

CITY OF OAKLAND

AGENDA REPORT

TO: Elizabeth Lake
Acting City Administrator

FROM: James P. Beere
Interim Chief of Police

SUBJECT: MOU Between City of Oakland and
the California Highway Patrol

DATE: June 17, 2026

City Administrator Approval


Betsy Lake (Jul 2, 2026 10:25:23 PDT)

Date: Jul 2, 2026

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Enter Into A Memorandum Of Understanding (MOU) With The California Highway Patrol To Submit Vehicle Accident Reports Electronically Pursuant To Vehicle Code Section 20008.

EXECUTIVE SUMMARY

The proposed Resolution would authorize the City Administrator to adopt an MOU (**Attachment A**) with the California Highway Patrol (CHP) to electronically submit collision data to the CHP. The Oakland Police Department (OPD) is required to submit collision data to the CHP by law. OPD has been submitting these reports by printing paper copies of the collision reports and mailing them to the CHP. This MOU would allow OPD to enter into an agreement where CHP would allow OPD to submit these reports electronically, saving hours of physical collating, printing, and mailing of hard copy documents. This electronic process would save hundreds of hours of physical work.

BACKGROUND / LEGISLATIVE HISTORY

The Oakland Police Department (OPD) is undergoing a long-overdue upgrade to its Records Management System (RMS). Mark 43 was chosen as OPD's RMS vendor in 2024. OPD has been working with the City ITD, the Department's ITU, and Mark 43 to complete the RMS upgrade. OPD is required to submit collision data to the CHP by law (20008(a) CVC). The reports would be entered into California's Statewide Integrated Traffic Records System (SWITERS). By entering into this MOU with CHP, it would allow OPD to enter its traffic collision reports directly to CHP and SWITERS. OPD has been physically mailing paper copies of collision reports to the CHP for over 20 years. This would eliminate this physical process and free up staff for other duties.

Public Safety Committee
July 14, 2026

ANALYSIS AND POLICY ALTERNATIVES

When Council adopts this resolution, there will be a cost savings of several hours of work daily for one employee located in the OPD traffic section. Additionally, both OPD and CHP desire to enter into this MOU to expedite the processing of data critical to both organizations in the furtherance of motor vehicle and highway safety. The only alternative to electronically submitting reports is to continue to physically mail the reports, which is the current process. Since sending the collision reports is a requirement mandated by state law, OPD is unable to change the ways in which CHP will accept the reports.

SB 54 prohibits local and state law enforcement agencies from using data or personnel to assist federal immigration authorities. Because NHTSA databases are federal repositories, California ensures that reporting traffic accidents does not inadvertently fuel federal immigration enforcement pipelines.

Data Minimization and FARS Coding

When fatal crash data is sent to National Highway Traffic Safety Administration's (NHTSA) Fatality Analysis Reporting System (FARS), it undergoes a complete architectural scrub.

- California Highway Patrol (CHP) collision investigators or local agencies upload accident reports to the state repository (SWITRS). However, before that data is transferred to the federal FARS database, it is completely stripped of Personally Identifiable Information (PII).
- The federal government only receives alphanumeric codes representing the *dynamics* of the crash (e.g., speed, seating position, safety equipment used, weather conditions). It does not receive names, addresses, social security numbers, or driver's license numbers. Because no individual identity or demographic data is tied to the federal file, federal agencies cannot use the repository to identify or target undocumented individuals.

Explicit Prohibitions on Citizenship Data

California law enforcement crash report forms (such as the standard CHP 555 form) do not contain fields for immigration status, place of birth, or citizenship. Local police departments do not collect this information during a traffic collision investigation; therefore, that data is not transferred to Highway Safety Improvement Program (HSIP) or NHTSA data pipelines.

SB 34 places strict privacy controls on how Automated License Plate Reader (ALPR) data is captured, stored, and shared. It explicitly prohibits public agencies from sharing ALPR information with out-of-state or federal entities unless very narrow law enforcement exceptions apply.

Separation of SWITRS and ALPR Databases

The data streams for traffic collision reporting and ALPR technology are kept entirely separate.

- When an agency compiles a crash report for HSIP or NHTSA funding metrics, the data is pulled exclusively from written officer reports, scene diagrams, and vehicle telematics involved *directly* in the crash.
- ALPR databases (which log mass license plates of uninvolved drivers passing a camera fixed to a patrol car or intersection) are stored on separate, localized networks with rigid retention limits (usually 60 days under CVC rules). Mass license plate scans are never attached, appended, or cross-referenced into standard collision data packets sent to federal highway safety programs.

Redaction of Non-Involved Plate Data

If a crash scene happens to catch a photo or video where an ALPR camera was running, or if a piece of ALPR data was used purely to identify a hit-and-run vehicle, that information is strictly ring-fenced. Under SB 34, the sharing of an actual collision report to a broader data system requires the redaction of any bulk background ALPR hits that are not active evidence in a criminal case.

RELATED PLANNING EFFORTS

This agenda item is a routine item and does not relate to any Oakland strategic planning efforts.

FISCAL IMPACT

This MOU does not involve funding. The cost of establishing a secure electronic connection to the CHP already exists in the city of Oakland's ITD infrastructure. There are no ongoing fees associated with this MOU.

There is a positive fiscal impact of implementing this MOU since the elimination of the manual process of sending collision reports to CHP will result in hundreds of employee hours saved, along with reduced printing and mailing costs to the city.

PUBLIC OUTREACH / INTEREST

No outreach was deemed necessary for the proposed policy action beyond the standard City Council agenda noticing procedures.

COORDINATION

This report and legislation have been reviewed by the Office of the City Attorney and the Budget Bureau.

RACE AND EQUITY

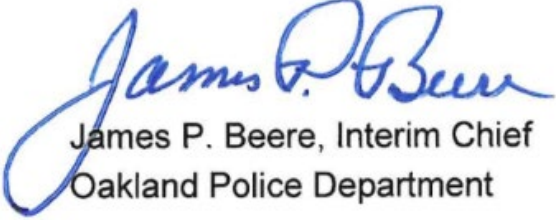
Staff did not complete a Racial Equity Impact Analysis on the recommended action. This MOU is to change a current physical task to an automated task. The task is mandated by law.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Authorizing The City Administrator To Enter Into A Memorandum Of Understanding (MOU) With The California Highway Patrol To Submit Vehicle Accident Reports Electronically Pursuant To Vehicle Code Section 20008.

For questions regarding this report, please contact Lisa Ausmus, Deputy Chief at 510-238-8631.

Respectfully submitted,


James P. Beere, Interim Chief
Oakland Police Department

Reviewed by:

Dr. Tracey Jones, Police Services Manager
OPD, BRM, Research and Planning

Prepared by:

Lisa Ausmus, Deputy Chief of Police
OPD, Bureau of Risk Management

Attachment (1):

A: MOU with California Highway Patrol