

**2011 Herman Goldstein Award
Los Angeles County Sheriff's Department
Countywide Nuisance Abatement Team**

Due to the significant number of single-family homes and apartment complexes in Los Angeles County that continue to foster havens for criminal and gang activity, our Department decided to dedicate a team to investigate and prosecute both civil and criminal abatements of these types of properties.

In several of our policing areas, traditional law enforcement efforts have failed or had little impact in stemming the flow of gangs and criminal activity associated with a particular residence or apartment complex. The number of man hours spent on these locations is often astronomical; they require numerous calls for service, create an environment of blight and/or fear for surrounding residents, and decrease property value. This drain on law enforcement services represents a staggering number of hours dedicated to a specific problem location.

The Abatement Team has proven to be a viable resource to eliminate problem locations and is a relatively inexpensive method to deal with them more permanently. Utilizing existing laws and ordinances has enabled the team to effectively address problem properties.

Since starting this project, the team has seen a tremendous reduction in crime in targeted properties. One property had an astronomical 553 calls for service. This totaled 18,715 minutes law enforcement personnel spent dealing with the many problems generated by individuals associated with this property. In comparing the same size complexes within the same neighborhood, this complex far exceeded others in criminal activity. The next closest apartment complex generating calls for service was 122 within the

same time period. The residents were afraid to come outside because gang members would intimidate them.

A meeting was held with the property owner, and she was shown calls for service charts that compared her property to others. She agreed changes needed to be implemented. Some suggestions given were better lighting, signage, a management company, graffiti removal, and lower fencing. Since implementing these changes, calls for service went from **553 to zero**.

Based on the model created by Deputies Thomas Ferguson and Joe Ochoa, the Community Oriented Policing Services Bureau has become the experts concerning problematic properties in the areas serviced by LASD. Following the implementation of the Abatement Program, property owners are now being held accountable for fixing their dilapidated property, thus reducing crime, revitalizing the neighborhoods, and giving residents a better overall quality of life.

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Description

A. Scanning:

Since the economy has taken a dramatic downturn, the Los Angeles County Sheriff's Department (LASD) has seen an increase in abandoned properties, which often results in the property becoming dilapidated, which in turn fosters criminal activity. There has also been an increase in properties that have an absentee owner and the property becomes in disrepair, thus encouraging the criminal element to take over the property and use it for narcotic sales or gang activity. The goals of the Countywide Nuisance Abatement Team are simple: to address the needs of the community within Los Angeles County's supervisorial districts, to eliminate public nuisance locations, to alter a business's operation so it will no longer be a negative presence in the community, and to design and implement a program for community leaders and residents using practical zoning tools that enforce existing land-use regulations and assist in the preservation and revitalization of communities.

The Countywide Nuisance Abatement Team is advised of problematic properties in several ways:

- Through complaints from the public residing or working on the premises or surrounding areas.
- The property has resulted in repeated nuisance activities, thereby creating undue demand on law enforcement services.
- Adversely impacts nearby uses (parks, schools, businesses).
- Violates city, state or federal regulations, ordinances or statutes.
- Violates any condition imposed by a prior discretionary land use approval.

The team often receives referrals from many sources. Some of the sources are from community members who continually live in fear of a property due to the illegal activities taking place, narcotic and gang units that investigate habitual narcotic and gang-related crimes that occur at these properties, code enforcement, health inspectors, HUD/Section 8 Housing investigators, and Animal Control.

B. Analysis:

LASD has formed a four-person unit consisting of two deputies, one sergeant, and a County Counsel attorney. Each team member has an extensive background in the philosophies of Community Oriented Policing and is well versed in all laws and ordinances regarding nuisance properties. They also currently teach the Regional Community Policing Institute two-day abatement classes. The team also works closely with the Los Angeles City Attorney's Office and their TOUGH (Taking Out Urban Gang Headquarters) program.

What kind of illegal activity can be addressed by the nuisance abatement statutes? Such crimes as prostitution; obscenity; gambling; drug abatement act that covers the delivery, possession, manufacture or use of a controlled substance; street terrorism; organized criminal activity; discharge of a firearm; assaults; robbery; unlawful carrying of a weapon; murder; and various other acts enumerated in the vast criminal and civil codes, as well as any conduct that is injurious to health, so as to interfere with the comfortable enjoyment of life or property, or creates unlawful obstruction of the free passage or use of a property.

What type of property can be closed? Any place that is causing a nuisance as defined by nuisance abatement statutes including but not limited to:

- Businesses
- Single-family dwellings
- Multi-family dwellings (apartment complexes, duplexes, etc.)
- Hotels and motels
- Convenience stores
- Commercial and industrial properties

Since the abatement tool is a relatively new option, questions arise as to how the abatement process is implemented. One question is who the civil action can be brought against. Well simply, anyone within dominion and control of a real property. A better description would be any owner of the real property and/or business, a lessee/renter of the property, manager of the property and the management company, the real property itself (in rem suit), or any combination of the above. How long will the property be closed if the lawsuit goes to trial and it is determined that the property is a nuisance? The property can be closed for up to a year, pursuant to statutes that provide for closure of the property. Does the case always go to trial? No. A notification letter is sent to potentially cooperative property owners requesting a meeting to discuss the illegal activities occurring on their property. Operation guidelines to reduce illegal activities on the property will be discussed at the meeting. If the owner agrees to clean up the property and the referring agency observes improvement, a lawsuit is not filed. The property will be monitored for compliance. If a lawsuit is filed, the parties may enter into an Agreed Final Judgment. The amount of the bond to be posted, fees and property improvements are negotiated and incorporated into the agreement. The property is then closely monitored.

Law enforcement has access to numerous computerized record systems to gain information on reported nuisance activity. Arrest reports, incident reports, intelligence reports, and field interview reports are a few of the records that have always been available to law enforcement. By forming partnerships with other municipal departments, private sector businesses, and community groups, law enforcement can obtain additional documentation needed to prove a nuisance exists. Examples of these may include fire reports; zoning violations; building, electrical, plumbing, and mechanical violations; housing authority violations; and health and safety code violations, to name only a few.

To ensure enough evidence exists to identify a nuisance property, it is important that community groups, residents, and law enforcement understand the importance of reporting and documenting all violations of the law. Once a nuisance property is identified and the nature of the nuisance determined (i.e., criminal activity or health and safety code violations), a determination is made as to the best course of action. In making this determination, several factors should be considered. Is the nuisance property leased, rented or owner occupied? Is the nuisance property residential or commercial? Has the owner been notified of the nuisance? In the case of rented or leased property, does the owner condone the activity or is he involved in the activity? Does the nuisance pose immediate safety concerns for inhabitants, neighbors or other citizens? And lastly, can the property be safely rehabilitated?

C. Response:

Most of the evidence needed to support the initiation of a nuisance abatement proceeding is contained in local law enforcement records. The evidence must be fully documented because it may be used in a court of law and discovered by the defendant. The most important evidence is that which shows the property is a place to which persons habitually go for the purpose of those illegal activities addressed by the nuisance abatement statutes. This evidence can be obtained from arrest reports, citations, search

warrants, incident reports, complaints, and calls for police service at the property. Any documentation that can be compiled indicating illegal activity on the property for a two- to three-year time period may be used as evidence.

If the investigation shows that an inordinate number of calls for police service have been made and four or more arrests for the same type of illegal activity have occurred in the last six months to a year, the case may be a good nuisance abatement case. However, the case must be submitted to the City Attorney, District Attorney, and County Counsel for a more definite determination to be made. Offense reports must establish the habitual use of the property for illegal activities. It is important that the offense reports indicate that the illegal activity occurred, began or ended on the targeted property or immediately adjacent to it. In other words, the crime must be firmly associated with the target property. The reports must identify the property and be specific in the narrative as to the connection between the crime and the property. For example, to state that a prostitute or drug dealer was observed "coming out of or going into the establishment or parking lot of the property" or that the "criminal activity occurred in the establishment or on the parking lot of the property," clearly connects the crime to the property. Stating that a prostitute or drug dealer was observed "on the street or roadway in front of the establishment" does not necessarily connect the crime to the property.

Site visits and/or surveillance of the property should be conducted to evaluate the physical appearance of the property and to observe the nature of the illegal activities occurring on the property. The site visits will also serve to corroborate (or refute) complaints concerning the property. If code violations of any kind are observed, representatives from any other applicable agency should be contacted and requested to conduct inspections of the property. During the investigation, compiling a case file should

consist of the sections mentioned below with the described information included. Often the department has an automated database that will provide statistical information.

D. Assessment:

The immediate response to tackling nuisance properties was overwhelming. The team was getting inundated with problematic properties all over the county. The team started to tackle the worst of the worst properties first (i.e., gang and narcotic infested residences).

One such complex the team tackled was an apartment complex in the South Los Angeles area. This complex was overrun by gang members who were dealing narcotics from the building to further their gang. This complex had been a problem in the community for over 20 years. Several gang members had made this complex a place where they could deal their narcotics even though they were not residents of the apartment complex. They would tag graffiti on the mailboxes, trees, and buildings to let others know they were in operation inside this complex.

The residents living in the complex, and those surrounding it, lived in fear. The neighbors were afraid to come outside because gang members would intimidate them. There had been numerous assaults, shootings, and fight calls. The team pulled calls for service for the location. The check for calls for service showed a tremendous drain on LASD resources. Numerous search warrants had been served at the location and countless arrests had been made, but nothing seemed to work. LASD's Crime Assessment Center indicated there had been an astronomical number of calls for service to the apartment complex -- 553 to be exact. This occurred over a three-year time period, as shown in the graph in Appendix A.

In comparing nearby apartment complexes in the neighborhood, this complex far exceeded the others in calls for service during the same time period. The next closest complex with calls for service was 122. (See Appendix B.)

The team contacted the property owner, an absentee owner who relied on a building manager to let her know what was taking place inside the complex. Upon setting up an office conference with her and our County Counsel, she was in complete denial and adamant her apartment manager was doing a good job. The team tried to explain to her that she too was part of the problem. The team showed her the charts and graphs of calls for service at her complex in comparison to others of the same size and in the same area. Some remedies were presented to her that she needed to complete in order to make the complex a safer environment. The Crime Prevention Through Environmental Design (CPTED) model was explained to her, and she was told simple modifications would enhance the quality of life for residents at the complex.

The property owner finally agreed to implement some of the following changes:

- New lighting
- Lower fencing
- Better signage indicating trespassing, loitering, etc.
- Hire an outside management company
- Terminating some of the tenants and instituting rental contracts in order to bring in more reliable tenants
- A sign in and sign out for all visitors
- Removal of all graffiti

The few changes above drastically turned the property around. In the year since opening the case, calls for service went from **553 to zero**. The significant contribution to ensuring the safety of the residents was outstanding.

In another example of a problem property in the unincorporated area of Altadena, the team was advised that traditional crime fighting efforts had little or no effect. The team's investigation into the past history of the property revealed a long history of drug dealing and gang violence. A record check indexing calls for service at this property showed an alarming trend. County resources and manpower expended towards criminal elements operating at this property was astounding. Clearly this single-family dwelling was causing an insurmountable drain on LASD resources. These were service minutes that could have been better utilized towards other enforcement efforts. A check of calls for service indicated there were **4,020** service minutes during a year's time period.

During the course of the investigation, a walk-through was conducted of the property. Observed inside the residence were approximately 17 individuals. These individuals were sleeping on the floor throughout the house, including the kitchen area. Broken pipes caused pipes to protrude from the interior walls, and the plumbing was either inoperable or nonexistent. The dwelling had no running water or electricity, and the interior smelled of human waste. The outside of the residence had trash in the yard, which appeared to have accumulated for years. (See Appendix C.)

The team's investigation also revealed that the property owner was allowing local gang members to intimidate the residents and act as enforcers, demanding payment and ensuring they did not report the abuse to police. The conditions of the residents, many of whom were elderly, were deplorable. At the location Adult Protective Services, as well as Mental Health social workers, were called. Several of the

elderly residents were removed and relocated to suitable housing and those in need of mental health care were provided that service.

The property owner refused to rehabilitate the residence and civil proceedings went forward. The residence was eventually sold to an investment company who rehabilitated the property. (See Appendix D).

A check of calls for service since the rehabilitation of the property went from **4,020 to zero**. (See Appendix E.) This success not only gave those being abused an opportunity for better living conditions but gave the community a better quality of life as the property was no longer a blight in the community.

Law enforcement continually faces new and more demanding challenges every year in protecting our residents against crime. State law and local regulations provide numerous tools for law enforcement and local government to combat nuisance properties, but only when they are enforced. Developing and implementing a nuisance abatement program and working together with other municipal departments and private agencies can provide the necessary information for proper implementation of the tools, which can reduce crime associated with nuisance properties while revitalizing neighborhoods and giving residents a better overall quality of life.

Based on the model created by the Abatement Team, the Community Oriented Policing Services Bureau has become LASD's experts concerning longstanding problem properties in the areas serviced by LASD. Following the implementation of the Abatement Program they developed, property owners are now being held accountable for the dilapidated properties they maintain, thus reducing crime associated

with nuisance properties while revitalizing neighborhoods and giving the residents a better overall quality of life.

Due to their outstanding success rate in reducing the negative impact by nuisance properties in our communities, surrounding cities are now requesting the assistance of the Abatement Team to assist with problematic properties within their jurisdictions. These employees have distinguished themselves by actions which are far beyond those required for their position and which resulted in a significant contribution toward the betterment of LASD and its members.

Agency and Team Information

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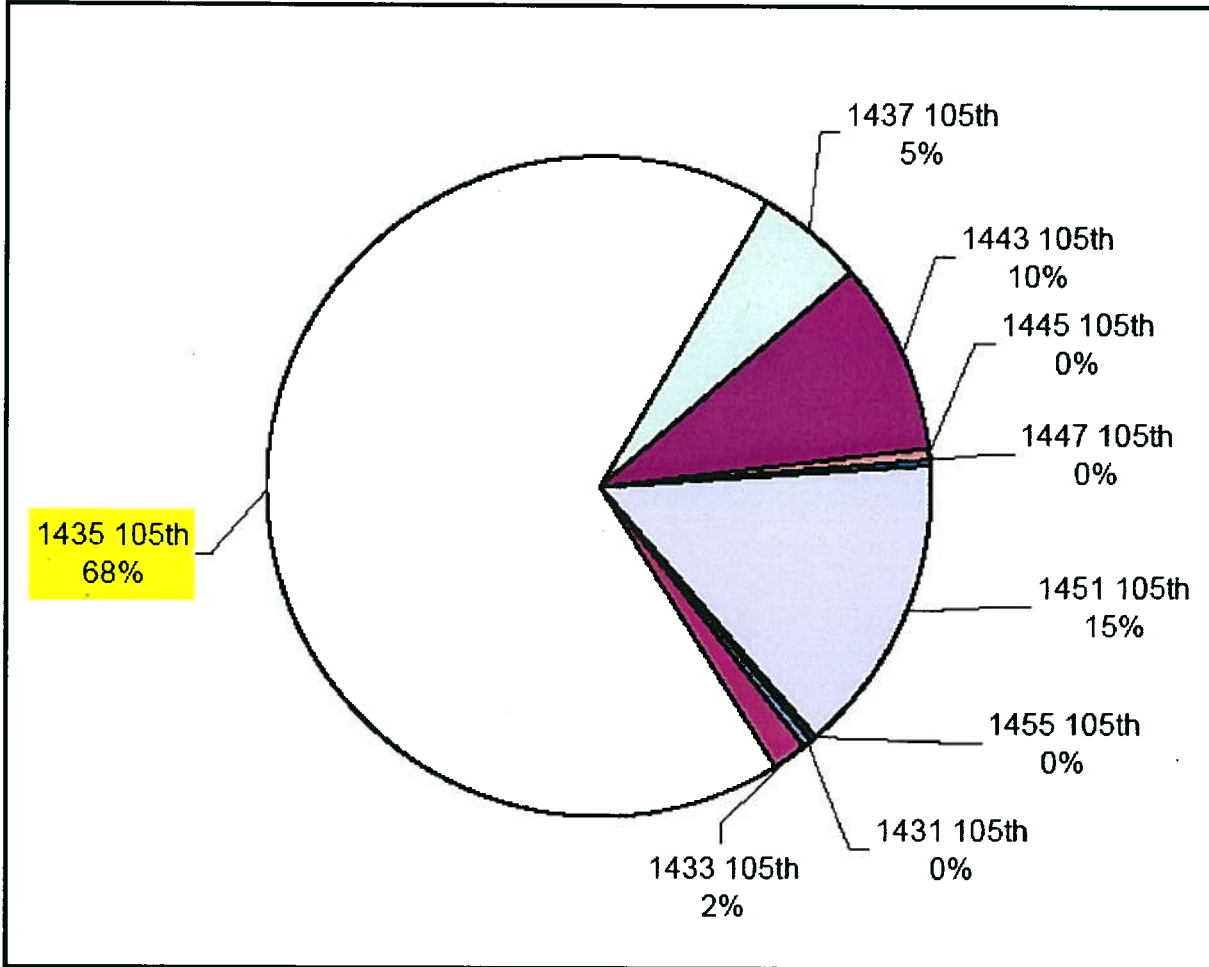
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Lennox Calls for Service

1431-1455 105th Street

January 1, 2005 - October 31, 2008



Address	Calls
1431 105th	4
1433 105th	14
1435 105th	553
1437 105th	42
1443 105th	78
1445 105th	4
1447 105th	2
1451 105th	122
1455 105th	2

Time Spent on Calls for Service at 1435 105th Street

- 18715 minutes
- Or 312 hours

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-INFORMATION IS TIME SENSITIVE AND SUBJECT TO CHANGE UPON FURTHER ANALYSIS-
 Map prepared by: CAC Crime Analyst ARP. Source of Data: RAPS: November 17, 2008



Lennox Calls for Service

1431-1455 105th St
January 1, 2005 - October 31, 2008



Legend

- (Addresses
- [Abatement Proj

Note: Addresses 1441, 1449, and 1453 105th Street all have 0 calls for service during the listed time frame.

Map prepared by: [Name]
Crime Analyst AF
Source of Data: RA
November 17, 2008

-INFORMATION IS TIME SENSITIVE AND SUBJECT TO CHANGE UPON FURTHER ANALYSIS-

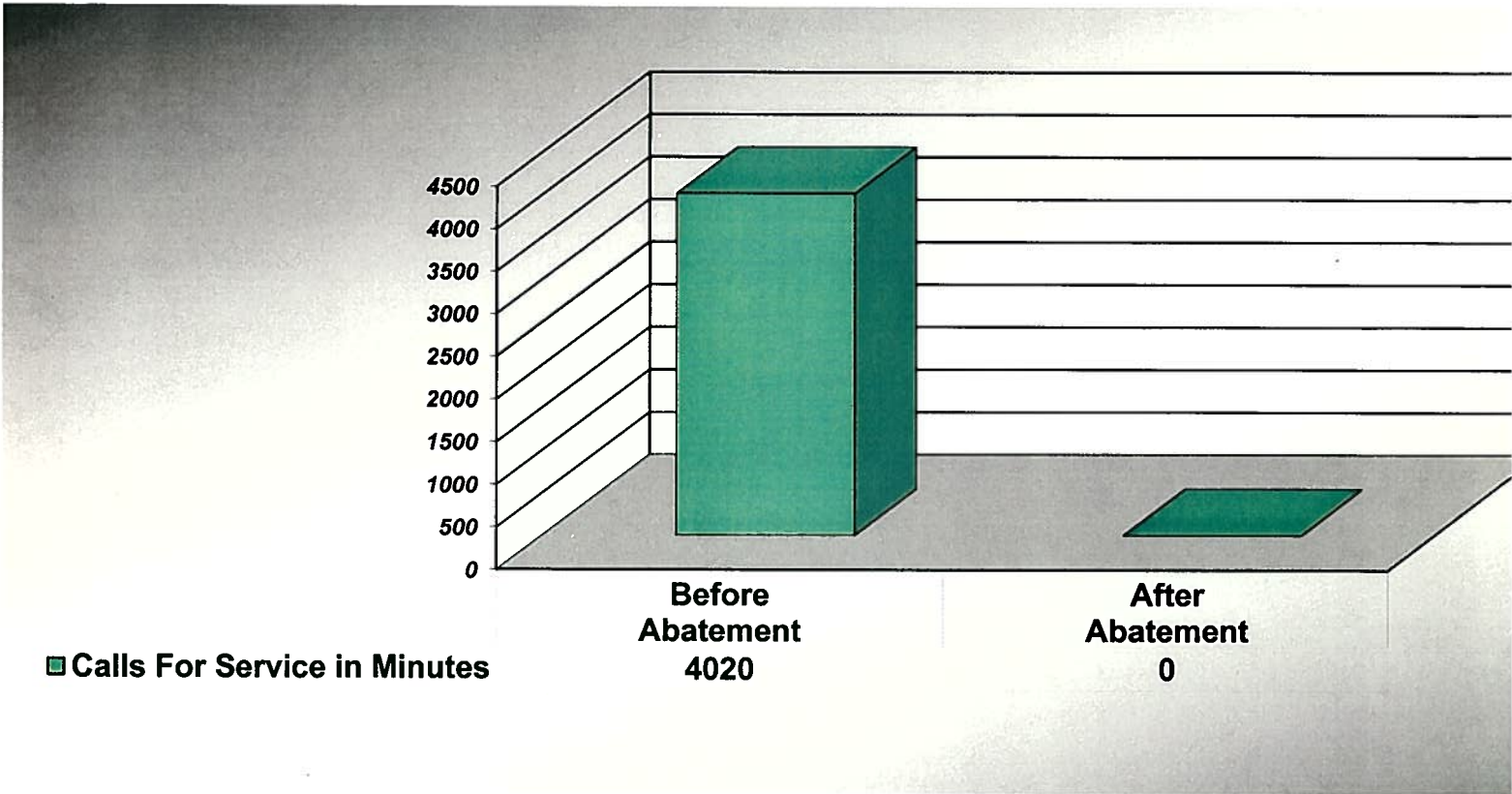
Appendix C (Before)



Appendix D (After)



Appendix E



(Does not include investigative minutes)