



TRANSFORMING TRAFFIC SAFETY

SAFER STREETS, WITH
LESS POLICING

a plan by

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for NYC Comptroller

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Safer Streets, With Less Policing

In the years ahead, New York City faces a profound challenge: How can we improve public safety and public health for all New Yorkers, across lines of race, class, and neighborhood, while significantly reducing our reliance on police? As NYC Comptroller, Brad will take a data-driven approach to tackling this challenge, by auditing policing strategies that fail to make us safer and amplify racial inequality, and by identifying strategies that better achieve safety, health, and justice for all New Yorkers.

BACKGROUND

Six years after the launch of Vision Zero, traffic crashes remain a persistent public health crisis and a leading cause of death and serious injury in New York City. [Last year](#) in New York City, 220 people were killed in traffic crashes (for comparison, 318 people were murdered), and over 60,000 people were injured. This year is on track to be even worse: 2020 will likely have the highest number of [deaths and injuries](#) from crashes during the de Blasio Administration. At the center of this crisis are reckless drivers, who are responsible for most fatal crashes. But our current enforcement strategy fails to address the traffic violence crisis. It's time to reinvent our approach.

Over the last few decades, policing has become the default tool to address seemingly every public safety issue, including traffic enforcement. Yet, the NYPD, hampered by a “windshield view” of traffic safety and behavior, is at best a grudging participant in Vision Zero. For example, of the 46,000 hit-and-run crashes in New York City in 2017, [NYPD detectives identified and arrested just 1%](#) of all hit-and-run drivers. **NYPD traffic enforcement has been shown to be [unwieldy, unfair, and dangerous](#), and it has little impact in achieving safer streets.**

The NYPD's role in crash investigation has long been a [target of criticism](#) and a source of frustration for street safety advocates. The NYPD Collision Investigation Squad (CIS) investigators only address a small percentage of crashes that cause serious injuries. Their investigations rarely lead to charges even when driver culpability is clear. Their crash reports are kept hidden away from the public. They fail to provide recommendations for preventing future crashes, either in street design or in focused enforcement. In other words, the central investigative approach of the NYPD to traffic safety does almost nothing to make the streets safer.

Meanwhile, as we have seen across the country, the discretionary nature of traffic stops and the deep legacy of racial profiling in policing compound with deadly effects. Black Americans are [twice as likely](#) to get pulled over by police as white drivers. And these routine traffic stops lead too often to police violence. It was a traffic stop for failing to signal a lane change that ultimately led to Sandra Bland's death in Texas. Philando Castille was fatally shot by the police after being stopped for a broken taillight in Minnesota. Here in NYC, [Allan Feliz](#) was shot and killed by an NYPD officer in October 2019 in the Bronx after a routine stop for failure to wear a seatbelt. In New York City, where driving plays a far less significant role in most New Yorkers' daily lives, the policing of pedestrians, cyclists, and straphangers follows the same pattern. Police enforcement of minor violations like [jaywalking](#) and riding a [throttle-assist electric bike](#) (prior to recent legalization) disproportionately fall on people of color, putting these New Yorkers at higher risk for police harassment, excessive use of force, and incarceration.

As Columbia Professor Sarah Seo documented in [Policing the Open Road](#), traffic safety enforcement has dramatically expanded the role of police in the lives of Americans, disproportionately affecting people of color. What's more, police are simply not the right tool for improving street safety.

Street design changes are now rightly understood to be essential tools for reducing speeding, crashes, injuries, and deaths. Under the leadership of DOT Commissioners Janette Sadik-Khan and Polly Trottenberg, New York City has implemented design changes at thousands of intersections that help prioritize more vulnerable road users like pedestrians and cyclists. Pedestrian plazas, physically protected bike lanes, curb extensions, leading pedestrian intervals, and other tools are increasingly common around the city, and they have saved many lives. Unfortunately, recent cuts to DOT's operating and capital budget (along with opposition from community boards which overrepresent motorists) are slowing this work. New York City must move faster to fulfill the vision of ["self-enforced" street designs](#) on all 6,000 miles of our roadways.

One other bright spot in recent years has been the expansion of New York City's automated camera enforcement for speeding near schools and running red lights. Street safety advocates and the Administration worked hard to win this expansion, and it has already made a real difference. Data unambiguously shows that [most drivers slow down](#) after cameras are implemented.

Unfortunately, the most reckless drivers continue to speed, run red lights, and drive recklessly. [Evidence shows](#) that dangerous driving behavior is responsible for most fatal crashes. Preliminary results of a study of NYC DOT data show a strong correlation between drivers who have racked up repeated moving violations (speeding, running red lights) and drivers who are involved in serious crashes.

New York City has failed to implement a program to hold reckless drivers accountable and require that they change their driving behavior. In February, after years of advocacy, the City Council passed Brad's "Reckless Driver Accountability Act," a restorative justice-based, preventative program which would finally begin to hold reckless drivers accountable. The law would require those who rack up the most speeding and red-light camera violations to take a proven driver safety course and change how they drive or potentially face the impoundment of their vehicle. Unfortunately, despite signing Brad's bill, Mayor de Blasio cancelled promised funding and has failed to implement the program.

RECOMMENDATIONS

Adopting a data-driven, problem-solving, restorative approach to reducing traffic violence with less policing, has enormous potential to save lives, prevent injuries, save money, and make our streets safer for all New Yorkers. Such an approach can serve as a model for other areas of public safety as well. As New York City Comptroller, Brad will use the powers of the office to work towards less policing and decarceration, with street safety being just one of the many areas of focus.

Remove the NYPD From Routine Traffic Enforcement

Brad proposes removing NYPD officers from routine traffic stops, ending practices such as sending officers out with speed guns to fill a quota of speeding tickets, as well as stops for broken taillights, or not wearing a seatbelt. NYPD officers would only enforce driving behavior that visibly and

immediately endangers public safety (e.g. drag-racing, visibly erratic, aggressive, intoxicated, or road-rage driving). Earlier this year, [Berkeley, California](#) voted to remove officers from traffic stops. We can do it here in New York City.

Hold Reckless Drivers Responsible with Data-Driven, Restorative Approach

In place of NYPD officer enforcement, we should strategically deploy and expand the City's network of red-light and school speed zone cameras, which have been [proven to reduce](#) speeding, crashes, injuries, and deaths. In expanding this network, the New York City Department of Transportation (DOT), should test other forms of technology to enforce violations like failure-to-yield, blocking-the-box, and bike lane enforcement. As Comptroller, Brad will work with the State and City legislatures to advocate for and implement the expansion of these camera networks where they require additional authorization and will work alongside external advocates and experts to address and prevent the all-too-common practice of car owners intentionally obscuring their license plates.

To guarantee that these new enforcement mechanisms are both effective and equitable, Brad proposes to establish a publicly-accountable oversight body to achieve fair placement of cameras, guard against bias in the data that informs their placement and their use, and protect civil liberties. In addition, Brad will advocate for the elimination of fees, to avoid putting undue burden on low-income New Yorkers, and the adoption of fines that escalate with each violation on a sliding-scale based on income (i.e. day fines). Brad will also advocate for changes to penalties unrelated to dangerous driving (e.g. license suspension for non-payment of taxes) to reorient NYC's traffic enforcement efforts to focus explicitly on deterring dangerous driving.

The City must immediately implement and progressively expand Brad's [Reckless Driver Accountability Act](#) to hold the most egregious reckless drivers accountable through a restorative approach. The program should grow from 0.5% of the most reckless drivers (the level agreed upon when the Council passed and the Mayor signed [Intro. 971](#) earlier this year) to the worst 5% of drivers. With the expansion, the City should implement an escalating program that moves from a warning, to an opportunity to attend a [driver accountability program](#) (shown to reduce reckless driving recidivism), to short-term license suspension or car impoundment, and finally, long-term license suspension or car impoundment. DOT should study the correlation of other types of violations -- including egregious parking violations, placard abuse, and driving in bus and bike lanes -- with reckless driving and crashes to expand the scope of the program over time. Brad will work with allies in the New York State Legislature to enable the program to suspend and cancel people's licenses, in addition to the City's power to impound people's cars.

Transfer the Collision Investigation Squad from the NYPD to DOT. Restructure CIS to Enhance Road Safety.

Brad proposes to transfer the Collision Investigation Squad (CIS) from the NYPD to DOT, and to restructure CIS to become a powerful enhancer of road safety.¹ The new unit would take a victim-centered approach that emphasizes public transparency and accountability. The new CIS would

¹ This proposal would not affect the civilian "Traffic Enforcement Agents" (TEAs) at the NYPD, who write parking tickets and direct traffic at intersections, but do not carry weapons or have the power to arrest. TEAs could be offered the opportunity to join the CIS investigation team voluntarily if they wish to do so, but would not be required to transfer.

work with the City's District Attorneys (e.g. [the new Street Safety Bureau of the Brooklyn DA](#)) to develop a new set of tools for investigations, sanctions, and restorative practices, building on the approach of the Reckless Driver Accountability Act.

CIS would expand its focus not only on determining criminality for individual crashes, but also on broadly assessing factors underlying traffic risk and safety in order to make strategic recommendations for preventing future traffic violence. They would issue a report on each crash outlining potential changes to nearby streets and intersections. To help achieve its new mission, CIS would expand its staff of trained traffic investigators in order to include the thousands of serious but non-fatal crashes, allowing it to ground its strategic recommendations in broader data.

As the new strategists for reducing and eliminating reckless driving, the new CIS unit would additionally rollout a robust public outreach, education, and visibility campaign in coordination with DOT's Vision Zero efforts, as well as targeted human enforcement efforts where cameras fall short. The unit would release an annual report that aggregates data about dangerous and harmful vehicle use and driver behavior (e.g. data on hit-and-runs, which is not currently reported as part of the City's Vision Zero efforts) and makes recommendations for preventing traffic crashes.

Curb Reckless Driving by City Agencies to Reduce Crashes and Settlements

Crashes caused by City-employee drivers put New Yorkers' lives at risk, and settlements from those crashes have a significant financial cost to the City. **In reviewing settlement data from 2013 to 2019, Streetsblog NYC found [that the City paid out over half-a-billion dollars](#) in settlements for traffic crashes caused by City-employed drivers.** The bulk of these crashes were caused by drivers with five agencies: NYPD, FDNY, Sanitation, Parks, and DOT.

One of these agencies -- DOT -- implemented Vision Zero training, education, and driver accountability protocols that reduced crashes by its drivers annually from approximately 125 down to fewer than 25, and reduced payouts from \$5 million to almost zero. However, none of the other top five agencies implemented similar programs or saw similar reductions.

Brad will deploy Comptroller office audits as part of an effort to require the other City agencies with the highest dollar amount of settlements for traffic crashes (NYPD, FDNY, Sanitation, Parks) to follow the lead of DOT. Brad will research and advocate for the reform and elimination of NYPD vehicle pursuits and high-speed car chases, which can result in [danger, injury and death](#) to members of the public.

Brad also proposes to audit and reduce the City's vehicle fleet, much of which is unnecessary and duplicative, in order to save money, reduce carbon emissions, and reduce crashes.

At a time of significant fiscal uncertainty in our city, Brad is committed to finding responsible ways to save money without cutting essential services. Adopting these policies would save lives, while saving NYC taxpayers tens of millions of dollars each year.

Decriminalize or Eliminate Minor Pedestrian and Cyclist Infractions

Under the auspices of supporting street safety, police have too often targeted cyclists and pedestrians of color for minor infractions like jaywalking and biking on the sidewalk, in the very neighborhoods that lack sufficient pedestrian and cyclist infrastructure. Pedestrians and cyclists

should not be targeted by discriminatory police practices, as it both undermines our goals for greater racial and social justice and discourages New Yorkers' use of active and sustainable modes of transportation necessary for New York City to reach its carbon emission reduction goals. As Comptroller, Brad will continue to advocate for the decriminalization of infractions like jaywalking, loitering, and biking without a bell, and for adoption of traffic-law reforms such as the "Idaho stop" (that allows cyclists to treat a stop sign as a yield sign, and a red light as a stop sign).

Double Down on Life-Saving Infrastructure

Street design changes and infrastructure investments are proven ways to reduce crashes and make our streets safer for all their users, and they are central to our city's Vision Zero efforts. Unfortunately, significant cuts to DOT's capital budget seriously imperil our progress. As he has been for over a decade, Brad will continue to be a strong advocate for the funding and implementation of transportation infrastructure to encourage sustainable and active modes of transit, decrease vehicle miles travelled, and drastically reduce opportunities for crashes and dangerous driving behavior that puts all New Yorkers at risk. Top priorities include a citywide network of physically protected and camera-enforced bike and bus lanes, protected, widened and accessible sidewalks, narrowed roadways, the use of solid materials to calm traffic, pedestrianize streets, and fully redesign intersections.

As Comptroller, Brad will make the financial case for these infrastructure investments by documenting how they save lives, prevent injuries, and reduce payouts. He will continue to provide [leadership for a robust New York City capital budget that invests in long-term infrastructure](#) (which is also essential for a just and durable economic recovery). Building on legislation that he passed in the City Council that will require the City to establish a [universal capital projects tracking system](#), Brad will establish a dedicated team within the Comptroller's Audit Bureau to focus on the [capital projects management reform](#) the City desperately needs to get street redesigns completed on-budget and on-schedule.

By adopting a public health-oriented, data-driven approach to street safety, implementing and expanding the Reckless Driver Accountability Act, restructuring the Collision Investigation Squad, and doubling down on life-saving infrastructure, the City of New York will be able to make all its efforts to reduce crashes -- through design, education, and enforcement -- far more strategic and effective.

This work will save lives, so that fewer families will mourn lost loved ones on future World Days of Remembrance for Road Traffic Victims. It will prevent thousands of serious injuries, which have devastating effects on people's lives. It will save money, in a time of fiscal challenge.

And it will help point the way toward similar changes in other realms of public safety, so that we can reduce our over-reliance on policing, while doing better to keep all New Yorkers safe. Those are truly the goals of Vision Zero.