NOMINATES:



FOR THE HERMAN GOLDSTEIN EXCELLENCE IN PROBLEM SOLVING AWARD

Neighborhood Police Officer Unit



Officer Scott Kermes



city of piano j police department office of police chief

Gregory W. Rushin Chief of Police

P.O. BOX 860358 Plano, Texas 75086 0358 972-941-2114

April 29, 2002

Herman Goldstein Award Selection Committee 1120 Connecticut Ave., NW, Suite 930 Washington DC 20036

SUBJECT: Plano Police Department

POP Initiative: Street Racing...A Fast Track to Jail

Dear Committee:

Please accept this document as a nomination for the Problem Oriented Policing Project initiated by the Piano Police Department's Neighborhood Police Officer Unit. Officers from this Unit started working on this project due to increased complaints of noise and juvenile problems at the Sonic Drive-In. Officers thoroughly investigated the underlying causes that contributed to the noise and juvenile problems. This investigation revealed that the primary causative factor was that the Sonic Drive-1n had become a favorite gathering place for a large group of street racers. Most of the complaints received in this area, as well as most of the reckless driving complaints throughout the City, were associated with this group of racers. Officers used a wide variety of problem solving strategies to significantly reduce street racing within the City of Plano, and to nearly eliminate complaints of noise and nuisance-related problems around the Sonic Drive-In.

They utilized the SARA Problem Solving Model during this process and have made significant progress in reducing each of these issues. The officers devised a coordinated plan, which involved all of the patrol officers within the city who work during the timeframe in which these complaints occur, to utilize other policing tactics to diminish the racers' desire to race in Plano. Additionally, the officers worked closely with affected groups of business managers, residents, the media, and the racers themselves to resolve this issue.

During this initiative, the public's safety as well as their support of the Plano Police Department has been increased. The methods used by these officers proved that officers could make a positive difference when working with the community.

Sincerely,

Gregory W. Rushin Chief of Police

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Enclosures







Municipal Court ud es' Office

Donaid J. Stevenson Chief Municipal Judge

James M. McCarthy Associate Municipal Judge

Cathy Haden Associate Municipal Judge | {

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April 25, 2002

Herman Goldstein Award Selection Committee 1120 Connecticut Avenue., NW Suite 930 Washington, DC 20036

Re: Plano Police Department Program

"STREET RACING - A FAST TRACK TO JAIL"

To The Committee:

I commend to you the above-referenced program created by the Plano Police Department. The municipal court, its judges and, most importantly, the citizens of Plano have benefited from this effort to reduce street racing.

In midyear 2000,I was approached by Officer Scott Kermes to discuss recent fatalities, personal injuries and property damage resulting from street racing. Officer Kermes asked the judges to review the integrated process by which racing offenses were initiated and processed through the court system.

At that time, a defendant arrested for racing could secure his or her immediate release by posting an appearance bond in an amount equal to the normal fine and court costs that would be assessed if the defendant pled `no contest' or `guilty'. Under that procedure, no consideration was given to the factors normally included when a magistrate sets bail.

Subsequently, the municipal court changed its policy regarding the release of persons arrested on racing charges to require such defendants be held in custody until a judge can review the offense report and interview the prisoner. Only after determining the arrestee's ties to the community, the arrestee's driving history, the facts of the alleged offense, and the extent and nature of personal injuries or property damages does the judge set bail. Consideration of these and other factors allows the judge to make informed decisions about the potential threats to the safety of Plano's citizens and the likelihood of defendants appearing for trial if released on bail.

This innovative proposal by the Plano Police Department to look at the enforcement and adjudication of racing cases as a comprehensive process resulted in an enhanced administration of justice for offenders, better protection for the citizens of Plano, and a successful reduction in the incidents of street racing.

Sincerely,

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Street Racing...A Fast Track to Jail

Summary

In March of 2000, officers of the Plano Police Department were assigned to investigate an ongoing problem of noise complaints and juvenile problems at the Sonic Drive-In, located at 1601 Custer Rd. The officers contacted citizens and businesses in the affected area and determined that the underlying problem was that this location had become a meeting place for dozens of street racers. These racers met at the Sonic and tuned their engines, drank alcohol, and then went out onto the streets of Plano to test their racing skills. Two officers worked with other members of the community, business managers, and the media to significantly reduce illegal street racing in Plano.

Scanning[†]

Officers recognized a pattern of calls involving vehicle-related noise disturbances in this area. It was apparent that the large group of racers gathering at the Sonic was responsible for the noise complaints, alcohol violations, reckless driving, and illegal street racing. However, in the beginning officers were unsuccessful in enforcing violations.

Analysis:

The vacant parking lots of nearby closed businesses afforded the racers access for large congregations of vehicles, and a large hedgerow surrounding the Sonic Drive-In gave them privacy to tune their engines, drink and use drugs without fear of being observed by police or the community. The racers had also set up an extensive, high-tech counter police network so they were able to gather at this location, go out on the streets for a race, and meet back at the Sonic, without fear of getting caught by police.

Response:

Officers began meeting with the property managers, citizens, the racers and the media to resolve this problem. Officers gathered intelligence on the racers' cars, drivers and their race strategy. Officers also uncovered critical racer-related web sites, and entered that underground world as a "racer." When the meetings failed to produce adequate results, officers then began a coordinated, zero tolerance response to any racing related offense.

Assessment³

Street racing in Plano is now a rare event. It has not been completely eliminated, but it has been significantly reduced and certainly displaced. *Officers* continue to have no tolerance for racing offenses, monitor the racing websites and post various false entries on their websites. Racers themselves tell new racers that "racing in Plano is STUPID." Officers now have to work very hard to try to find an illegal drag race in Plano.

Street Rac ng...a Fast Track to Jars

Plano Police Department's Response to Illegal Street Racing

INTRODUCTION

During the latter part of 1999, officers of the Plano Police Department began receiving a significant increase in calls for service for noise violations and juvenile problems at the Sonic Drive-In, located at 1601 Custer Road, in Plano, Collin County, Texas. The complaints were associated with a very large group of teenagers and young adults congregating at the Sonic. When officers investigated the underlying causes of this problem, it was evident that the Sonic had become a favorite gathering place for large groups of street racers who used the Sonic as a meeting place to plan their races. Officers were able to make a correlation between the racers gathering at the Sonic and the recent increase of street racing throughout the city of Plano. Officers believed that if the racers were dispersed from the Sonic, those complaints would be reduced, and the incidents of racing and speeding vehicles in Plano would be diminished as well. Due to the substantial increase in these types of calls, and two recent fatality accidents involving street racing, the Plano Police Department made it a high priority to resolve this problem.

SCANNING

In March of 2000, officers trained in problem-oriented problem solving were assigned to investigate these complaints in an effort to curb the problem. Officer Scott Kermes was assigned as the primary POP officer to this problem. Kermes observed

that there was actually a two-fold problem occurring as a result of the crowds gathering at the Sonic.

One problem was the issue of noise and juvenile problems originally assigned to him. Citizens who lived in the residential area behind the Sonic complained of numerous noise violations, including revving engines, squealing tires, loud stereos and cheering at all hours of the night. Other complaints were of juvenile problems, speeding vehicles, reckless driving, alcohol violations, public order crimes and narcotics use. The complainants on these calls were often anonymous and vague. The manager at the Sonic also complained that this group had disrupted business at the Drive-In because the regular patrons were no longer returning due of the noise and behavior of this group. However, there was a lack of specific information on these complaints to assist police in taking appropriate action. Therefore, citizens and the manager of the Sonic believed that the current police response was ineffective.

The second problem was the notable increase in speeding vehicle and racing complaints citywide. Kermes correctly identified that the people gathering at the Sonic were actually groups of racers who met at the Sonic, planned their races, tuned their engines, and then went out onto the streets of Plano to test their racing skills. The racers then met back at the Sonic after racing to talk about the races, confident there would be no consequences for their actions. Kermes identified the street racers as the key to the problem. If they could be dispersed from the Sonic, the associated problems would be diminished.

<u>ANALYSIS</u>

As Kermes began investigating the problem, he saw that it actually was very complex. The main problem was illegal street racers gathering at the businesses in the

1600 block of Custer Road. When the racers gathered, noise, disturbances, public order crimes, reckless driving, and alcohol violations occurred. Complaints then came in from residents, customers and managers of nearby businesses. Most of the nuisance-type complaints occurring in this area were associated with the racers' behavior.

The racers had selected the Sonic at W. 15th Street and Custer Road fora variety of reasons. It is centrally located in the city and is situated on the corner of a major intersection, which gave them access to four major escape routes if they needed to leave in a hurry to evade the police. The design of the parking lots also lent itself well to their purposes. On the north side of the Sonic is a Calloway's Nursery, which shares adjacent parking lots with the Sonic. Between these two businesses they share a huge concrete parking lot capable of holding approximately 120 cars. On the south side of the Sonic is a coin operated car wash facility with a dozen bays. The Sonic is surrounded along the west and south side by a large hedgerow, which offers concealment for alcohol violations, narcotics use, and other public order crimes. Just beyond the hedge, west of the Sonic and Calloway's, is a large residential subdivision from which most of the complaints came. Aside from the benefits of the location of the Sonic for concealment and escape routes, the Sonic also hosts a "car show" on the first Saturday of each month. These shows draw many visitors from surrounding cities, as well as larger groups of street racers. These car shows gave an added incentive for gathering at the Sonic, fueled their interest in racing, and made them invested in this particular location.

Kermes noticed that most of the crowds began to gather around 9:00 P.M., which is close to that patrol district's shift change. During shift change, patrol coverage in the city is less than normal and the officers covering shift change were spread thin

answering calls within the two affected sectors. The racing and disturbances would then continue into the early morning hours. Citizens, not satisfied with the police response, began to take matters into their own hands by spiking the Calloway's parking lot with nails in an effort to deter the racers from congregating at this location. Although some racers did get flat tires as a result of this, more often than not, the Calloway's customers that arrived the following morning became the victims of the nail attack. Calloway's then found themselves paying for their customers' tires, and having to sweep the parking of nails each Saturday and Monday morning. One citizen even resorted to a using a slingshot to damage racers' cars in an effort to deter them. All this did was make the racers more determined to gather at the location, incited them into being even more disruptive, and increase the calls for police service.

To determine his best course of action, initially Kermes began by simply monitoring the situation in plain clothes from unmarked vehicles from a citizen's viewpoint and observing the noise violations and problems associated with their presence. When the racers were not present, officers met with the affected business managers and residents to assure them that the police were looking into the problem and that the nails/slingshot vigilantes needed to stop. Together with the help of citizens and managers, Kermes was able to gather key intelligence information as to who the racers were, what vehicles they drove, where they lived, and what their racing strategy involved. This intelligence proved critical during the response phase of the project.

During the analysis portion of the investigation, he experienced a data-gathering problem when it came to documented calls for service. On paper, calls for service regarding any moving vehicle violation were minimal. Citizens called in complaints of moving vehicle violations, however, most of these complaints (vehicle noise, such as

loud exhaust or squealing tires) were dispatched only as "broadcasts." These broadcasts were effectively dismissed as routine traffic violations and not documented as a call for service. An additional obstacle in identifying the pervasiveness of this problem was that officers on the east side of town operate on one radio channel, and officers on the west side of town operate on another radio channel. Since these broadcasts of racing were scattered throughout the city, this problem was not believed to be quite as widespread until Kermes began his analysis of the problem. Kermes noticed that the significant increase in racing or speeding vehicles broadcasts throughout the city correlated with the complaints of noise and juvenile problems at the Sonic.

Most recorded calls at the Sonic are "juvenile problems". Through these calls, Kermes was able to document this racer group had been congregating at the Sonic since March 1999, with most complaints occurring on Friday and Saturday nights. Plano Police Department records database reflected 53 calls for service at the Sonic from March 01, 1999 through March 31, 2002; however, officers believe that number is a very small representation of the actual number of complaints received.

This Sonic is located on the northwest corner of W. 15th Street and Custer Road, a major intersection in the city. However, the complaints about this address were far greater than complaints at similar intersections. To get a broad view of the problem, a crime analysis report was done examining selected nuisance-type of calls in each of the reporting districts surrounding the four corners of the intersection. All of these reporting districts include a similar composition of businesses with residential neighborhoods behind the businesses. The nuisance-type calls selected for analysis were speeding vehicles, noise, juvenile problems, disturbances, reckless damage and reckless driving.

The RD that includes the Sonic and the residential area behind this shopping center was RD 1409. This comparison revealed a much higher rate of calls for service in RD 1409 than the other three reporting districts at this same intersection. The RD for the northwest corner of the intersection (RD 1409) had 167 nuisance-related calls for service, whereas the southwest corner (RD 1410) had 35, the northeast corner (RD 1448) had 13 calls, and the southeast corner (RD 1411) had only 12 calls. In fact, RD 1409 had more nuisance-type calls than the three other reporting districts combined.

Kermes determined that numerous groups were affected by the racers' activities. The store managers were losing money due to having their customers driven away. Other patrons who visited the Sonic were intimidated and annoyed by the noisy racers. Residents were unhappy with the late night noise and lack of sleep. The racers' reckless driving endangered the lives and safety of motorists and pedestrians. Motorists reported being blocked in traffic by the racers and spectators while the racers tested their driving skills on public roadways. The racers became so bold that they were even seen by officers to shut down northbound Custer Road and race five cars side by side on the three northbound lanes. While all other groups were being inconvenienced, annoyed and endangered, the racers themselves had a place to gather, eat, race, and be in a position to monitor the police without being caught. Allowing the racers access to a safe gathering place enabled them to freely plan and execute their races with impunity. This facilitated a hazardous situation for other drivers and pedestrians.

Citizens' complaints of these dangerous street races and reckless driving increased throughout the city of Plano. Thus, police were also affected by these antics by being called to repetitive complaints of a similar nature, yet the police were ineffective in addressing the problem with normal patrol methods. Normal type of police

response to these situations was call-driven and by visible patrol in an effort to deter offenses. The majority of these complaints occurred between 9:00 p.m. and 01:00 a.m., so generally the same shift of officers responded to the complaints. Officers working this area were aware that the group at the Sonic were causing problems, however, whenever they checked the area, they rarely found any violations they could enforce. Since the racers were believed to be at the core of this problem, Kermes then turned his attention to the racers themselves.

During this investigation, Kermes found that these racers had money, fast cars, and a devotion to street racing for the thrill of it. Kermes uncovered a pervasive underground world of street racing on the Internet. Several racing websites (www.dallasracing.com, and www.planoracing.com) gave them a forum where key racers openly promoted street racing and planned where and when to meet for the races. From the Internet, Kermes also discovered that there was an extensive subculture of street racers operating without detection in Plano and throughout many cities in the Metroplex. Instead of dozens of "juvenile problems" associated with the racers, he now knew he was dealing with hundreds of organized racers. The Internet also enabled them to devise race strategies designed to defeat observation and enforcement They used high-tech methods of promoting street. They used numerous by police. "spotters" who were strategically placed to give early warning of impending police action. They were also equipped with computers mounted in their cars, police scanners, cell phones, and two-way radios to warn racers and spectators of complaints, imminent police response, or of routine patrol. Kermes believed that the reason so little enforcement of these problems had occurred was due the racers' complex system of "counter surveillance" designed to give the racers advance warning of imminent police response.

Officers then contacted the racers in attempt to gain voluntary compliance. Initially, they were so confident in their network they believed the police were asking for their cooperation because they could not effectively resolve this problem. Their recommendation of a compromise was that they be allowed to race on certain streets at certain times with the police blocking traffic for them to enhance safety of all involved. When this was immediately ruled out as a viable solution, they responded with defiance. They demonstrated that they had no intention of quitting street racing, and that they had no fear of the police enforcement. They were there to race, no matter the cost. They all had extensive driving histories and were willing to risk receiving traffic citations. Once Kermes understood the scope of the problem, he devised a plan to end it.

RESPONSE

Having thoroughly researched this problem from all aspects, Kermes formulated a plan for a coordinated response by the police, businesses and the community to eliminate street racing from the City of Plano. Kermes initiated several meetings with the racers, the citizens, the business managers and the media to discuss the dangers of street racing and to discuss options of resolving the problem. The only satisfactory solution to adhere to community values and safety was the elimination of racing offenses in Plano, as well as reduction in the noise and related problems at the Sonic. Kermes attended patrol briefings to request uniformity in enforcing any racing violation. Then, Kermes used the media to inform the racers and community that the Plano Police Department has a "No Racing" policy and that racers would be cited for all illegal street-racing violations. Shortly after the articles appeared, the officers began a dedicated

effort to increase enforcement action. Officers decided that all avenues of enforcement, ranging from verbal warnings, parent notification, and citations, should be used to stop the street racing.

For its part, the Calloway's management posted signs all entranceslexits that stated: "No Trespassing after Business Hours". This forced the racers into a small corner of the Sonic and Car Wash parking lot. Police gained the support of the residents behind the Sonic who offered the use of their driveways for officers to conduct surveillance. With the racers secluded to one area, officers were now able to use the hedgerow to their advantage. Kermes made several arrests for on-view public order crimes without the other racers' knowledge. These arrests went unnoticed, allowing officers to continue to observe other violations without the racers' becoming aware of their presence. Racers even called 911 to report their friends missing, only to be told that their friend was in jail. They were not accustomed to police defeating their countersurveillance tactics. This tactic disconcerted and displaced the racers, forcing them onto the street looking for other places to gather and plan their races.

Police then began the street enforcement part of the operation. Due to the racers' counter-surveillance tactics, it was evident that marked cars were ineffective for catching racers in the act. Kermes decided to employ uniformed officers wearing windbreakers over their uniforms in unmarked vehicles to follow the racers as they met and raced at various locations in the City. Dispatchers were trained to issue related broadcasts in "code words." Officers used cell phones and mobile data computers to coordinate their response. In unmarked vehicles, officers were able to watch the races, identify the drivers, and then call in marked patrol vehicles to issue citations. This was also effective in reducing the likelihood of the racers attempting to evade arrest or

fleeing from marked patrol vehicles, another safety consideration for the police.

Moreover, this was a psychological tactic that kept the racers wondering if the other cars on the street might also be police in disguise.

As enforcement progressed, officers observed that the racers were not deterred by strict enforcement; some were cited for racing more than twice in one night. Officers then modified their tactics to making arrests for any racing-related violation. Word soon spread to the racing community that Plano PD takes racing seriously. The racers stopped racing in Plano for a few weekends, but some hard-core racers regrouped and returned to racing having made the decision that racing was even worth the risk of being arrested. They made a final attempt to re-establish the advantage by using a new racing strategy. They sent out "bait cars" in an attempt to lure out marked cars. When they felt it was safe to race, they did; only to find the car behind them was an unmarked police car. When the racers lined up at the next red light, out came the magnetic decals and red strobe lights as the unmarked car boxed them in at the light. Officers removed the keys from the racers cars and then marked cars rolled in to assist on the arrests. Citizens who had been complaining of ineffective police response were now thanking officers for their creative and safe resolution of this problem.

Continuing to make arrests for racing offenses, officers later discovered that some racers were being arrested more than once in a night. Racers bragged that their parents were giving them "bail money" to pay for getting out of jail so that the racers would not have to call home and bother the parents. Many parents defended their children's desire to race, stating that they would rather their sons or daughters race than use drugs or get involved in some other dangerous habit. Kermes then contacted Chief Municipal Judge Stevenson and came up with a "No Bond for Racing" policy. Now, in

Plano, once arrested for racing the violator has to remain in jail until arraigned by a judge. This usually means that racers have to spend a night or two in jail before they could even post their bond. Once this change had been made, Kermes contacted a local theatre to create and show an advertisement "Street Racing...A Fast Track to Jail" on movie previews that "Street Racing in Plano=Jail." Many of the core racer group then decided that they will take advantage of the legal racing facilities in nearby cities because street racing is too costly even for them. The word quickly spread through the racing community, and Plano soon became known as the place NOT to race.

Throughout each phase of this plan, Kermes became more familiar with the underground culture of street racing, and monitored the chat rooms for intelligence purposes. He began posting messages to the racers and they responded to him, giving him passwords to "secure" websites that divulged where and when the races were taking place. Kermes passed this intelligence to police departments in other cities and kept them informed of races planned for their cities. This allowed Kermes work with other agencies to help them deter racers from simply relocating from Plano to another unsuspecting city. This resulted in a more coordinated and strict enforcement on racers in many cities in north Texas. In one such example, Kermes received information that one huge gathering was planned in a nearby city. Kermes coordinated with the supervisors and officers in that city and they established a plan to apprehend as many violators as they could. This was a huge success, and when the racers saw Kermes in another city helping to arrest racers, they were even more convinced that Plano officers take racing seriously.

ASSESSMENT

Supervisors and officers have evaluated the effectiveness of this project and have been very pleased with the decrease in complaints and increase in citizen satisfaction with police response. By analyzing the calls for service at the Sonic and its reporting district, the effects of this problem-solving initiative resulted in a marked decrease in complaints. In 1999, there were 48 calls; in 2000 there were 80 calls; in 2001 there were 31; and in 2002 there have been 8 calls. Furthermore, the number of broadcasts of racing and reckless driving throughout the city has decreased as well. Having disrupted their racing strategy, officers are more effective in enforcing the street races that occur in Plano. In 1999, there were 158 racing charges filed; in 2000, there were 259 charges; in 2001, there were 303 charges filed; and in 2002 there were 60 charges filed. Even though call statistics have declined, enforcement of racing offenses continues to be high. Both of these are believed to be positive results of this project.

There were a number of problems encountered during the implementation phase of this project, however, officers analyzed the nature of the problem and continued trying new methods addressing these problems. This persistency allowed officers to be successful in reducing the racers' desire to race in Plano. The evaluation of this project is on going due to the nature and extent of the previous problems with the racers and the potential impact they could have on the city if they return to race in Plano. Thus, by continuing to monitor the problem and take strict enforcement, officers are able to maintain a grasp on the problem.

Reference List:

- 1. Reuland, M., Sole Brito, C., and Carroll, L. (2001). Solving Crime and Disorder Problems: Current Issues, Police Strategies and Organizational Tactics. Washington, D.C.: Police Executive Research Forum.
- 2. Sole Brito, *C. and* Allan, T (1999). Problem Oriented Policing: Crime Specific Problems Critical Issues and Making POP Work Volume 11. Washington, D.C.: Police Executive Research Forum.
- 3. Dallas Racing Message Board. <u>www.dallasracing.com</u>

Agency and Officer information:

Once this problem was thoroughly analyzed, NPO officers and patrol officers throughout the city worked to take consistent enforcement action to bring about the desired resolution to the problem. Kermes had received extensive training in Problem-Oriented Policing. He is one of the specially trained POP officers are responsible for coordinating innovative responses to selected projects throughout the City of Plano. During the course of this project all sworn officers of the Plano Police Department received training in the Mechanics of Problem-Solving, which greatly contributed to the success of this coordinated effort. Kermes has attended several past Problem-Oriented Policing and Problem Solving classes and conferences, such as the San Diego POP Conference, Mechanics of Problem Solving, which have given him numerous problem-solving examples, reference manuals and resources. Kermes has a vast array of experiences where his creative approaches to police work have yielded positive results to problems. The guidelines given to Kermes for this project were that all actions be legal, ethical and in the best interests of the citizens of Plano, the Plano Police Department, and the City of Plano. There were no incentives given to officers who engaged in problem solving, and no additional funding was required to implement this plan. Personnel resources were the only additional resource required for this project and it was simply a matter of scheduling manpower to accommodate this project and to ensure availability of officers to meet the demands of usual calls for service.

Contact Information

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Sergeant Stan Ready

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Piano, Texas 75074

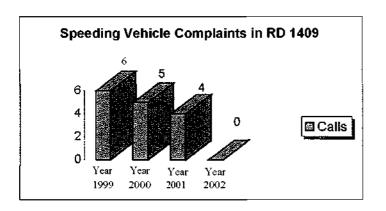
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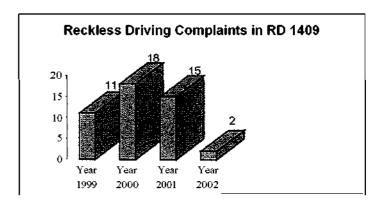
Plano Police Department Website www.planopolice.org

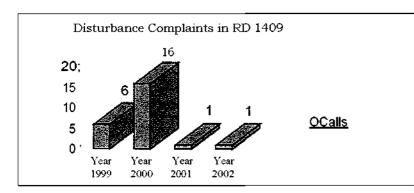
City of Plano Website www.ci.plano.tx.us

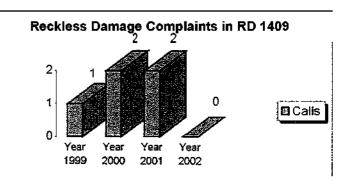
Statistics of Calls for Service in Reporting District 1409 March 01, 1999 through March 31, 2002

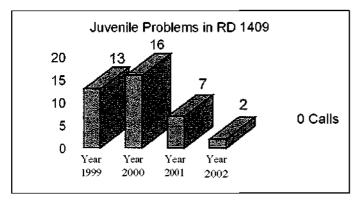
*RD 1409 is the reporting district for the northeast corner of W. 15th Street and Custer Road. It contains the Sonic Drive-In, Calloway's Nursery, and several businesses in this area.

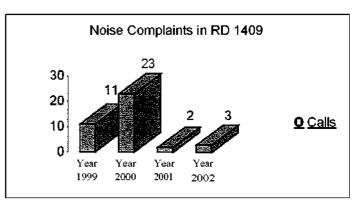


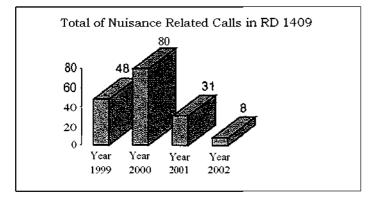


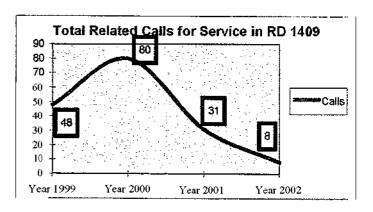


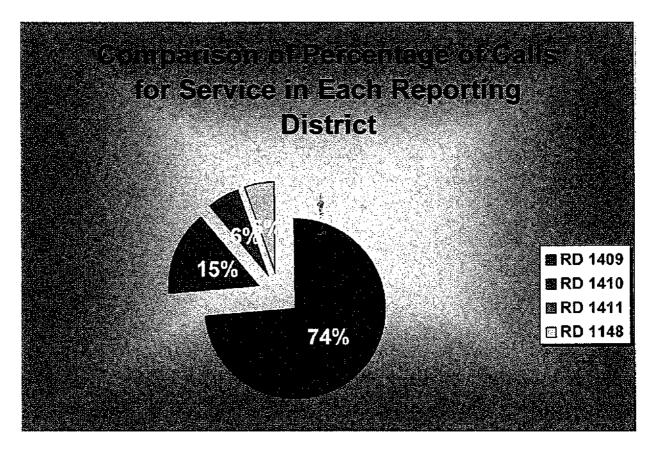


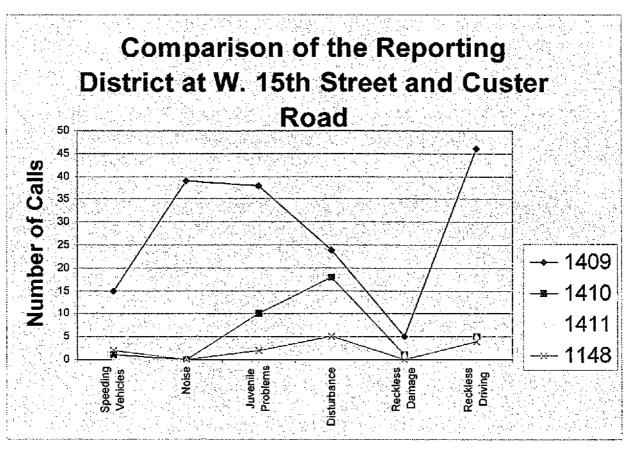




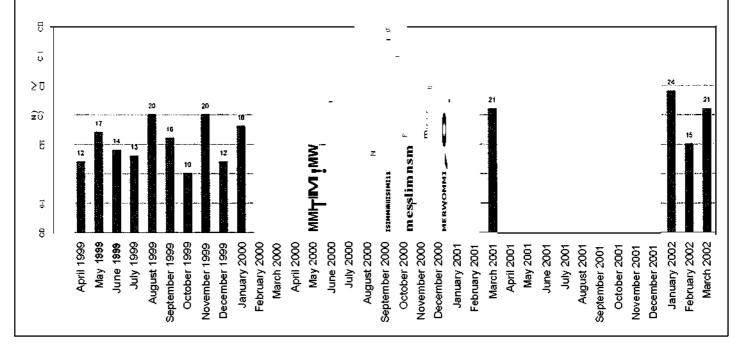


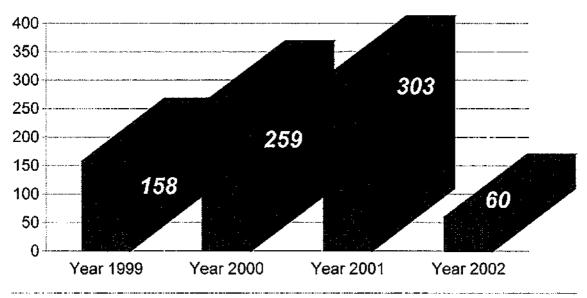






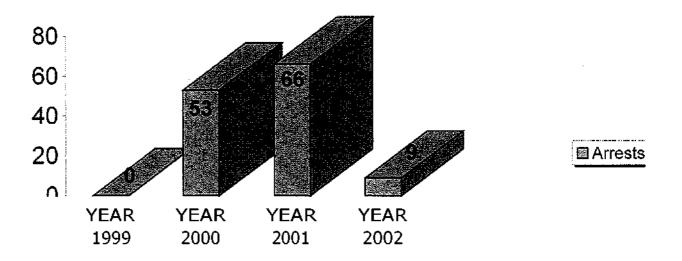






Note: These charges may include racing citations issued or custodial arrests made.

Arrests for Racing March 01, 1999 through March 31, 2002



Arrests for Exhibition of Acceleration March 01, 1999 through March 31, 2002

