

**Congress of the United States**  
**Washington, DC 20515**

April 6, 2023

The Honorable Pete Buttigieg  
Secretary  
U.S. Department of Transportation  
1200 New Jersey Avenue SE  
Washington, D.C. 20590

Secretary Buttigieg,

We write to express grave concern for the wellbeing of Black drivers across the United States. On our nation's roads and highways, Black motorists have experienced disproportionate scrutiny and excessive force under the guise of traffic enforcement. This injustice reflects a failed approach to traffic safety. As Secretary of the United States Department of Transportation (DOT), we urge you to condemn the status quo of traffic enforcement and develop reforms to reduce racial inequities in traffic stops.

Generations of Black people have been unjustly subjected to biased traffic enforcement and police interaction. While driving laws have been enacted at every level of government to safeguard the public, officers selectively enforce these laws to the detriment of Black drivers. According to the Bureau of Justice Statistics in the United States Department of Justice, more than 20 million people are pulled over for traffic violations every year and Black motorists are overrepresented compared to their white counterparts.<sup>1</sup> This disparity is even more alarming when taking into account that Black people are less likely to have access to a vehicle.<sup>2</sup> There is no plausible explanation to this inequitable enforcement except racial discrimination. For example, the use of racial profiling causes Black drivers to be intentionally stopped for minor traffic violations as pretexts for police to question them and search their vehicles in hopes of discovering contraband. Studies have found that pretextual stops do not routinely lead to the discovery of contraband or enhance public safety.<sup>3</sup> Instead, racist traffic enforcement stigmatizes Black people and undermines DOT's focus on transit equity.

Driving while Black may not be a real crime codified in law, but it is treated as one throughout the country. The disparate experience of Black motorists is well-known. During the State of the Union, President Biden described "the talk" that Black parents must have with their children about being pulled over by the police and the worry they carry every day.<sup>4</sup> This is not a

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<sup>1</sup> *Contacts Between Police and the Public, 2015*, U.S. DEPARTMENT OF JUSTICE BUREAU OF JUSTICE STATISTICS (Oct. 2018), <https://bjs.ojp.gov/content/pub/pdf/cpp15.pdf>.

<sup>2</sup> *Car Access*, NATIONAL EQUITY ATLAS (2022), [https://nationalequityatlas.org/indicators/Car\\_access](https://nationalequityatlas.org/indicators/Car_access).

<sup>3</sup> *Racial disparities revealed in massive traffic stop dataset*, UNIVERSITY OF SOUTH CAROLINA (June 12, 2020), [https://sc.edu/uofsc/posts/2020/06/racial\\_disparities\\_traffic\\_stops.php#.ZAaahnbMI2x](https://sc.edu/uofsc/posts/2020/06/racial_disparities_traffic_stops.php#.ZAaahnbMI2x); *Racial Disparities in Traffic Stops*, Public Policy Institute of California (Oct. 2022), <https://www.ppic.org/publication/racial-disparities-in-traffic-stops/>; *Reevaluating Traffic Stops in Nashville*, POLICING PROJECT AT NYU SCHOOL OF LAW (2020), <https://www.policingproject.org/nashville>.

<sup>4</sup> *Remarks of President Joe Biden – State of the Union Address as Prepared for Delivery*, THE WHITE HOUSE (Feb. 7, 2023), <https://www.whitehouse.gov/briefing-room/speeches-remarks/2023/02/07/remarks-of-president-joe-biden->

new phenomenon. Historians have traced the roots of policing Black mobility and physical freedom to our nation’s legacy of slavery and bondage of Black bodies.<sup>5</sup> It is critical that the Department of Transportation recognizes the social context of traffic enforcement disparities and identifies solutions to redress the harms.

Far too many Black people have been killed by police in the name of traffic safety. The purpose of traffic laws is to keep people alive, but current enforcement practices have the opposite effect. The high-profile murders of Tyre Nichols, who was allegedly pulled over for reckless driving, and Philando Castile, who was allegedly pulled over for a broken taillight, are not isolated incidents.<sup>6</sup> In 2022, police killed more than 175 people after initially stopping them for a traffic violation.<sup>7</sup> Non-fatal injuries following traffic stops are more common but routinely underreported due to the lack of comprehensive data collection and proper oversight and accountability.<sup>8</sup> The status quo of traffic enforcement is counterproductive and inexcusably dangerous.

The Department of Transportation has an obligation to serve and safeguard the general public, including the Black community. I appreciate that your agency’s mission centers “the safe, efficient, sustainable, and equitable movement of people...”<sup>9</sup> Everyone in this country deserves access to a just transportation system. It is the literal pathway to our most basic needs and our greatest dreams. Transit justice is racial justice, so the Department of Transportation must reform its approach to road safety to end practices and policies that have sustained racial inequality.

It is time to abandon antiquated and deleterious strategies for traffic enforcement. While driving laws are meant to enhance every person’s transit experience, police enforcement of those laws has resulted in the abuse of Black motorists. The Department of Transportation should evaluate public campaigns and grants designed to incentivize, expand, and embed policing in traffic safety.<sup>10</sup> Your authority under Title VI of the Civil Rights Act requires you to ensure federal funds do not contribute to racist enforcement.<sup>11</sup> Moreover, it is important to recognize that brutality during traffic enforcement is itself a threat to highway safety and contradictory to the first principle of the Department’s Safe System approach: deaths and serious injuries are unacceptable.<sup>12</sup>

The nation is at a significant inflection point, and you have an opportunity to support fair policies that benefit all people. With the passage of the Infrastructure Investments and Jobs Act, Congress appropriated hundreds of billions of dollars to modernize our transportation system. This unprecedented investment should lead to innovation in traffic enforcement. For example,

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state-of-the-union-address-as-prepared-for-delivery/.

<sup>5</sup> *Driving While Black*, PBS (2023), <https://www.pbs.org/show/driving-while-black/>.

<sup>6</sup> *Officer drew gun as he approached Tyre Nichols, report finds*, AP NEWS (Feb. 9, 2023), <https://apnews.com/article/tyre-nichols-memphis-law-enforcement-f2a8806b2e75f20210ac252c3c6eccac>; *Death of Philando Castile, another fatal shooting by police, draws condemnation*, PBS (July 7, 2016), <https://www.pbs.org/newshour/show/death-of-philando-castile-another-fatal-shooting-by-police-draws-condemnation>.

<sup>7</sup> *Mapping Police Violence*, CAMPAIGN ZERO (Jan. 15, 2023), <https://mappingpoliceviolence.org/>.

<sup>8</sup> *Why Many Police Traffic Stops Turn Deadly*, NY TIMES (Nov. 30, 2021), <https://www.nytimes.com/2021/10/31/us/police-traffic-stops-killings.html>.

<sup>9</sup> *About DOT*, U.S. DEPARTMENT OF TRANSPORTATION (Mar. 28, 2022), <https://www.transportation.gov/about>

<sup>10</sup> High Visibility Enforcement Toolkit, National Highway Traffic Safety Administration, <https://www.nhtsa.gov/enforcement-justice-services/high-visibility-enforcement-hve-toolkit>.

<sup>11</sup> *The Department of Transportation Title VI Program*, U.S. DEPARTMENT OF TRANSPORTATION (Nov. 1, 2019), <https://www.transportation.gov/mission/departments-transportation-title-vi-program>.

<sup>12</sup> *Zero Deaths and Safe System*, U.S. DEPARTMENT OF TRANSPORTATION (Jan. 12, 2023), <https://highways.dot.gov/safety/zero-deaths>.

eliminating financial barriers to vehicle registration and upgrading traffic lights can reduce enforcement demands.<sup>13</sup> Furthermore, some states and localities, such as Virginia,<sup>14</sup> Oregon,<sup>15</sup> and the city of Philadelphia,<sup>16</sup> have made systemic changes, moving minor traffic infractions, such as a single missing taillight or an object hanging on a rear-view mirror, away from enforcement by armed police officers. As our nation's Secretary of Transportation, you play a pivotal role in issuing guidance, collecting data, promulgating regulations, and funding priorities that move our nation closer to transit equity.

Traffic safety should not come at the expense of the dignity and safety of the Black community. The status quo of inequitable traffic enforcement is the product of racist policies, outdated infrastructure, and limited oversight. I urge the Department of Transportation to condemn harmful enforcement practices and develop reforms that support the wellbeing of Black people traveling on our nation's roads and highways.

Sincerely,



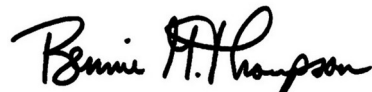
Ayanna Pressley  
Member of Congress



Henry C. "Hank" Johnson, Jr.  
Member of Congress



Donald M. Payne, Jr.  
Member of Congress



Bennie G. Thompson  
Member of Congress

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<sup>13</sup> *Redesigning Public Safety: Traffic Safety*, CENTER FOR POLICING EQUITY (Sept. 2022), <https://policingequity.org/traffic-safety/60-cpe-white-paper-traffic-safety/file>.

<sup>14</sup> *H 5058*, Virginia General Assembly (Nov. 9, 2020), <https://lis.virginia.gov/cgi-bin/legp604.exe?202+ful+CHAP0045>.

<sup>15</sup> *Senate Bill 1510*, Oregon Legislative Assembly (Mar. 3, 2022), <https://olis.oregonlegislature.gov/liz/2022R1/Downloads/MeasureDocument/SB1510/Enrolled>

<sup>16</sup> *Bill No. 210636*, City Council City of Philadelphia (June 24, 2021), <https://phila.legistar.com/LegislationDetail.aspx?ID=5007830&GUID=065348E0-F4F6-4B6A-A088-DF5358E73CD&Options=ID|Text|&Search=210636>.

*André Carson*

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André Carson  
Member of Congress

*Terri Sewell*

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Terri A. Sewell  
Member of Congress

*Cori Bush*

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Cori Bush  
Member of Congress

*Frederica S. Wilson*

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Frederica S. Wilson  
Member of Congress

*Alma S. Adams*

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Alma S. Adams, Ph.D.  
Member of Congress

*Joyce Beatty*

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Joyce Beatty  
Member of Congress

*Jamaal Bowman*

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Jamaal Bowman, Ed.D.  
Member of Congress

*Lisa Blunt Rochester*

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Lisa Blunt Rochester  
Member of Congress

*James E. Clyburn*

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James E. Clyburn  
Member of Congress

*Jasmine Crockett*

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Jasmine Crockett  
Member of Congress

*Dwight Evans*

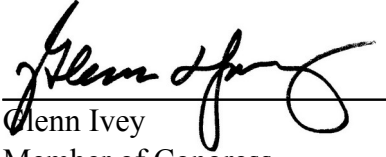
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Dwight Evans  
Member of Congress

*Al Green*

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Al Green  
Member of Congress



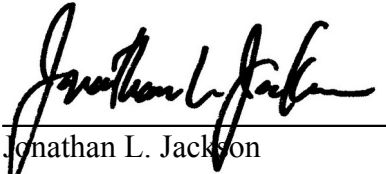
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Glenn Ivey  
Member of Congress



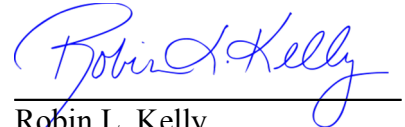
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Sheila Jackson Lee  
Member of Congress




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Jonathan L. Jackson  
Member of Congress




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Robin L. Kelly  
Member of Congress




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Sydney Kamlager-Dove  
Member of Congress



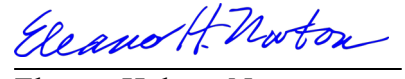
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Barbara Lee  
Member of Congress




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Summer Lee  
Member of Congress




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Eleanor Holmes Norton  
Member of Congress




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Ilhan Omar  
Member of Congress



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Bonnie Watson Coleman  
Member of Congress



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Valerie P. Foushee  
Member of Congress

cc: The Honorable Merrick Garland, Attorney General, U.S. Department of Justice