



# CALIFORNIA IS **NO PLACE FOR HATE**

A CAMPAIGN BY STOP AAPI HATE

## STOP AAPI HATE MODEL LEGISLATION FOR TRANSIT SAFETY

Street harassment on public transit is an old problem. Women in the United States were sexually harassed for riding railroads, street cars, and subways in the 1800s.<sup>1</sup> They are still harassed on public transit today. So are riders of color, working class riders, LGBTQ+ riders, riders with disabilities, and riders from other vulnerable communities.

It doesn't have to be this way. No one should have to suffer unwanted attention or harassment from a stranger because of who they are, how they look, or what language they speak.

You can demand that your community end street harassment on public transit and make public transit safer for everyone. This is an example of a law you can advocate for in your town, city, county, or state. It is based on a new law for the State of California.<sup>2</sup> You can make it your own and make it fit the needs of your community.

Learn more about how to stop street harassment on public transit at [No Place for Hate California](#) and the [Mineta Transportation Institute](#). If you have questions, email [community@stopaapihate.org](mailto:community@stopaapihate.org).

1. Mineta Transportation Institute, *Learning about Street Harassment on Transit: A Survey Instrument for Transit Agencies* (December 2023), available at <https://transweb.sjsu.edu/sites/default/files/2301-Agrawal-Street-Harassment-California-Transit-Survey.pdf>.

2. California Public Utilities Code §§ 99177, 99178.



## SECTION I: LEGISLATIVE FINDINGS

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*“Legislative findings” explain the purpose of the bill you want to become law, including the facts defining the problem that the bill is intended to address. Explain why hate, harm, and harassment is a public transit issue in your community and why your community, including your local transit agency, should act. Here is an example: [Section 1 of California Senate Bill 1161](#).*

The [add the name of your community’s legislating body] finds and declares all of the following...

## SECTION II: DEFINITIONS

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*“Definitions” explain key terms in the bill, such as street harassment, public transit, and transit agency or transit operator. You can write new definitions or you can cross-reference definitions that are already in the laws used by your community. What’s important is that you pick a term and you use it consistently throughout the bill. Here are examples of terms you can define.*

For the purposes of this section, the following definitions apply:

“Street harassment” means words, gestures, or actions directed at a specific person in a public place because of a personal characteristic, without the consent of the person, which the person experiences as intimidating, alarming, terrorizing, or threatening to their safety. Personal characteristics include race, ethnicity, sexual orientation, sex, gender, gender identity, gender expression, religion, ancestry, national origin, primary language, age, disability, and marital status.

“Survey data” means information regarding public transit riders and their experiences using public transit. Survey data includes, but is not limited to, demographic information about riders and information about their experiences with safety, including street harassment.

## SECTION III: DEFINE THE PROBLEM

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*This section directs transit agencies to define the problem by asking riders about who they are, their experiences riding transit, and their experiences being safe or unsafe, including being street harassed. Transit agencies can do this in two ways: quantitatively, through rider surveys, and qualitatively, through focus groups or other activities that reach communities who are underrepresented in surveys.*

**(a)** On or before [add a deadline], a transit agency shall collect the information required by this section for the purpose of informing their efforts to improve the safety of riders and reduce street harassment on public transit.

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The Mineta Transportation Institute (MTI) in California has developed a reliable, easy-to-use survey tool for transit agencies collecting information from riders about street harassment. The survey is available in English, Spanish, and 13 Asian and Pacific Islander languages. To learn more, visit [the MTI website](#).

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**(b)** A transit agency shall collect, at a minimum, the following information:

1. Demographic information regarding riders, including their race, ethnicity... *[list the things about riders that transit agencies should know about]*
2. Information regarding a rider's experiences with safety while walking to and from public transit stops, waiting at public transit stops, and riding public transit, including:
  - a. Whether a rider experiences street harassment
  - b. The frequency with which a rider experiences street harassment
  - c. The type of street harassment (words, gestures, or actions) experienced by a rider
  - d. The actual or perceived characteristics that serve as the basis for street harassment experienced by a rider
  - e. Where and when a rider experiences street harassment
  - f. Whether a rider experiencing street harassment is alone or accompanied by others
  - g. Whether a rider experiencing street harassment reports it and, if so, to whom and the response received
  - h. The impact of street harassment on a rider, including whether and how they change their use of public transit
  - i. A rider's perceptions of safety while using transit

**(c)** A transit agency shall collect survey data in multiple languages to reach limited-English-proficient riders impacted by street harassment. The languages may be determined by using existing data on riders or by referring to the top non-English languages used by limited-English-proficient persons in the community served by the transit agency according to the most recent American Community Survey by the United States Census Bureau.

**(d)** In addition to collecting survey data, a transit agency shall conduct other activities with subpopulations of riders who are underrepresented in surveys. Activities may include focus groups, participatory workshops, or other methods of engaging riders. Subpopulations of riders who are underrepresented in surveys may include women riders, limited-English-proficient riders, LGBTQ+ riders, and riders with disabilities.

**(e)** On or before [*add a deadline*], a transit agency shall publish and make publicly available on its internet website the survey data and other information collected pursuant to this section. However, a transit agency shall not publish any personally identifiable information. [*You can add a notification requirement, so you know when the data is published. For example:*] A transit agency shall promptly notify the Governor and the Legislature of the publication of the survey data.

**(f)** [*You could add a “grandfathering clause” that makes any information collected before the effective date of this law count toward fulfilling the requirements of this law.*] Any information described in subdivision (b) and collected by a transit agency in the [x] years before the effective date of this section shall be deemed to be survey data collected by the transit agency pursuant to this section.

## **SECTION IV: CRAFT THE SOLUTIONS**

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*This section directs transit agencies to come up with solutions to address street harassment based on what they learned from their riders and in consultation with riders.*

**(a)** On or before [*add a deadline*], a transit agency shall:

1. Develop and implement a plan to reduce the street harassment experienced by its riders that is based on and informed by the survey data and other information collected pursuant to the previous section
2. Consider the safety concerns and needs of riders impacted by street harassment when planning, designing, and operating its system

**(b)** A transit agency shall develop and implement the plan in consultation with riders.

1. Riders shall include subpopulations of riders at increased or disproportionate risk of experiencing street harassment, such as women riders, limited-English-proficient riders, LGBTQ+ riders, and any other subpopulation identified through the collection of survey data and other information pursuant to the previous section.
2. In order to reach limited-English-proficient riders, a transit agency shall conduct outreach in multiple languages. The languages may be determined by using existing data on riders or by referring to the top non-English languages used by limited-English-proficient persons in the community served by the transit agency according to the most recent American Community Survey by the United States Census Bureau.

**(c)** The plan may include changes to transit design, operation, policies, or other aspects of transit systems, such as:

1. Performing safety audits of transit systems
2. Developing a rubric or other tool to understand the impact of prospective changes on riders
3. Improving the physical infrastructure of transit vehicles, stations, and stops
4. Improving the frequency, timing, and reliability of service
5. Increasing the presence of transit staff who are not transit police, private security, or other law enforcement, such as increasing the presence of unarmed transit ambassadors, crisis intervention specialists, social workers, or peer mental health workers
6. Training transit staff about how to prevent, monitor, and respond to street harassment
7. Conducting education campaigns or other efforts to raise awareness regarding street harassment

**(d)** *[You can add a provision that explains what the plan cannot do. For example:]* The plan may not include provisions to increase transit police, private security, or other law enforcement.

**(e)** On or before *[add a deadline]*, a transit agency shall publish and make publicly available on its internet website the following information:

1. The plan to reduce street harassment
2. Actions taken to develop and implement the plan, including how the transit agency consulted riders
3. An evaluation of the impact of these efforts on street harassment, safety on public transit, and ridership
4. Additional unmet needs to reduce street harassment and improve the safety of public transit

**(f)** *[You can add a “grandfathering clause” that makes any efforts by the transit agency done before the effective date of this law count toward fulfilling the requirements of this law.]* A transit agency may meet the requirements of this section if it has taken action in the *[x]* years before the effective date of this section that otherwise meets the requirements of this section.

## **SECTION V: MISCELLANEOUS**

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*You may want to add additional provisions, for example to identify where the funding is coming from or to explain when the law becomes effective.*