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SUMMARY OF COST ANALYSIS OF GOVERNMENT EXPENDITURES TO SUPPRESS CRITICAL MASS BIKE RIDES

Implications of Analysis

- City expenditures on Critical Mass from September 2004 through August 2006 overall total more than **\$1,320,000**.
- During the same two-year period, the City spent approximately \$460,000 installing 15.3 miles of bike lanes in the five boroughs.
- Thus, over this two year period, New York City spent over three times as much suppressing two dozen bicycle rides as it spent creating a safe infrastructure that hundreds of thousands of New Yorkers could be using every day.

Introduction

Since the Republican National Convention convened in New York in 2004, the New York Police Department (NYPD) has employed a variety of strategies and tactics to suppress the monthly bicycle ride known as Critical Mass. In the process, the City has spent more than \$1.32 million tax dollars on personnel, equipment, and court costs. The spreadsheet accompanying this report breaks down the expenditures by the NYPD and the New York City criminal justice system to suppress Critical Mass. This report summarizes the breakdown as well as its results and implications.

Chronological Overview

Critical Mass is a spontaneous, leaderless bicycle ride that occurs on the last Friday of every month in cities and towns across the world. After its founding in San Francisco, Critical Mass took root in New York City starting in 1993. For over a decade, the rides occurred with minimal conflict between the riders and the NYPD. The NYPD was able to facilitate the ride, no matter how large it was, with a low number of police officers on scooters. However, on the eve of the Republican National Convention in August 2004, this response changed. On that ride, 264 cyclists were arrested, and many held in jail far over the 24-hour pre-court limit. In varying forms the arrests and harassment of Critical Mass riders continue to this day and have cost the City an average of **\$55,000 per ride**.

Costs Analysis: Details

The costs analysis presented here covers the two years of the NYPD crackdown on Critical Mass since the Republican National Convention. The rides included in the analysis date from September 2004 through August 2006. In sum, the government of the City of New York,

through its many branches, including the NYPD; District Attorney's Office; and Criminal Courts, has spent at least \$1.32 million for the specific purpose of arresting, ticketing and harassing Critical Mass riders and processing arrested cyclists. At \$1 million, the NYPD expenditure to suppress the Critical Mass rides represents the largest share of the City's costs. What follows is a breakdown of the costs to suppress Critical Mass.

Part I

The accompanying spreadsheet consists of four parts. Part I provides a general summary of the City's taxpayer costs to repress Critical Mass. Part II reveals the detailed expenditures by the NYPD on the scene of the Critical Mass rides. Part III discloses the detailed expenditures by the criminal justice system to arrest and process Critical Mass riders. Part IV divulges the NYC Corporation Counsel's Office expenditures on civil rights litigation cases associated with Critical Mass. To understand the overall expenditures by the City of New York to suppress Critical Mass, one needs to account for the expenditures of the NYPD and criminal justice system separately.

Part II

The NYPD taxpayer expenditures were calculated in Part II by using, as a base, the annual salaries of all personnel responding to the Critical Mass rides and the total monetary value of the equipment employed. These base amounts are listed as "unit costs." The actual costs for these units were then pro-rated according to the number of personnel responding to the rides, equipment used, and hours all were employed on the rides. Note that the personnel hours and number of equipment are listed in separate columns: "high presence" and "low presence." High presence refers to rides in which a high number of police personnel and equipment were deployed, while low presence refers to rides in which a low number of personnel and equipment were deployed. To understand how some of the unit costs for the expenses on personnel were calculated, examine the estimates and formulas listed under "constants" and "salaries." Here, one can see how number of years on the job, overtime pay, annual number of work hours, and equipment deployment were considered within the calculation. As a result, the average total taxpayer cost of NYPD personnel and equipment per high presence ride is \$43,770. The average total taxpayer cost for NYPD personnel and equipment per low presence ride is \$19,299.

Part III

The criminal justice taxpayer costs in Part III include expenditures for NYPD personnel to arrest and process Critical Mass cyclists at the rides, Office of District Attorney personnel to prepare for and represent the NYPD at the trials, and Criminal Court personnel costs. As in Part II, the unit costs for all personnel are based on the annual salaries of those employed. These unit costs are pro-rated as well according to the number of personnel employed and number of hours they were employed at any stage of arresting, processing, preparation and litigation. To understand how District Attorney and court salaries and benefits were considered in the analysis, examine the last section titled "salaries." Also, as with Part II, the number of hours and actual costs are divided between high presence and low presence rides. As a result, the total city tax expenditure on NYPD personnel arresting and processing Critical Mass riders for high presence and low presence rides are \$1,554 and \$171 per ride, respectively. Manhattan District Attorney and Criminal Court city tax expenditures for high presence and low presence rides are \$10,038 and \$253 per ride, respectively.

Part IV

Part IV reveals the civil rights litigation taxpayer costs incurred by the NYC Corporation Counsel's Office. The calculations are based on the salary of the Corporation Counsel and the number of hours spent on Critical Mass-related civil rights litigation. As a result of two cases, one of which -- the City's baseless case against Time's Up! -- has not been dropped yet, the Corporation Counsel's Office has expended at least \$170,000. In the foreseeable future, the Counsel's Office is likely to spend far more money once it resumes its case against Time's Up!.

Total Costs

Looking back at Part I of the spreadsheet, one can see the grand totals for all of New York City government's expenditures to suppress the Critical Mass rides from September 2004 through August 2006. Most of the numbers presented in Part I derive directly from Parts II and III. However, in Part I, one can also see a tripartite breakdown on the basis of police response and number of arrests at the rides. For the high presence rides with a high volume of arrests, total expenditures amount to approximately \$55,000 per ride. As there were fourteen rides identified as such, the grand total expenditures for those rides come to \$780,000. For the high response, low arrest volume rides, total expenditures amount to approximately \$44,000 per ride. As there were seven such rides, the grand total expenditures for all those rides come to \$310,000. For the low response, low arrest volume rides, total expenditures amount to approximately \$20,000 per ride. As there were three rides identified as such, the grand total expenditures for those rides come to \$60,000. Furthermore, there is the additional government cost of \$170,000 arising from civil rights litigation of Critical Mass. Added together, this amounts to a grand overall expenditure total of \$1,320,000. Of these costs, the NYPD accounts for three fourths at \$1,000,000.

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