



**TRANSPORTATION  
ALTERNATIVES**

# Candidate Questionnaire

District Attorney Elections - November 3, 2015  
Bronx, Queens, Staten Island

On November 3rd, voters in the Bronx, Queens and Staten Island will cast their votes to determine who will be their District Attorney for the next four years. The Manhattan and Brooklyn offices are on different election cycles and are not facing elections this year.

In the era of Vision Zero, the City's public prosecutors have a bigger role than ever in keeping New Yorkers safe on our streets. To educate voters, Transportation Alternatives has asked each candidate six questions about how district attorneys should handle cases involving traffic deaths and serious injuries. After extensive outreach from TransAlt, two out of five candidates responded.

Traffic safety issues are of critical importance, given that New Yorkers are now more likely to die in traffic than from gun violence. Pedestrians made up 55% of the 2,807 people killed in traffic from 2005 to 2014, and illegal driver behaviors like speeding and failure to yield were contributing factors in as many as 70% of those cases. For New York City children ages 5 to 14, motor vehicle crashes are the leading cause of death from injury. Across the nation, people over 65 are the ones most likely to be killed while walking on the street. Statistics like these highlight the importance of enforcement and prosecution to hold reckless and careless drivers accountable.

Every elected official in New York City has a role to play in the Vision Zero effort to save lives and prevent injuries on our streets. This questionnaire will help voters make informed choices about traffic safety issues that are of urgent concern to every New Yorker.

Paul Steely White  
Executive Director  
Transportation Alternatives

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The Candidate Questionnaire is conducted by Transportation Alternatives (TransAlt) for the 2015 general election for the offices of District Attorney in the counties of Bronx, Queens and Richmond (Staten Island) in New York. TransAlt is a non-partisan, non-profit 501(c)(3) organization with a citywide network of more than 150,000 supporters committed to reclaiming streets for people. TransAlt does not support, or oppose, candidates or political parties. The questions are strictly educational in nature, and the candidates' answers are unedited.

# District Attorney Candidates Bronx

**Darcel D. Clark**



**Nominations:** Democratic Party  
*(Did not participate)*

**Robert D. Siano**



**Nominations:**  
Republican Party, Conservative Party  
*(Participated)*

## Staten Island

**Michael McMahon**



**Nominations:** Democratic Party,  
Independence Party  
*(Participated)*

**Joan Illuzzi**



**Nominations:** Republican Party,  
Conservative Party, Reform Party  
*(Did not participate)*

## Queens

**Richard Brown**



**Current Queens District Attorney Richard Brown is running unopposed.**

**Nominations:** Democratic Party, Republican Party, Conservative Party  
*(Did not participate)*

## Question

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**DA's Role Addressing Traffic Violence:** In recent years New Yorkers have become more likely to die in traffic crashes than from gun violence, with pedestrians accounting for 55% of the 2,807 traffic fatalities in New York City from 2005-14 (NYC DOT). Dangerous driver choices, like speeding and failure to yield, are the primary or contributing factor in 70% of pedestrian fatalities (NYC DOT). **Considering some District Attorneys' high profile responses to gun violence and organized crime in previous years, do you believe the District Attorney has a role to play in reducing this and similar types of traffic violence, and if so what role?**

## Answers

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### Darcel Clark

**Despite communicating with Candidate Clark's campaign manager, who confirmed receiving the questionnaire and sharing it with Clark's campaign staff, questionnaire answers were not received from this candidate.**

## Bronx

### Robert Siano

By strictly enforcing the law, the District Attorney's Office can deter dangerous driver choices. By doing so, the DA's Office can ensure that the efforts of the DOT and NYPD, in implementing speed cameras at Priority Corridors, Intersection and Areas, focusing enforcement and deploying resources to Bronx NYPD precincts, are not undermined.

## Staten Island

### Michael McMahon

The office of the District Attorney absolutely has a role to play in reducing traffic deaths, particularly those caused by any criminal activity such as DUIs. Drivers who risk their lives and put others in danger with their reckless behavior need to be held accountable.

### Joan Illuzzi

**Despite extensive communication with Candidate Illuzzi's campaign manager, who twice expressed Illuzzi's intent to participate, questionnaire answers were not received from this candidate.**

## Queens

Candidate Richard Brown did not respond, despite being mailed the questionnaire.

## Question

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**Vision Zero Task Force:** New York City has made Vision Zero a citywide policy, incorporating City and State agencies. It was established to reach zero deaths and serious injuries in traffic by 2024. Some NYC District Attorneys' offices are currently represented on the City's Vision Zero Task Force in order to assist in greater collision prevention and safety enforcement. **How do you view your county's District Attorney office's role on this task force, and what, if applicable, would you change in that role compared to the most recent District Attorney in your county?**

## Answers

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### Bronx

#### Darcel Clark

**Despite communicating with Candidate Clark's campaign manager, who confirmed receiving the questionnaire and sharing it with Clark's campaign staff, questionnaire answers were not received from this candidate.**

#### Robert Siano

The District Attorney's Office should increase awareness through greater participation and support of Vision Zero events hosted by the DOT, NYPD, elected officials and civic organizations in the community. By participating and hosting Vision Zero events, the District Attorney's Office can raise awareness of the consequences of dangerous driver choices.

### Staten Island

#### Michael McMahon

If our office determines that our presence could have a positive impact for the people of Staten Island, then we would certainly consider taking a place on the Task Force. Staten Island is unique among the five boroughs in having a "car culture," thus it is critical that Staten Island have a voice in determining strategies to reduce traffic fatalities.

#### Joan Illuzzi

**Despite extensive communication with Candidate Illuzzi's campaign manager, who twice expressed Illuzzi's intent to participate, questionnaire answers were not received from this candidate.**

### Queens

Candidate Richard Brown did not respond, despite being mailed the questionnaire.

## Question

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**Legislation:** Where appropriate, would your office pursue statewide legislative reforms in the area of vehicular crimes?

## Answers

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### Bronx

#### Darcel Clark

**Despite communicating with Candidate Clark's campaign manager, who confirmed receiving the questionnaire and sharing it with Clark's campaign staff, questionnaire answers were not received from this candidate.**

#### Robert Siano

While the District Attorney is not a legislative position, it has a voice which can support and recommend greater legislative reforms, and help identify vehicular crimes that may warrant enhanced penalties.

### Staten Island

#### Michael McMahon

The office of District Attorney is not a legislative office. We enforce the law. However, I would use the bully pulpit when appropriate to advocate for reforms that would make Staten Island safer.

#### Joan Illuzzi

**Despite extensive communication with Candidate Illuzzi's campaign manager, who twice expressed Illuzzi's intent to participate, questionnaire answers were not received from this candidate.**

### Queens

Candidate Richard Brown did not respond, despite being mailed the questionnaire.

## Question

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**Legal View on Vehicular Crimes:** Please explain your legal philosophy or general position in regard to the prosecution and prevention of vehicular crimes? How does your position, if applicable, differ from that of the office of the most recent District Attorney in your county?

## Answers

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### Bronx

#### Darcel Clark

**Despite communicating with Candidate Clark's campaign manager, who confirmed receiving the questionnaire and sharing it with Clark's campaign staff, questionnaire answers were not received from this candidate.**

#### Robert Siano

The District Attorney's Office is responsible for law enforcement. In order to protect the youngest borough, where only 48% of Bronx residents have access to a vehicle, a no-nonsense approach to those who commit vehicular crimes is necessary to protect pedestrians in our County.

### Staten Island

#### Michael McMahon

I firmly believe that it is the responsibility of every driver to operate their vehicle in a legal and responsible manner, and that any driver who recklessly neglects this responsibility and puts others at risk should be held accountable. All too often people dismiss the risks associated with irresponsible driving, failing to understand that such behavior is both criminal and dangerous to others. The prior administration's policies regarding DUIs was admirable and helped make Staten Island a safer place but, I believe there must be a more uniform policy to ensure there are no inconsistencies in pleading. As District Attorney, I will also look to other offices which aggressively cracked down on distracted driving behavior such as texting while driving. We will take the best practices and implement them right here in Staten Island.

#### Joan Illuzzi

**Despite extensive communication with Candidate Illuzzi's campaign manager, who twice expressed Illuzzi's intent to participate, questionnaire answers were not received from this candidate.**

### Queens

Candidate Richard Brown did not respond, despite being mailed the questionnaire.

## Question

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**NYPD Collaboration:** Each year in New York City the offense of a driver failing to yield contributes to over 10,000 motor vehicle crashes causing injury or fatality, and unsafe speed contributes to over 3,000 such crashes. By comparison alcohol contributes to over 2,000 crashes causing injury or fatality -- at least five times less than failing to yield, and one and a half times less than unsafe speed (NYPD). **How would your office proactively work with the NYPD to reduce failure to yield and speeding offenses and other types of dangerous driving behaviors? And what, if applicable, would you do that is different from the practices of the most recent District Attorney in your county?**

## Answers

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### Bronx

#### Darcel Clark

**Despite communicating with Candidate Clark's campaign manager, who confirmed receiving the questionnaire and sharing it with Clark's campaign staff, questionnaire answers were not received from this candidate.**

#### Robert Siano

If the District Attorney's Office does not prosecute those who commit all types of dangerous driving behaviors and support the efforts of the NYPD, DOT and DOH to create safer streets for all pedestrians, the Vision Zero Program's ultimate goal will never be achieved.

### Staten Island

#### Michael McMahon

Any incident that results in the injury or death of a pedestrian or motorist should be approached with an examination of the facts, and a fair and equal analysis and application of the law. As District Attorney, however, I will play a role in educating the public and raising awareness about the root causes of these fatalities to help prevent future tragedies and make Staten Island safer for all.

#### Joan Illuzzi

**Despite extensive communication with Candidate Illuzzi's campaign manager, who twice expressed Illuzzi's intent to participate, questionnaire answers were not received from this candidate.**

### Queens

Candidate Richard Brown did not respond, despite being mailed the questionnaire.

## Question

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**Right of Way Law (19-190)** New York City's Right of Way Law (Sect. 19-190 of the NYC Adm. Code) has been applied approximately 38 times across the city in the 12 months after it became effective in August 2014. In 2013 alone the NYPD issued over 33,000 failure to yield violations, of which the number of offenses that could have been considered criminal under the Right of Way Law (for causing injury) is at least 1,157 according to NYPD data. By this measure the enforcement rate of the Right of Way Law is no more than 3.3%. **Do you see a role for the District Attorney in increasing the enforcement of this new law as a means of deterring dangerous driving that causes serious injuries and fatalities? If no, why not? If yes, how?**

## Answers

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### Bronx

#### Darcel Clark

**Despite communicating with Candidate Clark's campaign manager, who confirmed receiving the questionnaire and sharing it with Clark's campaign staff, questionnaire answers were not received from this candidate.**

#### Robert Siano

The only way the District Attorney can deter dangerous driving is through strict enforcement of the law and therefore, to support the forward-thinking initiatives of Vision Zero, the office must prosecute those that seriously injure and kill pedestrians to the fullest extent of the law.

### Staten Island

#### Michael McMahon

New York City's right of way law is a part of the culture of this city, especially in the inner boroughs of Brooklyn & Manhattan where thousands of pedestrians cross the street at any given time. While Staten Island is certainly more dependent on car travel than the other boroughs, the right of way law is still generally accepted practice by motorists & drivers alike. The District Attorney's office does not determine NYPD policy or enforcement. However, as District Attorney, if it becomes clear that violations of the right of way law were on the rise or endangering the public in Staten Island, I would work with law enforcement and lead discussions to explore better tools and approaches to this current policy.

#### Joan Illuzzi

**Despite extensive communication with Candidate Illuzzi's campaign manager, who twice expressed Illuzzi's intent to participate, questionnaire answers were not received from this candidate.**

### Queens

Candidate Richard Brown did not respond, despite being mailed the questionnaire.



## CANDIDATE QUESTIONNAIRE

### 2015 GENERAL ELECTION FOR DISTRICT ATTORNEY: RICHMOND COUNTY - STATEN ISLAND, NY

**CANDIDATE NAME: JOAN ILLUZZI**

#### **CANDIDATE SUBMITTED ANSWERS AFTER PUBLICATION**

1. **DA's Role Addressing Traffic Violence:** In recent years New Yorkers have become more likely to die in traffic crashes than from gun violence, with pedestrians accounting for 55% of the 2,807 traffic fatalities in New York City from 2005-14 (NYC DOT). Dangerous driver choices, like speeding and failure to yield, are the primary or contributing factor in 70% of pedestrian fatalities (NYC DOT). *Considering some District Attorneys' high profile responses to gun violence and organized crime in previous years, do you believe the District Attorney has a role to play in reducing this and similar types of traffic violence, and if so what role?*

**(1) Answer:** The District Attorney absolutely plays a role in crime prevention in general, including traffic and vehicular related criminality. Education, thorough investigation, and prosecution where appropriate, of reckless drivers who fail to appreciate the gravity of their actions behind the wheel are paramount. I have personally prosecuted an offender who drove drunk, blew a red light, seriously injured pedestrians in a crosswalk, and then t-boned another vehicle being driven by a reverend who was killed as a result, so I fully appreciate the severity of this crucial public safety issue.

2. **Vision Zero Task Force:** New York City has made Vision Zero a city-wide policy, incorporating City and State agencies. It was established to reach zero deaths and serious injuries in traffic by 2024. The Bronx and Manhattan District Attorneys offices are currently represented on the City's Vision Zero Task Force in order to assist in greater collision prevention and safety enforcement. *Do you view your county's office undertaking a similar role and responsibility on this task force? If yes, how? If no, why not?*

**(2) Answer:** As Staten Island's District Attorney, I would welcome the opportunity to have our office represented on the City's Vision Zero Task Force. Staten Island's population is increasing, and therefore vehicular activity is also increasing significantly. The safety of our residents must always be a priority. Common sense and awareness of safety regulations saves lives, especially in a community like Staten Island that relies heavily on automobiles for transportation.

3. **Legislation:** *Where appropriate, would your office pursue state-wide legislative reforms in the area of vehicular crimes?*

**(3) Answer:** While the District Attorney's office is not a legislative office, our work, data, and perspective can be invaluable to lawmakers in their effort to craft effective legislation. As such, my office will work closely with lawmakers at the city, state, and federal level with an eye toward improving legislation with simple, common sense guidelines for drivers and pedestrians. The District Attorney, as the Chief Law Enforcement Officer of the county, should participate to inform those who make the law about what is needed to guide and inform our residents.

4. **Legal View on Vehicular Crimes:** Please explain your legal philosophy or general position in regard to the prosecution and prevention of vehicular crimes? How does your position, if at all, differ from that of the most recent office of the District attorney in Richmond County?

**(4) Answer:** I believe, like the Donovan administration, that vehicular crimes are among some of the most serious crimes our community faces. Investigation and prosecution of these matters should be handled by senior prosecutors working alongside law enforcement agencies at every level where appropriate.

5. **NYPD Collaboration:** Each year in New York City the offense of a driver failing to yield contributes to over 10,000 motor vehicle crashes causing injury or fatality, and unsafe speed contributes to over 3,000 such crashes. By comparison alcohol contributes to over 2,000 crashes causing injury or fatality -- at least five times less than failing to yield, and one and a half times less than unsafe speed (NYPD). How would your office proactively work with the NYPD to reduce failure to yield and speeding offenses and other types of dangerous driving behaviors? And what, if anything, would you do that is different from the practices of the most recent District Attorney in your county?

**(5) Answer:** Education and awareness must be a priority here. Having an educated driving population will increase awareness of the potentially fatal dangers of speeding and failure to yield, and ideally reduce the prevalence of this behavior. The District Attorney has an opportunity to take the lead on promoting education in schools, drivers' education classes, civic associations, and other forums just as we educate our residents on the dangers of illegal drugs and domestic violence.

6. **Right of Way Law (19-190):** New York City's Right of Way Law (Sect. 19-190 of the NYC Adm. Code) has been applied approximately 38 times across the city in the 12 months after it became effective in August 2014. In 2013 alone the NYPD issued over 33,000 failure to yield violations, of which the number of offenses that could have been considered criminal under the Right of Way Law (for causing injury) is at least 1,157 according to NYPD data. By this measure the enforcement rate of the Right of Way Law is no more than 3,3%. Do you see a role for the District Attorney in increasing the enforcement of this new law as a means of deterring dangerous driving that causes serious injuries and fatalities? If no, why not? If yes, how?

**(6) Answer:** Naturally the District Attorney does play a role in the enforcement of the new law, as the enforcement of law is the central duty of the DA's office. We will proceed on a common sense, case by case basis, to determine the most prudent course of action based on the relevant law and the facts of each individual case. By utilizing our office's own resources, and reaching out to community organizations and other elected officials, our focus should be to increase knowledge and awareness of this new law for the benefit of both motorists and pedestrians.

## CANDIDATE SUBMITTED ANSWERS AFTER PUBLICATION

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