

# Chapter 4

Tackling Crime and Other Public-Safety Problems

Case Studies In Problem Solving

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False Alarms



## False Alarms

### False Alarms in Elgin, Ill.

Several years ago, at the annual International Association of Chiefs of Police (IACP) conference in Albuquerque, N.M., police administrators adopted a resolution to address the increasing number of false burglar-alarm dispatches in their communities. They formed a task force whose membership included police officials and alarm-industry representatives. They developed and approved a plan to field-test several approaches to false-alarm reduction. Elgin, Ill., was one of three cities selected nationwide to try some new approaches to this growing problem. In 1994, Elgin police responded to 4,655 false alarms, representing 7.7 percent of the department's total workload. As part of the pilot program, alarm companies were asked to visit their Elgin customers to reeducate them about proper alarm-system operation. The companies were also asked to thoroughly evaluate their customers' alarm systems for compliance with identified false-alarm-reduction standards and, in some cases, to recommend system modifications. The police asked the companies to follow up on all false alarms and tailor solutions to each problem's specifics.

Shortly before the pilot program began, Elgin implemented, by ordinance, a system for regulating false alarms that included fines assessed to those users with four or more false alarms in a year, and revocation of alarm permits for those with 10 or more. This revocation can be reversed if the alarm system is fixed.

In 1995, in the first few months of the effort, a 42 percent reduction in false alarms was noted. Since that time, some additional strategies have been implemented. Businesses have been asked to train employees on proper alarm-system use, alarm companies are ironing out mechanical and user problems, and police have met with employees of banks experiencing high false-alarm rates to tailor responses to their repeat problems. From the inception of the effort through May 1997, Elgin sustained a 50 percent reduction in false alarms, compared with the 1994 baseline false-alarm figures.

As part of the IACP effort, 15 Illinois cities are now testing Elgin's framework for alarm reduction, along with some enhancements. Each city has been asked to include a progressive-fine structure through an approved city council ordinance, and alarm users must have permits, for tracking purposes. This 15-city effort will test the viability of a restricted response – chronic abusers will be cut off from police response, although there will be an appeal process. In addition, ordinances designed under this effort must mandate that alarm companies verify the signal before notifying police; they must call the home or business first. In addition, police departments will be allowed to accept an alarm cancellation from the alarm company if the company contacts the owner and determines that no need for a police response exists.



Alarm-tracking software will be installed on police department computers, allowing the police to determine the locations of chronic alarm problems; a list of such locations will be generated and distributed to the alarm companies for follow-up. The alarm companies have verbally agreed to visit these locations and work to remedy user or mechanical error. According to Dan Petesch, Illinois alarm coordinator for this effort and former alarm-industry employee, the alarm companies are beginning to see it is in their best interest to reduce false alarms. He said the fines police impose have pushed the alarm industry to search for solutions. He noted that some police departments have moved to a system where alarm companies have to call a 900 number if they want the police to respond to an alarm, adding, "The police can charge anything they want for that call." He said one department is charging \$75, probably the cost of a police response to the call. A few other departments are requiring initial response by alarm companies or private security before they will respond. Petesch said that "this has woken up the alarm industry in some communities" and inspired them to look for joint police-alarm industry responses to the problem.

The program will be running in four additional states: Florida, Missouri, New York, and Washington. The alarm industry will fund the programs. Some alarm distributors are offering their alarm companies a check-off box for contributions to this effort. Other companies have pledged a flat amount of money to support the endeavor.\*

*Editors' note: This effort is notable in several ways. The magnitude of the problem prompted a national group of police administrators to conduct multi-site experiments testing a variety of responses, ensuring that many of the nation's communities would benefit. The effort is significant because the national group immediately enlisted the alarm industry's support, and the core of the strategy involves deploying alarm companies to work with their customers on false-alarm reduction. This represents an immediate and certain shift of the bulk of the responsibility for false-alarm management from police to alarm suppliers. This effort, because it is more national in scope, may provide a framework for other police agencies to allocate responsibility for addressing this expensive and time-consuming problem.*

### **False Alarms in Phoenix, Ariz.**

Nationwide, community residents are arming their homes against break-ins with expensive alarm systems. Alarm companies offer both products and services. The product — alarm equipment — belongs to them. The service — a quick police response if an alarm sounds — is provided and financed by the police. Officers around the country are dispatched, more and more, to alarm calls, each call ostensibly signaling a residential or commercial break-in. However, most alarms are false. Studies of cities in different parts of the country show that upwards of 97 percent of all burglar alarms are false. In Phoenix, alarm calls jumped from 19,000 in 1985, to 80,000 by 1989. In 1990, the Phoenix Police Department issued 10,000 alarm permits; in 1996, they issued 65,000. Each month sees the addition of 1,100 additional permits as new houses are built and sold pre-wired for alarm systems.

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\*Sources: Project description submitted by Elgin Police Department to Rana Sampson as part of NIJ-sponsored problem-solving project; personal communication with Renee Merrill, Elgin Police Department, and Dan Petesch.



By 1990, the police had discovered that each alarm system averaged two false alarms per year. Alarm calls vied with domestic dispute calls for the most-dispatched police service calls. A calculation of patrol officer time spent on false alarms showed that each call averaged two officers 33.1 minutes, costing \$74 per response. By 1996, false alarms were costing the department \$4 million a year. Besides the enormous cost to police, false alarms caused even greater harm by reducing the credibility of *all* alarm calls. This was particularly dangerous when it came to fire alarms.

To try to reduce the problem, the police department automated its alarm and permit system, enabling them to access alarm data from more than 25 databases. This gave them a better handle on the problem sources. They found that certain alarm companies were big false-alarm offenders. They also learned that many false alarms were triggered during a yearly three-month block when severe rainstorms hit the city. In addition, they learned that 60 percent of false alarms in Phoenix involved human error. Finally, by following up with alarm subscribers, they learned that most had little or no understanding of basic alarm functions or cancellation procedures.

Phoenix now requires a permit for having an alarm in a home or business. Police place flyers at the site of each false alarm, containing tips for reducing such alarms. After the second false alarm, the property owner receives a warning notice. If there are four false alarms in a year, both the individual *and* the alarm company are fined. The police also send out newsletters containing tips on reducing false alarms to households up for permit renewal. Finally, the police, in conjunction with the Arizona Burglar and Fire Alarm Association, offer a two-hour class on preventing false alarms. Police allow attendees one "free" false alarm. Since the class began, several thousand people have attended, 94 percent of whom have had no additional false alarms (through December 1996).

Over the past few years, the Arizona Burglar and Fire Alarm Association had agreed that they had some of the same concerns as the police in stemming false alarms. In addition, they had another concern. Phoenix Police Department Alarm Coordinator Patricia Rea said: "The alarm [association was] also worried because their customers were getting 'dinged' by the police on false-alarm calls, and their customers were complaining to them. So the association wanted to see if there was something they could do to help reduce the problem."

As a result of this coordinated effort, false alarms have decreased by 50 percent, producing a \$4.4 million savings per year for the Phoenix police. In addition, because of system automation, recovery costs are up from \$225,000 per year to over \$1 million per year. False alarms plummeted from two per device to 0.77 by 1995.

In the past year, Phoenix passed a new false-alarm ordinance to close some of the gaps in the previous one. Patricia Rea, the police department's alarm coordinator, suggests that alarm problems are not solved with one-time efforts; they have to be looked at over several years to monitor changes and assess whether new trends or patterns develop. In Phoenix, false alarms started rising again in 1996. They are still well below



the 1990 level, but they are up to 0.83 per device from the 1995 low of 0.77. As a result, in the revised ordinance, new responsibilities were added for alarm companies. Phoenix moved away from a punitive-fee system for its alarm fines to a cost-recovery system, in light of court challenges in Texas that overturned several punitive false-alarm assessments. Phoenix wanted to ensure the legal sustainability of its approach. Now, fines are in synch with actual costs, and criminal penalties are used only as a last resort for nonresponders.

Some additional approaches Phoenix has added include the deployment of neighborhood police officers. Each officer has a beat alarm report and is expected to help alarm subscribers who have repeat false alarms solve the problem. These officers received significant training and check for things like secured contacts and Mylar balloons. In addition, because of all the new construction in the city and the trend of pre-wiring homes for alarm systems, Patricia Rea will be starting a program with new developers, providing them with literature to distribute to new homebuyers on ways to choose a credible alarm company and system. New residents will be able to, as she says, "start off on the right foot."<sup>\*</sup>

*Editors' note: This problem-solving effort is significant in several respects. Many cities have moved toward a fining system to recoup costs and promote responsible alarm-system use by owners. This effort went further. The Phoenix Police Department enhanced its ability to analyze the problem (they developed a way to look at it from the vantage point of 25 databases). They studied their false-alarm rate, determined the reasons for the false alarms, and developed specific strategies to address them. With the alarm industry, the police crafted solutions that were mutually beneficial. Finally, although this effort addressed the false-alarm problem from a citywide perspective, it also incorporated beat-level approaches. Neighborhood police officers were trained to work with households with higher-than-average false-alarm rates on tailored alarm-reduction plans.*

### **False Alarms in Portland, Ore.**

In the late 1980s, the Portland, Ore., Police Bureau experienced an increasing number of calls for service. Although calls for service rose, the bureau's city-funded budget did not. Administrators looked internally for savings and examined their call load to see if they could achieve any cost reductions. They found that alarm calls represented more than 8 percent of all calls to the police, and of those, 97 percent were false. A permit system was already in place, as well as a progressive-fine structure. Over the years, alarm calls kept increasing, rising due to the number of new alarm installations around the city. The permit system and fine structure were no longer sufficient dampeners on the increasing number of alarm calls coming in to police dispatchers.

In 1989, an experienced street officer was appointed "alarm information officer." His job was to take a fresh look at the false-alarm problem. He was also asked to examine the alarm industry and citizens' concerns about the problem. He implemented a city/county intergovernmental agreement that allowed for the mailing of false-alarm

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<sup>\*</sup>Sources: False Alarm Reduction Plan, by the city of Phoenix; personal communication and correspondence with Patricia Rea; Phoenix city code on alarm systems.



notices within three days of the alarm (speeding up the process so that the user's memory of the false alarm was more vivid, and correction of the problem more likely). The agreement established a \$50 fine beginning on the second false alarm, suspended police response after four false alarms, and increased permit fees from \$8 to \$12 to cover the costs of an outreach effort.

The outreach effort involved training all officers in false-alarm response, and distributing to alarm owners brochures titled "Tips to Zero False Alarms" and "How to Select a Home Alarm System." Also, police phoned alarm owners after their first, third and fifth false alarms to develop a tailored strategy for the owners' false-alarm problems. In addition, police offered a class on preventing false alarms and choosing the right alarm system. Finally, police calculated false-alarm rates for the different alarm companies and distributed these, educating buyers about the effectiveness of the top 30 alarm companies competing for their business.

These efforts were successful by several different measures. Between 1988 and 1995, although alarm permits increased from 29,114 to 38,900, false alarms decreased from 33,208 to 18,606. The average number of false alarms per system dropped from 1.14 per year to 0.48, cutting the false-alarm rate in half by 1995. A rate of 0.48 equals one false alarm approximately every two years. This gave Portland one of the lowest false-alarm rates in the nation. Another measure of success was monetary savings. Officer hours devoted to false alarms (more than 7,800) translated into nearly \$500,000. The false-alarm reduction effort resulted in a time savings of 18.23 minutes per false alarm, a savings of \$53.60 per alarm.

Police administrators project that in 10 years, the number of alarms installed in the city will double to 70,000. However, voter initiatives in 1996 forced a 6 percent budget cut for the police bureau. Bureau staffing levels have decreased, requiring Portland to keep a close eye on the alarm numbers, false-alarm rates and reduction effort's success to see if other approaches might be even more fruitful. In 1995, false alarms represented 8 percent of the department's workload, and by 1996, they represented nearly 9 percent. Police took another look at their false-alarm efforts. From 1995 through May 1997, Portland experienced a slight increase in the false-alarm rate.

The police knew the lion's share of responsibility rested in false-alarm management, and they recommended that the city council shift greater responsibility to alarm companies and alarm owners. Capt. Dave Butzer said: "The alarm industry has marketed police response for many years. Our new proposal increases the alarm industry's service of their [own] product." Under the new proposal, pending in city council, police will respond to an alarm only if the owner has a permit for it. If the alarm is false, the permit is suspended, eliminating further police response until the cause of the false alarm has been corrected. If the cause is determined to be user error, the user must attend an alarm user's class presented or sponsored by the alarm company before re-permitting can occur. If equipment error is the cause, owner verification that repairs have been made is required. Police false-alarm notices issued to alarm



customers bluntly warn, "You will continue to have false alarms until the problem is fixed." If a second false alarm occurs during the one-year permit period, the police again stop responding. The alarm company becomes the first responder, unless a crime is verified; in that case, the police respond.

Capt. Butzer said the alarm industry participated in the development of the draft ordinance and "agreed to . . . the basic premise of the proposal. While [the alarm companies] would not prefer to make this transition, they understand Portland's need to reduce false alarms."\*

*Editors' note: This effort is significant in several respects. First, the Portland Police Bureau did an internal study of its percentage of false-alarm calls. Although confirming results from other cities, it gave Portland the ammunition needed to hold alarm companies accountable. Second, they recognized that alarm owners would not know what they did wrong in setting off their alarms unless false-alarm notices were timely, so they sped up the notice process. Third, they provided helpful information to alarm owners on false-alarm reduction (including a class). Fourth, as an incentive for alarm owners to take responsibility for false-alarm management, they suspended response after a certain number of false alarms. Fifth, they calculated different alarm companies' false-alarm rates and shared these with potential customers. Finally, they reevaluated their approach after achieving substantial success, and are arguing for shifting greater responsibility to alarm companies and users. However, they will still provide assistance as an incentive for better false-alarm management. The police will continue to make adjustments in handling false alarms.*

### **Additional Editors' Comments on False Alarms**

Most police jurisdictions experience false-alarm problems. The three approaches in this section represent comprehensive efforts to minimize the drain false alarms have on police resources. In all three cities, efforts evolved to keep up with the growing number of false alarms. In both Phoenix and Portland, police reexamined their initial approach after some substantial initial success. Both departments moved to shifting greater responsibility to alarm companies, consistent with Elgin's initial approach.

One other project from the research is worth mentioning. The Lauderhill, Fla., Police Department's study of 911 hang-up calls convinced the city to pass an ordinance that included 911 hang-ups in its definition of false alarms. The intent of the ordinance was to bill telephone owners for false 911 calls in the same way alarm owners are fined for false alarms, thus promoting more responsible practices in summoning the police. As in many communities, some 911 calls are the result of children playing on the phone, offenders seeking to divert the police, and people misdialing.

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\*Sources: Project description submitted by Portland Police Bureau to Rana Sampson as part of NIJ-sponsored problem-solving project; personal communication with then-Capt., now Assistant Chief, Dave Butzer; false-alarm chart prepared by Portland Police Bureau; Portland Police Bureau False-Alarm Courtesy Notification; "Tips to Zero False Alarms," by the Portland Police Bureau; chart of false-alarm rates of 30 largest residential alarm-installation companies.



# Chapter **5**

Tackling Crime and Other Public-Safety Problems

**Case Studies In Problem Solving**

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Alcohol-Related Crime



## Alcohol-Related Crime

### Alcohol-Related Crime in Barrow, Alaska

Before the arrival of non-natives, the Inupiat community of Alaska's North Slope was among the few in the world not to have a native alcohol brew. With the arrival of non-native whalers in the 1800s, and oil workers in the 1970s, alcohol consumption became a significant aspect of local culture. Two independent studies linked a good deal of Barrow's premature deaths, violence, disease, and social disorder to alcohol abuse. Various efforts to promote moderate drinking or to limit the alcohol supply predominated the official response to alcohol-related problems from the 1970s to 1990s. Between 1970 and 1980, there were at least seven local referenda alternately allowing and disallowing alcohol sales in Barrow. (Alaska state law provides for a local option on this issue.) Before the problem-solving effort was initiated, the law allowed the importation and consumption of alcohol in Barrow, banning its sale only within the city limits. Mere prohibitions on alcohol sales did not have much impact on reducing alcohol abuse, and the community's health and safety problems persisted.

In 1994, several things occurred to alter the community's response to alcohol. In March, the North Slope Borough Public Safety Department sponsored a training program for its employees in the principles and methods of problem-oriented policing. During the training session, the participants discussed how alcohol abuse related to a wide range of public-safety problems. Capt. Jim Wood began a thorough study of the problem, and meticulously documented the enormous amount of harm that was directly and indirectly attributable to alcohol abuse. In mid-year, the borough's mayor officially assigned the public safety department the task of leading a community-wide campaign to address the problem.

In this small community of approximately 5,000 residents (3,500 of whom live in Barrow), the public safety department documented 87 rapes by drunken men (26 of which victimized children), 675 drunken assaults (109 of which were felonies involving weapons), 503 disputes between drunken spouses, 388 arrests for drunken driving, 229 arrests of drunken children, and 2,057 incidents in which people were taken into protective custody due to alcohol-induced incapacitation. In addition, 22 of 36 deaths, eight of them suicides, were attributed to alcohol. Public health statistics were of similarly epidemic proportions. About 95 percent of these problems occurred in Barrow.

Before studying the problems in detail, many people assumed that most of them were attributable to a few chronic alcoholics drinking bootleg alcohol. This assumption proved wrong – most problems were related to alcohol legally imported and consumed by citizens who were binge drinkers. When public-safety officers interviewed inebriates, many said that if they had a bottle, they would drink a bottle; if they had a case, they would drink a case; and if they had none, they would drink none. It seemed



that most residents were not addicted to alcohol, but had difficulty controlling their consumption of it once they started drinking.

After carefully analyzing the problem and prior ineffective responses, Capt. Wood and his colleagues concluded that a total ban on the sale, importation, possession, and consumption of alcohol was the only remaining viable response. With the mayor's support, the public safety department began campaigning for a total ban. It formed a coalition with community leaders to educate the electorate – especially the 10 percent that opinion polls showed to be undecided about a ban – about the problem and the ban's purpose. On Oct. 4, 1994, Barrow's electorate narrowly voted for a total ban on alcohol in the community. Said Capt. Paul Carr, the operations commander: "We don't have any illusions about stopping all the alcohol coming in . . . But there won't be the planes bringing in case after case, and just that reduction in volume will have a real good impact."

The ban had the following effect: Fetal alcohol exposure in pregnant women dropped from 45 percent to less than 10 percent; reports of harm to children dropped by one-third; alcohol-related calls for service to the public safety department declined by 81 percent; injuries reported to emergency medical services fell by 43 percent; misdemeanor cases referred to the prosecutor dropped 46 percent; felonies dropped 43 percent; and removals of drunken people from public places declined by about 90 percent.

The results were both immediate and dramatic. Other qualitative indicators showed a community revitalization. According to then-Deputy Chief Ed Ward, "We've seen people at [community] events stone sober that I don't think I've ever seen sober." Said another resident: "Me and my wife, we sleep like polar bears now. We don't have to listen to all that commotion outside our window." And according to one patrol officer, "I've been here almost 18 years, and I don't think I've ever seen it this quiet."

In spite of the overwhelming positive impact, Barrow's experiences with the tragedies of alcohol abuse were not over. The story would take several more turns. The initial total ban on alcohol was in effect from Nov. 1, 1994, through October 1995. After another public referendum narrowly overturned the ban, the community not only allowed the importation of alcohol, but also legalized its sale, effective Nov. 1, 1995. This changed Barrow from a "dry" city to a "wet" one.

Immediately following the repeal of the alcohol ban, alcohol-related crimes and health problems returned to levels even higher than those preceding the initial ban. Capt. Wood described this "spike" in alcohol problems as dramatic and terrible. Only four days after the ban was lifted, the police handled yet another alcohol-related homicide. Then-Public Safety Director Dennis Packer said, "We are back to where we were in terms of domestic violence, driving while intoxicated, and assaults."

After a legal challenge to this most recent election, the community voted to reinstate the ban in February 1996, with a provision that no referendum could be held for at

least 18 months, to allow the ban's effects to be more fully realized. At the time of this writing, another petition drive was under way to force yet another referendum, to be held in October 1997, at the earliest.

According to Capt. Wood, once the ban was reinstated, the numbers of alcohol-related crimes, disturbances, commitments, etc., resumed the low levels experienced during the first ban. Some increases in bootlegging have resulted in additional crimes being recorded and arrests made. From 1993 to 1994, before the ban, the department made 140 arrests of minors possessing alcohol. During the first ban (in effect for one year), the department made only 27 such arrests. During the second ban (at the time of this writing, in effect for about 15 months), the department made only 17 such arrests. The nearby villages of Wainwright and Atkasuk experienced similar declines in police activity after Barrow's ban. Although these communities were already dry, they got most of their liquor via legal imports into Barrow.

In the wake of the initial ban's repeal, a pro-alcohol administration was elected into public office, leading to a change in public-safety administration, as well. Public safety department members were ordered not to officially support the alcohol ban or release information on alcohol-related problems. In a letter Capt. Wood wrote as a private citizen to *The Arctic Sounder* newspaper, he said the following:

The alcohol ban in Barrow has been a thousand times more effective at restoring social order and decency among Barrow's citizens than has all the education that has ever been done here . . . The alcohol ban is, as it always has been, a matter of health and life safety. It's about saving lives. It's about saving families. It's about saving culture. It's about saving children. It's about the common good. It works. What a shame some folks just don't get it . . . Anything said about how wonderful alcohol is pales next to the history of tragedies in Barrow's alcohol-drenched past."\*

*Editors' note: This problem-solving effort is notable for its comprehensive and detailed analysis of the harm alcohol caused. It is also remarkable for the ambitious response strategy, a response that might seem unthinkable in many jurisdictions. While the Arctic's environment and culture are unique, Barrow's experience serves as stark confirmation of alcohol abuse's effect on police responsibilities in nearly all jurisdictions. The police were leaders in a genuinely community-wide effort to address this huge problem.*

### **An Alcohol-Related Crime Problem in Hayward, Calif.**

In 1991, a Hayward, Calif., entrepreneur running a restaurant with an attached nightclub filed papers with the city to expand space so business could grow. The business had a mixed reputation in the community. Residents thought the restaurant's food

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\*Sources: "The Barrow Reclamation," by Capt. James B. Wood, submitted in support of application for the International Association of Chiefs of Police Webber-Seavey Award, May 1996; correspondence from Wood, June 1997; Akron Beacon Journal (Associated Press story); Anchorage Daily News, Oct. 9, 1994, and Dec. 24, 1994; North Slope Sentinel, Dec. 9, 1994; London Sunday Times, Dec. 31, 1995; personal communication with Wood, June 1997.

service was good; however, the nightclub, which offered alcohol, live music and dancing, also brought fights, litter problems, noise, parking problems, public sex, and public urination to the predominantly residential neighborhood.

Community residents heard of the rumored expansion and contacted the police, fearful that an increase in the already out-of-hand problems would result if the nightclub were enlarged. The police hoped to mediate the dispute. Officer Larry Bird and Lt. Paul Wallace of the Hayward police met with residents, along with restaurant/nightclub personnel. To prepare, Bird and Wallace analyzed the calls for service the police had responded to at the premises, and found an average of 20 calls per month for the past few years. Wallace said that "most calls concerned intoxicated individuals, fights, stabbings, and loud music." Much of the crime seemed alcohol-related. In addition, Wallace said, "Local residents complained of customers having sex in their vehicles and littering — beer bottles, condoms, garbage — left in front of their homes." One resident, Ken Coral, said the weekend activity was "unbearable." Further analysis showed that most of the calls came in on Friday and Saturday nights, coinciding with the live entertainment offered then.

As a result of the meetings between the police, residents and restaurant/nightclub personnel, the owner agreed to make physical changes to prevent some of the problems. He added more garbage cans, eliminating excuses for littering. He also posted no-loitering signs and chained the driveway after hours to eliminate cruising and sexual activity. Police asked the management to add more off-street parking to decrease congestion. They also asked that management keep the doors closed on weekends to reduce noise problems.

The police found that the restaurant employed security guards who were largely ineffective in handling the spillover problems from the nightclub. Lt. Wallace and Officer Bird developed a list of guidelines and rules for the guards to follow, and they trained each guard on arrest laws, patrol tactics, code enforcement, when to call the police, and how to detect fake IDs.

Wallace, Bird, and other officers worked with restaurant management for several months on these improvements. As a result, some of the problems abated. However, Wallace said, "The calls for service were still much higher than we thought reasonable." One reason seemed to be that the security guards were not using any of the guidelines and training given. Wallace said, "They seemed more concerned with having a good time and meeting young female customers than with patrolling the parking lot and deterring problems."

The city's board of adjustments met concerning the proposed restaurant expansion. The police, along with community residents, testified that not enough progress had been made. The application was denied, along with an appeal.

Problems persisted at the restaurant, and the community still hoped that something more could be done. The police suggested that residents pursue civil remedies. Lt.

Wallace said, "With our assistance, residents began gathering information and evidence, which included photographs, tape recordings and a diary of weekend activities." The residents presented the evidence in civil court in October 1993. The harm alleged included damage to nearby residential property and disturbance to the residents' peace. All eight of the complaining residents won a monetary judgment – \$50 each – against the restaurant. The financial impact on the owner was slight, and the problems continued.

As a last resort, the police department requested that the Alcohol Beverage Control (ABC) Board revoke the restaurant's liquor license. The police presented information on the calls for service for the past 20 months – 146 incidents – and shared the results of the neighborhood civil suit against the management. Lt. Wallace said, "As it turned out, the greatest benefit [of the civil suits] was that the judgments weighed heavily as evidence in the Alcohol Beverage Control Board's revocation hearing." The ABC informed restaurant management that it would recommend revocation to its executive board.

To prevent the proposed revocation, the restaurant offered to eliminate live music and dancing from its weekend fare. An agreement was negotiated between all parties. Complaints to the police are negligible now. Instead of 20 calls for service a month, the police now get one or two. The nature of these complaints has changed, as well. They used to come from residents tired of the alcohol-related nuisances; now, they no longer come from the community. Rather, a few calls a year trickle in from restaurant staff complaining that a diner stiffed them for a meal.

Neighborhood resident Ken Coral said the problem is "300 percent better than before . . . The rowdies are no longer a problem, and property values have appreciated." Coral said community residents are quite pleased with the outcome. His work on this effort inspired him to volunteer time teaching officers how to help community members use small-claims suits to tackle chronic neighborhood problems.\*

*Editors' note: This project is important for several reasons. It represents a solid effort to tackle alcohol-related problems at one location. The officers used a wide range of strategies to impact the problems. They requested the owner's compliance; they met with residents; they mediated between the owner and residents; they suggested creative strategies to reduce the problems; they trained the restaurant's security staff to better handle the problems at and around the establishment; and they educated residents about their civil-court options, and how to collect the information needed to proceed in civil court. Only after taking all these steps did they proceed to a more coercive approach involving the Alcohol Beverage Control Board.*

## Alcohol-Related Crime in Portland, Ore.

In late 1991 and early 1992, Portland, Ore., experienced increasing numbers of transients in its Old Town/Chinatown neighborhood. The by-product was the worsening of problems associated with street drinking: detoxification calls, disorderly conduct,

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\*Sources: Project description submitted to Rana Sampson as part of NIJ-sponsored problem-solving project; personal communication and correspondence with Lts. Paul Wallace and Suzanne Whalley.

fight, harassment, littering, panhandling, public urination and defecation, robbery, and theft. Many merchants felt that these problems were negatively impacting business, and residents complained of a decline in general quality of life. Several years prior, the city council had found that the area was saturated with liquor stores. The council designated it a "liquor impact area" and introduced a ban on fortified wine, the street-drinkers' drink of choice because it boosted their high. The impact was not long-lasting. Police officers noticed that many street-drinkers switched to oversized bottles of beer and malt liquor.

In 1992, four neighborhood convenience stores applied for liquor-license renewals. The police recommended that the city council not renew; the council then asked the police to explore options other than nonrenewal. Police estimated there were several hundred problem street-drinkers in the area, and they identified beer and malt liquor sold in 32- and 40-ounce containers as the biggest contributors to the problem. These products contained the alcohol equivalent of up to six drinks.

In past years, officers would respond to radio calls if street-drinkers engaged in problem behavior, using citations, arrests and detoxification holds as the main tools for remedying the problems. In 1992, the year the project started, police made more than 3,000 detoxification holds. One resident said that "falling-down drunks" were a common sight at the time. But citations, arrests and detoxification holds provided no long-term relief for the community. The police had to try something else. They believed that restricting the drinkers' access to mega-size beverages would reduce the problems. Two officers (a uniformed neighborhood-patrol officer and a drugs-and-vice investigator) took on the challenge to find alternative solutions, and they began what would become a four-year effort to reduce area street-drinking problems.

The officers asked the four convenience stores to voluntarily participate in a ban on the sale of oversized beverages; they refused. The stores claimed the police had unfairly singled them out and had failed to ask for participation from four large neighborhood chain stores. The officers did not believe the chain stores were part of the problem, but they decided to take a closer look. They found that each convenience store sold 60 cases of the problem beverages a week; each chain store sold 100 cases of the beverages a week. Armed with this information, the police and community residents convinced the chain stores to stop selling the beverages. In exchange, the police agreed to try to increase the number of participating retailers, so that more of them would share the business losses.

The police recontacted the four convenience stores initially targeted and asked for their participation; they still refused. Sgt. Greg Hendricks noted the following:

Retailers had consistently resisted accepting any responsibility on how the sale of alcoholic beverages could negatively impact a neighborhood. Lobbyists from the liquor and retail industry attempted to pressure the city council into not supporting the partnership. Their response had



always been much like residents' and the police's: "It's a police problem." But once the problem had outstripped police resources to where traditional enforcement was no longer a viable solution, two options remained: do nothing, or look to nontraditional solutions.

While several retailers agreed not to sell 32- and 40-ounce beverages, after the agreement was signed, the alcohol industry marketed 22-ounce beverages, circumventing the agreement's intent. A press conference with police, sheriffs, the district attorney, and the president's drug czar, Lee Brown, galvanized additional support. In August 1993, a second agreement was reached that included more than 40 retailers. Retailers agreed not to sell domestic beer and malt liquor in containers larger than 16 ounces. As a result, said Sgt. Hendricks, "The partnership agreement is now part of a standard package issued to anyone applying for a business license [or renewal] in Old Town and adjacent neighborhoods where alcohol beverages will be sold and dispensed."

Through August 1997, more than 100 retailers had volunteered to remove 16-ounce (or larger) beverages from their shelves. If tangible evidence links street-drinking problems to a specific retailer, the city council receives that information at a hearing, and forwards it to the Oregon Liquor Control Commission if action is recommended. As a result of this effort, the Oregon Liquor Control Commission revised its review procedures, and now includes neighborhood livability as a factor in license approval.

The Portland police have measured this effort's impact in several ways. Neighborhood residents and merchants tell officers that the neighborhood looks better and feels safer. Police data support this. Detoxification holds, indicators of severe overdrinking and intoxication, exceeded 3,000 from 1992 to 1993. They declined 20 percent, to fewer than 2,500, from 1993 to 1994. By 1996, there were fewer than 1,500 detoxification holds a year. The number of drinking-in-public incidents dropped from 236 in 1993, to 132 in 1994, almost a 50 percent decrease. In 1996, there were only 129 incidents. The number of disorderly conduct incidents dropped from 144 in 1992, to 106 in 1996, a decrease of over 25 percent.

This effort seems to have had long-term impact. In 1997, assessing the project's impact, Officer Tom Peavey said: "During the daytime, I don't see anyone in the downtown area with open containers anymore, not like I used to. It was so common before. Now, you don't see guys leaning against buildings with paper bags of liquor." Sgt. Hendricks noted: "The strategies used would not have been considered only a few years prior. They have become a standard for both the community and the police in Portland."\*

*Editors' note: This effort is significant because Portland police identified and focused on a specific type of beverage whose alcohol content contributed to problem street-drinking. The early response, a ban on fortified wine, had only limited impact because another beverage offered street drinkers similar results. Portland's second response closed the loophole in the first, leading to a sizable*

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\*Sources: Project description submitted by Portland Police Bureau to Rana Sampson as part of NIJ-sponsored problem-solving project; material submitted by Portland Police Bureau in support of 1994 Herman Goldstein Award for Excellence in Problem-Oriented Policing; 1993 and 1994 Partnership Agreement Amendments; personal and written communications with Officer Tom Peavey and Sgt. Greg Hendricks.

*reduction in the number of people whose street-drinking resulted in police calls for service or required removal to a detoxification center. This effort is also notable due to the substantial collaboration police forged with retailers, whose interests might have been, at first glance, at odds with theirs. The police recognized that retailers benefited from selling the alcohol, but were taking little responsibility for its aftereffects. The partnership agreement formalized a commitment by both to address sale and consumption of products contributing to chronic, costly and unhealthy street behavior.*

### **Additional Editors' Comments on Alcohol-Related Crime**

The editors recognize that alcohol is a factor in many public-safety problems, including sexual assaults, domestic violence and loitering. That is why, for this section, they tried to focus on efforts where alcohol was the problem's central feature. Due to the significance of this problem, and the impact alcohol abuse has on crime, many of the projects reviewed for this section entailed engaging people in more responsible drinking.

Several other notable approaches surfaced in the research and are worth mentioning. The Alexandria, Va., city attorney legally restricts chronically intoxicated people from buying or possessing liquor. Ocean City, Md., police, in an effort to reduce alcohol availability to minors, drafted a model lease agreement that cites underage drinking as cause for eviction from rental properties, hotels and motels. In San Diego, Calif., a store's alcohol permit may be revoked if it is cited three times for selling alcohol to minors. To deter such sales, a city 7-Eleven that caters to local college students offers employees a \$500 reward for spotting and confiscating fake IDs. This store is one of the highest-volume 7-Elevens in the country.

Hoboken, N.J., a small city with 115-plus bars, banned barhopping between 1 a.m. and 3 a.m. to cut down on late-night disorder. Monroe County, N.Y., sheriff's deputies educate alcohol servers about liability from the state's dram-shop ordinance, and provide training on dealing with drunken patrons. In Peel, Ontario, Canada, constables track where impaired drivers last drank. Fresno, Calif., adopted conditional-use permits, many of which regulated how alcohol was displayed and served, to gain better control over alcohol-related problems in licensed premises. The conditional-use permits simplified the process by which authorities could revoke licenses and close non-compliant businesses.

In Portland, Ore., the police and a community consultant published and distributed a booklet to licensed premises educating owners and managers on their responsibilities concerning the service of alcohol. Salinas, Calif., police established voluntary checkpoints where they collect information on drivers' drinking-and-driving habits, to devise better ways to reduce drunken driving. And Redondo Beach, Calif., police require a monetary deposit (almost like a surety bond) from certain licensed premises and entertainment establishments to offset the cost of high demand for police service.

# Chapter 6

Tackling Crime and Other Public-Safety Problems

Case Studies In Problem Solving

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Gangs



## Gangs

### A Gang Problem in Boston, Mass.

One hundred fifty-five young people (21 and under) were either shot or stabbed in Boston homicides between 1990 and 1994. In late 1994, researchers from Harvard University's John F. Kennedy School of Government began collaborating with Boston Police Department officials on the problem of youth gun violence. Their goal was ambitious: to prevent youth violence. They convened an interagency working group that conducted its own research on the problem, developed a citywide problem-solving response strategy, and evaluated its progress and impact. The working group comprised local, state and federal law enforcement officers, researchers, probation officers, and gang-intervention streetworkers.

Boston's youth homicide problem is concentrated in three neighborhoods, and predominantly involves black males as both victims and offenders. Most victims and offenders are members of territorial gangs, and homicides are generally the result of disputes between rival gangs. Homicides often produce cycles of retaliatory violence in which revenge becomes a motive independent of the original dispute. By the working group's estimation, 60 percent of the 155 homicides were gang-related.

Because offenders used guns in so many of the killings, response strategies focused on both the supply of and demand for them among the gangs. The group's analysis showed that gang members could easily get guns. Contrary to expectations, gang members tended not to steal guns in burglaries or buy guns they suspected were stolen. This was because they preferred newer, more stylish semiautomatic pistols, and they wanted to avoid firearms that might be traceable to a previous homicide. The guns used in youth homicides were highly likely to have been manufactured less than two years before the crime. This suggested to the group a strategy for targeting enforcement efforts that might disrupt the gun supply. They developed a set of tactics to identify and arrest gun traffickers who were supplying guns to the gangs. Although this supply-side strategy did yield gun-trafficking arrests, it did not prove as effective as the demand-side strategy.

To get at the demand side of the problem (why young people carried guns and shot one another), the group identified 61 Boston gangs, along with their various alliances and antagonisms. Although there were an estimated 1,300 gang members, they represented only 3 percent of the youth in the affected neighborhoods. The statistical analysis revealed that a disproportionate amount of Boston's violent crime was occurring on and around known gang turfs. The group concluded that youth homicide was concentrated among a few gang members who committed many crimes. This was true for both offenders and victims. Many young people were carrying guns out of well-founded fear. The researchers concluded that "a relatively small number of very scary kids profoundly affected the nature of community life and the behavior of other kids." Evidently, if youth homicides were to be prevented, something would have to be done to change the behavior of this small group of people.



The group designed a strategy that focused not on the gangs themselves or on their turfs, but on members' violent behavior. They reasoned that because gang members committed so many crimes, there were ample opportunities to exert legal sanctions. The group also recognized that, like many criminals, gang members were largely ignorant of criminal justice policies and strategies; they had only a vague, and often mistaken, idea about why certain actions were taken against them. Deterrence theory holds that a sanction can have a specific deterrent effect only if the offender understands the sanction's relation to the crime. Officials' behavior can seem quite unpredictable to offenders, particularly young ones.

The essence of the demand-reduction strategy was, first, to orchestrate strongly enhanced penalties against gang members for any violent behavior, and second, to communicate the threat of these penalties in unmistakable terms. Enhanced penalties ranged from strict curfew checks by probation officers to federal prosecutions for street crimes. The orchestration of these penalties could come about only as a result of the mutual commitment of various local, state and federal police, prosecutors and corrections officials. The group communicated the threat in the most direct way possible: They met with the youth gangs personally and read them the riot act. The threats were ultimately made credible when very severe penalties were imposed on a gang that committed some violent crimes. Officials then met again with the gangs and explained what happened, and why. The crux of the message was that ordinary crimes would be punished ordinarily; extraordinary crimes (i.e., violent offenses) would be punished extraordinarily. This strategy became known as "Ceasefire."

As of March 1997, project staff reported the following impact: Homicides of people age 24 and under, and gun homicides of people 14 to 24, dropped 67 percent city-wide from the mean of the previous seven years. The researchers do not make categorical claims to have caused this decline, but they provide substantial evidence supporting such cause and effect.\*

*Editor's note: This problem-solving initiative is notable in many respects. It addresses a homicide problem that is often viewed as intractable. This project entailed the sort of problem-oriented, practitioner-researcher partnership Herman Goldstein advocates. The researchers had a sophisticated understanding of methodology and relevant literature on youth violence, which provided a theoretical foundation for the strategy. The strategy seems to have produced a dramatic decline in youth homicides. The researchers acknowledged that the gun-supply-reduction strategy proved relatively ineffective. Minneapolis officials, with help from the Harvard researchers and the Police Executive Research Forum, have replicated much of the Boston working group's approach in addressing their city's rising homicide problem.*

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\*Sources: "Pulling Levers: Chronic Offenders, High-Crime Settings, and a Theory of Prevention," David M. Kennedy, in draft form, to be published in the Valparaiso University Law Review, Vol. 31, 1997; "Youth Violence in Boston: Gun Markets, Serious Youth Offenders, and a Use-Reduction Strategy," David M. Kennedy, Anne M. Piehl and Anthony A. Braga, Law and Contemporary Problems, Vol. 59, Duke University Law School, 1996; "The (Un)Known Universe: Mapping Gangs and Gang Violence in Boston," David M. Kennedy, Anthony A. Braga and Anne M. Piehl, in draft form, Harvard University, September 1996; notes from presentation by Kennedy and Lt. Gary French at 1996 International Problem-Oriented Policing Conference; "Taking a Hit Show on the Road: Boston's Homicide-Prevention Effort Gets Twin Cities Tryout," Law Enforcement News, Vol. 23, No. 470, June 30, 1997.

## A Gang Problem in St. Petersburg, Fla.

In June 1991, rival groups\*\* of young men began shooting at each other in the Jordan Park and Bethel Heights neighborhoods of St. Petersburg, Fla. The first victim, a 16-year-old, was shot and killed in the street during an end-of-school party. A year later, police suspected the boy's brother committed a drive-by shooting to avenge his brother's death.

A year later, police suspected the avenging boy of several more shootings, beatings and auto thefts. In turn, a boy from the rival group threatened to shoot the avenging boy's mother, and then did shoot at one of the boy's associates. The avenging boy was suspected of retaliating with three more drive-by shootings in one night. In the last of these shootings, a relative of the boy who threatened the mother was killed. The next day, the boy who threatened the mother was suspected of shooting at four associates of the avenging boy.

About a year later, in the summer of 1994, two of those associates fired shots at a rival. A month later, the groups had a shoot-out and fight in which a Bethel Heights group member was seriously beaten. In retaliation, members of the beaten boy's group stole a car and used it to commit three more drive-by shootings at rival group members.

A pattern had formed: three bursts of violence, with each burst occurring around the anniversary of the 1991 killing. J.M. Moseley and Kevin Pete, Jordan Park and Bethel Heights community police officers, recognized that these shootings were related. They formally initiated a problem-solving project to try to stop the violence. Sgt. A.L. White, the St. Petersburg Police Department's robbery squad supervisor, joined the officers to lead a task force looking into the problem. Three detectives, two more patrol officers and a prosecutor filled out the team.

By interviewing several members of both groups, the task force learned that hostile feelings still ran strong on both sides. Several group members talked freely about vengeance as their primary motive for the violence, and predicted that the shootings would continue. The task force identified 11 members of the Bethel Heights group, and 18 members of the Jordan Park group. They also learned the following facts about the young men: All were African Americans, ranging in age from 16 to 25. Some were high school dropouts, although some had gone to college. Some were very promising athletes. Some did not have criminal records. Most of them carried guns. Some sold drugs and stole cars used to commit robberies and drive-by shootings. And some had talked to the police about their associates' criminal activities.

There were 15 shooting incidents attributable to this ongoing feud. In addition, the Jordan Park group was responsible for at least two violent armed robberies that netted \$28,000. Its members were also stealing or breaking into as many as 10 vehicles a week. Of the two groups, it was the more organized criminal enterprise.



There was nothing particularly crime-conducive about the housing project and neighborhood that suggested changes that would curb the violence. Moreover, the social controls set by the boys' parents, neighbors and clergy seemed to have weakened to the point of being ineffective. So the task force concluded that focusing directly on the group members was the most promising approach.

The task force developed a three-pronged strategy: Confiscate the groups' guns; make solid criminal cases against violent group members, and incarcerate them; and negotiate a truce among the remaining group members and their families and associates. They kept the two groups under conspicuous surveillance. (Later, the task force learned that on one occasion, the surveillance caused one group to call off plans to kill rival group members.) The task force made many felony cases for aggravated assault, armed robbery, attempted murder, auto theft, and concealed weapons against nine young men, most from the Jordan Park group. The nine were arrested, convicted and sentenced to long prison terms. During the many arrests and detentions of the groups' members, the task force confiscated many assault and semiautomatic weapons. One arrestee told officers that the police had taken all their guns.

The task force officers met with community leaders, neighborhood residents and the young men's families to solicit their support in stopping the violence. All agreed to do what they could. Some young men with outstanding arrest warrants turned themselves in to the task force. A few mothers and other relatives of the young men thanked the task force for intervening. Some group members told the police that they, too, were weary and scared of the shootings, and that they were willing to try to talk with their adversaries. A few of these seemingly fearless young men broke down and cried during interviews, and hugged their relatives before being taken to jail. Young men in both groups asked the police during interviews to tell the other group that they wanted the shooting to stop. With the police as mediators, the Jordan Park and Bethel Heights groups called a truce.

After the arrests were made and the truce called in August 1994, the task force disbanded. They could attribute no recent robberies to these groups, and the shootings had stopped. Through the summer of 1997, the truce seems to have held, according to Sgt. White. Most of the arrested group members remain incarcerated, and the Jordan Park and Bethel Heights neighborhoods have not suffered a recurrence of the feud. The young men's relatives now express their gratitude to the police by providing them with ongoing tips about neighborhood crime.\*

\*\*The editors use the term "groups" rather than "gangs" because the young men described here, while demonstrating some gang characteristics, did not meet all the criteria the St. Petersburg Police Department uses to define gangs.

*Editors' note: This problem-solving initiative is noteworthy because it successfully intervened in one of the most serious community problems: retaliatory gun violence. In certain respects, this is a more localized application of the principles that guided the Boston Youth Violence Project, though the strategy was developed*

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\*Sources: St. Petersburg Police Department internal memorandum, August 1994; St. Petersburg Times news article (undated); personal communication with Sgt. A.L. White.



*independently. In both cases, the task forces recognized revenge's power and persistence as a motivator in youth group violence. Both capitalized on group members' latent fear of incarceration and death by using targeted criminal law enforcement sanctions and eliminating group members' sense of anonymity.*

## **A Gang Problem in San Mateo, Calif.**

As a street-gang detective for the San Mateo, Calif., Police Department, Bob Szelenyi worked with some of the most violent city gangs. He made arrests and earned the respect of fellow officers and many gang members. Gang violence had become one of the city's major problems in recent years. Szelenyi remembered: "On several occasions, I was the first to arrive at a scene where a young man was down on the ground—bleeding from a gunshot or knife wound. Invariably, the victim was a teenager." He was discouraged by the violence and wondered whether more could be done to counter it. Szelenyi said that these "young men are willing to go down for the color they choose, the turf they claim, and the respect that others try to take from them." He added: "[E]verything I did as a street-gang detective never seemed to improve the quality of life in our community. We arrested people — they did their time, came out, and resumed with the same violent path. As a cop trying to make a difference, it was frustrating seeing the continuation of numerous young men getting permanently maimed, and even killed, as a result of gang violence."

In mid-1993, Szelenyi asked for and received a transfer to the department's community policing unit, where he received training in problem-oriented policing. He took on the gang violence problem. His supervisor "wanted to see long-term solutions to ongoing problems, and expected . . . [the use of] innovative and creative methods to tackling problems," Szelenyi said. Szelenyi wanted to bring two rival gangs together and "let them discuss their differences in a neutral environment." Ultimately, he hoped to achieve a gang truce. "We were looking for the long-term solution that a truce could deliver," Szelenyi said.

Szelenyi asked the Peninsula Conflict Resolution Center, a local volunteer mediation agency, if they wanted to help. In explaining why the department turned to a mediation center, he said, "We were looking more at root causes than just Band-Aid approaches." Szelenyi enlisted the probation department due to its court-ordered guardianship over many of the more seasoned gang members. Probation staff agreed to ask their supervised gang members to attend a meeting where "the possibilities of peace between the two opposing gangs would be discussed." Szelenyi said there had been a "seven-year warfare between these two gangs, including stabbings, rivalry graffiti, car bombings, and murder." The police asked a juvenile-court judge to waive the nonassociation clause that was a term of most of the gang members' probation, so that they could meet without fear of court-ordered sanctions.

To start off, the mediation service set up separate meetings with the two rival gangs. The meetings were held in a neutral place. Szelenyi, in plain clothes, was the only police officer present. Three mediators and two probation officers also attended. One



of the gang's leaders was in county jail for a violent crime, so Szelenyi arranged with the sheriff to have him released for the meeting. During these meetings, the groups talked about respect, community racism, the police, "and the need to try something new." The idea of a truce was introduced at each of the separate sessions; the gangs' leaders laughed at the idea. Their interest was only in finding out how the rival gang reacted. The mediators asked for another meeting; both gangs agreed, mostly out of curiosity.

The mediators met individually with each gang four more times — eight meetings in total. Each gang remained curious about the other's commitment, and both seemed tired of the ongoing violence. The gangs finally agreed to meet together. Each gang selected five members as spokespeople. During the first hour, the mediators met separately with the gangs; then they all met together. Each gang brought a list of items to be addressed. Szelenyi said: "Respect was at the top of both lists . . . Each gang raised a lot of respect issues. They never [verbally] communicated with each other. They [communicated only] in warfare." Another item of agreement was "the need to put the past behind" them. Szelenyi remembered:

We brought them into the same room, and sat them at a large conference table. You could have heard a pin drop. With the assistance of the mediators, they began conversing about all the issues that had been discussed at previous meetings, and the priorities that were on their respective lists. They spoke respectfully for about two hours. At the conclusion of the meeting, an agreement for peace was reached, and handshakes were exchanged. As a former street-gang detective, it was the most amazing thing I have ever witnessed.

All agreed to a follow-up meeting, to which more of the gangs' members were invited. At the final meeting, 41 gang members agreed to a truce. They agreed there would be no more violent crime, and no more instigating disputes by such actions as crossing out the rival gang's graffiti. They agreed to respect each other, and if "a confrontation arose, they would try to talk it through as opposed to using weapons."

In the four years since this effort began, there have been no reports of violence between the two gangs. Szelenyi said, "Some of the members of the opposing gangs have become, not quite friends, but acquaintances." The truce is still in place, although sometimes one hears of isolated incidents between people in the two gangs. However, these incidents are one-on-one disagreements, not gang warfare. The two gangs still have rivalries with other San Mateo gangs, and the police department continues its efforts to stem those.\*

*Editors' note: This effort is notable more for its creative response than its analysis. Herman Goldstein has suggested that police need to explore a range of alternative responses in tackling public-safety problems, and must stop relying solely*

*on the criminal justice system, whose overcrowding has made it an uncertain and often unreliable remedy. Of course, not all public-safety problems lend themselves to mediation. However, for some people, mediation can be persuasive in changing behavior, and its role in preventing violence should be more fully explored. Szelenyi believes mediation was successful with these two gangs for several reasons. "The timing was right, we never gave up, [the gangs] ended up trusting us, and they ended up believing that all we wanted to do was stop the violence," he said.*

## **Additional Editors' Comments on Gang Problems**

Many large and midsized cities now report the presence of gangs. In some communities, gangs are simply a way for young men and women to bond, and they engage in little to no criminal activity. In others, gangs are responsible for assaults, drive-by shootings, graffiti, intimidation, and murders. In the efforts documented in this section, officers and researchers spent time trying to understand the motivation behind gang violence so they could devise long-term solutions. In some cases, violence erupted between rival gangs due to perceived disrespect or as retaliation. Economic gain from drug dealing and robberies also motivates some gangs. During the late 1980s and early 1990s, the destructiveness of gang violence increased with the availability of guns. This makes these problem-solving efforts even more significant, because each successfully tackled perhaps the most serious violence a community can face: drive-by shootings and murder.

The editors uncovered other notable approaches in the research. In Colorado Springs, Colo., gang members at a local fast-food restaurant caused a sizable number of police calls for car accidents, disturbances, loitering, noise, shots fired, and traffic congestion. Rival gangs were encountering each other in the restaurant lobby, and fights were erupting. In addition, patrons were disregarding traffic-flow lanes, causing accidents, fights and traffic congestion. Police officers worked with the restaurant owner and recommended closing off the lobby to foot traffic, forcing more late-night drive-through service and decreasing face-to-face gang interaction. The restaurant also improved the lighting and curbed the drive-through lane all the way to the exit, so customers could not veer off and fight or get into or cause accidents. After implementation, calls to police dropped by over 50 percent, even during the normally busier summer months.

In Cook County, Ill., the sheriff's department helped develop a gang database storing criminal, demographic and geographic gang information, as well as images of gang graffiti, hand-signs and tattoos. More than 70 government agencies use the database.

Redondo Beach, Calif., police officers and prosecutors sought restraining orders against gang members who were criminally active in a local park. The officers painstakingly reviewed 1,800 calls for service at or near the park to determine which



ones involved gangs. The court orders prohibited more than a dozen gang members from certain activities in the park, which, analysis showed, was a central location for gang recruitment and criminal activity. It should be noted that some civil abatement strategies, including restraining orders, have run into First Amendment problems for prohibiting what would otherwise be legal activity, such as carrying baseball bats or bottles, climbing trees, making hand signals, sitting in parks, wearing large belts, and whistling.

# Chapter 7

Tackling Crime and Other Public-Safety Problems

Case Studies In Problem Solving

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Graffiti



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# Graffiti

## Graffiti in Santa Ana, Calif.

In 1992, graffiti in Santa Ana, Calif., became more prevalent than ever. Police believed this was attributable not to gangs, but to a new phenomenon known as "tagging." Whereas gang graffiti exists to mark territory and convey threats, tagging exists to call attention to the individual or group. The markings are typically the taggers' nicknames, and tend not to be very artistic. Taggers often form crews and compete with one another, sometimes painting over one another's tags. Most of the competition is nonviolent, although there have been some instances of violence between rival crews, and at least one incident in which an innocent woman was shot and killed interrupting a crew. According to Santa Ana Police Department Lt. Mike Foote, tagging is popular with young people who have a hard time expressing their individuality in more conventional ways.

The police tried to reassure the public that the graffiti was not the work of gangs, but many citizens were understandably afraid that their neighborhoods were out of control. The graffiti had appeared suddenly and soon overwhelmed the public works department's ability to remove it. The city was forced to contract with private firms. Because city-paid crews are limited to cleaning public or quasi-public property, graffiti removal crews were hired or formed in each of the city's 54 neighborhoods to help clean private property. The city provided the paint for the private cleaning. The city had spent about \$200,000 to clean about 900,000 square feet of graffiti in fiscal year 1988 to 1989. Those figures skyrocketed to \$1.2 million to clean 4.5 million square feet in fiscal year 1992 to 1993. In November 1992 alone, cleaning crews removed over 691,000 square feet of graffiti.

In early 1993, the police department organized a graffiti-removal task force that included representatives from the chamber of commerce, city attorney's office, city manager's office, community development department, police department, public works department, recreation and community services department, and school district. Each task force participant had an equal voice in decision-making, and each had the authority to make resource commitments. This would prove crucial in minimizing the tendency to be slowed down or stalled by routine bureaucratic decision-making. The task force developed a three-pronged strategy emphasizing prevention, eradication and prosecution.

The police department assigned two full-time officers to coordinate anti-graffiti efforts. The officers coordinated investigations and prosecutions of offenders, and also developed a database to track incidents, offenders and cases. Seventy separate groups of taggers were identified throughout the area. The officers met with county, municipal and juvenile-court judges to encourage them to establish uniform sentencing guidelines for tagging and graffiti cases. The resultant sentences were harsher than they had been. The officers also held training sessions for assistant district attorneys



to create a common understanding of the problem and, consequently, a common prosecutorial policy. The city council authorized a \$500 reward for information resulting in a tagger's conviction, and required merchants to store spray paint and large marking pens in restricted display areas. This latter initiative was designed to reduce theft of these items by minors who were already prohibited by law from purchasing them.

A central component of the overall response to the problem was a juvenile diversion program. Working through the St. Vincent DePaul Victim-Offender Reconciliation Program, the police were able to bring together young taggers and the owners of the property they had defaced. In this setting, victims had the opportunity to confront offenders and to execute signed contracts providing that the offenders would pay restitution and perform community service. The city council granted the police department specific authority to execute these contracts. Criminal prosecutions and civil actions were held in abeyance. If offenders broke the contract, they were subject to prosecution and civil damages, under either tort or contract law. The parents of juvenile offenders actually signed the contracts, and they could be held liable for the restitution under this ordinance. Public-works and private cleaning crews photographed and measured graffiti and documented cleanup costs to aid investigations, measure the initiative's progress, and establish the true restitution and civil damage costs.

The police were so successful in making arrests that they had to recruit and train 18 volunteer mediators to supplement the diversion program. The scope of the problem later compelled the department to assign a second officer and clerical support staff. From March to mid-August 1993, the police made 637 graffiti- and tagging-related arrests. One hundred thirty-four cases were referred to the Victim-Offender Reconciliation Program, and 97 cases were criminally prosecuted. During the same period, the diversion program produced 78 mediated contracts, 61 of which were completed, netting over \$11,000 in victim restitution. Criminal prosecutions also generated some restitution, and police estimated that pending cases would yield over \$200,000. Offenders failed to honor their contracts in only 15 cases. Police took *every* member of 32 of the 70 tagging crews into custody. Offenders performed over 2,000 hours of community service, most of it cleaning graffiti. The program has since been expanded to include other misdemeanants. In 1996, the city received an estimated \$1.8 million benefit from the community-service labor, freeing up about 37,000 work hours for city employees. By December 1994, police had arrested more than 1,100 offenders.

The city's community development agency coordinated numerous neighborhood cleanup and graffiti-removal efforts. It sponsored an annual "Graffiti Paint-Out Day," recruiting volunteers from businesses, civic and service associations, community groups, and schools. The task force held a press conference for high school student journalists to educate them about the graffiti problem and consequences for offenders. As a result, all the school newspapers ran stories about graffiti and tagging. In addition, grade school teachers talked to their students about the problem. Student polls revealed that, prior to these educational campaigns, most students did not know



how big the problem was and how much it was costing to address it. The city's successful efforts were expanded countywide in mid-1993.

As a result of these efforts, the monthly square footage of city graffiti that had to be removed decreased from a high of 691,857 in November 1992, to a low of 193,089 in November 1993. By December 1994, the monthly average was about 240,000 square feet, about 40 percent less than what the city was averaging before the anti-graffiti effort was started in March 1993. Factoring in the work done by city, contract and neighborhood-association cleaning crews, Santa Ana police estimate there is 70 percent less graffiti in 1997 than there was in 1992. According to Lt. Foote: "You can come to Santa Ana, and you won't see graffiti. We get it down in 48 to 72 hours, tops."

While the city seems to have the problem under some control, officials are far from complacent. They have identified over 250 active tagging crews in the three-county region, ranging in size from five taggers to 1,500. In recent years, some of the tagging crews have gotten into more serious crime, such as auto theft and burglary, and have allied themselves with street gangs. Police refer to this as "tag-banging." Said Lt. Foote, "It's an ongoing battle."\*

*Editors' note: This project is noteworthy for the persistence the police, local government and community groups demonstrated in keeping this problem under control (graffiti problems are often neglected because the immediate harm is less severe than that caused by other crimes). Santa Ana has recognized that unchecked graffiti can undermine a community's ability to protect itself from more serious crime. This initiative also successfully used alternatives to arrest, such as mediation and restitution, that can actually have more tangible consequences than prosecution in an already burdened court system. The project addressed the problem from several perspectives, not just from a law enforcement perspective.*

## Graffiti in Santee, Calif.

Santee, Calif., in San Diego County, has a population of 58,000. Like many other communities around the country, it was besieged by a new form of graffiti known as "tagging." Tagging is graffiti put up to call attention to the individual tagger or group of taggers. Each tagger's graffiti is distinct, and while some might find it artistic, most property owners whose buildings, signs or cars are tagged find it a nuisance, an eyesore and a crime. Organized graffiti vandals can quickly blight a neighborhood and threaten property values. In 1992, the city of Santee contracted with the San Diego County Sheriff's Department for two special-purpose deputies who were to address the tagging problem.

Deputies Dave Myers and Scott Klein Hesselink formed an organized network that they called TAGNET (Tagging And Graffiti Network Enforcement Team). Its purpose was to improve communication and coordination with other jurisdictions and groups

\*Sources: Executive summary of graffiti-removal task force report, city of Santa Ana, April 1994; personal communication with Lt. Mike Foote, Oct. 7, 1997.

addressing similar concerns. The network included all police agencies in the county, city and county prosecutors, civic groups, crime-prevention specialists, teachers associations, the school district, and the state transportation department. They began gathering intelligence on taggers' names, affiliations and signature markings. The deputies set up a uniform graffiti-and-tagging reporting-and-tracking system for all police agencies in the county.

The deputies wanted to learn more about the tagging subculture, so along with San Diego police officer Kevin French, they devised an ingenious scheme to infiltrate the taggers' network. With help from businesspeople and other law enforcement officials, they posed as a video production crew seeking to do a documentary on tagging, and they invited several known taggers to a "preproduction interview." The operation's objectives were threefold: to make an impact on the taggers, to promote improved anti-graffiti legislation, and to gather background intelligence on tagging. The deputies worked undercover for four months, during which they learned a lot about taggers' methods and motives. They learned that tagging crossed all ethnic and economic lines and involved both males and females, ranging in age from 10 to 25. This knowledge later helped them develop their education-and-awareness campaign, particularly that part of it targeting younger school children.

In addition to educating themselves, they developed criminal cases against 40 to 50 taggers, some of whom they were able to charge with criminal conspiracies. To their knowledge, this was the first time in the state of California that conspiracy cases had been made solely from misdemeanor offenses. The conviction rate for this operation was 100 percent. The deputies believed the courts finally had a thorough appreciation of tagging's destructiveness.

At the deputies' recommendations, state legislators introduced and passed a state law mandating parental participation in their children's community service if the children were convicted of criminal vandalism. Local legislators adopted a city ordinance offering rewards for information leading to taggers' arrest, and another ordinance requiring stores to keep spray paint secure from theft and prohibiting minors from carrying implements to be used for tagging.

The city set up a hot line to encourage citizens to report graffiti and tagging. After a report, sheriff's deputies would document the graffiti and start an investigation; city public-works crews would then remove the graffiti. Because taggers' markings are distinct, the deputies were generally able to solve all organized-graffiti cases and arrest the offenders. Most offenders were juveniles, and they were most often processed through a diversion program that required them to clean up graffiti throughout the city. The deputies also developed and delivered educational messages about tagging for business leaders, elected officials, parents, teachers, and school administrators.

When they began their work, the deputies identified about eight to 10 active tagging groups in Santee. Evaluating their progress in each of the two following years, they

noted that the number of organized-graffiti cases had declined by 75 percent, and all organized tagging groups in Santee had been disbanded. The deputies had actually expected the number of tagging cases to increase in the wake of the education-and-awareness campaign, so they were all the more convinced their efforts were succeeding. They interviewed many of the convicted taggers and believed most of them did not, and were not likely to, re-offend. They came to believe many of the taggers did not fully appreciate the harm their behavior was causing. Visually, the city of Santee was much improved. The most popular tagging sites were staying clean.\*

*Editors' note: This project is notable for the creativity the deputies demonstrated in analyzing the tagging phenomenon. Their use of a decoy sting helped them identify and arrest offenders, but perhaps more importantly, they developed a fuller understanding of the problem. They used several tactics to address the problem that have proved effective in a number of communities in Southern California and around the country.*

### **Additional Editors' Comments on Graffiti**

In the 1980s and early 1990s, graffiti and tagging marked buses, businesses, freeway signs, private homes, public buildings, and subway cars across the nation. The New York City Transit Authority did some early anti-graffiti research because the problem there had reached crisis proportions. Vandals had completely covered the inside and outside of many of the system's subway cars with graffiti. Passengers could not see through subway-car windows, heightening fear and alarm. The transit authority found that quick removal decreased the chances of repeat occurrences. They limited access to places where tagging was chronic (e.g., the trainyards) and, among other things, experimented with different coatings for the trains, finding one from which graffiti was more easily removed.

Cities have responded to graffiti and tagging in different ways, many incorporating multiple strategies. Some cities limit access to vandals' tools (e.g., by locking up spray paint or banning sales of it). Some limit access to vandalized sites (e.g., New York City restricted access to subway yards, and on many California freeways, barbed wire restricts access to signs). Some incorporate aspects of restorative justice (e.g., the victim and offender are brought together so the offender better understands the harm caused). Some choose shaming (e.g., vandals are court-ordered to clean up their graffiti). Some encourage greater parental guardianship over children's activities. Some encourage increased community vigilance (e.g., through reward programs and hot lines). Some try educational efforts (e.g., developing programs to deter schoolchildren, and publicizing cleanup costs to deter potential vandals). Some offer more conventionally acceptable artistic endeavors. And some threaten to penalize victims to guarantee timely graffiti removal (e.g., building owners are fined if graffiti is not removed within a legislatively specified time).

The editors found several other noteworthy strategies. In Colorado Springs, Colo., city workers use an air-pressure tool that is environmentally safe and does a better job of graffiti removal on a wide range of hard-to-clean surfaces (including brick, stucco

\*Sources: Project description submitted to Rana Sampson for NIJ-sponsored problem-solving project; personal communication with San Diego County Sheriff's Department Sgt. Dave Myers, Oct. 8, 1997.

and wood). Lakewood, Colo., police enlisted postal carriers to report graffiti due to their wide access and daily ability to inspect. They carry reporting cards on their mail routes. Phoenix, Ariz., set up a graffiti reward hot line and encourages victims to file civil damage claims against offenders. In San Antonio, Texas, spray paint is classified as an inhalant and must be kept in a locked area. Businesses must have a health department permit to sell spray paint, and selling it to minors is a felony.

In San Mateo, Calif., some juvenile graffiti offenders are diverted to graffiti-cleanup programs. Upon completion, their arrest is expunged. As part of the diversion agreement, offenders' parents participate in one-day cleanups. In Philadelphia, Penn., spray paint sales to minors are illegal; an amnesty has encouraged more than 1,000 young people to turn in their spray paint; and a nonprofit anti-graffiti community organization helps police identify suspects, and gives promising young artists (some of whom are former taggers and graffiti vandals) opportunities to paint community murals with well-known artists.

