

ABSTRACT

In November 1996, the City of White Plains New York Police Department, through observations made by its Patrol Division, encountered a serious problem pertaining to an illegal social club. The operator of this illegal club allowed hundreds of patrons to enter and exit through one entrance in the rear of a commercial building, keeping all other doors and windows padlocked or bolted to avoid police detection.

The New York area is particularly attuned to this type of problem due to a tragedy that occurred in 1990 in New York City in which 87 people died when trapped inside the Happy Land Social Club, which was the victim of an arson. The similarities of the physical layout of the two locations were startling and invoked immediate action-

This problem was turned over to the Department's Problem Oriented Policing Unit, who utilized the SARA model, identified and analyzed the root cause, and were thereby able to determine a course of action for a permanent solution.

The Unit utilized a city-wide nuisance abatement committee, who's members were the Police and Fire Departments, Building Department and Law Department, in order to conduct a multi-pronged attack to this problem. After several months of intelligence gathering, surveillance and enforcement by all of the above, the operator was arrested on two separate occasions for unlawfully dealing with a child, endangering the welfare of a minor and public nuisance, which eventually resulted in the padlocking of the club.

The owner of the building was motivated to evict the operator of the club after the landlord was cited for multiple Building and City Code violations. Eventually the inventory of the street level retail music store, which was a front for the club, was seized by the City Marshall and auctioned in order to pay the numerous debts incurred by the operator of the club.

DESCRIPTIONA. SCANNING

1. Nature of Problem - An individual rented a commercial building for use as a retail store and used the basement as an illegal social club attracting hundreds of young adults. The premises presented substantial risk to those patrons in that there were numerous Building, Fire and Zoning Code violations. Patrons entered and exited through one narrow passageway, which presented a potential for tragedy.

- 2 & 3. Problem Identification - This problem was originally identified by officers of the Uniform Patrol Division assigned to the midnight to 8:00 a.m. tour of duty and was subsequently assigned to the Problem Oriented Policing Unit for investigation and follow up.
4. Problem Selection - This problem was selected due to the potential loss of life, based on the fact that large crowds of people were in a location plagued with numerous code violations.
5. Diagnosis - The initial level of diagnosis was completed by officer observations. Those officers observed approximately 100 people leaving this location, which resulted in several disturbances and the assignment of additional patrol cars in order to restore order and for crowd control.

B. ANALYSIS

1. Method/Data/Informational Sources - In order to identify the scope of this problem, patrons who frequented the club were interviewed. Additionally, officer observations and the written reports collected during surveillance details were analyzed for background on the principals involved, as well as information on the location itself.
2. Frequency - This problem was originally identified in late November of 1996, and the club was padlocked on June 19, 1997. During this six (6) month period, the club was closed down on four (4) separate occasions, and the owner was arrested twice.
3. Individuals Involved/Motivation - It has been determined that one individual was responsible for the overall operation of this club and his motive was pure profit. He rented the location, hired the employees, and used a cover charge, as well as the sale of refreshments, to create a cash flow.
4. Harm - This club presented the potential for an immense loss of human life. The clandestine aspect allowed the use of illegal drugs and underage drinking.

- continued -

5. Prior to Project - This situation was handled in the traditional manner in which members of the Patrol Division were directed to make frequent observations in the area of the club- Even in the best of situations, this method can be hit or miss and does not allow for any coordination with other city agencies.
6. Causes and Conditions - As indicated earlier, this problem was a direct result of one person attempting to create a profit.
7. Analysis of Nature and Extent - Analysis revealed that the operator of this club was advertising as a nightclub and inviting those persons under the normal drinking age to attend. The existence of this club had become well known in the young adult community, which resulted in attendance by substantial numbers of people. This crowd further exacerbated the numerous code violations observed therein.
8. Situational Information - This problem did not occur on a daily basis, and the Department had to be observant for advertisements in order to be aware of the next occurrence. The operating hours were scattered and very often we would only know about it through informants.
9. Open Community Discussion - Although community input was gathered as part of the intelligence function, surveillance and observational efforts were handled covertly so as not to alert the operator of the club.

C. RESPONSE

1. Response Alternatives - Both the operator of the club and the owner of the building were alerted to the existence of the applicable laws and ordinances in the hopes of voluntary compliance.
2. Response to Problem - Once it became clear that neither the operator or building owner would respond to request for voluntary compliance, the Police Department coordinated the efforts of several city agencies in order to issue summonses for code violations and for arrest of criminal behavior. This response was not merely for the operator, but for the landlord as well. This finally culminated with the second arrest of the operator and the appearance in White Plains City Court of the landlord to answer to numerous violations.

3. Response Development - It became clear that in order to resolve this problem, many different agencies would be needed to close all potential loopholes.
4. Evaluation Criteria for Implementation - In conferences with the other city agencies, the Department determined that its actions were legal, constitutional and an appropriate response to violations of law. We also determined that it was necessary to prevent the potential loss of life. It was also determined that it was important to send a message to other potential operators that this type of illegal activity would be closed down as quickly as possible.
5. Project Goal - The Department's intention was to have this activity cease as soon as possible. In order to do this, we attempted to achieve the enforcement of all city and penal law violations once it was clear that voluntary compliance was ignored.
6. Available Resources
Police Department - Problem Oriented Policing Unit
Fire Department - Fire Prevention Bureau
Building Department
Law Department
City Court
City Marshall
Office of the Assessor
7. Actions Prior to Plan - Due to the urgency of the situation, the response was implemented immediately and became more specific and involved other agencies as the problem was better defined.
8. Difficulties - At its inception, the Department encountered a total lack of cooperation by the operator and the landlord. It was difficult to determine the frequency of the problem due to the word of mouth advertising and the efforts made to hide the comings and goings of the patrons. The location of the commercial establishment, in a busy business area, created difficulties in developing good surveillance locations. It was also difficult to verify the intelligence gathered as much of the information was developed in conversations with young persons, in many cases those under the age of consent.

- continued -

9. Who Was Involved - All of the city agencies referenced in answer to #6 were involved in this coordinated effort. D.

ASSESSMENT

1. Results - At the completion of this project, the illegal club was padlocked, the operator was incarcerated, and the landlord was required to pay substantial fines in the White Plains City Court. Additionally, the inventory on the premises was auctioned to repay outstanding debts accumulated by the operator.
2. Evaluation - This was conducted via daily observations of the premise and will continue for an extended period of time to avoid a reoccurrence once the operator is released from jail.
3. Evaluation Participants - The members of the nuisance abatement committee comprised the evaluating group.
4. Implementation Problems - There were minor problems associated with the coordination of effort until such time the problem was assigned to the P.O.P. Unit.
5. Other Systemic Efforts - Once it became clear that voluntary compliance was ineffective, the various agencies utilized local ordinances and the New York State Penal Law to gain compliance.
6. Accomplished Goals - A complete shutdown of the operation and the statement that this Department would have zero tolerance for this type of activity were the goals sought and achieved.
7. Result Measurement - We were able to gauge the efficacy of this project by the positive feedback from the business community, the responsiveness of the local courts and the overall effectiveness of the enforcement effort.
8. Improved Effectiveness - Given the fact that within six (6) months the operation was closed, arrests were made, and there were never any injuries due to the violations, we believe that this effort was as effective as possible.

9. Displacement - Although the operator is in jail, upon his release, he will be closely monitored as the capability exists to open an similar operation at a different location. The City of White Plains is a compact and very busy commercial center which would allow for the potential of more illegal clubs.
10. Monitoring - Part of this project was to put in place a structure for continual monitoring of this situation and any other potential illegal operations. The development of this type of club always exists.

AGENCY AND OFFICER INFORMATION

1. Organizational Level of Initiative - The direction for the efforts was developed at the command level of the Police Department.
- 2- Training - Officers assigned to the Problem Oriented Policing Unit have received specialized training, as well as departmental training. This Unit has been in existence since 1991 and the officers assigned have years of experience in problem solving.
3. Incentives - Other than pride and a task well accomplished, this Department does not provide incentives for this type of activity.
4. Resources and Guidelines - Since its existence, this Unit has handled thousands of problems and brings to each new situation the experience gained therein. Additionally, since its inception, the Department has had a working agreement with all other city agencies in order to assist the efforts of the P.O.P.'s Unit.
5. Issues and Problems Identified - The problem solving model was extremely effective. However, we did find that we had to move to the alternate solution very quickly in this particular case.
6. Resource Commitments - The existing budget was not exceeded as one of the empowerments of the P.O.P.'s Unit is flexibility of officer.

- continued -

7. Contact Person - Captain J. Casey Quin.
CO. Administration/Personnel
White Plains Police Department
77 South Lexington Avenue
White Plains, New York 10601
Phone: 914-422-6220
FAX : 914-422-6228