

## **10222 Port Royale Cove**

A joint project by:

Sgt. Scott Brown, SDPD  
Officer Joseph Sam, SDPD  
Deputy City Attorney Yolanda Gammill  
Neighborhood Code Compliance Investigator Glen Spindell

# 10222 Port Royale Cove

## **PROJECTSUMMARY**

On April 2, 2000, Glenn Spindell, a City of San Diego Code Compliance Investigator, received a complaint from a resident who lived near 10222 Port Royale Cove. The investigation revealed huge amounts of trash piled in the yard of a home on a quiet, residential street of single-family homes. The home was a visual blight on the neighborhood.

The owner of 10222 Port Royale Cove refused to comply with several notices to clean his property. Spindell met with Sergeant Scott Brown and Officer Joseph Sam, who were both assigned to patrol. As Brown, Sam and Spindell looked further into the problems they discovered drug use, the theft of utilities and services, and hazardous materials.

Brown, Sam and Spindell coordinated their efforts with Deputy City Attorney Yolanda Gammill, a community prosecutor assigned to code compliance. There followed an eight-month effort that involved many agencies, community and private resources. The efforts of those involved resulted in several arrests and the complete resolution to the problem.

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COMMUNITY OF MIRA MESA, SAN DIEGO

Mira Mesa is a community in the City of San Diego. It was established as a suburban neighborhood in the 1970's. Comprised of single family and multifamily dwellings, this neighborhood appears to be a well planned, lower middle-income community. Mira Mesa has approximately 72,000 citizens, with 30% under the age of 19 years.

10222 PORT ROYALE COVE

Port Royale Cove is a residential street near the center of Mira Mesa. The houses are single occupant, detached homes that are predominately owner occupied. 10222 Port Royale Cove was owned and occupied by Keith Kero.

SCANNING

In April 2000 a neighbor complained about trash and abandoned cars at Kero's residence. That complaint was forwarded to Code Compliance. Over the next four months the problems at Kero's residence increased. His collection of scavenged possessions increased and his house and land took on the appearance of a junkyard. There were huge piles of trash-such as discarded computer parts-in the back, side and front yards. Kero also stored several broken down cars and a motor home on his property, and parked a tow truck in front of his house. Kero also worked on his vehicle during late night and early morning hours. The noise from the car was so frequent and loud, that a neighbor began tape recording the noise.

The severity of the problem increased when it was discovered that Kero was burning computer components in his fireplace on a daily basis. The burned components created a toxic smoke that poured daily from the chimney and endangered the neighborhood. The Fire Department was called on several occasions to evaluate the health hazards.

Several neighbors filed code violation complaints over a few months period. Most of these complaints were funneled to Neighborhood Code Compliance Land Development Investigator Glenn Spindell. Spindell notified Kero of the complaints and that he was in violation of several laws. This ended up being a long process that in the beginning was without any "teeth".

Kero began having more visitors who stayed for various lengths of time. The activity was consistent with drug trafficking and caused additional fear among the neighbors. Sgt. Scott Brown and his patrol squad were working on various community projects that involved code compliance issues. In a meeting with Spindell, Sgt. Brown and Officer Joseph Sam learned about the problems at Kero's house. The officers began to work with.

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Spindell because of the number of complaints that had been filed and the possibility of illegal drugs being used or sold at the residence.

Brown and Sam researched the history of problems at the address and started to identify reasons why the problems were continuing. In doing so, they created a list of potential resources that included Code Compliance, Narcotics Section, the Fire Department's Hazardous Materials Unit, a local real estate company, the officers who patrolled the area, and other residents. As they continued learning about the problem, they expanded this list greatly to include the City Attorney's Office, Vehicle Abatement and many others.

### **ANALYSIS**

Officer Sam talked to Kero inside his home. Sam learned that Kero was an unemployed engineer who lost his job and his family due to his addiction to methamphetamine. Kero earned money by scavenging at night. He found old computers behind business and sold the components. He burned the parts that he was unable to sell in his fireplace. Kero refused any help with his drug addiction.

Sgt. Brown and Officer Sam engaged other patrol officers to help them investigate Kero. Officers talked to people who visited Kero's house and they ran license plates for the registered owner's information. The officers also checked the criminal history of Kero and that of his visitors. In all, officers identified over 30 vehicles and visitors to Kero's house. Records checks revealed that virtually every visitor had some past criminal activity related to illegal drugs.

Kero scavenged junk on a nightly basis, and in addition to selling computer components, he received money from different recycling companies. His main source of income came from International Metals Ecko. With a methamphetamine addiction and mounting bills, Kero brought in a roommate by the name of Billy Hughes. Hughes supplied methamphetamine to Kero for free rent. Methamphetamine was also being dealt out of the house in an attempt to support their habits and pay the rent.

Brown and Sam walked door to door in the neighborhood. They learned that neighbors were extremely concerned about Kero's activities. Many neighbors said their property values had decreased significantly. People were concerned about their health. They were also concerned that Kero or his friends might have been responsible for recent property thefts in the neighborhood.

Brown and Sam wanted to learn as much as possible about Kero's property and how Kero was paying his mortgage and other bills. They contacted a local real estate company and a mortgage company, They learned which company held the deed to Kero's house and discovered that Kero was over \$20,000 behind in his payments. The officers contacted the County Tax Assessor and determined that Kero had not paid his property tax in over two years. While discussing the case with the tax assessor, they

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learned that Kero's failure to pay property tax was not cause to seize his home. The county would simply put a lien on the property and recoup the taxes upon the sale of the home.

During his investigation, Sam learned that Hughes was stealing cable signals from outside the house. In addition, Kero had removed a lock from his water main placed there by the water department for failure to pay. Kero had also tapped into the ground circuit and was stealing electricity from San Diego Gas and Electric.

Sam contacted the Crime Analysis Section and researched the calls for service, arrests, field interviews, pawned property and other information about activities that were associated with Kero's address. They also contacted San Diego Gas and Electric and learned that Kero's power had been turned off. Since Kero had power in his residence, Sam worked with SDG&G to prepare a theft of energy case. In conducting their research, Sam also contacted the Metropolitan Water District, Time Warner Cable Company, County Welfare and the Drug Abatement Team.

Officer Sam involved several residents in documenting some of the problems. They took daily photographs of Kero's property and continued to record the loud muffler of Kero's car.

### **RESPONSE**

Sgt. Brown and Officer Sam decided their initial goals for the project. The goals were to stop the illegal burning immediately; remove all of the junk and clean up the property; completely stop the usage and sales of narcotics from the residence; and, get Kero to comply or forfeit the property (move). If Kero would not comply or sell his home, they planned to work with the community to sue Kero in Small Claims Court.

Deputy City Attorney Yolanda Gammil became involved. She worked with the Zoning Department, Spindell, Brown and Sam to prepare a case against Kero.

Code enforcement issued warnings, first verbally, then by letter. Spindell and Sam conducted three follow-up inspections. When the violations went uncorrected, Sam obtained a search warrant for energy theft and narcotics. Brown and Sam served the warrant. There was a provision in the warrant to include Time Warner Cable, the water department and San Diego Gas and Electric. The warrant resulted in evidence of narcotic use, water theft, energy theft and cable theft.

Gammil coordinated all of the paperwork with the help of Sam. She prepared four separate cases for prosecution and filed charges against Kero for 44 counts, including violation of code compliance laws, theft of energy and being under the influence of a controlled substance. The casebook was almost 12 inches high. The prosecution was a very long process and the neighbors got frustrated with Kero's disregard for the law. Kero also had no money to clean up his property or pay fines.

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Vehicle Abatement successfully processed and removed three abandoned cars and a motor home from Kero's property. Officers were able to enforce the removal of the tow truck because it was over 10,000 pounds and by law, could not be stored on a residential street.

Patrol Officers arrested several people who frequented Kero's home for being under the influence of narcotics, for theft and for warrants. Also, while in front of Kero's house, Hughes was arrested for possession of methamphetamine for sales and transporting methamphetamine. Hughes was using the tow truck to transport the illegal drugs.

The mortgage company holding the deed to Kero's residence started foreclosure proceedings against Kero. The company kept Brown informed on the status of the process on a weekly basis. The mortgage company then sold the deed to another company prior to the foreclosure. The second company decided to try to work with Kero.

Brown and Sam decided to hold a community meeting in the street in front of Kero's house. They wanted to address the communities' concerns about the status of the project. They also hoped to put pressure on Kero. Sam and Brown passed out flyers one week before the meeting to 25 houses on both sides of Kero's residence. On the day of the meeting they used Retired Senior Volunteered Patrol members to hand out flyers reminding people of the meeting.

The meeting was held at night and they obtained outdoor lighting from SDPD Building Maintenance. 42 residents attended the meeting. Residents' fears and concerns were recognized. Sgt. Brown and Officer Sam informed the group of the status of the project. The police storefront provided crime prevention information on home, car and personal safety. Safe Streets Now prepared the 42 residents to go to court if the foreclosure fell through.

### ASSESSMENT

Kero was offered money to get out of his house by a realtor. Kero accepted the offer. The house was completely renovated by the new owner. She is not sure whether she will sell the house or rent it out. The agent is fully aware of the past problems and will work with the neighbors if it becomes a rental.

Per the Crime Analysis report, as of December 1, 2000, there have been no more calls for service to the address. There were 46 total calls for service over a two-year period.

Neighbors recognized the police and others with letters of appreciation and thanks. Code Enforcement and the City Attorney's Office were ecstatic on the partnership and invited the police to future partnerships meetings. Utility officials were appreciative of the info provided by the Police and neighbors. Photos of the before and after tell the entire story. Several news channels covered the story and were present during the search warrant. The

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Union Tribune is following up on the project and reported Joe Hughes is currently writing an article to publicize the community policing and problem solving effort.

If all of the aforementioned response were not to have worked, the 42 people who attended the community meeting were prepared to take Kero to Small Claims Court with Safe Streets Now. Officer Sam had the names and addresses of all of the potential plaintiffs. In addition, Sam kept a large 3-inch binder documenting the problems.

As a result of contacting suspects at Kero's house, officers discovered drugs being sold at a nearby home at 10224 Empress Street. Officers made arrests at that address and caused the eviction of the tenants.

Kero plead guilty to 5 counts of code violations and received 3 years probation. He was also convicted of being under the influence of narcotics, Theft of a SDG&E sub-meter. He received 5 years probation and was fined a total of \$6000. Kero told Officer Sam that he was tired of living as he was and wanted to turn his life around. In addition to the above penalties, Kero was ordered to undergo drug abuse treatment.

Billy Hughes pled guilty to possession of methamphetamine and received 5 years probation and was placed on a 4<sup>h</sup> waiver.

#### **DIFFICULTIES EXPERIENCED:**

- There were very few "teeth" in the code compliance process to do away with code violations, such as trash in the yard. Even Spindell was frustrated and asked for Police assistance.
- Most of the people arrested were first time offenders. None of the suspects spent very much time in jail. Kern was arrested so many times that they kept pushing back his court date to add on the new charges.
- The tow company that employed Billy Hughes was a police contract company. They hired Hughes back even after he was driving on a suspended license, got the company truck towed, and was arrested for possession and transportation of narcotics. Sgt. Brown and Officer Sam had to sit down with the owner in a special meeting to convince him of the applicable municipal codes and the policelcity contract agreement. Hughes was fired the next day.
- The City Attorney's Office was not informed of the scope of this problem in the initial stages of the project. Meetings were scheduled with Deputy City Attorney Yolanda Gammill, Code Enforcement Investigator Glenn Spindell and Officer Sam to coordinate the entire effort. Communication between agencies was the biggest problem and the meeting resolved those issues.

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- SDG&E erred a couple of times. First in Kero's illegal tap and then digging up his front yard to plant a sub-meter. They left the meter in too long and Kero stole it. In the crime case, they gave the wrong dollar value on the meter unit.
- Kero's property went in and out of foreclosure. The mortgage loan on the house was sold twice. Each time we had to start over on the target date for Kero's removal. This cost everyone about 3-4 months delay.
- + Officer Sam and Sergeant Brown were assigned to patrol during this project. They adjusted their hours on their own accord on occasion to meet with other participants. There was no special incentive or time allowed for this project.

**PROJECT CONTACT PERSON:**

Dan Christman  
Lieutenant, San Diego Police Department  
13396 Salmon River Road  
San Diego, CA 92129  
Bus. PHm (858) 538-8059  
Fax (858) 538-8054  
E-mail: d3c@pd.sannet.gov



San Diego Police Department  
Northeastern Division  
Capt. Harold Cox  
13396 Salmon River Road  
San Diego, CA 92129

November 14, 2000

Subject: Sergeant Scott Brown, Northeastern Division

Dear Capt. Cox,

I wanted to write and commend Sgt. Scott Brown, Officer Sam, and the San Diego Police Department for their excellent work.

For several months a neighbor in Mira Mesa on Port Royale Cove had been a public nuisance with numerous code violations, illegal toxic burning in his fireplace. theft of utilities. and suspected drug involvement.

It wasn't until Sgt. Brown took on this investigation that the cleanup process started. A neighborhood meeting was held by Sgt. Brown informing the neighborhood of the progress on this case and our rights and options as caring neighbors. His hard work and efforts with the San Diego Police, the City of San Diego Code Violations Dept., and the Utilities Companies finally brought this problem to a halt.

I know I speak for the entire neighborhood when I express how grateful we all are to Sgt. Brown and the San Diego Police Dept. for their efficient and successful efforts in restoring the neighborhood.

My Sincerely Thanks,

Priscilla Borders  
7877 Port Royale Drive  
San Diego, CA 92126

CC: Police Chief, David Bejarano  
Sgt. Scott Brown

10222 PortRoyaleCv

ARJIS Activity from 9/1/2000 - mid-April 2001

People **Involvd:**  
 KERO, Keith WIM110-13-1960  
 HUGHES, Billie W/M13-19-1956  
 HUGHES, Eric WIM18-10-1981  
 SABERON, Nancy Lynne WIF16-17-1963  
 DUTCHER, Elsa HI F/8 11-1954  
 HANDY, Lisa WIF14-16-1982  
 TANGEN, Mark WIM15-2-1957

Calls for **Service** (see attached sheet for details)  
 Sep- 15 calls, including 5 for 415/415N  
 Oct- 10 calls, including a report for 417 and an arrest  
 Nov- 7 calls, including an arrest for 459 and a warrant  
 Dec- only one call (for a citizen contact)  
 Jan- only one call (for meeting an officer)  
 Feb- only one call (for POP)  
 Mar- no calls

Date	Activity	Charge	Who	Remarks/Additional Information	
10/08/2000	Arrest	11550(A)	SABERON		
10/18/2000	FI	DRUGS	HUGHES, B.	companion Eric HUGHES. Contacted while checking welfare of roommate	1987 blue 4D Ford Taurus CAI2EIK461
10/22/2000	FI	11550(A), 459	TANGEN	seen with Keith [KERO] at the home of POP project known for drug activity, I arrested 2 people from the home	
10/23/2000	FI	DRUGS	HUGHES, B.	"S" TT stake thru heart w/ Heidi, r/c of resid's burning items in hse, priors for narc	
10/23/2000	FI	DRUGS	KERO	r/c of resid burning items in hse, priors for narc	
10/31/2000	Crime Case	245A1	HUGHES, B.	victim KERO, Keith	
11/06/2000	Arrest	487	KERO	companion HUGHES, Billie	
11/11/2000	FI	11377(A), 11550(A)	HUGHES, B.	tat heart w/ stake going thru it Heidi, 4th waiver for possible POP project (Sgt Brown). Companion DUTCHER, Elsa	
11/11/2000	FI	11550(A)	HANDY	seen with Eric [HUGHES] who lives at known drug house	1993 red 2D Geo Metro CAI4ALX059
11/17/2000	Arrest	11550(A)	KERO	companion SABERON, Nancy Lynne	W/F/6-17-1963
11/19/2000	FI	11550(A), 415	DUTCHER	DV/received call to investigate 459A/subject was at home of KERO, a known narc house. Companion KERO	1988 Dodge Ram van CN3S64947
01/12/2001	FI	459, 487	HUGHES, E.	10-87'd code compliance/subject loitering by this vacant house waiting for mail/used to live here	1987 blue 4D Ford Taurus CAI2EIK461

# CALLS FOR POLICE SERVICE

10222 PORT ROYALE Cove  
0110112000 - 03131/2001

Sorted by:  
CRIME TYPE

Out of  
Service  
Time per  
officer  
(OST)

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Incident #	Date	Time	Location Info	Type	Dis	Beat	Reporting Party	OST
P00100016489	10/08/00	08:51	10222 PORT ROYALE CV	1016	Arrest	242		7.58
P00090058931	09/25/00	14:07	10222 PORT ROYALE CV	1087	No Report	242		0.37
P01010024865	01/12/01	12:24	10222 PORT ROYALE CV	1087	No Report	242		0.60
P00070030397	07/13/00	18:21	10222 PORT ROYALE CV	1150	No Report	242		0.29
P00070008905	07/04/00	17:51	10222 PORT ROYALE CV	1151	No Report	242		0.35
P00090056467	09/24/00	10:06	10222 PORT ROYALE CV	1151	Other	242		0.26
P00100043619	10/20/00	14:40	10222 PORT ROYALE CV	1151	No Report	242		0.05
P00110026069	11/12/00	13:05	10222 PORT ROYALE CV	1155	No Report	242	((MS COMPLAINT ANT #8))	2.65
P00090020221	09/09/00	02:31	10222 PORT ROYALE CV	415	No Report	242	BILL HUGHES	1.09
P00090030834	09/13/00	17:06	10222 PORT ROYALE CV	415	No Report	242	BILL HUGHES	0.13
P00090032567	09/14/00	11:55	10222 PORT ROYALE CV	415	No Report	242	BILL HUGHES	1.03
P00090033042	09/14/00	15:36	10222 PORT ROYALE CV	415	Other	242	BILL HUGHES,	1.56
P00110024250	11/11/00	16:21	10222 PORT ROYALE CV	415	Other	242	KEITH KERO	1.83
P00050059598	05/26/00	21:44	10222 PORT ROYALE CV	415N	No Report	242	ERIK ALLAED	0.58
P00060004658	06/02/00	22:00	10222 PORT ROYALE CV	415N	No Report	242	ERIC ALLRED	0.43
P00090006688	09/03/00	19:02	10222 PORT	415N	Other	242	ALLRED,ERI C	2.78

**CALLS FOR POLICE SERVICE**

10222 PORT ROYALE Cove  
01101/2000 -0313112001

Sorted by:  
**CRIME TYPE**

Out of  
Service  
Time per  
officer  
(OST)

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Case ID	Date	Time	Location	Code	Report	Officer	OST
P00100039768	10/18/00	19:58	ROYALE CV 10222 PORT ROYALE CV	415N	No Report	242 TOM CONTI	0.66
P00100068535	10/31/00	15:56	10222 PORT ROYALE CV	417R	Report	242 KEITH KERO	5.40
P00110013082	11/06/00	19:29	10222 PORT ROYALE CV	459C	No Report	242 TOM CONTI	2.35
P00110036939	11/17/00	10:25	10222 PORT ROYALE CV	459R	Arrest	242 KEITH KERO	6.03
P00110001476	11/01/00	16:10	10222 PORT ROYALE CV	488R	No Report	242 KEITH KERO	0.00
P00080010945	08/05/00	13:03	10222 PORT ROYALE CV	496	No Report	242 TUCKERMAN, MR	1.56
P00090038406	09/16/00	16:37	10222 PORT ROYALE CV	CC	Arrest	242	1.00
P00090054439	09/23/00	13:13	10222 PORT ROYALE CV	CC	No Report	242	0.78
P00090056711	09/24/00	12:53	10222 PORT ROYALE CV	CC	No Report	242	0.25
P00090056831	09/24/00	14:25	10222 PORT ROYALE CV	CC	No Report	242	0.93
P00120031073	12/15/00	11:28	10222 PORT ROYALE CV	CO	No Report	242 PATRICIA KERN	2.27
P00070030569	07/13/00	19:55	10222 PORT ROYALE CV	CCF	No Report	242 KEITH KERO	1.57
P00060013306	06/06/00	14:51	10222 PORT ROYALE CV	CITE	Other	242	0.25
P00100038650	10/18/00	10:41	10222 PORT ROYALE CV	CW	Other	242	4.77
P00080056230	08/24/00	16:54	10222 PORT ROYALE CV	FU	No Report	242	0.92
P00100001139	10/01/00	14:30	10222 PORT ROYALE CV	FU	Other	242	2.79

**CALLS FOR POLICE SERVICE**

**10222 PORT ROYALE Cove  
01/01/2000 -0313112001**

**Sorted by:  
CRIME TYPE**

**Out of  
Service  
Time per  
officer  
(OST)**

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P00100022702	10/11/00	08:28	CV 10222 PORT ROYALE	FU	No Report	242		2.07
P00100049165	10/23/00	01:01	CV 10222 PORT ROYALE	HZRD	Other	242	(ANNON) NEIGHBORH OOD	2.10
P00100025887	10/12/00	17:41	CV 10222 PORT ROYALE	MTG	No Report	242		5.07
P00090016132	09/07/00	16:22	CV 10222 PORT ROYALE	POP	Other	242		0.41
P00090037829	09/16/00	11:25	CV 10222 PORT ROYALE	POP	Other	242		2.71
P00090067981	09/29/00	10:44	CV 10222 PORT ROYALE	POP	Other	242		1.53
P00090068137	09/29/00	12:16	CV 10222 PORT ROYALE	POP	Other	242		2.47
P00100002785	10/02/00	10:33	CV 10222 PORT ROYALE	POP	Other	242		0.69
P01020051619	02/23/01	23:09	CV 10222 PORT ROYALE	POP	No Report	242		0.56
P00110005349	11/03/00	11:48	CV 10222 PORT ROYALE COVE	REPORT	W	242		
P00110028388	11/13/00	14:21	CV 10222 PORT ROYALE	SELENF	No Report	242		0.36
P00110011582	11/06/00	06:09	CV 10222 PORT ROYALE	WARRAN T	Report	242		28.20
Total Incidents = <b>44.00</b>								<b>99.26</b>

"\* Prior to May  
1995, OST  
may be under-  
reported when  
units are  
preempted  
from an  
incident.