

From Grief to Action

Facing Mounting Deaths Cyclist Unite Around an Action Plan to Prevent Future Tragedies

ON THE MORNING OF Thursday, June 16th, after three cyclists had been killed in less than six weeks, 200 cyclists joined together for a vigil ride to City Hall. There, they quietly laid down flowers on the steps for each of the 206 cyclists who had been killed on New York City's streets since 1995.

On the same morning, Andrew Morgan was probably getting ready for work, or just arriving on bike at the Blue Ribbon Bakery and Market where he had recently become manager. In just under a week, he would become the fourth cyclist killed this summer and the tenth cyclist killed in New York City this year.

The now eleven cyclists killed this year represent an almost 100% increase in cyclist deaths compared to the same period last year. Beyond the personal tragedy of these deaths (documented below), the deaths of these cyclists expose a serious flaw in the system. What preserves the order on New York City streets is not so much our laws or the police who enforce them, it is a social contract. Out on the street, we live by a tacit agreement to do no harm to our fellow citizen. Without this social contract it would be so easy for just one person to wreak incredible havoc.

Motorists who strike cyclists do just that, yet they are rarely even given a summons and the scene is almost never investigated as a crime. Street conditions that may have contributed to the incident are not noted or studied in any official way. Fatal bike crashes are simply called an "accident" and chalked up as the cost of doing business in New York City. If the police and, by extension, the local media assign



Top and bottom left: Laying down flowers at the ghost-bike memorial for Elizabeth Padilla in Park Slope, Brooklyn. Right: Over 200 cyclists attended a June vigil ride from Park Slope Brooklyn to City Hall to demand safer conditions for cyclists after three were killed in under six weeks, two more were killed just weeks later.

any responsibility at all, it is usually, though often unconsciously, placed on the victim. In three-quarters of the cases of cyclists' deaths and injuries that are investigated in New York City, the police find "cyclist error" to be the "primary contributing factor" in the crash. Yet studies have proven this figure is far too high and that other factors such as driver negligence or poor street design deserve a far larger share of the responsibility.

When we fail to protect cyclists and pedestrians we fail to protect the most efficient and vulnerable users of our city streets. A cyclist's death simultaneously indicates unsafe street

conditions and a violation of the social contract that tenuously holds this unruly city together. The City needs to make a sincere, calculated effort to prevent fatal bike crashes and re-humanize our streets.

A GROWING COALITION OF bicycle activists including Transportation Alternatives, the Century Road Club Association, Five Borough Bicycle Club, Free Wheels, New York Bike Messenger Association, Right of Way, Staten Island Bicycle Association, TimesUp!, Recycle-A-Bicycle, Kissena Velodrome Committee, The Weekday Cyclists, the Brooklyn Civic Rid-

ers and the New York Bicycling Coalition representing commuters, couriers, racers, tourists, enthusiasts and even occasional riders is demanding that Mayor Bloomberg convene a multi-agency task force to develop and execute—in cooperation with the cycling community—an action plan to prevent further deaths and injuries. The City must undertake the six-point New York City Bike Safety Action Plan which can be viewed online at www.transalt.org/info/2005_Bike_Safety_Action_Plan.doc.

1. Commit to a comprehensive study of all NYC bicycle fatalities from 1995 to the present, to be

completed and released to the public by September 2006. The study would be conducted by the New York City Health Department and modeled after a 1996-98 study of cycling casualties conducted by the City Coroner of Toronto. The study would review crash causes and the relative responsibility of driver and victim and address the NYPD's identification of "cyclist error" as the "primary contributing factor" in three-fourths of bike crashes. This study would begin an ongoing public review of every pedestrian and cyclist fatality and would recommend corrective measures to reduce cyclist injury and death rates.

2. Develop and implement an aggressive and ongoing enforcement campaign to deter drivers

from illegal behaviors that put cyclists in peril. These include speeding, reckless driving, "dooring," driving and parking in bike lanes, unsafe passing, tailgating and failure to exercise due care. Deploy NYPD bicycle units in this campaign. Record statistics for summonses issued for these cyclist- and pedestrian-threatening behaviors, and publish them on an ongoing basis. Update and clarify NYPD enforcement procedures so that bicyclists and motorists are treated equally, and that offenses that lead to a summons or warning for a motorist do not lead to arrest or vehicle (i.e. bicycle) confiscation if committed by a bicyclist.

3. Commit to implementing the City's official "Bicycle Master Plan" by 2010 with the goal of

putting every New Yorker within a half-mile of the bike network. Adopt and apply stronger design principles (e.g. more protected bike lanes and time at intersections for cyclists, more visibly buffered and physically separated bike lanes) for routes making up the network, starting with access to bridge and greenway paths and improved stenciling and signage. Publicly review the progress of and update all projects and policies described in the Plan by June of 2006.

4. With guidance from experienced street safety advocates, develop and implement a Public

Awareness Campaign to curb dangerous driving and educate drivers about cyclists' rights to the streets.

5. Increase the City's personnel capacity to plan and fund bicycling facilities, and reinstate the NYC Bicycle Advisory Council and

hold public meetings to solicit input from New Yorkers who bike.

6. Require, through legislation, safety-enhancing retrofits to trucks, such as sideguards that deflect cyclists and pedestrians and

reduce fatal impacts.

There is no reason why we should accept 20, 10 or even one fatality a year as the cost of riding a bike in New York City. □

TakeAction!

City Councilmember support will add more pressure for the City to implement the bike safety action plan. **Contact your Councilmember and ask them to support the plan!**

Look up your Councilmember at: nycouncil.info/constituent/contact_member.cfm

Four Who Died

JEROME ALLEN Tuesday, April 26

THE INITIAL STORY ON the front page of the *Staten Island Advance* did not name him. All it said was: "A Bicycle Rider Fighting To Survive After Being Struck By SUV." The cyclist, according to the news account had been riding "neck and neck" with the black Lexus SUV when he "suddenly attempted to turn left" into the vehicle's path. He was hit from behind, suffered severe internal injuries and was rushed to intensive care. The driver of the truck, 23-year-old Anthony Tasso, "tested negative for alcohol and drugs." By the news story's account he had done nothing wrong. The cyclist, however, "was not wearing a helmet," according to police.

Jerome Allen, Jerry to many of his friends, was the cyclist. He died soon after the crash. "My brother always wore a helmet," said his sister Yvonne Allen Goodwin. "He had a different helmet for each of his four bikes. He was very cautious. It's hard to believe he left the house without

it." Sheila Obonago had a similar reaction. "In his house," she said, "everything had a place. He used to put his bike in one place, his helmets in a place, his water bottle, everything."

Obonago met Jerry Allen when



Jerome Allen

she joined the Staten Island Bicycle Association in the early '90s. The two hit it off immediately. Jerry was the more experienced rider and he took Sheila under his wing. "He was very friendly to me and we rode together," Sheila recalls. "He showed me the ropes of biking and taught me about safety on the road."

As a bank examiner at the New York State Banking Department Jerry was "meticulous to the tenth degree. He was just a phenomenally organized kind of guy," said John Luisi, a fellow Staten Island Bike Association member.

Most nights, after getting home from work, Jerry would hop on a bike and go for a ride, often on Hylan Boulevard. Hylan is a popular route for Staten Island cyclists. It has two travel lanes in each direction, with few cross-streets, though motorists frequently exceed the 30 mph speed limit there.

When Tasso hit Allen, the two were traveling in the same direction. The crash took place about 20 minutes before sunset. According to crash scene investigators, there were no skidmarks. It looked as though Tasso simply plowed in to Allen from behind. Based on witness accounts, there must have been a tremendous difference in the speeds Tasso and Allen were traveling, as Tasso's SUV sustained considerable damage. Police investigators told a Staten Island Advance reporter that Tasso was driving on a restricted license. His full license had been revoked in December 2003, when he ran a red light and was subsequently

caught driving without insurance. Tasso also received a summons for driving while talking on a handheld phone in December 2004. The NYPD is waiting for Tasso's lawyer to produce cell phone records to determine whether or not Tasso was on the phone again when he hit and killed Allen. Tasso received only a minor summons for breaking the restrictions of his driver's license. The matter is not being pursued as a criminal investigation. The only solid information about the crash scene the police released was that the cyclist was not wearing a helmet.

"Everything we've been told about Jerome's accident is in total contradiction to how he lived his life," says Father Michael Delaney of St. Andrew's Episcopal Church, speaking for many of Jerry's friends and loved ones. "They didn't find his helmet at the scene. But they can't find it in his home either. Where is it?"

BRANDIE BAILEY Sunday, May 8

UNLIKE THE CAREFUL, meticulous, ultra-organized state bank examiner that was Jerry Allen, when Brandie Bailey wanted to do something, she threw caution to

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the wind and just did it. When the Vancouver, British Columbia native decided that she wanted to pick up and move to New York City, she was not about to let the fact that she did not have a job, a place to live or legal work status in the United States stop her. "Whenever she wanted to do something, she made it happen," Maureen "Mo" Wyse said. "That's why it was so awesome to be her friend. We would go on trips, do ridiculous things at all hours, put on shows, go running in the rain, anything."

Brandie spent two years in college in Canada studying sign language and working as a nanny before moving to New York City in March 2004. Best friends, Mo and Brandie shared an apartment with two other women in Bushwick, Brooklyn. Though she had not ridden a bicycle regularly since she was a kid, once in Bushwick, the bike became Brandie's primary mode of transportation. It was only a 20 or 25 minute ride into Manhattan and it was faster and cheaper than the subway. "And



Brandie Bailey

it was an awesome social activity too. We would all ride home together and we'd always talk on the bike," Mo said. "Brandie just loved riding in the city."

Brandie found a job as a waitress at the Red Bamboo Vegetarian Soul Café on West Fourth Street and eventually a friend leaving town gave her a red, fixed gear track bike, a streamlined model with a high seat, no gears and no brakes. At first she was nervous about riding a fixed gear with no brakes. She waited

a few days for a friend to come over and put brakes on. "But she couldn't wait. She just got on the bike and learned to ride it and she got really good at it." Mo said. "She didn't let anything hold her back. She was always so sure of herself."

Brandie's manager at the Red Bamboo, Jason Wong, remembers her as "a fantastic person and one of the hardest working employees" he has had. On Sunday, May 8, her midnight shift ended about a half hour early. She would be back the next day at noon. Jason told her to ride home safely and "she kind of gave me her shy smile and said, 'Bye. See you tomorrow.'" That was the last he saw of Brandie.

About 20 minutes later Brandie was hit and killed by a private sanitation truck at the northeastern corner of Houston Street and Avenue A. The lack of brakes on her fixed gear bike had nothing to do with it. Brandie was not even riding when she was hit. She was sitting, one foot on the street, waiting for the light to change so that she could cross Houston. The truck took the wide left turn from Houston Street up Avenue A, ran her over and drove off. By the time the police caught up to the truck it was a mile uptown at 21st Street and 2nd Avenue. The driver said he had no idea. Brandie was taken by ambulance to Beth Israel Hospital where she was pronounced dead from massive internal injuries at 11:58 pm. No charges were filed against the driver and no summonses were issued. Brandie, it was implied, shouldn't have been heading southbound on the northbound side of Avenue A.

"We used to ride that route every night and I always felt uncomfortable at that intersection," Mo said. "Cars are never cautious as they make that turn. I can even remember talking to her about how I felt unsafe on that corner and she said she did too."

"Brandie was the type of person that you didn't think existed," her brother, Jason Bailey said. "There was something in her and

something about her that set her aside, not in a way that made her think that she was better than everyone, but in a way that just made you want to know her."



Elizabeth Padilla

ELIZABETH PADILLA Thursday, June 9

ELIZABETH KASULIS Padilla, 28, was another one of those people you did not think existed. In the moment that she was killed, New York City lost a remarkably principled, powerful and energetic young woman who dedicated her life to helping other people.

A recent graduate of Cornell Law School where she focused on international human rights, "Liz owed lots of money in student loans but wasn't interested in the six-figure job in California," her younger sister Becky said. Instead she and her new husband Telemachus "Tim" Kasulis moved to New York City where Liz took on a challenging, low-paying job working with terminally-ill indigent persons and their families, helping them with free legal services to prepare for their imminent deaths.

"When she got engaged to Tim she told him she didn't want an engagement ring," Becky said. "She wanted to give that money to someone who needed it rather than wear an expensive diamond ring." Liz's father's side of the family is Mexican. So, they made a donation to the Mexican Ameri-

can Legal Education and Defense Fund. "I remember thinking, 'I don't know anybody who would do that,'" Becky said. "She was the least superficial person."

The Falls Church, Virginia-native was a top-notch athlete. She ran marathons as a member of the Achilles Club, guiding blind and disabled athletes along the way. "She had tons of energy," Becky said. "Not a day would go by that she would sit around wasting it. She lived every day of her life to the fullest. I don't know anybody who did that as well as my sister."

After the Bosnian civil war, Liz traveled there to work with Muslim widows to help restore their homes. She ran with the bulls in Spain and was planning a two-week walk of the Inca Trail in Peru. She had been scheduled to participate in a "duathlon" with her father, a combination of swimming in the Hudson River and biking around Central Park. And she and her husband were planning to enter the Peace Corps.

The morning Liz was killed she was biking to her new job at the Brooklyn Bar Association where she helped coordinate pro bono lawyers providing services to people who could not otherwise afford an attorney. Liz was near the corner of Fifth Avenue and Prospect Place, only a few blocks away from her apartment in Park Slope, Brooklyn, when the driver of a parked P.C. Richard & Son delivery truck opened his door into her path. Swerving to her left to avoid the door, Liz fell beneath a 10-wheel ice cream delivery truck and died instantly as the rear wheels ran over her head. Flagged down by horrified bystanders a few blocks down the avenue, the driver of the ice cream truck was stunned. Though it is illegal to open a car door into the path of a cyclist, Ioseb Peikrshvili, the driver of the P.C. Richard & Son truck, was not given a summons.

Even upon her death, Elizabeth Padilla made a provision for serving others as an organ donor.

ANDREW MORGAN Wednesday, June 22

ANDREW MORGAN WAS also dedicated to serving others. As the manager of the newly-opened Blue Ribbon Bakery & Market, he served them bread. And he loved it. "Andy was so proud every time we sold a piece of bread off the shelf," said Bruce Bromberg, co-owner of the Blue Ribbon restaurants and stores.

The 25-year-old Austin, Texas native had been managing the new store for only six weeks before the crash that took his life. He was a painter, photographer and world traveler who had taken trips and shot photos through Nepal and Tibet. An accomplished cyclist Andy had done a number of 1,000+ mile rides including one from Seattle to Los Angeles. He was planning to try out for the semi-pro bike racing team that



Andrew Morgan

Blue Ribbon sponsors. "Andy pretty much epitomized everything we value in our relationships with our employees" said Bromberg. He worked at Blue Ribbon for about two years before being asked to manage the new store. Opening a new store is an intense experience but "Andy just smiled through the entire thing," said Bromberg.

Andy's death bears many similarities to three described above. On a Wednesday morning, a little after 10 am, he was riding west-bound on Houston Street. At the corner of Elizabeth Street, only a couple of blocks away from where Brandie Bailey had been hit and killed a few weeks earlier, a delivery truck driver took a right turn directly in Andy's path. Wit-

nesses heard him scream "Stop!" before being knocked from his bike and trapped beneath the truck's rear wheels. "The whole truck was on his back," one observer said. "He was like shaking, breathing heavy." At first workers from a nearby construction site tried to get the truck off of Andy with a forklift but with two gas tanks in the way it was impossible. It took 20 emergency workers using hydraulic jacks and pieces of wood to lift the vehicle. It was too late. Andy was pronounced dead on arrival at St. Vincent's Hospital. Police issued the truck driver a summons for an expired inspection sticker.

Only the day before Andy's crash one of Bruce Bromberg's friends had been killed in a motor vehicle incident in Denver. Bromberg called Andy to tell him he would not make it in to the store and that led to "a pretty intense talk about life and death and the whole thing," Bromberg recalls. "Andy said to me, 'The only thing you can really do is celebrate that person's life and take what you thought was amazing about that person and make it part of your own life and that way that person lives on forever.'" When Bromberg's plane landed in Denver the next morning he received a phone call telling him what had happened to Andy.

Bromberg does not think Andy would want his friends and loved ones to be angry about what happened to him. "It's the saddest thing ever," Bromberg said. "But the whole staff is together and really kind of following Andy's wishes and trying to live our lives like he did."

"Andy taught us all how important everyday is," Andy's father, Clayton Morgan, said. "Andy recently wrote in a letter to his family, 'Remember now is as good a time as ever because we are here on earth together. I know I will look back on these days with weak legs and a bittersweet gravity, pulling towards my heart and I have so much love for it all.'" □

This article arose from a suggestion by Right of Way (www.rightofway.org).

Collapsed bulkhead on Shore Parkway Greenway in Bay Ridge, Brooklyn



LINSEY LUSHER

Shore Parkway Greenway Needs Overhaul

BROOKLYN'S GLORIOUS Shore Parkway Greenway extends thirteen miles across the borough's southern shore and attracts thousands of bikers, walkers, joggers and skaters each weekend day and hundreds more on weekdays. Unfortunately key sections of the path are deteriorating, causing severe danger to path users. The Parks Department must immediately repair and restore the greenway to its original width.

On July 18, in Bay Ridge, Brooklyn, 41-year old cyclist Keith "Alexander" Bonanno died when he attempted to pass another cyclist on the narrowed greenway near 94th Street, where the path is collapsing into the water. Mr. Bonanno lost control of his bike and crashed, hitting his head on the metal guardrail between the greenway and the adjacent Shore Parkway highway.

Too late for Mr. Bonanno, at the end of July, Parks finalized an emergency work

contract to stop the greenway's deterioration and to fill in sinkholes from the 69th Street Pier to the Verrazano Bridge. This stabilization work should be completed in the fall, but it is just the first step. Congressman Vito Fossella has submitted a \$5 million request to the Federal Water Resources Development Act to fund more extensive repairs along the collapsing greenway. The City Department of Environmental Protection should expand its

Avenue V project to include path repairs. Fossella's office estimates that full repairs will cost \$12-14 million, and that they will be completed by Summer 2006.

On the Jamaica Bay section of the greenway, there is a half-mile stretch of path between Erskine Street and Pennsylvania Avenue in Spring Creek, Brooklyn where bikers and walkers must travel along the glass and gravel-strewn shoulder of the Belt Parkway highway, yards away from motorists driving 50+ miles per hour. Worse, there is no guardrail between cars and greenway users here, and the disintegrated shoulder is too narrow for two-way pedestrian and bicycle traffic. A

guardrail or other physical barrier must be installed to protect greenway users from highway traffic. The path must also be repaved.

In Fall 2004, T.A. contacted local elected officials and the City Departments of Transportation, Parks

and Design and Construction and the State Department of Transportation because each agency has some jurisdiction over this location. State Senator John Sampson's office also reached out to the City DOT, which is now investigating what can be done to repair the greenway. Kudos to City DOT for taking the lead. It should make improvements immediately, or more greenway users will be at risk of being seriously injured or killed. □

TakeAction!

Contact these agencies to make the Shore Parkway safer.

Brooklyn Borough Commissioner Lori Ardito
NYC Department of Transportation
16 Court Street
Brooklyn, NY 11241

Commissioner Adrian Benepe
NYC Department of Parks and Recreation
The Arsenal at Central Park 830
5th Avenue
New York, NY 10021