

SAN ANTONIO POLICE DEPARTMENT

**REJUVENATING COLISEUM PARK:  
THE JOLLY TIME DRIVE INN PROJECT**

1997 Herman Goldstein  
Excellence in Problem Solving  
Award Submission

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**ABSTRACT**

Beginning in 1993 residents of the Coliseum Park neighborhood on San Antonio's East Side, working closely with police, began to rejuvenate their neighborhood. Trash-filled vacant lots were cleaned up, decaying houses were removed and new houses were built in their place. But crime and fear of crime continued, due primarily to the presence in the neighborhood of a derelict bar, the Jolly Time Drive Inn, a magnet for disorderly drunks and drug dealers, some of whom harassed residents daily.

In October 1996 the San Antonio Police Department's Strategic Nuisance Abatement Program Unit (SNAP), together with the Coliseum Park neighborhood, applied POP methods to the Jolly Time problem, gradually escalating the severity of response from multi-agency "inspections", closing the bar for a month for health code violations, through negotiating with the bar owner for self-remedy, and finally, filing a civil lawsuit in June to declare the Jolly Time a "Common Nuisance" under Texas civil statutes. The Jolly Time owner significantly cleaned up the bar and exercised control over his patrons. Crime and fear of crime in Coliseum Park have decreased as a result, and the neighborhood's rejuvenation program is back on track.

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**INTRODUCTION**

San Antonio, Texas, with a population of over 1 million, is like all other urban areas in having a large number of "problem business" locations. These locations are easy to identify: they generate a disproportionate number of calls to police, the locations generally display visible signs of decay and disorder, and neighboring residents readily identify them as the major sources of "trouble" in the neighborhood and often a major impediment to the rejuvenation of an entire residential area.

The San Antonio Police Department's Strategic Nuisance Abatement Program Unit (SNAP) was created in 1994 to focus on problem locations within the city, particularly problem locations that would fall under the designation of "Common Nuisances" described in Chapter 125 of the *Civil Practice and Remedies Code* of the State of Texas.

From the beginning, the SNAP Unit has operated under the following guidelines:

- a. Utilize a Problem Solving Approach
- b. Utilize a Team Effort, involving licensing and regulatory agencies
- c. Seek Voluntary Compliance
- d. File Civil Abatement Litigation as a last resort

What follows below is a case history of one of the Problem Location cases investigated by the SNAP Unit, the Jolly Time Drive Inn located at 207 Ferris. This problem was selected for submission for the 1997 Herman Goldstein Award for three reasons:

First because the location was viewed by residents of the Coliseum Park neighborhood as a major impediment to neighborhood revitalization, and a persistent and long-time source of much of the crime and fear of crime in the neighborhood.

Second, in responding to this very persistent problem SNAP was forced to utilize nearly all the tools at its disposal, including neighborhood cooperation, arrests, full team inspections and regulatory closure, and, eventually, the actual filing of a civil lawsuit to force compliance.

Third, the results of these efforts on the Coliseum Park neighborhood were visible and significant, providing new incentives to restart the neighborhood rejuvenation efforts.

## SCANNING

In September 1996 detectives from the SNAP Unit received information from officers with the San Antonio Police Department's community policing unit, SAFFE (San Antonio Fear Free Environment), pertaining to a business known as the Jolly Time Drive Inn, located at 207 Ferris in San Antonio's East Side. SAFFE Unit officers stated they had received complaints from persons in the surrounding Coliseum Park neighborhood concerning alleged narcotics trafficking that was occurring at this location. SNAP Unit

detectives conducted an initial scan of this location to ascertain if the "problem" fell within their area of activity.

Although there was cause for concern, the location history did not initially justify a SNAP Unit investigation. However, SNAP Unit detectives contacted Narcotics Unit detectives and requested an undercover investigation be initiated. SNAP also asked SAFFE Unit officers assigned to that area to continue monitoring the location, and to advise SNAP of any arrests for narcotics or other felony offenses at 207 Ferris. In addition, SNAP asked SAFFE to monitor the surrounding residential neighborhood, to document any criminal activity that could be linked to the Jolly Time Drive Inn, and to survey residents concerning the impact of the Jolly Time on quality of life and fear of crime issues.

By October of 1996 the SNAP Unit learned from Narcotics detectives that a controlled delivery of narcotics case had been made at 207 Ferris and arrests were forthcoming. SAFFE officers surveying the neighborhood reported a high level of concern with the Jolly Time Drive Inn and a belief that its continued activity downgraded the entire neighborhood and was a major impediment to the revitalization plans underway in the neighborhood. SNAP Unit detectives felt they had justification to initiate a full SNAP investigation, following problem-solving procedures and SNAP guidelines. Detective Pat Michalec was assigned as team leader for the Jolly Time project.

## ANALYSIS

The analysis of this problem was conducted on several fronts, including an overview of police calls to 207 Ferris and their cost to the city, meetings with Coliseum Park residents to clarify the problem and solicit their cooperation in the response, on-site investigations of the problem location and its surroundings, and a complete crime analysis of the location and surroundings.

### **Analysis: Overview of Police Calls & Costs:**

As part of the SNAP Unit's profiling procedure, detectives conducted a detailed statistical analysis to ascertain the number of police calls made to this specific location, 207 Ferris, over a three-to-four-year period, and calculated the cost to the City of San Antonio for these repeated calls for police services. SNAP Unit detectives utilize information provided by San Antonio Police Department's Fiscal Management Division in order to establish the cost of police services. It has been found that these cost factors are invaluable on a multitude of levels, including use of manpower and resources to address the problem and as strong supportive data during accord meetings held with owners of problem properties. Cost factors have also been used as supporting evidence during civil litigation cases.

**Results:**

Preliminary research on the Jolly Time Drive Inn indicated there had been over 130 calls for police service to this location over a 45-month period (01/01/93 through 09/16/96).

The cost of these police services was over \$26,000.

**Analysis: On-Site Investigation:**

SNAP Unit detectives conducted on-site, visual investigations of both the Jolly Time Drive Inn and the surrounding neighborhood during October and November 1996.

**a. Jolly Time On-Site Investigation Results:**

SNAP detectives observed the exterior appearance of 207 Ferris was visibly run down, with the parking lot littered with piles of trash, and graffiti covered much of the exterior walls. Inspection of the interior of the Jolly Time revealed visible electrical code violations and health violations.

SNAP detectives also collected information on patrons of the Jolly Time, many of whom tended to just "hang out" in or near the premises all day and night, including known drug addicts, known prostitutes, and individuals who appeared to be permanently intoxicated.

While conducting surveillance of the Jolly Time detectives also observed the pattern of increased customer traffic at times when known or suspected drug dealers were on the premises.

**b. Neighborhood On-Site Investigation Results:**

By contrast, the residential neighborhood to the immediate north and east of the Jolly Time, Coliseum Park, had a "mixed" or "transition" appearance. The neighborhood was visibly attempting a rejuvenation, but with its success hampered by pockets of resistance, particularly near the Jolly Time. Through interviewing residents and talking with SAFFE officers, the SNAP detectives learned that the Coliseum Park neighborhood had been a neighborhood on the edge of complete decay during the late 1980s and early 1990s, with an increasingly elderly population, growing numbers of abandoned houses, and little ability to attract new residents. During 1993 and 1994 the Coliseum Park Homeowners Association had united the handful of residents who were still carefully maintaining their homes and yards, joined with the police to set up neighborhood citizen patrols, pressured the city to clean up overgrown lots and demolish abandoned houses, and finally attracted several builders to construct new homes on the empty lots.

In December 1995 San Antonio held its annual "Parade of Homes", but for the first time ever 16 new homes in Coliseum Park were the featured attraction. The neighborhood felt it was on the way to attracting new, younger residents, but the Jolly Time Drive Inn continued to present a major distraction. According to the association president, families with small children were attracted by the reasonably priced new homes, but fearful of living in the same neighborhood as the Jolly Time. By October 1996, 14 of the homes had been purchased, and two were rented. All the new homes were occupied, but residents - old and new - continued to express their fears related to the Jolly Time.



**Analysis: Meetings With Neighborhood Residents:**

SNAP Unit detectives conducted formal meetings with the Coliseum Park Homeowners Association and with pastors of area churches to obtain their input pertaining to illegal activity occurring on the property at 207 Ferris and the effects of this illegal activity on the neighborhood. Additionally, SNAP detectives wanted to solicit the cooperation of neighborhood residents in the event citizen declarations were needed for potential civil action against the owner of the property at 207 Ferris.

**Results:**

Homeowners living in the area expressed a long list of complaints, identifying 207 Ferris as a detriment to the well-being of this neighborhood due to the narcotics trafficking, loud music, intoxicated persons being served more alcohol, intoxicated persons wandering from the Jolly Time and into the surrounding neighborhood (often urinating in front yards), intoxicated persons driving from the location creating a danger to themselves and others, intoxicated persons standing in the street in front of the Jolly Time and casting abusive and obscene comments towards vehicles and pedestrians passing by.

Parents would not allow their young children to walk in the 200 block of Ferris, even though it was on a direct route to the local elementary school and middle school. The association president added that she would not even drive past 207 Ferris, due to the threatening behavior of the patrons. Pastors of six churches located in the surrounding neighborhood expressed strong concerns about the impact of Jolly Time patrons' behavior

on church activities, particularly evening activities such as choir practice and youth group meetings. On several occasions patrons from Jolly Time had entered the churches and asked for money from church members in order to buy alcohol or drugs.

**Analysis: Formal Crime Analysis:**

Arrest records indicated that numerous narcotics arrests had been made on the Jolly Time Drive Inn property during the 45-month period under survey, indicating on-going narcotics activity. Research also indicated that the same persons had been arrested at this location on more than one occasion for narcotics violations, suggesting a pattern of use of the property by drug dealers. SNAP Unit detectives contacted the SAPD Crime Analysis Unit and requested a complete crime analysis of 207 Ferris and the surrounding area.

**Results:**

The report from Crime Analysis revealed a pattern of cocaine possession and delivery cases at the location, and a pattern of repeated felony and "nuisance" crimes in the surrounding area. Data provided by Crime Analysis for the 45-month period included repeated arrests for possession of cocaine, delivery of cocaine, and possession of other controlled substances. Arrests in the surrounding neighborhood included over 80 assaults, 30 robberies, 3 murders, 5 sexual assaults, and numerous arrests for liquor violations and possession of narcotics, particularly cocaine. Clearly, the problems at 207 Ferris were also reflected in a high level of documentable crime in the surrounding neighborhood.

## **RESPONSE**

### **First Response: SNAP Team Inspection:**

Given the scope, nature and seriousness of the situation at 207 Ferris, SNAP detectives determined that their best initial response would be an "Official SNAP Team Inspection" of the Jolly Time Drive Inn, conducted during the peak business hours, when violations and violators would be most visible. The goal of this formal inspection was to present the owner of the Jolly Time with an overwhelming list of areas of violation and non-compliance, to convince the owner to comply or close down; and, if he ever reopened, to impress upon him the importance of staying well within the limits of compliance with every agency and regulation represented. The Inspection Team included

- SNAP detectives (who also conveyed information to the Texas State Comptroller and to the Texas Alcoholic Beverage Commission)
- City Building Inspectors (Plumbing, Electrical, Structure and Mechanical)
- City Health Department Inspector

### **Results of SNAP Team Inspection:**

During the course of the Team Inspection, conducted on November 14, 1996, 24 "major" violations were discovered, along with 20 "minor" violations. The owner of the property and the business was present during the SNAP Team inspection. The breakdown of violations is as follows:

- Electrical Inspections: 3 major hazardous violations

- Plumbing Inspections : 5 major violations; 5 minor violations
- Structural Inspections : 2 major violations; 3 minor violations
- Mechanical Inspections: 5 major violations
- Health Inspections: 7 major violations; 12 minor violations

PLUS: 1 Tax Reporting Violation (later confirmed by the Comptroller)

1 Alcoholic Beverage Commission Administrative Violation

The Plumbing Inspector discovered a leaking gas system which created such a hazard that the gas utilities were ordered turned off. The Health Code violations discovered by the Health Inspector were of such a severe nature that the Food Establishment Permit was suspended. Prior to the SNAP Team's departure the Health Inspector placed several "Closed by Order of the Health Department" stickers on the outside of the Jolly Time building. Each agency presented the owner with written notices of violations and verbally explained the accepted repair process to the owner. The Health Department Inspector informed the owner that all violations discovered by the Building Inspectors (Plumbing, Electrical, Structural and Mechanical) must be rectified before the Health Department would allow the owner to request a re-inspection by the Health Department for possible reinstatement of the Food Establishment Permit Finally, the SNAP Unit detectives advised the owner of the excessive number of police calls and the numerous narcotics violations arrests that had occurred at his place of business.

The Jolly Time Drive Inn closed on November 14, 1996, and remained closed for four weeks while the required repairs were made. Although the building was brought into

compliance with City Codes and reopened on December 17,1996, SNAP Unit detectives continued to monitor the location for continued narcotics or alcohol violations. Narcotics Unit detectives were also contacted, and their surveillance revealed that narcotics trafficking picked up again as soon as the bar reopened. Neighborhood residents also contacted SNAP to say that drunks and drug dealers were again wandering the streets.

**Second Response: Meeting with Jolly Time Owner:**

At this point the SNAP Unit detectives moved to the next level of enforcement and contacted the owner of the Jolly Time to arrange a meeting. A certified letter was sent to the owner which (1) informed him of the number of narcotics-related arrests at that location, (2) included a description of the nuisance abatement process included in Section 125 of the *Texas Civil Remedies and Practice Code*, and (3) requested the owner schedule an "accord" meeting with SNAP to discuss a possible "self-abatement" prior to legal proceedings being instituted.

On February 19,1997 an accord meeting was held with the owner of the Jolly Time Drive Inn. The SNAP Unit detectives presented a proposed plan of action to the owner for implementation. The plan included the following:

1. Install High Intensity Lighting on each end of the building.
2. Remove the pay telephone located outside the building.
3. Provide a uniformed Private Security Guard during peak business hours.
4. Erect a 6' high fence around the property to assist in the control of vehicular and pedestrian traffic.

SNAP Unit detectives continued to monitor this location. Over the next two months detectives observed only a slight attempt to improve the lighting around the building; none of the other elements of the proposed plan were implemented. The Jolly Time Drive Inn had been the subject of SNAP attention for more than six months, but with only temporary decrease in the bar's negative impact on the area.

### **Third Response: Civil Litigation:**

#### **a. Preparing the Case:**

SNAP Unit detectives then moved to the next level of enforcement: preparing for a civil lawsuit using Section 125 of the *Civil Remedies and Practice Code* of Texas. SNAP detectives met with attorneys from the San Antonio City Attorney's Office, briefed the attorneys on the case to date, then took the attorneys to view the Jolly Time Drive Inn and to meet with representatives of the Coliseum Park Homeowners Association. SNAP detectives learned in past cases that interaction between the attorneys preparing the civil lawsuit and the citizens impacted by the problem location provides the attorneys with invaluable insight and information relating to the nature and impact of the case.

Prosecutors feel a stronger connection with the community, and the community realizes that the City Attorney is supporting them in the revitalization of their neighborhood.

#### **b. Filing the Lawsuit:**

SNAP detectives assembled all supporting materials and submitted the case of the Jolly Time Drive Inn to the City Attorney. On June 20, 1997, a civil lawsuit was filed in district

court. The owner of the Jolly Time was served with notice on June 23, 1997. An initial hearing was set for July 11, 1997 (the actual trial is set for October 1997). Also on June 20 a restraining order was obtained, directing the owner to refrain from maintaining the property at 207 Ferris as a Common or Public Nuisance. The court required the owner to post a \$1,500.00 cash bond in order to remain open. The owner was further ordered that until final entry of judgment, the owner or his officers, agents or employees, are prohibited from causing or allowing or permitting any of the following on the property located at 207 Ferris:

- A. Sale, delivery, use or possession of crack cocaine, cocaine, heroin, marijuana, and any and all controlled substances defined in penalty groups III III IV, *Texas Health and Safety Code*.
- B. Gambling in violation of Chapter 47 of the *Texas Penal Code*.

Non-compliance could result in forfeiture of the bond and the business being forcibly closed for as much as one year.

**c. The Owner's Counter-Request:**

On Monday, June 23, 1997, SNAP Unit detectives received a request from the owner of the Jolly Time Drive Inn that detectives re-inspect 207 Ferris. Upon arrival detectives found that:

- The entire building had been repainted.
- High intensity lighting had been installed on each end of the building.
- Signs indicating no drinking in cars or in the parking lot were plainly posted at each end of the building.

- The owner advised detectives that he had hired a contractor to begin work on erecting a fence around the property.
- He also stated he had decided to allow drinking inside the premises only, and that he would change his hours of operation, opening later and closing prior to midnight.
- The owner also advised he was contacting the local telephone company for disconnection of the pay telephone on his property.

Detectives advised the owner that the efforts to abate the problem would be documented and monitoring of the location would continue.

Detectives requested patrol assistance in the ongoing monitoring of the location. SNAP also contacted the Coliseum Park Homeowners Association and informed them of the outcome of the initial civil hearing and of the changes made at 207 Ferris.

## ASSESSMENT

The full assessment of problem solving efforts directed at 207 Ferris is still in progress. At the time of this writing (July 23,1997) the property owner's newly initiated attempts at compliance and reform are only one month old. However, the results so far are very encouraging.



## **Improvements Since June 23:**

### **1. Patrons Hanging Out Around Property:**

Since June 23 SNAP has continued to monitor the activity at 207 Ferris and has observed an obvious difference in the number of persons on the property or hanging around the outside of the building. Equally significant, detectives have yet to observe any persons consuming alcohol outside the building. District patrol officers indicate that they, too, have observed the effects of the corrective actions and the decrease in persons gathering outside the bar.

Dislocation of some of these patrons to a vacant lot across Ferris and to a bail bondsman business down the street is being closely monitored by both police and neighborhood residents, and cooperation is being requested from owners of both properties. SNAP and the neighborhood will continue to keep activities from spilling out into the streets and neighborhood.

### **2. Impact of Changes on Jolly Time Drive Inn Crime Data:**

The "reformation" of the Jolly Time has produced changes in the number and nature of police calls to that location and the surrounding area during the period since the SNAP Unit made its first "SNAP Team Inspection" and since the "voluntary compliance":

The average number of police calls per month to 207 Ferris:

- a. before the November, 1996 SNAP Team Inspection = 12.4

- b. December, 1996 (reopening) through May, 1997 = 2.1
- c. from June 23 (court order) to July 22, 1997 = 1.0

### **3. Impact of Changes at Jolly Time on Coliseum Park:**

Residents say they feel less fear of crime or fear of harassment related to the Jolly Time. Drunks no longer wander their streets and urinate in their yards. Jolly Time patrons no longer congregate along Ferris and harass passers-by. The few who are drinking in the nearby vacant lot have kept to themselves. Church members are no longer threatened or solicited by Jolly Time patrons. Some residents are skeptical about the "reformation" of the Jolly Time in the long term, but so far the residents admit to feeling much safer in their homes without the visible, blatant drug dealing going on just down the street.

The Coliseum Park neighborhood has also begun to change its appearance in small, subtle ways. Residents are busily preparing for the August 5 "National Night Out", which will be an outdoor block party - without fear of interruption from intoxicated Jolly Time patrons. During the daytime and early evening hours children ride bikes and walk freely through the neighborhood, even in the 200 block of Ferris, an off-limits area just a few months ago. The builder of two of the homes featured in the December 1995 Parade of Homes has just this month expressed interested in building at least one additional home on a vacant lot he still owns in the neighborhood. Other builders are following suit: during the third week of July three new houses were in the initial stages of construction.

The president of the Coliseum Park Neighborhood Association, Ms. Wray Hood, summed up the effect of SNAP actions during an interview on July 22, when she said, "Since the Jolly Time got cleaned up due to the [June] court order, the attitude of residents in the neighborhood has improved greatly. The neighborhood realizes there are limits on the Jolly Time management, and he has to obey. In fact, ever since Detective Michalec started working on those run-down businesses on Ferris and Martin Luther King [street] last October, the neighborhood has gotten a new attitude. We see a domino effect. Detective Michalec focused on Jolly Time, but the other run down businesses see what happened, and now they are afraid. They are cleaning up before the detectives come after them."

When asked about "visible" effects on the neighborhood since mid-June, Ms. Hood observed, "For the first time in years, I can drive down Ferris and not worry about those drunks and drug dealers at the Jolly Time. When school starts [in August] parents will let their kids walk on Ferris to go to school. That hasn't happened in a long time. And the new houses, just last week two slabs were poured. That means a lot to this neighborhood."

Final Note: SAPD Research & Planning staff assisted with the preparation of this paper. During an on-site inspection of Ferris street and the Coliseum Park neighborhood on July 22, an R & P sergeant who had last been in the neighborhood in 1992 remarked, "The changes are unbelievable. I never thought I'd see kids playing basketball in the park and elderly residents sitting in their yards under shade trees in this neighborhood. This has made my entire day worthwhile."

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**AGENCY & OFFICER INFORMATION**

1. The San Antonio Police Department utilizes problem-solving (POP) methods at several levels within the department, although the POP approach is not utilized throughout the entire department at this time. The problem-solving initiative for the Jolly Time Drive Inn project came from the SNAP Unit, which utilizes a problem-solving approach (including extensive analysis) for all of its projects.
2. SNAP officers have received training in problem-solving methods. Other officers in the SAPD have received only limited exposure to POP at this time.
3. No additional incentives were given to members of the SNAP Unit, other than the satisfaction of working in a unit that is very goal-oriented and often sees visible results from their efforts.
4. The SNAP Unit received training and consulted manuals concerning the use of civil abatement laws and process. They also consulted with the Dallas PD's abatement unit and received training information from the Texas Attorney General's office.
5. No specific issues have been identified.
6. For the Coliseum Park/Jolly Time Drive Inn project regular funding (salaries, equipment) were utilized. Overtime for officers involved in this project was paid through a combination of regular funding and federal Weed and Seed monies (Coliseum Park is in a Weed and Seed area).
7. Project Contact Persons:

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