



Nomination  
for the  
Herman Goldstein Excellence in  
Problem Solving Award

*submitted by:*

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## INTRODUCTION

Bay Park is a community within the San Diego Police Departments Northern Division. It is a mostly residential neighborhood that lies just to the east of Mission Bay and is comprised of people from all income levels. Though there are instances of criminal activity such as robbery and burglary, the majority of the police calls for service in this area are of a less violent nature. The major concerns to the residents in this neighborhood often revolve around nuisances and disorder types of offenses.

Sandy S. is a 44 year old male who has been a resident of Bay Park for most of his life. He suffers from psychological and chemical abuse related problems that have impacted his behavior for many years. When he drinks, he engages in activities that cause his neighbors significant, ongoing distress and cause for concern.

## SCANNING

Sandy S. was well known to the police officers who regular worked in Bay Park. At one point or another, nearly all the officers from this service area had been to his residence. The continued complaints from neighbors resulted in a community meeting to discuss options for addressing their concerns. Though individual officers were familiar with Sandy, the knowledge that he was a problem of significant, ongoing concern was not clear until this meeting when more than two dozen people showed up to express their concerns.

Bob Heider from "Safe Streets Now" and representatives from the Western Division PERT (Psychological Emergency Response Team) were in attendance at the meeting to discuss options they may be able to provide. "Safe Streets Now" is an organization that facilitates

neighbors in preparing a civil action against a resident who causes undue distress in a community and declines to or is negligent in correcting the problem. The PERT team is a program that couples a patrol officer with a mental health professional to assist the police department in dealing with the mentally ill in a crisis situation.

At the meeting, neighbors were given the opportunity to air complaints and present their viewpoints. They complained that: 1) Sandy would make bonfires on the rim of the canyon that lined many of their homes thus creating a serious hazard, 2) Sandy would stand in the back yard and yell into the canyon for hours at a time, 3) and Sandy engaged in threatening and intimidating behavior that frightened them. It was also that brought up that in one instance, several years ago, a SWAT mission was called on Sandy's home.

Since the complaints about this problem spanned over several years, the scope of the problem could not be determined based solely on citizen input. A second meeting was scheduled for follow-up and a commitment was made to research the problem in the interim.

Research was done using the departments computer systems and many contacts were found for incidents related to Sandy. There was a notification in one system that advised dispatchers to send several officers and a canine unit to any calls to his residence due to a prior incident where Sandy fought with officers. A check of the calls for service for the first nine months of 1997 revealed that the police had been called over 30 times on problems regarding Sandy. Police were dispatched to his home as many as 12 and 13 times a month. By the end of 1997, officers had spent 137 hours dealing with his address alone and had been called to go there 47 times. The entire rest of his block, excluding his address, was only responsible for 43 hours of officer out of service time. The amount of time being spent on this one person was clearly

disproportionate.

Based on the information found in the computer and the statements by the neighbors, it was clear that Sandy's behavior resulted in a significant, ongoing problem. Since Sandy was in jail on a Disturbing the Peace complaint, the City Attorney was contacted for help. Sandy was held in jail until the trial which allowed time for a more in depth analysis of the problem.

## ANALYSIS

Sandy's father was contacted for input. He admitted that there was a problem and was willing to help but his ability to control his sons behavior was limited. He confirmed that Sandy suffered from psychological problems and that when he drank he would get disturbed and need to vent, that led to his periods of prolonged yelling. Sandy's father agreed that Sandy was in need of consistent care but noted that he did not qualify for long term treatment programs. The probation department was contacted to see if there were probation or sentencing options that could be used. Because Sandy engaged mostly in Disturbing the Peace violations, the restrictions and sentences that could be levied against him were limited. Information on restraining orders was received through the Superior Court and the PERT team offered to do an evaluation to see if there were services that they could provide.

A second meeting was held with the neighbors. This time, Sandy's father and his attorney came and a group discussion commenced on how to deal with the problem. During this meeting Sandy's father and attorney presented concerns that some neighbors were wilfully tormenting Sandy and providing him with alcohol. They also added that some of Sandy's friends would facilitate his behavior by bringing him drugs and alcohol.

At the meeting we discussed how neighbors could help Sandy and his father by taking notice of individuals who might be engaging in behavior that enabled Sandy to be a problem. We also discussed how to make a complaint for activities such as Disturbing the Peace. The purpose of this discussion was to empower those who were effected and give them direction on how to properly address incidents that might arise. It was about defining roles, responsibilities, and appropriate actions. It was meant to minimize the risk of the situation becoming worse. It also let those who were affected take an active role in dealing with the problem.

## RESPONSE

In formulating a response, three key issues were identified, 1) addressing the neighbors sense of fear and improving their quality of life, 2) creating a structure that presented Sandy with options for treatment and consequences for aberrant behavior and 3) reducing the amount of police resources spent on the problem, hi considering the response, it was realized that the problem may not ever completely end and so there was consideration given to developing a plan that allowed for long term maintenance.

The response was broken down into two phases. The first phase was aimed at gaining voluntary compliance from Sandy. I met with him when he was released from jail. We discussed the meetings that had taken place. I told him about the concerns of the neighbors and he felt that much of their concern was unwarranted, that they were overreacting. He explained a vague religious belief that was drawn from several different tenets. He explained that his bonfires were "ceremonial" and therefore a protected right. He did agree to contain them to a receptacle that was safe and within legal specifications. He also agreed to an evaluation by

PERT and that he would listen to treatment options.

The second phase of the response was designed to gain involuntary compliance in the event that Sandy was unwilling or unable to comply on his own volition. The second phase became effective when Sandy was not able to discontinue the behaviors that were disturbing. He did get an approved container for his fires, however, he did not quit drinking. Though he did attempt it, his periods of abstinence were brief. When he drank, police were called to his residence and he was arrested for Drunk in Public and/or Disturbing the Peace. He failed to enroll in a chemical abuse program for treatment and though he was evaluated by PERT he refused to seek psychological help or take any prescribed medication.

Over a period of a couple months, Sandy was arrested three times. The City Attorney was called and a single prosecutor was assigned for all current and any future cases. The prosecutor had drug court experience and so she was familiar with the process to address his violations while providing treatment options as a condition of any plea bargain or conviction for the charges pending against him.

The prosecutor lumped the charges from the separate incidents into one as had been done in the scanning phase of this process. This allowed her a greater degree of leverage because the sentence he faced could provide more jail time. In one of the cases, Sandy was charged with Vandalism when he kicked out the window of a police car.

Sandy was prepared to fight this and the case went to trial. He remained in jail until this time. The morning of the first day of the trial, I met with Sandy's attorney and the prosecutor. A plea bargain was arranged that placed Sandy on probation on the condition that he no longer drink, he check into a residential treatment program, upon completion of the residential program

he enter a long term out-patient program that would also address his psychological needs, and that he go to Alcoholics Anonymous meetings. He also faced a year or more of jail time if he violated these conditions or if he engaged in those behaviors that brought him to court. That would be in addition to any subsequent charges he faced that were the result of new allegations of misconduct.

The plea bargain that was arranged was suitable for everyone involved. That Sandy did not remain in jail was not important. What mattered was that a neighborhood problem was addressed in a manner that was favorable to everyone involved. Had this problem not been analyzed and had a response not been formulated, Sandy's recurring violations would have likely been dismissed or he would have been dealt with in a random manner that was not in conformity with what was necessary in order to address the underlying issues that allowed the problem to be ongoing.

At this point the prosecutor and I agreed to maintain contact to monitor Sandy's probation and respond to any future incidents that might arise. The prosecutor was prepared to revoke Sandy's probation in the event that he did not comply with the guidelines that were established. I briefed other officers in the division on the conditions of Sandy's plea arrangement to let them know that the process of dealing with him was ongoing and to solicit their support in maintaining a consistent response to any future violations.

## ASSESSMENT

By breaking down each incident I was able to determine individual behaviors that were the root cause of the repeat calls. In doing this, I was able to continue to respond and take action

as a police officer while attacking the problem itself. In the long run, it also minimized the amount of time I had to spend doing it. As anticipated early on, by the end of this project the problem was not gone. However, each of the problems identified in the analysis phase were addressed and positive change was accomplished.

The impact this project had on the community was that it gave them an increased sense of ownership in their ability to deal with neighborhood problems. It let them know that there were alternatives to living in an uncomfortable situation and that they were not powerless to deal with it. It also forged a partnership with the police and let the residents know that their concerns were important. In the beginning, residents were concerned that the police were apathetic towards their situation and thus it had been allowed to continue. In the end, this view had changed. They continue to plan meetings in an ongoing effort to effect change.

The response phase also developed a structure to deal with subsequent problems. Though voluntary compliance was not met as was first attempted, when problems arise they are now dealt with in a more consistent manner. The City Attorney continues to be involved in the maintenance of this problem. Strict conditions have been defined to monitor Sandy's probation. Continued problems will be considered a violation of that probation. Admission into a treatment program was also ordered. The response has also showed Sandy that he will face consequences for any adverse actions that disrupt his neighborhood. Since the evaluation of this program began, Sandy has been arrested again and is now in jail. When he failed to admit himself into an residential program in the time he was given and when he failed to follow the judges orders to quit drinking and stop his disruptive behavior, his probation was in fact revoked and he went to jail. If he fails to comply when he gets out he will be jailed once again.

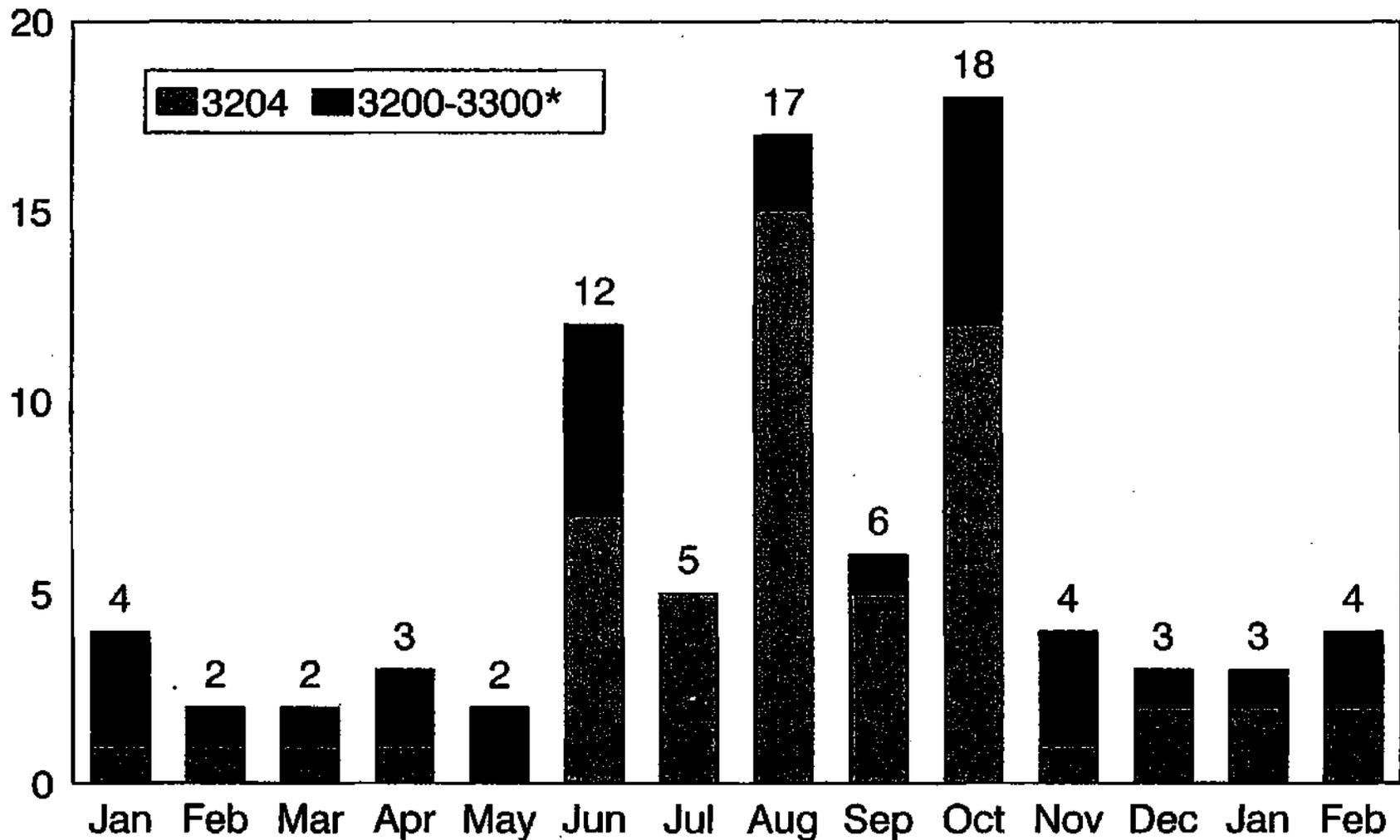
If Sandy goes for treatment and his behavior becomes better, this problem is solved. If he does not, the number of times the police will have to deal with him will be limited to those times he is not in jail due to his unwillingness to comply. The desired effect of forcing him to deal with the consequences of his actions is to make it more desirable for him to get help than it is for him not. It is recognized that such a task may take time. In the interim, he will face consistent police response to his actions.

The project has now become a matter that involves limited police service. In the beginning, when there was not a plan to deal with Sandy, the police were going to his house an average of four times per month. Some months we went as many as thirteen times. In each of those incidents, officers' actions were limited. Though there were times that Sandy was arrested, there were also times where no action was taken. This allowed the problem to continue and resulted in numerous repeat calls in short periods of time. Since the problem was addressed, officers have still been called to his residence. However, instead of an average of four calls per month, police now average only one call per month. That means we are only dispatched 25% as often as we used to be. When officers are dispatched, the action taken is much more consistent than it used to be and follow-up is carried through by the City Attorney.

Since disruptive neighbors and the problems associated with them are not uncommon to policework, several things have been done to give guidance to other officers who may face problems similar to this one. The San Diego Police Department conducts a monthly problem solving meeting at our headquarters. This problem, and the work that was done to analyze and prepare a response, was presented at this monthly meeting. As a result, two other divisions within our department have requested information about how this problem was addressed. They

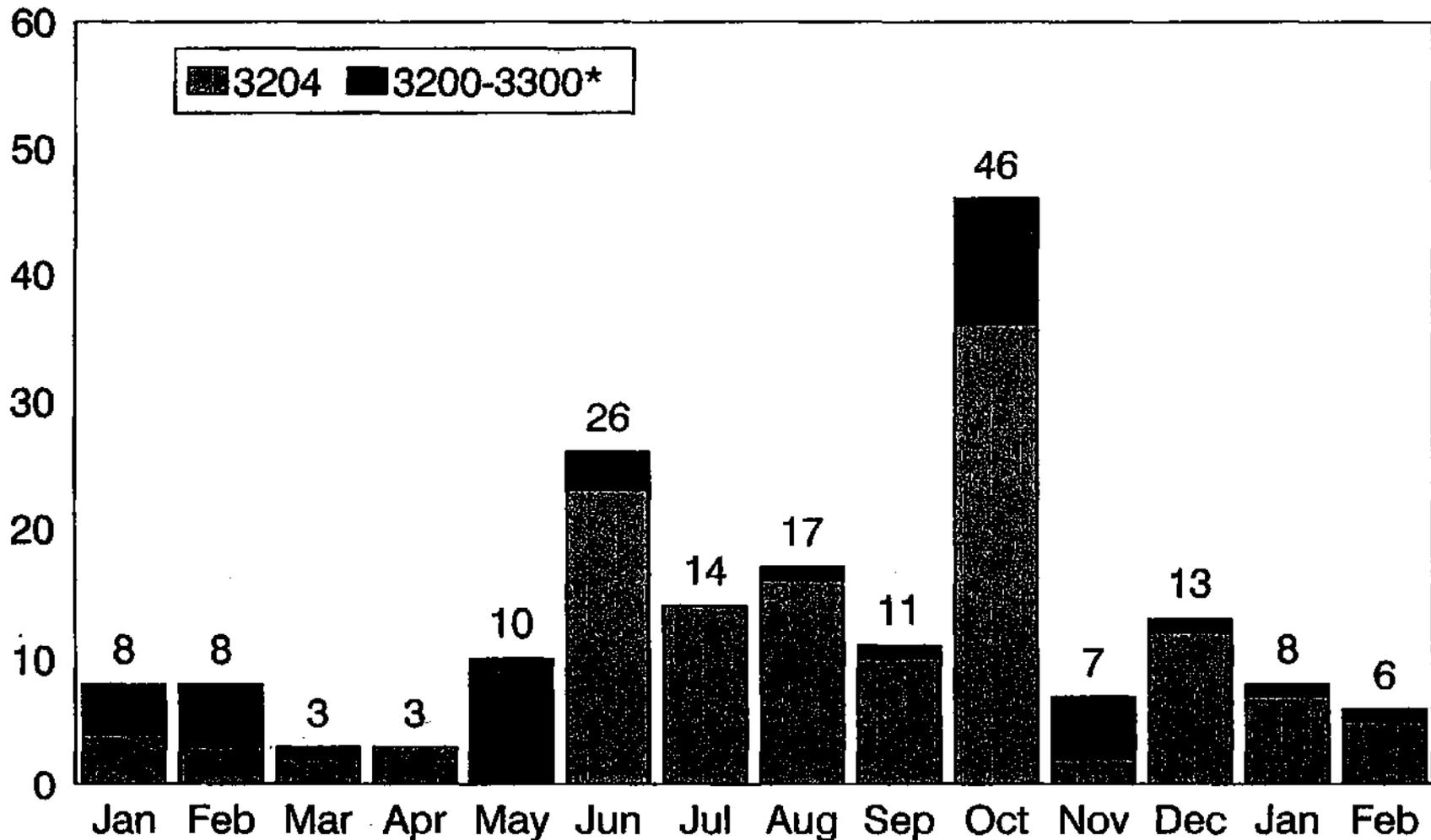
maintain this project as a resource to help their officers. Information was also prepared to be placed on a web-site called POPNet. This was done to allow officers, from departments with Internet access, the ability to review what was done in the event that they encounter similar problems or are simply interested in how the problem solving process relates to everyday police issues.

# Calls for Service from Jan. 1997 to Feb. 1998 at 3204 Apache and the Remainder of the 3200 Block



\* Excluding 3204; Total calls: 54 calls at 3204 Apache and 31 calls in the remainder of the 3200 block of Apache

## Out of Service Time from Jan. 1997 to Feb. 1998 at 3204 Apache and 3200-3300 Apache



\* Excludes 3204 OST; Total OST: 137 hrs at 3204 Apache and 43 hrs in the remaining 3200 block

## **POP Network Case Information**

**Nature: Disruptive Neighbor**

**Agency:** San Diego Police

**State:** California

**Project Title:** Sandy S. Project

**Agency Type:** City

**Agency Size:** Greater than 500

### **Where Problem Occurs:**

Residential Neighborhood, Single Family, Single Detach Homes.

### **Method of Analysis:**

Crime Analysis

Personal Observations

Meetings with Neighbors

### **Solution Attempted:**

Treatment

Increasing Level of Consequences for

Increased Aberrant Behavior.

### **Method of Evaluation:**

Crime Analysis

Direct Observation

Before and After Analysis

Neighborhood Feedback

### **When Problem Occurs:**

No Specific Time Identified

## Scanning Menu

### **1. What was the nature of the problem?**

Though there were many disturbing behaviors that were identified in this case, there was only one real problem, a disruptive neighbor named Sandy S. Residents were intimidated by his erratic behavior, disrupted by his lengthy bouts of loud yelling, and concerned for their safety over bonfires he built on the rim of the canyon that lined their homes. These behaviors were caused by chemical abuse and psychological problems that Sandy S. declined to seek or maintain treatment for.

### **2. How was the problem identified?**

Sandy S. was well known to the police officers who regularly worked the area. At one point or another, nearly all officers from this service area had been to his residence. The continued complaints from neighbors resulted in a community meeting to discuss options for addressing their concerns.

### **3. Who identified the problem (i.e. community, police management, rank and file officers, politicians, press, etc.)?**

Individual officers were familiar with Sandy S., however, the knowledge that he was a problem of significant concern to an entire neighborhood was not clear until this meeting when more than two dozen people showed up to express their concerns.

### **4. Far more problems are identified than can be explained adequately. How and why was this problem selected from among other problems?**

Though the scope of this problem was not defined until the *analysis phase* of the project, the number of people who came to the community meeting could not be ignored. Responsiveness to the concerns of neighborhoods is one of the key points in successful community based policing. These were residents who were at their wits end. In order to deter possible retaliatory or vigilante behavior, their concerns needed to be examined.

## Analysis Menu

### **1. What information helped you to better understand the nature and extent of the problem? For example, what conditions preceded or accompanied the problem? What were the consequences of the problem?**

There was a large number of people who were able to provide insight into the problem. I talked to neighbors who had known Sandy all his life and those who didn't really know him but simply observed his actions. Sandy's father and his attorney were also very willing to discuss the problems and give their perspective. Sandy himself offered a great deal of information going so far as to tell me his life story and show me documents he had written about the troubles life brought to him and how he dealt with them.

### **2. How often (frequently) did the problem occur?**

A computer check of calls for service was run on Sandy's residence. Though there was no consistent pattern of days where activity occurred, it did show a significant number of repeat calls. The first nine months of 1997 were examined since they were the most recent. There was only one month that showed no activity. Aside from this one month, there was consistent activity present. The police were requested as many as 13 times in a single month to deal solely with Sandy.

### **3. For how long has this been a problem?**

Neighbors identified problems with Sandy as having lasted for more than a decade.

### **4. What was the duration of each occurrence of the problem?**

The problem was ongoing, however, there was no standard for length of each occurrence.

### **5. What harms resulted from the problem?**

Neighbors suffered from a diminished sense of peace and general welfare, it was their quality of life that was impacted the most. Sandy primarily engaged in nuisance behavior but his actions frightened and intimidated people. He was a large man whose stature was imposing. He spoke loudly and oftentimes his tone could be considered hostile. The bonfires he made in the back yard presented an immediate fire hazard and threatened the homes that lined the canyon.

The impact on the police was an inordinate amount of time spent on repeat calls and out of service time. In 1997, SDPD spent 137 hours out of service on calls relating to Sandy. In the same time period, only 43 hours were spent on calls for the remainder of the entire block where

his house was located. In one instance, several years back, a SWAT mission was called on Sandy's residence. In the end, Sandy was taken into custody. However, during the incident, his dog was shot by police. This created in Sandy a great deal of anger and mistrust towards the police.

**6. Assets: What resources were available to help solve the problem?**

Several resources were available and were used to examine the extent of the problem, gain insight into Sandy and why he acted as he did, and eventually to formulate a plan to deal with him. There were the obvious criminal justice agencies such as the courts, the city attorney, and the probation department. I also utilized the departments PERT team. PERT (Psychological Emergency Response Team) is a program that couples a patrol officer with a mental health professional. It allows us access to the mental health community and their resources. Using them gave us the ability to evaluate and deal with the psychological concerns that Sandy presented. Project "Safe Streets Now" was researched to consider civil remedies against Sandy and his father for failure to refrain or control the disruptive activity. Treatment programs through the Veterans Hospital as well as non-government programs were also considered.

**7. Existing Procedures: What procedures or legislation existed to help address this problem?**

The PERT team was available to deal with Sandy if we were called in response to psychological issues. However, his behavior was the result of alcohol use and so in this case, their ability to help was restricted to voluntary compliance since he did not meet the criteria for police admission for mental health care. He was not an articulable, immediate threat to the safety of himself or others and he was not gravely disabled. He also did not meet the criteria for conservatorship.

The other options that were available were penal code violations that addressed his behavior such as *Drunk in Public* and *Disturbing the Peace*. Though these were minor misdemeanors, they afforded us some leverage if enforced consistently.

**8. In what way were citizens involved in the analysis of the problem?**

During the first meeting, citizens were encouraged to bring up ideas or solutions that they felt might help the problem. During a second meeting, Sandy's father and his attorney also came to attempt to find a solution to the problem. Since everyone's quality of life was effected by this problem, everyone's insight was considered important in trying to find a resolution.

## Response Formulation Menu

### 1. What was your response?

The response was broken into two phases, the first being an attempt to gain voluntary compliance from Sandy. In order for this problem to be resolved, Sandy needed to cease those behaviors that created distress in the neighborhood. If he volunteered to do this there would be no further need for police response. He was to stop doing the uncontrolled fires on the canyon rim and contain his fires, which he believed were "ceremonial", to an approved container that allowed for safe burning of small amounts of material. This allowed him to maintain his ability to practice what he felt was his religious right while preserving the safety of the canyon residents. The second thing he was to do was seek treatment for his drinking. An evaluation by the PERT staff was also offered. Non-compliance with this first phase would result in the use of the second phase of the response plan.

The second phase of the response plan was developed to deal with Sandy in a situation where he was unwilling or unable to comply voluntarily. Neighbors were advised to call and instructed about their rights in relation to a citizen's arrest for *Disturbing the Peace* if Sandy failed to maintain a lifestyle that was peaceful. A posture of strict enforcement for all violations was taken. The City Attorney's Office was contacted and a single prosecutor was assigned to deal with all cases involving Sandy. (The prosecutor had drug prosecution experience and was familiar with substance abusers. Therefore, in the event of criminal prosecution, she could arrange sentencing and probation conditions that required Sandy to seek treatment or go to jail.)

### 2. What were you intending to accomplish with your response plan?

The goal of the response was to hold Sandy accountable for his actions while providing him opportunity for help. The neighbors might have never grown to like him but if he were not acting out there would be no significant problem. It was recognized that many of Sandy's problems were likely the result of an addiction and various psychological issues so all phases of the response plan allowed for treatment options to help him through any of these personal issues. However, if he was unwilling to seek help, there had to be consequences that either motivated him to get help or deal with him if he refused. (In this case, the goal was to reduce the number of repeat calls and out of service time while reducing the number of times the neighbors would be disturbed.)

### 3. Preparation: What was or should have been done before you implemented your response plan?

Since this was a long term, ongoing problem, dealing with it was considered to be a process. The use of options or research into new options remained ongoing as the problem was dealt with. This allowed for a great deal of flexibility.

**4. What difficulties were encountered during the response implementation?**

On the public's end, there was difficulty in dealing with the thought that Sandy would not just "disappear" and the problem would be over. They were tired of the situation and didn't always like the options that were available. On the police department's end, the only real difficulty was getting officers to deal with Sandy in a consistent manner. If officers were called to a disturbance, there were a couple instances where they failed to take enforcement action because they were unaware of the response plan that had been developed.

**5. What resources were available to help solve the problem?**

The same resources as those identified in the *Analysis Phase*.

**6. How were citizens involved in the response to the problem?**

The neighbors were the gauge for what was disruptive since it was their quality of life that was affected. They were instructed on how to call and how to follow through with a *Disturbing the Peace* complaint.

They were the ones who defined when Sandy's behavior was a problem.

## Evaluation Menu

### **1. Were there problems implementing the response plan as intended?**

Yes. Northern is a large division and there are a number of officers working the different shifts. Getting them familiar with the response plan to deal with Sandy was recognized as an effort that would take time. It was also understood that this was not a problem that might just "go away" and that it may always be present.

### **2. What were the results? What response goals were accomplished and what impact did the response have on the problem?**

The results in this case were significant. The impact it had on the community was that it gave them an increased sense of ownership in their ability to deal with neighborhood problems. It let them know that there were alternatives to living in an uncomfortable situation and that they were not powerless to deal with it. It also forged a partnership with the police and let the residents know that their concerns were important. In the beginning, residents were concerned that police were apathetic towards their situation and thus it had been allowed to continue. In the end, this view had changed.

The response phase developed a structure to deal with subsequent problems. Though voluntary compliance was not met as was first attempted, when problems arise they are now dealt with in a more consistent manner. The City Attorney continues to be involved in the maintenance of this problem. Strict conditions have been defined to monitor Sandy's probation, continued problems will be considered a violation of that probation. Admission into a treatment program was also ordered. The response has also showed Sandy that he will face consequences for any adverse actions that disrupt his neighborhood.

If Sandy goes for treatment and his behavior becomes better, this problem is solved. If he does not, the number of times the police will have to deal with him will be limited to those times he is not in jail due to his unwillingness to comply. The desired effect of forcing him to deal with the consequences of his actions is to make it more desirable for him to get help than it is for him to not.

This project has now become a matter that involves limited police service. The average number of calls to Sandy's home has gone from 4 to 1 per month. The days of a dozen or more repeat calls in a given month are gone and the resulting out of service time is minimized.

### **3. How did you measure your results? *Please explain***

The results continue to be routinely measured by comparing statistical analysis of what was occurring before to what is occurring now. In addition to that it is based on personal

observations.

**4. For what length of time was the response effort evaluated?**

The evaluation is ongoing. Officers on each of the watches have been briefed on what has been done and what the long term plan is. When they respond, they temper their actions to be consistent with this goal.

**5. What might you have done to increase the effectiveness of the response plan?**

An entry into the officer notification system of the mobile data terminals in our police cars may have eliminated those couple instances where officers responded to Sandy's residence and were not aware of the objectives that had been set.

**6. Will your response require an on-going effort to maintain your results? *Please explain***

Yes. This will be accomplished by continued contact with Sandy, his father, his attorney, the neighbors involved, and the City Attorney. The amount of time that needs to be spent doing this is minimal and can be incorporated into the daily activities of a patrol officer.

**7. How are you going to continue monitoring the problem and the effectiveness of your response in the future? *Please explain***

The structure that was designed to deal with Sandy will automatically monitor the situation. If he engages in problem behavior he will be arrested. The case will be sent to the City Attorney who will contact me.

**8. How are citizens involved in the evaluation process?**

Citizens maintain contact numbers for myself and the City Attorney. There is a police storefront and city service center located near the neighborhood. The service center has a meeting room and the neighbors plan continued meetings there to stay on top of this. They continue to look for options they can employ to make things even better.