

PROVEN TACTICS, BETTER ENFORCEMENT

HOW TO SAVE LIVES ON NYC STREETS



TRANSPORTATION
ALTERNATIVES

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EXECUTIVE SUMMARY

DURING HIS CAMPAIGN FOR MAYOR OF NEW YORK CITY, BILL DE BLASIO PROMISED TO ACHIEVE “VISION ZERO” IN NEW YORK CITY. “The City must take decisive and sustained action to reduce street fatalities each year until we have achieved “Vision Zero” -- a city with zero fatalities or serious injuries caused by car crashes on the streets of New York,” he wrote.¹

Mayor-elect Bill de Blasio must utilize the lessons learned by other cities to achieve his goal and save the lives of New Yorkers. This report presents case studies of innovative traffic safety enforcement tactics from urban areas around North America. By applying these strategies to the moving violations that cause traffic crashes in New York, Mayor-elect de Blasio can effectively achieve his Vision Zero goal.

Following those successful examples, Transportation Alternatives recommends that Mayor-elect de Blasio use the following principles to increase and improve enforcement to achieve his goal of Vision Zero:

- **Target the Most Dangerous Violations:** Increase and target enforcement based on data indicating the most crash-prone intersections and most dangerous moving violations.
- **Make Enforcement Visible, Sustained, and Widespread:** Instead of one-off or uncoordinated enforcement, efforts to target moving violations should be highly visible, sustained over an extended period of time and spread over a wide swath of the city.
- **Involve the Public:** Raise public awareness of the deadly effect of moving violations by involving elected officials and celebrities. Implement public awareness campaigns and demonstrate appreciation for police who enact effective enforcement of moving violations.
- **Release Usable Data:** Use technology to electronically log crashes when they occur and share this data with the public, so communities can participate in solutions.
- **Expand Automated Enforcement:** Increase the allotted use of automated speed and red light enforcement cameras and share data on the effectiveness of these cameras with the public.

THE PROBLEM: COUNTLESS NEW YORKERS KILLED & INJURED

THE LIVES OF INDIVIDUAL NEW YORKERS ARE HIGHLY AFFECTED BY THE TRAFFIC THAT PASSES THROUGH THEIR NEIGHBORHOODS. In fact, according to a poll conducted by Penn Schoen Berland, one in three New Yorkers have been seriously injured in traffic or know someone who has been seriously injured or killed in traffic.

Statistics tallying the relative level of danger imposed on everyday New Yorkers by traffic are alarming:

- Every 33 hours a New Yorker is killed in a traffic crash.²
- More New Yorkers are killed in traffic than are murdered by guns.

To understand how this carnage affects New Yorkers on a daily basis, the statistics from an average week in 2012 tell a violent tale:

- 1,262 were injured
- 58 lost a limb, suffered traumatic brain injury or sustained another serious, life-altering injury
- Five were killed

This unspeakable bloodshed is worst for children, for whom traffic is the leading cause of injury-related death. For seniors, traffic is the second most common cause of injury-related death.

THE CAUSE: LAWLESS DRIVERS & LAX ENFORCEMENT

MOVING VIOLATIONS ARE AS PERVASIVE ON NEW YORK CITY STREETS AS ENFORCEMENT OF THEM IS LAX. The lack of enforcement of the most dangerous moving violations is evident in the NYPD's own data:

- 60 percent of fatal crashes are caused by speeding, failure to yield and a small number of other enforceable traffic violations.
- Speeding and failure to yield, the two moving violations that most frequently injure and kill New Yorkers, are enforced at a rate 31 percent lower than that of other moving violations.

In individual neighborhoods, there is further evidence that the relationship between dangerous moving violations and their enforcement is wildly skewed. In 2011 and 2012:

- In four Brooklyn neighborhoods -- Canarsie, Greenpoint, Midwood and Bay Ridge -- 88 percent of drivers broke the posted 30 mph speed limit.³
- At Metropolitan Avenue and Marcy Avenue in Brooklyn, 56 drivers failed to yield to pedestrians in one hour.⁴ The 90th Precinct issued only 13 summonses for this moving violation in all of 2012.⁴
- At Bay Street and Victory Boulevard on Staten Island, 72 drivers failed to yield to pedestrians in one hour. The 120th Precinct issued only 50 summonses for this moving violation in all of 2012.⁴
- At the Grand Concourse and 161st Street in the Bronx, 33 drivers failed to yield to pedestrians in one hour. The 44th Precinct issued only 60 summonses for this moving violation in all of 2012.

There are neighborhoods in the five boroughs where more New Yorkers are injured by drivers committing moving violations than summonses are issued for the corresponding offenses.⁵ In 2012:

- In the 50th Precinct in the Bronx, eight pedestrians were injured by drivers failing to yield; officers from that precinct issued one summons for this moving violation.
- In the 88th Precinct in Brooklyn, ten pedestrians were injured by drivers failing to yield; officers from that precinct issued two summonses for this moving violation.

THE SOLUTION: SPECIFIC VS. GENERAL DETERRENCE

STUDY AFTER STUDY SHOWS THAT THE RATE AT WHICH DRIVERS OBEY LAWS IS DIRECTLY RELATED TO THE RATE AT WHICH THEY BELIEVE THEY WILL GET CAUGHT. **Mayor-elect Bill de Blasio can deter drivers from committing moving violations by increasing drivers' perception that they will be punished for such infractions.**

According to police enforcement experts, drivers' perception of punishment can be influenced by "specific deterrence" or "general deterrence."

Specific Deterrence refers to instances in which an individual driver must pay an individual penalty. This is intended to persuade the driver to refrain from committing a similar violation in the future. Specific deterrence has proven effective on an individual scale. In Ontario, Canada, a study found that people convicted of violating a traffic law were 35 percent less likely to be involved in a fatal crash in the next month, as compared to people who were not convicted of a similar offense.⁶

General Deterrence refers to instances in which people believe they will be caught for breaking a law and punished, whether or not they themselves have been caught, and as a result behave lawfully.⁷ In Gainesville, Florida, a year-long enforcement effort of "failure to yield" violations focused on easy-to-spot tactics like media attention, public outreach and new street signs and increased the number of drivers who yielded to pedestrians by 84 percent. **General deterrence is most effective when, instead of simply issuing summonses, law enforcement departments use highly visible public relations and community outreach tactics to communicate to drivers that there is a high probability of getting caught while violating the law.**

Simply put, **general deterrence** can lead to less reliance on the time-intensive and resource-reliant methods associated with **specific deterrence**.

THE SOLUTION: SPECIFIC VS. GENERAL DETERRENCE

For Mayor-elect de Blasio to achieve his goal of Vision Zero, he must dictate that police officers focus on specific deterrence of the most dangerous moving violations while instructing his police commissioner to lay out a citywide plan for general deterrence, to be implemented by precinct commanders.

"The fact is that no campaign will succeed unless you have buy-in from the top and across the board. In other words, the new administration and all the other component parts of government need to make Vision Zero a clear priority."

-Dr. Lorna Thorpe, former Deputy Commissioner, NYC Health Department

CASE STUDIES: TACTICS FOR GENERAL DETERRENCE

THE FOLLOWING CASE STUDIES ILLUSTRATE STRAIGHTFORWARD TACTICS TOWARD GENERAL DETERRENCE USED BY CITIES TO DETER DRIVERS FROM COMMITTING MOVING VIOLATIONS:

Highly Publicized Enforcement Actions

On Monday, March 14th of 2011, the New York City Police Department announced a 24-hour crackdown against drivers using cell phones. On Monday and Tuesday, the crackdown was covered by television stations, in newspapers and on news radio networks. The “enforcement blitz” yielded 6,200 summonses. In Hartford, Connecticut, over the course of a year in which a series of similar “enforcement blitz” efforts were repeated consistently, drivers’ cell phone use dropped as much as 75 percent.

Data-Driven Enforcement

In Washington D.C., the department of transportation and the police department are working together to use data to target the most dangerous moving violations. The two departments collaborate to analyze traffic data and identify the behaviors causing the most crashes. Then, both agencies target intersections where these behaviors are prevalent with increased enforcement and education.⁸ In Baltimore County, Maryland, the police department mapped crashes to reveal where high visibility enforcement is most needed. Increased enforcement responsive to crash locations lowered crash rates by in two-thirds.⁹

Addressing Crime and Traffic Safety

In Chicago, the police department found a strong correlation between high-crime areas and high-crash areas. Now, the police combat both threats with high visibility interventions. Undercover policemen routinely use crosswalks and issue summons to drivers who do not yield. This serves the dual purpose of maintaining a highly visible police presence in high-crime areas and changing drivers’ behavior.¹⁰

Waves of Enforcement

Traffic enforcement tactics in Washington D.C. focus on “waves of enforcement” that build over a period of three days from education, to warnings, to issuing summonses. On the first day, officers distribute easy-to-understand fliers to educate drivers and pedestrians. On the second, officers give out warnings along with the fliers and on the third day,

officers issue summonses for all violations. This tactic helps change attitudes, but needs to be reinforced every few months for continued results.¹¹

Long-term Involvement

To better enforce “failure to yield” moving violations, police in Gainesville, Florida, conducted a year-long effort in four waves, beginning with education and ending with summonsing. This approach focused on highly visible tactics, including media attention, public outreach and new street signs. The combined efforts led to a dramatic improvement in drivers’ behavior, with an 84 percent increase in drivers who yielded to pedestrians. A National Highway Traffic Safety Administration analysis found this long-term approach resulted in a “sustained change in driving culture.”¹²

Collaborative Enforcement

In Orlando, Florida, local and state governments, transportation authorities and police departments collaborated to reduce traffic injuries and fatalities at crosswalks. The approach combined “engineering with community education and high-visibility enforcement.”¹³ After one year, the campaign resulted in a 36 percent increase in drivers’ yielding to pedestrians. Before the program began, 12 percent of drivers yielded to pedestrians; after a public information campaign, 21 percent yielded and after summonses were also issued, 33 percent of drivers yielded to pedestrians.

Fewer Violations = Fewer Crashes

In Somerville, Massachusetts, the police department spent two years targeting crash-prone areas with undercover police officers using the crosswalk to target drivers failing to yield. After increased enforcement efforts, serious traffic crashes were reduced by 24 percent. According to the Somerville Chief of Police, there was “a direct correlation between the sharp reduction in serious accidents and an aggressive effort by Somerville Police to step up traffic regulation enforcement in high-accident areas.”¹⁴

Enhanced Infrastructure and Education

In Chicago, the transportation and police departments bolster deterrence by linking traffic-safety infrastructure to enforcement and outreach efforts.¹⁵ New infrastructure is accompanied by educational signage and the presence of a police officer. A repainted crosswalk will be accompanied by signs, which explain that the law requires drivers to yield to pedestrians, and the presence of a police officer who will stand watch to educate drivers who violate the law.



A police officer in Chicago enforces traffic at an intersection, with enhanced infrastructure and signage (Source: City of Chicago)

Automated Enforcement

Washington D.C. has about 160 automated speed-enforcement cameras, which make it possible to issue summonses to drivers in amounts (between \$92 and \$150) that correspond to their speed. In addition, 82 automated red light and stop light enforcement cameras¹⁶ make it possible to issue summons (\$150 and \$50, respectively) to drivers who fail to stop at these signals.¹⁷ A pilot program with automated cameras was recently launched to issue summonses to drivers who fail to yield to pedestrians. In Washington, D.C., automated enforcement led to a record-low number of pedestrians killed last year, with only eight pedestrian fatalities and 19 fatal crashes.¹⁸

Cookie Cops

In Riverside County, California, the Sheriff's Deputy dressed in a seven foot tall gingerbread costume to raise awareness about yielding to pedestrians. As the life sized gingerbread man used a crosswalk, police officers issued summonses to drivers who failed to yield, some of whom claimed they hadn't seen the giant cookie crossing. Creative tactics like this not only raise drivers' awareness of pedestrians, but also increase the public profile of police enforcement of traffic-safety rules.¹⁹

Cardboard Cops

In Bangalore, India, police put cardboard cutouts of police officers throughout the city to control traffic violations. And remarkably, the fake cops work. According to the Bangalore Traffic Commissioner, "It is not a gimmick. Wherever we have put up these cutouts, violations have come down."²⁰ In Boston, two cardboard cutouts of police officers were placed by bike racks at a busy subway station, resulting in a 67 percent decrease in bike theft.²¹

Stating the Obvious

In Arlington County, Virginia, at an intersection where rear-ending was a persistent problem, police installed a sign which read, "Don't hit the car in front of you." According to the police department, before the installation of the sign, five crashes had occurred in six weeks. In the ten weeks following the installation of the sign, there was only one crash.²²

RECOMMENDATIONS FOR NEW YORK CITY

"In this city, at this time, there is an opportunity to improve upon what is already improving... I anticipate the next administration will do more. As to how it is done, in what quantities and what time frame, that will be up to the next mayor and his commissioner."

-Bill Bratton, former NYPD Commissioner

FROM THE COMICAL TO THE CONCISE, THERE ARE MYRIAD TACTICS POLICE DEPARTMENTS CAN CHOOSE TO EMPLOY TO REDUCE MOVING VIOLATIONS. The choice that matters most is **the decision to adopt a citywide policy of general deterrence.**

By applying a concerted, widespread general deterrence effort to any tactic, Mayor-elect Bill de Blasio's police department can dramatically reduce moving violations, and as a result, the number of New Yorkers killed and injured on New York City streets. Transportation Alternatives has identified the following recommendations to successfully apply general deterrence to traffic enforcement efforts:

Target the Most Dangerous Violations

Strategic data analysis should guide all enforcement efforts. By using current data on where crashes are happening and why, the police can understand which areas would benefit most from increased enforcement.

Make Enforcement Visible, Sustained and Widespread

To be effective, enforcement should visibly demonstrate to all drivers that they could be fined, in any area, at any time. Operations should be highly visible, sustained and widespread. If enforcement is not consistent and visible, drivers will revert to dangerous behavior.²³

RECOMMENDATIONS FOR NEW YORK CITY

“There is no problem that the community is confronted with that the police can handle alone. If you have partners, you have to include them in the process.”

-Dr. George Kelling, co-author of Fixing Broken Windows: Restoring Order And Reducing Crime In Our Communities

Involve the Public

So the public will support, not resent, enhanced enforcement, publicity can be used to reinforce the connection between moving violations and traffic fatalities. The involvement of celebrities and elected officials, the production of marketable public awareness campaigns, and public appreciation for police officers' effective enforcement work can all increase public acceptance. For example, according to Dr. George Kelling, the Los Angeles police department used to have CompStat meetings in churches of neighborhoods that were under discussion.

Release Usable Data

Data on traffic crashes and moving violation enforcement should be thorough, transparent and methodical. The key to making this data accessible is the introduction of electronic-data recording by police. Replacing paper records with electronic data will save time and resources while providing a more accurate, real-time understanding of moving violations and crashes.

Expand Automated Enforcement

To deter drivers from traveling at unsafe speeds, automated enforcement programs should increase the use of speed cameras, reduce the need for increased police resources and implement fines in higher dollar amounts.

“The police department should release data publicly and quickly, so if you're a parent, you can zoom into your neighborhood and see why people are getting hit there.”

-Nicole Gelinas, Fellow at the Manhattan Institute

APPENDIX: SOURCES

Quotes in highlighted boxes were said during a traffic safety enforcement panel sponsored by Transportation Alternatives and the Rudin Center for Transportation Policy at NYU Wagner, November 19th, 2013.

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