TRANSPORTATION ALTERNATIVES

The Case for Self-Enforcing Streets

How Reallocating a Portion of the NYPD Budget to the DOT Can Reduce the Harm of Racial Bias and Improve Safety for All New Yorkers

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Executive Summary

While New York City has made significant progress to reduce traffic violence on our streets, 220 people were killed and more than 60,000 were injured in traffic crashes in 2019. As the City works to reduce these numbers, too often, it relies on police officer-based enforcement solutions to change behaviors such as speeding and biking on sidewalks. However, police officer-based enforcement is less effective than infrastructural alternatives, like street redesigns and automated enforcement, and puts people of color at risk.

Traffic enforcement is the most common interaction that Americans have with police. Nationwide, Black drivers are almost twice as likely to be pulled over as white drivers. New Yorkers, especially immigrants, people of color, and the unhoused, have seen disastrous consequences from the policing of streets and sidewalks, from onerous fines to incarceration to death. Last year, 90 percent of the people that the NYPD summonsed for jaywalking were Black or Latinx. Under the de Blasio administration, Black and Latinx men aged 14-24, who make up less than five percent of the population, made up nearly 40 percent of those stopped by police on the sidewalk.

As Mayor Bill de Blasio and the New York City Council examine the expansive purview and budget of the New York Police Department (NYPD) and the impact of racist policing on communities of color, Transportation Alternatives (TA), together with several elected officials and other legal and advocacy organizations, urge our leaders to invest in proven solutions that create safe road conditions for all and reduce racial bias in police enforcement. Specifically, we recommend reallocating significant portions of the NYPD's budget to the Department of Transportation (DOT) to, among other things, increase investments in street design and automated enforcement to create "self-enforcing" streets. This is a more effective way to make streets safe.

For example, in 2017, there were 46,000 hit-and-run crashes in New York City. Yet police officers arrested just one percent of all hit-and-run drivers. In the past five years, hit-and-run crashes in New York City have increased by 26 percent. By comparison, DOT infrastructure projects designed to reduce these traffic crashes have proven effective and scalable. Changing traffic

signals to "leading pedestrian intervals" reduced the number of people killed or seriously injured by drivers failing to yield by over 50 percent. Protected bike lanes have produced as much as a 94 percent drop in cycling on the sidewalk. Automated speed cameras reduced the number of people killed or seriously injured by as much as 50 percent, and reduced speeding by over 60 percent. Furthermore, these interventions afford no privileges to police union "courtesy card" holders, nor do they carry biases that may lead to police harassment or violence.

By shifting resources to infrastructural solutions, which work 24/7, are free from implicit bias, and are unable to harass or cause violence, the City can lessen the need for armed police enforcement (e.g. all non-civilian members of the NYPD), reduce traffic injuries and fatalities, and save money — traffic crashes cost the City's economy $4.29 billion every year and police misconduct settlements were $237.4 million in 2018.

As a first step towards reimagining traffic enforcement in New York City, we call on Mayor Bill de Blasio and the New York City Council to, as part of the FY21 budget process, reallocate significant portions of NYPD's traffic budget to:

- **Increase DOT funding for the design and construction of "self-enforcing" streets** to include, but not limited to, protected intersections, protected bike lanes, protected bus lanes, narrowed roadways, bulb-outs, leading pedestrian intervals, and accessible curb ramps. The redesign of curbs with loading zones should also be prioritized to lessen the need for parking enforcement.
- **Expand existing red light, speed, and bus lane automated enforcement cameras.** In addition, advance pilot programs to expand the scope of automated enforcement to include, but not limited to, parking cameras, "failure to yield" cameras that protect pedestrians in the crosswalk, "blocking the box" cameras that deter motor vehicles from clogging intersections and creating dangerous conditions for pedestrians, bike lane cameras that protect cyclists in the bike lane, and distracted driver technologies. The City must seek changes to state law as needed.
- **Move primary crash-response to a new unit that includes the NYPD's Collision Investigation Squad (CIS), the Department of Health and Mental Hygiene, and the DOT.** After every fatal

or serious injury crash, this unit should publish an assessment of the street conditions that contributed to the crash and work with DOT to immediately remedy them.

- **Create data transparency in the enforcement of streets and sidewalks, including real-time public reporting of all aspects of street and sidewalk enforcement, including geographic, race, and ethnicity data.**

- **Expand and strengthen the 2017 [Right to Know Act](#)**, which requires police officers to provide certain information to people stopped for suspicion of a crime, to include routine police stops where criminal activity is not suspected and traffic stops, and to require identification cards with know-your-rights information be provided to people stopped by police.

- **Roll back the 2019 expansion of transit police in coordination with the MTA.** Instead, create a multi-agency unit to support the unhoused in our transit system that includes the Department of Homeless Services, Department of Health and Mental Hygiene, the New York City Human Resources Administration, local hospitals and first responders, with transit police available in a support role when needed.

- **End the crackdown against working cyclists and affirmatively legalize e-bikes used by food delivery workers.**

- **Pilot sliding-scale fines and alternatives to payment for low-income drivers, such as permission to forgo fines and a grace period to bring an equipment violation into compliance.** Additionally, Transportation Alternatives recommends that the City work with the State DMV to separate licensing from fee compliance, and adopt stricter standardized consequences for repeat unlicensed driving, based on New York City's new [Dangerous Vehicle Abatement Program](#) and a restorative justice model for summonses and crashes, [piloted by the Center for Court Innovation](#) in Brooklyn, including license and vehicle registration revocation.

The Problem

The New York City Police Department (NYPD) describes its mission as "to enhance the quality of life in New York City by working in partnership with the community to enforce the law, preserve peace, protect the people, reduce fear, and maintain order." It is a broad mission, and in recent decades, the breadth of the NYPD's purview has grown to include schools, housing projects, and parks, as well as all the ways that New Yorkers get around — subways, buses, surface roads, highways, sidewalks, and parking.

This report looks primarily at the harm caused by the armed policing of transportation, with a focus on New York City's streets and sidewalks, and suggests infrastructural and design solutions as alternatives.

NYPD Enforcement is Unwieldy

The stated mission of the NYPD has grown in recent decades to almost every corner of life in New York City, from where our children spend their days to how we get to work. Police officers now take the place of, among others, educators, social workers, and traffic engineers.

This growth can be seen not only in the purview of the police department, but in its size. The NYPD is the largest police department in the United States, with 36,000 officers and 19,000 civilian employees. That is more than three times as many officers as Los Angeles or Chicago, and more police officers per citizen than any city in America. In the past five years, NYPD spending rose by 22 percent, to $6 billion annually, including $289 million to police buses and subways, and $211 million to police traffic.

As the NYPD has grown, year over year, for two decades, the crime rate has fallen precipitously. Some argue that New York City's policing practices were responsible for this drop in crime. However, other large cities like Los Angeles and Baltimore have far fewer police officers, and these cities saw their crime rates fall by even higher rates over the past two decades.

Consider just the NYPD fleet. Over a three-year period ending in 2018, the NYPD grew its fleet of squad cars and SUVs by over 1,300 vehicles. It is the largest vehicle fleet of any city agency, and there are plans to spend $80

[million](#) to upgrade the fleet in the next five years. As a point of comparison, Mayor de Blasio recently cut $7.9 million from a program that would build new bus lanes (which would serve, in large part, the essential workers who [make up nearly half of bus riders](#)). These cuts halve the pace of bus lane installation and risk worsening the commute of New York City health care workers who already have the [longest commute of any group in the city](#). **To restore budget cuts to bus lanes would cost, at most, half of what the city plans to spend on police vehicles this year alone.**

It is not only bus riders who suffer at the expense of the NYPD budget. The current $6 billion police budget is more than what the City spends on health, homeless services, youth development, and workforce development combined. For every $1 spent on the NYPD, the departments of public health, homeless services, and youth and community development [each get less than $0.30](#). Early in 2020, in light of the recession, Mayor de Blasio proposed a one percent cut to the NYPD budget and a 32 percent cut to the Department of Youth and Community Services. That same proposal included $4 million in cuts to Vision Zero street improvement projects, $3 million in cuts to [Vision Zero](#) public service announcements, and another $3 million in cuts to building protected bike lanes.

NYPD Enforcement is Unfair and Dangerous

The growing size and scope of the NYPD is echoed in the growth of police departments nationwide. In New York and other northern cities, this growth is linked historically to slavery and emancipation. As [Black populations in northern cities began to expand during the Great Migration of the mid-20th Century, their police departments followed suit](#), growing in spending and force size.

This historical trend is reflected today in the ways that policing is unfair and dangerous to Black New Yorkers. This appears in on-the-street harassment, unequal summonsing, and police violence.

Consider even the smallest example: jaywalking. Crossing the street midblock or against the light is a common practice for New Yorkers. But it is also a violation for which officers issue summonses at their discretion. In 2019, **90 percent of**

the people that NYPD officers summonsed for jaywalking were Black or Latinx. Only 55 percent of New Yorkers are Black or Latinx.

Enforcement of cycling on the sidewalk follows a similar pattern. **NYPD officers issue significantly more criminal summonses for cycling on the sidewalk in predominantly Black and Latinx neighborhoods than in white neighborhoods.** It is important to note that cycling on the sidewalk is proven to drop precipitously in locations with protected bike lanes, and there are very few protected bike lanes in Black and Latinx neighborhoods in New York City.

Consider NYPD officers crackdowns on delivery workers — largely immigrant people of color. Over multiple years, police officers seized thousands of e-bikes belonging to delivery workers — seizing 820 bikes and issuing more than 1,200 summonses to delivery workers in 2018 alone with fines regularly exceeding $500 per instance. Despite taking up an undue amount of policing resources, these are minor violations, not crimes.

The policing of sidewalks, as seen in the NYPD's "stop-and-frisk" initiative, is explicitly unfair to people of color. **Police officers in New York City were found to stop and harass Black and Latinx New Yorkers nine times as often as white New Yorkers.** Even though white New Yorkers were twice as likely to be found with a gun, Black and Latinx New Yorkers were also significantly more likely to be frisked once stopped on the sidewalk. And while a lower crime rate has been used to justify stop-and-frisk, the practice has been found to be both ineffective and unconstitutional. Indeed after stop-and-frisk was ruled unconstitutional in New York City and the practice was drastically reduced, the crime rate fell to historic lows. However, to this day, the racial disparities in who is stopped by the NYPD persist. Under the de Blasio administration, four of every five reported stops were of Black or Latinx people, and in 30 NYPD precincts, those stops accounted for more than 90 percent of those harassed by police on the sidewalk. These individuals were found innocent at least 80 percent of the time.

During the coronavirus pandemic, NYPD officers' enforcement of social distancing requirements proved unfair, disproportionately ticketing and arresting New Yorkers in predominantly Black and Latinx precincts despite

the majority of 311 complaints about violating social distancing rules being in majority-white neighborhoods.

Far too often, unfair and unequal summonsing, traffic enforcement, and sidewalk harassment turn violent. This violence, too, is unequal. During the de Blasio administration, NYPD officers used violent force on over 21,000 Black and Latinx New Yorkers, and only 2,200 white New Yorkers. **Looking only at those New Yorkers who were stopped by NYPD officers on the street or sidewalk, officers were significantly more likely to use force against Black and Latinx New Yorkers than white New Yorkers.**

These statistics are echoed in stories of where harassment in public space often leads: Sean Bell, a 23-year-old Black man, unarmed and killed by police who shot 50 rounds into his car on a Queens street in 2006; Eric Garner, a 44-year-old Black man, unarmed and choked to death by police on a Staten Island sidewalk in 2014; Allan Feliz, a 31-year-old Latinx man, unarmed and shot to death during a traffic stop in the Bronx in 2019; and too many others. Current policing practices can especially lead to harmful consequences for those perceived to have mental health diagnoses — and disproportionately so for Black individuals and other New Yorkers of color.

On a typical day in the United States, police officers stop 50,000 drivers. It is above and beyond the most common interaction that Americans have with police — and for Black Americans, those stops, and subsequent searches, are much more likely to occur. **Nationally, compared to their portion of the population, Black drivers are almost twice as likely to be pulled over while driving as white drivers.** Black drivers are four times more likely than white drivers to be searched after being pulled, even though white drivers are more likely to be found with drugs, guns, alcohol or other contraband. This is true even when controlling for the increased search rate that police officers may employ in high-crime areas.

The overwhelming majority of racial disparity in traffic enforcement by armed police officers is concentrated in "discretionary stops" for minor violations of the law, like failing to signal a turn or an equipment violation. Sometimes these stops are born of generalized descriptions or excuses. And far too often,

such a traffic stop can be a death sentence for Black individuals — like for Sandra Bland, who was pulled over for a broken taillight and died in prison, or Walter Scott, who was shot in the back after being stopped by a police officer for a broken taillight, or Samuel DuBose, who was shot in the head after being stopped for lacking a front license plate on his car, or Philando Castile, who was shot and killed after reaching for his ID while pulled over.

The policing of traffic can also lead to a more complicated and long-lasting form of violence by introducing New Yorkers to a carceral justice system. Consider what happens after an unaffordable traffic summons or parking ticket is left unpaid. Under New York law, this unpaid violation can lead to serious consequences, from a suspended license to jail time. One study found that 42 percent of drivers lost their jobs after their license was suspended, and that driving can be such a necessity that 75 percent of people continue to drive after a license suspension, risking additional police encounters, criminal charges, further fines, and prison.

Beyond these grave consequences — unfair enforcement, harassment, violence, the threat of prison — the unfairness of how traffic is policed has a direct implication on the effectiveness of policing. Legal consequences that are seen as unjust result in more "not guilty" pleas, more requests for jury trials, court backlogs, lower conviction rates, and greater strains throughout the criminal justice system. In this way, unfair policing undermines safety, leading to a distrust of police among communities of color that may make people less likely to report crashes.

Infrastructural Solutions for Traffic Enforcement Are More Effective

For all the ways that armed enforcement of traffic laws by police officers is dangerous, it is also less effective than other methods to engender positive behaviors in traffic. **The implementation of infrastructural and design solutions for making streets and sidewalks safe in New York City has proven significantly more effective.**

A report from the NYPD Office of the Inspector General in 2016 noted that the armed policing of streets and sidewalks is racially biased, focusing on Black and Latinx people, and housing project residents, and found said policing to be largely ineffective. Analyzing six years of summons, arrest, and complaint data over time, the NYPD could find no evidence of a link between summonsing and felony crime.

Consider the ineffectiveness of the pursuit of justice for traffic crash victims by NYPD detectives. In 2017, there were 46,000 hit-and-run crashes in New York City, more than 5,000 of which resulted in injury. On average, year after year, NYPD detectives arrested just one percent of all hit-and-run drivers. This dereliction of duty is true even in the most serious cases. In 2017, only 24 of the 62 hit-and-run crashes that resulted in serious injury or death led to an arrest. In the past five years, hit-and-run crashes in New York City have increased by more than a quarter.

If the goal of the armed policing of traffic is to change behavior on streets and sidewalks, the use of infrastructural and design-based control devices has proven significantly more effective. For example, consider the problem of cycling on the sidewalk. Police officers ticketing for cycling on the sidewalk have been shown to have an extreme racial bias. Even this is only effective only when a police officer directly observes a violation. Compare this to the introduction of a protected bike lane. The protected bike lane provides universal, unbiased, 24/7 coverage of the streets, affecting all who use it. **On Prospect Park West in Brooklyn, the introduction of a protected bike lane produced a 94 percent reduction in cycling on the sidewalk.**

Other infrastructural solutions provide an equally meaningful and unbiased increase in safety on streets and sidewalks. In New York City, the introduction of traffic calming measures such as narrowed roadways, bulb-outs, protected bike lanes, and pedestrian plazas has been shown to reduce speeding, traffic crashes, and injuries. For example, a protected bike lane has been shown to reduce the number of people killed or seriously injured by drivers' failing to yield in left turns by 53 percent. Changing traffic signals with the installation of "leading pedestrian intervals" reduced the number

of people killed or seriously injured by drivers failing to yield during left turns by 56 percent. Automated speed and red-light enforcement cameras have been shown to be as effective, reducing the number of people killed or seriously injured in traffic crashes by 50 percent, and reducing speeding violations at camera locations by over 60 percent. And 81 percent of drivers who receive a ticket from a speed camera do not receive a second one. Police officers simply cannot match this effectiveness. In a time of budget constraints, these infrastructural interventions are also more cost-effective.

Past NYPD Reform Efforts Demand Bold Action

Past efforts to reform the behavior of police officers in New York City have proven inadequate to address patterns of racial bias. These reform efforts are testament to the fact that structural change and budget reallocations are necessary. Perhaps the most potent example of this can be found in New York City's "stop-and-frisk" program.

Stop-and-frisk practices have been used to police New Yorkers on city sidewalks for more than two decades, and have been protested as unfair and unconstitutional for nearly as long. After a 1999 lawsuit challenged the practice, and the City of New York settled the case in 2003, an agreement was made for the NYPD to reform itself by training police officers on how to stay on the right side of the constitution, avoid racial bias, and be ethical about enforcement. **Despite these promises, during this period incidents of stop and-frisk grew from around 97,000 to more than 685,000, and the percentage of those who were stopped unjustly actually rose.** At the end of this period of reform, 87 percent of those stopped were Black or Latinx.

This led to another class-action lawsuit, a court ruling that stop-and-frisk was an unconstitutional civil rights violations due to the racially biased nature of the stops, and another commitment to training and reform. Only in 2014, 11 years after the first settlement, did the number of stops fall below the 2002 levels — brought about only by court order, and even after that the racial disparities persisted. The inability of the NYPD to reform

the stop-and-frisk practices of police officers over decades indicates that the problem is institutional and entrenched throughout the department.

Over the past 10 years, Transportation Alternatives has advocated for a slew of reforms to NYPD enforcement practices, including the need for police officers to [focus summonsing on the most dangerous traffic violations](#), to [stop confiscating e-bikes from delivery workers](#), to [end victim-blaming and press leaks](#) during traffic crash investigations, to [start sharing crash reports with victim's families](#), and to [park outside the bike lane](#) and sidewalks. **Despite promises and some incremental changes, these needed reforms have not been met.**

Recommendations

Transportation Alternatives recommends reallocating a portion of the NYPD budget to fund the redesign of streets to be "self-enforcing" and the reconstruction of curbs to reduce double parking and other ticketing conditions, in addition to the expansion of automated enforcement.

These recommendations add up to a singular goal — New York City must design its streets and sidewalks for desired outcomes, such as safe mobility, rather than putatively enforce those outcomes after the fact. This will not only make our city fairer, but allow us to more effectively reach our goals. In a time of budget cuts, recession, and economic uncertainty, the City of New York should focus on more efficient, equitable, and effective tools than NYPD traffic enforcement.

Lead Recommendations

REALLOCATE A PORTION OF THE NYPD BUDGET TO REDESIGNING STREETS

Reinvesting a portion of the NYPD budget in redesigning streets will save the City of New York money in property damage costs and in police misconduct cases. The comparative output of this change will also be notable, exchanging one-off enforcement for systemic change.

Traffic crashes cost the City's economy $4.29 billion every year. This cost is born out in emergency services, property damage, and tort costs. Considering the sizable crash reductions possible from redesigning streets, New York City could save significant expenses by shifting part of the NYPD budget to street redesign.

The DOT has produced ample evidence that streets can be redesigned to be "self-enforcing," like the protected bike lane that reduces sidewalk cycling or the narrowing of a roadway to reduce speeding. The differences between these interventions and policing are notable, the former being a systemic change, operational 24/7 and not requiring staffing, and the latter being occasional and subject to bias. This difference is so stark that even the U.S. Department of Justice is aware of the relative ineffectiveness of armed police officers for traffic enforcement. From their 2009 guide to crime prevention:

"The most important principle in speed control is that motorists tend to drive at the speed at which they feel safe and comfortable, given the road conditions. Therefore, the key to reducing speed is to alter road conditions such that motorists feel uncomfortable speeding." The report, notably written by America's overseer of policing, recommends the redesign of streets with traffic calming devices and roadway narrowing.

By including the redesign of curbs in this effort, making space for loading and delivery zones, the necessity of parking enforcement can also be dramatically reduced. The City should also invest in streets and sidewalks that are accessible and safe for all New Yorkers, including people with mobility and vision impairments. (The construction of accessible curb cuts and ramps was ordered by a federal court in 2019.)

Additionally, police misconduct cases cost taxpayers millions of dollars a year. In 2018, the City of New York paid out $237.4 million in settlements for claims against NYPD officers. Since 2014, police misconduct settlements have added up to $1.3 billion. Reallocating a portion of the NYPD budget would reduce the ability of police officers to violate civil rights, cause property damage, or otherwise participate in sueable offenses.

Transportation Alternatives recommends reallocating a portion of the NYPD budget to the design and construction of "self-enforcing" streets. In addition to the redesign of streets to include self-enforcing elements such as protected crosswalks, protected bike lanes, protected bus lanes, narrowed roadways, bulb-outs, leading pedestrian intervals, and curb cuts, the redesign of curbs with loading zones should also be prioritized to lessen the need for parking enforcement.

REALLOCATE A PORTION OF THE NYPD BUDGET TO AUTOMATED ENFORCEMENT

Reallocating a portion of the NYPD budget to the expansion of automated enforcement in both size and scope will dramatically reduce traffic violations.

To date, the use of automated enforcement in New York City has been notable, not only replacing armed police officers and removing the possibility of bias demonstrated by police officers, but acting far more effectively to enforce the law.

In New York City, red-light cameras have been shown to reduce red-light running by 40 percent. Speed enforcement cameras have been shown to reduce speeding by 63 percent and traffic fatalities by 55 percent at the average location. Studies of automated enforcement cameras demonstrate significant reductions in traffic violations, crashes, injuries, and deaths. Unlike an armed police officer, who can catch and ticket only a few traffic offenders in an hour, automated enforcement has the ability to ticket every single offender. Studies have shown that this brand of "guaranteed" traffic enforcement is the most effective way to change driver behavior, and that the introduction of chance and luck, that a police officer may or may not catch you, encourages drivers to break the law. Only automated technologies can achieve guaranteed consistent enforcement necessary to deter reckless and dangerous driving.

Notably, the $50 tickets from speed safety cameras in New York City are more effective than the $600 speeding ticket that a police officer may hand out. Because the goal of these cameras is not punishment or profit, but the deterrence and prevention of dangerous driving, there is significant potential in the expansion of non-punitive measures.

New York City's automated enforcement is also fair to drivers. For example, the City's speed safety cameras only capture drivers speeding who exceed the speed limit by more than 10 mph within a quarter-mile of a school. The safety-based automated enforcement cameras are only activated when a laser sensor detects a vehicle moving 10 mph faster than the speed limit, at which point it takes quick snapshots only of the speeding vehicle. Automated enforcement cameras are the fairest and most efficient enforcement tool available.

However, it is important to note that although the mail-in tickets given by automated enforcement cameras cannot show bias, those who choose the camera locations may. In Cleveland, Black residents received a disproportionate share of the city's automated enforcement camera fines, and despite this, the city still proposed placing a majority of enforcement cameras in predominantly Black Cleveland neighborhoods. It is no surprise Cleveland residents voted to ban the cameras. New York City has no such history, and

the DOT has been an exemplary steward of current automated enforcement programs, which are subject to state laws requiring equitable placement and privacy protections. As automated enforcement expands, the City of New York must continue to avoid concentrating cameras in communities of color and to pair automated enforcement with street designs that encourage safe driving and traffic law compliance. Privacy protections must also be vigilantly secured for these programs.

Transportation Alternatives recommends the expansion of existing red-light, speed, and bus lane automated enforcement cameras. In addition, Transportation Alternatives recommends pilot programs to expand the scope of automated enforcement to include parking cameras, "failure to yield" cameras that protect pedestrians in the crosswalk, "blocking the box" cameras that deter motor vehicles from clogging intersections and creating dangerous conditions for pedestrians, bike lane cameras that protect cyclists in the bike lane, and distracted driving technology.

Additional Recommendations

REFORM AND EXPAND CRASH RESPONSE

The NYPD Collision Investigation Squad (NYPD CIS) is tasked with investigating all fatal and serious injury crashes that occur on New York City streets and highways but largely fails to meet this mandate. With a staff of 26, NYPD CIS responds to only five percent of fatal and serious injury crashes that occur in New York City, which can number as high as 3,000. At the same time, the NYPD has refused additional funding to expand its staff and resources to meet its mission. Beyond the failures to investigate the vast majority of fatal and serious injury crashes, additional problems persist in NYPD CIS, including a deeply disturbing pattern of victim-blaming in the aftermath of crashes, leaking premature conclusions to the media, a failure to notify crash victims of their rights and critical deadlines to file for no-fault insurance, and blocking crash victims and their families from obtaining collision reports needed for insurance and health care. The NYPD has proven incapable or unwilling to address these problems.

Transportation Alternatives recommends that primary responsibility for responding to fatal and injury crashes, as well as the even larger group of property-only damage crashes, be moved away from NYPD officers alone, and the City's crash response be expanded to include the Department of Health and the DOT, as well as NYPD CIS. By this recommendation, every fatal or serious injury crash should be followed by a published engineering assessment of the street conditions that contributed to the crash and changes that could have prevented the crash or limited the severity of injuries. In building a new broader collision investigation effort, the process for crash victims, their families, and their legal representation to obtain collision reports should be shortened and simplified to occur in a timely manner.

CREATE DATA TRANSPARENCY

Public information about traffic enforcement is minimal and extremely hard to access. What is not known is significant, including the number of people arrested or summonsed; their race, age, or gender group; where the arrests, summonses, and ticketing occurs; and the adjudicatory outcomes of the criminal cases — none of which is public information. Nearly two decades ago, it took a lawsuit against the City of New York for the public to see the data revealing the extreme racial disparities in the NYPD's unconstitutional stop-and-frisk policy. More recently, NYPD repeatedly refused to comply with local law and a court order requiring the agency to disclose transit fare evasion arrest data. To overcome these data gaps, data reporting requirements must be cemented in law.

Transportation Alternatives recommends the creation of data transparency in traffic enforcement, including real-time public reporting of all aspects of street and sidewalk enforcement, including geographic, race, and ethnicity data. Additionally, Transportation Alternatives recommends expanding and strengthening the 2017 Right to Know Act, which requires police officers to provide certain information to people stopped for suspicion of a crime, to include routine police stops where criminal activity is not suspected and traffic stops, and to require identification cards with know-your-rights information be provided to people stopped by police.

REFORM PUBLIC TRANSIT POLICING

Much of the work of transit police, such as liaising with unhoused New Yorkers and managing fare evasion, would be better handled by social services than policing. Public transit enforcement has also demonstrated racial bias. For example, Black and Latinx New Yorkers account disproportionately for as much as 92 percent of fare evasion arrests. Despite this evidence of racial inequity in enforcement, in 2019 the City and State planned and funded a 500 officer expansion of transit police.

Transportation Alternatives recommends that the expansion of transit police officers be immediately rolled back. Additionally, starting with the Fiscal Year 2021 budget, the City of New York should replace a significant number of NYPD's 2,500-member Transit Police with non-police social service workers in a new multi-agency unit that includes Department of Homeless Services, Department of Health and Mental Hygiene, the New York City Human Resources Administration, local hospitals and first responders, with transit police available in a support role when needed.

END TARGETED POLICING OF WORKING CYCLISTS

Further evidence of the broad mandate of NYPD officers can be found in armed police enforcement against predominantly immigrant delivery workers and e-bike use. A multi-year crackdown included summonsing and bike seizures was prompted not by safety data, but intermittent complaints. In response to these complaints, and without demonstrable data of a risk posed by e-bikes or delivery workers, police seized 820 bikes and issued more than 1,200 summonses to delivery workers in 2018 alone, with fines regularly exceeding $500 per instance. Despite taking up an undue amount of policing resources, these are minor violations, not crimes. Proof that this crackdown was unnecessary and improper came with the arrival of COVID-19 when food delivery workers were declared "essential" and a moratorium issued on the enforcement.

Transportation Alternatives recommends a permanent moratorium on e-bike enforcement. This includes changing local law to fully legalize the type of e-bike used by a majority of New York City's estimated 40,000 food delivery workers.

CREATE EQUITABLE DETERRENCE MECHANISMS

Today, many putative measures related to unsafe driving are economic penalties applied equally regardless of income, and at the same time, the majority of license suspensions are debt-related and distinct from public safety — clogging courts and making the deterrence power of license suspension moot. These suspensions are also primarily enforced against people of color. The inability to pay a court fee should not result in a license suspension and a person in poverty should not pay the same penalty for a traffic violation and as a person of wealth. This is especially true when there is evidence that even universal low fines provide enough deterrence to be effective. For example, New York City's school-based speed camera program utilizes a $50 fine and brought about a more than 60 percent reduction in speeding violations and a more than 55 percent reduction in fatalities at the average speed camera location. Another positive example comes from a recent effort in Minneapolis, wherein police no longer issue tickets for equipment violations and instead distribute vouchers to pay for vehicle repairs.

Transportation Alternatives recommends city and state officials pilot sliding-scale fines and alternatives to payment for low-income drivers, such as permission to forgo fines and a grace period to bring an equipment violation into compliance. Additionally, Transportation Alternatives recommends that the DMV separate licensing from fee compliance, and adopt stricter standardized consequences for repeat unlicensed driving, based on New York City's new Dangerous Vehicle Abatement Program and a restorative justice model for summonses and crashes, piloted by the Center for Court Innovation in Brooklyn, including license and vehicle registration revocation.

Implementation

The recommendations presented in this report suggest a pathway to safe streets for all New Yorkers at a reduced cost for the City of New York. In advancing these ideas, many of which are well proven across New York City, we can ensure that no New Yorker needs to fear traffic violence or police harassment on our streets and sidewalks.

The top-line recommendations (rollout of "self-enforcing" street and curb redesigns, and expansion of automated enforcement) should be enacted by July 1, 2020 — the beginning of the City's Fiscal Year, and planning for the additional recommendations should begin immediately.

Mayor Bill de Blasio and the New York City Council should include in their Fiscal Year 2021 budget agreement a directive for the City to begin the planning process for these demands and recommendations over the coming year, including specific deadlines; oversight by the City Council; required public hearings by DOT, NYPD, and other agencies; and immediate allocation of dedicated funding to the DOT to start expanding automated enforcement and implementing stop-gap traffic calming measures. Other recommendations that can be implemented without delay include data reporting and transparency requirements for traffic ticketing; crash victims access to crash reports; re-dedicating funding for the Dangerous Vehicle Abatement Program pilot; and immediate legalization of e-bikes to end the racist harassment of food delivery workers. Even as the entire logistical process for implementing the above recommendations is likely to extend past Fiscal Year 2021, the preceding steps should culminate with the end of routine NYPD traffic enforcement in support of a safer and more equitable New York City.