

OFFICE OF OPERATIONS

NOTICE

July 25, 2017

1.11

TO: All Sworn Personnel

FROM: Director, Office of Operations

SUBJECT: ENFORCEMENT OF FARE EVASION BY JUVENILES

On July 1, 2017, the Department entered into a five-year agreement with the Los Angeles County Metropolitan Transportation Authority (LACMTA) to provide contractual policing services to the portions of the LACMTA transportation system that operate within the City. These services include responses to calls for service involving bus and rail lines within the City and may involve enforcement of California Penal Code Sections 640(c)(1)-(3), which make it illegal to: evade the payment of a fare on a public transit system; misuse a transfer, pass, ticket, or token with the intent to evade the payment of a fare; and use a discount ticket without authorization. For adult violators, first and second offenses of these fare evasion statutes are infractions with third and subsequent violations charged as misdemeanors. Officers shall utilize the Nontraffic Notice to Appear (RFC), LAPD Form 05.02.02, or the LACMTA Notice of Transit Violation if officers choose to issue a citation to an adult violator for fare evasion.

Effective January 1, 2017, California Penal Code Section 640(g) prohibits juveniles from being charged with either an infraction or a misdemeanor for fare evasion. Instead of imposing criminal penalties, juveniles may only be assessed administrative penalties for violations. However, the Department does not currently have a mechanism for assessing these administrative penalties. Accordingly, if Department personnel conduct enforcement action related to fare evasion and the violator is a juvenile, Department personnel may only provide a verbal or written warning. Personnel shall attempt to educate the juvenile on the procedure for purchasing a fare ticket. If a written warning is deemed appropriate, Department personnel shall only use the LACMTA Notice of Transit Violation and shall cite the juvenile under the warning code "6-05-200D – Fail to Obey Signs" (Check Box Seven). Department personnel may also direct the juvenile to leave the train at the next station. However, the LACMTA has requested that if the juvenile appears to be traveling to or from school, Department personnel allow the juvenile to complete his or her trip.

Should you have questions regarding this matter, please contact Lieutenant II Ron Dickerson, Transit Services Bureau, at (213) 486-8411.



MICHEL R. MOORE, First Assistant Chief
Director, Office of Operations

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