

Christine Berthet, CHEKPEDS

Thank you Chair Vallone and Chair Vacca for holding this joint hearing.

NYPD has earned the admiration of police departments the world over. Since the implementation of crime stats and the broken windows policies, the crime rate has fallen precipitously. We are proud of the NYPD, its officers and thankful for their dedication.

More New Yorkers are now killed in traffic than murdered by guns.<sup>1</sup> Our vulnerable citizens represent 71% of all traffic fatalities and serious injuries, but the enforcement is not focused on protecting them. As Mayor Bloomberg recently asserted, safety gains cannot succeed without enforcement as a deterrent.

According to DOT, 27% of serious crashes (a pedestrian killed or seriously injured) result from a failure to yield, still in 2011 less than 1% of moving violations were given for failure to yield to pedestrians.<sup>2</sup>

According to the NYPD, 1251 pedestrians were injured or killed in just the month of December 2011.<sup>3</sup> In the same month NYPD reports show that 89% of crashes were caused by careless or illegal driving (see attached chart). Then why is it that, citations under VTL §1146 were made in less than 1% of those occurrences<sup>4</sup> for the whole of 2011?

DOT reports that 47% of pedestrian fatalities occur on two-way streets. On these same streets traffic agents wave turning vehicles into unsuspecting pedestrians while they are crossing with the walk sign. After CHEKPEDS shared this information with NYPD, the agents posted at 42nd Street and 9th Avenue have been more attentive to protect pedestrians. Shouldn't this become a rule on all two-way streets?

We suggest that the NYPD traffic division focus its training and enforcement policies on the causes of traffic crashes which harm pedestrians, cyclists and other vulnerable users. The NYPD should report separately on summonses related to VTL §1146, and launch a press campaign on their enforcement efforts against drivers who kill and severely injure vulnerable users.

One must also review crash scenes protocols when a vulnerable user is either killed or seriously wounded: It seems these procedures are well defined for elevator and cranes crashes, which are treated like crime scenes, but not for car crashes. Are the police procedures for these crashes serious enough? Are persons involved and witnesses secured with reliability? Are the proper summonses given out? Finally how long should it take to release the police report to the next of kin or be made public?

We appreciate the opportunity to speak and hope the council will task the NYPD with undertaking these institutional changes and will request a report back in six months on planned and implemented changes in traffic enforcement with an eye toward improving safety for vulnerable users.

<b>Police Department City of New York</b> <b>Motor Vehicle Accident Report</b> <b>CITYWIDE December 2011 NYPD Precincts Map</b>		<b>CHEKPEDS analysis</b>	
<b>Contributing factors in injury and fatal accidents:</b>		<b>Drivers lack of due care:</b>	
		89.00%	
Contributing Factors	Number of Vehicles	Number of Vehicles where police documented driver's lack of due care	
DRIVER INEXPERIENCE 219	219		
ERR/CONFUSN PED/BIKE/OTHER PED 80	80		
FATIGUED/DROWSY 26	26		
FELL ASLEEP 45	45		
ILLNESS 9	9		
LOST CONSCIOUSNESS 12	12		
OTHER ELECTRONIC DEVICE 2	2		
OTHER UNINVOLVED VEHICLE 324	324		
PHYSICAL DISABILITY 5	5		
PRESCRIPTION MEDICATION 2	2		
AGGRESSIVE DRIVING/ROAD RAGE 61	61		61
ALCOHOL INVOLVEMENT 131	131		131
BACKING UNSAFELY 367	367		367
CELL PHONE (HAND-HELD) 2	2		2
CELL PHONE (HANDS-FREE) 2	2		2
DRIVER INATTENTION/DISTRACTION 2054	2054		2054
DRUGS (ILLEGAL) 6	6		6
FAILURE TO KEEP RIGHT 56	56		56
FAILURE TO YIELD RIGHT-OF-WAY 751	751		751
FOLLOWING TOO CLOSELY 883	883		883
OUTSIDE CAR DISTRACTION 39	39		39
PASSENGER DISTRACTION 41	41		41
PASSING OR LANE USAGE IMPROPER 371	371		371
TRAFFIC CONTROL DISREGARDED 217	217		217
TURNING IMPROPERLY 307	307		307
UNSAFE LANE CHANGING 349	349		349
UNSAFE SPEED 222	222		222
	<b>6583</b>		<b>5859</b>

<sup>1</sup> From 2001-2009 , the New York City Department of Health

<sup>2</sup> NYPD summons statistics on NYPD web site

<sup>3</sup> Motor Vehicles [http://www.nyc.gov/html/nypd/downloads/pdf/traffic\\_data/cityacc.pdf](http://www.nyc.gov/html/nypd/downloads/pdf/traffic_data/cityacc.pdf)

<sup>4</sup> (less than 100 citations for the whole of the year 2011)  
<http://transalt.org/newsroom/releases/5485>, October 2011