

**STATEMENT OF
DEPUTY CHIEF JAMES MCNAMARA
PATROL SERVICES BUREAU
NEW YORK CITY POLICE DEPARTMENT**

**BEFORE THE NEW YORK CITY COUNCIL
COMMITTEE ON PUBLIC SAFETY
DECEMBER 8, 2015**

Good morning Chair Gibson and Members of the Council. I am Deputy Chief James McNamara of the Patrol Services Bureau of the New York City Police Department (NYPD). On behalf of Commissioner William J. Bratton, I would like to thank you for this opportunity to speak with you about the Police Department's oversight of School Crossing Guards.

Before discussing the legislation under consideration today, I would like to provide an overview of the Police Department's current recruitment and deployment of School Crossing Guards.

Ensuring the safe passage of children to school each day is a duty that the Police Department takes very seriously. The Police Department is responsible for the assignment of School Crossing Guards throughout the City of New York. School Crossing Guards provide an essential service in two key ways: they help pedestrians cross busy intersections at school sites; and they control vehicle and pedestrian traffic flow around schools in the morning and at the close of each school day. School Crossing Guards work part-time, with starting pay at \$11.79 an hour, and a typical shift lasting from 7:30 AM – 9:30 AM and 2:30 PM – 4:30 PM. School Crossing Guards are limited to 25 hours per week, and they are eligible for City health insurance benefits if they work twenty or more hours per week.

Given their crucial role in ensuring the safety of our school children, there has been an intense focus by the Administration, as well as by the Council, on recruiting candidates and filling vacancies for this position. This focus is exemplified by the allocation \$1.14 million in funds in the FY'16 budget to hire 80 additional crossing guards.

The Police Department has made great strides in easing the hiring process for School Crossing Guards in order to ensure a steady pool of candidates for this important position. As NYPD employees, all candidates are subject to a background investigation prior to employment, which includes medical and drug screening. Recently, the Police Department relieved crossing guard candidates of nearly \$175 in administrative fees by waiving the fingerprint fee for this position and using a summary Social Security report rather than the more detailed report required for other titles. Moreover, the Department has increased job hiring for this position from quarterly to monthly and candidates are welcomed to apply in person at their local precinct or online (*available at <http://nypdcivilianjobs.com/schoolcrossingguard/>*). These efforts have been valuable in expanding the pool of qualified candidates for this position and we have seen an increase in

our School Crossing Guard headcount this year. We hope to experience even more positive results going forward with these new measures in place.

The decision to deploy a School Crossing Guard to a location requiring traffic control mediation is made by the Commanding Officer of a precinct. First, precinct commanders confer with the principals of schools that are located within the confines of their command. These local collaborations afford school administrators the opportunity to express concerns regarding traffic safety hazards that exist in the immediate vicinity of their school. Other factors that influence the deployment of School Crossing Guards include: historical vehicle collision data, commercial vehicle routes, the expressed concern of local residents, and the volume of pedestrians that travel through a location. Precinct commanders deploy School Crossing Guards to the locations that have been co-determined with school administrators as showing the highest potential for a safety hazard. It is incumbent upon Commanding Officers to continually monitor the locations within their command that warrant special attention.

Deployment of School Crossing Guards is directed principally at elementary schools operated by the New York City Department of Education. Privately operated elementary schools are covered when exigencies become apparent. Public and private middle schools, high schools, and other educational facilities receive coverage in circumstances where a substantial traffic safety concern exists and an adequate number of crossing guards are available.

A precinct-level traffic safety strategy – as it pertains to school crossing locations – is a collaborative process that involves the Commanding Officer, Executive Officer, School Team (comprised of a Sergeant and several Officers), and Community Affairs Officers. The responsibility of monitoring School Crossing Guards and ensuring that they are present at their assigned post is normally delegated to the School Team. This process involves unannounced inspections of crossing guards while they are expected to be on post.

In addition, Precinct Community Affairs Officers serve as integral actors in assisting a Commanding Officer with accurately monitoring the shifting traffic safety conditions in and around school zones. Community Affairs Officers help facilitate community meetings – which serve as an effective forum for precinct commanders to elicit citizen concerns regarding traffic safety hazards specific to school crossing locations. At these meetings, citizens are afforded the opportunity to consult with precinct commanders on traffic safety issues that affect school zones specifically, or their community in general.

Turning to the legislation under consideration today, while the Police Department has welcomed the opportunity to engage in substantive discussions with the Council regarding School Crossing Guards – and appreciates the efforts of the Council to recruit candidates for this position – we respectfully oppose the bills that are being examined today.

Intro. 983 would require the Police Department, Department of Transportation, and Department of Education to participate in an advisory board established to advise the Police Commissioner concerning matters related to the deployment of crossing guards including assessing the optimal headcount and station locations of crossing guards. The bill would also require that the board submit biannual reports, with the first beginning in March 2016, related to recommended deployment to the Mayor, the Council Speaker, and the Police Commissioner.

We believe that the requirements of this bill would encroach on the Police Commissioner's City Charter-mandated responsibilities to manage Department personnel, deploy Department resources, and set criteria for evaluating such management and deployment. Given the existing framework which creates avenues of input from other agencies within the Administration, from school principals, as well as from parents and community members, we believe the goal of identifying locations in need of School Crossing Guards is currently being accomplished through this local, collaborative model.

Intro. 992 would require that the Police Department create a deployment map of stationed crossing guard locations in New York City and that this map be posted on the Department's website. As you know, every precinct contends with unique traffic safety concerns in and around school zones, and therefore, traffic safety plans are individualized to each precinct. Given the unique traffic safety circumstances of each precinct, commanders are given the latitude in deploying their personnel as necessary. We believe that publically posting a deployment map of existing locations covered by School Crossing Guards online would not account for this latitude and would remove the unique discretion each precinct commander has in deploying resources where they are most needed. Further, a deployment map would not demonstrate real-time deployment and could conceivably mislead the public on stationed crossing guard locations.

School Crossing Guards provide a vital public safety service each day in the City of New York and the Police Department will continue to make significant efforts to recruit candidates for this position. As mentioned throughout the testimony, the recruitment and deployment of School Crossing Guards relies on local, precinct-level collaborations between school principals, parents and residents. We are grateful for the efforts by the Council, as well as other elected officials, to recruit candidates for this position – and we look forward to further partnerships with you – because the individual knowledge and insight each of you have into your districts is valuable and appreciated.

Thank you for the opportunity to speak with you today and I am happy to answer any questions that you may have.



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BOROUGH OF MANHATTAN
THE CITY OF NEW YORK

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Gale A. Brewer, Borough President

Manhattan Borough President Gale Brewer to the New York City Council Committee on Public Safety, in favor of Intro 0983- Advisory Board on Crossing Guard Deployment & Intro 0992- Reporting on Crossing Guard Deployment

December 8, 2015

Good morning. I would like to extend my thanks to Chair Gibson and the Committee on Public Safety for allowing me to speak today and extend my support for an advisory board and a reporting system on crossing guard deployment. I would like to stress the importance of having crossing guards at New York City public schools, where student safety must be a top priority.

Over the past year my office has received dozens of complaints about the lack of crossing guards available for duty, especially during the hectic morning and dismissal hours of the school day, and especially in busy neighborhoods, for example, lower Manhattan. With the escalated pedestrian and car congestion, we are faced with daily dangerous situations for students, parents, and staff.

Recently opened, P.S. 343 Peck Slip School and the nearby P.S. 397 Spruce Street School have struggled to obtain one crossing guard at each location. Even after a fatal incident in 2012 and, subsequently, a hit and run in 2015 resulting in serious injury near P.S. 397, there have been no measures taken to secure positions in a clearly hazardous environment. This is unacceptable.

P.S. 276 Battery Park City School has pushed for an additional crossing guard at a nearby intersection on Route 9A, a road built to state highway standards near the Battery Tunnel. Despite major safety concerns, P.S. 276 has come out empty handed on this matter.

Crossing guards are an essential part of the school community. Previous accidents, injuries, and fatalities unfortunately serve as examples, provoking the need for new initiatives that protect the well-being of pedestrians, especially the children in their place of education. Solutions must extend past the budgetary limits referred to by the NYPD, and most importantly, the community must be a part of the process in determining where the need for more crossing guards is.

As you all know, I am a big advocate for open and transparent government, but over the past 8 months as I tried to help constituents get more information about crossing guard

deployment, it was hard even for my staff to get the necessary information about where crossing guards are deployed, and where the openings are. A reporting system for crossing guard deployment would be an invaluable tool to parents, administrators and even elected officials.

I am pleased to be a part of City Council's efforts in creating ways to promote safety for New York City students. I fully believe that an advisory board and reporting system will increase efficiency and aid in securing crossing guards more comprehensively throughout the borough. Thank you for your time.



New York City Board of Education Employees
125 Barclay Street, Room 650, New York, N.Y. 10007 - (212)815-1372 - www.local372.org
Affiliated with District Council 37, American Federation of State, County & Municipal Employees, AFL-CIO

Tuesday, December 8, 2015

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Good morning, Public Safety Committee Chairwoman Vanessa Gibson, Council Member Brad Lander, and distinguished members of the committee. My name is Denise Ferrante and I am the chapter chair of School Crossing Guards for Local 372. On behalf of our President Shaun D. Francois I., I would like to thank you for the opportunity to provide testimony in support of Intros. 983 and 992.

I have been a crossing guard for about 5 years at the 123rd precinct, located in Staten Island. I have experienced pedestrians using their cars to try to remove me, been cursed at and disrespected all while trying to cross children and parents every day. I have a special relationship with my parents and children because I am their first line of defense against cars. Most parents in Staten Island cause major traffic issues everyday by double and triple parking at bus stops, crossing children at main intersections without any supervision from NYPD school crossing guards or crossing children themselves due to lack of SCGs.

As the chapter chair, I represent close to 5,000 School Crossing Guards (SCG) who serve students and the public across the five boroughs. SCG are the first line of defense against the dangerous traffic patterns for the City's 1.2 million children traveling to and from school. These hardworking men and women, making under \$15 an hour, protect our children at the City's most dangerous intersections. We cross all children, whether they're charter, parochial or public school children and their parents each day and we are capped at only 5 hours a day.

There is no doubt that providing comprehensive safety measures to all New York City school students is the first and most significant step in allowing for educational success between the New York Police Department, Department of Education, and Department of Transportation. We must work together to better determine where SCG placements are needed. There have been instances of new schools opening before traffic studies have even been completed, resulting in school children being left to fend for themselves for several weeks before a SCG is deployed to their new post.

Additionally, it is imperative that all parties are made aware of the challenges facing SCG on a daily basis. This way, dangerous situations can be averted, such as the City's failure to temporarily fill posts on days that SCG call in sick. The NYPD faces an ongoing vacancy challenge for SCG. We strongly urge the City to establish a SCG "floaters" program in each precinct so that there is always coverage for every school.

In many instances, the City is unaware of the working conditions which make these job openings so difficult to fill, such as a 25 hour cap per week, 16 unpaid DOE holidays and out of pocket health care costs in the summer. Seamless education and coordination between City agencies can be achieved through the establishment of a school crossing guard advisory board, as well as required transparent reporting on progress.

While Local 372 supports both bills being heard, we urge the Committee to amend Intro. 983 to open up the conversation for the labor force to be considered. If in search of optimum solutions, interested stakeholders must have a seat at the table. It is our Union's duty to work closely with our members and our team at Local 372 possesses an unprecedented understanding of our SCGs' responsibilities, working conditions, as well as stumbling blocks. Excluding the actual labor from these conversations will prove to be a major setback in making progress towards the safety of all NYC school children.

Again, I want to thank you for the opportunity to provide testimony in support of Intros. 983 and 992. On behalf of Local 372's School Crossing Guards, we want to especially thank the bills' sponsors, Council Member Gibson and Council Member Lander, for their hard work and undertaking of this very important issue. I would be happy to answer any questions.



The City of New York

Manhattan Community Board 1

Catherine McVay Hughes CHAIRPERSON | Noah Pfefferblit DISTRICT MANAGER

The New York City Council Committee on Public Safety

Int. 983-2015 and Int. 992-2015

**In relation to an advisory board on crossing guard deployment
and reporting on crossing guard deployment**

The Council Chambers, City Hall

Tuesday, December 8, 2015 at 10:00

Thank you, Chair and members of the Committee on Public Safety for holding this important public hearing today. My name is Catherine McVay Hughes, and I represent Community District 1 in Lower Manhattan where I am Chair of Community Board 1. Community District 1 includes most of Manhattan below Canal Street and south of the Brooklyn Bridge. Our neighborhood is very dense and has an enormous volume of vehicular traffic every day including construction trucks, commuter buses and double-decker tourist buses. Our community is roughly 1.5 square miles and has roughly 90 major construction sites. It also includes Route 9A which some young children need to cross to go to grade school.

Community Board 1 (CB1) supports Int. 983-2015 by Council Member Gibson with CB1's NYC Council Member Margaret Chin sponsoring this bill which is a Local Law to amend the administrative code of the city of New York, in relation to an advisory board on crossing guard deployment. It would require that the New York City Police Department (NYPD), NYC Department of Transportation (DOT), and NYC Department of Education (DOE) participate in an advisory board relating to school crossing guards. The Board's responsibilities will include: assessing the number of school crossing guards in the City and where they are stationed, assessing traffic patterns, population shifts and the needs of particular schools and programs, and recommending changes and improvements to crossing guard deployment. It also requires that the Board must host at least one public meeting prior to issuance of the report and it must report its findings and recommendations before March 1, 2016, and have biannual reports thereafter.

CB1 also supports Int. 992-2015 by Council Member Lander which is a Local Law to amend the administrative code of the city of New York, in relation to reporting on crossing guard deployment which requires that the NYPD to post a map on its website about where crossing guards are stationed in NYC.

School crossing guards have been a top concern for parents whose children have been attending our local public elementary schools for a variety of reasons including the lack of them until recent deployment of temporary NYPD traffic enforcement agents at both Peck Slip and Spruce Street School and irregular attendance of the crossing guard assigned to PS 276. Also, until we had a field inspection with Commanding Officer Iocca, the temporary Spruce Street School enforcement agent was assigned to Spruce Street instead of Beekman Street, where the majority of children are coming from, and near an FDNY station and a hospital parking garage and emergency entrance.

Please see attached CB1's November 2015 resolution which was passed unanimously and contains historical references, observations, facts and recommendations that we request to be considered as the assessments are being developed by the advisory board. Thank you very much.

**COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION**

DATE: NOVEMBER 19, 2015

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE: 7 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

RE: School Crossing Guards

WHEREAS: Out of 80 additional school crossing guards funded in the city's FY '16 Expense Budget, only one has been assigned to Community Board 1, yet many of our school crossing guard responsibilities are understaffed while Peck Slip, PS343, and the Spruce Street School, PS397, have none at all, and

WHEREAS: The City Council has allocated funding for four additional school crossing guards in the Community Board 1 area, and

WHEREAS: CB1 has not seen increased school guard presence at three major schools in the district, PS276, PS397 and PS 343, and

WHEREAS: CB1 has experienced absent school crossing guards, vacant positions and inadequate supervision of school crossing guards, and

WHEREAS: CB1 has schools located in areas prone to accidents, due to its congested streets and sidewalks, and there was a recent fatality, and

WHEREAS: All Lower Manhattan Elected Officials support and are actively involved in efforts to provide school crossing guards for all Lower Manhattan Schools, and

WHEREAS: CB1 feels that there are systemic flaws in the current assignment of supervisory responsibility for school crossing guards, and

WHEREAS: The First Precinct has agreed to assign traffic control officers to school crossing duty at the Spruce Street and Peck Slip schools until permanent crossing guards are assigned, now

THEREFORE
BE IT
RESOLVED

THAT: CB1 asks the New York Police Department to assign six additional school crossing guards, two each at the following locations: PS276, PS397 and PS 343, and

BE IT
FURTHER
RESOLVED

THAT: CB1 recommends that the NYPD lift the cap of working hours of school crossing guards to reasonable hours to cover the needs of the community's schools and afterschool programs, and

BE IT
FURTHER
RESOLVED

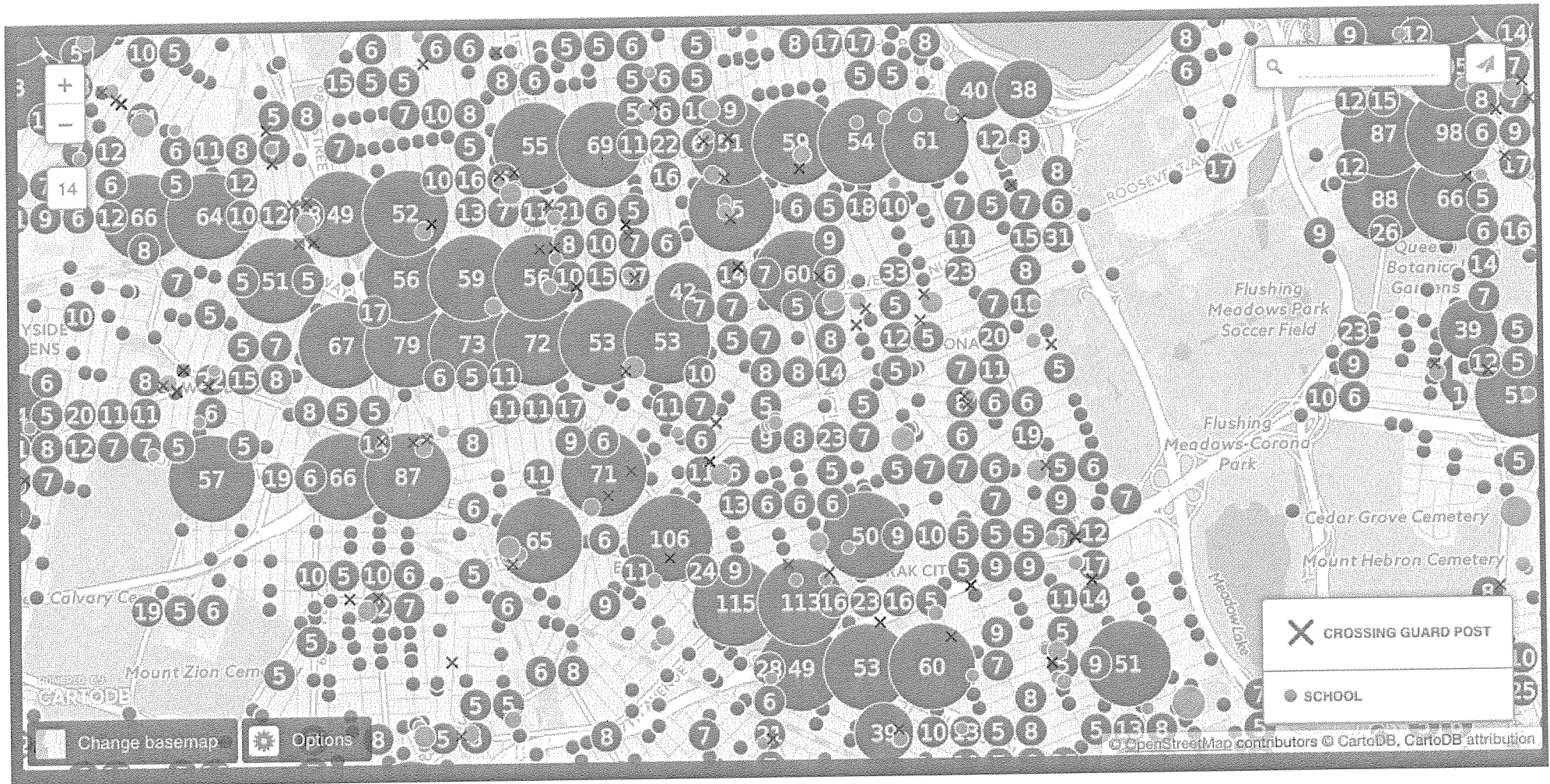
THAT: CB1 recommends that the long term solution to the problem of inadequate supervision of school crossing guards is to annualize the job of school crossing guards, thereby making it a 12 month a year title versus a 10 month title with all possible benefits to make the position more desirable to prospective applicants, and that applications for school crossing guard positions be fully vetted for residents of the local community, and

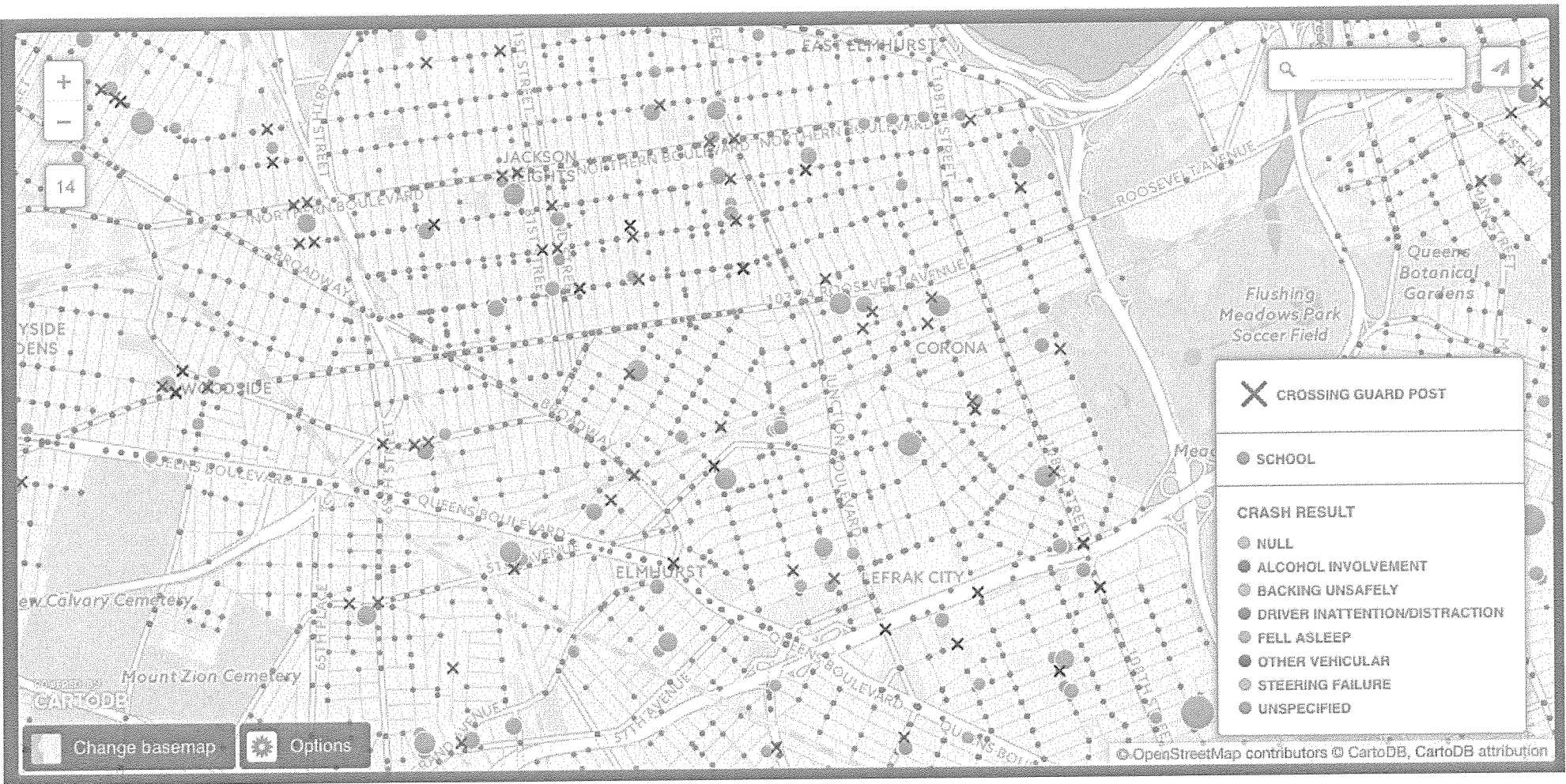
BE IT
FURTHER
RESOLVED











THAT: CB1 recommends that the city of New York mandate that all schools in CB1 have a minimum of one school crossing guard assigned to each school based upon a comprehensive plan for adequate coverage, and

BE IT
FURTHER
RESOLVED

THAT: CB1 recommends that local candidates are fully vetted for these positions.





	CROSSING GUARD POST
	SCHOOL
CRASH RESULT	
	NULL
	ALCOHOL INVOLVEMENT
	BACKING UNSAFELY
	DRIVER INATTENTION/DISTRACTION
	FELL ASLEEP
	OTHER VEHICULAR
	STEERING FAILURE
	UNSPECIFIED

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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 8 Dec 2015

Name: Kim Wiley - Schwartz (PLEASE PRINT)

Address: ASST Commissioner

I represent: DOT for Public Safety

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 12/8/15

Name: Deputy Chief James McNamara (PLEASE PRINT)

Address: _____

I represent: Police Department

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 12/8/15

Name: Assistant Commissioner Marisa Caggiano (PLEASE PRINT)

Address: _____

I represent: Police Department

Address: _____

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 12/8/15

(PLEASE PRINT)

Name: Martha Ayon

Address: DC 37 125 Barclay Street

I represent: Local 372, DC 37

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 12/18/15

(PLEASE PRINT)

Name: Denise Ferrante

Address: DC 37 125 Barclay Street

I represent: SCG, DC 37 Local 372

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 983, 992 Res. No. _____

in favor in opposition

Date: 12/8/2015

(PLEASE PRINT)

Name: JEFFREY GUYTON

Address: 41-18 39th Place, SUNNYSIDE NY

I represent: CEC DISTRICT 30 QUEENS

Address: QUEENS PLAZA NORTH

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. 983 + 992 Res. No. _____

in favor in opposition

Date: 12/8/15

(PLEASE PRINT)

Name: DBA Jimmy Metzger / Catharine McVay Hogan

Address: 395 S. End Ave NY 10280

I represent: CBI

Address: 1 Center St.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Mark Rampey sr

Address: 52 Chambers Street

I represent: NYC Department of Education

Address: 52 Chambers Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Diana Howard

Address: Center Street

I represent: Manhattan Bowery Resident

Address: 60th Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 12/8/12

(PLEASE PRINT)
Name: Raquel Vega

Address: 60-162 60TH Road

I represent: myself

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 992 Res. No. _____

in favor in opposition

Date: 12/8/15

(PLEASE PRINT)
Name: Cristina Furlong

Address: 37-35 85th ST. APT. 21

I represent: MAKE QUEENS SAFER

Address: 37-35 85th ST. Apt. 21. Jackson Heights NY
11372

Please complete this card and return to the Sergeant-at-Arms