



**COPS**

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Problem-Specific Guides Series  
Problem-Oriented Guides for Police

No. 64

# Abandoned Buildings and Lots

Jon M. Shane



Center for  
**Problem-Oriented Policing**



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**Problem-Specific Guides Series**  
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## **Abandoned Buildings and Lots**

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## About the Problem-Specific Guides Series

The *Problem-Specific Guides* summarize knowledge about how police can reduce the harm caused by specific crime and disorder problems. They are guides to prevention and to improving the overall response to incidents, not to investigating offenses or handling specific incidents. Neither do they cover all of the technical details about how to implement specific responses. The guides are written for police—of whatever rank or assignment—who must address the specific problem the guides cover. The guides will be most useful to officers who:

- **Understand basic problem-oriented policing principles and methods.** The guides are not primers in problem-oriented policing. They deal only briefly with the initial decision to focus on a particular problem, methods to analyze the problem, and means to assess the results of a problem-oriented policing project. They are designed to help police decide how best to analyze and address a problem they have already identified. (A companion series of *Problem-Solving Tools* guides has been produced to aid in various aspects of problem analysis and assessment.)
- **Can look at a problem in depth.** Depending on the complexity of the problem, you should be prepared to spend perhaps weeks, or even months, analyzing and responding to it. Carefully studying a problem before responding helps you design the right strategy, one that is most likely to work in your community. You should not blindly adopt the responses others have used; you must decide whether they are appropriate to your local situation. What is true in one place may not be true elsewhere; what works in one place may not work everywhere.
- **Are willing to consider new ways of doing police business.** The guides describe responses that other police departments have used or that researchers have tested. While not all of these responses will be appropriate to your particular problem, they should help give a broader view of the kinds of things you could do. You may think you cannot implement some of these responses in your jurisdiction, but perhaps you can. In many places, when police have discovered a more effective response, they have succeeded in having laws and policies changed, improving the response to the problem. (A companion series of *Response Guides* has been produced to help you understand how commonly-used police responses work on a variety of problems.)



- **Understand the value and the limits of research knowledge.** For some types of problems, a lot of useful research is available to the police; for other problems, little is available. Accordingly, some guides in this series summarize existing research whereas other guides illustrate the need for more research on that particular problem. Regardless, research has not provided definitive answers to all the questions you might have about the problem. The research may help get you started in designing your own responses, but it cannot tell you exactly what to do. This will depend greatly on the particular nature of your local problem. In the interest of keeping the guides readable, not every piece of relevant research has been cited, nor has every point been attributed to its sources. To have done so would have overwhelmed and distracted the reader. The references listed at the end of each guide are those drawn on most heavily; they are not a complete bibliography of research on the subject.
- **Are willing to work with others to find effective solutions to the problem.** The police alone cannot implement many of the responses discussed in the guides. They must frequently implement them in partnership with other responsible private and public bodies, including other government agencies, non-governmental organizations, private businesses, public utilities, community groups, and individual citizens. An effective problem-solver must know how to forge genuine partnerships with others and be prepared to invest considerable effort in making these partnerships work. Each guide identifies particular individuals or groups in the community with whom police might work to improve the overall response to that problem. Thorough analysis of problems often reveals that individuals and groups other than the police are in a stronger position to address problems and that police ought to shift some greater responsibility to them to do so. Response Guide No. 3, *Shifting and Sharing Responsibility for Public Safety Problems*, provides further discussion of this topic.

The COPS Office defines community policing as “a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.” These guides emphasize *problem-solving* and *police-community* partnerships in the context of addressing specific public safety problems. For the most part, the organizational strategies that can facilitate problem-solving and police-community partnerships vary considerably and discussion of them is beyond the scope of these guides.



These guides have drawn on research findings and police practices in the United States, the United Kingdom, Canada, Australia, New Zealand, the Netherlands, and Scandinavia. Even though laws, customs, and police practices vary from country to country, it is apparent that the police everywhere experience common problems. In a world that is becoming increasingly interconnected, it is important that police be aware of research and successful practices beyond the borders of their own countries.

Each guide is informed by a thorough review of the research literature and reported police practice, and each guide is anonymously peer-reviewed by a line police officer, a police executive, and a researcher prior to publication. The review process is independently managed by the COPS Office, which solicits the reviews.

For more information about problem-oriented policing, visit the Center for Problem-Oriented Policing online at [www.popcenter.org](http://www.popcenter.org). This website offers free online access to:

- The *Problem-Specific Guides* series
- The companion *Response Guides* and *Problem-Solving Tools* series
- Special publications on crime analysis and on policing terrorism
- Instructional information about problem-oriented policing and related topics
- An interactive problem-oriented policing training exercise
- An interactive *Problem Analysis Module*
- Online access to important police research and practices
- Information about problem-oriented policing conferences and award programs



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The project team that developed the guide series comprised Herman Goldstein (University of Wisconsin Law School), Ronald V. Clarke (Rutgers University), John E. Eck (University of Cincinnati), Michael S. Scott (University of Wisconsin Law School), Rana Sampson (Police Consultant), and Deborah Lamm Weisel (North Carolina State University).

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Kimberly Nath oversaw the project for the COPS Office. Phyllis Schultze conducted research for the guide at Rutgers University's Criminal Justice Library. Nancy Leach coordinated the Center for Problem-Oriented Policing's production process. Katharine Willis edited this guide.



# The Problem of Abandoned Buildings and Lots

## What This Guide Does and Does Not Cover

This guide begins by describing the problem of abandoned buildings and lots, factors that contribute to the problem, and who is responsible for the problem. It then presents a series of questions that will help you analyze the problem. Finally, it reviews several responses to the problem and what is known from research, evaluation, and government practice.

Abandoned buildings and lots are a subcategory of the larger problem of physical disorder in a community. This guide is limited to addressing the harms created by abandoned buildings and lots. Related problems not directly addressed by this guide, each of which requires separate research and analysis, include:

- Abandoned vehicles
- Arson
- Drive-by shootings
- Drug dealing in open-air markets
- Methamphetamine/illicit drug labs
- Gang activity
- Graffiti
- Homeless encampments
- Illegal dumping/hazardous waste discharge
- Illicit sexual activity in public places
- Noise
- Rave parties
- Street prostitution
- Theft of scrap metal
- Trespassing
- Underage drinking

Some of these related problems are discussed in other guides in this series, all of which are listed at the end of this guide. For the most up-to-date listing of current and future guides, see [www.popcenter.org](http://www.popcenter.org).



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This abandoned row house is an example of what one usually thinks of when hearing the term “abandoned building.” [http://commons.wikimedia.org/wiki/File:465\\_and\\_471\\_New\\_York\\_Avenue,\\_N.W..jpg](http://commons.wikimedia.org/wiki/File:465_and_471_New_York_Avenue,_N.W..jpg)

## General Description of the Problem

### *Definition*

The term “abandoned building” connotes an image of a building that is unoccupied and in a state of grave disrepair, perhaps boarded up, strewn with trash, and scrawled with graffiti. Although a building may possess these attributes, which evoke fear and precipitate decline in a community, it is difficult to legally define “abandoned building” as there is no universal definition. Therefore, it is best to use a broad interpretation that includes a variety of properties and conditions.<sup>†</sup>

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<sup>†</sup> For example, New Jersey’s broad definition of “abandoned” requires a municipal public officer to first determine a property has not been legally occupied for 6 months. If the property meets this minimum threshold, it must also meet any one of the following additional elements to be considered abandoned: 1) it needs rehabilitation in the reasonable judgment of the public officer, and no work has taken place during that 6-month period; 2) construction began but was discontinued before the building was suitable for occupancy or use, and no construction has taken place during that 6-month period; 3) at least one property tax installment is delinquent at the time the public officer makes the determination; or 4) the property is determined a nuisance by the public officer. The determination that a building has been abandoned is interrelated with New Jersey’s nuisance statute, which gives the governing body more flexibility in its determination. The definition applies only to buildings, not to vacant land or parcels. (N.J.S.A. 55:19-81, *Determination that Property is Abandoned, Title 55 Tenement Houses and Public Housing.*)



How terms such as “property,” “vacant,” “lot,” “building,” “abandoned,” and “temporarily vacant” are defined delimits the legal remedies available for abating the problem.<sup>†</sup> The term “building” is important because accessory structures such as sheds and garages may not be included. To be classified as abandoned, a building must typically be a hazard to the health and welfare of the community; the owner must relinquish his or her rights to the property; and the property must be vacant for a period of time. Accompanying terms such as “evidence of vacancy” and “neighborhood standards” are both technical and legal. These elements make abating the problem more challenging because property laws are more protective of owners’ real property than say their automobile, which can be easily removed if abandoned.

The time element of the definition is imperative because property laws also grant owners sufficient time to make needed repairs or to dispose of the property. Simply because someone is not living in the house at the moment does not render it abandoned even if it needs repairs. For example, a building may be a seasonal rental, or it may sit unoccupied after a fire awaiting an insurance adjuster and repairs. Other situations are more technical: if a building is vacant and boarded up for a period of time but the property taxes are paid, it is actually vacant, not abandoned, which leaves the government little legal recourse.

### *Estimates on Prevalence and Cost*

Estimates on the prevalence of abandoned buildings in the United States vary because there is no central clearinghouse of such information, the data are not consistent across jurisdictions, and definitions may vary. Counting abandoned buildings is difficult partly because defining “abandoned building,” “vacant lot,” and “housing unit” affects how each is counted, and they may be grouped together when they are separate issues. The U.S. Census estimates the number of abandoned properties was 19 million at the end of the first quarter of 2010.<sup>1</sup> Many larger cities such as Detroit (33,500 abandoned houses and 12,000 vacant lots), Baltimore (14,000 abandoned houses and 91,000 abandoned residential lots), and Philadelphia (40,000 abandoned houses and lots) have thousands of abandoned properties, but mid-sized and smaller cities such as Newark and Camden, New Jersey; Flint, Michigan; Cleveland, Ohio; and East St. Louis, Illinois have higher proportions of abandoned buildings and lots.<sup>2</sup> Although abandoned buildings are typically an urban problem, suburban locales have seen increases due to bank foreclosures.<sup>3</sup>

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<sup>†</sup> For example, the U.S. Postal Service Vacant Address dataset identifies addresses as “vacant” or “no-stat.” “Vacant” addresses are those where urban-route delivery staff has noted no mail has been retrieved for 90 or more days. “No-stat” addresses are defined as: 1) rural route addresses vacant for 90 or more days; or 2) addresses for businesses or homes under construction and not yet occupied; or 3) addresses in urban areas identified by a carrier as not likely to be active for some time. The U.S. Census Bureau uses the American Community Survey to categorize vacant properties (Community Research Partners, 2008).



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Abandoned houses have become more common in suburban areas due to the increases in bank foreclosures. [http://commons.wikimedia.org/wiki/File:Unoccupied\\_Californian\\_bungalow\\_in\\_Tarcutta\\_St,\\_Wagga\\_Wagga.jpg](http://commons.wikimedia.org/wiki/File:Unoccupied_Californian_bungalow_in_Tarcutta_St,_Wagga_Wagga.jpg)

There are no national estimates on cost, only select areas based on individual studies.<sup>4</sup> In 2008, eight Ohio cities accounted for 25,000 abandoned buildings and lots that cost \$15 million in direct city services and \$49 million in cumulative lost tax revenue.<sup>5</sup> Between 2000 and 2005, St. Louis, Missouri, spent nearly \$15.5 million to raze vacant buildings. Philadelphia spends about \$1.8 million each year to clean vacant lots.<sup>6</sup> In 2010, Detroit was prepared to spend approximately \$28 million to raze thousands of abandoned buildings.<sup>7</sup>

### *A Crime Attractor and Crime Enabler*

Abandoned properties become police problems when they attract crime and disorder. As a crime attractor, abandoned buildings provide cover, concealment, and opportunities for motivated criminals. Criminals are drawn to an abandoned property because it suits their needs and has few controls.<sup>8</sup> As its reputation for being a suitable criminal environment becomes known, the property is used by offenders more frequently, which increases crime and disorder conditions. Because no one is present to guard it or to regulate behavior, crime and disorderly conduct may escalate, which gradually erodes the sense of caring and ownership for the property and increases the risk of victimization and offending.<sup>9</sup>



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Fires in abandoned buildings pose a threat to surrounding structures and are a direct risk to responding police officers and firefighters. <http://commons.wikimedia.org/wiki/File:FirePhotography.jpg>

## Harms Caused by Abandoned Buildings and Lots

### *Blight, Crime, and Fear*

Abandoned properties contribute to a self-perpetuating cycle of blight: tenants and building owners will not rehabilitate the property when fear and crime exist, and the government cannot reduce fear and crime when the neighborhood is beset by abandoned properties. The properties are indicators of blight that symbolize no one cares about the neighborhood; the message to onlookers is that the area is ungovernable, no one is willing to challenge another's behavior, and the risk of being caught is low. The signs of disorder as well as fear, crime, and social control are thoroughly studied, but whether or not more serious crime inevitably follows is not as well understood.<sup>10</sup> Fear of victimization in areas beset by abandoned buildings leads residents to exercise outdoors less frequently, which affects their physical and psychosocial health and increases their feelings of isolation.<sup>11</sup> The elderly are particularly fearful when their environment contains vacant buildings.<sup>12</sup> Serious violent crimes such as murder, robbery, and sexual assault sometimes occur in or around abandoned buildings and lots.<sup>13</sup>



### *Arson and Accidental Fire*

Fires may be set deliberately by property owners facing mortgage problems, youth engaging in Halloween mischief, or accidentally by squatters, drug users, homeless who are cooking or keeping warm, or curious unsupervised children playing in the building.<sup>14</sup> Fires in vacant lots may be fueled by abandoned vehicles or accumulated trash and are aggravated by dry, overgrown landscape. Fire threatens the surrounding environs and legitimate adjacent properties through the density of structures and is a direct risk to responding police officers and firefighters.<sup>15</sup>

### *Burglary and Theft*

In a process known as “house stripping,” “scavenging,” or “urban mining,” offenders steal and then sell building components.<sup>†</sup> The problem is facilitated by scrap-metal buyers and secondhand dealers who ask few questions during the transaction.<sup>‡</sup> A common practice in order to sell raw wire for scrap is to burn away the outer coating. This open burning releases airborne pollutants and poses a direct threat to property, air quality, and health. Thieves also risk arrest and injury, particularly electrocution, when dismantling electrical components. When a structure’s doors and windows are stolen, it is further exposed to inclement weather and quicker deterioration, which devalues the property.

### *Pet Displacement*

Owners who lose their homes may no longer be able to care for their pets, or their new housing arrangements may not allow pets; consequently, they abandon them.<sup>16</sup> In 2009, the American Society for the Prevention of Cruelty to Animals (ASPCA) reported that between 500,000 and 1 million pets were at risk of abandonment in the United States due to economic problems.<sup>17</sup> If the animal dies, the owner may be subject to cruelty charges, and the decaying carcass poses a health hazard.

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<sup>†</sup> Components typically include copper pipes and wiring; gutters and leaders; vinyl and aluminum siding; tin or copper roofing and other scrap metal; boilers; heating, ventilation, and air conditioning systems; hot water heaters and other plumbing fixtures; stained glass; cabinetry; appliances; fencing; and doors and windows.

<sup>‡</sup> See Problem-Specific Guide No. 58, *Theft of Scrap Metal*, for further information.



© Michael Rieger/FEMA



Owners who lose their homes may also abandon pets that they are no longer able to care for.

### *Property Values*

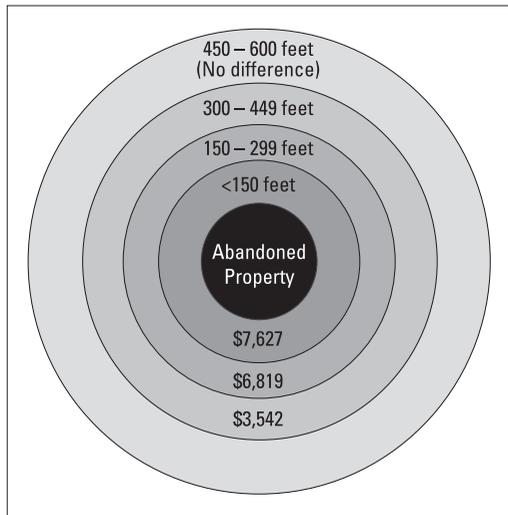
Property values decline through disinvestment and reduced commerce, tourism, and aesthetic appeal. Adjacent properties may require higher insurance premiums or be denied casualty insurance altogether. Lower property values command lower property tax revenue, which reduces funding for government services.<sup>18</sup> A Philadelphia study showed housing sales prices declined most when the house for sale was within 150 feet of an abandoned building and gradually improved with distance (see Figure 1 on page 12).<sup>19</sup>

### *Public Health*

Public health is threatened by feces, illegal dumping, asbestos, lead particles, hazardous waste discharge, and airborne mold. Standing water in pools, hot tubs, and discarded tires breeds mosquitoes and other insects and also poses a drowning risk.<sup>20</sup> Overgrown and undeveloped landscapes harbor mice, rats, stray animals, and other vermin. Mosquitoes and vermin are vectors for disease, particularly West Nile Virus, rabies, and various parasites. Public health is indirectly threatened by infectious diseases when the property is used for illicit sex<sup>21</sup> and drug use involving needle-sharing.<sup>22</sup>



**Figure 1.** Estimated net impact of distance from an abandoned building on sales price.



Source: Research for Democracy. 2001. “Blight Free Philadelphia: A Public-Private Strategy to Create and Enhance Neighborhood Value.” Philadelphia, Pennsylvania: Eastern Pennsylvania Organizing Project and Temple University Center for Public Policy, p. 22.

### *Squatting*

A squatter is “a person who settles on property without any legal claim or title.”<sup>23</sup> Squatters pose several risks by: 1) illegally connecting existing utilities (water, gas, electricity, and cable), or stealing them from a nearby legitimate property; 2) not having access to sanitary facilities or running water; 3) starting fires to keep warm and to cook; 4) engaging in criminal activity; 5) not paying rent or local property taxes; 6) subjecting themselves to arrest for trespassing or other offenses; 7) provoking encounters with nearby residents who object to their presence and unconventional lifestyle; 8) physically resisting authorities who try to evict them; 9) proffering counterfeit documents as a form of “paper terrorism;” and 10) presenting legal arguments supporting their claim to the property under the adverse possession law doctrine, more commonly known as “squatters rights.”<sup>†</sup>

<sup>†</sup> Some squatters practice “freeganism,” an anti-consumerist/anti-capitalist lifestyle characterized by wandering, purchasing very few consumer goods, scavenging for discarded food in dumpsters, wearing secondhand clothes, and living in abandoned buildings (Thomas 2010). Other squatters identify themselves as “sovereign citizens,” an anti-government movement whose followers do not recognize government authority, do not pay taxes and do not believe banks are permitted to own land or property. As such, they believe they are entitled to occupy foreclosed or abandoned properties and may proffer counterfeit documents “proving” they own the house. Group members also reject the legitimacy of and defy the authority of courts. The FBI classifies them as a domestic extremist organization that has had violent encounters with police, especially during visits to their homes. Members of the sovereign citizen movement may also refer to themselves as constitutionalists, freemen, militiamen, preamble citizens, common law citizens, and non-foreign/non-resident aliens. For further information, see Anti-Defamation League (2010); Chermak, Freilich, and Shemtob (2009); FBI (2011); and Southern Poverty Law Center (2010).



Squatters have been known to take advantage of the recent increase in empty homes on which banks have foreclosed.

### *Tenant Displacement*

Legitimate tenants may become homeless when a property owner abandons their property. Children are particularly vulnerable to the stress and instability created by displacement, which affects their friendships, health, and education.<sup>24</sup>

### *Trespassing*

Trespassing<sup>†</sup> is a precursor to burglary that occurs when the property is unprotected. Trespassers view unprotected property—both buildings and lots—as available for their use as a shortcut, a hang out, or a place to engage in criminal activity. Unprotected property is also inviting to curious children, who use it as a playground, and homeless people, who use it to establish encampments. Trespassers, particularly children, risk injury and victimization and may generate noise or invade the neighbors' privacy.

<sup>†</sup> Some criminal statutes provide an affirmative defense to trespassing if the building was abandoned at the time of the offense (e.g., N.J.S.A. 2C:18-3 (d)(1), Criminal Trespass, Defenses). Consult with local counsel about the need for a search warrant before entering abandoned properties to conduct fire, health, or code inspections (Holcomb 2008).



Graffiti is commonly found on abandoned buildings and further devalues the property.

### *Vandalism*

Graffiti and broken windows are common acts of vandalism plaguing abandoned buildings. Gangs will “tag” an abandoned building with spray paint to signal it is their territory. Whether malicious or mischievous, vandalism is illegal, devalues the property, induces fear and ruins neighborhood aesthetics.<sup>†</sup>

## Factors Contributing to Abandoned Buildings and Lots

Understanding the factors that contribute to your problem will help you frame your own local analysis questions, determine good effectiveness measures, recognize key intervention points, and select appropriate responses.

There are several reasons why properties are abandoned; however, economic factors are the leading explanation.<sup>25</sup>

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<sup>†</sup> See Problem-Specific Guide No. 9, *Graffiti*, for further information.



### *Lending Practices and Foreclosure*

Some real-property lending practices, such as adjustable-rate mortgages, interest-only loans, sub-prime lending and contracts for deed, can increase the risk of the borrower being unable to afford to make payments, and, consequently, of property foreclosure.<sup>26</sup> Additionally, some lending practices specifically target minority communities with exorbitant closing fees and high interest rates.<sup>27</sup> Foreclosure and foreclosure rescue scams may accelerate abandonment, and where foreclosed properties exist there is a tendency for crime to increase.<sup>28</sup>

### *Costs of Commercial Compliance and Remediation*

Commercial enterprises that sell hazardous materials or use them in their production processes are heavily regulated. Proper licensing, appropriate storage, handling, and disposal of chemicals, and remediating spills can be very expensive, and investing in compliance only increases losses. To avoid compliance and increase profit, some property owners bury, burn, or illegally discharge waste and then abandon the property, leaving behind brownfields<sup>†</sup> and dangerous environmental conditions. Because the building is uninhabitable and the soil is contaminated, the property then cannot be sold without extensive remediation. Consequently, it stands abandoned and may pose a community health risk. Similar conditions exist for methamphetamine/illicit drug labs that use dangerous chemicals in drug manufacturing.<sup>‡</sup>

### *Rising Property Taxes and Tax Delinquency*

As property taxes increase, property owners, particularly those who invest to maximize wealth, may invest less in repairs and improvements.<sup>29</sup> As the rise continues, property owners may consider defaulting on the mortgage and abandoning the property. When the current mortgage exceeds the property's value, it's more likely the owner will abandon the property.

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<sup>†</sup> *Brownfields* are industrial or commercial properties that remain abandoned, idle, or underused in part because of environmental contamination or the fear of such contamination. Abandoned waste sites may become Environmental Protection Agency superfund cleanup projects.

<sup>‡</sup> See Problem-Specific Guide No. 16, *Clandestine Methamphetamine Labs, 2nd Ed.*



### *Job Loss and Population Loss*

The incidents of abandoned properties increase when homeowners lose their jobs. Unemployed individuals without a transportable or marketable skill are more likely to suffer foreclosure. Some unemployed workers may follow jobs out of state as employment patterns shift. As the population begins to decline, the need for housing units decreases, fewer new units are built, and existing units may be abandoned.<sup>30</sup>

### *Older Housing Stock*

If an old building has historical or architectural value, its age plays a role in preserving the city's character. But if a building is simply old, it may be rendered obsolete by features that limit its functionality and marketability, such as: 1) no off-street parking; 2) small footprint by contemporary standards, fewer bathrooms, and no garage; 3) a small or nonconforming lot; 4) too expensive to rehabilitate or remediate (e.g., lead paint and asbestos abatement; seismic upgrades); 5) too close to an adjacent house; or 6) situated in a mixed-use area among factories, warehouses, junkyards, or stores and subjected to noise, smoke, particulates, and vibration.

### *Absentee Owners*

Absentee owners do not live in the building they own. They typically collect rent, but fail to invest in property maintenance, install upgrades, or control tenants' behavior. Full occupancy overrides safety and order; owners do not exercise control over the space and do not screen tenants before renting to them. As the building deteriorates, respectable tenants move out. The building begins to command lower rent, less desirable tenants move in, and crime and disorder follow. These conditions tend to spread to adjacent areas, which supports the beliefs that "slumlords" contribute to neighborhood decline and initial blight that is left unattended can have adverse consequences on the existing housing market.<sup>31</sup>



### *Real Estate Speculators*

As portions of a city gentrify, speculators may purchase abandoned buildings and, instead of filling them with low- or moderate-income tenants, purposely leave them empty with the hope of renting to high-income tenants in the future or selling the buildings for a large profit.<sup>32</sup> Although the properties are abandoned, the government has little mitigation recourse if the property taxes are current and the properties are maintained.<sup>33</sup> Speculators may treat levied fines as the cost of doing business and feel unconcerned that these costs are passed along to future renters or buyers. A variation on speculation is when developers buy empty lots (or lots with buildings that they then raze), and, while waiting for land values to appreciate, convert the lots for short-term income generation and forego any investment in security. As an example, parking lots may crop up in areas for which they are not zoned, and the minimal security may invite other crimes.<sup>†</sup> Although the parking lot is not technically “abandoned,” it can be deemed less than fully protected for its present use, which creates new conditions for police and government agencies to address.

### *“Demolition by Neglect”*

Some properties may be designated historical landmarks, which are legally protected from demolition. Owners may purposely allow these properties to deteriorate into a safety hazard, and the government or owner must demolish the buildings once they are declared unsafe. This allows property owners to subvert preservation laws and rebuild where they were once precluded by regulation.<sup>34</sup>

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<sup>†</sup> See Problem-Solving Guide No. 10, *Thefts of and From Cars in Parking Facilities*.





## Understanding Your Local Problem

The information provided above is only a generalized description of abandoned buildings and lots. You must combine the basic facts with a more specific understanding of your local problem. Analyzing the local problem carefully will help you design a more effective response strategy.

### Stakeholders

In addition to criminal justice agencies, the following groups have an interest in the abandoned property problem. These groups should be consulted when collecting information about the problem and responding to it as they form the foundation for enduring police–community partnerships:<sup>†</sup>

Sector	Elements	How They Can Help
Government	<ul style="list-style-type: none"> <li>• Public school officials and local law school clinics</li> <li>• Elected and appointed leaders</li> <li>• State and federal law enforcement agencies, environmental protection agencies, and other regulatory agencies</li> <li>• Child protective services</li> <li>• City and county agencies: (e.g., fire; board of health; code enforcement; housing; parks and recreation; planning board; zoning board; corporation counsel/ law department; sanitation and public works; traffic engineering; prosecutor's office; courts; community and economic development corporation)</li> </ul>	<ul style="list-style-type: none"> <li>• Provide data for analyzing the magnitude and seriousness of the problem, help plan, implement, and monitor responses and make policy/legislative changes</li> <li>• Share costs so that no single agency bears the full financial burden, which is an incentive to participate</li> <li>• Subdivide responsibilities and provide information on the limits of each agency's legal jurisdiction and rules</li> <li>• Provide resources beyond the local government or resident groups</li> <li>• Initiate federal prosecution</li> <li>• Provide economic incentives for housing and business development (tax abatements and reductions)</li> </ul>

<sup>†</sup> See Problem-Solving Tools Guide No. 5, *Partnering with Business to Address Public Safety Problems*. Also see Geller and Belsky (2010) for more on establishing police–community partnerships and Blumenberg, Blom, and Artigiani (1998) for their co-production model of code enforcement and nuisance abatement.



Sector	Elements	How They Can Help
Private	<ul style="list-style-type: none"><li>• Real estate appraisal companies</li><li>• Scrap metal dealers and recyclers</li><li>• Banks, lien holders, and mortgage companies</li><li>• Hazardous waste remediation companies</li><li>• Utility companies</li><li>• Property insurance companies</li><li>• Realtors and developers</li></ul>	<ul style="list-style-type: none"><li>• Provide data and information about housing market fluctuations, property marketability, neighborhood desirability, and future housing and development markets</li><li>• Identify unforeseen hazards</li><li>• Serve on as expert witnesses in court</li><li>• Prioritize cleanup/remediation and development efforts</li><li>• For those with a financial interest, help design and implement prevention efforts</li></ul>
Community and Nonprofit	<ul style="list-style-type: none"><li>• Neighborhood residents, tenants' councils, civic groups, and block watch associations</li><li>• Business associations/chamber of commerce</li><li>• Owners of abandoned properties</li><li>• Local animal shelters and animal advocates</li><li>• Drug treatment providers, homeless and homesteading advocates, and other social service providers</li><li>• Local legal aid society</li></ul>	<ul style="list-style-type: none"><li>• Secure the residents' and business owners' commitment and support during the planning and response phase to avoid negative reaction from an intervention</li><li>• Allow property owners to unveil how the problem began, what precipitated it, and how to prevent it</li><li>• Use local social networks to identify potential contributing factors and community supporters and to build alliances</li><li>• Provide a letter of support or in-kind contribution when applying for a grant or other funding (advocacy)</li><li>• Provide volunteer help and pro bono legal services</li><li>• Provide a sworn affidavit or corroborating testimony in court</li></ul>



## Collecting and Analyzing Data

Data are especially important for state and federal grant applications, influencing public policy, and crafting responses. If you identify gaps in current mitigation efforts, legislation, or other regulatory aspects, then you will need to document the problem and the proposed policy changes, which will be informed by accurate and timely data. Most states do not establish standards for collecting property data, so it may be difficult to compare your jurisdiction to another. Also, given any changes to your jurisdiction's existing data collection methods or data elements, it may be difficult to compare property data within your jurisdiction over time. Take an inventory of abandoned properties and analyze the data to get a baseline understanding of the scope of the problem.

## Asking the Right Questions

The following are some critical questions you should ask in analyzing your community's abandoned property problem, even if the answers are not always readily available. Your answers to these and other questions will help you prioritize individual locations and choose the most appropriate set of responses.<sup>†</sup> Before taking legal action, review the definition of "abandoned" to ensure the properties that are the object of your intervention meet all of the elements of the offense. An uninhabited and untended property may not meet the legal definition of "abandoned," but it still can breed conditions favorable to crime, disorder, and poor health, which you should address before additional harms result. In these situations, the police may take limited corrective action and may observe and report conditions to the appropriate government agency (e.g., code enforcement, health department, fire department), that can investigate further.

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<sup>†</sup> For a list of general questions to ask during a problem-solving exercise, see Geller (1998, 164–168).



### *Scope and Seriousness of the Problem*

- What specific harms are occurring in and around abandoned properties?
- If these incidents or conditions are displaced to another area, where would they go? Why?
- What are the current conditions of the properties? Are they in danger of collapse?
- How many abandoned properties are recorded? What proportion has been razed, auctioned, repaired, cleaned up, or secured?
- If buildings are being stripped, what types of materials are being stolen? Where are they being disposed?
- Have any buildings or lots been intentionally booby trapped?
- Has anyone reported being lured to an abandoned property and then victimized (e.g., taxi drivers, food deliverers, escorts from a service)?
- Has anyone been injured or killed at the site? If so, under what circumstances?
- Have any juvenile runaways been found inside abandoned buildings? Is there a nexus to drugs, illicit sex, or human trafficking?<sup>†</sup>
- Have any pets or stray animals been found at the site?
- Is there an environmental hazard or contamination at the site?
- Is there illegal dumping or abandoned vehicles at the site? Can the source be traced?

### *Locations*

- Are abandoned buildings clustered in particular locations, or scattered? Are they isolated, or near other occupied properties?
- What is the total acreage of abandoned building parcels and vacant lots?
- What proportion of abandoned buildings is commercial, single-family residential, multi-family residential, or governmental?
- Do crime “hot spots” emerge around abandoned properties?

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<sup>†</sup> See Problem-Specific Guide No. 38, *The Exploitation of Trafficked Women*.



## *Offenders*

- Do certain profiles of property owners or business practices emerge from abandonment? Are there repeat offenders? What are the criminal, civil litigation, and lien histories of these property owners? Do the owners have properties in more than one city? If so, what are the conditions of the properties?
- Is there a nexus to gangs, organized crime, or followers of anti-consumerist movements such as freeganism and sovereign citizens?
- Are the owners individuals, corporations, or franchises?
- Is fraudulent banking or lending involved? Is prosecution an option?
- What do property owners say about their motivation for abandoning properties?<sup>†</sup>
- Of those arrested, cited, or found at abandoned properties, what proportion are adults and juveniles? What profile emerges—age, sex, school, place of residence, criminal history of arson, burglary, or theft?
- Are property owners required to screen tenants as a lease condition?

## *Economics and Community Perceptions*

- Are retail sales or tourism down in the affected area?
- What is the average property value in each census tract?
- How concerned are community residents about the problem? Are concerns greater in some neighborhoods than in others? Why? What activities concern them? Do residents alter their travel routes or behaviors because of the properties? What solutions do residents propose?
- How organized and active are community members who oppose abandoned properties?

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<sup>†</sup> See Problem-Solving Tools Guide No. 3, *Using Offender Interviews to Inform Police Problem Solving*.



## *Current Responses*<sup>†</sup>

### **Prevention**

- Are properties catalogued with sufficient data in a central computer system? Is the system accessible to all involved agencies and stakeholders?
- Are properties periodically inspected to forewarn of impending problems? Is there an early warning system?
- How are abandoned properties reported by the public? What proportion is reported by citizens? What proportion is reported by government employees?
- What are the direct monetary and manpower costs associated with abandoned properties for each agency?
- Does your jurisdiction have a public education campaign about the risks of and consequences for abandoning a property and how to avoid it?
- Are financial institutions that hold mortgages on the properties aware of the problems? What actions, if any, have they taken to improve conditions?
- What is currently being done to address the problem? Other than enforcement action, what other system responses have been applied? Of those, which should you replicate?
- Does your government have a plan to relocate homeless persons from abandoned buildings?
- Are the roles and responsibilities for each government agency clearly defined? Has there been adequate employee training?
- How many foreclosures are pending in your jurisdiction? What can be done to prevent more?

### **Management**

- What agencies are responsible for classifying buildings as abandoned? Does code enforcement have the discretion to declare buildings “unsafe” and order immediate demolition?
- Is registration required for vacant and foreclosed properties?
- What political, economic, social, technological, environmental, and legal factors foster or constrain your ability to effectively address problems at these sites?
- Does the definition of “abandoned” include accessory structures (e.g., shed, garage)?
- What is the process for initiating a lien?

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<sup>†</sup> This section was modified from the Bureau of Justice Assistance (n.d).



- What fines and other penalties are imposed for abandoning a piece of property? What proportion of fines is collected?
- If liability insurance is carried on the property, can you recover expenses from the insurance company?
- What is the process for razing an unsafe building? Securing an open building? Cleaning a vacant lot? Are public agencies or private contractors used? Who must pay? How long does it take?

### Reuse

- Is a minimum bid required for auction? What documents are required? Are the properties offered below market value to attract developers? Are tax abatements offered?
- Are adjacent property owners offered vacant lots to incorporate as contiguous side lots or backyards?
- Is special financing available to rehabilitate the property?
- Do zoning laws allow subdividing vacant lots?
- What is the owner's plan to sell, rehabilitate, or demolish the property? Current progress?
- Does your government have a partnership/agreement with real estate agents, developers, or nonprofit groups to help reuse the property?

## Measuring Your Effectiveness

Measurement allows you to determine to what degree your efforts have succeeded, and suggests how you might modify your responses if they are not producing the intended results. You should take measures of your problem before you implement responses, to determine how serious the problem is, and after you implement them, to determine whether they have been effective. You should take all measures in both the target area and the surrounding area. Bear in mind that at the outset of a response, some of these measures may increase before they stabilize and eventually begin to decline. For more detailed guidance on measuring effectiveness, see Problem-Solving Tools Guide No. 1, *Assessing Responses to Problems: An Introductory Guide for Police Problem-Solvers* and Guide No. 10, *Analyzing Crime Displacement and Diffusion*.

The following indicators are potentially useful for measuring the effectiveness of responses to abandoned properties. These measures are divided into two groups: those that measure the impact on the problem (outcome measures), and those that measure your agency's response to the problem (process measures).



### *Outcome Measures*

In addition to increased property values, indicators of successful outcome measures include reduced:

- Percentage of properties classified as abandoned
- Percentage of calls for service and complaints about crime and disorder, sorted by type of call
- Length of time between initial report and disposition (i.e., sale, demolition, rehabilitation)
- Percentage of the budget necessary to properly address abandoned properties
- Percentage of abandoned properties sold at auction
- Number of injuries and deaths at abandoned properties
- Citizen fear in areas with abandoned properties (this may be evaluated through citizen surveys; observed changes in use of public space; reported changes in retail commerce in neighborhoods with abandoned properties; and similar indirect measures)
- Need for stabilization efforts: cosmetic improvements, board-ups, cleanups, fencing, demolitions, environmental changes

### *Process Measures*

Indicators of successful process measures include increased:

- Percentage of fines and fees collected
- Total assets seized/forfeited
- Percentage of property taxes collected
- Number of enforcement actions: arrests; field interviews; citations; written warnings; juveniles taken into custody for status offenses; and prosecutions, including type and length of sentence, or fine imposed
- Community participation through neighborhood watches and partnerships
- Employee training in addressing abandoned buildings and lots
- Grant funds secured to address abandoned buildings and lots
- New building and construction permits issued



## Responses to the Problem of Abandoned Buildings and Lots

Analyzing your local problem should give you a better understanding of the factors contributing to it. Once you have analyzed your local problem and established a baseline for measuring effectiveness, you should consider possible responses to address the problem.

The following response strategies provide a foundation of ideas for addressing your particular problem. These strategies are drawn from a variety of research studies and police reports. Several of these strategies may apply to your community's problem.

It is critical that you tailor responses to local circumstances, and that you can justify each response based on reliable analysis. In most cases, an effective strategy will involve implementing several different responses. Law enforcement responses alone are seldom effective in reducing or solving the problem.

Do not limit yourself to considering only what the police can do. Carefully consider whether others in your community share responsibility for the problem and can help the police better respond to it. In some cases, you may need to shift the responsibility of responding to those who have the capacity to implement more effective responses. (For more detailed information on shifting and sharing responsibility, see Response Guide No. 3, *Shifting and Sharing Responsibility for Public Safety Problems*.)

For further information on managing the implementation of response strategies, see Problem-Solving Tools Guide No. 7, *Implementing Responses to Problems*.

### General Considerations for an Effective Response Strategy

1. **Preventing, managing, and reusing abandoned properties.** These three components outline the basic strategy for a policy dealing with abandoned properties. A comprehensive approach should incorporate at least some of these complementary measures, which are explained in detail under Specific Responses to Abandoned Properties and Lots. Prevention strategies are aimed at motivating the current owner to maintain the property and remain in the house. Management strategies are aimed at taking appropriate enforcement action: seizing the property, or conveying it to a new owner who can manage it according to the law while working to restore it as a productive tax-generating parcel. Reuse strategies are aimed at restoring the property as a productive community asset by creating a market for it and collecting property taxes.



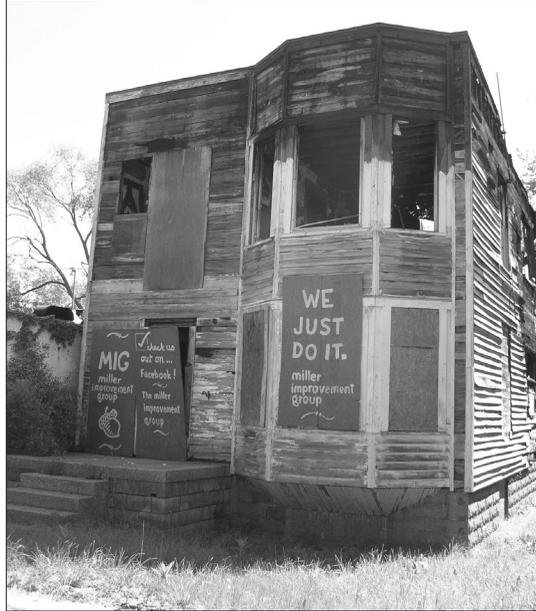
2. **Streamlining and coordinating local bureaucracy, reporting mechanisms, and infrastructure.** Lack of coordination, fragmentation, a reactive posture, intermittent attention, little information sharing, and little cross-training among agencies are obstacles to effective responses.<sup>35</sup> Coordination is complicated without a real-time, centralized, and fully integrated electronic record-keeping system that is accessible to each department 24 hours a day; most jurisdictions have disparate, stand-alone systems that are not connected or compatible. Broad access to information makes for a more efficient and coordinated strategy as it minimizes the likelihood that different agencies will take conflicting action against the same property. Assess how you can co-locate resources and share information to avoid redundancy, and identify a single coordinator to drive a proactive and comprehensive strategy involving as many agencies as possible beyond the police to address all the dimensions of the problem.<sup>36</sup>

Agencies and employees that perform well individually will not automatically perform well as part of a group. Each partner in an abandoned property task force brings a unique perspective and certain organizational limitations to the response. Task force members must know each partner's assets and limitations, have access to accurate and timely information about the problem, and must know what responses have and have not been effective in the past. Cross-training works best when given before a multi-agency task force begins its work and when it becomes part of a systematic in-service mandate. Creating and delivering the training program is labor intensive; partnering with a nonprofit group to produce and deliver the program can defray costs.

3. **Observing due process and developing capacity and support.** Following due process—the provisions of state statutes, ordinances, previous court decisions, and process service—minimizes your chance of losing the case in court and instigating a lawsuit against your government. Owners may purposely evade due process to frustrate judicial action. Adopt responses that you are willing and able to implement and make sure you have the capacity and support necessary to sustain a given response to ensure the properties do not regress to their previous state.



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Boarding up windows and doors can make it harder for the homeless to establish encampments in vacant buildings.

## Specific Responses to Abandoned Buildings and Lots

### *Increasing Effort*

4. **Physically securing abandoned properties.** Mandating that property owners erect fencing around abandoned properties and install barriers to unsecured buildings can make it harder for homeless to establish encampments in vacant lots and for offenders to enter the property. Fencing and other barriers keep offenders off not only the property, but out of the immediate neighborhood. If property owners do not comply, the government may have to secure the property and recoup costs through litigation. Controlling access, however, also makes it harder for officials to reach an encampment, get inside a property to conduct an inspection, or respond to a crime or fire.



5. **Altering environmental features.** Altering the neighborhood layout, including ingress and egress routes for vehicles and pedestrians, traffic patterns, landscaping and lighting, can make it harder for potential victims and offenders to intersect and can keep people away from the target property.<sup>37</sup> Altering the environment in a systematic and permanent way and augmenting the changes with video surveillance and signage may: 1) increase the actual effort to commit crimes; 2) increase the perceived risk of committing a crime; 3) deflect people away from the area; and 4) extend natural and formal surveillance.<sup>38</sup> The government must weigh the costs and benefits of environmental interventions as it is not likely to recoup its investment from property owners. The changes should be part of a comprehensive reuse strategy.

### *Increasing Risks*

6. **Initiating privatized public nuisance abatement lawsuits.** These are legal proceedings brought by private plaintiffs, such as community development corporations (CDC) or neighborhood associations, not governments or individuals. These lawsuits are resource intensive and time consuming, so privatizing them frees the government body to concentrate on delivering services. The best result for new housing units is achieved when CDCs also have a long-term redevelopment strategy, such as a master plan.<sup>39</sup> † Because the CDC is private and usually consists of area residents, there is a long-term interest in the outcome. The CDC must be vested with statutory authority to act on behalf of the government, which requires legislative changes and reconciliation with home rule issues.<sup>40</sup>
7. **Aggressively enforcing building codes.** Property in disrepair is subject to a citation for code violations. Citations may result in fines or court-ordered remediation. Blight-prevention ordinances hold lenders (i.e., banks) responsible for property maintenance once a notice of mortgage default is filed against a vacant building.<sup>41</sup> Code enforcement works best when coupled with an organized property-maintenance campaign and a system that allows other property owners to report abandoned buildings and nuisance properties.<sup>42</sup> Property owners already in arrears may not respond well to additional financial pressure; fines may precipitate abandonment.<sup>‡</sup>

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† A master plan is a document adopted by the governing body that describes, in detail and with maps, the overall development concept for the city including how existing property will be used and future property development plans.

‡ Other fee-based responses such as vacancy licensing, liability insurance, separate tax on abandoned properties, and “blight penalties” may have similar consequences (Bureau of Justice Assistance n.d., 3–4; Ramsey and Zolna 1991, 605).



Code enforcement does not address properties that are abandoned and maintained with current property taxes and are outside the gambit of systematic economic redevelopment. If code enforcement orders occupants from the building due to unsafe conditions, then state law may require the government to provide relocation assistance, which may be costly.

8. **Establishing a mortgage fraud task force.**<sup>†</sup> A mortgage fraud task force is responsible for: 1) detecting, investigating, and prosecuting fraudulent lending, mortgage scams, and similar financial crimes; 2) pressing for new laws and enhancing existing laws through legislative action; 3) enforcing laws against all parties involved in a mortgage transaction; 4) developing and strengthening business partnerships to eliminate fraudulent lending; and 5) educating the public about fraud surrounding the mortgage process. Creating a task force consisting of local (police and code enforcement), county (prosecutor), state (police, attorney general, consumer fraud, department of commerce), and federal (FBI, Internal Revenue Service, U.S. Postal Inspection Service, U.S. Department of Housing and Urban Development) law enforcement and regulatory agencies with dedicated prosecutors is the best approach. Existing operations and the new task force may compete for resources, which complicates public safety priorities.
9. **Creating incentives for responsible ownership and occupancy of abandoned buildings.** As an example, Officer/Teacher Next Door programs are intended to improve distressed neighborhoods by offering housing incentives such as foreclosed properties to police officers and teachers who agree to move into such neighborhoods. One such program showed mixed results in both Rialto, California, and Spokane, Washington.<sup>43</sup> In Rialto, overall crime levels either declined or showed small increases compared to similar sites in that city. The findings in Spokane were not as clear, and neither city experienced declines in drug crimes. Crime declines may be attributed to the density of the housing units in Rialto as opposed to the dispersed nature of housing units in Spokane. The program works best when “revitalization zones” are narrowly defined so housing units are concentrated instead of spread out.

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<sup>†</sup> This response was modified from a task force concept operating in the Miami-Dade (Florida) Police Department as expressed to the *U.S. Financial Crisis Inquiry Commission* on January 14, 2010.



## *Reducing Rewards*

10. **Acquiring properties through tax foreclosure.** Tax-delinquent property is acquired by the government through the foreclosure process. Once the government owns the property, developers, nonprofit groups, architects, lenders, and appraisers are engaged to create new, or rehabilitate existing, space for housing units, and to encourage commercial investment.<sup>44</sup> If the market value of the property does not exceed the cost of the legal proceedings, the government may end up with a negative return. And a real estate speculator who purchases the property may not develop/rehabilitate the property as promised, but keep the taxes current and leave it vacant, hoping to sell it for a profit when the market takes an upturn.
11. **Acquiring properties through an order of possession.**<sup>†</sup> When a building is deemed abandoned and sound reasons exist that it should be rehabilitated instead of demolished, the government may apply to the court for an order of possession. This entitles the government to acquire control of the building in an effort to rehabilitate it and return it to productive use. Orders of possession may be used to counter “demolition by neglect” cases. Seeking an order of possession is a lengthy process and is best used when the taxes are current so foreclosure and eminent domain are not options and the government has the resources and willingness to rehabilitate the building in a timely manner.
12. **Promoting responsible property ownership through special tax sales.** Special tax sales can empower the government to withhold abandoned properties from real estate speculators and instead sell them to entities that can and will reuse them in a manner consistent with the public interest.<sup>‡</sup> The law typically grants cities broad flexibility to establish terms of the sale to ensure the entity acquiring the lien will rehabilitate the building as stated in the agreement.<sup>§</sup> Special tax sales require authorizing state legislation and may require a local abandoned property list (see response 15). They work best when the government partners with a reputable developer (e.g., local CDC) who will rehabilitate the property consistent with the government’s master plan.

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<sup>†</sup> See N.J.S.A. 55:19-84 through 97 of the New Jersey *Tenement Houses and Public Housing* code as an example.

<sup>‡</sup> See N.J.S.A. 55:19-101, *Special Tax Sales* as an example.

<sup>§</sup> Examples of sale terms include: 1) establishing the bidder’s qualification and setting performance conditions; 2) establishing minimum bid requirements; 3) creating bid packages and requiring a bid on the entire package instead of individual buildings; 4) selling the liens if the buyer does not fulfill the conditions of the sale; and 5) designating a second qualified bidder to whom the building is sold if the first bidder defaults on the agreement.



13. **Acquiring properties through asset forfeiture.** A property connected to a criminal conviction may be subject to forfeiture;<sup>†</sup> e.g., commercial properties such as “budget motels,” which, as a class, can be routinely problematic because of their business practices.<sup>‡</sup> Property subject to seizure may not be worthwhile if it is out of equity, or if the costs to forfeit the property exceed its value. Before implementation, the government should have a written policy defining the mission and legal boundaries of the forfeiture program and how to evaluate “success.”
14. **Acquiring properties through eminent domain.** In 2005, the U.S. Supreme Court expanded the government’s right to appropriate private property for public use.<sup>45</sup> The general sequence is: 1) Government declares the property blighted; 2) Blighted property can be condemned; 3) If condemned, the government may proceed to court to finalize transfer to public ownership. Once it owns the property, the jurisdiction will work with developers to restore the blighted area. Condemned property that is contaminated by hazardous materials may cost more to remediate, which is unattractive to developers. Eminent domain is a highly controversial and divisive approach that should have community support before it is undertaken.<sup>46</sup>
15. **Maintaining an abandoned property master list.** As a prerequisite to taking legal action, state law may require the government to create and maintain a master list of abandoned properties.<sup>§</sup> A master list may enable the government to hold special tax sales and invoke ‘spot blight’ eminent-domain powers. Maintaining the list is time-consuming and creating the list without authorizing legislation may render it void in court.

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<sup>†</sup> See Response Guide No. 7, *Asset Forfeiture*.

<sup>‡</sup> See Problem-Specific Guide No. 30, *Disorder at Budget Motels*, and Problem-Solving Tools Guide No. 8, *Understanding Risky Facilities*.

<sup>§</sup> See N.J.S.A. 55:19-54 through 59 of the New Jersey *Tenement Houses and Public Housing* code as an example.



16. **Acquiring properties through a land bank program.** A land bank is a public authority created as a legal and financial conduit to acquire, manage, and dispose of property with the intent to strategically prevent mortgage foreclosure, provide mortgagee education, and restore it as a tax-viable parcel.<sup>47</sup> Adjacent homeowners and business owners should be offered the opportunity to purchase and incorporate the parcel as a contiguous side lot or backyard. Nonprofit agencies can reconfigure vacant land for children’s playgrounds (KaBOOM!); refurbish abandoned buildings (Habitat for Humanity); create usable space (Center for Community Progress); and help build sustainable communities (Local Initiatives Support Corporation—LISC).<sup>†</sup> The land bank is typically shared by regional governments and multiple agencies instead of a single jurisdiction. It works best when the transfer process is streamlined and when it is guided by a master plan. Statutory authority, budget control, and transparency must be clear.
  
17. **Razing abandoned buildings.** Demolishing abandoned buildings, particularly those declared unsafe, removes blight, eliminates the source of crime and disorder conditions, and provides a fresh start for the area.<sup>48</sup> Razing buildings is costly and is typically a last resort when the government is relatively certain it will not recapture its previous population level and the property can be put to better use. Demolition is best when it is part of a comprehensive redevelopment strategy that includes pursuing state and federal grants and funding for neighborhood revitalization. The government must be willing to absorb the costs associated with demolition until it can sell the property.

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<sup>†</sup> See these organizations’ respective websites at [kaboom.org](http://kaboom.org); [habitat.org](http://habitat.org); [communityprogress.net](http://communityprogress.net); and [lisc.org](http://lisc.org).



## *Removing Excuses*

18. **Registering foreclosed properties.** Local ordinances can require trustees and beneficiaries (i.e., lending institutions) who have a legal interest in a foreclosed property to register the property with the government (usually with the police or code enforcement) and assume responsibility for maintenance.<sup>†, 49</sup> Failing to register may result in fines or a lien against the property. Registration allows the government to quickly remediate problems and mobilize responsible parties through current contact information, instead of having to track down seemingly “anonymous” owners such as multinational corporations and heirs/beneficiaries. The government must adopt enabling legislation before requiring registration, and upkeep is labor intensive.<sup>50</sup> Although lending institutions may be responsible for the property, they are not in the property maintenance business and may challenge the law in court.
19. **Establishing an abandoned property early warning system.** An early warning system is an element of proactive code enforcement.<sup>51</sup> The system should capture these indicators of future abandonment, which are collected during periodic inspections: 1) previous fires; 2) a history of unpaid taxes; 3) unabated housing code violations; 4) unreleased liens and attachments; 5) building owners who have a history of abandoning other properties; 6) decreasing utility usage; and 7) increasing vacancy in multi-tenant properties.<sup>52</sup> Early identification alerts police officers, firefighters, and code enforcement officers to potential dangers in the building, encourages vigorous monitoring by code enforcement, and stimulates public awareness of the problem. It requires a commitment to keep the database current, which is labor intensive.
20. **Educating owners/landlords/place managers to facilitate voluntary compliance.** Owners, landlords, and place managers may not be fully aware of their responsibilities, especially with state laws and local ordinances governing property use and land management. Many people who purchase investment properties do not know the applicable laws or how to comply with them. Training may include how to screen tenants, how to spot signs of disorder, the eviction process, and other rights and responsibilities that are explained when property is transferred, new managers are hired, or crime and disorder conditions arise.<sup>53</sup> Police, fire, health, and code enforcement must work together so the training materials are complementary.

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<sup>†</sup> Maintenance typically involves mowing the grass and pulling weeds; shoveling snow and ice; removing trash and graffiti; draining standing water; securing the building or lot.



21. **Establishing capital rehabilitation programs.** People of lower income may not have the financial means to make needed repairs to their house. Ignoring a structural problem or responding with makeshift repairs leads to risky living (e.g., increased risk of fires from using space heaters and exposure to lead paint and carbon monoxide build-up from a broken furnace) and further deterioration. As problems grow worse and the property value declines, the prospect of abandoning the property becomes more appealing. The government, nonprofit groups, and lending institutions partner to develop grants and loan programs to rehabilitate the property. The grants and loans should be linked to foreclosure counseling, which includes avoiding predatory lending practices and foreclosure scams. The U.S. Department of Housing and Urban Development's *Community Development Block Grant Program* is one source. If grants are not available, government funds may have to be encumbered. The government should be willing to place a lien on the property if the borrower defaults on the loan.
  
22. **Conducting public education campaigns.**<sup>†</sup> The public should be informed about three critical issues: prevention, management, and reuse. The message should be: 1) how and where to report abandoned properties and suspicious activity (many calls go to the police who do not have the means to address them); 2) what properties are currently for sale and detailed procedures to acquire them; and 3) the risks and consequences for abandoning a property and how to prevent it. This works best when using multiple media sources (e.g., television, radio, direct mail, Internet, telephone, newspapers, direct solicitations, billboards, and public meetings) in an organized manner with links to different reporting forms, applications, and instructions. A public education campaign can be costly; public service announcements (PSA) are generally free, but coverage may be limited.

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<sup>†</sup> See Response Guide No. 5, *Crime Prevention Publicity Campaigns*.



## *Reducing Provocations*

23. **Creating urban homesteading programs.** A shortage of adequate low-income housing and resentment over housing policies in some urban communities may provoke people to retaliate through civil disobedience and squatting, which is illegal. Cities can create affordable housing opportunities through homesteading programs.<sup>54</sup> The government acquires foreclosed or abandoned properties, and then, working with homesteading advocates, makes the properties available to those looking for housing. The government offers the properties at or below market value along with nominal funding to rehabilitate the property with the intent of restoring property tax revenue. The new owners agree to occupy the home for a specified period of time and not to sell the property for profit. The government retains the title and has the first right to purchase the property at the cost/investment price instead of market value should the owner decide to sell.

## Responses With Limited Effectiveness

24. **Conducting government-initiated cosmetic improvement and cleanup campaigns.** The government may initiate cleanup efforts by removing hazards and securing the property,<sup>55</sup> which makes it more aesthetically appealing and safer.<sup>†</sup> Improvements include landscaping, removing snow and ice, painting the exterior façade, draining pools and standing water, installing genuine or faux curtains or blinds in front-facing windows, patching the roof, repairing or replacing broken doors and windows, and installing exterior lighting. If doors and windows were previously stolen, then replacing them may entice additional theft. Partnering with a nonprofit group to secure the building, or initiating a low-cost/no-cost cleanup effort using county jail or state prison inmates will keep costs low. The cleanup effort may include “neighborhood dump stations”—with government-sponsored roll-off containers/dumpsters at designated places in the community—as an incentive to reduce illegal dumping at abandoned properties. Cosmetic improvements and cleanup efforts can be a costly and time-consuming short-term intervention. The government should be willing to place a lien on the property and initiate legal proceedings to recover expenses.

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<sup>†</sup> As part of the cleanup effort, remove any incendiary and combustible hazards (i.e., paint, lacquer, solvents) from inside the building; doing so will increase the safety of responding emergency personnel.



25. **Conducting additional police patrols and enforcement crackdowns, and continually arresting offenders at problem properties.** Additional directed patrols and crackdown operations may provide temporary relief from crime and disorder conditions, which lowers the crime and victimization rate, but the effect may not be long lasting.<sup>†</sup> Additional patrols and crackdown operations around abandoned properties may compete with other police priorities.
26. **Offering property-tax incentives.** Property-tax incentives are offered to owners and developers who promise to rehabilitate the property. The government may offer different property-tax options such as abatements or a two-tier system that taxes the land at a higher rate and taxes the improvements at a lower or no rate to relieve some of the financial burden. Developers may have to sign a “statement of intent,” which legally binds them to submit a written plan including milestones for development, or face fines, litigation, and property forfeiture. If the property is not developed within a specified time, then the parcel reverts to the government.<sup>56</sup> Some developers may not rehabilitate the property as promised; rather, they use the property as a speculative investment waiting for an upturn in the housing market before selling for a profit. Although the developer accrues the tax benefits, the government must be prepared for enforcement and litigation to recoup the losses.
27. **Holding property owners criminally liable for illegal conduct on their property.** If a criminal conviction is sustained, then any assets connected to the crime may be forfeited, including property.<sup>‡</sup> However, arresting property owners for maintaining a nuisance property or for crimes committed on their property may be counterproductive. If owners perceive the government to be “heavy handed,” they may retaliate in different ways such as: 1) foregoing revitalization efforts and disinvesting further, which precipitates abandonment; 2) filling the building with undesirable tenants while waiting to sell the property; 3) negotiating with the government to waive outstanding fines and property taxes as a condition of sale, selling the property to a friend or relative, and then buying it back after the fines and tax arrears are settled; 4) gaining favor with politicians who repeal statutes and ordinances that affect them.<sup>57</sup>

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<sup>†</sup> See Response Guide No. 1, *The Benefits and Consequences of Police Crackdowns*.

<sup>‡</sup> See Response Guide No. 7, *Asset Forfeiture*.



28. **Increasing formal surveillance through closed circuit television (CCTV).**<sup>†</sup> Installing CCTV on streets around abandoned properties may increase formal surveillance. CCTV permits surveillance of multiple locations from a secure central location, where a permanent record of the activity can be made for investigation and prosecution. Other benefits include improved place management, improved information gathering, reduced fear of crime and a diffusion of benefits. Supplementing a CCTV program with a publicity campaign and signage may increase the deterrent effect; however, it is difficult to reach the majority of the public to create such a heightened perception of risk. Once offenders learn of the cameras, particularly following a well-publicized incident, they may adjust their behavior, which diminishes the cameras' effectiveness. CCTV works best when coupled with other strategies.
29. **Operating a specialized housing/problem-property court.** Housing court can hear all cases related to tenancy, foreclosure, nuisance abatement, and code violations, which reduces the docket in existing criminal courts and may speed the final disposition. A housing court consolidates judges, prosecutors and defense attorneys, who address the problem instead of relying exclusively on assessing fines and prosecuting offenses. Creating a new court may spread existing judicial resources thin, especially in major cities whose courts are already very busy, may necessitate changing court rules at the state level and may require implementing local legislation. Hiring new personnel, purchasing equipment and renting/configuring office space make it costly to implement. Housing court works best when it is part of a comprehensive abatement strategy.
30. **Charging service fees for police response.** When police services such as responding to calls for service and investigations are deemed “excessive,”<sup>‡</sup> some jurisdictions may levy fees against the owner to recoup those expenses. Local ordinance will authorize the government to recover the actual cost of police investigations that occur on abandoned properties. Fees may also extend to fire, health, and code enforcement responses. Charging fees should be part of a comprehensive strategy to eliminate abandoned properties as adding fees on top of an existing financial burden may be ignored. Legal language should be clear and definitive to avoid problems with civil or criminal proceedings.

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<sup>†</sup> See Response Guide No. 4, *Video Surveillance of Public Places*.

<sup>‡</sup> “Excessive” must be statistically determined for each property; see Houston (Texas) ordinance 2006-1124 (p. 4).



## Appendix: Summary of Responses to Abandoned Buildings and Lots

The table below summarizes the responses to abandoned buildings and lots, how they are intended to work, under what conditions they should work best, and some factors you should consider before implementing a particular response. It is critical that you tailor responses to local circumstances, and that you can justify each response based on reliable analysis. In most cases, an effective strategy will involve implementing several different responses. Law enforcement responses alone are seldom effective in reducing or solving the problem.

Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
<i>General Considerations for an Effective Response Strategy</i>					
1	27	Preventing, managing, and reusing abandoned properties	Establishes successive and complementary program layers that address abandonment at different stages	...an abandoned-property program includes a few responses from each category to ensure all dimensions of the problem are appropriately addressed	Police should secure a commitment from other government, nonprofit, and community groups to work cooperatively and share responsibility
2	28	Streamlining and coordinating local bureaucracy, reporting mechanisms, and infrastructure	Provides employees with better access to technical information, a broader knowledge base, and ability to make swifter decisions so implementation and execution are not delayed	...task force personnel and materials are located together in a single facility or office; computer systems are integrated with Internet access	Physical space; establishing lines of authority, accountability, and reporting mechanisms, management and supervision for personnel who come from different agencies



Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
3	28	Observing due process and developing capacity and support	Forces employees to think systematically and observe legal and administrative constraints, which helps avoid making decisions that do not follow prescribed plans	...strategic planning is institutionalized and routinely used as a means to identify problem properties and written plans are used to formulate promising responses	Training in legal affairs, strategic and assumption-based planning are key; government should not overextend itself and risk losing intensity on individual properties or losing court cases due to overload
<b><i>Specific Responses to Abandoned Buildings and Lots</i></b>					
<i>Increasing Effort</i>					
4	29	Physically securing abandoned properties	Makes it harder for people to access the physical property and engage in criminal or disorderly behavior	...crime, disorder conditions or injuries are reported at the abandoned property	Government may have to bear the costs to secure the property and may not recoup the costs even after the property is sold
5	30	Altering environmental features	Makes it harder for people to approach the affected property and the surrounding area; sends the visual message that the area is properly governed	...the changes are part of a master plan for redevelopment so the changes are systematic and permanent	Government must weigh the costs and benefits as the costs of the intervention are not likely to be recouped from the property owner
<i>Increasing Risks</i>					
6	30	Initiating privatized public nuisance abatement lawsuits	Increases the risk that the property owner will forfeit the property and be subject to substantial fines if conditions are not corrected	...acquiring an abandoned building or vacant property is part of a systematic strategic development plan involving residents and a community development corporation (CDC)	Must legally establish a CDC with statutory authority to act on behalf of the government; must reconcile city ordinances with state laws and home-rule issues

Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
7	30	Aggressively enforcing building codes	Delivers the ultimatum that property owners must correct all code violations or their interest in the property may be liquidated	...coupled with an organized property-maintenance campaign, or neighborhood-enhancement program; citizens are involved and able to easily identify and report abandoned buildings and occupied nuisance properties; private and nonprofit resources can be leveraged; it is proactive rather than reactive	Government must be willing to initiate legal proceedings and seek enforcement for failing to pay fines or address deficiencies; state law may compel the government to provide relocation assistance if the government orders occupants to vacate due to unsafe conditions; does not address buildings or properties that are sealed and maintained and for which property taxes have been paid; outside the gambit of systematic economic redevelopment
8	31	Establishing a mortgage fraud task force	Pools local, state, county, and federal law enforcement and regulatory agencies into a single group dedicated to prosecuting mortgage fraud and concentrating their efforts	...all stakeholders supply personnel and resources to the task force proportionately	The task force may compete for priority and attention from police executives and elected leaders who would rather use police resources elsewhere



Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
9	31	Creating incentives for responsible ownership and occupancy of abandoned buildings	The presence and respectable lifestyle of, for example, police officers and teachers in a revitalization zone are intended to reduce certain crimes and conditions	...the available housing units are densely concentrated instead of widely dispersed, which may dilute the effectiveness	How “revitalization zones” are defined (i.e., the zone boundaries) will determine the concentration levels of available housing units; smaller and more compact zones are likely to have the greatest impact on crime
<i>Reducing Rewards</i>					
10	32	Acquiring properties through tax foreclosure	Acts as a disincentive for an owner to allow the property to deteriorate by seizing ownership, then working with developers to sell it or rehabilitate it and restore it to the tax rolls	...the market value of the property does not exceed the cost of legal proceedings; the government partners with nonprofit developers and civic associations to revitalize the area	Government must be willing to absorb property tax losses until it can sell the property; some developers and real estate speculators may not rehabilitate the property but use it as a speculative investment leaving it in a state of disrepair while keeping taxes current; legal proceedings and due process are lengthy and cumbersome given that laws favor property owners over the community

Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
11	32	Acquiring properties through an order of possession	Gives the government the ability to restore abandoned buildings to productive use, particularly buildings of historic or architectural character that are deteriorating	...the taxes are current so foreclosure is not an option and eminent domain is not an option	Order of possession is a lengthy process; the government or third party should have the financial resources and willingness to rehabilitate the building in a timely manner
12	32	Promoting responsible property ownership through special tax sales	May keep speculators from acquiring property and leaving it to sit in an abandoned state; gives the government more flexibility to sell abandoned property	...the government works cooperatively with a reputable developer or CDC to rehabilitate the building	Requires authorizing state legislation and may require a local abandoned property list
13	33	Acquiring properties through asset forfeiture	Acts as a disincentive for an owner to allow criminal activity to take place on his property by confiscating assets connected to the crime	...the assets sought are not out of equity, or worthless	A written policy that defines the mission, legal boundaries, and necessary resources; community involvement; how "success" will be measured
14	33	Acquiring properties through eminent domain	Gives the government the ability to take control of a large area for redevelopment	...costs to remediate any hazards (e.g., chemicals) are low and it is used in designated redevelopment areas instead of individual "spot blight" parcels	Cost of protracted litigation; political climate must be able to withstand the fallout from such a controversial approach; will cost the government to buy each property



Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
15	33	Maintaining an abandoned property master list	Facilitates certain legal actions to take control of abandoned properties	...doing so actually enhances the government's power over abandoned properties and is authorized by law	Creating and maintaining lists is time consuming
16	34	Acquiring properties through a land bank program	Provides communities with a pool of available property ready for development	...it involves community members and regional governments that form a single entity with independent statutory authority who have a strategic vision and written economic development plan	A considerable investment in time, planning and shared expenses; changes to state laws and inter-governmental agreements among jurisdictions that share the land bank; overcoming political opposition to creating a special "authority"
17	34	Razing abandoned buildings	Removes unsightly and dangerous structures and clears the way for redevelopment	...the government is relatively certain it will not recapture its previous population level and the property can be put to better use; it is part of a comprehensive redevelopment strategy	Government must be willing to absorb costs associated with demolition until it can sell the property; typically a last resort effort after a building has been declared a dangerous nuisance

Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
<i>Removing Excuses</i>					
18	35	Registering foreclosed properties	Makes reaching responsible parties easier for conditions on their foreclosed properties	...police and code enforcement work cooperatively as a single entity for enforcement	Requires authorizing legislation; government must be prepared for litigation if the agreement is not fulfilled; lending institutions may not maintain the property as required
19	35	Establishing an abandoned property early warning system	Gives the government an advantage of confronting a problem and a property owner before adverse conditions escalate	...resources permit keeping the data current and taking action before the property is abandoned	Keeping current data is labor intensive; cost of creating a system where none exists
20	35	Educating owners/landlords/place managers to facilitate voluntary compliance	Provides property owners with information on property rehabilitation, the probate process, and financing sources, as well as advice on how to prevent vandalism and other criminal activity	...police and code enforcement have the time and resources to dedicate to training; supplemented by nonprofit groups and other government housing resources	Adequate and accessible facilities to host the training; strong cooperation with code enforcement officials



Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
21	36	Establishing capital rehabilitation programs	Low-cost loans and grants create incentives for property owners to stay in their houses, and occupied houses create viable communities	...the government can acquire state or federal grant funds and work collaboratively with nonprofit groups and banks; loans and grants should be conditioned on attending a foreclosure counseling class	Government should be willing to lien the property to recoup the financial investment if the property owner defaults on the loan
22	36	Conducting public education campaigns	Informs residents and others about how to report problems and issues with abandoned properties and potential hazards for children and adults	...it is part of a comprehensive strategy to prevent abandonment, correct conditions, and reuse the property	Creating a series of interrelated messages: 1) how to report abandoned properties and suspicious activity; 2) abandoned properties for sale; and 3) risks and consequences for abandoning a property; may be costly to advertise and buy time; use multiple media outlets
<i>Reducing Provocations</i>					
23	37	Creating urban homesteading programs	Makes low-cost housing available by using buildings that would otherwise stand abandoned and facilitates squatters' compliance with the law	...the government works cooperatively with civic groups that promote homesteading instead of squatting	The program must have legal authorization enacted by state statute or city ordinance

Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
<b><i>Responses With Limited Effectiveness</i></b>					
24	37	Conducting government-initiated cosmetic improvement and cleanup campaigns	Improves safety and signals the government is serious about maintaining neighborhood aesthetics and character	...the government is able to fund the initial maintenance effort and recoup associated expenses for improvements	Temporary, time consuming and costly; does not address the underlying problem; government should be willing to lien the property and endure protracted legal proceedings to recover the expenses
25	38	Conducting additional police patrols and enforcement crackdowns, and continually arresting offenders at problem properties	Provides short-term relief from crime and disorder conditions and reduces victimization	...enforcement is coupled with other long-term strategies designed to abate the source of the problem	Compared to other police priorities, how much harm is caused by forgoing enforcement effort at abandoned properties in favor of enforcement elsewhere
26	38	Offering property-tax incentives	Provides a mid-range incentive for property owners to rehabilitate their property and restore neighborhood aesthetics	...the government requires developers to sign a "statement of intent" that requires them to submit a written plan including milestones for development or face fines and/or property forfeiture	Some developers may not rehabilitate the property; rather, they use the property as a speculative investment; government must be prepared for enforcement and lengthy litigation



Response No.	Page No.	Response	How It Works	Works Best If...	Considerations
27	38	Holding property owners criminally liable for illegal conduct on their property	Provides sanctions for owners who allow or facilitate crime and disorder on their property	...the property has yet to be completely abandoned and the property owner still enjoys tenant income, or the property has equity above the current mortgage and is habitable	Property owners may forego property revitalization efforts and disinvest further if the government is perceived as too "heavy handed;" may precipitate abandonment in response; political opposition
28	39	Increasing formal surveillance through closed circuit television (CCTV)	Extends formal area surveillance into areas where police may not be able to go	...the field of vision is clear and it is coupled with other intervention strategies that address the source of the problem	Costly to purchase, install and maintain; requires 24-hour staffing for maximum benefit; privacy issues
29	39	Operating a specialized housing/problem-property court	Consolidates all property issues into a single court, where dispositions are expedited	...all housing issues involving police, code enforcement, and others are consolidated and heard by the housing court	Spreads existing judicial resources thinner; costly to implement in terms of personnel, space, and equipment
30	39	Charging service fees for police response	Gives the government a small measure to recoup expenditures associated with problem properties	...coupled with other strategies to abate the problem and reuse the property	Requires enabling legislation; may exacerbate the owner's financial problems; clear and definitive legal language to avoid problems with civil or criminal proceedings



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## About the Author

### Jon M. Shane

Jon Shane is assistant professor of criminal justice in the Department of Law, Police Science and Criminal Justice at John Jay College of Criminal Justice in New York City. Retired as a police captain after 20 years with the Newark Police Department, Shane is currently a senior research associate for the Police Foundation in Washington, D.C., and a frequent contributor to network and cable television and national radio (WABC, WNBC, Fox News Channel, National Public Radio) on police policy and practice issues. He has a variety of related experience having worked with other law enforcement agencies across the United States, Canada, and Jamaica, conducting training, developing policy, and conducting performance audits, research, and management studies to measure performance. His research has been published in *Journal of Criminal Justice*; *Policing: An International Journal of Strategies & Management*; *Police Practice & Research*; *Police Quarterly*; and *Law Enforcement Executive Forum Journal*. He received his doctorate in criminal justice from Rutgers School of Criminal Justice and he is a graduate of the 193rd session of the FBI National Academy and the 25th session of the Police Executive Research Forum's Senior Management Institute for Police (SMIP), taught in collaboration with the Harvard John F. Kennedy School of Government.





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