

**YOU CAN GET WITH THIS...**



**OR YOU CAN GET WITH THAT.**



**FREE LA METRO PASS  
TRANSPORTATION  
IS AN EDUCATIONAL  
RIGHT**

**THE CAMPAIGN FOR A FREE METRO PASS FOR LA COUNTY STUDENTS AND THE END TO YOUTH STOP AND FRISK, FARE EVASION TICKETING AND ARRESTS ON PUBLIC TRANSPORTATION**

This is the eighth release of a report researched and written by the Youth Justice Coalition to inform the Los Angeles County School Attendance Task Force, the County Board of Supervisors and the Metropolitan Transportation Authority (MTA) Board on the educational, social and cost benefits of a free Metro pass for LA County students, pre-school through college.

On April 4, 2013, the full LA County Education Coordinating Council (ECC) unanimously passed a resolution in support of the L.A. County School Attendance Task Force's policy recommendation (below). Since then, the YJC has sought support from the Mayor of Los Angeles, school districts throughout the county, the County Board of Supervisors, and the Metropolitan Transportation Authority (MTA) Board.

**Background**

Los Angeles County has the largest youth population and the youngest population overall of any metropolitan jurisdiction in the United States.

Increasing school attendance is essential to increasing student achievement.

Geographically, Los Angeles is the largest urban county in the United States and one of the largest counties in the world. And the county is known for its "urban sprawl" making walking to reach essential services – such as education, food, health care and employment – impossible. For many families, public transportation is their *only* form of transportation, without which they are trapped in their immediate surroundings.

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**THE CALL FOR A FREE STUDENT METRO PASS HAS BEEN ENDORSED BY THE LA COUNTY SCHOOL ATTENDANCE TASK FORCE OF THE COUNTY EDUCATION COORDINATING COUNCIL, THE CHILDREN'S DEFENSE FUND - CALIFORNIA, LABOR/COMMUNITY STRATEGY CENTER, VIOLENCE PREVENTION COALITION, AND THE YOUTH JUSTICE COALITION.**

Many Los Angeles County schools suffer the nation's lowest graduation rates, the lowest student achievement rates, and the 1<sup>st</sup> percentile nationally in student test scores.

L.A. County locks up more people than any other jurisdiction on Earth – including having the largest juvenile halls, largest youth prison system (Probation camps), largest Probation Department, most county jails, largest court system and largest Sheriffs' Department in the world. Across the U.S., 80% of the people in prison did not have a high school diploma when they were incarcerated.

The highest number of citations issued by the Los Angeles County Sheriff's Department to youth under the age of 18 is for fare evasion. Law enforcement, the courts and the Probation Department allocate millions of dollars each year toward policing this issue, and processing citations through the County's new diversion.

Even the Sheriffs Department, the Los Angeles School Police and the L.A. Unified School District Superintendent agree that fare evasion for youth under 18 should be decriminalized, and established a diversion program in response to Youth Justice Coalition youth and family members' concerns for the extreme financial and emotional costs – in fines, missed days of school and work, humiliation, and even possible arrest, detention, incarceration and criminal record – that ticketing causes.

The Metropolitan Transportation Authority (MTA) provides metro passes to students for \$24 per month, a cost that is prohibitive for far too many youth and their families. In addition, the process to get a student pass remains a confusing and costly bureaucratic burden for school districts, schools and families. Finally, far too many youth and families are still unaware that a discounted student pass even exists.

### **Resolution Passed by the Los Angeles County Education Coordinating Council**

**The Los Angeles County Education Coordinating Council will collaborate with school districts, community-based organizations, and the MTA to secure free metro passes for all students, from pre-school through college.**

### **Campaign Goals**

*The Youth Justice Coalition's goals are to:*

1. Secure a Free Metro Pass (unlimited MTA buses and train access) for LA County students, pre-school through college.

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2. Pay for the pass by ending the contract with LA County Sheriffs to patrol the Metro system and redirecting those funds toward the pass, as well as to a cheaper and more effective safety option - community intervention workers contracted in cooperation with the County's Community Development Department.
3. End the stop and frisk, fare evasion ticketing, arrests and detention of people on public transportation. These practices overwhelmingly target and criminalize youth of color, and further block youth from attending school or accessing other resources in the county.

## Justification

Of course, there is a cost in providing free transportation to all students in L.A. County. But the benefits – to youth and their families, but also to the entire population of the County – are far more numerous:

- Increased school attendance
- Increased ADA revenue (average daily attendance) to County school districts
- Increased graduation rates and matriculation to higher education and/or job training
- Increased employability of L.A. County students due to higher educational achievement
- Increased participation in after-school programs
- Redirection of current transportation costs incurred by school districts toward needed educational services
- Increased financial resources for low-income families which are then spent elsewhere, further contributing to the local economy
- Connecting youth to all the opportunities (jobs, health care, parks, recreation, etc.) that L.A. County has to offer
- Decreased police and court costs
- Redirection of court and police resources toward more serious public safety issues
- Reduction in traffic congestion and pollution by reducing automobile use

Because of these significant benefits, several cities across the U.S., including New York, Boston, San Francisco and Oakland have instituted policies that provide students with free transportation during school hours and beyond.

## FARE EVASION ENFORCEMENT COSTS AND THE IMPACT ON PUBLIC SAFETY

Law enforcement, courts and Probation offices throughout the county spend costly resources “policing” fare evasion and other minor infractions on public transportation, further diverting their attention from either preventing or intervening to address more serious harm.

**“We want to keep students who may commit minor infractions, out of the courtroom and in the classroom.”**

– LAUSD Superintendent John Deasy

The preliminary data received from the Los Angeles County Sheriffs' Department (September 2012) documents 7,622 citations issued to youth under the age of 18 on the Metro system in 2011, and 4,696 citations to between January and September in 2012. The most common tickets are issued for fare evasion but also include citations for eating, smoking, noise, littering, vandalism and possession of vandalism tools (usuallyly markers).

## THE IMPACT ON INDIVIDUAL YOUTH

1. Luis Penado was accused by Sheriffs deputies of fare evasion and possession of a fraudulent Metro pass. His Metro pass was confiscated by the deputies and ripped up in front of him. He was hand-cuffed and transported to school where he was embarrassed in front of other students and staff by being escorted into school in handcuffs. School officials confirmed that both his Metro pass and his school ID were, in fact, legitimate. At that time, sheriffs issued Penado a truancy ticket for being late to school.

2. Malik Shabazz was cited for fare evasion when he was riding the Green line to get to his high school. He did not have the \$250 needed to pay the ticket. Several months later, he was eating a Snickers bar on the stairs leading up to the Blue line Metro platform at Watts' Rosa Parks Station, when he was stopped by the Sheriffs for eating on the Metro. When they ran his name, a warrant came up for the original ticket. He was arrested and spent five days in County Jail before being arraigned in court. Recent reports indicate that a growing number of both youth and adults in Los Angeles are forced – because of financial hardship – to “erase” their fines through incarceration – a costly option for taxpayers.

3. Ronisha Butterfield was on her way to high school when the Sheriffs accused her of fare evasion, cited, and confiscated both her Metro pass and school ID. Her school had to spend an additional \$5 to issue her a new Metro pass, as well as an additional \$24 to activate it for the month. In addition, a school staff had to accompany Ronisha to Compton Court to challenge the citation. In order to get a date before the judge, the court required Ronisha to pay the \$190 “bail” on the ticket. Had the school not been at court, Ronisha would not have had the money, and therefore would have been denied her Constitutional right to challenge the ticket. Furthermore, the court dismissed all charges, but to date the court has not refunded the \$190.

## THE IMPACT ON DISTRICTS

Financially strapped school districts spend significant funds on student transportation that could be redirected toward educational services. The LAUSD alone spends upwards of \$500,000 a year on transportation for homeless and special needs youth. Even a small high school operated by the Youth Justice Coalition for 100 students must raise \$26,000 a year for student transportation.

**“Students belong in classrooms and not in the juvenile and criminal justice system.”**

– LA County Sheriff Lee Baca

The Youth Justice Coalition is seeking data from school districts on their transportation costs. As one example, below are the transportation costs for the Pasadena Unified School District (PUSD).

### **Pasadena Unified School District Student Transportation Program**

**PUSD Total Transportation Expenses:** \$3,128,682 for the 2012-2013 school year. **Allocations:** 1. Private Bus Company: \$ First Student Bus Company, Inc. - \$3, 009, 410; MTA Passes/Tap Cards - \$113,073; Special Education Parent and Taxi Reimbursement - \$ 6,199.

#### **Type of assistance provided:**

1. Limited General Education Transportation \$638,847
2. Special Education Transportation \$2,370,563
3. M.T.A. (Tap Cards) \$113,073
4. Special Ed. parent and taxi reimbursement \$6,199

**Expenses for Specific Populations:** Both Homeless and Foster care students are handled either through the General Education or Tap Card transportation programs (costs listed above). Disabled youth fall within the PUSD's Special Education Transportation (costs listed below.)

### **PROGRESS TO DATE**

Pressured by complaints from students who were subject to tickets up to \$250, arrest and incarceration for unpaid tickets that became warrants, the closing of the juvenile traffic court, and an increasing awareness on the part of school and law enforcement officials regarding the crisis of school push-out and the resulting school-to-jail track, **on Monday, September 10, 2012** the Los Angeles County Sheriff's Department, the Los Angeles County Metropolitan Transportation Authority (Metro), the Los Angeles Unified School District and the Los Angeles School Police announced **implementation of a Transit Juvenile Diversion Program** with the stated goal of "keeping juvenile students who ride the Metro buses and trains out of the criminal justice system in the event they are cited for minor infractions." and keep them in school.

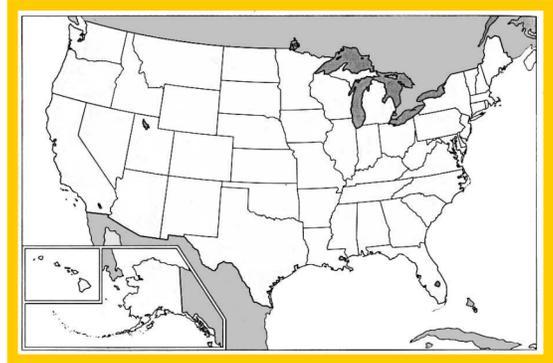
While initially, the YJC considered the agreement reached with Sheriff Baca a victory, the "Transit Juvenile Diversion Program" promise to provide a school-based diversion for deputy sheriffs and police officers to address violations by students traveling on Metro and municipal public buses and trains, such as "smoking, eating, loud noises, littering and fare evasion" has not been implemented.

The Youth Justice Coalition (YJC) has been unable to find any advertisement of the new policy to youth and community members (in schools, on public transportation, in police and sheriffs' stations, in courts or other locations), has found no individuals or departments responsible for monitoring implementation of the policy by sheriffs, nor has seen any development of youth and community oversight in the development and implementation

of the diversion program. In addition, the YJC has continued to push for an expansion of the policy to cover older youth (age 18 - 24).

## EXPERIENCES FROM OTHER REGIONS OF THE U.S.

**Boston:** Boston students, K-12 have access to a free pass for use on all buses and trains during the hours directly before, during and after school as long as they live two or more miles away from their school. A broad coalition led by youth organizations across Boston is pushing for passes to cover transportation full time.



**New York City:** Since 1948, all NYC students have had access to free bus and subway transportation, from 5:30am to 8:30pm on school days. In addition, youth serving organizations have access to free transportation passes seven days a week, year around for groups of youth – regardless of whether or not they are in school - to use public transportation to access services, travel to and from youth programs and participate in field trips. A broad-based coalition recently mobilized tens of thousands of youth and their families to protect NYC students' long-held right to transportation. From 1948 through 1995, the costs were covered entirely by the Metropolitan Transportation Authority (MTA) – in other words subsidized by other riders. Since 1995, the City and State of New York have provided 45 million dollars each toward the students passes each year. Over 500,000 students use free or half-fare passes each year.

**Oakland:** In 2005 environmental and youth rights groups were successful in implementing a pilot program for free student transportation for low-income youth that has now been implemented countywide. The reduced fare pass costs \$15 a month – as compared to \$27 a month originally. Since the campaign's initial victory, organizers have continued to push for free transportation for Oakland students. This November, Oakland had a tax measure on the ballot that was barely defeated. If passed, it would have provided free transportation to low-income students throughout Alameda County.

### **The Struggle for Student Access to Reduced Fare in Los Angeles:**

The Bus Riders Union (BRU) organizes Los Angeles bus riders to secure civil and transportation rights for working class and low income communities. In 2001, the BRU pressured Los Angeles County Metropolitan Transportation Authority (MTA) to eliminate the student bus pass application, to lower the discounted bus pass to \$10 dollars, and to sell the bus passes on school campuses.

Over the last 18 months, **the Youth Justice Coalition has pushed for a free student Metro pass for LA County and the decriminalization of young people on public transportation including eliminating ticketing and arrests for fare evasion.** YJC members have testified numerous times before the County Board of Supervisors, the Compton City Council and MTA Board, and met with law enforcement, public officials and their

staffs. We have secured the support of Chief Nash – Presiding Judge of the Juvenile Court, LA Unified School District Board Member Monica Garcia, unanimous support of the County’s Education Coordinating Council, and the endorsements of several organizations and coalitions.

In the past two months, the Youth Justice Coalition has met with the office of Lakewood City Councilmember and MTA Board Chairperson Diane DuBois, the office of LA City Mayor and MTA Board Member Eric Garcetti, and several times with LA County Supervisor and MTA Board Member Mark Ridley Thomas and his staff. THEY HAVE ALL EXPRESSED GREAT CONCERN FOR THE CRIMINALIZATION OF YOUNG PEOPLE ON THE METRO TRAINS AND BUSES BY LAW ENFORCEMENT – INCLUDING STOPS, FRISKS, TICKETING AND ARREST – and have indicated that they would support our call for decriminalization.

## **ADDITIONAL DATA**

*The Youth Justice Coalition is working to collect additional data in order to produce additional reports to the media, County officials and the general public. Future research we seek to distribute includes:*

1. Tracking attendance rates in schools/districts where transportation is a priority.
2. Assessing police and court costs associated with ticketing, arrests and prosecution associated with fare evasion.
3. How increased access to transportation can support school districts’ goals regarding attendance.
4. The transportation costs of several school districts – similar to the PUSD data included above. We are also seeking similar data from DCFS for foster care youth and from community and faith based organizations that provide transportation to their members.
5. Results from a Public Records Act request to the Sheriffs’ Department and Probation Department for a further breakdown of fare evasion (and other) citations on public transportation, as well as arrests, detention costs and penalties associated with those citations by age, race, gender, department and zip code.
6. The Youth Justice Coalition has surveyed more than 2,500 students to measure the impact public transportation access has on their ability to attend school, the difficulties students and their families face in paying for student transportation, the criminalization of students for fare evasion, the impact on this criminalization on youth relationships with law enforcement, and the cost of police enforcement efforts as compared to fees collected. The preliminary results of that survey are included below.
7. In addition, the YJC worked with the Department of Public Health to assess the costs and benefits of a free Metro pass.

## **EARLY FINDINGS FROM THE STUDENT METRO PASS SURVEY**

The Youth Justice Coalition surveyed youth across LA County to determine their experiences with MTA buses and trains, the challenges in paying for transportation to school and other essential destinations, and the level of criminalization of youth on public transportation – questioning, stop and frisks, ticketing and arrests. To date, 2,680 surveys have been entered (conducted by Youth Justice Coalition members) of youth, 6<sup>th</sup> grade – college on the impact of public transportation access on their ability to attend school, and their experiences with criminalization of students. Ages: 5.2% of respondents were 13 and younger; 76.4% were 14-18; 18.1% 19 and over.

Youth surveyed were randomly selected in and around schools to get the most accurate sample of students possible. Targeted school districts are represented on the County's Education Coordinating Council – Pasadena, Lancaster, Long Beach, Compton, LAUSD, Pomona.

All surveys have been entered by the LA County Department of Public Health. Cross tabulations and data analysis haven't been conducted yet. Even so, some of the interesting findings so far include:

1. 58.6% of youth take bus

2. 18.2% take Metro

(There is some overlap here – some students take both.)

3. Only 6.7% drive with friends.

4. Over 45% take more than one train/bus line to school.

5. Average time to get to school 37 minutes. But this might be counted as the time on transportation, and might not include wait time. For example:

- 43% have a train or bus pass them by 1-3 times a week because it is too crowded.
- 14.2% experience this 4-6 times a week.
- 3.2% experience this 7-9 times a week.

6. 71% report lateness to school due to transportation issues.

7. 23% report having lower grades due to transportation issues.

We have data on student experiences with suspension, expulsion, ticketing, arrest, Probation violation due to missed school days. We will be able to cross tab all data with age, race/ethnicity, zip code.

8. Nearly 18% of students surveyed have been ticketed for fare evasion.

9. 30% are stopped and questioned by the police on bus or Metro at least once a month; 9% are stopped 4-13 times a month!!!

10. 18% have been accused by police of not having a valid pass, even though they had a valid pass. 5% have had their valid pass confiscated by law enforcement.

1,399 6<sup>th</sup> – 12<sup>th</sup> graders filled out a longer survey with additional questions regarding school attendance and transportation.

1. *Of students who had missed school days in the past month:*

- The average number of days missed was 3.6.
- 44% of those who had missed school said that ALL their absences would have been solved if they had free transportation.
- 14.2% said more than half their absences would have been solved by free transportation.

2. 74.1% of youth purchase a discounted student bus pass –

*Of those who don't have a discounted pass:*

- 12.5% it's too confusing to get a student pass
- 12.7% it's too complicated to get one
- 33.4% didn't know one was available

3. 22% said they can't go to school every day without a free Metro pass.

4. 19.2% are responsible for taking younger siblings to school.

5. 79.6% said getting an education is a major priority in their life.

6. 76.7% want to graduate from college.

7. We have great data on all the places youth would go if they had a free pass, including the highest response – 88.6% using it to get to school.

*A map of survey respondents (for those who included their zip code) is attached.*

