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Delivering Justice: Food Delivery Cyclists in New York City

Do J. Lee
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DELIVERING JUSTICE:

FOOD DELIVERY CYCLISTS IN NEW YORK CITY

by

DO JUN LEE

A dissertation submitted to the Graduate Faculty in Psychology in partial fulfillment of the requirements for the degree of Doctor of Philosophy, The City University of New York

2018
DELIVERING JUSTICE: FOOD DELIVERY CYCLISTS IN NEW YORK CITY

by

DO JUN LEE

This manuscript has been read and accepted for the Graduate Faculty in Psychology to satisfy the dissertation requirement for the degree of Doctor of Philosophy.

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THE CITY UNIVERSITY OF NEW YORK
ABSTRACT

Delivering Justice: Food Delivery Cyclists in New York City

by

Do Jun Lee

Advisor: Dr. Susan Saegert

In New York City (NYC), food delivery cyclists ride the streets all day and night long to provide convenient, affordable, hot food to New Yorkers. These working cyclists are often Latino or Asian male immigrants who are situated within intersectional and interlocking systems of global migration and capital flows, intense time pressures by restaurants and customers, precarious tip-based livelihoods, an e-bike ban and broken windows policing, and unsafe streets designed for drivers. I approach this research through participatory action research (PAR) and han, an indigenous Korean word that describes collective transgenerational traumas that are rooted in systems and structures of oppression. A han-based PAR approach seeks to use participatory research methods with delivery workers to create communities of resistance and healing that name structural oppressions, to gain societal acknowledgement of these named oppressions, and to change structures and systems to undo oppressions and heal collective traumas. As a rationale for this work, I examine how echo chambers of whiteness craft demonizing public narratives about immigrant delivery workers by excluding their voices. This exclusion signals a need to listen to delivery worker voices to characterize and name their conditions and experiences.

Intermingled systems of transnational migration, restaurant business, and labor conditions coerce competition, isolation, exploitation, and tactics for transnational survival that speed up the
bodies of delivery workers to meet the demands of food delivery while also disposing of worker bodies that are too slow, old, or injured. Exacerbating this disposability of worker bodies, unsafe streets are based upon a system of cumulative irresponsibility where mass harm accrues from the inability to address this harm through individual responsibility. This system undermines the right to the street for immigrant delivery workers by creating harmful conditions and criminalizing worker tactics for survival such as riding electric bikes (e-bikes), which are perceived to disrupt social order. By being unable to address systematic and structural labor and street conditions that compel the speeding up of worker bodies, NYC has responded to “disorderly” immigrant delivery workers by excluding immigrant workers from the boundaries of legality and enacting broken windows policing. Accordingly, the City and NYPD have created a regime of Vision Zero Apartheid by racially weaponizing a public policy to reduce traffic fatalities by exerting punitive disciplinary measures against immigrant delivery workers in the name of public safety.

The transgressive, intersectional, and agentic movements of delivery workers expose the porosity of boundaries and trace out desire paths in the shifting cracks and crevices within oppressive systems. Traveling along desire paths involves risk, but doing so opens up possibilities of communities of resistance and healing that strive toward liberation as collective projects of delivering more just cities.
DEDICATION

For Rohan, born still in 2016,
Nadia, born still in 2017,
and
Annalise Jeongah 정아, born in 2018,
all in
New York City.
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Chapter 1: Introduction

On November 25, 2017, a car driver struck and killed Edwin Ajacalon, a 14-year old Guatemalan immigrant food delivery cyclist, in the immigrant neighborhood of Sunset Park in Brooklyn. A few days later, the New York City (NYC) bike community installed a ghost bike for Ajacalon at the site of his death (Figure 1.1).

![Figure 1.1. Brooklyn Borough President Eric Adams speaking about Ajacalon’s death. Photo by author.](image)

Ghost bikes are painted white and locked to a street sign with a small plaque to serve as a visible and quiet protest of unsafe streets for cyclists. According to Dobler (2011), ghost bikes “haunt the urban landscape; they’re vehicles of the restless dead, the wrongfully killed” (p. 181) and they serve as an “indirect connection to the deceased, making the creation of a ghost bike a way of giving voice to the voiceless” (p. 182). At Ajacalon’s ghost bike installation, bike-friendly public officials and advocates such as Brooklyn Borough President Eric Adams and others spoke about how Ajacalon’s tragic death represented a call to more aggressively work toward the street
safety goals of Vision Zero, a public safety initiative to eliminate traffic fatalities.\footnote{Other prominent speakers included NYC Council Members Carlos Menchaca and Brad Lander, NY State Senator Jesse Hamilton, and Transportation Alternatives Executive Director Paul Steely White.} In order to address Vision Zero and save lives like Ajacalon, Adams and other speakers demanded more automated traffic enforcement cameras for speeding motor vehicles (Colon, 2017). Eric Adams spoke of Ajacalon seeking the “American dream” by traveling far from home and that he was just “14 years old [and] participating in what is the trademark American experience, raising money to send to your family to stabilize their lives in countries that are not as fortunate as ours” (personal video, November 27, 2017). This story of Ajacalon’s tragic death raises many questions about the discomforting tensions and contradictions that constitute food delivery cycling in New York City. For example, not a single speaker publicly confronted the tragedy of how our global and national societies create environments that compel a 14-year-old to travel thousands of miles away from home to make a few dollars by delivering food to send back to his family in Guatemala. There was also no mention about labor laws and Edwin’s age. Perhaps Edwin would like more speed cameras, perhaps not. But the point is that immigrant workers like Edwin are never asked. Essentially, this ghost bike installation was not about giving voice to Ajacalon or the many thousands of food delivery cyclists like him, often low-wage Chinese or Latinx male immigrants, who rush around the city to deliver hot prepared food at any time and under any weather (Figure 1.2).
Notably, Ajacalon rode an electric bike (e-bike) at the time of his death, yet media stories and the remarks of the public officials at the ghost bike installation largely omitted this fact. This omission occurred just a few weeks after Mayor Bill de Blasio announced a sweeping police crackdown on “dangerous” e-bikes, which are legal to own but illegal to ride in NYC – an incoherent situation that confuses many people (NYC, 2017). These crackdowns focus primarily on e-bikes usually ridden by immigrant food delivery workers like Edwin Ajacalon. For example, Figure 1.3 shows a tweeted picture by bike activist Jessame Hannus of a police checkpoint to confiscate e-bikes at a bike lane in Manhattan (belleoflonglake, 2018).
This image shows a public spectacle of state power with at least six police officers in the picture engaged in this action. During 2017, the NY Police Department (NYPD) confiscated nearly 1000 e-bikes (NYC Mayor’s Office, 2017). Surges of e-bike crackdowns were usually made publicly visible with Twitter messages and images such as one by the NYPD 19th Precinct in Figure 1.4.
In this messaging, the NYPD connects e-bike confiscation actions to the illegality of riding e-bikes, which is justified in the name of public safety by invoking Vision Zero. Simply put, riding e-bikes is illegal, hence, they are a threat to public safety. However, NYC e-bike riders have not caused any deaths of pedestrians or other travelers while NYC officials admits that the characterization of e-bikes as dangerous is rooted in the “anecdotal” rather than public safety data (Meyer, 2018b).

Because of exploitative labor conditions, food delivery workers usually must provide their own vehicle, such as e-bikes. Hence, many immigrant food delivery workers experience NYC’s police crackdown on e-bikes as dehumanizing criminalization and an existential threat to their livelihoods: “We live in deep water and hot fire. Our income is not a lot, and the police gives us $500 fines the moment they see us. Second time, $1000. We all have families to feed” (Ping, Chinese focus group, April 2016). So how do we get from a young person’s journey
thousands of miles from home to NYC where thousands of immigrant workers like Edwin are severely criminalized for delivering food on an e-bike?

Foremost, this story is deeply intersectional. Unpacking the production of food delivery requires understanding the effects and interactions of the transnational migration of those like Ajacalon, the informal economy and delivery labor, mobility in unsafe streets predicated upon car-privilege, and broken-windows style policing. As such, interwoven and intersectional collective oppressions and traumas underpin and make possible a system of food delivery that ultimately criminalizes the workers themselves. Immigrant food delivery cyclists have complex experiences, desires, and needs, yet these are seldom heard or acknowledged by many New Yorkers. This dissertation explains what happens when we set up participatory action research (PAR) to listen to and acknowledge these stories of delivery workers and work with them to undo collective traumas so that we might possibly deliver a more just city.

**Framework for Research**

The dialectical relationship between mobilities and immobilities illustrates processes of dynamic territoriality underpinned by global capital flows and unequal power relations within complex systems that unevenly distribute movement (Hannam, Sheller, & Urry, 2006). As such, the embodied labor of transnational migrants is produced within processes that occur at multiple spatial scales of mobility and immobility (McDowell, 2008). Transnational capital flows result in neoliberal economic development that produces precarious and fluid labor markets that compel many migrants to travel across borders in search of jobs (Massey, 1999; Liang, 2001). In this research, I situate the central importance of boundaries in producing novel hybridity and vulnerabilities in mobility whether across national borders or invisible ones within the city (Anzaldúa, 1987). Defining citizenship determines one’s right and access to mobility and
therefore legal boundaries of citizenship inextricably requires processes of othering that produce ‘shadow mobility’ that restricts the mobility of marginalized bodies as disorder so that the citizen mobility of ideal bodies becomes special (Cresswell, 2006; Cresswell, 2013; Reid-Musson, 2017c). As such, conceptions of liberal citizenship and mobility privilege independent, able-bodied, and ideal bodies (Cresswell, 2013).

Through these othering processes, transmigratory bodies encounter systems of crimmigration, which is the merging of criminal and immigration law (Stumpf, 2006). As such, the law has been integral in socially constructing race and citizenship (Lopez, 1997). At the same time, mass incarceration through punitive and comprehensive policing has taken hold in the United States as a means of maintaining order by ensuring racial and social control and hierarchy (Alexander, 2012). The resulting complex of crimmigration along with broken windows-style policing has hyper-criminalized undocumented immigrants in everyday mobility practices (Armenta, 2017; Dow, 2005; Macías-Rojas, 2016). This criminalization also ensures that undocumented immigrants remain compliant and exploitable (Armenta, 2017; Kwong, 2009).

The structure of the economy and labor also shape mobility and vice versa. Jirón & Imilan (2015) find that flexibility and work informality are deeply implicated in increasing labor precarity through the relationship of time and space with productivity in mobility experiences for workers. Yet largely, cities neglect these worker experiences in decisions about transport infrastructure (ibid). Such exclusion result in mobility policies that expose migrant workers to racial aggression during travel or municipal failures to address structural barriers to mobility such as language, immigration status, or other discriminations (Reid-Musson, 2017c; Yu, 2016). Understanding immigrant working (im)mobilities allows for greater clarity on the spatial
fluctuations of uneven topographies of cities (Lemon, 2017). Within mobilities, Reid-Musson (2017a) observes scarce scholarship on low-wage migrant labor and (im)mobility.

In scholarship, bicycling is often understood as a practice with intense sensory and embodied experiences within the space-time of the cycling environment (Aldred, 2010; Jones, 2012; Lee, 2016, Nixon, 2012; Spinney, 2006). In the United States context, bicycling occurs within an unsafe streetscape of automobility, which is a complex system of car-centric mobility that coerces driving while suppressing other modes of mobility (Urry, 2007). The experiences of bicycling experiences are also influenced by “human infrastructure,” which is how social relations constitute mobility infrastructure (Lugo, 2013). Recent mobilities scholarship has begun to examine cycling through critical race perspectives (Hoffmann, 2016; Golub, Hoffmann, Lugo, & Sandoval, 2016; Reid-Musson, 2017c) and the influence of capital flows (Hoffmann & Lugo, 2014; Stehlin, 2015b).

During the early days of bicycles at the turn of the twentieth century in the United States, telegraph companies like Western Union employed “bicycle boys” to deliver messages (Kidder, 2011). Bike couriers continued albeit diminished by cars and suburban sprawl until a 1980s resurgence of bike messengers in places like NYC to deliver time-sensitive documents and parcels (ibid). According to Kidder (2011), the average speed of delivery by bike in cities is much faster than by car or other modes because bicycles are small, light, and maneuverable in traffic jams and because bikes are easily parked. This mirrors scholarship that suggests the appeal of bikes as providing an autonomous and flexible form of mobility similar to that of cars so as to enable its users to participate in neoliberal urbanism (Reid-Musson, 2017c; Stehlin, 2015a). As such, food delivery workers in the dense parts of NYC almost all use bicycles or e-bikes.
Up until recently, research on delivery cyclists has focused on the perceptions and experiences of bike messengers. Having worked as a bike messenger himself, Jeffrey Kidder (2011), centers his research and discussion upon the experiences of those who do the precarious labor of bike messengering as a “lifestyle” choice for experiencing the flow of urban bike riding and to participate in the bike messenger subculture, e.g. alleycat races. These lifestyle messengers tend to be the “disillusioned,” which are “middle-class bohemians” attracted to freedom from routinized forms of labor and largely shape bike messenger subculture in contrast to the “disenfranchised” bike messengers who are marginalized nonwhites and immigrants willing to take large risks for small rewards (ibid). Thus, effectively, Kidder’s research focuses on the more privileged and whiter cultural production of bike messengering despite observing that minorities and immigrants comprise most of the messengers in NYC (ibid).3

While media depictions of bike messengers often demonized them for lawless behavior, the media also glamorized bike messengers as cool, counterculture, well-educated, rebels (Fincham, 2007; Kidder, 2011). In contrast, NYC food delivery cyclists who are often low-wage nonwhite immigrants are often depicted undesirable service workers such as “dishwashers on wheels” (Goodman, 2012). Functionally, there is little difference between bike messengers who deliver parcels and food delivery cyclists who deliver restaurant take-out. In the 1980s, the population of bike messengers peaked at 5,000 and has since substantially declined with the introduction of telecommunication advances (Fisher, 1997). In contrast, the NYC Department of Transportation estimated in 2012 that there are 50,000 food delivery cyclists in NYC, a number

2 Alleycat races are organized and ritualized bike messenger races with a party atmosphere where participants compete by taking over streets and reenacting delivering packages through various courses and obstacles (Kidder, 2011).

3 Kidder (2011) also notes that NYC sharply contrasts to other cities in his study as bike messengers in Seattle and San Diego were almost entirely native-born whites.
that has likely increased substantially with the recent exponential growth of food delivery (NYC Council, 2012). However, a “cool” subculture of bike messengers has been romanticized so that as bike messengers transition into food delivery work, they often still distinctly identify themselves as bike messengers, not food delivery workers (Kidder, 2011).

Despite a long history and prevalence of workers delivering food and other goods (Toussaint-Samat, 2009), scholarship remains scarce about the lived experiences of delivery workers other than the aforementioned research into the bike messenger subculture. One recent study is Kristin Monroe’s (2014) research about Syrian migrant food delivery workers on motor scooters in Beirut, Lebanon. In this work, Monroe (2014) depicts the precarity, speed, and policing of the migrant labor of food delivery. In the only other published work on food delivery workers, Patrick Kennedy’s (2012) thesis characterizes food delivery cycling in New York City as fundamentally disposable including the labor conditions, equipment, workers, and the food itself. In summation, scholarship about delivery workers shows a lack of comprehensive work and therefore a need to listen to and examine the stories and experiences of “disenfranchised” delivery workers, such as NYC’s immigrant food delivery cyclists.

The experiences of immigrant food delivery workers are situated at the entanglements of transnational migration, informal labor conditions, crimmigration and policing, and bicycling mobility that are haunted by varied forms and histories of collective and structural oppressions and traumas (Gordon, 2008). Effectively, food delivery sits at a fatal intersection, which Reid-Musson (2017b) describes as the violence in the space-time-energy of mobility that occurs from a “fatal power-difference coupling” (Gilmore, 2002). In this way, scholarship has inadequately examined the effects of collective trauma on mobility. To address and understand these collective oppressions and traumas of food delivery, my research has centered an approach of
Participatory Action Research (PAR), which democratizes research as “radical strategies generated in response to oppressive conditions of struggle” (Fine & Torre, 2004). PAR also allows for the building of a community of resistance with immigrant workers (hooks, 1990).

Torre (2009) suggestion of PAR as a means to engage research through the perspective that we are all mutually implicated in each other’s lives finds resonance with the Korean philosophy of han. Han, key to the Korean identity, describes the collective experiences of transgenerational trauma rooted in structural oppressions (Son, 2000). This collective trauma can be experienced at individual or collective levels but can only be resolved through enacted love that alters systems and structures of harm. I therefore propose a han-based PAR approach to acknowledge my positionality and the way I co-construct the research and as an approach that treats decolonization and healing as collective projects, rather than individual ones. Under a han-based PAR approach, research requires naming and characterizing structural oppression while fostering a community of resistance to amplify the voices of the oppressed and strive towards changes in structures and systems to undo oppressions and to enact collective healing.

**Research Site**

This PAR study focuses on New York City with an emphasis on Manhattan as this dense borough has high levels of food delivery and policing of delivery cyclists (see Chapters 6 and 7). Broken windows policing began in NYC under Mayor Giuliani and Police Commissioner Bratton in 1990s and has continued to dominate policing philosophy in NYC through the current regime of Mayor de Blasio. NYC is also a major center for immigration and as a result, NYC houses many powerful community-based organizations that serve immigrants (Cordero-Guzmán, Smith, & Grosfoguel, 2001). Being a diverse city with 65% of the population being Hispanic, Black, or Asian according to the 2010 U.S. Census, NYC remains highly segregated along racial
lines and a city of vast income inequalities (Logan & Stults, 2011; NYU Furman Center, 2012; Roberts, 2014). Global capital flows through and into NYC as a major transnational hub. With this capital flow, property values skyrocket, many neighborhoods and streets are changing through gentrification and through commodification of safe streets including bike mobility (Newman & Wyly, 2006; Stein, 2011). In NYC’s high rent environment, restaurants often struggle to survive and often resort to informalizing labor and increasing food delivery services (Elstein, 2017; Sassen, 1997).

Bicycling has grown rapidly in New York City as the NYC Department of Transportation (NYC DOT, 2017a) finds that the annual bicycle trips increased by 150 percent between 2006 and 2015. This growth has accompanied a dramatic increase of bike infrastructure to over 1,000 miles of bike routes in 2018 where only a few existed 20 years prior in the late 1990s; this expansion of bike infrastructure has been credited with reducing the rate of cyclist fatalities by 71% since the late 1990s (ibid). DOT Commissioner Janette Sadik-Khan under Mayor Bloomberg jumpstarted these transformations of NYC streets in 2007, which has largely continued under Mayor de Blasio. In 2013, NYC launched Citibike, a bike share program, that reached nearly 14 million rides in 2016 (Lewis, 2016). Also, in 2013, Mayor de Blasio enacted Vision Zero as a public safety initiative to eliminate traffic fatalities. In one major change under Vision Zero, the speed limit on NYC streets was reduced to 25 miles per hour. Notably, a major mechanism for implementing Vision Zero occurs through police enforcement. In addition, meeting NYC’s goals towards climate change action and sustainability motivate streets transformations as these goals require a 10-fold increase in cycling trips and substantial decreases in motor vehicular trips (NYC Mayor’s Office of Sustainability, 2014). Effectively, the infrastructures and social order of the street landscape of NYC has been substantially changing
over the past twenty years. Much of the bike infrastructure growth has been criticized for serving wealthier and gentrifying neighborhoods rather than low-income transit-poor neighborhoods (Applebaum et al., 2011; Fitzsimmons, 2016). At the same time, “bikelash” from drivers has erupted over loss of car-space on roads that results in fierce hostility and opposition to planned infrastructure for other modes (e.g. Offenhartz, 2018).

In this changing context of city streets along with the arrival of online food ordering platforms such as Grubhub and Seamless, food delivery has exploded to upwards of half of a NYC’s restaurant’s business (Marritz, 2015). Accordingly, NYC has seen a corresponding rise in immigrant food delivery cyclists racing across the city at all hours of day and night.

**Overview of the Chapters**

The dissertation structure begins with a chapter on the methods used in research followed by five chapters with discussions on the various spaces and dimensions of the research findings on the experiences of food delivery workers.

Collective traumas like those of food delivery are often situated at the intersection of multiple overlapping and interacting structural oppressions. These snarled intersections are difficult to comprehend from any single partial perspective (Haraway, 1988). The complexity of understanding and addressing systematic oppression and harm requires building a community of resistance that blurs boundaries of researchers, participants, and activists through participatory action research (PAR). In Chapter 2, *Han & Participatory Action Research*, I outline the PAR approach to research based upon the idea of han.

Subsequently, Chapter 3, “*They prowl residential neighborhoods at night*”: Public Narratives about Food Delivery Cyclists, discusses the construction of public and media narratives of food delivery cyclists. Our media analysis shows how echo chambers of whiteness
craft narratives about food delivery cyclists, Vision Zero, and street safety that produces hyper-visible criminality of delivery workers while excluding and co-opting their voices. These narratives also describe public perceptions and anxieties of transgressive and “out-of-control” immigrant delivery cyclists who performatively re-enact transgressive border crossings in their working mobility. Exclusions of worker voices allow for the construction of counterproductive and punitive city policies and police enforcement of delivery workers. Our media analysis on delivery worker exclusions underpins the rationale for our han-based PAR approach to research and scholar-activism.

The following chapters primarily focus on how NYC delivery workers define their experiences in transnational migration, labor conditions, mobility experiences in NYC streets, and policing. In Chapter 4, “Rats crossing the street”: Transnational Dreams and Nightmares of Food Delivery, I shift the focus to the production of neoliberal and trans-migratory subjectivities of food delivery workers that manifest and operate at multiple spatial scales of transnational capital and human migration, food delivery business and labor conditions, and micro-relations among workers and customers. I discuss how these systems coerce competition, isolation, exploitation, and tactics for transnational survival that speed up the bodies of delivery workers to meet the demands of food delivery while also disposing of worker bodies that are too slow, old, or injured. Within this environment, I argue that many immigrant delivery workers use electric bikes to resist disposability and to maintain transnational survival.

In Chapter 5, Cumulative Irresponsibility and the Right to the Street, I transition the discussion into an investigation of the mobility experiences of delivery workers. In this chapter, I examine food delivery mobility with the idea of cumulative irresponsibility, which is how mass harm occurs when the personal responsibilities and blame cannot be assigned nor resolve the
underlying structures that cause injustice (Lee, 2015). I argue that failing to address structural oppressions in labor conditions and unsafe streets based upon automobility fundamentally undermines the right to the city for immigrant food delivery workers who must negotiate a tension between speed and safety (Mitchell, 2003). In this chapter, I demonstrate how the mobility spaces of delivery in restaurants, streets, and buildings are shaped by the tension between the front stage performance of safety and security and the backstage labor of speeding up one’s body (Goffman, 1959). I contend that this tension of speed and safety also undermines solidarities through contestations over public space and varying constructions of perceived masculinity and power in e-bike use. These conflicts over speed and safety expose marginalized bodies such as immigrant delivery workers to accusations of disrupting social order.

In Chapter 6, *E-Legality*, and Chapter 7, *Vision Zero Apartheid & Resistance*, I focus the discussion upon how NYC enacts “broken windows” police enforcement as the public solution to the perceived disorder of delivery workers compelled to speed their bodies and break rules in response to exploitative labor conditions and unsafe streets. In Chapter 6, I examine the historical construction and reconfigurations of commercial cycling and e-bike laws that govern, surveil, and police NYC delivery cyclists. I find that local laws are shaped by the contours of race, class, and nativity in combination with delivery vehicles. I discuss how these laws construct boundaries of legal whiteness that exclude immigrant delivery workers (Lopez, 1997). Through legislation, NYC Council attempted numerous times to address public discontent over “disorderly” delivery workers by varying delineations of “legality” and by reshaping police enforcement. Thus, I argue that this system of policing results in the fatal intersection (Reid-Musson, 2017b) of Vision Zero Apartheid, which is a system that repurposes public safety initiatives like Vision Zero to impose punitive forms of racial and social control through racist
policing. I discuss how under Vision Zero Apartheid immigrant delivery workers suffer
dehumanizing and dispossessing policing that also undermines their safety needs. I argue that
this moment of hyper-policing and dehumanization has provoked a community of resistance of
immigrant workers in concert with an unusual coalition of transportation and bike activists,
immigrant rights groups, labor groups, and other social-justice oriented groups. This blending of
immigrant workers and advocates makes the desire paths of immigrant delivery workers legible
to the City. By making desire visible, immigrant workers assert their right to participate in
producing the City and how we know the City.

In a cramped Chinatown apartment NYC, I asked Dequan Lu, President of the Chinese
Mutual Association (CMA), if he had any concerns about protecting the privacy and
confidentiality of immigrant Chinese delivery workers in a potential collaboration with our
participatory action research (PAR) team. Lu replied, “We want to change this [electric bike]
law. We’ve seen the world and we are not afraid to show ourselves.” I write this dissertation in
this spirit, not only in terms of bearing witness to the immigrant workers, but for myself as well.
By doing so, this dissertation research strives to name and characterize the intersectional han of
food delivery that forms the basis in building a community of resistance and healing for
delivering a more just city.
Chapter 2: Han & Participatory Action Research

Haunting of Food Delivery Work

Talking about how Chinese delivery workers regularly experience robbery, Mr. Lu, president of the Chinese Mutual Association (CMA), said:

[Robbers] take our money and also break our legs, break our teeth. Even if we are injured, we still have to keep working because we have to work and… even though we call the police, the police come very slow and everything’s done, the police are here and police just make a report, nothing’s going to happen. There’s no way to catch [the robbers], so we feel very helpless. And so it also happens a lot, some attacks actually killed delivery workers. And we feel really helpless because once we have been killed, no one can take care of the family. It’s as if we’ve just vanished. There’s no people who can speak up for us. (emphasis mine)

This phrase “we’ve just vanished” speaks to how delivery work is haunted by presence and absence. This ‘vanishing’ evokes how Gordon (2008) understands haunting as a fundamental part of modern social life. Consequently, to study the exclusions and invisibilities of social life is to attempt to understand and write stories about ghosts who affect the world materially.

Plainly, the immigrant delivery cyclists who deliver food to New Yorkers are not literal or figurative ghosts. They are flesh and bone people who have diverse voices, opinions, strengths, flaws, conditions, histories, and struggles. The ghosts that I am referring to are those that haunt the complex production of immigrant food delivery work in New York City (NYC).

The haunting manifests in complicated and sometime contradictory erasures, exclusions, hyper-visibility and invisibility, hyper mobility and immobility, survival across spaces, resistance, and gaslighting of food delivery work. One form of haunting is how worker immigration experiences are often marked by their long absence and vast distance from their families. This haunting uproots workers into constant, restless motion fraught with tensions between presence and absence, much like ghosts moored to places, yet not quite there.
Echoing Crenshaw’s (1991) work on intersectionality, the haunting of food delivery work sits at an intersection of collective traumas from an exploitative informal economy, racist ‘broken windows’ policing, unsafe streets, transnational capital, and uneven global migration. This haunting is thus an assemblage of ghosts that come into varied contacts to produce novel, intersectional, and deeply entangled forms of collective traumas. One such example, many immigrant workers use electric bikes (e-bikes) to survive in a precarious tip- and speed-based job. However, immigrant use of e-bikes evokes fears in rich, white neighborhoods that summon ghosts of collective traumas past and present that manifest real-world actions through broken windows policing, segregated spaces, fear of unsafe motor vehicles in streets, and xenophobia. This toxic assemblage or fatal intersection manifests as a punitive policing crackdown on e-bikes in NYC (see Chapters 6 and 7) and more broadly as the segregation of public safety in the name of preserving social order.

While NYC immigrant delivery workers are quite alive, our system inflicts a kind of civil death upon them. Regarding civil death, Dayan (2013) observes that, “The racialized idiom of slavery in the American social order depended on the legal fiction of “civil death”: the state of a person who though possessing natural life has lost all civil rights” (p. 44). For many immigrant delivery workers, their civil death is enshrined through their lack of immigration documentation. But even for those with green cards and other legal status, being low-wage immigrant delivery workers without English fluency is to navigate streets vulnerable to rampant dispossession and dehumanization. This anchoring of immigrant delivery workers between life and death produces ghosts. As such, immigrant delivery workers function as ‘sinks’ for collective traumas involved in delivery. Pulido (2017) finds that industry and manufacturing deposit pollution in sinks, which
are “typically are land, air, or water, but racially devalued bodies can also function as ‘sinks’” (p. 529).

One central challenge of this research is akin to stitching together ephemeral puzzle pieces of ghost stories to understand what has happened and is happening. One piece is how little the powerful know about the experiences of the marginalized while propagating fictional and disparaging narratives about the marginalized to justify punitive measures and policies (Scott, 1990). Another strand is how power acts upon marginalized to keep them feeling helpless and unsure what has happened and how to rectify their problems. Many workers told stories of profound confusion about what was happening during different experiences of arrests and policing, court appearances, or other public interactions because of language barriers. Mystified by harsh policing, Mr. Lu of CMA once asked me if I could explain why the police targeted Chinese workers so much when they were not hurting anyone and just doing their jobs. In a system designed to reify dominant narratives, to construct a counternarrative requires a participatory research approach that strives to put together puzzle pieces of partial perspectives (Haraway, 1988) that are not wholly accessible any single individual or group. To answer this question, this research draws upon Gordon’s (2008) observation:

To be haunted and to write from that location, to take on the condition of what you study, is not a methodology or a consciousness you can simply adopt or adapt as a set of rules or an identity; it produces its own insights and blindesses. Following the ghosts is about making a contact that changes you and refashions the social relations in which you are located. It is about putting life back in where only a vague memory or a bare trace was visible to those who bothered to look. It is sometimes about writing ghost stories, stories that not only repair representational mistakes, but also strive to understand the conditions under which a memory was produced in the first place, toward a countermemory, for the future. (p. 22)

To listen to ghostly voices at this complex intersection of collective traumas, we must be willing to transgress and blur boundaries such as those between the living and ghosts, between researchers and participants, and between scholars and activists.
Han-based Participatory Action Research

To build a community of resistance within the haunted entanglements of food delivery work, my research with NYC food delivery cyclists centered an approach of Participatory Action Research (PAR). PAR democratizes the right to research within a global system of uneven knowledge production (Appadurai, 2006). PAR is closely aligned with Paulo Freire’s (1970) notion of “the pedagogy of people engaged in the fight for their own liberation” (p. 53). In Freire’s liberation, the oppressed “must first critically recognize its causes, so that through transforming action they can create a new situation” (ibid, p. 47). Through such ideas, PAR seeks to engage research participants to be co-researchers not only because their intimate and important knowledge of their lived experiences, but also so that the participants can critically become aware of and take action about the roots of social problems affecting them. Thus, critical PAR “challenges hegemonic conceptions of where social problems originate, cultivates deep participation, produces evidence designed to awaken a sense of injustice, and seeks to provoke collective engagement” (Torre, Fine, Stoudt & Fox, 2012).

PAR suggests an approach that can complement borderlands theory (Ayala, 2009) and resonates with contact zones (Pratt, 1991) or to Fullilove’s (2005) notion of how insiders and outsiders can work in tandem to look carefully “not from rote, not from stereotypes, but in the real moment, now and together, jointly decoding what we were seeing” (p.185). Transportation and mobility research in particular has historically used decontextualized technocratic approaches while rarely utilizing action research approaches and researcher reflexivity (Lucas, 2013). A PAR approach would indicate that the food delivery cyclists have valuable lived experiences that can contribute to the production of knowledge that strives to undo the unjust conditions of their policing, mobility, and labor environments.
In PAR work, Torre (2009) suggests an approach of mutual implication that allows “individuals to remain complicated—that is allow them to be nos-otras—to hold multiple, even opposing, identities” whereby we are simultaneously colonizer and colonized. This PAR approach resonates with the Korean philosophy of han. Koreans have experienced many centuries of internal class hierarchical oppressions, Japanese and Chinese colonialisms, and most recently, Western colonialism that has divided the country in half (Cumings, 2005). Often considered to be integral to Korean experience, han is an indigenous Korean word that describes collective emotions and experiences of transgenerational trauma (Son, 2000). As part of research, I must also confront the han that I bring into this work by acknowledging and examining the ways my participation and traumas co-construct this PAR work. As such, han-based PAR work suggests my healing and decolonization is inextricably woven with collective healing and decolonization. In one way, I hesitate to use han in concern that this centers my more privileged body to speak for immigrant delivery workers. Yet in another way, using han is a way to recognize that the production of my “model minority” body is inextricably tied to the production of immigrant delivery workers. Thus, integrating han, I am bringing my whole self into this research.

Grace Cho (2008) writes about how the ghosts of han from the Korean war manifest across generations in the Korean diaspora:

The second [Korean] generation, however, having grown up in the United States with neither their parents’ storytelling nor a public discourse about the Korean War, told a collective oral history in which they felt affected by some inarticulate presence that had left its imprint on what seemed to be their normal everyday lives. One man said that because of his parents’ refusal to talk about their life experiences, their past acted on his present. “For me,” he said, “it is not the past. It carries forward into my life. It carries forward into my sisters’ lives… as a hole.” This experience of the children of Korean War survivors – having been haunted by silences that take the form of an “unhappy wind,” “a hole,” or some other intangible or invisible force – reflects the notion that an unresolved trauma in unconsciously passed from one generation to the next. (p. 11)
Han is a force that channels both positive or negative energies. We experience han at both personal and collective levels but han is rooted within systems and structures. Thus, to resolve collective oppression and trauma, we need to move toward enacted humanity, empathy and love.

As such, han has two reciprocal, dialectical, and complementary meanings (Son, 2000):

1. Collective emotions of frustrated yearning for revenge and justice caused by the repetitive multi-layered oppressive sufferings experienced by a group of people or community. This is a collective emotion that can be passed down through generations. This oppression is built into social and environmental conditions that inhibit a community from realizing its potential and depriving them of the means to address the root systemic causes of oppression. This han is also a dynamic collective energy that can be mobilized constructively for justice or destructively to others or oneself.

2. This han means oneness, greatness, a wholeness. It is a philosophy of totality or unity that contains within itself the principle of harmony. This han is characterized by nonorientability, in contrast to Western dualisms.

In the Korean spiritual ceremony to resolve han, there are three key steps (ibid). First, the oppressed must be able to name and characterize their oppression. Second, the oppressed speak to their experiences, which are heard and acknowledged by the entire community. The final step requires collective healing and repentance for the root causes of han, which must result in changes in systems and structures that undo oppression.

The haunting of food delivery work can be characterized as an intersectional han, which is a complex of collective transgenerational traumas that overlap, reify and repulse each other in varying ways, and become deeply entangled. Addressing intersectional han requires multifaceted coalitions and communities of healing, which resonates with the space of radical openness, which is “a margin – a profound edge. Locating oneself there is difficult yet necessary. It is not a ‘safe’ place. One is always at risk. One needs a community of resistance” (hooks, 1990, p.24). To build a community of resistance, Braidotti’s (1994) nomadic subjectivity suggests the politics of coalitions and interconnections because nomads are both situated and transgressive because of an awareness of the fluidity of borders and a desire to trespass.
Interconnections comprise the source of power in social movements from below (Piven, 2008). Forging interconnections as a researcher points to engaging in activist scholarship like that described by Gilmore (2008), which, “attempts to intervene in a particular historical-geographical moment by changing not only what people do but also how all of us think about ourselves and our time and place, by opening the world we make” (p. 56).

In essence, a han-focused PAR approach centers research as an integral part of new and ongoing struggles of healing and enacting love to resolve collective transgenerational traumas. This means coming into discomforting contact with our ghosts. This PAR approach sought to address the unresolved Han of food delivery workers by hearing, documenting, and broadcasting their experiences and needs while building coalitions and communities to seek collective structural remedies to our co-constructed oppressions. As a researcher, I acknowledge how identifying this PAR work as han-focused is to also acknowledge how I am situated in this research and about the collective nature of liberation and healing. As such, a key methodological tool of this research has been to decolonize, mend, and rebuild trust in my body, and enact love in my own life.

**Research Design**

Despite large number of NYC delivery workers, there is little information about the perspectives, conditions, and needs of immigrant delivery cyclists. This PAR framework strives to listen to worker voices to guide the team’s research and work.

**Building our PAR Team & Research Question**

Our PAR team is primarily comprised of volunteers from the Biking Public Project (BPP), which is a volunteer-based grassroots community group that seeks to support and advocate for underrepresented cyclists, such as food delivery workers. BPP volunteers tended to
be young to middle-aged bike activists who were generally college-educated and early to mid-career white collar professionals. These volunteers brought to the PAR team varying forms of expertise and resources including fluency in Spanish, Mandarin, Fuzhounese and English, data mapping, fundraising and grant writing, news media, political and community connections, documentary filmmaking, and social media.

At the beginning, the PAR team consisted of myself and three key BPP volunteers, Helen Ho, Dorothy Le, and Mario Giampieri. These BPP volunteers were essential to this work as we wove together multilingual capabilities, food delivery experience, organizing and fundraising skills, research expertise, media savvy, and political connections. We began a listening tour to hear stories and needs of delivery workers and to invite workers and other interested parties to join our research team. We also started to speak with those who knew different aspects of delivery work, such as policing or labor activists, scholars of Asian American Studies, and bike advocates. In this process, we slowly built our team and met delivery workers.

We regularly invited current food delivery cyclists to join and participate in our research team. However, because of the physical demands of their jobs and the long hours, food delivery cyclists have little spare time to participate in this project without substantial compensation to make up for lost work time. Without such resources, our team recruited four former food delivery cyclists. These team participants brought an intimate knowledge of delivery work along with multi-lingual language expertise in Spanish, Mandarin, Fuzhounese, and English.

Our team worked to incorporate food delivery cyclist participation through short and regular forms of contact. Some of this work involved making regular visits to various bike shops to build relationships with delivery cyclists in different neighborhoods. Food delivery cyclists in NYC are predominantly Latino and Chinese immigrants. The NYC Department also provides
materials for commercial cyclists in Russian, Korean, Haitian Creole, and Italian, but our team has chosen to focus its work in Spanish, Mandarin and English as the most effective use of our resources to communicate with food delivery workers.

Our contact with delivery workers also involved meeting and building relationship, trust, and communication with groups who already work with food delivery workers like the Chinese Mutual Association. CMA was an informal mutual aid group of hundreds of mostly Chinese delivery workers from the Fuzhou region. CMA formed after splitting from a previous delivery worker group that disbanded as Lu and other workers felt that this previous group was ineffective while abusing power, although the workers did not specify details of what happened. CMA focused on giving assistance to delivery workers on issues like helping workers at court for e-bike summonses, mediating restaurant-employee pay conflicts, and bringing worker issues to the attention of Margaret Chin, their local City Council Member. CMA’s primary limitation was a lack of English language capabilities. We met with CMA several times to understand their needs and concerns, which centered primarily on policing, especially of e-bike use. After the first meeting, CMA took us to a local restaurant for a dim sum meal so that we could build a relationship. CMA would remain our most reliable partner as a liaison to Chinese workers while we often helped them with translators and access to English-language media and political meetings. These CMA meetings were set up at times and locations in Chinatown comfortable for the workers. In an example, we once met with over 40 Chinese workers with CMA at a midnight meeting in Chinatown as this was the best time that would maximize the number of workers who could attend.

Once we recruited eight people interested in participating in our PAR team called the Delivering Justice Project, we held a welcome team potluck at my apartment. At this meeting,
we were former delivery workers, scholars, teachers, bike activists, social workers, and urban planners. At this event, we broke bread and built enduring relationships. In one activity, we each drew a picture of what brought us to the meeting and where we hope this work would take our team. We each shared these thoughts and what we knew and did not know about food delivery work. Xiaodeng Chen, an immigrant and former delivery worker, spoke about how he had to use a very heavy chain lock to keep his bike from being stolen. He told us that while bicycling on a delivery, he would have to wear this heavy chain draped around his shoulder and torso and that to him, the chain felt like a weight of bondage. As further training, both Xiaodeng and I would participate in Critical PAR Institutes conducted by the Public Science Project.

Through the initial conversations with our Delivering Justice Project team and with delivery workers, we came up with our research question of: How do NYC food delivery cyclists experience and resist systematic oppressions in their working mobility as they navigate public streets? To answer this question, we decided to focus on worker experiences of policing, street mobility, and working conditions.

Through the next few months, our team met regularly to read critical race theory and about the PAR approach to research. We had frequent discussions about the difficult pressures and contradictions of this PAR work due to fraught power inequalities, tensions of who can and cannot participate on our team, our relationship to current delivery workers, language barriers, dealing with our collective traumas, and the complex personhoods of team members and delivery workers. We also examined media stories about NYC food delivery workers to understand the dominant and resistant public narratives about food delivery workers. Through this process, we published a book chapter on our media analysis (Lee et al., 2016). This media analysis in combination with our mapping and analysis of criminal court summonses for commercial cycling
allowed us to recruit more volunteers to our team, connect with other organizations, and produce counternarratives in media stories. As a result, our team began to partner with organizers from Transportation Alternatives, particularly around the e-bikes policing. Participatory processes also allow us to leverage a greater variety of relationships throughout NYC for greater access to different parties involved in the production of food delivery. Eventually, these processes transformed our Delivering Justice PAR team into a #DeliverJustice Coalition in e-bikes advocacy with workers and various community organizations.

Beyond team building, next, I will discuss how I am situated in this research and characterizing the han I bring into co-constructing the research and what this means to me.

**How I am situated in this research?**

I was riding my bike to the Graduate Center in midtown Manhattan when I reached a car-snarled intersection. I had the green light and was squeezing by the cars just as two cyclists tried to get across the intersection against their red light. I squeaked by them causing the other cyclists to stop and yell at me, “Hey Chinaman, watch out!” – Do. (Lee et al., 2016)

My experience in the quote above makes me reflect on the ways that I am situated closely and distantly from immigrant delivery workers. I am a Korean male immigrant who is now a naturalized American citizen. Most Koreans seem to recognize me as ethnically Korean based on my face, but to many others, I look like I could be a “Chinaman.” Raised in an upper-middle class family in California, I speak English fluently with a northern California accent and have been privileged to have access to college and graduate education. The han of growing up American and Asian colonized my body through the model minority myth (Lee, 1999) and American imperialism (Cho, 2008). The promise of partial whiteness under the model minority myth made me yearn and strive a long time for social assimilation under white terms and conditions. Throughout my life, I felt unease and distrust with my body with my self-conception being something grotesque to escape from. There is a sort of haunting double-consciousness (Du
Bois, 2008) in being a model minority that aspires to become someone whose body I can never be like.

The han I bring into this work is further complicated by the han of the Korean diaspora (Cho, 2008) and the trauma experienced by my family by Japanese occupation, the Korean war, and a severed country. For much of my life, I have run from this legacy of han as if I was trying to amputate my own limbs by distancing myself from Korean language and culture and my own family. My han always caught up with me as my traumas re-emerged and sprung anew.

Engaging in PhD studies has been an important step to decolonizing my body. For me, reading, thinking deeply, and teaching about critical race theory, feminist theory, pragmatism, and other scholarship has unmoored me from a haunted attachment to being a model minority. In this way, I have experienced academia as a deeply destabilizing space, but at the same time, this is not a complete decolonization of my body. Perhaps this destabilization is in part the reason why only half of all doctoral students finish their dissertations (Paterson, 2016). Set adrift, I felt in crisis with little idea about how to rebuild my body, of which, I found little in the way of systematic and structural support in academia.

Thus, as an essential method as part of PAR work with a han focus, I have been working to decolonize by body through healing it. I have been learning over the few years how to prioritize healing my body and how to ask and receive help. Some of this process has involved a lot of therapy that is both new to me and has been essential for me to work through my personal experience of family and collective traumas. Learning to bike the city has been a deeply embodied practice for me to feel the city through my body and to understand the knowledge produced by my body. Part of reclaiming my body has been to acknowledge and seek medical help with a chronic gout problem that plagued me since 2010. Healing my body has also been
about the ongoing struggles to enact love (hooks, 2005) in my closest relationships with my partner and family.

I have also found a pivotal aspect of healing for me through the activist scholarship of this PAR work. I have been learning how to confront my internalized model minority fears of voicing truth to power whether being interviewed by news media, writing in my public blog, or by organizing coalitions for action. My positionality both as perpetual foreigner and partial whiteness allow my body to act as a liminal interface to move between the margins and centers of power. I do not exist or truly belong in either space, but my body can listen carefully in the margins, help bring the margins into the center on occasion, and bear testimony as resistance in white spaces where workers are not included in conversations about them. My body as liminal also allows me to find spaces of healing community neither in the margins nor in centers of power. One example is my participation in The Untokening, a national group of black, Latinx, Asian, and allied mobility equity advocates and scholars with whom I feel a sense of belonging and kinship in our collective work.

In a pivotal moment for my body in December 2017, in response to the Mayor de Blasio’s e-bike crackdown, we worked in coalition with delivery workers, the Asian American Federation, and Transportation Alternatives to rally and protest at City Hall (Barone, 2017). Seeing more than 250+ workers show up plus many more supporters deeply moved something inside of me. In 2013, when I first started examining food delivery cycling, I felt quite isolated and distrusting of my perceptions. After the worker rally, I would cry a bit feeling overwhelmed by sensing something new in my body. I struggled to name it and when I did, I would weep some more. It was tiny, like little green buds bursting from the soil. But it was there, and I felt it for the first time in my life.
What is it?

That what my body sees, hears, feels, senses, smells, understands, and loves in the world is real. I felt like I could trust my body.

Research Data Collection & Analysis

The first three methods below, Field Trips, Media Analysis, and Criminal Summons Analysis, allowed us to familiarize our Delivering Justice Project team with background information about the key issues, concerns, and experiences of delivery workers. These methods informed the later methods of focus groups, surveys, and interviews with delivery workers. Throughout the course of the research, I took observation notes of fieldwork, advocacy, team, trainings, and other meetings.

Fields Trips to Bike Shops

Knowing little about the experiences and stories of delivery cyclists, our team did field work to approach delivery workers and ask about their primary experiences and concerns. Our team visited various bike shops in Manhattan (Upper East Side, Midtown, Greenwich Village and Chinatown), Queens (Astoria, Long Island City, Corona, Elmhurst and Jackson Heights) and in Brooklyn (Williamsburg and Park Slope). Bike shops tend to be a location at which many delivery cyclists will frequent for bike repairs. Some bike shops act as a social meeting place for delivery workers to socialize with bike shop mechanics and other delivery workers. In addition, we approached delivery cyclists on the street, although many were unwilling to speak on the street often because they were in a rush while in the middle of a delivery or seemed to be nervous to talk with us. These field trips and conversations with workers revealed primary themes of concerns for food delivery workers are unfair policing and ticketing, street safety, and labor conditions.
During this field outreach, we met Lian, the Vice President of the Chinese Mutual Association. The Vice President who is a delivery worker himself invited us to meet with CMA. We would establish a relationship with CMA that was vital for our work.

Based on this fieldwork, we decided to analyze media coverage and city data on criminal summonses of commercial cycling to better understand delivery worker issues and how these were understood by the larger New York public.

**Media Analysis**

Our team used a media analysis (Altheide, 1996) to interrogate the themes and discourses about NYC food delivery cyclists in various media stories. We found online media stories using three search terms: ‘food delivery NYC,’ ‘food delivery cycling,’ and ‘food deliverymen.’ With this process, we identified 74 media stories about NYC food delivery cyclists in media sources such as: 1) news media such as the New York Times, NY Post, NY Daily News, The Atlantic, Gothamist, Voices of NY, WNYC, Streetsblog, and Huffington Post; and 2) online blogs, websites or other media such as Transportation Alternatives and My Upper West Side.

We selected media stories if they appeared between 2004 and 2015 as NYC experienced a rapid growth of food delivery cycling in this period. We employed thematic coding (Braun & Clarke, 2006) of media stories to create numerous themes and codes. Upon review, we grouped the codes into three key themes: 1) visibly invisible cyclists; 2) crossing borders; and 3) mutual implication. Thematic analysis provided the foundational structure and data description for the media analysis.

Our team’s media analysis paid close attention to public and hidden transcripts (Scott 1990). A public transcript is what is communicated openly between the dominant and the subordinate whereas a hidden transcript is the discourse that occurs outside the ears of the
powerful. Scott (1990, p. 5) contends, “By assessing the discrepancy between the hidden transcript and the public transcript we may begin to judge the impact of domination on public discourse.” Therefore, our media analysis interrogates the gap between how the powerful characterize food delivery cyclists and how delivery cyclists speak about their experiences.

**Analysis of Criminal Court Summonses**

Our team analyzed public data from the NYPD (2016) on criminal court summonses for clearly identifiable bicycling infractions. Using this data, we mapped summonses by police precinct for 2007-2015 with two categories:

- **Commercial**: NYPD issues these summonses under a specific ordinance (Administrative Code 10-157) that applies to workers who use their bikes for commercial activities. Thus, food delivery cyclists are required to wear helmets and reflective vests among many requirements. This data does not include the e-bikes summonses. In addition, we normalized the commercial cycling summonses data by the number of restaurants (NYC Department of Health and Mental Hygiene, 2016) in each precinct.

- **Non-Commercial**: NYPD issues these summonses for cycling infractions that apply any NYC cyclist. Some examples include riding on sidewalks, not having a bell, and not having lights at night. These summonses do not include other summonses that NYPD commonly give to cyclists such as running a red light or going the wrong way on a street, because there is no way to differentiate between cyclists and motorists in the NYPD data for these summonses. Our team normalized these summonses with the residential population (US Census, 2010) in each precinct.

To date, we have been unable to secure precinct-level data on e-bike summonses and confiscations. This analysis along with the field trips and media analysis formed the basis for the following research methods of focus groups, surveys, and interviews.

**Focus Groups**

Our team conducted the first focus group in Mandarin with 14 attendees from CMA on a Sunday morning focused on a broad open conversation with workers to hear their stories and concerns. Our team carefully crafted a focus group protocol that we quickly discarded as the Chinese workers jumped right into an emotional and lengthy discussion about their anger,
frustrations, and trauma with policing. In addition, workers came in and out of the meeting as some workers had to leave for work while others dropped, in so our dialogue was sometimes discontinuous. The focus group did highlight the primacy of policing as a concern for Chinese immigrant workers, particularly around electric bikes. We used this focus group along with other field work to develop a delivery worker survey.

Between the two focus groups, our team attempted to host a Spanish-speaking focus group, but finding a good time and location proved challenging while we spread the word widely and passed out numerous flyers, we did not get any participants in our focus group. This experience reinforced the need to build relationships with workers and trusted community groups in order to engage workers.

The second Chinese focus group occurred with six workers from CMA. The purpose of this focus group was to more deeply explore the various themes of the survey questions and see if we were missing any important questions and experiences. While much of worker discussion of this focus group also centered on policing and e-bikes, the workers opened up about their family and immigration stories that were absent from the first focus group. There seemed to be a pivotal moment when the meeting was about to end when the workers kept talking and shared powerful and personal stories of the sacrifices, pains, and struggles they endured in their long absences from their families in China. It felt like these workers were beginning to trust us as we listened closely.

I used thematic coding for the data collected during focus groups, interviews, and field notes at public meetings in order to identify the major and minor themes regarding the experiences of food delivery cycling (Braun & Clarke, 2006). I did line by line coding of the transcribed focus groups and interviews and the field notes to generate as many themes and
codes as possible. I reviewed the codes and grouped them into larger themes based upon the research question and the foci of policing, street safety, working conditions, immigration, and resistance.

**Surveys**

We developed our survey based upon conversations and focus groups with delivery workers about their experiences, concerns, and needs. We tested the survey with two Spanish-speaking workers and several Chinese workers and made revisions based on their comments. We also trimmed the survey to two pages to keep the length manageable for time-constrained workers. After showing a final version of the survey to a couple of workers, we felt reassured by their approval.

Overall, our team collected 153 surveys with delivery cyclists in 2017. Of these surveys, workers filled out 91 surveys in Mandarin, 35 surveys in Spanish, and 27 surveys in English.

To collect the surveys, we used several methods to varying effects: 1) “Bag method”; 2) organized surveying events; 3) varied approaches on the street and at different networks to delivery workers.

First, our team tried the “bag method” of surveying (Applebaum et al., 2011). In this method, we assembled the survey in Spanish, Mandarin, and English along with a stamped return envelope in a plastic bag. Our team then distributed the bagged surveys by tying them to delivery bikes or handing directly to workers at various neighborhoods. We distributed 700 bagged surveys in the Manhattan neighborhoods of Upper East Side, Midtown East, and Greenwich Village. We originally planned to expand this process to other neighborhoods and boroughs. However, we only received 11 surveys back in this method for a response rate of 1.6%. Based on this low response rate, we decided to shift strategies to other methods.
Second, we worked with different organizations such as the Chinese Mutual Association and a bike shop in the Upper East Side to advertise and conduct surveying events. By working with these organizations that have preexisting relationships and trust with workers, we were able to do in-person surveying at specific times and locations. At each event, we provided a voucher for a local restaurant or bike shop as an incentive for the workers.

Chinese Mutual Association event: CMA notified the delivery workers in their network about our surveying event. We also purchased vouchers for a local restaurant that CMA was friendly with, which pleased Mr. Lu of CMA as it gave him face in the community. We set up a surveying table with two Mandarin translations in Chinatown (Manhattan) outside the restaurant from 2-4 pm for three days from Saturday through Monday. These are times and days when the workers are more likely to either have the day off or can take time from work to come. Once we set up, Mr. Lu called workers to come and made announcements about the surveying on a WeChat channel for Chinese delivery workers. Over the three days, we collected 81 Mandarin language surveys. In this process, we discovered potential reasons for the low response rate of the “bag method.” First, many of the Chinese workers did not have strong literacy and were unable to complete the Mandarin survey without assistance from a translator. Second, many workers were confused by how to fill out a survey as many had never filled out a survey before. Third, many workers only came because they felt they could trust us because it was CMA endorsing the event. Finally, some workers had trouble filling out the survey because of occupational health impairments. For example, one worker told us that he could not hold a pen to do a survey because his wrists hurt badly from the stress of riding his bike constantly for work. This event confirmed the need to do in-person surveying of immigrant workers through
community networks rather than the bag method. In addition, we heard dozens of specific stories from workers about their experiences at this event.

Bike shop: We established relationships with staff at a Latino-owned bike shop in the Upper East Side (Manhattan). We purchased vouchers for the bike shop and distributed flyers in English, Spanish, and Mandarin at the bike shop and to workers and on bikes in the surrounding neighborhood about the surveying event. We did this for three days of surveying for two hours in the middle afternoon on each date. Over the three days, we collected 20 Spanish language surveys. Similar to the CMA event, some Spanish-speaking workers had limited literacy and could only fill out the survey with a translator. Workers tended to be more willing to do the survey at the bike shop than on the street because they had a few minutes and felt more comfortable when the bike shop staff vouched for us. We also visited a Latino owned bike shop in Elmhurst where the owner allowed us to hang out and we were able to do five surveys with workers who came by.

We collected the remaining 36 surveys by approaching delivery workers on the street and with other community groups. In one case, an organizer at Make the Road helped by distributing the survey to a few Latino delivery workers at a worker meeting. We approached workers on the

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4 We had multi-lingual surveys, $5 coupons for the bike shop, cold bottled water in a bucket of ice, and numerous snacks such as granola bars, trail mix, and fruit strips. We had made big signs in Spanish, English, and Chinese on the window of bike shop to make us more visible for passing workers. After completing the survey, we would give delivery workers a $5 coupon and tell them to have some water and treats. Every single time, the workers asked us how much the water and the snacks would cost and we would have to explain that it was for them and free. One worker in fact thought he had to pay us $5 to do the survey instead of us giving him a $5 coupon. This dynamic was paired by six random elderly and middle-aged white pedestrians passing by who stopped, peered at our table with all the snacks and water, and asked us, "Oh, what is going on? Is this a free giveaway?" Despite the bright, fluorescent signs in multiple languages that clearly marked this event for delivery workers, I explained to them that the event was for food delivery cyclists. Out of curiosity, I offered, "Well, the bottled water and snacks are for delivery workers, but we have plenty so if you would like to grab something, go ahead." To my surprise, 5 of the 6 of these white people took something. The one person who did not take anything looked over our spread, wrinkled her nose in displeasure (whether about the choices or some other unknown reason), and left without taking anything.
street in various neighborhoods in Manhattan (Upper West and East Sides, Washington Heights, Union Square, Midtown), Brooklyn (Sunset Park, Park Slope, Williamsburg), and Queens (Jackson Heights, Elmhurst, Corona). In this approach, we had greater success with English speaking workers as we collected 22 English language surveys. We had some limited success with both Spanish- and Mandarin-speaking workers as long as we had the appropriate language-fluent volunteer with us.

For the surveys, I analyzed the survey data in SPSS for general descriptive statistics and cross tabs and chi squares. Since no one has ever surveyed food delivery workers before, descriptive statistics gives the population demographics, policing experiences, street safety, and conditions of their labor. One caveat in this analysis is that it is based on a relatively small survey sample size (n=153) along with large percentages of nonresponses for some questions. This may be partly due to survey length as we had higher rates of nonresponse for questions on the second page. For example, there was only one nonresponse for an early question on delivery vehicle type while there were 69 nonresponses on a second page question on tips. The length could be challenging for workers with little spare time or if they are not fully literate, which was often the case. In this way, I caution that this survey analysis should be a launching point for further study and work rather than being treated as a definitive description of NYC deliveries workers.

With these caveats in mind, I used cross tabs and chi squares to examine multiple relationships between language, immigration status, race, age, policing, and mode of transportation. In addition, I also conducted multiple regression and binary logistic regression analyses to see what factors explain outcomes such as hourly wages or e-bike use.
Interviews

We conducted 26 semi-structured interviews with the following people:

- 7 Chinese male immigrant delivery workers
- 1 Chinese male e-bike shop owner & 1 American-born e-bike shop manager
- 4 Latino immigrant delivery workers and 1 Latina widow of a Latino immigrant delivery worker killed by a driver.
- 1 African male immigrant delivery worker
- 4 Latino & 1 Latina USA-born delivery workers
- 5 Black, White, & Other USA-born delivery workers (3 women, 2 men)
- Adam Price (CEO of Homer Logistics, a 3rd party delivery company)

Organizing interviews with immigrant delivery workers proved to be a difficult challenge. We recruited potential interviewees through CMA, other connections, and through canvassing on the street and bike shops. Even with our relationship and trust at CMA, we would often set up interview times, but the worker would back out at the last minute worried about speaking out even though we promised confidentiality. 15 Chinese immigrant workers agreed to do interviews with us, but only seven happened with the others canceling or simply not returning our phone calls. Likewise, only 5 of 11 planned interviews with Latino immigrants occurred. For other immigrants such as West Africans or Bengalis, only 1 of 6 planned interviews occurred. For American-born delivery workers, only a couple of planned interviews did not occur. It is difficult to say exactly why so many workers pulled out of doing interviews. In part, the political climate on immigration in 2017 scared many immigrant workers. One Latino worker only agreed to do an interview with us because he saw his friend talking with us and vouched for us.

We conducted semi-structured interviews with the participants at a location and time convenient for the participant (e.g. home, restaurant, bike shop, The Graduate Center, etc.). Interviews in Spanish and Mandarin occurred through translators. These interviews explored the
delivery worker experiences of working conditions, safety and dangers, policing, mobility in streets, people interactions, buildings and security, and immigration stories if relevant. Interviewing a diverse group of delivery workers allows for me to examine how race, gender, and immigration status affects delivery work experiences. In addition, many of the workers had stories about working for 3rd Party apps such as Doordash, Caviar, and UberEATS. I was also able to interview Adam Price, CEO of Homer Logistics, which is a 3rd party app that contracts delivery workers with restaurant orders to gain insight on the growing technology influence on delivery. After the interview, Price invited me to participate in a weeklong training with new delivery workers, which I did and was able to also do four interviews with Homer’s delivery workers. We also interviewed a Chinese e-bike shop owner and an American-born e-bike shop manager to better understand e-bike technology and how policing extends to e-bike shops.

I audio recorded interviews and transcribed them verbatim. I analyzed the interview data and field notes with thematic coding based on the same protocol as the focus groups.

Field, Advocacy, & Participant Observations

At all these events and opportunities described below, I took extensive field notes.

Based upon the invitation of Adam Price from Homer Logistics, I attended a 5-day training with Homer Logistics with 8 newly hired Homer delivery couriers in September 2017. This training included Homer’s best practices of delivery plus in the street training with doing actual deliveries and shadowing expert couriers.

I attended a DOT forum for business owners on delivery cycling, which the DOT puts on occasionally. We also met with the National Mobilization Against Sweatshops and with Make the Road. In one instance, NYC Council Member Margaret Chin invited our team at the Biking Public Project to attend a meeting she organized with the NYPD on delivery worker complaints
about e-bikes policing. This meeting included NYPD Chief of Transportation Thomas Chan, other NYPD officials, and other NYC Council Members and staff.

Upon the Mayor’s announcement of an e-bike policing crackdown in October 2017, our team with the Biking Public Project formed a #DeliverJustice coalition with the Asian American Federation and Transportation Alternatives. In later months, Make the Road NY and Legal Aid Society would join our coalition. In our advocacy efforts, our coalition organized a meeting to bring Chinese delivery workers to meet with City Hall officials so that the workers could directly tell City officials their experiences and stories. Our coalition provided the city with an e-bikes policy memo with policy recommendations that were created through our team’s conversations with delivery workers. We also organized delivery workers to confront Mayor de Blasio at a City Resource Fair in Brooklyn and at two Mayoral townhalls in Flushing and Sunset Park in late 2017. I also attended coalition meetings with NYC Council Member Helen Rosenthal and with NY Assembly Member Yuh-Line Niou’s staff. In recent months, the coalition has met with other elected officials and spoken with members of Governor Cuomo’s staff.

A large challenge in this advocacy work is the uncertain resolution on the e-bikes question. The advocacy has opened up many doors and provided great insight, but it has also drained our team in the enormous time and resources expended. For instance, the Biking Public Project has become the go-to group that many journalists turn to for delivery worker advocacy perspectives and quick access to Chinese workers. This has completely strained our team’s capacity even when the reporters provide their own translators as it has been an enormous amount of time and effort to speak with media and to coordinate media requests with workers willing to talk. At the same time, the growth of the coalition has allowed our PAR team to share much of the advocacy burdens with other groups.
At this point, our coalition continues its work on advocating for a resolution on e-bikes policing and this work will be discussed in Chapter 7.

Conclusion

Where scholarship and activism overlap is in the area of how to make decisions about what comes next. As this project grew from a modest research inquiry into a decade’s lifework, so too did the need to figure out a guide for action. (Gilmore, 2007, p. 27)

The challenge that Gilmore refers to above is that there are no neat ends to activist scholarship. This PAR research sparks many more scholarly questions to be answered while ongoing and future advocacy campaigns to address collective traumas rumble onward. One challenge for me has been to take a break from the ongoing e-bikes advocacy so that I can write this testimony to what we have witnessed. I remind myself with Gilmore’s words about activist scholarship and that the road to resolving complex intersectional harm is a long project that cannot be approached alone and rather it is a transgenerational collective project of decolonization and healing.

In the course of our work, we met with and sought to establish relationships with other groups that have contact with delivery workers. We had varying successes and failures in engaging with organizations such as National Mobilization Against Sweatshops, Street Vendor Project, Chinese Staff and Workers’ Association, and Laundry Workers Center. These organizations often had overlapping interests but also limited capacities to engage with us as e-bikes policing was not a high priority for these many of these groups. However, these efforts also allowed for the development of the #DeliverJustice Coalition with immigrant workers and advocacy organizations such as the Asian American Federation, Make the Road NY, Transportation Alternatives, and Legal Aid Society. I remember dreaming up this research project and feeling very alone. Then Professor Tarry Hum introduced me to Helen Ho of the
Biking Public Project and then there were four of us in a room. Recently, hundreds showed up for a weekday morning rally at City Hall and I feel I am part of a community of healing and resistance.

In my own way, han-focused PAR has been critical for me to name and voice how my own body has been colonized within a system of white supremacy. As such, I am also researching what kind of han has sunk into my own body. It has not escaped my notice that my research has centered on cycling, a deeply embodied way of knowing the city and moving through place and time. This movement mirrors what is moving inside of me. As a research method, I am rebuilding trust in my own body, so I can bring my whole self to this lifelong work of engaging in activist PAR scholarship with a community of resistance and healing that seeks to resolve the intersectional han that haunts us.
Chapter 3: “They prowl residential neighborhoods at night”: Public Narratives about Food Delivery Cyclists

Introduction

Decrying Chinese food delivery cyclists, a New York Post article states:

*Szechuan Psychos.* Working for tips and of questionable immigration status, they serve in the mechanized infantry of General Tso’s army. Rusted rides and dumpling physiques generally prevent these wonton warriors from building up much speed – but they prowl residential neighborhoods at night. You’ll never see the one that gets you. Nor will you be able to sue him for all he’s worth, unless you don’t mind being paid in moo shu pork. (Smith, 2009)

As this quote above demonstrates, media stories and public narratives often denigrate food delivery cyclists who are often low-wage, Asian or Latinx, male immigrants. These workers quickly traverse the city to deliver hot, fresh food to customers at all hours and under any weather conditions. In this chapter, I will discuss how these kinds of media depictions dehumanize immigrant delivery workers and form the basis by which public safety is defined as safety from immigrant delivery workers. These dominant public narratives are crafted within white echo chambers where public dialogues and processes about street safety exclude, silence, ignore, and gaslight voices from marginalized groups like immigrant delivery workers.

Speaking for others is often a fraught practice that harms marginalized groups through detrimental discourses that mark them as ‘other.’ Alcoff (1995) contends that while we should work towards speaking with people rather than for people because of the problematic risks of speaking for others, that sometimes we are beholden to speak for others to dispel damaging misrepresentations. Speaking for others should not be done lightly and only after a careful examining our impetus to speak along with our situated positionalities and contexts, accepting responsibility for our words, and analyzing “the probable or actual effects of the words on the discursive and material context” (*ibid*, p. 26). Immigrant delivery workers often have challenges
in speaking with English-language news media due to issues such as language barriers, fears from precarious immigration statuses or employment, and simply being too busy and exhausted from exploitative delivery work. Media stories frequently depict immigrant food delivery workers without their voices and usually fail to address Alcoff’s (1995) cautions for speaking about and for others’ experiences.

When media stories do listen to immigrant delivery workers, they voice counter-narratives that resist their dehumanization and complicate the relationship that immigrants have with the United States:

Alvarez recounts his life in America as a cautionary tale for immigrants, one he says is common in the restaurant industry. “I don’t believe in the law, not even here,” he says. “This is the country of freedom? Not for everybody.” (Delivery City, 2011)

However, media depictions with delivery worker voices are the exception. Largely, media stories about food delivery worker are marked by a haunting tension of presence and absence. Delivery workers are present since the stories are about them, but workers are simultaneously absent as more privileged voices colonize these narratives.

These skewed public narratives have enormous consequences for delivery workers.

In October 2017, Mayor de Blasio of New York City (NYC) announced in a press conference a full police crackdown on electric bikes (e-bikes), which are the favored vehicles of many immigrant food delivery workers. The Mayor justified the crackdown based upon complaints from privileged communities like the Upper West Side about public safety:

Because what we saw was a growing safety problem. And I’ve had a lot of people at town hall meetings say to me that they are concerned that they want to make sure we address reckless behavior by these electronic bicycles. And it really fits everything we’re doing with Vision Zero. (NYC, 2017)5

5 Vision Zero is a NYC policy imported from Sweden that strives to achieve zero traffic fatalities (NYC, 2014).
However, when asked four times by reporters at the press conference to produce traffic safety data such as crashes, injuries, or fatalities caused by e-bike riders to support the assertion that e-bike use by delivery workers posed a public safety threat, the Mayor and NY Police Department (NYPD) did not and still have yet to provide any such evidence (Aaron, 2018). This press conference exemplified the gaping distance between dominant public narratives driven by the powerful and hidden or unheard accounts by marginalized groups (Scott, 1990). As such, the Mayor predicated the police crackdown on e-bikes based on fear-based narratives crafted and amplified in white echo chambers.

This chapter will explore how white echo chambers produce public narratives about street safety by manipulating tensions of hyper-invisibility and visibility to exclude immigrant delivery workers. These public narratives build upon white anxieties about “uncontrolled” immigrant delivery workers performatively crossing invisible borders (Anzaldúa, 1987) by traversing into and throughout wealthy neighborhoods to deliver food. These dominant narratives have severe material effects on delivery workers as these narratives influence city policies that enact harsh policing regimes. A narrative of lawless immigrant delivery workers divorces privileged residents and customers from their mutual implication in the production of tip-based delivery work that coerces speed and disposability. This chapter will also address the need to engage marginalized groups such as food delivery workers in creating public knowledge for more equitable re-imaginings of city streets and systems.

**(In)Visible Cyclists**

In response to criticism about racial and class inequalities of bike infrastructure, planners have coined ‘invisible cyclists’ to describe people not included in bike planning, such as low-income cyclists of color (Fuller & Beltran, 2010). Neglected rather than ‘invisibility’ may be a more
accurate description as non-whites and immigrants cycle at equivalent or even higher rates than white cyclists (People for Bikes and Alliance for Walking & Biking 2015; Smart 2010). The bicycling movement has centered white middle-class male privilege so that the “visible figure of the white upwardly mobile bicyclist who dominates mainstream urban bicycle culture can marginalize other types of people who bike through cities” (Hoffmann, 2016, p. 4). As such, bike advocacy and planning in NYC have not included immigrant food delivery workers even though 45% of the NYC bicyclists may be food delivery cyclists (Tuckel & Milczarski, 2009). In 2012, the NYC Department of Transportation estimated that there are 50,000 delivery cyclists (NYC Council, 2012). Despite the sizeable presence of delivery cyclists, city officials and bike planners and advocates do not involve delivery cyclists in dialogue about street safety and design. Partly, planning processes typically privilege top-down technocratic decision-making that discounts the embodied knowledge of people and communities, particularly marginalized ones (Lugo, 2013; Lee, 2016; Sulaiman, 2016). Furthermore, biases in counting cyclists, which utilize methods that systematically undercount food delivery cyclists, contribute to the ‘invisibility’ of food delivery workers with transportation experts (Kennedy, 2012; Stehlin, 2014). The NYC Department of Transportation (DOT) finds that cycling increased by 109% in from 2006-2011, but this count does not include most commercial cyclists (Delivery City, 2011). With such discrepancies in bike planning and advocacy, the rapid growth of NYC’s bike infrastructure has been highly uneven, which has benefitted wealthy areas while poorly serving low-income cyclists (Applebaum et al., 2011). Bicycling itself is not causing these inequalities, but bicycling is embedded with systems of power and inequalities.

Despite some well-meaning intentions to draw attention to “invisible” cyclists as a means to acknowledge bike infrastructure inequalities, this term illustrates the power disparity of who gets to define others. Defining cyclists as ‘invisible’ is to distance them from the dominant form
of white, affluent form of cycling. ‘Invisibility’ insinuates that the absence of marginalized cyclists from bike planning and advocacy results from something special and inherent about these cyclists that make them hard to see or suggests they are to be blamed for not being more present. This discourse ignores how structures and systems of bike advocacy and planning privilege some cyclists while designed to exclude others.

This presence yet erasure of the perspectives of ‘invisible cyclists’ such as food delivery workers extends to media coverage about them. In our analysis of media stories about NYC food delivery cyclists from 2004-2014, these stories frequently omitted the perspectives of the food delivery workers. In our analysis, we found that 73% (54 of 74) of these media stories did not have a quote from a food delivery cyclist. Given the journalistic principle of showing both sides, this seems like a glaring omission particularly when the story topic is about food delivery work. This critical tension of being present as the story subject yet absent in having voices creates a narrative vacuum that is filled by privileged white customers and residents who colonize the public narrative about the immigrant workers who deliver their food (Kennedy 2012, Smith 1999). Filling this vacuum, the stories regularly depict food delivery cyclists as “out-of-control” and “one of the great hazards” to pedestrians (Rakowicz, 2012). In another example, A NY Post article asserts that, “Freewheeling food deliverymen are giving Upper West Siders indigestion, riding their bikes illegally on sidewalks and mowing down pedestrians who get in their way” (Sutherland, 2010). These media stories tend to paint delivery cyclists as predatory and reckless in need of control, education, and policing. Thus, the invisibility label also obscures how so-called ‘invisible’ cyclists are quite highly visible as ‘bad’ cyclists by the privileged.

In one example, Kurt McRobert, a NYC based artist and bicyclist, published in Time Out New York a dozen cartoon images of the types of cyclists in NYC (McRobert, 2014) including one of a food delivery cyclist (see Figure 3.1).
McRobert briefly engages the uncomfortable interconnection of customers and delivery workers in his observation that New Yorkers temporarily pause their scorn of delivery workers at the moment of food service. But this cartoon fails at subversion by abandoning discomfort for more convenient and damning depictions of food delivery cyclists as senseless law-breakers. Saying that the delivery cyclist “respects nothing,” McRobert seems to suggest that the workers should not be disrupting the given social order and they are not giving proper respect to people like him. In addition, by suggesting that “all New Yorkers” hate delivery workers, he implies that these workers are outsiders beyond the scope of NYC’s community. In addition, strangely, McRobert depicts this delivery worker with a stomach paunch suggesting a sort of critical judgment about the bodies of delivery cyclists because he depicts the other types cyclists as slim and athletic. Not only does it distinguish the delivery cyclist from other cyclists, but this reflects a common bias.
towards able-bodies (Hamraie, 2017) that McRobert uses to suggests that delivery cyclists represent undesirable bodies while the other cyclists are ideal bodies.

In this sense, many privileged cyclists and bike advocates view food delivery cyclists as outsiders and the underclass of cycling, with descriptions such as “busboys of the road” (BikeSnobNYC, 2012, p. 50). In a past example, food delivery workers functioned as a scapegoat for broader anti-cyclist sentiments as Transportation Alternatives (2003) claimed, “In neighborhoods like the Upper East and West Sides, persistent problems with pedestrian-unfriendly cyclists, many of them in a rush to deliver food, has created considerable enmity towards all cyclists.” Gemmill (1989) suggests that a scapegoat, “functions as an intragroup depository for the group shadow… Because the emotional negativity is experienced as threatening, it is hidden in the darkness of the shadow” (p. 411). The way privileged cyclists depict food delivery cyclists as ‘bad’ is strikingly like how many people frequently scapegoat cyclists for the dangers of the street despite strong evidence that increased cycling improves street safety for pedestrians (Jacobsen, 2003). For example, at a Mayoral townhall in 2017 in east midtown Manhattan, Richard Resnick, a local resident, claimed, “You take your life in your hands now in New York City when you cross the street… Here come the bikes, everybody else get the hell out of the way” (Meyer, 2017c). One tactic of handling community hostility to cyclists has been for privileged cyclists to scapegoat immigrant delivery cyclists, which constructs a good-bad cyclist binary where privileged cyclists get to be the ‘good’ ones. In the face of fierce opposition in a car-dominant nation, the successes of bike movement to build bike infrastructure have privileged well-to-do and desirable cyclists (Hoffmann & Lugo, 2014; Stehlin, 2015b). This strategy excludes undesirable cyclists such as food delivery workers.

This scapegoating of immigrant delivery workers happens easily for privileged cyclists. In one example, the Manhattan volunteer committee of Transportation Alternatives invited me to present our research with food delivery cyclists. After my presentation, an old, white male bike
activist approached me to tell me that he was ashamed about how he had spoken of immigrant delivery workers in the past. He told me that it was so easy to scapegoat delivery workers when he could get support for cycling campaigns by agreeing with non-cycling community members who would tell him that the delivery workers were the bad ones who needed to be policed, not good cyclists like him (observation, February 16, 2017). This good-bad cyclist binary undermines solidarity amongst cyclists while failing to address problematic systems of white male privilege within cycling (Blue, 2016). In addition, this binary focuses the ire of the public upon ‘bad’ cyclists rather than on a dangerous system of automobility (Urry, 2004).

A flood of anti-delivery cyclist narratives and public actions in NYC erupted in the wake of Stuart Gruskin’s tragic death in 2009. In this crash, Gruskin stepped off the curb into the road when Geraldo Alfredo, a food delivery cyclist, who was cycling the wrong way on a one-way street collided with Gruskin whose fall resulted in hitting his head on the curb and later dying from a catastrophic brain injury (Dwyer, 2011). While the NYPD issued Alfredo summonses, the NYPD did not criminally charge him to the dismay of Nancy Gruskin, widow of Stuart Gruskin, who said, “I know that he didn't wake up that day and say, 'You know what? I'm going to mow down somebody.' But the fact is that he was reckless and he was careless” (Melago, 2009). Afterward, Nancy Gruskin led a campaign that resulted in new city legislation in 2011 named after her husband that requires delivery cyclists to attend a mandatory bike safety course and wear bright reflective vests with restaurant IDs and helmets (Aaron, 2012). Wearing bright reflective vests brands a public stigma upon delivery cyclists that suggests they require special surveillance and policing. Since this commercial cycling ordinance only pertains to working cyclists like delivery workers, food delivery cyclists become increasingly visible for potential policing and public mistreatment. Becoming more visible as migrant cyclists can result in xenophobic abuse (Reid-Musson, 2017c) and corresponds with mounting evidence of racial profiling by the police of nonwhite cyclists (e.g. Levine & Siegel, 2014; Swenson, 2013; Zayas
& Stanley, 2015). Thus, marginalized groups are hardly ‘invisible,’ but instead our systems produce a hypervisibility of criminality associated with nonwhite cyclists.

While Alfredo was breaking a traffic rule by riding the wrong way, the media quickly adopted the narrative of reckless delivery cyclists while glossing over Stuart Gruskin’s action of stepping into the middle of a street. This is not an attempt to victim blame Gruskin for his death, but rather this is to point out the sharp contrast in how the media and NYPD tend to sympathetically portray and absolve drivers who regularly kill pedestrians or cyclists who are subsequently victim-blamed in ‘accidents’ (Lee, 2015). Instead, power relations often determine the public recognition of harm so that only some deaths “are grievable and worthy of public recognition,” (Butler, 2004, p. 32). In this sense, Gruskin’s body becomes highly “grievable” being a well-to-do white middle-aged man and by the unequal power relation between his body and that of Alfredo as a low-income immigrant worker.

As a common practice, pedestrians often cross in the middle of the street in midtown Manhattan where Gruskin’s death occurred because there is frequent traffic congestion that make it possible for pedestrians to walk between stopped cars in the middle of the street. However, this can create a conflicting pedestrian-cyclist environment even when the cyclist is going the right way because cyclists can maneuver through the small creases between congested cars. In these situations, cyclists and pedestrians are often not visible to each other until the last moment when pedestrians step out from the curb or between cars. During my research, I shadowed Nicolas (male U.S. born, English and Spanish fluent, 40s), a food delivery cyclist, for a shift. As he navigated one of these congested midtown streets, he constantly rang his bell all the way down the street because he said that pedestrians often do not look for cyclists between the cars (observation, September 22, 2017). Sure enough, we almost hit a pedestrian who stepped out in front of Nicolas’ bike even though he was ringing his bell loudly. This kind of complicated pedestrian-cyclist conflict does not absolve Alfredo of responsibility, but as a marginalized
person, he has not been afforded complex personhood for his role in Gruskin’s tragic death that
drivers are normally given in fatal crashes (Fried, 2017a; Gordon, 2008). Noticeably, Alfredo’s
voice and perspective on the crash is absent in the media stories aside from one sentence in one
article noting that Alfredo told the police that he had not seen Gruskin before the collision
(Dwyer, 2011). Exacerbating the power inequality in media inclusion, many immigrant delivery
cyclists are reluctant to speak with reporters because they may fear being too visible with
precarious documentation statuses or because of language barriers (Fernandes & Wu, 2013).
Stripped of complex personhood and context, the resulting vacuum of excluded voices results in
media stories that depicted this tragedy with a simple, flattened narrative of ‘reckless’ delivery
workers, which greases the way to manufacture a public safety crisis that resembles a moral
panic (Cohen, 2002).

Figure 3.2. Edwin Ajacalon’s ghost bike at the site of his death. Photo by author.
In death, immigrant bodies become subject to posthumous inclusion for other people’s voices and purposes. While usually denigrated as ‘bad’ cyclists and otherwise rendered invisible in the bike movement when alive, immigrant delivery workers who die in crashes with cars become sainted in death by the bike movement. As mentioned in Chapter 1, the bike community installed a ghost bike for Edwin Ajacalon, a 14-year old Guatemalan immigrant delivery cyclist, killed by a speeding car driver. A few days later, the bike community installed a ghost bike for Ajacalon at the site of his death (Figure 3.2).

Likewise, on April 1, 2017, Cristian Guiracocha, a drunk and unlicensed driver, struck and killed Gelacio Reyes who was pedaling home in Queens to his wife and children at 3 a.m. after a delivery shift. Bike activists would also install a ghost bike (Figure 3.3) with Reyes’ family in attendance (Meyer, 2017b).

Figure 3.3. Flor Jimenez, widow of Gelacio Reyes, with their children at the ghost bike installation ceremony. Photo by author.
The intent of ghost bikes is to render visible the traumas of car violence and to give voice to the dead (Dobler, 2011). At both ghost bike installations, privileged bike and safe street advocates urged infrastructure changes based on their agendas. Upon Edwin’s death, advocates called for more automated cameras to crack down on speeding drivers while Gelacio’s death prompted advocates to demand protected bike lanes where he died. We do not know what Edwin or Gelacio would have said if they had the chance and whether they would have supported these advocated proposals. But these ghost bike installations were not about giving voice to Ajacalon or others like him, it was about using their dead bodies to amplify privileged voices in the bike and street safety movement. Perhaps speed cameras and protected bike lanes would increase street safety for delivery workers, but this proposal did not come from efforts or desires to hear and act upon what immigrant delivery workers have to say about street safety. This resonates with Adonia Lugo’s (2018) observation that cyclists of color are included within the mainstream cycling movement only within the terms set forth by privileged white male cyclists. As Lugo (2015) writes, “They want my exotic face but not the brain shaped by living in this skin.”

To tokenize and exploit immigrant delivery workers as useful victims in death, the bike movement largely obscures the immigrants’ e-bike use. I heard from Cristina Furlong, a Queens bike activist, that Reyes was riding an e-bike when the driver killed him, but there was no mention of this fact in any of the news coverage, bike advocacy, or at the ghost bike ceremony (observation, April 29, 2017). A couple of weeks later, I spoke with Flor Jimenez, Reyes’ wife and amid our conversation, she mentioned that Gelacio was riding an e-bike at the time of his death (personal communication, May 13, 2017). This suggests that the bike movement and

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6 At Reyes’ ghost bike installation, Jimmy Van Bramer, the local NYC Council Member argued for protected bike lanes at that location (Meyer, 2017b). At Ajacalon’s ghost bike installation, several officials including Brooklyn Borough President Eric Adams, NYC Council Members Brad Lander and Carlos Menchaca, and NY State Senator Jesse Hamilton advocated for automated speed cameras (Colon, 2017).
media obscured Reyes’ e-bike use to make him a more sympathetic victim in order to justify a ghost bike for him and to argue for protected bike lanes. Likewise, Edwin Ajacalon was riding an e-bike at the time of his death, yet media stories and the remarks of the public officials at the ghost bike installation largely omitted this fact. Thus, these narratives render e-bikes invisible to strategically tokenize immigrant workers. Whether in life or in death, whether rendered visible or invisible, dominant public narratives do not treat immigrant food delivery cyclists as if they can narrate their own complex experiences and needs. Rather, they are characters in the stories told by more powerful people who mold immigrant delivery workers according to the fears and needs of the privileged.

The “invisibility” discourse subtly implies that immigrant delivery workers are at fault for their exclusion. This narrative erases our responsibility to design systems that include them in media narratives, street safety, or bike planning while justifying false binary divides among cyclists. Producing this complex subjectivity of invisible visibility of immigrant delivery workers fundamentally marks the mobility of the privileged as correct and proper. As such, constructing the mobility of immigrant delivery workers as invisible visibility functions to define and maintain boundaries of racial and social hierarchies. In the next section, I will discuss what happens in public narratives when immigrant delivery workers are perceived to be crossing boundaries.

**Crossing Borders**

Borders both visible and invisible serve the powerful to differentiate us from them and to define the different sides of the socially constructed border as “safe” and “unsafe” (Anzaldúa, 1987). When immigrant food delivery cyclists ride into rich, white neighborhoods for work, they are in a sense crossing borders. Racial boundaries across NYC neighborhoods and boroughs persist as
an analysis of 2010 Census data by Logan and Stults (2011) shows that NYC continues to have a very high level of racial segregation. A revealing *NY Post* headline blares, “Upper West Siders take on out-of-control delivery men” (Sutherland, 2010). Based on the demographics of the Upper West Side and NYC delivery workers, another way to translate this headline could be “Residents of a rich white neighborhood take on out-of-control immigrant delivery cyclists who bring rich white people their food.” One thing to notice in this conflict is the gaping power inequality of rich white residents confronting immigrant workers. A second noticeable aspect is the depiction of delivery workers as “out-of-control,” which suggests that rich white people are refusing to tolerate a situation where they are not in control of nearby immigrant workers. This article also contains a picture of a brown delivery cyclist riding in the crosswalk with the caption “GAME OF CHICKEN: A Chirping Chicken cyclist weaves through Amsterdam Avenue strollers yesterday” (Sutherland, 2010). This description uses several dog whistles to evoke a sense that the nonwhite immigrants present a reckless danger to vulnerable white babies.

Because borderlands are also spaces of hybridity and interfaces, undocumented immigrants who cross borders threaten American whiteness (Anzaldúa, 1987; Mize, 2008). Marginalized bodies from the ‘bad’ side that cross the border are subject to violence and dispossession. For much of the history of the United States, citizenship depended on a person’s ability to claim whiteness (Lopez, 1997). Because citizenship and mobility are deeply intertwined, being a citizen is to be able to move ‘correctly,’ while immigrant mobility threatens the “good order” of white citizenship (Cresswell, 2006). Xenophobic restrictions such as the Chinese Exclusion Act of 1882 exemplify how the boundaries of citizenship dictate the legal ability for movement. Thus, the U.S. produced citizenship by disconnecting immigrant from mobility:

In terms of citizenship the Supreme Court produced notions of mobile citizens as ideal types – autonomous individualized agents who through their motion helped to produce
the nation itself. But the unspoken Others here are the differently mobile – the undocumented immigrant for instance – who make citizen mobility special. (*ibid*, p. 752).

As such, nonwhite immigrants such as Asians and Latinx are characterized a “perpetual foreigners” (Ancheta, 1998; Wu, 2003). Media stories about delivery workers evoke American anxieties about nonwhite immigrants such as the “yellow peril” of Chinese immigration to the west coast in the late 19th century and Japanese American internment in World War II (Wu, 2003). Allan Ripp (2017), an Upper West Side resident, wrote in the *Observer* on fearing delivery cyclists killing him: "good luck getting [the police] to ticket or even warn a cyclist just because he happens to ride around like a Mongol warrior." The specter of “Mongol warrior” conjures a Eurocentric orientalist image of Asian barbarian invasions of white European civilization (Said, 1979).

Undocumented immigrant workers who cross borders often experience exploitative and unsafe working conditions (Kwong, 2009; Mize, 2008; Pulido, 2006). The entire work process of food delivery cycling includes dispossessions such as wage theft, risks of injury or death in car-dominant streets, lack of worker's compensation or health care, and robbery and assault (see Chapter 4). As such, Kennedy (2012) argues that the defining character of food delivery cycling is “disposable employment.” In one example, there was considerable media coverage about the successful lawsuit by 36 Chinese food delivery cyclists of their employer, Saigon Grill, for wage theft and work exploitation as their wages averaged $2 an hour (Greenhouse, 2008). As such, Asian and Latino immigrants are often situated as subordinated, disposable workers with ‘outsider’ racialization (Ancheta, 1998; Lee, 1999; Pulido, 2006). On one hand, these stories tend to be sympathetic to the plight of “hard-working” immigrant delivery cyclists to criticize the mayor for punitive e-bikes policing (e.g. Robbins & Singer, 2018). These media stories also exhort customers to tip well in bad weather (e.g. Casey, 2016). But these stories also have not provoked a broader public crisis for addressing exploitative working conditions.
Despite common knowledge of immigrant worker exploitation, news stories frequently characterize delivery worker behavior as terrifying and disruptive without cause. In our media analysis, we found a sharp contrast in the media story themes with and without food delivery cyclist voices (Figure 3.4). Stories without food delivery cyclist voices were 68% more likely to portray food delivery workers as bad or deviant cyclists and unsurprisingly, these stories were twice as likely to discuss or recommend educating, punishing or policing food delivery cyclists for “public safety.”

![Figure 3.4: Media analysis of story themes with and without food delivery cyclist voices (n=74).](image)

Effectively, the public narrative defines bike or public safety in terms of being safe from food delivery workers. Likewise, white neighborhoods often coopt safety discourses to hide racism by opposing bike lanes they fear will bring criminals (Farr et al., 2015).

White-dominated institutions give the veneer of democracy and inclusion but serve as boundary keepers for public narratives that serve white social order. For example, NYC Community Board members tend to be politically connected and disproportionately white (Kilgannon, 2016). After we at the Biking Public Project published an online report with our maps and analysis on NYC’s policing of working cyclists (see Chapter 6), Transportation
Alternatives (TA) activists approached me about presenting our research to Community Board 7 (CB7) of the Upper West Side because two TA Board members were on CB7’s Transportation Committee. This is a neighborhood with high levels of resident complaints and policing of delivery cyclists. After a couple of months trying to get me onto the CB7 Transportation Committee agenda, in February 2017, I was told to call Howard Yaruss, co-chair of the CB7 Transportation Committee and TA Board member, because he had concerns about my potential presentation. My phone call with Yaruss resulted in 45 minutes of hostility and combativeness as I could barely speak a sentence without being interrupted (personal communication, February 20, 2017). Yaruss repeatedly asserted that our research on the policing and working conditions of delivery cyclists was not relevant for the Transportation Committee even though their committee makes recommendations about traffic enforcement to the NYPD. Dismissing our work to listen to delivery workers, Yaruss admitted that his committee has never had nor invited a delivery worker to speak about their experiences. Nor had his committee even invited people like our Delivering Justice PAR team even we approach speaking for delivery workers with considered caution (Alcoff, 1995). Yaruss angrily denied me access by telling me that I would not be welcome to present to the Transportation committee because I strongly disagreed with his opinion that “lawbreaking” delivery cyclists needed more policing to be “reined in” until they “behaved.” Yaruss later said that I would be welcome to request permission to present later if I were to reframe our message to meet their needs. In effect, Yaruss acted as a gatekeeper to exclude delivery worker perspectives and counter-narratives from his ‘Community’ Board, which suggests that immigrant delivery workers are not included within the boundaries of what he defines as community. By doing so, Yaruss morally excludes food delivery cyclists from the scope of justice, which allows the privileged like him to rationalize and justify “harm for those outside, viewing them as expendable, undeserving, exploitable, or irrelevant” (Opotow & Weiss, 2000, p. 478).
The public perceptions of privileged residents of immigrant delivery cyclists engaging in transgressive mobility manifest in media stories that demand increased policing: “Get ready for slice and frisk. Reckless bike-riding pizza delivery guys and their traffic-swerving fast food cohorts are the target of a new crackdown” (Underwood & McShane, 2012). Being predominantly male exacerbates the criminalization of immigrant delivery workers because they are often described as a public safety threat to women, children, and the elderly, such as this quote from Brian Lehrer:

> There are other parts [of the West Side bike path] where you’re cutting through like a family picnic area and I’ve seen [delivery] e-bikes come up or pedal-assisted e-bikes come up on that path and almost hit kids, and I’ve been really scared for them. (The Brian Lehrer Show, 2017).

A system of white supremacy frequently enflames moral panics over the safety of women and children from predatory men of color. Such examples include ‘yellow peril’ panics, the lynching of Emmitt Till, and more recently when Donald Trump slandered Mexican immigrants as ‘rapists.’ The criminalization of immigrant delivery cyclists resembles a sort of public performance similar to how segregated public buses in the Jim Crow era served as “moving theaters” of conflict, repression, and resistance (Kelley, 1994). Understanding politics and public narratives through dramaturgical lens, Hajer (2005) writes:

> Today politics and policy are often made in unstable settings. In such cases, performing not only co-determines which rules are followed in the process. It also co-determines which definition of reality is followed, what temporal-spatial frame is seen as ‘appropriate’, and what constitutes legitimate intervention. This understanding of politics as performance recovers a sense of politics as an artistic endeavour. Politics is an art, and the analysis of politics as performance brings out the skilful way of persuading, the way in which different audiences are ‘acted upon’, are each approached in a manner appropriate to convincing the group, etc. (p. 449)

As such, immigrant delivery workers cycling into and through rich, white neighborhoods functions politically as a performative re-enactment of the crossing of borders by those without documents.
The perceived transgressions of immigrant delivery workers are heightened by their prevalent use of electric bikes (e-bikes), which are illegal to ride. Thus, e-bikes become associated as “dangerous” by their defined illegality and by the disruptive immigrant bodies using them (Chapter 6). On *The Brian Lehrer Show of WNYC* (2017), white cyclists Matthew Shefler and Ed Nessen described e-bikes as not “bicycles,” but rather they should be considered “motorcycles” and thus delivery e-bikes do not belong in NYC or on bike paths. This rhetoric is a means to create a distance and boundaries between ‘good’ cyclists like them and ‘bad’ delivery workers who are not using ‘real’ bikes. In this way, delivery workers also trespass and blur boundaries through riding e-bikes, as these vehicles do not simply fit in prescribed categories of bicycle or car.

Immigrant delivery cyclists embody numerous transgressions of boundaries through the interface of immigration, streets, labor and policing. The public production of immigrant delivery workers results in a politically performative re-enactment of border crossings by the undocumented through the various dimensions of this interface. These delineations of borders produce public narratives that define immigrant delivery workers as safety threats, criminals, and exploitable in these border crossings. As such, the media narratives of food delivery workers reflect unresolved conflicts and collective traumas that emerge into sharper relief through transgressive crossings at this interface.

**Material Consequences of White Echo Chambers**

In a system that silences and erases marginalized voices, echo chambers of white supremacy construct and amplify fictions about marginalized groups that rapidly become the basis of policies and actions in response to a manufactured public safety crisis like e-bikes. In July 2017, Matthew Shefler appeared on *The Brian Lehrer Show of WNYC* to talk about his fight against ‘unsafe’ delivery e-bikes in his affluent neighborhood of the Upper West Side (The Brian Lehrer
On the show, Shefler stated that e-bikes were causing potential danger by creating “chaos in the bicycle lanes” and a “nervy quality of life issue” \((ibid)\). To investigate the issue, Shefler counted many e-bikes parked at restaurants in his neighborhood and clocked the speed of some e-bike riders at 25 miles per hour, which coincidentally is the actual speed limit of any vehicle, including bikes. Still, Shefler spoke about e-bikes being a hazard at community outreach meetings of the local NYPD Precinct and at Community Board 7 of the Upper West Side, the same Community Board at which Howard Yaruss did not allow me to present our research.

Shefler also met with Helen Rosenthal, his local NYC Council Member, who has commented that e-bike use represents one of the top concerns of her constituents and thus she regularly talks with NYPD about policing e-bikes (Nessen, 2017). In all his efforts, Shefler never took time to listen to delivery workers about their e-bike use nor did the radio segment include any delivery worker voices. The show also did not provide evidence of a widespread public safety crisis caused by e-bike riders other than Shefler’s assertions and an anecdote told by a reporter’s uncle being hurt as a cyclist by an e-bike rider in a crash. To forestall accusations of discrimination, Shefler and the radio show argued that they were not trying to crack down on the “little guy” and “hard-working immigrant” but rather the solution is to target restaurants who have a fleet of e-bikes and are “sitting ducks” for enforcement if the city could figure out how to issue summonses to business owners (The Brian Lehrer Show, 2017). One enormous fallacy with this solution is that NYC restaurants almost never own the delivery vehicles because they usually shift these costs onto workers who then bear the brunt of police enforcement.

This radio segment had dramatic consequences as a few days later, Brian Lehrer played a clip with Shefler talking about the e-bikes ‘solution’ of going after restaurants for Mayor de

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7 Ironically, this segment with Shefler, a rich white banker, condemning e-bike use by predominantly low-income immigrants of color was WNYC’s first installment of The People’s Guide to Power, a series about activism after Trump’s election and how “ordinary people seek more of a say about the role of government in their lives” (WNYC, 2017).
Blasio. This resonated with the Mayor, and with lightning speed, these white fantasies became revamped city policy on e-bikes in just three months. This rapid policy change in a city government where legislation rarely moves quickly reminds us of James Baldwin’s (Peck et al., 2017) words: “White is a metaphor for power.” This indicates a disconcerting aspect of valuing embodied experiences. For privileged white residents, their accounts in the media indicate that they feel deep fear and panic when encountering immigrant delivery workers in their neighborhoods. There is no reason to believe that these people do not actually feel fear, but this fear is decontextualized in that there is no serious examination of where the fear comes from, for what purpose, and the reality of this fear. Thus, the fear-based embodied experiences of powerful white people are informing city policy even though it is at odds with technocratic public safety data. This is in contrast the exclusion of the embodied experiences and knowledge of marginalized groups in top-down technocratic city planning (Lugo, 2013; Lee, 2016; Sulaiman, 2016). This suggests that valuing embodied experiences and knowledge in shaping the city must attend to power relations and context rather than as a blunt colorblind instrument.

In October 2017, Shefler gave the opening remarks at the Mayor’s press conference on the e-bikes crackdown where the Mayor praised Shefler as a “good citizen” who cares about people’s safety (NYC, 2017). De Blasio announced city actions in the name of Vision Zero on the manufactured public safety crisis of e-bikes based upon the chorus of complaints from privileged residents where he promised a “full enforcement approach” to e-bikes (ibid, 2017). Throughout the press conference, Mayor demonstrated little understanding or care for the conditions and needs of immigrant delivery workers by suggesting that workers could find other jobs or use regular bikes or cars instead of e-bikes. In addition, de Blasio repeated and amplified the Shefler’s fiction that restaurants owned delivery e-bikes and that the e-bikes crackdown was shifting enforcement on businesses because the Mayor did not want “The poor schmuck delivery guy will have to pay for [e-bike fines]” (ibid, 2017). While the Mayor unrolled a new policing
procedure to issue more summonses by mail to business owners, de Blasio’s assertion of an enforcement shift away from workers is patently false as delivery workers still bear the brunt of e-bikes enforcement since they own and ride the e-bikes. By using the mirage of shifting enforcement, Mayor de Blasio, Shefler, and others engage in what Bonilla-Silva (2006) calls “racism without racists” where “whites enunciate positions that safeguard their racial interests without sounding ‘racist’” (p. 4). In the Mayor’s case, maintaining this fiction may also protect his image as the progressive ‘Sanctuary City’ Mayor who stands up to President Trump’s xenophobia. Shortly after the press conference, we met with Helen Rosenthal, NYC Council Member of the Upper West Side, who admitted to us privately that the Mayor’s e-bike crackdown plan was “half-baked” even as she praised it during the press conference (observation, November 1, 2017; NYC, 2017).

Ever since this press conference, the Mayor and his spokespeople have maintained the white lie that his e-bikes crackdown is about restaurants bearing enforcement despite delivery workers saying otherwise to the Mayor’s face at town halls and other public events (e.g. Hajela, 2017; Meyer, 2017d). The Mayor has also given cover for the NYPD to justify e-bike confiscations as part of Vision Zero and as enforcement against restaurants as seen in the tweeted picture by the NYPD 19th Precinct that depicts confiscations of parked e-bikes outside a restaurant (Figure 3.5).

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8 The updated e-bikes enforcement strategy still retained the front-end policing where the police stop delivery e-bike riders, issue $500-1000 summonses to them and confiscate the worker’s e-bike. Only at this point will the police possibly issue $100-200 summonses by mail to the restaurant owner.
Figure 3.5. NYPD confiscations of parked e-bikes in Upper East Side. (NYPD19Pct, 2018)

This policing based upon the narratives and logics of white echo chambers result in severe material consequences for immigrant delivery workers (Chapter 7).

**Mutual Implication with Immigrant Delivery Workers**

This white echo chamber poses an enormous challenge for immigrant delivery workers to challenge the logics of unjust policing, because the immigrant workers do not read, watch, and consume white media sources. Thus, immigrant workers have difficulty comprehending why they are being policed and how exactly to fight it. But the workers do intimately know that the Mayor did not try to hear their voices and experiences:

> If [the Mayor] strongly enforced the crackdown of the E-bike, it will make my life very difficult... When the Mayor made this decision, he did not communicate and listen to the grassroot workers or related organizations. What is going on with this? Why can’t we go on the road with E-bikes? The Mayor did not listen to or objectively consult with the grassroot workers. (Ming-húa, male immigrant, Chinese fluent, 50s)
One critical counternarrative is to examine food delivery work through a perspective of mutual implication, which allows us to acknowledge everyone’s complex personhoods where we can begin to examine how we are all implicated in each other’s lives (Torre, 2009). For example, in Figure 3.5, media stories with food delivery cyclist voices are much more likely to humanize and contextualize workers while discussing their important experiences such as work exploitation, robbery, assault, and dangerous streets (e.g. Albrecht, 2010; Gonnerman, 2007).

![Figure 3.6. Media analysis of mutual implication themes (n=74).](image)

By hearing their voices, the supporting narratives for the segregation of public safety begin to fall apart. However, we found that only 27% (20 of 74) of media stories connected customer demand for quick food delivery as implicated in delivery cyclist behavior (e.g. Siff, 2013). This low percentage indicates a reluctance in the English-language media to acknowledge what should be an obvious mutual implication of customers to delivery cyclist behavior. Furthermore, media stories rarely recommended systematic or structural approaches to address street safety concerns with only 5% (4 of 74) of media stories mentioning inappropriate street infrastructure for delivery cyclists. For example, a blog highlighted the mismatch between street designs and
the demands of delivery work: “Would I follow all the street direction rules if the restaurant where I worked were on a one-way street and it would add five minutes to every trip to go the right way round the block to reach it?” (The Invisible Visible Man, 2013). Stripping workers of important context is the deny our mutual implication with immigrant delivery workers.

By going to the places of Chinese delivery workers and speaking their language, Yichen Tu (2013) heard workers tell counternarratives that criticized the safety rationale of the commercial cycling ordinance:

Many delivery workers in Chinatown are saying, “The legislators have never ridden a bike before and they don’t know anything about food delivery.” As a hot and humid summer approaches, wearing a vest and helmet will be a physical challenge to the workers… All these various regulations were intended to protect the safety of the delivery workers. However, those on the front line of food delivery feel that the regulations are not necessary. “If the laws really want to protect the safety of deliverymen, then they should regulate the taxi cabs that cross into the bicycle lane.”

By hearing marginalized voices, the safe streets narrative changes because we are valuing the embodied knowledge of food delivery cyclists. The potential of storytelling through mutual implication accentuates the necessity to democratize the right to research and narrate knowledge because “the capacity to produce globally useful knowledge is not evenly distributed” (Appadurai, 2006, p. 173). Essentially, this chapter shows a compelling need to listen to immigrant workers in order to render visible the unexamined ways that we can better understand the production of food delivery and its collective traumas.

**Conclusion**

This chapter examined how white echo chambers craft and mobilize public narratives about food delivery cyclists and street safety. These narratives operate within a relationship of hyper invisibility and visibility for immigrant delivery workers designed to demonize and exclude. Media narratives also reflect how immigrant delivery cyclists performatively re-enact transgressive border crossings that invoke white fear of the disruptive immigrant bodies in
motion. This evidence also suggests the inequalities in how embodied knowledge is used to shape the city. Thus, our PAR approach to research and scholar-activism seeks to listen to immigrant delivery workers narrate their own experiences and conditions that have been excluded from the public transcript. As such, delivery worker voices and experiences will form the basis of the research explorations of chapters 4, 5, 6, and 7. In the next Chapter 4, I will explore how the unique space-time relationship in the interface of immigration and delivery working conditions that shape worker experiences and circumstances.

Acknowledgements: I have adapted much of the ideas and content of this chapter from a book chapter I wrote with our PAR team in 2016 about our media analysis of news stories about NYC food delivery cyclists. Thank you to the co-authoring team of the book chapter, which includes Helen Ho, Xiaodeng Chen, Mario Giampieri, Melyssa Banks, and Dorothy Le.
Chapter 4: “Rats crossing the street”: Transnational Dreams and Nightmares of Food Delivery

Introduction

I now tell my kids [in China] to not come to America anymore because life here is very tough. We still feel like we are rats on the street because of the police and I don’t want my kids to live like this. (Delun, male immigrant, Chinese fluent, 50s)

To understand this kind of quote from Chinese delivery workers, Xiaodeng, a member of our participatory action research (PAR) team, explained a Chinese proverb, “When a rat crosses the street, everybody yells to beat it down,” which means that the public hates bad people. This image of the hated rat in this proverb evokes the questions raised in Chapter 3 about who is characterized as ‘bad’ and how this is connected to crossing boundaries. Immigrant food delivery workers embody this proverb through their underclass experiences of transnational migration and delivery work.

In addition, privileged perspectives often whitewash the dispossessing experiences of underclass migration as part and parcel of the American Dream. Speaking about the tragic traffic death of Edwin Ajacalon, a 14-year old Guatemalan immigrant and delivery worker, Brooklyn Borough President Eric Adams said:

A young boy, [14] years old, coming here to experience the American Dream only to be taken and his family experience an American nightmare. It is something that should not happen with the crashes that continue to take place on this street. We cannot continue to place white ghost bikes on the roadways to indicate when another family has lost their loved one. (personal video, November 27, 2017)

Hinting, but failing to interrogate the interrelationship of the American Dream with nightmare, Adams segregates dreams and nightmares by attributing Edwin’s migration of several thousand miles as the American Dream experience while blaming the nightmare on unsafe streets. While Adams is certainly not wrong about the collective trauma of unsafe streets (see Chapter 5), he diverts attention from the role of the United States in the nightmares that result from a global
system of uneven development and migration (Smith, 2008; Sassen, 2014). Does a dream or nightmare better explain how a young teenage boy travels so far from home while likely experiencing dangerous and traumatizing conditions during his migration only to be exploited when serving food to wealthier people in order to send money to his family in Guatemala (Villegas, 2014)?

According to Ong (1999), in the current era of globalization, individuals and institutions engage in “flexible citizenship,” which is the “cultural logics of capitalist accumulation, travel, and displacement that induce subjects to respond fluidly and opportunistically to changing political-economic conditions” (p. 6). Furthermore, this production of transnational subjectivities occurs through Foucault’s (1991) concept of governmentality where self-making and everyday practices are produced through the disciplinary effects of power relations. Transnational flows shift the preoccupation of governments from territoriality to that of:

allowing circulations to take place, of controlling them, sifting the good and the bad, ensuring that things are always in movement, constantly moving around, continually going from one point to another, but in such a way that the inherent dangers of this circulation are cancelled out. (Foucault, 2007, p. 93).

Transnational subjectification is a mobile variation of neoliberal subjectification, where individuals “act strategically to develop themselves and their qualities as human capital within a field of competitive actors, seeking opportunity and advantage through the critical assessment of environmental opportunities” (Binkley, 2011, p. 383). As such, the construction of embodied labor power of transnational migrants occurs at the interface and interaction of multiple spatial scales (McDowell, 2008). This chapter will examine the production of neoliberal and trans-migratory subjectivities of food delivery workers at the intersection of multiple spatial scales of transnational capital and migration, the business of food delivery, the informal economy and
working conditions, and the micro-relations experienced by workers. As such, “rats that cross the street” embody both transnational dreams and nightmares.

**Transnational Capital & Migration**

Douglas Massey (1998; 1999) argues that the push-pull origins of international migration are largely rooted in the social, economic, political, and psychological transformations that occur in the wake of market creation and development. Thus, the postindustrial growth of international migration cannot be simply explained by wage differentials across countries, but rather by the unsettling forces of market penetration and consolidation, human capital formation, and social capital formation (Massey, 1998). These changing circumstances from market formations disrupt worker livelihoods and insert them into fluid and insecure labor markets. Zai Liang (2001) finds that China’s integration into the world economy greatly affected local communities by creating opportunities while also heightening inequalities, risks, uncertainties, and insecurities for many traditional households. In response, many households sent family members abroad to countries like the United States as a strategy to participate in emerging market economies and to protect themselves against risk and uncertainty from fluid economic conditions by diversifying income sources (Massey, 1998). For example, Chinese and Mexican immigrants tend to move from places where they are not necessarily poor, but they experience relative deprivation from mounting inequalities from rapid growth and development (Liang & Morooka, 2008; Liang & Ye, 2001; Massey, 1998). During China’s self-managed transition to a market-oriented economy, China’s migrant population exploded from below 10 million in 1985 to upwards of 100 million a decade later (Liang, Chen, & Gu, 2002). During this period, China strategically designated its first four Special Economic Zones to attract foreign investment in the Guangdong and Fujian Provinces, which are both regions of origin for large numbers of international
migrants to North America, Europe, other Asian countries like Japan, and elsewhere (Liang & Morooka, 2008).

In contrast to China, one mechanism for displacement through disruption in the Global South has been the accumulation of debt through the financial levers utilized by western countries and institutions; these debts open the door for disciplinary measures such as structural adjustments that allow the flow of transnational capital into the developing countries to privatize the country’s assets such as land and resources (Sassen, 2014). This situation has led to the expulsion and dispossession of many people of their lands and resources, which is accelerating mass migrations around the world (ibid). As an example, NAFTA took away the means of self-sufficiency for many low-income rural Mexicans by eliminating access to land, which led to mass flows of migrants (Mize, 2008). Accordingly, Wark (2002) argues that as an agentic response to the crises engendered by transnational capital, “Illegal migration is globalisation from below.” Pulido (2015) argues that these kinds of processes of taking and appropriation of land, money, and health is rooted in white supremacy. To maintain continual accumulation of assets, capitalism perpetually creates its own ‘other’ to dispossess (Harvey, 2005). Thus, transnational flexible citizenship is “shaped within the mutually reinforcing dynamics of discipline and escape” (Ong, 1999, p. 19).

Before coming to the U.S. in 2013, Zihao (male immigrant, Chinese fluent, 50s) worked for a government-owned natural gas company in the Hunan province where he had a good, middle-class life. But then the company was privatized, which upended Zihao’s life:

We were all laid off without proper severance. So we were fighting this, but nothing happened so far. So I had to find another way to make a living and that’s why I came to America and my family is still in China… My wife worked for the government and I had a stable job, we were middle class. Everything was fine until I lost my job and there were no other opportunities so I decided to come overseas.
Zihao also showed me pictures of his son participating in his college’s Tae Kwon Do team and whose college tuition he needed to send remittances to pay. Through his phone, Zihao maintains daily contact with his family, “I call them every day, I don’t have much time to chat on WeChat, but I call them every day to say, ‘I’m safe today.’ Otherwise they would be worried.” Still, Zihao describes his daily existence as “very lonely” and he yearns to have the legal status to travel back to China to visit his family. Lacking that, he hopes to work for a couple more years or longer before returning home to retire and reunite with family.

Transnational migration also relies upon the production-consumption linkages in global processes that provide migrants as cheap labor for U.S. consumption practices (Mize & Swords, 2010). The U.S. immigration debate often fails by focusing on undocumented immigrants while ignoring the business demands for exploitable and compliant labor while simultaneously weakening organized labor unions (Kwong, 2009). In this sense, global immigrant neighborhoods such as Sunset Park with many Chinese and Latinx immigrants exemplify, “local and concrete forms of globalization, neoliberal urban policies, and planning practices that promote gentrification and the consumptive desires of a luxury city and increasingly complex race and class contestations about neighborhood change and development trajectories” (Hum, 2014, p. 198). Perversely, the disruptive effects of transnational capital provoke mass flows of migrants while unevenly depositing surpluses that fuel consumption practices dependent on exploited migrant labor. This cycle means that dispossessed migrants often move to cities where they end up in service jobs like food delivery where they serve the needs of people who most benefit from the flows of global capital that displaced the migrants in first place. Thus, in NYC, food delivery workers tend to be immigrants from all over the world – Latinx, Asian, African, Caribbean, and so on.

NYC food delivery workers are often Chinese and Latinx immigrants as reflected in our survey data as seen in Table 4.1. While our surveying efforts required access with Chinese and
Spanish speaking workers rather than a completely random sample, this data confirms that the large numbers of NYC Chinese and Latinx delivery workers are predominantly male immigrants, which also reflects how migrant labor is gendered (McDowell, 2008). In addition, large proportions of Chinese and Spanish-speaking workers do not have documents, 31% and 62% respectively. In addition, only 2.8% of the Chinese speaking workers and 6.5% of the Spanish speaking workers have a college education, which is substantially lower than the 69% of English speaking workers who have a college education. Furthermore, only 2.1% of the Chinese speaking workers and 23.1% of the Spanish speaking workers speak English at excellent or good levels. These factors affect what jobs are available for these immigrants. Kang (Chinese focus group, April 2016) arrived in NYC past 50 years old, and based on evaluating his options based on his lack of English, his skillsets, and available jobs, Kang said, “I feel that my best way of surviving is to do delivery work.” Food delivery work is attractive to many immigrants because it provides uncomplicated steady work largely dependent on the physical labor of an accessible skill of cycling. In addition, lacking English is not a barrier to delivery jobs: “you just need a little bit of English, just need to know how to say numbers, and how to say, ‘Thank You.’ It’s enough” (Zihao).

Most of the Latino immigrant delivery workers who spoke with our research team moved to the United States from Mexico while only a few workers in our research originated from other parts of Latin America.9 By and large, Latinx immigrants spoke about migrating to the United States because in their home cities and towns, “There are not a lot of jobs there” (Manuel, male immigrant, Spanish fluent, 20s) and often landing where they have familial and social networks. This mirrors research about many workers from Latin America and around the world migrate in

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9 Unlike the high concentration of Chinese delivery workers from the Fuzhou Province who participated in our research, this research did not discern a region of origin with a higher prevalence for Mexican immigrant delivery workers. Because of the relatively small sample size, this does not indicate that there is not a more common region of origin for Mexican delivery worker immigrants.
<table>
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<tr>
<td>Female</td>
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<th>Range</th>
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<td>0.9%</td>
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<th>Spanish</th>
<th>English</th>
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<th>Some</th>
<th>A little or none</th>
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<thead>
<tr>
<th>Immigration Status</th>
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<th>Spanish</th>
<th>English</th>
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<tr>
<td>Other</td>
<td>5</td>
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<td>3.8%</td>
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<td>26</td>
<td>19</td>
<td>6</td>
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</table>
response to adverse labor markets in their home areas (Andersson, 2014; Hiemstra, 2012; Mize & Swords, 2010; Portes, 1997). Migration also often works through cumulative causation where each migratory act creates and reproduces social structures that perpetuate migration (Massey, 1999). Essentially, this helps explain high concentrations of specific groups of immigrants in New York City who often land in places with nearby family or pre-existing social networks. For example, NYC’s populations of Mexican immigrants and Fuzhounese immigrants from China began growing rapidly in the 1990s.10

However, immigrant delivery workers are not monolithic in their experiences and motivations. Ming-húa (male immigrant, Chinese fluent, 50s) is a graphic design artist who lacks dependent family and came to the U.S. to have new experiences. As a result, Ming-húa describes his experience as different from other immigrants: “My purpose is different due to the fact that I am alone. I don’t have family back home to feed. I seek mental satisfactions and trying to find some materials for creating purpose and experiences.” Similarly, Oba (male immigrant, English fluent, 30s) immigrated from Nigeria because he thinks “it’s good you leave your country to go to another country for experience, for more exposure and life experience.” It is important to note however, that both Ming-húa and Oba are both college-educated, which suggests that transnational migrant meaning-making and subjectification are shaped by the intersection of education and socioeconomic status.

Many immigrant delivery workers are Chinese immigrants from rural areas in the Fujian Province. Much of our PAR work centered on a partnership with the Chinese Mutual Association, an informal union and community group of Fuzhounese delivery worker immigrants. Chinatown’s dominant group, the Cantonese, call Fuzhounese immigrants “fearless

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10 By 1994, 100,000 Fuzhounese immigrants were estimated to be living in NYC with 10,000 arriving each year (Liang & Ye, 2001). In addition, Mexicans have been the fastest growing Latinx group in NYC with an estimated 250,000-300,000 undocumented immigrants (Hum, 2014).
ghosts” for their recklessness to make money and their willingness to work at or operate takeout restaurants in dangerous neighborhoods (Kwong, 1997). This migration context occurred in the wake of the Tiananmen Square protests in 1989 in combination with the collapses of Eastern European communist regimes, which provoked an ideological crisis in China. In response, the Chinese Communist Party in the early 1990s refocused its mission away from Communist ideology to that of rejuvenating China. This new mission would eventually transform into the Chinese Dream, which is a collective national desire to rejuvenate the glory and strength of China after a traumatic century of humiliation from Western and Japanese imperialism (Wang, 2014). Thus, the migration of Chinese workers reflects a dialectical relationship between the American and Chinese Dreams:

I was smuggled here. They said U.S. is heaven, many made a fortune. Those who returned [to China] had big houses. Their names were in the family ancestral halls. The U.S. was described as a heaven where everyone dresses in suit and tie without hard work. (Xue, male immigrant, Chinese fluent, 60s)

This overlap of the Chinese and American Dreams echoes Ong’s (1999) observation that narratives of Eastern-Western cultural divisions conceal a common embrace of global capitalism. The migration reality would be much different as many Fuzhounese immigrants regret coming to the U.S. because of harsh, exploitative working conditions and onerous high-interest debt to their “snakehead” smugglers (Kwong, 1997). Some migrant workers come to the U.S. legally if they can and overstay visas, but if they cannot cross border legally, many migrants turn to smuggling options (ibid).

Snakeheads smuggled Chiang (male immigrant, Chinese fluent, 30s) by flying him to Mexico where he was taken by boat and then driven with others hidden in a small car in the trunk and underneath the floorboard across the border along with a month stay at an unknown location. The whole process took three months and Chiang was unsure of where he was most of the time. Chiang said for some migrants, this process took up to a year, so that “Sometimes, if
you got bad luck, you won’t know where you are for the entire year.” On the last leg of the trip, he flew domestically to NYC where some of his companions were detained. Similarly, Tomas (male immigrant, Spanish fluent, 20s) experienced his border crossing as moving in unfamiliar and dangerous spaces that deeply affected and transformed him:

I came with my cousin and my brother. I felt very weird because it was my country but it was cold and hot and it was all these things and it was on unfamiliar territory… I was with other people, we bonded over this experience. We became compañeros. So I started thinking about that experience and now I’m no longer fearful of getting lost on unfamiliar territory because that experience shaped me in how I feel about other things now. On one occasion, me and my brother got lost with two other people, two other companions. That shapes you… We spent days on that mountain, I think we were already in American territory and then Immigration saw us. Everyone started running. So we went up the hill. Before we got lost, the person in charge split us up into six groups. I told him that “I need to be with my brother.” So men and women were in different groups so Immigration saw us and we dispersed. And so I, my brother and two others went up the hill and got away from Immigration… [Being smuggled] cost me $4000. It was a lot. My cousin and my father helped me pay for this… It took a year to save up.

These depictions of border crossings by the undocumented indicate a kind of mobility where a sense of place is blurry and incoherent. In Tomas’ description, he knows he is in his own country of Mexico, but cannot recognize the place and its rhythms. This suggests that part of the cost of mobility by those without documents is a disruption to place attachment (Proshansky, Fabian, & Kaminoff, 1983).

Ling (male immigrant, Chinese fluent, 50s) owed $60,000 to his snakehead, which required enormous hardship to pay off:

And there’s so much interest from the loan. I had 6 years on the bike, I never had one day off. Every day, I worked 16 hours a day. I worked for two restaurants, on my day off, I worked for the second restaurant. I had no time to myself, I basically woke up, went to work, and went home and went to sleep.

Failing to pay snakeheads has dire consequences (Kwong, 1997). Ling and other Chinese workers told us that failing to pay snakeheads would result in them being taken to a private snakehead prison where they would be physically brutalized. If they continued to be unable to pay their smuggling loans, the immigrants would be forced to do dangerous work for the smuggling organizations, such as selling drugs. In addition, many immigrants need to send
remittances back to their country of origin to support families. For example, Manuel (male immigrant, Spanish fluent, 20s) came to the U.S. from Mexico after his father died and he sends $800 a month to his mother and sisters so they can survive. Another worker, Liqiang (male immigrant, Chinese fluent, 40s) does delivery work to pay for the health care of his paralyzed mother in China. Many other workers send remittances to build financial and human capital within their families by paying for college tuitions, homes, and businesses. While remittances often have positive benefits, they may also overwhelm locals in home towns with how much wealth can be accumulated by migration and thus remittances can sustain and compel more migration (Liang & Ye, 2001). The combination of smuggling debt and remittances exerts enormous pressure on many undocumented immigrants to make money.

These pressures result in immigrant workers often enduring harsh poverty, especially in high-rent New York City. Ling explains that for one month, he managed to spend one dollar on himself through desperate measures:

For clothes, we have to buy the cheapest ones, everything. I cried once because I got shoes for a couple of dollars but they broke down in a month or two. The shoes that people throw out and secondhand on the streets, we pick up those clothes to wear because it’s too expensive to buy them. Every Thursday we go out to the street to see if there’s anything and go dumpster diving for clothes and for stuff… All my furniture and everything is from dumpster diving… We don’t have money for haircuts, so the popular hairstyle is bald heads… We help each other shave our heads.

Rather than interpreting Ling’s story as a kind of bootstrapping sacrifices common in immigrant tales in pursuit of the American Dream, we can instead consider these hardships as transnational survival and neoliberal advancement techniques. In a circular spatial fashion, many immigrants moved because of relative deprivation in home areas and while they continue to experience relative deprivation as food delivery workers in NYC, their remittances can relieve relative deprivation for family back home. This poverty also means that the financial costs from being policed are devastating (see Chapter 7).
Another unwritten cost on delivery receipts is the separation of immigrant workers from their families as Fang (focus group, January 2017) describes:

We came here in our twenties when my son was one year old and Lu’s [another delivery worker] son was 6 or 7 years old and we never went back to China. So now my son is 27 years old and will not pick up my phone calls and I never see my son. And Lu’s grandchildren are 6 or 7 years old already, and he hasn’t seen them... It’s very hard for us when our parents pass away. There’s no way for us to go back there. We just make a phone call when our parents pass away. I came here in 1992... I never even saw my son grow up and I have not seen my wife for the past twenty-something years... My mother passed away a few months ago and there’s nothing I can do.

This complex immobility-mobility of undocumented workers means that their existence is marked by a simultaneity of presence and absence. Therefore, long-term maintenance of transnational survival warps time and space for the workers in ways that erode their transnational relationships to family members who depend on the return flow of wages from the workers’ labor. Some immigrant workers bring or start families in New York, but if they are undocumented, this raises the specter of being deported and separated from their families in a different way. Jose (male immigrant, Spanish and English fluent, 30s) and his wife are both undocumented, but their two daughters were born in the U.S. Jose like many others in his situation under the Trump administration has had to make emergency plans with friends who can take care of his daughters if he and his wife are deported. Likewise, Lu, the president of the Chinese Mutual Association, related that some undocumented Chinese workers have stopped doing delivery work because they are afraid of working on the street with NYC’s hyper-policing of delivery workers in the present environment of deportations. Being cast as “perpetual foreigners,” Asians and Latinx do not experience full presence and inclusion in the U.S. (Ancheta, 1998; Wu, 2003). Furthermore, immigrant food delivery workers are coerced into a version of “perpetual migrancy” by simultaneously both mobile and immobile (Lee & Pratt, 2011). In effect, their immigrant delivery worker bodies are coerced into hyper-mobility through undocumented migration and food delivery work while also experiencing hyper-immobility in
being denied the mobility to freely travel to their country of origin and to be present with distant family.

This experience of (im)mobility can be isolating for immigrant workers: “I have got no relatives here and it has been hard when I have needed to discuss anything with my relatives. Without any relatives, no one cares about my wellbeing. This is America, no one cares” (Chiang). The mobility of immigrant delivery workers traces out processes that coerce hyper-(im)mobility, which distorts time and space for workers. These mobility processes produce spatial subjectivities of transnational survival, deprivation, and advancement for immigrant delivery workers within and across insecure economic contexts.

The Business of Food Delivery

Global capitalism and the flows of transnational capital have created gaping income and wealth inequalities within countries across the world (Piketty, 2014). As such, as income inequality grows within countries, social distances become larger and social stratification takes on larger importance (Wilkinson & Pickett, 2011). This results in adverse material consequences as countries with higher levels of income inequality experience higher levels of health and social problems along with lower levels of wellness (ibid). In the United States, income and social stratification based on race and class has resulted in a dual economy where whites occupy high-wage sectors (e.g. finance, technology, electronics) while blacks and disadvantaged immigrants populate low-wage sectors, e.g. precarious service jobs (Temin, 2017). Thus, this bifurcation fosters conditions where the advantaged have surplus income to afford an increasing frequency of conveniences and comforts such as food delivery made possible by low-wage workers.

While the delivery of food has existed for many centuries across many cultures, food delivery as a widespread phenomenon is a relatively recent development (Rude, 2016; Toussaint-
According to Tuchman and Levine (1993), NYC’s Chinese restaurants became popular with Jewish families due to both culinary taste overlap and as safe spaces from anti-Semitism; however, many Jewish customers also felt free to express anti-Chinese racism. Prospering Jewish families in the post-World War II boom in the 1950s and 1960s fueled a rapid rise in food takeout and delivery services from NYC’s Chinese restaurants so that, “After a hard day’s work or on a hot night, a wet night, or a cold, snowy evening, families could eat delicious Chinese food without going farther than the front door” (ibid, p. 398). Most other NYC restaurants would not be able to provide high quality takeout or delivered food until the 1980s (ibid). In addition, food delivery and takeout became increasingly popular with restaurants who were losing sit-down customers during the explosion of car use and suburbanization in the 1950s (Rude, 2016). According to Kennedy (2012), some long-time New Yorkers recall that workers had always delivered pizza by bicycle while many others believe that food delivery by bike started with Chinese food.

In recent years, food delivery services have exploded beyond the common staples of Chinese food and pizza delivery. The investment firm Cowen estimates that U.S. food delivery revenues driven by online ordering will rise from $43 billion in 2017 with 12% annual growth to $76 billion in revenues by 2022 (Franck, 2017). In 2016, food delivery accounted for 7% of sales for U.S. restaurants (Dunn, 2018). As the percentage of customers ordering food delivery rose to 45% of American consumers in 2016, Morgan Stanley (2017) analysts anticipate that delivery could approach 40% of all restaurant sales. In NYC, food delivery is enormously popular as more than half of New Yorkers order food delivery at least a few times a month (NYC DOT, 2017b). As such, some NYC restaurants rely upon food delivery for upwards of half of their business (Marritz, 2015; Transportation Alternatives, 2015). Sensing a food delivery
“market [that] is underpenetrated but massive” (Bakker, 2016), venture capital has invested enormous sums, $1 billion in 2014 alone, in companies such as Grubhub and Seamless, which has powered the growth of food delivery through online ordering and delivery platforms (Mignot, 2015). A major factor in the immense capital investment is the “last-mile” problem, where the last mile of transportation of a product is the most complicated and often costliest part of getting a product to a consumer – perhaps upwards of 28% of the transportation costs of products (Goodman, 2005). These enormous costs of the last-mile represent huge surpluses for those who can cut costs.

In a restaurant industry that commonly finds high rates of restaurant failures while surviving restaurants often have narrow thin profit margins, NYC’s high and rising rents exacerbate pressures upon restaurants. In NYC, the highly polarized economy with an extremely profitable financial sector drives up rents and costs so that less profitable economic sectors become more informalized as a survival strategy, which then conveniently takes advantage of large immigrant populations (Sassen, 1997). As a result, the growth of high income earners “in conjunction with the emergence of new cultural forms has led to a process of high-income gentrification that rests, in the last analysis, on the availability of a vast supply of low-wage workers” (ibid, p. 13). Thus, in NYC, exorbitant and continually rising rents exert enormous pressure on restaurants to cut costs and increase revenues through higher prices or ramped up sales such as deliveries (Elstein, 2017). For example, NYC’s independent restaurants have declined by 8% in past four years while the number of chain restaurants have exploded due to their appeal to tourists, capability for quick-service food, and lower costs from large economies of scale in their supply chains (ibid).
For restaurants, embracing food delivery can appear to be a highly attractive means to expand restaurant’s sales and revenues to survive a challenging rent environment. To grow food delivery services, many restaurants turn to third-party apps such as Grubhub who advertise that their services can help restaurants increase food orders by an average of 20%, while more efficiently processing the orders, which reduces restaurant staffing needs (Giang, 2016). However, online platforms like Seamless and Grubhub charge restaurants commissions on each food order that can be as high as 20% (Marritz, 2015). Furthermore, restaurants have to decide which commission level (12.5%, 15%, 17.5%, and 20%) to pay and the higher the level, the higher the restaurant will show up on the Seamless or Grubhub’s search results (Tribeca Citizen, 2016). As a result, this distorts delivery distances and results for customers who will often order from restaurants farther than their typical delivery zone. This incentivizes restaurants to pay the higher commission levels, which add up quickly as restaurants report paying exorbitant fees to Seamless such as “Roughly $110,000 per year” or “A monthly average of $15,000” (ibid).

Thus, NYC restaurants such as Mulberry & Vine estimate that 20 to 40% of the sales revenue from each delivery order is taken up by third-party apps and delivery labor (Dunn, 2018). Instead of simply expanding a restaurant’s business, a Morgan Stanley (2017) survey finds that “43% of consumers who ordered food for delivery say it replaced a meal at a restaurant,” which means that food delivery frequently replaces the more profitable core business of restaurants from sit-down or takeout dining. Escalating delivery services also means that restaurants must deal with the challenges of either managing a growing staff of underpaid delivery workers or costly outsourcing to Grubhub, Uber Eats, and other delivery companies (Dunn, 2018). When restaurants outsource delivery to third-party apps, this is a similar scenario to ride-hailing apps like Uber or Lyft. For food delivery, when the restaurant gets an order, the
delivery company will ping one of their nearby available delivery workers via the phone app, which will send the worker to the restaurant to pick up the order, travel to the customer, and make the delivery. In a *New Yorker* article, one restaurant representative said, “sometimes it seems like we’re making food to make Seamless profitable” while another restaurant owner describes delivery as “like crack cocaine” (*ibid*). In this sense, many NYC restaurants simultaneously cannot survive high rents without ramping up delivery while they also cannot sustain themselves with the costs of delivery services.

Within this challenging environment, restaurants often cut costs through informalizing and exploiting labor. This is a coercive environment, which does not justify breaking labor laws, but many restaurants struggle just to survive challenging rent environments. These pressures on restaurant employers are instrumental in producing trans-migrant and neoliberal subjectivities of food delivery workers.

**Working Conditions of Food Delivery**

In his master’s thesis, Patrick Kennedy (2012) finds that food delivery cycling is characterized by “disposability,” which manifests in every aspect of delivery work including the precarious job tenures, the bikes, and the food to be consumed. This labor disposability is prevalent among immigrants without documents (Kwong, 2009; Mize, 2008; Pulido, 2006). Responding to the growing demand of around the clock food delivery, the NYC Department of Transportation estimated that there were 50,000 food delivery cyclists as of 2012 (Miller, 2017). Mostly working directly for restaurants, food delivery cyclists typically are employed informally where they are paid under the table and treated as independent contractors by the restaurants. Kidder (2011) describes bike messengering as rife with similar informal and exploitative labor conditions although Kennedy (2012) argues that the mostly white bike messengers in the 1980s
started out as independent contractors but their employment eventually shifted to employees of messenger companies with benefits. Currently, third-party apps and services such as Uber Eats, Doordash, Caviar, and Postmates usually employ delivery cyclists as independent contractors. Businesses shift the costs of the work onto the delivery worker by classifying them as independent contractors as the businesses are then not responsible for paying for equipment (e.g. bike, etc.) and for benefits such as workers compensation and health care. According to the IRS (2017), workers should be hired as employees rather than independent contractors if the employer controls “what will be done and how it will be done.” Since restaurants, third-party apps, and delivery services clearly give workers instructions on when, where, and how much time to make deliveries, delivery workers should not be considered independent contractors, but there is a lack of governmental enforcement of this rule for food delivery workers. Additionally, delivery cyclists who work for restaurants are often required to do other work at the restaurant when there are no deliveries to be made.

As we can see from Table 4.2, this precarious employment of delivery workers makes immigrants particularly vulnerable to various forms of workplace exploitation including wage theft. In one highly publicized case in NYC, 36 Chinese food delivery cyclists successfully won a $4.6 million lawsuit against Saigon Grill for wage theft and many other labor violations so that the workers’ pay averaged $2 an hour (Greenhouse, 2008). Most food delivery cyclists work directly for restaurants and the usual arrangement is that the worker gets tips plus a base pay for the day regardless of the number of hours worked. In our research, nearly all the Chinese immigrant workers earn $20-40 in base daily pay for upwards of 10 to 16 hours worked, which means that their pay before tips is effectively $2 to $4 an hour. The Latino immigrant workers often expressed similar wages. English-speaking workers tended to have better base wage
Table 4.2. Working Conditions

<table>
<thead>
<tr>
<th>Union Membership</th>
<th>n</th>
<th>%</th>
<th>Years delivering food</th>
<th>n</th>
<th>Mean</th>
<th>Median</th>
<th>St. Dev.</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese survey takers</td>
<td>55</td>
<td>36.4%</td>
<td>Chinese survey takers</td>
<td>88</td>
<td>8.5</td>
<td>5.5</td>
<td>6.6</td>
<td>0.17 - 25</td>
</tr>
<tr>
<td>Spanish survey takers</td>
<td>31</td>
<td>3.2%</td>
<td>Spanish survey takers</td>
<td>33</td>
<td>5.9</td>
<td>4.0</td>
<td>4.8</td>
<td>0.5 - 17</td>
</tr>
<tr>
<td>English survey takers</td>
<td>27</td>
<td>3.7%</td>
<td>English survey takers</td>
<td>27</td>
<td>2.7</td>
<td>2.0</td>
<td>3.6</td>
<td>0.33 - 20</td>
</tr>
<tr>
<td>Unknown</td>
<td>40</td>
<td></td>
<td>Unknown</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Gets Workers Comp.</th>
<th>n</th>
<th>%</th>
<th>Work Hours/Week</th>
<th>n</th>
<th>Mean</th>
<th>Median</th>
<th>St. Dev.</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese survey takers</td>
<td>34</td>
<td>35.3%</td>
<td>Chinese survey takers</td>
<td>50</td>
<td>47.0</td>
<td>45.0</td>
<td>11.4</td>
<td>20 - 75</td>
</tr>
<tr>
<td>Spanish survey takers</td>
<td>27</td>
<td>18.5%</td>
<td>Spanish survey takers</td>
<td>31</td>
<td>47.7</td>
<td>45.0</td>
<td>13.8</td>
<td>10 - 72</td>
</tr>
<tr>
<td>English survey takers</td>
<td>27</td>
<td>56.0%</td>
<td>English survey takers</td>
<td>24</td>
<td>34.6</td>
<td>35.0</td>
<td>13.5</td>
<td>5 - 60</td>
</tr>
<tr>
<td>Unknown</td>
<td>67</td>
<td></td>
<td>Unknown</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>48</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Gets All Promised Pay</th>
<th>n</th>
<th>%</th>
<th>Hourly Wage</th>
<th>n</th>
<th>Mean</th>
<th>Median</th>
<th>St. Dev.</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese survey takers</td>
<td>50</td>
<td>82.0%</td>
<td>Chinese survey takers</td>
<td>59</td>
<td>$10.74</td>
<td>$10.00</td>
<td>4.5</td>
<td>$1.20 - 22.22</td>
</tr>
<tr>
<td>Spanish survey takers</td>
<td>31</td>
<td>45.2%</td>
<td>Spanish survey takers</td>
<td>25</td>
<td>$9.23</td>
<td>$9.38</td>
<td>3.8</td>
<td>$2.5 - 16.67</td>
</tr>
<tr>
<td>English survey takers</td>
<td>25</td>
<td>65.4%</td>
<td>English survey takers</td>
<td>22</td>
<td>$14.64</td>
<td>$15.17</td>
<td>4.5</td>
<td>$7.14 - 25.91</td>
</tr>
<tr>
<td>Unknown</td>
<td>46</td>
<td></td>
<td>Unknown</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>47</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Got $0 tip in last work day due to slow delivery</th>
<th>n</th>
<th>%</th>
<th>Delivery Vehicle</th>
<th>n</th>
<th>Bike</th>
<th>E-Bike</th>
<th>Moped or Scooter</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese survey takers</td>
<td>26</td>
<td>80.8%</td>
<td>Chinese survey takers</td>
<td>80</td>
<td>15.0%</td>
<td>77.5%</td>
<td>5.0%</td>
</tr>
<tr>
<td>Spanish survey takers</td>
<td>24</td>
<td>66.7%</td>
<td>Spanish survey takers</td>
<td>33</td>
<td>54.5%</td>
<td>42.4%</td>
<td>3.0%</td>
</tr>
<tr>
<td>English survey takers</td>
<td>24</td>
<td>45.8%</td>
<td>English survey takers</td>
<td>27</td>
<td>92.6%</td>
<td>7.4%</td>
<td>0.0%</td>
</tr>
<tr>
<td>Unknown</td>
<td>69</td>
<td></td>
<td>Unknown</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Credit Card (CC) Tips</th>
<th>n</th>
<th>%</th>
<th>Deliveries in last work day</th>
<th>n</th>
<th>1 - 20</th>
<th>21+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gets all CC tips</td>
<td>102</td>
<td>69.6%</td>
<td>Chinese survey takers</td>
<td>78</td>
<td>12.8%</td>
<td>87.2%</td>
</tr>
<tr>
<td>Does not get all CC tips</td>
<td>102</td>
<td>14.7%</td>
<td>Spanish survey takers</td>
<td>33</td>
<td>66.7%</td>
<td>33.3%</td>
</tr>
<tr>
<td>Unsure if get all CC tips</td>
<td>102</td>
<td>10.8%</td>
<td>English survey takers</td>
<td>26</td>
<td>33.6%</td>
<td>66.4%</td>
</tr>
<tr>
<td>Unknown</td>
<td>51</td>
<td></td>
<td>Unknown</td>
<td>16</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Missed work due to work-injury in last year</th>
<th>n</th>
<th>%</th>
<th>Worker annual medical costs for work injuries</th>
<th>n</th>
<th>$0</th>
<th>$1-500</th>
<th>$501+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese survey takers</td>
<td>91</td>
<td>27.5%</td>
<td>Chinese survey takers</td>
<td>24</td>
<td>50.0%</td>
<td>25.0%</td>
<td>25.0%</td>
</tr>
<tr>
<td>Spanish survey takers</td>
<td>35</td>
<td>20.0%</td>
<td>Spanish survey takers</td>
<td>27</td>
<td>44.4%</td>
<td>51.9%</td>
<td>3.7%</td>
</tr>
<tr>
<td>English survey takers</td>
<td>27</td>
<td>44.4%</td>
<td>English survey takers</td>
<td>25</td>
<td>64.0%</td>
<td>24.0%</td>
<td>12.0%</td>
</tr>
<tr>
<td>Unknown</td>
<td>76</td>
<td></td>
<td>Unknown</td>
<td>76</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Days/week with aches &amp; pain at work</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>5-7 days a week</td>
<td>73</td>
<td>17.8%</td>
</tr>
<tr>
<td>2-4 days a week</td>
<td>73</td>
<td>15.1%</td>
</tr>
<tr>
<td>Once a week</td>
<td>73</td>
<td>15.1%</td>
</tr>
<tr>
<td>Less than once a week</td>
<td>73</td>
<td>23.3%</td>
</tr>
<tr>
<td>Never</td>
<td>73</td>
<td>28.8%</td>
</tr>
<tr>
<td>Unknown</td>
<td>80</td>
<td></td>
</tr>
</tbody>
</table>
conditions whether they worked for restaurants or because they worked for third-party apps. Usually, English-speaking workers employed by restaurants made minimum wage ($11/hour) plus tips or a higher base rate for fewer hours (e.g. $50-70 for 5 hours of work). Accordingly, our survey data shows that with tips the median English-speaking worker makes $15 an hour, which is greater than 50% more than the median hourly wages with tips for Chinese-speaking ($10/hour) and Spanish-speaking ($9.38/hour) workers. Table 4.3 shows the results from a multiple regression analysis to explain hourly wages.¹¹

<table>
<thead>
<tr>
<th>Variable</th>
<th>Model</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Documentation status</td>
<td>2.35</td>
<td>1.14</td>
<td>0.25*</td>
</tr>
<tr>
<td>NYC ID</td>
<td>1.51</td>
<td>1.07</td>
<td>0.15</td>
</tr>
<tr>
<td>English survey takers</td>
<td>1.03</td>
<td>1.68</td>
<td>0.10</td>
</tr>
<tr>
<td>Deliveries/day</td>
<td>2.97</td>
<td>1.11</td>
<td>0.31**</td>
</tr>
<tr>
<td>Education level</td>
<td>1.71</td>
<td>1.59</td>
<td>0.16</td>
</tr>
<tr>
<td>Hours/week</td>
<td>-0.05</td>
<td>0.04</td>
<td>-0.17</td>
</tr>
<tr>
<td>R²</td>
<td>0.368</td>
<td></td>
<td></td>
</tr>
<tr>
<td>F for change in R²</td>
<td>5.832***</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹¹ The survey data was examined using a multiple regression analysis in SPSS to explore the effects of documentation status, having an NYC ID, being an English survey taker, deliveries in a day, education level, and hours per week on hourly wages. Documentation status and deliveries in a day significantly predicted the hourly wages of delivery workers, $F(6, 60) = 5.83, p < 0.0001$, and accounted for 37% of the variance in hourly wages by delivery workers ($R^2 = 0.368$). Holding constant each of the variables in the model, being documented was positively related to hourly wages, increasing by $2.35 an hour for being documented, $b = 2.349, t(60)=2.061, p < 0.05$. Holding constant each of the variables in the model, doing more than 20 deliveries in the last work day was positively related to hourly wages, increasing by $2.97 an hour for doing more than 20 deliveries in the last work day, $b = 2.973, t(60)=2.674, p < 0.01$. In this analysis, delivery workers with documents make $2.35 per hour more than undocumented workers. In addition, workers who did more than 20 deliveries in their last workday made $2.97 more per hour than those who did fewer deliveries. Because many workers receive a fixed daily
base pay rate (e.g. $20-$40/day) regardless of the number of hours worked, doing more
deliveries increases the number of tips and hence the wages earned. This analysis suggests a mini
dual labor market in food delivery as those with documents have a substantial wage advantage.
Those without documents can make up for the wage gap by doing more deliveries.

While 36% of Chinese-speaking workers reported being in a union, this figure is likely artificially high as many of the Chinese workers surveyed were members of the Chinese Mutual Association union. Regardless, this does speak to how mutual aid and resistance can be organized within ethnic enclaves and affinity groups. In contrast, only 3% (1 of 31) of Spanish-speaking workers and 4% (1 of 26) of English-speaking workers reported being part of unions, although they declined to specify which ones on their surveys. When asked, delivery workers across the board like the idea of organizing unions. Thus far, delivery worker organizing has primarily occurred as part of other organizing efforts at ethnic and labor-oriented organizations such as the National Mobilization Against Sweatshops (NMASS), Chinese Staff and Workers’ Association (CSWA), Make the Road, Chinese Mutual Association (CMA), Flushing Workers Center, and Laundry Workers Center. As such, CMA and Make the Road have been instrumental in organizing Chinese and Latinx workers to fight the Mayor’s police crackdown on electric bikes (e-bikes). Furthermore, in early 2018, some English-speaking delivery workers have formed the NYC Bike Messenger Union to organize against exploitative labor conditions. Overall however, there is inadequate multi-ethnic delivery worker organizing, which limits the potential of worker organizing as hierarchies and systems of racialization and oppression are relational (Pulido, 2006). At minimum, the low rates of unionization of Spanish and English-speaking workers suggest potential for union organizing as a means to improve labor conditions.

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This name indicates that many English-speaking workers consider themselves as part of the bike messenger subculture, which is distinct from food delivery workers even as they are doing the same job (Kidder, 2011).
Unionization and organizing could help with the large numbers of delivery workers who report that they experience wage theft by not receiving all their promised pay; for example, more than half (54.8%) of Spanish-speaking workers report this kind of wage theft and 15% of all workers report not getting all their credit card tips.\textsuperscript{13} Broken promises of wages also result in rapid turnover of delivery workers at many restaurants. At the restaurant of his employment, Weizhe (male immigrant, Chinese & English fluent, 20s) explains that most delivery workers leave after three or four weeks when they get paid less than what they were promised, like $4 an hour before tips rather than a promised $6 an hour. The workers feel cheated and often quit. During a visit with the National Mobilization Against Sweatshops (NMASS), Tosh Anderson of NMASS explained the map of the Upper West Side (Manhattan) in Figure 4.1, which uses sticky notes to indicate where restaurant workers, often immigrants, made complaints to NMASS about wage theft and other labor violations (observation, February 17, 2017). This map shows the universality of restaurant worker exploitation in this wealthy white neighborhood as sticky notes are posted on nearly every street and on most corners. NMASS also mentioned that because this map was not a systematic study but rather the result of workers approaching them voluntarily about wage theft, the map underestimates the extent of wage theft and labor exploitation in the Upper West Side. But this map also demonstrates that trans-migrant workers are not simply passive subjects and that many resist subjectivities of disposability and exploitation.

\textsuperscript{13} It is not clear why Spanish-speaking worker report receiving less of their promised pay than other groups from this research. Chinese-speaking workers often report their base wages being effectively $2-$4 per hour, so even though Chinese workers may get their promised pay, their common base pay is already a form of wage theft. So it is not clear that there is actually more wage theft with Spanish speaking workers than Chinese workers based on the promised pay question.
This prevalence of wage theft in the Upper West Side is also notably in a neighborhood that is a key epicenter of resident complaints about delivery workers that provokes policing of workers (e.g. Nessen, 2017).

Many workers resist wage theft by successfully suing their employers such as the Saigon Grill lawsuit. In one example, Carlos Rodriguez Herrera, a Mexican immigrant delivery worker and NMASS organizer, was fired by his boss at Domino’s Pizza for complaining about stolen wages where he was paid $4.40 an hour and for only about 40 of the 66 hours he worked in a week (Praderio, 2017). Fighting back, Herrera and 60 other delivery workers won a $1.3 million
class action lawsuit with the help of NMASS and Legal Aid Society. Afterward, Herrera said, "I felt normal because that's how it should be… Because that's my money. They robbed [me of] my money" (ibid). This also signifies how wage theft is treated as civil matter rather than a criminal case, even as the experience is like being robbed according to Herrera. In addition, in most cases, workers never collect stolen wages from successful lawsuits because in the lengthy legal process, employers “transfer money from their bank accounts, put property in the names of family members, close down their business or change its name, create sham corporations, ignore court orders, or leave the country with their property” (Urban Justice Center, The Legal Aid Society, & National Center for Law and Economic Justice, 2015). This study identified at least $125 million in unpaid judgments and orders of wage theft in NYC over a ten-year period of 2003-2013 (Praderio, 2017).
Figure 4.2 shows immigrant workers with allies from NMASS, CSWA, and other groups protesting wage theft outside the Manhattan Valley Restaurant in the Upper West Side. The restaurant owners had lost a $700,000 wage theft lawsuit to their restaurant and delivery workers, but the workers had not seen any lawsuit money as the owners closed the restaurant and reopened under a new name. To address this problem, a coalition of restaurant and delivery workers with NMASS, CSWA, the Flushing Workers Center, and other groups have been organizing to build support for proposed state legislation called the SWEAT bill (“Securing Wages Earned Against Theft”), which would make it easier for workers to collect stolen wages from successful lawsuits (ibid).

Under such conditions, doing more deliveries is a way for workers to increase their wages. Table 4.4 shows a logistic regression analysis to explain why workers do more than 20 deliveries in a day.14 Not surprisingly, getting older decreases the likelihood of workers doing more deliveries. In contrast, increasing hourly wages or the number of hours worked in a week makes it more likely the worker does more deliveries. In addition, workers that use e-bikes are 17.5 times more likely to make more than 20 deliveries than workers who use bicycles or other vehicles. This evidence suggests that the physical demands of delivery work become harder as one ages and that riding an e-bike can more than make up the difference.

14 The data was analyzed using logistic regression analysis in SPSS to determine the effects of Chinese & Spanish survey takers, years delivering food, hourly wages, e-bike use, age, nativity, education level, and hours worked in a week on workers doing more than 20 deliveries in a day. This model included hourly wages, e-bike use, age, and hours/week significantly predicting if a worker did more than 20 deliveries in the last work day, $\chi^2(9) = 43.348$, p < .0001, and accounted for 65.2% of the variance in doing more than 20 deliveries in the last work day ($R^2 = 0.652$) and correctly classified 87.9% of cases. Controlling for the other variables in the model, workers riding an e-bike were 17.5 times more likely to do more than 20 deliveries in a day. Controlling for other variables in the model, for every additional year of age, workers are 1.2 times less likely to do more than 20 deliveries in a day. Controlling for other variables in the model, for every extra dollar of hourly wage, workers are 1.4 times more likely to do more than 20 deliveries in a day. Controlling for other variables in the model, for every hour of work in a week, workers are 1.14 times more likely to do more than 20 deliveries in a day.
Riding an e-bike allows workers to do more deliveries likely because an e-bike allows a worker to expand mileage, move faster, and work more hours. These physical benefits of e-bikes may also appeal to younger delivery workers even if e-bikes might be less of a physical necessity than for older workers.

Complicating worker exploitation, many immigrant delivery workers are employed by restaurants owned within their own ethnic communities. Since only 2% of Chinese-speaking workers speak English well, Chinese delivery workers tend to work for Chinese-owned restaurants where language is not a barrier. Likewise, only 23% of Spanish-speaking workers speak English well and many Latino immigrants work for Latinx-owned restaurants. There has been more crossover of Latino immigrant delivery cyclists working in non-Latinx-owned restaurants likely due to higher levels of English fluency than Chinese workers and also because 25% of New Yorkers speak Spanish making it the second most common language spoken after English (Venugopal, 2012). But since most Chinese and Latino immigrants lack English fluency,
most of them find jobs through social networks and through job resources in their ethnic enclaves. While ethnic support and mutual aid occur in ethnic enclaves, Guest and Kwong (2001) find that the economic elite within ethnic enclaves use their position to manufacture “ethnic solidarity” that allows for greater control and accumulation by exploiting vulnerable co-ethnic immigrants. Given the low pay, physical demands, and time-consuming nature of delivery work along with little need for English within Chinese enclaves, many Chinese delivery workers have little opportunity to learn English and gain other skills so that they often “remain trapped and vulnerable to the power of Chinese employers” (ibid, p 260). Ming-húa describes the rampant worker exploitation within the Chinese community:

The boss paid [workers] below the average wages or asking workers to do overtime but not paying the overtime wages. A lot of problems like this happen in the Chinese Community... But there are still a lot of small business owners oppressing the new immigrant workers because they do not understand the law, do not know how to protect themselves and are not willing to speak for themselves. A part of Chinese culture is not to speak out for ourselves. But if you don’t speak out, no one is going to care about you.

During our surveying efforts, Gan (male immigrant, Chinese fluent, 50s) told us that he was afraid to complain about working conditions because by doing so he could be blacklisted from working for Chinese-owned restaurants.¹⁵ How real or prevalent the risk of being blacklisted is unclear as no other workers spoke about this possibility, but employer intimidation and threats are common in informal immigrant labor markets (e.g. Hum, 2003). In contrast, Lu, the president of the Chinese Mutual Association, spoke about being able to help workers by mediating with restaurant owners, “We call business owners to inform them that the hard-earned salary of the worker must not be denied. Some owner knowing that we are from the union would pay the wages.”

¹⁵ It is unclear if fear of employer reprisal affected survey response rates or survey answers. We did have more success with survey collection at locations separate from workers’ restaurants, but it seemed that workers were too busy to do surveys at their workplaces.
Lacking English fluency also often limits immigrant workers from working for third-party delivery companies like Caviar, Uber Eats, or Postmates. As one challenging requirement to work for these companies, delivery workers usually have to pass an English language test. For this reason, Chinese workers almost never work for these delivery companies. Ming-húa can read enough English to do delivery work for third-party apps, but he is unable to speak English well. To pass the language test, Ming-húa got a U.S.-born bilingual friend to pass the test for him for Caviar and Postmates. Working for these companies, Ming-húa gained an enormous amount of schedule flexibility and freedom in contrast to working for Chinese restaurants: “I used to work for restaurant that had fixed store hours… The working hours are fixed from 11 AM to 10:30 PM. I could take a one-hour break and I needed to stay in the restaurant.” Spanish-speaking immigrants who spoke English well enough would also sometimes work for third-party apps. Also, Spanish-speaking workers have the option to work for Uber Eats as its phone app for delivery workers has a Spanish-language version while there is no Chinese-language equivalent. For most third-party delivery apps, delivery workers get paid per delivery plus tips. The amount paid per delivery varies by company and it also varies upon the distance traveled from the restaurant to customer. The worker will go to a location where they want to work (e.g. midtown Manhattan), open up the phone app and wait to get a notification of a delivery opportunity.

As a recent exception, delivery workers for Homer Logistics, a third-party delivery company, were classified as employees who receive $8.30 an hour plus tips with a guarantee of minimum wage. According to Homer, the average courier made $15-17 an hour. In addition, Homer provided delivery workers with necessary worker equipment, workers compensation, and also health care if full-time after three months of work. While these conditions were considerably better than restaurants or other third-party apps, Homer employees had to provide documents that
show legal work status and must be English fluent. Marisa Smith, Director of Special Projects at Homer, mentioned that they turn away or fire workers who do not have legal work documents a couple of times a month (observation, September 18, 2017). Thus, these better working conditions were not available for many immigrant delivery workers. However, given stiff competition by other third-party companies flush with venture capital and who exploit workers for lower wages and no benefits, it seemed unlikely that Homer Logistics could remain financially competitive with this model. Accordingly, a Homer courier texted me a company email announcing mass layoffs in February 2018 as Homer Logistics was losing major restaurant clients (personal communication, February 6, 2018). So even when a business tries to abide by labor laws, the challenging and cutthroat environment of food delivery undermines the business. This does not justify wage theft or labor violations, but it does indicate a business environment that coerces worker exploitation.

Being unlawfully classified as independent contractors has other material consequences for delivery workers. Only 35% of Chinese-speaking workers and 19% of Spanish-speaking workers reported having workers compensation as compared to a slight majority (56%) of English-speaking workers who do. The worker compensation figures for Chinese and Latino workers may be higher than reality as some immigrant workers told us in person that they thought they had workers compensation because the restaurants would informally pay for some medical assistance after a traffic-related injury, but what they described did not match formal definitions of workers compensation insurance. Immigrant workers such as Xue regularly told stories like “if I fall on the street, I have to pick up the bike and even if I am hurt, I still have to

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16 Workers compensation is not a panacea for delivery workers as it pays up to two thirds of their regular pay during injury recovery and it may take a long time before workers see any money. This situation can lead workers to return to work far before they are healthy. Chapter 5 includes a worker story about the struggles of recovering from a serious injury and dealing with workers compensation.
keep going,” because if they did not work, they did not get paid. This indicates that immigrant workers often do not have formal workers compensation for work-related injuries.

As such, 44% of English-speaking workers reported missing work from work-related injuries in the past year while only 28% of Chinese-speaking workers and 20% of Spanish-speaking workers did so. This lost-work injury rate for English-speaking food delivery workers corresponds to a study of Boston’s bike messengers who had a similar annual lost-work injury rate of 47 cases per 100 bike messengers (Dennerlein & Meeker, 2002). For Chinese and Latino immigrants, the data and interviews suggest that lacking workers compensation whether formal or otherwise may prevent them from taking days off from work to recover from work-related injuries. In addition, these lost-work injury rates for NYC delivery workers are substantially higher than the overall national work-lost injury and illness rate of 0.9 cases per 100 full-time workers for private industry employees in 2016 (Bureau of Labor Statistics, 2017). This suggests that failing to provide benefits such workers compensation and health care for delivery workers is especially reprehensible due to the frequency of injuries on the job. For delivery workers, this means often working on the job with pain. A third (33%) of delivery workers reported having aches and pains during work for multiple days of the week. After being hit by a car and being injured, Chiang said:

I had to endure the pain and kept on working. A month of rent for me was $500. $600 would barely maintain a minimum standard of living for me. So I just kept on working. There was nothing I could do but endure the pain.

For many immigrant workers, enduring pain is a common theme in their experiences. Often lacking workers compensation and health benefits, nearly half (47.4%, 36 of 76) of delivery workers reported paying out of pocket for work-related medical costs. For most workers, these costs tended to be minimal. However, about one in 7.5 workers (13.2%, 10 of 76) reported paying more than $500 in the past year in medical costs from work-related injuries. Thus, the
unwritten costs of delivery are also born by the workers’ bodies, which can result in substantial financial dispossession.

Being unlawfully classified as independent contractors, delivery workers pay large sums out of pocket for delivery equipment (Table 4.5). Delivery workers almost always pay for their delivery vehicle, which can be quite costly because new Arrow e-bikes, popular with delivery workers, usually cost between $1400-$2000. Thus, policing of e-bikes often inflicts severe financial hardship on workers.

Table 4.5. Workers Paying for Equipment

<table>
<thead>
<tr>
<th>Worker annual cost of equipment (bike, etc.)</th>
<th>Paying for own equipment</th>
<th>Survey Language</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>n</td>
<td>Chinese</td>
</tr>
<tr>
<td>Chinese survey takers</td>
<td>32</td>
<td>$0</td>
</tr>
<tr>
<td>Spanish survey takers</td>
<td>28</td>
<td>0.0%</td>
</tr>
<tr>
<td>English survey takers</td>
<td>22</td>
<td>36.4%</td>
</tr>
<tr>
<td>Unknown</td>
<td>71</td>
<td></td>
</tr>
</tbody>
</table>

When the NYPD confiscates their e-bikes, Xue explains, “We take a week or two weeks off and then if we don’t have a solution, this means we are going to lose our jobs.” If immigrant workers want to keep their delivery jobs, they often have little choice but to pay the hefty $500 e-bike fine to get the e-bike from the police or buy a new e-bike. E-bikes are primarily used by non-English fluent immigrant workers as 78% of Chinese-speaking workers and 42% of Spanish-speaking workers use e-bikes while only 7% of English-speaker workers ride e-bikes. Workers also frequently pay for NYC Department of Transportation (DOT) mandated equipment for commercial cyclists such as bike lights, reflective vests, and bells along with other required costs such as maintenance, locks, delivery bags, and cell phone usage. All these out-of-pocket costs add up to significant sums for delivery workers. About half of Chinese and Spanish-speaking
workers and more than a third of English-speaking workers annually pay out-of-pocket more than $500 for equipment. Notably, more than a third of English-speaking workers pay nothing for equipment costs as compared to zero Chinese or Spanish-speaking workers, which highlights that some English-speaking workers have access to delivery jobs with better working conditions.

Workers have reported that some restaurants require them to have e-bikes while others say that their business does not care as long as the worker can do the job. The common denominator however is that the worker must be fast. Chung (Chinese focus group, April 2016) told us, “I could not afford [an e-bike]. From 40th street to 10th street—it takes a long time to make two deliveries. The boss asked me to leave. For this reason, the boss might not hire workers without e-bikes.” Jackie (female U.S. born, English fluent, 30s) works as a part-time delivery cyclist and a part-time restaurant manager and she described a restaurant she previously worked for “fired so many [delivery workers] for various reasons like saying they were too slow.” If a worker’s bike breaks down during a shift and the bike cannot be repaired quickly, Steve (male U.S. born, English fluent, 20s) warns that the worker could lose their job and so he advises, “I would always say just fake it. Just pretend your bike is fine, just run deliveries. It’s actually not that hard. People won’t notice, but you’ll be exhausted, and you’ll have to get it fixed for the next shift.”

In addition, workers who deliver food via third-party apps are penalized for taking too long on a delivery. While on a delivery for Caviar, Ming-húa took longer than a 30-minute time limit, which prompted a customer complaint and Ming-húa was suspended from working for Caviar for a day. Because Caviar pays better than other companies, Ming-húa is careful to do his Caviar deliveries quickly as three such lateness incidents will result in being banned from working for Caviar. Other workers also report that being too slow for other third-party apps also result in job termination. Furthermore, workers for third-party apps get paid per delivery plus
tips, which incentivizes workers to do as many deliveries as quickly as possible for more pay. At the Homer Logistics corporate offices, I observed how they track the mobility of the workers through their phones and apps. Based upon the position of the bike couriers and distance to the restaurant, Homer’s routing algorithms calculate an estimated time of arrival (ETA) or basically how long it should take the courier to reach the restaurant. Homer rewarded couriers who achieved the ETA at a high percentage with extra benefits, prizes, praise, and opportunities for promotion and buying stocks, which effectively incentivized their couriers to go faster. In addition, when Homer workers experienced long delays in completing a delivery like waiting for a slow customer to come down to the lobby to receive the food, Homer support staff texted the courier to find out what is happening (observations, September 18-24, 2017). All of these pressures compel the speeding up of delivery worker bodies. Of course, business pressures for food delivery speed also respond to customer demands, the effects of which will be explored further in the next section and in chapter 5.

Not only are bodies sped up, but workers also experience robberies and assaults during deliveries that dispossess and inflict harm (Table 4.6). In some notorious cases, delivery workers have been murdered during robberies (Heldman, 2011).

Table 4.6. Robberies & Assaults

<table>
<thead>
<tr>
<th>Robbed at least once</th>
<th>n</th>
<th>%</th>
<th>Money lost when robbed</th>
<th>n</th>
<th>Mean</th>
<th>Median</th>
<th>St. Dev</th>
<th>Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese survey takers</td>
<td>71</td>
<td>63.4%</td>
<td>Chinese survey takers</td>
<td>21</td>
<td>$462.71</td>
<td>$207.00</td>
<td>607.89</td>
<td>$10-$2500</td>
</tr>
<tr>
<td>Spanish survey takers</td>
<td>30</td>
<td>36.7%</td>
<td>Spanish survey takers</td>
<td>9</td>
<td>$238.89</td>
<td>$0.00</td>
<td>556.65</td>
<td>$0-$1700</td>
</tr>
<tr>
<td>English survey takers</td>
<td>26</td>
<td>19.2%</td>
<td>English survey takers</td>
<td>5</td>
<td>$20.00</td>
<td>$0.00</td>
<td>44.72</td>
<td>$0-$100</td>
</tr>
<tr>
<td>Unknown</td>
<td>38</td>
<td></td>
<td>Unknown</td>
<td>92</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Physically Assaulted at least once</th>
<th>n</th>
<th>%</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese survey takers</td>
<td>71</td>
<td>43.7%</td>
<td></td>
</tr>
<tr>
<td>Spanish survey takers</td>
<td>28</td>
<td>14.3%</td>
<td></td>
</tr>
<tr>
<td>English survey takers</td>
<td>25</td>
<td>24.0%</td>
<td></td>
</tr>
<tr>
<td>Unknown</td>
<td>29</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
A logistic regression analysis in Table 4.7 shows that workers being robbed at least once is explained by being Chinese survey takers and years delivering food.\textsuperscript{17} Thus, the more years workers do food delivery work, the more likely workers are to be robbed at least once.

### Table 4.7

<table>
<thead>
<tr>
<th>Variable</th>
<th>B</th>
<th>SE B</th>
<th>Exp(B)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese survey takers</td>
<td>1.70*</td>
<td>0.79</td>
<td>5.50</td>
</tr>
<tr>
<td>English survey takers</td>
<td>0.42</td>
<td>0.95</td>
<td>1.53</td>
</tr>
<tr>
<td>Years delivering food</td>
<td>0.14**</td>
<td>0.06</td>
<td>1.16</td>
</tr>
<tr>
<td>Age</td>
<td>-0.06</td>
<td>0.04</td>
<td>0.94</td>
</tr>
<tr>
<td>Nativity</td>
<td>-0.87</td>
<td>0.95</td>
<td>0.42</td>
</tr>
<tr>
<td>Education level</td>
<td>-0.05</td>
<td>0.66</td>
<td>0.95</td>
</tr>
<tr>
<td>E-bike use</td>
<td>1.03</td>
<td>0.57</td>
<td>2.80</td>
</tr>
</tbody>
</table>

$\chi^2$ | 30.522***

$R^2$ | 0.373

% Correctly Classified | 75.3%

\*p < 0.05. \**p < 0.01. \***p < 0.001.

Chinese survey takers were 5.5 times more likely to be robbed at least once than others.

Speculatively, this might be explained by the reputation of Chinese-Fuzhounese immigrants being willing to work delivery in unsafe neighborhoods (Kwong, 1997).

For some, robberies involve having a bike or e-bike stolen while parked. For many delivery workers, robberies are a frightening risk and common experience on the job. Tomas describes one such robbery:

I was doing delivery at nighttime, it was 10 pm. So, I went to do a delivery in an isolated building. I have gone there before, and nothing has happened to me. I was coming down after doing the delivery and he was just waiting there by the bottom of the stairs waiting

\textsuperscript{17} The data was analyzed using logistic regression analysis using in SPSS to determine the effects of Chinese or English survey takers, years delivering food, age, nativity, education level, and e-bike use on being robbed. This model included Chinese survey takers and years delivering food significantly predicting if a worker has been robbed at least once, $\chi^2(7) = 30.522$, p < .0001, and accounted for 37.3% of the variance in being robbed ($R^2 = 0.373$) and correctly classified 75.3% of cases. Controlling for the other variables in the model, Chinese survey takers were 5.5 times more likely to be robbed than other survey takers. Controlling for the other variables in the model, for every additional year delivering food, workers are 1.16 times more likely to be robbed.
for me. He had a mask on and was hiding his face and he was asking for money. I tried to play it off that I don’t understand English. But I knew what he was asking for. He spoke a little Spanish and he threatened me. I asked him for what he wants. And he told me “I want all your money!” I ask him, “Why?” And he didn’t respond. He told me, “Give me all the money you have, or I’ll kill you!” So, I gave him all of my tips, which was all my money like $30 or $50.

Not only are these experiences traumatizing, but sometimes workers describe a lack of care from employers. Robbed at gunpoint, Julio (male immigrant, Spanish fluent, 30s) got really angry that, “the owner was primarily upset that the food didn’t get delivered and he never asked me if I was okay.”

Delivery workers mentioned that robberies and assaults usually occur in poor neighborhoods and buildings and carried out by men of color. On one hand, it speaks to people under-resourced neighborhoods who may see immigrant delivery workers as easy targets especially since many delivery workers are afraid to call the police (Chapter 7). This also speaks to the enormous difficulties of anti-racist organizing across marginalized groups as a system of white supremacy and racial capitalism encourages marginalized groups to abuse each other for survival and partial whiteness (Pulido, 2006 & 2007). These systems of abuse are coercive, although they do not justify robbery and assault.

In summary, the working conditions of food delivery produce subjectivities of worker disposability by speeding up worker bodies and through various forms of dispossession. This precarity makes worker solidarity difficult and reinforces neoliberal survival as seen in the fraught micro-relations experienced by workers in the next section.

**Micro-Relational Experiences of Delivery Workers**

One explanation for the rapid growth in customer demand for food delivery is that Americans across all income levels are experiencing increasing time scarcities. In an analysis by the Economic Policy Institute (Jones & Wilson, 2017), the number of hours and weeks worked across income and race have all gone up so that many people are working more hours in 2015 for
the same amount of pay in 1979.\textsuperscript{18} As such, have less free time from work may incentivize many people to recoup time through food delivery that would have been used on grocery shopping, cooking, and washing dishes. As such, the neoliberal economy is compressing time for many people and so food delivery is a coping response to this pressure.

Alternatively, describing the growth of an anti-social “Shut-In Economy” predicated upon the growth of online delivery, Smiley (2015) writes, “In the new world of on-demand everything, you’re either pampered, isolated royalty—or you’re a 21st century servant.” In such a dystopian dual economy, many delivery services “promote themselves as life-expanding” by advertising that they free people from the drudgery of time-consuming chores (ibid). Thus, food delivery in part symbolizes a continuation of devaluing and externalizing the domestic, reproductive part of life that is typically gendered as female and not considered productive or profitable to the neoliberal self that seeks to maximize one’s own human capital (Binkley, 2011). In this sense, customers benefit from delivery worker exploitation, which lowers customer costs and provides customers with more opportunities to free their time for self-fulfillment. This allows customers to externalize unwanted experiences onto delivery workers. For example, customer demand for food delivery peaks during the winter and under poor weather conditions such as rain, snow, and ice (Brustein, 2015). Likely, customer demand for food delivery is driven by some combination of being both a response to neoliberal working conditions that create time scarcities and as a neoliberal means to free up time to maximize the self.

Not surprisingly, customers demand fast delivery of food; according to a McKinsey study (Hirschberg, Rajko, Schumacher, & Wrulick, 2016), 60% of consumers cite speed of food delivery as a key factor in customer satisfaction. Jackie has heard customers “call and scream on

\textsuperscript{18} The effects are highest for low-income, black, and female workers.
the phone at the person answering the phone at the restaurant” because they thought the delivery was taking too long. In addition, restaurants often distort customer expectations by providing them an unreasonably short delivery time: “So by the time you leave [the restaurant with food deliveries], you’re late. And then customers are unhappy, but there’s nothing we could do about that” (Jackie). Delivery workers tell stories where angry customers slam doors, treat them poorly, or curse them out for taking too long: “[Customers] have said really bad things to me, like bad words… [Like] son of a bitch… Because the food got there late or that the food got there a little messy” (Rafael, male immigrant, Spanish fluent, 20s).

The primary means by which customers control the bodies of service workers such as food delivery cyclists is through tipping. According to Ayres, Vars, and Zakariya (2004), the word “TIP” may originate from an acronym in British pub signs to remind customers that gratuities function “To Insure Promptness.” In the late 1800s in the U.S., restaurants and railway companies embraced tipping as an excuse to employ but not pay wages for freed black slaves who would have to work for tips alone (Jayaraman, 2016). Thus, in the U.S., tipping produces subjectivities of racial servility as journalist John Speed in 1902 explains, “Negroes take tips, of course; one expects that of them – it's a token of their inferiority. But to give money to a white man was embarrassing to me… Tips go with servility” (Segrave, 1998, pp. 10-11). During on-board training, Homer Logistics trainers tell new delivery couriers that based on Homer’s data, that 20% of food deliveries will get no tip (observation, September 19, 2017). Similarly, according to our survey (Table 4.2), 81% of Chinese-speaking workers, 67% of Spanish-speaking workers, and 46% of English-speaking workers reported that in the last workday, at least one customer did not give them a tip because the delivery took too long. This data suggests racial biases in tipping food delivery that reflect other studies that demonstrate racial and other
biases in restaurant and taxicab tipping (Ayres, Vars, & Zakaria, 2004; Brewster & Lynn, 2014; Lynn, 2009; Lynn et al., 2008). Essentially, customers tip food delivery workers based upon the time of delivery and the worker’s proximity to whiteness.

For many delivery workers, tips can be appealing as tips can make the worker feel more control over their wages by disciplining their bodies through hard work. Esteban (male U.S. born, English and Spanish fluent, 18) explains that he did not like the predetermined hourly wages with minimal raises at other non-tipped jobs like at Chipotle, but with delivery work, Esteban says:

You have control of how you get paid… I get to make more tips, I get to make my own money, I get to you know decide if I want to make more than $11. You know I get to decide if I want to make $13, $14, $15, $16, whatever… it’s more in my control.

While English-speaking workers most commonly talked about this appeal of tips, immigrant workers also echoed this idea of self-control and discipline in delivery work: “Delivery, for example, what we earn depends on how much physical labor we put in. We deliver as many orders as we are physically capable of… If you are more able, have more stamina, then you take more orders and make more money” (Xue). Tipping in this sense represents golden handcuffs where workers feel some sense of control even as it reinforces customer control. According to Homer Logistics data, the average tip per food delivery is $2 (observation, September 19, 2017). But delivery workers also say that tips amounts are so highly variable apart from taking too long that one worker, Helena (female U.S. born, English and Spanish fluent, 20s), describes tips as “like a gamble.” For many delivery workers, the English-speaking ones in particular, the highs and lows of their work experiences often centered on tipping experiences where they described rock-bottom experiences like getting a high-five instead of a tip for a large $500 order or the thrill of unexpectedly large tips. As such, workers must do emotional labor for customers like giving a “fake smile” when getting a bad tip, even as they feel unfairly judged: “Really? I
deserved this zero [dollar tip]? Like you really don’t understand what we go through” (Helena). Thus, food delivery wages become matter of speed plus a numbers game. Simply put, delivery workers maximize their incomes through two key strategies: 1) delivering as quickly as possible, which minimizes the chances of a bad or $0 tip; and 2) doing as many deliveries as possible, which gives them more chances at unpredictably large tips.

To maximize their own human capital, delivery workers learn and adopt tactics to speed up their bodies and the process of delivery. These tactics include calling ahead to customers, doubling up on third-party apps and using multiple phones, using e-bikes, memorizing street layouts and building entrance locations, how to manage their bodies, learning how to efficiently navigate streets and building security depending on the time of day, and breaking traffic rules like running red lights, going the wrong way, and riding on sidewalks. The need to maximize oneself to make more wages breeds intense competition between workers as a restaurant’s delivery workers sometimes fight over who gets to deliver the more lucrative deliveries or when third-party delivery workers see each other on the street as competition for orders in the area.

The delivery companies also foster this neoliberal, competitive atmosphere. Andreas (male U.S. born, English and Spanish fluent, 30s) observes that many delivery companies promote self-determination along with unrealistic wages:

These companies though they advertise like “You’re going to make $25 an hour! Start today and you make like [a lot]!” You know even for like Lyft or something, it’s like, “You’re going to make $1500 this week!” Yeah but you’re talking about you gotta work 14 hours a day for like 7 [days], they don’t tell you that. And like in the same advertisement, they’re like “Work on your own schedule. Work whenever.”

In another example, while shadowing Nicolas (male U.S. born, English and Spanish fluent, 40s) on a delivery shift, Nicolas constantly looked at the Homer Logistics app on his phone to check his position on the courier leaderboard of completed deliveries that day. Thus, many workers believe that succeeding in delivery work is about the individual self:
Of course you make money. It all depends on you. You pull your effort, there’s money out there to make. You gonna be riding around, take your time and be on your phone, No! This is for riders, people who really want to ride, like me. (Roberto, male U.S. born, English and Spanish fluent, 40s)

This concept of self-deservingness drives a wedge between U.S. born workers and immigrant workers because of e-bikes. Many of the U.S. born workers expressed hatred for delivery e-bike riders as contradictory to their conception of the deserving self: “Yeah, that’s the only bike I hate in New York. Those electric bikes. I hate them. I call that lazy. Laziness! Lazy, you know. Work. That’s what I call lazy” (Roberto). In addition, Chapter 5 will also describe how cyclist biases against e-bikes are also rooted in toxic masculinity and the transgressive liminality of e-bikes (see Chapter 5).

The irony is that for immigrant workers, e-bike use represents both maximizing the self and a matter of transnational survival. The physical toll from the exploitative working conditions, physical demands, and high injury-rates of food delivery work consumes the bodies of the workers. Thus, the disposability of food delivery work relies upon churning through disposable worker bodies. Many English-speaking workers view food delivery cycling as something they do when they are young, physically fit, and enjoy cycling, but most expect to move onto to a “real job” as Steve describes:

One guy got a tip that said, oh no, he didn’t get a tip. It just said, “I don’t tip. Get a real job.” …I mean it’s true, I mean it’s not a real job… A real job would be like working in an office or like you know, a job where you could support yourself. A job you know where people respect you more… I mean [delivery cycling] is a job that you can do for a little while. But you don’t want to be 35 doing it. Not only would that be physically difficult, but you want to move up the ladder. And you know, if in 15 years, now you have a much better job, this would just be an interesting story.

Many delivery workers internalize the idea that delivery work is low-status work. As such, English-speaking workers have a median age of 27 years old and have been doing delivery work for a median of two years. In contrast, Chinese-speaking workers have a median age of 46 years
old and have been doing delivery work for a median of 5.5 years. Delivery work is not a short-
term disposable job for immigrant workers, but rather many immigrants see delivery work as
their best option for a long-term profession. In this way, the neoliberal subjectivity of immigrant
delivery workers is complex and contradictory. On one hand, these immigrants are not
developing the self in terms of career progression. But immigrant worker use of e-bikes allows
these workers to do more deliveries and thus earn more wages than if they use a regular bike.

For immigrant workers, e-bikes make it physically possible to extend their tenure doing
delivery work as shown in Table 4.8 of a logistic regression analysis to explain delivery worker
use of e-bikes. In this analysis, increasing years of delivering work or being a Chinese
immigrant mean that workers are more likely to use an e-bike. This evidence suggests workers
may use e-bikes as a necessity from an accumulated physical toll of delivery work as years pass.

<table>
<thead>
<tr>
<th>Table 4.8</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Summary of Logistic Regression Analysis for Variables Explaining E-bike Use (N = 108)</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Model</th>
</tr>
</thead>
<tbody>
<tr>
<td>Variable</td>
</tr>
<tr>
<td>Chinese survey takers</td>
</tr>
<tr>
<td>Years delivering food</td>
</tr>
<tr>
<td>Deliveries/day</td>
</tr>
<tr>
<td>Nativity</td>
</tr>
<tr>
<td>Age</td>
</tr>
</tbody>
</table>

| $\chi^2$ | 38.641** |
| $R^2$ | 0.402 |
| % Correctly Classified | 75.0% |

19 The data was analyzed using logistic regression analysis in SPSS to determine the effects of Chinese survey takers, years delivering food, deliveries per day, nativity, and age on delivery worker use of e-bikes. This model included Chinese survey takers and years of delivering food significantly predicting if a worker uses an e-bike, $\chi^2(5) = 38.641$, $p < .0001$, and accounted for 40.2% of the variance in riding an e-bike ($R^2 = 0.402$) and correctly classified 75.0% of cases. Controlling for other variables in the model, workers who took the survey in Chinese were 5.5 times more likely to ride an e-bike than those who took the survey in other languages. Controlling for other variables in the model, for every additional year of delivery work, workers are 1.12 times more likely to use an e-bike.

20 E-bike ridership is common in China and the most popular brands of e-bikes are imported Chinese brands. Chinese workers have greater access, familiarity, and comfort with e-bikes than other workers.
Therefore, e-bikes physically help workers continue to do delivery work when they might not be able to do so otherwise. Thus, e-bike use allows immigrant workers to resist and delay market disposal of their bodies as Ming-húa explains:

I am 56 years old. For someone in my age, pedaling a bicycle for more than 10 hours per day would consume a lot of energy. Not to mention that my hip has been injured before, I can’t pedal too hard. If I use an e-bike, it saves me a lot of energy and pressure, because a lot of times I need to make a long-distance delivery such as from downtown to midtown or uptown. The road is full of uphills and downhills. For me it’s really unbearable due to my age and the huge amount of energy that is needed for pedaling. I won’t be able to handle it without the e-bike.

For aging immigrant delivery workers, e-bikes symbolize transnational survival.

Oddly, one might imagine how e-bike use and consumption by workers aligns well with the demands of customers, food delivery businesses, and capital flows. In fact, Uber Eats currently provides their delivery workers with a $200 discount on an Espin e-bike, which they advertise will allow workers to “deliver more in less time, with less energy” (Espin Bikes, 2018). This begs the question: why are e-bikes banned in NYC? This is a question I will explore in upcoming chapters about what happens when capital flows and the neoliberal subjectification of food delivery collide with the collective traumas of streets, segregated spaces, and policing.

Delivery work often isolates workers. For some workers, the isolation represents a welcome freedom from their experiences of abusive bosses at prior jobs. For others, the demands of delivery work mean that social life is isolating as “it’s hard to get friends all together because we all have different times to work” (Zihao). Also, because of the rapid turnover of workers at many restaurants, delivery workers “know this contact will be short, that it will be

---

21 Espin Bikes is a San Francisco-based company and these e-bikes would cost the worker $1688 after the discount. This offer also advertises flexible financing of payments over 12 months.
impossible for us to see each other again. So we always keep to ourselves” (Weizhe). In addition, establishing social communities of delivery workers across ethnic groups is very difficult because of the language barriers from the legacy of European colonialism as Oba explains:

The problem is that I speak good English, most [other deliver workers] don’t speak good English… Usually they speak Spanish, some of them speak French, like I know people from Africa, those guys, the black guys, I don’t speak French. My country [has] never been colonized by French. My country was colonized by British. So I tell them this, I don’t understand French, I don’t understand Spanish. I speak English. It makes it hard to communicate with them and between them.

In this way, past collective traumas linger and matter. Consequently, cross-ethnic labor organizing for delivery workers is very challenging.

In summary, the relational microsystems of power and difference experienced by delivery workers help produce neoliberal subjectivities of food delivery workers. These relations reinforce subtle class, race, and nativity divides among workers while undermining worker solidarity. Immigrant workers resist the pressures to dispose their bodies through the use of e-bikes.

**Conclusion**

According to Cowen (2014), “The movements of workers’ bodies are what make the movement of global cargo possible, and yet workers’ bodies are often the cost of the high speed of commodity circulation in logistics space” (p. 125). The production of food delivery subjectivities operates at and between the different spatial scales of transnational capital and migration, food delivery business, working conditions, and micro-relations among workers and with customers. At each scale, the systems and structures are coercive and compel exploitation and isolation. For example, restaurants and businesses such as Homer Logistics that try to abide by labor laws struggle to survive in a high-rent and competitive environment with other businesses willing to
violate labor laws to exploit workers with little consequence. This is a system of cumulative irresponsibility where everyone’s participation produces mass harm and exploitation, which is deeply felt by immigrant delivery workers. The resulting subjectification of food delivery workers is characterized by disposability, exploitation, isolation, and neoliberalism. Yet food delivery also produces worker subjectivities and agency in enacting transnational survival along with worker organizing and resistance. While dreams are often illusory and nightmares often too real, large complex systems of logistics that require speedy circulation of capital are also vulnerable to worker disruption (ibid). At the same time, global capital is ceaseless in its thirst for surplus as companies in San Francisco are experimenting with delivery robots (Lipton & Hawkins, 2017).

Up until 2017, Raul (male immigrant, Spanish fluent and English capable, 40s) along with his wife and daughter lived in Coney Island. In the past year, his wife and daughter have moved back to Mexico, because after many years doing delivery work in NYC, Raul has saved up enough money to achieve their dreams:

My dream, I already have it – to have land, to have a house, and to have my own store there in Mexico. Right now I want to buy a truck to move everything, everything else I have. Hopefully in one year, I can return. When I get there, I’ll buy the truck. To go back and rest.

During our interview, Raul showed me pictures on his phone of his wife and daughter who he misses while he works one last year in NYC. However, because his daughter was born in NYC, she will be flying back to NYC to visit him. Both Raul and his wife do not have U.S. documents and are unable to cross the border safely, yet their daughter can. Perhaps this is meaningless. But perhaps also, this symbolizes the unintended something different that can emerge from the contact zones that occur in the wake of transgressive migrations such as rats crossing the street (Pratt, 1991).
Chapter 5: Cumulative Irresponsibility and the Right to the Street

Introduction

As food delivery cyclists in New York City (NYC) travel to make deliveries, they encounter fierce contestations over their right to access the public spaces of streets. Even when delivery workers move lawfully, other people may treat them as undesirable and a disruption to order as Hasan (male U.S. born, English fluent, 20s) explains:

A lot of pedestrians or people around [the Upper West Side]... they don’t like bikes period. They’ll say something if you know we’re on the sidewalk and we’re just coming up the sidewalk just to go to the store to park the bike you know... There was this one instance a couple summers ago, I was sitting in front of the store and one of my coworkers, but there was an elderly lady, she was just walking but as soon as he got off his bike, she started cursing him off, “You shouldn’t effing ride your bike on the sidewalk! Da da da da!” I’m like, I’m sitting there like why is she coming at him if he’s already off the bike? And he’s nowhere near hitting you? Where’s the problem? You’re being the antagonist you know... He wasn’t threatening or anything. He wasn’t even remotely close to hitting because he got off the bike before he got on the sidewalk.

Hasan’s story illuminates how the necessary spaces of travel for delivery workers become contested sites due to gaping power inequalities, the transgressive mobility of delivery worker bodies that ride bicycles or e-bikes, and the spatial staging of the street. In part, these contestations manifest because of dialectical tensions of the street being both a path of movement and a place of numerous social interactions, order, and symbolic meanings (Mehta, 2015). In neoliberal cities, streets have been prioritized as rapid paths for car travel and for the ever-accelerating circulation of goods. These rapid paths exclude other uses such as the street as a place of children’s play (McShane, 1994; Norton, 2008). As people increase their speed and use larger vehicles, they require more and more space for travel as there is less ability to negotiate space safely with other users or uses; for example, as speed limits increase, lane widths usually increase (Hamilton-Baillie & Jones, 2005). In addition, increasing relative differences in speed between two bodies reduces the ability to effectively communicate whether verbally, visually, or
through eye contact (ibid). In other words, higher speeds in streets increasingly limit interpersonal communication and the range of other possibilities in the street. Along with accelerating circulation, neoliberal cities also stress and implement architectural and symbolic measures for safety and security to protect social order in its places (Sorkin, 2008). As such, the occupational need for speed pressures delivery workers into complex and problematic negotiations of their travel through streets both as paths of movement and as places of security.

As a charged context to these contestations, the street has long been a site of collective trauma from motor vehicular violence. I find that a regime of cumulative irresponsibility in the neoliberal city maintains a system of car-based collective trauma (Lee, 2015). Cumulative irresponsibility is “the erasure of responsibility for mass injustice when blame or responsibility is difficult or even impossible to assign at the individual level, but mass harm and injustice materialize when minute or imperceptible damages aggregate exponentially” (ibid, p. 79). This environment focuses the blame for conflicts and harm on personal responsibilities rather than structures or systems; this is particularly problematic in a highly unequal society because assigning personal responsibilities for harm becomes largely based upon power. As such, marginalized bodies struggle to claim their right to exist in and to co-produce the city.

The right to public spaces in the city has never been guaranteed for everyone and must be continually and fiercely fought over. These conflicts over the right to the city are locational, which Mitchell (2003) explains:

Rights have to be exercised somewhere, and sometimes that “where” has itself to be actively produced by taking, by wresting, some space and transforming both its meaning and its use—by producing a space in which rights can exist and be exercised. In a class-based society, locational conflict can be understood to be conflict over the legitimacy of various uses of space, and thus of various strategies for asserting rights, by those who have been disenfranchised by the workings of property or other “objective” social processes by which specific activities are assigned a location. (p. 81)
These locational conflicts for delivery workers are also defined by the varying delineations of spaces as front and back regions (Goffman, 1959). This chapter will discuss how the mobility of delivery workers requires them to inevitably transgress into front regions, which also demonstrates how their bodies blur boundaries.

In this chapter, I contend that the right to the city for delivery workers is fundamentally undermined by an environment of cumulative irresponsibility in an assemblage of street and labor conditions. The “problem” of delivery workers as defined by the more privileged public (see Chapter 3) cannot be resolved through a system that overemphasizes individual or worker responsibilities. This environment produces mass harm for workers through perpetual contestations in the spaces of delivery where power relations disadvantage workers to resolve conflicts. I will also discuss how masculinity and power relations shape different perspectives of delivery e-bike riders so that e-bikes embody an intersection of survival, othering, and dangerous disruption. The right to the street for workers is about survival, and this struggle occurs in labor and street systems designed to dispose of delivery worker bodies.

**Streets of Cumulative Irresponsibility**

Cumulative irresponsibility builds upon Iris Marion Young's (2011) social connection model of responsibility whereby all those whose actions constitute the processes that produce structural injustice share the responsibility for the injustice. Under an environment of cumulative irresponsibility, individual and personal responsibilities for harm are emphasized rather than a collective responsibility model such as the one suggested by Iris Marion Young (Lee, 2015). In the street, a personal responsibility approach would center the blame for a death or injury based upon the actions and character of the individuals involved in an incident or attempts to solve problems through increased policing. In contrast, a collective responsibility model would
address street violence by altering systems or structures such as safe street redesign or discriminatory processes of city planning and decision-making. In the case of immigrant delivery workers, this model would involve addressing structures of working conditions, human migration, and policing. A collective responsibility approach to mobility understands that individuals are embedded within ‘charged’ environments that require a “negotiation of interests within an already existing social and time/space arrangement that supports some activities, discourages others, and makes some impossible” (Saegert, 1993, p. 81). As such, people move in the world as body-mind-world assemblages (Lee, 2016). But contextual understandings of problems are minimized because neoliberal social structures:

shatter shared collective responsibility into minutely fine shards of individual responsibility that in turn collectively aggregate into cumulative irresponsibility… By subdividing collective responsibility, the resulting individual responsibilities are each inadequate to take the blame for mass harm and therefore, responsibility altogether disappears. (Lee, 2015, p. 79)

One such example of disappearing collective responsibility is the historical and ongoing accumulated harm from motor vehicles. From the advent of the car in 1899 through 2016, more than 3.7 million people have died in motor vehicle crashes in the United States (National Highway Traffic Safety Administration, 2018). To give a sense of scale, motor vehicular deaths account for about three times the number of deaths as the number of American soldiers who have died in all U.S. wars (Santhanam, 2015). Another way to understand the collective trauma of the street, U.S. motor vehicle crashes accounted for 37,461 deaths in 2016, which is approximately the same number as the 38,658 deaths caused by firearm use in the same year (Center for Disease Control and Prevention, 2017; NHTSA, 2018). Maintaining a car-based mobility system requires society to absolve the mass deaths as resulting from “accidents” unless when there are exceptional circumstances of blatant individual irresponsibility such as drunk driving.
This absolution occurs because a hegemonic system of automobility produces structures of car-centric mobility that coerce self-reproduction and growth of car culture while repressing alternative means of mobility (Urry, 2004). For example, cities of automobility have reshaped time and space through elements such as street and road infrastructure and traffic laws to privilege automobility (Norton, 2008; Furness 2010). Even if individuals do not drive cars, a system of automobility has ensured that everyone relies on motor vehicles travel to some extent; for example, motor vehicles play a role in the transport of nearly all products and goods in a city. Since cars are so deeply interwoven into so many dimensions of everyday life, undoing automobility requires “disembedding each of these different elements from the overall ensemble – an extremely difficult task” (Rosen 2002, p. 156). Because we deeply depend on cars for everyday life, criminalizing the death toll from car use risks criminalizing everyone. In a system of cumulative irresponsibility where personal liability and blame are the focus, criminalizing everyone is not possible because “Where all are guilty, nobody is. Guilt, unlike responsibility, always singles out; it is strictly personal” (Arendt, 1987, p. 43). Furthermore, because systems of investigating car crashes remain poor, the burden of proof of harm belongs to the injured victims if alive or bystanders (Jain, 2004). This system of assigning responsibility is thus inherently biased towards drivers because when a car crash results in the death of pedestrians or cyclists, the driver is frequently the only witness alive to give testimony.

Since people are unable to individually alter the harm from a system of cumulative irresponsibility, most people only assign blame and individual responsibility to settle on-street conflicts based on power, inequalities, and hierarchies. As such, cumulative irresponsibility disproportionately shifts individual blame upon disadvantaged bodies whose behaviors are held
to a greater account than those who are more powerful (Lee, 2015). In one such example, Mayor de Blasio and many others characterize electric bike (e-bike) use as inherently dangerous:

And what people have seen is absolutely unacceptable – electronic bicycles going the wrong way down streets, weaving in and out of traffic, ignoring traffic signals, sometimes going up on sidewalks. And you know, it’s one thing, if a regular bicycle does that, that’s a problem but an electronic bicycle, it’s so much faster – creates a real danger. (NYC, 2017)

E-bike opponents use this logic of inherent danger to justify why e-bikes are and should remain banned in NYC. In contrast, Jain (2004) finds that caselaw has determined that cars are ordinary objects, not inherently dangerous instruments, and that cars become dangerous when people drive them recklessly. This logic is similar to how the National Rifle Association argues that people kill people, not guns. Therefore, Jain (2004) finds that:

Ultimately, this chain of logic deletes the social environment from the technology of the car and inscribes it all onto humans. All of the messy complications of accidental meetings, defective designs, and chaotic spaces become reduced to the body of the negligent driver, mother, or walker. (p. 75).

By stripping behavior from context, cumulative irresponsibility conceals the body-mind-world assemblages that underpin mobility affordances that emerge from the interrelationship of people to their vehicles (Gibson, 1979). By doing so, cumulative irresponsibility hides the power relations of the bodies involved in assigning blame in conflicts. As such, e-bikes in NYC are imbued with inherent danger because low-income male immigrant delivery workers most commonly ride e-bikes. In contrast, cars have long been a status symbol and an essential part of the American Dream (McShane, 1994; Norton, 2008; Rothstein, 2017). By catering to privileged bodies and by reordering social life so that motor vehicles become necessary, our society has not deemed cars as inherently dangerous so that “automobility ‘works’, because its accidents are denied. Collective denial enables individual mobility” (Beckmann, 2004, p. 94). Thus, mass damage from car violence in the street functions through a dialectic of remembering and
forgetting (Billig, 1995). In one such way, many collectively forget mass harm for cars, but remember this trauma for “undesirable” body-vehicle assemblages such as delivery e-bike riders.

Thus, delivery cycling occurs within a challenging street environment of cumulative irresponsibility that produces mass harm and conceals the power relations between different body-vehicle assemblages. These conditions place delivery workers in precarious contestations over the right to inhabit the street.

The Right to NYC Streets?

Based upon Lefebvre’s (1996) "right to the city as a cry and demand," Don Mitchell (2003) argues that we must continually fight to assert the right both to inhabit public spaces and to participate in the ongoing spatial production and renegotiation of the city. City streets are important sites of struggle over public spaces as they comprise about 30 or more percent of the surface area of a city, yet motor vehicles essentially privatize these public spaces through parking and mobility that suppress the right to public streets for other users such as cyclists (Furness, 2010). The spatial greed of car culture colonizes space as motorized cities end up devoting 30-60% of surface space between roads and parking primarily for cars while only a tiny fraction of this space goes towards other users like pedestrians and cyclists (Rodrique, Comtois, & Slack, 2013). As public spaces, streets are a complex ecology of interconnected activities that balance a difficult tension between being both place and path (Mehta, 2015). For much of the 20th century, car-domination reorganized streets to function primarily as homogenized paths for cars while largely erasing the place functions of streets as traffic engineers reorganized roads with physical designs that segregated users, maximized speeds, and indicated hierarchies (Hamilton-Baillie & Jones, 2005). A central focus of many struggles over streets in recent years has been to reclaim city streets from being simply paths for cars that exclude other ways of being
and moving on the street. Cities have been taking space from cars to transform streets into places of multiple social uses such as strolling, socializing, reading, dining, playing, and commerce, and into streets with a greater diversity of paths (e.g. bike lanes, expanded sidewalks, etc.).

Essentially, city streets represent a boundary struggle between the global neoliberalism demands for rapid capital circulations that produce unrestricted movement of goods and how this system fuels inequalities that manifest in powerful desires for security (Cowen, 2014). These global flows of capital and neoliberal restructurings result in the “disneyfication” of the public spaces of cities through securing and ensuring the “quality of life” and mobility of social elites by removing and hyper-criminalizing undesirable people such as the homeless (Mitchell, 2003). This process has been possible due to historical racial segregation and its spatial and infrastructural securitization (Davis, 1992; Rothstein, 2017). As the housing discrimination and segregation became illegal, the federal government provided enormous housing subsidies and low-interest loans to white families to segregate themselves in suburban developments in the post-World War II era (Rothstein, 2017). Simultaneously, suburban residents needed a new transportation system to access their jobs in the urban downtowns. Partly due to Cold War concerns but foremost to connect suburbs to cities, by 1956, the federal government subsidized 90% of highway construction costs leading to the rapid expansion of highways and roads (Semuels, 2016). In addition to facilitating white flight from cities, urban planners like Robert Moses used highway construction as “slum” clearance where cities intentionally built highways through primarily black neighborhoods resulting in mass displacement; Robert Caro (1974) estimates that Moses displaced and dispossessed 250,000 New Yorkers to build highways. Thus, according to Henderson (2006), the development of cars and its attending infrastructures has produced a form of white secessionist automobility, which enables the affluent, white population
to travel through public spaces while avoiding contact with anyone and anything undesirable or feared. Furthermore, an emphasis on personal responsibility rather than collective or public responsibility fuels the attractiveness of the automobile as a means to secede from the perceived ills of urban areas in order to keep one’s family safe (ibid). Essentially, the car has taken on a symbolic meaning of whiteness in the U.S., which buttresses a system of car-based cumulative irresponsibility and collective trauma.

In recent years, cities like New York have seen the flooding of capital and a renewed influx of white residents as rapid gentrification is displacing low-income residents (Newman & Wyly, 2006). Not coincidentally, cities have seen an upsurge in political capital and will in restructuring transportation and streets in urban areas to de-emphasize car travel while promoting walking, biking, and public transit that improves the quality of life in cities through initiatives like Complete Streets, Livable Streets, and Vision Zero. For NYC cyclists, having the right to the street with bicycling infrastructure radically changed in 2007 when then-Mayor Michael Bloomberg hired Janette Sadik-Khan as the Transportation Commissioner. Sadik-Khan began to reorganize street life by jump-starting an aggressive expansive of bike infrastructure so that her nickname became the “Bike Commissioner” (Grynbaum, 2011). Since then, bicycling has continued to grow rapidly in New York City as the bike network has grown by 330 miles in the past five years and the Citibike share program has attracted numerous riders (NYC DOT, 2018a). By 2018, the NYC DOT estimates more than 460,000 bike trips occur daily, which triple the amount 15 years ago (ibid). With the increase of both the number of bicyclists and bike route mileage, the NYC DOT has calculated that the average risk of a serious injury experienced by commuter cyclists has declined by 74% from 2000 to 2016 (NYC DOT, 2017c). In short, New York City has seen in recent years more bike lanes, a substantial downtick in danger to cyclists,
and a sharp growth in the number of cyclists on the roads. These changes to the street seem to be at least in part to approach car-based collective trauma through structural changes necessary to undo cumulative irresponsibility.

However, NYC’s rapid growth of cycling and accompanying infrastructure has largely served privileged cyclists while inadequately serving low-income cyclists who live in areas with poor public transit (Applebaum et al., 2011). Systems of urban and transportation planning skew toward privileged white perspectives and needs while often excluding marginalized voices like food delivery workers (Golub, Hoffmann, Lugo, & Sandoval, 2016; Lugo, 2018). Accordingly, bicycling advocates have leveraged capital accumulation via gentrification and displacement to argue for cities to implement bike infrastructure in order to attract the “creative class” (Hoffman & Lugo, 2014; Stehlin, 2015b). In contrast, many minority neighborhoods perceive the development of bike infrastructure as presaging gentrification so that symbolically, “bike lanes are white lanes” (Hoffman, 2016). Conversely, white neighborhoods have utilized safety discourses to conceal racism in their opposition to bike lanes through their neighborhoods because they fear the bike lanes will bring criminal elements (Farr, Brondo, & Anglin, 2015). As such, based upon the varying assemblages of persons and contexts, bicycling has “varying potentials to be both an emancipatory and oppressive practice” (Golub, Hoffmann, Lugo, & Sandoval, 2016, p. 2). By failing to center equity and justice as explicit goals in urban planning, these restructurings of streets to address car-based collective trauma are reproducing and repurposing racial and class-based collective oppressions (ibid).

These dramatic shifts in NYC’s streets have boiled over into conflicts over street space between cyclists, drivers, and pedestrians. In phasing in bicycle lanes, drivers in various neighborhoods have led a vocal backlash to the loss of driving space and parking spots due to
bike lanes while arguing that increased cycling results in elevated dangers for pedestrians and schoolchildren despite evidence to the contrary (e.g. Goodman, 2010). Thus, cyclists remain perceived as transgressive “others” by large numbers of New Yorkers and by the NYPD (Blickstein, 2010). The right to the street for cyclists is contested every day on the road, particularly for food delivery cyclists. While recent efforts at safer streets have resulted in structural changes that have improved street conditions, we will see how these changes largely do not address the needs of food delivery workers.

**The Front and Back Stages of Food Delivery**

To make deliveries, food delivery cyclists must travel from restaurants through streets and into buildings. These places vary in how social relations dictate spatial power hierarchies and conflicts that delivery workers negotiate. Goffman (1959) describes how settings prescribe public performances in a spatial arrangement like a theater production where there are front and back stages. The frontstage is where the actors perform a choreographed script for the audience while the backstage is where unseen labor enables the public performance. Therefore, in a restaurant, the frontstage is the well-decorated and well-maintained dining area served by waiters and hosts who “make a good impression” for the customer audience (*ibid*, p.124). Not surprisingly, the frontstage of a restaurant tends to be worked by whiter and higher-class workers. In contrast, the backstage of the restaurant is the concealed kitchen where the dirtier work occurs and usually tended to by those with “undesirable visual attributes” such as working-class people of color and immigrants (*ibid*). This spatial segregation results in a division of labor where workers in the front stage emphasize expressive and emotional labor, while workers in the backstage focus on technical or physical labor (*ibid*). This section will focus discussion on the similar but distinct arrangements of spatial staging in restaurants and customer buildings, while
the next major section will discuss the complex mingling and contestations of spatial staging in streets.

**Staging in restaurants**

Delivery workers who are mostly immigrants and men of color would normally be designated backstage working roles in restaurants. When there are no delivery orders, delivery workers at restaurants are often tasked with backstage work in restaurants such as kitchen prep, washing dishes, and other such tasks. But during deliveries, these typically backstage workers become highly visible in the front stage by going through the restaurant’s dining area to pick up orders. In addition, between deliveries, workers often wait for the next delivery order in the restaurant’s dining area or out in front of the restaurant for a smoke break. Thus, the bodies of delivery workers traverse traditional front and back stage boundaries in restaurants.

Delivery workers experience varying treatment by restaurant staff and usually from subordinate power positions. Some workers expressed that delivery work allowed them to escape from unfair restaurant and kitchen hierarchies while others expressed ambivalence about treatment from restaurant staff and bosses. Zihao (male immigrant, Chinese fluent, 50s) related how some restaurant bosses will prepare special food for delivery workers on their birthdays while other bosses abuse them. In one case, Zihao described how a Cantonese boss yelled at him, “You know nothing! You don’t even speak English. Nothing, why you come work here?” Not treated well, Zihao left the job after one month. In addition to restaurants being prevalent sites for wage theft, delivery workers commonly experience verbal and physical abuse on the job with nearly half of the Chinese-speaking workers reporting abuse (Table 5.1). It is unclear why Spanish-speaking workers report comparatively lower rates of abuse given that they often report
high levels of adverse working conditions like wage theft (Chapter 4). Regardless, this prevalent abuse of workers signals their position as subordinated worker in the restaurant hierarchies.

**Table 5.1. Verbal/Physical Abuse**

<table>
<thead>
<tr>
<th>Experienced Verbal or Physical Abuse on the Job</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese survey takers</td>
<td>49</td>
<td>49.0%</td>
</tr>
<tr>
<td>Spanish survey takers</td>
<td>31</td>
<td>16.1%</td>
</tr>
<tr>
<td>English survey takers</td>
<td>27</td>
<td>37.0%</td>
</tr>
<tr>
<td>Unknown</td>
<td>46</td>
<td></td>
</tr>
</tbody>
</table>

Several delivery workers for third party apps (e.g. Homer, Uber Eats, Relay, etc.) spoke about being treated poorly by restaurant staff when picking up orders. Oba (male immigrant, English fluent, 30s) who works for Relay explains:

> Sometimes you go to the restaurant, the staff might be rude to you. The way they approach you is very arrogant. Because they know you’re a delivery guy. Because they might just say “hey, silly, we don’t want you to talk to me. We don’t want you to go out.” You know, they give you stupid excuses. All because they see the job like that like a dirty job.

As “dirty” workers, the restaurant staff treats Oba’s presence in the front stage of the restaurant as a transgression by a person with less power. Since Oba also does not work for the restaurant, this fleeting interaction may reduce social pressures to get along, which might not be the case for other restaurant workers. In contrast, before delivery work, Sarah (female U.S. born, English fluent, 50s) worked under abusive working conditions at restaurants. Thus, working for third party delivery companies where Sarah minimizes her time with restaurant staff feels liberating.

In doing deliveries, backstage workers begin to blur boundaries at the restaurant itself that can disrupt traditional social relationships that may result in abusive or liberating experiences for delivery workers. These partial freedoms come at a cost, as delivery workers face difficult conflicts and tensions to negotiate in buildings and streets.
Staging in Rich Buildings

Residential or office buildings often have distinct front and back stage areas that delivery workers must negotiate. In more modest buildings, the delivery workers can immediately buzz or call the customer and then go directly to the customer to make the delivery. In contrast, richer buildings require delivery workers to navigate oft-hostile security or doormen who often divert delivery workers to use the backstage second-class infrastructure, or in other words, the “poor door.” These spatial staging divisions of buildings demarcate social classes where “social adults enter through the front, and often the socially incomplete – domestics, delivery men, and children – enter the rear” (Goffman, 1959, p. 123). In rich buildings, the frontstage is the front lobby where doormen and security guards screen entrants. Most delivery workers described hostile interactions with building security whom Weizhe described as like “border patrol.” According to Esteban (male U.S. born, English and Spanish fluent, 20s), the demeanor of security guards changes when they see delivery workers, “you’ll go inside and they’ll be happy and once they see you, they get angry or frustrated.” Jackie, a white female delivery worker, describes getting better treatment from building security than her male coworkers of color as “I’ve seen [security] let me go through and then stop the guy behind me… They’ll just say, ‘Oh I have to call upstairs.’ And make them stand there until they call the apartment.” Similarly, Steve, a white male delivery worker reports never having a problem with doormen or building security. In contrast, most delivery workers of color often report being treated rudely, held unnecessarily long, and often attended to last by security even if the worker gets there before others. The best scenario for delivery workers is to be waived in or at least checked in by security before going up the front lobby elevators to make a delivery. This process can take a little as a couple of minutes.
Often, building security does not permit delivery worker to go up into the building to make the delivery directly to the customer and so the worker must wait for the customer to come down to the front lobby. By being prohibited from going up the building creates a spatial distance between customer and delivery worker that can cost workers a lot of time from negligent customers. During my shadowing of Nicolas’ delivery shift, we once waited for a customer for 25 minutes before she showed up (Figure 5.1).

![Figure 5.1. Nicolas waiting 25 minutes for a customer to show up to pick a food order. Photo by author.](image)

These kinds of “wasted” time reduce wages while provoking workers to speed up future deliveries to make up for lost time. Sometimes customers will tell the delivery worker to leave the food with the doormen or building security when they have prepaid for the food by credit card. Since many deliveries do not get tips, Helena (female U.S. born, English and Spanish fluent, 20s) thinks that some customers intentionally tell delivery workers to leave food at the front desk to avoid paying tips:
And then I feel like some other customers stay up there… they just tell us to leave it with the front desk and I feel like they know that it’s a zero [dollar tip]! So that’s why they don’t want to come down and show their face.

Thus, customers sometimes use spatial segregation with doormen and security workers, often men and immigrants of color too, as human shields to underpay delivery workers.

Sometimes, this spatial segregation occurs because of arbitrary logics of security that doormen or security workers enforce. Sarah (female U.S. born, English fluent, 50s), biracially Native American and white, related a degrading experience in needing a customer to fill out and sign a credit card receipt so that she could get a tip. However, the security guard insisted that delivery workers were not allowed upstairs due to “security reasons.” They argued and finally the security guard took the credit card receipt, called the customer, and put the food and credit card receipt by themselves on the elevator, and sent it up to the customer. The customer troubled by this situation came down to the front lobby with the receipt and gave a $35 tip to Sarah.

Often, delivery workers can only seek relief in conflicts with doormen and building security through the power of customers. Thus, this spatial segregation of buildings perversely pits delivery workers against building doormen and security workers, which poisons potential worker solidarity, while both sets of workers are incentivized to please affluent customers.

In another instance, Helena called up from the front lobby in an office building to a male customer who began sexually harassing her on the phone by asking if she was “naked” and told her, “Oh, why don’t you come up here and we’ll both be naked.” Shaken and upset, Helena hung up the phone and tried to leave the food with the doorman who told her that she could not leave it there and if she did, he would not be responsible for the food. After telling the doorman what happened, the doorman replied, “Oh he’s probably drunk.” During this time, the male customer kept sending sexually suggestive texts to Helena. Her employer called the customer and Helena thinks the customer apologized to her employer. Haunted, Helena said that she had
goosebumps talking with me about this experience that made her feel “nasty”, and that she still carries it around with her:

But every time I go to that building, I’m like, yeah, it was here. I’m like imagine I bump into him. I don’t even remember his name, but maybe he… I don’t know. Maybe he does the same thing because I’m a female rider, maybe he’ll do the same thing.”

Beyond the horrifying sexual harassment, this story is also remarkable in how the doorman tried to excuse the customer’s behavior, how the customer apologized to the employer not Helena, and how there were no consequences for the customer.

For many buildings, delivery workers are forced to use the “poor” door, which is usually the side, back, or freight entrance of the building (see Figure 5.2).

![Figure 5.2. Service Entrance & Messenger Center of a midtown Manhattan office building located on different block than its front lobby.](image)

Using this entrance costs delivery workers a lot of time as sometimes the back entrance is on a different block. This service entrance may also have a special messenger center where delivery
workers either wait for the customer or drop off the food order without seeing the customer, which may decrease tipping. Figure 5.3 shows the messenger center of a midtown Manhattan office building where delivery workers wait on one side of a counter that separates them from customers searching for their food orders left on the counter.

![Figure 5.3. Messenger center in midtown Manhattan. Photo by author.](image)

Being required by law to wear bright reflective vests facilitates spatial staging, because delivery workers can then be immediately recognized by front lobby security. Delivery workers tend to ambivalent about reflective vests, with disagreements about their safety benefits. Many workers also note how the vests stigmatize them in public: “I feel like the colored vest is kind of redundant and demeaning” (Michael, male U.S. born, English fluent and Spanish capable, 20s). When shadowing Tanya (female U.S. born, English fluent, 30s) on her delivery shift, we wore reflective vests and every time we entered a building, security guards reacted quickly. Entering one building, a security guard immediately spied us, called us over, escorted us to a side service entrance where we took a freight elevator to make the delivery. On the way back down, we
inadvertently used a front lobby elevator taking us to the front lobby. In the front lobby, we started moving toward the exit when a security guard screamed at us, “Stop! Go through the back!” We froze as we were already about halfway through the front lobby when another security guard waved us through with irritation and said, “Oh, just go through!”

Taking the freight elevator costs delivery workers a lot of time. Sarah estimates that it just takes a couple of minutes to complete a delivery and exit the building when using the front elevators as compared to taking about 20 minutes or so when she is forced to use the freight elevator. Roberto describes that using freight elevators often require long, circuitous travel in a building: “You gotta go upstairs and you gotta go through a freight [elevator], take one elevator downstairs, go up a hallway, then take another elevator to go upstairs for a zero-dollar tip.”

Furthermore, the front lobby usually has a bank of multiple fast elevators while most buildings just have a single, slow freight elevator. The freight elevator is a first-come, first-serve elevator, which means food delivery workers compete for elevator space with other delivery workers from FedEx, UPS, and so on. Helena describes that some midtown Manhattan buildings require a security guard to escort all delivery workers to every floor on the freight elevator. For Rafael (male immigrant, Spanish fluent, 20s), taking the freight elevator makes his job harder and feels discriminatory:

[Security guards] make us go to the freight elevator because they think we are going to dirty [the place], or something else. It makes us not be able to be efficient in our job and it is a form of discrimination because it makes us feel bad that we can’t go through the regular elevator.

This spatial staging of buildings serves to remind delivery workers of their underclass position. Ironically, customers who crave fast deliveries often reside or work in buildings whose designs and procedures for security and social stratification slow down delivery workers. Andreas (male U.S. born, English and Spanish fluent, 30s) observes that customers are unaware of the numerous
obstacles he encounters in restaurants, streets, and buildings that slow him down. Thus, customers frustrated by slow deliveries devalue Andreas’ work by saying, “Had I known, I just would have went and picked it up myself.”

In summary, the spatial staging of buildings requires frontstage performances of security and social stratification, while the second-class backstage infrastructure slows down delivery workers.

**Staging Labor and Contestations in the Street**

Most of the labor of delivery work occurs through flexible and time-constrained mobility in the street. According to Jirón and Imilan (2015), “Time and space become, under flexible conditions, precarious embodied experiences” (p. 123) that workers must negotiate with their own agency. Delivery workers usually told us physically demanding estimates of their daily delivery mileage that ranged between 20 and 60 miles a day. Delivery workers navigate streets that function as both path and place that results in a mixture of frontstage performance labor and backstage physical work. The frontstage character of a street depends on the racial and economic composition of the neighborhood. For example, richer and whiter neighborhoods often demand more decorum and order in the street as a matter of “quality of life” and the securitization of public spaces. In white spaces that emphasize frontstage security theater, marginalized bodies that travel openly in public streets are suspect and dangerous (Anderson, 2015). The differences in the frontstages of neighborhoods can be seen in Weizhe’s (male immigrant, Chinese & English fluent, 20s) experiences. Delivering food in his working-class neighborhood in Brooklyn, Weizhe “never felt belittled” while feeling connected to his customers who “recognized [him] as a person.” In contrast, while delivering food in affluent parts of Manhattan, Weizhe “never felt any connection with customers” as they “live behind the heavy door.” As a
caveat to this chapter, the following discussion about street experiences for delivery workers largely omits the impacts of policing experiences, which will be covered in Chapter 7.

**Rules Mismatch of the Street**

My on-board training with Homer Logistics, a third-party delivery company, illuminated tensions of staging and following the rules in the street for delivery workers (field notes, September 18-24, 2017). Adam Price, CEO of Homer Logistics, told me that Homer finds market advantages through excellent customer service plus maximizing efficiencies through analysis of worker mobility data. For example, they used data to have more efficient algorithmic routing of workers and bundling of orders along with providing key info to workers on how to access different buildings. Homer also provided better working conditions for their couriers although it is unclear if their model is financially sustainable (see Chapter 4). Homer prided itself on being the NYC DOT’s model delivery company by strictly requiring their delivery workers to follow all the DOT traffic and commercial cycling rules.

Sam, a young white male, led Homer’s weeklong training for a trainee group that comprised eight men of color, one woman of color, and one white male. This white male trainee was a newly hired office employee and not actually a courier, but Homer requires all employees to undergo this training. The training largely focused on indoctrinating workers on doing things the “right way” by following DOT rules in the street and refining workers in their social interactions. As a branded company, Sam lectured the trainees to always represent the company professionally in public. With a “zero tolerance” policy, Homer couriers are prohibited from complaining to the customer about not receiving a tip. Sam told the trainees, “It is less insulting to get a zero-dollar tip than it is for you to react poorly.” Some non-Homer delivery workers also expressed similar restrictions: “Besides treating us badly, [customers] don’t tip us and
sometimes they end by saying bad words to us, and since we do not want to lose our jobs, we
don’t say anything” (Rafael, male immigrant, Spanish fluent, 20s). Stating that delivery workers
have a bad reputation, Sam instructed the trainees to change that reputation by being courteous
and polite to everyone even during conflicts or crashes. Thus, delivery workers are expected
sublimate their emotions to be frontstage performers on the street by acting with decorum and for
the pleasure of others. During the weeklong training, I felt troubled by the training’s racial
dynamics where the white male trainer lectured a room full of mostly young men of color to
discipline their bodies to smile while accepting poor treatment from others.

Homer’s zero tolerance policy extends to the street with no tolerance for delivery couriers
who do not wear helmets or ride the wrong way on the street. Because their couriers carry
Homer phones, Homer tracks the movement of their bodies on the street and can discern when a
courier is riding the wrong way on a street, an offense for which their couriers are immediately
fired. Tracking workers is common practice for most third-party delivery apps where customers
can use the app to follow the movements of their delivery worker bringing them food. While
riding the wrong way on the street draws much ire from the NYC public, Adam Price told me
that before banning their couriers from riding the wrong way on the street, Homer’s data showed
that riding the wrong way on the street decreased the likelihood that the courier would be hit by a
car. However, riding the wrong way also increased the chances that the courier would hit a
pedestrian, because pedestrians do not look for cyclists coming from an unexpected direction.22
This example demonstrates the difficult dilemma that faces delivery workers who are expected to
sacrifice their own safety for the benefit of others on the street. In Homer’s case, this also
protects their corporate brand. This also demonstrates a failure of street infrastructure that Homer

22 Price declined to provide me with details on the size of this effect or any of the data.
does not work to change. Homer also ensured that couriers follow DOT rules (e.g. not running red lights) by promoting couriers to the role of shift coaches who still deliver food, but are also expected to write up couriers they see breaking DOT rules on the street.\footnote{Shift coaches also help other couriers in emergencies such as injuries from a crash.} Several Homer couriers said that everyone breaks DOT rules to move more quickly, but only when out of sight of the shift coaches.

During Homer’s training, Sam repeatedly asserted that strictly following DOT rules keeps delivery couriers safe. For example, while the DOT requires commercial cyclists to wear helmets and high visibility reflective vests. Likewise, 87% (118 of 135) of delivery workers in our survey perceived helmets as making it safer for them. However, delivery worker stories of crashes often contradict the perceived safety benefits from equipment choices. The research literature also suggests that helmets reflect the contradictions of cumulative irresponsibility. Research shows positive head trauma protection from gear like helmet at the individual level (Attewell, Glase, & McFadden, 2001; Elvik, 2011; Olivier & Radun, 2017). However, research also shows mandatory helmet laws do not correspond with better safety outcomes at societal levels (Culver, 2018; de Jong, 2012; Robinson, 2007). U.S. cyclists for example wear helmets at far higher rates than those in the Netherlands yet American cyclists are five times more likely to be killed (Buehler & Pucher, 2012; Culver, 2018). Thus, an inability to systematically address collective harm incentivizes individuals to use helmets that do not fundamentally improve overall safety conditions. Thus, I argue that helmets “produce a stigma of symbolic violence upon bicyclists, while giving the appearance of societal concern for the wellbeing of bicyclists” (Lee, 2015, p. 85). Likewise, a recent study shows no systematic benefits to safety from high visibility clothing for cyclists in Italy (Prati, 2018). This corresponds with the hierarchies of
controls in Figure 5.4 for managing hazards to workers according to the Center for Disease Control and Prevention (2016).

![Hierarchy of Controls]

Figure 5.4. Author reproduced image of the Hierarchies of Controls (CDC, 2016)

In this hierarchy, personal protective equipment such as helmets is the least effective measure to protect workers. Notably, the hierarchy of controls also shows that every single measure that is more effective in protecting workers has to do with structural and systematic changes. Because Homer and NYC focuses its efforts on delivery worker safety through personal protective equipment like helmets or vests, they are reifying a harmful environment of cumulative irresponsibility in the street for workers, while shifting the responsibility onto workers. Accordingly, Table 5.2 also shows that crashes with cars are a common occurrence across all delivery workers and vehicle type. In addition, there is no statistical correlation in experiencing crashes by delivery vehicle type or worker language. Not surprisingly, high percentages of delivery workers take time off from work due to injury (see Chapter 4).
Table 5.2. Crashes

<table>
<thead>
<tr>
<th>At least one crash with a motor vehicle</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>By Language</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chinese survey takers</td>
<td>41</td>
<td>65.9%</td>
</tr>
<tr>
<td>Spanish survey takers</td>
<td>31</td>
<td>58.1%</td>
</tr>
<tr>
<td>English survey takers</td>
<td>25</td>
<td>60.0%</td>
</tr>
<tr>
<td>Unknown</td>
<td>56</td>
<td></td>
</tr>
<tr>
<td><strong>By Delivery Vehicle</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bicycle</td>
<td>40</td>
<td>57.5%</td>
</tr>
<tr>
<td>E-bike</td>
<td>45</td>
<td>64.4%</td>
</tr>
<tr>
<td>Scooter or moped</td>
<td>4</td>
<td>50.0%</td>
</tr>
<tr>
<td>Unknown</td>
<td>64</td>
<td></td>
</tr>
</tbody>
</table>

Thus, these rules are not intended to protect delivery workers, but rather to give the appearance of doing so. In one example, Roberto (male U.S. born, English and Spanish fluent, 40s) worked many years as a bike messenger where he regularly broke DOT rules and never got hit by a car. Yet when he started working for Homer and began following DOT rules as part of the job, he got doored once and hit twice by cars – one time so badly that he flew fifteen feet and blacked out.

While this shift in fortunes for Roberto may simply just be random chance, many other workers talked about following rules to be safe yet having numerous crashes and injuries.

In another example, Sarah follows all the DOT rules and uses a lot of bike lights because “it keeps me safe.” Yet, Sarah almost died from the consequences of a crash with a postal truck driver that swerved into her while riding in the bus lane. The truck’s side mirror hooked onto Sarah’s delivery bag and began dragging her down the street as bystanders screamed at the truck to stop. Sarah said, “Like my life flashed in front of me. I just went into survival mode.”

Afterwards, the driver screamed at Sarah claiming that Sarah had cut in front of the truck, but the police took Sarah’s side. As per Homer policy, Sarah was required to take a drug test to be able to claim workers compensation, which is a not-so-subtle reminder about personal responsibility.
Afterward, Sarah seemed to have manageable pain and soreness, and while the ambulance medics warned her that the pain might settle in after a few days when the adrenaline wore off, Sarah was not medically restricted from work. Thus, Sarah went back to work right after a clean drug test, because she could not afford to stop working and because Homer immediately scheduled her for shifts.²⁴ Other than one required day off to take the drug test, Sarah worked without pause for a week following the crash when she began feeling intense pain in her left shoulder and her back. She kept working through the pain and by the tenth day after her crash, she could not get up from bed and went to the hospital for three days. At the hospital, Sarah’s blood pressure spiked to 202 where she almost had a stroke and she almost died. Sarah ended up having a blood clot in her left arm, which would sideline her from work for several months and require ongoing physical therapy. During this entire time, Homer kept contacting her trying to put her on the schedule until she got a doctor’s note prohibiting her from work.

When I asked her if anyone at Homer knew if she had nearly died, she replied:

Yeah, like, when everything is good, then everything is good. When everything is not, then [Homer] don’t know me now. They don’t know me now. Yup. Nobody texted me. Nobody said nothing to me… They don’t care nothing about you. I understand it’s a company, but I got hurt on your job. You know, I… almost died, almost died.

Because workers compensation functions through insurance, Sarah would not receive any lost pay compensation for many weeks where she would struggle to pay rent and her bills. Despite her pain, she could not afford to take public transportation and so she walked long distances to her medical and physical therapy appointments. Despite following all the rules, Sarah nearly died. This demonstrates how the rules of both of streets and working conditions, are not designed

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²⁴ Workers compensation insurance pays only two thirds of one’s regular pay and it can take a long time before a worker sees any money.
for the safety or well-being of delivery workers, but rather delivery workers are expected to abide by them to accommodate and benefit others.

**Dialectical Tension of Speed and Safety**

Being neoliberal subjects, car crashes shake the confidence of delivery workers making them question their abilities even when the crash was clearly not their fault. In one example, a hit-and-run SUV driver ran a red light and t-boned Michael knocking him unconscious until he woke up in an ambulance to Bellevue Hospital. Bearing scars on his head and body, Michael described the crash as traumatic and he said that now he kept asking himself, “Am I a good rider?” Playing the crash over in his head, he wondered if he could have prevented it somehow:

Yeah, it was a hit-and-run but I feel like if I didn’t have my headphones in and I was just not rushing to get those last three deliveries and I would have gone home. Maybe if I’d just have looked around a little bit that I would have saw the car and then maybe I could have… whatever the case… yeah, like I said like that day, you know, maybe if I was riding a little bit slower, I could have been safer.

This story shows the central dialectical tension between speed and safety that delivery workers must negotiate in a street. Because of the atomization of responsibility in a street of cumulative irresponsibility, being a good delivery rider means to be in control of avoiding crashes with cars, pedestrians, or other cyclists while doing many deliveries quickly. Essentially, the street is divided into two competing spaces for delivery workers: 1) a frontstage place of security where they must perform to ensure the safety and assuage the fears of privileged people; and 2) a backstage path where delivery workers must navigate as quickly as possible.

Manuel (male immigrant, Spanish fluent, 20s) talked about his ambivalence in running red lights:

Sometimes for work we need to be going faster, but we need to be aware of respecting the traffic lights to not cause an accident. The clients want the food faster, especially the ones that we are delivery the farthest too… [This] has made me not respect the traffic lights sometimes. It doesn’t make me feel good because danger is right around the corner. You never know when some [driver] is high or drunk on the road.
Manuel breaks traffic rules to serve the customers better, yet he is deeply unsettled about the risk it puts him in. Manuel acts with agency, but this is strongly coerced by his labor circumstances. Despite the pressures of tips, all delivery workers stress that their safety is more important than money: “I only go fast when the streets are open. When it’s like packed, I’m not one of those guys that are like, I’m not going to kill myself to make an extra $5” (Andreas). Furthermore, while delivery workers often express frustrations with oblivious pedestrians, all workers reiterate that they must travel safely for pedestrians. As such, Roberto described how he runs red lights and breaks other traffic rules to go quickly and make more money, but that “pedestrians always have the right of way.”

Furthermore, since food delivery orders spike during winter and in bad weather conditions like snow, delivery workers often encounter slippery, dangerous road conditions. Part of this problem is that snow removal is prioritized in NYC for road space for cars. According to Weizhe, the bike lanes are “never shoveled, because that’s where people dump their snow actually. From the road, from the sidewalk, that’s where they put the snow.” During bad weather, inevitably, a few media stories exhort the public to tip delivery workers well (e.g. Casey, 2016). Laura Bliss (2015), a journalist at Citylab, analyzed Seamless and Grubhub data and found that for online orders, tips for delivery workers went up during snowstorms, but that this effect appears to be only about one dollar more per $100 of food delivered. Some workers do report better tips while others say customers tip worse because the delivery workers took longer than usual by trying to ride more safely. By emphasizing the individual responsibilities of customers to tip better, this requires each customer to decide to pay workers fairly or not, which inevitably results in cumulative irresponsibility in working conditions.

25 In bad weather, Weizhe also described how the workers’ clothes get dirty and muddy while the workers’ bikes suffer cumulative damage from the corrosive effects of salt and dirt in these conditions.
These conflicts between speed and safety illustrate the mismatch of street infrastructure, traffic rules, and the job demands of delivery work as Steve (male U.S. born, English fluent, 20s) explains:

If you follow the letter of the law, you’ll never keep your job. I mean, because if I was to go and take the bike lane, I would have to go all the way down to Columbus going down and then come back up. I should say you never keep your job but you definitely make less money.

NYC bike infrastructure often comprises long stretches of unidirectional bike lanes, which are common along one-way avenues in Manhattan. Two-way bike lanes are far less common, but much more useful to delivery workers who travel in every direction to every location in the city. Workers like Weizhe describe how navigating around one-way streets adds unnecessary time while breaking a rule like going the wrong way can save time, be a preventative tactic against fatigue, and can be done safely. However, because delivery workers break rules as part of their job in the backstage path of the street, this conflicts with the frontstage place performance demands of the street, particularly in wealthy neighborhoods that stress security and decorum.

Despite the lack of evidence that delivery workers are dangerous whether on regular bikes or e-bikes, privileged New Yorkers in their neighborhoods see rule breaking delivery workers as dangerous to social order. This fuels a public perception that delivery workers are lawbreakers even when they are not:

[A pedestrian] wasn’t crossing from the lanes, she crossed in the middle of the street and when I reached there, I was going with the traffic flow, I slowed down [for her] and then I passed… And then she told me “Wrong way!” So I slowed down, I was not going wrong way, there was no [pedestrian] light. (Weizhe)

Many delivery workers told similar stories about being falsely accused of doing something wrong by pedestrians or others.

The spatial arrangements of the streets also provoke delivery worker conflicts in the street. While some feel comfortable riding in car traffic, many delivery cyclists often feel unsafe
riding in the middle of car traffic, so they are more likely to ride at the margins of the street closest to the sidewalk. This marginal, liminal street space is also where the bike lanes are usually located. This means that cyclists are usually positioned much closer than drivers to pedestrians on the street, which means that safe spaces from for cyclists and pedestrians are often the same exact spaces on the margins of the road, sidewalk, and bike lanes. Despite cars representing by far the overwhelming danger on the street, pedestrians and cyclists often fight over the right to the leftover scraps of the street. As Horton (2007) observes, in spaces without cars, cyclists become the primary perceived threat to pedestrians. Squeezed into the same inadequate leftover spaces, street design sets up pedestrians and cyclists for conflict. In addition, delivery workers talk about how the need for speed sometimes means their margin for error shrinks and results in closer calls with pedestrians or cars than if they were riding leisurely. Simultaneously, pedestrians are socialized to attend to car danger through various senses including hearing cars (Taylor, 2003). Because bike and e-bikes are quiet compared to cars, many pedestrians are not accustomed to looking for cyclists rather than often just listening for cars. As a result, many pedestrians complain that cyclists, especially delivery workers appear “Out of nowhere they’ll come flying” (Sutherland, 2010). Delivery workers most certainly do not materialize from nowhere, but this is an asymmetry of power in the street’s frontstage, as delivery workers are expected to anticipate the needs of pedestrians while the vice versa is not normalized. Thus, pedestrians often deride all cyclists and especially delivery workers because of frequent close calls for crashes (e.g. Ripp, 2017).

Even while emphasizing pedestrian safety, many workers describe frustrating and dangerous conflicts with pedestrians even in the bike lane:

Somebody pushed me on 2nd Avenue, I was ringing my bell and like he just didn’t want to… he was staring at me. And I was like, “hello, I’m trying to go!” I had my big Caviar bag. Like I’m trying to go and I’m ringing my bell. And this is the thing, I guess people
don’t like being honked at, don’t like a bell rang at them. And I’m like “Excuse me! Excuse me! It’s a bike lane! Bike lane!” Now I’m screaming like, “Bike lane! Bike lane!” He’s not moving. So I swerve out of the way and as I’m passing him, he pushes my bag and like I sort of lose my balance, but I get back on, I was like, “What the fuck, dude?” Like I could tell looking at his face that he would easily escalate it, I was like I just got out of there. (Andreas)

These were common worker stories about pedestrians asserting aggressive control over space, which frustrates delivery workers as the bike lane is supposed to be the space for cyclists. In contrast, as shown in Hasan’s story in the introduction, pedestrians often feel that delivery cyclists violate the sanctity of sidewalks, which threatens safety. While these contestations between pedestrians and cyclists speak volumes to a need for more street space for pedestrians and cyclists, these conflicts also undermine potential solidarities to reclaim street space from the spatial gluttony of cars.

The intrusion of drivers into bike lanes exacerbates delivery worker conflicts. Every delivery worker complained about drivers, particularly taxi drivers, as Zihao explains:

Many city people complain that bike delivery workers never obey the law, the taxi drivers are worse because of two things that really affect me. One is some taxi drivers just change lane without signaling, just suddenly change the lane. To me that’s very dangerous. And also taxi drivers suddenly stop and open the door and it’s very dangerous for us.

This quote brings up two key points. First, delivery workers while stigmatized for not following the rules often remark that everyone is constantly breaking the law on the street whether they are walking, biking, or driving. Cyclists frequently encounter blockages like cars, often even police vehicles, in bike lanes as shown in a recent analysis of traffic-camera footage from a block in Harlem that found bike lanes being blocked 40% of the time (Nir, 2018). For all the demonization of delivery workers as rulebreakers, it is not clear that they break traffic rules at a higher rate than anyone else. This corresponds to a study by Marshall, Piatkowski, and Johnson (2017) that finds that nearly every pedestrian, cyclist, and driver report breaking laws. For
immigrant delivery workers who are heavily policed (Chapter 7), they complain that they are singled out when others are not. The second thing to note here is that NYC taxi drivers are also often working-class men and immigrants, who are under time and speed pressures like delivery workers (Mathew, 2005). In this way, workers who share much in common and who could find solidarity to fight for better working conditions are pitted against each other in streets.

For delivery workers, cars blocking the bike lane make for unsafe conditions. Hasan describes a “lose-lose” situation when the bike lane is blocked by a car where he will either dangerously “have to swerve in and out of traffic” or go onto the safer sidewalk. Likewise, Zihao argues that, “Sometimes we have to ride on sidewalks because sometimes it’s hard to ride on the road.” Cyclists are like the nomads of the streets, able to nimbly move between segregated spaces of sidewalks, bike lanes, and road space, but never quite comfortable or welcome to stay anywhere. As such, by transgressing into sidewalks or road spaces, cyclists draw the ire of both pedestrians and drivers. To solve this problem, Hasan suggests “a bigger barrier for the bike lane, like they do on the highways.” When asked for ways to improve their conditions, delivery workers often stated wanting more bike lanes to improve street safety. In this sense, while delivery workers often default to neoliberal constructions of personal responsibility in the street, many workers also desire structural and systematic changes. At the same time, while Hasan’s suggestion of a fortified bike lane could help protect delivery cyclists, these conceptions of safety may also help reproduce the securitized neoliberal city by constructing more walls and further fragmenting the street (Lee, 2015).

**Biking while Immigrant Worker in the Street**

Many immigrant delivery workers spoke about experiencing hostility beyond that of fundamental driver-pedestrian-cyclist conflicts in the street. Delun (male immigrant, Chinese
fluent, 50s) describes being spat upon and called “chink” by pedestrians. Tomas (male immigrant, Spanish fluent, 20s) was waiting at a stoplight in northern Manhattan when suddenly, a group of random men assaulted and beat him up:

I got hit mostly in the back of the head and it hurt. They didn’t steal anything. I think they just wanted to hit me. Like hit something, like they didn’t steal anything. **And the worst part is that there were bystanders just watching and they didn’t do anything**... [Afterward] I just got up and then wondered, “Why did this happen to me?” I didn’t know those people. I was like “What the hell just happened?” Afterward I was a little spooked out and I was not really okay to be doing delivery. I was like I should find a different job. (emphasis mine)

Noticeably, in this story, the worst part for Tomas was not the physical harm, but the lack of care and help from other witnesses. Being visible as migrant workers appears to stigmatize many delivery workers as undeserving of help and marks them as sinks for violence. Similarly, Reid-Musson’s (2017c) research describes how migrant farmworkers in Canada who must travel by bike experience racialized aggression from drivers, which suggests that, “being physically visible to drivers – by wearing a reflective vest, for example – can make migrant bicyclists less safe” (p. 11). In this way, being required to wear bright, reflective vests may incur greater abuse, policing, and stigmatization on the street for delivery workers. Jackie (female U.S. born, English fluent, 30s) purposely does not wear a reflective vest and uses a nondescript backpack to carry food because:

I feel like the amount of visibility that [a reflective vest] gives you in terms of safety… doesn’t necessarily balance out with the hostility you could get from people for them being like, “Oh you’re a delivery cyclist, you’re a menace to this neighborhood.” …I’ll do my best to look like a regular person riding around because I don’t want anyone to bother me.

As a white female, Jackie describes being able to pass as not a delivery cyclist, which affords her better treatment in the street. As such, the perceived violation of the street’s frontstage performance by delivery workers is not just because they are perceived to violate decorum and
rules, but also because marginalized immigrant bodies are not supposed to be present in the frontstage.

**Embodiment of the Street**

All of these experiences and contestations of the street are also mediated through varying rhythms of place and time (Reid-Musson, 2017b). In Brooklyn, Michael finds the day shifts as a “snoozer” while evening shifts are frantic and require focus. In contrast, Andreas finds he is able to relax more while riding during the evening in Manhattan because car traffic eases up. When workers can relax, they can notice and appreciate their surroundings more. As such, Ming-húa (male immigrant, Chinese fluent, 50s) said, “By doing this job, I can travel in the entire Manhattan. I can travel around the whole New York City. I want to understand the living environment, lifestyle, cultures of different areas by working as a delivery worker.” Often, especially for the English-speaking workers, the best delivery experiences are seeing new things in the city. In this way, workers can enjoy experiencing the frontstage of the city on the street. The rhythms of the street’s backstage path work also shape the workers’ experiences. A few delivery workers, all of them U.S. born workers, expressed getting into what Kidder (2011) called a state of “urban flow” while doing delivery work, state of complete embodied focus in doing a difficult task. This matches onto a key motivator for many workers in doing delivery work, which is often about enjoying the practice of cycling. However, for some, the experience of the street as a backstage erodes their connection to time and place:

> Nothing is consistent and it’s a long day. But it’s inconsistent because there’s no single event that’s continuing throughout the whole day. Each section of delivery, it’s an ending of a circle, but then it looks all the same. But each time is there could be different potential risk. You don’t know when it could happen and sometimes you’re bored and you hope something interesting that you can see but, you don’t want to have a dangerous situation… **I’m always very lonely, but each moment it seems to be disconnected.** And sometimes I will enter this state of mind when I feel hypnotized. I forgot the… I
could no longer see the flow of the time. It’s just a repetition… but it’s just a habit of the way I do delivery. (Weizhe) (emphasis mine)

This disconnection from place and time is isolating for workers.

These contestations of the street cost the workers. According to Jirón and Imilan (2015), “Through the embodiment of mobility practices we can detect the specific meanings that these practices provide to daily travellers, and observe how social differences can be recognised in/travellers’ bodies” (p. 124). The physical work of the backstage path exerts a physical toll on the bodies of the workers through injuries, scars, aches, and sometimes even deaths, such as Gelacio Reyes and Edwin Ajacalon as discussed in earlier chapters. The workers also struggle with the emotional burden from performing expressive labor in the frontstage place of security in the street. Andreas vents by being “more aggressive, more assertive, I’m a lot more vocal, I’m yelling at taxis, I’m yelling at pedestrians.” Many workers like Helena cope by trying to keep a positive attitude to forget bad experiences and to keep moving. Roberto avoids thinking about his fear as one “cannot have fear to be a rider.” Many workers like Weizhe become numb and endure the pain.

Thus, the dialectical tensions and conflicts of street’s frontstage place of security with the street’s backstage of path writes damage onto the bodies of delivery workers while saddling them with difficult, complex emotional burdens. Essentially, streets hasten the disposal of delivery worker bodies. In streets, delivery workers face mismatches of rules, street design and infrastructure, their own bodies, and between the demands of speed and safety. As we will see in the next section, power inequalities in streets of cumulative irresponsibility manifest in consequential materials effects for workers.

**Power in the Street**

Ultimately, within a streetscape of cumulative irresponsibility, the conflicts and contestation
from the tension between the street’s frontstage place of security and backstage path of speed are settled through the power of the individual bodies involved. In one example, a driver hit Delun from behind sending him to the hospital where he racked up $3000 in medical bills. After being released from the hospital, Delun went to the NYPD’s 13th precinct to get the accident report so that the driver would be responsible for his medical bills, but when Delun asked for the report, none existed. Frustrated, Delun believes the police officer did not file an accident report because as the driver was able to speak to the officer while Delun was unable to do so because he does not speak English well. In many crashes, immigrant workers like Zihao are “afraid to get into more trouble and I don’t know English and didn’t feel confident. So I didn’t call the police, I didn’t make a report.” On the other hand, on one occasion when Weizhe got doored by a taxi and the police officer took Weizhe’s side in the crash. In contrast, Oba (male immigrant, English fluent, 30s) told an illuminating story about the aftermath of being doored:

I was riding my bike and this guy just opened the door! And he opened the door, boom! I called the police because he never tried to be human, you know, he never treated me well so I was upset. He wasn’t even looking at me on the floor, like “I don’t care”… So I said, “You don’t care?” He said yes… the first very first thing, because the guy didn’t care, I attacked him. I was trying to fight him so I punched him, so I guess I don’t have to do that. So the police wanted to press charges… So they tried to arrest me which the [driver] said no, he didn’t want to press any charges, he let me go.

This story reiterates how harm from car drivers is erased, but also how little care there is for Oba. He lashes out because the “guy didn’t care.” Ultimately, the police define Oba as the perpetrator of violence because he “didn’t have to do that.” The common denominator in these stories is that power matters greatly under conditions of cumulative irresponsibility and since delivery workers have little power, they must often rely upon the arbitrariness of other more powerful people like the police to decide if the workers deserve reparations or blame in conflicts. Not surprisingly, immigrant delivery workers most often related the worst stories about street contestations and conflicts.
E-bikes, Power, & Toxic Masculinity

As much as bicycling occupies a nomadic mobility that traverses and transgresses street space designated for walking and driving, e-bikes add complexity to a bike’s liminal and disruptive mobility in the street. Chapter 6 will discuss e-bikes in more details, but for the purposes of this discussion, delivery worker e-bikes are usually a bicycle with a small battery motor that helps power the bike by either giving a small assist to every pedal or through a throttle. As mostly a bicycle, e-bike riders have the same risks and vulnerabilities to car violence as regular cyclists. Yet, because e-bikes draw some power from a small battery, many NYC cyclists and pedestrians claim that e-bikes, especially the favored kind of e-bikes by delivery workers, are the same as motorcycles and belong nowhere near pedestrians or cyclists (e.g. WNYC, 2017). Even some NYC cyclists that are not opposed to e-bike legalization believe that e-bikes should not be in the bike lane because of the battery motor (ibid). In this way, in NYC, e-bikes evoke the forgotten reminder people have about the mass harm from car culture. Because e-bikes are so similar to regular bicycles, e-bikes can also easily transgress and traverse onto sidewalks, bike paths, and car lanes, but e-bikes are welcome nowhere. On roads, e-bikes are too much like bikes. On bike paths, e-bikes are too much like cars. On sidewalks, e-bikes are too much like bikes and cars.

Because of the battery motor, many cyclists including some of the English-speaking food delivery cyclists disdain e-bikes as cheating oneself from the real experience and physical labor of cycling. An Outside Magazine article captures this sentiment: “You make yourself better, and stronger, when you ride a real bike. By doing the hard work for you, e-bikes cheat people out of that accomplishment and ultimately make them lazier. They enable entitlement to motion and a sense of false accomplishment” (Sanak, 2014). This mirrors the neoliberal subjectification that
delivery cyclists experience (Chapter 4) and resonates with the bike messenger subculture that many English-speaking delivery cyclists participate in.\textsuperscript{26} According to Kidder (2011), bike messengers preferred riding track bikes that are “good for speed and quick handling but are harder on the rider’s body” (p. 51) due in part because riding track bikes requires a high level of skill that makes the bike feel like an extension of the body. Many of the English-speaking delivery workers characterized this sense of doing physical labor and proving one’s physical capabilities on a bike as distinctly masculine: “I was telling a friend recently, actually doing bike delivery is like the manliest thing I do” (Andreas). Likewise, for Helena, perceiving food delivery cycling as masculine makes her work special:

I feel like a superhero! …Yeah, because… as a girl personally, nobody does this! No females do this. Nu-huh. I only see men and it’s great that, like I feel like… not feminist. Not a feminist, but I just feel like women can really do what women can do.

Similarly, Kidder (2011) observes that the bike messenger subculture is defined by masculinity and dirty work. However, while Kidder (2011) observes that men dominate bike messenger culture and set the rules, he inexplicably argues that because women are allowed to participate on the men’s terms, that “it would be a mistake to take messengering’s macho element as an explanation for why couriers identify with their occupation and find such meaning in its lifestyle” (p. 70). In the U.S., a gender gap in cycling persists due to a scarcity of supportive physical infrastructure and social systems (Krizek, Johnson, & Tilahun, 2005; Smart, Ralph, Taylor, Turley, & Brown, 2014). In contrast to Kidder’s bizarre contention, Jackie asserts that the bike messenger socializing subculture is often toxic for women:

I mean the culture is not very friendly toward women for sure. There’s like a lot of harassment of women like at parties. The messenger scene and even the cycling scene like just doesn’t feel that safe, which is like something I’ve talked to a lot of people

\textsuperscript{26} There is no functional difference between bike messengers and food delivery cyclists as they both deliver things to customers. The difference is that bike messengers participate in a particular subculture (Kidder, 2011) even if they do food delivery while immigrant food delivery workers are usually not part of this subculture. So this subculture represents a cultural divide between U.S. born and immigrant delivery workers.
Jackie explains that a lot of her female friends tried out food delivery cycling and usually quit after a couple of shifts due to this culture of toxic masculinity in the messenger scene where complaints by women are dismissed by male bike messengers. In addition, Jackie observes that she experiences catcalling and other forms of sexual harassment on the street that can make delivery work hostile and unsafe for women.

How this relates to e-bikes is that bike and messenger cultures demand frontstage performances of masculinity in the street through backstage physical feats of cycling. Andreas loves the “manly” character of delivery cycling while he detests e-bikes:

And now we have the electric bikes, which are like the bottom, they are like the most hated of all. Because they don’t put physical energy into what they’re doing so much. So they can do more deliveries with less physical work and they are also the worst… we don’t share the same struggles you know of like being tired and all that. Because you’re not putting your physical body into your work… Because we don’t have any assistance, we don’t have anything helping going up like those 30 blocks uphill when you have to go uptown.

When immigrant delivery workers use e-bikes, this violates the expectations of some delivery cyclists for a frontstage performance of toxic masculinity. In effect, many U.S. born delivery cyclists view immigrant delivery e-bike riders as not manly enough, which creates an artificial divide. In this way, the backstage labor of delivery cycling in the street shapes the frontage performance of masculinity for a specific subset of food delivery cyclists who embrace the bike messenger subculture (Kidder, 2011). This does not suggest that male immigrant delivery workers are not exempt from participating in toxic systems of patriarchy. It means that toxic masculinity for Chinese and Latino immigrant delivery workers usually manifest differently than performative physical feats of cycling on the street. For example, female Chinese members of our Delivering Justice project team spoke about the frustrating challenges of being taken
seriously and heard by the Chinese male delivery workers because of patriarchal systems in Chinese culture.

For immigrant workers, e-bikes do not represent masculine performance, rather e-bikes represent their masculine ability to provide for the transnational survival of their families. As discussed in Chapter 4, immigrant workers use e-bikes to be able do more deliveries and thus to earn more wages through tips. But also, immigrant workers view delivery work as a long-term profession in contrast to most of the U.S. born workers who do delivery work until something better comes along or they are physically unable to do it further. Thus e-bikes provide a necessary affordance for workers to continue to do delivery work as they get older and injuries accumulate. According to Nixon (2012), cyclists feel geography by embodying the energy required to travel through terrain like hills while cars alienate drivers from the energy used in travel by erasing a sense of terrain. For many cyclists, feeling terrain and overcoming it is the “true” experience of cycling. However, for aging immigrant delivery workers, alienating themselves from their environment and energy use is exactly the point. E-bikes anesthetize workers’ embodied struggles with the environment, which eases pain and fatigue:

Delivery work is especially exhausting. When it rains, it storms—it’s all very exhausting. Before, we rode bicycles and we were especially slow. While riding, I would fall, and it would be cold… After getting e-bikes, middle-aged workers can feel more relaxed.
(Chung, Chinese focus group, April 2016)

Without an e-bike, Ming-húa says delivery work would be “unbearable” due to his age. Given the numerous ways that immigrant workers must endure pain in food delivery work, e-bikes often represent the survival of the masculine identity for immigrants to sustain their transnational families. In addition, by reducing fatigue, e-bikes might also help immigrant workers move more safely in the street as the National Safety Council (2018) states that fatigued car drivers are three times more like to have a crash.
Yet, e-bikes continue to be banned and perceived as an unacceptable danger to rich, white neighborhoods (Chapter 3). As mentioned previously, media discourses paint immigrant delivery workers, particularly those on e-bikes, as “out-of-control” (e.g. Sutherland, 2010). This emphasis on “out-of-control” suggests that immigrant being out of control of rich white people terrifies them. Food delivery workers being mostly immigrant men of color certainly plays a big factor. But this is not the entire story as rich white people employ many low-wage workers of color as doormen, security guards, domestic workers and so on who are under the tight control of their wealthy employers. If these workers disobey their employers, they will lose their jobs. In contrast, how are immigrant delivery workers out of the control of rich white people? To understand this, Mayor de Blasio made an illuminating statement at his e-bikes crackdown press conference:

We can’t have a situation where people feel unsafe crossing a street or even walking down a sidewalk. We can’t have a situation where someone’s suddenly facing an electronic bicycle coming the wrong way. It’s just too dangerous. (NYC, 2017)

This terror of rich white people comes from a brief reversal of racial power and hierarchy in the street. For a fleeting moment when immigrant delivery workers are riding e-bikes near and towards rich white people, the person with the most power and control is not the rich white person, it is the poor immigrant delivery worker who is often undocumented. In that moment, the immigrant worker rides the boundary rupturing e-bike that reminds people of the forgotten mass harm of cars. Immigrant delivery workers on e-bikes do not hit and injure rich white people at alarming rates, but because low-status immigrants could inflict harm in these brief moments symbolizes a shocking reversal of power and racial hierarchy in the street. This embodiment of e-bikes as dangerous motorized vehicles and linked to undocumented immigrants can be seen in
racist public comments, like those on the NYC DOT’s Facebook post about clarifying the legality of pedal-assist e-bikes. On this page, one commentator, Anthony Bisignano, writes:

Yes this does not mean they can operate moped like ebikes. It means bicycle like with electric assist. But the illegal immigrants. That nyc is being flooded with are operating moped like ebikes. Which are illegal. Currently police officers are not enforcing. Do you blame them, this sicko mayor shows little support for the nypd. (NYC DOT Facebook, 2018)

This upheaval of frontstage security and social order in the street by immigrant e-bike riders is what is potentially dangerous and scary to privileged people. In this way, rich, white people draw upon orientalist panic (Said, 1979) of male immigrant delivery e-bike riders as hyper-masculine barbarian invaders who threaten women, children, and the elderly (e.g. WNYC, 2017). As a reaction to this intolerable loss of control, rich white people have leveraged community and political capital to incite a policing crackdown on e-bikes, while immigrant workers are bewildered about being hyper-criminalized for e-bike use that eases their pain and maintains their transnational survival. The brutal coupling of transnational survival, cumulative irresponsibility in working conditions and streets, and toxic masculinity results in an impossible and isolating situation where fellow delivery cyclists deride immigrant delivery e-bike rides as emasculating while rich white people demonize immigrant delivery e-bike riders for being disruptive and too powerful.

**Conclusion**

For Oba, delivery work is, “about struggle anyway, every day we feel pain. Every day because of your determination and your struggle, we have to keep up.” This quote describes how despite their pain, delivery workers must negotiate their struggles through their own agency and will. An environment of cumulative irresponsibility means that there is an absence of structural and systematic measures to ease the workers’ pain whether through working conditions or street
design. Likewise, Jirón and Imilan (2015), find that, “From the point of view of the city, workers’ experience of the city is invisible and time-space coordination imposed by flexible work is ignored in the transport, infrastructure and overall urban investment decisions” (p. 132). This is often the case because for survival, the subordinate often need to deeply understand, predict, and fulfill the desires of the powerful, while reverse is not true even as the demand for food delivery grows (Scott, 1990).

A street and working environment of cumulative irresponsibility smashes collective responsibilities into the debris of individual responsibilities that fundamentally undermine delivery workers’ right to the street. Using their own agency, workers must navigate the spatiality, social structures, and materiality of the front and back stages of restaurants, customer buildings, and streets. The spatial staging of the street becomes complexified by streets being both car-dominated paths and places of security in rich neighborhoods. These stages become sites of power struggles and tensions that undermine potential solidarities. These conditions result in embodied experiences in the mobility of delivery work that disposes of the bodies of delivery workers while burdening them with complex emotional traumas. To be fair, delivery cycling can and is often experienced as emancipatory. For many delivery workers, there can be much joy in riding for work and seeing new places and meeting unusual people. But food delivery cycling is also constructed to be a young man’s game that chews and spits out broken bodies. For the sake of transnational survival, immigrant delivery workers resist the disposal of their bodies through e-bikes that ease their pain and fatigue. However, the transgressive liminality of e-bikes disrupts and threatens the established social order, which provokes fear in wealthy areas. As such, according to Mitchell (2003), the neoliberal and securitized city erodes the right to the city in ways where “Survival itself is criminalized” (p. 163).
As bleak of a picture as I have painted in this chapter, delivery workers struggle to survive and sometimes they find ways to recognize and humanize each other. When Zihao first came to the U.S. from China, navigating the city was daunting, but he got helped and started helping others:

In the beginning, I struggled to find places. One time I couldn’t find a place and I trusted people, asked people on the street for help. Because I came to the USA, people all talked to me, “Don’t talk to African Americans. They’re dangerous.” We had fear. And then I went to talk to two African Americans, like a young couple, and they’re very kind, they showed me. I didn’t understand so they took me to the location actually. Many times, I received help from Latino delivery workers, they would see me struggle in the street, they just come and guide me to the place. We would go together. So what I try to do now is try to help others if I see someone struggle in the street. I feel like Latinos are very kind and warm-hearted people. If I see a delivery worker on the street who looks very puzzled, I will ride to them and help them find the location or bring them into the place. We try to help each other on the street, and watch out for each other.

The struggle for the right to the street for delivery workers is ultimately about a collective right to survival. Judith Butler (2004) asserts that “when we struggle for rights, we are not simply struggling for rights that attach to my person, but we are struggling to be conceived as persons” (p. 32). In the next two chapters, I will discuss the laws, criminalization, and policing of immigrant delivery workers that result from being denied the right to the street. In this moment of policing, workers organize, resist, and struggle for personhood.
Chapter 6: E-Legality

Introduction

For many delivery workers, NYC’s e-bikes law and policing feel incomprehensible:

The last time [the police] have a problem with my electric bike, I asked them, “You want to take this bike from me?” They said yes. I said, “For what?” They said, “Because it’s illegal. They don’t want you to use it in New York.” I said, “For what reason?” Number one, I believe if you want to stop electric bike in New York, you don’t have to take it from us. People import these things into the country, why don’t you go there and stop them from importation. Instead of you taking it from us, we use our money to buy them from the store. If we go to the store and we see these things and we know it’s going to be comfortable for us, we’re going to buy it. So if we buy it, you don’t have to stay on the street and take it from us. That’s like cheating. That’s cheating, and that’s not fair. (Oba, male immigrant, English fluent, 30s)

This story exemplifies the incoherent legality of e-bikes in New York where e-bikes are legal to own, but illegal to ride in public areas. This contradiction embodies the untenable tensions that erupt from the near impossible demands of speed and safety made of delivery workers in motion.

Voicing the conflicting demands between speed and safety in food delivery, former NYC Council Member James Vacca stated, “New Yorkers want what they want when they want it, but nothing is more important than safety; this is not the wild, wild west” (NYC Council, 2012). Yet NYC has failed to address the underlying conditions that shape the mobility of food delivery.

In the absence of structural solutions to working conditions and unsafe streets, immigrant delivery workers often take agency in creating and adopting survival tactics, such as riding e-bikes, to work more effectively and to survive the physical demands of the job. Yet, many New Yorkers perceive these worker tactics, as undermining public safety by disrupting the established social order in public streets. At the same time, public streets are changing rapidly in recent years as many American cities strive to undo automobility, but also due to neoliberal flows of capital that reshape and commodify street space (Henderson, 2013; Hoffmann & Lugo, 2014; Stehlin, 2015b). These reorganizations of the street introduce new arrangements of bodies and vehicles
into streets, which often can provoke racialized fears that building such infrastructure like bike lanes in white areas will bring crime and disorder (Farr, Brondo, & Anglin, 2015). Reordering streets away from car-dominance also provokes right-wing backlashes from groups irrevocably bound to a Fordist system of automobility (Walks, 2015). In other words, the neoliberal flows of capital are remaking the social order of streets, which provoke fears and anxieties from the privileged about a changing social order. As such, delivery workers embody the ground floor of disruptive and accelerating flows of capital by speeding up their bodies to deliver food, which increases the circulation of capital.

Without serious inclusion of delivery worker voices, the NYC government has failed to seriously address why delivery workers must speed up their bodies. By doing so, New Yorkers rationalize that laws and enforcement are only solutions to address their fears of disorderly streets by focusing on “noncompliant” and speedy delivery workers. This treatment of immigrant delivery workers exists in an era of “crimmigration” (Stumpf, 2006), which is the combination of criminal and immigration law that criminalizes immigrants. As such, NYC’s laws governing delivery workers and e-bikes also reflect anxieties and inabilities to resolve tensions, fears, and conflict regarding immigration while defending white social order from immigrants (Armenta, 2017; Cresswell, 2006).

NYC’s legislative and policing measures to address delivery e-bike riders appears unwarranted as motor vehicular traffic causes by far the most deaths and injuries in NYC streets. For example, from 2000 through 2017, NYC motor vehicle drivers caused the deaths of 2819 pedestrians while cyclists caused 11 pedestrian deaths (figures compiled from Aaron, 2015; Meyer, 2018a; NYC DOT, 2014). Notably, I have not found any references in my research to any e-bike riders directly causing the fatalities of other people like pedestrians, cyclists, or car
occupants in NYC. Without public safety data that demonstrates systematic danger posed by delivery workers or e-bikes (e.g. Meyer, 2018b), the uproar from wealthy neighborhoods about delivery workers and e-bikes suggests that many people conflate public safety with perceived compliance with rules.

Two problems with conflating rules adherence to public safety include: 1) existing rules and laws do not always equate to actual systematic safety; and 2) the making of rules, the perceptions of lawbreaking, and calls for enforcement are predicated upon power and the nature of the bodies involved. While NYC delivery cyclists often admit to breaking traffic rules as part of the job, they often argue that their behavior is not substantially different from others on the street. In a large-scale study of 18,000 respondents, Marshall, Piatkowski, and Johnson (2017) find that nearly 100% of cyclists, pedestrians, and drivers report unlawful behaviors in travel so that “everyone is technically a criminal” (p. 823). This study also finds that drivers and pedestrians most frequently rationalize breaking rules to save time while bicyclists most often rationalize rule breaking for personal safety reasons while saving energy comes in second (ibid).

This suggests that street rules and infrastructure substantially do not match the safety or travel needs of cyclists. In one example, Meggs’s (2010) analysis of bike safety data suggests safety benefits for cyclists resulted from an Idaho law in 1982 called the “Idaho stop” that allows bicyclists to regard red lights as stop signs and also stop signs as yield signs. Various research studies have shown that unlawful cyclist behavior has little effect on crashes or causing injuries and deaths (Bacchieri, Barros, Dos Santos, & Gigante, 2010; Johnson, Newstead, Charlton, & Oxley, 2011; Marshall, Piatkowski, & Johnson, 2017). However, a street environment of automobility requires that rule-breaking cyclists be characterized as unsafe, because to suggest that adherence to traffic rules designed to privilege motor vehicles does not equate to public
safety presents an existential threat to the established social order. Thus, in a streetscape of with mass harm from cars where everyone is breaking rules, a lack of focus on collective responsibility requires that some marginalized individuals must be blamed and subsequently hyper-criminalized.

In this chapter, I will discuss how varying assemblages of specific bodies in concert with different vehicles embody public fears of disorder that shape and are affected by the histories and rationales of NYC’s commercial cycling and e-bike laws. These laws evoke a regime of crimmigration that excludes immigrant workers from the boundaries of legality, yet these workers remain highly employable.

**Crimmigration**

As Lopez (1997) explains, U.S. laws have been an essential tool in socially constructing race by legally defining the boundaries of whiteness and therefore citizenship and rights. Because many of the delivery workers are immigrants, their policing experiences stand at the convergence of criminal and immigration law, or what Juliet Stumpf (2006) coined as *crimmigration*. Crimmigration functions to police and to deny protections for noncitizens so that immigrants become synonymous with criminality, which makes noncitizens easier to deport (*ibid*). By reimagining noncitizens as criminals, “the sovereign state becomes indispensable to police the nation against this internal enemy” (*ibid*, p. 419). Accordingly, over the last few decades, U.S. immigration law has dramatically expanded the scope of crimes serious enough for deportation while also redefining formerly civil immigration offenses into felony immigration violations (Armenta, 2017; Dow, 2005). Thus, in recent years, the U.S. sends more people to federal prison for immigration violations such as reentry after deportation than any other offense (Macías-Rojas, 2016).
Expulsion is not the only effect of crimmigration, but rather immigration laws designate undocumented immigrants with a subordinate and marginalized status because groups like Mexicans and Latinos become associated in the popular imagination as “illegal” (Armenta, 2017). As such, laws are designed to keep noncitizens illegal by denying them paths to legality and excluding access to necessary tools for social participation and recognition such as driver’s licenses or IDs. These exclusions make immigrations “more arrestable but not less employable” and maintains “a compliant and exploitable workforce” (ibid, p. 55). This also suggests many in the public may perceive immigrant delivery workers as inherently disorderly irrespective of behavior, because many New Yorkers may presume that the many workers are working without documents. This means that immigrant delivery workers are treated as “impossibly compliant” (Billies, 2016) because of the intersection of race, class, gender, and immigration status of their bodies. In addition, immigrants are often seen as a cultural threat to social order when they are perceived as failing to assimilate (Paxton & Mughan, 2006). Many whites also feel threatened with their racial group’s elevated status when informed about a majority non-white American future (Craig & Richeson, 2014; Outten, Schmitt, Miller, & Garcia, 2012). This may help explain white panic at seeing rapidly growing numbers of nonwhite and immigrant delivery workers in white neighborhoods.

Within this environment, crimmigration works in concert with broken windows policing (Chapter 7) to preserve racial and social order, to provide exploitable labor, and to produce criminalized immigrant bodies to feed into a mass incarceration system. In the next sections, I will examine how the historical construction and implementation of NYC commercial cycling and e-bikes laws function as expressions of the public’s discomfort with perceived disorder by
various assemblages of bodies and vehicles. These processes of crimmigration stigmatize immigrant deliver workers as illegal and unsafe.

**NYC Laws & Delivery Cyclists**

In this section, I will discuss the histories, reworkings, and effects of two key NYC laws, the commercial cycling and e-bikes ordinances, for delivery workers. The NYC Council shaped the contours of these laws based upon the publicly perceived disorder caused by specific assemblages of bodies and vehicles within their historical moments.

**Commercial Cycling Ordinance**

Since at least the 1980s, media depictions and public outcries have depicted bike messengers as dangerous rule-breaking scofflaws (Kidder, 2011). This public condemnation prompted a large increase in ticketing of cyclists and the creation of the commercial cycling law in 1984 requiring bike messengers to wear identifying vests\(^{27}\) and for courier companies to keep delivery logs (*ibid*). In 1987, Mayor Ed Koch tried to prohibit all bicycles on three midtown avenues between 10 a.m. and 4 p.m. and this was only stopped by a court order just before implementation (*ibid*). Kidder (2011) notes that NYC bike messengers have been predominantly racial minorities and immigrants although the glorified “cool outlaw” subculture of bike messengers has been primarily defined by white men such as the portrayal of the lead actor, Joseph Gordon-Levitt, of the 2012 film *Premium Rush* about NYC bike messengers. As bike messengers have largely disappeared from the NYC landscape due to the virtualization of paperwork, food delivery cycling emerged as the dominant form of bike-based work (*ibid*).

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\(^{27}\) This law did not specify the bright, fluorescent reflective vests that is now required of commercial cyclists. The reflective vest requirement was later enacted in 2012.
As food delivery has exploded and bike messengeriing has declined, the NYC City Council has continued to view delivery cyclists as a problem population that would require ever more complex regulations and enforcement. From 2007 through early 2018, the NYC Council enacted 8 of 16 proposed pieces of legislation to largely reshape the commercial cycling laws (Administrative Code 10-157) that govern NYC commercial cyclists like food delivery workers. By 2018, the relevant requirements of NYC’s commercial cycling ordinance for this discussion include:

- **Commercial Cyclist requirements:** 1) to wear an employer-provided helmet and reflective vest with the employer’s name and a unique ID number on the back of the vest; 2) to carry an employer-provided ID card; 3) to complete a bicycle safety course that includes traffic and commercial bicycle laws.

- **No E-bikes:** Businesses are prohibited from owning or using e-bikes.

- **Rosters:** Employers must keep a roster of commercial cyclists with names, home addresses, unique ID numbers, and dates for completing the bicycle safety course.

- **Public signage:** Businesses must post publicly visible signage in English, Spanish, and any other relevant language with information about the Commercial Cycling law requirements and relevant DOT traffic rules for cyclists.

- **Fines:** The worker is subject to $25-$50 fines for any violations while the employer receive $100-$250 fines for violations.

Largely, the NYC Council justified the commercial cycling laws as providing safety both for the larger public and for delivery cyclist themselves. For example, the 2007 legislation introduced by NYC Council Member Alan Gerson focused on worker “safety” by requiring delivery cyclists to wear employer-provided helmets that would be enforced by the police. During the hearing, various Council Members commented on the important role of delivery cyclists in bringing food and other parcels to New Yorkers and that the city owed it to workers to improve delivery cyclist safety in an unsafe environment of car traffic and streets (NYC Council, 2007a). During the hearing, NYPD Deputy Inspector James Murtagh made it clear that police officers could readily
enforce the helmet law with delivery cyclists in the street, but that they would have difficulty enforcing employers to provide helmets (*ibid*). Expressing concern about the potential for NYPD abuse in a stop and frisk era, Noah Budnick of Transportation Alternatives supported the bill, but expressed concern that NYPD officers would be unable to “differentiate between a commercial cyclist and a non-commercial cyclist, and, furthermore, between a commercial cyclist who is on the clock and one who is not” (*ibid*). Essentially, the mainstream cycling advocates were most concerned with inconveniencing non-delivery cyclists with policing.

While also supporting the bill, Sarinya Sriskaul of the New York Bike Messenger Foundation voiced concern about racial profiling of bike messengers as many were also undocumented immigrants. Sriskaul also discussed how the proposed law was not addressing systematic working conditions that make delivery cycling unsafe such as poor wages, time pressures of tips, high cycling mileage, being denied overtime or workers compensation, and being unlawfully classified as 1099 independent contractors (*ibid*). The NYC Council Members never addressed Sriskaul’s concerns about working conditions and focused instead on trying to figure out how non-commercial cyclists would not be unfairly targeted by the police for not wearing helmets. On the day of the vote that passed his bill, NYC Council Member Gerson provided a statement that urged the passing of the bill, but also acknowledged Sriskaul’s concern for racial profiling of immigrants:

> Should this bill be used as a device to harass or arrest bicyclists for unrelated reasons, such as immigrant status, this bill would defeat its very purpose. It would create a safety hazard rather than prevent one, since bicyclists fearing arrest would invariably use any method to avoid arrest, including unsafe riding. (NYC Council, 2007b)

Despite his words, Gerson’s legislation effectively created a racial, class, and nativity divide in police enforcement between the mostly immigrant working cyclists and other cyclists who are often recreational cyclists and white-collar commuters. This also demonstrates a chasm between
stated political intentions and the lived experiences of laws in practice. In NYC, besides working cyclists, the only other NYC cyclists required to wear helmets are youth under 14 years old. In this way, this law paternalistically treats the mostly immigrant commercial cyclists as not fully realized and capable adults. By ignoring Sriskaul’s testimony on working conditions, the NYC Council “protects” delivery cyclists by policing them to wear helmets that might give marginal individual safety benefits, but does not improve systematic safety (Culver, 2018). But it does give the illusion of doing something.

This divide in police enforcement of cyclists expanded with four additional commercial cycling laws passed in 2012 catalyzed by the public outcry in the wake of the 2009 death of Stuart Gruskin, a middle-aged white man, in a crash with Geraldo Alfredo, a Latino food delivery cyclist. Nancy Gruskin, Stuart’s wife, led a public campaign after his death to further regulate and police delivery cyclists (see Chapter 3). One of the new laws called “Stuart’s Law” requires commercial cyclists to complete a bicycle safety course to educate them on traffic and commercial bicycle laws. In the hearing testimonies, NYC Council Member James Vacca, Chair of the Transportation Committee, decried the disorder of delivery workers and argued for the necessity this safety course so that “Once cyclists know the rules of the road, there's no excuse for breaking them” (NYC Council, 2012a). During the hearings, Rahul Saksena of the Restaurant Opportunities Center of New York spoke about connection of exploitative working conditions and worker travel on the street, yet again this kind of testimony did not affect the law or its passage (ibid). The primary need as explained by Vacca believed is to bring delivery workers into “a culture of compliance” (ibid). While the death of Gruskin was undoubtedly a tragedy, as mentioned earlier, many thousands of NYC pedestrians have died, almost entirely from car crashes from 2000 through 2017; of these tragedies, only Gruskin’s death involved a delivery
This does not suggest that delivery cyclists do not sometimes break rules or act unsafely, but the public reaction to Gruskin’s death appears to be considerably outsized compared to other deaths like immigrant delivery workers such as Gelacio Reyes or Edwin Ajacalon. Instead public outrage and action occur in a few exceptions of traffic fatalities based upon sympathetic or “identifiable” victims (Jenni & Loewenstein, 1997). Perhaps each death should be treated as seriously as Gruskin’s, but this selective outrage also corresponds to how Smith (2001) describes the role of postliberal revanchism in zero tolerance policing. The vast power-difference coupling (Gilmore, 2002) between the bodies of Gruskin and Alfredo provoked a strong response because someone like Alfredo, an immigrant worker, is not supposed to kill someone like Gruskin. This provokes outrage and public revanchism that fuels the update to the commercial cycling law to safeguard people like Gruskin from people like Alfredo.

This revanchist backlash also resulted in the visible stigmatization of delivery workers. The 2012 commercial cycling legislative updates also required working cyclists to wear reflective vests with the business name and unique ID number for the worker on the back of the vest. This also deepens the racial, class, and nativity divide in police enforcement of cyclists. By being forced to wear bright, fluorescent reflective vests, delivery workers also become more visible in the street for selective police enforcement. At the hearing, Kate Slevin of the NYD DOT spoke about how the identifying vests meant that “New Yorkers can now call 311 to report delivery cyclists associated with a particular business who are not obeying the law” (ibid).

Notably, NYC Council Member Daniel Garodnick asked, “So you would encourage New

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28 The only other reference I could find regarding a pedestrian death resulting from a crash with a NYC delivery cyclist occurred in the late 1990s (Kidder, 2011). I did not have access to crash data in the 1990s to make that comparison.

29 One example is Hayley and Diego’s Law in 2010 where drivers can be charged for “careless driving” when killing or injuring pedestrians or cyclists. This law resulted when an unattended and idling van sped backwards and killed two children, Hayley Ng and Diego Martinez. However, this law is rarely enforced. (Aaron, 2013)
Yorkers to make those complaints so as to focus your attention on those areas where problems exist, is that right?”, to which Slevin replied affirmatively (ibid). By monitoring 311 complaints, the DOT would be able to identify problem neighborhoods for education and enforcement visits to businesses to issue summonses. This also meant that NYC set up a new system of community-based street surveillance of where outraged New Yorkers would be encouraged to watch and report on mostly immigrant workers (e.g. Fanelli, 2013). Later, the city would encourage these residents to make complaints about delivery e-bike riders (Bergmann, 2018). The Mayor and NYPD would later reference 311 complaints as one key justification for the e-bikes crackdown (NYC Mayor’s Office, 2017). In this way, rich white neighborhoods created “evidence” against delivery workers to justify police enforcement. This surveillance speaks to how systems of micropower such as this citizen surveillance of delivery workers support the panopticon modality of state power (Foucault, 1979).

This desire for educating, surveilling and policing immigrant delivery cyclists formed the basis for the “Delivery Cyclists Forum for Business Owners” in April 2016 sponsored by NYC Council Member Ben Kallos who represents the Upper East Side. This “forum” turned out to be a NYC DOT mandated bicycle safety training attended by several dozens of Latino and Chinese delivery workers. The forum consisted of a PowerPoint lecture on DOT traffic and commercial cycling laws with Spanish and Mandarin Chinese translators. During his introductory remarks, Council Member Kallos thanked the delivery workers for bringing delicious food to him and his constituents, but he then told workers about the importance of wearing the mandated helmets and reflective vests so that “we can tell who’s a good delivery cyclist and who’s a bad one.” Through the lens of racial control, immigrant delivery workers with bright reflective vests visibly signal to rich white people that “noncompliant” immigrants of color are under control.
Furthermore, Kallos also warned delivery workers that security and doormen at buildings would soon not permit the entry of delivery workers without reflective vests on. As Kallos’ words were translated, I heard a low rumble of confusion and discontent by the delivery cyclists. Since Kallos left immediately after his opening remarks, I asked NYC DOT officials about this after the forum. These officials told me they were unaware of any current or future legislation about Kallos’ building security idea and they intimated that Kallos made his comment specifically for the delivery worker audience (observations, April 10, 2016). To present, Kallos has never introduced legislation that would mobilize building security to enforce commercial cycling laws.

This preoccupation of delivery worker compliance with laws is prevalent in the affluent neighborhood of the Upper East Side. During a Mayor’s Townhall in the Upper East Side in early 2018, Liz Patrick from East 72nd Street Neighborhood Association told the Mayor that their survey work found only 30% of their neighborhood’s restaurants comply with commercial cycling laws regarding reflective vests and e-bikes (NYC Mayor’s Office, 2018). Patrick also stated that her community group reports all such violations, particularly e-bikes, to the NYPD 19th precinct (ibid).

To investigate the policing of delivery cyclists, Figure 6.1 shows a spatial analysis of criminal court summonses data for cycling infractions by police precinct from 2007 through 2015 (Biking Public Project, 2017a; NYC, 2018a). The left map refers to the rate of summonses given under the commercial cycling laws and this only applies to working cyclists; in contrast, the right map refers to the rate of non-commercial cycling summonses such as riding on sidewalks that apply to all cyclists whether commercial or otherwise.

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30 To determine rates, commercial cycling summonses are normalized by the number of restaurants in each precinct (source: NYC Department of Health and Mental Hygiene) while non-commercial cycling summonses are normalized by the residential population of each precinct (source: 2010 U.S. Census).
Figure 6.1. Two maps comparing criminal court summonses by NYPD precinct for commercial and non-commercial cycling infractions from 2007-2015.

These maps show a sharp spatial difference between commercial and non-commercial cycling enforcement.

In this analysis, our research team found the NYPD issued 92% (32,609 of 35,337) of all criminal court summonses for commercial cycling infractions during this time frame in only four precincts, which are all wealthy white neighborhoods in Manhattan (Upper East Side, Upper West Side, Midtown North, and Midtown East) despite these areas having only 13% (2083 of 16,229) of NYC’s restaurants. The rate of commercial cycling summonses in these four neighborhoods is over 200 times the median precinct rate. In these precincts, non-Hispanic White residents comprise 75% of the population, about 2.5 times higher than the overall city rate.
This hyper-policing of working cyclists in these neighborhoods does not appear to be simply because these precincts emphasize all cycling enforcement relative to other precincts because enforcement rate of non-commercial cycling infractions in these areas are low relative to other precincts. In contrast to commercial cycling enforcement, police issued 30% (58,501 of 196,228) of all criminal court summonses for noncommercial cycling infractions in the top ten precincts, which are predominantly neighborhoods of color where non-Hispanic White residents comprise only 19% of the population. This pattern of policing of non-commercial cycling infractions in neighborhoods of color corresponds with a study on riding on sidewalks summonses in NYC (Levine & Siegel, 2014). Thus, this analysis indicates police precinct level decisions dictate spatially-flexible and context-dependent strategies for policing cyclists of color.

Justifications for these laws and enforcement centered on providing public safety from disorderly delivery workers, especially in the wake of Stuart Gruskin’s death in 2009. These laws fail to address underlying conditions of delivery and create an enforcement gap between largely immigrant working cyclists and other cyclists. This criminalization includes the visible stigma of bright reflective vests that allow for greater community surveillance along with the creation of 311 evidence against delivery workers. Policing maps of commercial cycling enforcement shows that wealthy white neighborhoods have the highest intolerance for disruptive delivery workers. This intolerance for the perceived disruption caused by delivery workers continues in the next discussion on e-bikes.

**New York’s E-Bike Laws**

In 2002, the U.S. Congress passed legislation to allow the import, sale, and ownership of low-speed electric bicycles (e-bikes), which are two- or three-wheeled vehicles that can be powered with an electric motor of less than 750 watts with a maximum speed of 20 mph (U.S.
Congress, 2002). However, this law required each state to clarify the legality of using e-bikes in public spaces. This law also stated that such e-bikes “shall not be considered a motor vehicle” \textit{(ibid)}. This means that e-bikes did not exactly fit any pre-existing vehicle category for states. Thus, e-bikes cannot also simply be registered like a moped or scooter. In an environment of legal ambiguity, electric bikes and motorized scooters began flooding the U.S. market including NYC shortly afterwards. Through November 2017, 29 U.S. states have legalized some forms of e-bikes to be treated as bicycles so that e-bikes are not registered (TREC/Portland State University, 2017). For example, California in 2015 passed a “model” e-bike law that effectively treats most e-bikes, whether pedal-assist or throttle, as like bicycles (People for Bikes, 2015). In contrast, New York State has yet to pass any legislation regarding e-bikes and thus, e-bikes are treated as motorized devices that cannot be registered in the state. Therefore, people are not permitted to ride an e-bike on “any street, highway, parking lot, sidewalk or other area in New York State that allows public motor vehicle traffic” (NYS DMV, 2018). This effectively creates a situation of incoherent and confusing e-bike legality where New Yorkers can \textit{legally own} e-bikes, but they \textit{cannot legally ride} them in any public areas such as streets, paths, or roads.

The origins of NYC’s opposition to e-bikes began around 2003 as motorized scooters started appearing in large numbers in the street. Since e-bikes were legal to buy in NYC, by 2004, city officials reported hearing complaints about “a swarm of locusts” or packs of teenagers and youth on “pocket rockets,” which are tiny pocket motorized bikes that stand roughly 16 inches or so tall (Hu, 2004). Although e-bikes were already illegal to operate in public streets, NYC Council Member Michael McMahon introduced a bill in 2004 that would enact a local regime of harsh policing of e-bikes. During hearing testimonies, McMahon, Council Member John Liu, Chair of the Transportation Committee, and many others depicted youth and teenagers
on pocket rockets presenting an unacceptable public safety hazard to themselves and to pedestrians and motorists, while also creating a lot of air and noise pollution (NYC Council, 2004c). In this sense, these voices painted motorized pocket bikes as inherently dangerous because their popularity with mostly male teenagers. In one hearing, Harris Silver of CityStreets pointed out the hypocrisy of claiming a public safety crisis when comparing the small number of injuries from motorized scooter use to the mass death and injury toll from car use, which Silver reasoned, “Based on this logic, the only conclusion that you could come to, is to ban automobiles from our streets, not scooters” (ibid).

However, McMahon, Liu, and other Council Members reiterated that this bill was about protecting youth and teenagers from dying from riding “dangerous” pocket rockets (ibid). This logic of protecting teenagers seemed warranted in the bill’s second hearing when in his opening remarks, Liu stated:

I also want to add a sad note to why this legislation is so necessary. On July 29th of this year, a 19 year-old, pocket rocket rider, was killed in Queens when the pocket rocket struck a pothole at great speed. (NYC Council, 2004d)

However, Liu failed to mention that the teenager, Dante Pomar, died riding the pocket rocket and hitting a pothole while being pursued by the police (Kilgannon, 2004). During this same period, local Council Members and constituents were loudly pressuring the NYPD to crack down on teenagers on pocket rockets, so it is possible that the police officers tried to pull over Pomar partly due to political pressure (NYC Council, 2004d). While the police claimed to be trying to stop Pomar because he was not wearing a helmet despite the absence of a such a law, Millissa Nelson, a friend of Pomar’s, countered, “This isn’t about pocket bikes being dangerous. It’s about a kid getting chased to his death” (Kilgannon, 2004). But this policing context goes missing in the hearing testimony. Thus ironically, NYC officials used Pomar’s death caused during policing to justify a new law that would increase policing of pocket rocket riders like
Pomar (ibid). James Gennaro, Pomar’s NYC Council Member, stated that he cast his affirmative vote for the e-bikes law “in memory of Dante Pulmar” (NYC Council, 2004e).  

The NYC Council passed the legislation on September 28, 2004, but Mayor Michael Bloomberg vetoed the bill. In his veto, Mayor Bloomberg affirmed the danger posed by motorized scooters, but he argued that already existing state laws were sufficient for enforcement and that the NYC law would hurt local businesses from selling motorized scooters while creating confusion in enforcement as this NYC law exempted Segways and electric scooters with a max speed of 15 mph (NYC Council, 2004b). Council Member Liu justified this exemption because he argued that these vehicles did not contribute to the problem of teenage riders riding pocket rockets and therefore he argued that Segways and e-bikes under 15mph were used “in legitimate ways, particularly by people for business and other professional endeavors” (NYC Council, 2004c). This suggests that the perception of compliance in mobility is also based upon norms of productive citizenship biased towards able-bodied, white men (Hamraie, 2017). The NYC Council overrode the Mayor’s veto on November 23, 2004, to enact Local Law 51 that created new city administrative codes (19-176.2 and 20-762) that prohibits the sale, lease, rental, or operation of “motorized scooters,” which are defined as:

> any wheeled device that has handlebars that is designed to be stood or sat upon by the operator, is powered by an electric motor or by a gasoline motor that is capable of propelling the device without human power and is not capable of being registered with the New York State Department of Motor Vehicles” (NYC Council, 2004a).

According to this law, e-bike riders became subject to $500 summonses and confiscations of e-bikes or motorized scooters. However, because these vehicles are legal to own, the e-bike owner can retrieve the confiscated e-bike after paying the $500 fine and any other applicable fees. In

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31 In the hearing transcript, this quote from Gennaro spells Pomar’s name as “Pulmar.” This seems to indicate that either Gennaro invoked Pomar’s name inaccurately or the transcriber misheard Pomar’s name.
addition, the law also subjects businesses to enforcement with $1000- $2000 fines for each e-bike available for sale, lease or rental in the shop.

This NYC law that criminalizes e-bikes came into effect several years before the arrival of the kinds of e-bikes that became popular with delivery workers by 2009 (Goodman, 2009). While this law was not originally intended to police delivery workers, the NYC e-bikes ordinance has become a pivotal part of policing delivery workers. In 2013, the NYC City Council enacted new legislation that amended the e-bikes ordinance to: 1) make it easier for NYPD to enforce the e-bikes ordinance by removing the exemption for e-bikes capped at 15 mph and thus eliminating confusion in enforcement; and 2) prohibit businesses from using e-bikes or having their delivery workers use e-bikes. In the hearing testimonies, NYC Council Member James Vacca, Chair of the Transportation Committee, decried “roving gangs of daredevils” on noisy dirty bikes and commercial food delivery cyclists in a hurry on sidewalks and thus Vacca wanted them off the streets because these vehicles are “dangerous, they are lethal, they are illegal” (NYC Council, 2013). Notably, many of the demonized dirt bike riders are often young black and brown male teens (e.g. Mays, 2012) while the commercial e-bike riders are predominantly Asian and Latino male immigrants. In contrast to the complaints in 2004 that the motorized scooters were too loud, by 2013, Council Member Dan Garodnick complained, “ebikes are quiet, they are deceptively fast and they are a threat to pedestrian safety, so that is why the Council passed a ban on all the ebikes within the city” (NYC Council, 2013). In 2004, loud motorized scooters ruined quality of life, while in 2013, being surprised by too-quiet e-bikes ruined quality of life. Notably, this update to the e-bikes ordinance comes on the heels of the 2012 updates to the commercial cycling ordinance that occurred because of Stuart Gruskin’s death. During the hearings on the commercial cycling legislation, NYC Council Members like
James Vacca brought up how e-bikes are “especially frightening” and needed further legislative action (NYC Council 2012). In this way, the revanchism provoked by Gruskin’s death also extended to the 2013 e-bikes update.

Lacking public safety data about “hazardous” e-bikes, the NYC Council would justify the 2013 update to the e-bikes ordinance based upon an unidentified number of community complaints that asserted that these vehicles are inherently dangerous. This pattern continues with a recent example of a January 2018 meeting of the transportation committee of Community Board 7 in the Upper West Side, where an NYPD Sergeant reported that in their precinct, there were 58 reported bicycle crashes in 2017 and only one of these bicycles was an e-bike whose rider hit a pothole (Robbins & Singer, 2018). Despite this evidence, community members like Judy Goldberg urged more policing of delivery e-bike riders even though Goldberg claimed to be a “pro-immigrant person” and that she had “friends who wanna get e-bikes because they’re getting old and need they need e-bikes and I think that's great” (ibid). Likely, much of the e-bike policing occurs in wealthy neighborhoods as many public displays and Twitter images of police action occur in rich areas of Manhattan (e.g. Meyer, 2017a). Furthermore, at a Mayor’s town hall, NYC Council Member Ben Kallos boasted that 10% of e-bikes enforcement occurs in the 19th precinct of the Upper East Side despite having far less than 10% of city population (NYC Mayor’s Office, 2018).

Under this public desire for policing delivery e-bike riders, the updated 2013 e-bikes law prohibiting businesses from using e-bikes would later be used as the mechanism for Mayor de Blasio’s 2018 e-bike crackdown. During his e-bikes press conference, de Blasio stressed that the crackdown would target restaurants as the source of the program rather than penalize the “poor

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32 Our research team has been unable to access e-bikes data broken down by precinct despite FOIL (Freedom of Information Law) requests.
schmuck delivery guy [who] will have to pay for it,” which is predicated upon the false assumption that restaurants abide by labor laws by buying and owning delivery vehicles, rather than the workers (NYC Mayor’s Office, 2017). This logic may also be a way for de Blasio as the “Sanctuary City” Mayor to insulate himself from criticisms that cracking down on e-bikes is targeting immigrant workers. In reality, during the first three months of 2018, the police issued 459 e-bike summonses and confiscated 320 e-bikes while only about 70 businesses have been fined (Nessen, 2018). This pattern of enforcement means that immigrant delivery workers are bearing the brunt of the crackdown contrary to the Mayor’s rationale.

Through early 2018, NY State has yet to legalize e-bikes despite strong interest from multiple stakeholders such as the e-bike industry, upstate Republicans, and environmentalists. In communication with Paul Winkeller, the executive director of the New York Bike Coalition (NYBC) that works to legalize e-bikes in NY State, he wrote that state legalization of e-bikes has been held up through fierce opposition by NYC officials and NYC elected officials in the State Assembly and Senate (communication, December 12, 2017). At Mayor de Blasio’s press conference about his e-bikes crackdown in October 2017, NY State Senator Liz Krueger who represents the Upper East Side and Midtown East shared a warning about state level efforts to legalize e-bikes:

I want to highlight though that where I work in Albany, there’s a movement to change the state law to take away our right of home rule to make the right decisions for our population. And there are bills to try to open up and legalize e-bikes. So I’m just saying that the fight is not just here, it’s in Albany. (NYC Mayor’s Office, 2017)

As such, NYC remains the primary political obstacle to legalizing e-bikes in New York State. This opposition has been central in excluding immigrant workers from the boundaries of legality.

33 A “sanctuary city” as defined by Mayor de Blasio is one where undocumented immigrants feel safe to contact the police to report crimes without fearing any consequences with immigration (Robbins, 2018).
each time they ride their e-bikes in public NYC streets.

**Delivery Workers & E-bikes Types**

E-bikes usually come in three different types: 1) a pedal-assist (or pedelec); 2) throttle e-bike that often resembles a bike where one can pedal; or 3) an e-bike that is effectively like an electric moped where pedaling is not possible. Pedal-assist e-bikes appear to be normal bicycles except that they have a small electric motor powered by a rechargeable battery. When the e-bike function is turned on, the e-bike’s motor provides a small or large boost only when the rider pedals. This electric boost stops at a specified maximum speed that usually ranges between 15 to 28 mph depending on the e-bike (MacArthur, Cherry, Harpool, & Scheppke, 2018). In recent years, many European countries have rapidly adopted pedal-assist e-bikes while throttle e-bikes are banned (Behrendt, 2018). Furthermore, several European countries and cities have recently subsidized e-bike purchases to combat climate change by getting people out of cars. In one such example, Paris offered residents 400 euros (roughly $500) to buy new e-bikes (Bevilacqua, 2018). In contrast, the throttle e-bikes can provide electric assistance without a need for pedaling where the user can ride the e-bike like a regular bike or as a moped where the throttle controls the acceleration and speed (Behrendt, 2018). While pedal-assist e-bikes have become popular in Europe, both the throttle e-bike and moped-style e-bikes are very popular in China and other Asian countries (*ibid*).

As discussed in previous chapters, delivery workers, particularly Chinese and Latino immigrants, have adopted e-bikes in delivery work because of advancing age, physical needs, maximizing wages, and for speed. From discussions with workers and a Chinese e-bike shop, immigrant delivery workers regularly purchase and ride affordable Chinese brands of imported e-bikes with the most popular brand of e-bikes being the Arrow e-bike (Figure 6.2). Not
surprisingly, several Chinese-owned e-bike shops have popped up in Chinatown to sell and repair these e-bikes. As seen in Figure 6.2, the Arrow e-bike looks like a mountain bike except that this bike has a large electric battery situated below the seat and inside the rear wheel hub that powers the e-bike. This e-bike is both pedal-assist and throttle as the rider can toggle between the two functions.

Delivery workers pay about $1000-$2000 to purchase new Arrow e-bikes while a small minority of workers reported purchasing and riding other motorized vehicles such as the moped-style e-bikes or even fully licensed and legal mopeds. For low-wage workers, buying an e-bike is not a small financial consideration, but rather one based upon working conditions that require them to use their own vehicle and a careful examination of actual benefits in terms of wages and physical needs. However, since this e-bike is highly popular among workers, this means that these vehicles are easily recognizable as “illegal” e-bikes by the public and NYPD.
In contrast, employees at Propel Bikes, a Brooklyn-based e-bike shop specializing in selling expensive European-imported pedal-assist e-bikes ($2000-$13,000), mentioned that higher-end e-bikes tend to have more integrated and discrete motors and batteries than the more affordable Arrow e-bikes favored by delivery workers. As such, the Propel Bike employees suggested that the NYPD are less likely to recognize on sight that the e-bikes sold by Propel Bikes are actually in fact e-bikes. The Propel Bike employees also mentioned that they could not recollect any of their customers reporting that they were policed for their European-imported e-bikes (observations, September 2, 2017).

This distinction of Chinese imports of e-bikes with throttles as compared to European imports of pedal-assist-only e-bikes has become quite important in terms of e-bikes legality and policing in NYC. Because of the ambiguous language of the NYC e-bikes ordinance, proponents like Propel Bikes argue that pedal-assist e-bikes should be interpreted as exempt because these e-bikes require pedaling for the e-assist. As such, proponents contend that pedal-assist e-bikes do not clearly fit the definition of criminalized NYC e-bikes that are propelled “without human power.” In contrast, under this definition, throttle e-bikes are clearly criminalized. This has resulted in a racial and class divide in e-bikes use in NYC as Propel Bikes reported that their clientele tends to be an older, affluent, and commuting population riding expensive European pedal-assist e-bikes while immigrant delivery workers ride cheaper Chinese e-bikes with throttles. The throttle function is the specific aspect of Chinese e-bikes that Mayor de Blasio and others use to claim that the delivery e-bikes are inherently dangerous although there has been no evidence to suggest a difference in safety between pedal-assist and throttle e-bikes. De Blasio has stated multiple times in late 2017 that pedal-assist e-bikes are “safe” and “allowable,” which effectively protects privileged e-bike riders from policing (NYC Mayor’s Office, 2017).
However, adding to the confusion, NYC officials including those within the Mayor’s Office have stated that all e-bikes including pedal-assists are illegal to ride in news stories during the same period (Gordon, 2017; Quain, 2017). This incoherence of the City’s policy on e-bikes maintained a cloud of confusion. But incoherence is exactly the point, because incoherence carves space for discretionary and racist policing that criminalizes some, but not others.

This incoherence results in differential enforcement outcomes. Because the e-bike ordinance also includes a clause that fines businesses $1000 for each e-bike that they try to sell, city officials come into an e-bike business, count the number of e-bikes, and issue massive fines. At Hao Jian Tou Bicycle, a Chinese-owned e-bike shop in Chinatown, the owner explained how in 2016, the Department of Consumer Affairs visited his shop and issued them $6000 in fines, $1000 for each of the six e-bikes in the shop. Lacking options, the shop’s owner paid the huge fine instead of going out of business. In contrast, Chris Nolte, the owner of Propel Electric Bikes, used political connections to waive the $25,000 in fines his shop received for the same exact offense of trying to sell e-bikes:

But in 2015, he received a $25,000 fine for trying to sell pedal-assist bikes. As Nolte tells it, an inspector for the Department of Consumer Affairs came into his shop and informed Nolte he was going to fine him $1,000 per bike. Nolte says the inspector wasn’t informed of the local or state law and didn’t know the difference — legal or otherwise — between pedal-assist or throttle. “Apparently,” Nolte said, “his stance was if it has a motor on it, I’m writing a ticket for it.” Nolte did not fight the ticket on the merits because he couldn’t risk losing, he told me. Instead, he leaned on his credibility as a veteran, calling roughly a dozen elected officials and city offices, and ultimately got the fine dismissed on what he calls “a technicality” through the city’s Department of Veterans Services. (Gordon, 2017)

The point is not that Nolte’s e-bike shop should have paid the fines. When I visited Propel Bikes, the employees said that these onerous e-bikes fines would have put them out of business and that would be a cruel injustice as well. Rather, the incoherent legality of e-bikes makes it possible for the white owner of Propel Bikes to use power and privilege to get the fines dismissed while the Chinese immigrant owner of Hao Jian Tou Bicycle cannot.
After months of media criticism about the e-bikes crackdown, Mayor de Blasio moved to clarify e-bike rules by issuing a press statement on April 3, 2018 that the NYC government will recognize that “pedal-assist bicycles are permissible, whereas throttle e-bikes” are not legal to operate in NYC streets (NYC, 2018b). Despite the press release claiming that it will “increase options for delivery workers,” Mayor de Blasio has effectively affirmed the legality of privileged and affluent pedal-assist e-bike riders while reinforcing the illegality of immigrant delivery worker e-bikes with throttles (ibid). Notably, this divide also contains an able-bodied bias. In addition, the way the proposed DOT rules (as of May 29, 2018) are written, there is no mechanism to allow for e-bikes to be converted into the “legal” ones (NYC DOT, 2018b). Since delivery workers commonly use e-bikes with both throttle and pedal-assist functions, these e-bikes could be readily converted to pedal-assist-only e-bikes. But these DOT rules as currently written do not allow for the possibility of bringing these e-bikes into legality. Regarding this policy change, Pedro Rojas, an immigrant delivery worker and member of Make the Road, said, “This new policy is unfair… The city is going to permit only some electric bikes, but not the ones that we, the workers, use” (Meyer, 2018c). Thus, to become “legal,” immigrant delivery workers must buy expensive European-style pedal-assist e-bikes. In a sense, this boundary between legal and illegal e-bikes seems to embody a public desire to demand that nonwhite immigrant delivery workers assimilate into white Eurocentric culture (Ancheta, 1998; Paxton & Mughan, 2006; Wu, 2003).

This situation also suggests how society often permits disruptions introduced by wealthy white bodies rather than marginalized ones. Tellingly, businesses such as Jump Bikes, a company that makes pedal-assist e-bikes for dockless bikeshare pilot programs across the country, applauded the Mayor’s clarification on pedal-assist e-bikes (Flamm, 2018). Examining
the history of the e-bike laws in NYC, the variations of e-bikes legality have followed the contours of race, class, and nativity. The original 2004 law banned e-bikes because of the threat of male teens of color on pocket rockets while exempting Segways and 15mph-max e-bikes for respectable people with “legitimate” purposes. Subsequently, the 2013 update to the e-bike law removed the exemption to make it easier for the NYPD to police immigrant delivery e-bike riders. Now in 2018, Mayor de Blasio has clarified that pedal-assist e-bikes ridden by wealthier white people are legal while the ones ridden by immigrant delivery workers remain illegal and inherently dangerous. Thus, nonwhite immigrants like delivery workers struggle to have the right to the street because when they introduce anything new like e-bikes, white people perceive these introductions as dangerously disruptive and as an unacceptable failure to assimilate into whiteness. In comparison, white people who introduce European pedal-assist e-bikes are “safe.”

These contours of the changing shape of e-bike laws and enforcement demonstrate a reciprocal and iterative production of laws and the social construction of race. At each turn, NYC laws excluded marginalized bodies from the boundaries of the public to be made safe and legal. This exclusion from legality carves space for punitive policing because delivery workers are deemed threat to public safety and order.

**Conclusion**

According to Ruth Wilson Gilmore and Craig Gilmore (2008), the unresolved contradiction of speed and security of global capitalism forms the juncture of the rise of the prison state that briefly relieves pressure by criminalizing outsiders:

The connection between the rise of the nation-state and the rise of the prison is located in the contradiction between mobility and immobility: when the conditions attending on a global system that requires constant motion (e.g., capitalism) clash with challenges to maintain order, spatial fixes such as racialization and criminalization temporarily settle things through complicating insider-outsider distinctions with additional, rights-differentiated hierarchical schemes. (p. 144)
In this way, NYC’s commercial cycling and e-bike laws reflect a regime of crimmigration. These laws criminalize the disorder and disruptive mobility of delivery workers, which results in seeming but ineffective actions to resolve white society’s discomfort with the rapid changes to social order driven by capital flows and the introduction of nonwhite bodies into white spaces. In the next chapter, I will discuss about the convergence of policing and public safety initiatives like Vision Zero to produce dehumanizing policing experiences for immigrant delivery workers. This period of an e-bike crackdown also provokes counteractions and organizing through a growing community of resistance.
Chapter 7: Vision Zero Apartheid & Resistance

Introduction

Speaking about the emotional toll from being policed for electric bikes (e-bikes) in New York City (NYC), Delun (male immigrant, Chinese fluent, 50s) said:

When I got caught for riding e-bikes, my children were in junior high and high schools. I was crying every night because of losing my e-bikes and not being able to work. I don’t know why the U.S. society is being so unfair to us. We can’t have a fair chance to work and the police wants to catch us. We work really hard and we really want the society to give us a fair chance for better life.

For immigrant delivery workers who rely on e-bikes, policing their vehicles has resulted in dispossession, lost jobs, emotional distress, and many other hardships.

This environment of policing occurs within a street context where safe streets and bike activists have begun to make substantial inroads to reduce mass traffic fatalities by reconfiguring streets with bike lanes and other infrastructural changes that expanded rapidly under Mayor Bloomberg and continued through the Vision Zero plan enacted by Mayor de Blasio (Colangelo & Barone, 2018). Vision Zero is a Swedish law enacted in 1997, which does not accept mass harm on roads as inevitable, but instead aims to eliminate all deaths and major injuries in road travel (Vision Zero Initiative, 2018). Seeing substantial reductions in fatalities in Sweden and other places that have adopted Vision Zero, in 2014 Mayor de Blasio launched a NYC Vision Zero action plan (NYC, 2014). The plan focuses upon legislation, planning, and the three E’s of Enforcement, Engineering, and Education, which are common in many Vision Zero plans.

Using policing enforcement as an effective means of enacting changes to the established social order of car-dominated streets appears to be a contradiction in terms. For example, in the 1920s, when motor vehicles were fundamentally shifting street dynamics, social order, and structures, police officers often resisted these changes by upholding the status quo of pedestrian-
dominance as they perceived disorder being caused by the new automobiles (Norton, 2008). In this sense, police often function to preserve the status quo, and as such, the police are not agents of social change.

In addition, while Vision Zero seems to address the mass harm of unsafe streets, scholar-activist Adonia Lugo (2015) warned about the dangers of white Eurocentric norms dominating Vision Zero especially regarding its emphasis on police enforcement, which is fraught with racial profiling. As such, The Untokening (2018), a collective of mobility equity activists, has criticized urban and transportation planning processes like Vision Zero for taking colonial, white-centric, and ahistorical approaches that fail to address systematic injustices while worsening already existing inequalities.

*Figure 7.1.* NYPD 1st Precinct tweet justifying e-bike confiscations with Vision Zero (NYPD1Pct, 2017).
For example, NYPD precincts frequently post pictures on Twitter touting their Vision Zero actions that include mass confiscations of e-bikes as seen in Figure 7.1. In this tweet, NYPD officers pose with confiscated e-bikes as if the e-bikes are trophies from a successful hunt. This NYPD message promotes a spectacle and rationale that public safety is linked to legality and that these e-bike confiscations are justified under Vision Zero to save lives. Incorporating police enforcement in public safety initiatives like Vision Zero can reinforce systems of oppression by rationalizing discriminatory practices that do little to improve safety but do reinforce social hierarchy.

Thus, Vision Zero Apartheid is what happens when we mix public safety initiatives such as Vision Zero and policing within a racist society. A system of racism re-purposes Vision Zero to calm white fears of non-white bodies by using enforcement to impose punitive forms of racial and social control under the guise of public safety (Alexander, 2012). Public safety itself becomes an essential part of systematic segregation and discrimination in the changing and dynamic streetscape. A system of racism reshapes Vision Zero through policing into a racialized and class-based weapon where public safety becomes constructed as for rich white people from disorderly poor people of color. In such a system, perceived disruptions to the establish social order by disadvantaged bodies become seen as undermining quality of life and threatening public safety especially in “white spaces” (Anderson, 2015).

I use the word “apartheid” to connotate the historical and structural forces and contexts of American apartheid as described by Massey and Denton (1993), to describe how systems of discrimination and segregation flourish and evolve, and to highlight how these systems are simultaneously transnational and local. NYC Vision Zero is transnational because Vision Zero is an imported policy that originated in Sweden. NYC Vision Zero is also local in how NYC
molds its policies, strategies, and implementation to fit the American and NYC contexts of systematic racism and segregation that uses policing as a tool for social and racial control. As such, NYC’s emphasis on broken windows policing (also associated with order maintenance, zero tolerance, or quality of life policing) that focuses on enforcing low-level signs and violations of “disorder” to prevent serious crimes dovetails seamlessly with enforcement of social order under Vision Zero Apartheid. Thus, under Vision Zero Apartheid, public safety is not about addressing harm, but rather enacting zero tolerance for suspect bodies in public streets, which is justified by the goal of zero traffic deaths.

In this chapter, I will discuss how Vision Zero Apartheid represents a fatal intersection (Reid-Musson, 2017b) of broken windows, crimmigration, and Vision Zero. This regime results in the hyper-policing of delivery workers that criminalizes their tactics for transnational survival resulting in substantial financial, material, and emotional impacts while failing to address the needs of delivery workers. For many immigrant workers, enduring injustices in working conditions and unsafe streets is challenging, but being criminalized sparks anger, frustration, and resistance as Chung (Chinese focus group, April 2016) describes, “They put us on the ground, arresting us like criminals. But we have broken no laws… the best way is that the government will give us a way to survive. Do not perceive us as criminals.” Thus, this moment of hyper-policing and dehumanization provokes many immigrant workers to tell their stories and to organize counteractions to assert their humanity. This moment has also mobilized an unusual coalition of transportation and bike activists, immigrant rights groups, labor groups, and other social-justice oriented groups to come together to work with immigrant workers to build a community of resistance that illuminate paths of desire.
Broken Windows Policing

Broken windows policing, often associated with order maintenance, zero tolerance or quality of life policing, is predicated upon the idea that aggressive enforcement on minor offenses of disorder such as loitering, littering, riding bikes on sidewalks, or subway dancing, prevents more serious and violent crimes (Wilson & Kelling, 1982). In NYC, Mayor Giuliani and NYPD Commissioner William Bratton famously implemented this brand of zero tolerance policing in the 1990s, which has spread rapidly across many cities around the world (Smith, 2001). Aggressive broken windows policing in NYC has played a major factor in criminalizing and harassing black and Latinx communities with numerous arrests and summonses for low-level infractions and an era of rampant and invasive stop and frisks (Fagan & Davies, 2000; Jashnani, Bustamante, & Stoudt, 2017; Stoudt, Fine, & Fox, 2011). According to Michelle Alexander (2012), this hyper-emphasis on policing in the U.S. as a solution to societal conflicts is rooted within white racism that works to maintain racial hierarchies and established social order by through a “race-neutral” language of law and order rather than explicit racial segregation.

Although Bill de Blasio ran for NYC Mayor in 2013 based upon progressive proposals such as police reform to end the racist stop and frisk era, once elected, Mayor de Blasio hired William Bratton, the original architect of broken windows policing in NYC, to come back and be NYPD Commissioner once again. This expansion and continuation of broken windows policing has occurred alongside early studies whose analyses showed linkages between aggressive policing and reduced crime (Kahan, 1997; Sampson & Cohen, 1988; Skogan, 1990). However, Harcourt (1998) critiques the flaws in the data analyses in these previous studies and finds instead a lack of empirical support for aggressive policing of low-level violations in reducing more serious crimes; more recent studies would echo this finding (Harcourt & Ludwig, 2006;
Sullivan and O’Keeffe, 2017). Likewise, in an analysis of six years of data on NYPD summonses and arrests from 2010-2015, a report by the NYC Department of Investigation’s Office of the Inspector General for the NYPD (2016) found no evidence that broken windows policing reduces felony crimes. In another example, in a “natural experiment,” the NYPD held a work “slowdown” where they did not enforce low-level offenses for several weeks in late 2014 and early 2015 to protest Mayor de Blasio’s lack of support for the police against protestors in the wake of the non-indictment of NYPD officer Daniel Pantaleo who used an illegal chokehold in killing Eric Garner. Sullivan and O’Keeffe (2017) analyzed the impact of the slowdown and found that civilian complaints of several major crimes in fact decreased. As such, Sullivan and O’Keeffe (2017) write:

The vicious feedback between proactive policing and major crime can exacerbate political and economic inequality across communities. In the absence of reliable evidence of the effectiveness of proactive policing, it is time to consider how proactive policing reform might reduce crime and increase well-being in the most heavily policed communities.

In other words, because aggressive policing may worsen conditions for already marginalized communities, reducing broken windows police may reduce crime by increasing community wellbeing.

Under broken windows policing, NYPD officers often say they experience enormous pressure to meet unofficial ticketing and arrest quotas that are illegal. In one such example NYPD Officer Adhyl Polanco who is part of a federal class-action lawsuit about illegal quotas said:

The problem is, when you go hunting, when you put any type of numbers on a police officer to perform, we are going to go for the most vulnerable. Of course, we’re going to go for the LGBT community, we’re going to the black community, we’re going to those that have no vote, that have no power. (Wallace, 2016)

This pressure to perform broken windows policing through the mass accrual of ticketing and
arrests incentivizes and coerces NYPD officers to participate in an oppressive system of policing even if they individually see nothing wrong.

Despite this evidence, Mayor de Blasio has reiterated his support for broken windows policing repeatedly (e.g. Whitford, 2016). Perversely, historically low rates of violent crime in NYC has become justification for increased broken windows policing in relation to Vision Zero because according to Mayor de Blasio:

We have 36,000 officers. We’ve added 2,000 more officers on patrol. We have a lot of presence… And one of the good things is – as violent crime is going down, more NYPD energy can go on quality of life offenses and other things that could be dangerous even if they’re not violent crime. We’ve been putting much more NYPD energy into Vision Zero. (NYC Mayor’s Office, 2017)

Essentially, by expanding and maintaining a large police force has resulted in a surplus of policing capacity that de Blasio argues should be redirected into “quality of life” offenses like Vision Zero. But whose quality of life? De Blasio is not employing NYPD officers to enforce labor laws and prevent wage theft that might improve the quality of life of low-wage workers. Instead, as Vitale (2008) describes, “Quality of life comes to stand for the middle-class desires for order” (p. 17) amidst disorderly incivilities that the government fails to resolve. As such, marginalized individuals in need become viewed as a “collective ‘dangerous class’ to be avoided and excluded” (ibid, p. 20). Furthermore, the surplus of policing capacity despite low levels of violence corresponds with how Ruthie Gilmore (2007) describes the production of mass incarceration as not a response to already declining crime rates by the 1990s, but rather to manage a crisis of surplus labor and capital in the post-industrial neoliberal U.S. economy. In other words, this system puts “half the population into prisons so the other half can make money watching them” (ibid, p. 228). Interestingly, two U.S. born delivery cyclists in this research, Estaban (male, English and Spanish fluent, 20s) and Helena (female, English and Spanish fluent,
both spoke about planning and studying towards becoming NYPD officers as they both saw these jobs as their best option for secure, well-paying, and respected professions.

Under such an environment, many New Yorkers believe that delivery workers and e-bikes must be policed under the principles of broken windows policing as the way for NYC to maintain social order. In Chapter 4, I discussed a phone conversation Howard Yaruss (Member of Community Board 7 in the Upper West Side) who did not allow our research team to present our findings on policing of delivery workers to Community Board 7’s Transportation Committee. During our conversation, Yaruss decried the safety threat from law-breaking delivery workers on e-bikes. Because of these problems, Yaruss stated that he wanted police officers on every corner to crack down on delivery workers. Given such harsh desires for policing, one might expect clear public safety data indicating e-bikes as a hazard, but NYC officials like the NYC Department of Transportation (DOT) Commissioner Polly Trottenberg have admitted that the safety hazard of e-bikes is “anecdotal” and that she does not have “great statistics” to support such claims (Meyer, 2018b).

This regime of broken windows policing in combination with crimmigration (Stumpf, 2006) exists within a system of racism that produces “fatal power-difference couplings” that result in premature deaths (Gilmore, 2002, p. 16). In terms of mobility, Reid-Musson (2017b) builds upon Gilmore’s concept by proposing fatal intersections, which is violence produced between unequally situated subjects where power interfaces with energy, space, and time. For nonwhite cyclists, a fatal intersection is the mounting evidence in recent years of racial profiling of bicyclists in New York City and across the United States (e.g. Benning, 2014; Levine & Siegel, 2014; Swenson, 2013; Wisniewski, 2017; Zayas & Stanley; 2015). For immigrant delivery workers, the fatal intersection of Vision Zero Apartheid becomes exacerbated because
of their "impossibility of compliance with police authority for those already made criminal by race, disability, class, gender, and sexuality" (Billies, 2016). As such, immigrant delivery workers travel through various arrangements of fatal space-time-energy intersections shaped by transnational migration, labor conditions, streets, and policing.

Consequences & Experiences of Policing

As seen in Table 6.1, the NYPD has issued summonses to the majority of delivery workers.

Table 7.1. Summonses

<table>
<thead>
<tr>
<th>Type of Summon(s) or Ticket(s)</th>
<th>n</th>
<th>Any type</th>
<th>E-bike</th>
<th>Other (red light, wrong way, no helmet, etc.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese survey takers</td>
<td>91</td>
<td>91.2%</td>
<td>70.3%</td>
<td>78.0%</td>
</tr>
<tr>
<td>Spanish survey takers</td>
<td>35</td>
<td>65.7%</td>
<td>20.0%</td>
<td>54.3%</td>
</tr>
<tr>
<td>English survey takers</td>
<td>27</td>
<td>51.9%</td>
<td>7.4%</td>
<td>48.1%</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>E-bike(s) confiscated</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese survey takers</td>
<td>91</td>
<td>49.5%</td>
</tr>
<tr>
<td>Spanish survey takers</td>
<td>35</td>
<td>11.4%</td>
</tr>
<tr>
<td>English survey takers</td>
<td>27</td>
<td>3.7%</td>
</tr>
</tbody>
</table>

While 51.9% of English-speaking and 65.7% of Spanish-speaking workers have received summonses, nearly all (91.2%) of Chinese-speaking workers reporting receiving at least one kind of summons during delivery work. In addition, 70% of Chinese-speaking workers report receiving an e-bike summons and about half report having their e-bikes confiscated with much lower percentages for Spanish- and English-speaking workers. In 2017, the NYPD ramped up e-bikes enforcement by 170% over the previous year by confiscating 923 e-bikes for a collective street value of $1.38 million (Gordon, 2017; NYC Mayor’s Office, 2017). In addition, the police issued about 1800 summonses to the e-bike riders in 2017, many of which were fines of $500 or more as per the NYC e-bikes law. Together, these fines and confiscations represent a highly punitive form of policing on low-wage immigrant workers.
In Table 7.2, 68.9% of Chinese-speaking and 41.4% of Spanish-speaking workers report paying $250 or more fines as compared to only 12% of English-speaking workers.\textsuperscript{34}

**Table 7.2. Policing Fines Paid**

<table>
<thead>
<tr>
<th>Policing Fines Paid</th>
<th>n</th>
<th>$0 (n=26)</th>
<th>$1-$250 (n=32)</th>
<th>$251-$1000+ (n=57)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chinese survey takers</td>
<td>61</td>
<td>3.3%</td>
<td>27.9%</td>
<td>68.9%</td>
</tr>
<tr>
<td>Spanish survey takers</td>
<td>29</td>
<td>27.6%</td>
<td>31.0%</td>
<td>41.4%</td>
</tr>
<tr>
<td>English survey takers</td>
<td>25</td>
<td>64.0%</td>
<td>24.0%</td>
<td>12.0%</td>
</tr>
</tbody>
</table>

A logistic regression analysis in Table 7.3 shows that workers paying more than $250 in fines can be explained by English fluency and years delivering food.\textsuperscript{35} Not surprisingly, more years of delivery work means more fines paid.

**Table 7.3**

*Summary of Logistic Regression Analysis for Variables Explaining Paying Fines (N = 59)*

<table>
<thead>
<tr>
<th>Variable</th>
<th>Model</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>B</td>
<td>SE B</td>
<td>Exp(B)</td>
<td></td>
</tr>
<tr>
<td>Chinese survey takers</td>
<td>2.58</td>
<td>1.34</td>
<td>13.17</td>
<td></td>
</tr>
<tr>
<td>Years delivering food</td>
<td>0.28*</td>
<td>0.11</td>
<td>1.32</td>
<td></td>
</tr>
<tr>
<td>Hours/week</td>
<td>-0.06</td>
<td>0.04</td>
<td>0.94</td>
<td></td>
</tr>
<tr>
<td>E-bike use</td>
<td>-1.54</td>
<td>1.09</td>
<td>0.21</td>
<td></td>
</tr>
<tr>
<td>English fluency</td>
<td>-2.39*</td>
<td>1.14</td>
<td>0.09</td>
<td></td>
</tr>
<tr>
<td>Nativity</td>
<td>-2.73</td>
<td>1.72</td>
<td>0.07</td>
<td></td>
</tr>
</tbody>
</table>

| X2                      | 43.199**   |            |            |            |
| R2                      | 0.692      |            |            |            |
| % Correctly Classified  | 89.8%      |            |            |            |

*p < 0.05. **p < 0.01. ***p < 0.001.

\textsuperscript{34} A cut off of $250 was selected because it marks a divide between paying for many tickets (or e-bike tickets) and paying for very few tickets or zero tickets.

\textsuperscript{35} The data was analyzed using logistic regression analysis using in SPSS to determine the effects of Chinese survey takers, years delivering food, hours worked in a week, e-bike ridership, age, English fluency, and education level on delivery workers paying more than $250 in fines. This model included English fluency level and years delivering food significantly predicting if a worker has paid more than $250 in fines, $\chi^2(6) = 43.199$, $p < .0001$, and accounted for 69.2% of the variance in being robbed ($R^2 = 0.692$) and correctly classified 89.8% of cases. Controlling for the other variables in the model, speaking English at an excellent or good level was associated with the decreased likelihood of paying fines and these workers are nearly 11 times less likely to pay more than $250 in fines than delivery workers who spoke English less well. Controlling for the other variables in the model, for every year of delivery work, workers are 1.32 times more likely to pay more than $250 in fines.
But also, delivery workers who did not speak English well were about 11 times more likely to pay more than $250 in fines than those who spoke English well. On one hand, this could indicate one common public narrative that non-English speaker workers break laws because language barriers make it hard for them to understand the rules. Likewise, Dequan Lu of the Chinese Mutual Association said that it is often frustrating for workers to understand the e-bikes policing because they cannot read English to understand the laws. However, many immigrant delivery workers believe that they get policed more because they lack English fluency. This corresponds to research that suggests those with heavy accents experience stricter and more extensive policing (Giles, Linz, Bonilla, & Gomez, 2012). This may correspond to research where white society perceives failing to speak English well as one key indicator of failing to assimilate (Paxton & Mughan, 2006).

Some workers described situations where being able to communicate with police officers improved the interaction and outcome for workers. Xue (male immigrant, Chinese fluent, 60s) describes the difference:

If other bike riders speak some English, the police may let them go. But for us, we don’t speak any English, they usually just give us tickets or take our e-bikes away… One time the police tried to arrest me but did not because I called someone to help me translate.

In another example, Zihao (male immigrant, Chinese fluent, 50s) found a bit of shared humanity with a cop who made efforts to communicate with Zihao during a stop:

One time, I was stopped by the police and the police officer used his IPhone to translate Chinese to me, it’s like “My coworker who’s a fucker asked me to stop you to ticket you.” It was directly translated in Google… So we started a conversation about sports, we talked about basketball players, like Michael Jordan, other players. I told him I like Yao Ming. We talked about table tennis and so we chatted for a long time. And so I was able to tell him that I only make $100 a day and if you give me a ticket, I’m just working and riding in the street for nothing. So we had a good conversation and so the police officer let me off with a warning instead of a ticket. That was really nice, I really appreciated it. They are human, and they understand. I don’t like to judge, they’re not all bad and some of them are really on our side, they know that it doesn’t make sense what the police do to us.
By bridging the language divide, Zihao sees the difference between the police as individuals and policing as an oppressive system. As such, Zihao appreciate a moment where a police officer can see him as human and vice versa.

In the next sections, I will discuss some of the key lived experiences of policing for delivery workers.

**Broken Record of E-bikes Enforcement**

Many delivery workers express frustration over the legal incoherence of e-bikes where e-bikes are legal to own, but illegal to ride in public spaces in New York as Delun describes, “A lot of people are working as delivery workers. Why do they want to catch us, especially us? This made me sleepless every night. I really don’t understand why.” Trying to understand why keeps Delun and other workers sleepless at night, because the incoherence of e-bike legality appears to make little sense. Because e-bikes are legal to own, but illegal to ride, NYC must give the bike back to the worker if they pay the fine – but this means enforcement never ends. Fang (focus group, January 2017) say that workers “don’t understand why the police play this game” that plays endlessly like as broken record where the police issue workers $500 fines, e-bikes are confiscated, workers pay the $500 fines, and workers retrieve their e-bikes when it starts all over again.

Delivery workers often accept that they should get tickets when they are caught in the act of breaking traffic rules, but Ling (male immigrant, Chinese fluent, 50s) argues, “If the rider of a e-bike did not violate any traffic law, they should not be ticketed.” This distinction bears resemblance to how Armenta (2017) describes undocumented immigrants who perceive driving without licenses as not a crime, but as a necessity. This sense of senseless injustice is also compounded by the outsized consequences of riding an e-bike. Liqiang (male immigrant,
Chinese fluent, 40s) told us that having an e-bike confiscated usually ended up costing him
$1000 each time from paying the $500 fine and from the lost days of work that it takes to
retrieve his confiscated e-bike.

Many workers like Zhang (male immigrant, Chinese fluent, 50s) think that riding e-bikes
also opens the door for the police to make discretionary and unfounded accusations of breaking
laws:

Without riding on the crosswalk, without crossing the red light, without riding on the
sidewalk, the police suddenly appeared and stopped me. When I was stopped without
being asked questions, he was demanding that I give ID. I gave the ID. When it was
returned, the police officer spoke but I did not understand. We’ve met before, we know
each other well because he had caught me many times before. Using body language, I
expressed my concern that I was arrested by this police officer before and the e-bike has
not been returned. I expressed that I hadn’t gotten my last e-bike back. He sort of
understood. He proceeded to lock my e-bike at the sidewalk and threw my food away to
the curbside. He handcuffed me and brought me to the police precinct and released me
after a few hours, like 3 or 4 hours.

Unable to read English, Zhang did not understand the charge on the ticket issued to him. Reading
the ticket information, I determined that he was charged with a misdemeanor for reckless driving
(Vehicle & Traffic Law 1212), which is to use a motorized vehicle in a “manner which
unreasonably interferes with the free and proper use of the public highway, or unreasonably
endangers users of the public highway” (Justia US Law, 2018). As a misdemeanor, the police
officer arrested Zhang, which for immigrants can have dire consequences as the U.S.
Immigration and Customs Enforcement (ICE) can circumvent sanctuary city principles as
fingerprints from any arrest get sent to a federal crime database that ICE can access (Devereaux
& Knefel, 2018).

These forms of policing frustrate workers because often there are not any immediate and
viable solutions for the workers to become legal. For example, an officer stopped Ming-húa
(male immigrant, Chinese fluent, 50s) on his e-bike and issued him citations for riding an
unregistered motor vehicle, being an unlicensed operator, and operating a motor vehicle without insurance. Problematically, Ming-húa cannot possibly come into legal compliance for these violations as the e-bike cannot be registered nor insured like a motor vehicle, and he cannot get a motor vehicle license due to his legal status. These experiences of policing demonstrate how laws and police practices interact to produce immigrant criminality (Armenta, 2017).

This environment also exposes immigrant workers to police abuse and corruption that result in horrifying experiences of dispossession that also seriously affect familial relationships as Donghui (male immigrant, Chinese fluent) furiously narrated:

When police officer stopped me, they took my wallet. I used an [e-bike], but on the ticket, it was written that it was an automobile... I was charged for running a red light, which I did not run. I have three sons and one daughter, and the police confiscated over $1000, which was intended for my daughter to go to college... I heard US law enforcement is to protect people, but NYPD now has been constantly taking money away from us... They took over $1000 when I got stopped and then they denied that they ever had the money later on... The officer took my wallet, when the wallet was returned, the cash was missing. The officer denies there was cash in the wallet.

Other Chinese workers have reported to us similar incidents where police officers stop them and the cash they have in their wallets disappear. In these circumstances, it becomes their word against that of the officers and nothing happens.

When the police confiscate a worker’s e-bike, workers try to get their e-bikes back by engaging with the criminal justice system, which can be terrifying for those without documents. Liko (Chinese focus group, January 2017) was too afraid to get his confiscated e-bike so he lost his job and he is now doing informal construction work that is more physical demanding, less reliable, and pays worse than delivery work. In another example, the police confiscated Raul’s (male immigrant, Spanish fluent and English capable, 40s) e-bike, but he was able to purchase a cheap second-hand e-bike from his friend to keep delivering food. For workers, the best outcome of an e-bike confiscation is to pay the fine and get the e-bike back promptly.
Even the process of retrieving an e-bike can be a fraught venture. Sometimes, workers like Chiang (male immigrant, Chinese fluent, 30s) retrieved e-bikes that are severely damaged under police “care.” One time, Chiang retrieved his e-bike finding major damage to the rear tire rim costing him $700 in repairs, which Chiang noted that “If you add a few hundred dollars on top of that, you can get a new e-bike.” In a different incident, after paying the fine, Delun (male immigrant, Chinese fluent, 50s) furiously began a one-man protest in front of a police precinct that would not give him back his e-bike:

I told them I wanted my e-bike back or I would not leave. After 3 to 4 hours, a couple of Chinese-speaking police officers came and told me I should go home, my e-bike was confiscated and I couldn’t get it back. I said there are no such law in the U.S. that the government can take away any personal properties. I refused to leave until about 7 or 8 PM, someone in the precinct came out and gave me my e-bike back. Someone around me said you are lucky to get your e-bike back. I told them I had already paid the fine, why couldn’t I get my e-bike back? I think the police in the U.S. are just reckless.

Delun explained that he has his green card, so he felt secure enough to publicly protest whereas he explained that many other Chinese workers would be afraid to do so. But this legal status does not protect him from police abuse as the police lost his e-bike in another confiscation and only reimbursed him for $900 when he had paid $1800 for that e-bike. Also, notably, in Delun’s story, Chinese-speaking police officers worked actively to try to dispossess Delun of his e-bike, which demonstrates how oppressive systems involve model minorities in repressing marginalized minorities (Lee, 1999). In another example, the police sent Chun (male immigrant, Chinese fluent) to twelve different and remote impoundment lots (Figure 7.2) before he gave up on trying to retrieve his e-bike.
Workers without English fluency face challenges in defending themselves in the court system. Dequan Lu says CMA will sometimes help workers at court with an English-speaking volunteer where they sometimes encounter sympathetic judges in court who will dismiss fines and charges based on their appeals of being older low-wage workers. Carlos Herrera, a delivery worker organizer at the National Mobilization Against Sweatshops (NMASS), also spoke about helping Latino immigrant delivery workers with translation in court to fight e-bike charges. Without English, workers like Zheng (male immigrant, Chinese fluent) experience great frustration in being able to defend himself:

I went to court for an e-bike ticket. I said I needed a translator but the court employee kept telling me that I didn’t need one even though I kept asking for one. In front of the judge, the court employee told me to say “yes, yes” and “no, no, no” to different questions. He was telling me that I was doing well and I thought he was a nice person to be helping me out. I said what he told me to say. And when I finished, I was taken to a window and told that I had to pay $500! I thought the court employee was trying to help me, but he wasn’t.
Zheng wanted to dispute the charges and but this and the other stories shows how the court and police systems are set up to churn through bodies.

**Racial Profiling and Feeling Criminal**

Many immigrant delivery workers like Rafael (male immigrant, Spanish fluent, 20s) think that the police are racially profiling them:

I have seen that sometimes we run red lights, both Hispanics and whites Americans. What the police have done is they have stopped us and have let the white ones go on their way and not say anything, so sometimes I have asked [the police], “Why do you stop us, if the rest also ran the red light? I know I’m in error, I accept my fault.” The police have simply told me that, “No, it’s that we can’t stop all of you.” But how is it possible for you to stop 2 or 3 of us and not them?

Feeling unfairly criminalized sat in their bodies as anger, frustration, helplessness, and fear. Delun described his incredulity at being arrested for distributing menus in a building after making a delivery because the building security called the police on him. Xue described the feeling of Chinese workers as going out on the street with their “heart and pancreas hanging out,” which means being cautious and fearful. Chiang described seeing the police and feeling like “a terrorist.” Accordingly, many of the Chinese workers expressed fleeing as quickly as possible upon seeing the police, which they said increased dangers for them in the street and prevented them from paying more attention to other dangerous conditions such as potholes or taxis. Immigrant workers also often reported taking longer routes to avoid known points of policing, which causes longer delivery routes both in terms of distance and time. To minimize police exposure, immigrant workers also warn each other about police stings. For example, Chinese workers use a WeChat app on their phones to warn each other about police actions such as e-bike confiscations while Raul mentioned similar warnings shared among Latino e-bike riders by phone, text, or other mediums.
U.S. born delivery workers often expressed a mixture of opinions about racism and policing even as many of them are also people of color. Many of them like Andreas (male U.S. born, English and Spanish fluent, 30s) felt no effects of racism in policing him as delivery worker because “as long as you’re not blowing through red lights, if you’re working a delivery, [the police] are a little bit more understanding. They’re like you’re working, you’re [both] on the clock.” Likewise, Roberto (male U.S. born, English and Spanish fluent, 40s) did not feel racially profiled despite describing getting two tickets for things he did not do and being stopped in two other incidents where police officers falsely accused Roberto of riding stolen bikes.36

In contrast, Jackie (female U.S. born, English fluent, 30s) felt that race matters as she explained how being a white woman she could intentionally dress and use specific gear to avoid looking like a delivery worker, which she thought reduced police enforcement. In addition, Michael (male U.S. born, English fluent and Spanish capable, 20s) also readily associated racism with his policing experiences. On his way back to his restaurant after a delivery, several police officers stopped Michael and arrested him based on a cellphone video that the officers said showed Michael committing a crime, but they refused to show Michael the video. The police arrested and accused Michael of posing as a cable worker who burglarized a local woman even as Michael repeatedly told the police that he was delivering food at the time of the robbery and to call his restaurant. After spending a night in jail, Michael went to court where the charges were dropped, and the police never showed him the video. For Michael, the experience of a false arrest was demeaning:

Imagine a bunch of frat guys that don’t believe shit that you got to say, “Oh ho ho, I don’t believe you!” …Not a single officer believed that I was a food delivery guy. I’m freaking

36 A number of news articles across the country find that minorities experience false accusations by the police for riding stolen bikes (e.g. Swensen, 2015; Zayas & Stanley, 2015)
out, I’m crying. And I did a year in jail, I didn’t shed a tear, but when I got false arrested, yeah, I started crying, dude, it’s demeaning dude.

Michael would find out later that the police called the restaurant five different times trying to undermine Michael’s alibi with the restaurant and pin the crime on him. Growing up in a poor Black and Hispanic neighborhood, Michael said that folks did not trust or call the police. In contrast to how the police use the rationale of delivery workers and e-bikes as inherently dangerous to enact punitive enforcement, in this case, the police tried to erase Michael’s delivery work that would exonerate him.

**Policing & Delivery Worker Safety**

Delivery workers often describe ambivalence about policing’s effects on their safety. As described above, delivery e-bike riders fear police so much that it affects their riding in the street in unsafe ways. In addition, the fear of the police has become so palpable that workers like Chung (Chinese focus group, April 2016) refused to call 911 or wait for police after a car crash despite being hurt:

Car—hand injured—the sight of police makes me fearful—no matter the severity of the injury, I do not dare to call the police. Bleeding—I will just flee. As long as we are away from police, it will be fine.

By doing so, workers are less able to get needed medical assistance in moments of injuries and they are unable to pursue and claim reparations from the driver’s auto insurance. This worsens the physical toll with more workers riding with injuries and they often do not have the resources to take time off to heal and get medical help.

Workers often also spoke about being frustrated by police “quotas” of cracking down on cyclists but ignoring dangers for workers like unsafe drivers or being doored as Michael describes, “People are swinging their doors… But you know, there’s so much danger that I avoid and… I’m already dealing so much crap. I’m making minimum wage anyway, why are [the
police] harassing me?” In addition, many workers expressed frustration with police officers who park in bike lanes putting workers at risk. Numerous workers also often pointed out their frustration with getting policed for minor violations while watching police officers frequently and unnecessarily breaking traffic laws. Several workers like Jackie described anger about police incompetence in investigating crashes where they got serious hurt and they felt like they did nothing wrong, but the police accepted the victim-blaming narrative of the driver. In contrast, for some workers like Sarah, the police “never mess” with her and have taken her side in a major crash. Like some workers, Helena described the role of the police to be taking care of people’s safety, which made her aspire to be a police officer, but she is also troubled by the numerous stories of police corruption and abuse that undermine people’s perceptions of the police. Overall however, workers described the police as ineffective in ensuring a safe street for them.

For delivery workers, erosion of their trust in the police undermines their safety not only in car crashes in the street, but also in robberies and assaults. As discussed in Chapter 4, delivery workers commonly experience robbery and assault on the job.

<table>
<thead>
<tr>
<th>Called police when robbed or assaulted</th>
<th>n</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Every time</td>
<td>53</td>
<td>9.4%</td>
</tr>
<tr>
<td>Sometimes</td>
<td>53</td>
<td>22.6%</td>
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<tr>
<td>Never</td>
<td>53</td>
<td>67.9%</td>
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As Table 7.4 shows, over two thirds of the workers who had been robbed or assaulted reported that they never called the police afterwards. This likely means delivery workers substantially underreport robberies and assaults. For example, Tomas (male immigrant, Spanish fluent, 20s) did not call the police after a robbery because he said he is more frightened of the risk of deportation and that he did not think the police would do anything. This is a common refrain
among many delivery workers whose experience with robberies and assaults are that “when we call the police, the police come very slowly and the police just make a report, nothing will happen” (Xue). This evidence resonates with a Canadian study that suggests that immigrants who were victims of serious violence had significantly worse evaluations of the police (Wortley & Owusu-Bempah, 2009). In addition, another study finds that black communities may call 911 less often after high-profile cases of police misconduct and violence against unarmed blacks (Desmond, Papachristos, & Kirk, 2016). Thus, communities that bear police mistreatment may result in legal cynicism, a belief that the criminal justice system is illegitimate, ill equipped, and indifferent in ensuring public safety; as a result, people refuse to report crimes (Kirk & Papachristos, 2011). As such, workers like Donghui describe seeing and experiencing corrupt policing practices that worsen their perceptions of policing:

On 42nd Street, there’s Sushi Town, a restaurant that offers free meals to police officers. They don’t get any tickets. The restaurant that does not give police officers this discount or free food, they get tickets. The restaurant that gives free food, the police will not catch you. (Donghui)

This mirrors many other stories of NYPD corruption such as the “get out of jail” courtesy cards provided by the NYPD’s union, the Patrolmen’s Benevolent Association (PBA) of NYC, that friends and family of current and former NYPD officers use to get out of basic traffic enforcement such as speeding tickets (Balsamini, 2018). In fact, Ling showed us his PBA card, which he declined to answer how he got. Ling told us that his PBA card gets him out of being ticketed about half the times he is stopped by the police.37

Many delivery workers feel dehumanized from punitive and corrupt policing that fails to address their safety concerns and needs in regards to safe streets, robberies, and assaults. Kang

37 NYC Patrolmen’s Benevolent Association “get out of jail” courtesy cards can be purchased on eBay (Balsamini, 2018).
(Chinese focus group, April 2016) said that delivery workers used to be only scared of being robbed, now Kang says, “We get scared when we see the police—fear in the heart.” As such, Ling describes police fines and e-bike confiscations as “robbery.” For delivery workers, this institutionalized “robbery” provokes struggle and resistance. As such, workers desire to be heard and have their concerns recognized as Tomas explains:

I wish we could organize and create a campaign to get people aware of delivery cyclist issues. So to have a campaign keeping delivery workers protected, to work with individuals so that if they see something [happen to us], say something. Or the police, for them to be more aware the things that can happen to delivery workers.

**Resistance through Desire Paths**

Policing as a solution to “disorderly” immigrant delivery workers is to treat worker desires as unimportant. By valuing the embodied experiences of those marginalized like food delivery workers, this production of knowledge can illuminate desire paths. Desire paths or lines are the phenomena of informal trails carved by the travel of people or other creatures trying to get from one place to another; an example would be a dirt path through grass where many feet had trodden. For a long time, designers and planners:

have used these [desire] paths to determine where they would put the paved streets of their cities, or the walking paths of their campuses and parks… [But] you cannot see them on asphalt. (Goodyear, 2011)

As such, the “disorderly” and transgressive mobility of immigrant delivery workers trace desire paths. Yet, the desire paths of immigrant delivery workers are rendered illegible with concrete and asphalt in streets, language barriers, and the production of immigrant criminality. Reframing transgressive mobility as desire paths could instead indicate that, “Desire is productive because it flows on… Nomadism, therefore, is not fluidity without borders but rather an acute awareness of the nonfixity of boundaries. It is the intense desire to go on trespassing, transgressing” (Braidotti, 1994). In this way, disorder and transgression can be generative and create new possibilities of
being in the world. As such, relocating into liminal, boundary spaces can generate novel forms and possibilities of collective resistance and healing by making desire paths visible and actionable.

After Mayor de Blasio’s press conference on his crackdown on e-bikes in October 2017, many immigrant workers noticed a painful surge in e-bikes policing. At that moment, the Delivering Justice project team transitioned into building and collaborating in the #DeliverJustice coalition with delivery workers. The public visibility of the Mayor’s press conference galvanized advocacy groups such as the Asian American Federation (AAF), Transportation Alternatives, Make the Road NY, and Legal Aid Society to join Biking Public Project and immigrant delivery workers in the #DeliverJustice resistance. Ironically, before the Mayor’s press conference, our team only had limited success in raising media and advocate attention to worker grievances with e-bikes policing. This coalition leverages its liminality to listen to workers and to carve access for delivery workers to voice their counter-narratives in white-dominated spaces and media. In this way, we relocated ourselves into interfaces of both risk and possibility as bell hooks (1990) describes, “this space of radical openness is a margin – a profound edge. Locating oneself there is difficult yet necessary. It is not a ‘safe’ place. One is always at risk. One needs a community of resistance” (p. 24).

At this City Hall meeting, Jing Wang, a Delivering Justice Project team member, translated for the Chinese delivery workers in sharing experiences of exploitative labor conditions such as hyper-exploitative wages and the impacts of e-bikes policing. The workers were astounded at how little the City knew of their working experiences while enacting policies like the e-bikes crackdown that adversely affect immigrant delivery workers. Likewise, City officials were flabbergasted at finding out that workers made $2-4 an hour before tips and
usually owned the e-bikes. The Chinese delivery workers took enormous pride in claiming the right to define and relate their own experiences and stories to city officials. This pride would help energize further organizing among Chinese delivery workers. In addition, we were able to support the workers by distributing infographics on our research on policing of commercial cycling (see Figure 7.3 and Chapter 6) and on our media analysis (Figure 7.4), and copies of our online article highlighting worker stories about e-bikes policing and working conditions (Biking Public Project, 2017b).

Figure 7.3: Infographic of our PAR team's commercial cycling summonses analysis.
City officials and told us that the delivery worker stories in combination with our research provided powerful testimony. Persephone Tan of AAF also mentioned that being able to bring our own research evidence and statistics was very helpful because in her experience, the City or NYPD were often the only ones able to provide statistics at such meetings.

After the meeting, city officials requested that our coalition provide them with recommendations on e-bikes from delivery workers. Our team quickly heard from various Chinese and Latino workers who were excited to be able to inform city policy that would affect themselves. As a result, our coalition issued a policy memo (AAF, BPP and TA, 2017):

1) Stop enforcement on e-bike delivery workers;
2) Develop training programs for employers and e-bike delivery cyclists to learn about best practices on delivery cycling in the streets safely;

Figure 7.4. Infographic of our PAR Team's Media Analysis
3) Create meaningful processes by which the City invites input from immigrant delivery workers on these and other issues that affect them; and
4) Work with State leaders to regulate e-bikes.

City officials agreed to all the recommendations except for the first and most important one about e-bikes enforcement, which remains in contestation. Months later at the NYC Council building, we would bump into Xiaomin Zhao, a staff member of Corey Johnson, the new Speaker of the New York City Council. As I started to give Zhao our research handouts, she glanced at them and remarked that she had already seen them as they were being circulated around the city government (observation, January 19, 2018). What this indicates is that there exists strong desires and welcoming spaces for counter-narratives even in places of power.

At the same time, the e-bike crackdown inflicted great hardship for workers. In December 2017, Jing Wang and I from our Delivering Justice project team met with more than 40 Chinese workers at midnight in Chinatown (Figure 7.4).

Figure 7.5. Chinese delivery workers meeting at midnight. Photo by author.
Because of the policing crackdown on e-bikes, the Chinese workers had started meeting late at night after their long workdays to discuss and organize their resistance to e-bikes enforcement. At the meeting, one worker told us that he had gotten three e-bike tickets in the last month at $500 apiece for $1500 total in fines when he only makes about $2000 a month. He said bitterly that he might as well just not worked. Afterward, Jing asked the room how many of them had recently either stopped working or lost their jobs because of the punitive e-bikes policing. In a room of more than 40 Chinese delivery workers, more than half of them raised their hands. The workers told us that many Chinese restaurants owners were also upset about the e-bikes crackdown as it was affecting their bottom lines, but that the restaurant owners were afraid of being openly critical of the Mayor. But Dequan Lu told us that many restaurant owners had contributed money to the Chinese Mutual Association (CMA) to fight the e-bikes crackdown; in all, CMA raised over $30,000 from restaurants and delivery workers to organize their resistance (observations, December 13, 2017). These resistances included questioning Mayor de Blasio at town halls in Flushing and Sunset Park as well as protesting his State of the City Address.

Frustrated by the unwillingness of the city to amend its e-bikes crackdown, our coalition organized a rally and protest at City Hall on December 18, 2017. Hundreds of immigrant Chinese delivery workers and a few Latino workers showed up to protest the e-bikes crackdown. The visibility of so many delivery workers and allies willing to show up, claim their humanity, to voice their own narratives was an inspiring and moving sight (Figure 7.6). At this rally, immigrant workers voiced fear about being visible in protest, but that they had no choice but to show up as their livelihoods were at stake. At the rally, Liqiang Liu, a 45-year old Chinese delivery worker selected to speak by the Chinese workers, told his story and desire for justice:

I ride about 60 miles per day, with a base salary of $48 per day… I cannot rest, no matter how bad the weather is or how my health suffers, so I keep delivering food on New York streets. Electric bikes are our tool for survival… Improving traffic safety in New York
City is also a common aspiration for delivery workers. I hope that the mayor can come to our community to learn more, to show compassion for our community, and to work with us to develop a reasonable standard for e-bike delivery workers.

This e-bikes rally marked a dramatic shift in media coverage as numerous media reporters from NBC News, AP, and many other outlets began to work with our coalition to hear from workers and to question the Mayor’s e-bike crackdown (e.g. Fuchs, 2018; Hajela, 2017). In an odd twist of interconnection, while being non-English speaking immigrants made these workers particularly vulnerable to a white echo chamber, Mayor de Blasio as the “Sanctuary Mayor” has been also susceptible to negative media coverage about impacts of his e-bikes policing crackdown on the same immigrants:

You might think that Mayor Bill de Blasio, who has positioned himself as a champion of immigrant rights in the era of President Donald Trump, would have been standing there alongside [immigrant delivery workers]. The mayor, however, was nowhere to be seen.

That’s because the more than 100 mostly Asian delivery cyclists were there to protest one of de Blasio’s own policies, a crackdown on electric bicycles that the workers depend on to do their jobs. (Goodyear, 2018)
The public narrative of food delivery workers has become more complicated as our community of resistance with delivery workers has “reframed the narrative around e-bikes and working cyclists in New York” (Fried, 2017b).

However, speaking up as immigrant workers is not without risk. After the City Hall rally, our coalition set up Liqiang Liu with follow-up interviews with various news outlets. Liu willingly spoke with all these reporters on the behalf of workers because he felt it was important to represent delivery workers like him who were suffering under the e-bikes crackdown in order to make a difference. However, Liu ended up losing his job because his boss thought he was spending too much time talking with the media. Liu found another job quickly, but this experience made him decide to stop speaking with the media (observation, January 30, 2017).

In addition, coalition work and the pressures of the e-bike crackdown have been very labor intensive with negotiations of conflicts. After the City Hall rally in December 2017, workers have told us their confusion in how various political groups both inside and outside Chinatown were attempting to influence workers. This influence in combination with the strain of the e-bikes crackdown caused internal strife within the Chinese Mutual Association so that it split into three factions of workers who thought the other factions were ineffective in fighting the e-bikes crackdown. Eventually, the factions would reunite into one union, the American Delivery Workers Union, under the leadership of Kevin Chin, who is bilingual, while Dequan Liu is the Vice President of this new union. Our team has a complicated relationship with Dequan Lu who has been instrumental in helping us build relationships and trust with Chinese workers. However, two of our female Mandarin-fluent team members worked closely with Lu and spoke of the challenges of being able to have a dialogue because they feel their voices are often ignored by Lu and other Chinese male delivery workers because of Chinese structures of patriarchy. A Mandarin-fluent male team member wrote a memo to express his frustration that Dequan Lu “confuses self-promotion to public commitment, hurting communication between people he led
and officials he has established contact with.” These challenges resonate with how a diversity of communication codes, power, and culture can produce conflicts that can be difficult to discern and address (de Souza Briggs, 2007). At the same time, our team and coalition struggle to address tensions of power relations with workers that bring up many stated and unstated questions within our community (Fine et al., 2004). In other challenges, various groups have reached out to us at the Biking Public Project wanting varying degrees of partnership. Some are well meaning but there are also many groups trying to co-opt our work and relationships for their own goals and desires. In addition, within our coalition, we had to navigate intergroup mistrust due to prior histories of conflict between specific groups that took a long time to repair and rebuild trust. Han-based participatory action research in this way is quite demanding in negotiating and navigating a shifting terrain of relationships within teams and coalitions even if we can accept that we all have complex personhoods.

After months of critical media attention on the e-bikes crackdown, Mayor de Blasio clarified in April 2018 that pedal-assist e-bikes are permissible, which he stated would benefit delivery workers. This clarification however still excludes the throttle e-bikes favored by delivery workers and thus perpetuates their criminalization. On the other hand, this clarification is a small crack in the wall that could help delivery workers as it gives them a potential but tenuous path to legal e-bike use. However, many immigrant delivery workers voiced concern whether the police will still criminalize them for riding “legal” e-bikes as many workers fear they will be stopped and without English fluency, they would have to persuade the police their e-bikes are legal. This also depends on the police being well-trained to know the difference in e-bikes, which is often not the case (Gan, 2016). Thus, many immigrant workers have the opinion that the police will continue to ticket and seize their e-bikes regardless of “legality” without a clear, easy way to prove legality like licensing. Many immigrant workers strongly desired some
form of licensing and registration of e-bikes that they could access: “Yes, having a license to operate will be great! Having a license will make us feel safer and not afraid of the police” (Ling). Being able to have licenses represents a desire to be included in the boundaries of legality.

As such, our advocacy coalition has criticized the Mayor’s announcement as failing to provide a mechanism for protecting immigrant workers with “legal” e-bikes. Such mechanisms might include as City-sponsored programs such as a visible labeling system of legal e-bikes, a buy-back or trade-in program, and a conversion program to convert “illegal” e-bikes with throttles into pedal-assist only e-bikes. Despite the desire for licensing of e-bikes by delivery workers, the most politically viable legalization efforts for e-bikes has excluded licensing because previous efforts at licensing vehicles like bikes tends to be expensive and lack support from bike advocates (Dudley, 2016). In addition, coalition members were concerned that licensing requirements could also inadvertently worsen racial profiling (e.g. Armenta, 2017). Instead, our coalition has leveraged lawyers at Make the Road NY and technical experts on e-bikes from the Biking Public Project to work with delivery workers to devise a series of policy recommendations that would amend the proposed NYC Department rules on e-bikes to allow delivery workers to convert their e-bikes to city-approved pedal-assist e-bikes. During an April 2018 press conference with speaking support from NYC Council Members Margaret Chin and Carlos Menchaca, our coalition unveiled the plan (Desai, 2018). These recommendations are underpinned by also needing the City to either produce or recognize a visible label on “legal” bikes so that it is easily recognizable by the police. In one respect, these policy recommendations represent a powerful blending of the interiority and exteriority of expertise and knowledge (Fullilove, 2005). In this case, delivery workers provided their expertise in sharing
desires and guidance on real world needs while the multi-dimensional policy, legal, technical and advocacy expertise of our coalition translated those worker desires into politically viable policy recommendations. Our liminality in being able to have access to both delivery workers and City government allows the coalition to act as a desire path for workers to communicate their needs to the City government.

For immigrant delivery workers, many have expressed frustration about the inability to legalize their preferred throttle e-bikes. At the same time, immigrant workers have also vocalized a desire for an accessible path to legality for e-bikes use, so while pursuing compliance with pedal-assist e-bikes is not ideal for workers, it is endurable if police harassment ends. By bringing delivery e-bike riders into “legality,” immigrant workers like Chiang (male immigrant, Chinese fluent, 30s) say it would make an enormous difference, “At least we are riding legally and not afraid of being spotted like criminals. We don’t have to watch out for the police all the time.”

**Conclusion**

The NYC government uses logics of public safety such as Vision Zero to rationalize broken windows policing, which causes a segmentation of public safety based on race, class, and nativity. In such an environment, public safety is transformed into Vision Zero Apartheid where marginalized bodies suffer less safety in order to be criminalized to maintain order that is perceived as ensuring the public safety of privileged bodies.

Under repressive policing, immigrant workers experience intolerable dehumanization that provokes them into organizing resistance. It is a desire to be recognized and protected as humans. Within this space, advocacy organizations have joined immigrant delivery workers by leveraging liminal access to workers and privileged spaces to help make legible the desire paths
of immigrant delivery workers to the City. Settling for a position where immigrant delivery workers must disable their throttles on their e-bikes to become “compliant” for police enforcement disturbs me. This position problematically symbolizes a kind of assimilation of “illegal” immigrants into partial legality by adopting whiteness. Disabling throttles also may denote a desire by white society to demand marginalized immigrants to concede power. This “solution” also does not address the fatal intersections of underlying conditions that ramp up customer demands for sped-up worker bodies to deliver food nor does it reorganize the contested, unsafe streets that workers travel through. This reflects the tension of winnowing down academic research full of tangled complexities and complications into “tame” problems that can be addressed politically and through policy (Sandwick et al., 2018). Since some New Yorkers have complained about “disorderly” delivery cyclists even before e-bike usage, this proposal is unlikely to calm fears and anxieties about disorder. However, if implemented, the proposal could provide immediate relief for immigrant workers from the devastating impacts of e-bikes policing. Furthermore, if City adopts the proposal, this could be a powerfully symbolic moment of delivering justice for immigrant delivery workers who would have their desires heard by the City, acknowledged, and acted upon, even if incompletely. And also, instead of an ending, perhaps it could be a beginning. Ultimately, the right to be able to participate in the shaping of the City is about human rights as Hannah Arendt (1973) writes, “The fundamental deprivation of human rights is manifested first and above all in the deprivation of a place in the world which makes opinions significant and actions effective” (p. 296).
Chapter 8: Conclusion

With every fiber of my being, I fear being punished by white supremacy. An essential part of doing this research and writing this dissertation for me has been feeling, naming, and facing my pain from the colonization of my body. Why does my body tremble at writing these words? Why do I feel a shortness of breath and a pit in my stomach as if I am perched at the edge of a yawning precipice?

Recently, Joann Yoo, executive director of the Asian American Federation, jokingly asked me about why we as two persons of Korean heritage were working so hard to fight the e-bikes policing crackdown when the people most affected are Chinese and Latino immigrants. I replied that I am disturbed by the way that this spectacle of criminalization of low-wage immigrant delivery workers serves to remind “model” minorities like Joann and myself the harm and costs of failing to assimilate into whiteness. Joann nodded and said it is about our mutual liberation. This conversation reminds me of Cedric Robinson’s (2007) use of his friend Otis Madison’s quote in an epigraph: “The purpose of racism is to control the behavior of white people, not Black people. For Blacks, guns and tanks are sufficient” (p. 82). It is a reminder to those with full or partial whiteness about what happens to those without whiteness. Model minorities are granted partial whiteness, which means access to some or even quite a few resources and material comforts. Therefore, the humanity of model minorities within whiteness is always contingent and thus predicated upon our compliance with and active work on behalf of a system of white supremacy. In my colonized body, I struggle to discern real and imagined threats to my body from white supremacy. Sometimes, my fears are unrealized, which nevertheless exerts enormous influence on my actions. Other times, I hear President Donald Trump of the United States threaten North Korea with “fire and fury like the world has never
seen (Baker & Choe, 2017),” which would undoubtedly kill millions of “bad” North Koreans along with millions of “good” South Koreans. As an American of Korean descent, I am deeply unsettled by the feeling that the American part of me wants to kill the Korean part. I feel an ancient grief bubble up in me and that trembling fear infect my typing fingers.

The question of “Where are you from?” asked of Asian Americans is often code for “Why are you here?” and often represents a common microaggression of othering for us. By having to answer why we are here allows the questioner to judge and categorize us as good or bad Asians. I am reminded that in the days just before the Japanese surrender in World War II in 1945, American military personnel took thirty minutes to look at a map and plan to divide Korea along the 38th parallel into American and Soviet spheres of influence that the Soviet Union silently accepted (Cumings, 2005). The division had no historical basis nor did American officials consult any Koreans before this arbitrary decision (ibid). In that dividing moment, for those of us below the 38th parallel, North Korea became our shadow repository where all our negative emotions are dumped – the part of us that we are supposed to hate and fear. Many Koreans are transfixed by modern-day reunions of family members separated by decades and the spaces produced by the 38th parallel. A few years ago, my uncle had a short emotional reunion with his long-lost brother in North Korea after not seeing him in over 40 years. When the DMZ went into effect, my grandmother was visiting family in North Korea and she was stuck on the wrong side. My mom translated my grandma’s words as I do not speak Korean well and she told us about paying a smuggler to take her on a dangerous journey on a rickety fishing boat back to her home in South Korea. In an alternate reality, I could have been born a “bad” Korean. And this is the trap of the model minority because a system of racism readily disposes of model

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38 The Americans also did not consult the Soviets nor their allies of the British and Chinese (Cumings, 2005).
minorities as unavoidable collateral damage for eradicating threats from undesirable minorities when it is convenient to do so. The divided country of my birthplace is part and parcel of Korean han that I carry in my body.

During the course of our Delivering Justice Coalition work, Joann Yoo has spoken about some within the Asian American community who could but refuse to provide helpful support to Chinese delivery workers, because they see these workers as undeserving or giving Asians a bad name. Being a model minority also demands the simultaneous existence of undesirable minorities. This dialectical relationship between model minority and undesirable minority means that racist systems use model minorities to argue that undesirable minorities fail and transgress solely from individual efforts and choices rather than structural causes because the model minorities “succeeded” (Lee, 1999). Therefore, I recognize how the production of my colonized model minority body is mutually and reciprocally implicated in the production of immigrant delivery workers. In other words, doing this participatory action research (PAR) work with immigrant delivery workers is not about narrow pursuits for justice and freedom, but rather about collective projects of liberation, healing, and enacting love.

In this collective work, I focus the PAR work on the concept of han, a Korean word that describes collective transgenerational feelings and experiences of mass trauma and oppression. To resolve han is to enact collective love and healing. It is to approach wholeness. I once asked a massage therapist why it felt so good to rub on painful and sore muscles. She replied that when we ignore pain, it does not simply go away. Pain needs to be released and pain is the body’s call for attention and healing. When we ignore pain, the body compensates by going numb to partially protect ourselves, but the pain remains and becomes ever more knotted over time with inattention. Collective trauma and oppression sit and stagnate in our bodies and thus beginning
to address han is to start to give attention to our traumas, which can feel like a dam bursting with torrents of pains unleashed. Transformative processes are necessary as Grace Lee Boggs (2012) describes:

Even though justice is on our side, we recognize that we are also products of this society. That is why we make sure that the methods we use in our struggles are transforming ourselves as well as our opponents into more human human beings. (p. 100)

As such, resolving han requires three steps for releasing collective pain, which involve naming oppressions and traumas, gaining community recognition of these named oppressions, and altering systems and structures to undo oppression and heal trauma.

**Step One: Naming Oppressions and Traumas**

This dissertation most reflects the first step of resolving han by naming oppressions and traumas. By centering immigrant worker voices and experiences in combination with the work of the PAR team and Delivering Justice Coalition, we have been naming and characterizing the nature of entangled structural oppressions that produce traumas in food delivery work in New York City (NYC). In Chapter 3, I describe our work to understand how echo chambers of privilege and whiteness exclude immigrant delivery worker voices in crafting the media and public narratives about delivery workers themselves. The processes strategically treat workers as hyper-visible for transgression and invisible for inclusion within a scope of community, justice, and participation in city decision-making processes. Chapter 4 examines how NYC’s food delivery conditions produce worker disposability through neoliberal processes and structures of transmigratory experiences and subjectivities, the business of restaurants and food delivery, informal labor conditions, and worker subjectivities in relations to each other and customers. These conditions compel immigrant workers to use electric bikes (e-bikes) to resist disposability and maintain transnational survival and advancement. Chapter 5 explores how the demands of speed in
delivery work collide with the security and safety demands of public streets filled with the collective traumas of automobility within a regime of cumulative irresponsibility. By riding bicycles and e-bikes in service of speedy deliveries, the bodies and mobility of immigrant delivery workers transgress social conceptions of security, borders, and order. By failing or being unable to address the structural traumas of transnational migration, labor conditions, and unsafe streets that underpin food delivery, the NYC government resorts to law and order to address public outcries about disorderly delivery workers. In Chapter 6, I describe how NYC shaped its commercial cycling and e-bike laws along racial and class lines to exclude immigrant delivery workers from legality and subject them to hyper-surveillance and policing. These actions are also in large part a revanchist response. Finally, in Chapter 7, I share delivery workers experiences of broken windows policing that dehumanize and push workers to a breaking point. By naming these oppressions, a community of resistance began to coalesce.

During the course of the work, I have also worked on naming my traumas and oppressions that haunt my body. Many of them intersect and are knotted within the experiences of the workers. Doing this work of naming is to examine and understand my body and understand why I hate parts of myself. As I spoke in Chapter 2, this process of naming helps me understand that I need help and care. To name our oppressions and traumas is to render legible desire paths to take us forward toward healing.

**Step Two: Community Recognition for Named Oppressions**

Gaining community acknowledgment for named oppressions is a difficult and necessary step. This step involves having the voices and stories of those oppressed heard and recognized by the whole community. In this dissertation, our PAR team and Delivering Justice Coalition has worked with delivery workers to help them be heard in English language media. As Chapters 3
and 7 describe, this work has shifted the public narrative and has expanded our coalition by helping the larger NYC community aware of the systematic conditions of food delivery and humanizing stories and experiences of workers. In a recent example, Brian Lehrer of WNYC interviewed Zhu Xian, a Chinese immigrant delivery worker, about his experience of delivery work and e-bike policing (WNYC, 2018). This is the same radio show whose episode with Matthew Shefler provoked Mayor de Blasio’s crackdown on e-bikes. In Chapter 7, I also talk about how our coalition serves as a liminal desire path to help provide and amplify access across boundaries for worker voices to be heard in City government, at rallies and protests, and townhalls. Part of this work is also about expanding our community of resistance and healing. Beyond New York City, I found support, healing, and love through The Untokening, a community of mobility equity activists and scholars across the country. Through the PAR team, the Delivering Justice Coalition, the Collective of Critical Transport Scholars, and The Untokening, we could build off of each other’s work and most importantly, not feel alone. This work is still in progress, but a community of resistance and healing with workers is growing.

Naming our traumas is one thing but having the will to assert our right to be heard and recognized is to affirm our humanity. In the past several years, my body has been plagued by gout, which is a condition where painful swellings erupt in extremities and joints such as toes, feet, wrists, fingers, and so on. Gout is a condition called “the rich man’s disease” for being caused by a rich diet, heavy in red meat, alcohol, and other such food. For me, this manifested as such intense pain that for many days, I could hardly walk and leave my home. Even under “normal” conditions, I regularly felt discomfort walking. I rationally knew I had a problem, but I emotionally kept denying that I needed or deserved help. Having gout feels shameful as my parents had childhood traumas from always feeling hunger while growing up in and after the
Korean War. Through therapy, I came to also realize that the traumas my parents experienced meant that they stressed the material provision of life while struggling to provide emotional love. Often, one of the only ways I could discern and feel love from my mother while growing up was the pride she took in cooking and preparing for us sumptuous meals. At some level, accepting food meant feeling a bit of love that I desperately desired. Once I emotionally recognized this, I could allow myself to seek medical and acupuncture help to address my gout, which also meant restructuring my diet to eliminate red meat and alcohol. A year later, the pain from my feet has been released and I marvel at how much pain I endured. Looking back, I accepted the pain as “normal” in large part because I thought I deserved the pain.

**Step Three: Changing Systems and Structures**

The final step of resolving han is to enact love through collective reparations that change systems and structures into ones that undo oppressions and heal traumas. This dissertation touches lightly on this topic. I discuss the idea that naming and recognizing structural oppressions illuminate desires paths as discussed in Chapter 7. Desire paths demonstrate the transgression and “disorder” can produce novel ways of being in the world. If we are to undo structures of oppression, we cannot do so within the boundaries of these structures, we must transgress these confines to find other possibilities. In this way, intersectional work also transgresses the categorizations produced by oppressive systems. In this dissertation, I discuss how naming and recognizing the trauma and oppression of e-bikes policing has provoked a community of resistance that is rendering legible a desire path that could help make worker e-bikes legal through a conversion process. This is not an ideal solution nor a structural alteration to the underlying conditions of labor, transmigration, and streets that produce food delivery. But it is
stepping out on a desire path outside the boundaries of the prescribed paths into one yet defined and filled with unforeseen possibilities.

At a recent public event at The Asia Society, one of our PAR team members, Xiaodeng Chen, a former delivery worker, shared his immigration story (Figure 8.1). Xiaodeng told his story of how the economic coercion of transmigration separated him from his mother for years while he was a young child in China. He yearned for attention to his pain from this separation. When he came to the United States, Xiaodeng worked as a delivery worker to make ends meet. He described his experiences of delivery work of being excluded, having doors slammed on his face, and having his pain ignored by drivers who hit him while biking. He spoke of yearning for a sense of belonging. But then, he said he joined our PAR team and through this work, he has begun to understand what has happened to him. Xiaodeng said he has been forging a new path of healing, one he could not have anticipated and one where he could share his story on this stage.
Writing and Riding into my Han

In the dead of the night in March of this year, a cry of familiar agony pierced my slumber. As I blinked into consciousness, I heard Jennifer repeat endlessly, “Oh no, oh no, oh no.” I lay frozen in bed for a long moment as I recognized these sounds from Jennifer twice in the preceding two years when we lost Rohan at 20 weeks and Nadia at 23 weeks into pregnancy. After a paralyzing moment, I rushed to the bathroom where Jennifer showed me tissue soaked with bright red blood. Feeling entangled in a recurring nightmare, we went through the motions in traveling to the hospital while preparing ourselves to say goodbye to our baby at 17 weeks into the pregnancy. In the taxi, I held Jennifer’s hand and flashed back to the still moment when the doctor told us solemnly that Rohan had no heartbeat. My floating body also returned to the moment when the doctor told us that Nadia was still alive, but they could not save her. During the cab ride, my mind played these nightmare scenes on an endless loop. I kept thinking, “This again?” Weeping and holding a dead baby in our arms as we could feel the body grow colder. Calling our parents. Struggling with Jennifer in the face of a tsunami of heartache, shame, anger, and guilt. Going to a funeral home to make arrangements for our baby’s remains and being recognized by the funeral home director. Bringing my body back to the present, I wondered without hope, how will we survive this pain?

At the hospital, an obstetrician examined Jennifer and we waited with bated breath for the bad news. The doctor’s hand came away bloody, but in a stunning moment, the doctor told us that the bleeding had largely stopped, and that Jennifer and the baby might be okay. Throughout the long day, after each test and examination, disbelieving and burgeoning hope took hold in our bodies. We began to realize that despite the seeming familiarity of preceding tragedies, things were turning out different this time. We cannot know if our interventions made a difference this
time or not, but all we knew was that our baby was still alive. Leaving the hospital that day, I felt raw as rekindled traumas flowed throughout my body. In the midst of our exhaustion, we held onto something new, a hope that despite the familiarity of prior events, we could not control or predict the future.

To hope in the words of Rebecca Solnit (2016) is to embrace uncertainty about the future. This uncertainty is not about naive optimism nor fatalistic pessimism as both presumes a fixed future. Thus, to hope is to be vulnerable to the (im)possibilities of life that bring both miracle and tragedy. As I pedal my bike and feel the city, I feel vulnerable as a man, which makes me uncomfortably confront what kind of man I want to be, rather than the man I should be. In many ways, reflecting on my manhood also makes me think about what kind of dad I’d like to be. I rest my hand on Jennifer’s swelling belly to feel the baby kick and remember that it is okay to feel hope and desire.

Hoping without naivete, I feel the echoes of grief from my ancestors before me in a brutal Japanese colonial occupation that sought to erase Korean language and culture, the genocide experienced in the Korean war, the division of Korea by more powerful countries, and structures of class-based and other oppressions within Korean society and its diaspora. To hope without naivete is to name and acknowledge how past traumas act with force in our lives so that we can attend to our collective pain. Complementarily, to hope without fatalism is to struggle to enact collective care by reshaping our structures knowing that nothing is inevitable, and nothing remains permanent. In this way, to hope is to know how we came to be and that things can and will be different.

In a recent essay, I capture this feeling of hope in my cycling practice:

When I bike to the Graduate Center in midtown Manhattan from where I live in Queens, I have to cross and climb the Queensboro Bridge. This climb involves something like 130 feet within a half mile and on hot muggy summer days, I’m breathing and sweating hard
as I pedal. With every leg pump, the N subway train thunders along parallel to me for a moment before disappearing under the river. With each pedal, the East River flows quietly below and while the skyscrapers of Manhattan loom ahead. With each revolution, I’m breathing hard from both East River air on my right and the exhaust of the idling car traffic to my left depending on which way the wind blows. As I struggle and reach the crest of the bridge, I wipe aside the salty streams pouring down my face as my legs burn with something that belongs in the space between pain and joy. (Lee, 2018, p. 54)

I began this work with my fear and pain. I still fear, and I am still releasing pain. I now can accept and release the fear and pain as part of my wholeness in enacting practices of love and hope. So, I will keep writing in our collective project of decolonization and healing.
Appendix

I. Employment

1. What neighborhoods do you deliver food in? (if you do not know the neighborhood name, list the cross streets of the restaurants): ____________________________________________

2. How long have you been delivering food? ____ years

3. How many hours did you work in your last workweek? ______________
   a. How much money did you make in your last workweek? $__________

4. How many deliveries did you do in your last workday? ☐ 1-10  ☐ 11-20  ☐ 21-30  ☐ 31-40  ☐ 41+

5. What delivery vehicle do you primarily use? ☐ Bicycle  ☐ Pedal-assist electric bike  ☐ Throttle electric bike  ☐ Scooter or moped  ☐ Other: __________________________

6. How does your experiences as food delivery worker affect your personal or home life?

II. Policing

7. Do you agree with the following statements about policing:
   Strongly Agree  Agree  Disagree  Strongly disagree  N/A
   The police make it safer for me to ride in the street. ☐ ☐ ☐ ☐ ☐
   The police treat me fairly. ☐ ☐ ☐ ☐ ☐
   I feel fear when I see the police. ☐ ☐ ☐ ☐ ☐
   The police treat me badly because I don’t speak English well. ☐ ☐ ☐ ☐ ☐
   The police target me because of my race or ethnicity. ☐ ☐ ☐ ☐ ☐
   Wearing a reflective vest makes me a more visible target for policing. ☐ ☐ ☐ ☐ ☐

8. How many tickets or court summonses have you received from the police for each of the following violations?
   In the past year?  In your entire time in New York City?
   Riding on the sidewalk  ☐ ☐
   Electric bike  ☐ ☐
   Red light violation  ☐ ☐
   Not wearing a helmet or reflective vest  ☐ ☐
   Riding the wrong way on a street  ☐ ☐
   Not having bike lights or a bell  ☐ ☐
   Failing to yield to a pedestrian  ☐ ☐
   Having no documents  ☐ ☐
   Other (please explain): ____________________________________________

9. How much have you paid in fines?
   ☐ $0  ☐ $1-100  ☐ $101-250  ☐ $251-500
   ☐ $501-1000  ☐ More than $1000

10. How many electric bikes have the police confiscated from you?
    a. How much did these electric bikes cost you? $__________

11. How many days have you spent in jail for not having documents? ________ days

III. Road safety/Conditions

12. How many times have you had a crash with a car? a. In the past year: ______. b. Total # of crashes: _______.

13. How many times have you been in a crash with a pedestrian while delivery cycling? ____________

14. How many times have you been robbed while delivering food? ____________
   a. How many times have you been physically assaulted while on a delivery? ____________
   b. How much money have you lost when robbed? $__________
   c. When you are robbed or assaulted, have you called the police? ☐ Every time  ☐ Sometimes  ☐ Never  ☐ N/A

15. How much time have you missed due to a work injury in the last year? ________ months & ________ days
   a. How many days per week do you have aches/pains at work? ☐ 5-7 days a week  ☐ 2-4 days a week
      ☐ Once a week  ☐ Less than once a week  ☐ Never
   b. How much did you spent in the last year in medical costs because of work-related injuries or health
problems? ☐ $0  ☐ $1-100  ☐ $100-250  ☐ $250-500  ☐ $501-1000  ☐ More than $1000

<table>
<thead>
<tr>
<th>Wearing a reflective vest</th>
<th>Much safer</th>
<th>Safer</th>
<th>A little bit safer</th>
<th>No impact on safety</th>
<th>I don’t wear or have this item.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wearing a helmet</td>
<td></td>
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<td>Bike lights at nights</td>
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<tr>
<td>Having a bell</td>
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IV. Workplace Conditions

17. Which of the following working conditions have you experienced as a food delivery worker? (check ALL that apply)
☐ I use my own bike/vehicle  ☐ I pay for my bike/vehicle maintenance  ☐ Verbal abuse  ☐ Physical abuse  ☐ My employer threatened me with my immigration status  ☐ My pay was penalized unfairly  ☐ Did not get paid on time

18. From your restaurant, do you receive Workers Compensation, which is insurance for wages and medical care if you get hurt or sick because of your work? ☐ Yes  ☐ No

19. What percent of your promised pay do you receive from your employer?
☐ All  ☐ Most  ☐ More than half  ☐ Less than half  ☐ None

20. Do you get the tips when orders are paid by credit card?
☐ Yes  ☐ Some of the tips  ☐ None  ☐ I get some tips but I am unsure if I get all the tips  ☐ Not applicable

21. In your last work day, how many customers did not give you a tip because they thought the delivery took too long? ___________.

22. Are you part of a union? ☐ Yes  ☐ No  a. If yes, which one? ________________________________

23. Which of the following work equipment do you have to pay yourself (not the restaurant)? ☐ Bike/Vehicle  ☐ Bike lights  ☐ Maintenance for Bike/Vehicle  ☐ Delivery bag  ☐ Reflective vest  ☐ Bell  ☐ Locks  ☐ Cell phone use for work
   a. How much do you pay for this equipment in a year? ☐ $0  ☐ $1-50  ☐ $51-200  ☐ $201-500  ☐ More than $500

V. Demographics

1. Age: ________ years

2. Gender: ☐ Male  ☐ Female  ☐ Other: ________________________________

3. How well do you speak these languages:  Excellent  Good  Some  A little  None
   a. Spanish
   b. Mandarin Chinese
   c. English
   d. Other: ________________________________

4. Race/Ethnicity (check ALL that apply): ☐ Black/African American  ☐ Afro-Caribbean  ☐ African  ☐ Middle Eastern  ☐ White  ☐ Latino/a or Hispanic  ☐ Chinese  ☐ Non-Chinese Asian, South Asian or Pacific Islander  ☐ Native American or American Indian, Alaskan Native  ☐ Other: ________________________________

5. Immigrant Status: ☐ Born in the US  ☐ Born outside the US but am a citizen or have a green card  ☐ Born outside the US and do not have a green card  ☐ Other, explain: ________________________________
   a. If you were born outside the US, how long have you lived in the US? _______ years.

6. Education: What is the highest level of education that you have experienced? (check only one):
☐ None  ☐ Elementary school  ☐ Middle school  ☐ High School  ☐ College  ☐ Graduate School

7. Do you have a New York City ID? ☐ Yes  ☐ No

8. What neighborhood (or area) do you live in? ________________________________

9. Any other comments? ________________________________________________

THANK YOU for taking this survey! Please give us the survey now or put the completed survey in the included stamped envelope and just put the envelope with the survey in a mailbox.
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