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### **REGULAR BOARD MEETING DECEMBER 1, 2016**

#### **Motion by:**

**Directors Ridley-Thomas, Kuehl, Fasana and Garcetti**

December 1, 2016

#### **Decriminalizing Fare Evasion for Metro's Youth Riders**

With the passage of Measure M on November 8, 2016, the residents of Los Angeles County (County) have demonstrated an overwhelming desire to see an ongoing investment in public transportation. It is the responsibility of the Los Angeles County Metropolitan Transportation Authority (Metro) to build out a 21<sup>st</sup> Century transit system, and put in place the appropriate policies and programs to encourage a diverse group of riders to use this growing system. There is probably no greater pool of potential life-long riders than the youth; individuals that grow up using Metro's system to get to school, work, and recreational activities.

Currently many youth rely heavily on Metro's system, often out of necessity. 13% of Los Angeles youth live in a household without access to a car, and many more live in a single-car household and must navigate the County on their own. Students from low income households are most likely to rely on public transportation to get to school and work. However, not all youth can afford to ride the Metro system, even for these purposes. With about 23% of youth under 18 in the County living in poor households (below 100% of the federal poverty level), many lack access to disposable income to pay for fares. Lack of affordable transportation is often listed as a barrier to consistent school attendance.

For many youth, riding without paying the fare due to economic hardship, or being perceived as riding without paying the fare, has tainted the experience of using the Metro system. Youth of color in particular have been disproportionately cited for fare evasion (black youth represent 24% of MTA riders under age 18 years, but receive more than half of all youth citations for fare evasion). Fare evasion has historically been the number one reason why youth (ages 18 years and under) are cited by the County Sheriff's Department, which can result in fines and court appearances.

While Metro and the Probation Department have made some progress in diverting these citations, and Metro plans to transition fare enforcement responsibilities to Transit Security Officers in place of law enforcement officers in the attempt to further decriminalize this offense, any type of citation that requires a financial penalty or interaction with law enforcement and/or the County's Probation Department can still be detrimental to youth and their families. As an alternative to citation, Metro currently offers an online educational diversion program to help youth who received a citation reduce fines and avoid court involvement. However, less than 500 youth (out of the 9,966 cited for fare

evasion) completed the program in 2012. Moreover, youth and their families must miss school and work if they want to exercise their due process rights to contest the citation or seek alternative punishments such as community service. If a youth fails to pay fines, there are significant collateral consequences such as the loss of a driver's license, and deeper system involvement for youth already involved with the Probation Department.

Policies must be put in place that meaningfully decriminalize and minimize rates of youth fare evasion in order to better focus law enforcement and transit security services, support school attendance, reduce youth contact with the justice system, and further encourage youth to become life-long transit users.

**CONSIDER Motion by Ridley-Thomas, Kuehl, Fasana and Garcetti** to direct the Chief Executive Officer, in consultation with relevant stakeholders, to report back in writing within 160 days on an implementation plan to completely decriminalize fare evasion amongst youth transit users, including ensuring that youth are not punished for fare evasion with fines they are unable to pay, or required to interact with law enforcement agencies, including the Sheriff's Department, various Police Departments, or the County's Probation Department.