incident, details of any known injuries or vehicle damage, time of the incident and current response details.
2. Go to Dispatch and verify that emergency response protocol is being followed and provide support and assistance as necessary.
3. Provide updates to Director of Operations as the situation unfolds. Updates should be provided at regular intervals even if no new information is available.
4. When the Supervisor and Operator return to base let the Supervisor brief you on the situation and offer support to both the Supervisor and the Operator.
5. If the Operator does not return to work the next day, follow up with a phone call.
6. Once the Operator returns to work let them know that there is an investigation of the incident in progress.
7. When the investigation is complete meet with the Operator and let them know how the situation was resolved.
8. A listing will be posted of Paratransit customers who have been suspended from service due to inappropriate and/or violent behaviors towards either an Operator or another customer. This information will remain posted for approximately two (2) weeks past the suspension return-to-service date. Operators shall review the posting on a regular basis and maintain confidentiality of those customers involved.
9. Manager will notify Union of the status of the event.

### **Post Assault Administrative Check List**

1. Video request form filled out with assigned Supervisor
  - Supervisor signs original
2. Obtain a Trapeze Schedule Editor (SchedEd) screenshot of route that includes the day/time of event
3. Process Van Operator Report (VOR) of the event
4. Process Van Operator Incident Report of the event
5. Process any additional documentation related to the event
6. Scan all hard copies into one PDF - Use Photo setting for maximum quality
  - Video request
  - Trapeze SchEd screenshot
  - Driver VOR
  - Driver Incident Report
  - Any additional documentation
7. Rename file with "OperatorLastName, FirstName-Date" format
8. Save to secure file
9. Provide 2 hard copies of incident to the Paratransit Manager (Janet)

- Send Original Signed Video request (with documentation) and PDF Copy to Paratransit Manager (Janet)
- Paratransit Manager signs and sends original copy to Director of HR/ HR Assistant (Erika/Nancy)
- Assigned Supervisor receives Hard/Soft copy of PDF with all documentation
- Scan individual reports into appropriate folders
  - Rename as applicable
- Client info
  - Trapeze Certification Workstation Documents tab
    - Enter Information that describes event
    - Attach scanned PDF of documentation
- Paratransit Rules of Conduct Sanction/Exclusion Guidelines
  - Determine where the event falls within the suspension matrix
  - Prepare warning/suspension letter to be sent to client
    - For a **warning**:
      - Sign the warning letter
      - Mail letter
      - Document that warning letter was sent into the customer’s Client File
      - Attach the letter to the customer’s Client File
      - Save the file in the Customers folder with a “ClientLastName, FirstName-Date-Warning Type” format
    - For a **suspension**:
      - Enter the suspension dates into the letter
      - Sign and initial the warning letter
      - Mail letter
      - Document that Suspension letter was sent into the customer’s Client File
      - Attach the letter to the customer’s Client File
      - Enter the suspension dates into the customer’s Client File Certification tab
      - Save the file in the Customers folder with a “ClientLastName, FirstName-Date-Suspension Type” format
      - The Paratransit Manager receives a soft copy of the suspension letter via email

## *How to De-escalate a Situation*

### **1. Be Empathic and Non-judgmental**

- ✓ Try not to judge or discount their feelings
- ✓ Whether or not you think those feelings are justified, they are real to the other person
- ✓ Pay attention to them
- ✓ Keep in mind that whatever the person is going through, it may be the most important thing in their life at the moment

### **2. Respect Personal Space**

- ✓ If possible, stand 1.5 ft. to 3 ft. away from a person who's escalating
- ✓ Allowing personal space tends to decrease a person's anxiety
- ✓ It can help you prevent acting-out behavior

### **3. Use Nonthreatening nonverbal**

- ✓ The more a person loses control, the less they hear your words and re-act to your nonverbal communication
- ✓ Be mindful of your gestures, facial expressions, movements and tone of voice
- ✓ Keeping your tone and body language neutral will go a long way toward defusing a situation.
- ✓ Open arms with palms turned towards them and open

### **4. Avoid Overreacting**

- ✓ Remain calm, rational and professional
- ✓ While you can't control the person's behavior, how you respond to their behavior will have a direct effect on whether the situation escalates or defuses
- ✓ Positive thoughts like "I can handle this" and "I know what to do" will help you maintain your own rationality and calm the person down

### **5. Focus on Feelings**

- ✓ Facts are important, but how a person feels is the heart of the matter
- ✓ Watch and listen carefully for the person's real message
- ✓ Try saying something like "I understand your frustration"
- ✓ Supportive words like these will let the person know that you understand what's happening – and you may get a positive response

### **6. Ignore Challenging Questions**

- ✓ Answering challenging questions often results in a power struggle
- ✓ When a person challenges your authority, redirect their attention to the issue at hand
- ✓ Ignore the challenge, but not the person
- ✓ Bring their focus back to how you can work together to solve the problem

## **7. Set Limits**

- ✓ If a person's behavior is belligerent, defensive or disruptive, give them clear, simple and enforceable limits
- ✓ Offer concise and respectful choices and consequences
- ✓ A person who's upset may not be able to focus on everything you say
- ✓ Be clear, speak simply, and offer the positive choice first

## **8. Allow silence for reflection**

- ✓ It can give a person a chance to reflect on what's happening
- ✓ And how he or she needs to proceed
- ✓ Believe it or not, Silence can be a powerful communication tool

## **9. Allow time for decisions**

- ✓ When a person is upset, they may not be able to think clearly
- ✓ Give them a few moments to think through what you've said
- ✓ A person's stress rises when they feel rushed
- ✓ Allowing time brings calm

## PARATRANSIT EXCLUSION GUIDANCE

STA will pursue the most the most stringent punishment allowable to perpetrators of an assault on an STA employee. This includes any engagement or input STA can have with the court or prosecutor.

STA also has at its disposal the ability to exclude perpetrators from service. As a result of this study we have requested our legal counsel to investigate how we may be able to improve our current exclusion practices.

Our legal counsel provided the following general guidance:

*While there are no existing hard and fast rules that have been established by regulation, STA can develop specific parameters that are reasonable in light of the circumstances and facts. Courts simply use the reasonableness test.*

*Permanent exclusions are permissible and STA Rules already allow for that and for STA discretion in setting the length of time. I am envisioning an internal policy and training matrix like Paratransit has in place.*

Legal counsel is researching detailed guidance on the following questions.

1. Is there a way to tie severity of assault to length of exclusion from service?  
We do have the ability to permanently exclude someone from service. Could you provide us with some parameters that would be associated with various levels of exclusion for assaults?
2. Can certain conditions be set before an assailant is allowed back on the bus/van? For instance, can we require customers who have assaulted drivers or other passengers to travel with PCAs. Currently, there is no provision for the customer to have any conditions to return to service other than waiting a designated period.
3. Is there a case where multiple assault incidents by the same customer can result in a permanent exclusion? This is most relevant in Paratransit.

## PARATRANSIT VANS – EQUIPMENT CHANGES

Staff have submitted the following equipment changes/tests:

- On board emergency communication system (orange button) has been implemented on radios
- Additional on-board cameras will be tested to improve the overall coverage of events on the van. One of the new vans will serve as the test vehicle to evaluate four potential positions

Spokane Transit has just completed a comprehensive review of all Paratransit assault incidents over the last five years. The review was conducted by team from our Safety Committee. It consisted of: Human Resources Director, Operations Director, Safety and Security Manager, Paratransit Department Manager, Paratransit Supervisor/Union representative, and a Van Operator/Union representative.

The objective of the review was five fold:

1. Obtain a shared perspective of the frequency and severity of driver assaults.
2. Review all procedures pertaining to the organization’s response to assault situations. Recommend improvements to those procedures.
3. Review operator actions in these situations to evaluate best practices and enhance training.
4. Develop a standard definition of level of assaults in order to better track incidents and systematize procedures.
5. Identify additional safety/security equipment for our vehicles or personnel. Establish a follow up plan to test candidate capabilities on our vehicles.

**Action Plan Identified in the Review:**

**Administrative Procedures**

Sustain the Client File

- Paratransit maintains a client file that keeps a track record for each customer who has violated rules of conduct. This file provides a superb way of tracking problem customers so we can escalate the consequences of progressive behavior issues.

Client File Supporting Documents

- Supporting documents (operator report, suspension letters, etc.) need to be included for each incident. Part of the post-assault procedures should include a check that all supporting documentation has been scanned and posted.

Sustain Matrix

- Paratransit employs a matrix which outlines the procedures and escalating consequences that should be imposed. This is invaluable in assuring that we handle each customer issue consistently.

Video Request

- Annotate Assault Level on the video request.

Standardize the format of an Operator Event Report. Include a block for “assault”.

**Dispatch Procedures/Training**

Add to dispatcher procedures a checklist to follow when a driver reports an assault.

- Include instructions to dispatcher to request if the operator requires immediate Supervisor on site response. Regardless, dispatch will immediately inform Supervisors of a reported assault.

Teach dispatchers & supervisors how to use probing questions in order to develop a good picture of the situation the operator is reporting.

### Supervisor Procedures/Training

Any physical assault of an operator will result in the driver being relieved and document the event with an event report. Supervisor will assess if driver must be relieved in place or can return to base.

Verbal assaults or incident not requiring immediate relief, the Supervisor will make contact with the operator either on the road or before operator goes home that night.

Any time an assault occurs, the operator will be offered CMIST support.

If Para supervisor cannot respond in a reasonable time, call security, a FR Road Supervisor, or another van operator to respond to a developing situation. Let driver know help is on the way.

Supervisor checklist will reflect each procedure above that must be followed.

Add notes to booking files indicating customers who have been found guilty of assault.

### Department Procedures

Department Manager will debrief the individual operator involved in an assault event. By exception, this interaction could be delegated to a Supervisor.

- Debriefing will include: review of the video, follow up offer for CMIST or EAP support, review of the relevant items from the assailant's customer file, review where the customer is on the matrix, answer operator questions about the next steps for that customer.

### Operator Procedures/Training

Importance of verbal communication to dispatch & Supervisor. Paint the picture.

Stay close to the radio if possible. Let dispatch know if you will be out of contact.

Provide de-escalation training again which includes any new procedures.

Find appropriate self-protection training. Candidate activities who would have such training would be mental health or other special needs service providers.

Get tips from care providers and others as to effective techniques. E.g. take of sunglasses, refer Alzheimer patient using family member names vs where you are taking them. Specific desecalation techniques for:

- Customers with Alzheimer's
- Customers with dementia
- Customers with Autism

Train operators on the definition and levels of assault.

### Equipment Considerations

Complete the current initiative for MDC emergency alerts and open radio capabilities

Consider another on board camera looking out the passenger door and/or the wheelchair lift door.

### **Establish Common Definitions**

Adopt the APTA definition of assault and augment that general definition with the CUTA definitions of levels of assault. (Attachment A)

### **Follow Up Legal Questions**

Is there a way to tie severity of assault to length of exclusion from service?

Can certain conditions be set before an assailant is allowed back on a van? For instance, can we require customers who have assaulted drivers or other passengers to travel with PCAs. Currently, there is no provision for the customer to have any conditions to return to service other than waiting a designated period of time.

Is there a case where multiple assault incidents by the same customer can result in a permanent exclusion? Use Kyle Stacey client file as an example.

