

1 week - 40
80-100 hrs
2 years

DEGELDER AND THE "J" STREET BLIGHT

The Logan Heights area of San Diego is composed primarily of older residential and light commercial neighborhoods. It is a very poor area of the city and is plagued by problems such as gangs, drug activity, and inadequate housing common to other predominately poor sections. Many of the older abandoned structures in the area are utilized by drug dealers and smugglers of illegal aliens as "safe houses."

In March 1986, a complaint was received by the Mayor's Citizens Assistance Office concerning a block of old row houses on "J" Street in the Logan Heights area of San Diego. The citizen alleged that several of these houses had already been posted with red condemnation signs but were still being occupied. They posed a hazard to the entire neighborhood as they acted as magnets for various illegal activity.

Terence Degelder, a six-year veteran of the San Diego Police Department and a patrol officer in the Logan Heights area, was assigned the task of responding to this complaint. Degelder's first visit to the property revealed a situation even worse than alleged in the complaint. The property consisted of nine buildings of wooden construction intended for use as houses or apartments. The front yards were strewn with trash, garbage, and refuse including automobile parts and discarded appliances. Degelder was able to gain entrance to two of the buildings which were apparently abandoned and

response
Goal: TO get
Property
Levelled
↓
restore or
eliminate

Assessment
Bldg still
there
In court
abatement

analysis
• on-site
interviewed
neighbors
• found owner
• did records
check
• history
• Bldg insp.
• Code enforce.
• city/county
records
• compare
searches
• Border patrol
• Co-owner
utilities
• community alert

data
• people
city attorney

Goal → turn
over to other
city agency

• Arrests
• Documented
• Elim - folks out
fence up
visually elim

noted evidence that they were occupied by large groups of transients. He also noted evidence of drug activity such as discarded balloons, burnt bottle caps, and what appeared to be drug residue. Degelder interviewed several individuals whom he found on the premises and discovered that the owner was a Mr. S. who was continuing to collect rent from several of the tenants.

Degelder ran a records check on Mr. S and discovered that he had a felony record which included convictions for burglary, forgery, and assault.

Degelder resolved that he was going to pursue the matter further.

Several days later, Degelder visited the offices of the city building inspector. He discovered that approximately nine months earlier the city had declared the buildings at the Logan Heights location as uninhabitable due to deterioration. Not satisfied with promises that they would "look into the situation," Degelder contacted Joseph Schilling of the City Attorney's Office, the deputy in charge of code enforcement. Schilling advised Degelder that if he could obtain a current building inspection, court action could be initiated against Mr. S. Degelder returned to the city administration building and contacted J. Warkentin, a city building inspector, and asked him to visit the premises that day. Degelder and Warkentin returned to the premises so that Warkentin could reinspect the buildings while Warkentin conducted his inspection, Degelder spoke with several residents. While interviewing one of the residents, Mr. S approached and identified himself to Degelder. When asked if he was collecting rent from the residents, Mr. S denied it explaining that he was only supplying the residents with receipts so that they could obtain welfare funds. Mr. S claimed that he could not

afford to repair the buildings without public assistance. Mr. S then left the premises. Degelder spoke to several other individuals who were also paying rent to Mr. S and who complained of frequent illegal activity on the premises. Meanwhile, Mr. Warkentin was completing his inspection which revealed major Fire Code, Health and Safety Code, and Municipal Ordinance violations in all nine dwellings. Degelder returned to Schilling's office with this information. Mr. Schilling immediately initiated the required documents to file a civil complaint against the premises in Superior Court.

With encouragement from his supervisors, during the next several weeks, Degelder continued to gather evidence in support of the city's complaint. He initiated a records check of the premises and discovered an unusually large number of drug-related arrests taking place at that location. In addition, the premises had been the site of several raids by Border Patrol who apprehended literally hundreds of illegal aliens. Degelder visited the premises on several occasions and interviewed many residents and others he found there. During these visits he discovered further evidence of drug-related activity. On one such visit, Degelder spoke with several individuals living in one of the dwellings who admitted that they were illegal aliens. The Border Patrol was called and took them into custody. As a result of his investigation, Degelder became convinced that the premises were being utilized as drug "shooting galleries" and to hide illegal aliens.

In May 1986, the city filed a civil complaint in which the court was asked to order Mr. S to repair and maintain the property in accordance with applicable

codes and ordinances, to declare the property a public nuisance, and to issue a temporary restraining order which would effect the removal of all individuals currently living in each dwelling and cause the property to be fenced until the required repairs were accomplished. The court granted the restraining order and the next day city crews and police s supervised the removal of all the tenants and the erection of a fence around the entire premises. Several weeks later at the next hearing in the case, the court entered a preliminary injunction which continued the restraining order previously entered and further ordered that the premises remain boarded and fenced until the required repairs were completed.

Unfortunately, this court action did not mark the successful resolution of this problem. Ownership of the property was not quite as clear as everyone first thought. Apparently, the property was previously owned by Mr. S's mother who, when she died, left it to her son and her faithful nurse. The nurse hired an attorney to represent her interests in the property and the court action became quite complicated from there. Over the next 18 months, negotiations took place between the attorneys and the city over who was responsible for how much of the repairs. Mr. S was not available for much of this time. The day after the court entered the preliminary injunction, Degelder arrested Mr. S for alleged possession of heroin. Mr. S was convicted and sentenced to 16 months in prison.

In January 1988, at a monthly Community Alert meeting, several residents complained that the "J" Street property in Logan Heights was once again the

scene of drug and illegal alien activity. Degelder, who had since been promoted to detective, was assigned to investigate. He contacted the State Parole Board and spoke to Mr. S's parole officer. Degelder discovered that Mr. S had been released on parole in October 1987 and had listed his address as one of the dwellings the court in June 1986 had ordered vacated, an order which was still in effect. In addition, Mr. S had recently failed a urine screening for drugs and had failed to register with the SPPD as a drug offender, in violation of the terms of his parole.

Degelder and several other officers went to the "J" Street property with the intent of arresting Mr. S for these violations. Upon arrival, Degelder discovered that the fence which had been erected around the property had been torn down. When the officers knocked on the door to the dwelling Mr. S had listed as his address, a Mr. B answered the door and told the officers where they could find Mr. S. Mr. B was also on parole for drug offenses. Degelder drove to the address provided by Mr. B, located and arrested Mr. S for the various violations of his parole and violating the court order by removing the fence around the property and reoccupying the premises.

Mr. S was consequently returned to prison. The City Attorney subsequently filed documents in an effort to have the court condemn the property so that the buildings can be razed. This request is still pending). Degelder continues to monitor the "J" Street property. Although it has taken several years he is still optimistic that his efforts will result in the permanent removal of this blight.