



AGENDA REPORT

TO: Edward D. Reiskin
City Administrator

FROM: LeRonne L. Armstrong
Chief of Police

SUBJECT: FY 2022-23 OPD Traffic Safety Grant

DATE: November 3, 2022

City Administrator Approval

Date: Nov 3, 2022

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 2022-2023 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 DUI checkpoint supplies
- Cover related In-State Travel

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 (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

¹ DUI = driving under the influence of alcohol

crashes, focusing on strategies that will save lives and deliver equitable outcomes. The SOS collaboration includes Oakland's Department of Transportation (OakDOT) and Department of Race and Equity as well as OPD – in partnership with community groups, to implement the most effective and equitable strategies. As a component of this work, SOS initiative identified enforcement strategies that were presented to City Council on April 20, 2021, and in the October 2022. The proposed investments are in alignment with these strategies.

The State of California and SOS have made positive strides in recent years in reducing the rate of motorist-related fatal and serious injury collisions. Vehicle collisions occur primarily due to alcohol consumption, speeding, running of red lights and other select vehicle code violations. 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 STEP grant via 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 16, 2018, Resolution No. 87878 C.M.S, dated September 12, 2019, 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 targeted traffic enforcement. In January 2021, OPD's Traffic Enforcement Unit personnel was cut due to limited budget funds. On October 15th, 2022, 1 Sergeant and 6 Officers formed a Traffic Enforcement Team on a full-time basis. The Step grant funding would provide much needed traffic enforcement in the City of Oakland.

OPD Traffic Operations Section (TOS) will use the grant funds to promote vehicular safety through both education and enforcement. OPD will partner with the Alameda County Sheriff's Office (ACSO) to conduct high visibility collaborative DUI and Traffic enforcement operations. 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).

Also, OPD will 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, 2022, and September 30, 2023:

- 6 Conduct DUI/DL Checkpoints
- 20 DUI Saturation Patrol Operations
- 12 Traffic Operations, including, but not limited to, select primary collision factor violations
- 6 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 Conduct Specialized Enforcement Operations focusing specifically on street racing and sideshow activities
- 2 Motorcycle Safety Operations
- 2 Night-time (1800-0559) "Click it or Ticket" seatbelt enforcement operations
- 12 Highly Visible DUI Enforcement operations in collaboration with the Alameda County Sheriff's Office (ACSO)
- 12 Highly Visible Traffic Enforcement operations in collaboration with Alameda County Sheriff's Office (ACSO)
- 2 Send Law Enforcement Personnel to DUI Checkpoint Planning and Management Training
- 1 Traffic Safety Educational presentations with an effort to reach out to community members
- Participation in NHTSA (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
- 16 Send law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) POST²-certified training
- 5 Send law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) POST-certified training
- 3 Send law enforcement personnel to the Drug Recognition Expert DRE recertification training
- 3 Send Law Enforcement Personnel to the Drug Recognition Expert (DRE) training

² POST = California Commission on Police Officer Standards and Testing

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, FY 21-22. Table 1 below provides collision data for the prior three years.

Table 1- Oakland Collisions, Injuries, and Fatalities: 2019-2021

Collision Type	FY 2019-20				FY 2020-21				FY 2021-22			
	Collisions		Victims		Collisions		Victims		Collisions		Victims	
Fatal	30		31		34		34		36		38	
Injury	1859		3911		1647		3607		1490		3218	
	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured	Fatal	Injury	Killed	Injured
Alcohol - Involved	4	39	5	41	3	49	3	83	2	64	2	91
Hit & Run	10	552	10	647	12	379	12	903	15	388	16	748
Nighttime (2100-0259 hours)	13	321	14	160	15	188	15	221	20	174	21	214
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 (undetermined in many cases) can contribute to collisions. **Table 1** above shows that traffic collision injuries show slight projected increase in FY 2021-2022 compared to the prior fiscal year. The number of victims has relatively stayed the same in FY 2021-2022. The increase could also be attributed to fewer vehicles on the road during the Covid shutdown, and vehicles driving at higher rates of speed. Traffic Enforcement Unit was eliminated in early 2021, and enforcement was only conducted during Step Grant funded operations, and some patrol enforcement operations, but all enforcement suffered due to staffing concerns throughout the Oakland Police Department.

There is an increase in fatal collisions in FY2021-2022. The number of fatalities related to collisions happening at nighttime increased in FY2021-2022. With the increase of injury and fatal collisions, the sheer numbers indicate an ongoing traffic safety concern, 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: Collision Incidents: July 1, 2020 – June 30, 2021, July 1, 2021- June 30, 2022

Collisions	FY 2020-2021		FY 2021-2022	
	4356	100%	3582	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: Total Parties by Race in Injury Crashes: Jul 1, 2020 – Jun 30, Jul 1, 2021 – June 30, 2022

Race	FY 2020-2021		FY 2021-2022	
	Number	Percentage	Number	Percentage
African American	1196	33%	997	31%
Latino	777	21%	801	25%
White	412	11%	364	11%
Asian	220	6%	230	7%
Other	119	3%	80	2%
Not Stated	883	24%	746	23%
Total	3607		3218	

Traffic Officers are directed to focus on areas identified in the Oakland Department of Transportation (OakDOT) High Injury Network, locations where the city has its highest number of injury and fatal collisions. 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, such as speeding, failure to yield, unsafe turning, red light running, and driving under the influence of alcohol and /or drugs. Beginning this grant year, OPD directed motor officers to focus on public safety stops; equipment violations and bicycle/pedestrian 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. 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 Violations by Traffic Officers 7/1/2021 to 6/30/2022:

Violation	Violation Description	#	%OTS
21461(A)	Driver Fail Obey Sign	338	35%
22450(A)	Fail Stop Veh: Xwalk	226	24%
23123.5	No HND HLD Device While Driving	118	12%
21655.5	Disobey Traffic Lane Sign	74	8%
21453(A)	Fail to Stop Red Light	40	4%
23123(A)	Use Cellphone W/DRIV W/O HFD-1	32	3%
27315	Seatbelt Violation	23	2%
12500(A)	DRIVE W/O LICENSE-M	15	2%
22102	ILegal UTurn: Bus Dist/Etc	12	1%
	Total	878	

Adoption of the proposed resolution will advance the citywide priority of holistic community safety as 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.

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, 2022, to September 30, 2023. 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	\$274,100
Overtime to conduct collaborative enforcement operations in partnership with ACSO	\$240,000
Travel/Training Expenses	\$4,300
DUI Checkpoint Supplies	\$8,600
TOTAL	\$500,000

Funds will be allocated in Grant fund to be determined, Traffic Enforcement Division Organization (107510), in Project 1006579. 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	Amount
2022-23	TBD	107510	1006579	\$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 and in support of Safe Oakland.

COORDINATION

OPD has coordinated with Oakland Department of Transportation for portions of this report. 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 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.

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 communities¹¹, and seniors. In December

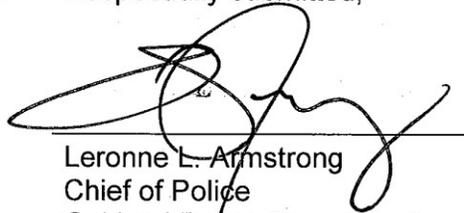
2020, OPD reported a surge in traffic-related fatalities where 36 people were killed on Oakland's roadways, compared to the 26 people killed in 2019. Fatalities decreased only slightly to 30 people killed in 2021. In the first nine months of 2022 29 people were killed. The most common causes of collisions 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 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 2022-2023 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 Sean Fleming, OPD, Traffic Operations Section, at (510) 777-8552.

Respectfully submitted,



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