

# A Fitting Memorial

By Charles Komanoff

**W**ith the recent federal court convictions in the 1991 murder of Yankel Rosenbaum in Crown Heights, it is time to address the death that preceded his and helped provoke it—that of 7-year-old Gavin Cato, who died in what has been euphemistically termed an “automobile accident.”

Because Gavin was black and was run over by a car in an Hasidic motorcade—one of many that habitually sped through his predominantly African-American neighborhood—and because the ensuing riots were violently anti-Semitic, everything that transpired that day has been viewed in racial terms. But if we lift the heavy veil of race, we will see that Gavin’s death, while not the result of an intentional or racially motivated act, was still an expression of violence, exerted through the crushing weight of an automobile.

It was a Sunday evening in August and Gavin was in front of his house, tinkering with his bicycle, when a station wagon, the third and last car in the Lubavitcher Rabbi’s weekly motorcade, accelerated through a red light at the nearby

corner. The car collided with another vehicle and careened onto the sidewalk, pinning Gavin and his cousin Angela Cato against a window grate. Gavin was killed instantly and Angela was badly injured. The incident touched off a spate of mob behavior that culminated three hours later and three blocks away with the fatal stabbing of Yankel Rosenbaum, an Hasidic Jew unrelated to the driver of the station wagon.

Lost in the aftermath of the Rosenbaum slaying, and still overlooked almost six years later, is the pervasiveness of the type of car violence that killed Gavin Cato. In New York, a city where car owners are a minority, automobiles most

often kill and maim persons unprotected by car bodies and airbags. And they do so without regard to race. Of 609 traffic fatalities in New York City in 1991, the year Gavin was killed, 296 were pedestrians and 21 were bicyclists. Among the pedestrians, 49 percent were white, 28 percent black, 18 percent Hispanic and 5 percent Asian—a fair mirror of the city as a whole. Based on available statistics, the racial breakdown of the drivers in these incidents appears to have been similar.

Nearly one-tenth of the pedestrians killed that same year were children, and a third were elderly. Fifteen of the dead, including Gavin, were struck on sidewalks or in other “non-road” areas that are supposed to be off limits to vehicular traffic. The conduct of the driver who ran over Gavin, while

appalling and arguably criminally negligent, resembled that in dozens of other fatalities where drivers seeking to gain a few seconds of saved time for themselves ended up grievously harming others.

Our community suffers greatly from car violence, not only in lives lost or injured but in the wholesale theft of our public streets. Yet we maintain few restraints against automotive endangerment. Excluding limited-access highways, police issued fewer than three dozen speeding tickets a day in one recent year. Motorists routinely encroach on pedestrians, intimidate bicyclists and otherwise operate their vehicles heedless of their power to maim or kill with the flex of the gas pedal or the flick of the steering wheel. Only a handful of those who actually

injure pedestrians or cyclists are ever stripped of their driving privileges, much less charged with crimes.

To this condition, which is both a quality-of-life disaster and an unacknowledged crime wave, city government typically responds with victim-blaming and complacency. A recent transportation commissioner repeatedly decried

“drunken” pedestrian fatalities, ignoring that his agency’s threshold for citing pedestrian victims as alcohol-impaired was 10 times below the legal criterion for intoxication of a motorist. The current commissioner calls comprehensive European-style “traffic-calming” measures premature, citing a 20 percent drop in pedestrian deaths of late. Yet aggressive enforcement of traffic codes and licensing laws has cut pedestrian fatalities in London by 50 percent, and the fatality rate in Paris and Tokyo stands at half of ours.

There is a way to stanch the flow of pedestrian deaths in New York. It starts with uprooting the sense of entitlement to the road that drivers, tutored by the auto corporations and their advertisers, claim as their birthright. This will entail not just restraining—and grounding—irresponsible drivers, but overturning a motorist-centered culture of policing, criminal justice and traffic engineering that has relegated pedestrians, the city’s lifeblood, to mere bystanders. It includes bold initiatives such as implementing comprehensive road tolls to reduce traffic flow and expanding the funding pot for transit alternatives.

Earlier this year, former Mayor David Dinkins appealed to New Yorkers to commemorate Yankel Rosenbaum and Gavin Cato “as a starting point and not as a flash point.” The convictions in the Crown Heights riots have brought a degree of closure to the Rosenbaum family. But for young Gavin, whose family received no legal redress, a fitting memorial might be a city where other 7-year-olds can grow up free of the scourge of automotive assault. ■

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Charles Komanoff, an economist specializing in energy and transport policy, was president of the bicyclist and pedestrian advocacy group Transportation Alternatives from 1986 to 1992.