



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
CIVIL RIGHTS BUREAU

January 13, 2020

VIA EMAIL & U.S. MAIL

Dermot F. Shea
Police Commissioner
New York City Police Department
One Police Plaza
New York, New York 10007

Re: Fare Evasion Statistics

Dear Commissioner Shea:

The New York State Office of the Attorney General (“OAG”) is committed to ensuring that local police departments’ procedures both effectively enforce and comply with federal and state laws. As a result of litigation and recent legislation aimed at reducing racial bias in the enforcement of fare evasion rules and laws, the New York City Police Department (“NYPD”) now collects and publishes data related to fare evasion arrests and summonses in subway stations. That information, however, does not provide a complete picture of fare evasion enforcement within New York City’s transit system.

We write to request information from the NYPD¹ to fill in those gaps, including data it collects regarding fare evasion statistics. Specifically, we request that the NYPD produce the following information relating to the period from October 1, 2017 to the present (“Relevant Period”):

1. All documents sufficient to show the number of peace officers, including but not limited to officers of the NYPD and the Metropolitan Transit Authority (“MTA”) Police Department, assigned to patrol each New York City subway station per day;
2. All documents regarding any arrangement or agreement between the NYPD and the MTA and/or any of its subdivisions or affiliates regarding the enforcement of fare evasion laws and regulations;

¹ For purposes of these requests, the NYPD shall include all units within the department. “Fare evasion” refers to a violation of the NYCTA’s Rules of Conduct, 21 N.Y.C.R.R. § 1050.4, and/or the violation of New York Penal Law § 165.15(3).

3. All documents regarding NYPD policies or directives for enforcing fare evasion laws and regulations;
4. All policies regarding the provision of Transit Adjudication Bureau (“TAB”) notices of violation for fare evasion;
5. All documents concerning training on the enforcement of fare evasion laws and/or regulations;
6. All data collected by the NYPD on TAB notices of violation for fare evasion issued in the New York City subway system, including the number of such notices issued in the Relevant Period per New York City transit authority station and per race and age group of the subject of the notice, and the disposition of those notices;
7. All data collected by the Department on live fare evasion arrests in the New York City subway system, including the total number of arrests in the Relevant Period per New York City transit authority station and per race and age group of the arrestee, and the disposition of these arrests; and
8. All data collected by the Department on criminal summonses issued for fare evasion in the New York City subway system, including the total number of criminal summonses in the Relevant Period per New York City transit authority station and per race and age group of the subject of the summons, and the disposition of these arrests.

If the Department is unable to respond to any inquiry in full, please provide all available responsive information and a detailed explanation as to why a more complete response is not possible. Please produce all responsive documents no later than **Monday, February 10, 2020.**

Thank you for your anticipated cooperation. Should you have any questions prior to that date, please feel free to contact our office at one of the numbers below.

Sincerely,



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