

May 17, 2004

To the Herman Goldstein Award Selection Committee

I am pleased to nominate the Charlotte-Mecklenburg Police Department's Lake Norman Sandbar Project for the 2004 Herman Goldstein Award.

This is a unique project for an urban police department as it involves a community problem on a lake. Our department has a Lakes Enforcement Unit which is responsible for the patrol of three lakes within our jurisdiction. The Sandbar Project involves the analysis of a disorder problem and a response that centered on establishing meaningful communication among all the stakeholders. The project also caused the Lakes Enforcement Unit to examine its mission and to embrace the community policing philosophy.

I appreciate your consideration of this project for the Herman Goldstein Award.

Sincerely,

Darrel W. Stephens
Chief of Police

The Lake Norman Sandbar Executive Summary

Scanning:

- Rafters tie boats together and socialize on weekends at a sandbar near the shore of the Shearwater Point community on Lake Norman
- Residents complain of noise, nudity, littering, and safety concerns
- Complaints that Lakes Enforcement Unit is not responsive

Analysis:

- History of problems at sandbar; Shearwater Point residents had paid to have it dredged in 1996 but it reformed
- Rafting ordinance had not been enforced; differences in enforcement for other offenses on water
- None of the stakeholders-Shearwater point residents, rafters, Lake Norman Marine Commission and Police, were talking to one another
- Lakes Enforcement Unit had safety and preventive patrol mission; had not embraced community-problem oriented policing

Response:

- Lakes Enforcement Officer establishes relationship with Shearwater Point residents, rafters, and Lake Norman Marine Commission; gets all stakeholders talking to each other
- Additional training for Lakes Enforcement Unit

- Adoption of community policing philosophy
- Active police presence around sandbar; enforcement combined with education

Assessment:

- Strong communication network among all stakeholders
- Rafters do not congregate at sandbar every weekend
- Complaints from Shearwater point residents have shown a significant decline
- Survey of residents indicates enhanced satisfaction with police and groundwork for better relationship
- Lakes Enforcement Unit now applies community problem oriented policing to issues on the lakes

The Lake Norman Sandbar

Scanning

For residents of the Shearwater Point community on Lake Norman, the American dream of a home on the lake, complete with a boat and private dock, was rapidly becoming a nightmare. Shearwater Point is a community of 50 to 60 homes, most in the half million to million dollar range. About 25 of the homes are actually on the waterfront. Since the summer of 2000, the Charlotte-Mecklenburg Police Department's Lakes Enforcement Unit had been receiving an increased number of complaints from Shearwater Point residents regarding a practice known locally as rafting. Rafting occurs when local boaters gather on weekends and lash their boats together to socialize. The area they chose to do that is known as "The Sandbar". The Sandbar is an uninhabited cove at the end of the Shearwater Point community where there is no wake action from the main channel of Lake Norman. The water is smoother and the spit is comprised of sand instead of red clay, which means that boats that tie up to it are not damaged. Despite the sheltered location, the cove is still open to sunshine.

Over the years, the Sandbar evolved as the party spot for that area of Lake Norman. As the practice grew, those homeowners whose properties are adjacent to the sandbar became increasingly weary of the noise, alcohol, nudity, littering, and high traffic that was causing both safety and significant quality of life issues for the Shearwater Point community. Complaints about this activity began to increase in the summer of 2000. Virtually every summer weekend, answering machines for the Lakes Enforcement Unit would be filled with messages from irate homeowners. Lakes officers on routine patrol

would frequently be confronted by local residents or boaters expressing their discontent with the lack of effective enforcement action of the part of the police. The Lake Norman Marine Commission, an advisory body for lake issues, received an equal number of complaints and simply redirected those complaints back to police. The local media had picked up on the problems associated with the sandbar which was characterized as “a party out of control”.

For the Charlotte-Mecklenburg Police Department, the problems associated with the Sandbar created a unique set of challenges. Unlike most urban police agencies, this department is responsible for enforcement activities on three lakes, all of which require sharing jurisdiction with law enforcement agencies in other counties that border the lakes. Lake enforcement also requires unique training for the officers assigned to the unit. They must understand the navigational aspects of the lakes, the laws and regulations regarding boating safety and BWI (Boating While Impaired), and lake evacuation procedures. Dealing with the Sandbar would require a different type of response since the offenses associated with the Sandbar occurred on water.

It was clear that the Sandbar was becoming a major problem for the Lakes Enforcement Unit but it required a deeper analysis to understand the issues and determine how to most effectively respond to them.

Analysis

In the summer of 2002, Officer Beverly (Deedee) Ashley, a member of the Lakes Enforcement Unit, was assigned to work on the sandbar issue as a problem solving project. Sgt. Tom Burnette, a strong proponent of the community problem oriented policing philosophy, had taken command of the Lakes Enforcement Unit and felt that the sandbar was an issue that would lend itself to a long-term solution as opposed to enforcement tactics that addressed the problem one weekend at a time.

Officer Ashley began her analysis by researching the history of the sandbar and its accompanying problems. She began questioning her fellow officers and residents and business owners in the area. She found that social activities at the Sandbar had been going on since the early 1970's. As development soared around the lake, more expensive homes were built in the area and more people used the lake as a major recreational resource. By 2003, there were 56,000 registered boats in the four counties that surround Lake Norman.

By 1996, residents of the Shearwater Point community were so weary of the problems associated with the Sandbar that the homeowner's association had paid \$10,000 to have the sandbar dredged in hopes that would alleviate the problem. However, nature took a different course and, by 2002-2003, the tidal action under the lake had caused the sandbar to rebuild.

At the height of the problem with the Sandbar, there would be more than 200 boats crowded into the cove during the weekend. The boats would face inward toward the shoreline, which was no more than 10 feet from the end of the Sandbar. Many of the boaters would have stereo systems on the boats turned up to a high decibel level. There was a wide variety of music being played and Shearwater Point residents would find themselves held hostage to the music wars. Even those residents whose homes were not on the shore were disturbed by the noise because of the way that the sound carried across the water. Much of the partying associated with the Sandbar was fueled by alcohol, creating additional disruptive behavior and increasing residents' concerns about their safety and quality of life. Some of the rafters also decided that nude sunbathing would enhance their experience. This caused concerns for the homeowners on the shoreline, especially those who had young children who could clearly see this from their yards. At the end of these weekends, the sandbar was covered with litter, including beer and soda cans, plastic bottles, cigarette packs, and potato chip bags.

Officer Ashley conducted an Internet search to see if any other law enforcement agencies were confronted with a similar problem. She found no parallels to the Sandbar and only one remotely similar situation in Lake Havasu, Arizona where there are problems on a lake once a year during Memorial Day weekend.

Officer Ashley began researching all of the laws, ordinances, and regulations that were applicable to Lake Norman. She found that the Lake Norman Marine Commission had passed an ordinance regulating rafting on the lake. The ordinance defined rafting as

“anchoring, mooring, tying, fastening, linking or joining of any combination of six or more vessels in close proximity to one another.” In light of the repeated problems at the Sandbar, the Commission had written in a specific exception prohibiting the rafting of more than two boats unless they were 300 yards from the main shoreline.

In researching why the ordinance had not been enforced, Officer Ashley found that one of the problems had been trying to determine exactly where 300 feet from the shoreline was located. In 2001, the Lake Norman Marine Commission had installed can buoys to mark the 300 foot point. Those buoys proved to be insufficient as boaters would tie up to them and move them, making it impossible to accurately identify when a boat was in violation of the 300 foot prohibition. In 2002, the Marine Commission installed fixed metal signs to mark the 300 foot point. The signs state that there is to be no rafting beyond the point where the signs are located and that violators are subject to a maximum fine of \$500. The signs further state that it is a violation of North Carolina law for a boat to tie up to a marker or buoy.

Officer Ashley attempted to collect and analyze the calls for service data from the department’s computer aided dispatch system. In doing so, she found that most of the calls for service from Shearwater Point come into the Cornelius Police Department. Cornelius is a small incorporated town within Mecklenburg County; its officers respond to calls for service within Shearwater Point. They call the Charlotte-Mecklenburg Police Department if a call requires a direct response by water since Cornelius Police are not allowed to take enforcement action on the lake. The dual enforcement was undoubtedly

a cause of confusion for the Shearwater Point residents and was one part of what Officer Ashley was identifying as a major communications gap between all parties involved.

Officer Ashley realized that none of the stakeholders were engaged in a constructive dialogue regarding the problems at the Sandbar. In fact, there was relatively limited communication of any kind among all the involved parties. Residents had been complaining to the Lake Norman Marine Commission but the Commission had generally just forwarded their complaints to police. Police had not been actively engaged with the Marine Commission so Officer Ashley began attending their meetings in an effort to open up a dialogue. Police had not spent very much time at the Sandbar and, due to the nature of the shared call for service response with Cornelius, had very limited interaction with the residents of Shearwater Point. The rafters felt that they had no voice in the growing debate over the Sandbar and felt that they were being targeted by all of the stakeholder agencies. They began to educate themselves on their rights as boaters.

It was also clear that there were issues for the Lakes Enforcement Unit to address in regard to their mission, priorities, and training. The Lake Enforcement Unit concentrated its efforts on routine patrols of Lake Norman to check for violations of boating rules, improper boating behavior, and impaired boaters. They spent very limited time at the sandbar and did not interact with the Shearwater Point community unless it was related to calls for service response. The Lake Enforcement Unit defined its role in traditional law enforcement terms with an emphasis on enforcement and preventive patrol. The unit had not been actively involved in applying the principles of community problem oriented

policing to its work. The problems associated with the Sandbar were a clear catalyst for changing the unit's practices and bringing it more in line with the work done by patrol divisions in the Charlotte-Mecklenburg Police Department.

Response

One of the first decisions that Officer Ashley made was to begin a dialogue between the Lakes Enforcement Unit and the Shearwater Point community. Officers Ashley wrote a letter to introduce herself to the Shearwater Point residents. In the letter she talked about the Lakes Enforcement Unit's desire to better serve the community. She asked for an opportunity to have a personal meeting with each resident to allow them to express their concerns and suggestions regarding the Sandbar. In the letter, Officer Ashley assured the residents that the opinions they expressed would be kept confidential. Officer Ashley hand delivered the letter and her business card to all of the homes in the Shearwater Point community. In a number of cases, residents who were at home at the time the letters were delivered invited Officer Ashley to come in and talk immediately. Others called the contact number on her business card and made appointments for a later date. Officer Ashley was delighted at the response that her gesture generated. While many of the residents expressed frustration with the problems at the Sandbar and what they perceived as a lack of concern on the part of police, they seemed willing to join Officer Ashley in a new beginning for the relationship between the police and the community. The conversations yielded a number of positive suggestions and gave Officer Ashley

additional ideas on how to work on the Sandbar issue. Most important, the Shearwater Point residents began to express their interest in being part of the solution to the problem as opposed to merely complaining about the issue.

Officer Ashley also decided to reach out to the rafters to insure that they had a voice in the problem solving process. Officer Ashley began recruiting boaters who frequented the Sandbar to represent the Rafters. She found that most of the rafters did not want to be perceived as trouble makers and that they, too, were willing to be a part of the solution. Officer Ashley contacted Nate Davis who maintains a website, LKNfun.com, which is frequented by many of the rafters. Davis agreed to use the website as an educational tool and posted applicable ordinances on the website, including the one that applied specifically to the Sandbar.

Officer Ashley also decided to work with the Lake Norman Marine Commission to see if they could take on a more active role as a problem solving forum as opposed to a repository for complaints. She got both residents of Shearwater Point and individuals who had volunteered to represent the rafters to begin attending the Commission meetings. This was the beginning of a constructive dialogue in which individuals on both sides of the issue developed a better understanding of the other's point of view. Representatives from each side of the issue exchanged phone numbers so that issues could be discussed on a personal basis and the burden of problem solving could be shared among all the stakeholders, including police.

Besides opening new lines of communication among all of the involved parties, Officer Ashley worked with Sgt. Burnette and other officers in the Lakes Enforcement Unit to craft their part of the problem solving response. The officers reviewed all of the applicable ordinances to identify key differences in the law as it applied to inland waters as opposed to on land. This helped them identify some of the limitations they would face in addressing some of the community concerns through enforcement. They educated themselves on the rafting ordinance and the fact that the metal signs made it easier to enforce the 300 foot from shore rafting prohibition. They studied the Mecklenburg County noise ordinance, which applied to the Sandbar, and had officers take the necessary training to be certified in measuring decibel levels. The Lakes Enforcement Unit also sought additional training on the Boating While Impaired laws and learned new ways to give sobriety tests in a boating situation. They also obtained intoxilyzer certification for officers. Once the officers had enhanced their own training, they offered to assist other police departments who share responsibility for the lake. They trained their officers in the ordinances that pertain to the lake along with techniques to enforce them. One of their goals was to have consistent enforcement throughout the lake area so that boaters could have clearer expectations of what would occur if they violated the law.

Officer Ashley led the unit in developing a new approach to the Sandbar. In the past, the Lakes Enforcement Unit had not maintained an active presence around the Sandbar. While some of the lack of visibility can be attributed to other priorities and the absence of the community policing philosophy, there were also problems in accessing the cove because of the large boat that the officers used in patrolling the lake. The officers

decided to change their tactics and patrol the Sandbar on jet skis, making it easier to move in and out of the cove and maneuver around the boats and swimmers much faster and much safer. Once they began using the jet skis, the officers began spending considerably more time around the Sandbar. They knew that enforcement must remain one of the key components of their problem solving plan so they took a zero tolerance approach to the offenses they witnessed. They began issuing citations for all of the violations they witnessed, including BWI, reckless operation of a boat, and no wake violations which applied to the area within 50 yards of the shore. As they issued citations, they used the opportunity to educate the rafters on the applicable ordinances. Officer Ashley also decided to set an example for the rafters. Since litter was one of the key quality of life concerns associated with the Sandbar, Officer Ashley went into the cove area on her jet ski and was seen picking up litter. The rafters soon got the idea and some were seen cleaning up after their own parties.

Officer Ashley also used local media, notably the Lake Norman Times, to educate Lake Norman residents and visitors about the issues surrounding the Sandbar, the applicable laws, and safety tips. She also used the paper to announce the arrival of community policing on the lake, including the concept of problem solving partnerships.

Assessment:

Things have changed considerably in the area around the Shearwater Point community and the Sandbar. One major accomplishment is that all of the stakeholders, the Shearwater Point residents, the rafters, the Lakes Enforcement Unit, and the Lake Norman Marine Commission are talking to each other and sharing the burden of problem solving and decision making. Police, Shearwater Point residents, and representatives from the rafters attend meetings of the Lake Norman Marine Commission and air their concerns and differences in a constructive manner. Representatives from the rafters have taken the opportunity to educate their fellow rafters on the legal, moral, and ethical issues surrounding littering, noise, nudity, alcohol consumption, and safety issues. Stakeholders have exchanged phone numbers and confront problems directly in their early stages. Indeed the rafters have decided on their own to anchor in different areas around Lake Norman instead of going to the Sandbar every weekend. They are currently frequenting an area that is becoming known as Cocktail Cove. This area is in Iredell County so our Lakes Enforcement Unit has offered its assistance to law enforcement agencies in that area in addressing emerging problems with the shift to Cocktail Cove.

Communication between the Lakes Enforcement Unit and the Shearwater Point community has increased dramatically in both quality and quantity. The neighborhood holds two community meetings per year that are now attended by police, as well as some of the rafters.

Officer Ashley developed a survey which she distributed to Shearwater Point residents who live along the shore adjacent to the Sandbar. The survey asked a series of questions and provided the residents with an opportunity to make whatever additional comments they wished. Despite the problems associated with the sandbar, 100% of the residents who responded to the survey reported that they felt safe in their neighborhood. 83.3% of the respondents said they were “satisfied” or “extremely satisfied” with the police service in their neighborhood, a response that would have been unlikely prior to the problem solving efforts of Officer Ashley and the Lakes Enforcement Unit. 66.7% indicated they were satisfied with the amount of time the Lakes Unit spent patrolling the area. 70% said the Lakes Unit did a good to excellent job in addressing neighborhood nuisance problems. Residents noted in their comments that they had seen the increased police presence at the Sandbar and that it was greatly appreciated. One resident indicated that 2003 was the first of the last several years that he had been able to get his boat out on weekends. A number of the residents made positive comments about the evolution of an open and positive relationship with police. One resident said “Thank you for your ongoing efforts on the lake and around our neighborhood. The activities have made a real difference. I understand that your job typically puts you in the middle of tough situations without clear answers and we appreciate your skill and judgment.”

Clearly, the groundwork has been laid for a strong problem solving partnership between police and the Shearwater Point community. The lines of communication are open and problems are addressed in a proactive manner. All stakeholders are now a part of the solution to the problems associated with the Sandbar.

The Sandbar experience has also brought the Lakes Enforcement Unit in line with the Charlotte-Mecklenburg Police Department's community policing philosophy. The unit now thinks of its mission as being problem solvers for the lake and using enforcement as only one of a number of tactics to facilitate sustainable change. The unit has increased its education efforts which include the publication of a pamphlet with applicable laws and safety tips which is updated on an annual basis. The pamphlet is made available to all residents and users of the lake. The unit will also maintain the specialized training and certifications that support their problem solving and enforcement efforts. They will continue to build their partnership with the Cornelius Police Department so that residents in Shearwater Point can get more efficient and seamless police service. The Lakes Enforcement Unit will also work with a new volunteer unit which will provide additional eyes and ears for police on Lake Norman.

Through the efforts of Officer Ashley and the Lakes Enforcement Unit, summers on Lake Norman are safer and residents in Shearwater Point are closer to once again being able to live the type of life they envisioned when they purchased their lake property. The power of community policing has been proven once again.

Agency and Officer Information

1. This project was undertaken by the Lakes Enforcement Unit which is a part of the Charlotte-Mecklenburg Police Department's North Division.
2. All Charlotte-Mecklenburg Police Officers receive training in problem solving and the SARA model, both in recruit school and in-service training.
3. No additional incentives are given to officers who engage in problem solving. Problem solving is a major component of their annual performance appraisals.
4. Officers did not find any applicable literature to assist them with this particular project.
5. There were no problems identified with the problem solving model.
6. The resources committed to this project were all within the exiting budget. Officer Ashley was given time to work on this project.
7. Project Contact Person:

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