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7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10

11 JOSE ANTONIO GARCIA,

12 Plaintiff,

13 v.

14 COUNTY OF ALAMEDA and YESENIA  
15 SANCHEZ, Sheriff of Alameda County, in her  
official capacity,

16 Defendants.  
17

Case No. 4:24-cv-3997

**COMPLAINT FOR INJUNCTIVE AND  
DECLARATORY RELIEF AND  
NOMINAL DAMAGES**

18 **INTRODUCTION**

19 1. The First Amendment guarantees the right to observe, record, and report on matters  
20 of public concern in public places.

21 2. The public depends on robust reporting by a free press to guarantee the unimpeded  
22 flow of information necessary for an engaged community to discuss and debate issues of public  
23 interest and petition the government for enforcement or improvement of the law.

24 3. In particular, the people have a compelling interest in timely, accurate, and  
25 complete reporting on matters relating to public safety.

26 4. When reporting on such matters, journalists may observe, record, or report on  
27 persons engaging in unlawful conduct in public places.  
28

1           5.       Others may also observe, record, or report on such conduct, for example residents  
2 or bystanders who wish to expose or protest the conduct by alerting the press, posting to the  
3 internet or social media, reporting to law enforcement, or petitioning the government.

4           6.       The observation or recording of such events is speech covered by the First  
5 Amendment, which protects speech about or reporting on unlawful conduct.

6           7.       Journalism that reports on unlawful conduct serves the compelling interest in  
7 informing the public about the causes and consequences of such conduct and contributing to  
8 important public policy debates on whether or to what extent such conduct should be criminalized  
9 or punished.

10          8.       The County of Alameda (“County”) has adopted Ordinance No. 2023-31  
11 (“Ordinance”), which criminalizes the mere observation of “sideshow events” occurring on public  
12 streets.

13          9.       In doing so, the Ordinance criminalizes journalism by making it illegal to report on  
14 or record such events.

15          10.      The Ordinance violates the First Amendment because it is a content-based  
16 restriction on protected speech that is not the least restrictive means to serve a compelling  
17 governmental interest.

18          11.      While the government may have compelling interests in preventing or responding  
19 to unlawful and dangerous conduct of drivers who participate in sideshows or others who engage  
20 in acts such as vandalism or violence, it may not punish the protected speech of reporters or  
21 community members who observe, record, or report on such events to inform and educate the  
22 public. The government may and should serve its interests with laws directly addressing unlawful  
23 conduct itself instead of punishing protected speech.

24          12.      The County may thus enforce laws against unlawful and dangerous conduct, but it  
25 may not criminalize journalism or punish observing, reporting on, or recording events of public  
26 concern, which is speech protected by the First Amendment.

27          13.      As an award-winning reporter who specializes in road safety, transportation, and  
28 public health, Plaintiff Jose Antonio Garcia brings this action to prevent the County from

1 enforcing the Ordinance against him and violating his First Amendment rights to observe, record,  
2 and report on sideshows as events of public concern occurring in public places.

3 **JURISDICTION AND VENUE**

4 14. The Court has jurisdiction under 28 U.S.C. § 1331 because this action arises under  
5 the United States Constitution and 42 U.S.C. § 1983.

6 15. The Court has supplemental jurisdiction over Garcia’s state law claims under 28  
7 U.S.C. § 1367(a) because they form part of the same case or controversy as Garcia’s federal  
8 claims.

9 16. The Court may grant declaratory and injunctive relief for constitutional violations  
10 pursuant to 28 U.S.C. § 2201 and Federal Rules of Civil Procedure 57 and 65.

11 17. Venue is proper in this district under 28 U.S.C. § 1391(b) because the events that  
12 give rise to this action occurred within this district.

13 18. The Court has personal jurisdiction over Defendants, because the County is located  
14 within the State of California and this district.

15 **DIVISIONAL ASSIGNMENT**

16 19. The events giving rise to the claims stated herein occurred substantially or fully in  
17 the County of Alameda.

18 20. Garcia is a resident of Alameda County and serves Oakland and surrounding  
19 communities, and the County’s administrative offices are located in the City of Oakland, so  
20 assignment of this case to the Oakland Division of the Northern District of California is  
21 appropriate pursuant to Civil Local Rule 3-2(c)–(d).

22 **PARTIES**

23 21. Plaintiff Jose Antonio Garcia is an award-winning reporter who writes on the road  
24 safety, transportation, and public health beat for *The Oaklandside*. He writes under his maternal  
25 family surname, “Jose Feroso,” and will be referred to by this professional pen name in the  
26 remainder of this Complaint.

27  
28



1 *Genius Behind Apple's Greatest Products*. The Knight-Wallace Reporting Fellowship is  
2 considered among the three most prestigious reporting fellowships in the United States.

3 29. Feroso reports on road safety matters both within the City of Oakland and in parts  
4 of unincorporated Alameda County, among other areas, when issues important to Oakland  
5 communities arise outside the geographical boundaries of the City.

6 30. As Feroso has reported, a “sideshow” is:

7 A controversial event where drivers take over city intersections with their cars as  
8 they skid in circles while performing stunts. Sideshows can last seconds or hours  
9 at a time, and they can be performed by a single individual without a crowd or by  
10 multiple people with hundreds of onlookers rallying them on. Some people have  
11 defended sideshows as an important outlet for youthful rebellion while others  
12 have noted that they often, especially in recent years, are accompanied by gun  
13 violence and rowdy behavior.

14 A true and correct excerpt of the article containing this reporting is attached hereto as **Exhibit 1**  
15 and is available at [https://oaklandside.org/2023/11/30/road-safety-transportation-infrastructure-  
16 glossary-terms-definitions/#h-sideshows](https://oaklandside.org/2023/11/30/road-safety-transportation-infrastructure-glossary-terms-definitions/#h-sideshows).

17 31. Feroso sees his role as neutrally informing Oakland communities on the facts and  
18 circumstances of sideshows, so that they are empowered with the knowledge necessary to  
19 understand the history of and problems associated with these events and may make fact-based  
20 decisions regarding sideshow attendance, policing, and policy reform.

21 32. On May 30, 2023, Feroso published an article entitled “Map: These Oakland  
22 intersections are hotspots for sideshows” (“Mapping Article”). In reporting this article, Feroso  
23 and his co-author mapped every report of a sideshow made to Oakland police from January 2019  
24 to November 2022. A true and correct copy of the Mapping Article is attached hereto as **Exhibit 2**  
25 and is available at <https://oaklandside.org/2023/05/30/oakland-sideshow-hotspots-map/>.

26 33. As reported in the Mapping Article, Feroso found not only that sideshows occur  
27 throughout Oakland and the County, but also that the intersection most frequently taken over by  
28 sideshows, according to reports to police, was Keller Avenue and Skyline Boulevard, with 55 days  
of sideshow activity reported between January 2019 and November 2022.

1           34.     The intersection of Keller Avenue and Skyline Boulevard is on the border between  
2 the City of Oakland and unincorporated parts of the County. Sideshows occurring at this  
3 intersection are visible, within 200 feet, from areas of unincorporated parts of the County.

4           35.     While only 55 days of sideshow activities were reported to Oakland Police at the  
5 Keller-Skyline intersection from January 2019 to November 2022, Fermoso interviewed Vijoja  
6 Lucas, the manager of the Anthony Chabot Equestrian Center, which is in an unincorporated part  
7 of the County, about 500 feet from the intersection. As reported in the Mapping Article, Lucas  
8 stated that sideshows were happening “nearly every night” at the intersection between 2018 and  
9 2020, and she still hears them “four or five times a month.”

10          36.     Other sideshows Fermoso listed in the Mapping Article occurred directly in  
11 unincorporated areas of the County. For example, one day of sideshow activities was reported at  
12 the intersection of Grass Valley Road and Skyline Boulevard, as well as at 7861 Redwood Road.

13          37.     Without reports of sideshows to police, Fermoso would not have been able to  
14 report the Mapping Article.

15          38.     To cover sideshows, it is important to photograph, film, and record audio of the  
16 events within 200 feet of the intersections where they occur, to convey adequately detailed visual  
17 and auditory context that can enhance readers’ comprehension of the matters reported. For  
18 example, one image published in the Mapping Article showed cars lining up on 98th Avenue near  
19 an East Oakland intersection taken over for a sideshow, giving visual context to how the event  
20 impacted traffic.

21          39.     The public’s interest in and response to the Mapping Article was substantial. As of  
22 or about June 18, 2024, this article has been viewed approximately 13,000 times.

23          40.     The public has a compelling interest in reliable and thorough firsthand reporting of  
24 sideshows to understand how these events are impacting their communities’ traffic, noise,  
25 pollution, and safety as they are occurring, and use this information to make fact-based decisions  
26 regarding sideshow attendance, policing, and policy reform and advocate for their communities  
27 needs and interests.

28

1                   **Adoption of Ordinance and Alternatives for Addressing Unlawful Conduct**

2           41.     The Ordinance was adopted as Alameda County Ordinance No. 2023-31 on August  
3 1, 2023, and codified as Chapter 10.40 of the Alameda County Code (“ACC”).

4           42.     The Ordinance applies in unincorporated areas of the County and makes it  
5 “unlawful for any person to knowingly be a spectator at a sideshow event conducted on a public  
6 street or highway or off-street parking facility” and “unlawful for any person to knowingly be a  
7 spectator at the location of preparations for a sideshow event on a public street or highway or off-  
8 street parking facility.” ACC § 10.40.030(A)–(B).

9           43.     “Spectator” means “any person who is present at a sideshow event, or the site of  
10 the preparations for a sideshow event, for the purpose of viewing, observing, watching, or  
11 witnessing the sideshow event as it progresses.” *Id.* § 10.40.020.

12           44.     “Spectator” may include but is not limited to “any person at the location of the  
13 sideshow event that may have participated in preparations and/or promoting the sideshow event.”  
14 *Id.*

15           45.     A person is “present” at “a sideshow event if that person is within two hundred  
16 (200) feet of the location of the sideshow event, or within two hundred (200) feet of the site of the  
17 preparations for any sideshow event.” *Id.*

18           46.     “Sideshow” means “an occasion where one or more persons, for the purpose of  
19 performing a street race or reckless driving exhibition for one or more spectator(s) either blocks or  
20 impedes traffic on a street or highway or impedes access to an off-street parking facility.” *Id.*

21           47.     “Sideshow event” means “a sideshow, street race, or reckless driving exhibition.”  
22 *Id.*

23           48.     According to ACC § 10.40.020, “Preparations” for a “sideshow event” include, but  
24 are not limited to, certain specified “acts done for the purpose of facilitating, aiding, abetting,  
25 encouraging, assisting, or instigating a sideshow event,” such as:

26                 a.     “One or more motor vehicles and persons have arrived at a predetermined  
27 location.”

28

1           b.        “One or more persons have gathered on, or adjacent to, a public street or  
2 highway or at an off-street parking facility.”

3           c.        “One or more persons have impeded the free public use of a street or  
4 highway, or off-street parking facility by acts, words, or physical barriers.”

5           d.        “One or more motor vehicles have lined up on a public street, highway, or  
6 off-street parking facility with motors running.”

7           e.        “One or more drivers is revving a motor vehicle's engine or causing the  
8 motor vehicle’s tires to spin.”

9           f.        “A person is standing or sitting in a location in the vicinity of a sideshow  
10 event to act as a race starter.”

11         49.        According to the Ordinance, “Evidence of prior acts may be admissible to show the  
12 propensity of the person to be present at or attend a sideshow event if the prior act or acts occurred  
13 within three years of the presently charged offense. These prior acts may always be admissible to  
14 show knowledge on the part of the person that a sideshow event was taking place at the time of the  
15 presently charged offense. Prior acts are not limited to those that occurred within the  
16 unincorporated Alameda County.” *Id.* § 10.40.040(B).

17         50.        Such “prior acts may include, but are not limited to . . . [t]he person charged has  
18 previously attended or been a spectator at a sideshow event” and “[t]he person charged was  
19 previously present at a location where preparations were being made for any sideshow event or  
20 where a sideshow event was in progress.” *Id.*

21         51.        A violation of the Ordinance is “a misdemeanor punishable by imprisonment not  
22 exceeding three months or by fine not exceeding one thousand dollars (\$1,000.00) or by both.” *Id.*  
23 § 10.40.050.

24         52.        Under the Ordinance, the crime of being a “spectator” at a “sideshow” requires no  
25 intent to aid, abet, solicit, incite, or conspire to engage in any unlawful conduct. *Id.* §§ 10.40.20–  
26 30.

27         53.        Instead, the Ordinance punishes the mere observation of a sideshow or related  
28 preparations, or even mere presence with intent to engage in such observation.

1           54. By prohibiting being “present” at a sideshow for purposes of viewing, observing,  
2 watching, or witnessing the sideshow, the Ordinance effectively prohibits recording or reporting  
3 on the sideshow, because viewing, observing, watching, or witnessing an event is inherently  
4 necessary to recording or reporting on it.

5           55. The Ordinance thus makes it a crime to engage in the protected speech of  
6 observing, recording, and reporting on sideshows or related preparations.

7           56. The Ordinance does not prohibit the protected speech of observing, recording, or  
8 reporting on other matters or events at the same time and place, and therefore the Ordinance  
9 punishes speech based on its content.

10           57. The Ordinance criminalizes journalism about matters of public concern related to  
11 sideshows by prohibiting reporters from observing, recording, or reporting on them from  
12 anywhere within 200 feet of a sideshow or related preparations.

13           58. The Ordinance’s prohibition of observing a sideshow or related preparations from  
14 anywhere within 200 feet of the sideshow or preparations makes it effectively impossible to  
15 observe, report on, or record the sideshow or preparations in any meaningful manner.

16           59. By making it unlawful merely to be present within 200 feet of a “sideshow event”  
17 for the purpose of “viewing, observing, watching, or witnessing the sideshow event as it  
18 progresses,” *id.* § 10.40.20, the Ordinance violates the First Amendment right to observe, record,  
19 or report on such an event, especially to the extent it is unclear how the 200-foot perimeter is  
20 measured, given that a “sideshow event” and its “preparations” are inherently fluid.

21           60. However it is measured, a 200-foot perimeter is far broader than necessary to  
22 address any risks to observers, especially as to observing “preparations,” which can include  
23 merely the arrival of one or more persons at a given location.

24           61. Indeed, one could be “present” within the 200-foot perimeter while observing the  
25 sideshow or its preparations from indoors or behind a fence or barrier, further illustrating the  
26 excessive breadth of the perimeter.

27           62. The Ordinance especially threatens reporters who have previously covered  
28 sideshows by making their prior reporting on sideshows admissible evidence of a “prior act”

1 relevant to show “propensity” for observing sideshows or “knowledge” that a sideshow is  
2 occurring.

3 63. The actions involved in conducting a sideshow, such as blocking or impeding  
4 traffic, street racing, or reckless driving, are already prohibited by California law, as  
5 acknowledged in the Ordinance itself.

6 64. As admitted in the letter of the Sheriff and President of the Board of Supervisors  
7 proposing the Ordinance, “California law already prohibits drivers and passengers from engaging  
8 in Sideshow Events by criminalizing illegal street racing and illegal exhibitions of reckless  
9 driving.” A true and correct copy of this letter is attached as **Exhibit 3**.

10 65. Existing laws also prohibit the conduct causing alleged problems associated with  
11 sideshows that are referred to the Ordinance’s findings, such as the “discharge of firearms,” Cal.  
12 Penal Code § 246.3; driving “under the influence of drugs and alcohol,” Cal. Veh. Code. § 23152;  
13 littering, Penal Code § 374; “vandalism,” *id.* § 594; “harming or destroying” infrastructure or  
14 other property, *id.*; blocking or preventing access, Cal. Veh. Code § 22500; “burning rubber tires,”  
15 *id.* § 23109; Cal. Health & Safety Code § 41800; and “noise pollution,” Cal. Penal Code § 415(2).

16 66. The County may also adopt alternative laws that address problems associated with  
17 sideshows without criminalizing the protected speech of observing and recording sideshows for  
18 the purpose of reporting on them.

19 67. For example, the City of Oakland adopted an ordinance prohibiting the organizing  
20 or facilitating of sideshows without making it unlawful for journalists or others to observe, record,  
21 and report on them. *See* Oakland, Cal., Code §§ 10.74.010–10.74.090 (2023).

### 22 **Ordinance Prevents Feroso from Reporting on Sideshows**

23 68. Feroso planned to personally observe, record, and report on the occurrence of  
24 sideshows in Oakland and unincorporated Alameda County, with particular interest in observing,  
25 recording, and reporting on sideshows at the most frequently reported intersection of Keller  
26 Avenue and Skyline Boulevard.

27 69. To document and report on these sideshows and provide his readers and viewers  
28 with the most accurate account, Feroso planned such observation and reporting to include audio

1 and video recording and photographing the intersection and sideshow event from all angles,  
2 including from unincorporated parts of the County, within 200 feet of the sideshow or related  
3 preparations, to best capture images and audio for purposes of newsgathering and reporting.

4 70. However, Feroso learned that the County had adopted the Ordinance, making it a  
5 crime to be a “spectator” at a “sideshow” or related “preparations.”

6 71. After learning of the Ordinance, Feroso canceled all future plans to report on-site  
7 at sideshows in the unincorporated areas of the County because he reasonably feared citation,  
8 arrest, or criminal prosecution under the Ordinance for engaging in such reporting.

9 72. Because of his reasonable fear of citation, arrest, or criminal prosecution for  
10 observing sideshows, Feroso has been unable to engage in effective firsthand observation,  
11 reporting, and recording of sideshows in the unincorporated areas of the County since the  
12 Ordinance was passed.

13 73. Observing, recording, and reporting on these events enables the dissemination of  
14 critical information to Oakland and County communities, which facilitates more widespread  
15 awareness of sideshows and associated problems, policing, and policy.

16 74. Feroso’s readers and Oakland communities need and want more news on  
17 sideshows, including the kind of reporting he planned before the County enacted the Ordinance.

18 75. There are numerous examples of journalism about road safety prompting reform  
19 and improvements that have benefitted the public at large. For example, as Feroso reported in  
20 May 2023, *The Oaklandside*’s “impact was reflected in the budget priorities Councilmembers  
21 published last month. For the first time in years, all of them prioritized traffic safety by asking for  
22 barricades at intersections and sidewalks, hardened medians to stop sideshows, and faster repairs  
23 to potholed streets.” A true and correct copy of this article is attached hereto as **Exhibit 4** and is  
24 available at [https://oaklandside.org/2023/05/17/sharing-our-traffic-violence-reporting-castlemont-  
25 ousd-high-school-public-health/](https://oaklandside.org/2023/05/17/sharing-our-traffic-violence-reporting-castlemont-ousd-high-school-public-health/).

26 76. Reporters, including Feroso, regularly rely on photographs, as well as video and  
27 audio recordings, in order to gather news and information and keep the public informed. The  
28 making and publication of such documentary materials enhances the accuracy and credibility of

1 reporting, increases transparency and reader trust, and enriches news stories, allowing reporters to  
2 convey more than can be said based on the written word alone.

3 77. Without this type of reporting, the documentary evidence that supports it, and the  
4 right to observe firsthand, the public is often left only with the limited information police will  
5 disclose, which does not describe the full impact of sideshows on communities due to limited law  
6 enforcement resources, the public records exemption for investigatory records, Cal. Gov't Code §  
7 7923.600, and underreporting of concerns to police.

8 78. Firsthand observation and recording also assist law enforcement in prosecuting  
9 crimes that occur at sideshows. For example, NBC Bay Area recently reported on a sideshow in  
10 San Jose, including publishing a still from a witness's firsthand recording that depicted a sideshow  
11 participant jumping on top of a police patrol car. Alyssa Goard, *San Jose sideshow near Santana*  
12 *Row injures spectator, police officer*, NBC Bay Area (June 16, 2024),  
13 <https://www.nbcbayarea.com/news/local/south-bay/santana-row-sideshow/3568247/> (last updated  
14 June 17, 2024, 4:47 AM). The article reports that police are working to identify the suspects  
15 behind the sideshow to ensure they “are prosecuted to the fullest extent the law allows” and  
16 indicates “San Jose police are asking if anyone has any video” of “the sideshow to contact them.”  
17 *Id.*

18 79. CBS News Bay Area reported on another June 2024 sideshow at which “[s]tunning  
19 video of the incident showed the dangerous scene on the Embarcadero with cars doing donuts  
20 surrounding a burning vehicle” while others “launch[ed] fireworks into the sky.” Kevin Ko, *San*  
21 *Francisco police chief promises accountability, but so far no arrests in Sunday sideshows*, CBS  
22 News Bay Area (June 11, 2024, 5:59 PM) [https://www.cbsnews.com/sanfrancisco/news/san-](https://www.cbsnews.com/sanfrancisco/news/san-francisco-police-chief-promises-accountability-but-no-arrests-so-far-in-weekend-sideshow/)  
23 [francisco-police-chief-promises-accountability-but-no-arrests-so-far-in-weekend-sideshow/](https://www.cbsnews.com/sanfrancisco/news/san-francisco-police-chief-promises-accountability-but-no-arrests-so-far-in-weekend-sideshow/). San  
24 Francisco Police Department Chief William Scott “urged the public to call 911 if they ever  
25 witness a side show, while also asking witnesses to share videos with police to assist in  
26 investigations.” *Id.*

27 80. Without the right to observe a sideshow, there can be no effective recording or  
28 reporting on the event. Without observation or recordings, police may lack evidence to effectively

1 prosecute sideshow participants, reporters cannot inform their audience on what happens in their  
2 communities as effectively, and communities lack reliable information based on which they might  
3 advocate for reforms.

4 **FIRST CLAIM**  
5 **42 U.S.C. § 1983**  
6 **First Amendment: Freedom of Speech**

7 81. The allegations of paragraphs 1 through 80 above are incorporated by reference as  
8 though fully set forth herein.

9 82. On its face or as applied to Feroso, the Ordinance violates the Free Speech Clause  
10 of the First Amendment by criminalizing protected speech based on its content because it prohibits  
11 recording or reporting on a defined topic or subject.

12 83. Given that enforcement of existing or potential alternative laws is available to  
13 address the problems allegedly associated with sideshows, the Ordinance is not the least restrictive  
14 means to address any compelling governmental interest.

15 84. Assuming the Ordinance could be treated as content-neutral or otherwise subject to  
16 intermediate scrutiny, it violates the Free Speech Clause of the First Amendment on its face or as  
17 applied to Feroso by criminalizing protected speech.

18 85. Given that enforcement of existing or potential alternative laws is a readily  
19 available alternative to address the problems allegedly associated with sideshows, the Ordinance  
20 burdens substantially more speech than necessary to further any significant governmental interests  
21 and is far from narrowly tailored to serve any such interests.

22 86. By making it unlawful to observe, record, or report on sideshows or related  
23 preparations from anywhere within a constantly shifting 200-foot radius, the Ordinance does not  
24 leave open ample and adequate alternatives for such observation, recording, or reporting.

25 **SECOND CLAIM**  
26 **42 U.S.C. § 1983**  
27 **First Amendment: Freedom of the Press**

28 87. The allegations of paragraphs 1 through 80 above are incorporated by reference as  
though fully set forth herein.



1 Dated: July 2, 2024

2 FIRST AMENDMENT COALITION

3  
4 By

*/s/ David Loy*

DAVID LOY

ANN CAPPETTA

Attorneys for Plaintiff

JOSE ANTONIO GARCIA

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## **Exhibit 1**



The intersection of 23rd Street and Harrison Street. More bike and pedestrian improvements are planned. Credit: Amir Aziz

ROAD SAFETY

# Curb your confusion: The Oaklandside’s list of traffic and road safety terms and definitions

Fixing dangerous roads involves lots of engineering and infrastructure lingo. Here’s a guide to understanding it.

by **Jose Fermoso**  
Nov. 30, 2023, 9:39 a.m.

Oakland residents have consistently told us that dangerous roads, traffic collisions, and crumbling infrastructure are top concerns they want the city to fix. That’s why we’ve made [road safety and transit](#) one of The Oaklandside reporting beats.

Privacy - Terms

A big part of this work is explaining technical terms to readers, unpacking engineering concepts and road construction methods, and describing various pieces of infrastructure that are built onto roads and paths. As with any complex field of work, transportation policy and engineering can be dominated by jargon and obscure terms.

In the course of my reporting, I've repeatedly had to explain these terms and concepts because the city, county, and state agencies often aren't communicating clearly with the average person. Instead, our government agencies all too often publish technically obtuse and difficult-to-read maps, use legal language in presentations, stick to acronyms, and keep conversations at an expert level.

This is why we decided to create a glossary for roads, transportation, and transit. This list contains definitions for engineering concepts, describes the infrastructure you might see on a road, and identifies the multiple local and state government agencies that build and repair our roads.

We hope this is a useful reference for anyone trying to learn more about streets, transportation, transit, and local government.

This is a big list, but it's not comprehensive. We plan on updating it over time as we do more reporting and learn about new stuff. If you know of something missing, or you think we could explain or define something more clearly, please let us know by emailing me at [jose@oaklandside.org](mailto:jose@oaklandside.org).

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- [Wayfinding](#)

## Sideshows



The intersection of 106th Avenue and MacArthur Boulevard was ranked second for the number of sideshows that happened there among all city intersections in 2022. Credit: Florence Middleton

A controversial event where drivers take over city intersections with their cars as they skid in circles while performing stunts. [Sideshows](#) can last seconds or hours at a time, and they can be performed by a single individual without a crowd or by multiple people with hundreds of onlookers rallying them on. Some people have defended sideshows as an [important outlet for youthful rebellion](#) while others have noted that they often, especially in recent years, are accompanied by gun violence and rowdy behavior.

**Exhibit 2**

CITY HALL

# Map: These Oakland intersections are hotspots for sideshows

We mapped almost four years of police data revealing the Oakland neighborhoods most impacted by rowdy street takeovers.



by **Jose Feroso** and **Darwin BondGraham**

May 30, 2023, 4:03 p.m.

Sideshows are a mainstay of news in Oakland. Here are a couple of recent headlines: “Video shows illegal Oakland sideshow with cars on fire” and “Oakland sideshows draw 500 vehicles.” One recent incident saw 80 vehicles seized by the police. At another, someone commandeered a big rig truck to spin donuts in the road. Everyone knows sideshows happen in Oakland. What’s less widely understood is *where* they happen—and the impact on Oaklanders who live near sideshow hotspots.

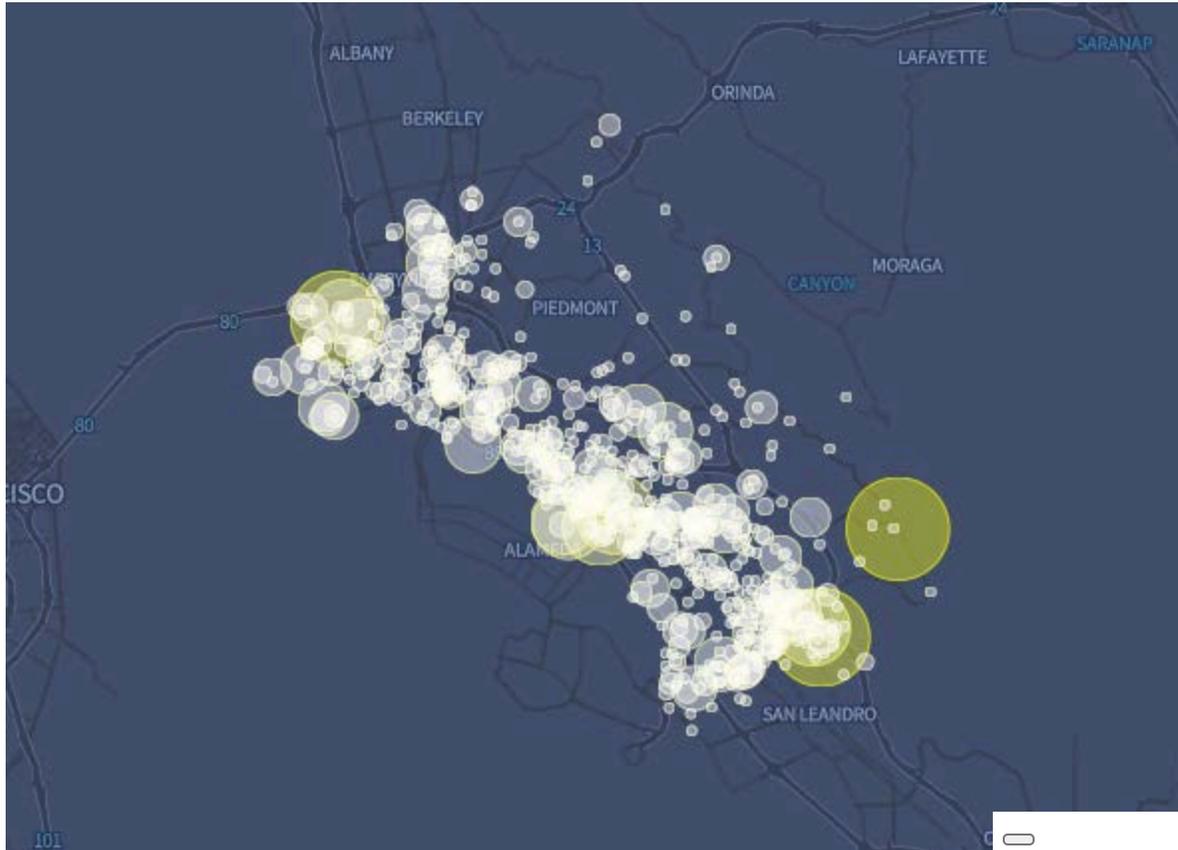
Oakland is credited with inventing these rebellious stunt-driving exhibitions, which have been happening here since the 1980s and show no sign of slowing, even while city leaders pursue [new laws](#) to deter people from participating. At a typical sideshow, drivers take over intersections for a period of minutes or hours, skidding in dizzying circles and whipping their cars from side to side, often while passengers dangle out sunroofs, windows, and open doors. Onlookers crowd around racing cars, cheering them on.

Some Oaklanders defend sideshows as a form of youthful culture, perhaps needing a more constructive and legal outlet. Others see them as a dangerous nuisance, particularly because some feature gunfire, vandalism, and violence—and because some intersections and neighborhoods see sideshows over and over again.

To help understand the impact of these events, especially where they happen most often, The Oaklandside obtained from the city nearly four years of data about sideshows. We mapped the locations most frequently taken over and spoke to nearby residents to learn how they feel about them.

## All 712 Oakland sideshow locations, Jan. 2019 - Nov. 2022

Each marker reveals the locations where sideshow activity was reported to the Oakland police. Markers vary in size depending on the number of days at least one sideshow was reported, with larger dots representing places where sideshows more frequently occurred.



© OpenMapTiles © OpenStreetMap contributors

Source: Oakland Police Department • Ally Markovich | The Oaklandside

The map above displays the exact locations where sideshows were reported to the police from Jan. 1, 2019, through November 2022. There were 2,297 reports of sideshows over this period of time. Instead of mapping each sideshow report as its own event, we mapped the number of days one or more sideshows were reported at a location. We also merged some of the locations where sideshows were reported to have happened.

If a sideshow was reported to have happened at a specific address that was within a few hundred feet of an intersection where there were other reports of sideshows, we treated them all as the same location, usually marking this as the intersection.

For a full explanation of our methods, see the box at the end of this story.

## Sideshows overwhelmingly take place on major roads in Oakland's flatlands, but the top hotspot may surprise you



Despite the addition of bollards and hard centerlines in the roadway in 2021, the intersection of Keller Avenue and Skyline Boulevard remains a popular sideshow spot. Credit: Florence Middleton

The intersection most frequently taken over by sideshows also has a great view of the city: Keller Avenue and Skyline Boulevard. This crossroad in the East Oakland hills saw 55 days with at least one sideshow between early 2019 and late 2022. Neighbors speculate that the view and the intersection's remoteness probably explain its popularity.

All the other hotspots are almost entirely located in deep East Oakland, West Oakland near the port, and Fruitvale.

MacArthur Boulevard and 106th Avenue saw 50 days of sideshows, a level of activity made obvious by the looping tire skid marks left all over the pavement. Rivaling MacArthur Boulevard in terms of activity was Maritime Street near the Port of Oakland. The intersection of Maritime and Admiral Toney Way saw 46 days of sideshow activity over the nearly four-year period we reviewed.

One other hotspot is the nearly half-mile stretch of 42nd Avenue between International Boulevard and I-880 in Fruitvale. This span of road sees a massive number of sideshows. It's so popular with sideshows enthusiasts that the

police have given it a nickname: “The Pit.”

In the shadow of the I-880 overpass and a railroad bridge, The Pit is a massive intersection where sideshows have been known to draw hundreds of spectators who block the area with parked cars while hotrods spin donuts and revelers blast off fireworks and sometimes gunshots for hours at a time. There were 30 days of sideshow activity reported where 42nd Avenue, also known as California State Route 185, passes under I-880.

In total, sideshows happened in 712 intersections and other places in Oakland in the time period we reviewed, including 265 locations where there was sideshow activity on two or more days. These reports included everything from massive street takeovers involving hundreds of cars and thousands of onlookers to smaller exhibitions with just a few cars spinning donuts.

Based on conversations with people who live and work near these intersections, the number of sideshows has very likely been underreported by a factor of two or three. Many people in Oakland do not call OPD to report sideshows because they’ve become desensitized or because they don’t want to talk to authorities.

# The top 50 sideshow hotspots

Jan. 2019 to Nov. 2022

Search in table

Page 1 of 3 >

	Address	Number of days at least one sideshow was reported
1	Keller Avenue & Skyline Boulevard	55
2	106th Avenue & Macarthur Boulevard	50
3	Admiral Toney Way & Maritime Street	46
4	42nd Avenue & International Boulevard	33
5	Ca-185 & Coliseum Way	30
6	Foothill Boulevard & Macarthur Boulevard	30
7	Glascock Street & Lancaster Street	27
8	Derby Avenue & Glascock Street	23
9	W Grand Avenue & Maritime Street	22
10	98th Avenue & International Boulevard	19
11	5th Avenue & Embarcadero	17
12	35th Avenue & Macarthur Boulevard	16
13	98th Avenue & Edes Avenue	16
14	Frontage Road & W Grand Avenue	16
15	Coolidge Avenue & Macarthur Boulevard	15
16	45th Street & Market Street	14
17	7th Street & Maritime Street	14
18	98th Avenue & Bancroft Avenue	14
19	Maritime Street & Middle Harbor Road	14
20	Bancroft Avenue & Havenscourt Boulevard	13

[Get the data](#) • Created with [Datawrapper](#)



## The unpleasant—and sometimes scary—realities of living by sideshow hotspots



Cars line up on 98th Avenue near an East Oakland intersection taken over for a sideshow in 2022. Credit: Eric Louie

People who live and work near the worst sideshow intersections say they are an incredible nuisance, and some even experience fear and trauma.

One family told us that in the 13 years they've lived near Keller and Skyline in Sequoyah Hills, they've seen car fires, explosions, and other recklessness associated with sideshows.

"There are a lot of stolen cars that come up here," one of the neighbors told us. They did not want to provide their name due to safety concerns.

The neighbor said sideshows around here usually feature just one or two cars but that on a few occasions, there were hours-long street parties with cars lining up on Keller. When the police were called, it would often take OPD 3-5 hours to respond. "There were so many people one time they had to bring a SWAT team to disperse it," said the neighbor.

Vijoa Lucas, who manages the Anthony Chabot Equestrian Center, which is about 500 feet from the Keller-Skyline intersection, said that between 2018 and 2020, sidoshows were happening “nearly every night” at Keller and Skyline. The screeching tires and revving engines would create a cacophony that would reverberate through the rolling hills and scare the horses.

Last year, the city added hardened centerlines and plastic bollards on Skyline to try to reduce the number of sidoshows there.

“We still hear them four or five times a month,” said Lucas. She also noted that since the centerlines went in, there has been an influx of abandoned cars and illegally dumped trash surrounding the intersection, including on the hiking trails next to the road.



Fresh tire marks advertise how common sidoshows are at 106th Avenue and Foothill Boulevard in East Oakland. Credit: Florence Middleton

At Market Street and 45th Street in North Oakland, Northside Supermarket manager Antar Korin told us he and his neighbors have talked a lot about how to stop the sidoshows, but they feel helpless. They asked the city for a roundabout but were rejected because the road wasn’t wide enough to accommodate the AC Transit bus route that

Map: These Oakland intersections are hotspots for sideshows  
runs along it. Because this intersection, abutted by businesses on three of the four corners but mostly residential, is smaller than others, the noise from sideshows can be especially loud, said neighbors.

“They’re intense. That shit is crazy,” Korin said. On a few occasions, sideshow participants have crashed their vehicles against parked cars and even through a residential fence on the east side of the street.

“The walls on these old homes and buildings are very thin,” said Korin. “There is a lady at the corner house with a [small child]. She goes through it every time.”



Sideshows at Pearmain Street and 105th Avenue happen close to homes, filling living rooms with tire smoke. Credit: Florence Middleton

Across the street, accountant Quentin Lang said sideshow participants have climbed on top of his building to dance, stomp, and take videos. Lang placed barbed wire along the building to try and stop them. “I was told those guys were having a real good time up there,” he said.

Muhammad Ehsan, who works at the swag shop on the other corner, laughed when we told him that, based on OPD data, there were 14 days over roughly the past four years when at least one sideshow occurred at 45th Street and Market Street.

“I can confirm there’s been at least three sideshows [on three different days] just in the last two weeks,” he said

Two workers at an auto repair shop at 105th Avenue and Pearmain Street told us that smoke from car tires burning out while doing donuts often fills the air and seeps into nearby buildings, including businesses and homes. One of the workers, who lives in the area, told us it’s “awful” to experience. He did not provide his name because of privacy concerns.

At 73rd Avenue and International Boulevard in East Oakland, there were seven days of reported sideshows from 2019 through last November. Manuel Espinoza, who owns the Daily Fresh Roses Shop on the southwest corner of the intersection, said sideshows are commonplace, and crashes have pushed cars onto the sidewalk, nearly hitting pedestrians. But they’re just one nuisance in the neighborhood. He worries more about shoplifting and the economic downturn he believes was caused by the construction of AC Transit’s rapid bus line.

Yoon Jooik, the owner of Happy Dogs, a breakfast spot at 106th and Macarthur Boulevard, told us sideshows have been happening for the entire 30 years he’s been at that location. They used to happen all the time, he said, but the installation of hardened centerlines last September seems to have deterred them somewhat.



Sideshows have been taking over 106th Avenue and MacArthur Boulevard for more than 30 years. Credit: Florence Middleton

Others who have lived near sideshow hotspots say most of the infrastructure the city has added to prevent sideshows is not working. On E. 21st Street, in East Oakland, OakDOT removed a traffic lane to reduce speeding and added buffered bike lanes. But Ryan Lester, who lived on E. 18th and 21st Avenue, said the city has “failed horribly” to prevent hazardous driving. Lester recently saw a huge sideshow in the middle of the day on E. 21st, forcing his bus to detour.

Lester moved recently to the Grand Lake area and said his experience there is very different.

“One of the largest intersections near my apartment, where Santa Clara Avenue, Jean Street, and Elwood Avenue all intersect, has bulbouts and a roundabout installed, which prevents exactly this kind of activity permanently,” he said.

“It’s like I live in a completely different city that prioritizes richer and whiter people’s lives but not people in the flatlands,” said Lester.

## City efforts to prevent and deter sideshows



Extra-wide roads near the Port of Oakland which are lightly traveled at night, like Maritime Street, see lots of sideshows. Credit: Florence Middleton

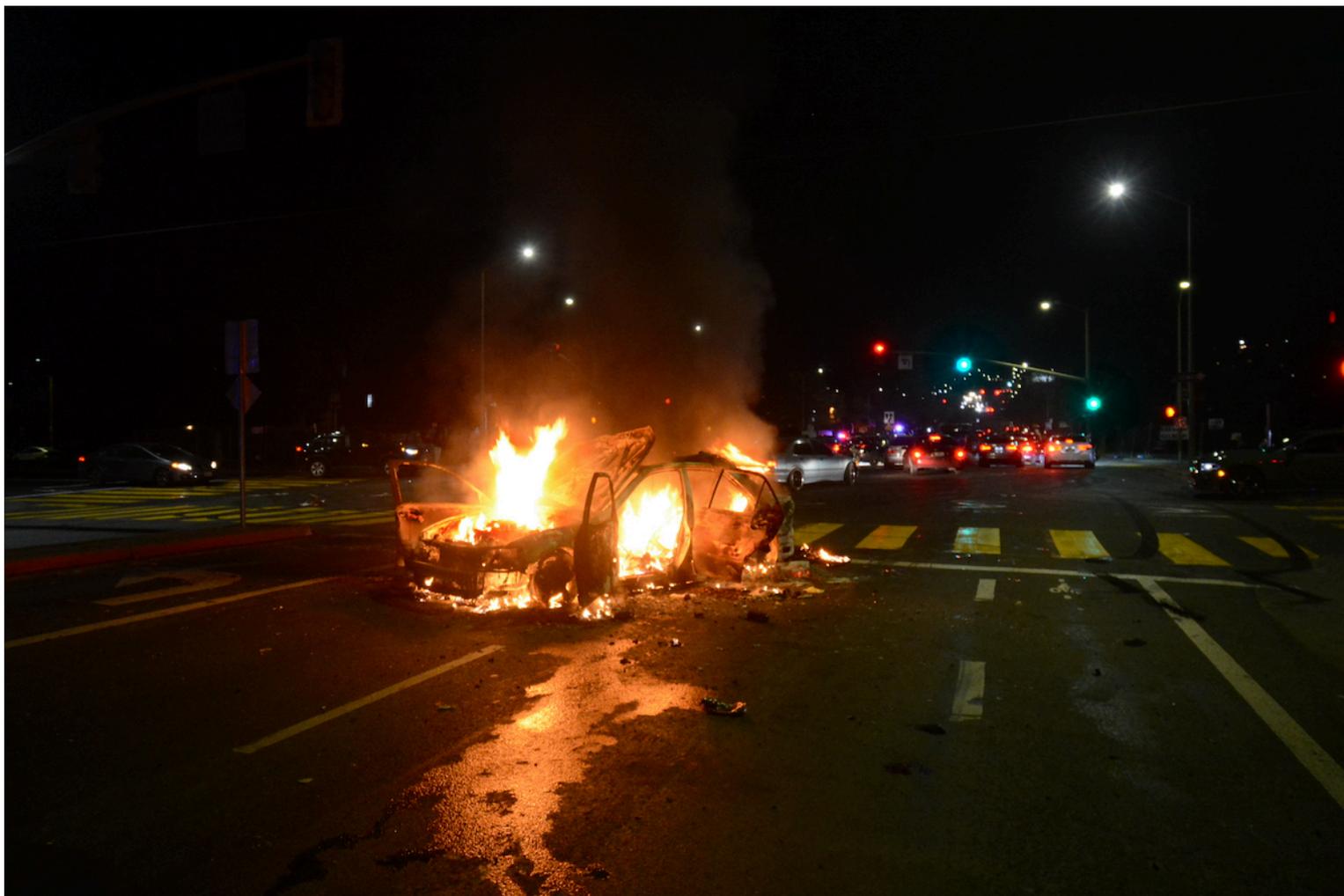
The city has been trying to stop sideshows for years, and its efforts fall into basically two categories: enforcement and street design interventions.

On the enforcement front, Oakland has attempted for decades to use its police department to break up sideshows, arrest participants and organizers, and impound vehicles.

In 2002, Don Perata, then a state senator, and Wilma Chan, who served in the state Assembly, introduced a bill that would have allowed the police to impound cars for 30 days if they were seized for reckless driving. Prior to this, the police could only keep a car until its owner paid a fine.

In 2005, then-Mayor Jerry Brown launched a crackdown by proposing a “spectator ordinance” that would have made it illegal for anyone to simply watch a sideshow. “If no one was watching, there wouldn’t be a sideshow,” Brown told the media. The City Council approved the new law, but it was **repealed** two years later after a lawsuit challenged its constitutionality.

Since then, the city has relied on using existing laws to cite participants in sideshows for reckless driving, tow their vehicles, and make arrests. Often, OPD has teamed up with other law enforcement agencies. For example, in November 2014, OPD, the California Highway Patrol, and Alameda County Sheriff’s Office shut down a sideshow near the port, detaining over 200 participants.



A car burns in the road after an East Oakland sideshow in 2022. Credit: Eric Louie

“Twenty-three people were arrested or cited, gunfire was reported, two firearms were recovered, participants threw rocks and bottles at the responding officers, and a stolen vehicle was lit on fire and destroyed,” according to a city [report](#) about the incident.

In 2015, OPD said in a [report](#) to the City Council it would need a dedicated force of 50 officers to tackle sideshows. Just four years later, the police [said](#) it would require 100 officers and that they had been relying on help from other agencies that were part of the Alameda County Sideshow Task Force, which was created in 2018 and includes police from Hayward, Union City, Fremont, San Leandro, Newark, Alameda, and Oakland.

In 2019, the council once again [voted](#) to support changes to state law that would make it easier to seize vehicles and impose heavy fines and felony criminal charges on people who participate in sideshows.

Last month, the Public Safety Committee [approved](#) an ordinance making promoting or facilitating a sideshow a misdemeanor with a fine of \$1,000 or six months in jail. The people who are likely to be targeted are people who promote sideshows over social media and by other means, drivers who take part in an event, and anyone that blocks streets to stop traffic. People watching sideshows will not be targeted.

Deputy City Administrator Joe Devries [told KRON 4](#) that OPD spent \$2 million on enforcement operations against sideshows in 2021.

Even with all these penalties and enforcement efforts, police say sideshows have only become more frequent and more dangerous.

Chris Bolton, a deputy chief who recently retired from OPD, worked on sideshow prevention efforts. He said at a [town hall meeting](#) about sideshows two years ago that the stunt driving events often destroy pavement and street markings such as crosswalks, making roads less safe for pedestrians and drivers. Gunfire and assaults are also more common nowadays, according to Bolton, including 42 shootings associated with sideshows in 2021.

‘They’re nothing like we were accustomed to in the past. The calls were growing more frequent,’ he said.

The city’s second method of trying to stop sideshows, changing the layouts of streets and adding physical barriers, has had mixed results.

According to OakDOT’s [website about sideshows](#), there is “no established best practice or evidence of effective engineering treatments to prevent this type of dangerous driving behavior.” Even if there were, it would be hard to install them in all the places needed. Almost any of the thousands of intersections in Oakland could be taken over by a sideshow. As a result, OakDOT has focused on interventions at the intersections where sideshows most frequently happen.



Tire burn marks atop a crosswalk on Maritime Street in West Oakland. Credit: Florence Middleton

So far, OakDOT has [intervened at 12 locations](#) across the city, including adding center hardlines and Bott's Dots, which are small ceramic bumps normally used to divide driving lanes on highways. The additions began in July 2021, when the Botts Dots and the hardlines were added to the intersection of 35th Avenue and MacArthur Boulevard.

The department hasn't shared data that could show whether these interventions have been successful in lowering the number of sideshows, although residents around these locations told us they still continue. Dotts Botts will likely not continue to be added to Oakland intersections, according to traffic safety advocates who've spoken to Oakland transportation staff.

The cost of these interventions was about \$650,000, according to city [documents](#).

Yakpasua Zazaboi, who owns the Sidewayz Cafe at MacArthur Boulevard and Seminary Avenue, and who years ago produced a documentary about the [origins of sideshows](#) as fun and thriving hubs of [hyphy culture](#), said it's unfortunate the amount of money the city has spent since the Jerry Brown administration in the early 2000s to try to stop them, especially when the interventions apparently are not working.

“We gotta try something different if we want to have something different. It’s not getting the residents the result that they want,” Zazaboi said.

Oakland’s Bicycle and Pedestrian Advisory board member Diane Yee told The Oaklandside she’d like to see extended corner buildouts called bulbouts, which reduce the size of intersections, as well as “[left turn safety](#)” treatments that place 90-degree rubber bumps deeper into the street, such as the ones that San Francisco has added to a handful of intersections.

OakDOT Director Fred Kelley said at the big town hall meeting about sideshows two years ago that the engineering solutions they’ve looked at haven’t kept up with the problem, likening it to a whack-a-mole game.

“You engineer solutions at one intersection at one location, and the sideshows [people] are very sophisticated, and they move to another location,” he said.

#### HOW WE REPORTED THIS STORY

Many of the 2,297 reports of sideshows in our dataset were calls from different residents complaining about the same sideshow. To cut down on the confusion and eliminate duplicate reports, we chose to count the number of days there was at least one sideshow reported at a location instead of counting each separate call to OPD. For example, if OPD received three reports of sideshows on the same day at 45th Street and Market Street, we counted this as one day of reported sideshow activity at that location.

We also merged some nearby locations together to better reflect just how much sideshow activity some areas see. For example, if a sideshow was reported to have happened at a specific address that was within a few hundred feet of an intersection where there were other reports of sideshows, we treated them all as the same location, usually marking this as the intersection.

To visualize just how much sideshow activity there is in some parts of Oakland, we varied the size of each point on the map depending on the number of days at least one sideshow was reported to have taken place there—the bigger the point, the more days there were at least one sideshow at that spot. You can hover over each location to see specific information.

It’s important to note that our map doesn’t account for every day there might have been sideshow activity at a particular location. That’s because we relied on reports to the police. If nobody called OPD about a sideshow—no matter how rowdy the rally was—it’s missing from the data and our map.

We also did not include sideshows that took place on freeways. OPD doesn’t track these since it’s the job of the California Highway Patrol.

*With data editing by Ally Markovich.*

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## **Exhibit 3**



# COUNTY OF ALAMEDA

SHERIFF/CORONER

Yesenia Sanchez

PRESIDENT  
BOARD OF SUPERVISORS

Nathan A. Miley

June 6, 2023

Honorable Board of Supervisors  
County Administration Building  
1221 Oak Street  
Oakland, California 94612

Dear Board Members:

**SUBJECT: ADOPT AN ORDINANCE ADDING CHAPTER 10.40 TO TITLE 10 OF THE ALAMEDA COUNTY ORDINANCE CODE PROHIBITING SPECTATORS AT SIDESHOWS, STREET RACES, AND RECKLESS DRIVING EXHIBITIONS**

**RECOMMENDATION:**

Approve an ordinance adding Chapter 10.40 to Title 10 of the Alameda County Ordinance Code prohibiting spectators at sideshows, street races, and reckless driving exhibitions.

**DISCUSSION/SUMMARY:**

Approving this ordinance would make it unlawful to attend a sideshow or an illegal street race or reckless driving exhibition (referred to as a "Sideshow Event") as a spectator. Violation of this ordinance is a misdemeanor and individuals who violate this ordinance will be subject to a fine up to one thousand dollars (\$1,000), a sentence of up to six months in jail, or by both a fine and imprisonment.

**BACKGROUND**

California law already prohibits drivers and passengers from engaging in Sideshow Events by criminalizing illegal street racing and illegal exhibitions of reckless driving. Existing law allows a peace officer to arrest a person and seize their motor vehicle if the peace officer determines that the person was engaged in these activities. But Sideshow Events include many other individuals, including pedestrians and other drivers and passengers who attend the Sideshow Event as spectators, and who may also participate in blocking or preventing access to the highway or other property where the Sideshow Event occurs or as starters.

Spectators play a part in Sideshow Events by encouraging, popularizing, and facilitating these events. Sizable crowds will gather to watch races or side shows. Spectators will often take video recordings of these events and post them on social media. This behavior can expose street racing and reckless driving exhibitions to a broader audience and potentially perpetuate the activity and increase its popularity. This ordinance establishes the elements necessary for spectators at sideshows to also be held accountable.

Sideshows cause significant damage to unincorporated Alameda County infrastructure including by harming or destroying intersection markings, street signs, poles, and other equipment; this infrastructure is critical for public safety and requires replacement after a Sideshow Event, which diverts resources from other critical safety improvements.

Sideshows typically occur during times when violent and property crime rates are high in unincorporated areas and the Alameda County Sheriff's Office is already addressing high emergency call volumes; Sideshows require a law enforcement response that diverts Alameda County Sheriff Office personnel from responding to these other emergencies.

Sideshows create an unsafe environment for the communities in which they occur because participants and spectators drive recklessly before, during, and after the Sideshow Event. In addition, both participant drivers and spectators are often under the influence of drugs and alcohol and have often been associated with the discharge of firearms, resulting in higher violent crime rates and vandalism.

Sideshows drastically impact the quality of life in the communities where they occur by causing damage to vehicles and private and public property, reduced air quality due to the smoke released by burning rubber tires, noise pollution, and unmanageable crowds that leave behind garbage.

Promoters of sideshows attract hundreds of people from outside of unincorporated Alameda County that have no stake in the community and typically plan events in neighborhoods that already suffer from poverty, poorer health, higher crime rates, historic disinvestment, and the resulting poor equity indicators.

In Alameda County vehicles at sideshows have caused great bodily injury and death to spectators.

This ordinance will provide law enforcement another tool to stop and prevent sideshows and reduce risk in our neighborhoods. A number of cities and counties throughout California have enacted similar spectator ordinances.

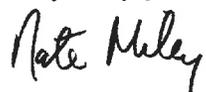
**FINANCING:**

There is no net increase to County costs.

**VISION 2026 GOAL:**

The Ordinance meets the 10x goal pathways of a Crime Free County and Accessible Infrastructure in support of our shared vision of Safe and Livable Communities.

Very truly yours,



Nate Miley  
President  
Alameda County Board of Supervisors



Yesenia Sanchez  
Sheriff/Coroner

## **Exhibit 4**

HOW WE WORK

# Sharing our reporting on traffic safety and systems with high schoolers

The Oaklandside’s Jose Feroso recently attended a public health summit at Castlemont High School.

by **Jose Feroso**  
May 17, 2023, 10:08 a.m.



Our traffic violence reporter Jose Feroso showed students at Castlemont High School how to use collision data to learn more about safety issues in their community. Credit: Courtesy of OUSD/Castlemont High School

Oakland’s roads are so dangerous that, for many residents, risking their lives to get around is a regular part of life in the city. But this doesn’t mean people accept the conditions of Oakland’s roads and traffic.

Privacy - Terms

Rather, in recent years the city's residents have become aware of their power to make roads safer. They've pressured the City Council to add [protected bike lanes](#), lobbied state and federal agencies to award money to the transportation department for new stop lights, and [educated their neighbors](#) about the lives lost from traffic violence.

The Oaklandside has closely covered this progress. Starting in 2021, our newsroom has reported on the [dangers prevalent in Oakland](#) through a systemic lens, looking at how street designs and decades of underinvestment in infrastructure and maintenance have created the current conditions. The University of Michigan supported the first year of this work through the [Knight-Wallace fellowship](#) program and last month, we announced the [Chan Zuckerberg Initiative](#) will fund two more years of reporting focused on engineering solutions.

Our work's impact was reflected in the budget priorities Councilmembers published last month. For the first time in years, all of them prioritized [traffic safety](#) by asking for barricades at intersections and sidewalks, hardened medians to stop sideshows, and faster repairs to potholed streets.

Oaklandside readers have taken notice and pushed us to look deeper into ways to improve the community's understanding of systemic traffic violence. One of these people is Emily Frank, an Oakland resident, UCSF pediatrician, and science teacher at Oakland public schools.

Frank helped create the Public Health Summit at Castlemont High School, in East Oakland, an event that exposes students to potential careers in public health and science. The summit is part of the greater [College and Career for All Initiative](#), a program funded by Oakland taxpayers that has increased [OUSD graduation rates](#) in the last eight years. This initiative encourages students to [choose pathways](#) in health science, engineering, law and social justice based on their passions and interests.

OUSD has seven high schools with Health Pathways. Castlemont High School, where this year's summit occurred on April 28, has a [Community Health Equity Academy](#).

"We wanted to connect these students [through this event] to professionals from the expansive field of public health specifically for hands-on experiences and interactions with folks they see themselves reflected in," said Katie Cugno, a career technical education coach for OUSD.

This year's event included local public health organizations like [Expecting Justice](#), the [Native American Health Center](#), and the [California Bridge/Opioid Harm Reduction Center](#), and 12 workshops about everything from mental health to design thinking.

"We want students to walk away with two things: That public health is awesome, and anything and everything is public health," said Frank. "Our motto is 'Public Health Is Everything.' Journalism can be public health, as is construction. If you help build good roads that [helps save lives]."

As a reporter focused on transportation as a public health issue, Frank asked me to present a 45-minute workshop for students. I was excited to do so.

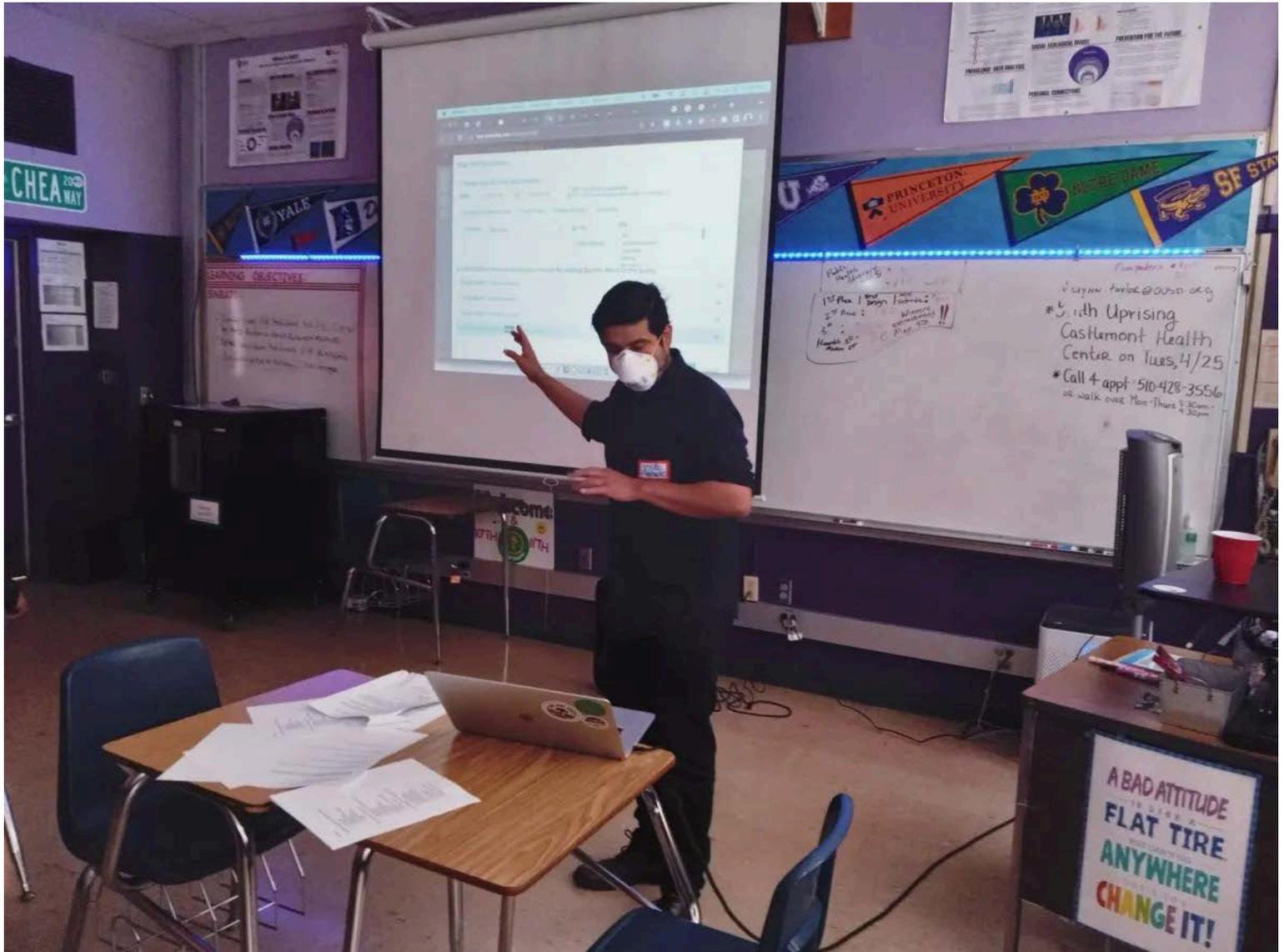
It would be an opportunity to explain to students how journalism works, how the history of transportation systems has led to high rates of collisions, and how reporting on those systems can impact public health itself. Most importantly, it might help some students pursue journalism or public health as a career.

I worked with Frank and her colleague Cugno on developing a lesson plan. They recommended I ask students questions and tell them why my work matters to me personally. They also pointed out that connecting with students through their experiences navigating Oakland roads is important.

Even though I've **presented my reporting** before, preparing for this presentation was a useful exercise in reflecting on how to explain my work at The Oaklandside.

We created a four-part lesson that included an introduction to myself, my work, and systemic reporting, a summary of my articles and how I pursued stories, and a live case-study of student experiences using publicly available tools. If any teachers find this useful, please feel free to adapt the material for you own lesson plans, or let me know if you want me to present to your class.

## Explaining why it's important to take a systems approach to problems like roadway safety



Students were very interested in the Transportation Injury Mapping System, a tool Jose Feroso regularly uses to drill down into specific road safety issues. Credit: Courtesy of OUSD/Castlemont High School

I connected with students by telling them about my roots in Oakland. I'm a native Oaklander whose family owned the [El Progreso](#) bakery on International Boulevard for 30 years and I care about what happens on the streets of our city because my family members have had to navigate underfunded areas where Black and brown people live. My family's old shop, which is now a paint store, fronts a dangerous intersection, just six blocks away from where [one of the worst collisions](#) in recent history happened. This is just one example of how dangerous Oakland's roads are. More than 30 [people died in traffic collisions in the city last year](#), and hundreds more suffered serious injuries.

After defining the problem, I asked students two simple questions, in Spanish and English: Why are so many people hit and injured on our streets? And who is responsible?

Several answered that people are speeding and driving recklessly. Although true, I pushed them consider the systemic nature of the problem.

A single collision might have been caused by a person's decision to speed or drive recklessly. But if thousands of people have been hit and killed in Oakland over time, and if Oakland residents get hurt a lot more than residents of other places, there are systemic forces at work. Poorly designed systems encourage people to make bad decisions by making it easier to do the *wrong* thing than the *right* thing. Over the last two years, after talking with city planners, road engineers, and collision victims, it's clear systems have a lot to do with traffic violence.

In the early 1900s, when Oakland's population was expanding, streets were designed to be wide enough to accommodate trains. Then, in the 1950s, trains mostly disappeared and cars became the dominant form of transportation, but Oakland leaders kept streets the same width, allowing for multiple car lanes. These wider, multi-laned streets encouraged people to speed, researchers have found.

"Can you think of any other flaws in the system of streets that you experience every day," I asked the students.

Several said, some in Spanish, that traffic lights often don't work. I told them about one of my reports where I found that yellow lights are often timed to flash for too short a period which encourages people to race through red lights, causing crashes. Also, if stop lights aren't positioned directly above the street, in the middle of a crosswalk, it's too easy to miss them.

Potholes, too few speed bumps, and unpainted crosswalks also came up in our conversation.

Then I told them about one example in the last year where a poorly designed street contributed to a tragedy, one that probably could have been avoided.

In June 2022, Dmitry Putilov, a deaf man, was killed in front of his two children while they were on a bike ride. According to witnesses and a video, Putilov was crossing 14th Street in downtown Oakland. His children were behind him when a black Infinity sped up through the intersection and hit him.

Protesters, including the Rapid Response Traffic Violence team, said later that if the city had been quicker to narrow of the street and add protected bike lanes, including curb bulb outs that would have made that crossing shorter, Putilov might be alive today. In 2017, the city received \$10 million from the state to make that change but it still has not happened.

If part of better public health is saving people's lives, and if, statistically-speaking, better infrastructure leads to saving lives, then reporting on the systems of traffic violence also improves public health.

## An exercise to have the students speak from their own experiences

To give students some hands on experience researching the problem of road safety, we did an exercise about the potential hazards they would face walking, biking, taking the bus, or driving through part of Oakland. They could use Google Maps on their phones or computers to trace their steps. In a larger classroom, teachers could probably make kids break into groups for this exercise.

“Let’s start by creating a list of problems you see in parts of Oakland on your journey,” I told them.

The students spoke up about the traffic problems they would encounter along specific routes. Then, I pulled up UC Berkeley’s [Transportation Injury Mapping System](#) to show them exactly how many collisions occurred on a few of those routes over the last five years. Even though they said they experienced speeding and a general sense of danger on the roads, they were surprised at the thousands of serious injuries and deaths that appeared on the map.

“That many, really?” one said in Spanish.

We also discussed how traffic advocates and engineers are using a new kind of language to name traffic violence problems and change the way we collectively think about the issue.

For example, I explained, many people have used the word “accident” for decades to refer to a car crash that hurts or kills someone. But this word assumes that a crash was an unfortunate mistake made by the people driving, or by a pedestrian or bicyclists. Many public health practitioners don’t use the word accident because it absolves the driver, the road design, and government leaders who could change a road’s design from any responsibility. They now prefer instead to use the more neutral term collision or crash. Using this language allows for a detailed investigation to define what actually happened without inaccurate assumptions. It also forces people to think about the “bigger picture” of their systems of roads.

Looking at the systemic reason why collisions happen is a public health approach to traffic violence. When epidemiologists try to find the reason why epidemics happen, they look at demographic data, risk factors, and other trends. Similarly, when I look at the whole picture of a collision, I try to find as much data and information to determine whether it’s part of a pattern.

Through analysis of the TIMS map during my time with them, the students learned that Black and brown communities are more impacted than white communities by traffic collisions, there are more speeding collisions than traffic light collisions, and the faster people drive, the more likely it is that someone who is hit by their car will die.

## Showing Oakland students they can realize career paths in public health



The Oaklandside's traffic violence reporter Jose Feroso speaking to students about how traffic safety is a public health issue. Credit: Courtesy of OUSD/Castlemont High School

After the class, some of the students told they appreciated the presentation and I even got some happy fist bumps. In a survey, the teens said that they were more interested in careers in public health after the summit.

Frank said she's not surprised that the students engaged excitedly with my presentation about traffic safety. "Young people love interfacing with professionals who tackle issues that affect Oakland, and they enjoy the experience of understanding the different opportunities out there," she said.

Talking to people they might not otherwise have been exposed to—researchers, doctors, engineers, and journalists—is also important because it helps them develop a network of mentors and imagine that they too could become a public health leader. At the end of the workshops, several of us talked with kids in small groups for a networking lunch about our work.

“How many opportunities have these kids had to talk to a reporter like you?” Frank asked after. The truth is, not many. But for the OUSD students attending the summit it was a good opportunity.

“The day came with many challenges, but this was nevertheless an incredible experience for our students, and I am so grateful to each of you,” Cugno told us in an email this week.

As a person whose family lived and worked in East Oakland, and who throughout the years benefitted from the education provided by extremely dedicated teachers, including in low-income schools, I told Frank that I was grateful for the opportunity and would welcome the opportunity to do it again.

CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

JOSE ANTONIO GARCIA
(b) County of Residence of First Listed Plaintiff Alameda (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
David Loy (SBN 229235); Ann Cappetta (SBN 354079)
FIRST AMENDMENT COALITION 415.460.5060
534 4th Street, Suite B, San Rafael, CA 94901-3334

DEFENDANTS

COUNTY OF ALAMEDA and YESENIA SANCHEZ
County of Residence of First Listed Defendant Alameda (IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Large table with categories: CONTRACT, REAL PROPERTY, PERSONAL INJURY, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation-Transfer
7 Multidistrict Litigation-Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. § 1983
Brief description of cause:
Violation of the First Amendment; Cal. Const. Art. I § 2(a)

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, Fed. R. Civ. P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S), IF ANY (See instructions):

JUDGE DOCKET NUMBER

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

(Place an "X" in One Box Only) SAN FRANCISCO/OAKLAND SAN JOSE EUREKA-MCKINLEYVILLE

DATE July 2, 2024

SIGNATURE OF ATTORNEY OF RECORD /s/ David Loy

## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS-CAND 44

**Authority For Civil Cover Sheet.** The JS-CAND 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I. a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the “defendant” is the location of the tract of land involved.)
- c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section “(see attachment).”
- II. Jurisdiction.** The basis of jurisdiction is set forth under Federal Rule of Civil Procedure 8(a), which requires that jurisdictions be shown in pleadings. Place an “X” in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- (1) United States plaintiff. Jurisdiction based on 28 USC §§ 1345 and 1348. Suits by agencies and officers of the United States are included here.
  - (2) United States defendant. When the plaintiff is suing the United States, its officers or agencies, place an “X” in this box.
  - (3) Federal question. This refers to suits under 28 USC § 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
  - (4) Diversity of citizenship. This refers to suits under 28 USC § 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS-CAND 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an “X” in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an “X” in one of the six boxes.
- (1) Original Proceedings. Cases originating in the United States district courts.
  - (2) Removed from State Court. Proceedings initiated in state courts may be removed to the district courts under Title 28 USC § 1441. When the petition for removal is granted, check this box.
  - (3) Remanded from Appellate Court. Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
  - (4) Reinstated or Reopened. Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
  - (5) Transferred from Another District. For cases transferred under Title 28 USC § 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
  - (6) Multidistrict Litigation Transfer. Check this box when a multidistrict case is transferred into the district under authority of Title 28 USC § 1407. When this box is checked, do not check (5) above.
  - (8) Multidistrict Litigation Direct File. Check this box when a multidistrict litigation case is filed in the same district as the Master MDL docket. Please note that there is no Origin Code 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC § 553. Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an “X” in this box if you are filing a class action under Federal Rule of Civil Procedure 23. Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction. Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS-CAND 44 is used to identify related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- IX. Divisional Assignment.** If the Nature of Suit is under Property Rights or Prisoner Petitions or the matter is a Securities Class Action, leave this section blank. For all other cases, identify the divisional venue according to Civil Local Rule 3-2: “the county in which a substantial part of the events or omissions which give rise to the claim occurred or in which a substantial part of the property that is the subject of the action is situated.”

**Date and Attorney Signature.** Date and sign the civil cover sheet.