DECARCERATING TRANSPORTATION

A MOBILITY JUSTICE FRAMEWORK

APTP
ANTI POLICE-TERROR PROJECT

ABOUT ANTI POLICE-TERROR PROJECT (APTP)

The Anti-Police-Terror Project (APTP), launched in Oakland in 2010, evolved from a previous collective called the ONYX Organizing Committee. APTP is a Black-led, multiracial, intergenerational organization that builds replicable and sustainable models to eradicate police terror in communities of color and create healing justice and community-led public safety. Carceral-system-impacted Black women primarily lead our work. APTP is a central resource for building local power and providing accessible healing justice resources that address the intersectional issues impacting communities of color.

With our leadership spearheading the Defund movement in Oakland in 2015, which exploded into a national demand, our work has moved resources out of local police budgets into interconnected movement resources that build local power, create alternatives and policy recommendations that keep people safe and meet community needs including alternatives to the prison industrial complex, access to fresh food, and other healing justice resources. We continue to create replicable models and redirection of resources with the creation of Mental Health First in Oakland and Sacramento, and our communications strategies have successfully impacted the local, state, and national public narrative toward a need for redirecting community resources toward healing justice, root cause interventions, and trauma response.

APTP supports and empowers families surviving police terror in their fight for justice, documents police abuses, and connects impacted families and community members with resources, legal referrals, and opportunities for healing through our community hub in Oakland, The People's House.

HONORING VICTIMS OF TRAFFIC ENFORCEMENT

We dedicate this report to the lives affected and taken by law enforcement in the context of traffic and mobility enforcement. We grieve for the individuals and their families. Police in the US have killed over 900 people during traffic stops between 2013 and 2023, according to Mapping Police Violence. Many more have been harassed and brutalized. We also honor the at least 11,367 lives of drivers and bystanders lost due to police chases since 1979.

LIMITATIONS

Interviews were not conducted as a part of the research, leaving out first-hand accounts. The report focuses on the carceral system's connections to transportation and mobility within Turtle Island (United States).

Antwon Davis lights candles at a memorial for Daunte Wright in Brooklyn Center, Minnesota.
Photograph: Stephen Maturen/Getty Images

Robert Brown, Johnny Lee Wood, Jeremy Jackson, Tristan Clark, Name withheld by police, Mario Page, Tony Cox, Jose Peña, David Longoria, Marcos A. Cortez, Troy Anspaw, Scottie Stacy, Douglas Alan Phipps, Jason Campbell, James Salanoa, Steven Allen Lopez, Matthew Robert Williams, Skyler Wentworth, DeMarcus Brodie, Leandre Krushaun Houston, Peter Luna Lopez, Curtis Lindsey, Nicholas Bruington, Jafeth Torres-Diaz, Darrell Fowler, Donald Wayne Ball, Name withheld by police, Cameron Alan Eaton, Fleen Myles III, Zachary Wolffscott, Anthony Barnhill, Michael Grimes, Rudy Chavira, Darcel Edwards, Rasheem Edwards, Jorge Luis Santana-Ramirez, Leonard Cure, Richard Rodriguez, Jamie Grant, Emmanuel Millard, Name withheld by police, Name withheld by police, Thomas Bradley Evans, Michael Bajorek, Caleb D. 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Horton, Danny Ray Jackson, Alejandro Saucedo, Adrian Castillo, Alexander Parks Holland, Phillip Peinado, Daniel Ramone Scott, Chase Allan, Matthew Anthony Sansotta, Victor Lykins, Joe Michael Goss, Herman Lucas, Michael James Trask, Anthony Richmond, Glenn Edward Bays, Ryheam Damon Brown, Billy Dewayne Couch, Larry Malone, Nicholas Ciccarelli, Christopher Dearman, Jeffrey Lee Adair, Penisimani Halai, Christopher Temple, Jackie L. Haynes, Lehi Roller Mills, Scotty Helton, Tyre Nichols, Name withheld by police, William Allen Konkol, Damean Alexander Jones, Michael J. Hanna, Terry Bowman, Jaylin Keshawn McKenzie, Justin Ruddell, Jose Reza-Navarro, Mark Limon, Daniel Rivera, Johnny Lee Gonzales, Sunshine Foy, Justin Anderson, Billy Wayne Denton, Roberto Armijo, Phymor Tenry, Kenneth Scott Wallace, Payton A. Masterson, Jorge Miguel Lopez, Krysten H. 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LETTER FROM THE EXECUTIVE DIRECTOR

In July 2015, <u>Sandra Bland's</u> fatal encounter during a routine traffic stop, along with the emergence of Kimberly Crenshaw's Say Her Name campaign that highlighted the previously hidden numbers and names of Black women killed by police, sparked national outrage.

Bland failed to signal when changing lanes, and that minor infraction ultimately cost her life. In January 2023, a police gang unit pulled over motorist <u>Tyre Nichols</u> and beat him to death just feet from his mother's home, wherein he screamed for her to save him, sparking national outcry and rebellion. These incidents are not isolated; they echo a systemic problem that demands our attention and, more importantly, immediate concerted action.

Our report is not merely a compilation of statistics and case studies but an exploration of the economic and racial inequalities deeply embedded in our current approach to mobility. The brutal beating of <u>Marlene Pinnock</u>, a Black great-grandmother, by the California Highway Patrol (CHP) on the side of a freeway and the murder of <u>Edward Bronstein</u>, who seven CHP dogpiled and killed, highlight the need to dismantle a system that disproportionately impacts Black, Indigenous, and people of color (BIPOC) and economically disadvantaged communities.

Historically, armed policing has been the default solution to traffic safety concerns. This, however, perpetuates racial profiling, exacerbates societal disparities, and, at times, results in violent death.

Critically, armed traffic enforcement is not an effective solution.

Our report advocates for a paradigm shift through the Seven D's of Mobility Justice, emphasizing justice, equity, and infrastructure-based solutions to create safe roads and reduce engagement with law enforcement. The stark contrasts in approaches to road safety between affluent and impoverished communities underscore the need for an equitable approach.

Our vision and values, outlined in this report, empower communities, grassroots groups, policy advocates, and government agencies to create a future where mobility is accessible to all, regardless of identity or social status. We prioritize historically over-policed communities and advocate for life-affirming policies that reject discriminatory, violent, and often deadly practices. This report is not just an exploration of the issue but a call to action.

With hope and in service,

Cat Brooks,
Executive Director of The Anti Police-Terror Project
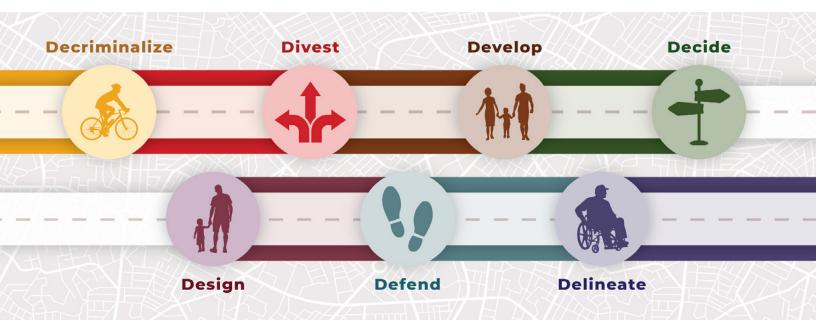
EXECUTIVE SUMMARY:
A ROADMAP FOR POLICE-FREE TRANSPORTATION

Decarcerating Transportation, the Seven D's of Mobility Justice Framework, is a roadmap designed to raise awareness of the deep ties between the criminal legal system and public transportation in the United States.
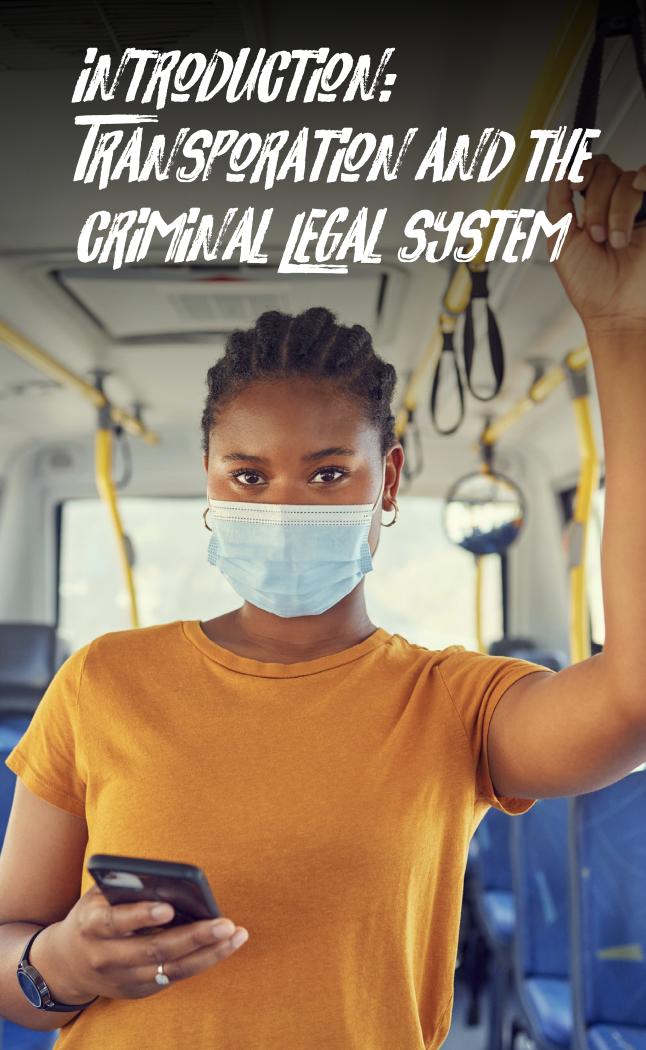
The intersection between the transportation and criminal legal systems has a long, sordid history, encompassing a range of discriminatory practices and policies that disproportionately impact marginalized communities, particularly those who are low-income, BIPOC, undocumented, unhoused, facing mental health crises, LGBTQIA, or people with disabilities.

Developed by transportation equity and racial justice advocates, the report offers expertise from a holistic perspective. The framework covers critical issues ranging from enforcement technologies to the criminalization of movement. It is intended for governments, transit agencies, federally designated regional planning agencies such as Metropolitan Planning Organizations (MPOs), non-profits, impacted communities, organizers, and advocates seeking to advance mobility justice.

This framework applies to all forms of mobility, including active transportation, public transit, and car-based travel, offering a multi-faceted strategy to decarcerate mobility. This report is rooted in a legacy of advocacy like that of the Black Panther Party, whose first act was to install a stoplight and create safe ways for Black people to cross an intersection where children had died, and the city had ignored them. For centuries, communities of color have faced significant negative impacts when driving, walking, cycling, or riding public transit.

Decriminalize   Divest   Develop   Decide

Design   Defend   Delineate

DECARCERATING TRANSPORTATION:
A MOBILITY JUSTICE FRAMEWORK

INTRODUCTION: TRANSPORATION AND THE CRIMINAL LEGAL SYSTEM

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TRANSPORTATION AND THE CRIMINAL LEGAL SYSTEM

The intersection of mobility and the criminal legal system has deep historical roots that demand heightened consideration in transportation planning and policy sectors.

The array of penal codes governing mobility is a testament to this connection.

The legacy of discriminatory measures such as "sundown towns," which curtailed the movement of Black people after dark, and the segregation policies of the Jim Crow era that confined Black people to the back of the bus vividly illustrate this link. City planning deliberately hindered buses from accessing white neighborhoods by circumventing bridges, while practices like redlining and eminent domain perpetuated neighborhood segregation. Freeways were intentionally routed away from white neighborhoods that opposed them, often passing through communities of color without consultation. Federal public housing projects also enforced racially specific mandates that segregated Black communities, concentrating poverty in Black communities and restricting access to opportunities in other areas. The impacts of these policies last today with increased environmental pollution, safety and transit infrastructure neglect, and high policing rates.
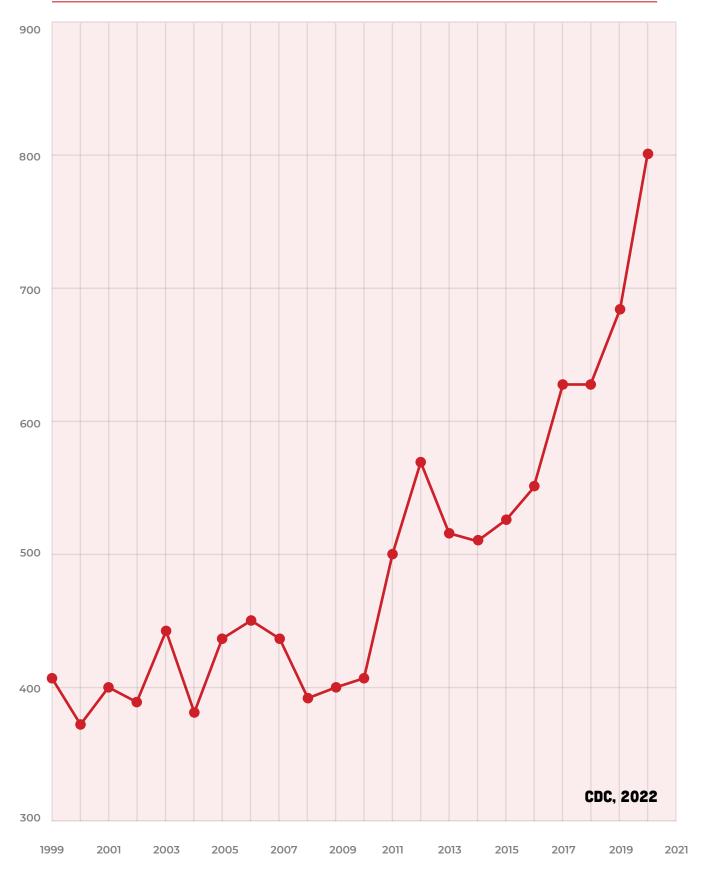
In California, the policing of people in public spaces worsened when the 1849 legislature defined "vagrant" as someone moving without a lawful purpose, imposing harsher penalties on non-white people by sentencing them to labor on road construction projects. Discriminatory policies also targeted Indigenous people, leading to forced labor through the 1850 Act in California, which facilitated the removal of Indigenous people from their lands, separating generations of families, languages, and cultures between 1850-1865. This act allowed for indenturing Indigenous children and adults to white people for labor and penalized "vagrant Indians." Building on this, in 1867, San Francisco passed "ugly laws" that punished people with disabilities for "appearing diseased, maimed, or deformed in public places." These policies policed the ability of BIPOC and individuals with disabilities to exist and move in the public realm.

Nationally, in 1865, Black Codes were used to detain Black people for minor infractions like curfew violations or loitering. This systematic approach led to the incarceration of thousands across the country, subjecting them to deplorable conditions and death through convict leasing. Prisons leased out Black people to private enterprises, forcing them to construct railways and upkeep roads. Marginalized groups, like Chinese immigrants, were also exploited through meager wages and hazardous working conditions during the construction of railroads. A portion of the nation's infrastructure, encompassing present-day roads, railroads, and levees, was erected through the coerced and inhumane labor of BIPOC, low-income, disabled, and other marginalized communities. Yet, these same communities are most neglected under the current transportation system. Police forces increased from 1910 to 1930, nearly doubling when automobiles were sweeping the nation, demonstrating the widespread use of traffic enforcement.

Today, this entwinement between the criminal legal system and transportation persists through racist urban planning decisions, criminalization of mobility, and traffic enforcement that disproportionately targets BIPOC communities. This pattern is so deeply ingrained that terms such as "Driving While Black" and "Walking While Black" are used as shorthand for the racist impacts of these practices, which have ripple effects beyond the trauma and harm caused in the immediate moment.

Recognizing and dismantling this link between transportation and the criminal legal system is paramount in pursuing a more equitable transportation and mobility landscape. Too often, marginalized communities find themselves arbitrarily ensnared in the criminal legal system or, worse, subjected to violence and death at the hands of law enforcement while exercising their fundamental right of unrestricted mobility.

CIVILIANS KILLED BY LAW ENFORCEMENT IN THE US 1999–2021

CDC, 2022

2

DECARCERATING TRANSPORTATION CREATES MOBILITY AND ACCESS

DECARCERATING TRANSPORTATION CREATES MOBILITY AND ACCESS

Decarceration seeks to break free from punitive systems and redirect our focus toward cultivating life-affirming resources and thriving communities.

Advocating for a departure from punitive measures that penalize individuals for systemic issues, this approach calls for removing police from public transit and traffic enforcement while simultaneously emphasizing the need for universal accessibility to public transportation and an end to punitive systems involving fines and fees that further exacerbate financial insecurities of marginalized communities.

Decarceration, at its core, is part of the mission to eliminate state violence and control, a notion that extends beyond policing and prisons to all areas of society, including transportation. Initiatives aligned with decarcerating transportation are gaining momentum across the nation. Examples include implementing unarmed transit ambassador programs, providing fare-free public transportation to eliminate fare enforcement, decriminalizing jaywalking, and prohibiting pretextual stops. Transportation is a lifeline for marginalized communities to access employment, education, healthcare, social relations, and more. Decarceration necessitates transforming transportation into a reliable, safe, affordable, and inclusive resource that bolsters the well-being and mobility of all people.

This framework highlights the notion that equitable transportation is inherently intertwined with decarceration and emphasizes that decarceration is not just compatible with public mobility; it is essential for its success.
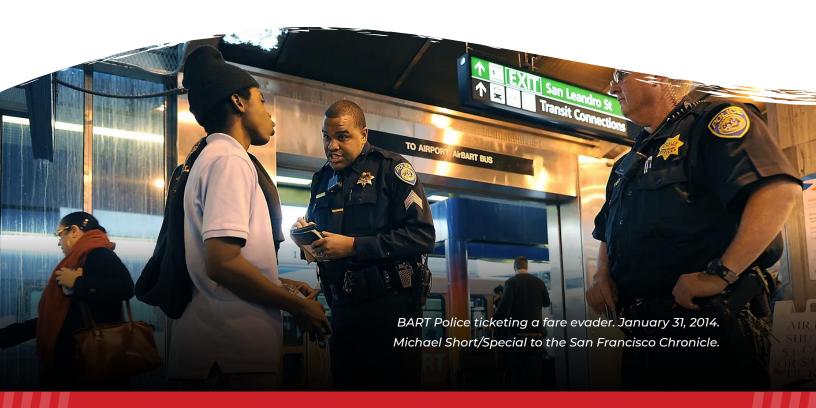
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A PRIMER ON THE CRIMINALIZATION OF MOBILITY

A PRIMER ON THE CRIMINALIZATION OF MOBILITY

The term 'carceral' denotes practices that utilize and normalize punitive responses to harm, often attributing the root causes of problems to individuals and subjecting them to isolation and punishment.

This approach hinders a systemic understanding of the origins of the issues at stake, which include overt state actions, such as police violence, as well as less visible policies that endorse punitive approaches, such as the enforcement of transportation-related penal codes and the racially motivated use of built design to confine communities of color. Infrastructure decisions, urban planning, and zoning regulations have been employed as tools to advance systemic racism, creating barriers that disproportionately affect marginalized communities.

The policing of mobility amplifies these disparities. For instance, young people may face unwarranted scrutiny for waiting at dimly lit bus stops at night and cited for "loitering." In other cases, individuals may be subjected to unnecessary questioning when crossing the road or pulled over merely for hanging an air freshener from their car's rearview mirror.

These racially motivated practices not only restrict access to transportation but also contribute to a broader narrative of social control and marginalization. The intertwining of punitive approaches with transportation policies and racially motivated design choices reinforce existing disparities, limiting the mobility and opportunities available to communities of color.

BART Police ticketing a fare evader. January 31, 2014.
Michael Short/Special to the San Francisco Chronicle.
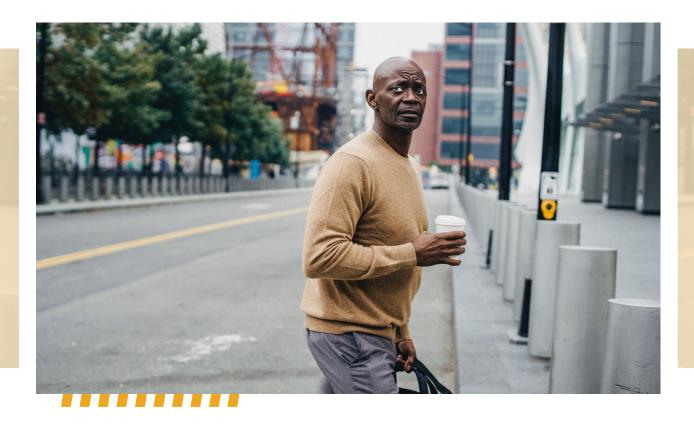
EXAMPLE: TRANSPORTATION AND RE-ENTRY

Public transportation is critical for people released from prisons and jails. The Urban Institute's evaluation of the Opportunity to Succeed program sheds light on the challenges faced by those trying to secure employment post-incarceration. Over a third of respondents reported difficulties obtaining a car for work, which limits job opportunities and affects economic prospects.

The inability to commute restricts individuals from accessing employment, hindering their chances of breaking free from the cycles of poverty and recidivism. Additionally, mobility is crucial to those on parole. Navigating the post-carceral landscape involves checking in with a parole officer, accessing social services, and rebuilding social connections. The lack of access to transportation prevents individuals from accessing these critical needs, often a condition of their release.

Transportation, employment, and reentry struggles reinforce each other in a cycle of disadvantage for people seeking to rebuild their lives after incarceration. In other cases, unreliable transportation contributes to parole violations such as breaking curfew or being late to a parole appointment. The Urban Institute highlights the need to address transportation disparities as a component of broader efforts to promote reintegration, reduce recidivism, and foster equity. Nationwide, 45 percent of admissions to state prisons result from probation or parole violations. Many violations involve technicalities, such as curfew violations. Technical violations cost $2.8 billion; new offense supervision violations make up $6.5 billion in state costs. These figures do not account for the local costs of jailing people for these violations.

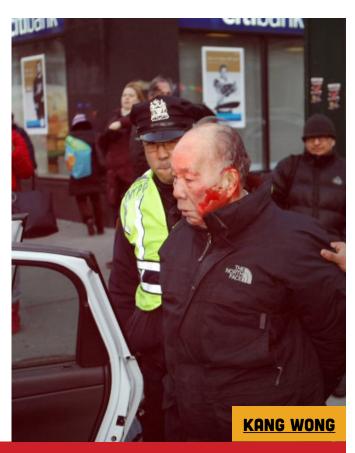# WALKING WHILE BLACK: ENTRAPMENT BY DESIGN

Before the rise of cars, pedestrians freely moved in public streets. This changed in the 1920s when cars hit the road. Pedestrian fatalities skyrocketed. The auto industry pushed back on attempts to reduce vehicle speeds, instead placing the burden of safety on pedestrians by inventing and criminalizing "jaywalking." The efforts from law enforcement that followed since have continued to police pedestrians. Criminalizing acts like jaywalking shifts blame onto individuals instead of addressing safety issues through improved infrastructure and systemic changes. A Federal Highway Administration (FWHA) study evaluated environmental factors and accurately anticipated pedestrian behavior in 90 percent of cases. FHWA expects that "pedestrian education and planning for shared road use will reduce pedestrian injuries and fatalities and ultimately increase roadway safety."

The lack of infrastructure investment can lead to increased chances of criminalization, as residents in low-income neighborhoods may resort to jaywalking or cycling on sidewalks due to a lack of proper infrastructure. The disparities in transportation infrastructure for pedestrians are stark. A 2012 study found that low-income communities often lack pedestrian-friendly infrastructure. High-income neighborhoods typically have sidewalks on both sides (89 percent), while middle-income (59 percent) and low-income (49 percent) areas have less. Regarding street and sidewalk lighting, 75 percent of coverage is in high-income areas, while middle-income and low-income neighborhoods lag at 54 percent and 51 percent,

respectively. The absence of these vital infrastructures in low-income communities results in higher pedestrian fatality rates, evident by the concentration of high injury networks in these areas.

These infrastructure inequities extend to traffic calming measures, which use physical design and other measures to enhance safety for motorists, pedestrians, and cyclists, particularly in residential and urban neighborhoods. Pedestrian-friendly features like marked crosswalks, medians, traffic islands, curb extensions, and traffic circles aim to promote safety and responsibility. Objectives of traffic calming include slowing vehicle speeds, reducing the frequency and severity of collisions, enhancing safety for non-motorized users, eliminating law police enforcement, improving the street environment, promoting environmental sustainability, facilitating access for various modes of transportation, and decreasing cut-through vehicle traffic.

Photo credit: G.N. Miller / NY Post.

KANG WONG

84-year-old Kang Wong was brutalized by police officers when he allegedly jaywalked and didn't comprehend their instructions to stop. Witnesses reported that Wong, who may not have understood English well, was escorted by police to a nearby bank for a ticket. While police were writing a ticket, Wong appeared to walk away as he did not understand what was happening. Officers attacked Wong, leaving cuts to his face. Police handcuffed and took Wong to the hospital before transferring him to the precinct.

High-income communities have more traffic-calming features than middle and low-income neighborhoods. These disparities in infrastructure intersect with and exacerbate racially biased enforcement practices.

For example, in Jacksonville, Florida, a ProPublica analysis found Black pedestrians were nearly three times more likely to receive tickets than non-Black pedestrians for jaywalking. This bias extends to dubious statutes that are not commonly enforced or common

knowledge to people in most cases. For instance, 78 percent of tickets in Jacksonville issued for "walking in the roadway where sidewalks are provided" went to Black pedestrians. This punitive system disproportionately affects people with lower incomes in Jacksonville, who are six times more likely to be ticketed for pedestrian citations. This harmful, disproportionate impact is repeated in other parts of the United States. The consequences of this enforcement are far-reaching, with unpaid fines leading to credit damage as one example.

RAQUEL NELSON

In 2010, Raquel Nelson, a Black Georgia mother, faced charges of criminal jaywalking and vehicular homicide in the hit-and-run death of her 4-year-old son. The incident occurred as Nelson and her kids crossed a busy street without a crosswalk, attempting to reach their bus stop along a four-lane, divided highway. Instead of walking a third of a mile to the nearest crosswalk and another third of a mile back to their apartment, Nelson walked her kids across the state road. A driver, Jerry Guy, killed Nelson's son in a hit-and-run and was sentenced to six months in jail. Nelson's case garnered public support, with over 125,000 signatures demanding a crosswalk at the site. The Cobb County area, where Nelson resides, was designed for car owners but has seen an increase in lower-income residents without cars. The case, with an all-white jury, raised questions about the lack of pedestrian accommodations and gained attention due to the injustice of charging Nelson.
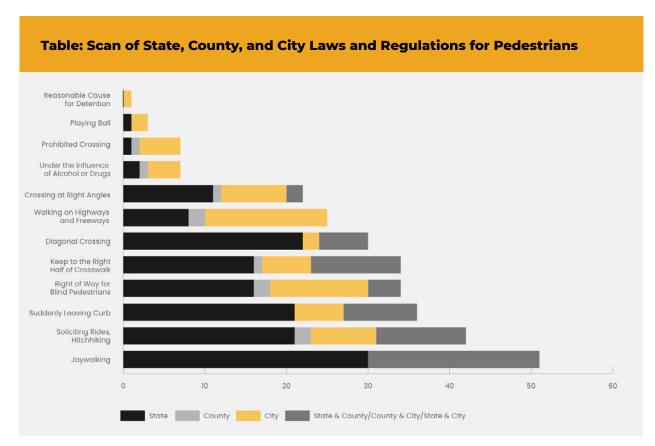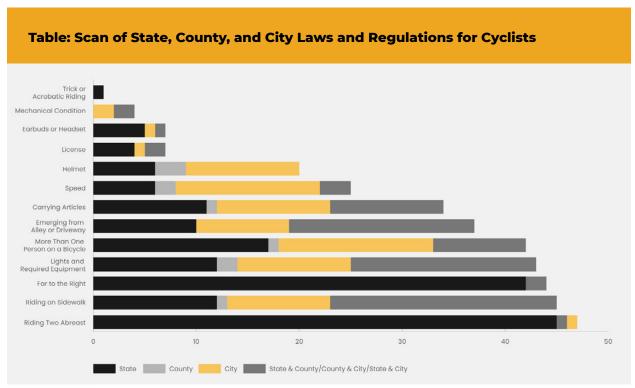
The Arrested Mobility report provides a policy scan of laws and regulations related to walking. It surveyed all 50 states, the two largest cities in each state, and selected counties across the United States. The scan reveals numerous laws that criminalize pedestrians, with case studies on how these laws are disproportionately applied to BIPOC, low-income communities.

Multiple incidents illustrate how law enforcement can escalate encounters. Orange County California Sheriff's Deputies shot and killed Kurt Andreas Reinhold after stopping him for allegedly jaywalking. This pattern is rooted in a history of CHP crosswalk sting operations that continue, where CHP officers go undercover and target pedestrians and drivers for minor violations. In 2015, 22-year-old community college student Eduardo Lopez was fined $197 for crossing a street in downtown Los Angeles

Table: Scan of State, County, and City Laws and Regulations for Pedestrians

Source: Arrested Mobility Report

when the sign flashed "Do not cross" with 10 seconds left on the crossing timer. LAPD records show a disparity in the citation rates for pedestrian violations across different divisions. Police issued 13,152 pedestrian citations in the downtown division over four years, more than three times more than in the next highest area, Skid Row and Boyle Heights, with 4,309 citations during the same period. Contrastingly, certain precincts issue fewer than 100 citations annually for the same violations. Downtown Los Angeles has higher pedestrian traffic than other areas, which may account for some differences; the magnitude of the number of citations in different precincts calls into question how factors like bias factor into pedestrian citations. These systemic practices compound the problem, leading to everyday police terror through violence against pedestrians and fines for jaywalking and other laws that police pedestrians.

Pedestrian deaths are alarmingly more prevalent in low-income neighborhoods due to deficient infrastructure, fewer crosswalks, and limited transportation options. Black and Indigenous people have higher rates of pedestrian fatalities on a per-capita and per-trip basis. This inequity reflects the inherent design differences in low-income communities of color: streets designed for travel at high speeds, without traffic calming, long distances between safe crossings, and zero-car households that rely on walking and transit.

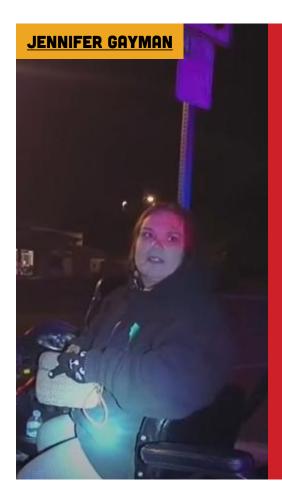# BIKING AND SCOOTING WHILE BLACK: RACIST MICRO—MOBILITY LAWS

Biking and scooting are forms of micro-mobility (a range of small, lightweight vehicles operating at speeds typically below 15 mph) used for various activities vital for daily commuting, recreation, and exercise. Despite their necessity and popularity, these modes of transportation are governed by varied regulations, with some focusing on safety, such as requiring helmet use, while others are arbitrary and ambiguous. The Arrested Mobility Report outlined 15 types of laws that govern biking. These laws range from registration requirements to riding a bike without hands and using earbuds.

Table: Scan of State, County, and City Laws and Regulations for Cyclists

Source: Arrested Mobility Report

The enforcement of these laws disproportionately targets Black people, revealing a pattern of racial violence against Black cyclists. A historical context is essential to understanding the systemic issues at play. In 1893, Jim Murray, the only Black cyclist in Macon, GA., was arrested for violating the city's new bicycle laws, marking the beginning of a pattern of racial violence directed at Black cyclists. This policing persists, exemplified by incidents involving Jordan Lloyd, Dalonta Crudup, Dijon Kizzee, and others. In 32 states, laws prohibit biking on sidewalks, even in areas without dedicated, safe, and protected bike lanes, to shield individuals from the consistent flow of hazardous, high-speed traffic and trucks on adjacent

roads. Due to the wide range of contexts in which a cyclist may bike on the sidewalk and variations in bicycle-safe infrastructure, such prohibitions can put lives in danger, as sidewalks may be the only safe option. Not only does this law increase unnecessary law enforcement confrontations, it also results in fatalities for cyclists.

JENNIFER GAYMAN

In 2018, Jennifer Gayman, an Oregon woman with disabilities, was riding an electric mobility scooter when she was arrested and charged with leading police on a low-speed chase after officers stopped her for riding the scooter on a sidewalk without a helmet. Police ticketed Gayman despite her informing them that her doctor prescribed the scooter, her sole means of transportation. Bodycam footage shows an exchange in which Gayman rode away after the officers issued the citation. They pursued her to her home, where police arrested her on suspicion of attempting to elude police, interfering with a peace officer, and disorderly conduct. Gayman was convicted of one felony count of evading a police officer and spent five days in jail. The Oregon Court of Appeals reversed Gayman's felony conviction, and the city paid Gayman $300,000 in damages. It will require its officers to undergo Americans with Disabilities Act (ADA) training.
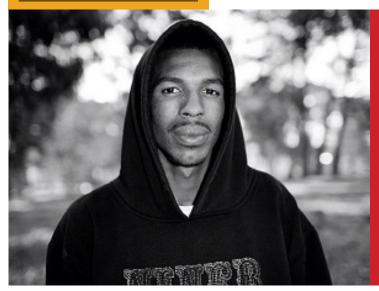
RONELL FOSTER

On February 13, 2018, Officer McMahon of the Vallejo, CA Police Department (PD) shot and killed 33-year-old Ronell Foster. McMahon attempted to stop Foster, a Black man, for riding a bicycle without a headlamp at night, leading to a foot pursuit into an alley. Police chased, beat, and tased Foster before shooting him seven times, including in the back. The City settled for 5.7 million dollars – one of the largest payouts for a police killing in San Francisco Bay Area history. The Vallejo PD is known as one of the most violent, corrupt, and deadliest law enforcement agencies in the country.

The lack of bike lanes is more prevalent in Black neighborhoods, contributing to disparities in enforcement and safety. For example, in New York in 2018 and 2019, police issued <u>440 tickets</u> for biking on the sidewalk. According to the NYC Department of Transportation, approximately 86 percent (374 tickets) went to Black or Latinx cyclists, who make up only 49 percent of the total cyclists in NYC. In contrast, white cyclists, who constitute 40 percent of all bikers, received just 9 percent (39 tickets) of the total tickets issued for sidewalk biking during the same period.

On the West Coast, an <u>LA Times investigation</u> found that out of the 40,000 bike stops between 2017 and 2021, Los Angeles Sheriff's Deputies searched 85% of riders they stopped, often while holding them in the back of a squad car. 7 out of 10 people stopped were Latinx. These stops have resulted in the loss of jobs due to being two hours late for an individual who spoke to the LA Times. The frequency of these stops varied across the county; the stop rate in majority Latinx South El Monte, for example, was ten times higher than in wealthier and much whiter Malibu. In other affluent areas, the numbers were even lower.

D'PARIS "DJ" WILLIAMS

D'Paris "DJ" Williams was a 21-year-old San Francisco City College student in 2013 when undercover police officers confronted him for riding his bicycle on the sidewalk. DJ did not hear the officers' commands due to his headphones and was grabbed from behind by the officers and brutally beaten, resulting in injuries that included a broken jaw.

With the increasing accessibility and popularity of e-scooters, e-bikes, and other forms of emerging micro-mobility, legislators are creating additional regulations to enforce and address activities associated with electric-powered micro-mobility. Concerns arise about extending bike laws to electric devices, exacerbating discriminatory enforcement as these laws' impacts are not thoroughly documented.
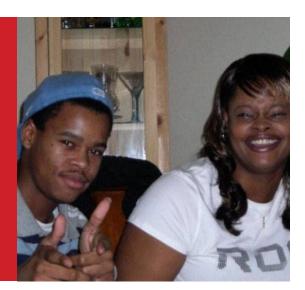
Legislators and regulators must ensure laws are rooted in genuine safety concerns and applied equitably across all demographics. These issues call for reevaluating regulations and enforcement practices, with a commitment to addressing underlying racial disparities and fostering a more inclusive and just environment for all micro-mobility users.

UNFAIR FARES: UNEQUAL TRANSIT FARE ENFORCEMENT

While there is a nationwide push to encourage the use of public transportation, costly fares, policing, and fare enforcement on transit systems counter these goals. Fare evasion can happen for several reasons, such as running late, broken fare machines, or simply insufficient funds to afford the fare. Up to 40 percent of city residents, according to a survey of transit riders in 10 cities, evade the fare at least once a year. Fare enforcement is a punitive approach that causes financial, physical, and emotional harm. For example, under current California law, fare evasion is classified as a criminal misdemeanor, punishable by up to ninety days in county jail, a $400 fine, or both. Additionally, fare enforcement can turn deadly. From New York to DC and the SF Bay Area, there are documented cases of fare enforcement that have resulted in police murder or unjust deportation. Police have taken lives over an unpaid transit fare.

KENNETH HARDING

In 2011, 19-year-old Kenneth Harding Jr. was fatally shot in the back by the San Francisco Police Department for alleged fare evasion. Police stopped Harding on a train, leading to a pursuit, during which they shot him and then denied him medical assistance. Local organizers referred to this as the "bleed out" policy. Despite being wounded and unarmed, Harding received no medical help for 28 minutes, with police preventing paramedics and onlookers from aiding him.

Studies show fare evasion enforcement disproportionately impacts low-income and Black riders. For example, BART gave 46 percent of citations to Black riders despite them composing only 12 percent of riders. Similar trends exist across agencies like the New York Metro or DC Metro. In New York, the enforcement intensity in high-poverty stations is over twice that of other stations, with 4.8 enforcement actions per 100,000 swipes compared to 2.2 elsewhere. This pattern is evident in fare enforcement practices across various transit agencies, as fare enforcement tends to concentrate in low-income neighborhoods.

Transit fares alone can impose a financial burden, with fare evasion often arising as a symptom of poverty. The fines for fare enforcement particularly burden low-income groups, as penalties make up a more significant portion of their income than those of wealthier groups. Law enforcement sometimes uses fare enforcement as a pretext for unrelated charges.

Police stopped Rodríguez on Aug. 29, 2017, while riding the Los Angeles Blue Line for failing to pay $1.75 to enter the train. He was then removed from the train to be questioned and searched by police. Police allege he gave the officer a fake name. Police then searched Rodríguez and said he found methamphetamine. Police allege that Rodríguez pulled away during the search, and the officer pinned Rodríguez between a platform and a train, killing him from the injuries.

Fare enforcement focuses solely on checking payments rather than addressing or ensuring safety. It diverts crucial resources away from safety concerns. Different agencies employ varied enforcement approaches, ranging from transit police to code enforcement staff, incurring substantial costs. Despite fare evasion rates typically falling between 3-15 percent of riders, the discrepancy between these low evasion rates and the high costs makes enforcement extremely inefficient. An example of this is New York's proposal in 2019 to hire 500 MTA police officers for $249 million over four years, a move purportedly to collect fares totaling only $200 million over the same period. More recently, in 2024, NYC Gov. Kathy Hochul deployed nearly 1,000 enforcement staff, comprising 750 National Guard members, state police, and transit officers, to conduct bag checks at some of the busiest metro stations. This trend calls for urgent action against increased policing and militarization in public spaces, jeopardizing mobility.
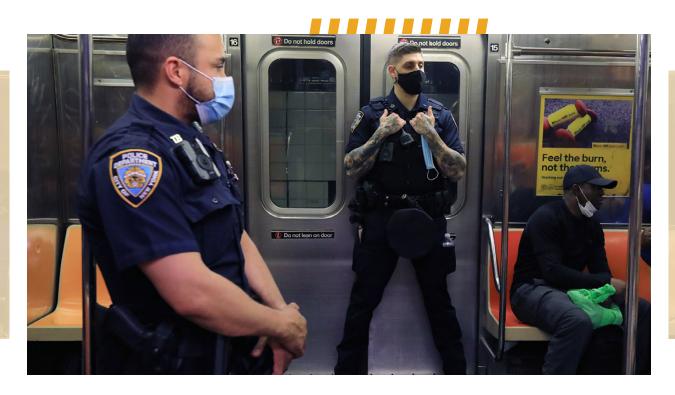
In 2015, 17-year-old Deion Fludd died due to complications from blunt trauma injuries sustained after a violent encounter with four NYPD officers. Fludd and his girlfriend were stopped at a subway station for suspected fare evasion. Fludd, on probation, fled upon realizing his arrest, fearing imprisonment. The officers pursued him, and according to the NYPD, he was hit by a passing train and injured. Fludd claims afterward, he made it to the next platform before being assaulted by officers, the source of his injuries. Fludd died 68 days after the arrest.

DEION FLUDD

Portrait of Deion Fludd at his mother's home. © Andrew Hinderaker

Allocating resources for fare enforcement is counterproductive, costly, and ineffective. Imposing fines for fare evasion strains local courts and administrative entities, as many fines go unpaid. In 2018, BART issued 6,800 payment citations, with 90 percent of individuals failing to pay. Furthermore, the procedures in the Superior Court for handling citations are confusing and cumbersome for riders and agencies.

Most transit agencies' funding to operate comes from local and state taxes, not fares, meaning that they do not rely on fare revenue to operate. On average, fares comprised 12.5 percent of transit agencies' operating expenses in 2021, a figure more pronounced in smaller agencies. This number is subject to change, particularly with the end of COVID-19 relief programs. This percentage varies based on the size and location of the transit agency; for instance, LA Metro projected that fare revenue would contribute 1.2 percent to its FY 2023 budget.

Transit agencies are reconsidering enforcing fares that criminalize rides by shifting towards fare-free public transportation. This eliminates the need for fare enforcement, boosts ridership, and speeds up boarding. Over 35 US agencies have eliminated fares, signaling a paradigm shift towards a more accessible transportation system. In cases where free transit is not possible due to budget constraints, others have removed criminal charges from fare evasion but maintain civil fines and enforcement through non-police code enforcement staff while adopting programs for low-income riders to have lower fine options or offering alternative methods to pay fines. Others may charge fares but remove punishment or citation for fare evasion altogether. These options move us closer to safer, more accessible public transportation.

DRIVING WHILE BLACK: PRETEXTUAL STOPS AND TRAFFIC ENFORCEMENT

Traffic enforcement on roads represents one of the most common interactions that civilians have with law enforcement, who can choose from hundreds of traffic code violations to make a stop and conduct a vehicle search. They do so with fervor and consistency. In some cases, law enforcement underlines fabricates violations with no way for civilians to disprove these claims.

Racial disparities in these stops are glaring, particularly in law enforcement interactions. A Stanford study of nearly 100 million traffic stops in the United States found that Black drivers were approximately twenty percent more likely to be pulled over compared to white drivers, even when considering their representation within the residential population. Despite the reduced frequency of stops during nighttime, attributed to the "veil of darkness," which makes it harder to distinguish race, law enforcement is statistically 1.5 to 2 times more likely to conduct searches on Black drivers compared to their white counterparts during nighttime stops. This disproportionality persists even when considering the lower rates of discovering evidence of criminal activity among Black drivers as opposed to their white counterparts. The practice of intrusive nighttime stops reflects and follows from the legacy of sundown towns. These law enforcement encounters can often turn violent or deadly, particularly for BIPOC communities.

Tyre Nichols - Mike Rafter

SKATE IN PEACE

TYRE NICHOLS

In California, while Black Californians make up only 6 percent of the population, they account for 14 percent of traffic stops. Out of 211,086 stops made in 2019 by California's fifteen largest law enforcement agencies, about 18 percent resulted in searches, 17 percent in detentions, and 7 percent in handcuffing. In some cases, officers aimed or used weapons that did not lead to enforcement or discovery.

In 2023, Tyre Nichols, a 29-year-old Black man, was pulled over by Memphis police for alleged reckless driving just minutes away from his home. Attorneys argue that body camera footage contradicts police claims, showing Nichols explaining he was going home from work. The footage reveals officers warning of violence and attempting to deploy a stun gun. Nichols broke free, leading to a brutal attack where officers kicked, struck, and used a baton on him. Nichols yelled for his mother and was screaming before being dragged and left slumped against a car for 20 minutes. Officers eventually attempted aid. Nichols died three days later.

Black and Latinx drivers are overrepresented in stops involving intrusive actions. These disparities in traffic enforcement have fatal consequences. On April 11, 2021, the Brooklyn Center Police Department in Minneapolis pulled over Daunte Wright, an unarmed 20-year-old Black man, for an air freshener hanging from his rearview mirror. Police shot and killed Daunte on the scene. Daunte's death is one of many examples of racial profiling, assaults, and killings of individuals, particularly BIPOC people, during "routine" traffic law enforcement activities. The criminalization of Black people makes it so that an act as simple as hanging an air freshener can lead to a deadly outcome. The murders of Walter Scott, Sam DuBose, and Teresa Gomez are painful reminders of what can result from these traffic stops.

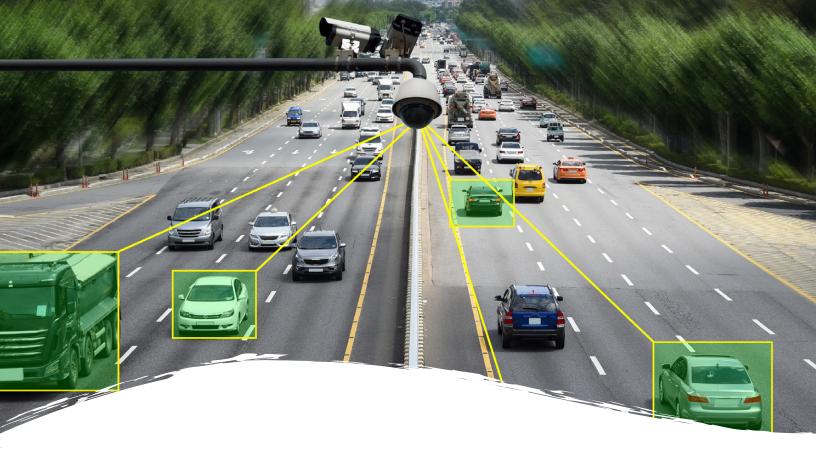## THE PSYCHOLOGICAL TOLL OF POLICING ON MENTAL HEALTH

BIPOC drivers and motorists are subjected to pretextual stops, affecting their mental and emotional well-being, which ripples through their communities. The experience of being pulled over generates persistent fear and compounds existing trauma within the community. Pretextual stops create a pervasive sense of vulnerability and threat to the community's well-being and safety, jeopardizing individual lives and contributing to an invasion of privacy for those pulled over. The trauma inflicted by these encounters manifests as detrimental effects on families and communities. The fear and anxiety associated with the possibility of being stopped— and the potentially life-threatening consequences that may result—create an atmosphere of stress that extends beyond the impacted individual. Incidents of police violence against unarmed Black individuals result in over 50 million additional mental health days annually among Black Americans.

Extensive academic and other literature underscores the harmful effects of these law enforcement interactions on physical and mental health. Dr. Arline T. Geronimus explains the vast consequences of this stress, known as "weathering," leading to accelerated aging, early onset of chronic diseases, infectious and autoimmune ailments, disabilities, and premature mortality, disproportionately affecting Black individuals compared to their white middle and upper-class counterparts. Research focusing on Black men reveals a correlation between heightened trauma and anxiety with increased police encounters. This correlation is tied to the frequency of police stops, the intrusive nature of these interactions, and the perceived injustice of police behavior.

4

TRANSPORTATION AND THE SURVEILLANCE STATE

DECARCERATING TRANSPORTATION: A MOBILITY JUSTICE FRAMEWORK

TRANSPORTATION AND THE SURVEILLANCE STATE

Over the past several decades, the explosion of public and private surveillance networks has afforded the state a comprehensive mass surveillance system through cameras at or on businesses, homes, vehicles, intersections, drones, helicopters, law enforcement, and more.

Automated traffic enforcement (ATE) technologies are increasing the traffic enforcement space. These ATEs include red light cameras, speed cameras, stop sign cameras, automatic license plate readers, and school bus stop cameras. In jurisdictions, fines and fees generated by ATE have become underline substantial revenue sources, which has raised questions about how ATE can be exploited as a revenue source. Across the United States, these systems are rapidly being implemented despite community pushback due to data privacy, surveillance, fines on low-income communities, and other concerns. In 2022, there was a 40 percent surge in speed camera programs compared to a decade before.

Automated speed enforcement (ASE) utilizes cameras to issue speeding tickets. These systems are typically placed in areas with high rates of speeding and traffic-related injuries, known as High Injury Networks. Cities mapping these corridors found these areas are disproportionately inhabited by people of color in low-income communities. These corridors directly result from decades of neglect of safe infrastructure, indicating the deliberate design of low-income neighborhoods.

ASE has a more pronounced impact in disadvantaged neighborhoods, where communities of color bear the brunt of speeding tickets due to the lack of traffic calming measures and safe street infrastructure. This places an unjust burden on low-income communities that are not responsible for the inadequate infrastructure contributing to road safety hazards. Even with equity strategies intended to mitigate harm, placing the burden of navigating bureaucratic systems on the communities most disproportionately affected by traffic violence causes additional harm when what is needed is infrastructure changes and other investments for a thriving, safe neighborhood.

Following the implementation of ASE in Chicago, households in predominantly Black and Latinx ZIP codes received tickets at twice the rate of those in white ZIP codes from 2015 to 2019 and three times the rate during the pandemic. This disparity highlights a concerning trend in automated enforcement systems, as they consistently target drivers in marginalized neighborhoods. In the District of Columbia, for instance, where photo enforcement constitutes 97 percent of citations and fines, drivers in Black-segregated areas were over seventeen times more likely to receive violations compared to those in white-segregated neighborhoods.

The disproportionate impact of enforcement on low-income communities can create a cycle of debt, the creation of criminal records, and other life-altering consequences. Annually, 25 million drivers receive traffic citations, and 86% of individuals burdened with court debts attribute traffic tickets as a contributing factor to their financial problems. As more ATEs are deployed, the percentage of ATE-related fines may make up many of these citations. Driving-related traffic ticket fines can lead to suspensions of driver's licenses, meaning people may resort to public transit to get around. This reliance on public transportation can result in increased encounters with law enforcement, especially as the use of law enforcement on public transit increases. Traffic-related interactions with law enforcement can create a vicious cycle where individuals are continually penalized for their inability to pay fines.

Increasingly, Vision Zero initiatives, a nationwide strategy to eliminate all traffic fatalities and severe injuries, endorse technology enforcing traffic such as ASE and automated license plate recognition (ALPR). These systems scan and run license plates across multiple law enforcement databases, sometimes called "hotlists," which include vehicles of interest, such as for an Amber Alert or a stolen vehicle. These cameras are placed in set locations and mounted on police cars. While there are arguments supporting the potential of these technologies to reduce road-related fatalities, similar outcomes could be attained through infrastructure investments and built design. This would not only curb enforcement and police interactions, surveillance, inaccuracies, and fines but also enhance road safety and create multi-modal access. This approach also eliminates the administrative fees associated with criminal enforcement and offers a lasting solution.

According to the Electronic Frontier Foundation, between 2018 and 2019, the 15 largest California law enforcement agencies engaged in data collection through license plate scans,

totaling 1.4 billion scans. Despite this volume, only 0.05 percent of these scans resulted in a match with a 'hot list.' It is crucial to note that a hit on a hot list does not necessarily indicate the commission of a crime; rather, it signifies a match with a flagged license plate. Furthermore, only a fraction of these matches— an even smaller percentage— translate into actual arrests or convictions. The Northern California Regional Intelligence Center, responsible for aggregating license plate data for law enforcement agencies in the region, reports a discrepancy in the accuracy of these scans. Depending on the system, approximately 1 to 10 percent of license plate hits are misreads. This is problematic in light of privacy concerns, corporate profits of personal data, and the aggregation and accessibility of massive datasets to law enforcement.

PATRICK LYOYA

In Michigan in 2022, Lyoya was pulled over by Grand Rapids Police and fatally shot. The officer, equipped with automated license plate readers, left his cruiser about 40 seconds after the dashcam started. He instructed Lyoya to stay in the car and later told him the license plate didn't match the car's registration. The attorney for the Lyoya family is raising questions about the legitimacy of the traffic stop that led to Patrick Lyoya's death.

In another case, an investigation in Clayton, Georgia, found automated speed cameras issued 1,200 false speeding tickets. This underscores the challenges and pitfalls of law enforcement's widespread license plate recognition technology use. Further, this data set is often stored and shared with other agencies beyond state borders, allowing law enforcement to track a car's movements without accountability. ASE is just one example of the use of technology and its intersection with the carceral system and transportation.

DENISE GREEN

In 2009, police pulled over and detained Denise Green, a Black woman in San Francisco, due to a license plate reader that misidentified her car as stolen. Despite noticeable visual differences and a lack of license plate verification, police proceeded to search and detain Green for approximately 20 minutes, having her handcuffed and on her knees. Green filed a lawsuit against the department, the city, and Sergeant Kim, accusing them of violating her Fourth Amendment rights. She claimed that the incident involved an unreasonable search, seizure, and arrest without probable cause, along with an inappropriate use of force. In 2015, San Francisco settled with Denise Green for $495,000.

Police stopped Zach Norris and his family after this license plate was swapped with one involved in an armed robbery. Despite being innocent, seven cop cars and armed officers surrounded Norris and his family. The police ordered Norris out of the car at gunpoint, put him on his knees, and handcuffed him. Although their encounter ended without further infliction of physical violence on Norris and his family, the incident demonstrates the harm from ALPRs.

ALPR is one of many technological developments at the forefront of the movement to modernize transportation. Despite their promise, many technologies lack comprehensive vetting or rigorous testing for potential technological flaws or unfavorable outcomes. In Oakland, police falsely pulled over privacy commissioner Brian Hofer at gunpoint due to ALPRs. We should not brush off these violent interactions simply because an individual was able to walk away alive. Moreover, an important issue arises from the built-in biases of datasets used in developing these technologies, particularly stemming from the racially skewed data on arrests and convictions.

Several governments contract out third-party vendors for license plate recognition systems. In California, 70% of ALPR system users reported using Vigilant Solutions. The company also runs the Law Enforcement Archive and Reporting Network database, storing over 2.5 billion records, and adds 70 million new license-plate scans monthly. Law enforcement agencies have access to this data, which provides a comprehensive record of an individual's movements and whereabouts before police pull over a vehicle or its occupants are questioned.

The integration of modern vehicles into this surveillance infrastructure furthers the reach of this carceral state. Modern cars are increasingly equipped with surveillance systems, including hidden devices beneath their consoles and links to commercial license plate readers. Data sharing is another concern; in a study of 25 car brands, 56 percent willingly share data with law enforcement agencies upon informal request or notification to the car owner, underscoring the extent to which surveillance has become normalized and embedded within this sector. For example, Berla collaborates with undisclosed automobile manufacturers to provide the ability to extract data from over 20,752 types of cars. The Department of Homeland Security began working with Berla in 2013, connecting the company with several police departments. U.S. Customs and Border Protection paid over $450,000 for five Berla vehicle forensic kits.

These systems are not only wielded by law enforcement. They are also marketed to homeowner associations and private individuals, expanding the breadth and scale of this surveillance network beyond the confines of prisons, jails, and courtrooms. Flock Safety, for

example, has been approved for contract in the City of Oakland, which offers a searchable view of vehicles that drive down streets where its cameras are. Flock has been known to lobby police departments to help market their materials to Homeowner Associations and private landlords in exchange for offering free Flock cameras and data access.

The pervasive impact of this technologically driven surveillance extends into public transportation. For example, transit fare technology, such as the Clipper, enables every movement on public transit to be tracked and stored, a concerning practice compounded by this data being retained for seven years after a Clipper account is closed. The accessibility of this information with a search warrant or subpoena would be considered by many to be a violation of individual privacy. Some states are developing legislation to bolster protections around warrant requirements for this type of data.

Another dimension to consider within transit fare technology is the growing data collection by the private sector. This is propelled by open-loop payment systems and the reliance on private companies for transit operational support, as highlighted in TransitCenter's report "Do Not Track: A Guide to Data Privacy for New Transit Fare Media." A 2020 study by Mineta Transportation Institute revealed more than 80 percent of surveyed agencies outsource customer payment functions to vendors like Cubic, primarily to comply with the data security standards in the payment industry to mitigate the risk and cost of credit card fraud. Integrating technology into transit fare systems creates a complex landscape where public and private sector involvement can compromise personal privacy.

We live in an era where prematurely launched and heavily promoted technologies continue to be invested in as a replacement for addressing the root causes of the inequities in our society. As technology advances, we must engage communities, advocates, and policymakers in a conversation about the far-reaching implications of surveillance and enforcement technologies and their impact on privacy, equity, and the safety of marginalized communities.

CONTENDING WITH AUTO DEPENDENCY AND PURSUING A JUST TRANSITION

CONTENDING WITH AUTO DEPENDENCY AND PURSUING A <u>JUST TRANSITION</u>

We must confront the current reality to actualize a future free from car dependency.

This requires creating accessible, safe, and robust transit-oriented development and transit-rich areas with reliable public transportation, which are currently lacking, leading many to resort to car dependency. Our public transit systems suffer from severe disinvestment, forcing communities to navigate unsafe roadways. In doing so, they not only confront the elevated risk of road-based fatalities but also find themselves at a heightened possibility of deadly encounters with law enforcement.

VEHICLE RESIDENCY AND POVERTY TOWS

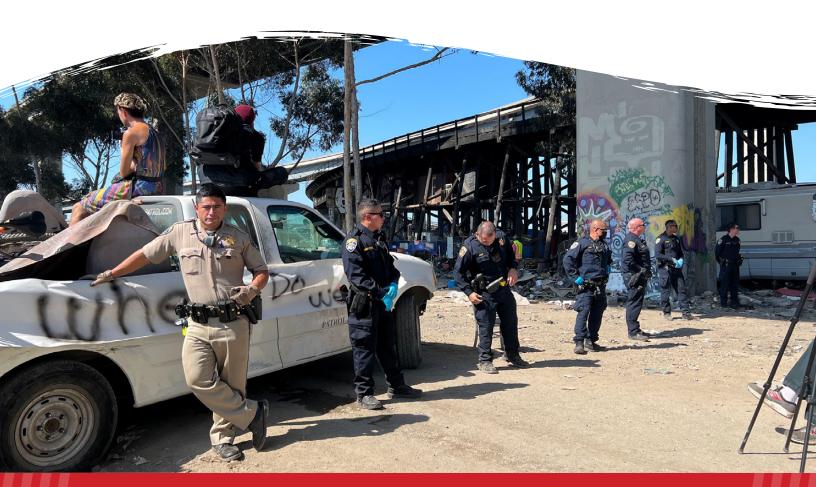**A growing number of unhoused Americans (**18 out of every 10,000**) live out of their vehicles.**

The end of COVID-19 exacerbated this surge when eviction moratoriums ended, forcing more individuals into vehicle residency. A 2020 California count found that 20,000 people lived out of their vehicles in Los Angeles alone. The root causes include a lack of permanent affordable housing and tenant protections, gentrification, and stagnant wages, making vehicle residency necessary for many. These numbers are likely underestimated because of the need for more comprehensive data on vehicle residency, with some estimations suggesting the number could exceed 100,000. Due to the absence of a standardized language to discuss this growing crisis, standardized data collection and potential solutions are often intertwined with carceral measures.

In 2018, Steve Venegas faced a series of challenges that led to losing his job and being evicted. Forced to live in his car in California's Los Angeles Koreatown, he received parking tickets he couldn't afford due to unemployment. The city placed a hold on his vehicle registration, and despite paying registration fees, he couldn't renew it due to accumulated fines. After a failed attempt to enroll in a payment plan, his car was towed and auctioned off. Since then, Venegas has been living in a tent on the sidewalk, battling harsh weather while struggling to keep his belongings and maintain a presentable appearance for job opportunities.

As the number of people living out of their vehicles rises, laws and regulations aimed at restricting or banning vehicle residency have increased alarmingly. From 2006 to 2016, the National Law Center on Homelessness and Poverty found a 143 percent increase in bans on vehicle residency among 187 cities. For many, cars are not a luxury but a lifeline, allowing them to navigate life, find shelter, and maintain essential connections. As we strive for a future without car dependence, we must confront the reality that many individuals rely on cars to survive, and various supports are needed to support these individuals.

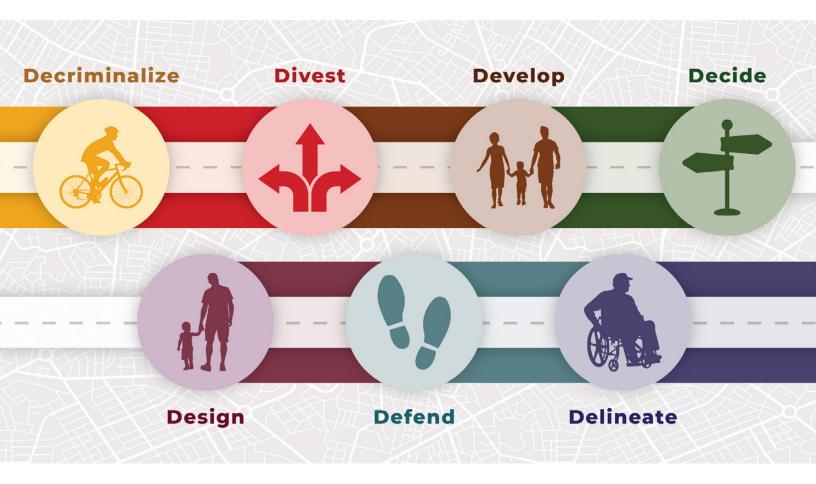# A Roadmap for Decarceration: The Seven Ds for Mobility Justice

A ROADMAP FOR DECARCERATION:
THE SEVEN Ds FOR MOBILITY JUSTICE

Decarceration requires a departure from the status quo and the design of innovative approaches to redefine our approach to mobility.

The following recommendations, the Seven Ds for Mobility Justice, offer interrelated actions for transit agencies, Metropolitan Planning Organizations (MPOs), funding agencies, community advocates, transit enforcement, legislators, and others to collectively undertake the challenge of decarcerating mobility. Mobility justice, as defined within the interdisciplinary field of mobility studies and sociocultural research in transportation planning, addresses the challenges individuals face in transportation due to social controls in public spaces. Mobility justice emerges at the intersection of critical theory and grassroots advocacy, providing insights into racial geographies and highlighting the importance of mobility in understanding racial formation and placemaking. Mobility justice aims to eliminate discrimination based on race, class, legal status, ability, gender, or age in how travel is regulated and accommodated.

Decriminalize · Divest · Develop · Decide

Design · Defend · Delineate

1. Decriminalize transportation:

Evaluate and change the penal and criminal codes governing mobility, encompassing walking, biking, driving, and public transit. Decriminalize conduct to reduce police encounters. Restrict law enforcement authority to reduce escalated violence and racial bias. This will save lives, money, and valuable resources that can be used to create actual road safety rooted in community needs.

Key Groups: Government, transportation, and law enforcement agencies.

Action Steps:

- Eliminate and decriminalize traffic-related infractions such as jaywalking, not wearing a bike helmet, or objects hanging from a rearview car mirror so law enforcement cannot stop someone on this basis.

- Hire unarmed transit ambassadors trained in de-escalation and community engagement instead of armed law enforcement for transit security.

- Create programs to remove the burden of fines and fees from low-income communities.

PHILADELPHIA DRIVING EQUALITY ACT

The Driving Equality Act, effective March 2022, classified eight low-level traffic violations, such as minor bumper issues, as " secondary" and insufficient cause for pulling someone over. Drivers can still be fined or ticketed for such offenses, but they can't be the only reason police make a stop. Some infractions have exceptions that do not constitute an outright ban: Officers can still stop a motorist whose registration has expired for more than 60 days, and stops for lighting issues are still permitted if the vehicle has more than

DECRIMINALIZE

one busted headlight or tail-light. In the first seven months of the legislation's implementation, the number of police stops associated with those violations dropped by 54 percent or nearly 16,000 interactions. However, during that time, the proportion of Black drivers pulled over was unchanged, as an analysis shows. Stops for non-targeted reasons, such as running a red light or having excessive window tint, increased by nearly 20 percent. Overall, traffic stops declined by about 7 percent since the implementation of the legislation, compared to the previous year. Driving Equality includes a companion bill that requires data collection of traffic stops. Evaluation of this program is ongoing. While the effectiveness of this approach in addressing police misconduct remains uncertain, it has minimized police encounters, reducing harm and saving lives.

KING COUNTY METRO SAFETY, SECURITY, AND FARE ENFORCEMENT (SAFE) PROGRAM

In 2021, King County Metro introduced the SaFE Reform initiative in Seattle. Metro engaged around 8,000 individuals in collaboration with community-based organizations to understand safety concerns. This initiative aims to decriminalize minor offenses, enhance non-transit resources, and address fare-related concerns, homelessness, and mental health issues. Deploying helpers across the system, along with timely responses, ensures equitable support. The program includes transit ambassadors and behavioral health pilot programs.

2. Divest from incarceration, invest in decarceration:

Remove law enforcement from transportation. If this is not an immediate viable option due to current conditions, then establish transparent and community-inclusive accountability measures that evaluate the impact of law enforcement on road safety. Eliminating funding for law enforcement approaches is demanded if current investments are ineffective. While this does not wholly and immediately eradicate police terror, it offers immediate feasible strategies for harm reduction. In addition, direct resources away from carceral systems to break reliance on punitive measures and invest in alternative solutions. This shift reallocates funds towards jobs in infrastructure, traffic management, capital enhancements, complete streets initiatives, and public transit, areas with a labor shortage.

Key Groups: Government agencies, funding agencies, transportation agencies, and large-scale institutions such as MPOs.

Action Steps:

Reallocate funds from systems associated with state violence, such as policing and traffic enforcement, towards initiatives that enhance public transportation services, implement traffic calming, and create multi-modal spaces. Legislation may be needed to change funding formulas and allocations. Alternatively, administrative agencies at the state and local levels can divert funding from law enforcement to alternative solutions.

- Create new job classifications that engage and build non-enforcement skills as jurisdictions move away from policing.
- Invest in traffic calming and prioritize the development of complete streets that accommodate various modes of transportation, including walking and cycling, especially within High Injury Networks (areas of concentrated road-based crashes).
- Pay reparations to BIPOC communities harmed by eminent domain, highway construction, redlining, and decades of infrastructure neglect.
- Give funding to tribal communities for traffic calming, transportation infrastructure, and public transit operations.
- Increase wages for public works and public transit staff to ensure equitable pay and address labor shortages.

DIVEST

ATLANTA DEPARTMENT OF TRANSPORTATION (ATLDOT) TACTICAL URBANISM PROGRAM

Cities like Atlanta have successfully used short-term, low-cost, and scalable approaches to develop safer streets. ATLDOT defines Tactical Urbanism as a cost-effective, short-term strategy designed to transform the use and ambiance of roads and public spaces like parks. These small-scale projects are stepping stones toward achieving long-term street safety and public space design objectives. Though ATLDOT did not post cumulative results of the effort, they offer an in-depth guide on its process. Tactical Urbanism's success effectively showcases its potential for enduring change. The ATLDOT program contributed to the city's Vision Zero campaign while bolstering pedestrian safety. Similar initiatives have succeeded nationwide - a Transportation Research Board study encompassing 13 similar efforts demonstrated that such projects improved conditions for cyclists and pedestrians and boosted activity in these areas, resulting in economic gains for small businesses and the local economy.

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) GO HUMAN PROJECT

Street Plans, in collaboration with Alta Planning + Design, successfully designed and implemented seven Tactical Urbanism projects as part of the SCAG Go Human region-wide safety campaign. These projects, carried out in 11 cities across the region during 2016-2017, encompassed various types, including open street events, demonstration projects, pop-up bike lanes, and temporary traffic circles or curb extensions, and were tailored to meet each city's specific goals. The Go Human Community Hubs Grant Program funds community organizations to implement local traffic safety initiatives and lead community engagement by leveraging community gathering and resource sites. It supports street-level community resiliency through funding projects that employ traffic safety strategies from messaging and education to engagement activities, leadership development, community assessment, and resource distribution. This program is funded through a grant from the California Office of Traffic Safety, facilitated by the National Highway Traffic Safety Administration.

3. Develop community skills and resources:

Empowering communities to address conflicts without resorting to punitive measures reduces reliance on law enforcement by fostering self-sufficiency, enhancing community resilience, and reducing the potential for violence. This strategy should take additional steps to ensure accessibility, such as providing childcare, multilingual options, and compensation for people's time.

Key Groups: Community organizations, advocates, and transit agencies.

Action Steps:

- Develop and implement workshops that equip community members with practical skills in non-carceral conflict resolution. Collaborate with conflict resolution experts to provide hands-on training in de-escalation, communication, and alternative strategies for addressing minor disputes.

- Organize public trainings that build skills like bystander intervention, critical to safely intervening in street harassment.

- Publicize and distribute road repair request forms to residents, making it easy to share road safety needs directly.

- Conduct workshops on road hazards, emphasizing awareness and resources available. Provide information on identifying and reporting road hazards like potholes and sidewalk blocks.

- Distribute Know Your Rights resources for BIPOC road users. Address issues such as racial profiling during traffic stops and guide how individuals can assert their rights.

- Share information about quick-build (short-term interim infrastructure via minor construction) programs that enable community members to install traffic calming in neighborhoods.

- Pay community ambassadors to promote community-oriented safety programs and other mobility-related resources.

DEVELOP

NORCAL RESIST (NRC) BRAKE LIGHT REPAIR CLINIC

NRC is a grassroots group that organizes brake light repair events throughout the Sacramento area. At their brake light repair events, anyone can drop by to have their tail lights and headlights replaced or repaired free of charge. They also offer headlight assemblies, fuse replacement, and headlight polishing. By providing free brake light maintenance, NRC hopes to help community members reduce their risk of being pulled over and ultimately avoid unwanted and potentially deadly police encounters. In 2023, NRC provided over 457 vehicle repairs, including 200 tail lights & 75 headlights, to community members.

BIKE EAST BAY ROAD HAZARD WORKSHOPS

Bike East Bay, a community organization in the San Francisco Bay Area, conducts training for community members on Road Hazard Reporting, focusing on the tools used to ensure the safety and accessibility of streets. The training specifically addressed the issue of potholes, highlighting the risks they pose to cyclists, pedestrians, and others on wheels. The discussion emphasized the prevalence of potholes in historically underserved neighborhoods. The workshop enables community members to report on-the-ground issues like potholes, providing valuable information to cities working on infrastructure improvements. The training emphasized that such reporting helps cities prioritize projects effectively and gives communities a voice in restoring their streets.

SANTA ANA ACTIVE STREETS (SAAS) BIKE REPAIR SKILLS

SAAS is a community coalition fostering diverse community involvement in creating a safe and accessible environment for active transportation in Santa Ana. They host events, partner with local organizations, and engage with city officials to promote active transportation initiatives. SAAS organizes activities like ¡Luces Vivas!, distributes free bike lights and helmets at key intersections, and runs programs that teach bike repair skills through Wrench and Ride with The Bicycle Tree, a cooperative bike shop. SAAS also leads themed community bike rides highlighting Santa Ana's history, art, culture, and resources. Additionally, SAAS staff collaborated with The Bicycle Tree to host TWIG (Trans, Women, Intersex, Gender Non-Conforming +) events, wrench hours, and bike rides at The Bicycle Tree.

DECIDE

4. Decide with impacted people:

Prioritizing those directly and indirectly impacted by trauma is critical to crafting policies and solutions that are responsive, fair, and inclusive of diverse needs. Tailored and equitable solutions can be achieved by engaging and centering those affected by the carceral state, road violence, and infrastructure gaps in planning and decision-making. This strategy should ensure accessibility, such as providing childcare, multilingual options, and participant compensation.

Key Groups: Community-based organizations, direct service providers, government agencies, public sector unions, transportation, and public works.

Action Steps:

- Develop community surveys and feedback mechanisms to gather input on proposed policies, projects, or infrastructure changes utilizing accessible and inclusive formats to ensure that everyone, regardless of background or ability, can participate in providing valuable feedback.

- Provide training for decision-makers, planners, and project managers on cultural competency and the importance of understanding diverse perspectives, fostering an environment where individuals directly impacted feel heard, respected, and integral to the decision-making process.

- Conduct workshops that provide hands-on opportunities for impacted individuals to actively participate in project planning and design stages, empowering community members with knowledge about the decision-making processes and encouraging them to contribute meaningfully.

- Engage frontline transit staff and public sector unions as impacted people and subject matter experts.

DECIDE

ALAMEDA COUNTY, CALIFORNIA SAFE ROUTES TO SCHOOL (SR2S) PROGRAM

The Alameda County SR2S, initiated in 2006, promotes safe walking and biking for students traveling to school. The program has evolved from a pilot at two Oakland schools to serving over 260 elementary, middle, and high schools in Alameda County and nationwide. The program reduces congestion and pollutants and enhances student safety and physical activity. It provides free educational programs, events, and services, like traffic safety education, pedestrian rodeos, bike repair, and school safety assessments. However, the program currently does not include information about enforcement of active transportation modes, student rights, or strategies to mitigate police enforcement. The program has expanded to include carpooling and transit use, reaching over 172,000 students and their families. Schools receive support from site coordinators and access to resources. The effort includes feedback and evaluation.

RICHMOND, CALIFORNIA POGO PARK

In Richmond, California, the community of the Iron Triangle embarked on a transformative journey to reclaim and redesign Elm Playlot, a local park. Pogo Park, a community group, played a central role in the design. The initiative began in 2008, hiring, training, and empowering a team of residents, the Elm Playlot Action Committee, to plan, design, and rebuild the park. Prioritizing community leadership, ownership, and economic benefits, along with a decade-long commitment from residents, local government, and non-profits, was crucial. Results from the redevelopment of Pogo Park found significant reductions in self-reported fear of violence, improvements in social connections, trust, and overall stress in the neighborhood. Two years after project completion, life expectancy in the area increased by five years, the program reduced gun homicides by over 30 percent, and nearly 60 percent of residents rated their health as good or excellent.

5. Design new cultural norms:

Transforming cultural norms is crucial to creating an environment where alternatives to punitive measures are accepted and embraced as viable solutions, fostering a safer and more compassionate society. A shift in car culture is imperative to combat unnecessary car usage, speeding, and the purchase of vehicles that disproportionately harm the environment solely due to their design. Traffic Safety Culture (TSC) presents a contrasting culture that delves into how communal social aspects influence individuals' prioritization and acceptance of traffic safety measures. TSC plays a significant role in shaping road user behaviors and stakeholder decisions that impact safety. This strategy has proven effective in reducing drunk driving and increasing seat belt use.

Key Groups: Community-based organizations, local and state government agencies in traffic safety, transportation, public works, and cultural influencers.

Action Steps:

- Partner with artists to expand societal imagination by cultivating an anti-carceral traffic safety culture that challenges preconceived notions of safety.

- Launch public campaigns to promote a traffic safety culture, raise awareness about the environmental impact of car use, the dangers of speeding, and design choices that harm the environment and create barriers to human connection.

- Design storytelling campaigns that share narratives of successful anti-carceral practices to create safer, multi-modal roads and mobility options.

- Partner with local cultural influencers to discourage speeding, running red lights, and other unsafe driving activities.

- Promote sustainable transportation alternatives, emphasizing the benefits of public transit, cycling, and walking.

DESIGN

BAY AREA RAPID TRANSIT (BART) NOT ONE MORE GIRL INITIATIVE

BART launched Not One More Girl to tackle gender-based harassment. In addition to policy changes, the campaign partnered with cultural strategists and artists to design a narrative-based visual campaign. The program engaged over 300 community members, 100 youth, 10 BART staff, 11 artists, and 15 organizations as stakeholders and decision-makers in addressing and preventing sexual harassment and violence. The multi-year campaign continues with youth curating the theme "Our Story of Courage" for the second phase to educate the public about bystander intervention. The effort raised awareness, with 49 percent of respondents more conscious of sexual harassment and gender-based violence.

PARK RAPIDS, MINNESOTA TRAFFIC SAFETY CULTURE (TSC)

Park Rapids, a rural community in north-central Minnesota, over-represented in crashes compared to similar-sized Minnesota cities, conducted a 3-year TSC pilot project from 2017 to 2019. The project aimed to foster lasting changes in people's behavior to enhance health and safety. It sought to explore the influence of culture on traffic safety behavior. A statewide survey from 2013-2015 measured road users' TSC, identified culture-based strategies, and assessed their potential success. The project, funded by the Highway Safety Improvement Program, aligned traffic safety efforts across the community. Key steps included convening a community traffic safety coalition, engaging stakeholders, and developing a TSC Implementation Plan. The project also aimed to connect TCS across the social ecology, involving families, schools, workplaces, healthcare providers, and local government. Specific initiatives addressed issues like drunk driving by creating the Joyride Program to provide safe transportation for intoxicated people.

DESIGN

BOGOTÁ, COLOMBIA MIMES AND CITIZENS CARDS TO CONTROL TRAFFIC

In 1995, Bogotá faced hazardous traffic conditions. Recognizing the urgency for a shift in traffic safety, Mayor Mockus implemented strategies leveraging art, humor, and creativity. The effort involved distributing 350,000 "citizens' cards" with a thumbs-up for approval and a thumbs-down for disapproval, allowing citizens to express approval or disapproval. He hired mimes to shadow pedestrians, mimicking those who violated crossing rules creating a non-confrontational program. The popularity and success of the program led to training an additional 400 mimes. Mockus described the mimes as a pacifist counterweight, underscoring their unarmed nature to emphasize the significance of cultural regulations without resorting to words or weapons. Mockus also painted stars on the spots where pedestrians were killed in traffic collisions. In a decade, traffic fatalities fell by more than half, from an average of 1,300 per year to about 600.

6. Defend from carceral technologies:

Prevent the proliferation of carceral technologies for the safety of marginalized populations. Demand transparency and accountability for technologies currently in use as they are phased out.

Key Groups: Policy advocates, legal organizations, government agencies, and community oversight boards.

Action Steps:

- Remove inaccurate and biased technologies to mitigate their adverse effects. This involves dismissing incorrect criminal charges or citations issued by enforcement technologies.

- If existing technology deployed for traffic enforcement shows disparate and biased results, remove the technology from use.

- Conduct regular audits and impact assessments of carceral technologies to evaluate their impact on marginalized communities and publicly share results.

- Advocate against biased and unequal technological traffic enforcement and enact legislation that safeguards against the use of carceral technologies.

- Educate the community about enforcement technologies' existence, capabilities, and risks.

- Establish a community oversight board to oversee technology implementation with the authority to sunset the program.

DEFEND

CHICAGO, ILLINOIS CITIZENS TO ABOLISH RED LIGHT CAMERAS CAMPAIGN

Citizens To Abolish Red Light Cameras, a local community group, initiated a petition urging the removal and permanent prohibition of traffic enforcement cameras in Illinois, which have amassed over $600 million in Chicago. Chicago's contentious red-light camera system has come under scrutiny, pointing to the city's alleged practice of setting traps for drivers. By manipulating traffic light timings, Chicago reportedly aims to boost violations and revenue from fines. An investigation uncovered disparities in green light durations at camera-equipped intersections versus those without, sparking concerns about entrapment and unfair practices. This strategy has drawn sharp criticism from traffic safety and community experts, labeling it "despicable" and a ploy to trap drivers. Citizens To Abolish Red Light Cameras continue to organize around this issue and provide guidance on contesting red light and speed camera tickets.

FINES AND FEES JUSTICE CENTER (FFJC) NATIONAL ADVOCACY

FFJC advocates for eliminating fees and the limited and equitable use of fine-based enforcement as part of broader systemic approaches to traffic safety, including infrastructure, design, and education. Caution: We're Driving the Wrong Way on Automated Traffic Enforcement examines the shortcomings of using monetary sanctions to create lasting behavioral and safety changes, outlines the harms of using revenue-generating ATE programs, highlights infrastructure changes and non-financial enforcement as alternatives for creating safer communities, and provides recommendations to address income inequities in traffic enforcement and design an equitable and effective traffic safety approach. Seven Red Flags in ATE Contracts is a compilation of red flags that can help local officials determine if and how their potential ATE program may exacerbate socio-economic disparities and harm their communities.

7. Delineate guidelines for community-oriented data collection:

Given the increase in data collection through various transportation technologies, guidelines are critical to protecting people. This involves clearly defining the principles, methodologies, and ethical considerations governing data collection in public and private sectors.

Key Groups: Policy advocates, MPOs, legal organizations, state legislature, and community oversight boards.

Action Steps:

- Invest in alternative data collection methods for transportation injury mapping, such as surveys, focus groups, participatory workshops, and community-based reporting, to decrease reliance on law enforcement-generated data.

- Involve diverse stakeholders, including marginalized groups, in the co-production of data representing community needs.

- Invest in capacity-building programs to empower individuals and community organizations to participate in data collection. This can include establishing community-based reporting systems for road crashes, for example.

- Establish transparent data governance policies that outline how data is collected, stored, and shared regarding transportation technology. This includes ensuring public transit users know how their data is tracked and used when purchasing a fare card.

- Implement data security measures to safeguard information. Develop data anonymization and consent guidelines.

- Create safeguards against law enforcement access to personal data.

DELINEATE

CARB is prioritizing community-based transportation needs assessments to incorporate feedback from low-income residents into transportation planning and guide investments in clean transportation projects. Funding from CARB's Low Carbon Transportation Investments (LCTI) Program supports clean transportation projects, like the Sustainable Transportation Equity Project (STEP) and Clean Mobility Options Voucher Pilot (CMO), to conduct community-driven transportation needs assessments and increase access for priority populations.

CARB-funded projects like STEP Planning and Capacity-Building involve outreach, community decision-making forums, and clean transportation planning. The CMO project awarded vouchers up to $50,000 for transportation needs assessments in its first application window. In 2022, vouchers up to $100,000 were available. CARB's funding category for Planning and Capacity-Building aims to ensure community feedback is incorporated into transportation planning and clean transportation investments in low-income and disadvantaged communities.

MID-OHIO REGIONAL PLANNING COMMISSION (MORPC) COMMUNITY-BASED PARTICIPATORY RESEARCH (CBPR) AND COMMUNITY-BASED PLANNING ASSISTANCE (CBPA)

MORPC partnered with Age-Friendly Columbus in response to projections showing an increase in the aging population of Central Ohio. This effort involved engagement with stakeholders, including older adults, to assess the city's age-friendliness across various domains through CBPR. It engaged over 125 individuals directly, including an Advisory Council, subcommittees, and a 50+ Residents Council, ensuring diverse perspectives and involvement of older adults in planning processes. The findings led to a strategic plan to integrate age-friendly features into urban revitalization efforts, with actionable recommendations applicable to Columbus and neighboring communities. Concurrently, MORPC offers CBPA as an entry point to its services, helping communities identify and address specific project needs through collaboration and referral to appropriate programs. CBPA is designed to provide free community assistance and facilitate engagement between MORPC and communities.

The roadmap for decarcerating mobility requires a concerted effort from all stakeholders. We can strive toward a transportation system that prioritizes justice, inclusivity, and community well-being by implementing these recommendations.

CONCLUSION

CONCLUSION

The Decarcerating Transportation, Mobility Justice Framework underscores the need to address the intersection between state violence, public transit, road safety, and the pursuit of equitable and thriving communities.

Advocates and policymakers who align with this framework can contribute to a transformative vision of transportation that prioritizes empathy and justice.

Equitable and high-quality public transit systems and multi-modal roads are crucial to addressing many pressing issues. They offer solutions to problems such as road congestion, road fatalities, climate-damaging emissions, local economic stimulation, public health improvements, and enhanced safety. The multifaceted benefits of efficient transportation make it a cost-effective remedy for many societal challenges.

Investing in robust public transit and traffic-calming infrastructure has the potential to stimulate local economies. Creating and maintaining transit systems and active transportation supports like protected bike lanes generates job opportunities, fostering a positive fiscal impact. Furthermore, these systems can mitigate the financial costs of environmental degradation and climate change by curbing emissions.

Most importantly for APTP, equitable public transit serves as a proactive measure against the everyday police terror faced by the Black community and by society as a whole. Philando Castile, for example, was pulled over 49 times for minor infractions before police killed him during a 2016 traffic stop in Minnesota. Addressing police terror through improved transportation infrastructure will have positive impacts on mental health and social well-being, especially for over-policed communities. Systemic transportation improvements will also reduce law enforcement activity, resulting in cost savings associated with policing, legal and court proceedings, and incarceration.

By adopting the Decarcerating Transportation Framework, advocates and policymakers can contribute to a more equitable and just transportation landscape rooted in empathy, justice, and the well-being of all individuals. This framework presents a radical vision for transportation that is essential for the flourishing of our communities.

ACKNOWLEDGMENTS

APPENDIX

Item 1: Further Readings

- Why Decarceration Must Be A Part of Transportation Reform (Op-Ed)
- Technology Racism and Facial Recognition in Transportation (Academic)
- Arrested Mobility (Report)
- 'Safe Streets' Are Not Safe for Black Lives (Op-Ed)
- Race and Surveillance Brief (Academic)
- The Need to Prioritize Black Lives in LA's Traffic Safety Efforts (Academic)
- Bicycle/race: transportation, culture, & resistance (Book)

- Cars and Jails: Freedom Dreams, Debt, and Carcerality (Book)
- What Data Does My Car Collect About Me, and Where Does It Go? (Report)
- We're Driving the Wrong Way on Automated Traffic Enforcement (Report)
- Ride Fearlessly: A Framework for Reimagining Transit Safety (Report)
- Radical Imagination in Transportation Justice (Zine)
- California Reparations - Chapter 7 (Government Report)

Item 2: Where does your car data go? Mozilla Foundation