

Sasha Linker

From: Aubrey Freedman [REDACTED]
Sent: Wednesday, December 19, 2018 11:54 PM
To: CommAsst
Subject: BART Fine for Measure RR

Hello. As the Chair of the Libertarian Party of San Francisco at the time, I was one of the signers of the argument opposing Measure RR. We had virtually no budget to oppose this ballot measure, so most of our opposition was at community meeting groups that invited us to speak on the measure.

BART, on the other hand, with millions of taxpayer dollars at its disposal, has blatantly used its power illegally to unduly influence the voters. The law is very clear on this point: they are not allowed to use taxpayer money to influence the taxpayers. And yet they have done this quite openly and brazenly—and shamefully continue to insist that they have acted as an impartial party. ["We were diligent to keep all material educational, never suggesting how people should vote," claimed BART spokeswoman Alicia Trost recently.](#)

This kind of stuff goes on all the time with public agencies that exist to serve the public, not the other way around. Did you hear about the recent incident near San Diego leading up to the November election when Caltrans workers paid private contractors to pass out flyers to motorists advocating a NO vote on Prop 6 (repeal the gas tax)? Why is this kind of illegal and totally improper behavior being allowed? Who is looking out for the taxpayers' interests?

Finally, BART got caught with its hand in the till, but a \$7,500 fine to an agency like BART is a drop in the ocean. This is not accountability, merely a slight embarrassment (it should be shame), that will barely show up on BART's books and will be gone and forgotten by the time Christmas rolls around. It will have no impact on the behavior of BART's board members, and they will feel free to do whatever they want the next time they need more money from the taxpayers. Worse still, it will send a message to other public agencies that bending the law a little is OK and "educational" material can be as biased as they want it to be.

Please consider raising the fine closer to the maximum amount of \$33,000, which will send a stronger message to BART that they have to follow the law, just like everyone else, or face the consequences. This will also put other public agencies on notice that they can no longer misuse taxpayer funds without being called on it.

Sincerely,
Aubrey Freedman
Libertarian Party of San Francisco - Secretary