



# AGENDA REPORT


**TO:** Jestin D. Johnson  
City Administrator

**FROM:** Floyd Mitchell  
Chief of Police

**SUBJECT:** CHP Cannabis Tax Fund Grant

**DATE:** October 24, 2024

City Administrator Approval

  
Jestin Johnson (Oct 31, 2024 10:40 PDT)

Date: Oct 31, 2024

## **RECOMMENDATION**

**Staff Recommends That The City Council Adopt A Resolution Amending Resolution No. 90412 Which Authorizes The City Administrator To Accept And Appropriate Grant Funds In The Amount Of One Hundred And Fifty-Eight Thousand, Three Hundred And Sixty Dollars (\$158,360) From The State Of California Highway Patrol (CHP) Proposition 64 Grant, For The Fiscal Year 2024-2025, To Be Administered By The Oakland Police Department (OPD) And Authorizing The General Purpose Services Fund To Contribute Twenty Thousand Six Hundred Eighty-Two Dollars (\$20,682) To Cover The Related Central Services Overhead Charges.**

## **EXECUTIVE SUMMARY**

There was an error in the funding information in the resolution approved by Council on September 17, 2024. This proposed resolution amends resolution [90412 CMS](#). The rest of this report is what was contained in the original report.

The approval of this proposed resolution will allow CHP Prop 64 grant funds to be received by the OPD Training Section for traffic safety courses related to impaired or drugged driving. The grant funds will be used to train additional officers on advanced detection, recognition, and field testing of impaired drivers, increasing public safety.

## **BACKGROUND / LEGISLATIVE HISTORY**

Law enforcement grants provide financial assistance to allied agencies for the education, prevention, and the enforcement of laws related to driving under the influence of alcohol and other drugs, including cannabis and cannabis products. The intent of the program is to educate the public regarding the dangers of impaired driving, enforce impaired driving laws on the roadway, and improve the Organization/Agency's effectiveness through training and development of new strategies.

The Oakland Police Department is facing a significant shortage of certified Drug Recognition Experts (DRE). Effective enforcement of Driving under the influence (DUI) and Drugged driving laws requires a sufficient number of trained personnel to conduct operations efficiently.

City Council  
November 12, 2024

Advanced DUI and Cannabis DUI Investigations refer to the ability of law enforcement officers to observe, identify, and articulate the signs of impairment related to drugs, alcohol, or a combination of both in order to reduce the number of impaired driving incidents, serious injury, and fatal crashes.

The approval of this resolution will allow CHP Prop 64 grant funds to be received by the OPD Training Section for traffic safety courses related to impaired or drugged driving. The grant provides funding to cover any fees, costs related to attendance, travel, lodging, labor/backfill for Officers (students) attending any training related to Impaired driving enforcement (ARIDE, advanced SFST, DAR, DRE, Advanced DUI investigation, or to Cannabis DUI investigation, SFST or DRE Instructor course, CNOA classes or Conference). It also provides funding to purchase necessary equipment and supplies to support training and administrative tasks. Officers will receive the appropriate training to conduct thorough DUI investigations during DUI enforcement operations. Additionally, advanced enforcement trained officers will provide additional support during non-saturation operations.

The \$158,360 grant awarded to OPD will also be used for several trainings.

- Send law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) POST-certified training
- Send law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) POST-certified training
- Send law enforcement personnel to the DRE certification training
- Send law enforcement personnel to the DRE recertification training
- Send law enforcement personnel to the DRE Instructor certification training
- Send law enforcement personnel to the DRE recertification training
- Send law enforcement personnel to any impairment training related to Cannabis
- Cover related In-State Travel

## **ANALYSIS AND POLICY ALTERNATIVES**

The acceptance and appropriation of these funds will advance the citywide priorities of **holistic community safety** and **responsive, trustworthy government**. The state of California and OPD are strategizing how to mitigate traffic injuries, collisions, and deaths. With the appropriate staffing, enforcement, and training, OPD, along with its partners, can continue to address the issues which are causing harm in the community.

Staff will continue to operate the CHP Prop 64 grant in accordance with OPD policies and the CHP Prop 64 grant requirements.

- Send 18 law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) POST<sup>1</sup>-certified training
- Send 18 law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) POST-certified training
- Send law enforcement personnel to the Drug Recognition Expert (DRE) recertification training

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<sup>1</sup> POST = California Commission on Police Officer Standards and Testing

- Send 18 law enforcement personnel to the Drug Recognition Expert (DRE) training
- Send 2 law enforcement personnel to the Drug Recognition Expert (DRE) Instructor training

Officers' progress through training progression will be tracked and reported to the coordinator bi-monthly. Success will be measured by monitoring the data captured during traffic enforcement operations involving Officers who have received and completed the desired training. Cumulative and correlative data will be shared with CHP.

### **FISCAL IMPACT**

CHP Prop 64 grant will reimburse the city up to \$158,360 for the various enforcement operations and education programs during the grant period from July 1, 2024, to June 30, 2025. The budget for the OTS STEP grant award is outlined in **Table 5** below.

**Table 5 CHP Prop 64 Funding Plan**

<b>Use of Funds</b>	<b>Amount</b>
ARIDE / DAR Training, travel, room and board (18 attendees)	\$16,650
California Narcotics Officers Association Training Conference 24 hours (18 attendees)	\$35,100
Drug Abuse Recognition/Drugged driving training 24 hours, registration, travel, and room and board (18 attendees)	\$21,960
DRE 72 hour classroom training, travel, room and board (18 attendees)	\$57,150
DRE 30 hours Field Exercise, room and board (18 attendees)	\$16,200
DRE 8 hours update, room and board, and travel (18 attendees)	\$8,550
DRE Instructor 40 hours (2 attendees)	\$2,750
<b>TOTAL</b>	<b>\$158,360</b>

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

**Table 6 - Location of Grant Funds**

<b>Fiscal Year</b>	<b>Fund Source</b>	<b>Organization</b>	<b>Project</b>	<b>Award</b>	<b>Amount</b>
2024-25	2159	107510	TBD	TBD	\$158,360

Based on the City's Central Services Overhead (CSO) rate of 13.06 percent, overhead charges associated with the grant's personnel costs will be approximately \$20,682. However, per the granting agency, indirect costs such as CSO charges are disallowed. Staff, therefore requests the City's General-Purpose Fund contribute \$20,682 to cover the CSO charges.

The funding code for the Central Services Overhead will be General Purpose Fund (1010), Traffic Enforcement Division Organization (107510), Project (TBD), Central Services Overhead Account (58522), and Program (TBD).

**PUBLIC OUTREACH / INTEREST**

This item is of interest to the public as these grant funds will be used to promote public safety and in support of Safe Oakland.

**COORDINATION**

This report and legislation 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 Equity:** OPD recognizes that 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 injuries 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.

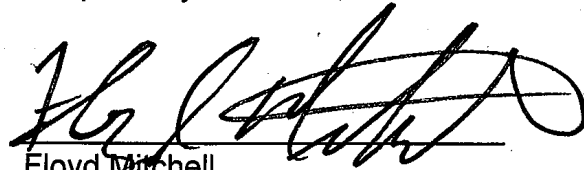
Safe Oakland Streets has a goal of eliminating severe and fatal injury inequities, including racial disparities impacting BIPOC communities that exist today in Oakland. In 2018, the Oakland Equity Indicators Report found troubling disparities in pedestrian deaths in Oakland. The City of Oakland experiences approximately two severe or fatal traffic crashes each week, with crashes disproportionately impacting BIPOC, high priority communities, and seniors. In December 2020, OPD reported a surge in traffic-related fatalities where 36 people were killed on Oakland's roadways, compared to the 26 people killed in 2019. Fatalities decreased only slightly to 30 people killed in 2021. In the first nine months of 2022, 29 people were killed, and in the first 6 months of 2023, 13 people have been killed. 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 majority (60%) of 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. Reckless driving, speeding, unlicensed vehicle operation, DUI, and other traffic problems negatively impact public safety and the quality of life of all Oaklanders. Efforts to address these problems will lead to life improvements for all residents and visitors.

**ACTION REQUESTED OF THE CITY COUNCIL**

Staff Recommends That The City Council Adopt A Resolution Amending Resolution No. 90412 Which Authorizes The City Administrator To Accept And Appropriate Grant Funds In The Amount Of One Hundred And Fifty-Eight Thousand, Three Hundred And Sixty Dollars (\$158,360) From The State Of California Highway Patrol (CHP) Proposition 64 Grant, For The Fiscal Year 2024-2025, To Be Administered By The Oakland Police Department (OPD) And Authorizing The General Purpose Services Fund To Contribute Twenty Thousand Six Hundred Eighty-Two Dollars (\$20,682) To Cover The Related Central Services Overhead Charges.

For questions about this report, please contact Officer John Romero, OPD, Special Operations Division, at (510) 774-5363.

Respectfully submitted,



Floyd Mitchell  
Chief of Police  
Oakland Police Department

Reviewed by:  
John Romero, Officer  
OPD, Special Operations Division

LaRaija Marshal, Fiscal Services Manager  
OPD, Fiscal Services Division

Prepared by:  
Tracey Jones, Police Services Manager  
OPD, Research and Planning

**Attachments (2):**

- A: Department of CHP Grant Agreement
- B. Cannabis Tax Fund Program Reference Guide