

## REPORT BY THE SOCIAL WELFARE LAW COMMITTEE

### SUPPORT FOR THE FAIR FARES CAMPAIGN

The Social Welfare Law Committee of the New York City Bar Association supports the Fair Fares Campaign (“Fair Fares”).<sup>1</sup> Fair Fares seeks half-price MetroCard fares for City residents aged 18-64 in households at or below the Federal Poverty level. At this time, the City Council has included funding for Fair Fares in its budget, but the Mayor has yet to approve inclusion in the FY2019 Executive Budget. The Committee urges the Mayor to adopt this sensible program in furtherance of his long-held goal to make New York a city where everyone can thrive, regardless of income.

#### THE FAIR FARES CAMPAIGN

The Fair Fares Campaign, spearheaded by the Riders Alliance and the Community Service Society, advocates for half-price MetroCards for low-income New Yorkers, defined as at or below the federal poverty level.<sup>2</sup> The Campaign issued a report extensively documenting the need for transit assistance among low-income New Yorkers in 2016.<sup>3</sup> Since the release of that report, Fair Fares has gained the support of a broad coalition of economic justice, transit, labor, legal and social services groups as well as elected officials, including the Public Advocate, City Comptroller, and the District Attorneys of New York, Bronx and Kings Counties, four out of five of the Borough presidents. The vast majority of the New York City Council, including Speaker Corey Johnson, also support the Campaign.<sup>4</sup> Most recently, the City Council included the initiative in its FY2019 budget on April 10. Specifically, the City Council proposed that \$212 million be included in the budget to serve 800,000 New Yorkers. The program would require annual funding.

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<sup>1</sup> The Social Welfare Law Committee’s work focuses on legal issues impacting low income New Yorkers. The committee’s work seeks to address public policies which concern income disparities and the social safety net.

<sup>2</sup> See <http://www.ridersny.org/fairfares/>.

<sup>3</sup> Harold Stolper & Nancy Rankin, Community Service Society, *The Transit Affordability Crisis, How Reduced MTA Fares Can Help Low-Income New Yorkers Move Ahead*, April 2016 [Affordability Crisis Report], <http://www.cssny.org/publications/entry/the-transit-affordability-crisis> (all sites last visited May 15, 2018).

<sup>4</sup> Press Release, Community Service Society & Riders Alliance, *As City Budget Talks Intensify, Largest Ever Coalition of Advocates Rallies for Fair Fares with Council Speaker Corey Johnson and Elected Officials*, Apr. 11, 2018, <http://www.cssny.org/news/entry/as-city-budget-talks-intensify-largest-ever-coalition-of-advocates-rallies->

## **FAIR FARES WOULD FILL GAPS IN THE TRANSPORTATION ASSISTANCE AVAILABLE TO NEW YORKERS**

Fair Fares would fill an existing gap in the transportation assistance available to New York residents, and from a social welfare perspective, make the very limited budget of a family receiving public assistance or subsisting on low-wage work go further to take care of essential needs such as housing, nutrition and health care. Seniors and persons with disabilities are already eligible for reduced fares, irrespective of income. Many middle- and higher-income New Yorkers are eligible to pay for transit expenses using pre-tax dollars.<sup>5</sup> In contrast, many low-income New Yorkers either fail to qualify for this program, or cannot afford to purchase a monthly MetroCard up front, even with pre-tax dollars.<sup>6</sup> As the Community Service Society found, “[f]or New York’s more than 300,000 working poor, transit expenses often exceed over 10 percent of their family budgets, limiting their ability to access jobs and forcing them to forgo other necessities.”<sup>7</sup> Fair Fares will help struggling New Yorkers prioritize income for their essential needs.

## **CRIMINAL JUSTICE - FAIR FARES WOULD HELP NEW YORKERS AVOID HAVING TO CHOOSE BETWEEN BAD OPTIONS**

Fair Fares would also help New York move towards achieving criminal justice goals. With the cost of commuting prohibitively high, some New Yorkers feel forced to choose between jumping a turnstile and missing a day of work or school, a job interview or an important appointment. By making transit more affordable to low-income New Yorkers, the program will reduce the number of New Yorkers arrested for fare evasion who would otherwise risk getting caught up in the court system, losing time they can ill afford from work or school, and becoming further impoverished or ensnared in the system by the inability to pay associated fines.<sup>8</sup> City funds that would otherwise be spent on criminal enforcement and punishment, could be spent on defraying the cost of transportation.

For these two primary reasons - bringing more social and criminal justice to New York City - the Social Welfare Law Committee supports the Fair Fares Campaign.

Social Welfare Law Committee  
Susan Welber, Chair

May 2018

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<sup>5</sup> See NYC Admin. Code § 20-926; 6 RCNY § 8-01 et seq.

<sup>6</sup> Affordability Crisis Report at 18-19.

<sup>7</sup> *Id* at 2.

<sup>8</sup> Lisa Schreibersdorf & Jared Chausow, Op-Ed., *The unfair attack on fare evasion: Rather than pulling out all stops to collect every last dime from the indigent, the city should make it easier for low-income New Yorkers to ride subways and buses*, N. Y. Daily News, Aug. 29, 2016, <http://www.nydailynews.com/opinion/schreibersdorf-chausow-unfair-attack-fare-evasion-article-1.2767407>.