

DC Residents' Report to Improve Sidewalk Safety

A Neighborhood Based Program Review

UPDATED on February 2, 2024

By Capitol Hill Village

Foreword by ANC Commissioner Chuck Elkins



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Foreward

Almost every day all over the District, residents are alerting District officials to broken sidewalks that need to be fixed. Anecdotally, we know that many people are tripping on these sidewalk hazards before the District gets around to fixing them.

These falls often result in injuries, a few of which are life threatening; others leave residents permanently disabled in some way. However, the District could prevent many of these injuries if it would simply repair these hazards more quickly.

Doctors today are urging us all to walk and jog more and climate change experts are asking that we drive less and use other modes of transportation, including walking. In fact, walking is the most common mode of transportation. Even drivers and bikers walk at least a little to get to their destination, often on District sidewalks. Yet, walking, as an essential mode of transportation, has not received the attention it deserves.

One reason for the lack of attention to this serious public health issue is that the problem has been largely invisible to District policy makers. Injuries to pedestrians are rarely reported unless they are the result of accidents involving vehicles. Otherwise, the District government apparently does not currently solicit or collect information about pedestrian injuries on our sidewalks. As a consequence, the sidewalk repair program of the District Department of Transportation has suffered from benign neglect and policies that assign it a very low priority within the Department. Sidewalks represent the only infrastructure installed by the District I know of that results in many serious injuries to people who are simply trying to use the infrastructure exactly the way the engineers designed it to be used.

To help bring this public health problem to light, Capitol Hill Village volunteers and others conducted an analysis of over 18,000 reports made via 311, resulting in this Report. While this analysis cannot tell us about the injuries, because they are not reported, it does detail the Department's very slow response to the thousands of 311 requests for repair of broken sidewalk hazards.

I believe the results of this analysis are astounding, and I hope this report will now finally enable the Council, the Mayor, the Department, and concerned residents to comprehend the magnitude of this problem and then apply the simple fixes that are recommended in this Report.

Chuck Elkins, ANC3D Commissioner

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Summary: People are being injured because of the DC government's management practices for public sidewalks. The DC government currently plans to address a resident's 311 report of a sidewalk hazard within 270 business days, compared with the DC government's plan to address a report of a street pothole within 3 business days. We do not understand the rationale for a target of 270 business days to repair a sidewalk hazard – during which time people are being injured -- and we recommend the following improvements.

- #1 Reduce the Service Level Agreement (SLA) to complete the small repair projects to 30 business days and carry out temporary repairs to mitigate any tripping hazards in the larger projects within the same 30 business days
- #2 Provide adequate funding to implement recommendation #1
- #3 Establish an annual sidewalk monitoring program
- #4 Capture data about sidewalk injuries
- #5 Make it easier for residents to get reimbursement for the cost of injuries from sidewalk falls
- #6 Study methods to reduce the number of sidewalk problems that need to be fixed and the costs to repair

Many people are being injured on District sidewalks

We know of no effort in DC to solicit or keep data regarding injuries from falling on District sidewalks. In order to begin fill this data gap, ANCs 6A, 6B, 6C and Capitol Hill Village (CHV), under the leadership of ANC6A Commissioner Shapiro conducted a survey of people in our respective service areas about injuries on public sidewalks, with the following results.

- **473** households responded to the survey.
- 305 households reported that a member of their household fell on a sidewalk in the community **over the past two years** – many people experienced multiple falls.
- one-third of the falls involved people who were younger than age 40.
- **263 injuries were reported with 114 instances needing medical care.**

Recently, on January 13, 2024 the Washington Post published an article, written by Theresa Vargas, about the human cost of sidewalk injuries (<https://www.washingtonpost.com/dc-md-va/2024/01/13/dc-sidewalk-pedestrian-safety/>). The article described several horrible injuries, to which readers added their own stories on Ms. Vargas's web site, including the following.

- "My right elbow was smashed to smithereens. I cannot straighten my arm completely or turn my palm completely upward."
- "I hurt my knee badly and ended up with a total knee replacement as a result!"
- "I broke an arm, and required surgery; I spent a few nights in a hospital and acquired permanent internal bling in the form of a titanium plate."
- "I fell unevenly with most of my weight onto the palm of one hand. My hand stopped moving, but the bones in it did not. They ripped through my fingers like a broken glove."

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In FY2021-2022, DC's Office of Risk Management reports that DC paid \$1.9 million to reimburse people for personal injuries and loss of income due to falls on sidewalks. We understand that many people who are injured by sidewalk falls get no help from DC for medical expenses, lost wages or other costs, due to a decision by the DC Office of Risk Management (ORM) to reject such claims unless DC had prior knowledge of the sidewalk hazard where the injury occurred. More information about this matter is presented in Recommendation #5.

While the ANC6A,B,C+CHV survey concerned only portions of Capitol Hill, there is ample reason to expect that similar injuries are happening throughout the city.

Figure 1 shows the total number of complaints to 311.dc.gov for potholes (blue color) and sidewalks (orange color). There has been a steady **increase** in the number of **sidewalk** complaints between 2020 and 2023, and an equally steady **decrease** in the number of complaints about street **potholes**. As a result, in **2023 the number complaints about sidewalks was almost double the number of pothole complaints**. (Source: <https://opendata.dc.gov/explore?collection=Dataset&tags=311>)

Figure 1 Number of 311.dc.gov Service Requests for Potholes and Sidewalks 2020-2023

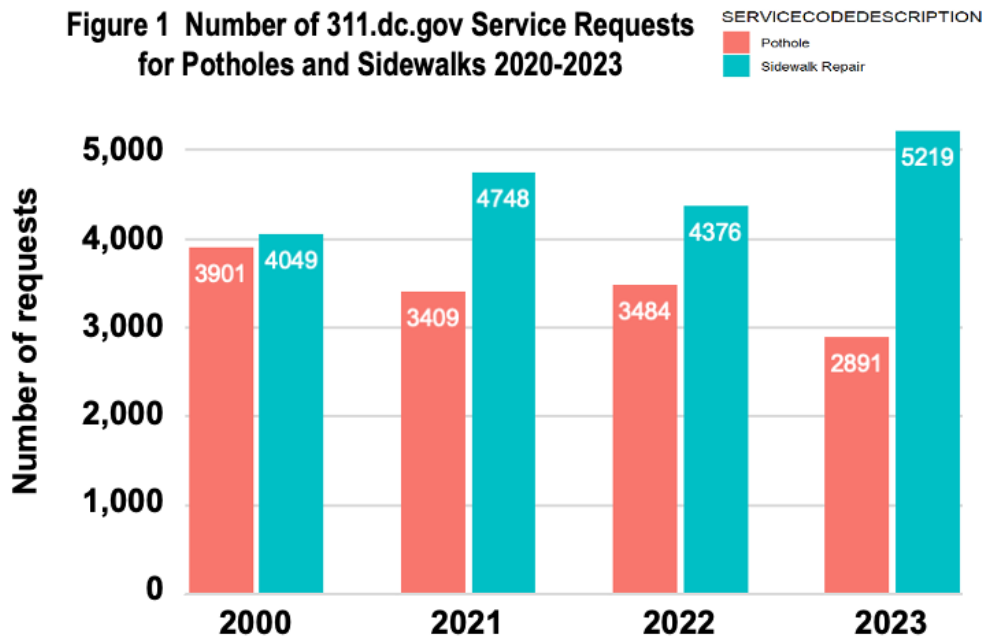


Figure 2 shows the breakdown of the number of annual complaints by Ward, with the following notable changes in 2023:

- the number of complaints in **Ward 2** now exceeds **1,500 per year**;
- the number of complaints in **Ward 6** **doubled** between 2022 and 2023.

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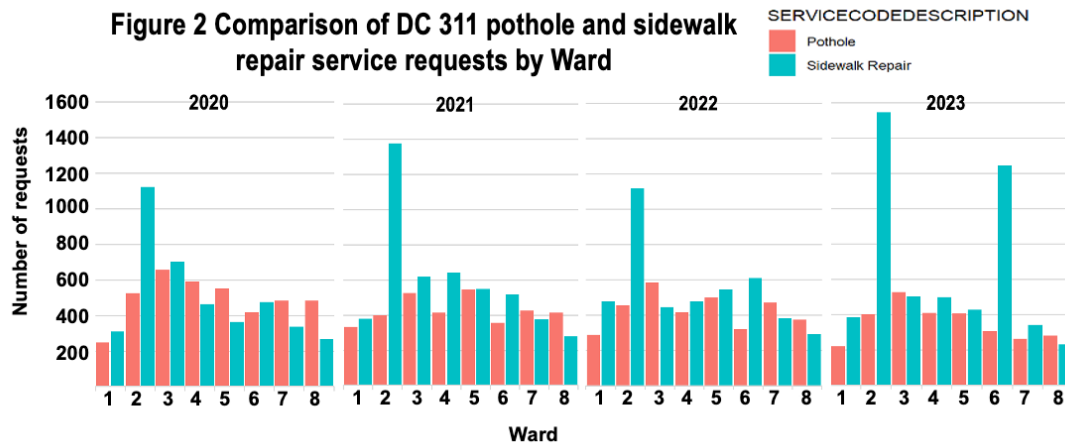
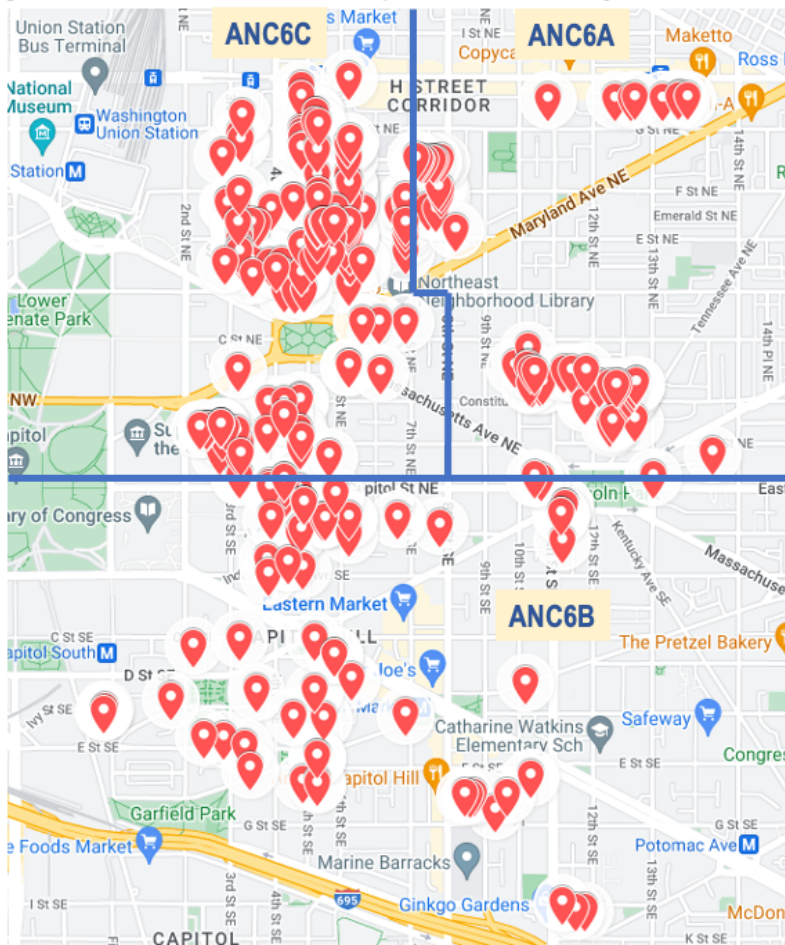


Figure 3: 311 Sidewalk service requests submitted by CHV for residents



To make it easier for Ward 6 residents to submit sidewalk service requests (SSR) via 311.dc.gov, CHV created an email account (chvpedestriansafety@gmail.com) to which residents can send a picture of a sidewalk hazard with the address. As shown in Figure 3, since April 2023, CHV (with more than 400 members) has submitted more than 250 reports of sidewalk hazards for Ward 6 residents, which includes much of ANC6B, and the southern half of each of ANC6A and ANC6C. We believe more sidewalk service requests would be filed city-wide if it was easier to file a sidewalk service request via 311.dc.gov.

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There are significant consequences when the DC government does not resolve sidewalk hazards promptly.

- Public confidence in the DC government declines when concerned residents are told their complaints about sidewalk hazards will take more than a year to resolve.

- Individuals become uneasy about walking on public sidewalks. A 2022 survey of the members of CHV found that sidewalk safety was a major concern for 2/3rds of the CHV membership. More than 15% of DC residents are older than 65 years, so that when including others who have low vision or other disabilities, perhaps 20% of DC residents are fearful of the simple act of walking on a public sidewalk to visit friends or run an errand to a grocery store.

- The DC government continues to be liable for paying damages to individuals injured due to falls on District sidewalks, damages that amounted to almost \$1 million dollars a year on average during Fiscal Years 2021 - 2022.

DC transportation policy contributes to injury to citizens on sidewalks

If people are reporting sidewalk hazards at greater frequency than they report potholes, why are people still being injured on sidewalks? We believe one reason for the injuries is the DC government policy of a one-year target to resolve a sidewalk hazard. At last year's Council oversight and budget hearings, DDOT reported on their performance in meeting these 270 business days and 3 business day targets, termed Service Level Agreements or SLAs.

Figure 4: DDOT report of success in meeting SLAs

Issue	Target: Service Level Agreement (SLA)	Percentage the SLA was met
Pothole	3	84%
Sidewalk repair	270	53%

In short, even with the much longer target, DDOT's performance in meeting the sidewalk repair target is poorer than the pothole repair target.

(The full list of DDOT SLAs, including other 311 requests, and DDOT's ability to achieve the SLAs based on DDOT's earlier 2022 testimony is in Appendix A.)

As shown in Figure 4, the SLA goal of 270 business days was achieved in barely more than half of all cases. This poor performance suggests that the SLA goal for sidewalk repair is NOT getting the attention and resources of the DC government.

Appendix B contains a DDOT confirmation of a 311 sidewalk service request. This request was submitted on December 24, **2023**. This confirmation includes the notice at the bottom that the request is expected to be completed more than a year later on January 10, **2025**. This

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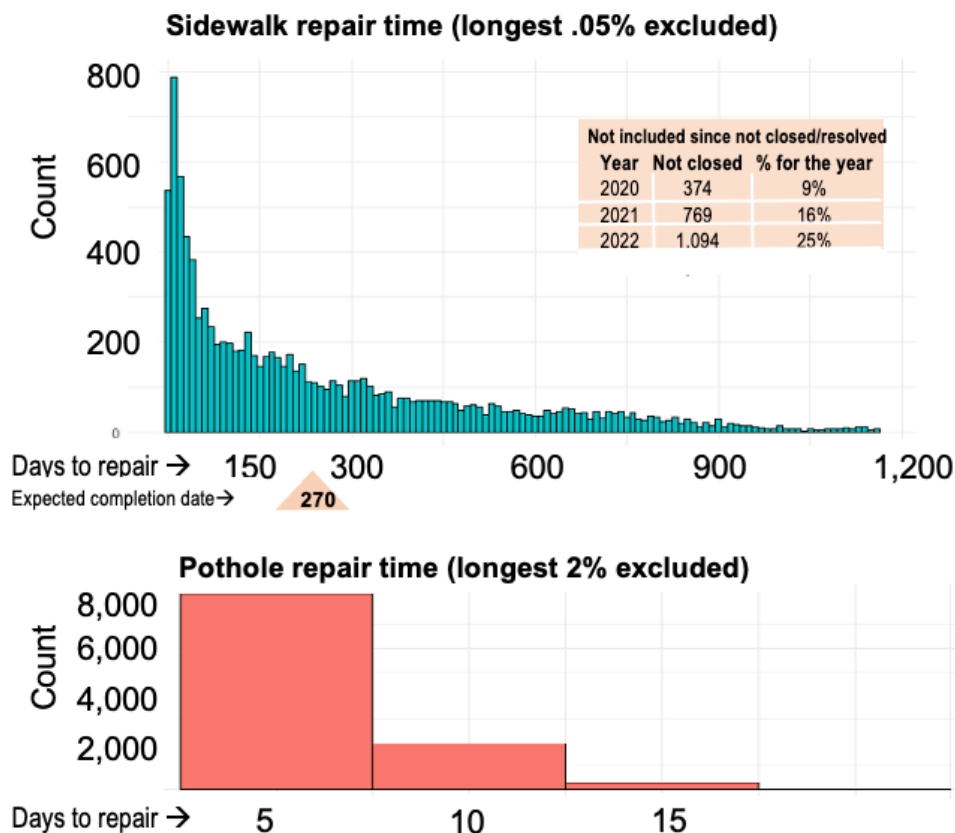
significant delay cannot be expected to please the person who submitted the request, or encourage him/her to tell friends about a prompt city response to a hazardous situation.

Appendix C shows that the lengthy service expectation for sidewalk repairs is built into DC automation.

The charts in Figure 6 show the impact of the DC policy to have a 270 business day target to resolve a sidewalk hazard. The top chart shows, from DC's open data for 2020-2023, the delay from the time a sidewalk hazard report was submitted to 311.dc.gov until the hazard was resolved, while the bottom chart shows the delay between the time a request was initiated to fix a pothole and the pothole was resolved. Please note the sidewalk chart is calculated in hundreds of days, while the chart for potholes is calculated in days. The inset in yellow color describes the number of sidewalk hazards that are NOT in the chart because, as of January 1, 2023, they were not yet closed / resolved.

**Figure 6: Comparison of DC 311 time to remedy
pothole and sidewalk service requests for 2020-2022**

Source: <https://opendata.dc.gov/search?collection=Dataset&sort=-created&tags=311>



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Against the background in Figure 6 of the resolution rate in 2020-2022, Figure 7 (below) shows DDOT's ability to resolve sidewalk service requests in the first 30 days of each year. There had been some improvement from 2020 through 2022, but the resolution rate appears to have slowed in 2023.

Figure 7: Comparison of time to remedy sidewalk service requests in first 30 days of the year

	2020	2021	2022	2023
# of new requests resolved within first 30 days	395	708	1,018	854
% of that year's total requests resolved within first 30 days	10%	15%	23%	16%

Recommendations to improve the DC government's ability to keep sidewalks safe

Based on the preceding analysis, we offer the following recommendations to bring DDOT's performance into alignment with the public health importance of sidewalk hazards.

Recommendation #1: Reduce the target (SLA) to complete the small repair projects to 30 business days and carry out temporary repairs to mitigate any tripping hazards in the larger projects within the same 30 business days.

Based on discussions with DDOT staff, there are no engineering / mechanical reasons why grinding a popped-up edge to a sidewalk paver, or resetting a few bricks should be delayed by a year. DDOT staff said that temporary street pothole repairs are fairly simple to implement, and that some sidewalk hazards can be more difficult to resolve. The fact that a sidewalk hazard might take some time to resolve does not mean that the initiation of the repair cannot start more quickly.

It is our understanding that DDOT divides requests for sidewalk repairs into two categories:

- Small projects, those involving fewer than 9 linear feet are resolved by DC staff and adjunct contractors in the Street and Bridge Maintenance Program;
- Larger projects, those involving more than 9 linear feet are handled by the Asset Management Program and folded into the DC Paving Plan to be addressed through contractors.

We recommend a new SLA goal should be established for sidewalk hazards involving fewer than 9 linear feet, so these smaller sidewalk hazards can be tracked separately from more aggressive problems that require more time to diagnose and treat. In the same way as DDOT has different SLAs for each of tree inspection, planting, pruning, and removal, so DDOT can have different SLAs based on the complexity of an SSR.

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DDOT can have different SLAs based on the size of the project and the organization within DDOT charged with meeting a particular SLA. This different SLA should not add complications to resident reporting of hazards on 311. Once the size of the needed project and the severity of the hazard are determined by DDOT, the person reporting the hazard can be informed about how long DDOT projects it will take to repair the hazard.

Currently a DC government staff member inspects a reported sidewalk hazard (which usually occurs in fewer than 30 days after the hazard report is submitted.) The sidewalk hazard is assigned to either the Street and Bridge Maintenance Program (fewer than 9 feet) or the Asset Management Branch (more than 9 feet). The sidewalk hazard also is rated Excellent Good, Fair, Poor by DDOT.

Repairing tripping hazards in just a few days, at least temporarily, is apparently quite feasible. According to its website, Alexandria, Virginia has a policy of making temporary or emergency repairs to sidewalks within two business days (<https://www.alexandriava.gov/Potholes>). The potential cost to cities of not quickly fixing broken sidewalks is illustrated by Los Angeles' experience. According to a government website, in 2016 LAA settled for \$1.4 billion a class-action lawsuit initiated by disability rights advocates who alleged that the city's inaccessible sidewalks violate the Americans with Disabilities Act. (<https://controller.lacity.gov/audits/sidewalks>).

Perhaps the criteria DDOT uses to rate sidewalk condition can be improved with more reference to human factors to give evaluators a better understanding of the urgency of a sidewalk hazard. For example, the condition descriptions can be improved with reference to the challenges of people with low visibility, or the challenges of a parent pushing a stroller with 4" diameter hard-plastic wheels, or the challenges of people in wheelchairs. DDOT staff should be trained on how to correctly interpret the new conditions with human factors. The person who first reported the problem should be told whether the resolution will occur in 30 days or a longer period of time.

In any case, all tripping hazards should be repaired, if only temporarily, within 30 business days.

Recommendation #2: Increase funding and staffing to resolve small sidewalk hazards within 30 business days

We do not yet have sufficient information to estimate how many additional resources, if any, to implement recommendation #1. Tighter targets for action by DDOT may require additional funding. Setting the new target and funding should go hand-in-hand.

Recommendation #3: Create an annual sidewalk monitoring program

During our discussions with DDOT staff, we learned there is an annual program to inspect DC roads, but not for sidewalks – and we believe sidewalk hazard conditions deserve the same level

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of attention, if not greater. Except for an occasional survey of sidewalks, DDOT depends almost entirely on 311 complaints from residents. This presents both an under-reporting problem plus an equity problem involving those residents who do not have the time or resources to be the eyes and ears for the District government. As a transition to a DDOT-funded annual monitoring program for sidewalks, perhaps DDOT could partner with District of Columbia Public Schools (DCPS) to engage school children to inspect sidewalks near their homes, and on their routes to school and report needed sidewalk repairs. This would have the added advantage of providing DCPS students another opportunity to complete their 100 hours of community service before graduating.

Recommendation #4: Collect data about sidewalk falls and injuries

A common belief is that most pedestrian injuries occur at crosswalks and not on the sidewalks but we lack all the information to draw this conclusion. Pedestrian injuries at crosswalks are often reported because of the involvement of the Metropolitan Police Department. In contrast, the District apparently has no established reporting system to collect information about falls and injuries on the District's sidewalks, thereby depriving District officials of this important information. However, the Vargas article in the Washington Post, the survey by ANCs 6A, 6B, and 6C, and other sources of information demonstrate that many people are being injured on DC sidewalks EACH YEAR, about which DC legislators and administrators know little or nothing.

We do not know the best way to collect this information regarding sidewalk falls and injuries. However, a simple way at least to get started might be to include a question about falls or injuries on the 311 website when a person reports that a sidewalk is in need of repair. The person could be asked whether they are aware of anyone who has recently fallen and/or been injured at this broken sidewalk. If the answer is "yes", the person could be offered the opportunity to visit a DDOT webpage where they could report what is known about the incident. There may be other ways the District could design a system to learn of sidewalk falls and injuries, but by one method or another, the District should fill this important knowledge gap.

Recommendation #5: DDOT work with ORM to make it more likely that residents will get reimbursement for injuries and other costs due to falls on DC sidewalks.

We earlier noted ORM's policy to deny public reimbursement for the costs of sidewalk falls when DC had no prior knowledge of the sidewalk hazard where the injury occurred. It is a cruel irony for DC to NOT monitor the condition of its sidewalks, and then when people are injured to deny claims because DC denied itself that prior knowledge about its own poorly-maintained sidewalks. Until DDOT has a successful monitoring program AND a successful rapid response to 311 sidewalk service requests -- as evidenced by a reduction in reports of sidewalk hazards by at least 80% -- the DC government should consider relaxing the standard through which people who are injured on public sidewalks can get reimbursement for their injuries and related costs.

Recommendation #6: Study methods to reduce the number of sidewalk problems that need to be fixed and the costs to repair

Public health problems, such as these falls and injuries from sidewalks, should have a prevention component. Often prevention is much cheaper than remedying the problem once it occurs, and in addition, the human cost of injury can be avoided. DDOT urban foresters plant trees, and then often within some years the tree roots disrupt sidewalks that DDOT maintains. It makes little sense for one part of the government to create a maintenance burden for another part of the same government to resolve if the problem can be avoided. We recommend that DDOT study methods to reduce the incidence of sidewalk problems, and cost to repair, such as the following.

- DDOT's Urban Forestry agency plants trees, and then often within some years the tree roots disrupt sidewalks that DDOT maintains. As DDOT improves and increases the tree canopy, perhaps the DC Urban Forestry agency could plant trees that have deeper roots which would not disrupt the sidewalks years later or use tree skirts that would keep roots from spreading under the sidewalk.

- Perhaps the soil under the sidewalks could be prepared by DDOT so the sidewalk would be less likely to be disrupted by roots.

- Perhaps new brick sidewalks could be comprised of stamped pavers or poured concrete with brick color throughout that appear to be brick, so the edges of the pavers or concrete slab could be ground, if necessary, without disrupting the visual flow of the sidewalk. Also stamped pavers could be used when rehabilitating a long stretch of brick sidewalk.

DDOT should seek best-practices used elsewhere to reduce the burden to maintain public sidewalks.

We thank DDOT staff for their time and effort in helping us to understand their current practices and plans for sidewalks in the future, which we have tried to take into consideration in these recommendations.

The following people contributed to this report.

- Judy Berman, Executive Director of CHV
- Kristen Degan, Director for Monitoring and Evaluation at Sharp Insight, LLC
- Chuck Elkins, ANC3D01 Commissioner
- Christine Healey, Director of CHV Advocacy Program and retired ANC Commissioner
- Tomeka Lee, former CHV Director of Membership and Outreach
- Dawn Nelson, CHV member
- Kirsten Oldenburg, CHV member and retired ANC Commissioner
- Scott Price, CHV member and retired ANC Commissioner
- Sahas Srinivasan, Business Analytics Intern, George Washington University

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Appendix A: 2022 DDOT Service Level Agreements from DDOT testimony during DC Council 2023 DDOT Performance Review

	Current SLA (in business days)	Closed Met SLA	Closed Missed SLA
Alley Repair Investigation	270	38%	62%
Bicycle Services	60	61%	39%
Bus/Rail Issues	60	64%	36%
Dockless Vehicle Complaint*	2	----	----
Parking Meter Repair	5	67%	33%
Pothole	3	84%	16%
Resident Parking Permit	60	98%	2%
Roadway Repair	270	43%	57%
Roadway Signs	130	57%	43%
Roadway Striping / Markings	270	73%	27%
Sidewalk Repair	270	53%	47%
Streetlight Repair Investigation	7	90%	10%
Traffic Safety Input	130	90%	10%
Traffic Signal Issue	2	78%	22%
Tree Inspection	5	99%	1%
Tree Planting	500	96%	4%
Tree Pruning	180	86%	14%
Tree Removal	180	93%	7%
Utility Repair Issue	60	80%	20%

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Appendix B: DDOT confirmation of a 311 sidewalk service request

DC311 311info@dc.gov via [tt97v2kp3973v8c5.3v...](#) Dec 28, 2023, 10:33 AM (4 days ago) ☆ 😊
to me ▼



GOVERNMENT OF THE DISTRICT OF COLUMBIA Office of Unified Communications

Dear Resident,

Thank you for contacting 311!

Your request for Sidewalk Repair has been received by our agents and will be forwarded to the DDOT for completion. You may receive occasional updates on the status of this request as the agency works to complete your request.

Your request is expected to be completed on or about 1/10/2025 (SLA: 270 Business Days). We will notify you when this request has been closed.

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Appendix C: Demonstration of how lengthy expectations for sidewalk service requests are built into DC automation.

In the following chart,

- Column B is the date a 311 service request was submitted – AddDate;
- Column G is the last expected date of completion – ServiceDueDate;
- Column F is the date the request was resolved – ResolutionDate.

For the **sidewalk** service request on row 21015 (yellow arrow), the ServiceDueDate (green circle) is **more than one year** after the AddDate (red circle).

However, for the pothole service request on row 18255 (purple arrow), the ServiceDueDate is only **4 days** after the AddDate.

The gap between AddDate and ServiceDueDate is the same for all the other service requests in the database: **4 days for potholes, more than 1 year for sidewalks.**

	Request type	Date submitted	Date resolved	Date expected to be resolved	
	B	E	F	G	
1	SERVICECODE	ADDDATE	RESOLUTIONDATE	SERVICEDUEDATE	S
21015	Sidewalk Repair	2023/01/01 16:50:22+00		2024/01/31 16:50:22+00	2
21016	Sidewalk Repair	2023/01/02 15:54:35+00		2024/01/31 15:54:35+00	2
21017	Sidewalk Repair	2023/01/02 18:31:52+00	2023/04/18 21:33:34+00	2024/01/31 18:31:52+00	2
21018	Sidewalk Repair	2023/01/02 18:50:00+00	2023/04/18 21:33:34+00	2024/01/31 18:50:00+00	2
18255	Pothole	2023/01/01 13:06:22+00	2023/01/04 09:43:32+00	2023/01/05 13:06:22+00	2
18257	Pothole	2023/01/01 16:19:29+00	2023/01/03 16:48:48+00	2023/01/05 16:19:28+00	2
18258	Pothole	2023/01/01 16:34:25+00	2023/01/04 18:04:01+00	2023/01/05 16:34:25+00	2
18259	Pothole	2023/01/01 16:36:58+00	2023/01/04 09:43:36+00	2023/01/05 16:36:58+00	2