



Investing in Evidence-Based Alternatives to Policing:

Non-Police Responses to Traffic Safety

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The biased enforcement of traffic laws by police drives racial disparities in the criminal legal system. Civilian first responders dedicated to traffic and road safety can better serve communities by resolving traffic safety issues without the potential for punitive law enforcement action.

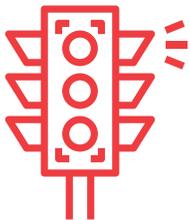
Getting pulled over while driving is the most common type of interaction between police and the public.¹ But police can use minor traffic violations to initiate discretionary stops that have little to do with improving road safety and instead perpetuate stark racial disparities in the criminal legal system.² Black people are more likely to be stopped, searched, and arrested for routine traffic violations than white people, and they incur greater fines and fees resulting from these stops.³ Black people are also more likely to be treated disrespectfully during stops.⁴ These disparities can lead to tragedies like the fatal police shootings of Philando Castile, who was pulled over for driving with an alleged broken taillight, and Daunte Wright, who was stopped for driving with expired license plates, as well as the death of Sandra Bland, who died in jail after she was pulled over for failing to signal a lane change.⁵ Such non-public safety, or “pretextual,” stops occur when an officer detains someone for a minor infraction while police seek evidence of a more serious crime. Numerous studies have found that police officers’ use of non-public safety stops is riddled with bias, rarely finds evidence of wrongdoing, and disproportionately harms and kills Black people.⁶

To remedy this bias and harm, jurisdictions should remove police from routine traffic enforcement, establish civilian traffic response units, and follow best practices to improve road safety and reduce racial disparities in policing.

Five Ways Jurisdictions Can More Safely and Equitably Enforce Traffic Laws —Without Relying on Police



Build non-police first responder teams whose mission is traffic and road safety, not criminal law enforcement. Remove the authority of police to stop cars for minor traffic violations and end discretionary, non-public safety stops. Cities can replace police with unarmed, civilian traffic response units, housed in a city department of transportation or public works and staffed by experts in transportation and mediation.⁷ Their role would be to respond to traffic collisions and minor violations. Although they would have the authority to stop cars, they would not be able to use force, and their mission would be traffic safety rather than criminal law enforcement. The City of Berkeley, California, announced in July 2020 that it would create the Berkeley Department of Transportation (BerkDOT), which will task unarmed civil servants, rather than police, with handling traffic enforcement and issuing citations.⁸ The city council will also establish a community safety coalition of city residents to review police responses to calls for service to check for evidence of racial bias in stops and arrests.⁹ In February 2021, the city banned police from stopping drivers for reasons other than serious safety concerns.¹⁰ In August 2021, Minneapolis, Minnesota, announced that it would eliminate non-public safety stops as well.¹¹ Outside of the United States, Highways England, which oversees the country's motorways, employs traffic officers instead of police to manage incidents on the road. They have the right to stop vehicles on safety grounds.¹²



Implement voucher programs for minor traffic violations as an alternative to civil enforcement. Programs like Lights On!—which was started by a nonprofit in Minneapolis, Minnesota, after the fatal police shooting of Philando Castile—provide drivers with vouchers for free light repairs instead of tickets or warnings.¹³ These vouchers help break the cycle of debt incurred from fines, improve road safety, and offer a non-punitive solution. These programs currently partner with law enforcement but can and should be administered by unarmed, civilian personnel.



Improve transportation infrastructure and public transit networks. Jurisdictions can reduce collisions by investing in transportation infrastructure—like implementing best practices in road and vehicle design and engineering. These investments should also be used to expand public transit systems that are a safer alternative to driving.¹⁴ As part of this process, jurisdictions should solicit diverse perspectives from residents and experts to inform road design and transportation rules to better address the underlying causes of traffic accidents.



Use automated traffic enforcement systems to promote safety and reduce disparities. Speeding is a primary factor in collisions—especially fatal collisions.¹⁵ Automated cameras (which are commonly used for tolls) significantly reduce speeding, crash-related injuries, and property damage, while yielding significant cost savings.¹⁶ They also reduce

racial- and gender-based disparities in stops and fine amounts—which police discretion exacerbates—and are popular where implemented, especially among Black drivers.¹⁷ Automation programs also save money. An evaluation of speeding cameras in Scottsdale, Arizona, in 2009 found that the program saved the state \$17 million in crash-related injury costs.¹⁸ Studies of automated enforcement in other countries, where the practice is more popular, tell a similar story. Automation saves roughly Can\$115 million annually in British Columbia, Canada; saved €13.6 million in social costs over two years on a major section of English motorway; and resulted in more than €5 million in savings over two years in Barcelona, Spain.¹⁹ In both England and Austria, every one dollar invested in these programs has created five dollars’ worth of benefits, and every one dollar invested in Western Australia has created at least 10 dollars’ worth of benefits through reduced social and economic costs associated with crashes.²⁰



House automation systems outside of law enforcement agencies and ensure mechanisms for oversight.

Transfer automated-camera operations to non-police agencies. In October 2019, Washington, DC, Mayor Muriel Bowser transferred the operation of the city’s traffic enforcement cameras from police to the city transportation department, a move transit advocates believe will improve safety and privacy protections.²¹

Ban the use of facial recognition software to prevent automated cameras from becoming co-opted as a tool for surveillance or a revenue-generating mechanism for local governments. Cities like Portland, Maine, and Somerville, Massachusetts, have enacted such bans in the context of street surveillance.²²

Oversight boards, like Oakland, California’s Privacy Advisory Commission, should monitor the volume and type of traffic citations these tools generate and how they impact communities disproportionately harmed by the criminal legal system.²³

Recommendations

- **Pass local and state laws that limit the ability of law enforcement to conduct traffic stops and searches.** This would include prohibiting stops based on “reasonable suspicion” and ending consent searches without probable cause for certain noncriminal traffic matters.²⁴
- **Require law enforcement to obtain written consent from drivers before all traffic searches**, which has been shown to reduce stop and search volume.²⁵
- **Mandate that for all traffic stops, officers report the demographics of drivers and passengers; the location, length, legal basis, and actions taken; and any other relevant data.** Require that police departments maintain and report data to identify disparities in enforcement and hold officers and departments accountable.
- **Support local transit advocates and groups like Transportation Alternatives and People for Mobility Justice** by joining these or similar coalitions.²⁶

Endnotes

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For more information

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