

# FOR THE RECORD

## Testimony of Michael Scagnelli Chief of Transportation (retired) New York City Police Department

New York City Council  
Committee on Public Safety  
Hearing on Intro. 0120  
April 28<sup>th</sup>, 2010

My name is Michael Scagnelli. For more than 7 years I was the Chief of Transportation for the New York City Police Department. I retired my post due to mandatory age restrictions in May of 2009. While I am unable to be here in person today, I respectfully submit the following testimony:

During my tenure as Chief of Transportation, I created policies and procedures that improved police training, responsiveness and effectiveness in reducing traffic fatalities, injuries and the enforcement of moving violations. To these ends, I created TrafficStat in 1995. TrafficStat is essentially a version of COMPSTAT. TrafficStat is a data driven enforcement reporting, and analysis system that holds precinct commanders, staff, and personnel accountable to reducing accidents, injuries and deaths. TrafficStat was actually first implemented by another officer in 1998. In the year 2000 I took control of TrafficStat and re-engineered and improved it to reverse the trend of rising accidents, injuries and deaths. The central lesson of TrafficStat is that the more traffic data is available, the more capability there is to prevent accidents, injuries the loss of life that too often occurs on New York City streets.

When I was Chief of Transportation, if legitimate organizations requested accident, injury and summoning statistics I would furnish them, provided I already had the information. **I strongly believe that one way to help reduce traffic injuries and fatalities on New York City streets is for the NYPD to make traffic injury, fatality and summoning data open and available to the public.** The simple fact is that this information *already exists* in a form that could be easily released and made available to the public and other agencies focused on reducing traffic casualties.

If this information is made public, it will surely help citizens, community leaders, health professionals and elected officials draw much needed attention to the dire need for more traffic safety solutions to be applied on our streets. I have always been a great believer in the transparency of the police department. It can only help the police and the citizens of New York City to make all known traffic data readily available to the public. Thank you.

**STATEMENT OF**  
**CHIEF OF TRANSPORTATION**  
**JAMES TULLER**  
**NEW YORK CITY POLICE DEPARTMENT**  
**BEFORE THE NEW YORK CITY COUNCIL**  
**PUBLIC SAFETY COMMITTEE**  
**APRIL 28, 2010**

**Good morning, Mr. Chairman and members of the Council. I am James Tuller, Chief of Transportation of the New York City Police Department. With me today is Deputy Chief John Donohue, Commanding Officer of the NYPD's Office of Management Analysis and Planning. On behalf of Police Commissioner Raymond W. Kelly, we are pleased to be here today to offer our comments on the bill before you, Intro. No. 120.**

**The bill would create a new Administrative Code Section 14-152, requiring the Police Department to post on its website, on a weekly basis, information about two types of data – moving violation summonses and traffic accidents. The bill seeks disaggregation of the data in specific ways. For the summonses issued for moving violations, the information is to be separated by type of summons. For the accident data, the bill seeks the number and type of vehicles involved, the number of motorists, passengers, bicyclists and pedestrians involved, and for fatal accidents, the apparent human contributing factors involved.**

**While not specifically referencing the Police Department's extensive quarterly reporting to the Council, as mandated by Administrative Code Section 14-150, Intro. 120 represents a similar initiative in seeking a tremendous amount of raw data from which it is assumed the public will gain a benefit. We respectfully suggest that such an assumption is misplaced, and that publishing the data required by the bill would not further our mutual goal of making the City's streets safer. In fact, by requiring the Police Department to devote extensive resources to the collection, review and publication of this data, valuable and diminishing police resources would be diverted from the actual work we already do in analyzing traffic accidents and taking appropriate measures to improve safety.**

**Our intense focus in this area has unquestionably borne fruit. Working with our City partners, and particularly the City Department of Transportation, we have seen a 35% reduction in traffic fatalities since 2001, which fell to an all-time low of 256 in 2009. This success holds true for traffic injuries as well, with a steady decrease in injuries during the last decade, for an overall 39% decrease in traffic injuries since 2001. We all agree that one death, or one injury, is one too many, and our mutual goal is to keep our focus consistent and to develop even more effective strategies to protect everyone using the City's roads and highways. But we submit that we have robust systems and mechanisms in place in order to accomplish those goals, and ask that our resources not be depleted in order to produce data which adds nothing to this mission.**

**You may already be familiar with our weekly TrafficStat meeting, which is a critical**

part of our traffic safety effort. TrafficStat brings together all affected Police Department commands to discuss, in depth, the traffic conditions in a particular Patrol Borough. Department data is supplemented by the fact-finding and experience of our operational personnel, in order to thoroughly analyze local conditions and take steps to improve them, whether it be through targeted enforcement, engineering changes, policy initiatives, public education, or a combination of all of these techniques. Representatives of the City and State DOTs, the Taxi and Limousine Commission, the TBTA, New York City Transit, and MTA Bus Operations participate in the TrafficStat meeting, and work closely with us to make recommendations, implement suggestions, and institute changes coming out of the dynamic TrafficStat process.

The formal mechanism of TrafficStat is only one aspect of the Department's consistent attention to traffic safety. At the most basic level, patrol officers are responsible for preparing a Police Accident Report when responding to the scene of a vehicle accident. The officer will conduct a preliminary investigation and will take enforcement action if appropriate. If the accident results in a fatality, the Highway District's Accident Investigation Squad will conduct a thorough investigation and determine whether criminal charges are indicated.

Every patrol precinct has a Traffic Safety Team, composed of the Precinct Executive Officer, Platoon Commanders, Training Sergeant and Traffic Safety Officer. This team is responsible for the development and implementation of the precinct's Traffic Safety Plan, as well as amending the Plan as conditions change. The primary objectives of the Plan are the reduction of accidents, injuries and fatalities to motorists, bicyclists and pedestrians, and the efficient flow of traffic through the command. The Traffic Safety Team is tasked with identifying accident prone locations, determining to the degree possible the factors contributing to the accidents, and developing strategies to address problem locations. Corrective actions to address the identified local conditions may include targeted enforcement, public education, the sharing of information with other commands and outside agencies via Traffic Intelligence Reports, and consultation with the City DOT regarding possible engineering changes. Please note that a key member of the Traffic Safety Team is the precinct's Traffic Safety Officer, whose sole function is to monitor and address traffic conditions in the precinct, including ensuring the accurate completion of accident reports and the identification of accident prone locations. Note also that each Patrol Borough has a Traffic Safety Coordinator whose role is to coordinate and support the efforts of the precinct Traffic Safety Officers and Traffic Safety Teams. At both precinct and borough levels, the Traffic Safety Officers and Coordinators maintain close working relationships with the DOT's Borough Commissioners, Precinct Community Councils, and other government agencies.

In addition, every precinct conducts a weekly Street Conditions Survey, in order to observe and report on highway or street conditions requiring correction. Examples of such conditions include a broken traffic light or street light, missing or shifted manhole covers, obstructed roadways, flooding, and obstruction of traffic control devices by trees, signs or other obstructions. The agency or entity responsible for correcting the condition is notified, with immediate notifications made for serious emergencies.

On a Citywide level, the Department is co-located with the City DOT in the Traffic

Management Center, the nerve center for monitoring of traffic conditions through the City's network of closed circuit television cameras. This partnership provides an opportunity to observe, in real time, locations where police attention may be needed, and to work together to address both short-term and long-term needs to keep traffic flowing safely in the City. The Traffic Management Center collects and disseminates accident statistics, exchanges accident data with City and State DOT, and coordinates construction projects and their impacts on the City's streets. We would like to remind you that the public may view current traffic conditions on NYC-TV or on the City DOT website, at [www.nyctmc.org](http://www.nyctmc.org).

We hope that this description of the work of the Police Department and its partners will provide some insight into the successful effort to reduce traffic injuries and deaths in New York City. We would like to now discuss the specific provisions of Intro. 120 in this context.

At the outset, it should be noted that neither summonses nor Police Accident Reports are computerized documents in electronic form. Unlike, for example, complaint reports and arrest reports, these documents are prepared by hand, and are not susceptible to automatic compilation or query for particular data points. Thus, any information to be gleaned from these documents would be the result of a stick count or other physical examination performed manually by police personnel. Each report has to be individually analyzed and then collectively interpreted to form a basis to take corrective action. A limited amount of information is entered into a Department database. Therefore, the precinct based Traffic Safety Team plays an extensive role in drawing conclusions from these documents.

Further, the information sought by the bill does not provide meaningful information which can illuminate the reasons for a vehicle accident or the mechanisms used to enhance traffic safety. This information is only valuable to those with the training, knowledge and experience to understand its context and interpret it correctly. For example, the issuance of a certain number of summonses of a certain type may be interesting as a curiosity, but it will never by itself be meaningful unless one knows all of the relevant factors influencing that number, such as deployment levels, targeted enforcement, precinct conditions, special operations, traffic volume, operational initiatives, local construction, and environmental conditions. That is the role of the police commander, who evaluates summons information in the proper context and understands the data's limitations. It should also be remembered that the issuance of a summons means only that the violator was caught; it does not necessarily reflect a major trend, or an indicator of a particular problem, or how often an actual violation is being committed.

The limited utility of the raw data sought by the bill is an even greater problem when discussing accident reports. An accident report is a preliminary document, prepared by a police officer who in the vast majority of cases did not observe the accident and is relying on the potentially self-serving accounts of the participants. A police officer preparing a Police Accident Report may or may not indicate apparent contributing factors, depending upon the observed circumstances as well as his or her level of confidence in the information being presented by the participants. Drawing conclusions about the causes of vehicle accidents, and fashioning remedies for conditions which may have contributed to

**the accidents, is a painstaking process performed by the Police Department on a regular basis, using case by case analysis and focusing on accident prone locations. Again, that is the role of the police commander.**

**It must also be remembered that for CompStat data, each data point represents a complaint of one of the seven major felony crimes as defined by the Penal Law, representing an allegation of criminal conduct against a particular individual responsible for his or her crime. However, vehicle accidents exist in a different environment. Except for the small minority involving criminal conduct, vehicle accidents are civil in nature, and may be attributable to a variety of causes including unavoidable circumstances, weather, equipment failure, or the negligence of a driver, pedestrian, or bicyclist. The circumstances may or may not be captured on the Police Accident Report, and it would be counterproductive to attempt to draw conclusions about the causation of accidents from the data in the manner that would be reported pursuant to the bill. We therefore disagree with the bill's assumption that summons and accident data offer the same type of reliability and relevance that CompStat data provides.**

**Regarding a drafting issue contained within Intro. 120, the bill seeks the posting of moving violation summonses disaggregated by "type of summons." It is unclear what is meant by "type of summons," since the type of summons is a summons for a moving violation returnable to the Traffic Violations Bureau. We have made the assumption that the information sought is for the particular violation charged in the summons, and would appreciate clarification of the Council's intent.**

**Finally, we have attempted to assess the resources required to comply with the provisions of the bill if enacted. Again, drawing a distinction between CompStat data and the data sought by the bill, in 2009 there was an average of 27 felony complaints per precinct per week, drawn from the Department's computerized complaint database. Contrast that volume with an average of 315 summonses for moving violations issued per precinct per week, and an average of 52 accident reports prepared in each precinct each week. We estimate that the weekly reporting requirement, coupled with the nature of the information systems from which the data would be drawn, would require the functional equivalent of approximately 23 members of the Department – uniformed and civilian, including supervisory personnel – to collect, review, audit, analyze, organize, post and respond to inquiries regarding the data on the Department's website.**

**We acknowledge and share the Council's interest in enhancing traffic safety. However, we suggest that Intro. 120 does not contribute to that goal, and instead would require the Police Department to divert significant resources from its ongoing efforts in order to post data which, at best, would serve no purpose and, at worst, would mislead the public. At a time when we are asked to fulfill our public safety and counterterrorism responsibilities with 6,000 fewer police officers, with the prospect of losing even more, we must respectfully oppose enactment of Intro. 120. Thank you for allowing us the opportunity to discuss the bill, and we will be pleased to answer any questions you may have.**

Testimony of Lucius Riccio Ph.D.

Good morning. My name is Lucius Riccio. I am a lecturer in management at Columbia University's School of International and Public Affairs and at its School of Engineering and Applied Science. And as some of you may recall, between 1979 and 1993 I held several positions in government including Commissioner of New York City's Department of Transportation.

Prior to that, I served in a number of positions in the law enforcement and criminal justice field. I served in Mayor Lindsay's Criminal Justice Coordinating Council, as assistant Director for Research of the Ford Foundation-funded Police Foundation in Washington D.C., as a consultant to the Federal Judicial Center of the Supreme Court of the United States and as a staff member of the President's Commission on Law Enforcement Productivity.

I'm here today to support the "Saving Lives Through Better Information Bill." Although great progress has been made in reducing the plague of traffic fatalities and serious injuries in New York City over the past two decades, we still have a ways to go to make this truly a safe city. This bill goes a long way to advancing our capacity to understand and overcome the conditions that lead to these horrible deaths and serious injuries.

At Columbia I teach rational decision making. In my courses I teach the well researched principle that the effective use of information can have great power and influence on improving the quality of decision making and policy formulation. This bill promotes a policy that encourages the collection and dissemination of comprehensive, meaningful data for advanced analysis. That process can only lead to improved management of the deployment of resources as well as smarter policy choices. How is it that in this country we spend hundreds of millions of dollars to understand how a few hundred people die in airplane crashes yet we

spend relatively pennies to understand how 38,000 people die in traffic crashes? How is it that we have detailed information about plane crashes, but pitifully little detail about how thousands die from automobiles?

This bill promotes the advancement of our knowledge of the *why* and *how* of crashes and the *what* and *when* of the things we must do to protect the public.

The big successes of New York City government have come from scientific, data-driven policies that deploy scarce resources where they can achieve the most significant results. One of the City's greatest successes, I should say one of American government's greatest successes is the NYC CompStat program. That program is a perfect example of how improved collection, reporting, analysis and interpretation of data can lead to tremendous improvements in police service. This bill seeks to do that for traffic fatalities.

For the improved safety of all New Yorkers for generations to come and all those who visit our great city, I ask you to vote yes for this bill.



**Testimony of Paul Steely White  
Executive Director  
Transportation Alternatives**

**New York City Council  
Committee on Public Safety  
Hearing on Intro. 0120**

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**April 28, 2010**

Good morning. My name is Paul Steely White and I am the Executive Director of Transportation Alternatives. We are a non-profit advocacy organization with over 8,000 dues paying members and over 35,000 active supporters working for safer streets for New York City pedestrians and cyclists. Our organization strongly supports the Saving Lives Through Better Information Bill. This legislation will improve transparency in government, enable government agencies to more precisely and efficiently focus their limited resources, and it will ultimately improve the safety of millions who walk, bike and drive in New York City.

As the Executive Director of an organization to whom elected officials, media and civic groups frequently turn to in their search for information about summoning for dangerous driving violations or crash records, I can say that the data we currently have on hand is woefully insufficient. Right now, the only way for a New Yorker to obtain information about traffic-related crashes or summoning activity for dangerous driving is to send a Freedom of Information Law request to the New York State Department of Motor Vehicles. That data is often two years-old. Think about it: right now, community groups and elected officials like yourselves are often forced to make decisions that directly affect life and death, based on information from 2008, at best.

Let there be no doubt about how in-demand and indispensable this information is. Back in 2004, Transportation Alternatives launched a website called [CrashStat.org](http://CrashStat.org). Today, any New Yorker can go online to that website and see a map of crashes involving bicyclists or pedestrians on their street between 1995 and 2005. We built this site because of an overwhelming demand for crash data from schools, residents, community groups and members of the press who were working to quantify and reduce the dangers on their streets. CrashStat was a start, but it's inadequate in its ability to inform policy decisions, or enable residents and elected officials to have a clear picture of what has happened on their streets in the past week, the past month, the past year or even the past five years.



Intro. 120 will enable government agencies and citizens to direct resources in a much more efficient and transparent way. This is an era of doing more with less, where we must find ways to direct shrinking enforcement resources and limited capital dollars for street improvements to the areas where they will make the biggest impact. And this data will enable City agencies to justify their decisions and priorities in a more transparent and readily understood way. Whatever limited resources are required to enable the systematic publication of existing crash and summoning data—data which is presently collected and regularly disseminated internally within the NYPD Traffic Division—will pale by comparison to the ultimate gains made in efficiency and safety. For those who question whether the current fiscal situation makes Intro. 120 prohibitive, consider that every traffic fatality costs tax payers roughly \$3 million in medical costs, litigation, emergency response and other associated costs.

Today, you'll be hearing from more than just transportation advocates. You'll be hearing from emergency room doctors, representatives of our senior communities, former law enforcement officials and families of crash victims to name a few. What each of these diverse constituencies have in common is that they fully support this legislation and will be working together to see to its ultimate passage.

And, I am particularly happy to report that as of late yesterday, the office the Manhattan District Attorney Cyrus Vance Jr. is also getting behind this legislation.

We are firm believers that the regular, timely publication of crash and summoning data could prove nothing less than transformative for the city. As you consider the passage of the Saving Lives Through Better Information Bill, I hope you will consider some numbers. 256: the number of New Yorkers who lost their lives in traffic-related crashes last year. 72,000: the estimated number of pedestrians, cyclists and motor vehicle passengers injured in traffic-related crashes in New York last year. This information is falling through the cracks, and with it, our opportunity to save lives with more scientific, data-driven policy.

Testimony of David Shephard  
Committee on Public Safety Hearing  
Intro. 120  
April 28, 2010

Good morning. My name is David Shephard, and I live in the Bronx. I'm here today because this bill—the Saving Lives through Better Information Bill—touches my life in a very personal way. On November 27th, 2009, my fiancée Sonya Elorine Powell was struck and killed on Baychester Avenue as she returned from Christmas shopping. Sonya was 40 years old.

The past six months have been incredibly hard. What sticks with you are the endless questions? How many people were injured or killed on this street in the weeks, months or even years before Sonya's crash? Was the local precinct enforcing against dangerous driving in that area? If so, how many tickets did they issue and when? Was there ever any action taken against drivers with suspended licenses—like the one who killed Sonya? Was her death part of a trend for the area or the city, or was it the result of one person's callous actions?

These are the questions that keep me up at night, and the answers are difficult, if not impossible, for a person like me to find. The most recent data I was able to secure for Baychester Avenue were yearly crash figures ending nearly 12 months before Sonya's death—and even that information took a great deal of difficulty to obtain. New Yorkers should not have to work this hard to answer such fundamental questions.

Because the investigation into the crash that killed Sonya is still ongoing, there's only so much I can say here today. Let me simply end by telling you that Sonya was a wonderful, loving person. That her family, friends and I miss her every day. And that none of us would wish what happened to Sonya to happen to anyone else in this city. I urge you to pass this bill, so that potentially life-saving information doesn't remain behind closed doors and out of reach.

Testimony on behalf of Intro. 120: Saving Lives Through Better Information Bill  
Jamie S. Ullman, MD, FACS  
City Hall, New York City  
April 28, 2010

Good morning. My name is Dr. Jamie Ullman. I am a neurosurgeon on faculty at the Mount Sinai School of Medicine, where my practice has focused on, among other things, traumatic brain injury at our Level I trauma affiliate in Queens. During the past 5 years, I have been the principal investigator on a study analyzing the pedestrian injuries at our hospital. I grant you that this problem is not small.

I am here today to support Intro. 120, the "Saving Lives Through Better Information Bill." The information that this bill would unlock concerns a major safety and public health issue in New York City. Being struck by a car is the number one cause of accidental death for New York City children under the age of 14. Being struck by a car is the second-leading cause of injury-related death among senior citizens. This issue is a immense one for me and my trauma surgery colleagues. I have been witness to our admissions for pedestrian injury rising to the highest number in a full decade, superceding all other reasons for trauma admissions.

We have collected data on more than 1,000 patients. Approximately 7% died from their injuries. On average, these patients spent 10 days in the hospital, removing them from their families, communities, and places of employment. We found that pedestrian injury affects people of all ages, from children, to young adults, to middle age, to the elderly. Through ambulance reporting, we can map incident locations to determine the "hot spots" where pedestrians are repeatedly being struck by cars, but we have no data concerning the drivers and use of distracting devices, such as cellular phones. This has limited our analysis in terms of defining risk factors leading to pedestrian accidents. I have and I am continuing to reach out to our community regarding the significant problem of street safety in Queens and throughout New York City.

There are doctors and health professionals working in all five boroughs to change this, but lack of current information remains a critical obstacle to our efforts. The details regarding the crashes of 10,000 pedestrians and 2,000 bicyclists that take place each year could throw the doors wide open, and enable us to focus limited resources on places and factors that can save the most lives.

That is what this is about: saving lives. Nearly 300 of our neighbors lose their lives on our streets every year. The health community-from trauma centers to academic researchers-is becoming increasingly involved and vocal about the public health epidemic stemming from dangerous streets. But we cannot base this work on media reporting or records that are not current. We need the same steady stream of data that has underwritten New York City's scientific efforts to combat violent crime. The weekly reporting of injury and fatality figures will help us assess trends more rapidly, isolate areas of

conspicuous danger, and determine some degree of causality for the victims that come through our hospital emergency rooms and other health facilities.

On behalf myself as a citizen of this great City and a physician, along with others in the health professions who are deeply concerned about this epidemic of pedestrian accidents, I strongly encourage the City Council to pass The "Saving Lives Through Better Information Bill." Let us put this vital data in the hands of a public willing to utilize it for improving pedestrian safety in our City.

**Martin Treat**

**Clinton/Hell's Kitchen Coalition for Pedestrian Safety (CHEKPEDS)  
400 West 43<sup>rd</sup> St. 33N NYC 10036 212-714-0186**

**Committee on Public Safety**

**City Counsel Hearing**

**Re: Intro 120**

**April 28, 2010**

**I have been representing CHEKPEDS in our community to try and get traffic, pedestrian and bike related crash information from our local precincts for over five years now. I do this for two reasons: I fear for my life when I cross the street or get anywhere near the curb and I'm terrified for my family and friends. Hell's Kitchen Community is host to the Lincoln Tunnel, Port Authority Bus terminal where commercial and private vehicles clash and crash and run over pedestrians. The need to identify dangerous intersections and extreme traffic conditions is crucial to mitigating the conditions. Wouldn't any citizen want to know where problems exist in a community and the underlying causes to advocate for change?**

**The precincts in my community have been very cooperative in trying to give the data, but they are understaffed and constrained by time.**

**Requesting data through the freedom of information act is unnecessarily tedious. With NYPD cooperation in a web site, safety advocate groups like CHEKPEDS, Transportation Alternatives, Community Boards and Council Committees, all advocates for pedestrian and bike safety, can participate in the search for solutions. Such traffic data available to the public can directly contribute to saving lives and preventing life changing injuries.**

**Introduction 120: to require the New York City Police Department to make certain traffic-related statistics available through its website is good for the whole City. Please approve this law.**

Testimony of Christine Berthet,  
Manhattan Community Board 4  
April 28, 2010 – In favor

Manhattan Community Board 4 (CB4) supports Bill 120 a local law requiring NYPD to make certain traffic-related statistics available through its website.

75% of our neighbors are concerned about their safety due to traffic. And rightly so: the vulnerable users fatalities have decreased only by 18% since 2001, while car drivers and passengers have fared much better (53%)

Such crashes can be prevented: along with street design, enforcement plays an important part in the overall strategy to achieve traffic safety for pedestrians and bicyclists. Our community is clamoring for more traffic enforcement and protection: since it is impossible to put an officer on foot at every intersection for everyone to see them, showing activity numbers is a much more effective way to convey action and give a sense of safety to our street users.

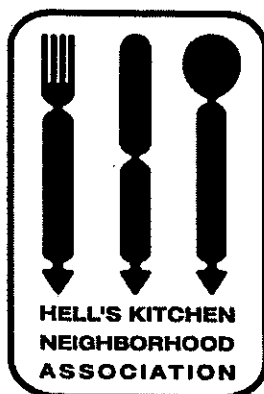
The law proposes that fatalities be reported as well as crashes. CB4 requests that injuries be tallied as well, as their number is much larger and each one has a significant economical impact on the families, the health care system and the economy at large.

CB4 requests that the data be aggregated not only by precinct as the law recommends, but also by Community Board: Our district is currently served by four different precincts, some of them covering large swaths of Manhattan all the way to the east side. This renders the data by precinct much less meaningful to our area, which has particular challenges like many Lincoln Tunnel entrances.

We understand that in order to tally this data and present it by precinct, NYPD will geo-code all data at the time of data entry, meaning that data will be tagged in the computer system with a precise location. thus making it easy to present the data in any grouping.

In addition we suggest that the underlying data by intersections be made available to the Elected Officials, on a quarterly basis and upon request, so that specific locations that are believed to be dangerous could be scrutinized.

We urge you to pass this common sense law as soon as possible and provide NYPD with the funds necessary to implement the requisite technology.



Public Safety Committee  
New York City Council  
Oral Testimony

April 28, 2010

RE: Intro 120

My name is Kathleen Treat and I am chair of the Hell's Kitchen Neighborhood Association. In our neighborhood the Port Authority rules – the Lincoln Tunnel dominates every aspect of our lives, and Lincoln Tunnel traffic is killing us – picking us off one by one, day in and day out. We are powerless to defend ourselves.

Please pass this vital legislation. Give us the weapon we need to fight back.

Thank you.

A handwritten signature in black ink that reads "Kathleen Treat". The signature is written in a cursive style with a long horizontal flourish at the end.

Kathleen McGee Treat, Chair  
Hell's Kitchen Neighborhood Association

**Hell's Kitchen Neighborhood Association – 454 West 35<sup>th</sup> Street, NYC 10001**  
212-714-0186 - [www.hknanyc.org](http://www.hknanyc.org)

**TESTIMONY**

**VERONICA MONTGOMERY-COSTA**

**PRESIDENT, LOCAL 372**

**NEW YORK CITY BOARD OF EDUCATION EMPLOYEES**

**AND**

**DISTRICT COUNCIL 37**

**INTERNATIONAL VICE PRESIDENT**

**AMERICAN FEDERATION OF STATE,**

**COUNTY AND MUNICIPAL EMPLOYEES**

**AFLCIO**

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**PUBLIC HEARING**

**CITY COUNCIL PUBLIC SAFETY COMMITTEE**

**PUBLIC HEARING**

**AMENDMENT TO §14-152**

**ADMINISTRATIVE CODE OF THE CITY OF NEW YORK**

**APRIL 27, 2010**

**TESTIMONY SUBMITTED BY**

**VERONICA MONTGOMERY-COSTA**

**PRESIDENT - LOCAL 372 AND DC 37, AFSCME, AFL-CIO**

**APRIL 27, 2010**



Chairman Vallone and Committee members:

Local 372 thanks you for giving us this opportunity to speak on behalf of our 2,117 School Crossing Guards and the 1.1 million public school children who are their life's work.

This amendment to the administrative code of the City of New York is a positive step in the right direction, when it comes to providing pertinent data to Community Boards and private citizens concerning traffic and pedestrian issues in the five boroughs.

In recent years, budget choices have had negative impact on the ratio of School Crossing Guards to students.

Easy access to this data should allow those requesting additional School Crossing Guards, or traffic signs, or signals for dangerous and sometimes deadly intersections to make a more comprehensive and effective case for their demands.

Having internet access to this data might also demonstrate how those intersections which have assigned School Crossing Guards have fewer student injuries or fatalities.

In 1998 Clara Giraldo, School Crossing Guard, 109th Precinct and Joan Gasparro, SCG at PS 150 in Sunnyside Queens, were seriously injured while consciously putting themselves in harms way trying to save the lives of two school.

In 2000, Sallie Robertson, School Crossing Guard and Shop Steward in the 71st Precinct witnessed a traffic accident, called 911, then injured herself pulling the driver of the car out from behind the wheel saving the driver from further injury.

In 2001, SCG Betty Davis was killed in the line of Duty as she approached her post at the intersection of Linden Boulevard and Cross Island Parkway in Cambria Heights.

I'm telling you these stories because I know that after the media reports these stories of School Crossing Guards, these unsung everyday heroes and their acts of heroism are soon forgotten. Soon after in City Hall, it's business as usual when it's time to cut the budget.

It's my job to remind you that traffic signals and stop lights alone will not protect our school children in the busy intersections they navigate every day going to and from school. Our school children need our School Crossing Guards to watch their backs, and City Hall needs to adequately provide crossing guard coverage to our schools year'round.

It is our hope that this amendment will enable better co-ordination between the Department of Education and the New York Police Department, to ensure that a full complement of School Crossing Guards is available to cover regular school hours, after school and summer programs, in public, private, parochial and charter schools.

This coordinated effort could also ensure that school sites having particular traffic problems that require additional guards would be properly staffed.

At a time when examples of transparency in government are hard to find, Local 372 commends those City Council members who support this amendment for stepping up to the plate.

There is no greater cause than the safety of our City's school children and the unsung heroes who put themselves in harms way, in sometimes intolerable weather conditions, because they feel it is their duty to protect them.

**Testimony in City Council for Intro 120**  
**Mary Beth Kelly, ACSW**  
**310 Riverside Dr. #1707**  
**New York N.Y. 10025**

The seemingly small incidental violations of traffic safety laws can be deadly.

I know. I was there to witness the killing of my husband, Dr. Carl Henry Nacht, by a tow truck that failed to yield. The driver of that truck ignored a twelve square foot sign instructing him to yield to pedestrians and cyclists. That specific moving violation, the failure to yield, is one of the highest contributors to pedestrian injury and death on the streets of New York City. As a result of that rather ordinary breakage of the law, our family was catapulted from the enjoyment of the ordinary into the abyss of the awful. We are all still trying to put the pieces of our lives back together, almost four years later. You, City Council Members, all too easily, could be me.

With today's current lack of transparency, it is often years before the public and even elected officials like yourselves can obtain information regarding the commission of moving violations and the possible injuries and fatalities associated with them. And, only then, it is usually the result of determined investigation of crime statistics by traffic safety advocates. We need the information. We need the numbers, the locations, "the facts, Mam, just the facts." And we need it now.

Approximately 250 deaths in 2009 is 250 too many. As is the over 10,000 annual pedestrian injuries. Each and every death or injury on the street diminishes life for the living. They leave every one of us bereft and fearful; carrying a chronic sense of unsafety.

Intro 120, The Saving-Lives Through Better-Information Bill, should be an easy ask since we know how crucial the availability of information is to the process of change. We shouldn't have to wait years after the events, to know what moving violations are occurring in our neighborhoods right now. We need to use it now where it can be life saving knowledge. Ironically, this information is already collected, but unlike other crime statistics goes undisclosed. Intro 120 simply makes it readily available for analysis and decision making by our law makers, the NYPD, the DOT, our community boards, schools, and senior citizen advocates. The passage of Intro 120 by our City Council is crucial. Please make the safety of New York City streets a top priority as you serve us, your constituents, your fellow urban dwellers.

Thank you,  
Mary Beth Kelly



Gray Panthers, NYC Network  
244 Madison Ave. #396, New York, NY 10016  
Tel: 212-799-7572, [www.graypanthersNYC.org](http://www.graypanthersNYC.org)

City Council, Committee on Public Safety  
Council Chamber, April 28, 2010

My name is Anne Emerman. I'm a member of Disabled in Action (DIA), the Gray Panthers (GP) for three decades, and Transportation Alternatives (TA) over 15 years. GP urges passage of Int. No. 20 – a bill to require the NYPD to publish traffic statistics available through its website. It's a tool for community boards, civic groups, and local elected officials to identify hot spots and put in plans for neighborhood safe routes for pedestrians, especially seniors, children and disabled persons. We're buoyed by TA and city "Safe Routes for Children and Seniors", using universal design from the Americans with Disabilities Act (ADA). We're encouraged by DOT Commissioner Sadik-Khan's receptivity to safe passage plans, creation of pedestrian malls and bikes lanes.

Children, short persons, the elderly, scooter and wheelchair (w/c) users fall under the line-of-sight of drivers in high cab vehicles. On April 8, 1996, I crossed West 21<sup>st</sup> Street at 5<sup>th</sup> Avenue, diverting my path slightly to avoid a pothole. I heard a shout, and turned to see an 18-wheeler tractor-trailer about to strike. As I learned later, a bicycle messenger traveling behind the truck sped up and shouted at the driver, who stopped just at impact. I was knocked to the pavement, but escaped with minor injuries. My motorized w/c was smashed. My second life began that Easter Monday. Two years before my husband was bicycling up 1<sup>st</sup> Avenue, at 21<sup>st</sup> Street, a car door opened knocking him into the traffic lane. Miraculously, no vehicle was behind to run over him.

We began clipping newspaper articles. A pattern emerged: w/c, scooter, walker users, children and bicyclists made up the majority of traffic victims. Several persons we knew were killed, three DIA members were seriously injured, two persons escaped serious injury, thus began a DIA campaign. We demanded DOT slow traffic signals, and give vulnerable pedestrians a few more seconds to cross streets before vehicles turn. We requested installation of accessible/audible traffic signals, and the use of

internationally recognized symbols. Public safety was not then a DOT priority. Traffic victims became mere statistics, remembered only by loved ones. Int. No. 20 could allow these lost lives and injuries to become the driving force behind public safety policy in neighborhoods and citywide.

In the 1950s through the 1980s, as a w/c using student, worker, mother, taxpayer, I rode in the gutter with traffic. I took our 3 to 4 year old daughter to a local nursery school and doctor appointments on my lap. Where available, curb cuts at garage entrances and parking lots provided access to sidewalks. This Mom joined DIA in 1976, and became part of the disability civil rights movement to force government to provide pedestrian ramps and access to public transportation. Borough Presidents Stein and Dinkins put discretionary funds, \$200K and \$1.2 million respectively, into DOT's budget to create a pedestrian ramp program in Manhattan. That pushed Mayor Koch to request a law and to fund a citywide program. After the passage of the ADA, Eastern Paralyzed Veterans Association filed a lawsuit to enforce this law. The city has until 2012 to complete ramping this city. In the same 1980s period, DIA and EPVA filed lawsuits to force the federal and state governments to provide accessible public transportation.

We've made progress, but have a way to go. GP participated in the Mayor and City Councils "Age Friendly City" initiative to make the city safe, functional and available to the booming aging population. Int. No. 20 is a small step forward toward the goal of a safe city. Pass the law!

## FOR THE RECORD

Testimony of Rosemarie S. Perry  
Chairperson of the Public Safety Committee  
Community Board 9, Brooklyn  
Before the New York City Council Public Safety Committee  
Hearing on Intro 120:

A Local Law to amend the administration code of the city of New York, in relation to requiring the New York City Police Department to make certain traffic-related statistics available through its website

April 28, 2010

Chairman, Ranking Members, members of the committee, thank you for the opportunity to speak with you today as you consider the proposed amendment to the Administration Code of the City of New York, in relation to requiring the New York City Police Department to make certain traffic-related statistics available through its website.

My name is Rosemarie S. Perry, and I am the Chairperson for the Public Safety Committee of Community Board 9, Brooklyn, NY

My comments are directed towards the critical need for traffic related data to be placed on the world wide web. (a) the department shall make available to the public, through its website, the following traffic-related data: (1) the number of moving violation summonses issued, disaggregated by the type of summons: (2) the number of traffic accidents, disaggregated by the type of vehicle or vehicles involved and by the number of motorists, passengers, and pedestrians involved; (3) the number of traffic fatalities disaggregated by (i) the number of motorists, passengers, bicyclists, and pedestrians involved and (ii) the apparent human contributing factor or factors involved in the accident, including, but not limited to, alcohol involvement, driver inattention/distraction, cell phone (hand-held) and cell phone (hands-free).

This traffic related data would be beneficial to not only Community District 9, but to the City of New York as a whole. Specifically, data and knowledge of areas in District 9 with an abundance of certain types of summonses can be addressed in a more effective manner by community boards, local elected officials, block associations, educators, and families. This will ultimately have an impact on the public safety and economics in the district as it relates to vehicle insurance.

Community District 9 in Brooklyn is composed of many culturally diverse and heavily populated neighborhoods, with adjacent high traffic business districts. This district also has a large number of senior citizens and school aged residents. The increase in population and traffic congestion, and expected increase in traffic related issues due to pending budget cuts to mass transportation in our community district establishes the need for public access to online consistent and reliable traffic statistics.

Public access to certain traffic-related statistics available through a website would help mitigate the impact of the increased traffic congestion by allowing the community to use more intelligent navigation. Planning future improvements to traffic control will also be possible for the community, by using the statistics to identify traffic improvement needs, calibration or adjustment in traffic accident prone areas. The statistics will also benefit public and private sector institutions by enabling them to utilize the information to improve educational and other public outreach efforts to improve traffic safety and public health issues in the community.

Traffic related statistics will help to identify problem areas in the community district that will inform plans to improve and maintain the public safety. In addition, it will allow local elected officials easy access to statistical information to inform their decision making abilities on funding traffic improvements throughout the city as well as improved traffic related services.

It is imperative that the Intro 120 to amend the Administration Code of the City of New York, in relation to requiring the New York City Police Department to make certain traffic-related statistics available through its website, be supported and approved.

Thank you very much for the opportunity to comment on these extremely important topics.

Respectfully submitted,

Rosemarie S. Perry  
Chairperson Public Safety Committee  
Community Board 9, Brooklyn  
April 28, 2010



**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: \_\_\_\_\_

Name: ANNE EMERMAN (PLEASE PRINT)

Address: 333 EAST 30th Street

I represent: GRAY PANTHERS NYC Network

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: 4/28/10

Name: VIRGINIA VALENTI (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: Pelham Bay Pedestrian Safety Initiative

Address: 1874 Pelham Pkwy. So. Bx 10461

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 4/28/10

Name: Kyle Wiswall (PLEASE PRINT)

Address: 350 W. 31st St. #802

I represent: Tri-State Transportation Campaign

Address: 350 W. 31st St. #802

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. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 4/28/10

(PLEASE PRINT)

Name: ELCANE ADAMS  
Address: 605 Park Ave 5B NYC 10065  
I represent: PED. ESTRIANS  
Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 4/28/10

(PLEASE PRINT)

Name: James Tuller Chief of Transportation  
Address: 1 Police Plaza  
I represent: MPPD  
Address: 1 Police Plaza

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 4/28/10

(PLEASE PRINT)

Name: Chief Brian Donohue  
Address: 1 Police Plaza  
I represent: C.O. Office of Mgmt Analysis & Planning, MPPD  
Address: 1 Police Plaza

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. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: David shephard

Address: Brone NY

I represent: \_\_\_\_\_

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: 7/28/10

(PLEASE PRINT)

Name: William Stoner

Address: 780 3<sup>rd</sup> Ave 33<sup>rd</sup> Fl. NY NY

I represent: AARP

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Linda Prine MD

Address: 333 CPW #21 10025

I represent: Ny County Academy of Family

Address: 16 E. 16th St. NY NY 10003 Physicians  
Brone NY

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. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: Peter Goldmister (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

Name: LOU RICCIO (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 4/28/10

Name: Santos Crespo (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: Local 372-School Crossing Guards

Address: 125 Barclay St NYC

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. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 4/28/10

(PLEASE PRINT)

Name: MARY BETH KELLY  
Address: 310 RIVERSIDE DR. # 1707 NYC 10025

I represent: MYSELF

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Paul Steery White

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Jamie S. Wilman, MD

Address: \_\_\_\_\_

I represent: Physicians, Researchers.

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. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: April 28

Name: BERT HEL Christine  
(PLEASE PRINT)

Address: 348 W 38th

I represent: CB4

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 4/28/10

Name: MARTIN TREAT CHERPEDS  
(PLEASE PRINT)

Address: 400 W 43 St. 33N 10036

I represent: The Clinton Hell's KITCHEN PEDESTRIAN SAFETY

Address: Same

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 120 Res. No. \_\_\_\_\_

in favor  in opposition

Date: 4/28/2010

Name: Kathleen Treat  
(PLEASE PRINT)

Address: \_\_\_\_\_

I represent: Hell's Kitchen Neighborhood Ass'n.

Address: 454 W. 35th Street NYC

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