Transportation Access and the Criminal Legal System

May 2023

Equal access to reliable transportation is essential for safe communities, economic stability, and public health. Transportation isn't just the ability to move from place to place, it's the ability to work, go to school, secure healthy food, get to doctor's appointments, and find housing.[1]

It's also the ability to access our legal system, and to comply with its mandates. Lack of access to transportation—which mostly impacts poor people—increases the likelihood of criminal legal system contact through police surveillance of public transit, the criminalization of poverty, and the targeting of Black drivers. Once a person has become entrapped in the criminal legal system, transportation plays a role in every stage of the process: from being able to physically get to court and court-mandated meetings to the difficulty of getting back on your feet post-release, lacking access to transportation is an enormous barrier to stability.

Inaccessible transportation increases the likelihood of criminal legal system contact.

I. **Public transit is a site for the criminalization of poor or unhoused people.**

   A. Transportation is expensive: in 2021, Americans spent 16.4% of total expenditures on transportation. The only thing they spent more on was housing.[2]

   B. The vast majority of people who rely on public transit are low-income,[3] often because they cannot afford a car and tend to live farther from their place of work.[4]

   C. Public buses and trains are heavily policed,[5] often as a response to not only crime, but also homelessness and behavioral health crises.[6]

      1. Many unhoused people rely on buses and trains for shelter and to stay warm and dry, exposing them to police surveillance.[7]

      2. A heavy presence of police can be dangerous for unhoused people, as our carceral system notoriously targets and criminalizes homelessness.

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[1] White, G.B. (May 16, 2015). *Stranded: How America's Failing Public Transportation Increases Inequality.* The Atlantic. https://www.theatlantic.com/business/archive/2015/05/stranded-how-americas-failing-public-transportation-increases-inequality/393419/.
[2] *Consumer Expenditures - 2021*. (September 8, 2022). U.S. Bureau of Labor Statistics. https://www.bls.gov/news.release/cesan.nr0.htm.
[3] Anderson, M. (April 7, 2016). *Who relies on public transit in the U.S.* Pew Research Center. https://www.pewresearch.org/short-reads/2016/04/07/who-relies-on-public-transit-in-the-u-s/.
[4] Kneebone, E. & Holmes, N. (2016). *The growing distance between people and jobs in metropolitan America*. Brookings Institute. https://www.brookings.edu/wp-content/uploads/2016/07/srvy_jobsproximity.pdf.
[5] Wagner, L. (January 29, 2020). *Here Are the Fare-Evasion Enforcement Data the NYPD Fought to Keep Secret*. Vox. https://www.vice.com/en/article/y3mww7/here-are-the-fare-evasion-enforcement-data-the-nypd-fought-to-keep-secret.
[6] Vock, D.C. (May 18, 2022). *With Complaints Rising, Transit Agencies Search for Alternatives to Police*. Route Fifty. https://www.route-fifty.com/public-safety/2022/05/complaints-rising-transit-agencies-search-alternatives-police/367114/.
[7] Vock, D.C. (May 18, 2022). *With Complaints Rising, Transit Agencies Search for Alternatives to Police*. Route Fifty. https://www.route-fifty.com/public-safety/2022/05/complaints-rising-transit-agencies-search-alternatives-police/367114/.

D. Between 2021-2022, arrests on New York City subway trains increased by 64% as a result of Mayor Eric Adams' increased push for policing public transit.[8]

1. Specifically, there was a 51% increase in arrests for failure to pay the transit fare.[9] This has been a trend for years: in 2018, more than 53,000 New Yorkers were issued summons for fare evasion.[10]

2. **In other words, people are being unnecessarily pushed into the criminal legal system because they cannot afford to travel to work, school, or other appointments.[11]**

E. Perhaps unsurprisingly, it has recently come to light that police use public transit as a tool to specifically target poor people of color.

1. One recent investigation found that police were targeting subway stations in high-poverty Black and Latinx neighborhoods, not based on ridership rates.[12]

2. In 2019, four Black and Latinx police officers sued the NYPD for explicitly pressuring them to enforce low-level violations against Black and Latinx riders but discouraging them to do so against White or Asian riders.[13]

II. Even when a person can afford their own car, using one can increase the likelihood of system contact, especially for Black drivers.

A. Traffic stops by police—which are by far the most common way police interact with civilians—can often unexpectedly result in arrest or violence.[14]

B. Too frequently, people stopped for common offenses like driving with expired tags,[15] a broken tail light, running a red light, or speeding are met with disproportionate violence, even when they are unarmed and pose no threat.[16]

C. By some estimates, police killed nearly 600 people in traffic stops between 2017-2022.[17]

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[8] Chang, C. (April 11, 2022). *Fare-Evasion Arrests Are Back With a Vengeance*. Curbed. https://www.curbed.com/2022/04/nypd-fare-evasion-arrest-increase.html.
[9] Chang, C. (April 11, 2022). *Fare-Evasion Arrests Are Back With a Vengeance*. Curbed. https://www.curbed.com/2022/04/nypd-fare-evasion-arrest-increase.html.
[10] Wagner, L. (January 29, 2020). *Here Are the Fare-Evasion Enforcement Data the NYPD Fought to Keep Secret.* Vox. https://www.vice.com/en/article/y3mww7/here-are-the-fare-evasion-enforcement-data-the-nypd-fought-to-keep-secret.
[11] Bond, S. & Heer, N. (June 15, 2022). *Op-Ed: Why Decarceration Must Be A Part of Transportation Reform*. StreetsBlog USA. https://usa.streetsblog.org/2022/06/15/op-ed-why-decarceration-must-be-a-part-of-transportation-reform/.
[12] Wagner, L. (January 29, 2020). *Here Are the Fare-Evasion Enforcement Data the NYPD Fought to Keep Secret.* Vox. https://www.vice.com/en/article/y3mww7/here-are-the-fare-evasion-enforcement-data-the-nypd-fought-to-keep-secret.
[13] Goldstein, J. & Southall, A. (June 17, 2020). *'I Got Tired of Hunting Black and Hispanic People'*. The New York Times. https://www.nytimes.com/2019/12/06/nyregion/nyc-police-subway-racial-profiling.html.
[14] Kirkpatrick, D.D., Eder, S., Barker, K., & Tate, J. (October 31, 2021). *Why Many Police Traffic Stops Turn Deadly*. The New York Times. https://www.nytimes.com/2021/10/31/us/police-traffic-stops-killings.html.
[15] Levin, S. (April 21, 2022). *US police have killed nearly 600 people in traffic stops since 2017, data shows.* The Guardian. https://www.theguardian.com/us-news/2022/apr/21/us-police-violence-traffic-stop-data.
[16] Kirkpatrick, D.D., Eder, S., Barker, K., & Tate, J. (October 31, 2021). *Why Many Police Traffic Stops Turn Deadly*. The New York Times. https://www.nytimes.com/2021/10/31/us/police-traffic-stops-killings.html.
[17] Levin, S. (April 21, 2022). *US police have killed nearly 600 people in traffic stops since 2017, data shows.* The Guardian. https://www.theguardian.com/us-news/2022/apr/21/us-police-violence-traffic-stop-data.

D. One investigation found that police kill more than one person per week in a traffic stop where the person was neither threatening them with a weapon nor being pursued for a violent crime.[18]

E. These violent and deadly traffic stops disproportionately impact people of color.[19] Though Black drivers make up only 13% of the population, they make up 28% of those killed in traffic stops by police.[20]

F. Despite the police's narrative that traffic stops and searches help them root out crime by finding guns and drugs before they can harm communities, very few traffic stops actually find drugs or guns.[21]

    1. A California report found that officers found no contraband or evidence in 78-82% of traffic stops.[22]

G. Additionally, many stops aren't even for traffic offenses that harm public safety on the roads, like speeding (known as moving violations), but rather for victimless offenses like expired tags (non-moving violations).[23]

    1. A report on traffic stops throughout California found that, though the majority of traffic stops occur during commuting hours, 20% of them occur between 9pm and 3am. During this time, over half of traffic stops are for non-moving violations.[24]

        a) This report also found that police were more likely to conduct a search, force the driver to leave the vehicle, handcuff the driver, and use a weapon as a response to non-moving violations than to moving violations.[25]

    2. In an analysis of traffic stops in LA, the two most common reasons for traffic stops were issues with registration (12% of stops) and license plates (10% of stops).[26] These incidents commonly end in unnecessary violence and don't make communities safer.

H. These stops not only increase the likelihood of violence and criminal legal system contact for minor infractions, but also impact political participation and trust in law enforcement.

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[18] Kirkpatrick, D.D., Eder, S., Barker, K., & Tate, J. (October 31, 2021). *Why Many Police Traffic Stops Turn Deadly*. The New York Times. https://www.nytimes.com/2021/10/31/us/police-traffic-stops-killings.html.
[19] *Mapping Police Violence*. (March 15, 2023). Mapping Police Violence. https://mappingpoliceviolence.org/.
[20] Levin, S. (April 21, 2022). *US police have killed nearly 600 people in traffic stops since 2017, data shows.* The Guardian. https://www.theguardian.com/us-news/2022/apr/21/us-police-violence-traffic-stop-data.
[21] *Racial Disparities in Stops By the D.C. Metropolitan Police Department: Review of Five Months of Data.* (June 2020). ACLU. https://www.acludc.org/sites/default/files/2020_06_15_aclu_stops_report_final.pdf.
[22] Lofstrom, M., Hayes, J., Martin, B., & Premkumar, D. (October 2022). *Racial Disparities in Traffic Stops.* Public Policy Institute of California. https://www.ppic.org/publication/racial-disparities-in-traffic-stops/.
[23] McCann, S. (March 29, 2023). *Low-Level Traffic Stops Are Ineffective—and Sometimes Deadly. Why Are They Still Happening?* The Vera Institute. https://www.vera.org/news/low-level-traffic-stops-are-ineffective-and-sometimes-deadly-why-are-they-still-happening.
[24] Lofstrom, M., Hayes, J., Martin, B., & Premkumar, D. (October 2022). *Racial Disparities in Traffic Stops.* Public Policy Institute of California. https://www.ppic.org/publication/racial-disparities-in-traffic-stops/.
[25] Lofstrom, M., Hayes, J., Martin, B., & Premkumar, D. (October 2022). *Racial Disparities in Traffic Stops.* Public Policy Institute of California. https://www.ppic.org/publication/racial-disparities-in-traffic-stops/.
[26] *Review of Stops Conducted by the Los Angeles Police Department in 2019.* (2019). Los Angeles Office of the Inspector General. https://www.oig.lacity.org/_files/ugd/b2dd23_d3e88738022547acb55f3ad9dd7a1dcb.pdf.

1. One study found that people who had been stopped by the police while driving in the past 12 months were 25% less likely to seek help or report non-crime emergencies to police.[27]

2. A recent study determined that traffic stops reduce voter turnout by around 1.5 percentage-points, as people who feel victimized and criminalized by police feel less trustworthy of—and more isolated from—the political process.[28]

Once a person has been arrested, lacking access to transportation complicates every step of the process.

I. The need for transportation access during the pretrial process is substantial, as people may have to appear in court 8-10 times over 6 months, even for cases that don't result in a trial.[29]

A. For low-income people accused of crimes, the $5.50 round trip that it can cost to take public transit to court each time can be the difference between putting food on the table that night or going without.[30]

B. The stakes are high: failure to appear for a scheduled court date can lead to a worse sentence, a warrant out for arrest, pretrial detention, suspended licenses, or additional charges.[31]

II. Expanded use of diversion programs and court-mandated treatment means that people are required by the court to attend meetings and appointments outside the courtroom itself, leading to more transportation needs.

A. In a national survey of pretrial diversion programs, 77% involved community service, 69% involved substance use education, 59% involved substance abuse treatment, and 42% involved individual therapy. More than half of these programs lasted 10 months or longer, meaning people had to regularly find rides to all these appointments for nearly a year—or risk a conviction and a probation sentence.[32]

III. While incarcerated hundreds of miles away from home, poor transportation access makes it incredibly difficult for people to stay in touch with loved ones.

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[27] Chenane, J.L., Wright, E.M., & Gibson, C.L. (2019). Traffic stops, race, and perceptions of fairness. *Policing and Society.* https://www.researchgate.net/publication/331551849_Traffic_stops_race_and_perceptions_of_fairness.
[28] Ben-Menachem, J. & Morris, K.T. (2022). Ticketing and Turnout: The Participatory Consequences of Low-Level Police Contact. *American Political Science Review.* https://www.cambridge.org/core/journals/american-political-science-review/article/ticketing-and-turnout-the-participatory-consequences-of-lowlevel-police-contact/184A410DFF3DC72F4B9667C8CA3E0730.
[29] Hessick, C.B. (October 12, 2021). *Punishment Without Trial: Why Plea Bargaining is a Bad Deal.* New York: Abrams Press. Pp. 110.
[30] Hessick, C.B. (October 12, 2021). *Punishment Without Trial: Why Plea Bargaining is a Bad Deal.* New York: Abrams Press. Pp. 110.
[31] *Statutory Responses for Failure to Appear.* (February 25, 2022). National Conference of State Legislatures. https://www.ncsl.org/civil-and-criminal-justice/statutory-responses-for-failure-to-appear.
[32] Lowry, M. & Kerodal, A. (2019). *Prosecutor-Led Diversion: A National Survey.* Center for Court Innovation. https://www.innovatingjustice.org/sites/default/files/media/document/2019/prosecutor-led_diversion.pdf.

A. The average distance from home for someone incarcerated in a state prison is 100 miles. For someone in a federal prison, it's 500 miles—that's at least a 14-hour drive roundtrip.[33]

B. Without access to transportation, it's harder for people to visit loved ones in prison. These visits have been shown to improve relationships, help people cope with the trauma of incarceration,[34] help people find employment post-release,[35] and reduce risk of recidivism post-release.[36]

   1. One study by the Minnesota Department of Corrections found a strong connection between visits in prison and recidivism: visits by friends and family were correlated with a 13% lower risk of recidivism for felony reconviction and a 25% lower risk for technical violation revocation (breaking the rules of parole). The more visits people had, the less likely they were to recidivate.[37]

C. Visits help children feel more attached to their incarcerated parents and improve their well-being, emotional adjustment, self-esteem, and school behavior.[38,39] Parent-child bonds play a major role in helping the child overcome the challenges associated with having an incarcerated parent.[40]

D. Unfortunately, kids often live far away from the prison or jail where their parents are incarcerated or don't have someone who can take them to visit: two thirds of mothers in one study reported that their kids live over 2 hours away from the prison.[41]

IV. Even if a person avoids incarceration and is instead on community supervision, lack of access to transportation makes it incredibly difficult to fulfill the conditions of probation.

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[33] La Vigne, N.G. (February 3, 2014). *The cost of keeping prisoners hundreds of miles from home*. Urban Institute. https://www.urban.org/urban-wire/cost-keeping-prisoners-hundreds-miles-home.

[34] Duncan, H.E. & Balbar, S. (June 1, 2008). Evaluation of a Visitation Program at a Canadian Penitentiary. *The Prison Journal, 88*(2). https://journals.sagepub.com/doi/abs/10.1177/0032885508319210.

[35] Brunton-Smith, I. & McCarthy, D.J. (March 1, 2017). The Effects of Prisoner Attachment to Family on Re-entry Outcomes: A Longitudinal Assessment. *The British Journal of Criminology, 57*(2): 463-482. https://academic.oup.com/bjc/article/57/2/463/2623932.

[36] Duwe, G. & Clark, V. (December 6, 2011). Blessed Be the Social Tie That Binds: The Effects of Prison Visitation on Offender Recidivism. *Criminal Justice Policy Review, 24*(3). https://journals.sagepub.com/doi/full/10.1177/0887403411429724.

[37] *The Effects of Prison Visitation on Offender Recidivism*. (November 2011). Minnesota Department of Corrections. https://mn.gov/doc/assets/11-11PrisonVisitationResearchinBrief-Final_tcm1089-272782.pdf.

[38] Cramer, L., Goff, M., Peterson, B., & Sandstrom, H., (2017). *Parent-Child Visiting Practices in Prisons and Jails: A Synthesis of Research and Practice*. Urban Institute. https://www.urban.org/sites/default/files/publication/89601/parent-child_visiting_practices_in_prisons_and_jails_0.pdf.

[39] Cramer, L., Goff, M., Peterson, B., & Sandstrom, H., (2017). *Parent-Child Visiting Practices in Prisons and Jails: A Synthesis of Research and Practice*. Urban Institute. https://www.urban.org/sites/default/files/publication/89601/parent-child_visiting_practices_in_prisons_and_jails_0.pdf.

[40] Martin, E. (2017). Hidden Consequence: The Impact of Incarceration on Dependent Children. *National Institute of Justice, 278.* https://www.santacruzcounty.us/Portals/0/County/Commissions/jag%20commission/Resources/Hidden%20Consequences%20Impact%20of%20Inc%20on%20Dependent%20Children%20NIJ%202017.pdf.

[41] Dworsky, A., Fedock, G., Schlecht, C., Malcolme, M., Murray, C., & Hazel, C. (2020). Addressing the Needs of Incarcerated Mothers and Their Children in Illinois. *Chapin Hall at the University of Chicago and the University of Chicago's School of Social Service Administration.* https://www.chapinhall.org/wp-content/uploads/Incarcerated-Mothers-FINAL-2020.pdf.

A. People on probation are expected to comply with up to 18-20 different requirements *per day*,[42] and many of these requirements are made significantly more difficult without reliable transportation.[43]

B. Missing a check-in with a supervisor, breaking curfew, or not showing up for school or work are examples of 'technical violations', which are non-criminal violations of probation (VOPs). These violations can lead to arrest and reincarceration.[44]

1. Technical violations account for nearly ¼ of all state prison admissions.[45]

2. **Without a car or reliable public transit, it's much harder to get to supervision meetings on time, keep up with school or work, or make sure you're home by a certain time, increasing the likelihood of a VOP and therefore deeper criminal legal system involvement.**

Formerly incarcerated people struggle to get back on their feet without access to transportation.

I. Poor access to transportation makes it harder for formerly incarcerated people to keep a job, get to school, or attend doctor's appointments, exacerbating the massive barriers to stability they already face.[46]

II. In a meta-analysis on the challenges of women re-entering the community, transportation was absolutely critical, and a lack of transportation exacerbated all the other obstacles they faced.[47]

III. Being incarcerated severs social ties, leaving people stranded very far from home and often without friends or family to pick them up.

A. A volunteer with the A Ride Home program (which provides recently released people a free ride from the jail or prison to their next destination) explained that, in the first 24 hours after a person is released from prison, they often lack support from friends or family, confidence, and knowledge of how to navigate the world.[48]

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[42] Corbett Jr., R.P. (2015). The Burdens of Leniency: The Changing Face of Probation. *Minnesota Law Review.* https://www.minnesotalawreview.org/wp-content/uploads/2015/09/Corbett_4fmt_PDF.pdf#page=14.
[43] *Former Incarcerated Individual Launches Nonprofit "Freedom Rides" to Help Those Newly Released from Prison Legally and Responsibly Return to the Road.* (March 20, 2020). PR Newswire. https://www.prnewswire.com/news-releases/former-incarcerated-individual-launches-nonprofit-freedom-rides-to-help-those-newly-released-from-prison-legally-and-responsibly-return-to-the-road-301062474.html.
[44] Wang, L. (May 2023). *Punishment Beyond Prisons 2023: Incarceration and supervision by state.* Prison Policy Initiative. https://www.prisonpolicy.org/reports/correctionalcontrol2023.html.
[45] *Confined and Costly: How Supervision Violations are Filling Prisons and Burdening Budgets*. (June 2019). The Council of State Governments & Arnold Ventures. https://csgjusticecenter.org/wp-content/uploads/2020/01/confined-and-costly.pdf.
[46] *Former Incarcerated Individual Launches Nonprofit "Freedom Rides" to Help Those Newly Released from Prison Legally and Responsibly Return to the Road.* (March 20, 2020). PR Newswire. https://www.prnewswire.com/news-releases/former-incarcerated-individual-launches-nonprofit-freedom-rides-to-help-those-newly-released-from-prison-legally-and-responsibly-return-to-the-road-301062474.html.
[47] Nordber, A., Davis, J.B., Leat, S.R., Mattingly, S., Keaton, C., & Mitchell, M.B. (2021). Transportation Barriers to Successful Reentry Among Returning Citizens: A Qualitative Interpretive Meta-Synthesis. *The Prison Journal, 101*(4): 488-506. Doi: 10.1177/00328855211029894.
[48] *Ride Home Program.* (n.d.). Anti-Recidivism Coalition. https://antirecidivism.org/our-programs/ride-home/.

IV. Because formerly incarcerated people were more likely to be poor in the first place, and because the criminal legal system itself extracts wealth and makes it significantly harder to earn money post-release, people who have recently been released often cannot afford to pay for public transit, much less a car.[49,50]

V. Most people who are released from jail or prison are still on some form of community supervision.

A. Being on parole involves a multitude of conditions like drug testing, keeping a job, going to regular supervision meetings, or attending Alcoholics Anonymous. Without access to transportation, it is significantly more likely that a person will violate one of these many conditions and end up back behind bars.[51,52]

VI. Interacting with the criminal legal system restricts a person's access to move where and how they want to, even after they've finished serving their time. Being on community supervision, having an open case, or having a conviction can result in a suspended driver's license, which puts reliable transportation out of reach even if a person can afford a car, making it harder to show up to work, school, supervision meetings, or court.[53,54]

VII. Because the carceral system drives housing loss, people are often left without a permanent address post-release, making it more difficult to get a driver's license.[55]

VIII. Lacking transportation increases the risk of recidivism.

A. Transportation plays a huge role in whether formerly incarcerated people can access the life-stabilizing services that help them avoid future criminal legal system contact. One study found that just a one-standard-deviation increase in a person's physical proximity to social service providers decreased the likelihood of recidivating by 41%.[56]

B. One study found that **people with lower access to transportation had more incidents of recidivism** and a shorter time before recidivating.[57]

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[49] Nordber, A., Davis, J.B., Leat, S.R., Mattingly, S., Keaton, C., & Mitchell, M.B. (2021). Transportation Barriers to Successful Reentry Among Returning Citizens: A Qualitative Interpretive Meta-Synthesis. *The Prison Journal, 101*(4): 488-506. Doi: 10.1177/00328855211029894.
[50] *Transportation After Incarceration: Where the Rubber Meets the Road for Sustainable Reentry.* (September 22, 2021). Policy Research Associates. https://www.prainc.com/gains-transportation-after-incarceration/.
[51] Nordber, A., Davis, J.B., Leat, S.R., Mattingly, S., Keaton, C., & Mitchell, M.B. (2021). Transportation Barriers to Successful Reentry Among Returning Citizens: A Qualitative Interpretive Meta-Synthesis. *The Prison Journal, 101*(4): 488-506. Doi: 10.1177/00328855211029894.
[52] Ravulo, J. (September 2019). The Role of Holistic Approaches in Reducing the Rate of Recidivism for Young Offenders. *The Judicial Review: Selected Conference Papers: Journal of the Judicial Commission of New South Wales, 14*(2). https://www.researchgate.net/publication/337273356_The_role_of_holistic_approaches_in_reducing_the_rate_of_recidivism_for_young_offenders.
[53] *National Inventory of the Collateral Consequences of Conviction User Guide Frequently Asked Questions*. (n.d.). National Institute of Justice. https://www.ojp.gov/pdffiles1/nij/252073.pdf.
[54] Dewan, S. (August 2, 2015). *Probation May Sound Light, But Punishments Can Land Hard.* The New York Times. https://www.nytimes.com/2015/08/03/us/probation-sounding-light-can-land-hard.html.
[55] Wiltz, T. (May 15, 2017). *Without ID, Homeless Trapped in Vicious Cycle.* Pew. https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2017/05/15/without-id-homeless-trapped-in-vicious-cycle.
[56] Hipp, J.R., Petersilia, J., & Turner, S. (2010). Parolee Recidivism in California: The Effect of Neighborhood Context and Social Service Agency Characteristics. *Criminology, 48*(4). Doi: 10.1111/j.1745-9125.2010.00209.x.
[57] Bohmert, M.N. (February 2015). *Access to Transportation and Outcomes for Women on Probation and Parole*. Michigan State University. https://www.ojp.gov/pdffiles1/nij/grants/248641.pdf.

1. 1 in 7 women who violated a condition of their probation or parole did so for transportation-related reasons like driving without a license or failure to report to a meeting due to car troubles.[58]

2. In interviews, 42.6% of women reported transportation as one of their top three concerns post-release.[59]

C. Another study found that transportation access was a strong predictor of future conviction among women on community supervision.[60]

Transportation access mitigates some of the harm caused by the criminal legal system.

I. If people could afford reliable transportation, they wouldn't be forced to commit fare evasion in order to live their lives. Fareless transit has been implemented in cities across the world and has seen some success in reducing household transportation spending, decreasing violent interactions with police,[61] helping low-income youth and students access jobs and education, and encouraging more people to use public transit.[62]

II. Some cities are considering reducing their reliance on police to respond to homelessness and mental health crises on public transit. A police approach does not help connect people to the resources they need, and instead further criminalizes and destabilizes them.[63]

A. Some cities have seen success by implementing programs where trained professionals are stationed on buses and trains instead of police to respond to people in behavioral health crises or connect unhoused people to resources.[64]

III. Jurisdictions across the country must reevaluate and transform traffic stops by police to prevent unnecessary violence and criminal legal system interaction.[65]

A. Fayetteville, North Carolina serves as a case study: in 2013, the new police chief urged officers to reduce stops for non-moving violations like equipment failures

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[58] Bohmert, M.N. (February 2015). *Access to Transportation and Outcomes for Women on Probation and Parole*. Michigan State University. https://www.ojp.gov/pdffiles1/nij/grants/248641.pdf.
[59] Bohmert, M.N. (February 2015). *Access to Transportation and Outcomes for Women on Probation and Parole*. Michigan State University. https://www.ojp.gov/pdffiles1/nij/grants/248641.pdf.
[60] Bohmert, M.N. & DeMaris, A. (2018). Cumulative Disadvantage and the Role of Transportation in Community Supervision. *Crime & Delinquency, 64*(8): 1033-1056. Doi: 10.1177/0011128716686344.
[61] Ionescu, D. (July 25, 2022). *The State of America's Free Transit Programs*. Planetizen. https://www.planetizen.com/features/117977-state-americas-free-transit-programs.
[62] Ionescu, D. (July 25, 2022). *The State of America's Free Transit Programs*. Planetizen. https://www.planetizen.com/features/117977-state-americas-free-transit-programs.
[63] Blumgart, J. (July 11, 2022). *Progressive Cities Have a Public Order Problem on Mass Transit.* Governing. https://www.governing.com/now/progressive-cities-have-a-public-order-problem-on-mass-transit.
[64] Vock, D.C. (May 18, 2022). *With Complaints Rising, Transit Agencies Search for Alternatives to Police*. Route Fifty. https://www.route-fifty.com/public-safety/2022/05/complaints-rising-transit-agencies-search-alternatives-police/367114/.
[65] *Investigation of the Ferguson Police Department.* (March 4, 2015). United States Department of Justice. https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf.

or expired registration after recognizing that poor people of color were being unnecessarily targeted through these stops.[66] The results were striking:

1. Police did indeed significantly reduce traffic stops for non-moving violations, and investigative stops (where officers stop a driver to investigate them based on suspicion of a crime) dropped to zero.

2. The number of Black drivers searched by police declined by nearly 50% in 3 years.

3. Traffic fatalities actually decreased, proving that reducing non-moving traffic stops does not threaten traffic safety.

4. Uses of force went down, injuries to citizens and police officers went down, and complaints against officers went down.[67]

IV. Even in places without free or reduced-fare transit, polities must create systems that enable people to comply with court mandates. This means creating transit access for low-income people who are required to come to court (whether the court is criminal, civil, housing, family, immigration, or another part of public legal infrastructure), and additionally creating access for people to comply with court mandates to attend meetings, programs, and other offsite required locations.

V. It must be made easier for people to visit their loved ones in prison. Programs that provide free transportation to families who wish to visit incarcerated loved ones have seen success,[68] and some legislation has called for smaller distances between incarcerated people and their families.[69]

VI. Formerly incarcerated people need access to reliable transportation in order to achieve stability.

A. The Anti-Recidivism Coaltion's A Ride Home program provides free, safe, friendly transportation from the jail or prison to a transitional housing program or treatment program. Not only do these rides give people someone to talk to who understand their experiences (the drivers and counselors are formerly incarcerated themselves), but they also help ensure that people have the resources and knowledge they need to re-enter their community.[70]

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[66] Jallow, A. (April 15, 2021). *What would happen if cops didn't make certain traffic stops? This North Carolina city offers a case study.* USA Today. https://www.usatoday.com/story/news/nation/2021/04/15/police-reform-fayetteville-burlington-nc-traffic-stops-policing/7225318002/.
[67] Jallow, A. (April 15, 2021). *What would happen if cops didn't make certain traffic stops? This North Carolina city offers a case study.* USA Today. https://www.usatoday.com/story/news/nation/2021/04/15/police-reform-fayetteville-burlington-nc-traffic-stops-policing/7225318002/.
[68] Joyce, Jaime. (May 10, 2019). *Let's Make It Easier for Kids to Visit Incarcerated Parents.* The Marshall Project. https://www.themarshallproject.org/2019/05/10/let-s-make-it-easier-for-kids-to-visit-incarcerated-parents.
[69] Joyce, Jaime. (May 10, 2019). *Let's Make It Easier for Kids to Visit Incarcerated Parents.* The Marshall Project. https://www.themarshallproject.org/2019/05/10/let-s-make-it-easier-for-kids-to-visit-incarcerated-parents.
[70] *Ride Home Program.* (n.d.). Anti-Recidivism Coalition. https://antirecidivism.org/our-programs/ride-home/.

B. Other programs, like the Freedom Rides program, help ensure that people have access to transportation before they are released by helping them save money to buy a car and navigate the bureaucratic process of obtaining a license.[71]

Conclusion

Lacking access to transportation increases the likelihood of contact with the police and compounds the numerous other collateral consequences of criminal legal system involvement. The system already makes it difficult to maintain stable housing, find and keep a job, continue your education, stay healthy, and prevent future criminal legal system involvement, and lacking reliable transportation pushes these goals even further out of reach.

But things don't have to be this way. Transit access is a solvable problem—after all, there are already many jurisdictions who create free transit access for specific groups like schoolchildren and police. Expanding that access to ensure that these systems are enhancing rather than harming public safety is an achievable and high-impact strategy to build safer, healthier, and more equitable communities.

[71] *Former Incarcerated Individual Launches Nonprofit "Freedom Rides" to Help Those Newly Released from Prison Legally and Responsibly Return to the Road.* (March 20, 2020). PR Newswire. https://www.prnewswire.com/news-releases/former-incarcerated-individual-launches-nonprofit-freedom-rides-to-help-those-newly-released-from-prison-legally-and-responsibly-return-to-the-road-301062474.html.