CEBW Statement on Manhattan DA's Farebeating Policy and Mayor de Blasio's Comments

COALITION TO END BROKEN WINDOWS·
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For street activists who have organized to finally bring scrutiny on the utterly racist, decades-old policing philosophy known as Broken Windows policing, it is frustrating to watch white policymakers—one a prosecutor, another a former Giuliani underling, another a liberal supporter of racist policing—"debate" over policies that affect poor Black and Latino New Yorkers. Neither Manhattan District Attorney Cy Vance, MTA Chairman Joe Lhota nor Mayor de Blasio can speak to the reality of being punished for farebeating.

First of all, we do not think that Vance's announcement this week that his office would choose not to prosecute, with exceptions, many farebeating arrests will sufficiently address the problem of the criminalization of poverty. The 'exceptions' that the Manhattan DA cites would mean many New Yorkers with felony convictions, and some with misdemeanors, would still be prosecuted by his office. Other exemptions include New Yorkers who trigger a "gang alert." We believe that "gang" designations are flawed and racist and should not be used to justify the criminal prosecution of someone for not having $2.75.

Our Coalition has consistently demanded that poor New Yorkers not be sanctioned for being poor. **This includes our opposition to criminal or civil summons**—which a New Yorker could still be given by the NYPD if caught farebeating but not arrested. Summonses add a burdensome financial penalty that does nothing to address the fundamental reason people jump the turnstile: poverty. The Mayor and some media outlets have falsely portrayed Vance's policy

shift as one where New Yorkers will be able to "[waltz in](#)" to the subway without paying a fare. Not only will New Yorkers still be stopped, questioned and summonsed by the NYPD, these needless interactions amount to the continuation of the spirit of Broken Windows policing.

We have not asked to reform Broken Windows, we have asked to end it.

The single biggest obstacle to truly ending the era of Broken Windows has undoubtedly been Mayor de Blasio, who ironically ran on a platform of progressive change. The Mayor's recent comments alongside Police Commissioner James O'Neill that police have seen "countless cases where we found people who have committed other crimes" implies that people who farebeat are somehow more criminally prevalent. He also claims, farebeaters "have money in there pocket," implying that Black and Brown people farebeat for the hell of it. What's coming out of de Blasio's mouth, like his prediction that without arrests of the poor we'd have "chaos," is Giuliani-style fearmongering. This type of racist dog-whistling makes him indistinguishable from the current president or any hood wearing grand dragon.

There is no data available, to our knowledge, that people too poor to pay the fare pose a unique public safety threat. What the Mayor instead seems to be saying is that people who can't pay the fare—in other words, poor people—are somehow more criminally-prone than the rest of us. In fact, if you substitute the term "poor people" for "farebeaters," the Mayor would appear to be making outrageous generalizations of poor Black and Latino New Yorkers. This isn't surprising. Coupled with comments the Mayor made about panhandlers last year, Mr. de Blasio has again spouted classic, racist musings that should be condemned.

If New York City wants to move past the failed Broken Windows policies of the past, it needs to provide free and reduced fare metrocards for low and no-income New Yorkers with money saved by dramatically reducing the multi-billion dollar NYPD budget. The pricetag of the nearly 1,300-officer NYPD headcount expansion in FY2016, estimated to be over $200 million per year, could begin to pay for metrocards for hundred of thousands of New Yorkers.

Ultimately, public mass transit should be free for all. In the meantime, all New Yorkers should continue to #SwipeItForward