

**1997 Herman Goldstein Award
for
Excellence in Problem Oriented Policing**

97-78

I. Description

A. Abstract

Minor public disorder crimes identified as being committed by a population of homeless and transient persons has been a police and community issue in the southwest Arizona city of Yuma for a long time. Because the root causes of the problem have never been identified and treated, and because the problem has always been attacked through its symptoms only, the base of the problem has spread and more serious problems and crimes are arising. Two recent homicides, aggravated assaults, sexual assaults, and large fires can be traced back to their origins of untended minor infractions.

Through the SARA problem solving methodology, Yuma citizens and police recognized that the criminal behavior was not being treated in the proper fashion nor with the proper tools. Using SARA as a foundation, police and citizens analyzed the problem and recognized that the victims, offenders, and locations were far more complicated than had been thought. SARA brought together the myriad jurisdictions and community groups necessary to begin to see the scope of the problem and deal with it effectively.

The work combined of the citizens and organizations of Yuma has served to develop ways to reclaim public and private spaces for legitimate users and uses and to deny those spaces to offenders. In addition, the eyes of the community have been opened to homelessness, a problem which will have to be addressed by a Strategic Planning Task Force. That task force is now being assembled.

n. Description

A. Scanning

1. Public disorder crimes have long been a major concern of the police and citizens of Yuma, Arizona. These violations, sometimes seemingly inoffensive and minor, include a local prohibition against public camping, outside fires, possession and consumption of alcohol in public parks, dog leash requirements, and business license requirements. Included are state statutes prohibiting public consumption of alcohol, trespassing, littering, and loitering to beg.

The major perpetrators of these public disorder crimes, according to crime analysis figures, is a substantial population of homeless and transient persons who are attracted to Yuma by its climate and unique geographic situation. This population of offenders has, over the past fifteen or twenty years, entrenched itself in mixed jurisdictions on the fringes of populated areas and in unincorporated islands within the city. The offending populations include those who are unaware of local and state laws and those who choose to violate for one or another reason.

During the past several years, the seemingly minor violations have led to an escalation in the severity of unlawful behavior. There have been two homicides, several aggravated assaults, and several sexual assaults committed by and to the homeless and transient population in addition to several life-threatening fires. Several homeless people have drowned in rivers and canals.

The Yuma County Adult Detention Facility is overcrowded and often unable to accept misdemeanor violators. Historically, the magistrates of the Municipal Court have

been lenient with them. Yuma citizens and police recognized, through the SARA problem solving methodology, that the criminal behavior was not being treated in the proper fashion nor with the proper tools. Using SARA as a foundation, police and citizens analyzed the problem and recognized that the victims, offenders, and locations were far more complicated than had been thought. SARA brought together the myriad jurisdictions and community groups necessary to begin to see the scope of the problem and deal with it effectively. The work combined of citizens and organizations of Yuma has served to develop ways to reclaim public and private spaces for legitimate users to deny those spaces to offenders.

2. The problem was identified in several ways. The first was repeated calls for service for public disorder crimes of the same nature and many times with the same offender or victim or at a familiar location. In addition, a painstaking, hand search crime analysis of records revealed that an eight square block section in the northeast part of the city, which comprised an area totaling 0.002 percent of the geographic total of city land was generating 0.02 percent of the calls for service for police. The majority of these calls for service and on-view activity were of the public disorder crime nature.

Telephone complaints to City Hall and addressed to the Mayor and the City Administrator were found to be inordinately weighted toward public disorder crimes thought to be perpetrated by homeless and transient persons. The City Administrator advised the Chief of Police that these issues were her *number one priority*.

3. The problem was first identified through police as relatively minor crimes which were taking up an inordinate amount of time. Although the problem behavior for years remained at the high level of public nuisance, the severity intensified in recent years and more severe crimes have resulted in much more police attention. The community

(businesses and residents) began to take note of the increasing severity of the crimes and the effect of the crimes on them and the community. Local politicians and heads of jurisdictions then began to identify the problem as serious. The problem behaviors had always been noted by city and county parks, sanitation, and public safety employees.

4. This problem was selected from among problems because of the public nature and increasing severity of crimes attributed to it and to its offenders. Police saw the *Broken Window* theory at work here. It was believed that relatively minor criminal behavior, such as public consumption of alcohol and unlawful camping, were leading to crimes such as aggravated assault and life-threatening reckless burning. In addition, the problem was maintaining its intensity and was not decreasing no matter what steps were taken by police. Due to the increasing severity of the crimes, the citizens of Yuma began to speak with politicians and city administrators which caused a higher level of concern on the part of everyone.
5. The initial, formal unit of analysis was an eight square block area in the northeast section of the city which bordered on the Colorado River, Interstate 8, and the Union Pacific Railroad tracks. This area had been chosen for analysis because of its geographic location and a seemingly high rate of on-view activity for police. In addition, the area was to be used as a test plot for a grant which had been applied for through the Department of Justice COPS Office. Analysis of the area showed a disproportionately high number of public disorder crimes relative to the geographic area involved. Analysis later showed that the offenders were unlawfully occupying public and private spaces outside but near the target area and were entering the target area because of its attractions, such as parks, liquor and convenience stores, and drive through restaurants. The homeless and transient population used these conveniences to purchase and

consume alcohol, panhandle, find food, and commit related crimes.

B. Analysis

1. Crime analysis was one method used to analyze the problem. Careful observation of the environment disclosed causal factors. There were many isolated pockets of vacant land within the city limits. Many of these areas were overgrown with brush, trees, or are almost inaccessible by car or foot. Most of these areas were being used by the offending population as home, or as a base of operations. Many officers knew of these locations as places they could go early in the morning in order to make arrests on warrants or to find someone camping or drinking illegally.

Interviews with residents and business owners and employees shed light on the problem as well. We found that some convenience store clerks were befriendng homeless persons and allowing them to do menial tasks, such as carry trash from the store to the dumpster for which they might be paid in coffee or liquor. This type of relationship may have resulted in a recent homicide of a convenience store clerk by a homeless man.

Interviews with residents whose property abuts some of the most severely affected areas disclosed a need for help in those neighborhoods in the form of Block Watch or similar programs. Interviews with owners and representatives of the Union Pacific Railroad, and the Bureau of Reclamation revealed that they had serious problems with unlawful behavior on their properties. Some unlawful acts were reckless burning and trespassing. Both organizations were willing to unite to solve the problems. Interviews with the homeless and transient offenders showed that some were ignorant of local and state statutes. Some chose to ignore those statutes entirely.

2. The problem has existed in some form for at least the past fifteen or twenty years and

has shown seasonal peaks. The unusually mild winter weather in this part of the country attracts many homeless, as does the promise of open space.

3. Offenders and their controllers consist of the homeless, police, and other law enforcement and service agencies such as the Crossroads Mission and Salvation Army. The service agencies have rehabilitation programs which seek to wean offenders from alcohol and drugs and find them employment. There is a segment of the homeless population which will use those services. However, there is a larger segment which seeks only the freedom to live where and how they choose, in disregard for the law and the rights of others.

Victims include the homeless themselves, private and public landowners such as the railroad and city or county, residents and businesspeople. All would benefit from reclaiming public and private spaces for legitimate uses so that those spaces could not be used for illegal activity. However, businesses would lose some profits if the homeless were not in a position to make purchases from them.

Places and their managers may be the most significant factors in the problem. However, it appears through analysis that it is the illegal camping sites which may be at the core of the public disorder problem.

Data showed the police have returned repeatedly to illegal camping sites on public and private property and have made many arrests. In few instances, however, did police or public or private landowners deal with the issue of trespass or seek to remove permanently the habitat or violators. The idea violators were out of sight and out of mind seemed to pervade. Little thought was given to the fact that from those illegal camping sites the violators would inevitably make their way to those places in nearby populated areas where they would become a public nuisance.

4. Harms resulting from the problem included the denial of some public spaces to legitimate users. An area of public land along the Colorado River bordering residential areas and stretching 1.3 miles from east to west had become entrenched with makeshift shelters, some of them quite sturdy and permanent. The knowledge that these were populated with people who regularly used drugs and had unleashed dogs was enough to keep legitimate users away. Police found a small patch of vacant land at the entrance to a State Park which had overgrown palm trees and brush. In the midst of it they found three people who had been living there for a month and had scattered feces and other debris throughout the area. The vegetation was so dense that the camp was not visible from the roadway and had never been reported.

A vacant piece of land adjacent to a major bridge over the Colorado River was found to be overgrown with brush with many sleeping areas. The area was strewn with debris including liquor bottles, personal items, and feces. Evidence of cooking fires and warming fires abound at all these locations. In early May 1997, a fire of suspicious origin burned 0.7 miles of wetland on the Colorado River, within the city limits, and threatened several homes. It also burned several illegal campsites.

Several recent aggravated assaults have resulted from illegal camping and public consumption on vacant land in a county island within the city limits near railroad tracks and a rescue mission. Forays into populated areas from these bases of operation result in more benign criminal activity, such as panhandling, drinking in public, public urination and defecation, and littering. In addition to these criminal behaviors, injury-caused accidents take their toll on the homeless. Several homeless have drowned while illegally swimming in local canals or crossing the river. More have been injured seriously while trespassing on railroad property.

5. Before the problem solving effort, the problem was addressed in traditional ways. Several times throughout the years, the police department formed undercover units for the purpose of observing and arresting violators. This was not always effective because of lack of room in the detention facility or the unwillingness of the courts to impose harsh sentences.

Efforts were undertaken to educate law enforcement as to the serious nature of the criminal behavior. There have been *Zero-Tolerance* approaches dealing with the manifest symptoms of the problems.

Recently, as a result of numerous complaints from citizens, the level of call priority response for police to public disorder crimes has been upgraded from level five to level three. This upgrade required a quicker police response. This change has served to treat the symptoms of the problem while allaying public fears. The fact that the problem persists, and even grows in seriousness, is manifest testament to the efforts made in solving the problem in recent years.

6. Causes and underlying conditions of the problem are many: a) Yuma is unique in geography, bordering on Mexico and California and transected by Interstate 8, the Colorado River, and Union Pacific Railroad. Its climate attracts 60,000 to 80,000 legitimate winter visitors each year and a large number of homeless visitors who may or may not eventually engage in criminal behavior; b) High unemployment rate, sometimes 20 to 25 percent in the winter, makes it unlikely that homeless persons will find work even if they are looking; c) The transient nature of homeless offenders and homeless victims of crime make it unlikely that they can be found and prosecuted, or act as witnesses; d) Mixed jurisdictions within the same local area make law enforcement efforts unsure at times. Within a three or four square block of the city, near

the river, can be found the City of Yuma, Yuma County, US Bureau of Reclamation, US Bureau of Land Management, Arizona Department of Transportation, and Yuma County Water Users properties all intermixed with private property; e) Traditionally there has been limited space in the detention facility to book misdemeanor offenders. Offenders therefore take cite and release lightly. Also, municipal court magistrates have historically looked upon public disorder crimes as less serious than more high-profile crimes.

7. The nature of the problem was found to be in line with the *Broken Window Theory of Urban Decay*. The seemingly insignificant minor crimes and disorders, when treated with benign neglect or overlooked, eventually grew into something far more serious which consumed more time and resources than if it had been treated properly in the beginning.

As for the extent of the problem, it was found to be far more extensive than at first imagined. The degree to which the public and private lands had been taken over for illegal uses was consistent with the neglect given the problem over the years. Police, citizens, and public officials had not been aware that illegal uses of public and private spaces were such a contributing factor to the problem. They did become aware when the public began to complain to the officials and after the problem was thoroughly analyzed. Analysis, public meetings, and interviews revealed that perhaps 10% of the homeless population was responsible for 80% of the problem behavior.

8. The most important situational information appeared to be the relationship of land suitable for trespassing and camping in relation to daily needs of the offenders. The greatest occurrence of offending behavior occurs near where there is: a) a plot of land which is vacant and shaded and concealed from public view; and b) that plot of land is near necessities such as food, water, convenience stores, wood or combustible materials,

or is within walking or bicycling distance.

9. Many discussions were held with residents and business owners and employees; city, state, and federal employees; and other interested agencies and parties, including the homeless population. Those discussions led to the formation of responses which will be discussed next. A community wide meeting was held on July 15, 1997, to which all those aforementioned parties were invited for open discussion and brain-storming.

As a result of the meeting, it was determined that a citizen strategic planning task force on local homelessness be established to investigate all aspects of the problem and develop goals for corrective actions. This task force will investigate a homeless problem which was found to be far more serious than imagined, and issues such as housing, employment, health, and safety will be addressed.

C. Response:

1. There were a number of new, creative response alternatives developed. The main thrust was development of a partnership among stakeholders to reclaim public and private spaces for legitimate uses. This required a broad coordination between jurisdictions, including city and county agencies, private landowners including the Union Pacific Railroad and business and residential property owners, and public landowners including the US Bureaus of Reclamation and Land Management. Another alternative was education of the public regarding the public safety issues involved and the blight being caused by illegitimate uses of public and private spaces.

Also considered was a coordinated law enforcement effort which would treat the problem evenly across the board and in a fair manner which took into account the rights of the offending populations as well as the rights of the public, residents, and businesses.

2. Responses decided upon were non-traditional. Analysis of the problem showed that the problem persisted through the years when addressed in traditional police methods. It was felt by partners that the major problem which had been unaddressed was the issue of allowing the offenders to maintain a presence in the public and private spaces which they had occupied.

In September 1996, the Yuma Police Department (YPD) applied for a *Community Policing Partnership Grant* through the Department of Justice. The grant was written to provide avenues for partnerships among stakeholders to investigate, through SARA, this community problem. When it appeared that the grant would not be funded, YPD proceeded with an alternate plan. The grant was later funded and YPD was notified in late May 1997.

The alternate plan included using responses developed through the SARA analysis including:

- a) Determination of physical spaces which had been usurped by offenders and reclaiming them for legitimate uses. This process took from January 1997 through June 1997 for the larger spaces and continues as spaces are identified. The process included land areas as small as 100 square feet and as large as a 1.3 mile stretch of shore along the Colorado River south from the river a distance of 100 yards. These reclamations involved developing working partnerships with public and private landowners, and the use of large volunteer labor forces.
- b) Jurisdictional coordination of all stakeholders involved. Contact was made with every local, state, and federal agency and law enforcement entity and a working relationship developed based on a common goal.
- c) Education of the Municipal Court. The court was made aware of the problem of

repeat offenders, especially those who had been before the magistrate more than ten times during the recent year or two.

- d) Education of the public. The department community involvement officer was briefed on the need for a *Community Education Campaign* which would educate the citizens on the harms which were resulting from the symptoms of the identified problem.
- e) Community response to the overall problem of homelessness. As a result of meetings and interviews with stakeholders, a community task force is being assembled to address all issues of homelessness.

3. The responses developed as a result of analysis were generated through meetings with stakeholders. The result was a shared concern and a vision for a cleaner, safer community.

4. The most important evaluation criteria was that we view the problem from a behavioral standpoint and not from an "offending population" standpoint. The lessons learned from reading about similar problems in other jurisdictions made it mandatory that we drop familiar terms such as "homeless" and "transient" from our response vocabulary. We determined that the traditional means used to deal with the problem had been ineffective. We wanted to use novel means which had been identified through analysis of the problem.

5. The project goals were:

- a. To reduce the scope of the problem through reclamation of public and private spaces. Strategies included partnering with landowners, residents, and businesses as well as other jurisdictions for the purpose of identifying land to reclaim.
- b. Reduce harms caused by the problem, including blight and litter. Strategies included

developing groups of volunteers or government entities willing to take responsibility for designated areas.

- c. Increase the penalties for engaging in criminal activity associated with the problem.

Strategies include education of court personnel about the seriousness of the behaviors and their impact on the community. Also, education of the public so that citizens would be more likely to notify police when offending behavior was seen or blighted areas were noticed. Education of potential offenders was included in these strategies.

6. All resources identified through SARA methodology were available and assisted in implementation of the plan. They included City and County agencies and departments; State of Arizona agencies, volunteer groups such as the Boy Scouts of America; Federal agencies such as the Bureau of Reclamation and Department of the Army; service agencies such as the local mission and related alcohol and drug rehabilitation services; and, citizen residents and businesses. Many of these people and organizations provided tools, heavy equipment, and other necessities.
7. Before response implementation, stakeholders reviewed analysis to make sure that they were addressing the correct issues.
8. The police and the community were pleased by the cooperation and positive interaction which developed.
9. All stakeholders involved in the plan response have been or will be identified in this document.

D. Assessment

1. The results of the plan have been promising.

- a. As a result of the goal to reclaim public and private spaces for legitimate uses, about one square mile of land area has been cleared of illegitimate users and corresponding litter and building materials. This includes land within the city limits and in county islands. Some of the land has now been designated by the city as a future Greenbelt with planned bicycle paths and walkways. In addition, service organizations and citizen groups have adopted many of these parcels for continued reclamation projects. The reclaimed areas have been monitored and maintained by police to ensure that re-infestation does not occur.
 - b. The court has recognized the seriousness of the problem. Judges began to identify repeat offenders and give sentences more in proportion to the gravity of the criminal behavior. In addition, the county prosecutor's office has been asked to implement a little-used section of state law which allows prosecution as a felony a similar misdemeanor crime when committed by the same person more than twice.
 - c. Pamphlets have been developed which will be distributed to citizens. The pamphlets advise of illegal disorder crime behavior and how to avoid violating the law.
 - d. A community-wide task force is being assembled to address all issues of homelessness.
2. The evaluation of this plan is ongoing. Since awarding of the *Partnership Grant*, the evaluation will be done in a more systematic manner using the local college and its Justice Studies Department.

III. Agency and Officer Information:

1. The problem solving plan was initiated by beat officers who recognized the scope of the problem and harms being caused. The plan was completed with the assistance of officers familiar with the SARA problem solving methodology.

2. All department personnel have had at least eight hours of training in Community Policing and Problem Solving. The Community Policing officers funded through a DOJ grant have had considerably more training in the philosophy of Community Policing.
3. No incentives were afforded officers engaged in problem solving. However, the department has recently added problem solving ability as something to be recognized in the annual performance evaluation.
4. Officers who engaged in this effort read the recognized and available literature on the subject, including *"Problem Oriented Policing in Newport News,"* Herman Goldstein's *"Problem Oriented Policing,"* several publications from the U.S. Department of Justice, including abstracts on street level crimes of disorder, Kelling's *"Fixing Broken Windows,"* and also relied on work done by other police departments and cities which were detailed in the publication *"Community Policing News."*
5. There were no issues or problems identified.
6. There were no commitments made to the project. The officers and citizens involved identified the needs in money and resources and were able to obtain all the resources, money, time, and equipment from the community.
7. Project Contact Person:

Name: Christopher Chumley

Rank: COP Unit Officer, Yuma Police Department

Address: 1500 South First Avenue

City/State: Yuma, Arizona 85364

Phone: (520) 783-8788

Fax: (520) 343-8864