



Office of the
New York City Comptroller
Scott M. Stringer
Bureau of Policy and Research
Bureau of Law and Adjustment
www.comptroller.nyc.gov

FY 2014-2015 UPDATE

October 2015



CLAIMSTAT:

**A DATA-DRIVEN APPROACH TO DRIVING DOWN
COSTS AND PROTECTING TAXPAYER DOLLARS**

An initiative of Comptroller Scott M. Stringer



Table of Contents

I. Executive Summary	1
II. The Comptroller's Role In The Claims Process	3
III. Defining The Problem: Rising Claims Costs In NYC	4
Police Department	6
Health & Hospitals Corporation	10
Department of Parks and Recreation	12
Department of Environmental Protection	14
Department of Sanitation	18
IV. Conclusion	19
V. Appendix	19



I. Executive Summary

The Adopted Budget for Fiscal Year (FY) 2016 sets aside \$710 million to pay settlements and judgments from lawsuits brought against the City of New York.¹ That is more than \$83 per New York City resident that is devoted to claims, ranging from falling tree limbs and unfilled potholes, to medical malpractice and civil rights violations. In fact, the “judgments and claims” budget for FY 2016 is greater than the budgets for the Department of the Aging, the City Council, and the City’s three library systems *combined*.

Comptroller Scott M. Stringer is committed to driving down claim costs across all agencies in order to boost the quality of city services and save taxpayer dollars.

That’s why last year, the Comptroller launched ClaimStat: a data-driven approach to claims management that drills down on the thousands of claims to identify patterns and practices that lead to lawsuits against the City.

ClaimStat has incentivized agency heads to take a more analytical approach to claims costs—not only due to their expense to the public, but also because claims can serve as indication that agencies are failing to serve the public properly.

Since the initial ClaimStat report was published in July 2014,² the Comptroller has issued a series of “ClaimStat Alerts” highlighting claims filed against the Department of Correction,³ claims filed by pedestrians injured by City-owned vehicles,⁴ claims filed due to injuries suffered at the City’s playgrounds,⁵ and claims filed due to defective roadways, including pothole-related claims.⁶

In addition, under ClaimStat, the New York City Police Department (NYPD) and the Comptroller’s Office have established a joint working group of senior managers who meet regularly to address issues and trends regarding claims involving law enforcement.

This initiative has allowed for unprecedented sharing of information between agencies, with the Comptroller’s Bureau of Law and Adjustment (BLA) unit providing claims information in real time to the NYPD, while also securing evidence that helps BLA decide whether to resolve viable or reject frivolous claims far earlier in the process.

The initial ClaimStat report focused on claims activity in FY 2012 and 2013, with a few exceptions noted in the text.⁷ This report provides an update based on claims data from FY 2014 and 2015 and settlements and judgments through FY 2014.⁸ Where applicable, significant year-over-year changes between FY 2014 and 2015 are highlighted as well.

Some of the key findings in this ClaimStat update include:

- **Police Department:** Personal injury police action claims declined nearly 13 percent in FY 2015—from 5,727 in FY 2014 to 5,007 in FY 2015. This marked a stark reversal from recent trends and was the first double-digit percentage decline in police action claims in at

least two decades. Total tort claims against the Police Department showed a similar decline of 12 percent, from 9,634 in FY 2014 to 8,519 in FY 2015.

Despite this progress, an analysis of police action claims in Calendar Year 2014 continued to reveal significant disparities in claims between precincts. In fact, even when adjusting for crime rates, precincts in the South Bronx and Central Brooklyn continue to have far more claims filed against their officers than precincts in other parts of the City.

While several precincts improved their performance on this metric between 2013-2014 (23rd Precinct in East Harlem, 33rd Precinct in Washington Heights, 76th Precinct in Red Hook and 101st Precinct in The Rockaways), other precincts witnessed even more claims per crime complaint, including the 44th and 46th Precincts in the South Bronx and the 25th Precinct in Harlem.

Overall, 8 of the 15 precincts with the most claims/crime complaint in calendar year 2014 (excluding the Central Park Precinct) are located in the Bronx, with Manhattan North, Brooklyn North and Manhattan South making up the remainder.

- **Health and Hospitals Corporation:** While the total number of claims against HHC declined from 982 in FY 2013 to 902 in FY 2015 (reaching a low of 876 in FY 2014), the total number of medical malpractice claims at HHC's 11 flagship hospitals increased from 495 in FY 2013 to 521 in FY 2015.

In addition, the Comptroller's hospital-by-hospital analysis of recent data once again reveals that some facilities are faring better than others, with Bellevue and Coney Island seeing significantly more medical malpractice claims in FY 2015 than FY 2013 and Harlem and North Central Bronx benefitting from decreases in medical malpractice claims.

The cost of medical malpractice claims at HHC's 11 flagship hospitals declined by 10 percent between FY 2013 and FY 2014, from \$126.4 million to \$114.1 million.

While HHC has made great strides in risk management over the past decade, the Corporation should continue to analyze medical malpractice claim trends to determine whether additional steps can be taken to mitigate risk to patients and the public fisc.

- **Department of Parks and Recreation:** Tree-limb related claims dropped by over 54 percent between FY 2013 (382) and FY 2014 (174). While the number of claims rose modestly in FY 2015 (to 207), the numbers remain near historic lows.

This progress follows the City Council's restoration of tree-pruning funding in FY 2013. Prior cuts to the tree-pruning budget in FY 2010 precipitated a sharp rise in tree-limb claims and settlement costs.

In addition, DPR is starting to see the effects of the restored tree pruning budget on judgment and settlement costs. In FY 2014, the judgment and claims costs against DPR

plunged from \$29.6 million to \$15.8 million, a decline of 47 percent and the lowest total since FY 2009.

- **Department of Environmental Protection:** Sewer overflow claims fell by 20 percent between FY 2012-2013 and FY 2014-2015. In FY 2012-2013, there were 1,296 sewer overflow claims filed against DEP. In FY 2014-2015, there were 1,035 claims filed, with the number falling significantly from FY 2014 (589) to FY 2015 (446). This represents a significant improvement for DEP and should yield savings for the City in the coming years.

There were significant changes in where the claims came from during this time period. Community District 5 in Brooklyn and Community District 10 in Queens had more than 100 additional claims filed in FY 2014 and 2015 than in FY 2012 and 2013. By comparison, Community District 18 in Brooklyn and Community District 2 in Staten Island saw their claims activity decline by more than 100 claims during this time period.

Sewer claims continue to be concentrated in low-lying areas of the city, including Staten Island and in communities surrounding Jamaica Bay.

- **Department of Sanitation:** In marked contrast to the progress witnessed by DEP, property damage motor vehicle claims filed against the Department of Sanitation (DSNY) soared from 1,999 in FY 2012 and 2013 to 2,825 in FY 2014 and 2015, an increase of 41 percent.

While these claims come from all corners of the five boroughs, our report finds that property damage claims involving sanitation trucks are most common on Staten Island, Eastern Queens, and certain neighborhoods in Brooklyn and Manhattan.

The rise in property damage motor vehicle claims at DSNY is particularly notable given that crashes involving the City's fleet that led to injuries fell by 30 percent between FY 2014 and FY 2015.⁹

In September, New York City received a competitive grant award of up to \$20 million from the U.S. Department of Transportation to retrofit thousands of city vehicles with crash avoidance technology and other equipment to reduce injuries and fatalities.¹⁰ Given these figures, the City should consider prioritizing the retrofitting of DSNY vehicles.

II. The Comptroller's Role In The Claims Process

The Comptroller plays a central role in the settlement and adjustment of claims for and against the New York City government.¹¹ When claims are filed against the City, ranging from slip-and-falls and medical malpractice to police action claims and sewer overflows, the Comptroller's Bureau of Law and Adjustment (BLA) has the opportunity to investigate the claim and negotiate a settlement before the claim goes to litigation.

Even if a case proceeds to litigation, the Comptroller must approve all settlements of cases entered into between plaintiffs and the City's Law Department. The Comptroller also pursues affirmative claims against individuals who cause damage to City property. As a result, the Comptroller is uniquely qualified to identify potential claim trends affecting a variety of agencies.

Claims against the City are composed of tort claims and non-tort claims. Tort claims consist of (a) personal injury and (b) property damage. Personal injury claims involve allegations of bodily harm, primarily from trip-and-fall cases, medical malpractice, police misconduct, civil rights violations, motor vehicle accidents, injury to specific uniform services employees (police officers, firefighters and sanitation workers) and public school-related injuries. Property damage claims involve mostly allegations of damage to motor vehicles, homes, and other personal property.

Non-tort claims are disputes concerning contracts between the City and its contractors or employees, as well as claims filed by private individuals seeking refunds for alleged overpayments of various items such as taxes or fines, alternative dispute resolution claims, equitable claims, salary claims, Department of Education (DOE) tuition reimbursement claims, and sidewalk assessment claims.

III. Defining The Problem: Rising Claims Costs In NYC

The cost to taxpayers of settlements and legal judgments and claims costs against the City have been increasing for years. In FY 1995, the City paid \$246 million in judgments and claims costs.¹² By FY 2001, the figure had more than doubled to \$565.6 million with respect to tort claims alone.

The FY 2016 Executive Budget sets aside \$710 million for legal judgments and claims costs. That's \$83 per New York City resident devoted to claims ranging from falling tree limbs and property damage from potholes to medical malpractice and civil rights violations.

In 2000-01, the Comptroller's office implemented pre-litigation settlements, which helped to stabilize judgment and claims costs over the past decade. In FY 2014, BLA settled 1,997 personal injury claims pre-litigation, a rise of 12 percent over the 1,778 pre-litigation settlements in FY 2013.¹³ This effort saved the City approximately \$27.2 million in settlement costs in FY 2014 and \$25.9 million in FY 2013.

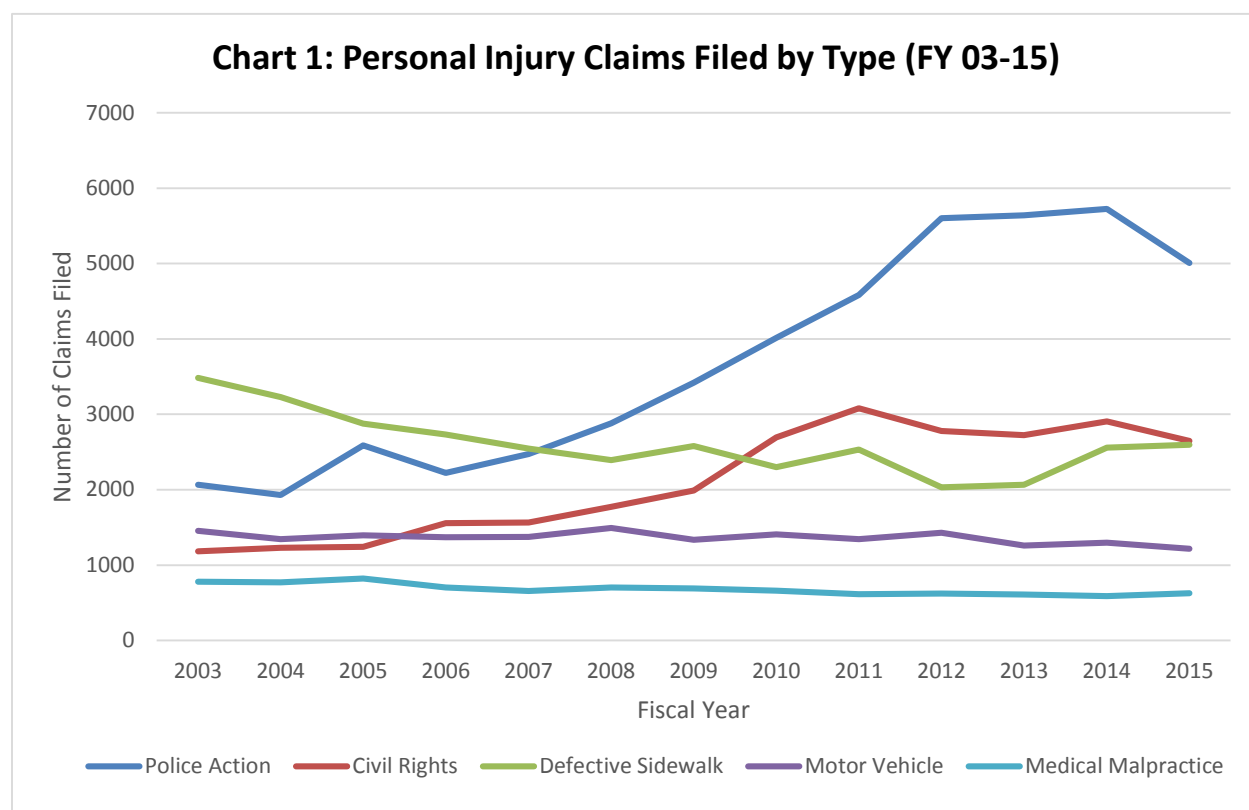
Nevertheless, even as total judgment and claims costs have leveled off in recent years, a deeper look at the data, both by agency and type of claim, reveals substantial differences in trend lines.

As we noted last year, while much of the focus has been on claims against the NYPD, no City agency is immune from claims and all can do more to improve risk management and drive down claims and, in turn, settlement and judgment costs.

The majority of settlement and judgment costs for the City arise from tort claims, and 98 percent of tort claim costs—\$539.9 million of the \$550.3 million paid out in FY 2014—result from personal injury.

Most tort claims are filed against a handful of City agencies. The Police Department (NYPD), the Health and Hospitals Corporation (HHC), and the Department of Transportation (DOT) consistently produce the most claims and the highest settlement and judgment totals. Together, these three agencies accounted for 57 percent of tort claims filed in FY 2014 and nearly 75 percent of settlements and judgments paid out in FY 2014.¹⁴

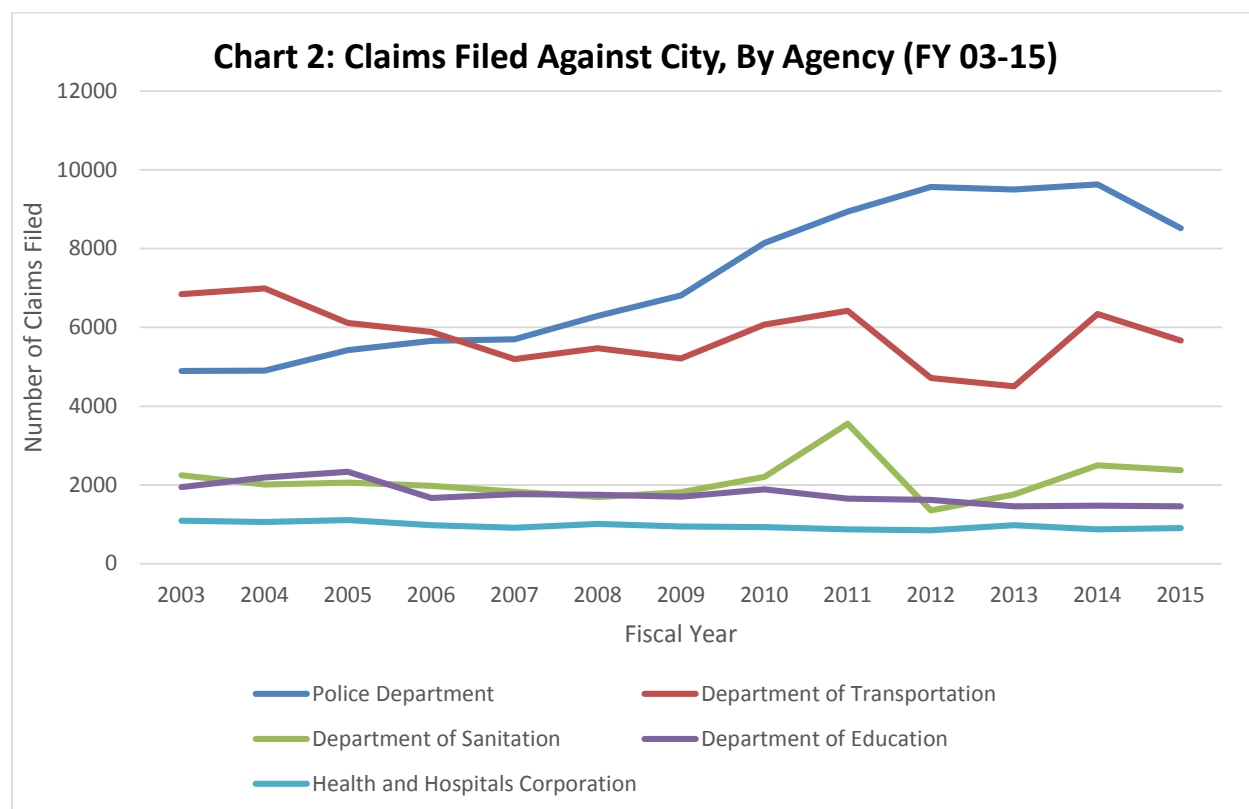
Chart 1 and the accompanying table show that while personal injury police action claims grew 173 percent between FY 2003-2014, they declined by 13 percent in FY 2015. In addition, personal injury civil rights claims fell by 9 percent.



	FY 2013	FY 2014	FY 2015	% Change Between FY 2014-2015
Police Action	5,642	5,727	5,007	(12.6)
Civil Rights	2,722	2,905	2,646	(8.9)
Defective Sidewalk	2,066	2,557	2,595	1.5
Motor Vehicle	1,258	1,298	1,216	(6.3)
Medical Malpractice	610	589	627	6.5

Given different trends by claim type, it comes as little surprise that there are different trend lines when claims are evaluated on an agency basis. For example, as shown in Chart 2 and the accompanying table, claims against the NYPD fell by 12 percent in FY 2015, reversing a decade-

old rise. DOT also witnessed a decline of 11 percent, largely due to an unusually high claim number in FY 2014 caused by significantly above average snowfall in the winter of 2013-2014.



	FY 2013	FY 2014	FY 2015	% Change Between FY 2014-2015
Police Department	9,502	9,634	8,519	(11.6)
Department of Transportation	4,508	6,342	5,669	(10.6)
Department of Sanitation	1,755	2,502	2,378	(5.0)
Department of Education	1,462	1,473	1,458	(1.0)
Health and Hospitals Corporation	982	876	907	3.5

Police Department

Claims against the NYPD consist primarily of allegations of police misconduct, civil rights violations, and injury and/or damage from accidents involving police vehicles. Taken together, these claims rose 71 percent between FY 2003 and FY 2013 and comprised 37 percent of all tort claims in FY 2013. Since FY 2010, NYPD's claim costs have been the highest of any agency.

However, as this report shows, the NYPD's efforts to improve risk management have shown clear signs of success. Personal injury police action claims declined nearly 13 percent in FY 2015—from 5,727 in FY 2014 to 5,007 in FY 2015—a stark reversal from recent trends and the first double-digit percentage decline in police action claims in at least two decades. Total tort claims

against the Police Department showed a similar decline of 12 percent, from 9,634 in FY 2014 to 8,519 in FY 2015

Despite this progress, an analysis of police action claims in Calendar Year (CY) 2014 continues to reveal significant disparities in claims activity between precincts, even when adjusting for crime rates.

A comparison of two precincts highlights this disparity. The 44th Precinct in the South Bronx had 2,306 crime complaints in CY 2014. The 13th Precinct in East Midtown had roughly the same number of crime complaints: 2,061.

However, 394 claims were filed against the 44th Precinct (17 claims per 100 crime complaints), while only 25 claims were filed against the 13th Precinct (1 claim per 100 crime complaints).

As shown in Map 1 below, the Bronx is home to the precincts with the highest number of personal injury police action claims when adjusted for the crime rate.¹⁵

Map 1

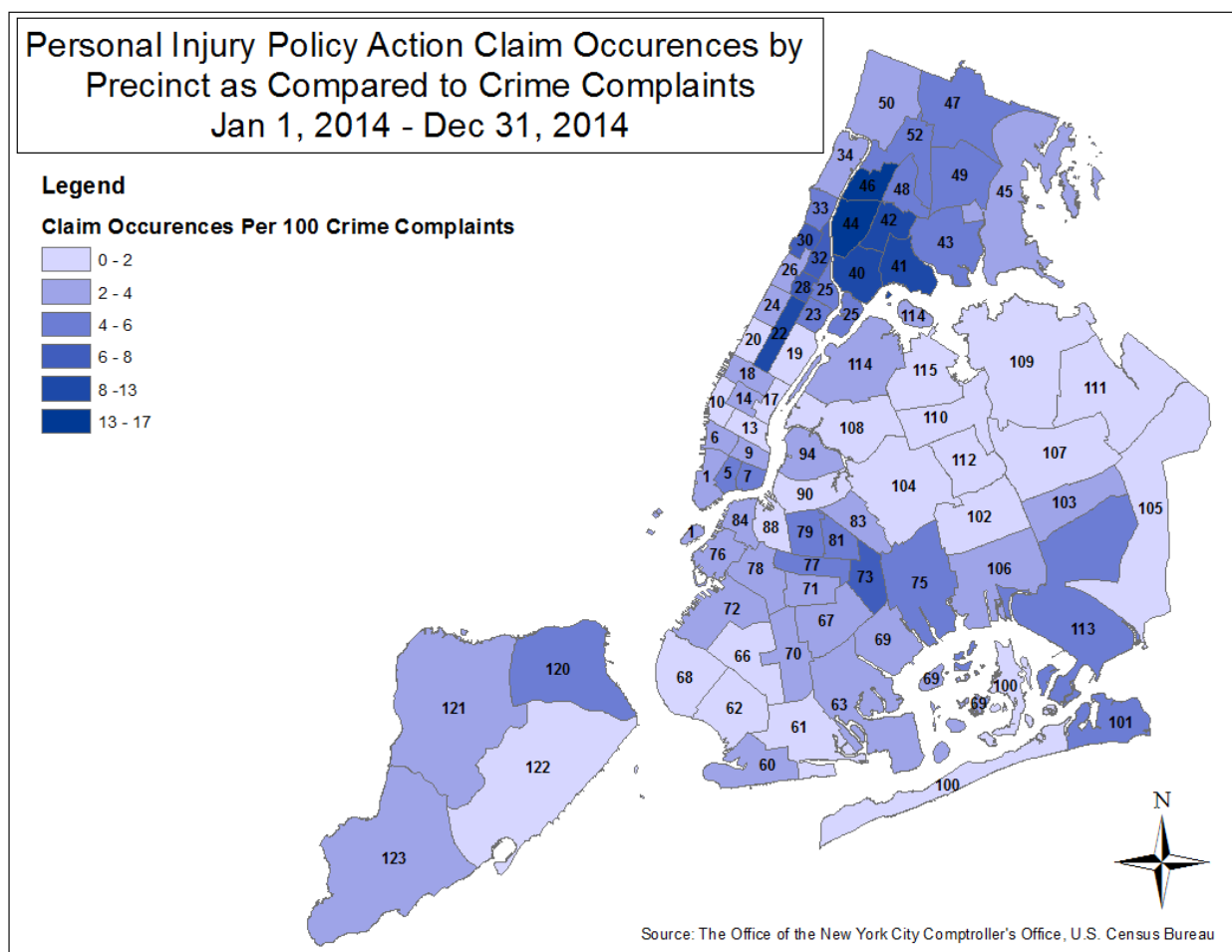


Chart 3 highlights the 15 precincts with the most claims/crime complaint in CY 2014, excluding the Central Park Precinct. Eight of the top 15—including the top five—are located in the Bronx, with Manhattan North, Brooklyn North, and Manhattan South making up the remainder.

Chart 3

Borough	Police Precinct	Police Action Claims in 2014	Crime Complaints in 2014	Claims Per 100 Crime Complaints in 2014
Bronx	44	394	2306	17.09
Bronx	46	215	1645	13.07
Bronx	40	202	1646	12.27
Bronx	42	149	1334	11.17
Bronx	41	114	1291	8.83
Manhattan North	28	64	823	7.78
Brooklyn North	73	135	1879	7.18
Manhattan North	32	70	996	7.03
Manhattan North	30	46	749	6.14
Manhattan South	5	52	870	5.98
Manhattan North	25	61	1046	5.83
Bronx	48	102	1772	5.76
Bronx	43	137	2452	5.59
Brooklyn North	77	89	1664	5.35
Bronx	49	57	1073	5.31

While precincts in the South Bronx, Northern Manhattan, and Central Brooklyn largely continued to face the most claims when adjusted for crime complaints, there were significant variations on a year-over-year basis at precincts throughout the five boroughs.

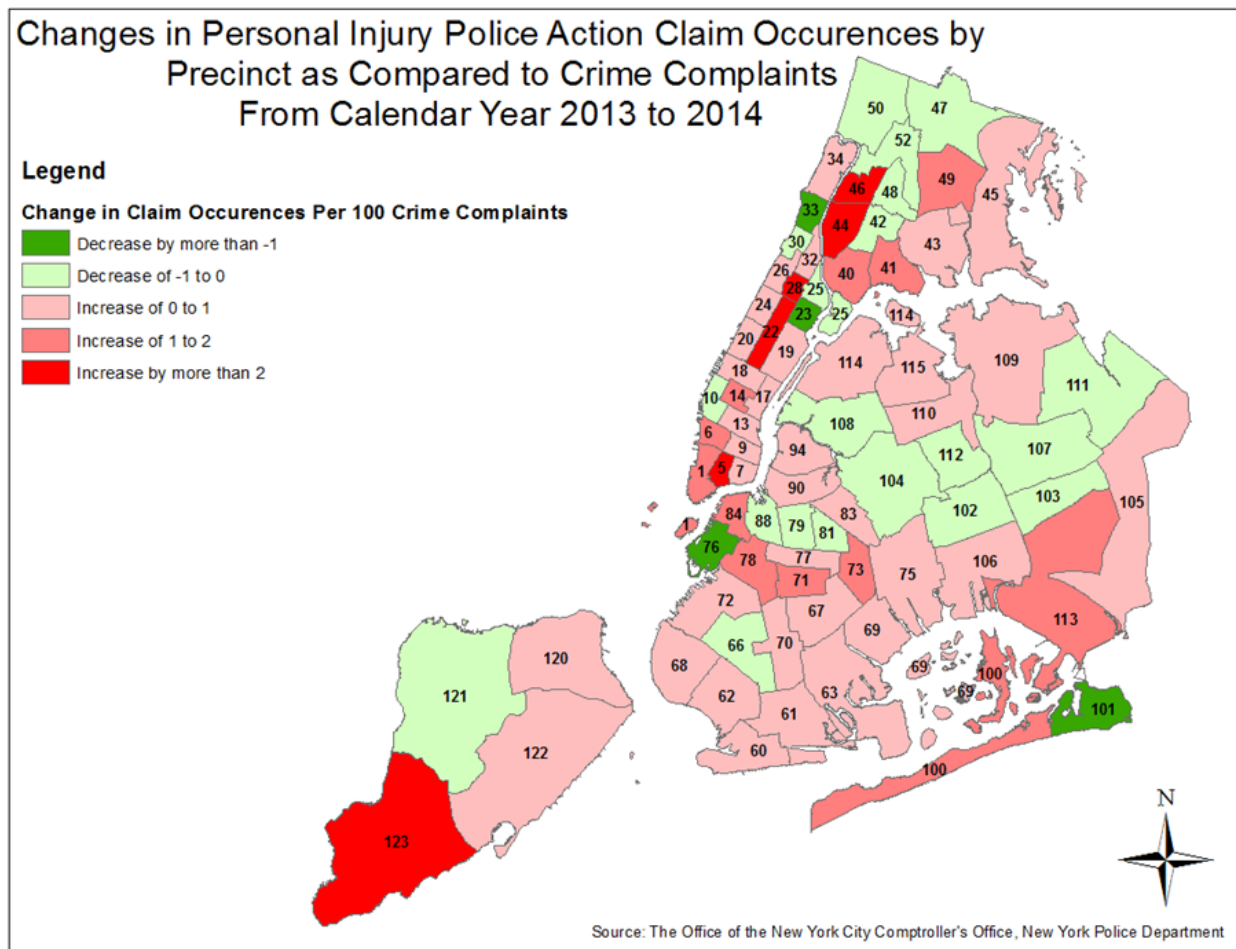
Excluding Central Park, five precincts experienced an increase of more than two claims per 100 crime complaints (see chart, below left), while four precincts experienced a decrease of more than one claim per 100 crime complaints (see chart, below right).

Borough	Police Precinct	Change in Claims Per 100 Crime Complaints 2013 to 2014
Bronx	44	3.9
Manhattan North	28	3.54
Manhattan South	5	2.92
Staten Island	123	2.38
Bronx	46	2.01

Borough	Police Precinct	Change in Claims Per 100 Crime Complaints 2013 to 2014
Manhattan North	33	-1.53
Brooklyn South	76	-1.39
Manhattan North	23	-1.16
Queens	101	-1.11

Map 2 shows changes in claims per 100 crime complaints across all precincts between CY 2013 and 2014.

Map 2



Under ClaimStat, the NYPD and the Comptroller's Office have established a joint working group of senior managers who meet regularly and address issues and trends regarding claims involving law enforcement. The NYPD has been using ClaimStat data and has created a Risk Assessment Unit to analyze all claims filed against the agency in real time.

In addition to this concrete step, the Police Department could further drive down claims by integrating claims into CompStat reviews, thereby increasing accountability at the precinct level. In addition, commanding officers, particularly in precincts that have higher than average rates of claims filed, could carefully examine claims filed against members of their units to flag potentially problematic practices, shifts, units, or officers, and aggressively take steps to alter behavior where warranted.

Health & Hospitals Corporation

The total number of claims against HHC declined from 982 in FY 2013 to 902 in FY 2015. However, the number of medical malpractice claims at HHC's 11 flagship hospitals increased from 495 in FY 2013 to 521 in FY 2015.

Chart 4 shows changes in medical malpractice claims at HHC's flagship hospitals in FY 2014 and FY 2015.¹⁶

The number of medical malpractice claims at Bellevue and Coney Island hospitals rose significantly between FY 2013 and FY 2015. Lincoln and Jacobi also rose during that time period, however FY 2013 was an unusually low claims year for those facilities and the FY 2014 and 2015 figures are in line with historical norms.

Several hospitals witnessed decreases in claims between FY 2013-2015, including Harlem, which extended a long-term decline in medical malpractice claims, and North Central Bronx. Woodhull also saw a decline during this time frame, however that was the result of FY 2013 being an unusually high claims year and the FY 2014 and 2015 figures are in line with historical norms.

Chart 4: HHC Medical Malpractice Claims Filed by Hospital							
FY 2009 - 2015							
Hospital	FY 09	FY 10	FY 11	FY 12	FY 13	FY 14	FY 15
Bellevue	72	59	75	56	57	65	80
Coney Island	51	40	26	51	31	36	43
Elmhurst	59	82	51	51	54	49	52
Harlem	44	47	44	39	34	26	28
Jacobi/Bronx Municipal	77	69	62	76	49	64	68
Kings County	94	78	76	82	88	74	88
Lincoln	71	68	62	72	48	61	61
Metropolitan	29	26	16	30	20	22	18
North Central Bronx	19	19	28	17	22	16	6
Queens	39	28	44	34	31	25	28
Woodhull	52	48	51	43	61	48	49
Total	607	564	535	551	495	486	521

While HHC has been one of the most successful agencies in reducing claims costs in recent years,¹⁷ the rise in medical malpractice claims is of particular concern since they are the costliest of all personal injury claims.¹⁸ In fact, in FY 2014, medical malpractice claims accounted for 22 percent of the total \$539.9 million paid out for personal injury claims citywide.

As shown in Chart 5, between FY 2013 and FY 2014, judgments and settlements from medical malpractice claims at the 11 flagship hospitals declined by 10 percent, from \$126.4 million to \$114.1 million.¹⁹

Chart 5: HHC Medical Malpractice Settlements/Judgments by Hospital						
FY 2009 - 2014 (In Millions)						
Hospital	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	FY 2014
Bellevue	\$17.10	\$8.00	\$5.90	\$8.00	\$7.30	\$8.10
Coney Island	\$5.70	\$5.30	\$9.40	\$8.00	\$6.10	\$6.70
Elmhurst	\$11.70	\$13.00	\$14.10	\$15.60	\$16.60	\$7.80
Harlem	\$6.90	\$8.30	\$5.70	\$6.10	\$6.90	\$3.70
Jacobi/Bronx Muni.	\$17.90	\$14.60	\$18.80	\$13.20	\$17.50	\$19.70
Kings County	\$19.40	\$21.50	\$23.20	\$13.30	\$24.00	\$25.20
Lincoln	\$17.60	\$14.70	\$24.90	\$10.60	\$12.20	\$13.50
Metropolitan	\$5.40	\$4.70	\$5.70	\$2.10	\$4.90	\$5.20
North Central Bx.	\$9.20	\$12.20	\$8.60	\$11.40	\$8.90	\$3.90
Queens	\$13.30	\$16.40	\$5.10	\$10.70	\$8.90	\$2.50
Woodhull	\$4.00	\$15.00	\$4.30	\$6.00	\$13.10	\$17.80
Total	\$128.20	\$133.70	\$125.70	\$105.00	\$126.40	\$114.10

Medical malpractice claims often take five to ten years to resolve due to their complexity. Therefore, the number of claims filed is a better indicator of HHC's recent efforts to improve risk management than the volume/value of settlements.

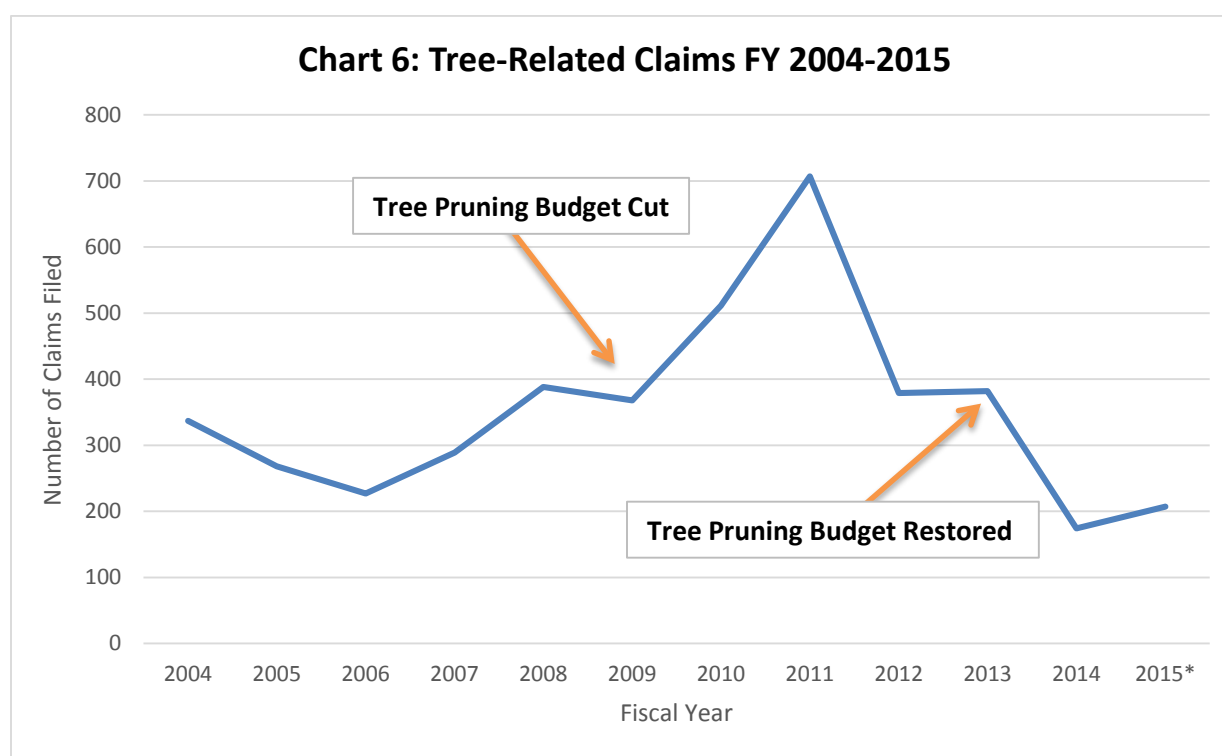
Just as HHC has taken steps to streamline emergency room care and improve patient safety, so HHC must continue to respond, in real time, to variations in claims activity at its flagship hospitals.

Department of Parks and Recreation

Tree-limb related claims against the Department of Parks and Recreation (DPR) dropped by over 54 percent between FY 2013 (382) and FY 2014 (174). While the number of claims rose modestly in FY 2015 (to 207), the figures remain near historic lows.

This progress follows the City Council's restoration of tree-pruning funding in FY 2013. Prior cuts to the tree-pruning budget in FY 2010 precipitated a sharp rise in tree-limb claims and settlement costs.

Chart 6 shows how changes to the tree pruning budget have precipitated significant shifts in tree-related claims.



In 2007, the City embarked on an ambitious “MillionTreesNYC” initiative as part of the broader PlaNYC, with the goal to plant one million trees throughout the five boroughs by 2017.²⁰

However, only two years later, the City slashed funding for tree pruning and maintenance, moving from the industry standard of pruning trees on a seven-year cycle to pruning trees on a fifteen-year cycle.²¹

The effect of this change was swift and severe. While nearly 80,000 trees were pruned in FY 2009, fewer than 30,000—a mere 6 percent of trees covered by the cycle—were pruned in FY 2010.²² Perhaps as a result, in FY 2010 the top two service requests through 311 related to DPR were damaged/dead trees.

As detailed in last year's report, personal injury and property damage claims related to trees increased sharply following the cuts to the pruning budget in July 2009 (the start of FY 2010), with claims citywide soaring by over 92 percent between FY 2009 and 2011.

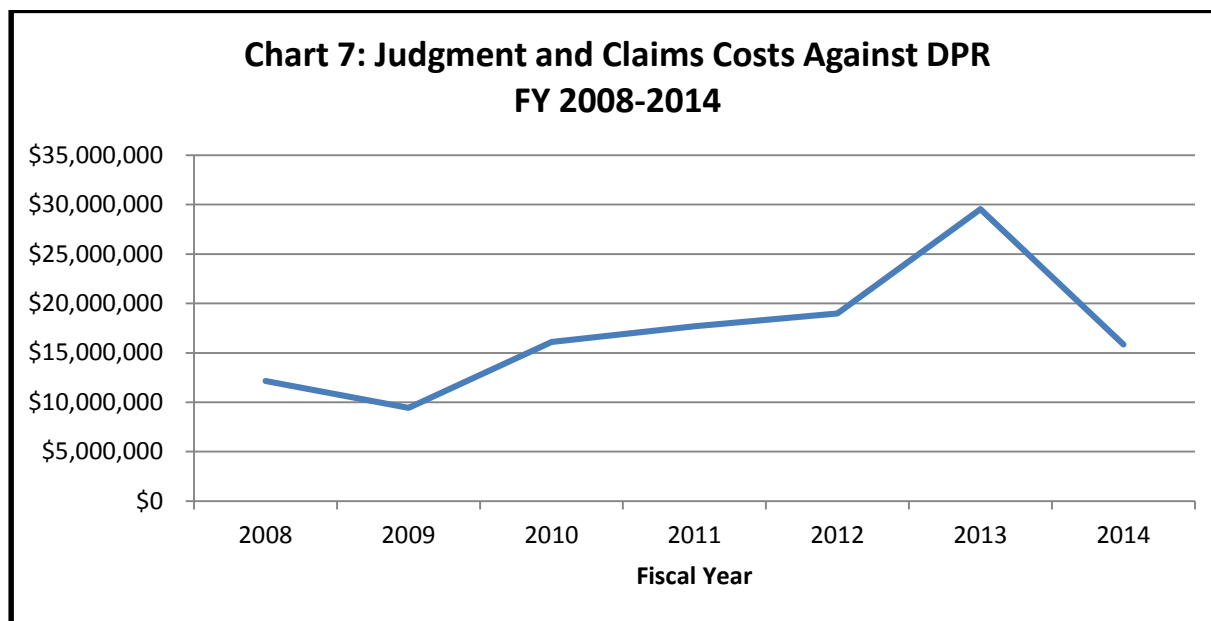
In FY 2013, the City restored additional funding for tree maintenance, increasing the number of trees pruned by over 50 percent and placing the City back on the ten-year cycle that it used prior to the launch of MillionTrees in 2007.²³ Almost immediately, the number of tree-related claims stabilized and has since fallen to historic lows.

The City appears to have learned its lesson regarding the long-term benefits of a dedicated tree pruning budget. Indeed, the Fiscal 2016 budget includes baseline funding of \$2.6 million in Fiscal 2016 and in the outyears for tree pruning, which brings the annual budget for DPR pruning to \$6.1 million, allowing the agency to achieve a pruning cycle that meets or surpasses the industry-standard of seven years.²⁴

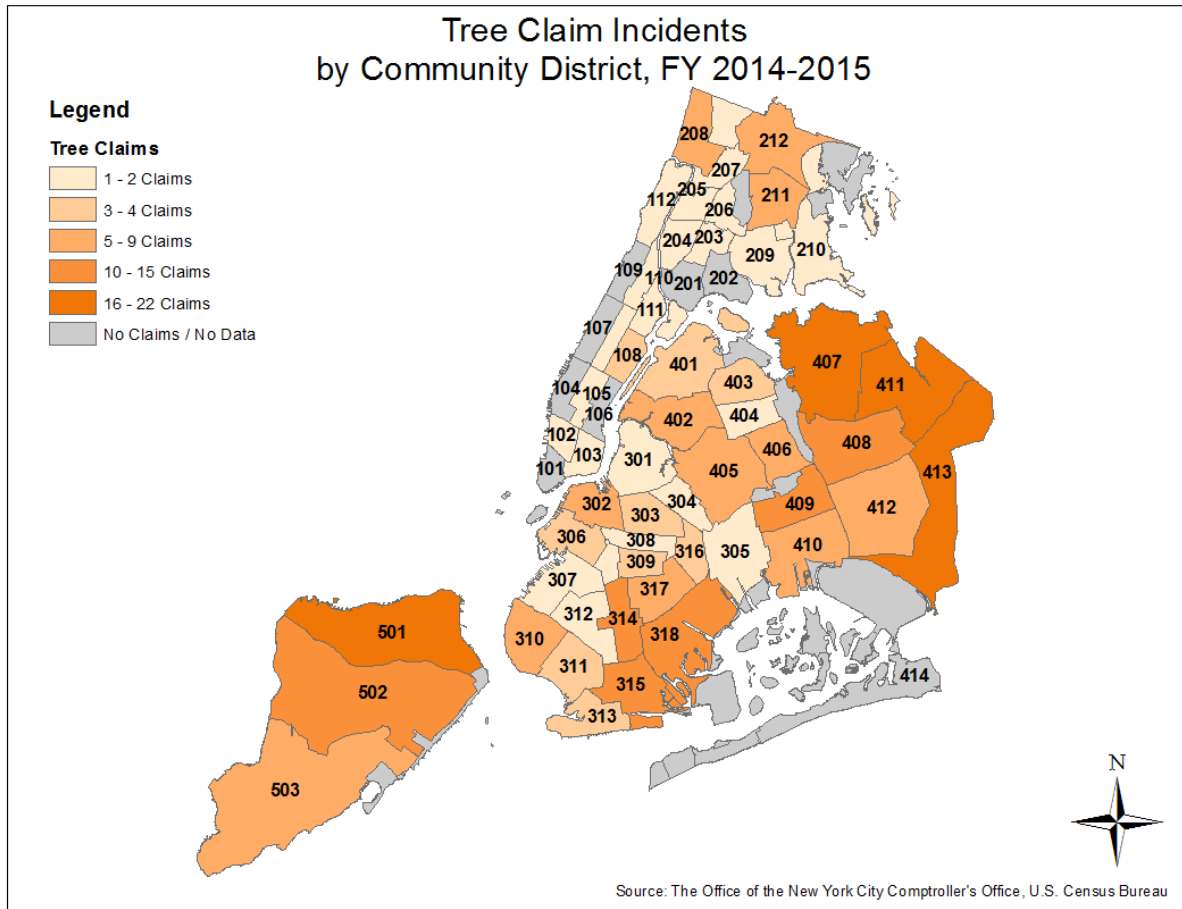
On the settlement side, the effects of the FY 2013 restoration of the tree pruning budget are also starting to be seen. As noted last year, in FY 2013, the City settled a number of multi-million dollar claims stemming from falling tree limbs, including \$11.5 million for severe injuries suffered by a New Yorker who was struck by a limb in Central Park in late July 2009 and \$3 million to the family of a man killed by a falling limb in Central Park in February 2010.

As shown in Chart 7, these settlements contributed to a 143 percent increase in judgment and claims costs attributable to DPR between FY 2008 and FY 2013.

However, in FY 2014, judgment and claims costs against DPR plunged from \$29.6 million to \$15.8 million, a decline of 47 percent and the lowest total since FY 2009.



Map 3



DPR should carefully assess this data and ensure that Borough Forestry Offices that are responsible for working with contractors on tree pruning share best practices that have been shown to improve the safety of our parks and, with it, limit potential liability to taxpayers. In addition, the City should continue to integrate the potential costs of claims into the cost/benefit analysis of tree planting and maintenance.²⁵

Indeed, as MillionTreesNYC nears its goal, it is critical that the Parks Department not only takes steps to ensure that it commits the resources necessary to appropriately maintain our urban forest, but also plans ahead by taking into account projected claims costs that accompany future growth.

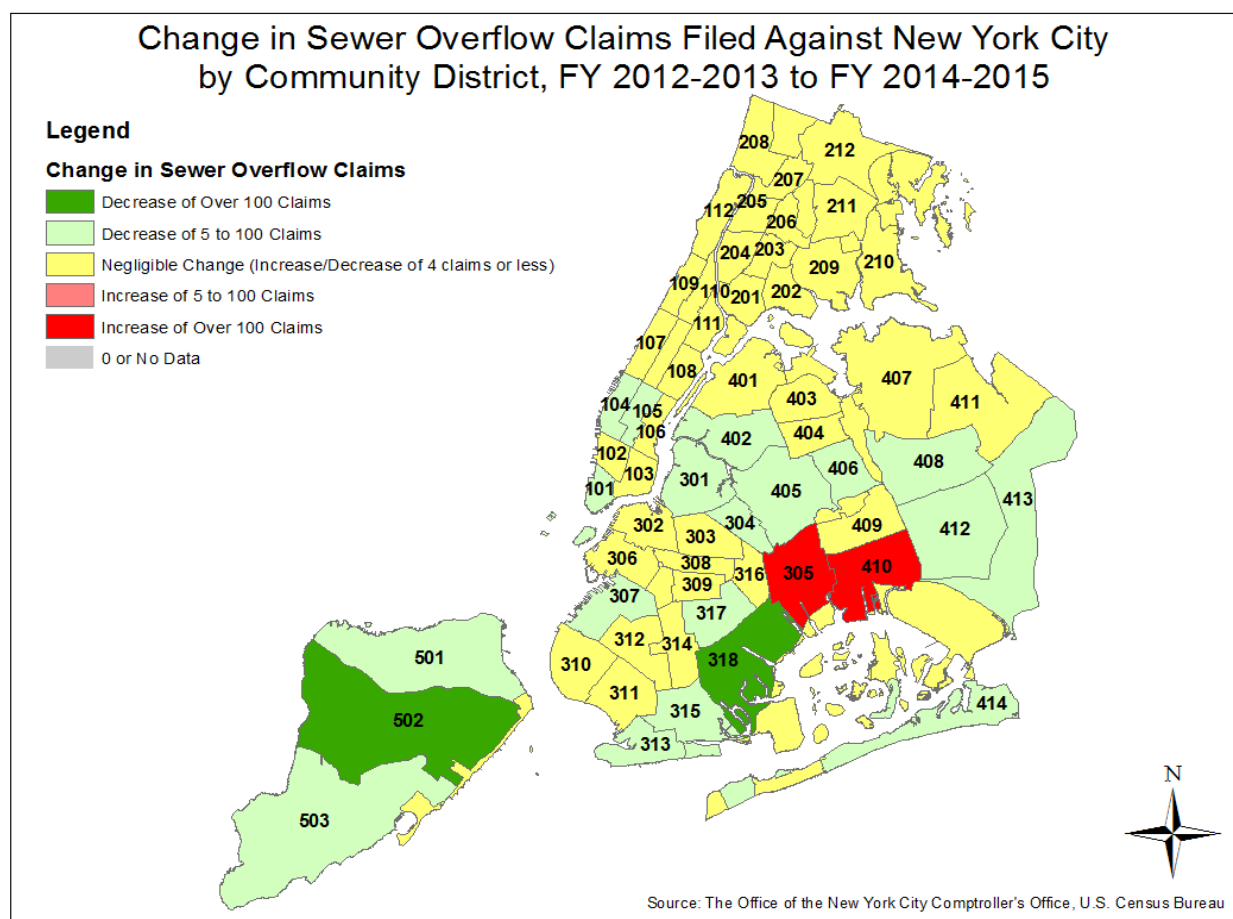
Department of Environmental Protection

The Department of Environmental Protection (DEP) is responsible for operating the City's sewer system, which includes over 7,500 miles of sewer pipe, 135,000 sewer catch basins, and 14 wastewater treatment plants that treat 1.3 billion gallons of wastewater daily.²⁶

In fiscal years 2012-2013, there were 1,296 sewer overflow claims filed against DEP. In FY 2014-2015, there were 1,035 claims filed, with the number falling significantly from FY 2014 (589) to FY 2015 (446). This represents a significant improvement for DEP and should yield savings for the City in the coming years.

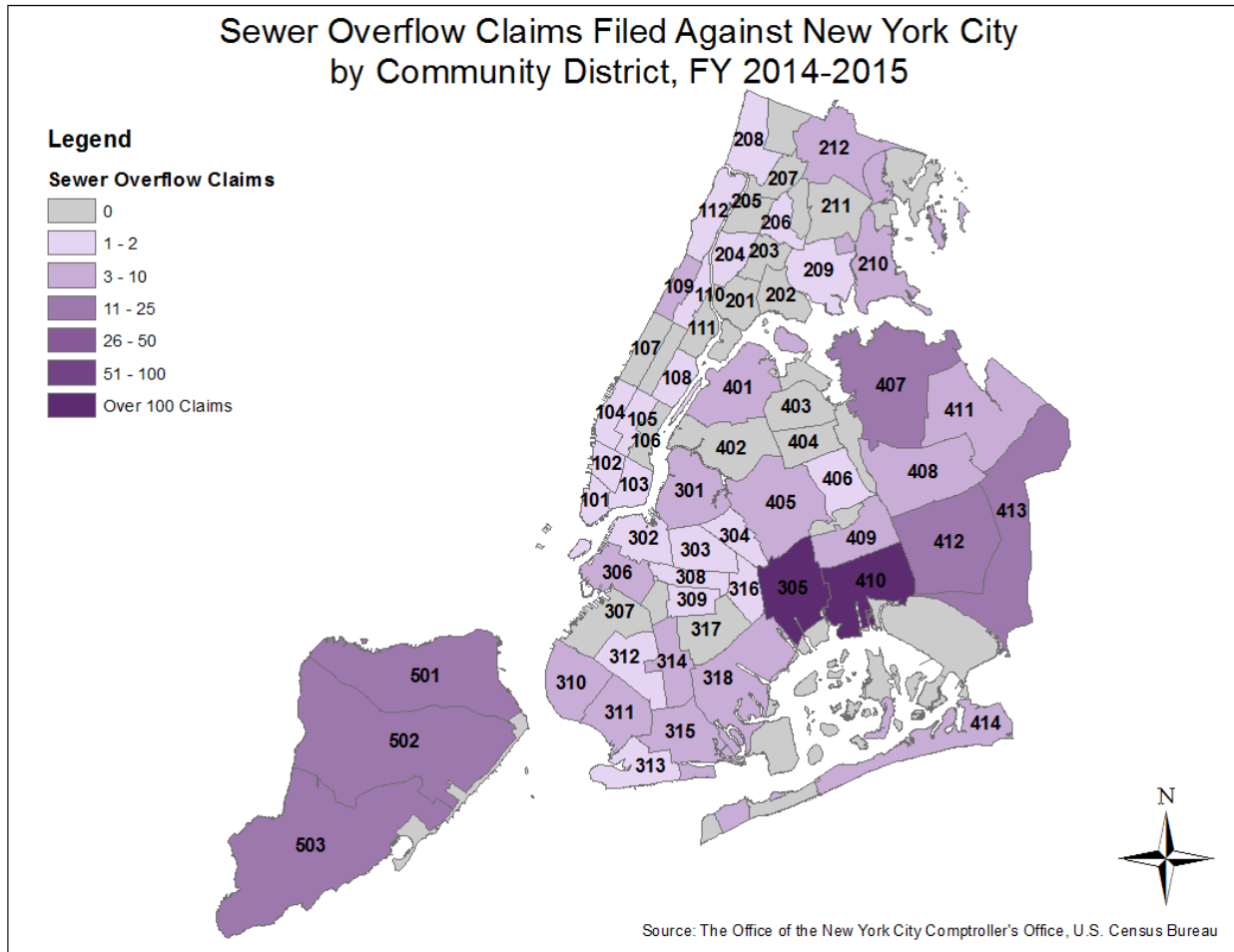
While there was an overall decrease in sewer overflow claims during this period, certain neighborhoods actually witnessed an increase in claims. As shown in Map 4, Brooklyn Community District 5 and Queens Community District 10 had more than 100 additional claims filed in FY 2014 and 2015 than in FY 2012 and 2013. By comparison, Brooklyn Community District 18 and Staten Island Community District 2 saw their claims activity decline by more than 100 claims during this time period.

Map 4



Despite these changes, sewer claims continue to be concentrated in low-lying areas of the city, including Staten Island and communities surrounding Jamaica Bay, as shown in Map 5.²⁷

Map 5

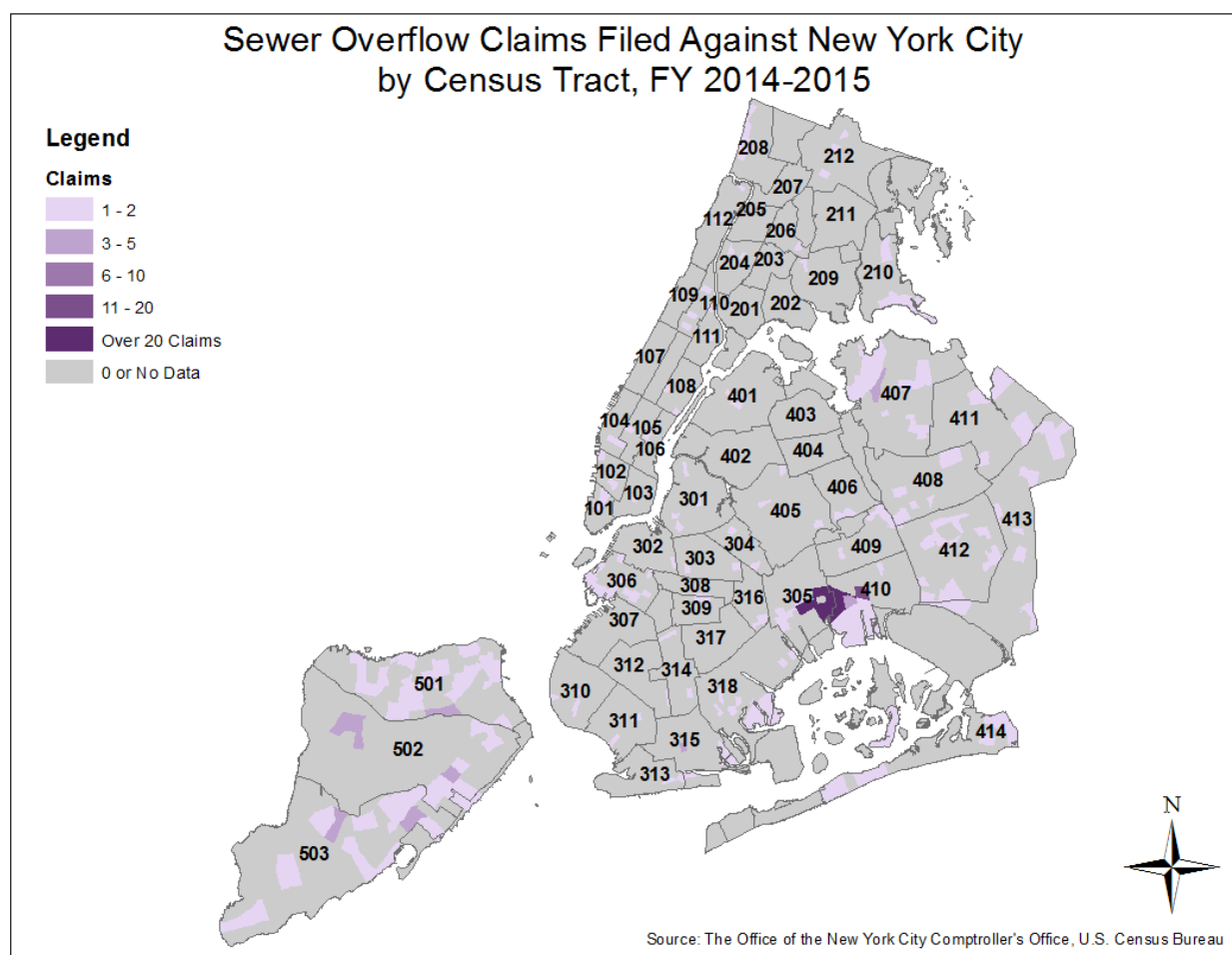


The chart below shows the top ten community districts for sewer overflow claims citywide in FY 2014-2015 (full data is located in the Appendix).

Community District Name	CD Number	Sewer Claims
Queens Community District 10	410	570
Brooklyn Community District 5	305	203
Staten Island Community District 1	501	25
Staten Island Community District 3	503	19
Staten Island Community District 2	502	14
Queens Community District 12	412	12
Queens Community District 13	413	12
Queens Community District 6	406	11
Brooklyn Community District 6	306	10
Queens Community District 14	414	10

When we take an even closer look at some of these “hot spots,” it is clear that there are significant differences down to the *block* level. As shown in Map 6, within Community District 5 in Brooklyn and Community District 10 in Queens, there are certain “micro-neighborhoods” that have been the source of a disproportionate number of claims for sewer overflow. The interactive maps on the ClaimStat website provide additional granularity on these claims.

Map 6



As stated in DEP’s 2012 “State of the Sewers Report,” over the next ten years, the City is set to invest \$2.4 billion in critical sewer infrastructure to “expand sewer capacity, build out sewers to parts of the City not connected to the system, and repair and replace sewers.”²⁸

The DEP should strongly consider evaluating claims data to identify streets and neighborhoods that are particularly susceptible to damaging flooding and sewer overflow. This will help the agency to prioritize between communities that are desperately in need of this capital work.

Furthermore, DEP should work with DOT and other agencies to implement permeable pavement technology (already being piloted in College Point, Queens²⁹), which has been shown to reduce combined sewer overflows and improve drainage on streets, sidewalks, and other public plazas.³⁰

Department of Sanitation

In marked contrast to the progress witnessed by DEP, property damage motor vehicle claims filed against the Department of Sanitation (DSNY) soared from 1,999 in FY 2012 and 2013 to 2,825 in FY 2014 and 2015, an increase of 41 percent.

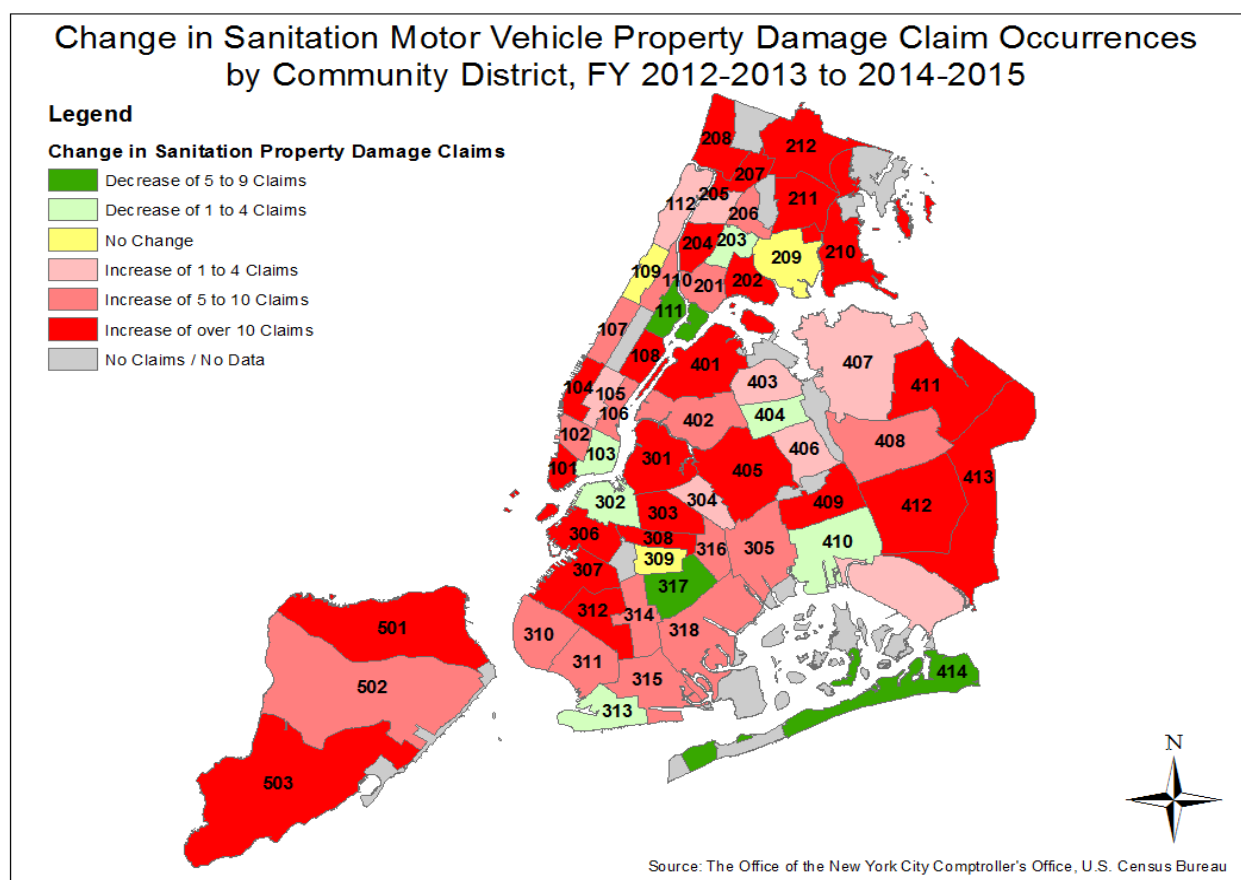
There are many possible explanations for this rise, including the significantly above average snowfall in New York during FY 2014 and 2015, compared to FY 2012 and 2013.³¹

Regardless of the root cause, the rise is troubling, not only because of the cost of property damage to the public, but also because motor vehicle claims represent over 70 percent of the costs paid out in property damage settlements and judgments: \$7.4 million of the \$10.3 million total in FY 2014.

Claims have gone up in communities throughout the five boroughs. As shown in Map 7, claims rose in most Community Districts. Manhattan Community District 11, Brooklyn Community District 17, and Queens Community District 14 were notable for their reduction in claims.

DSNY should explore the possibility that additional training and/or retrofitting of vehicles in these neighborhoods contributed to the declines.

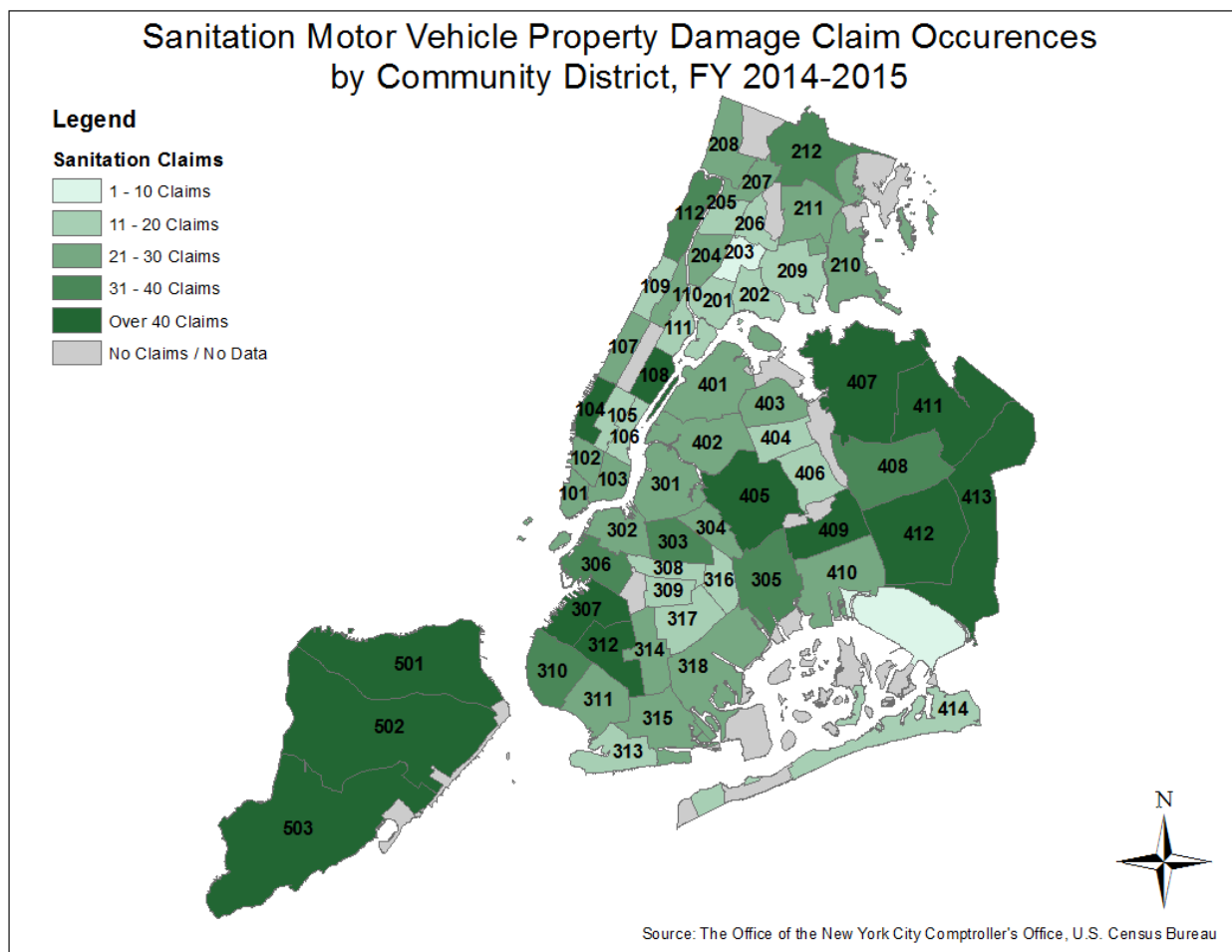
Map 7



Unlike the sewer claims data, which shows significant neighborhood differences, an analysis of motor vehicle property damage claims filed against the Department of Sanitation shows that these claims continue to affect every corner of the city.

As shown in Map 8, property damage claims involving sanitation trucks are most common on Staten Island, Eastern Queens, and certain neighborhoods in Brooklyn and Manhattan.³²

Map 8



DSNY is one of many agencies with a considerable fleet of city vehicles that lead to claims costs against taxpayers.

To that end, the City should consider a series of steps designed to reduce vehicle-based property damage and personal injury claims. These include:

- Identifying areas where large numbers of accidents occur to determine if roadway conditions can make our streets safer for all.

- Taking affirmative steps to ensure that all drivers and passengers in City vehicles use seat belts that will limit personal injury in the event of a crash.

In September, New York City received a competitive grant award of up to \$20 million from the U.S. Department of Transportation to retrofit thousands of city vehicles with crash avoidance technology and other equipment to reduce injuries and fatalities—a recommendation made by the Comptroller in his July 2014 ClaimStat report.³³

The use of training programs and the installation of side guards on City vehicles is already having an effect. In FY 2015, City vehicles were not involved in any fatal crashes, compared to eight in FY 2014. Crashes that led to injuries also fell by 30 percent year over year, from 504 to 351.³⁴

Given rising claims against Sanitation, the City should prioritize retrofitting DSNY vehicles with crash avoidance technology. In addition, DSNY should use ClaimStat to identify “hot spots” and improve safety for its workers and City residents.

IV. Conclusion

Rising judgments and claims costs against the City of New York are not inevitable. By taking a data-driven approach to claims management, ClaimStat will continue to help City agencies reduce costs to taxpayers and improve service delivery that millions of New Yorkers rely on every day.

V. Appendix

Personal Injury Police Action Claims by Precinct, Compared to Crime Complaints (CY 2013-2014)

Police Precinct	Police Action Claims in 2014	Crime Complaints in 2014	Claims Per 100 Crime Complaints in 2014	Police Action Claims in 2013	Crime Complaints in 2013	Claims Per 100 Crime Complaints in 2013	Change in Claims Per 100 Crime Complaints from 2013 to 2014	Percent Change in Claims Per 100 Crime Complaints from 2013 to 2014
1	32	1208	2.65	22	1,416	1.55	1.1	70.56
5	52	870	5.98	30	980	3.06	2.92	95.35
6	45	1575	2.86	29	1,703	1.7	1.16	67.95
7	30	732	4.1	27	711	3.8	0.3	7.97
9	29	1331	2.18	21	1,424	1.47	0.71	47.82
10	19	1022	1.86	24	1,123	2.14	-0.28	-12.97
13	25	2061	1.21	16	2,152	0.74	0.47	62.75
14	89	2744	3.24	54	2,863	1.89	1.35	71.78
17	8	909	0.88	8	1,024	0.78	0.1	12.64
18	55	2394	2.3	37	2,271	1.63	0.67	41.17
19	17	1913	0.89	16	2,064	0.78	0.11	14.81
20	17	899	1.89	14	969	1.44	0.45	30.82
22	7	83	8.43	3	104	2.88	5.55	192.24
23	43	1001	4.3	58	1,062	5.46	-1.16	-21.27
24	25	1020	2.45	18	1,022	1.76	0.69	39.11
25	61	1046	5.83	67	1,111	6.03	-0.2	-3.33
26	21	617	3.4	17	689	2.47	0.93	37.8
28	64	823	7.78	39	920	4.24	3.54	83.53
30	46	749	6.14	54	832	6.49	-0.35	-5.4
32	70	996	7.03	69	1,000	6.9	0.13	1.88
33	34	811	4.19	53	927	5.72	-1.53	-26.71
34	32	1151	2.78	29	1,160	2.5	0.28	11.2
40	202	1646	12.27	214	1,902	11.25	1.02	9.05
41	114	1291	8.83	128	1,760	7.27	1.56	21.41
42	149	1334	11.17	155	1,335	11.61	-0.44	-3.79
43	137	2452	5.59	125	2,480	5.04	0.55	10.91
44	394	2306	17.09	289	2,191	13.19	3.9	29.56
45	31	1149	2.7	26	1,110	2.34	0.36	15.27
46	215	1645	13.07	186	1,681	11.06	2.01	18.12

Police Precinct	Police Action Claims in 2014	Crime Complaints in 2014	Claims Per 100 Crime Complaints in 2014	Police Action Claims in 2013	Crime Complaints in 2013	Claims Per 100 Crime Complaints in 2013	Change in Claims Per 100 Crime Complaints from 2013 to 2014	Percent Change in Claims Per 100 Crime Complaints from 2013 to 2014
47	107	2035	5.26	122	2,159	5.65	-0.39	-6.92
48	102	1772	5.76	114	1,768	6.45	-0.69	-10.67
49	57	1073	5.31	47	1,148	4.09	1.22	29.7
50	25	973	2.57	32	959	3.34	-0.77	-22.98
52	111	2194	5.06	123	2,206	5.58	-0.52	-9.25
60	39	1465	2.66	28	1,421	1.97	0.69	35
61	33	1698	1.94	23	1,666	1.38	0.56	40.52
62	22	1286	1.71	18	1,405	1.28	0.43	33.48
63	28	1211	2.31	27	1,296	2.08	0.23	10.88
66	8	1154	0.69	12	1,191	1.01	-0.32	-31.52
67	83	2322	3.57	67	2,383	2.81	0.76	26.97
68	17	945	1.8	13	947	1.37	0.43	31.12
69	24	1153	2.08	24	1,186	2.02	0.06	2.79
70	50	1725	2.9	41	1,832	2.24	0.66	29.58
71	56	1500	3.73	44	1,637	2.69	1.04	38.77
72	29	1185	2.45	27	1,206	2.24	0.21	9.43
73	135	1879	7.18	123	2,094	5.87	1.31	22.24
75	175	3751	4.67	159	3,902	4.07	0.6	14.61
76	14	632	2.22	23	637	3.61	-1.39	-38.52
77	89	1664	5.35	83	1,792	4.63	0.72	15.51
78	23	956	2.41	13	1,009	1.29	1.12	87.05
79	84	1668	5.04	97	1,738	5.58	-0.54	-9.7
81	77	1551	4.96	83	1,495	5.55	-0.59	-10.66
83	43	1796	2.39	29	1,903	1.52	0.87	56.83
84	34	1038	3.28	22	1,074	2.05	1.23	60.12
88	17	1061	1.6	19	1,093	1.74	-0.14	-7.96
90	33	1655	1.99	30	1,669	1.8	0.19	10.71
94	22	1033	2.13	14	1,043	1.34	0.79	58.69
100	11	555	1.98	4	558	0.72	1.26	176.21
101	35	864	4.05	44	852	5.16	-1.11	-21.58
102	20	1537	1.3	28	1,699	1.65	-0.35	-21.12
103	46	1797	2.56	60	1,811	3.31	-0.75	-22.73
104	4	1510	0.26	12	1,607	0.75	-0.49	-65.18
105	31	1743	1.78	20	1,917	1.04	0.74	70.61
106	37	1563	2.37	37	1,665	2.22	0.15	6.65
107	12	1110	1.08	17	1,298	1.31	-0.23	-17.54

Police Precinct	Police Action Claims in 2014	Crime Complaints in 2014	Claims Per 100 Crime Complaints in 2014	Police Action Claims in 2013	Crime Complaints in 2013	Claims Per 100 Crime Complaints in 2013	Change in Claims Per 100 Crime Complaints from 2013 to 2014	Percent Change in Claims Per 100 Crime Complaints from 2013 to 2014
108	5	1278	0.39	12	1,332	0.9	-0.51	-56.71
109	21	2037	1.03	16	2,146	0.75	0.28	38.15
110	16	1613	0.99	14	1,747	0.8	0.19	23.54
111	7	881	0.79	8	909	0.88	-0.09	-10.24
112	7	752	0.93	11	843	1.3	-0.37	-28.73
113	84	1874	4.48	63	2,055	3.07	1.41	46.13
114	44	1912	2.3	39	1,885	2.07	0.23	11.17
115	25	1888	1.32	20	1,760	1.14	0.18	16.16
120	52	1165	4.46	56	1,335	4.19	0.27	6.32
121	38	979	3.88	42	949	4.43	-0.55	-12.33
122	11	720	1.53	7	744	0.94	0.59	62.62
123	13	378	3.44	4	378	1.06	2.38	225.08

*Crime Statistics are based on the NYPD's published CompStat reports.

Number of Tree-Related Incidents by Community District (FY 2004-2015)

Name	CD Number	Tree Claims in FY 2014-2015	Tree Claims in FY 2004-2013
Manhattan Community District 2	102	1	8
Manhattan Community District 3	103	1	4
Manhattan Community District 4	104	0	5
Manhattan Community District 5	105	1	2
Manhattan Community District 6	106	0	8
Manhattan Community District 7	107	0	12
Manhattan Community District 8	108	3	15
Manhattan Community District 9	109	0	4
Manhattan Community District 10	110	2	4
Manhattan Community District 11	111	1	3
Manhattan Community District 12	112	1	17
Joint Interest Area - Central Park	164	2	2
Bronx Community District 1	201	0	1
Bronx Community District 2	202	0	1
Bronx Community District 3	203	1	3
Bronx Community District 4	204	2	11
Bronx Community District 5	205	1	3
Bronx Community District 6	206	1	5
Bronx Community District 7	207	1	14
Bronx Community District 8	208	6	33
Bronx Community District 9	209	1	19
Bronx Community District 10	210	2	46
Bronx Community District 11	211	6	48
Bronx Community District 12	212	6	47
Joint Interest Area - Van Cortland Park	226	1	0
Joint Interest Area - Bronx Park	227	0	1
Joint Interest Area - Pelham Bay Park	228	0	1
Brooklyn Community District 1	301	2	14
Brooklyn Community District 2	302	5	32
Brooklyn Community District 3	303	3	22
Brooklyn Community District 4	304	2	22
Brooklyn Community District 5	305	1	14
Brooklyn Community District 6	306	3	44
Brooklyn Community District 7	307	1	16
Brooklyn Community District 8	308	2	12
Brooklyn Community District 9	309	4	29
Brooklyn Community District 10	310	8	60

Name	CD Number	Tree Claims in FY 2014-2015	Tree Claims in FY 2004-2013
Brooklyn Community District 11	311	3	47
Brooklyn Community District 12	312	2	95
Brooklyn Community District 13	313	3	10
Brooklyn Community District 14	314	10	103
Brooklyn Community District 15	315	13	86
Brooklyn Community District 16	316	3	9
Brooklyn Community District 17	317	8	47
Brooklyn Community District 18	318	15	71
Joint Interest Area - Prospect Park	355	1	1
Queens Community District 1	401	4	61
Queens Community District 2	402	5	44
Queens Community District 3	403	3	45
Queens Community District 4	404	1	30
Queens Community District 5	405	7	152
Queens Community District 6	406	9	129
Queens Community District 7	407	16	249
Queens Community District 8	408	10	156
Queens Community District 9	409	12	119
Queens Community District 10	410	8	89
Queens Community District 11	411	17	231
Queens Community District 12	412	7	114
Queens Community District 13	413	22	216
Queens Community District 14	414	0	11
Joint Interest Area - Flushing Meadows / Corona Park	481	0	3
Joint Interest Area - Forest Park	482	0	2
Staten Island Community District 1	501	21	106
Staten Island Community District 2	502	12	89
Staten Island Community District 3	503	7	92

Sewer Overflow Claims by Community District (FY 2012-2015)

Name	CD Number	Sewer Claims in FY 2014-2015	Sewer Claims in FY 2012-2013	Change in Claims
Manhattan Community District 1	101	2	11	-9
Manhattan Community District 2	102	2	6	-4
Manhattan Community District 3	103	1	5	-4
Manhattan Community District 4	104	2	16	-14
Manhattan Community District 5	105	2	7	-5
Manhattan Community District 6	106	0	2	-2
Manhattan Community District 7	107	0	3	-3
Manhattan Community District 8	108	2	4	-2
Manhattan Community District 9	109	3	1	2
Manhattan Community District 10	110	2	1	1
Manhattan Community District 12	112	2	1	1
Bronx Community District 3	203	0	4	-4
Bronx Community District 4	204	2	0	2
Bronx Community District 6	206	1	0	1
Bronx Community District 8	208	1	3	-2
Bronx Community District 9	209	1	2	-1
Bronx Community District 10	210	3	2	1
Bronx Community District 11	211	0	1	-1
Bronx Community District 12	212	4	1	3
Brooklyn Community District 1	301	4	9	-5
Brooklyn Community District 2	302	2	6	-4
Brooklyn Community District 3	303	2	4	-2
Brooklyn Community District 4	304	2	7	-5
Brooklyn Community District 5	305	203	11	192
Brooklyn Community District 6	306	10	7	3
Brooklyn Community District 7	307	0	30	-30
Brooklyn Community District 8	308	1	1	0
Brooklyn Community District 9	309	1	0	1
Brooklyn Community District 10	310	4	3	1
Brooklyn Community District 11	311	3	5	-2
Brooklyn Community District 12	312	1	5	-4
Brooklyn Community District 13	313	2	33	-31
Brooklyn Community District 14	314	5	3	2
Brooklyn Community District 15	315	5	84	-79
Brooklyn Community District 16	316	2	0	2
Brooklyn Community District 17	317	0	7	-7

Name	CD Number	Sewer Claims in FY 2014-2015	Sewer Claims in FY 2012-2013	Change in Claims
Brooklyn Community District 18	318	9	328	-319
Queens Community District 1	401	3	2	1
Queens Community District 2	402	0	13	-13
Queens Community District 3	403	0	1	-1
Queens Community District 4	404	4	51	-47
Queens Community District 5	405	2	14	-12
Queens Community District 6	406	11	9	2
Queens Community District 8	408	8	41	-33
Queens Community District 9	409	3	3	0
Queens Community District 10	410	570	10	560
Queens Community District 11	411	5	8	-3
Queens Community District 12	412	12	32	-20
Queens Community District 13	413	12	36	-24
Queens Community District 14	414	10	44	-34
Joint Interest Area - JFK Airport	483	0	1	-1
Staten Island Community District 1	501	25	82	-57
Staten Island Community District 2	502	14	143	-129
Staten Island Community District 3	503	19	70	-51

Sanitation Department Vehicle Claims by Community District (FY 2012-2015)

Name	CD Number	Sanitation Claims in FY 2014-2015	Sanitation Claims in FY 2012-2013	Change in Claims
Manhattan Community District 1	101	24	11	13
Manhattan Community District 2	102	28	23	5
Manhattan Community District 3	103	21	24	-3
Manhattan Community District 4	104	42	28	14
Manhattan Community District 5	105	13	12	1
Manhattan Community District 6	106	19	13	6
Manhattan Community District 7	107	26	20	6
Manhattan Community District 8	108	44	31	13
Manhattan Community District 9	109	20	20	0
Manhattan Community District 10	110	23	13	10
Manhattan Community District 11	111	15	21	-6
Manhattan Community District 12	112	35	32	3
Joint Interest Area - Central Park	164	0	1	-1
Bronx Community District 1	201	19	14	5
Bronx Community District 2	202	18	7	11
Bronx Community District 3	203	9	12	-3
Bronx Community District 4	204	23	12	11
Bronx Community District 5	205	16	14	2
Bronx Community District 6	206	17	10	7
Bronx Community District 7	207	23	12	11
Bronx Community District 8	208	28	15	13
Bronx Community District 9	209	16	16	0
Bronx Community District 10	210	26	14	12
Bronx Community District 11	211	25	12	13
Bronx Community District 12	212	36	21	15
Brooklyn Community District 1	301	30	18	12
Brooklyn Community District 2	302	22	24	-2
Brooklyn Community District 3	303	33	16	17
Brooklyn Community District 4	304	22	18	4
Brooklyn Community District 5	305	39	29	10
Brooklyn Community District 6	306	32	16	16
Brooklyn Community District 7	307	46	24	22
Brooklyn Community District 8	308	18	5	13
Brooklyn Community District 9	309	14	14	0
Brooklyn Community District 10	310	32	27	5
Brooklyn Community District 11	311	27	19	8

Name	CD Number	Sanitation Claims in FY 2014-2015	Sanitation Claims in FY 2012-2013	Change in Claims
Brooklyn Community District 12	312	56	27	29
Brooklyn Community District 13	313	13	14	-1
Brooklyn Community District 14	314	22	17	5
Brooklyn Community District 15	315	30	22	8
Brooklyn Community District 16	316	17	8	9
Brooklyn Community District 17	317	19	26	-7
Brooklyn Community District 18	318	26	18	8
Queens Community District 1	401	30	12	18
Queens Community District 2	402	28	22	6
Queens Community District 3	403	22	21	1
Queens Community District 4	404	14	16	-2
Queens Community District 5	405	42	23	19
Queens Community District 6	406	20	18	2
Queens Community District 7	407	50	47	3
Queens Community District 8	408	37	27	10
Queens Community District 9	409	43	26	17
Queens Community District 10	410	30	32	-2
Queens Community District 11	411	47	26	21
Queens Community District 12	412	68	31	37
Queens Community District 13	413	59	32	27
Queens Community District 14	414	19	28	-9
Joint Interest Area - Flushing Meadows / Corona Park	481	0	1	-1
Joint Interest Area - Forest Park	482	0	3	-3
Joint Interest Area - JFK Airport	483	1	0	1
Staten Island Community District 1	501	76	45	31
Staten Island Community District 2	502	59	49	10
Staten Island Community District 3	503	48	31	17

VI. Acknowledgements

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VII. Endnotes

¹ http://www.nyc.gov/html/omb/downloads/pdf/erc6_15.pdf.

² <http://comptroller.nyc.gov/wp-content/uploads/2014/07/ClaimStat.pdf>.

³ <http://comptroller.nyc.gov/wp-content/uploads/documents/ClaimStat-Alert-0814.pdf>.

⁴ <http://comptroller.nyc.gov/wp-content/uploads/2014/10/ClaimStatAlert102214.pdf>.

⁵ http://comptroller.nyc.gov/wp-content/uploads/documents/ClaimStat_Playground_February_2015.pdf.

⁶ <http://comptroller.nyc.gov/wp-content/uploads/documents/ClaimStat-Alert-July-2015.pdf>.

⁷ Police action claims are analyzed on a calendar year basis because CompStat tracks crime data by precinct on a calendar year basis.

⁸ Because settlements take longer to reconcile than claims, we are unable to accurately assess the scope of settlement costs for FY 2015 at this time. Analysis of FY 15 settlement costs for particular agencies/types of claims will be made in the Comptroller’s FY15 Claims Report, which will be published in 2016.

⁹ <http://www.nydailynews.com/new-york/exclusive-0-city-gov-vehicles-involved-fatal-ax-article-1.2387928>.

¹⁰ <http://www.wsj.com/articles/new-york-city-tapped-for-program-to-decrease-traffic-injuries-congestion-1442255633>.

¹¹ NYC Charter Ch. 5 § 93(i); The City Charter grants the Comptroller the power to settle and adjust all claims in favor of or against the City. The Comptroller has the power to investigate claims, evaluate liability and damages, and reach a settlement prior to litigation. Under Section 50-e of the General Municipal Law, all tort claims against the City of New York are filed with the Comptroller’s office.

¹² http://comptroller.nyc.gov/wp-content/uploads/documents/BLA_2000_Annual_Report.pdf.

¹³ http://comptroller.nyc.gov/wp-content/uploads/documents/Claims_Report_FY13_and_FY14.pdf.

¹⁴ http://comptroller.nyc.gov/wp-content/uploads/documents/Claims_Report_FY13_and_FY14.pdf.

¹⁵ Of the 5,591 claims filed in Calendar Year 2014, 4,122 claims were mappable. Unmappable claims are either located outside New York City or did not contain sufficient information to appropriately pinpoint a location.

¹⁶ In FY 2014, 68 medical malpractice claims were filed against HHC at other facilities or at an unknown location, as some locations are not specified on the notice of claim. In FY 2015, there were 83 such claims.

¹⁷ As noted in last year’s ClaimStat report, since 2001, HHC has enacted reforms that have lowered claims and costs significantly. The cost of medical malpractice claims fell to \$116.7 million in FY 2014 from a high of \$195.4 million in FY 2003—a decline of 40 percent. HHC has achieved its cost reductions through proactive risk and litigation management reforms such as a specialized legal team within HHC. Specifically, HHC has made significant progress in improving patient safety, analyzing past malpractice cases to learn from mistakes and introducing new

technology that reduces errors such as pharmacy robots, electronic medical records, and automated medication administration with built-in checks. HHC data shows decreases in a variety of hospital-related risks in recent years, including infection (http://www.nyc.gov/html/hhc/infocus/html/preventinginfections/preventinginfections_cli.shtml) and ventilator-associated pneumonia

(http://www.nyc.gov/html/hhc/infocus/html/preventinginfections/preventinginfections_vap.shtml).

In addition, HHC has a unique incentive to reduce costs in that they are responsible for all of their medical malpractice liabilities up to a maximum amount set by the Office of Management and Budget. Other City agencies are not fiscally responsible for their own liabilities.

As we noted last year, if agencies are unable or unwilling to take steps to control costs, the City should consider creating an additional incentive for action by having agencies share in the cost of settlements and judgments.

¹⁸ http://comptroller.nyc.gov/wp-content/uploads/documents/Claims_Report_FY13_and_FY14.pdf; 94 percent of medical malpractice claims filed against the City involve HHC.

¹⁹ Settlement costs are frequently a lagging indicator, since it takes time for claims to be processed through the courts.

²⁰ <http://www.milliontreesnyc.org/html/home/home.shtml>.

²¹ http://www.cbcny.org/sites/default/files/Interactive/2013_Conference/REPORT_Capital_12062013.pdf.

²² http://www.nyc.gov/html/ops/downloads/pdf/mmr/0910_mmr.pdf.

²³ http://www.nyc.gov/html/ops/downloads/pdf/mmr/2013/2013_mmr.pdf.

²⁴ <http://council.nyc.gov/html/budget/2016/ex/dpr.pdf>.

²⁵ <http://www.itreetools.org/resources/reports/Minneapolis%20Municipal%20Tree%20Resource%20Analysis.pdf>;

In 2005, the Center for Urban Forest Research and the USDA Forest Service provided the City of Minneapolis with a detailed breakdown of the energy and environmental benefits of new trees, offset by the costs of planting, maintenance, and projected claims.

²⁶ <http://www.nyc.gov/html/dep/pdf/reports/state-of-the-sewers-2013.pdf>.

²⁷ Of the 1,035 claims filed in FY 2014-2015, 984 claims were mappable.

²⁸ <http://www.nyc.gov/html/dep/pdf/reports/state-of-the-sewers-2013.pdf>.

²⁹ <http://www.efc.ny.gov/Portals/0/WEB/PAGES/GIGP/GIGP-NYCDOT-PorousPvmntPrototypes.pdf>.

³⁰ <http://www.citylab.com/design/2015/09/a-parking-lot-that-drinks-stormwater/407692/>; http://www.rotondo-es.com/Stormcrete-Info/Stormcrete_NYCDOT_Press_Release.pdf.

³¹ <http://comptroller.nyc.gov/wp-content/uploads/documents/ClaimStat-Alert-July-2015.pdf>; As noted in the Comptroller's ClaimStat Alert on defective roadways, while there were 7.1 and 26.1 inches of snow in FY 2012 and FY 2013, respectively, there were 57.4 and 50.3 inches in FY 2014 and FY 2015, respectively.

³² Of the 2,845 claims filed in FY 2014-2015, 1,757 were mappable.

³³ <http://www.wsj.com/articles/new-york-city-tapped-for-program-to-decrease-traffic-injuries-congestion-1442255633>.

³⁴ <http://www.nydailynews.com/new-york/exclusive-0-city-gov-vehicles-involved-fatal-ax-article-1.2387928>.





New York City Comptroller
Scott M. Stringer