



**Testimony of Kristen Johnson
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NAACP Legal Defense and Educational Fund, Inc.**

**Before the New York City Council
Committee on For-Hire Vehicles**

Supporting Int. No. 1079

New York, NY

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I. INTRODUCTION

Good Afternoon, Chair Díaz and members of the Committee. My name is Kristen Johnson and I am testifying on behalf of the NAACP Legal Defense and Educational Fund, Inc. (LDF). Thank you for the opportunity to testify today in support of Introduction 1079. I have testified before the City Council twice this year to oppose plans to lower penalties for discriminatory service refusals. In both cases, the legislation the City Council ultimately enacted did not contain the provisions that would lower these penalties. We are gratified that the Council took our concerns and those of others seriously. Likewise, we are encouraged by the initiative to create an Office of Inclusion, which we believe has the potential to meaningfully address the widespread and persistent problem in this city of trying to hail a cab while Black. I urge you to vote “Yes” on this bill.

LDF is the nation’s oldest civil and human rights law organization. LDF was founded in 1940 by Thurgood Marshall, who later became the first Black U.S. Supreme Court Justice. Since its inception, LDF has used legal, legislative, public education, and advocacy strategies to promote full, equal, and active citizenship for Black Americans. This has included litigating seminal cases such as *Brown v. Board of Education* and *Newman v. Piggie Park Enterprises*, which upheld Title II of the Civil Rights Act of 1964 and its prohibition on racial discrimination in public accommodations. LDF has also been on the frontlines of opposing racial profiling, whether practiced by law enforcement agencies, department stores, airlines, or, as in the matter under discussion today, taxicab drivers. LDF’s work has long recognized that full citizenship for Black Americans requires the elimination of discrimination in public spaces—schools, transportation, public accommodations—and the transformation of these spaces to protect the

dignity of communities of color. Since our incorporation in 1940, LDF's headquarters have been located in New York

II. TESTIMONY

For decades, Black New Yorkers have lived with the uncertainty of whether a taxi, licensed by the city, will refuse to serve them. Beyond violating the law, these persistent ride refusals are an attack on our dignity. LDF's Director-Counsel, Sherrilyn Ifill, has been vocal about her experiences with such discrimination, and I have previously testified before this Committee about the frustrations faced by many others in New York City of trying to hail a cab while Black. We have worked with the TLC and testified before the City Council to try to end these unacceptable denials of service and send a clear message that New York City will not tolerate this discrimination anymore. Discriminatory ride refusals have been illegal for 50 years, and we previously warned that they will persist for at least 50 more years unless the city starts taking the problem more seriously. We believe that passing this bill to create an Office of Inclusion will demonstrate the city's commitment to taking the problem seriously, and will be a significant step towards addressing discrimination against Black people in the taxi industry, a long-time open and ubiquitous fixture of New York City streets.

The Office of Inclusion can play an important role in making transportation more equitable for people of color in New York City. To do this most effectively, we would make several recommendations regarding the implementation of Introduction 1079:

First, Introduction 1079 refers only to the Director of the Office of Inclusion. The Office, of course, cannot be effective unless it is adequately staffed and funded. The Office should be staffed with a sufficient number of people to perform all the responsibilities of the Office and test new programs, and the staff should reflect the diversity of New York City. We further recommend

that someone within the Office be designated the responsibility of serving as an Office of Inclusion liaison to the Mayor's office and the City Council. While Introduction 1079 requires the Director to submit an annual report to the Mayor and the City Council speaker, we believe the Office will only be effective if there is consistent communication and support for its programs.

Second, the Director of the Office of Inclusion must be a highly qualified leader. This new office will require someone who will lead with vision, determination, and a strong commitment to fighting racism and all forms of discrimination. The Director should be a reform-minded individual well-versed in relevant civil rights laws and experienced in anti-discrimination advocacy. The Director should also be familiar with local organizations and community members who have been involved in these issues and should be committed to working side-by-side with them and other stakeholders. The Director should be familiar with successful programs and practices in other major cities and should be willing to solicit input from external experts on these issues to help develop best practices. Finally, the Director must be independent, with the sole mission of carrying out the responsibilities outlined in Introduction in 1079 and ending discrimination in the New York City taxi industry.

Third, we believe the responsibility of the Office of Inclusion to "compile and report statistics relating to which communities are affected by service refusals" is vital. The impact of this reporting, though, will only be as good as the data. We recommend that the data collected reflect both information from drivers and the experiences of a statistically significant pool of people who use taxis on a regular or moderate basis. This data should include the pick-up locations where ride-refusals are most common, as well as the destinations that more frequently result in ride-refusals. This data should also be disaggregated by at least race and/or ethnicity, gender, whether the person has a disability, age, and number of people in the party attempting to hail a

taxi. This data could provide a foundation for compiling and developing best practices, tailoring driver trainings, directing public education and outreach campaigns, monitoring progress, and developing programs that could be tested strategically and implemented more broadly if proven to be effective. We also recommend that the anonymized raw data collected by the Office be made publicly available on the city website.

Fourth, we recommend that the Office of Inclusion regularly solicits input from stakeholders and the community, both in person through designated open meetings and by phone and email, with contact information posted on the city website and in taxis.

Fifth, we recommend that the Office of Inclusion study the frequency with which taxi drivers are subjected to discriminatory harassment while on the job, which might include racist and/or religious-based slurs, vandalism to the vehicle, or unfounded passenger complaints motivated by bias.

Finally, we recommend that the Office explore different measures that could help deter racially biased ride refusals, including increasing fine amounts and other sanctions or programs for drivers found to have refused service based on race, and enhancing the TLC's ability to extend accountability measures, including fines to medallion holders, agents, garage owners, and other stakeholders higher up the economic chain of ownership.

The Office of Inclusion has the potential to present bold, innovative solutions that can finally put an end to racial discrimination in the New York City taxi industry. For this to happen, though, the Office must be given the necessary resources and support. Indeed, the Council must commit now to make the necessary budgetary allocations to ensure the Office fulfills its mission. We respectfully request that the Council vote "Yes" on Introduction 1079 and commit to ensuring that the Office of Inclusion is empowered to meaningfully deter pernicious discrimination against

Black commuters in our city, and LDF would welcome the opportunity to help the Office of Inclusion and the TLC achieve this goal.