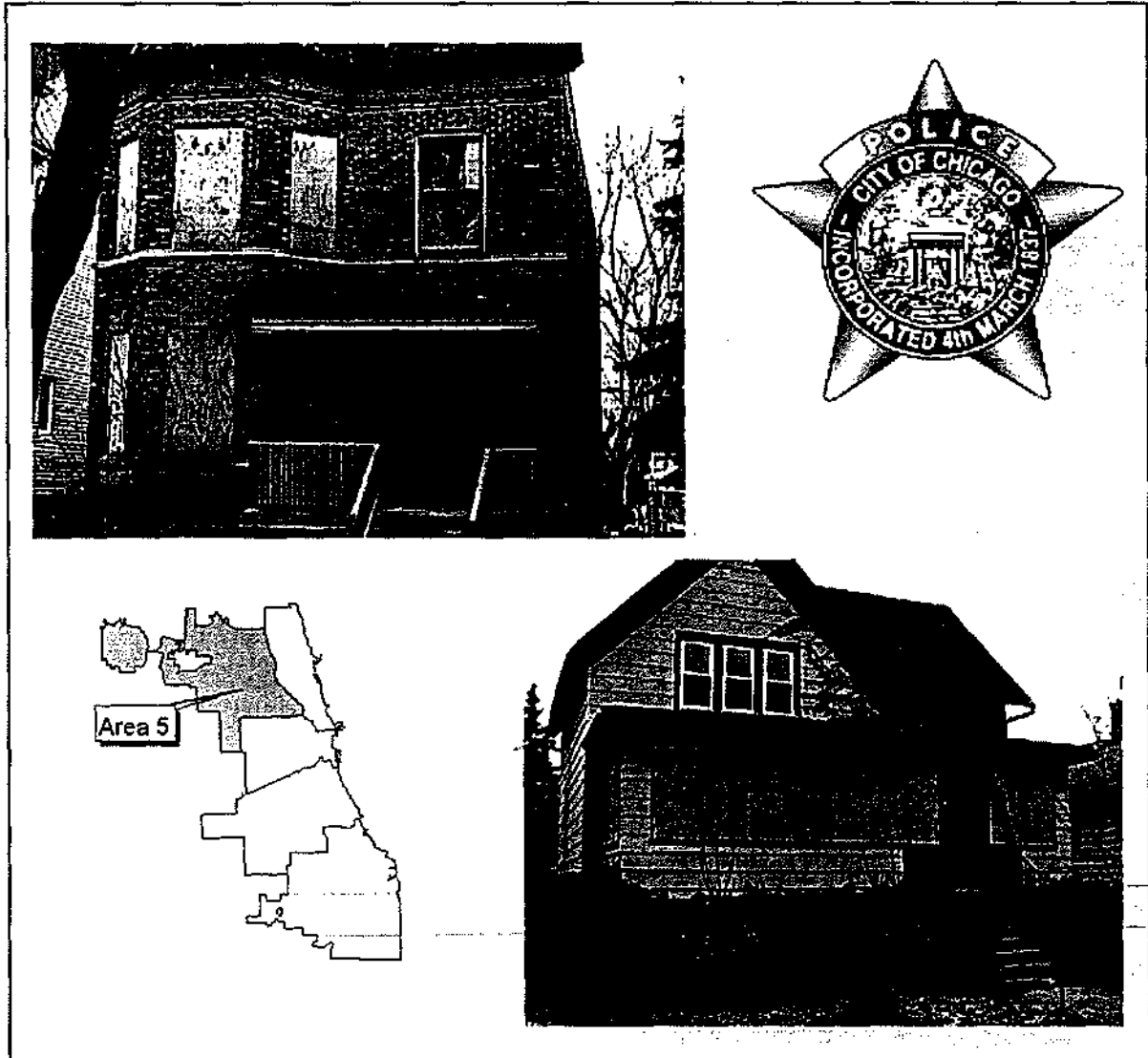


# THE AREA FIVE ABANDONED BUILDINGS PROJECT



## Area Five Chicago Police Department

Thomas G. Byrne  
Deputy Chief of Patrol  
Area Five



# THE AREA FIVE ABANDONED BUILDINGS PROJECT



Area Five of the Chicago Police Department

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**THE PROBLEM:** Abandoned buildings, particularly unsecured properties, in Area Five.

**ANALYSIS:** Deputy Chief Thomas G. Byrne, recognized as a leader in Chicago's Alternative Policing Strategy, CAPS, assembled a project team consisting of two officers and a corporation counsel. The team examined:

- The number, location and status of abandoned properties within the Area.
- The problems caused by these properties both in actual crime as well as disorder.
- What was already in place by the City of Chicago and why did it not seem to be working?

**RESPONSE:** The project team met with the leaders of the Departments of Administrative Hearings, Buildings, and Law to determine the feasibility of their project. The core of the project would have police officers citing the owners of abandoned properties using several rarely enforced city ordinances. The process also included finding property ownership, developing a system to get citations issued, and putting on successful hearings.

**ASSESSMENT:** The project has produced positive results in several different areas and has also generated important policy changes within the City of Chicago and Chicago Police Department. Results to date in Area Five alone:

- 111 properties secured.
- \$615,180.00 in fines assessed or default judgements issued.
- 35 buildings have been demolished.
- Reduction in index crime totals in the three beats with the most abandoned properties.
- Implementation of the project on a citywide basis through the issuing of Chicago Police Department Patrol Division Special Order 00-03 in April 2000.

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## SCANNING

In March of 1999 Thomas G. Byrne became Deputy Chief of Area Five. Prior to *this assignment the deputy was commander of the 24<sup>th</sup> District. The 24<sup>th</sup> District covered 5.2 square miles with a population of 137,682. This population was fairly diverse racially but mainly middle class. The 24<sup>th</sup> District was one where crime was manageable. The 24<sup>th</sup> District was also a Chicago Alternative Policing Strategy (CAPS) prototype district. In 24 CAPS was able to flourish.*

In contrast, Area Five comprises five police districts, the 14<sup>th</sup>, 15<sup>h</sup>, 16<sup>th</sup>, 17<sup>th</sup> and 25<sup>th</sup> and makes up the northwest portion of the city. It contains more than 689,000 people in a 60 square mile area. It is one of the most racially diverse areas in the nation. It also has a wide range of socioeconomic diversity. However, most of the 15<sup>th</sup> and much of the 25<sup>th</sup> Districts are low income areas. The crime problems presented in Area Five were much more pronounced than those of 24. For example: In 1998, the year prior to the deputy's arrival, the 15<sup>h</sup> District, also known as Austin, had a murder rate almost 2 times higher than the city average. This in an area of only 3.8 square miles with a population of 72,700.

### CRIME AVERAGE BEFORE PROGRAM BEGAN

	15 <sup>h</sup> District	City Wide
Murder	45	28
Sexual Assault	115	95
Robbery	1,204	924
Aggravated Assault	1,700	147
Burglary	1,209	1,440
Arson	70	51.5

In that same year, two other Area Five Districts, the 25<sup>th</sup>, Grand and Central, and the 14<sup>th</sup>, Shakespeare, were #2 and #4 in index crime by district respectively. Along with the abundance of crime, there was a great deal of blight and other conditions of disorder.

The assignment of a new deputy, particularly from a district that was not only successful in community policing initiatives but also a trend setter within that realm, was met with much enthusiasm by the community. An integral part of CAPS is the Beat Meeting. These meetings are held monthly and find the regularly assigned beat officers and the community problem solving. Deputy Byrne attended all the beat meetings in 15 and 25 his first two months as deputy.

At these meetings he found that crime issues were, of course, of great concern. But despite the large amount of crime in many of the sections within Area Five, quality of life issues remained as important to community members here as in the 24<sup>th</sup> District.

The deputy understood the importance of examining underlying conditions that give rise to crime and disorder.' One such problem consistently brought up was that of abandoned buildings. Why did it seem that the city appeared powerless to do something about this problem?

## **ANALYSIS**

### **Part One**

Deputy Byrne enlisted two officers from his staff to examine the problem of abandoned buildings more closely. The two officers assigned, Officers David Franco and Donald Bertini, were both from the 24<sup>th</sup> District and well versed in community policing. Both understood that, as set forth in the seminal work by James Q. Wilson and George Kelling, "Broken Windows," conditions of disorder and crime were inextricably linked.<sup>2</sup>

The deputy also requested and received the assignment of Corporation Counsel (C.C.) Jeff Ahmadian, from the Department of Law, to assist in this examination. The "Area Five Abandoned Buildings Project Team" was now in place. The team decided it needed to establish certain baseline measurements. They determined to immediately look at:

- ▶ The number of crimes which occurred in abandoned properties.
- The actual number of abandoned properties in Area Five. Of those, which were unsecured.

### **CRIME IN ABANDONED PROPERTIES**

At the time, the Chicago Police Department's statistical information system, which the team would rely on to provide this information, was unwieldy. Each index crime would have to be queried individually, using abandoned buildings as its location. During their research the team uncovered a very important work, the University of Texas study, "Abandoned Buildings: Magnets for Crime?" This changed the team's focus away from looking at individual addresses as locations for crime. The study was conducted in a section of Austin, Texas commensurate with that of the neighborhoods in Area Five that have the highest concentration of abandoned properties. That section was known as Robertson Hill. The population make-up was 80% African-American. The crime rate for property crimes was 52% higher in Robertson Hill than anywhere else in the city. The violent crime rate was more than 2.5 times above the city average. Property structures were mixed with a large amount of single family houses. These characteristics paralleled *those of the 15<sup>th</sup> District and much of the 25<sup>th</sup> District.*

While determining the parameters for the University of Texas study it was concluded that abandoned properties were not so much the location in which crimes actually occurred. but a place used more as a hangout or marshaling area for those who would commit criminal or disorderly acts. A sort of headquarters.

Therefore, the unit of measurement used in the University of Texas study would not be individual addresses, instead, blocks were employed.

The results of the study were dramatic.

- Crime rates on blocks with open, abandoned buildings were *twice* as high as rates on control blocks without open buildings.
- Of the open buildings, 83 percent showed evidence of illegal use by prostitutes, drug dealers, property criminals and others.
- 41 percent of abandoned buildings could be entered without the use of force.

The combined experience of the team also recognized that abandoned buildings were infrequently locations where incidents were actually reported. Based on this experience and the conclusion of the study, the A15 Team would look at the police beats with the most abandoned, unsecured properties rather than individual addresses.

### **DETERMINING THE NUMBER OF ABANDONED BUILDINGS IN AREA FIVE**

A simple form was developed by the A15 Team. The form asked for basic information on a property, i.e., address, if secured, if unsecured, extent of damage, etc. In CAPS the beat officers are assigned to the same beat for at least a year. The team banked on the knowledge of these beat officers to identify abandoned properties on their respective beats. The emphasis would be placed on those properties which were unsecured. The forms along with instructions and a return date were sent out to each district. The results of the original surveys are as follows:

District	Abandoned Buildings	Unsecured Buildings
14 <sup>th</sup> District	90	29
15 <sup>th</sup> District	231	42
16 <sup>th</sup> District	5	1
17 <sup>th</sup> District	37	11
25 <sup>th</sup> District	239	31
<b>Totals</b>	<b>602<sup>4</sup></b>	<b>114</b>

## **ANALYSIS**

### **Part Two**

The second part of the problem analysis set out to determine:

What did Chicago already have in place to combat abandoned properties?

The City of Chicago relies primarily on two methods to address abandoned properties.

- 1) Exercising municipal power under Illinois Compiled Statute (ILCS) Section 65, Municipalities, 5/11-13-1, Demolition, repair, enclosure, or remediation.
- 2) Applying Municipal Code of Chicago (M.C.C.) 13-12-125, Abandoned Buildings-Owners Required to Act. (Appendix A)

The first method, the state statute was most often used. The second, the city ordinance, was rarely enforced. Because of the inherent right of property ownership, taking action using the state statute to board up or demolish a building is highly regulated. Through Demolition Court board-ups can be ordered, but that would mean each abandoned property would need to go through this lengthy court process.

Application of M.C.C. 13-12-125 was attempted by the Department of Buildings *three years ago*.<sup>5</sup> It proved unsuccessful *for several reasons*.

- The City of Chicago has only 22 building inspectors. The inspection of abandoned properties fell on them. This increased their already heavy workload.
- The overtime created was not budgeted.
- One of the biggest problems was that inspectors really have no enforcement powers. These cases were all heard in Housing Court where the judges treated the unsecured abandoned building write-up as just another building code violation.

The A/5 Team took a closer look at the application of M.C.C. 13-12-125. Several important factors seem to be working in their favor.

- Unlike the Department of Buildings, manpower was not a concern. Police officers could be assigned via the Deputy's Office to examine the abandoned properties on their beats and write any applicable citations.
- Since the Department of Buildings attempt to apply the municipal codes, a new venue for hearing these cases had been created, the Department of Administrative Hearings (AH). The Department of Administrative Hearings was "created to serve as a quasi-judicial forum for the expedient, independent, and impartial adjudication of municipal ordinance violations."<sup>6</sup> *Prior to this venue these types of violations clogged up the branch courts. The Administrative Hearing setting sped up the hearing process and could accommodate a large volume of cases.*

The team also came across an accompanying ordinance, M.C. C. 13-12-140, "Vacant or Open Buildings-Watchman Required." (Appendix A)

They felt that citing for both M.C.C. 13-12-125 and 13-12-140 could place great pressure on owners for compliance, particularly in light of the fact that each ordinance carried minimum fines of several hundred dollars per day.'

Thus the team felt it could impact the problem of abandoned buildings, particularly unsecured buildings, by pressuring the owners to secure these properties via the issuing of municipal code citations.

A major hurdle that had to be overcome was determining property ownership. A citation could not be issued without knowing who owned or was responsible for the property. Unlike other states, Illinois law made this an involved process. The A15 Team consulted with the Department of Buildings and the Department of Law for assistance. Both these entities had a great deal more experience in this area.

Officers Franco and Bertini were given instruction on the use of numerous city databases, the Department of Water, the Harris File tax data base, the Inspectional Services data base, and the Circuit Court Clerk's data base. In conjunction with the training, authorization to access these information systems was also granted. The Department of Buildings also used an online, subscribed to service called Real Info. Area Five and the Department of Buildings put in place a system which would prioritize ownership requests from A15 using this more comprehensive tool. The Department of Administrative Hearings process was reviewed extensively by Corporation Counsel Ahamadian before any citations were issued. This turned out to be critical. What Corporation Counsel Ahamadian determined was that, regardless of being in violation, if proper service did not occur citations would be dismissed. Service issues were finalized and the first citations were ready to be issued.

## **RESPONSE**

### **723 N. WALLER**

In his book, "Disorder and Decline," Northwestern University Professor Wesley G. Skogan cites "abandonment as the most serious form of all behavioral and physical disorders." <sup>8</sup> "Abandoned buildings harbor *decay*...Squatters *move in*, drinking, *drug* use, prostitution, and all varieties of disorderly behaviors follow." At one of the first meetings Deputy Byrne attended the problem of 723 N. Waller was presented to him. In Dr. Skogan's characterization of the problems and description of activities related to abandoned buildings, it was as if he were writing about 723.

The windows were smashed, the front door was kicked in, the floors were covered with litter, used condoms, and empty narcotics packets. The residents of the 700 block of North Waller tried for over a year to pressure Chase Manhattan into doing something about the property. 723 N. Waller would be Area Five's first case.

A notification letter was sent to Chase by C.C. Ahamadian and after 30 days with no response, Officer Franco began issuing citations for both unsecured property and no watchman. The citations were written over an 18-day period naming both Chase Manhattan and its president as respondents. At the first hearing date no one from Chase was present and a default judgement was entered for more than \$8,000.00. At the second hearing date still no one from Chase showed up. Defaults were again issued this time for more than \$7,000.00.



A short time after the defaults were received by Chase, they contacted the city and attempted to vacate the judgements. The time allowed to vacate had expired so the defaults were stayed totaling more than \$15,000.00. Chase came into compliance by securing the property and posting a watchman for a short time.

By August, Chase would demolish the property. The Area Five Abandoned Buildings Project accomplished in approximately forty-five days what no one else had been able to do for the past several years. With 723 N. Waller as a test case the A15 Team was now ready to expand the initiative. Working off the survey forms, ownership was obtained for as many properties as possible. The team felt that getting the largest number of properties into compliance would have the greatest impact.

In July of 1999 six more properties were written. This was done in a controlled manner using Officers Franco and Bertini. This first mass hearing date was attended by members of all the city agencies involved. Six properties were cited with the following results.

- **5320 W. Ohio and 5016 W. Quincy**  
Owners in court, began rehab once the citations were issued.  
\$200.00 fine for each.
- **207 N. Lacrosse**  
Secured by the owner, \$200.00 fine.
- **5400 W. Thomas**  
Bank owned, no respondent in court, default judgement of \$3,825.  
This property would later be secured and rehabbed.
- **5235 W. Ohio**  
Bank owned, no respondent in court, default judgement of \$6,825.00. This property would also later be secured and rehabbed.

With this success the decision was made to take the initiative Area-wide. A Lieutenant *from the 14<sup>th</sup> 15<sup>th</sup> and 25<sup>th</sup> Districts* was selected *to administer the project*. The police officers who would be writing the citations were instructed by Officers Franco and Bertini. The A15 Team would maintain determining ownership so that the field officers could concentrate on checking the properties and writing the appropriate citations.

#### **RESULTS TO DATE**

- 911 properties secured
- \$615,180.00 in fines have been assessed or default judgments issued
- 35 properties have been demolished.

## ASSESSMENT

The success of the project has been recognized by the Chicago Police Department. The process was standardized through Patrol Division Special Order 00-03 in April 2000 and is now utilized city-wide.

In addition to city-wide implementation, there have been several other important occurrences.

- A 90% secured status was achieved approximately one year into the project.
- Three beats 1523, 1531, and 1532 had the highest number of abandoned properties in Area Five. They also contained the highest number of unsecured, abandoned properties. For these beats, combined index crime totals from January 1999 to June 1999, before the project was implemented, were compared to one year after the project was implemented, January 2000 to June 2000. The index crime totals declined, in some cases significantly.

### INDEX CRIME COMPARISON JANUARY TO JUNE 1999-2000

Index Crimes	1999	2000
Homicide	8	2
Sexual Assault	13	8
Robbery	151	144
Agg. Battery	170	162
Agg. Assault	61	59
Burglary	134	91
Theft	343	295
Arson	9	2

- **Beat 1523** Reductions in seven of nine categories including a 44% decrease in burglaries.
- **Beat 1531** Reductions in six of nine categories including a 25% decrease in robberies.
- **Beat 1532** Reductions in five of nine categories including a 31 % decrease in theft.

As important as the reduction in crime totals is the response from mortgage companies and building owners. In Chicago, a small number of law firms specialize in foreclosure/real estate law and represent a large number of mortgage companies and building owners. Overtime our officers and C.C. Ahmadian developed a less adversarial relationship with these firms and owners then when the project was first started. We learned that once the "word got out" that the city and police department had developed this approach, the time in which something was done with a property was shortened.

We have reached a point now that, in some cases, once we determine ownership we simply notify the law firms who will then get their clients to come into compliance without expending the resources to write citations.

Since the first citations were issued, the project has also provided the impetus for several important policy changes within the Chicago Police Department as well as changes specific to the Abandoned Buildings Project process itself.

- In order to really impact the situation, Area Five district's increased the number of properties written after the first hearing date to approximately 50 between *the 15<sup>th</sup> and 25<sup>th</sup> Districts*. *Because of the volume of cases generated by this increase in citing, AH created an abandoned building call exclusively for these cases. The call schedule is included as part of PDSO 00-03.*
- Some properties were found to have no respondent appear over several citing periods. These properties were monitored by the A15 Team. When this occurred, the properties would no longer be cited but immediately forwarded to *Fast Track Demolish<sup>9</sup> for their action.*
- Under the guidance of the A/5 Team, The CPD Data Systems Division created the "Problem Buildings Data Base," which is abandoned building specific.
- The number and status of abandoned properties changes almost daily. Because of this, the districts have been directed to take a "survey" of the condition of the properties within their boundaries. This happens in two ways:
  - 1) DAILY: During the course of an officer's tour they are required to fill out the Daily Assignment Activity Report. Upon completion of their tour the report is turned into their sergeant. The report now contains an area that allows all officers to document any abandoned properties they come across.
  - 2) QUARTERLY: Each district now has an officer assigned to handle issues related to problem properties. They are trained in the entire abandoned buildings process including determining ownership and writing citations. They are asked quarterly to re-survey the entire district and insure that this information is current using the Problem Buildings Data Base.

- Because each district is proactive in determining the number and status of abandoned properties within their boundaries, other city agencies look to the police department for accurate information including that of ownership. This also keeps the time in which a property is unsecured without being detected to a minimum.
- Because of the abandoned buildings program and the number of HUD properties in Chicago, a meeting was requested by their agent, Golden Feather Realty, in order to be proactive and avoid being cited. A list of their properties is now posted on the internet. HUD properties can now be secured by CPD personnel with a phone call.
- Each district now has Real Info.

## REASSESSMENT

This is the current status of abandoned properties in Area Five:

District	Abandoned Buildings	Status
14 <sup>th</sup> District	54	3 Cited (5 Pending Ownership)
15 <sup>th</sup> District	193	8 Cited (10 in Fast Track Demo
16 <sup>th</sup> District	5	0 Unsecured
17 <sup>th</sup> District	9	0 Unsecured
25 <sup>th</sup> District	156	4 Cited (11 in Fast Track Demo

The Area Five Project Team understands that the entire nation has experienced a decline in crime over the past seven years. We also understand that the causes for reduction in crime are numerous. It would be unrealistic to think that the reduction of crime Area Five has experienced is solely linked to the number of abandoned properties that have been secured. We do strongly feel, however, that this endeavor is a major contributing factor to this phenomenon.

## NOTES

1. Herman Goldstein, "Problem-Oriented Policing," New York: McGraw Hill, 1990.
2. James Q. Wilson and George Kelling, "Broken Windows," Atlantic Monthly, March 1982.
3. William Spelman, "Abandoned Buildings: Magnets for Crime?" Journal of Criminal Justice, 1993, Vol. 21, pp. 481-495.
4. This number reflected 20% of the city wide total of abandoned properties according to a City of Chicago, Department of Buildings survey, January 1999.
5. Interview with Deputy Commissioner of Department of Buildings, City of Chicago, Chris Kozicki, May 1999.
6. Department of Administrative Hearings overview, City of Chicago, January 1997.
7. Citing for this second violation proved to be critical to the entire strategy. M.C.C. 13-12-125, "Owners Required to Act" named the *owner* as the responsible party for compliance. M.C.C. 13-12-140 "Vacant or Open Buildings-Watchman Required" held anyone having a legal or equitable interest as responsible. Mortgage companies that did not technically "own" the property attempted to hide behind the differences in the wording of the ordinances. Because these ordinances were rarely enforced, there was some uncertainty as to responsibility by hearing officers. An interpretation was presented to AH by the Department of Law in the form of prior case law. After that mortgage companies could no longer use this tactic.
8. Wesley G. Skogan, "Disorder and Decline," New York: The Free Press, 1990, pp. 40-43.
9. Fast Track Demolition is a subsection of ILCS 65 5111-31 -1 and allows municipalities to tear down a structure of 3 stories or less in approximately 120-150 days. This, after an extensive series of notifications and postings of the impending action.

## Agency and Officer information

This problem solving initiative was developed and spearheaded at the Area level of the Chicago Police Department by Deputy Chief Thomas G. Byrne and Officers David Franco and Donald Bertini. Legal counsel was provided by Corporation Counsel Jeffrey Ahmadian of the Department of Law, City of Chicago, assigned to Area Five at the inception of the program.

All involved received training under the Chicago Police Department's community policing model, Chicago's Alternative Policing Strategy, CAPS.

The SARA model was examined extensively during each stage of this initiative.

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