

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION JOINTLY WITH THE  
COMMITTEE ON PUBLIC SAFETY

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May 2, 2017  
Start: 1:22 p.m.  
Recess: 3:18 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: YDANIS A. RODRIGUEZ  
Chairperson

VANESSA L. GIBSON  
Chairperson

COUNCIL MEMBERS: Daniel R. Garodnick  
James Vacca  
Margaret S. Chin  
Stephen T. Levin  
Deborah L. Rose  
James G. Van Bramer  
David G. Greenfield  
Costa G. Constantinides  
Carlos Menchaca  
I. Daneek Miller  
Antonio Reynoso  
Donovan J. Richards  
Vincent J. Gentile  
Julissa Ferreras-Copeland  
Jumaane D. Williams  
Robert E. Cornegy  
Rory I. Lancman  
Ritchie J. Torres  
Steven Matteo

## A P P E A R A N C E S (CONTINUED)

Juan Martinez, Director  
Strategic Initiatives  
NYC Department of Transportation

Rebecca Zach, Acting Assistant Commissioner  
Intergovernmental and Community Affairs  
NYC Department of Transportation

Dennis Fulton, Inspector  
Transportation Bureau  
New York City Police Department

Oleg Chernyavsky, Director  
Legislative Affairs  
New York City Police Department

Julia Kite, Policy and Research Director  
Transportation Alternatives

Rebecca Cap (sp?)  
Hit & Run Victim

Dulcey Canton, Upper Manhattan Organizer  
Transportation Alternatives  
Member, Families for Safe Streets

Gina Zarate Appearing on behalf of:  
DJ Jinx Paul a/k/a Gene Paul Guerrero

Rich Conroy, Director Education  
Bike New York



3 [sound check, pause]

4 CHAIRPERSON RODRIGUEZ: Good afternoon  
5 and welcome to today's joint hearing of the NYC  
6 Council Transportation and Public Safety Committees.  
7 I want to thank my co-chair today, Council Member  
8 Vanessa Gibson , for agreeing to hold this important  
9 hearing. We are joined today by Council Members...

10 We will discuss two pieces of legislation  
11 that aim to leverage the eyes and ears of New Yorkers  
12 as we pursue hit and run drivers who kill and  
13 seriously injure others on our streets. This  
14 despicable crime happens far too frequently. In the  
15 first week and a half of this year, we saw four New  
16 Yorkers lose their lives to hit and run crashes. In  
17 FY16, there were 44,865 hit and runs, with 38 taking  
18 the life of a victim. The stories of these victims  
19 evoke tears. For some, they are the son who are  
20 attending college on the way to fulfilling their  
21 dream. For others, the radio—the radio DJ beloved by  
22 hundreds of thousands or a daughter on her way home  
23 after a successful job interview. Over the past  
24 several years, I have heard—hear—heard far too many  
25 of these stories, and I have made it a point to  
everything I can to eradicate fatal hit and run

1  
2 crashes on our streets, and I am not acting as a  
3 Council Member. I've been influenced by being the  
4 father of two daughters. I want my daughters and all  
5 the children to be safe in the city of New York. But  
6 if we are to prevent hit and run crashes, we must  
7 make a point of catching those that commit this  
8 cowardly crime. We must make a point to follow  
9 through to capture and convict those that leave  
10 bleeding bodies in the wake as they look to avoid the  
11 consequences. It means increasing the rate of  
12 arrests and convictions of drivers who will—who kill,  
13 which in FY16 was just over 33%. To accomplish this,  
14 I introduced two piece of legislation we will hear  
15 today that aims to leverage the eyes and ears of New  
16 Yorkers in the effort to catch hit and run drivers.  
17 Intros—Intro 1463 would crate an Amber Alter—Amber  
18 Alert-like system where the NYPD could rapidly  
19 disseminate—disseminate information and make a model  
20 of cars—I'm sorry—of ears involved in serious  
21 crashes, or any helpful information that could lead  
22 to an arrest. Intro 1418 would work similar to the  
23 1-800-copshot—shot-shot type tip line where New  
24 Yorkers can report crimes or information on crimes  
25 and receive rewards if the information leads to an

1  
2 arrest and conviction. This hit and run reward fund  
3 will create incentives for New Yorkers to actively  
4 support hit and run investigations and hopefully  
5 increase rates of arrests and convictions for these  
6 awful crimes. This legislation follow—follows  
7 several different jurisdictions that have passed  
8 alert and reward systems. In Colorado success of  
9 such programs on a local level led to the state to  
10 pass an alert system now known as the Medina Alert,  
11 named for the 21-years-old victim killed in a hit and  
12 run. The City of Los Angeles also established alert  
13 and reward systems to catch hit and run drivers with  
14 rewards reaching up to \$50,000 for information  
15 leading to the arrest of a driver who has killed and  
16 left the left the scene. Their efforts were followed  
17 by the full state of California beginning a yellow  
18 alert system for hit and run derivers, and I'm glad  
19 to say legislation has been introduced on the state  
20 level here in New York as well as by Assembly Member  
21 Carmen De La Rosa and Senator Marisol Alcantara.  
22 Here in New York City we can always do more to curb  
23 crashes. I am glad that DOT and the NYPD have been  
24 such a partner in this effort working to redesign  
25 streets so that drivers have less space to drive

1  
2 recklessly, and also the NYPD going after those  
3 criminal drivers who are leaving the scene. Yet, the  
4 face remains that people continue to lose their lives  
5 no our streets, and when those that kill them flee,  
6 we face a grave—a grave dilemma. It is my hope that  
7 the members of the administration here today testify—  
8 to testify today can provide inside information—I'm  
9 sorry—insight into the current strategies undertaken  
10 when an investigating one of our many hit and run  
11 crashes what has proven successful and where are we  
12 lacking when it comes—it can—it comes to making  
13 arrests. We would also like to hear how the tools  
14 provided in this legislation be leveraged to improve  
15 our—our arrest rates, and let drivers know—know about  
16 if they hit someone on our streets regardless of the  
17 severity, they need to get out of the car to help or  
18 face—to help or face the consequences for driving  
19 away. Before we begin, I would like to thank our—my  
20 committee staff for helping to put this hearing  
21 together, Counsel Faiza Malik, and policy analyst—  
22 analyst Jonathan Masserano, Gafar Zaaloff, Emily  
23 Rooney, as well as my staff, Chief of Staff Jose  
24 Louis and my Deputy Chief of Staff Rosa Murphy and  
25

Stephanie Miliano. Now, we will hear from my co-chair Council Member Vanessa Gibson.

CHAIRPERSON GIBSON: Thank you very much Chair Rodriguez. Good afternoon ladies and gentlemen. Welcome to City Hall. I'm Council Member Vanessa Gibson of the Sixteenth District in the Bronx and I'm proud to serve as chair of the committee on Public Safety. I welcome all of you to our joint hearing of the Committees on Transportation and Public Safety to really hear important legislation that is in the spirit of protecting every single New Yorker in the city. I'd like to thank the members of the Public Safety Committee who are here, our Minority Leader Steve Matteo, Council Member Chaim Deutsch, Council Member Jumaane Williams, Council Member James Vacca, Council Member Robert Cornegy. Thank you colleagues for being here. This afternoon we are holding a hearing on engaging New Yorkers to help hold hit and run perpetrators accountable, and hearing two bills on our agenda related to this topic. Incidents of drivers leaving the scene of a traffic collision or a hit and run remains a public safety priority despite state and local laws put in place to deter them. According to the NYPD, there



1 were 11 hit and rung incidents almost one per week in  
2 the first quarter of 2017 alone. Of those 11  
3 incidents, only 6 resulted in an arrest. In total in  
4 FY 2016 there 44,865 hit and runs ranging from  
5 crashes that resulted in deaths to property damage  
6 only. Of those 40,000 plus hit and run crashes, only  
7 510 resulted in arrests. Whether their damage is  
8 incurred to property or even worse, when someone is  
9 seriously injured or fatally injured, the  
10 perpetrators need to be held accountable. While the  
11 men and women working in the NYPD's Collision  
12 Investigation Squad investigate all traffic crashes  
13 that result in death or critical injury, their work  
14 cannot be done in a silo. These officers rely on the  
15 eyes and ears of every New Yorker to help identify  
16 and bring to justice those who cause crashes and then  
17 flee the scene. This is a matter of human decency.  
18 The safety of our pedestrian our bicyclists and  
19 motorists are of paramount importance. While there  
20 are currently state and local laws that address  
21 fleeing the scene of an accident, we need to give our  
22 police officers and our communities more tools to  
23 effectively prevent these incidents from occurring.  
24 Though we continue face challenges, through this  
25

1  
2 hearing and the legislation we put forth, we want to  
3 make it clear that safety is our priority first and  
4 foremost, and we will hold those involved in crashes  
5 liable. The first bill on our agenda is Intro 1418,  
6 sponsored by Transportation Chair Council Member  
7 Ydanis Rodriguez, in the Public Safety Committee  
8 which relates to establishing a reward for  
9 individuals to provide information leading to the  
10 apprehension, prosecution or conviction of a person  
11 who seriously injures or kills another individual in  
12 a hit and run accident. Other jurisdictions such as  
13 Los Angeles have created similar reward systems. The  
14 second bill is Intro 1463 also sponsored by Chair  
15 Ydanis Rodriguez in the Transportation Committee  
16 relating to establishing a program to provide public  
17 notification of hit and run incidents. These  
18 notification systems have been implemented in other  
19 jurisdictions such as Denver and Aurora in Colorado,  
20 and have been successful in increasing the arrest  
21 rates for those who flee the scene of a crash. We  
22 hope to have similar success here in our city. I  
23 want to commend the administration for their  
24 commitment to reducing traffic crashes and  
25 fatalities. I also want to applaud the great work of

1  
2 our Committee on Transportation chaired by Chair  
3 Rodriguez for all of their work and their consistent  
4 support. Council Member Rodriguez and I held  
5 hearings together in every borough when this  
6 administration launched Vision Zero, and our was to  
7 ensure that every New Yorker from across the boroughs  
8 were able to provide feedback and input on how we can  
9 best serve their best interests. It was great to  
10 hear from many who are often not able to come to  
11 calls of City Hall and also get their feedback, but  
12 there are still too many crashers on our roads year  
13 to date, and those drivers that cause these crashes  
14 are often not held accountable. Every life lost is  
15 one too many, and every tragedy is a learning  
16 opportunity to learn how we can do better and protect  
17 our streets. I hope this afternoon to learn from the  
18 administration their position on these bills, and  
19 what, if any, improvements can be made to the  
20 legislation. We also want to hear from our advocacy  
21 community, those who are working so hard to make sure  
22 that our streets are safe, and certainly as Chair  
23 Rodriguez acknowledged, so many instances and so many  
24 cases of individuals whose lives have been taken and  
25 families have been ripped apart. I also want to

1  
2 dedicate this hearing to a dear friend of mine that I  
3 grew up with in Brooklyn, Marlin Palachios (sp?) who  
4 was killed by a hit and run driver in Brooklyn on  
5 January 9<sup>th</sup> of this year as he was traveling to pick  
6 up his 4-year-old son from daycare. He never made it  
7 and his family will never be the same again. It is  
8 because of those stories that we will never stop  
9 doing this work because there have been too many  
10 lives that have been lost, and if we can as  
11 stakeholders, as legislators and the administration  
12 do better, the we absolutely should do better. I  
13 thank you all for being here. I want to thank the  
14 staff on the Committee of Public safety for their  
15 work, my Counsel Deepa Ambekar and Beth Golub. My  
16 Policy Analyst Casey Addison, and my Finance Analyst  
17 Steve Reister. Thank you all for being here. Thank  
18 you colleagues and now I turn this back over to Chair  
19 Rodriguez. Thank you.

20 CHAIRPERSON RODRIGUEZ: Thank you, Chair  
21 and I would also like to acknowledge our attorney  
22 Faiza Malik and before asking to administer the  
23 affirmation, I also would like to thank the family of  
24 Jane Paul who are here present. [Speaking Spanish]  
25 And now we going to take--first, I'd also like to

1 recognize Council Member Deutsch, Cornegy and—and  
2 Richards, and now I—I now welcome testimony from the  
3 members of the administration here today, and ask  
4 them to please their hand as our attorney deliver the  
5 affirmation.  
6

7 LEGAL COUNSEL: Do you affirm to tell the  
8 truth, the whole truth, and nothing but the truth in  
9 your testimony before this committee today, and to  
10 respond honestly to Council Member questions?

11 PANEL MEMBERS: [off mic] I do.

12 LEGAL COUNSEL: You may proceed.

13 JUAN MARTINEZ: Good afternoon, Chair  
14 Rodriguez, Chair Gibson and members of the  
15 Transportation and Public Safety Committees. My name  
16 is Juan Martinez, and I am Director of Strategic  
17 Initiatives at the New York City Department of  
18 Transportation. I am joined by Rebecca Zach, Acting  
19 Assistant Commissioner of Intergovernmental and  
20 Community Affairs. The central premise of Vision  
21 Zero is that we can prevent fatal traffic crashers  
22 and it is, therefore, our responsibility to do so.  
23 Each fatal crash, which has been averted means that  
24 there is another family which does not have to cope  
25 with the trauma and profound grief of a loved one's

1 abrupt absence. Drivers who are involved in a fatal  
2 crash and the choose to flee are committing an  
3 illegal act, which is especially heinous because it  
4 can intensify that family's anguish by denying them  
5 closure. In my testimony I will focus on DOT's  
6 Vision Zero work to prevent the crashes most  
7 associated with drivers who leave the scene. In  
8 addition, I'll provide some background on the factors  
9 that may influence the decision to leave the scene  
10 one a collision has occurred, and some steps that  
11 could be taken to change those factors. I defer to  
12 Inspector Fulton and my colleagues at NYPD on how to  
13 apprehend those drivers that do decide to leave the  
14 scene of a serious or fatal crash and the Council's  
15 proposals for the establishment of an alert system,  
16 and Intro 1463 and an award fund in 1418. Traffic  
17 fatalities have declined 23% since Vision Zero was  
18 launched in 2014. Fatal hit and run crashes have  
19 declined at the same rate from an annual average of  
20 42 in the three years before Vision Zero to an  
21 average of 32 in the three years of the initiative  
22 thus far. A review of crash data indicates that  
23 fatal hit and runs are highly correlated with drivers  
24 who are speeding at night, and drivers who are  
25

1  
2 operating under the influence of alcohol or other  
3 drugs. One-third of fatal hit and runs occur during  
4 just 14% of the week from 9:00 to 4:00 a.m. on  
5 Thursday, Friday, Saturday night and morning. Those  
6 24 hours also account for one-third of fatal DWI  
7 crashes and for one-fifth of speeding fatalities.  
8 Accordingly, I would like to testify on DOT's efforts  
9 to improve safety during the overnight period, our  
10 work to reduce overnight speeding and our outreach  
11 aimed at reducing drinking and driving. Under Vision  
12 Zero DOT has undertaken a number of initiatives to  
13 prevent night time crashes. The conversion from high  
14 pressure sodium street lights to LED is well  
15 underway. LED street lights improve visibility for  
16 drivers by providing much better contrast.  
17 Additionally, this past year we completed the  
18 installation of additional street lighting at 1,000  
19 intersections with high numbers of night time  
20 pedestrian injuries, and as part of this year's  
21 Preliminary Budget announced the plan to address an  
22 additional 1,000 intersections. DOT has also been  
23 retiming the traffic signals on high crash corridors  
24 in order to discourage speeding during the off peak  
25 hours. We have successfully refined the signal

1  
2 timing on over 400 miles of corridor including three-  
3 quarters of the priority corridor miles identified in  
4 the Vision Zero Pedestrian Safety Action Plans.  
5 However, we are prohibited by state law from using  
6 one of the most effective tools we have for  
7 combatting speeding, the Speed Camera Program at  
8 night. We are only allowed to use speed cameras  
9 during school hours or on school days, but we know  
10 that the rate of speeding and also speeding deaths  
11 spikes at night and on weekend nights in particular.  
12 The rate of speeding starts to climb as soon as we  
13 deactivate the speed cameras. The Council has been  
14 supportive of efforts to expand the program that we  
15 can deter speeding during the most dangerous hours of  
16 the day and in the most dangerous places. We are  
17 grateful for that support and ask that you redouble  
18 it in the weeks ahead. In addition, DOT convenes the  
19 Stop DWI task force of district attorneys, the NPD  
20 and other criminal justice agencies, and is  
21 responsible for administering the New York City Stop  
22 DWI program. The program is funded with fines  
23 collected from offenders under state law and develops  
24 the city's comprehensive DWI strategy. DOT's focus  
25 as a member of this task force is public education



1  
2 and outreach. DOT's DWI campaign is Choices examples  
3 of which you can see behind me. This campaign  
4 presents that viewer with two options: A safe trip  
5 home or the consequence of drinking and driving.  
6 Testing in this campaign indicates that it is  
7 effective due to the personal accountability of it  
8 place on the driver. The campaign can be found on  
9 billboards, linknyc kiosks, bus shelters, radio  
10 spots, online advertising, sponsorships at the city's  
11 sports areas and ballparks and media placements in  
12 bars including on drink coasters. The goal is to  
13 target to the campaign to the hours of the week and  
14 the places where we may be able to reach a driver  
15 making that choice to drive home. Additionally, we  
16 undertake an array of street level outreach efforts  
17 again designed to reach New Yorkers when they may be  
18 making that consequential decision to drive after  
19 drinking. For instance we have a program where we  
20 partner with members of the Council to distribute  
21 Metro cards outside night spots in order to encourage  
22 someone who drove to the bar to take transit home.  
23 And last year we initiated an on-street outreach  
24 project with NYPD to administer voluntary  
25 breathalyzer tests to show people whether they could

1  
2 actually be over the legal limit before they get  
3 behind the wheel. In addition to working to prevent  
4 hit and run crashes by attacking the factors aligned  
5 with the causes of those crashers, I would like to  
6 discuss the factors associated with the driver's  
7 decision to flee. State law actually provides an  
8 incentive for a driver who is under the influence of  
9 alcohol or drugs to flee the scene. A driver who is  
10 not sober and remains at the scene of a fatal crash  
11 can be—can expect to be charged with a Class D, C or  
12 B felony depending on the motorist's record and the  
13 circumstances of the crash. However, if the driver  
14 leaves the scene and is arrested hours or days later  
15 there may not be enough evidence to charge him or her  
16 for driving while intoxicated. Accordingly, the  
17 decision to flee may mean the motorist has avoided  
18 arrest altogether and if they are apprehended, would  
19 only face a Class D felony meaning that the decision  
20 to hit and run would have drastically reduced the  
21 severity of the driver's punishment. In 2012, a  
22 defense attorney was quoted in the Staten Island  
23 Advance as saying that although he would not advise  
24 anybody to leave the scene of a fatal crash, as a  
25 defense attorney, you love it when they leave the

1 scene because it helps your case. By the way, the  
2 State Legislature comes close to aligning the penalty  
3 for fleeing the scene of a crash and the penalty for  
4 causing injury or death while driving while  
5 intoxicated. Hopefully, this is the year they  
6 eliminate the incentive for motorists to leave the  
7 scene, and enact legislation that has been supported  
8 by New York City's district attorneys, advocacy  
9 groups like MAD and Transportation Alternatives and  
10 this Council in a finding to close that loophole. It  
11 bears noting that of the hit and runs drivers  
12 involved in fatal crashes who are ultimately  
13 apprehended, 15% are unlicensed and an additional 13%  
14 have suspended license both of which are  
15 substantially higher than the rates we see for fatal  
16 crashes over all. Thank you for the opportunity to  
17 testify today before you on the factors which cause  
18 hit and run crashes as well as the factors associated  
19 with the a driver's decision to flee the scene of a  
20 crash. After you hear from my colleagues, I look  
21 forward to answering any questions from the  
22 committee.  
23

24 DENNIS FULTON: Good after noon, Chair  
25 Rodriguez, Chair Gibson and member of the Council. I

1  
2 am Inspector Dennis Fulton of the New York City  
3 Police Department Transportation Bureau. I'm joined  
4 here today by Oleg Chernyavsky, the NYPD's Director  
5 of Legislative Affairs. On behalf of Police  
6 Commissioner James P. O'Neill, I wish to thank the  
7 City Council for the opportunity to speak with you  
8 today about engaging New Yorkers help hold leaving  
9 the scene perpetrators accountable. A few months  
10 ago, Chief of Transportation Thomas Chin came before  
11 the committees and discussed the progress the Police  
12 Department had made with respect to the city's Vision  
13 Zero Initiative. Since its launch in 2014, the  
14 Police Department in collaboration with the  
15 Department of Transportation, other fellow city  
16 agencies and the Council has been committed to Vision  
17 Zero and the goal of reducing fatalities on our city  
18 streets. After three years, the city has made  
19 significant progress, as Chief Chin noted. 2016 was  
20 the safest year in New York City history with the  
21 fewest traffic fatalities ever recorded, 230.  
22 Improving on the record of 234 starting in 2015. It  
23 is the third consecutive year where traffic  
24 fatalities in our city declined in sharp contrast to  
25 increase traffic fatalities nationwide. It is also

1 important to note something else that Chief Chan  
2 stated to the committees a few months ago that  
3 despite the successes the city has had had under  
4 Vision Zero, the Police Department is not resting on  
5 its laurels. The Police Department remains  
6 steadfastly committed to driving down fatalities and  
7 injuries because each life lost on our streets is  
8 also an occasion to reflect on the urgency of the  
9 Vision Zero goal. With respect to leaving the scene  
10 incidents, I want to unequivocally state that one of  
11 the basic responsibilities of motorists on our  
12 streets is to stop and provide their identifying  
13 information if they have the cause to believe that  
14 they hit someone or something causing property  
15 damage, personal injury or death. It is a basic  
16 decency that one should expect from those operating  
17 on our busy streets. Investigations of leaving the  
18 scene incidences are unique because an element of the  
19 crime is that the perpetrator fled. Often these  
20 incidents occur on non-major highways and roads at  
21 night without street cameras and with few, if any,  
22 witnesses. As part of Vision Zero, in order to  
23 prevent and combat leaving the scene incidences the  
24 NYPD has focused its enforcement on those motorists  
25

1 who are likely to leave the scene. Notably, these  
2 are drunk drivers and drivers who are operating with  
3 a suspended or revoked license. These are individual  
4 who have absolutely no right to be behind the wheel.  
5 In addition, the Department's Collision Investigation  
6 Squad, CIS, have also conducted outreach with local  
7 body shops and window repair locations to share  
8 information with the department when these businesses  
9 suspect that a vehicle in their shop has been  
10 involved in a leaving the scene incident. Moreover,  
11 under this administration, the department has  
12 increased the number of officers assigned to the  
13 Collision Investigation Squad. Most officers who  
14 become investigator in CIS come from within the  
15 NYPD's Highway Unit. They have often shown exemplary  
16 ability in the field as well as an interest in  
17 joining CIS. CIS officers are trained rigorously in  
18 investigations, and discovery techniques. CIS  
19 responds to investigate collisions involving critical  
20 injury as determined by Emergency Medical Service  
21 personnel and collisions with death or serious injury  
22 and likely to die occur. Turning now to the  
23 legislation. Each of the bills under consideration  
24 today touch upon a theme often echoed by Police  
25

1  
2 Commissioner O'Neill and that is that public safety  
3 is a shared responsibility. In order for the NYPD to  
4 fulfill its public mission, we need the public's  
5 cooperation and trust. It plays a significant factor  
6 in how the NYPD further investigations and closed  
7 cases. Intro 1418 would amend the Administrative  
8 Code to provide for award not exceeding \$1,000 for  
9 individuals who provide information leading to the  
10 apprehension, prosecution or conviction of an  
11 individual who is responsible for leaving the scene  
12 of a collision that resulted in a serious physical  
13 injury or death of another. I want to express our  
14 appreciation to the Council for introducing this  
15 measure. We are supportive of efforts that will  
16 assist our ability to investigate and ultimately  
17 arrest those who have committed this very serious  
18 crime. While the bill requires additional  
19 clarification on the appropriate funding stream, the  
20 department welcomes the proposal. We look forward to  
21 further discussions on this legislation.

22 Intro 1463 would amend the Administrative  
23 Code to establish that leaving the scene alerts us  
24 similar to the Amber Alert system to provide rapid  
25 notification to the public when a leaving the scene

1 collision occurs involving serious injury and death.  
2  
3 The department is conceptually supportive of this  
4 idea, but believes this bill requires more discussion  
5 and exploration. As you know, the department has  
6 significantly increased its presence on social media  
7 and has been sending wanted notifications to the  
8 public through these various outlets when very  
9 serious crimes occur including leaving the scene  
10 incidences. As I mentioned earlier in my testimony,  
11 a significant number of leaving the scene incidents  
12 occur on the non-major highways and roads at night  
13 without tree cameras and with few, if any, witnesses.  
14 Amber Alerts are generally tied to incidents  
15 involving abducted children. Usually the perpetrator  
16 is known or the suspected perpetrator's vehicle  
17 information such as their license plate and the make  
18 and model of the car is known. This is not always  
19 the case with leaving the scene incidents. Sometimes  
20 a witness may only know that they were struck by a  
21 black SUV, but they do know the license plate, the  
22 make, the model, or they do not know the license  
23 plate, the make, the model of the car or the  
24 perpetrator. The effectiveness of an alert is  
25 ultimately dependent on the amount of information



1 available. Notwithstanding these potential  
2 challenges, we welcome the opportunity to work  
3 together on this legislation. Thank you for the  
4 opportunity to speak with you today, and I am please  
5 to answer any question you might have.  
6

7 CHAIRPERSON RODRIGUEZ: I'd like to  
8 recognize also Council Members Reynoso, Gentile and  
9 Garodnick. My colleague here she'll be asking some  
10 questions and my other colleagues, too. I just have  
11 one question. I have to step out for a few minutes.  
12 I have to brought into the other committee at 250  
13 Broadway and come back. But one of my—first of all,  
14 thank you for being open and supportive of the  
15 concept of those—of those two legislations, and this  
16 is a good place to be as we will continue  
17 conversations on the logistic on how we can work on  
18 those two bills. But, one of the thing that I was  
19 saying is that since those two hit and run alert and  
20 phone has already been established into other large  
21 cities and states, you know, is there something that  
22 you had looked at and—or is this something that you  
23 will, you know, look as a matter, too?

24 JUAN MARTINEZ: Thank you, Council  
25 Member. Yeah, we actually we have worked at Colorado

1  
2 and California, and I think that serves as pretty  
3 model that we can learn from in working together to  
4 streamline and to figure out the logistics of the  
5 bills. But as you said, we're supportive of the  
6 concepts of both of the bills, and I think we can  
7 work together to figure out all the nuances to make  
8 it workable.

9 CHAIRPERSON RODRIGUEZ: [off mic] And-

10 CHAIRPERSON GIBSON: Thank you, Chair.

11 Thank you, DOT, and NYPD for your presence, your  
12 participation. I just had a couple of questions. Can  
13 you currently tell me what type of alerts the  
14 department sends out and how does it work in terms of  
15 the staffing? How do we do alerts right now?

16 DENNIS FULTON: [background comments] I'm  
17 not aware of the department itself sending out  
18 alerts. I think the-if we're talking about the Amber  
19 and the Silver Alerts, Amber Alerts are done by the  
20 state I believe through DCJS. Silver alerts I  
21 believe are the same, but may involve OEM. I know  
22 of-of an alert system that's created through OEM but  
23 that's a subscriber based alert system for school  
24 closures, alternate side of the street parking,  
25 various points that somebody can register. Somebody

1  
2 in the city can register to receive an alert during  
3 notification, and receive that type of alert and  
4 notification, but that's—we're not aware of any alert  
5 system that the department administers itself.

6 CHAIRPERSON GIBSON: Okay, So the NYPD  
7 works with DCJS as it relates to Amber Alerts, and  
8 then you said Silver Alerts are—are done through OEM?

9 DENNIS FULTON: We—I—we we have to  
10 clarify, but I—I—we believe there is some OEM  
11 involvement, but we'll—we'll need to clarify how  
12 Silver Alerts get processed.

13 CHAIRPERSON GIBSON: Okay, so with the  
14 proposed Bill 1463 and the conversations that we're  
15 having do you think that this particular alert system  
16 is something that could work and obviously it would  
17 be run by the NYPD, but there would have to be some  
18 sort of a partnership with DOT I'm assuming. Do you  
19 have an idea of what this could look like? I think  
20 many of my—my colleagues and I are just not  
21 understanding that some of the alerts that we receive  
22 now are operated from the state and from the city. I  
23 wasn't aware of that. So looking at this type of  
24 alert system, more locally based is this something  
25 that you think could work for us in the city?

1  
2           JUAN MARTINEZ: Well, I—we certainly  
3 think that—that these type of alerts are—are useful,  
4 but we—we have to make sure that we're cognizant of  
5 not over-alerting the public to the point that they  
6 start tuning out the alerts. So, if—I think  
7 everybody has received an Amber Alert. There isn't  
8 and thank goodness there isn't a very large number of  
9 Amber Alerts we receive, but when our phones do off  
10 about an Amber Alert, everybody looks at the phone  
11 and looks around, you know, is cognizant of what type  
12 of a car to look for. So, what we don't want to do  
13 is—is saturate, you know, the public with so many  
14 alerts that they just become number to them, and they  
15 stop paying attention. With that said, we think that  
16 an alert could be useful. I think the bill can be  
17 refined a bit to and much in the same way Colorado  
18 and California were refining the bill. I think we  
19 went most of the way there in the sense that we are  
20 limiting it to serious physical injury, which  
21 includes that. I think it can be fur—further refined  
22 possibly on that front to look at critical injury,  
23 likely to die. Also, what California and Colorado do  
24 that we—I don't believe is in the bill is they hinge  
25 the trigger for the alert based on the amounts of

1 information that—that the police possesses relative  
2 to the vehicle, and I believe Inspector Fulton—Fulton  
3 mentioned this during his testimony, if all we have  
4 is a description that it was a dark colored SUV, that  
5 should not trigger an alert because there would just  
6 be a lot of phone calls coming in with really  
7 unactionable intelligence. I think where Cali—I  
8 believe it's Colorado has a mechanism where either  
9 our full license plate comes in or a partial license  
10 plate with a description of the vehicle comes in.  
11 It's triggers like that. I think we given the volume  
12 in the city and the amount of cars in the city we'll  
13 have to figure out our own formula, but we can  
14 certainly take a lot of lessons from other  
15 jurisdictions, and as to the administration of the  
16 alert system, I think that—I think the wiser move  
17 would be to use infrastructure that's already in  
18 place rather than to create a brand new  
19 infrastructure and train an agency that's not  
20 currently administering an alert system, but I think  
21 these are all things that we can work through.

22  
23 CHAIRPERSON GIBSON: Okay. I'm glad you  
24 raise the last two points because I was wondering  
25 just in terms of, you know, over capacitating the

1  
2 system where New Yorkers are receiving an abundance  
3 of alerts could be almost a disincentive. Within the  
4 conversations we're having, could we also look at  
5 something that could more so be condensed and target?  
6 So, within the database we can manipulate it if there  
7 is like you said a serious injury or a fatality in a  
8 participle zip code we can target those residents in  
9 that database that we have in that zip code so that  
10 the entire city of New York doesn't get that  
11 particular alert. And then also my-my other  
12 questions would be some of the factors that the NYPD  
13 would need to determine if an alert is able to go  
14 out, full license plate, color, things of that nature  
15 to try to get as much detail as possible so that once  
16 the alert goes out, you can be assured that at least  
17 some of the information could be as best accurate.

18 JUAN MARTINEZ: Right, so I mean to your  
19 first point, I-I think a targeted notification to-to  
20 certain zip codes would be challenging because the  
21 nature of-of the crime is that it's a hit and runs.  
22 The individual is in a vehicle and they're not  
23 necessarily going to be limited to a particular area.  
24 So, I-I think the nature of the crime is that we-we  
25 do want to cast a wide net because by the time that

1 we—we—we figure out what—what the license plate, we  
2 get some of the basic facts that's come from such an  
3 incident and put out the alert, the individual may be  
4 outside of the zip code where the—the hit and run  
5 actually happened. So, I—I think it it's—it's a  
6 balance there about how, you know, how confined the  
7 alert system goes, but I—I think—I think we have to  
8 talk to people that understand technology a lot more  
9 than I do, and to see what the feasibility of that is  
10 rather than versus an—an alert that goes citywide.  
11 And also, like I said, the operational aspect of—of  
12 the fact that the individual is traveling potentially  
13 at a high rate of speed. We don't know how far away  
14 from the crash zone the individual may be.

16 CHAIRPERSON GIBSON: Okay, could you guys  
17 give me an update on where we are with some of the  
18 state legislation that you talked about that would  
19 close the loophole. I think it's really a sad state  
20 of affairs that there's more than incentive to flee  
21 the scene of an accident when you talk about some of  
22 the stringent penalties that we have on the books,  
23 and I hate to say that an incentive to leave the  
24 scene of an accident, but because of the state law  
25 that's just exactly what it is. Can you guys give us

1 an update? We have about two months left of this  
2 legislative session so I'd—I'd like to know, you know  
3 where we are, and then also from our perspective what  
4 we can do to help push the legislation along.  
5

6 DIRECTOR CHERNYAVSKY: Absolutely. As  
7 you know from your time in Albany there's a number of  
8 different people trying to solve the same problem  
9 using slightly varied, slightly different versions of  
10 the same solution, right. There are a number of  
11 pieces of legislation, which—which simply raised the  
12 penalty for leaving the scene to achieve this goal to  
13 eliminate the incentive. One, for instance sponsored  
14 by Senator Flanagan, one sponsored by Senator Golden.  
15 The—it's taken some time to get to this point where  
16 they're looking at bills which increase the penalty  
17 because for a long time they were thinking about  
18 well, let's build a presumption into the law that if  
19 you fled then you were drunk, and that ran into  
20 constitutional problems and, you know, this is the  
21 fourth or fifth attempt at skinning this particular  
22 cat. But, I'm optimistic that this year one of those  
23 bills, if not several of them will advance to the  
24 point where they're ripe for a vote. The—and his  
25 governor has indicated his support last year for



1 solving this loophole. So, I think this Council has  
2 in the past supported Senator Golden's bill. Council  
3 Member Mendez has a resolution on that bill.  
4 Something along those lines would be very helpful to  
5 again indicate that this is a--a broadly supported  
6 issue.  
7

8 CHAIRPERSON GIBSON: Okay. So I hope  
9 that we will be making a few trips to Albany before  
10 June.

11 DIRECTOR CHERNYAVSKY: Any time you would  
12 like, Council Member.

13 CHAIRPERSON GIBSON: Okay, great. Just  
14 have a--one or two questions about Intro 1418, which  
15 is the Reward Bill. I wanted to understand. The  
16 current reward system that we have now when  
17 individual are reporting crimes and they lead to the  
18 prosecution and conviction of an individual, what's  
19 the funding stream that really takes care of those--  
20 that reward system right now?

21 DENNIS FULTON: That's--that reward is  
22 administered through the Police Foundation--

23 CHAIRPERSON GIBSON: Okay.

24 DENNIS FULTON: --a private entity, and  
25 as you said, it is apprehension and conviction so it

1  
2 is--there's a built-in incentive, and that's one of  
3 the points that I would raise as well over here that--  
4 that here we have in a bill apprehension and  
5 prosecution or conviction. So I think the key to the  
6 existing framework that's administered by the Police  
7 Foundation is that there's an incentive for the  
8 individual to cooperate in the ultimate prosecution  
9 if necessary, and that--that is very important because  
10 I--I think an apprehension standing alone that  
11 doesn't--that doesn't pan out to a conviction. It  
12 obviously isn't the intended goal of the reward,  
13 right. What we want to do is to get--to get good  
14 information, to have cooperation from the public to  
15 get the ultimate conviction to dissuade people from  
16 leaving the scenes--

17 CHAIRPERSON GIBSON: Okay.

18 DENNIS FULTON: --of these--of these type  
19 of incidents.

20 CHAIRPERSON GIBSON: Okay. So do you  
21 think the proposed bill and the proposal of \$1,000 is  
22 the right incentive to try to get New Yorkers to come  
23 forth when they witness a hit and run, and is this  
24 something that, you know, we as a city can talk to a  
25 police foundation or any other partners that we have

1  
2 so that we can get some sort of a partnership to  
3 provide the resources that are necessary for this  
4 funding.

5 DENNIS FULTON: I mean certainly the  
6 Police Foundation is a model that's out there. I'm  
7 sure if you look t the other--the other jurisdiction  
8 they use different models. I mean I think--I think we  
9 can learn from--from the variety of models. I mean I  
10 think--I think we can learn from--form the variety of  
11 models and try to figure out what the best model is  
12 for New York City with respect to--to these types of  
13 crimes, but yes, I think any type of incentive that  
14 would get individuals, the public to cooperate to--to  
15 bring these individuals to justice is--is a good  
16 thing.

17 CHAIRPERSON GIBSON: Okay, great. I'm  
18 glad we have agreement and we'll keep talking about  
19 these bills as we move forward. You know, financial  
20 incentives and you, Inspector Fulton, acknowledge in  
21 your testimony that it has been an incredible part of  
22 New Yorkers coming forward in the case of criminal  
23 investigations where they are--people are coming  
24 forward and--and certainly when you look at the number  
25 of track--crashes that we've had across the city, we

1  
2 believe that financial incentives is another good  
3 option, and it's an element to make sure that we can  
4 bring people forward. I think when we live in a city  
5 where individuals may see things, but they're very  
6 apprehensive about coming forward for many, many  
7 reasons, and so we want to t give them whatever  
8 incentive we can to make sure that they come forward.  
9 When you have talked to so many families impacted by  
10 these traffic, you know, crashes and incidents and  
11 fatalities I mean we need to do everything possible  
12 to give them a level of comfort. So, I'm glad that  
13 we agree in concept, and we can continue to have  
14 further discussions. I want to acknowledge the  
15 presence of Council Member Debbie Rose, Council  
16 Member Rory Lancman, and we will begin with  
17 colleagues that have questions, and we will start  
18 with Council Member Daneek Miller followed by Council  
19 Member Chaim Deutsch.

20 COUNCIL MEMBER MILLER: Thank you, Madam  
21 Chair and thank you for co-chairing this important  
22 public safety hearing. So, what percentage of the  
23 total accidents or the serious-serious injury or  
24 death those hit and runs make up?

25

1  
2 JUAN MARTINEZ: On a year-by-year basis,  
3 it's about—it ranges between and 11 and 17%. So  
4 basically 15% of all fatal crashes the driver flees  
5 the scene.

6 COUNCIL MEMBER MILLER: And what about  
7 otherwise? Do you keep a record on—on—on serious or  
8 just minor injuries?

9 JUAN MARTINEZ: I—I don't. I didn't  
10 bring that with me. No.

11 COUNCIL MEMBER MILLER: So, because  
12 really I think we're just trying to—it-it seems to be  
13 for awhile pre-Vision Zero, the culture was to just  
14 kind of leave the scene if at all possible, and I  
15 know there were some questions as to why we think  
16 that is. But tell me about the—the—the agencies or  
17 the squads within the Police Department that are  
18 responsible for the investigation. Could you. Could  
19 someone speak to that who—who exactly that is.

20 DENNIS FULTON: You want to know about  
21 the—the most serious collisions are investigated by  
22 the Collision Investigation Squad, CIS. So CIS I can  
23 give you numbers. They have investigated 15  
24 collisions this year where a person left the scene  
25 and they've made an arrest in eight of those cases.

1  
2 In their investigations they do a comprehensive  
3 investigation where they will in an all hands on deck  
4 and they'll bring in multiple--the lead detective and  
5 then multiple detectives to help with the various  
6 steps that--during their investigation, but they take  
7 it very seriously and in eight of the cases--and it--I  
8 said 15. Some of the cases are still open, but in  
9 eight of the cases tis year they made an arrest.

10 COUNCIL MEMBER MILLER: That's--that's a  
11 good percentage. So, are--are they located in each  
12 division or each precinct.

13 DENNIS FULTON: Each--each borough. So  
14 each patrol borough. So, in Queens South in your  
15 jurisdiction--

16 COUNCIL MEMBER MILLER: Uh-huh.

17 DENNIS FULTON: --they would have  
18 investigators there, but in a particular case like I  
19 said leaving the scene, they may borrow from  
20 different boroughs to come into do canvass and--and  
21 talk to witness and do the steps that are necessary,  
22 but yes to answer your question each--

23 COUNCIL MEMBER MILLER: [interposing] So,  
24 the initial investigations are done by Highway?

1  
2 DENNIS FULTON: Yes. CIS is a part of  
3 Highway.

4 COUNCIL MEMBER MILLER: Okay.

5 DENNIS FULTON: So, in any collision  
6 scene, though, you know if it's on the highway to  
7 highway office and they respond first, but typically,  
8 you know, the streets, the regular streets are  
9 precinct officer if the 103, if there was a collision  
10 in the 103 they would first and do the investigation.  
11 They would determine the seriousness of the collision  
12 with, you know, because they're not medical personnel  
13 but EMS the Emergency Medical Services they would  
14 determine what type of injury we had, and then the  
15 patrol supervisor, the sergeant we would notify CIS  
16 to come--immediately respond and conduct an  
17 investigation.

18 COUNCIL MEMBER MILLER: So, do-do they  
19 coordinate with other agencies outside the Police  
20 Department, TOCs, DOTs and others? I've-I've found  
21 that we've had several incidents involving TLC  
22 vehicles, dollar vans and otherwise. We have some  
23 unsolved accidents, homicides?

24 DENNIS FULTON: So, that's-that's a good  
25 question. We-we didn't and then with the implement-

1  
2 implementation of Vision Zero, TLC actually will send  
3 the representative. They get a notification, they  
4 get the reports, they kept very in touch with what's  
5 going on with the investigation, but they also will  
6 send someone to the scene to actually represent TLC  
7 and—and provide us with assistance if we need it.

8 COUNCIL MEMBER MILLER: Okay, so I—I  
9 would hope that it would bring—prove to be fruitful.  
10 I know as I said in my district and Councilman  
11 Richard's district we did have a fatality about a  
12 year back that was—of a young lady that was unsolved.  
13 The only thing that they do know that it was a—a  
14 commuter van involved in that. So, I was hoping that  
15 they could coordinate resources in—in doing so.  
16 Could we—do you foresee any impediments as we move  
17 forward with implementation of this legislation here?  
18 Either—with—with either piece of legislation? Do you  
19 anticipate that we could hit the ground running  
20 almost immediately upon passage?

21 DENNIS FULTON: Well, I think both bills  
22 require a certain amount of infrastructure, right.  
23 So, as—as we were saying to Council Member Gibson,  
24 you know, we're using existing infrastructure for the  
25 alert system, something that's already in place.



1  
2 Obviously, that would be somewhat easier than to  
3 create an infrastructure in a place where it doesn't  
4 currently exist and the funding involved in that and  
5 the training involved in that and so and so forth.  
6 With respect to—with respect to the rewards bill, I  
7 think it's—it's obviously a lot easier, right,  
8 because I don't think it requires the level of  
9 technol—technological infrastructure, but the other  
10 bill does. But again I think it's a matter of just  
11 working out a few logistics, but there are models  
12 currently in place. So we have a lot to—to learn  
13 from it to base this on. So, it's—we're—we're not  
14 effectively reinventing a wheel. We can use our  
15 experiences to guide us.

16 COUNCIL MEMBER MILLER: Okay, and—and so  
17 I suspect that this would—that—that this legislation  
18 that the Police Department and the other agencies  
19 involved would be supporting?

20 JUAN MARTINEZ: Yes.

21 COUNCIL MEMBER MILLER: Okay, and again  
22 in relation to the bills we responsible for doing the  
23 investigation, do you believe that they have the  
24 capacity and the resources considering the amount of  
25 open cases, or is it just other dynamics involved

1 that are forbidding the closure of a significant  
2 number of these cases except for what we see.

3 Obviously, you have a good batting average for the  
4 past over the past 15 cases.

5  
6 DENNIS FULTON: Well, I think—I mean if  
7 we—if we're basing it on the legislation, I—I don't  
8 think that—that we're talking about an increased  
9 amount of cases. What we're actually doing is  
10 increasing the amount of—of leads and—and potential  
11 leads that will enable us to more quickly close cases  
12 or close cases that all that we—they may have gone  
13 cold. So in that sense, it—it's a good thing. I  
14 think it—it can lead to—it can lead to us obtaining  
15 the information that we may not otherwise have had.

16 COUNCIL MEMBER MILLER: So, I—I was  
17 referring to as we—the—the current workforce makeup  
18 whether or not those grads had the capacity to solve  
19 some of these but if, in fact, this will assist in  
20 doing so, then obviously that would be great, but  
21 certainly we would like to know whether or not there  
22 is the capacity to solve these or whether it's  
23 logistically a manpower situation that we should be  
24 looking at and kind of looking at this and—and giving  
25 it the type of brevity that it deserves because

2 obviously this number is—is startling. So anything  
3 that we can do is certainly something that I support,  
4 and—and the open cases that I know of hopefully that  
5 we can bring closure to those, and so that the  
6 families can have closure as well. So, I just want  
7 to thank you, and thank you, Mr. Chair.

8 CHAIRPERSON RODRIGUEZ: Thank you.

9 Before calling my colleague and first of all as I say  
10 I apologize for going back and forth, but I see some  
11 other of my colleagues that they are now coming by  
12 that we also have other hearings going. So, we have  
13 to be present, and then we're able to be voting. No  
14 doubt that, you know, that the hit and run I—the way  
15 how I see it is that one of the negative experience  
16 that anyone has especially those of you dedicated to  
17 the—to go after those individuals. Because it's like  
18 the loophole that also we have on the state level.  
19 So, it has a negative impact on—based on my  
20 experience working with some cases like, you know, on  
21 the men and women going after those drivers and the  
22 DAs to be able to prosecute. I—I was working very  
23 closely with a child that I saw him since the moment  
24 he was born, Joseph Herrera (sic), a recent college  
25 grad crossing Mosholu Parking and a collision that

1 day. (sic) His mother just—that was before she  
2 worked with her—putting his office ready the first  
3 job that he would have after graduating from college  
4 and he was hit by this car, and hours after you could  
5 see the image and fast drive where that driver's put  
6 that car on fire took, you know, the evidence and it  
7 took like a year and a half because his mother used  
8 to work with a lawyer who took at Columbia  
9 University. So she was—did the pro bono working with  
10 her case hoping that, you know, it took like a year  
11 and a half for that case to end with a deal that he  
12 made with the Bronx DA. I think it was like a year  
13 and a half. Like, you know, how much do we depend  
14 especially to go after and prosecute what is the  
15 limitation that you feel we have in this case from—  
16 from the state level when you want to go after, but  
17 you know that the loophole is also holding on those  
18 investigations? [pause]

20 JUAN MARTINEZ: I'm assuming you're  
21 talking about the—the—the DWI loophole?

22 CHAIRPERSON RODRIGUEZ: The loophole to  
23 be able to like, you know, we have cases that say  
24 that wrongful case that the DJ called from, you know,  
25 the last one that we have in 2015. I know it's not

1 the lack of the Brooklyn D.A. to be able to go after  
2 that criminal driver. I know it's not the lack of  
3 the NYPD Division to-not to investigate that this  
4 case, but they have been-and-and know that they're  
5 working hard on this case, but what is like-why does  
6 it take so long, and why we are only being able to-to  
7 produce a so small percentage of those criminal  
8 drivers to end up behind bars?

10 JUAN MARTINEZ: So, I mean generally I-I  
11 mean we obviously can't speak about any particular  
12 investigation that's-that's open, but I-I think it's-  
13 I think you're saying you're right it's the nature of  
14 the crime that we're dealing with, right? This is a  
15 hit and run. This is a-this a crime where there's a  
16 crime committed and the individual flees. Often  
17 times it happens as-as Inspector Fulton testified to  
18 it happens when it's dark outside. It happens on a  
19 street that doesn't have a lot of cameras. It  
20 happens at a time when there aren't as many  
21 pedestrians on the sidewalk. There aren't as many  
22 motorists on the roadway. There aren't as many  
23 people out there that can give us information, you  
24 know, that-that can witness something and give us a  
25 lead. So, it's an uphill battle, these type of cases

1  
2 although we—we put as many resources into it as we  
3 can. We canvass for video to, you know, now we're  
4 thankfully with technology there are cameras that are  
5 probably not only police cameras, but people have  
6 cameras on their businesses, on their houses, and,  
7 you know, we canvass for—for video. We canvass for  
8 witnesses. We take a look at what's left on the  
9 scene. We move fragments of possibly a broke—a  
10 broken headlight, tail light, things that we can use  
11 to identify what type of a car fled the scene. So,  
12 we—I mean we bring all the resources to bear in order  
13 to bring these types of cases to conclusion because  
14 they are very serious cases. These are very serious  
15 crimes, but they are challenging crimes to  
16 investigate.

17 CHAIRPERSON RODRIGUEZ: [off mic] It is  
18 possible—[on mic] It is possible for—let me—let ask  
19 my question. When it comes to the Amber the hit and  
20 run Amber Alert, how do you think that if, of course,  
21 knowing that we will have to keep conversation  
22 working the logistics. So I'm not taking it as a  
23 done deal saying okay, I think that we both agree  
24 we'll move our cities and know that the spirit is the  
25 one that we agree and we work with the details. But

1  
2     sometime I, you know, I get into the social media  
3     and—and you read in a Google that there was a hit and  
4     run that happened at 6:00 in the morning, but now  
5     okay let's say okay we get this—that information,  
6     information that is public already from the New York  
7     City perspective because the newspapers already are  
8     writing and the—or the TV they're getting ready to  
9     air the news like they say at 6:00 p.m. the hit and  
10    run happened let's say 3:00 I the morning. What  
11    difference will it make? How do you think that the  
12    hit and run alert will help for the NYPD to be able  
13    to collect as much information as possible from  
14    individuals that probably they were able to see—to  
15    identify the X model of car that was involved in the  
16    hit and run? Like how do you think that the hit and  
17    run alert can help the NYPD?

18                   DENNIS FULTON: Well, I think it's—I-I  
19    think it will—it will help generate or we hope that  
20    it would help generate leads, right. So, as—as we—we  
21    were mentioning to—to Council Member Gibson that,  
22    you—you know what the careful balance is—is that we  
23    don't—that when we—when an alert gets triggered, it's  
24    not a vague alert, right? So, we can't say that a  
25    hit and run happened on this particular corner, and

1 we're looking for a dark colored SUV because that's  
2 really not going to be helpful because they're going  
3 to run the alerts very vague, and we're going to get  
4 information that on every dark colored SUV that's on  
5 the streets driving. So, what Colorado and  
6 California did is, as an example, was that they—they  
7 limited it to—they limited the trigger for the alert  
8 to be when you have a full license plate, right. So,  
9 let's say we have a witness that saw the license  
10 plate of the car, right, and they call that license  
11 plate in. That would be a good descriptor that can—  
12 that can trigger the alert as well as the type of  
13 injury. But we want to go with the most serious  
14 injuries. Otherwise, we have too many alerts. The  
15 other that Colorado did was in the even that you  
16 don't have a full license plate, a partial license  
17 plate with a good vehicle description, right? So  
18 something that when you put the alert out, the people  
19 that are—that are pedestrians or motorists when they  
20 see the car they can say that's the car, right. So  
21 with Amber Alerts now what you have is very, very  
22 detailed descriptions because in the majority of  
23 cases with Amber Alerts the individual it's a  
24 kidnapping case, the individual often times it's a  
25



1 domestic situation. When the report comes in we know  
2 the description of the car, we know who's driving the  
3 car, we know the license plat of the car. So, when  
4 you've received these Amber Alerts they're very  
5 specific. So, everybody that receives that Amber--  
6 Amber Alert knows exactly the car that they are  
7 looking with they're driving or when--when walking. I  
8 think we want to get as close to that as possible.  
9 So, we're not simply sending alerts out, and people  
10 start ignoring the alerts and then it doesn't become  
11 helpful. What we want it to be is as helpful as it  
12 possibly can to give us the leads that we can catch  
13 up with the individual that fled. Maybe, you know,  
14 one neighborhood over or maybe we'll see them a few  
15 miles away, but once we get these leads in based on  
16 the alert we can radio to officers, to, you know, to  
17 be on the lookout for where--where the individual was--  
18 was seen.

20 COUNCIL MEMBER DEUTSCH: Thank you,  
21 Chair. Thank you. You mentioned before that after  
22 school hours the speed cameras are not operable. Why  
23 is that according to state regulations?

24 JUAN MARTINEZ: So, the State Legislature  
25 gave us the authority to manage a pilot program for

1 the speed cameras. So, they gave us a very small  
2 number of school zones. There are over 2,000 school  
3 zones. We can only use the cameras at 140 schools at  
4 a time. In addition, we can use them before and  
5 after school hours. In New York, you know, there—so,  
6 so basically during school hours on school days on  
7 the street abutting the school building, right? It's  
8 not—so what ends up happening is that those are the  
9 safest hours of the day, particularly for speeding  
10 crashes. About 1 in 10 speeding crashes occur on  
11 school hours on school days, and then when you get  
12 into it, and you look at the streets in front of the  
13 schools, that's where we make the most investments to  
14 protect children so they have speed bumps generally  
15 over, you know, slow zones and so on. So, it's a  
16 very limited program. The legislature did design it  
17 as a pilot to prove that it works, and we have proved  
18 its effectiveness. So, we hope that the legislature  
19 will allow us to expand the program to use it. At  
20 first it was of great concern outside of school  
21 hours.  
22

23 COUNCIL MEMBER DEUTSCH: Not that I—not  
24 that I'm advocating for speed cameras after hours,  
25 but there was an accident not too far from the speed—

1 speed camera. It was a hit and run with a fatality  
2 and I checked with DOT to see if the speed camera  
3 actually took the person leaving the scene of the  
4 accident, and it was an hour after school hours. So,  
5 if we rename the cameras after school hours and not  
6 issue the violations and not to have the speeders,  
7 but if you have a red light camera and all you have  
8 is speed camera, typically after someone knowingly  
9 hits someone, and took off, left the scene of the  
10 accident I would assume they would probably try to  
11 speed away or pass a red light. So, if we could  
12 rename those speed cameras and red light cameras and  
13 call it a gotcha camera, if you commit a crime I  
14 think would be of some good use to those—to those  
15 cameras and red light—red light cameras as well as  
16 speed cameras, and try to catch some of those people  
17 who knowingly hit someone and especially caused a  
18 fatality and took off. So, this is one thing that  
19 maybe the states, maybe this is something that we can  
20 do without the states.

22 JUAN MARTINEZ: We frequently get asked  
23 by the NYPD for help with an investigation, you know,  
24 did your speed camera happen to capture anything?  
25 Did you load that camera? And we always, you know,

1  
2 collaborate and we always work very quickly to get  
3 that—that information if our camera did pick it up,  
4 you know, and there have been instances where--

5 COUNCIL MEMBER DEUTSCH: So, if it's like  
6 ten minutes after school hours then you won't have  
7 that information?

8 JUAN MARTINEZ: Well, more to the point.  
9 We can't deter the speeding that causes the crash,  
10 right? Speeding is illegal 24 hours a day whether  
11 school is in session or not that day, and speeding  
12 kills at night. It kills during the day, and so we  
13 want to deter people from breaking the law all day  
14 long because it's a leading—a leading cause of fatal  
15 crashes, and so you're right. We—we can pull  
16 investigative material from the cameras even outside  
17 of a camera's active hours. But what we need from  
18 the legislature is the ability to prevent people from  
19 breaking the law outside of school hours.

20 COUNCIL MEMBER DEUTSCH: Okay, the—I  
21 think there was some mention before about the—about  
22 the—about the rewards to try to get outside  
23 incentives of increasing the \$1,000 reward that you  
24 mentioned here. So many times individuals when  
25 there's a fatality or crime or hit and run, neighbors

1 or family members decide they will post and they will  
2 say we're going to give another thou, we're going to  
3 give a \$1,000 to \$2,000 or what ever amount it is.  
4 But there's a disconnect between someone knowing how  
5 to--how to give a reward. Right, you have many times  
6 people say I'm giving the \$2,000 reward if you catch  
7 the person committee this graffiti, or for a hit and  
8 run. But then, that person never knows when there's  
9 a conviction--a conviction or not, right? That could  
10 take months or sometimes, you know, six months or  
11 more before there is a conviction. So, how do we  
12 better educate by maybe we don't have to look at  
13 other incentives, but, you know, many times there are  
14 individuals that offer rewards when something  
15 happens to make it--to make them better--better aware  
16 of who to call, maybe to call the Police Foundation  
17 to register their money with the Police Foundation.  
18 So, this way you could take that \$1,000 dollars and  
19 increase that reward. [pause]

21 DENNIS FULTON: I think that that would  
22 be a further discussion. If a private person wanted  
23 to contribute to a fund, that would be something that  
24 could be, you know, discussed after. Is that--that is  
25 your point--

1

COUNCIL MEMBER DEUTSCH: Yes.

2

DENNIS FULTON: It's basically yes. So,

3

I think it--that would be commendable if anybody

4

wanted to contribute. I don't know how the process

5

will work. That would be for further discussion, but

6

I think within this bill like if you get money for,

7

you know, coming forward in--in a conviction, but

8

yeah, I think that--that we could discuss maybe if

9

there's an avenue where a private citizen can do

10

that.

11

COUNCIL MEMBER DEUTSCH: There is an

12

avenue. The question is if the people have that

13

information of how they registered their--their reward

14

DENNIS FULTON: Well, Council Member the--

15

the Police Foundation is--it's now run by the--it's not

16

run by the NYPD. So, the logistics of how they do

17

that, or how an individual would register with them

18

is really outside of our area of expertise, but we

19

can certainly look into that and--and try to get you

20

an answer.

21

COUNCIL MEMBER DEUTSCH: Alright, thank

22

you.

23

COUNCIL MEMBER RICHARDS: Well, thank

24

you, Chairman Rodriguez and thank you for testifying

25

1  
2 today. I just wanted to state in the Chairperson  
3 Gibson's absence that I was hoping that the record  
4 would reflect that although she represents the Bronx,  
5 she referenced her close ties to the great Borough of  
6 Brooklyn, and she acknowledged that publicly. I just  
7 want to make sure we all know where she comes from.  
8 But—so I chair the Committee on Small Business, and I  
9 know that in your test—testimony you mentioned the  
10 Metro Card system. I'm interested in how that system  
11 actually works, and what its benefits are. But also,  
12 what relationship you're having outside of being  
13 punitive with small businesses who are somewhat  
14 responsible and—and I use the term responsible  
15 loosely because I don't even—I'm—I'm curious as to  
16 what level of responsibility a bar, lounge,  
17 restaurant has to letting its patrons or—I don't know  
18 what the—I don't know where the line is between the  
19 responsibility on an establishment. So just the  
20 Metro Card system and the relationship and—and I'd  
21 like to see if there's remedy or some recommendations  
22 for the way that the Chair of Small Business can  
23 operate in the context of an advocate for helping  
24 small businesses through an incentive program or  
25 something to be more forthcoming?

1  
2           JUAN MARTINEZ: Yeah, with the Metro Card  
3 program it's actually a-a fairly quick explanation.  
4 We have outreach staff who if-if-if for instance you  
5 had locations in your district that you can let us  
6 know, hey, we have a lot of people who are driving to  
7 this bar, right, and I worry about if they're driving  
8 home from the bar, right. If you sponsor our team,  
9 we'll go out there with your or-or not, and make sure  
10 that everybody who is leaving has a safe option home,  
11 and if-and if the Metro Card is that last little of  
12 incentive, we have that there, too. And we use the  
13 opportunity also to have that educational touch as  
14 well. That's in addition to the street team effort  
15 that we've been partnering with NYPD on, but it could  
16 also be combined. They-they could probably  
17 worthwhile together. From DOT's perspective it is  
18 difficult to know where those hot spots are, though.  
19 So we really rely on your-your knowledge for that.

20           ASSISTANT COMMISSIONER ZACK: I just  
21 wanted to comment on that. For a second also council  
22 members will also know there's large events happening  
23 in their districts where there might be a lot of  
24 people drinking like a particular-like a night out or  
25 something, and sometimes you try to target nights



1 like that. Like I know sometimes when a—a Bronx  
2 member might want to target after a Yankee game some  
3 people go out in this particular area and drink and  
4 do it that way, too, which is another way that we can  
5 partner.  
6

7 COUNCIL MEMBER RICHARDS: So—so for me  
8 there was a—a night life association just formulated  
9 in the district that I serve, Bedford-Stuyvesant and  
10 Northern Heights, and the—so perhaps maybe a briefing  
11 from either DOT or NYPD or both to the Night Light  
12 of—Life Association or what incentives that there are  
13 available, if any. If there are not, perhaps we  
14 could consider creating some incentives for small  
15 businesses to participate in reducing the rate of—of  
16 people leaving their establishments, and I know  
17 that's difficult to do and for business owners, but I  
18 think that they're committed to—to reducing  
19 fatalities. I would just like to probably have a  
20 conversation on how we can do that outside of  
21 obviously the punitive methods.

22 JUAN MARTINEZ: Right.

23 COUNCIL MEMBER RICHARDS: So, I guess you  
24 didn't answer I guess the second question, which was  
25 about what—what is the level, and this is NYPD, what

1 is the level of responsibility on an establishment  
2 owner? What is the onus on them for someone perhaps  
3 leaving the establishment and me--and then getting  
4 into a vehicle, if any?

6 JUAN MARTINEZ: I-I haven't actually  
7 looked at this in many years, but I remember my first  
8 year of law school there was a thing called the Dram  
9 Shop Law that--and I'm hoping it's--it hasn't been  
10 found unconstitutional and struck down in the last 15  
11 or so years, but it would hold a restaurant or a  
12 business or a business civilly liable if they served  
13 an individual to the point of intoxication, and that  
14 individual got behind a wheel of a car and then  
15 struck and killed somebody or seriously injured them.  
16 That's from the civil side. I flash forward to  
17 today, I know that and this would be on the punitive  
18 side the tools available to the Police Department and  
19 also the State Liquor Authority for that matter is--is  
20 it's a violation of the Alcohol Beverage Control Law  
21 to serve the visibly intoxicated person, to serve an  
22 underage person. So, you have these--these controls--  
23 controls that are more on point with what we're  
24 talking about here, but there are--are a slew of  
25 licensing penalties and restrictions in the ABC Law.

1  
2 COUNCIL MEMBER RICHARDS: So, I had  
3 hoped—you mentioned earlier—I believe you mentioned  
4 something about a—a voluntary breathalyzer program or  
5 something. Is there a way that we can get those in  
6 the hands of establishment owners so that they could,  
7 you know, begin that process of determining the  
8 level. Because I guess if I'm, you know, from a  
9 legal standpoint, if I'm an—if I'm an owner I'm going  
10 to say I don't know the level of somebody's legal  
11 intoxication or amelioration. But if they're-- So,  
12 can you use—can a private citizen use a breathalyzer  
13 to judge whether or not someone else is intoxicated  
14 or more importantly, can a business use a  
15 breathalyzer to determine whether or not someone is  
16 past the legal limit?

17 JUAN MARTINEZ: It's an interesting idea.  
18 I haven't heard of any establishment doing that, but  
19 I—it doesn't necessarily mean that it's not doable,  
20 right? What I was referring to, though, was our  
21 street team outreach project, right, where we have  
22 NYPD and DOT staff going shoulder to shoulder doing  
23 education and outreach, right? We do that for a week  
24 at a high crash location. We go and we tell  
25 everybody this is a crash location. This is why it's

1 a high crash location. There's a lot of speeding or  
2 a lot of drivers who fail to yield, whatever it might  
3 be. And by the way, next week, NYPD is going to come  
4 through, and they're going to write a boat load of  
5 tickets, and then the next week NYPD comes through  
6 and they write a lot of tickets and make a lot of  
7 arrest. And by doing that, we extend the deterrent  
8 effect of the enforcement that NYPD does, right.  
9 Along with that program, this year what we have been  
10 doing and it's been very successful, is taking that  
11 Thursday of that first week of education and outreach  
12 and going to the night spots and standing outside the  
13 establishment and an NYPD highway officer will stand  
14 there with a breathalyzer and—and take any volunteer,  
15 and, you know, nobody is getting arrested for doing  
16 it, but the idea is how drunk do you think you are,  
17 well this is how drunk you actually are..

19 COUNCIL MEMBER RICHARDS: So, I would  
20 have to be pretty drunk to actually volunteer for  
21 that. [laughter] So, I don't know. I think that  
22 probably defeats the—the entire purpose.

23 JUAN MARTINEZ: But as an—as an education  
24 outreach, it—it—it attracts attention and tracks a  
25 crowd. It's pretty effective, but—but what you're

1 getting at is something that's slightly different  
2 and--and worth--worth think about.

3  
4 COUNCIL MEMBER RICHARDS: So, I would  
5 love to have further dialogue on how we can then--  
6 because if I'm a business owner I mean I'd certainly  
7 want to reduce the liability to my business and if  
8 one of the ways to do that is to have people blow  
9 even if it's, you know, in a--in a fun way--

10 JUAN MARTINEZ: Uh-huh.

11 COUNCIL MEMBER RICHARDS: --but I'm  
12 probably doing it as a business owner to--to mitigate  
13 some of the liability from somebody leaving. But it  
14 also puts people on notice that you're an  
15 establishment that's responsible and that this is  
16 thinking forward about the safety of people in the  
17 close proximity. So, I think it's--I think it  
18 potentially, right, off the top of my head is--is a  
19 way that we can maybe partner to reduce these  
20 fatalities, and reduce some of the onus that's  
21 establishments, right, because that gets--you get into  
22 a very gray area in terms of establishments and  
23 wanting to have civil or potentially wanting to have  
24 civil penalties levied against their business or  
25 complaints or any of those kind of things that--that

1 would hurt their branding. So if you don't mind I'd  
2 like to have some further dialogue about how we could  
3 partner in that effort.  
4

5 JUAN MARTINEZ: Sure.

6 COUNCIL MEMBER RICHARDS: Thank you.

7 CHAIRPERSON RODRIGUEZ: Council Member  
8 Greenfield.

9 COUNCIL MEMBER GREENFIELD: Thank you  
10 chair and thank you for taking the time to focus on  
11 this very important topic, and for your legislation  
12 that would alleviate this challenge that we have. I  
13 do want to just I guess focus on two specific issues,  
14 right. One of the—one of the questions that I think  
15 a lot of folks have is there's—there's a lot of hit  
16 and runs, right? Some 40, nearly 45,000 in 2016,  
17 yes, that the---in total?

18 JUAN MARTINEZ: Property damage including  
19 property damage.

20 COUNCIL MEMBER GREENFIELD: Yeah, I  
21 understand. I'm not—just the big picture, right,  
22 that's a lot. I mean it's an astonishing figure, and  
23 I think honestly most New Yorkers would be—would be  
24 shocked to hear that. It's like one every ten  
25 minutes I the city of New York. Do you think and I'm

1 really just trying to dig into this a little bit  
2 more. Do you think that perhaps one of the reasons  
3 that there are hit and runs is for insurance reasons?  
4 Is that perhaps one of the reasons why folks either  
5 are not insured well or concerned about insurance or  
6 damages of things like that? Is that one of the  
7 reasons in your expertise? I guess I'm referring to  
8 the NYPD as to why individuals would engage in hit  
9 and runs.  
10

11 DENNIS FULTON: I don't think we can  
12 intelligently speak to--to what--what the motivation is  
13 if there are real insurance motivations behind that.

14 COUNCIL MEMBER GREENFIELD: So you have  
15 no idea?

16 DENNIS FULTON: No, I mean we--we  
17 certainly have an idea of--

18 COUNCIL MEMBER GREENFIELD: Okay, why do  
19 you think there are so many hit and runs in New York  
20 City?

21 DENNIS FULTON: I mean we--

22 COUNCIL MEMBER GREENFIELD: [interposing]  
23 I--I rephrased that question.

24 DENNIS FULTON: Right, so one--one f them  
25 was and we spoke about the DWI loophole individuals--

1  
2 COUNCIL MEMBER GREENFIELD: Sure, but I  
3 don't think 45,000 people are driving drunk so.

4 DENNIS FULTON: Well, I mean if you're-  
5 right, so if we're going to use-if we're going to use  
6 that number, I think it's important to highlight that  
7 the vast-vast majority of that number so out of the  
8 45 probably about 40,000 are property damage only,  
9 right, so, I--but I think that's an important-  
10 important point to highlight because if we look at  
11 the leaving the scene statute it's low or have reason  
12 to know that you've created property damage, physical  
13 injury and so on. The issue with a lot of the  
14 property damage leaving the scenes is that the driver  
15 may not very well know. So, for example you have a  
16 box truck going down a residential street. They take  
17 out a couple of side view mirrors. They may not know  
18 that they've caused it. Now, the-the residents in  
19 the neighborhood come out. There may be three cars  
20 with their side view mirrors hanging off the car.  
21 They come to the police precinct, the police  
22 precinct, of course, takes a complaint report,  
23 documents it for the individual and it gets recorded  
24 as a leaving the scene, but that doesn't get to the  
25



1 question of did an individual knowingly create  
2 property damage and leave the scene.  
3

4 COUNCIL MEMBER GREENFIELD: Yeah.

5 DENNIS FULTON: So, I mean and that's--  
6 that's hard to know when--I think it's a much, much  
7 different story when we're talking about physical  
8 injury and serious physical injury, critical injury  
9 likely to die. I think those--some of the points that  
10 we've highlighted about the DWI loophole, the fear  
11 involved in that. There were a couple of other  
12 points that were highlighted as well as contributing  
13 or potential reasons why the individual may flee the  
14 scene, but yeah, I--I--we really, I'm just really using  
15 the 45 number because--because of some of the  
16 implications it has with slight property damage  
17 sometimes.

18 COUNCIL MEMBER GREENFIELD: Yeah, the  
19 number is the number. I mean--

20 DENNIS FULTON: Well, no the number is  
21 the number but--

22 COUNCIL MEMBER GREENFIELD: Yeah.

23 DENNIS FULTON: --but again, right.

24 COUNCIL MEMBER GREENFIELD: I--I think  
25 where I think we can certainly understand the

1  
2 distinction between those who have property damage  
3 and those who are not, but I actually would—would  
4 argue that the number is much higher than 45,000. My  
5 car has been hit twice in this past year, and what  
6 you would categorize as a property— property damage,  
7 and I haven't reported either one because odds to be  
8 perfectly frank of—of actually ever capturing some of  
9 those individuals versus the time involved versus the  
10 insurance payout, which I have—I have a deductible  
11 anyway so I'm going to pay out of my own pocket, it  
12 doesn't really make sense. So, if anything, I would  
13 actually make the case that the 45,000 number is  
14 actually low. I'm sure that many New Yorkers like  
15 myself, just whatever it might—it's in New York City.  
16 My car got hit. Someone bumped into the back panel  
17 of my car. They scraped it. They left a bump. It  
18 looks like a couple hundred dollars in damage. What  
19 am I going to do? And I'm not going to go demand  
20 that you pull security cameras so that we can try to  
21 find the perpetrator for a \$200 or \$300 damage,  
22 right. So, I would say it's sort of—it sort of cuts  
23 both ways. So, you're saying and I guess this is  
24 really the question is you're really sure. We don't  
25 know really what the—what's the reasoning. You say

1  
2 it sort of depends on situations. In some cases  
3 people don't know. Fair enough. In other cases  
4 people are drunk. Fair enough, but you never really  
5 studied or tried to figure out what is cause this and  
6 what the issues are and sort of how to address that,  
7 and that's really what I'm getting at. Sort of is  
8 there a way to sort of reverse engineer and figure  
9 out, and say okay, we know the issue on the drunk  
10 driving, which puts—which is generally a much smaller  
11 percentage obviously. And a fraction of the  
12 percentage of the 45,000, and that's an issue that  
13 we've tried to address through laws in Albany where  
14 folks consciously or unconsciously think they're  
15 better off running than they are facing the music if  
16 they're drunk. I guess what I'm asking is has the  
17 NYPD or DOT ever studied the issue and say okay, this  
18 is a pretty significant issue. It costs us—costs  
19 hundreds of millions of dollars in property damage  
20 and other loss of life and injury. Is there—can we  
21 sort of try to figure out what the problems are, and  
22 then look back and say okay, here's how we may want  
23 to resolve those problems. The DOB Law issue, we're  
24 working in Albany. The issue of people not knowing  
25 about it, the Chair is introducing legislation

1 hopefully that will pass about a reward and getting  
2 information. So, I'm just curious whether there's  
3 been any work done either by the DOT or the NYPD that  
4 sort of like digs down into this, which I know for  
5 example you do very well on other crimes, and certain  
6 the Compstat kind of crimes where you sit down and  
7 focus and try to figure out okay why was there a  
8 shooting? Why was there a stabbing? Why was there a  
9 robbery? I'm not comparing this. I'm just trying to  
10 understand whether there was any work done in that  
11 respect, and if not, whether you would consider  
12 perhaps digging a little deeper into this issue  
13 because 45,000 albeit 90% of which are property  
14 damage is still a pretty big issue in the city of New  
15 York , yeah.

17 DENNIS FULTON: Okay, Councilman. There  
18 has been some studies by Triple A ad stuff about why  
19 a person would leave the scene, and like has been  
20 stated at the meeting, it's—a lot of times it's the  
21 person is intoxicated or they're unlicensed. So, we  
22 look at some of the national trends. Obviously if  
23 there is some case where the person left the scene  
24 and we weren't able to catch him, we'll never  
25 identify the reason. But in certain circumstances

1  
2 where we have been able to make an arrest, the person  
3 has been unlicensed, and—and I think last year—I  
4 don't want to give--maybe 50% of the time when CIS  
5 did make an arrest, they were—the person was  
6 unlicensed. So part of our strategy moving forward  
7 and—and has been I think last year we went after  
8 people that were unlicensed. So, we were able to  
9 increase the people we locked up and arrested for—  
10 they're unlicensed by, you know, close to 3-1/2% last  
11 year. This year, what—part of our strategy is that  
12 the Detective Bureau, the Large (sic) Squad will now  
13 be targeting the worst of the worse. So, these are  
14 aggravated unlicensed and it's felonious, you know,  
15 the people. So they would actually arresting these  
16 people on warrants. They'll be hitting them before  
17 they have an opportunity. A lot of times people  
18 leave the scene for various reasons, but that's a—  
19 that's a big one. They are unlicensed, and they—and  
20 they leave the scene.

21 COUNCIL MEMBER GREENFIELD: Okay, great.  
22 What about the DOT? That's terrific. I'm glad to  
23 hear that. What about the DOT? What do you folks  
24 looking at I relation to this?

25

1  
2           JUAN MARTINEZ: So we think about fatal  
3 hit and runs very differently that property damage  
4 only hit and runs, right for all the obvious reasons.  
5 When it come to fatal hit and runs, they're different  
6 enough from other fatal crashes that there are  
7 strategies that you can implement to prevent the  
8 types of crashes that cause those deaths. You focus  
9 on preventing overnight crashers that are, you know,  
10 severe. You focus on preventing speeding.  
11 Particularly during the overnight, you increase  
12 visibility right? There's a lot that you can—you can  
13 do to—and DWI obviously. S o there's a lot that you  
14 can do to hone ion on the fatal hit and run problem.  
15 When you're talking about parked cars being struck,  
16 and the driver of the other vehicle leaves the scene,  
17 that actually looks a lot like the other fender  
18 benders that happen, and so how do we work to prevent  
19 fender benders? We—we do that by trying to get  
20 people to slow down.

21           COUNCIL MEMBER GREENFIELD: Okay, but  
22 there's a space—just to be clear, there's a space  
23 between the 40,000 property damage, the very few  
24 deaths and serious injuries, thank God, but still a  
25 lot quietly frankly, 38 deaths and 22 serious

1 injuries, right? And then the 5,000 personal  
2 injuries, right. So, are you covering that space as  
3 well, because I mean if someone breaks their leg or  
4 their foot or, you know, that—that's like real—that's  
5 a real injury to an individual. We might write it  
6 off and say whatever, right, you only broke your leg,  
7 but most people getting hit by a car that runs away  
8 and they have a broken leg I would consider that to  
9 be a pretty serious—a pretty big deal for those  
10 people, and I would imagine that they would like to  
11 have some focus on that. Five thousand of those last  
12 year. That's a lot, right, and I think we can agree.  
13 So, I will concede the point. I'm going to move on  
14 on the-on the, you know, the New Yorkers who decide  
15 to be idiots or inconsiderate or in some cases to  
16 give them the benefit of the doubt they—they didn't  
17 know that they hit the car or the truck. That's  
18 fair. It kind of tough to say, oh, I didn't realize  
19 I knocked someone down, right? And, if you hit  
20 someone and 5,000 cases that's somewhat of an  
21 epidemic honestly. That's a lot. It's a lot of  
22 instances. So, what are you doing to focus on those  
23 specific category of 5,006 personal injuries that  
24 were reported last year to the NYPD?  
25

1  
2 DENNIS FULTON: So, what—what we've  
3 learned through the last three years of Vision Zero  
4 is that we can make a big difference by focusing on  
5 corridors, which are high crash, intersections, which  
6 are high crash. We can focus by focusing our design  
7 efforts, our education and outreach efforts, right?

8 COUNCIL MEMBER GREENFIELD: [interposing]  
9 That's all fair and that's all great. I'm a big  
10 supporter of Vision Zero. My point is and I don't  
11 want to—I don't want to take up any more of the  
12 committee's time. The point that I'm making is, is  
13 that this is separate category. You're talking about  
14 general efforts that you make as the DOT to deal with  
15 regular automobile drivers, whether it's by making  
16 the streets more visible, lowering the speed limit  
17 and that's all great. Over here we're dealing with a  
18 subcategory of bad actors wherein over 5,000  
19 instances in the city of New York including 38 deaths  
20 in the last year. I think that should have its own  
21 approach. That's what I'm saying, and so a  
22 recommendation that I'm asking you to take back to  
23 the DOT to think about that, and perhaps study it and  
24 try to drill down and figure out what's happening  
25 that we have so many of these hit and runs where



1  
2 there are 5,000 people who have gotten hurt in the  
3 city of New York as a result. That's—that's all I'm  
4 saying and I'd appreciate you taking a look at that,  
5 and I certainly appreciate the work that the NYPD is  
6 doing, and I'm pleased that the numbers in terms of  
7 where arrests are happening are actually increasing  
8 and that the collision investigation squad is on the  
9 scene and is taking this seriously. So thank you  
10 very much.

11 CHAIRPERSON RODRIGUEZ: Thank you,  
12 Council Member, and—and all my colleagues for being  
13 involved in this conversation, and also, you know,  
14 the administration because your support is critical.  
15 I have a last question, which is 2016 how many  
16 arrests were NYPD able to make related to people who  
17 were involved in a hit and run, and with those New  
18 Yorkers who died?

19 DENNIS FULTON: Sorry about that. So,  
20 with regard to 2016, we were able to make 28 arrests  
21 out of the 61 investigations that were performed by  
22 CIS. Sixty-one investigations. Some of them were  
23 critical injury, 44 are—41 are the—44 are the  
24 fatalities. This year, like I said, we had 15  
25 investigations by CIS, and that's like the most

1  
2 egregious collisions. Eleven of them were fatalities  
3 out of the 15, and like I said, CIS was able to make  
4 eight arrests.

5 CHAIRPERSON RODRIGUEZ: But with the  
6 fatalities for 2016?

7 DENNIS FULTON: In 2016, there was  
8 arrests—28, but that would also include critical  
9 injury. So, I have it. I can get you specifically,  
10 but right now I have the 28 out of the 61 and 6—44  
11 were fatalities.

12 CHAIRPERSON RODRIGUEZ: Well, so, that's  
13 for the whole universe of the 5,000 and the critical  
14 deaths?

15 DENNIS FULTON: No, no, the 5,000 would  
16 only include injuries, okay and those would include  
17 the—

18 CHAIRPERSON RODRIGUEZ: For—for people  
19 who died like how many people died last year?

20 DENNIS FULTON: Last year from leaving  
21 the scene, of people that were involved in leaving  
22 the scene, 44 fatalities.

23 CHAIRPERSON RODRIGUEZ: That's the  
24 fatalities, and from those 44 in particular, how many  
25

1 of those drivers who took away the life of those 44  
2 were arrested?  
3

4 DENNIS FULTON: I have that number, but I  
5 have the greater number. It's--it's right around 25.

6 CHAIRPERSON RODRIGUEZ: But we agree that  
7 that number is very low, right?

8 DENNIS FULTON: The--the number of  
9 fatalities or the--?

10 CHAIRPERSON RODRIGUEZ: The number of  
11 drivers arrested?

12 DENNIS FULTON: Well, it's a percentage.  
13 It's close to 50% in the arrests. Like I said, it's  
14 a very difficult arrest to make, although we don't  
15 approve--

16 CHAIRPERSON RODRIGUEZ: [interposing] But  
17 as I say I--I want to be as specific about the 44  
18 fatalities. I'm not--not those who were in critical  
19 condition, for the 44 number of the fatality.

20 DENNIS FULTON: Yes.

21 CHAIRPERSON RODRIGUEZ: How many and I--I  
22 know that we don't have the number right now for  
23 those but--

24 DENNIS FULTON: It's approximately about  
25 25. I'd say 25.

1  
2                   CHAIRPERSON RODRIGUEZ: Okay.

3                   DENNIS FULTON: Arrests.

4                   CHAIRPERSON RODRIGUEZ: I-I just-but, of  
5 course, like arrest doesn't mean that we end up with  
6 those being fined-being-being able to put those  
7 people behind bars, right?

8                   DENNIS FULTON: No, I'm just talking  
9 about the arrest. I-the-the, you know, that's a  
10 separate, you know, prosecution.

11                   CHAIRPERSON RODRIGUEZ: No, the-I think  
12 that the important thing is that we both decide you  
13 guys agency-representing the agency and City Hall,  
14 and we as the Council we recognize that this is  
15 something that it's too much.

16                   DENNIS FULTON: Agreed.

17                   CHAIRPERSON RODRIGUEZ: It is not because  
18 of the lack of investing resources or because of the  
19 lack of efforts, and what we're doing here to bring  
20 more resources and address this issue in a  
21 comprehensive way that we can like-like 45,000 hit  
22 and run and my colleagues say is too much. We  
23 recognize it, and even like, you know, there's  
24 drivers that they leave the scene that we are not  
25 able even to document. And-and so I just hope again

1  
2 that working together with Mayor de Blasio who was  
3 the leader of Vision Zero and all the agencies we can  
4 be able to work, and we can be able to move these two  
5 bills. So, I want to recognize also that we were  
6 joined by Council Member Levin. Thank you to this  
7 panel and now I'm going to be calling the next two  
8 panels. [pause, background comments, pause] Thank  
9 you. You want to start, yeah.

10 JULIA KITE: Thank you. Thank you  
11 Committee Chairs Rodriguez and Gibson for calling  
12 this hearing. My name is Julia Kite and I'm the  
13 Policy and Research Director [coughs] sorry of  
14 Transportation Alternatives, New York City's 44-year-  
15 old membership organization dedicated to walking,  
16 biking and safer streets. Hit and runs have long  
17 been an epidemic in New York City, and that's only  
18 becoming worse. While traffic deaths decreased in  
19 2016, the number of people killed in hit and runs  
20 actually increased by more than one-third over 2015's  
21 total. What fuels hit and runs is a culture of  
22 reckless driving and we thank the Council and  
23 Committee Chairs Rodriguez and Gibson for their  
24 leadership regarding Vision Zero Initiatives  
25 including passing previous legislation regarding hit

1 and run reporting and increased penalties for re-  
2 offenders. We support both Intro 1418 establishing  
3 the award for information leading to apprehensive,  
4 prosecution or conviction of hit and run drivers, who  
5 kill or seriously injure their victims and Intro 1463  
6 which establishes a public notification system for  
7 hit and run incidents. This legislation will  
8 establish public deterrents against hit and runs and  
9 create the awareness that as a driver you must never  
10 leave a victim behind. However, we do have concerns  
11 of the definition of hit and runs and serious  
12 injuries from this legislation. They limit the  
13 city's ability to issue rewards following suspected  
14 hit and runs. Intro 1463 refers to leaving the scene  
15 "when any driver who knowing or having cause to know  
16 that serious physical injury has been caused."  
17 Similarly, Intro 1418 currently allows for a reward  
18 to be established in questions involving serious  
19 physical injury or death. A serious physical injury  
20 as defined in Section 10.00 of the New York Penal Law  
21 is "physical injury which creates a substantial risk  
22 of death, or which causes death or serious and  
23 protracted disfigurements, protracted impairments of  
24 health or protracted loss or impairment in the  
25

1 function of any bodily organ. This limited  
2 definition is problematic because drivers who leave  
3 the scene of the crash rarely stop long enough to  
4 asses the severity of injuries to the victims nor are  
5 more drivers equipped to make a diagnosis.

6 Additionally, first responders often require a  
7 significant amount of time to determine injury  
8 severity. Finally, we believe the NYPD and the city  
9 should have the ability to issue rewards and  
10 establish rewards in hit and run crashes even when  
11 the victim's injuries are less than life threatening  
12 reflecting that leaving the scene is egregious in and  
13 of itself regardless of the injury's severity.

14 Therefore, we suggest adding personal injury as  
15 defined in the New York Penal Law to Intro 1418 and  
16 1463 so that alerts and rewards can be initiated for  
17 crashes involving both personal injury and serious  
18 physical injury or death. Regarding the volume of  
19 these crashes, it would not necessarily mean every  
20 single crash is going to get an alert but rather that  
21 it is at least possible that there could be an alert  
22 if enough—if enough other information about the car  
23 and driver is known. We also call for the NYPD to  
24 expand and reform its collision investigation squads  
25

1 to conduct more thorough hit and run investigations  
2 especially with regard to the thousands of cases  
3 where victims survive. We also urge the city to  
4 continue to work closely with Albany lawmakers to  
5 align the penalty for hit and runs with that of  
6 certain DWI offense. Thank you for your continued  
7 leadership on this matter, and we hope to see these  
8 bills become law.  
9

10 REBECCA CAP: Hi. My name is Roberta Cap.  
11 On Thursday, January 19, 2017, I was hit by a car on  
12 my own street corner. I was crossing Second Avenue  
13 at 71<sup>st</sup> Street. My 11-year-old daughter and I were  
14 returning home from a quick errand and waiting to  
15 cross from the west side to the east side of Second  
16 Avenue. We did everything correctly. We were  
17 waiting for the light to change. We were on the curb  
18 at the crosswalk, and we had no phones or headphones.  
19 The car that hit me was speeding down 71<sup>st</sup> Street and  
20 made a left turn onto Second Avenue. When the light  
21 changed, my daughter, thankfully, skipped ahead of  
22 me. She was far enough ahead so that the car just  
23 grazed her and knocked her and down. She jumped up  
24 and ran to our corner shaken but unhurt. The car hit  
25 me and threw me backwards in the air. I suffered two



1 broken legs with four broken bones, three torn  
2 ligaments, facial lacerations requiring stitches,  
3 facial contusions, a concussion, a cracked rib and an  
4 elbow injury. The car that hit me did not stop. Not  
5 only did the driver not stop, but he intentionally  
6 and repeatedly evaded capture. Multiple pedestrians  
7 attempted to stop the driver only to jump back so he  
8 didn't hit them. A bike delivery man steered his  
9 bike into the street so the driver would have to  
10 stop, but instead the driver hit the bike. A group  
11 of men chased the car to 70<sup>th</sup> Street and to avoid  
12 them he made a left turn from the far right lane of  
13 70<sup>th</sup> Street. A different biker followed him to First  
14 Avenue, but lost him there. However, these wonderful  
15 witnesses got the license plate. So, the owner of  
16 the car that hit me was immediately identified, but  
17 was not arrested. I am recovering from my physical  
18 injuries and in intensive physical therapy three  
19 times a week. The first 12 weeks of my recovery was  
20 spent waiting for my bones to heal, and we have to  
21 plan for the next stage, which is knee surgery to  
22 repair a torn ACL and MCL ligament. I run, I bike  
23 ride, I take bar classes, I snow ski, I water ski and  
24 I play tennis. I'm terribly fearful of the effects  
25

1  
2 of my physical abilities not to mention the concerns  
3 about permanent pain and limited mobility. There is  
4 no guarantee that I will return to 100% of what I was  
5 before the accident, and what activities I'll be able  
6 to continue with my family. The accident has hurt my  
7 family emotionally as well, and that doesn't go away  
8 as the physical injuries heal. I have fear crossing  
9 streets, and I hate being in cars. My sixth grade  
10 daughter was just beginning to learn to walk to  
11 school alone after all the years of the Second Avenue  
12 Subway Construction, and now it's finally ended.  
13 Instead, both she and my husband and I are  
14 frightened. We're terrified to be more precise. We  
15 can't let her not grow up, but we are all frightened  
16 including her. There are times she cringes on the  
17 street, and she doesn't even want to walk alone that  
18 much after begging to for months. My younger  
19 daughter, who's 10, has cried in school because she  
20 didn't know if I would ever get better. She was  
21 upset because I couldn't walk her to or from school  
22 for nearly three months. She's upset because she  
23 can't do any activities with her mother. I can't  
24 take her bike riding, and just this past weekend my  
25 husband took her to a rocks and ropes course in an

1  
2 adventure park in Connecticut, which is one of her  
3 favorite places. She was so excited that the season  
4 is finally here. Not only can I not climb with her  
5 the way I've done in the past, but I couldn't even  
6 go. Though I look good, I cannot walk on uneven dirt  
7 paths, nor can I stand for that many hours. I'm  
8 angry and hurt both physically and emotionally. The  
9 police detective told me that this driver should not  
10 be on the road. Everybody agreed his behavior was  
11 egregious particularly his intentional evasion.  
12 However, for 13 years until he was arrested, he was  
13 free to continue driving even with his known reckless  
14 behavior. A public notification system would have  
15 prevented this car from being on the road immediately  
16 after my accident. Thank you.

17                   DULCEY CANTON: Hello, good afternoon.  
18 My name is Dulcey Canton. I currently work for  
19 Transportation Alternatives as Upper Manhattan  
20 Organizer and I'm also a member of Families for Safe  
21 Streets. You may not know it by looking at me now  
22 because I healed frankly but on August 7, 2014, I was  
23 involved in hit and run crash in Bushwick, Brooklyn.  
24 I was cycling home with my friend from Bushwick to  
25 Bed-Stuy. My friend is a skateboarder and it's a

1  
2 trick that we've done a million times before. It's  
3 about a ten-minute ride. He's in front of me and I  
4 ride behind. It was close midnight on a Friday. We  
5 get to the intersection of Bleaker and Wilson and  
6 there's a red light, and he wanted to run the red  
7 light. I say, no, let's wait here, wait 'til the  
8 traffic light changed. I had on a helmet, had a  
9 front and rear light, reflective clothes. We did  
10 everything right. As soon as we crossed the  
11 intersection, I hear a car rev up and something told  
12 me I was going to get hit, and I was hit from behind.  
13 I was thrown up in the air. I landed on my right  
14 shoulder. It was subsequently fractured. I had two  
15 fractures in my left ankle, a very bad concussion.  
16 This is video of both the car speeding up before he  
17 hit me and when the car actually made impact. You  
18 can see the car. It's a Chevy Camaro. It looked  
19 like he just accelerated instead of braking. He left  
20 the scene of the crime. The police were called. My  
21 friend Jay called the police, and they took me to the  
22 hospital. They couldn't give me pain medication  
23 because of my brain bleed. I was told all night if I  
24 go to sleep I might have to be Medivacced to the City  
25 to have my-my head drilled into and blood drained

1 out. I mean it was just a horrific experience. I  
2 got lucky. This was Friday, Saturday. Come Sunday  
3 the driver of the car that hit me he had the nerve to  
4 park at least a block or two away from the scene—the  
5 crime—the scene of the crime, and he asked neighbors  
6 on the block was there a crash that night. To make a  
7 long story short, my lawyer contacted the 83<sup>rd</sup>  
8 Precinct several times to try and get them to even  
9 talk to the driver or make an arrest and no such  
10 thing was done. My only—the only justice that I  
11 received was a civil lawsuit to his insurance. I  
12 wish I had a copy of the video. It looked like he  
13 was maybe going 40 to 50 miles an hour. I'm—I'm  
14 really lucky to just be alive sitting here talking  
15 with you guys. I'm really supportive and thankful of  
16 this hit and run bill. People shouldn't go around  
17 hurting and killing and maiming people and not being  
18 held accountable. Thank you.

20 CHAIRPERSON GIBSON: Our next panel is  
21 Gina Zarate representing DJ Jinx Paul and Family.  
22 Next is Alec Slatky from Triple A Northeast and  
23 Richard Conroy of Bike New York. Please come  
24 forward. [pause]

25

CHAIRPERSON RODRIGUEZ: Gina, just one second your microphone, your microphone is off.

GINA ZARATE: Hi, my name is Gina Zarate and I am here representing DJ Jinx Paul, which is Gene Paul Guerrero. He was in a hit and run December 19<sup>th</sup> coming out of one of his actual gigs in Brooklyn. Unfortunately the driver hit him. They ran. They never called anyone. They just left him there to die. So, I am definitely and so is the family very hurt by this incident by this tragedy, but we as a whole are very happy that something is being done. I mean we would love to see more, but I guess, you know, any step is a good step towards the future even for other people that are in a situation and a tragedy like this, but until today nothing has really been done. I know that they are under investigation and they're still trying to find them, but at least, you know, there's a legislation bill being put, which helps other people. And I'm grateful for it and like I said, we're all still very hurt by this, and hopefully more can be done. Thank you.

ALEC SLATKY: Hi. Good afternoon. My name is Alec Slatky, and I'm here representing Triple

1  
2 A Northeast, which serves a membership of over  
3 570,000 drivers in the five boroughs of New York, and  
4 I want to thank you for holding this hearing. I  
5 thank you Chairs Rodriguez and Gibson for bringing  
6 us together because obviously as we just heard right  
7 now and in the last panel these are cowardly acts  
8 especially when it comes to fatal injuries, serious  
9 physical injuries, and we've enacted lots of laws.  
10 We have state laws, we have civil penalties at the  
11 local level, and reporting of crimes, but still the—  
12 you know, there's more to be done obviously and  
13 that's why we're here And just to give a little bit  
14 of context, fatal hit and run crashes have broadly  
15 declined. I don't have 2016 data from NITSA, but  
16 there's a graph here that you can see, but between  
17 2010 and 2015 there were 210 fatal hit and run  
18 crashes in New York City. That's according to  
19 federal statistics. There were 44 in Bronx, 67 in  
20 Brooklyn, 31 in Manhattan, 57 in Queens and 11 in  
21 Staten Island, and of those, only 16% had charges  
22 brought for fleeing the scene. If you compare that  
23 with the numbers outside New York City but still in  
24 New York, there were a similar number of crashers  
25 that were hit and runs, 214 fatal hit and runs, but

1  
2 31% of those had charges brought for fleeing the  
3 scene. It's approximately double. So that's using  
4 the same law. We know it is a little bit tougher in  
5 an urban environment, and we know when people are  
6 committing this offense. It's done at late night,  
7 it's on the weekends as was said before. Likely, to  
8 be impaired, like to be unlicensed or have a  
9 suspended or revoked license or have some other  
10 reason for wanting to avoid contact with the  
11 authorities, and so we do support the goals of the  
12 two intros that are before the Council today or  
13 before the Committees today. I will—I do share the  
14 NYPD's concern about not issuing too many alerts  
15 where information isn't available and people get  
16 burned out, and that actually would lead to a public  
17 backlash. That's the last thing that I want, and I  
18 also just wanted to comment with regard to the Alert  
19 system. We'd like to see it amended to include some  
20 reporting requirements just to see how effective it's  
21 been because, you know, talking or looking  
22 anecdotally at California at Colorado. Colorado we  
23 have a few more years of data. California we don't  
24 really have a ton of data, and so it would be great  
25 to produce that data here obviously rather than have



1  
2 no data, but it would be great for academics and  
3 researchers and advocates to be able to look at that  
4 data and see how effective has this been? Are we  
5 making a change in the arrest rate? How many alerts  
6 ae we sending out per crash. That's the type of  
7 thing that we like to see and then we can really  
8 assess how well it's working. So, I want—I want to  
9 thank both of you for holding this hearing, and thank  
10 everyone who came out and hopefully we can continue  
11 to work to end this scourge. Thank you. [pause]

12           RICH CONROY: Council Members Gibson and  
13 Rodriguez, thank you for holding this hearing. I'm  
14 Rich Conroy, the Director Education at Bike New York.  
15 Bike New York supports both IMT 1418 and 1463. My  
16 job involves creating curriculum, training  
17 instructors and teaching cyclists and motorists how  
18 to interact safely with each other on the streets,  
19 and as a cyclist, a daily cyclist, I put what we  
20 teach into practice, and that gets me home or to work  
21 safe everyday. And I actually have very few negative  
22 or scary interactions with motorists. But I want to  
23 say that in the last four months I've had two very  
24 scary interactions with motorists both—both of whom  
25 left the scene. On New Years Eve I was out running

1  
2 an errand on my bike. It was dark. I always use  
3 lights at night, red in the back, white in the front.  
4 My front headlight looks like a train coming at you.  
5 It's very bright. You cannot miss it. A left  
6 turning motorist yielded to a car in front of me, and  
7 when that car passed through the intersection that  
8 motorist gunned it and almost hit me and in avoiding  
9 that motorist, I was literally run off the road,  
10 Bailey Avenue in the Bronx. As you know, when you  
11 turn in New York City, you very quickly catch a red  
12 light at the next intersection and I caught up to  
13 him, and given that it was New Year's Eve, the driver  
14 may have been drunk, but he brazenly accused me of  
15 not using a headlight, which was totally wrong.  
16 Luckily I-I avoided serious injury or death in that-  
17 in that situation, but it was scary. Just a couple  
18 of months ago on Kings Bridge Road where the Target  
19 is at in the Bronx a motorist at-when the light  
20 turned green failed to yield the right-of-way.  
21 Again, this was a left turning motorist. This  
22 motorist did collide with me, did leave the scene,  
23 actually went into Target parking lot to--to park.  
24 In confronting him, he accused me of colliding with  
25 him even though he failed to yield. What's

1 interesting is the commonalities I suspect in talking  
2 to both of them that these drivers were drunk. Both  
3 incidents occurred at night, both of them involved  
4 left turning motorists who had no idea how to  
5 interact with other traffic at intersections, and  
6 they acted as if cyclists have no rights that they  
7 needed to respect. Luckily for me, this did not  
8 involve serious injury or death. I'm still here  
9 talking to you, but both motorists did leave the  
10 scene and—and this could have been a lot worse had,  
11 you know, I'd been—had I been maybe one second  
12 quicker or slower with these motorists. So, in  
13 summary Bike New York does support both bills, and  
14 thank you for sponsoring them and this hearing.

16 CHAIRPERSON RODRIGUEZ: [off mic] Is  
17 there anyone [on mic] who wants to come into this  
18 hearing? We are committed to continuing working  
19 together with the support of the administration and  
20 Mayor de Blasio and the Speaker Melissa Mark-  
21 Viverito, and all the advocates who are here. I'd  
22 also like to acknowledge he made it. Council Member  
23 Torres is here, but, you know, this would—Council  
24 Member Menchaca. I'm sorry. I didn't recognize  
25 Carlos with his glasses on. [laughter] Thank you

both for coming to the closing of the hearing. Thank  
you to the last panel, and we are committed to  
improve safety for pedestrians and cyclists. With  
that, this hearing is adjourned.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date June 6, 2017