



COPS

COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

Problem-Oriented Guides for Police
Problem-Specific Guides Series
No. 4

Drug Dealing in Privately Owned Apartment Complexes

by
Rana Sampson





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About the Problem-Specific Guides Series

The *Problem-Specific Guides* summarize knowledge about how police can reduce the harm caused by specific crime and disorder problems. They are guides to prevention and to improving the overall response to incidents, not to investigating offenses or handling specific incidents. Neither do they cover all of the technical details about how to implement specific responses. The guides are written for police—of whatever rank or assignment—who must address the specific problem the guides cover. The guides will be most useful to officers who:

- **Understand basic problem-oriented policing principles and methods.** The guides are not primers in problem-oriented policing. They deal only briefly with the initial decision to focus on a particular problem, methods to analyze the problem, and means to assess the results of a problem-oriented policing project. They are designed to help police decide how best to analyze and address a problem they have already identified. (A companion series of *Problem-Solving Tools* guides has been produced to aid in various aspects of problem analysis and assessment.)
 - **Can look at a problem in depth.** Depending on the complexity of the problem, you should be prepared to spend perhaps weeks, or even months, analyzing and responding to it. Carefully studying a problem before responding helps you design the right strategy, one that is most likely to work in your community. You should not blindly adopt the responses others have used; you must decide whether they are appropriate to your local situation. What is true in one place may not be true elsewhere; what works in one place may not work everywhere.
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- **Are willing to consider new ways of doing police business.** The guides describe responses that other police departments have used or that researchers have tested. While not all of these responses will be appropriate to your particular problem, they should help give a broader view of the kinds of things you could do. You may think you cannot implement some of these responses in your jurisdiction, but perhaps you can. In many places, when police have discovered a more effective response, they have succeeded in having laws and policies changed, improving the response to the problem. (A companion series of *Response Guides* has been produced to help you understand how commonly-used police responses work on a variety of problems.)
 - **Understand the value and the limits of research knowledge.** For some types of problems, a lot of useful research is available to the police; for other problems, little is available. Accordingly, some guides in this series summarize existing research whereas other guides illustrate the need for more research on that particular problem. Regardless, research has not provided definitive answers to all the questions you might have about the problem. The research may help get you started in designing your own responses, but it cannot tell you exactly what to do. This will depend greatly on the particular nature of your local problem. In the interest of keeping the guides readable, not every piece of relevant research has been cited, nor has every point been attributed to its sources. To have done so would have overwhelmed and distracted the reader. The references listed at the end of each guide are those drawn on most heavily; they are not a complete bibliography of research on the subject.
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- **Are willing to work with others to find effective solutions to the problem.** The police alone cannot implement many of the responses discussed in the guides. They must frequently implement them in partnership with other responsible private and public bodies including other government agencies, non-governmental organizations, private businesses, public utilities, community groups, and individual citizens. An effective problem-solver must know how to forge genuine partnerships with others and be prepared to invest considerable effort in making these partnerships work. Each guide identifies particular individuals or groups in the community with whom police might work to improve the overall response to that problem. Thorough analysis of problems often reveals that individuals and groups other than the police are in a stronger position to address problems and that police ought to shift some greater responsibility to them to do so. Response Guide No. 3, *Shifting and Sharing Responsibility for Public Safety Problems*, provides further discussion of this topic.

The COPS Office defines community policing as “a policing philosophy that promotes and supports organizational strategies to address the causes and reduce the fear of crime and social disorder through problem-solving tactics and police-community partnerships.” These guides emphasize problem-solving and police-community partnerships in the context of addressing specific public safety problems. For the most part, the organizational strategies that can facilitate *problem-solving* and *police-community partnerships* vary considerably and discussion of them is beyond the scope of these guides.

These guides have drawn on research findings and police practices in the United States, the United Kingdom, Canada, Australia, New Zealand, the Netherlands, and Scandinavia. Even though laws, customs and police practices vary from



country to country, it is apparent that the police everywhere experience common problems. In a world that is becoming increasingly interconnected, it is important that police be aware of research and successful practices beyond the borders of their own countries.

Each guide is informed by a thorough review of the research literature and reported police practice and is anonymously peer-reviewed by line police officers, police executives and researchers prior to publication.

The COPS Office and the authors encourage you to provide feedback on this guide and to report on your own agency's experiences dealing with a similar problem. Your agency may have effectively addressed a problem using responses not considered in these guides and your experiences and knowledge could benefit others. This information will be used to update the guides. If you wish to provide feedback and share your experiences it should be sent via e-mail to cops_pubs@usdoj.gov.

For more information about problem-oriented policing, visit the Center for Problem-Oriented Policing online at www.popcenter.org. This website offers free online access to:

- the Problem-Specific Guides series
 - the companion *Response Guides* and *Problem-Solving Tools series*
 - instructional information about problem-oriented policing and related topics
 - an interactive problem-oriented policing training exercise
 - an interactive *Problem Analysis Module*
 - a manual for crime analysts
 - online access to important police research and practices
 - information about problem-oriented policing conferences and award programs.
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The Problem of Drug Dealing in Privately Owned Apartment Complexes

If you have an apartment complex in your community where drug dealing is occurring, you may have found that simply making arrests has not closed the drug market. What else could be done? Why is this problem occurring? What conditions facilitate the drug market's operations, and what remedies will work best?

This guidebook addresses these issues. It describes the types of drug markets found in apartment complexes and provides questions to ask when analyzing those markets. It suggests ways to encourage property owners to take more responsibility for problems. Finally, it summarizes the full range of measures you can use to address drug markets in apartment complexes.

Problem Description

Drug markets in privately owned apartment complexes are most often found in low-income areas where property owners sometimes retreat (out of fear or financial considerations) from investing in repairs and otherwise practicing effective management.¹ In these markets, users and dealers buy and sell a wide range of illicit drugs, predominantly cocaine, crack cocaine, heroin, and methamphetamine. The markets are often extremely profitable for the dealer, and the income is nontaxable.

A private security firm hired by a Cincinnati housing agency calculated the yearly income of one apartment-complex drug market. Surveillance of the market showed as many as 26 transactions an hour during peak sales times (rush hour and lunchtime), with fewer at other times. With an average of \$15 per transaction, estimated gross revenues exceeded \$2 million dollars annually.



§ In England, a study done on three drug markets where prostitution occurred found that "sex markets can play a significant part in the development of drug markets (and vice versa)" (May, Edmunds and Hough 1999). The researchers noted that "professionals estimated that between two-thirds and three-quarters of street workers might be drug-dependent," and found that many of the prostitutes spent much of their daily earnings on drugs. Thus, the influx of money from a nearby prostitution market can bolster a drug market, providing a steady source of customers. These dual markets are more difficult to unravel and require additional analysis of how one fuels the other.

§§ While some of the same principles involved in drug markets apply to street and hotel prostitution problems, these problems demand their own solutions.

Drug dealing in apartment complexes can attract other nuisance behavior that diminishes the residents' quality of life, such as loitering; littering (including drug paraphernalia and used condoms); trespassing; prostitution (including illegal sexual activity on the property, in nearby yards, in alleys, or in driveways);[§] drug use; abandoned vehicles; speeding vehicles; parking problems; unwanted additional foot, car and bicycle traffic in residential neighborhoods; public drinking; public urination; gang formation; graffiti (establishing turf ownership of a drug market); assaults; auto theft; auto break-ins; residential and commercial burglaries; possession of and trafficking in stolen property; weapons violations (including gun possession and gun trafficking); robberies; drive-by shootings; or other violent crime (including homicide). This helps explain why successfully tackling a drug market can bring about substantial decreases in crime in the surrounding area.

Related Problems

The problem of drug dealing in privately owned apartment complexes exhibits some similarities to related problems listed below, though each requires its own analysis and response. These related problems are not addressed in this guide:

- drug dealing in mobile home parks
- drug dealing in private residences
- drug dealing in public housing
- drug dealing in motels and hotels
- street and hotel prostitution.^{§§}



Factors Contributing to Drug Dealing in Privately Owned Apartment Complexes

Understanding the factors that contribute to your problem will help you frame your own local analysis questions, determine good effectiveness measures, recognize key intervention points, and select appropriate responses.

What We Know About Drug Dealing in Privately Owned Apartment Complexes

Apartment complexes can harbor two main types of drug markets—*open* and *closed*. In open markets, dealers sell to all potential customers, screening out only those suspected of being police or some other threat. In closed markets, dealers sell only to people they know or to those vouched for by other buyers.²

In choosing between two evils, closed markets pose less threat to a community than open markets. Open markets in apartment complexes are much more susceptible to drive-by shootings, customers who care little about the property, and customers who use drugs on the property. In comparison, closed-market dealers are generally averse to attracting attention to their operation, so they often keep their customers' behavior in line.

Certain conditions make privately owned apartment complexes in low-income, high-crime neighborhoods susceptible to open-market drug dealing. These conditions are outlined below.

Tenants and nearby residents with drug histories.

Chronic users often live near their markets so they can readily buy drugs. This helps sustain the market. Also, drug markets in low-income neighborhoods can provide a source of part-



§ For some apartment complexes, the building superintendent is the property manager, responsible for tenant selection and order maintenance, among myriad other duties.

§§ For a fuller discussion of the importance of "place" managers, such as property owners, property managers and apartment superintendents, and their impact on crime, see Felson (1995) and Eck and Weisburd (1995). For research indicating a link between poor property management practices and crime, see Eck and Wartell (1998); Asbury (1988); Green Mazzerolle, Kadleck and Roehl (1998); and Clarke and Bichler-Robertson (1998).

or full-time employment, and apartment complexes can be ripe recruiting grounds due to a high population of poorly paid, underemployed or unemployed tenants.

Easy access. Open drug markets in apartment complexes typically operate near main streets. Other factors that appear to facilitate open markets are ease of parking (or stopping) for buyers, and access to apartment complex grounds.

Absentee owners and/or inadequate or untrained property managers. § Property owners often do not live in their apartment complexes, and in the case of smaller complexes and those encumbered by debt, they may not employ on-site managers, reducing the risk that visitors will be stopped, questioned or prevented from entering the property. In large apartment complexes, tenants, police and property managers do not always know who belongs at the complex and who does not. This makes it easy for people to come and go unquestioned, and for drug traffic to appear as just another part of the routine activity. §§

Limited natural surveillance of property. Buyers are often safeguarded from police surveillance because they purchase drugs on private property, sometimes behind the security of fences or shrubs, or inside an apartment.

What We Know About Open Drug Markets

Description. Open drug markets are likely to be outdoors and, by their very nature, less secure than closed markets. Dealers usually sell small amounts of drugs to each buyer, and are highly vulnerable to market disruption and intervention approaches. Open-market dealers may specialize in one drug, or offer a variety of drugs. During the 1980s and early 1990s, in many cities, open markets proliferated on street corners and in publicly and privately owned apartment



complexes. Some of these still exist, but many are now hybrid, containing elements of both open and closed markets. The hybrid market remains open to almost all customers, and to reduce risk, dealers may use security designed to screen potential customers. Security may include countersurveillance, electronic detection devices, prescreening interviews, frisk searches, and use of pager sales to known customers. In most ways, though, hybrid markets remain open.

Location. Open markets with stranger-to-stranger sales tend to operate close to where people naturally congregate, so that customer traffic is maximized and activities of law-abiding community members mask the drug dealing. The markets are often near major streets or other busy places, such as shopping centers, office buildings, recreation areas, or schools. Apartment complexes, especially those close to main streets, are places of natural congregation, yet offer some degree of security, often having multiple entrances and exits.

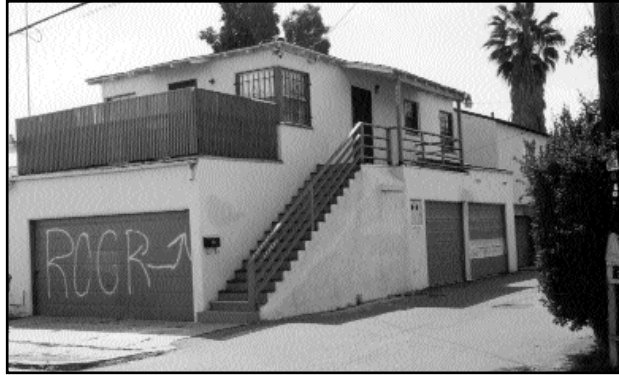
Rana Sampson



This open drug market, in the upper left corner of the photo, sits in front of an apartment complex and across from a nude entertainment club. It is located on a main street in an economically depressed area, within a few blocks from a freeway.



Rana Sampson



This open drug market in a small apartment complex is one block off a main street with both street and alley access easing entry and escape. While most open markets use street dealers as their billboard, others, like this one, are more brazen.

Dealer security. Operating off the public street on apartment complex grounds gives dealers an advantage: they can see if police are coming, and can escape into the security of a specific apartment where officers cannot enter without a warrant or a constitutionally recognized exception.

Property management. Open markets can operate on apartment complex grounds only if there is no meaningful intervention by the owner or property manager.³

Advertisement. Open markets must trade some measure of security to achieve a high number of sales. Dealers advertise by picking a location that acts as a "billboard." In other words, the location itself is often one of the only means of advertisement open to dealers, besides word of mouth. The location must be visible enough to gain customers, but discreet enough to discourage police intervention.



Operations. Open markets may be 24-hour operations or may operate only around busy times such as rush hour and evenings. Some full-time operations employ numerous workers (sometimes underage) who do a variety of tasks to facilitate sales. These include dealing, steering potential buyers to the market, alerting dealers to police, and running special orders to favored customers.

Buyers. Open-air markets are attractive to buyers who look to obtain their drugs in the shortest amount of time. These might include hard-core users and those preferring the safety of drive-through markets. When chronic users are the bulk of a drug market, displacement, rather than market elimination, will probably follow police intervention, since chronic users are the most difficult to dissuade.

Vulnerabilities. Open markets are vulnerable to police undercover and informant operations, alert and active property management, and community intervention (such as identifying where dealers hide stash); all these raise *dealers'* risk level. Traffic management techniques such as altering the direction of the street, creating a cul-de-sac or limiting the number of escape routes raise *buyers'* risk level.

What We Know About Closed Drug Markets

Description. Closed drug markets are more likely to be indoors, with dealers' supplying only friends and acquaintances. The dealers can sell larger quantities of drugs to individual buyers than in open markets because they can easily store the necessary equipment, such as scales and packaging supplies, inside an apartment. Closed-market dealers may specialize in one drug, or offer a variety.[§]

§ In a study of a particularly drug-ridden area of San Diego in the early 1990s, researchers found that crack and cocaine markets were more likely to be open markets and methamphetamine markets more likely to be closed markets (Eck 1998a). However, when a drug becomes more fashionable, one may find that open markets pop up to accommodate increased customer demand. In San Diego, although methamphetamine sales are usually found in closed indoor markets, reports of open-market sales are increasing.



Location. Since dealers in closed markets rely on word of mouth, they do not need to locate in busy or well-trafficked areas. This means that tactics such as rerouting traffic or increasing security at the apartment complex will have less of an impact than on an open market.

Dealer security. In closed markets, dealers prefer secure locations to a high volume of individual customers, because high customer volume may raise the suspicions of neighbors and police. Also, these markets are vulnerable to robbers who know that dealers cannot rely on police to intercede. Some dealers fortify their apartment doors, install multiple locks and refuse entry to apartment handymen, to increase security.

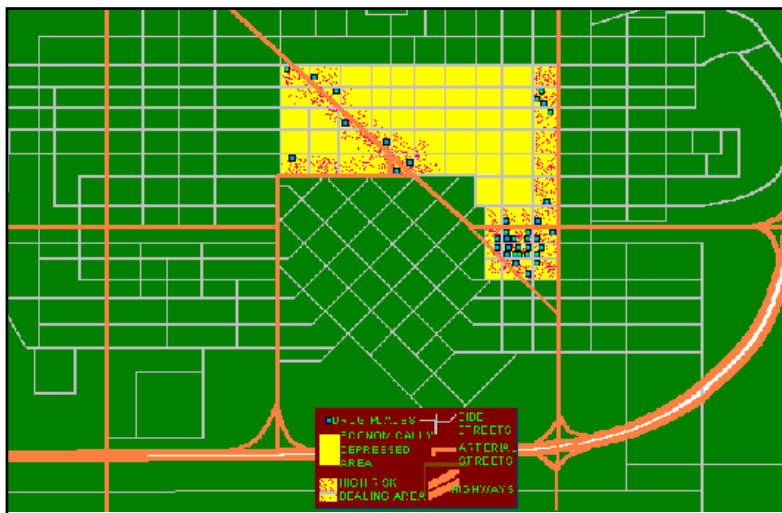
Property management. In only a small percentage of cases are owners in cahoots with dealers, suggesting that initially, officers should seek to work with owners to address the problem. Managers are more susceptible than property owners, because they have less at stake. Dealers may offer managers special favors or kickbacks to "turn a blind eye." Officers might try to work with the manager first; if there are indications that the manager is involved, officers might seek to work solely with the owner.

Advertisement. Dealers in closed markets advertise by word of mouth only. Police intervention in closed markets requires highly specific knowledge of buyers, the seller and/or the product to pass the initial scrutiny to enter. Police can often gain this information from informants or nearby residents.



Operations. Closed markets require fewer employees because the volume of buyers is smaller and the dealer wants to avoid open advertisement of the market. Some closed markets in apartment complexes operate only in evening hours, perhaps indicating the dealer is legally employed during the day or is simply minimizing risk by limiting hours.

John Eck



This graphic depicts an arterial street in an economically depressed area with high risk dealing areas denoted by the boxes and dots.

Buyers. Closed markets attract buyers who want to lessen their risk of getting caught by police and those who want the certainty of purchasing the same or similar quality product that the closed market dealer sells. These buyers have gained the confidence of a closed market dealer perhaps because of friendship, reliability or behavior (not exposing the dealer to police or other intervention).

Vulnerabilities. Certain practices may increase the vulnerability of closed markets—frequent property owner inspections of each apartment, strict lease conditions, explicit house rules, and immediate follow-through on eviction if drug dealing is established.



Understanding Your Local Problem

The information provided above is only a generalized description of drug dealing in privately owned apartment complexes. You must combine the basic facts with a more specific understanding of your local problem. Analysis is key to understanding the exact nature of the drug market you are trying to close and will help you design a more effective response strategy. During analysis, it can be helpful to think of the drug market as a business, examining it from a financial point of view. Try to evaluate the risks, rewards, efforts, and excuses dealers, buyers, property owners, and tenants might take into account. This will help you ascertain the market's potential resilience to certain interventions, and can provide more persuasive evidence to property owners who consider their investments from an economic point of view.

Asking the Right Questions

The following are some key questions you should ask in analyzing your particular problem of drug dealing in privately owned apartment complexes, even if the answers are not always readily available. Your answers to these and other questions will help you choose the most appropriate set of responses later on.

Nature of the Drug Market

- Is the drug market open or closed? Can undercover officers or informants make buys at the market?
 - What level of security is used at the market?
 - If arrests were made, did this close the market permanently? If other enforcement actions were taken against the market (surveillance, trash analysis, soliciting operations, etc.), did this close the market? If not, additional analysis is required.
-



- When does the market operate? Day of week, time of day, peak times, winter hours, summer hours, weekend hours?
- Does the market move indoors in winter, operating more like a closed market? Surveillance by the police, the property owner or even a private detective agency (hired by the owner or tenants) can provide this information.

Property Management

- Who owns the apartment complex? Check tax records to determine ownership.
 - Is the owner aware of the problem?
 - How is the property managed? What techniques are used to find tenants? What methods are used to prevent and address illegal activity on the property?
 - Does the owner receive sufficient income to improve management practices and other conditions that facilitate drug dealing at the apartment complex?
 - Is the property owner well-intentioned but in need of better skills to address the problem? Is the property manager participating, intentionally overlooking the problem or in need of better skills?
 - Does the current visitor policy (or lack thereof) provide a ready excuse for buyers' presence on the property?
 - What do calls for police service reveal about the problem? Compare several similar apartment complexes nearby to see if this apartment complex uses a disproportionate share of police services. A further refinement is to look at the number of calls for service per apartment unit. Divide the total number of calls from the apartment complex by the number of rental units, and compare this number with those for similar complexes nearby. If there is a recent ownership change and sudden appearance of drug dealing, compare the call history during the current owner's tenure with that during the prior owner's.
 - What does information from other agencies, such as code enforcement, reveal about the property owner? Does the owner have a history of poor management? Does the owner generally comply with code?
-



Property Conditions

- What physical conditions facilitate dealing at the complex?
- How do the buyers get onto the property? Are there gates? If so, do they prevent the police from gaining access?
- Does the lighting facilitate drug dealing?
- Does the property layout (parking design, side or back alleys, shrubbery, entry and exit placement) facilitate dealing or provide easy escape?
- Does the layout make it easy to hide drugs?

§ Ron Clarke (1997) uses a risk, reward, effort, and excuse matrix as the prism through which to view offender behavior and devise opportunity-blocking techniques.

Drug Dealers

- What are the risks and rewards to *dealers* in this particular drug market?[§]
- What risk does the dealer face from the property owner or from other tenants?
- What do the tenants know about the drug activity (specific apartments or specific parts of property; time frame of illegal activity; identity of dealers, buyers and suppliers; location of drugs; etc.)? How committed are they to stopping the problem? Are there tenants willing to help document the problem?^{§§}
- What risk does the dealer face of arrest or jail/prison time? Verify whom police have arrested from the complex, and the court sanctions imposed. List the rewards the main dealers earn from the market, and analyze how legal tactics can offset those rewards.

§§ Surveys or interviews of tenants can help officers better understand the level of risk dealers pose to them. However, officers should be mindful of exposing tenants to retaliation from in-house dealers.

Drug Buyers

- How do buyers learn about the market? Is it through market visibility or word of mouth (on the street or during jail stays)?
- What is the market's reputation for quality of drugs, cost of drugs (e.g., the dealer gives discounts for large purchases or to frequent buyers) and reliability (always open, rarely shut down by police)?



- How do buyers find the market?
- Is it near a main road or arterial street? Which route do buyers use most?
- How do buyers arrive at the market? By car or foot?
- How does the market advertise? Do indicators on the main street steer buyers to the market?
- Are most buyers chronic or occasional users? Interviews with buyers at different times over a week should establish if most are chronic or occasional users. Records checks on buyers may confirm this as well.
- What are the risks and rewards to *buyers* in this particular drug market?

Establishing a Rough Estimate of Monetary Rewards: Ascertain the average number of buyers (over an average two-day period, allowing that markets have peak and slow sales times). Do not use the first and 15th of the month (if they are the dates when people receive government assistance checks in your area), and do not use two peak days. Multiply the average number of buyers by the average purchase amount, and then multiply that number by the total number of two-day periods in the year. For example, if you observe 36 buys during a two-day surveillance of the market, and if each buy is, on average, \$15, then the two-day total is \$540. Multiply this amount, \$540, by 182 (the total number of two-day periods in the year). The total estimated gross revenue of this market for one year is \$98,280.



Measuring Your Effectiveness

Measurement allows you to determine to what degree your efforts have succeeded, and suggests how you might modify your responses if they are not producing the intended results. You should take measures of your problem *before* you implement responses, to determine how serious the problem is, and *after* you implement them, to determine whether they have been effective. All measures should be taken in both the target area and the surrounding area. (For more detailed guidance on measuring effectiveness, see the companion guide to this series, *Assessing Responses to Problems: An Introductory Guide for Police Problem-Solvers.*)

The following are potentially useful measures of the effectiveness of responses to drug markets in privately owned apartment complexes:

- number of calls for service for drug dealing at the apartment complex
 - number of related calls for service (gun shots, robbery, theft) at the complex
 - survey of tenants at the complex
 - number of citizen complaints about drug dealing at the complex
 - difficulty in making undercover buys at the complex
 - number of drug dealers visible at the complex at particular times, if it is an open market
 - arrests of repeat offenders (both dealers and buyers) at the complex
 - traffic congestion in and beside the complex
 - evidence of condoms, discarded syringes and other drug-related paraphernalia at and beside the complex.
-



It is helpful to try to determine why the particular market exists. You should base your hypothesis on the attributes of the offenders, victims, and location, the three things that need to come together to permit drug dealing to occur. Once you form your hypothesis, collaborate with those the problem affects to develop countermeasures to *address the conditions and behavior that give rise to the problem*. Setting reasonable goals at this stage helps to guide officers through the response stage, and sets up a framework for judging success or failure. Any of the following goals might be achievable:

- increasing dealers' risk so that the market is no longer profitable without substantial increased effort
 - removing the excuses buyers have for trespassing and loitering on the property
 - engaging those who can help address the problem (the property owner, manager, residents, and mortgagor) so that improved property management practices can handle the problem with routine interventions
 - increasing buyers' effort and risk by changing traffic and parking in and around the complex (using traffic rerouting, resident parking only, parking fines, no-stopping zones, etc.).
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Responses to the Problem of Drug Dealing in Privately Owned Apartment Complexes

Your analysis of your local problem should give you a better understanding of the factors contributing to it. Once you have analyzed your local problem and established a baseline for measuring effectiveness, you should consider possible responses to address the problem.

The following response strategies provide a foundation of ideas for addressing your particular problem. These strategies are drawn from a variety of research studies and police reports. Several of these strategies may apply to your community's problem. It is critical that you tailor responses to local circumstances, and that you can justify each response based on reliable analysis. In most cases, an effective strategy will involve implementing several different responses. Law enforcement responses alone are seldom effective in reducing or solving the problem. Do not limit yourself to considering what police can do: give careful consideration to who else in your community shares responsibility for the problem and can help police better respond to it.

Because a drug market can become entrenched fairly quickly, budding drug markets should not be ignored. Early intervention makes good use of scarce police resources since entrenched drug markets are fertile ground for other criminal activity.[§]

[§] During this stage, officers will also assess the resources available to them (personnel, equipment, time, money, etc.) and the political sentiment of the community and government administrators (police, mayoral, legislative, prosecutorial) toward civil, criminal and other remedies.



General Considerations for an Effective Strategy

1. Enlisting property owners' help in closing a drug market. Drug dealing in apartment complexes exacts high costs. Aside from the health costs associated with use and addiction, and the physical risks to the safety of tenants, property managers and dealers themselves, there are considerable financial costs to the property owner. Consider using these costs to engage the property owner in tackling the problem.

Most apartment complexes where drug dealing occurs experience many other problems as well, including high tenant turnover and vacancy rates; vandalism or squatting in vacant apartments; increased calls to police; increased police presence on the property; poor reputation of the complex and the property management among neighbors, police and local realtors; lower property values for the complex and for surrounding properties; fear among law-abiding tenants (including fear of retribution); apathy among law-abiding tenants if they perceive the property owner as ignoring or encouraging the market; ceding of common space by law-abiding tenants to those engaged in crime; isolation of law-abiding tenants who stay indoors when dealing (and crimes associated with dealing) are more prevalent; and illicit gun possession by those (sometimes juveniles) seeking to protect themselves against dealers. The presence of drug-dealing tenants in an apartment complex sometimes attracts other criminals as tenants, because the drug dealing can mask their activities or provide them with a ready market for their activities.



In addition, the property owner might incur these typical financial costs:

\$ 500	Average cost if drug dealer simply stops paying rent for one month
50	Dispossessor warrant
25	Writ of Possession
250	Loss of rent due to tenant turnover
150	Labor costs of a painter
100	Paint costs
100	General cleaning of apartment
40	Carpet cleaning
<hr/>	
\$1,215	Cost to property owner (if there is no damage to the apartment) [§]

[§] Officer Tracy Walden, Savannah (Georgia) Police Department, uses these estimates to show owners of apartment complexes where drug dealing is occurring just how significant the cost of one dealer can be to their bottom line. In San Diego, some dealers in apartment complexes file for bankruptcy when faced with eviction, adding six more months to the eviction process (and a loss of six months in unpaid rent). In addition, other tenants sometimes bail out of their leases if drug dealing occurs on a property, increasing the number of vacancies and loss of monthly rent.

2. Enforcing laws and agreements violated by drug dealing in privately owned apartment complexes.

When selecting responses, consider which specific laws and agreements are violated by drug dealing in open or closed markets.

- **Apartment complex rules:** sometimes referred to as "house rules" concerning visitors, noise, use of space, etc.
 - **State laws:** narcotics laws (trafficking, possession and intoxication); alcohol laws; loitering and trespassing laws; health codes; child welfare laws, including child endangerment (if a child is in a dealer's apartment); elder abuse laws (if a dealer is taking advantage of an older person and using his or her residence to deal drugs); vandalism laws; harassment laws; nuisance laws; certain asset forfeiture laws.
-



- **Federal laws:** drug-free school zone laws (when the market is near a school); federal tax laws; certain asset forfeiture laws; federal (and sometimes state) housing voucher programs providing disadvantaged tenants with apartments in private complexes subject property owners to special conditions.
- **Local laws:** nuisance laws; alcohol laws; health codes; local building, fire and environmental code violations (especially if dangerous drugs are chemically mixed in an apartment); dog leash violations (if dangerous dogs are used to protect the market); business or zoning laws regarding operation of an illegal business in a residential property.
- **Legal conditions:** probation and parole conditions prohibiting visiting or mixing with other probationers or parolees, such as often occurs in a drug market.

Example: Police, fire, building, code enforcement, recreation, and planning departments in Ontario, California, met to prioritize crime hot spots there. The team conducted site visits and met with apartment owners. They worked with renters "to unite them in demanding better property management." They trained apartment managers to find responsible renters, and informed owners of their rights and responsibilities. Low-interest loans were available to owners who conformed to city codes; civil and criminal remedies were reserved for those who did not. The team recruited city services for clean-up and repair, as well as for creating recreation programs for children. Property values increased in the target area and in the surrounding areas. After the interventions, the target area experienced significant declines in calls for city services (which were now responded to through the joint efforts of city government and property managers). Parts of the target area experienced up to a 73 percent decrease in complaints to city agencies concerning conditions and problems at the properties.⁴



Using What We Know From Research on Particular Strategies' Effectiveness

Appendix A outlines a wider range of possible responses to drug dealing in apartment complexes than is presented here. Here we discuss only those responses that have been evaluated through research. It will be evident that some of those most used by police have more limited effectiveness than previously thought.

3. Applying intensive police enforcement. Research suggests that intensive police enforcement at drug hot spots, sometimes referred to as "sweeps" or "crackdowns," has an impact on some buyers, particularly those who want to buy only at markets where the risk of arrest is low. However, intensive enforcement alone can have other, perhaps unintended, consequences. These include alienation of law-abiding community members stopped and questioned, and displacement of drug dealing indoors, thus making it more resistant to police interventions. In addition, because intensive police enforcement is by its very nature temporary, the impact is often only short-term and dependent on the resiliency of the market and the buyers.[§] Use of this tactic may also give law-abiding tenants and the property owner the unrealistic notion that a drug market is solely a police problem. Some officers have argued that intensive enforcement shows the community that the police care about the problem; however, some of the unintended effects may, in fact, have the opposite result.^{§§}

4. Arresting dealers and buyers. Arrest is effective if local courts are willing to impose meaningful sentences on dealers and buyers. This often depends on jail and prison overcrowding and on the number of prior convictions of an arrestee. In many cases, the courts allow those arrested for

[§] In one study in Kansas City (Missouri) the effect of intensive enforcement, including undercover buys, warrant searches and arrests, lasted only two weeks, after which it almost completely disappeared (Sherman and Rogan 1995).

^{§§} Other approaches involving the property owner and tenants may have significantly longer-term impact, leaving these two groups better equipped to handle similar problems in the future.



selling drugs to plead to lesser offenses, or release them on bail between arrest and trial or arrest and plea-bargaining. It is estimated that more than 90 percent of filed criminal cases nationwide result in plea-bargaining. Appendix B provides more details about drugs and the criminal justice system.

5. Increasing place guardianship. Research suggests that improved place management can block opportunities for certain crimes, such as drug dealing. Ways to increase place guardianship include:

- showing the owner the financial costs of having a drug market on the property
- engaging the mortgage bank that holds the loan on the property
- outlining the physical risks to the owner
- providing training for the landlord
- engaging tenants or neighbors in information-gathering and market disruption.

Rana Sampson



A property owner on a high-risk block affixed this sign to deter potential offenders from the location.

If the owner's profits from the property are so low that it is financially impossible for the owner to wait to find a screened tenant, then applying pressure to the owner will not help. In



such a case, consider leveraging a small amount of community investment funds to give the owner the economic ability to screen potential tenants and improve security at the complex.[§]

6. Making physical changes at the property. Limiting access may deter some buyers because it increases their effort in purchasing drugs, but limiting access may also deter the police from entering the property. Limiting escape routes can increase buyers' and dealers' risk of getting caught. As for lighting, dealers may prefer it to be good so that they can better see their customers and the police. Good lighting also reduces the risk that the dealer will get robbed, because it increases the probability of the dealer's identifying the robber.

[§] On several occasions, police agencies in National City and Fontana, Calif., collaborated with community development or housing agencies to offer "fixer upper" grants to property owners who initially balked at the expense of crime prevention and code compliance improvements.

Rana Sampson



The owner of this property on a high-risk block off of a main street sends mixed messages to potential dealers looking to set up operations. Next to the “Now Renting” sign is a “No Trespassing” sign, but to its left is the “Residents Only” parking sign, which is lopsided and falling down. The security gate is propped open eliminating its value.



7. Sending notification letters to, and meeting with, property owners concerning drug dealing. In a San Diego study, notification letters from police to property owners, *coupled with* meetings between police and property owners, increased the probability that dealers would be evicted. This also reduced crime at the rental properties as much as 60 percent compared with sites that received no follow-up intervention involving a meeting.⁵ Police agencies should follow up regularly with those property owners who only reluctantly improve management practices. Police should monitor calls for service at the properties to detect any resurgence of illegal activity, and should document every interaction with the property owners in writing. Notification letters often list consequences for inaction, including abatement, which is described next.

8. Applying civil remedies, including abatement proceedings. Different types of civil remedies can be used to deal with properties sheltering drug markets, including temporary injunctive relief, temporary seizure of premises, permanent seizure of premises, and monetary damages. The district attorney, the police or private citizens can sue in civil court for abatement and/or for financial restitution for the harmed parties.⁶

9. Evicting drug dealers. The Milwaukee Police Department sought out evicted drug dealers in their new homes to determine if eviction simply displaced dealing to a new area. They found that less than 20 percent of those who were not in jail or prison were still in the drug trade, indicating that displacement levels were low.⁷



10. Offering drug treatment. Research indicates that there are different ways to offer drug treatment, and that the varying models also vary in effectiveness.

- *The information model.* Sharing information about drug treatment with users (verbally, through handouts or posters, or by providing phone numbers of referral services) does not appear to be highly effective.[§]
- *The proactive model.* Involving drug outreach workers at the site as part of a multiagency response to problems can be effective.⁸
- *The incentive model.* Coerced court-based referral, as part of the conditions of probation or sentencing, is effective if coupled with drug-use monitoring and screening.⁹

§ Information referral schemes evaluated in England found they "tend not to lead users into treatment." In Thames Valley, England, police found that one information referral campaign elicited only four calls from users during the course of a year (Newburn and Elliot 1998:13-14).

Officers should try to arrange for chronic users to enter court-ordered, monitored drug treatment to begin lessening their reliance on particular markets. The fewer the chronic users, the more vulnerable the market is to police intervention, such as buy-and-bust operations. This is because recreational users are more likely to have jobs and, as a result, want to avoid the risk of arrest, since it might impact their employment.

Taking Account of Displacement

There is evidence that if displacement occurs, it is *not one-for-one*. In other words, displacement may be only partial, not enough to cancel the benefits of the countermeasures because the displaced criminal activity lessens and is, as a result, more manageable for the police and community to address.

Displacement indoors. Intensive enforcement alone can displace an open market indoors. Driving a market indoors negatively impacts it, decreasing its customer base because



it must rely on word of mouth for advertisement, rather than visual cues. Also, an indoor market is less convenient to buyers (they must park, not just stop momentarily), and buyers may feel less safe, as they now have to enter dealers' homes. However, residents of an apartment complex may not find this a complete solution. Property management must improve to rid the complex of the market.

Displacement nearby. If property management becomes effective, an apartment-complex drug market must close down or move. A review of the displacement literature suggests that there may be ways to minimize nearby displacement.

- Open-market dealers have what is referred to as "high place attachment." They rely on the natural and established routine of foot and car traffic to supply a high volume of buyers. It is high risk for dealers to set up shop in unfamiliar territory; doing so can lead to inter-turf drug warfare, so nearby complexes or other nearby areas with low levels of property guardianship are most at risk for displacement.



- Displacement nearby should be expected since it allows the market to keep most of its customers. Developing a thorough understanding of the reasons the drug market succeeded in the apartment complex can shed light on the conditions that must be changed nearby, especially in nearby complexes, to avert potential displacement.[§]

[§] For a more detailed discussion of displacement and drug markets, see Jacobson (1999).

Rana Sampson



This apartment complex is at high risk for dealing. It is on a block that has had drug markets, is off of an arterial street, backs onto an alley providing multiple entries and exits, is tagged “Kelow,” (probably purposefully misspelled), its alley-side security gate is propped open, and the dumpster is propped open offering an easy hiding place for stash. While a “Residents Only” parking sign is visible, the owner must do more to prevent nearby markets from displacing to this complex.



Appendix A: Summary of Responses to Drug Dealing in Privately Owned Apartment Complexes

The table below summarizes the responses to drug dealing in privately owned apartment complexes, the mechanism by which they are intended to work, the conditions under which they ought to work best, and some factors you should consider before implementing a particular response. There are more responses listed here than in the text where only those responses that have been evaluated through research are discussed. It is critical that you tailor responses to local circumstances, and that you can justify each response based on reliable analysis. In most cases, an effective strategy will involve implementing several different responses. Law enforcement responses alone are seldom effective in reducing or solving the problem.

Response	How It Works	Works Best If...	Considerations
Enforcing a city ordinance or state law requiring owners to address conditions that foster drug markets on private property	Increases the owner's risk, and removes the owner's excuses for not addressing conditions facilitating the market	...sanctions are part of the ordinance/law, and the city attorney or prosecutor is willing to proceed	Requires local or state legislation
Sending a letter to the property owner from the police chief	Removes the owner's excuse of ignorance, and increases the risk for ignoring the problem	...the letter outlines legal responsibility and potential consequences for failure to act, as well as the value of improved management practices and environmental changes in eliminating drug markets	Letter must be based on state or city law requiring owner action



§ John Campbell collaborated with the Portland (Oregon) Police Bureau to create and deliver the first police-sponsored landlord training curricula in the United States. Campbell, who fought a crack house operating on his block, conducted intensive research, including interviews of property owners, and concluded, "Most landlords are not skilled in the prevention of illegal activity, but are willing to learn.... [Property owners] prefer to act responsibly, but lack the tools to do so" (Sampson and Scott 2000). John Campbell can be reached through his web site at www.cdri.com.

§§ For further information about the crime-free multi-housing program, contact the Mesa (Arizona) Police Department at 480.644.2211.

Response	How It Works	Works Best If...	Considerations
Supplying the owner with call-for-service data for his or her property, and with comparison data for well-run nearby properties	Removes the owner's excuse that he or she was unaware of the problem and its extent, and underscores the need for the owner to improve management practices	...used in combination with the above responses	If the owner is "in cahoots" with the dealer then police must keep from the owner the names of those complaining to the police about the dealing
Meeting with the owner and outlining the costs associated with allowing drug dealing on the property	Removes the owner's excuse of ignorance	...the owner is solvent, or community development housing upgrade loans are available	In certain circumstances, the owner may perceive that the costs of making improvements may be higher for the owner than the financial costs associated with allowing the drug dealing
Establishing a landlord training program [§]	Removes the owner's excuse of ignorance	...tailored to the laws within one's jurisdiction	An apartment managers' association within the community may be able to offer the training.
Establishing a crime-free multi-housing program ^{§§}	Removes the owner's excuse of inability to address illegal activity, raises the owner's awareness of the legal consequences for failure to act, and provides incentives for the owner to operate a crime-free complex	...tailored to the laws within one's jurisdiction, and the incentive to the owner is meaningful	An apartment managers' association within the community may be able to monitor and manage the initiative.



Response	How It Works	Works Best If...	Considerations
Engaging an apartment managers' association to work with the owner to upgrade the owner's property management skills	Increases the risk to the owner for failing to remedy conditions at the property, and removes the owner's excuse that he or she does not know how to address or is unaware of the problem	...the association is competent and well-regarded	It would be unfair to have an association deal with a property owner who is behaving criminally; the association should address only those cases in which the owner is not suspected of collusion
Running credit checks of prospective tenants	Removes the excuse for tenant dealing, and weeds out drug dealers whose income is not reported	...the credit report also documents court-ordered evictions and past addresses of prospective tenants	Must be done in a nondiscriminatory way
Verifying prospective tenants' income sources	Employers are called (using phone numbers from the 411 directory, not from the prospective tenant); if the prospective tenant is self-employed, copies of bank statements and tax returns are requested; This removes excuses for tenant dealing	...the system is set up to verify the income of all potential tenants	Must be done in a nondiscriminatory way
Doing a criminal history check of all prospective tenants	Removes excuses for tenant dealing	...an apartment owners' association has established a legal system for doing so	Some jurisdictions permit this; others do not



Response	How It Works	Works Best If...	Considerations
Doing reference checks of prospective tenants' prior tenancies	Calls to prior landlords of a prospective tenant to ascertain if criminal activity was evident remove excuses for tenant dealing; for Section 8 renters, inquiries should be made to the local housing authority	...there is an apartment owners' association that facilitates doing so	Calls to the tenant's current landlord may not yield any information; however, interviews of previous landlords might
Establishing a no-cash policy—the property owner does not accept cash for deposits or monthly rent	Prevents those engaged in an illegal, cash-only business from residing at the property	...the owner establishes the policy in writing	Some law-abiding people mistrust banks and pay only by cash
Adding a drug addendum to lease agreements	Removes excuses and eases the eviction process by putting tenants on notice that drug activity will not be tolerated	...the property owner enforces it	State law may require that property owners give tenants notice of any new provisions to the lease
Conducting police surveillance from a vacant apartment in the complex or from another vantage point	Removes the police or property owner excuse of lack of knowledge of the conditions that facilitate the market	...the surveillance focuses not just on the players, but also on the conditions that facilitate the market (e.g., parking, design, lack of natural surveillance)	The vantage point from the apartment may not give police a full sense of the market



Response	How It Works	Works Best If...	Considerations
Surveying tenants	Raises the risk for dealers and buyers if tenants are willing to provide details about them, peak market times, and specific apartments or outdoor locations where dealing is occurring	...a plainclothes officer does the surveying and leaves a business card with a number that tenants fearful of being seen speaking to police can call	If tenants' primary language is not English, several translated versions of the survey may be needed
Having tenants document illegal activity	Logs kept for use in civil and criminal court raise the risks to dealers and remove the criminal justice system's excuses concerning the chronic nature of the market	...police can follow up, and the information is specific and useful enough	Need to ensure that the sources of information are not discoverable in court
Preventing access to vacant apartments if they are used for dealing or taking drugs	Removes dealers' and users' excuse for being on the property, and increases the risk of a possession arrest because drugs have to be carried off the property	...the apartments are checked frequently for break-ins	Boarded-up apartments are not aesthetically pleasing
Posting "No Trespassing" signs	Removes buyers' and nonresident dealers' excuse for being on the property	...the property owner signs over the right to enforce to police and gives police an updated list of tenants' names	Time-consuming for the police; may need semi-constant maintenance if other remedies are not used in combination



Response	How It Works	Works Best If...	Considerations
Improving property access control and having restricted parking for tenants	Restricts buyers' and nonresident dealers' access to the property. Tenant-only parking deters buyers from entering the property in vehicles; eliminating visitor spots has a similar effect. Buyers have to scout for neighborhood parking, and are at increased risk because they have to leave the property on foot, with drugs on them	...tenants agree to the change and do not try to sabotage the system	Financial costs
Establishing owner expectations for property management and security staff	Removes the staff's excuses that they are unaware of their responsibility in addressing illegal activity on the property	...expectations are in writing and reflected in job descriptions and performance evaluations	Should be done in combination with other cited management practices
Having property management staff keep an in-house log of illegal activity on the property	Removes the owner's excuse of ignorance and provides documentation for eviction	...management or police responses to the activity are also detailed in the log	Log must be safeguarded from theft



Response	How It Works	Works Best If...	Considerations
Engaging the property mortgagor to prevent the property from losing its value because of entrenched drug dealing	The bank or lending agency (holding the mortgage on the property) is informed about the drug market and provided with data on calls for police service and arrests; criminal activity on the property removes the owner's monetary excuses for not acting	...the mortgagor requires that the owner develop an improved safety-security plan to address the drug market	Disclosure of information must be legally allowed
Enforcing codes	Removes the owner's excuses if code violations at the property facilitate the drug market, forces the owner to gain compliance, and increases the owner's financial risk if he or she does not comply	...the code enforcement agency understands that certain code violations facilitate drug markets, and is willing to assist	Should use code enforcement nondiscriminatorily when targeting those conditions that facilitate the drug market
Detecting and arresting tenant drug dealers	The use of undercover buys and the issuance of search warrants for active drug apartments increase dealers' risk	...in an open market; in closed markets, police must have enough information to lawfully gain access to an apartment	Once police gain lawful access, it may be appropriate to bring in other agencies such as health, codes, child or adult protective services, and animal control



Response	How It Works	Works Best If...	Considerations
Limiting potential buyers' ability to cruise through the area in search of open drug markets	Rerouting and managing traffic, redesigning roads and dead-ending streets so they're inaccessible from main thoroughfares increase potential buyers' effort, and also increase their risk of getting caught by limiting the number of escape routes	...residents are committed to redesign to eliminate dealing	Potential inconvenience to residents
Prohibiting or limiting on-street parking	"Resident-only parking" on the street outside of the apartment complex forces buyers to park and walk farther to access the market, and increases the risk to buyers because they must return to their vehicle with drugs in hand	...residents are committed to parking restrictions to eliminate dealing	Residents with legitimate visitors may find this onerous
Using asset forfeiture	Forfeiture of cars or property used by dealers increases dealers' efforts and decreases their rewards	...prosecutors are willing to apply the law	Must have a local, state or federal law authorizing it



Response	How It Works	Works Best If...	Considerations
Having legitimate tenants attend court hearings (court watch)	Court watch at judicial hearings of dealers and buyers discourages the criminal justice system from treating drug dealing and use as only a personal harm or "victimless" crime	...more than a few tenants attend, creating safety in numbers, and the judge tells the accused dealer or buyer that any retaliation will result in greater punishment	Potential intimidation of law-abiding tenants
Using vertical prosecution	Assigning one prosecutor to all cases arising from the same apartment complex removes the excuse that the problem is not chronic, and increases the risk to an ongoing drug operation	...the prosecutor's office is familiar with the use of vertical prosecutions, and judges are willing to approach caseloads this way	Judges may prefer random assignment of cases
Having the prosecution seek court-ordered, monitored treatment of chronic users who buy at the apartment complex	As a condition of probation or sentencing, raises users' risk through consistent monitoring and jail time if caught, and removes their excuse for being on the property, taking them out of the drug market	...combined with geographic probation to keep users away from the particular market	Resource-intensive
Using surveillance cameras	Raises the risk that dealers will be identified and caught, and potentially raises the risk of prosecution due to the strength of evidence	...cameras are bullet-resistant, dealers' identities are clear, and the evidence is usable in court	Cost and monitoring of cameras



Response	How It Works	Works Best If...	Considerations
Enforcing tax laws	Decreases dealers' rewards through tax sanctions for unreported income or operation of an illegal business	...federal and state officials are willing to act	The criteria that must be met for state and federal authorities to intervene must be arranged in advance
Providing space for alternative legal activities on the property	Counters or overrides the use of outdoor space for drug dealing, removes dealers' and users' excuse for being on the property, and increases the risk to dealers and users through increased natural surveillance of the premises	...tenants are involved in selecting activities and are willing to participate	Participants' safety
Launching an information campaign targeting buyers at the apartment complex	Information distributed to buyers concerning overdoses, chemicals used in cutting drugs, and the risk of arrest at the complex removes excuses and increases buyers' perception of risks; increases buyers' effort, as they have to search for less risky markets	...information is available about the type of drugs sold at the complex	Determine who should distribute the information-the owner, police, law-abiding tenants.
Having law-abiding tenants petition the property owner	Pressures the owner to address the market conditions, removes excuses and decreases rewards if the owner fails to comply	...tenants agree to all move out if the owner fails to take action within a certain amount of time, and this is stated in the petition	Availability of other rentals at comparable prices



Response	How It Works	Works Best If...	Considerations
Obtaining a temporary restraining order against the property owner	A court order restraining the owner from operating the property in a way that facilitates drug dealing, and requiring that the owner make management and environmental changes to address the market; removes the owner's excuses, reduces rewards and increases the owner's risk if in noncompliance	...the court is willing to apply the law this way	May need to educate the court about the legality of doing so
Taking civil action for monetary damages	Several cities have a "Safe Streets Now" program in which residents of drug markets sue property owners in civil court for monetary damages caused by such things as the disruption of residents' peaceful enjoyment of their property; § this approach reduces the reward for owners who allow activity at the expense of neighbors and their property values	...residents are trained and organized to follow through	Seed money for starting the program

§ "Safe Streets Now" programs operate in several cities, including San Diego. For more information, call 619.299.5408.



§ To prove liability, a tenant must establish that (1) the property owner had a duty to provide reasonable security; (2) the property owner breached the duty; and (3) this breach of duty was the cause in fact and (4) was the foreseeable cause of (5) the tenant's injury or harm (Kennedy and Hupp 1998:25). Other civil actions might include those for maintaining a nuisance, causing loss of quiet enjoyment or inflicting emotional distress.

Response	How It Works	Works Best If...	Considerations
Applying nuisance abatement	Police, tenants or neighbors file civil action against the property owner for nuisance abatement (temporarily or permanently taking the property away from the owner) if the owner fails to address conditions facilitating the drug market; removes the owner's excuses for poor management and decreases the owner's rewards	...local government leaders are willing to follow through if police file the case	City or state law must permit doing so
Taking civil action for foreseeable consequences	Tenants bring civil tort action against the property owner, asserting the owner's liability for operating the premises in a way that is sure to cause them harm; the suit alleges the owner is responsible for providing security against foreseeable crimes; § removes the owner's excuses, increases the owner's risks and decreases the owner's rewards	...there are pervasive, repeat calls for service about drug dealing, and the owner fails to make needed changes	Educating tenants about the law



Response	How It Works	Works Best If...	Considerations
Holding community antidrug marches at the property owner's home	Potentially galvanizes community support to engage the owner in improving property management practices, and reduces the owner's rewards	...organized by tenants	In some communities, there are anti-picketing ordinances that should be reviewed first
Getting media attention	Draws media attention to the drug market and management practices if the property owner actively resists taking remedial action, and potentially reduces the rewards for owning property in the community	...organized by tenants	If the owner complies and makes changes, the media should be invited back to show those changes



Appendix B: Drugs, Crime, and the Criminal Justice System

Understanding drugs' impact on crime underscores the need to look beyond the criminal justice system for additional responses in managing the problem.

Drug Use and Crime Facts

Bureau of Justice Statistics, U.S. Department of Justice, 1999 Data

- About two-thirds of adult arrestees and more than half of juvenile arrestees tested positive for at least one drug during the 1998 Arrestees Drug Abuse Monitoring program sampling arrestees in 35 metropolitan areas.
- Thirty-three percent of state prisoners reported in 1997 that they had committed their offense while under the influence of drugs.
- Sixteen percent of convicted jail inmates said they had committed their offense to get money for drugs.
- Of convicted property and drug offenders, about one in four had committed their crimes to get money for drugs.
- In 1997, 5.1 percent (over 700) of all homicides were drug-related.
- The first national survey of adults on probation, conducted in 1995, reported that 14 percent of them were on drugs when they committed their offense.
- In 1998, the number of arrests for drug possession exceeded 1.2 million nationwide.
- In 1998, the number of arrests for sale and manufacture of drugs exceeded 300,000 nationwide.
- In 1998, drug arrests accounted for 30 percent of all arrests nationwide.
- In 1994, the last year for which statistics were released, 66 percent of arrestees charged with a felony drug offense in the 75 most populous counties were released prior to case disposition.
- The average time from arrest to sentencing by jury trial was 285 days for drug trafficking cases.
- In 1995, 32 percent of all probationers (43 percent of felons and 17 percent of misdemeanants) were subject to mandatory drug testing.
- According to 1997 data, 36 percent of the U.S. population reported illicit drug use at least once in their lifetime, 11 percent reported drug use within the last year, and 6 percent reported drug use within the last month.
- In 1996, the last year for which statistics were available, 114,180 cases of cocaine use and 70,463 cases of heroin use required hospital emergency-room attention.



Endnotes

- ¹ Eck (1998a).
 - ² Jacobson (1999). See also Eck (1998a, 1998b).
 - ³ Eck and Weisburd (1995).
 - ⁴ Ontario Police Department (1994).
 - ⁵ Eck (1998b). See also Eck and Wartell (1998).
 - ⁶ Davis and Lurigio (1998).
 - ⁷ Davis and Lurigio (1998).
 - ⁸ Newburn and Elliot (1998).
 - ⁹ Newburn and Elliot (1998).
-



References

- Asbury, K. (1988). "Social Control in a Local Community: The Role of the Apartment Superintendent." *Journal of Research in Crime and Delinquency* 25(4):411-425.
- Bureau of Justice Statistics, U.S. Department of Justice (1999). "Drug Use and Crime Facts." Available at www.ojp.usdoj.gov/bjs (data last revised Oct. 14, 1999).
- Clarke, R. (1997). "Introduction." In R. Clarke (ed.), *Situational Crime Prevention: Successful Case Studies*, 2nd ed. Guilderland, N.Y.: Harrow and Heston.
- Clarke, R., and G. Bichler-Robertson (1998). "Place Managers, Slumlords and Crime in Low-Rent Apartment Buildings." *Security Journal* 11(1):11-19.
- Davis, R., and A. Lurigio (1998). "Civil Abatement as a Tool for Controlling Drug Dealing in Rental Properties." *Security Journal* 11(1):45-50.
- Eck, J. (1999). "Drug Market Places: How They Form and How They Can Be Prevented." In C. Sole Brito and T. Allan (eds.), *Problem-Oriented Policing: Crime-Specific Problems, Critical Issues and Making POP Work*, Vol. 2. Washington, D.C.: Police Executive Research Forum.
- (1998a). "A General Model of the Geography of Illicit Retail Marketplaces." In J. Eck and D. Weisburd (eds.), *Crime and Place. Crime Prevention Studies*, Vol. 4. Monsey (New York): Willow Tree Press.
- (1998b). "Preventing Crime by Controlling Drug Dealing on Private Rental Property." *Security Journal* 11(1): 37-43.
-



- Eck, J., and J. Wartell (1998). "Improving the Management of Rental Properties With Drug Problems: A Randomized Experiment." *Civil Remedies and Crime Prevention. Crime Prevention Studies*, Vol. 9. Monsey (New York): Criminal Justice Press.
- Eck, J., and D. Weisburd (1995). "Crime Places in Crime Theory." In J. Eck and D. Weisburd (eds.), *Crime and Place. Crime Prevention Studies*, Vol. 4. Monsey (New York): Criminal Justice Press.
- Felson, M. (1995). "Those Who Discourage Crime." In J. Eck and D. Weisburd (eds.), *Crime and Place. Crime Prevention Studies*, Vol. 4. Monsey (New York): Criminal Justice Press.
- Green Mazerolle, L., C. Kadleck and J. Roehl (1998). "Controlling Drug and Disorder Problems: The Role of Place Managers." *Criminology* 36(2):371-402.
- Jacobson, J. (1999). *Policing Drug Hot-Spots. Policing and Reducing Crime. Police Research Series*, Paper 109. London: Home Office.
- Kennedy, D., and R. Hupp (1998). "Apartment Security and Litigation: Key Issues." *Security Journal* 11(1):21-28.
- May, T., M. Edmunds and M. Hough (1999). *Street Business: The Links Between Sex and Drug Markets. Police Research Series*, Paper 118. London: Home Office.
- Newburn, T., and J. Elliot (1998). *Police Anti-Drugs Strategies: Tackling Drugs Together Three Years On. Crime Detection and Prevention Series*, Paper 89. London: Home Office.
- Ontario (California) Police Department (1994). Multiagency Team Problem Hot-Spots POP Project. Document on file with author.
-



Sampson, R., and M. Scott (2000). "Apartment Complex Crime in San Diego, Calif." In R. Sampson and M. Scott (eds.), *Tackling Crime and Other Public-Safety Problems: Case Studies in Problem-Solving*. Washington, D.C.: U.S. Department of Justice, Office of Community Oriented Policing Services. Available at www.cops.usdoj.gov.

Sherman, L., and D. Rogan (1995). "Deterrent Effects of Police Raids on Crack Houses: A Randomized, Controlled Experiment." *Justice Quarterly* 12(4):755-781.



About the Author

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Rana Sampson is a national problem-oriented policing consultant and the former director of public safety for the University of San Diego. She was previously a White House Fellow; National Institute of Justice Fellow; senior researcher and trainer at the Police Executive Research Forum; attorney; and patrol officer, undercover narcotics officer and patrol sergeant with the New York City Police Department, where she was awarded several commendations of merit and won the National Improvement of Justice Award. She is the coauthor (with Michael Scott) of *Tackling Crime and Other Public-Safety Problems: Case Studies in Problem-Solving*, which documents high-quality crime control efforts from around the United States, Canada and Europe. She is a judge for the Herman Goldstein Award for Excellence in Problem-Oriented Policing, a former judge for the police Fulbright awards, and a commissioner with California's Commission on Peace Officer Standards and Training. Sampson holds a law degree from Harvard and a bachelor's degree from Barnard College, Columbia University.



Recommended Readings

- ***A Police Guide to Surveying Citizens and Their Environments***, Bureau of Justice Assistance, 1993. This guide offers a practical introduction for police practitioners to two types of surveys that police find useful: surveying public opinion and surveying the physical environment. It provides guidance on whether and how to conduct cost-effective surveys.
 - ***Assessing Responses to Problems: An Introductory Guide for Police Problem-Solvers***, by John E. Eck (U.S. Department of Justice, Office of Community Oriented Policing Services, 2001). This guide is a companion to the *Problem-Oriented Guides for Police* series. It provides basic guidance to measuring and assessing problem-oriented policing efforts.
 - ***Conducting Community Surveys***, by Deborah Weisel (Bureau of Justice Statistics and Office of Community Oriented Policing Services, 1999). This guide, along with accompanying computer software, provides practical, basic pointers for police in conducting community surveys. The document is also available at www.ojp.usdoj.gov/bjs.
 - ***Crime Prevention Studies***, edited by Ronald V. Clarke (Criminal Justice Press, 1993, et seq.). This is a series of volumes of applied and theoretical research on reducing opportunities for crime. Many chapters are evaluations of initiatives to reduce specific crime and disorder problems.
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- ***Excellence in Problem-Oriented Policing: The 1999 Herman Goldstein Award Winners.*** This document produced by the National Institute of Justice in collaboration with the Office of Community Oriented Policing Services and the Police Executive Research Forum provides detailed reports of the best submissions to the annual award program that recognizes exemplary problem-oriented responses to various community problems. A similar publication is available for the award winners from subsequent years. The documents are also available at www.ojp.usdoj.gov/nij.
 - ***Not Rocket Science? Problem-Solving and Crime Reduction,*** by Tim Read and Nick Tilley (Home Office Crime Reduction Research Series, 2000). Identifies and describes the factors that make problem-solving effective or ineffective as it is being practiced in police forces in England and Wales.
 - ***Opportunity Makes the Thief: Practical Theory for Crime Prevention,*** by Marcus Felson and Ronald V. Clarke (Home Office Police Research Series, Paper No. 98, 1998). Explains how crime theories such as routine activity theory, rational choice theory and crime pattern theory have practical implications for the police in their efforts to prevent crime.
 - ***Problem Analysis in Policing,*** by Rachel Boba (Police Foundation, 2003). Introduces and defines problem analysis and provides guidance on how problem analysis can be integrated and institutionalized into modern policing practices.
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- ***Problem-Oriented Policing***, by Herman Goldstein (McGraw-Hill, 1990, and Temple University Press, 1990). Explains the principles and methods of problem-oriented policing, provides examples of it in practice, and discusses how a police agency can implement the concept.
 - ***Problem-Oriented Policing and Crime Prevention***, by Anthony A. Braga (Criminal Justice Press, 2003). Provides a thorough review of significant policing research about problem places, high-activity offenders, and repeat victims, with a focus on the applicability of those findings to problem-oriented policing. Explains how police departments can facilitate problem-oriented policing by improving crime analysis, measuring performance, and securing productive partnerships.
 - ***Problem-Oriented Policing: Reflections on the First 20 Years***, by Michael S. Scott (U.S. Department of Justice, Office of Community Oriented Policing Services, 2000). Describes how the most critical elements of Herman Goldstein's problem-oriented policing model have developed in practice over its 20-year history, and proposes future directions for problem-oriented policing. The report is also available at www.cops.usdoj.gov.
 - ***Problem-Solving: Problem-Oriented Policing in Newport News***, by John E. Eck and William Spelman (Police Executive Research Forum, 1987). Explains the rationale behind problem-oriented policing and the problem-solving process, and provides examples of effective problem-solving in one agency.
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- ***Problem-Solving Tips: A Guide to Reducing Crime and Disorder Through Problem-Solving Partnerships*** by Karin Schmerler, Matt Perkins, Scott Phillips, Tammy Rinehart and Meg Townsend. (U.S. Department of Justice, Office of Community Oriented Policing Services, 1998) (also available at www.cops.usdoj.gov). Provides a brief introduction to problem-solving, basic information on the SARA model and detailed suggestions about the problem-solving process.
 - ***Situational Crime Prevention: Successful Case Studies***, Second Edition, edited by Ronald V. Clarke (Harrow and Heston, 1997). Explains the principles and methods of situational crime prevention, and presents over 20 case studies of effective crime prevention initiatives.
 - ***Tackling Crime and Other Public-Safety Problems: Case Studies in Problem-Solving***, by Rana Sampson and Michael S. Scott (U.S. Department of Justice, Office of Community Oriented Policing Services, 2000) (also available at www.cops.usdoj.gov). Presents case studies of effective police problem-solving on 18 types of crime and disorder problems.
 - ***Using Analysis for Problem-Solving: A Guidebook for Law Enforcement***, by Timothy S. Bynum (U.S. Department of Justice, Office of Community Oriented Policing Services, 2001). Provides an introduction for police to analyzing problems within the context of problem-oriented policing.
 - ***Using Research: A Primer for Law Enforcement Managers***, Second Edition, by John E. Eck and Nancy G. LaVigne (Police Executive Research Forum, 1994). Explains many of the basics of research as it applies to police management and problem-solving.
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