



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: LeRonne L. Armstrong
Chief of Police

SUBJECT: FY 2021-22 OPD Traffic Safety Grant

DATE: October 6, 2021

City Administrator Approval

Date: Oct 21, 2021

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Accept And Appropriate Grant Funds In The Amount Of Five Hundred Thousand Dollars (\$500,000) From The State Of California, Office Of Traffic Safety (OTS), For The Fiscal Year 2021-2022 Selective Traffic Enforcement Program (STEP), To Be Administered By The Oakland Police Department (OPD); And To Authorize The General Purpose Services Fund To Contribute Sixty Nine Thousand Five Hundred Fifty Dollars (\$69,550) To Cover The Related Central Services Overhead Charges.

EXECUTIVE SUMMARY

Approval of this resolution will allow traffic safety OTS grant funds to be received by OPD Traffic Operations Section (TOS) for traffic safety. The \$500,000 grant awarded to OPD will also be used to:

- Fund overtime costs for OPD officers engaged in DUI¹ and other traffic safety and enforcement operations, including operations conducted in collaboration with the Alameda County Sheriff's Office (ACSO);
- Purchase a vehicle speed measurement device, a crash data retrieval system update, an event data recorder (EDR) kit, and other DUI checkpoint supplies; and
- Cover related travel and specialized training.

This grant furthers the work of OPD as well as the Department of Transportation (OakDOT) and the Department of Race and Equity (DRE) in focusing on equity-based solutions to traffic safety.

OTS does not allow grant funds to be used for overhead costs. OPD therefore requests that the City Council waive the City's Central Services Overhead (CSO) costs of \$69,550.

BACKGROUND / LEGISLATIVE HISTORY

Every week, two Oaklanders are killed or severely injured in traffic crashes on our streets. These crashes disproportionately harm people in Black, Indigenous, and people of color

¹ DUI = driving under the influence of alcohol

(BIPOC) communities, people with disabilities, seniors, and low-income communities. Crashes are a leading cause of death among Oakland youth. All traffic crashes are preventable. Safe Oakland Streets (SOS) is a Citywide initiative that is taking a new approach to preventing crashes, focusing on strategies that will save lives and deliver equitable outcomes. As a component of this work, the SOS initiative identified enforcement strategies that were presented to City Council on April 20, 2021. The proposed investments are in alignment with these strategies. In addition, the State of California has made positive strides in recent years in reducing the rate of motorist-related fatal and serious injury collisions. The most common causes of collisions are speeding, failure to yield, unsafe turning, red light running, and driving under the influence of drugs and/or alcohol². Vehicle collisions occur primarily due to alcohol consumption, speeding, running of red lights and other select vehicle code violations (Table 1 below in The Analysis and Policy Alternatives” Section below provides vehicle collision data). Incidents involving these factors remain prevalent causes of death and injury nationally and in California. Traffic studies have shown that cities engaged in enforcement operations targeting dangerous moving violations have seen substantial reductions in fatal and injury collisions.

City Council previously approved acceptance and appropriation of The National Highway Traffic Safety Administration (NHTSA) funds OTS to administer the Selective Traffic Enforcement Program (STEP). The STEP Resolution No. 83555 C.M.S., dated September 20, 2011; Resolution No. 84712 C.M.S., dated November 19, 2013; Resolution No. 85274 C.M.S., dated November 18, 2014; Resolution No. 85768 C.M.S., dated September 8, 2015; Resolution No. 86491 C.M.S., dated November 3, 2016, Resolution No. 86958 C.M.S., dated November 7, 2017, Resolution No. 87363 C.M.S., dated October 2, 2018 and Resolution No. 88403, dated December 1, 2020.

ANALYSIS AND POLICY ALTERNATIVES

The National Highway Traffic Safety Administration (NHTSA) funds OTS to administer the Selective Traffic Enforcement Program (STEP). These grant funds will provide OPD with the added tools to be more successful in curbing problems associated with impaired drivers, red light runners, speeding vehicles and other aggressive and reckless driving. OPD's goals for use of STEP grant fund include:

- increasing motorist, pedestrian and bicyclist safety; and
- reducing traffic fatalities and injuries.

OPD staff plans to achieve these goals by deploying comprehensive, consistent and focused traffic enforcement. In January 2021, OPD's Traffic Enforcement Unit personnel was cut due to limited budget funds; currently there are no permanently assigned full-time traffic enforcement officers; officers currently assigned to the Traffic Operations Section (TOS) currently focus on investigations, abandoned automobile detail and abatement, and port security. This Step grant funding would provide much needed traffic enforcement in the City of Oakland.

TOS will use the grant funds to promote vehicular safety through both education and enforcement. OPD TOS will partner with the Alameda County Sheriff's Office (ACSO) to

² Safe Oakland Streets Analysis, April 2021. Available at: www.oaklandca.gov/SOS

conduct high visibility collaborative DUI and Traffic enforcement operations. The grant funds will also be used to purchase LIDAR³ devices, as speeding is one of the top three primary collision factors and accounts for the second most injury collisions. LIDAR devices are used to enforce speed limits around schools, certain residential neighborhoods, and roads that have a current speed survey (which allows for the use of LIDAR).

OPD will also use STEP grant funds to purchase a software update to OPD's existing Crash Data Retrieval System, which is used to gather speed data from vehicles involved in collisions. OPD will purchase an Event Data Recorder Kit that will update the software to acquire data from newer motor vehicles that are not supported by last year's update. OPD will also purchase DUI/Driver's License Checkpoint supplies needed for those operations.

Staff will continue to operate the STEP grant in accordance with OPD policies and the OTS grant requirements. These requirements include the performance of the following operations planned between October 1, 2021 and September 30, 2022:

- 6 DUI driver license checkpoints
- 20 DUI saturation patrols
- 12 DUI enforcement operations in collaboration with the Alameda County Sheriff's Office (ACSO)
- 12 Traffic Enforcement operations in collaboration with ACSO
- 12 Traffic Operations, including, but not limited to, select primary collision factor violations
- 11 bicycle and pedestrian enforcement operations in identified areas of high bicycle and pedestrian traffic collisions
- 6 distracted driving enforcement operations targeting drivers using hand-held cellular phones and texting
- 2 motorcycle safety operations
- 2 Night-time "click it or ticket" seatbelt enforcement operations
- 1 highly visible Sideshow Enforcement operation
- 1 traffic safety educational presentations
- Participation in National Highway Traffic Safety Administration winter and summer mobilizations, National Walk to School Day, National Distracted Driving Awareness Month, National Click It or Ticket mobilization period, National Bicycle Safety Month, National Motorcycle Safety Month, National Teen Driver Safety Week, National Child Passenger Safety Week, California Pedestrian Safety Month
- Maintain a "HOT Sheet" program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders on a monthly basis
- Send law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) POST⁴-certified training
- Send law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) POST-certified training
- Send law enforcement personnel to the Drug Recognition Expert recertification

³ LIDAR = light detection and ranging, a system used for measuring speed and distance on roads.

⁴ POST = California Commission on Police Officer Standards and Testing

training

OPD administered STEP grants in FY 2010-2011, FY 2011-2012, FY 2013-2014, FY 2014-2015, FY 2015-2016, FY 2016-2017, FY 2018-19, FY 19-20, and FY 20-21. Table 1 below provides collision data for the prior three years.

Table 1: Oakland Collisions, Injuries, and Fatalities: Fiscal Years (FY) 2019-2021

| Collision Type | FY 2018-19 | | | | FY 2019-20 | | | | FY 2020-21 | | | |
|---|-----------------------|--------|---------|---------|------------|--------|---------|---------|------------|--------|---------|---------|
| | Collisions | | Victims | | Collisions | | Victims | | Collisions | | Victims | |
| Fatal | 20 | | 21 | | 26 | | 26 | | 20 | | 20 | |
| Injury | 1406 | | 1677 | | 2261 | | 3027 | | 1520 | | 2050 | |
| | Fatal | Injury | Killed | Injured | Fatal | Injury | Killed | Injured | Fatal | Injury | Killed | Injured |
| Alcohol - Involved | 5 | 16 | 5 | 23 | 3 | 8 | 4 | 12 | 3 | 8 | 3 | 12 |
| Hit & Run | 6 | 581 | 7 | 755 | 5 | 543 | 5 | 690 | 4 | 382 | 4 | 478 |
| Nighttime (2100-0259 hours) | 6 | 282 | 6 | 310 | 8 | 400 | 8 | 539 | 9 | 269 | 9 | 374 |
| Top 3 Primary Collision Factors* | | | | | | | | | Fatal | Injury | Killed | Injured |
| #1 - | 22107 - Improper Turn | | | | | | | | 4 | 370 | 4 | 448 |
| #2 - | 22350 - Unsafe Speed | | | | | | | | 2 | 545 | 2 | 755 |
| #3 - | 21658 - Lane Change | | | | | | | | 1 | 98 | 1 | 109 |

* Estimated data

Many factors can contribute to collisions. **Table 1** above shows that traffic collision injuries decreased in FY 2020-21 compared to the prior fiscal year. The number of victims has decreased as well in FY 2020-21. The decrease could be attributed to a large number (1,200) of traffic reports that have yet to be approved. With the reduction of staff in the Traffic Investigation Unit, there is not enough personnel to review collision reports. In a comprehensive review of traffic injury data from 2012 - 2016, the City of Oakland's Safe Oakland Streets initiative found that 70% of severe and fatal traffic crashes were due to five primary collision factors, including: failure to yield (18%), unsafe speed (17%), unsafe turning (14%), impaired driving (13%) and disobeying traffic signals and signs (8%).

There was a decrease in fatal collisions in 2021. The number of fatalities related to collisions happening at nighttime slightly increased in 2020-2021. Even with the reduction of injury and fatal collisions, the sheer numbers indicate ongoing traffic safety issues, which negatively impacts the lives and safety of Oakland community members.

Funding from OTS will position OPD to continue its efforts to make the streets safer for pedestrians and the motoring public. **Table 2** below provides race data analysis on injured parties from vehicle collisions.

Table 2: Total Injured Parties by Race, From Vehicle Collisions: July 1, 2019 – July 2021

| Race | FY 2019-2020 | | FY 2020-2021 | |
|------------------------------|--------------|------------------|--------------|------------------|
| | Injuries | Percent of Total | Injuries | Percent of Total |
| African American | 1,151 | 38% | 812 | 39% |
| Latino | 772 | 25% | 545 | 26% |
| White | 502 | 16% | 330 | 16% |
| Asian | 260 | 9% | 162 | 8% |
| Other | 159 | 5% | 92 | 4% |
| Not Stated | 209 | 7% | 125 | 6% |
| Total Injured Parties | 3,053 | 100% | 2,066 | 100% |

The data presented in **Table 3** below represents outcomes from STEP Grant-funded Traffic stops, separated by race; the data showcases stops that occurred between July 1, 2020 and June 30, 2021. Table 3 details the top traffic violations seen by Traffic Officers.

Table 3: STEP Grant-funded Traffic Stop Data, by Race: July 1, 2020 – June 30, 2021

| Race | Number | Percentage |
|------------------|--------------|-------------|
| African American | 848 | 41% |
| Latino | 662 | 31% |
| White | 274 | 13% |
| Asian | 182 | 9% |
| Other | 118 | 6% |
| Total | 2,084 | 100% |

Traffic Officers are directed to focus on areas identified in the High Injury Network, just 6% of city streets where over 60% of severe and fatal traffic crashes occur, as identified through Safe Oakland Streets. Areas of focus also include locations where there are current speed surveys, and Oakland public school sites. Officers are also directed to areas where Area Commanders have requested support due to resident complaints involving traffic violators, or when there is an increase in crime and high visibility enforcement has been requested. The stops are focused on public safety violations. Beginning this grant year, OPD directed motor officers to focus on public safety stops; equipment violations are the lowest priority stops.

Traffic Officers have all attended Procedural Justice Training and Implicit Bias Training to ensure that officers are aware of how police efforts can negatively impact communities of color. All stops are reviewed by the first level supervisor and the Traffic Section Commander. OPD recently rolled out a new risk management dashboard for review; OPD plans to use this tool and reduce the high number of stops made in communities of color – furthermore, OPD uses procedures to randomize stops that meet the criteria described in the paragraph above to further mitigate against negative impacts from stops in disadvantaged communities. OPD considers equity and the geographic distribution of traffic enforcement while also recognizing that there continue to be opportunities to improve how equity informs local traffic enforcement.

Table 4 below shows the top violations by type, for stopped vehicles during STEP Grant-funded operations.

Table 4: Top 10 Violations by Traffic Officers 7/1/2020 to 6/30/2021:

| Violation | Violation Description | # |
|------------|---|--------------|
| 22450(A) | FAIL STOP VEH: XWALK/ETC-I | 490 |
| 23123.5(A) | NO TEXT-BASED COMM W/DRIV-I | 460 |
| 21461(A) | DRIVER FAIL OBEY SIGN/ETC-I | 192 |
| 21461.5(A) | LEFT TURN LANE VIOLATION | 133 |
| 22350 VC | UNSAFE SPEED | 110 |
| 23123(A)VC | USE CELLPH W/DRIV W/O HFD | 109 |
| 21655.5 | DISOBEY TRAFFIC LANE SIGN-I | 94 |
| 21950(A)- | FAIL YIELD TO PED: XWALKS-I | 82 |
| 21453(A) | 21453(A)-VC-FAIL STOP LINE/ETC AT RED-I | 71 |
| 12500(A) | DRIVE W/O LICENSE-M | 70 |
| | Total | 1,811 |

FISCAL IMPACT

OTS will reimburse the City up to \$500,000 for the various enforcement operations and education programs during the grant period of October 1, 2021 to September 30, 2022. The budget for the OTS STEP grant award is outlined in **Table 5** below.

Table 5: OTS STEP Funding Plan

| Use of Funds | Amount |
|---|------------------|
| Overtime to conduct enforcement operations | \$224,300 |
| Overtime to conduct collaborative enforcement operations in partnership with ACSO | \$245,000 |
| Travel/Training Expenses | \$6,100 |
| Lidar Device, EDR Kit, Crash Data Retrieval System software update | \$16,000 |
| DUI Checkpoint Supplies | \$8,600 |
| TOTAL | \$500,000 |

Funds will be allocated in the State of California Grant Fund (2159), Traffic Enforcement Division Organization (107510), Traffic Operations Program (PS14), in the Project to be determined. The program will be managed by the Traffic Operations Section Commander.

Table 6 - location of OTS STEP Grant Funds

| Fiscal Year | Fund Source | Organization | Project | Award | Amount |
|-------------|-------------|--------------|---------|-------|-----------|
| 2020-21 | 2159 | 107510 | 1006057 | 24017 | \$500,000 |

General Purpose Fund Contributions

Based on the City's Central Services Overhead (CSO) rate of 13.91 percent, overhead charges associated with the grant's personnel costs will be approximately \$69,550. However, per the granting agency, indirect costs such as CSO charges are disallowed. Staff therefore requests the City's General-Purpose Fund contribute \$69,550 to cover the CSO charges.

PUBLIC OUTREACH / INTEREST

This item is of interest to the public as these grant funds will be used to promote public safety on Oakland's public streets.

COORDINATION

This report has been developed in coordination with OakDOT; the report and resolution have been reviewed by the Office of the City Attorney and the Budget Bureau.

SUSTAINABLE OPPORTUNITIES

Economic: There are no economic activities associated with this report

Environmental: There are no environmental opportunities identified in this report.

Race and Social Equity: OPD recognizes that STEP Grant-funded traffic stop data shows a high percentage of African Americans and Latinos are stopped. As this report explains, officers are directed to focus on areas identified as locations where the City has its highest number of injury and fatal collisions. Traffic Officers have all attended Procedural Justice Training and Implicit Bias Training to ensure that officers are aware of how police efforts can negatively impact communities of color. All stops are reviewed by the first level supervisor and the Traffic Section Commander. OPD recently rolled out a new risk management dashboard for review; OPD plans to use this tool and reduce the high number of stops made in communities of color. OPD considers equity and the geographic distribution of traffic enforcement while also recognizing that there continue to be opportunities to improve how equity informs local traffic enforcement.

In 2018, the Oakland Equity Indicators Report found troubling disparities in pedestrian deaths in Oakland. The City of Oakland experiences approximately two severe or fatal traffic crashes each week, with crashes disproportionately impacting BIPOC, high priority communities¹¹, and seniors. In December 2020, OPD reported a surge in traffic-related fatalities where 33 people were killed on Oakland's roadways, compared to the 27 people killed in 2019. The most common causes of collisions are speeding, failure to yield, unsafe turning, red light running, and driving under the influence of drugs and/or alcohol.

The City of Oakland analyzed nearly 2,000 injury crashes from 2012-2016 to understand how they affect Oaklanders and how to effectively focus safety efforts.¹² During that period, there was a 76% increase in severe or fatal injuries and accounted for \$900 million in yearly costs of

traffic crashes. Just over one in four Oaklanders killed are involved in a crash where speed is a primary factor. For anyone hit at just 30 miles per hour, their chance at surviving is just 50%. Most severe and fatal injuries occur at intersections (75%). For pedestrians, one-third of those severe and fatal injuries is caused by a driver failing to yield to a pedestrian. For people on bikes, Oaklanders are killed or severely injured by left-turning vehicles at over four times the rate of right-turning vehicles. While only 10% of Oakland's intersections are signalized, nearly 50% of fatalities occur at signalized intersections. The majority (60%) of these crashes are highly concentrated on just 6% of the 800 miles of Oakland's city-maintained streets, as identified as Oakland's high injury network. Furthermore, the High Injury Network (HIN) generally overlaps with Oakland's map of priority neighborhoods as found in Oakland's Geographic Equity Toolbox. The toolbox prioritizes neighborhoods based on concentrations of people with demographic factors determined to have experienced historic and current disparities.

The Safe Oakland Streets strategies has a goal of eliminating severe and fatal injury inequities including racial disparities impacting BIPOC communities that exist today in Oakland. The Safe Oakland Streets strategies has a goal of eliminating severe and fatal injury inequities including racial disparities impacting BIPOC communities that exist today in Oakland.

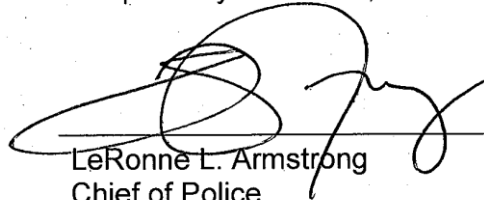
Efforts to address reckless driving, speeding, unlicensed vehicle operation, DUI, and other traffic problems will lead to life improvements for all resident and visitors.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator, Or Designee, To Accept And Appropriate Grant Funds In The Amount Of Five Hundred Thousand Dollars (\$500,000) From The State Of California, Office Of Traffic Safety (OTS), For The Fiscal Year 2021-2022 Selective Traffic Enforcement Program (STEP), To Be Administered By The Oakland Police Department (OPD); And To Authorize The General Purpose Services Fund To Contribute Sixty Nine Thousand Five Hundred Fifty Dollars (\$69,550) To Cover The Related Central Services Overhead Charges.

For questions about this report, please contact Lieutenant Jeffrey Thomason, OPD, Traffic Operations Section, at (510) 777-8782.

Respectfully submitted,



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