

# SWIPE OUT

In the summer of 2019, New York State Governor Andrew Cuomo and the Metropolitan Transit Authority (MTA) announced a new campaign to stop fare evasion, including plans to hire 500 new police officers.

In the fall of 2019, CUP collaborated with Teaching Artist Stephen Kwok and public high school students from Life Sciences Secondary School to investigate this issue. Students installed public artwork, surveyed community members, and interviewed key stakeholders working on the issue. This is a guide to what students learned about public transportation, fare evasion, and how local communities can advocate for their transit needs.

**What's fare evasion? Who gets policed and prosecuted for fare evasion? What does public transit for all look like?**

**Fare evasion** is when people try to ride public transportation without paying. According to the MTA, train and bus fare evasion totaled almost \$300 million in 2019.

In NYC, police officers can either fine you \$100 for fare evasion, or they can arrest you. The police have the power to choose.

Together, we can make a better system to stop fare evasion

**WHAT IS FARE EVASION?**

Fare evasion on the MTA

"Fare evasion is considered a misdemeanor trespass... You're in a place that you're not authorized to be."  
- David Miranda, Senior Arraignment Attorney, Criminal Defense Practice, Neighborhood Defender Service

## WHAT'S A CRACKDOWN AND WHO IS AFFECTED?

In the summer of 2019, the MTA announced it would hire 500 new police and step up enforcement at 50 subway stations and 50 bus stops where fare evasion is most common. According to the MTA, the goal is to deter fare evasion, not to increase arrests.

"A case that starts as fare evasion will then somehow turn into resisting arrest... or a marijuana violation because they find marijuana when they do the search."  
- David Miranda, Senior Arraignment Attorney, Criminal Defense Practice, Neighborhood Defender Service

"Over 80% of people who are arrested for fare evasion are of color. 80% of people given summonses are of color. 89% of those arrested are people of color."  
- David Miranda

In 2019, videos showing aggressive arrests of young people of color and vendors selling food in subway stations went viral. In response, several mass demonstrations protested increased spending on police and demanded making all public transit free.

"For some people having police around makes them feel safe. For some people seeing a police officer makes them feel threatened... The MTA [should] conduct fare enforcement in a way that doesn't terrify communities."  
- Hayley Richardson, Senior Communications Associate, TransitCenter

In January 2020, New York State Attorney General Letitia James launched an investigation to determine if NYPD officers have illegally targeted people of color on NYC subways through a fare evasion crackdown.

"There's been an increase in so-called enforcement. But it's a targeted practice against mostly communities of color. What we really should be dealing with is addressing poverty and why people can't afford to get on the train in the first place."  
- Dan Quart, New York State Assembly Member, District 73

## HOW MUCH MONEY ARE WE TALKING?

It takes a lot of money to keep the MTA moving! The MTA's budget includes a **capital budget** and an **operating budget**.

"Every five years the MTA makes a decision on its capital budget for physical infrastructure, like train cars and stations... The 2024 MTA capital budget is about \$50 billion dollars."  
- Hayley Richardson

"The annual operating budget pays for the 60,000 people who work at the MTA. It pays for their wages... as well as operating the trains and buses."  
- Hayley Richardson

The MTA earns money from lots of different sources including tolls, taxes, and advertisements. Fares provide the biggest chunk of revenue — about 38%, or \$6.2 billion. In comparison, fare evasion costs the MTA less than 2% of this amount.

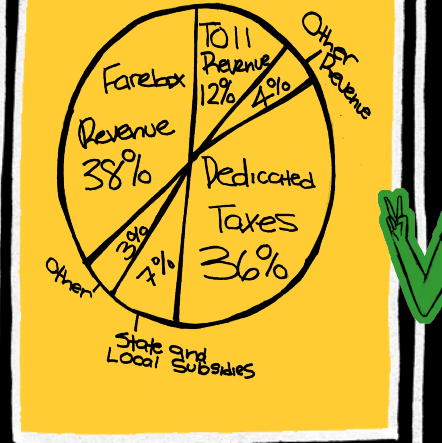
## THAT'S A LOT OF MONEY! WHY IS MY TRAIN STILL LATE?

Despite six fare increases over nine years, subway and bus service has declined noticeably. What's going on?

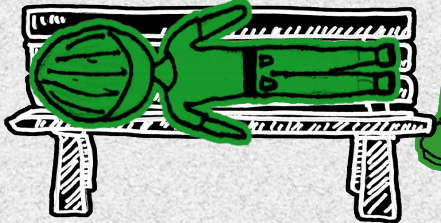
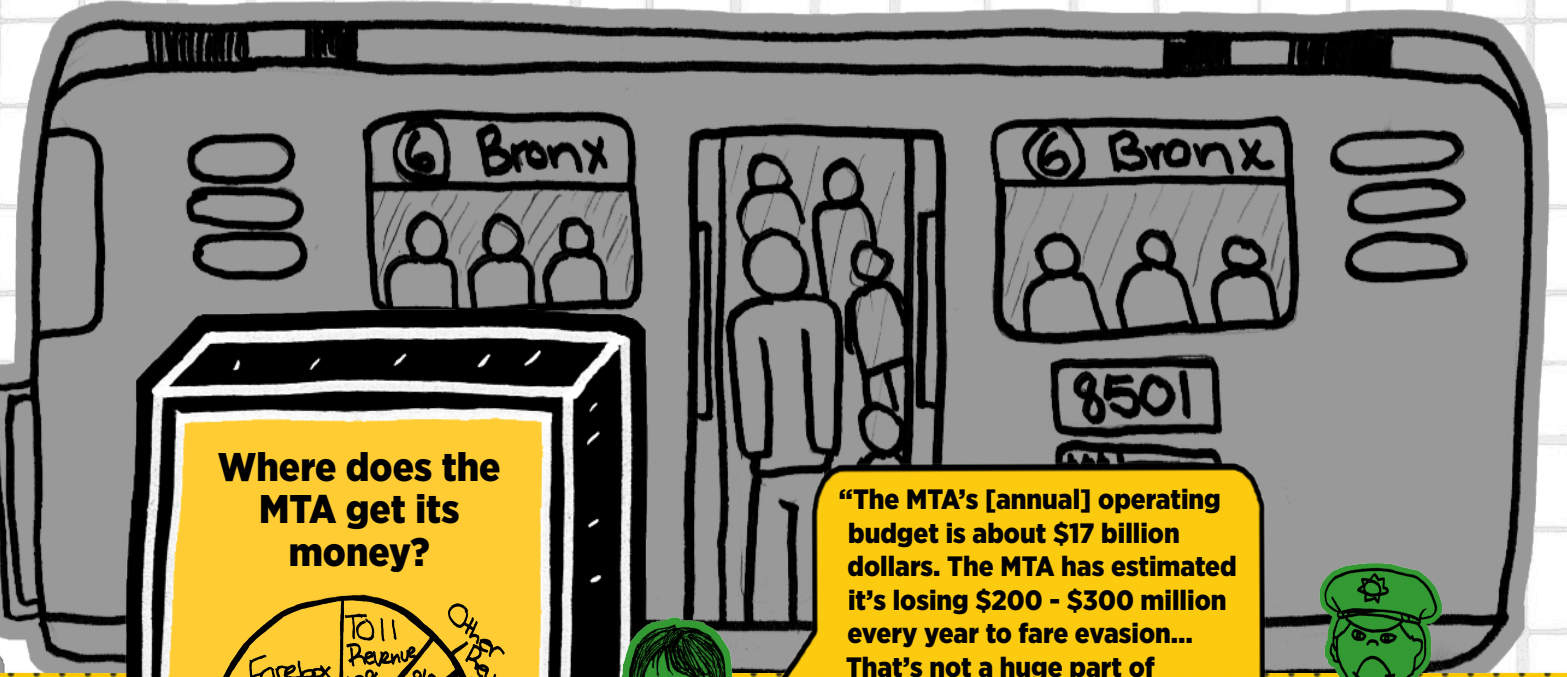
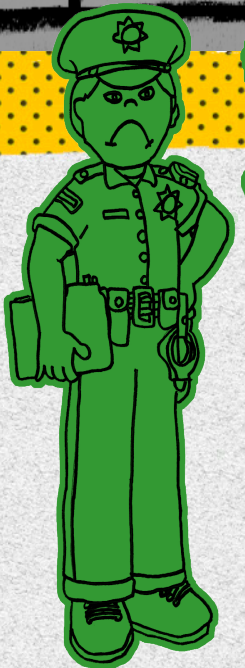
"The unreliability of the system is in large part caused by a failure to invest in more maintenance."  
- Hayley Richardson

"A lot of [the MTA budget] goes to paying off debt and transit salaries, but nothing has been going towards the actual infrastructure... [For example,] when we hear about people being stuck for a long time in the tunnels, it's because of our outdated signal system from the 1930s... It's kind of like putting a Band-Aid on a big sore."  
- Danna Dennis, Community Organizer, Riders Alliance

### Where does the MTA get its money?



"The MTA's [annual] operating budget is about \$17 billion dollars. The MTA has estimated it's losing \$200 - \$300 million every year to fare evasion... That's not a huge part of the budget."  
- Hayley Richardson, Senior Communications Associate, TransitCenter



## WHO'S IN CHARGE?

**New York's Governor chooses the head of the MTA and a majority of its board members. They have a lot of power to make decisions, including approval over budgets and how money is spent.**

"The most important decisions are about funding. That's made by the State, not the City of New York... The state has the overwhelming majority of control of transportation in NYC."  
- Dan Quart, New York State Assembly Member, District 73

"Trains are run by our governor. Governor Andrew Cuomo is at the head, and the state runs the MTA. The MTA is its own separate agency, but it is state funded and state run."  
- Danna Dennis

"Our buses are on our city streets and those buses are run by both the mayor and the Department of Transportation, because the mayor oversees the city agencies."  
- Danna Dennis

## WILL A FARE EVASION CRACKDOWN SOLVE THE PROBLEM?

**NYC currently spends almost \$50 million a year to arrest, prosecute, and fine New Yorkers for fare evasion. In April 2019, the MTA announced it will spend an additional \$249 million to hire 500 new police officers to deter fare evasion. (That's as much money as fare evasion costs!)**

"Crime is down. I don't know what they're going to do with 500 extra cops. My concern is that either they're going to be doing nothing, which means it's money that we might as well burn. [Or,] they're going to be arresting everybody for everything or issuing summonses to everybody for everything."  
- David Miranda

**The Citizens Budget Commission estimates that the cost of these new officers could be \$663 million over 10 years.**

## HOW COULD THINGS BE DIFFERENT?

### Make Fares Affordable!

"By no means do we ever want to promote folks breaking any laws. But we also recognize that fare evasion is a crime of poverty. Every New Yorker should have the right to access a reliable system."  
- Danna Dennis

### Decriminalize it!

"Fare evasion should be decriminalized across the city. Right now, it's just decriminalized in Manhattan."  
- Hayley Richardson

### Make Fines Affordable!

"As a lawyer, you are trained to say, 'What was taken from the city of New York?' At most, it was \$2.75. I think that that is a fair [fine]."  
- Dan Quart

### Make it Easy to Pay!

"It's really difficult to pay for transit sometimes. We've all seen fare machines that aren't working... We need to make it as easy as possible to pay."  
- Hayley Richardson

### Make the Money Elsewhere!

"We need to ween the MTA off fares as a means of how they fund themselves and find other sources of revenue, whether that's taxes or other things."  
- Dan Quart

### Make it Political!

"[The issue of accessible public transit] should shape future races for public office so that no candidate can run without coming up with concrete proposals of what he or she will do to truly fund our transportation needs."  
- Dan Quart

### Make Fares Fair!

**Fair Fares is a NYC program that provides half-price MetroCards for low-income New Yorkers.**

"Our fight is to make sure that Fair Fares is open to everyone that qualifies... We've reached the hundred thousand mark, which is great for only one year, but that is not huge for New York City."  
- Danna Dennis

## WHAT DO STUDENTS SAY?

"The MTA crackdown on fare evasion is representative of the larger burden of policing that low-income and POC communities face all over the country."  
- Stacey Zegaya, Student

"Blacks stopped in Brooklyn are 30 times more likely to be arrested than Whites stopped for fare evasion in Manhattan."  
- Rosemarie Alubankudi, Student

"The MTA put cops that are racist and are wasting money on enforcing their presence instead of spending money on the trains and train stations that need support."  
- Nadia Islam, Student

"To me, fare evasion isn't a problem. The real problem is that the state government isn't prioritizing the right things to spend money on when it comes to the NYC transit system."  
- Ada Johnsen-DeWeese, Student

"The MTA has to play its part and be honest with the people of New York. To be honest with what happens to our fares, how much money the MTA is making, and how we can solve the common MTA problems like fixing the signal system and improving train delays."  
- Azia Francis, Student

"The MTA is full of hypocritical ideals. They claim to be losing money, yet spend money on a bunch of police to watch over the stations. They claim to have a fully functioning system to protect, but everyday there is a new delay. They still expect me to pay \$2.75 for a train that won't even go the way it is intended to."  
- X-Zavion Rivera, Student

"This program has taught me to take action and find answers to tough questions the world has to offer. Whether it's through interviews or spreading awareness, I've learned to fully analyze world issues and create solutions."  
- Carl Washington IV, Student



The Center for Urban Pedagogy (CUP) is a nonprofit organization that uses the power of design and art to increase meaningful civic engagement, particularly among historically underrepresented communities.

**Life Sciences Secondary School**  
Principal: Kim Swanson  
Parent Coordinator: Cecilia Marshall

Students: Rosemarie Alubankudi, Azia Francis, Ada Johnsen-DeWeese, Nadia Islam, X-Zavion Rivera, Carl Washington IV, Stacey Zegaya

CUP  
Teaching Artist: Stephen Kwok  
Project Lead: Fielding Hong  
Project Support: Leigh Taylor

This project is one of CUP's **Urban Investigations** - project based afterschool programs in which high school students explore fundamental questions about how the city works. Students collaborate with CUP and Teaching Artists to create multimedia teaching tools that reach audiences in the fields of arts and social justice.

To learn more about CUP, visit [welcometoCUP.org](http://welcometoCUP.org).

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**WHAT'S THE ROOT PROBLEM?**

"You are seeing a number of urban policy failures [come together] in the subway. Housing is becoming increasingly unaffordable and we have a record number of homelessness and it is very visible in the subway."  
- Hayley Richardson

**One in four low-income New Yorkers say they are unable to regularly afford subway and bus fares.**

