

OBSTRUCTED JUSTICE

NYC's Biased License Plate Enforcement

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Executive Summary

- As NYC relies increasingly on traffic cameras, the NYPD has pulled over more and more drivers for a minor traffic infraction—license plate obstruction—particularly in precincts with the most BIPOC residents.
- This problem is only getting worse: NYPD’s racist enforcement gap doubled between 2016 and 2021.
- Automated traffic enforcement shouldn’t lead to more in-person traffic stops. Cities should study cameras’ effects and adjust policing policies to ensure that cameras don’t contribute to the over policing of BIPOC communities.

I. Introduction

New York City launched the country’s first red light camera program in 1994,¹ its speed camera program in 2013,² and it hasn’t looked back. The city now uses 223 red light cameras³ and 2,220 speed cameras across every borough and neighborhood of NYC.⁴ In August 2022, New York State turned the city’s cameras on 24/7.⁵ Cameras also monitor every major NYC crossing as part of MTA’s cashless tolling system.⁶

In the rush to install traffic cameras, cities like New York have failed to fully anticipate their dangers for BIPOC communities. Though traffic cameras supposedly reduce interactions with the police⁷—a crucial goal, given traffic stops’ dangers⁸—we found the opposite. Since the NYPD began reporting obstructed plate summonses in 2016, traffic stops for covering or “obscuring” a license plate have

¹ NYC Department of Transportation, “New York City Red Light Camera Program Review: 2021 Report,” n.d., <https://www1.nyc.gov/html/dot/downloads/pdf/nyc-red-light-camera-program.pdf>.

² NYC Department of Transportation, “New York City Automated Speed Enforcement Program: 2014–2020 Report,” n.d., <https://www1.nyc.gov/html/dot/downloads/pdf/speed-camera-report.pdf#page=2>.

³ 2020 figure. See NYC Department of Transportation, “Automated Speed Enforcement Program,” p. 6.

⁴ Figure is an 2022 estimate. See NYC Department of Transportation, “Automated Speed Enforcement Program,” p. 2.

⁵ “Mayor Adams ‘Flips the Switch,’ Turns on Speed Cameras 24/7,” The Official Website of the City of New York, August 1, 2022, <http://www1.nyc.gov/office-of-the-mayor/news/556-22/mayor-adams-flips-switch-turns-speed-cameras-24-7>.

⁶ “MTA Rolls out Cashless Toll Schedule for New York City Crossings,” ABC7 New York, December 21, 2016, <https://abc7ny.com/mta-new-york-city-bridges-tunnels/1666924/>.

⁷ Jocelyn Solis-Moreira, “Traffic Cameras Become More Popular When They Cut down on Interactions with Police,” Study Finds, July 14, 2022, <https://studyfinds.org/traffic-cameras-interactions-police/>.

⁸ David D. Kirkpatrick et al., “Why Many Police Traffic Stops Turn Deadly,” *The New York Times*, October 31, 2021, sec. U.S., <https://www.nytimes.com/2021/10/31/us/police-traffic-stops-killings.html>.

skyrocketed. Patrol officers have concentrated this enforcement in the most predominantly BIPOC NYPD precincts, and the racial enforcement gap is growing.

II. More Cameras, More Problems

Driving and driving-related summonses plummeted in NYC during the pandemic. From 2016 to 2019, the NYPD issued about one million traffic summonses (tickets issued by officers during traffic stops) per year. That number fell by about half in 2020 and stayed low in 2021.

That is, with the exception of summonses for obstructed license plates, which more than quadrupled from 2016 to 2021.⁹ This quadrupling coincides with an increase in NYC traffic cameras and a corresponding increase in obstructed plates.¹⁰ As the city has relied increasingly on traffic cameras, increasing numbers of New Yorkers have covered their plates, including a number of NYPD officers, city employees, and at least one MTA supervisor.¹¹

Perhaps unsurprisingly, the NYPD lets its own officers off when they obstruct their plates. In 2017, reporters documented over 100 NYPD vehicles with covered plates parked outside of NYC police stations and courthouses.¹² The NYPD made noise about taking care of the problem,¹³ but officers appear to keep getting away with plate-covering and other traffic-related violations (like abusing NYC parking permits¹⁴): a day after NYC announced its July 2022 crackdown on covered plates, NYS troopers waved off an NYPD van with covered plates, a bad parking placard, and an expired vehicle registration sticker.¹⁵

⁹ We were able to confirm via email with the MTA (10/19/2022) that obstructed plate violations are issued in person by officers stopping motorists.

¹⁰ The latter is based on the rate at which NYC traffic cameras' failed to capture license plates. See Reuven Blau, "More Drivers With Bogus Plates Evading Traffic Cams, Costing NYC Up to \$75M," *The City*, April 25, 2022, <https://www.thecity.nyc/2022/4/25/23041529/nyc-drivers-bogus-plates-evade-traffic-cam-cost-75m>.

¹¹ David Meyer, "Man on a Mission to Personally Fix Illegally Obscured License Plates," *New York Post*, August 16, 2020, <https://nypost.com/2020/08/16/man-on-a-mission-to-personally-fix-illegally-obscured-license-plates/>. See also Stephen Nessen and Jon Campbell, "A Day after NYC Launches Push to Crack down on Covered Plates, NYPD Officers Flout the Rule," *Gothamist*, July 8, 2022, <https://gothamist.com/news/a-day-after-nyc-launches-push-to-crack-down-on-covered-plates-nypd-officers-flout-the-rule>.

¹² Shawn Cohen and Julia Marsh, "NYPD Cops Are Using Illegal License Plate Covers to Thwart Traffic Cameras," *NY Post*, February 9, 2017, <https://nypost.com/2017/02/09/nypd-cops-are-using-illegal-license-plate-covers-to-thwart-traffic-cameras/>.

¹³ Cohen and Marsh, "NYPD Using Plate Covers."

¹⁴ The "Placard Abuse" Twitter account has documented NYC placard (parking permit) misuse for years. "Placard Corruption (@placardabuse) / Twitter," Twitter, accessed November 11, 2022, <https://twitter.com/placardabuse>.

¹⁵ Nessen and Campbell, "NYPD Officers Flout Rule."

NYPD summons data also appears to show that officers allow drivers in white-majority precincts to get away ticket-free more often than compared to drivers in BIPOC-majority precincts. We focused our attention on obstructed plate summonses issued by officers from specific precincts, excluding tickets with no associated precinct. In 2021, patrol officers pulled over drivers in the 10 most predominantly Black precincts 20% more often than drivers in the 10 most predominantly white precincts. That same year, they pulled over drivers in the 10 most predominantly BIPOC precincts 35% more often than drivers in the 10 most-white precincts. Worse yet, this racial enforcement gap is growing. In 2016, NYPD patrol officers issued an extra 14 summonses per 100k residents to drivers in the most-BIPOC precincts compared to the most-white precincts. By 2021, the extra summons gap more than doubled.

III. Putting the Brakes on Unsafe Traffic Policing

The MTA and NYPD announced their intention to police obstructed plates more aggressively in May¹⁶ and July 2022.¹⁷ But when cities and towns prioritize pulling drivers over for minor traffic violations, as so many do,¹⁸ they risk residents' lives for ticket revenue. Too often, traffic stops turn dangerous, or even deadly: police kill about 400 unarmed drivers or passengers in traffic stops each year.¹⁹ Black drivers pay this price disproportionately, with police pulling over and killing Black drivers at a much higher rate than white drivers.²⁰

Automated traffic enforcement shouldn't be an excuse for increasing in-person traffic stops. But in NYC, more traffic cameras have led to a dramatic increase in plate-related stops, especially in non-white parts of the city. Meanwhile, the city's use of traffic cameras is accelerating—including, and

¹⁶ Lauren Lovallo, "MTA, NYPD Launch Crackdown on Fake, Obstructed License Plates," *silive.com*, May 21, 2022, <https://www.silive.com/news/2022/05/mta-nypd-launch-crackdown-on-fake-obstructed-license-plates.html>.

¹⁷ "NYPD & NYC Sheriff's Office Crack Down On 'Ghost Cars': If You Use a Fake Plate, We Will Tow, Auction Your Car," The official website of the City of New York, July 5, 2022, <http://www1.nyc.gov/site/nypd/news/p00051/nypd-the-nyc-sheriff-s-office-crack-down-ghost-cars-if-you-use-fake-plate-we-will-tow->.

¹⁸ Mike McIntire and Michael H. Keller, "The Demand for Money Behind Many Police Traffic Stops," *The New York Times*, October 31, 2021, sec. U.S., <https://www.nytimes.com/2021/10/31/us/police-ticket-quotas-money-funding.html>.

¹⁹ David D. Kirkpatrick et al., "Why Many Police Traffic Stops Turn Deadly," *The New York Times*, October 31, 2021, sec. U.S., <https://www.nytimes.com/2021/10/31/us/police-traffic-stops-killings.html>.

²⁰ Emma Pierson et al., "A Large-Scale Analysis of Racial Disparities in Police Stops across the United States," *Nature Human Behaviour* 4, no. 7 (July 2020): 736–45, <https://doi.org/10.1038/s41562-020-0858-1>. For disproportionate rate of police killings of Black drivers, see Sam Levin, "US Police Have Killed Nearly 600 People in Traffic Stops since 2017, Data Shows," *The Guardian*, April 21, 2022, sec. US news, <https://www.theguardian.com/us-news/2022/apr/21/us-police-violence-traffic-stop-data>.

expected any day, a tolling program to reduce traffic congestion in lower Manhattan.²¹ Traffic cameras may save lives by encouraging safer driving, but they appear to have concerning knock-on effects. In NYC, traffic cameras appear to be normalizing traffic plate obfuscation, and police have increased potentially dangerous traffic stops to hassle drivers about their license plates. Before blanketing their streets in traffic cameras, cities should collect data on cameras' full impact—including on traffic stops—and adjust policing policies accordingly. Traffic cameras must not provide one more reason to overpolice BIPOC individuals for minor infractions.

Appendix – Summary of Methodology and Findings

S.T.O.P utilized two public sources of data to run its analysis: NYPD summons data²² and 2020 Census data for NYC, broken down at a police precinct level.²³ S.T.O.P. first aggregated the NYPD's data on the number of summonses for obstructed plates for the years 2016 to 2021 for each police precinct.²⁴ Then, together with census-based demographic data for each precinct,²⁵ S.T.O.P calculated the rate per 100k at which residents receive summons for obstructed plates for each year. This allows apples-to-apples comparisons between precincts, adjusting for population size.

From 2016 to 2021, obstructed plate summonses went through the roof, even as overall traffic summonses stayed the same (2016-2019) before falling by half during the pandemic (2020-2021). In the ten NYPD precincts with the biggest proportion of white, non-Latinx residents, patrol officers went from issuing about 31 obstructed plate summonses per 100k residents to 90 per 100k residents between 2016 and 2021. In the ten precincts with the biggest proportion of Black residents, enforcement rose from 39 to 109 per 100k residents. In the ten precincts with the biggest proportion of BIPOC residents,²⁶ officers went from issuing 45 to 121 summonses per 100k residents.

²¹ Ana Ley, "Why Drivers Could Soon Pay \$23 to Reach Manhattan," *The New York Times*, August 18, 2022, sec. New York, <https://www.nytimes.com/2022/08/18/nyregion/nyc-congestion-pricing-manhattan.html>.

²² "Collisions & Summonses Traffic Data Archive," New York City Police Department, accessed October 31, 2022, <https://www1.nyc.gov/site/nypd/stats/traffic-data/traffic-data-archive.page>.

²³ John Keefe, "Sharing NYC Police Precinct Data," johnkeefe.net, February 2022, <https://johnkeefe.net/nyc-police-precinct-and-census-data>.

²⁴ "Collisions & Summonses Traffic Data."

²⁵ Keefe, "NYC Police Precinct Data."

²⁶ BIPOC was interpreted as not "White, non-Hispanic," using 2020 census data.

Obstructed Plate Summons Rate (per 100k residents)			
Year	Top 10 Majority White, non-Latinx Precincts	Top 10 Majority BIPOC Precincts	Top 10 Majority Black Precincts
2016	31	46	39
2017	39	68	76
2018	86	105	77
2019	80	108	64
2020	32	83	55
2021	90	121	109
Change	+59	+76	+70

The Burden of Driving While BIPOC			
Summary	Top 10 Majority White, non-Latinx Precincts	Top 10 Majority BIPOC Precincts	Top 10 Majority Black Precincts
2016: Extra summonses compared to majority white precincts (per 100k residents)	0	14	8
2021: Extra summonses compared to majority white precincts (per 100k residents)	0	31	19
2021: Summons rate compared to majority white precincts	0%	135%	121%

*Rates rounded to nearest whole number



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