Transportation Equity Caucus

Transportation Equity Caucus Automated Enforcement Fact Sheet

Preamble - The Transportation Equity Caucus seeks to transform transportation policy to reject law enforcement as an approach to improve transportation safety and to ensure the erasure of racism in all safety policies. To make sure Black, Indigenous, People of Color (BIPOC) and other marginalized communities thrive, transportation safety approaches must demonstrate tangible and intentional progress that dismantle structural racism.

TEC Statement on Automated Traffic Enforcement - The Transportation Equity Caucus opposes automated traffic enforcement because:
- Automated traffic enforcement cannot be separated from racist law enforcement policies and practices.
- Automated traffic enforcement lacks legitimacy due to its perpetuation of racist planning, investment, and punishment paradigms.
- Investing in automated traffic enforcement ignores criticism of enforcement as racist and pleas for improving transportation safety through community investment.
- Automated traffic enforcement does not demonstrate tangible and intentional progress to dismantle structural racism, instead it is often used to avoid confronting structural racism in our built environment.
- Harm reduction through the use of automated traffic enforcement instead of armed traffic enforcement by sworn officers is unproven, and even if shown does not transform transportation policy to reject racism. By making racism more palatable, automated traffic enforcement may further entrench racism and racially inequitable outcomes.

Alternatives to Automated Traffic Enforcement
- Demonstrate tangible and intentional progress to dismantle structural racism by engaging with communities to understand their transportation needs and how their needs can be addressed while improving traffic safety.
- Work with communities to develop culturally responsive approaches to traffic safety.
- Invest in communities to provide better, safer, more affordable and accessible transportation infrastructure that improves traffic safety.
- Invest in transit, biking, walking, and rolling infrastructure which are safer modes of transportation.

Reasons Automated Enforcement is not an equitable solution:
- Intentional or unintentional bias in location selection–high traffic collision corridors may happen to be located in disinvested neighborhoods, which are often low income and BIPOC.
  "A study of Cleveland's automated enforcement system found that Black drivers received 61% of tickets despite making up only 38% of drivers — and more cameras were subsequently proposed for the city's predominantly nonwhite East Side."
- Footage review is still subject to bias–in many jurisdictions, police officers rather than non-police agency staff, are required to review footage. While not presenting the threats

that arise from direct officer interaction, disparities from regular enforcement may still be present from their review.

- Automated Traffic Enforcement is an expansion of problematic public surveillance programs and Data collection–camera enforcement creates issues related to surveillance, data on ticketing, data on fines and fees, and other issues that perpetuate or obscure disparities.

- Fines and fees disproportionately affect low-income drivers–due to structural racism, low-income drivers are more likely to be Black, Latinx, or from another marginalized group. While the threat of violence from direct interactions with an officer may be lower, AE still maintains the pipeline from unjust fines and fees to incarceration.
  "If a camera is generating a lot of tickets, **the idea should never be to keep the camera there, change nothing, and continue to give those tickets out**. To the extent that there is a non-police-based incentive program [like automated enforcement], the goal always needs to be safety; a really well-designed program would make *less* money over time, because people are slowing down." - Jenny O'Connell from NACTO

- Perpetual enforcement–Automated Traffic Enforcement can be a "revenue raiser" that makes programs and essential government functions dependent upon enforcement revenue and removes incentives for safer streets investments.

Safer Streets, not more enforcement

Sometimes automated traffic law enforcement is pitched as an easy way to improve traffic safety, but due to its history of problematic implementation it is prohibited or not currently used in many jurisdictions. There are eight states with a prohibition on speed cameras, and those eight states represented 19% of traffic fatalities in 2016-2020. There are 32 states with no speed camera deployment, and those 32 states represented 63% of traffic fatalities in 2016-2020. Deploying speed cameras broadly enough to make a substantial difference in traffic fatalities is a massive project taking significant resources, resources that could be used instead to fix street design to reduce speeds and speeding without punishing people. Research shows that [flawed roadway design causes speeding](#) and other driver errors leading to [serious-injury and fatal crashes](#). If the goal is to improve traffic safety, it is more effective to redesign and rebuild streets for lower vehicle speeds. This can be done inexpensively, using authentic community engagement and tactical, pop-up projects.

Claims that automated traffic enforcement will reduce harm to Black, Indigenous, People of Color (BIPOC) and other marginalized communities start from the premise that enforcement is necessary and should continue to be practiced at current levels or increased. Automated enforcement often leads to an increase in enforcement, which can increase the disproportionate impact of fines and fees on people with lower incomes, including incarceration. Safer roadway designs would also reduce harm, and would do so without increased fines and fees, increased surveillance, or raising new revenue for law enforcement or private vendors.