

Palm Beach County Sheriff's Office Day Worker Action Plan

"Reducing the cause and effect of dayworkers at home supply stores with a comprehensive problem solving plan"

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SUMMARY

What is Past - Will not be Prologue

SCAN: In June of 2009, the Community Policing Liaison Unit (CPLU) was selected to address a long term trespassing and loitering problem by dayworkers at the Lake Worth Road Home Depot store.

ANALYSIS: A surveillance of the area was performed, following the SARA Model. Approximately 80 day workers would congregate in front of, and along the street, of Home Depot on a daily basis. Some of these day workers would endanger themselves by running through traffic, attempting to enter vehicles and trucks without the driver's permission. This generated numerous daily complaints to the Home Depot management. During the scanning phase of the action plan, it became apparent that targeting the day workers for their behavior would be a useless endeavor. What was addressable was the employer of the day worker illegally picking up the workers from the busy highway. Utilizing this information, we targeted the vehicles with a combination of hand selected Community Policing deputies, and the Aggressor Driver Unit.

RESPONSE: Tasked with this highly political issue, The CPLU developed a Community Policing holistic approach to this problem. A long term comprehensive solution was implemented. By partnering with the host business and surrounding public sector businesses, the CPLU kept them informed and ensured success for this project. Much like a Community Policing site which becomes "anti-crime" in location, victim and suspect design, this location will follow a similar format. It will become simply harder for illegal "business as usual" to occur at this location, thus guaranteeing that the resources expending on this problem, were not in vain. Designing and utilizing an educational and informational component to this action plan, a large electronic portable traffic sign was utilized to inform the public and day workers that their actions were unlawful. Informational flyers; in English, Spanish, and pictograms, were designed and handed out for a week. The CPLU also designed a Trespass component to properly digitally photo and identify the day worker, who usually does not possess any photo identification. All stores near Home Depot were either signed up or confirmed to have a Trespass Affidavit OAN Number.

ASSESSMENT: A severe drop in day worker presence anywhere near Home Depot occurred and the number of day workers had dropped to under approximately 10. Numerous letters from business owners were received praising this operation.

DESCRIPTION

SCANNING: The Manager, Pedro Sanchez, of the Home Depot located at 4241 Lake Worth Rd made contact with the Palm Beach County Sheriff's Office and filed a complaint reference to the large numbers of day workers soliciting for work, interfering with customers, causing traffic problems, and creating an atmosphere not conducive to the Home Depot property. This area has been the target of PBSO efforts in the past for similar problems.

A review of calls for service at this and surrounding locations revealed 248 total calls for service (For purposes of this project signals 3,4,13p,21V,22,36,51,56,57 and 79). There were 16 calls for service for hit and runs, 49 for accidents, 74 for suspicious persons, 4 vehicle burglaries, 25 disturbances, and 9 for Fights, 92 for trespassing, 7 for open container violations, 2 for narcotics, and 20 for suspicious incidents

Surveillance was conducted of this area to verify the alleged problem. On 08/04/2009 video tape surveillance began which supported Mr. Sanchez's complaint. During the surveillance many males were observed loitering on and around the Home Depot property. When vehicles entered the parking lot these males would approach the vehicle then several would get into the vehicle or on the back of the truck bed and the driver would leave the area. In several instances passengers cars entered the parking lot and two to three of this group would enter the car and leave the property. On two separate instances our unmarked vehicle was approached by the males, who left the curb stepping into the lane of traffic, they then raised their arms in an inquisitive manner. We observed this practice repeated when large panel van type vehicles approached.

A survey was conducted of all surrounding businesses as well as customers entering and leaving the Home Depot. Of the people surveyed the results confirmed the complaint by Sanchez.

Many businesses in the area were identified as not having a trespass affidavit on file with the Sheriff's Office.

ANALYSIS: Break down statistics by call classification 08/01/2008 – 07/31/2009.

A review of calls for service at this and surrounding locations revealed 298 total calls for service (For purposes of this project signals 3,4,13p,21V,22,36,51,56,57 and 79). There were 16 calls for service for hit and runs, 49 for accidents, 74 for suspicious persons, 4 vehicle burglaries, 25 disturbances, and 9 for Fights, 92 for trespassing, 7 for open container violations, 2 for narcotics, and 20 for suspicious incidents.

A breakdown of time of day for all tracked calls revealed that the 0700 – 1300 hr time slot was by far the busiest time of day. During this time period over 60% of the trespass calls were received, 30% of the disturbance calls, 45% of the suspicious person calls, and 30% of accident calls. There were no direct connections to the calls except for the trespassing calls which were almost 100% for day workers.

Surveillance conducted showed approx 10 day workers were present at 0630 hrs, this amount steady grew to approx. 75 day workers between Kirk Rd. and Military Trail along Lake Worth Rd. by 0830 hrs. At the intersection of Kirk Rd and Lake Worth Rd in and around the parking lot of the gas station on the NW corner there were approx. 17 – 20 workers present. In and around the Sunoco gas station in the 4100 block of Lake Worth Rd. there were approx. 12 – 15 day workers. In and around the parking lot of the Home Depot, 4241 Lake Worth Rd 40 – 50 day workers were observed. These day workers congregated in three locations; at both entrances and the entrance on North Price Rd. to the Albertsons grocery store. Many of the day workers were observed waving and flagging down vehicles, approaching them in the roadway, and following the vehicles into the Home Depot parking lot. The presence of the day workers appeared to hinder the flow of traffic; several workers stood in the median, left the median entering the roadway and approached vehicles in the turn lane.

Day workers are those who congregate in public places seeking manual-labor jobs such as construction, gardening, landscaping, and farming. These day workers work daily for predetermined wages. The amount of money day workers earn varies from market to market and time of year. Day workers sites tend to be concentrated where there is a proliferation of construction, manufacturing, farming, and other industries dependent on large numbers of relatively unskilled manual laborers. At the present time there is no location in close proximity to this area which offers aid to the people looking for work. The Service Center in the City of Lake Worth does not accept non city residents and the center in Jupiter is too far away. A survey was conducted of 100 customers and all businesses along Lake Worth Rd from Kirk Rd. to Military Trail. These surveys reinforced the complaint of the day workers disrupting business, scaring or harassing customers, littering, loitering, soliciting work, and causing traffic problems.

RESPONSE:

Community Policing Liaison Unit – Cpl. Searing and Cpl. Trombley

Coordinate units assisting in plan, make connections with outside groups to assist in the successful implementation of this plan.

Set and hold meetings to monitor plan

- **Every other Monday meetings (Searing & Trombley)**

Compile statistics and data related to plan (Trombley)

- **Video tape/ photograph area (Searing & Trombley)**
 - Started 8/4/09
 - Contacted Agent Chandler OCB
 - Getting surveillance van
 - Training on 8/6/09 @ 1000
 - Surveillance completed.
- **Pull accident and case numbers for neighboring locations**
 - Compile stats from 080108 – 073109 (3,4,13p,21,22,36,51,56,57,79)
 - Ordered from Auchterlonie 8/3/09 (Trombley)
 - Completed 8/10/09
- **Meet with Store Manager; determine their willingness to partnership with us (Searing)**
 - Pedro Sanchez
 - 4241 Lake Worth Rd
 - 561- 642 – 2626 – cell 561 – 324 – 7711
 - Meeting set for 8/6/09 1300 hrs. COMPLETED
- **Obtain FDOT portable signs (2) for area (Searing)**
 - Waiting on reply from Captain Coleman and Motors for signs.
 - Completed and in place
- **Determine Lake Worth Rd swale owner (Trombley)**
 - Florida DOT
 - Received survey of property 8/4/09
 - Sent to graphics for enlargement 8/4/09
 - Maria Elfring
 - County engineering – 684 – 4088 (Trombley)

- Shane Cleary – streetscapes 684-4088

- **Adjust Business Partnership Program to accept trespass violator information (Searing-Pending)**

Problem Description:

8/12/2009 9:13:21 AM, Submitted by: Searing, George

Per the Sheriff, was tasked with a project involving the Home Depot on Lake Worth Rd. We are going to utilize the Business Partnership Program to document the numerous loiters we will be processing.

We need a search field added to the trespassed person section so a deputy can search by name, date of birth, height, etc.

After adding 70 or so persons to the list, the searching will becomes tedious...

Tax Collector Office involvement reference business violations (Searing)

- COMPLETED
 - Kurt Eismann, Dir. Contractors Certification / PBC (Paul Columbo – 233-5538)
 - 2300 North Jog Road
 - West Palm Beach, FL 33411-2741
 - (561) 233-5531 (561) 233-5554 F

 - Michelle Peguero, CFCA (Tax Collectors Office)
 - Deputy Tax Collector
 - 301 N Olive Ave 3rd Floor
 - West Palm Beach, FL 33401
 - 561-355-3625 (Office)
 - 561-355-6760 (Fax)
- Possible IRS violations
- Partner with State Workers Comp Office (Searing)
 - Mr. Mark Carlin
 - Workers' Compensation
 - Bureau of Compliance
 - Telephone at 561-837-5721
- INS involvement

- Develop survey for distribution (Trombley/Searing)
 - Sent to Captain Lindscoog 8/4/09 for approval
 - COMPLETED

- Assist in enforcement Ops
 - COMPLETED

- Instruct Verbal Judo 8 step traffic stop class
 - Involved Units
 - Hand out 8 step cards

- Create educational brochure (Searing)
 - Create flyers for elderly picking up workers for home projects
 - Customers
 - Businesses
 - Contractors – letter to contractors pending Captain Lindscoog

Aggressive Driving Unit - 1 team member per day

- zero tolerance enforcement in target area from 0630 – 0830
- Assist in enforcement Ops
- Supplemental Report for statistics weekly
- Supplement case number upon arrest
-

C P Unit (District 1) – 2 team members per day

- daily visual surveillance,
- trespass affidavit program – (Tramonte)
- zero tolerance enforcement
 - Conduct daily patrols of area 0800 - 1230
 - Utilize (2) two units
 - Two (2) deputies per unit
 - Conduct 10-50's
 - Write citations
 - Complete FIR's
 - Photograph
 - Offenders
 - Vehicle license plate
 - Company name (if applicable)

- FIR and photograph offenders given warnings

- Conduct arrests for trespassing
- Update S/51 book with FIR and Photo
- High profile bike and foot patrol
- Report statistics weekly
- Supplement case number upon arrest
- Supplement case weekly on S/51 updates

District 1 Road Patrol – 1 team member per day

Operation from 1230 – 1800 hrs

From 0800 – 1230 there is an ongoing operation taking place in this area. Unless dispatched into the area please avoid.

- FIR and photograph offenders given warnings
- Update S/51 book with FIR and Photo
- High profile bike and foot patrol
- Pass out flyers to workers
- Report statistics weekly to Cpl Trombley or Searing
- daily visual surveillance,
- zero tolerance enforcement
 - Conduct 10-50's
 - Write citations
 - Complete FIR's
 - Photograph
 - Offenders
 - Vehicle license plate
 - Company name (if applicable)
- Supplement case number upon arrest (09-117687)
- Supplement case weekly on S/51 updates
- Conduct arrests for trespassing

PIO – PBSO

- Meetings with press, if necessary

Home Depot – (Meeting set for 9/15/09)

- Landscaping
 - Prohibitive plants
 - Entrance/exit foot paths

- Fencing
 - Update/repair
 - Install
 - Move to sidewalk
- Posting public information
 - Signage
 - Flyers

Crime Prevention

- CPTED – Crime Prevention survey
 - Business partnership notification
- Assist in enforcement Ops
- Conduct project surveys
 - @ businesses
 - With customers
- Enter FIR and photo into the Business partnership program daily
 - Nicole Luty will enter on Wednesdays and Fridays for the first two weeks, arrests in week three can then be verified

Commercial Vehicle Enforcement –

- Enforcement statutes that apply
 - Drivers license statutes
 - Load statutes
 - License class enforcement
 - Assist in enforcement ops
- Supplement Report for statistics weekly
- Supplement case number upon arrest

Community Services/Reserves – These duties were reassigned to other units.

- Assist in enforcement Ops
- Assist in the public education campaign
 - Distribute educational flyers to businesses and persons in area
 - Assigned to Dist 1
- Supplement Report for statistics weekly
- Supplement case weekly on S/51 updates
- Serve as back up and translation for other units
- Assist road units in photographing and FIR's when they conduct 10-50's
- Provide prisoner transport
- Hispanic Outreach organizations
 - Partner with organizations to assist in educating workers

- Guatemalan Mayan Center
 - Work with PIO to develop PSA for Spanish speaking radio stations

Corrections (If there is a sweep conducted)

- Assist in enforcement Ops
- Provide transportation of arrestees to jail

Code Enforcement

- Conduct inspections of businesses along targeted area
 - Gail Vorpapel Code Enforcement – 233-5500
- Issue citations as warranted
- Issue Notice of Violations as warranted
- Report statistics weekly
- Determine site landscaping requirements.
 - Sent pictures 8/27/09
- Pull site plan for Home Depot
- Contact DOT for approval for median and entrance fencing
 - Meeting is 9/15/09 @ the Vista Center
- Landscaping inspector
- Investigate businesses that appear not to be what is advertized or licensed.
- Investigate temporary business set up at El Carbon Taco stand.

Guatemalan Mayan Center

Partner with this organization in attempt to find a location to house a service type center Their employees will work outreach in this area to educate the workers and the women that congregate at the coin laundry other businesses.

Elisa Tomas

Emelyne Smith

GOALS:

- Reduce/displace the number of day workers gathering in this location by 80% (85)
 - After 3 weeks total amount less than 10
- Educate customers and workers alike with flyers and signage of illegal activity.
 - 600 educational flyers distributed in area
- Address CPTED issues in parking lots which make it conducive to gathering.

- Cut down trees
- Trim hedges
- Relocate fencing/add landscaping in front of Home Depot
- Sign up as many businesses as are interested with the trespass affidavit program.
 - 70% participation is the target; many businesses are designed to service the day laborer population and will not cooperate with this effort.
 - Only 5 businesses out of 19 remain without the trespass affidavit
- Attempt to locate a location for a service center

ASSESSMENT - During the surveillance portion of this plan through its implementation it has been noted that the workers start congregating along this stretch of road starting early each weekday approximately 0600 hrs. The numbers of day workers are very few until about 0700 hrs. Then they begin to clump up in groups waiting for someone to pick them up for work.

During this plan we have observed these groups and stopped the vehicles that have been picking the workers up. During the stops the drivers are educated not to pick up workers at this location along with the statutes they are violating. They are cited for violations observed. The workers are cited for violations observed; if they trespass on posted property they are warned, issued Field Interview Reports and photographed. This information is then uploaded to the Business Partnership Program. This program has an up loadable data base that can be searched for previous trespass warnings on individuals.

The key in maintaining the success of this effort will be the maintenance plan and the attention it is given by road patrol units and the Sergeant appointed to oversee this portion of the plan. Two units, preferably bike units, should be assigned this for the first three weeks of maintenance, Monday through Friday. They should be assigned from 0700 – 0930 hrs to the stretch of Lake Worth Rd. from Kirk Rd. west to Military Trail. A zero tolerance attitude should be taken as it pertains to this problem. Groups should not be allowed to congregate on property posted no trespassing; the flagging down of vehicles is a violation of FSS and should be cited as such. No NTA's should be issued; all violators should be booked into the county jail. If the unit believes the person arrested is an undocumented worker an inquiry should be sent from teletype to the Law Enforcement Service Center (LESC) in Vermont to check on the status of the person. If the person is uninspected (undocumented) or has stayed past their legal stay in the country a detainer will be faxed to the jail from LESG to hold the person arrested for the C.A.P. Officer from ICE.

Each deputy completing an FIR or trespass warning shall take a photograph of the person and upload this information to the business partnership program located on the apps page. The information must be entered under the proper location to be accessed properly. When confronting a possible trespasser the data base should be checked for the location to see if the person has been trespass warned in the past. If so the person is subject to arrest for trespass. If the person is arrested an entry should be made noting this arrest.

As the database grows with name and photo information of trespassed persons more and more arrests will be affected on the worker population. With the greater number of arrests the chance of deportation of some of these individuals will increase.

Once this starts to occur the disposition of these cases will filter back to the community and this area will be one uninspected persons will come to avoid. A dedicated Community Policing Site Summary Weekly report was created and maintained by Cpl. Searing with the weekly statically data from the District's activity. This report was accessible to the Command Staff for review. The use of surveys before and after the action plan proved indispensable in evaluating the effects of our combined efforts. We include them in the reference section of this presentation as well as the PowerPoint slides at the end. By addressing the cause (contractors) instead of the effect (dayworkers), we believe we made a long term change to the dynamics in the area.

Adjustments to the Action Plan

After one week of operation we observed certain behaviors and adjusted our response accordingly. The first change observed was that the day workers simply moved from the Home Depot to other area business property. To combat this new problem deputies were sent to the individual businesses in an attempt to sign the business up under the Trespass Affidavit program through the Sheriff's Office. This met with the results of six new businesses joining this effort. They are; Circle K, Albertsons, La Bodega, Coin Laundromat, Guerrero Liquor store, and Casa Viejo Grocery. Other businesses had the trespass affidavit updated to be current. Through these actions we have greatly reduced the area used for the workers to congregate and wait for work.

Another issue was the storing of bicycles by the workers on Albertson's property as well as the fence along the western edge of the Sunoco gas station. Signs were prepared and posted educating the workers that these locations were not for bicycle storage; through the owners it was arranged to have the bicycles removed if they are stored there in the future.

At the beginning of each day two (2) Spanish speaking deputies take flyers to the locations where the workers are hanging out. Each worker is given a flyer and it is explained to them the violations they are committing. (Trespass, traffic infractions, etc)

Sheriff Ric Bradshaw

Palm Beach County Sheriff's Office

3228 Gun Club Road
West Palm Beach, Florida 33406-3001
(561) 688-3000

Major Dan Smith: Countywide Operations

Captain Jeffrey Lindskoog- Community Services Division

Lt. David Dameron- Community Services

Cpl. Barry Trombley- Community Policing Liaison Unit

Cpl. George Searing- Community Policing Liaison Unit



August 12, 2009

To whom it may concern,

This letter is intended to inform the recipient of the issues we The Lake Worth Home Depot have been dealing with in regards to the migrant issue, and to request help. First off I would like to thank the Palm Beach County Sheriffs Office for all of the help they have provided the store over the years.

In approximately the last three years we have seen the number of day laborers balloon from five or six individuals loitering from seven or eight AM until noon time to now forty to fifty individuals loitering from open to close. As the day progresses we find the workers becoming more and more bold. They will run out in front of cars as they enter in to the parking lot off of Lake Worth Road. They pan handle and harass customers for money. They have even gone as far as jumping into the back of trucks and banging on car windows and refusing to move until the driver gives them money. They are not just an issue for customers entering in to our parking lot but for every one who drives on Lake Worth Road, as they constantly run across the street and have on several occasions been hit by cars and at one point a Palm Tran bus. Our neighbor the Post office has had numerous issues with them and there employees as well.

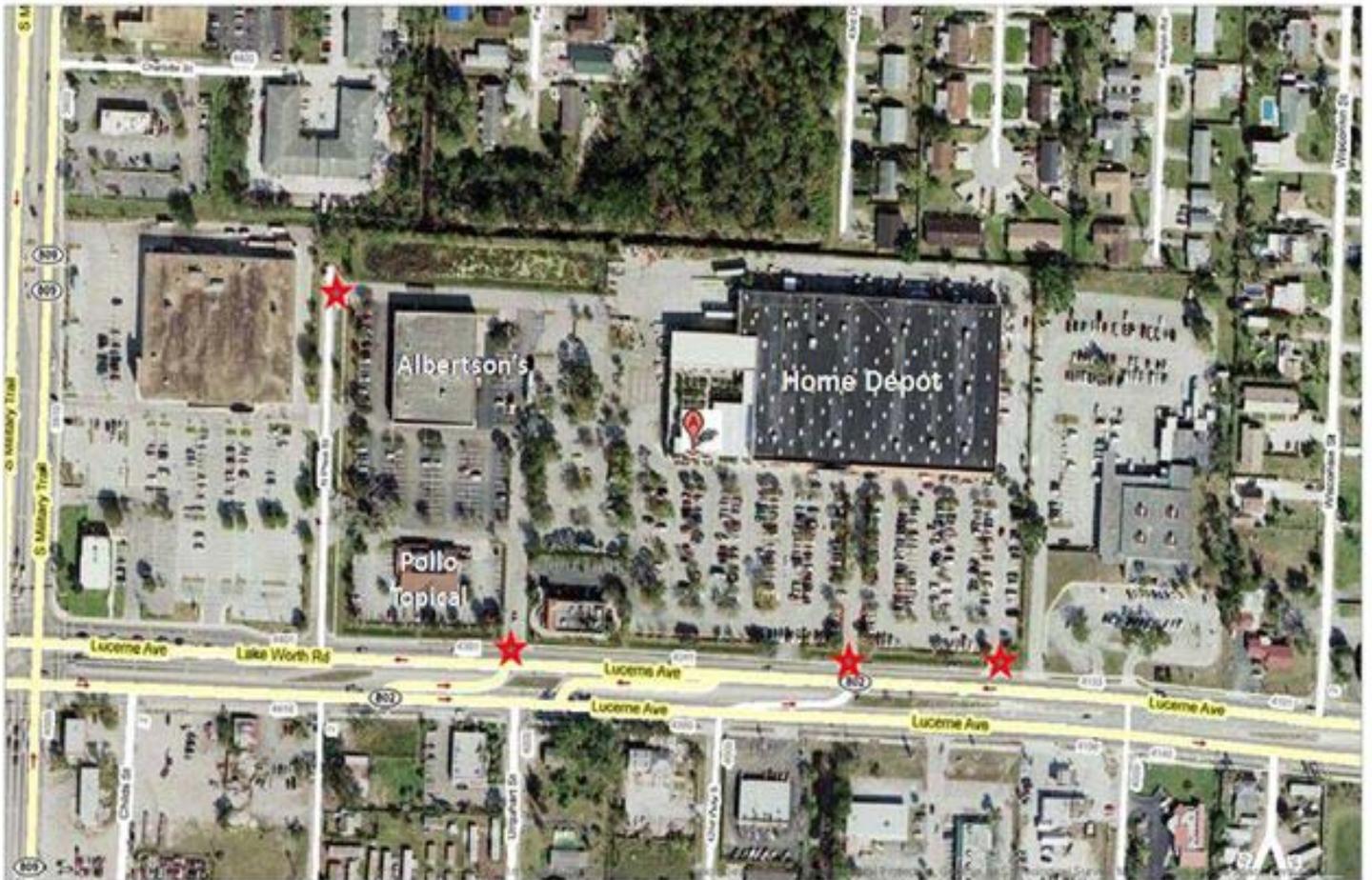
We regularly receive complaints from customers about the situation. We have erected a six foot tall chain link fence along the front of the store, along with an instant ficus hedge. In addition we spent approximately one hundred and forty thousand dollars a year on a security service for the last three years to patrol the parking lot in an attempt to make our customers feel safer. Our Asset Protection Team regularly calls the Sheriffs Office requesting a deputy come out and help address the situation when the guards become over whelmed or the workers refuse to obey his commands.

We have received reports of workers being picked under the guise of work and then being taken off and raped. We have also had incidents where the workers will become upset for one reason or another and will start throwing rocks. Some times customer cars as they pull out of the lot and even at our security guards as they patrol the parking lot. Approximately a year ago one worker pulled out a knife and threatened a security guard's life.

We have met with various members of the Sheriffs office before, and different tactics have been attempted but to date nothing has worked to eliminate the problem for more than a day or two. We are certainly willing to try any and all plans ideas or programs that the Sheriffs office can provide, and will do every thing with in our power to aid in the addressing of this issue.

Sincerely,

Pedro Sanchez
Store Manager
The Home Depot
4241 Lake Worth Rd
Lake Worth, Florida 33416



Home Depot

★- Entrances and Exits

N 4241 Lake Worth Rd, Lake Worth, FL

Yes!  **WARNING**

Do not place your bicycle here. It will be removed and destroyed.

Management  **No!**

SI!  **ADVERTENCIA**

No ponga su bicicleta aquí Será quitado y destruido

EL ENCARGADO  **No!**

\$25,000



Anti-Fraud Reward Program

Rewards of up to \$25,000 may be paid to persons providing information to the Dept of Financial Services leading to the arrest and conviction of persons committing insurance fraud, including employers who illegally fail to obtain workers' compensation coverage. Persons may report suspected fraud to the Department at 1-800-378-0445.

A person is not subject to civil liability for furnishing such information, if such person acts without malice, fraud or bad faith.

Employing Day Workers?

What Can I Lose?

POSSIBLE VIOLATIONS OF Florida State Statute

IT IS UNLAWFUL to solicit work, business, or rides from vehicles driving in the road **316.130 (5)**

No stopping, standing, or parking any place official traffic control devices prohibit **316.1945 (1) a (10)**

Trespass on property other than structure or conveyance **810.09 (1) (a) 1**

Riding on or in exterior of vehicle not designed or intended for the use of passengers. **316.2015 (2) (a)**

Pedestrian soliciting a ride, employment, or business from driver – **316.130 (5)**

If you are arrested, your vehicle will be subject to inventory and tow at your expense

Don't Let This Be You!

COMMUNITY CONCERNS REGARDING DAY LABORERS:

- Injury or accident due to overcrowding at pickup site Exploitation of day laborers by contractors who fail to pay or pay less than the agreed-to wage
- Victimization of day laborers by angry citizens
- Laborers congregating on sidewalks may harass pedestrians
- Illegal immigration and human smuggling rings
- Associations with groups engaged in trafficking women for prostitution
- The presence of large numbers of laborers and contractors often creates parking and traffic problems
- The constant congregation of laborers in the same place for many hours creates loitering problems
- Laborers often leave discarded bottles, food wrappers, and other litter at day laborer sites
- Laborers may vandalize area property or deface property with graffiti
- Laborers waiting all day for work may urinate in public
- Injuries from swarming that occurs when there are many more laborers than the contractor needs. Injuries sometimes occur when many laborers "swarm" around a contractor's vehicle, hoping to be selected for a job.

"The Problem of Disorder at Day Laborer Sites" Problem-Oriented Guides for Police Problem-Specific Guides Series No. 44

COPS
COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

PALM BEACH COUNTY
SHERIFF'S OFFICE

RIC L. BRADSHAW, SHERIFF



Customer Public Safety Survey

The Palm Beach County Sheriff's Office is seeking input from the customers of this retail community.

1. Which best describes your experience at this retail establishment
(check one)

- A) Great: Very safe area
23%
- B) Good: I think I was fine while in this area
43%
- C) Fair: Some safety issues and concerns are obvious
26%
- D) Poor: I wish more law enforcement or security was present
6%

Comments: We need more patrol all the time; I don't feel safe around here anymore; the laborers hanging out front; undesirables hanging out in parking lot; items stolen from my truck; laborers running in traffic; lots of trash; asking to use my phone; prostitutes and illegal's hanging around;

2. In reference to question one, what exactly was it that caused you alarm or concern?

Pimps hang out at home depot; been in cars almost hit because of migrants; too many people hanging out at entrance; rude comments to woman by the workers; workers at entrance; workers rush at cars and trucks; unemployed hanging around for work; approaching women in the parking lot.

3. How can the Palm Beach County Sheriff's Office improve the safety of this retail area?

More patrols; don't let them hang out in parking lot; stop the harassing of paying customers; keep workers out of the area; clear entrance of men looking for work; more patrols; stop people from jumping in cars and trucks.

PUBLIC NOTICE

IT IS UNLAWFUL to solicit work, business, or rides from vehicles driving in the road.

Florida State Statute 316.130 (5)

IT IS UNLAWFUL to walk in the street paved for vehicular traffic where a sidewalk is provided.

Florida State Statute 316.130 (3)

IT IS UNLAWFUL to ride on or in the exterior of a vehicle not designed for use of passengers.

Florida State Statute 316.2015 (2) (A)

Trespass in structure or conveyance (vehicle) –

Florida State Statute 810.08(1)

ANY PERSON WHO IS FOUND IN VIOLATION OF THE ABOVE DESCRIBED LAWS IS SUBJECT TO DETENTION, CITATION, OR ARREST

AVISO PÚBLICO

ES ILEGAL EL TRABAJO QUE SOLICITE, AL NEGOCIO, O UN PASEO DE LA CONDUCCIÓN DE VEHÍCULOS EN EL CAMINO

Estatuto de Estado de Florida 316.130 (5)

ES ILEGAL CAMINAR EN LA CALLE PAVIMENTADA PARA EL TRÁFICO DE VEHÍCULOS DONDE SE PROPORCIONA UNA ACERA

Estatuto de Estado de Florida 316.130 (3)

ES ILEGAL MONTAR EN EL EXTERIOR DE UN VEHÍCULO NO DISEÑADO PARA EL USO DE PASAJEROS.

Estatuto de Estado de Florida 316.2015 (2) (a)

VIOLE EN LA ESTRUCTURA O EL TRANSPORTE (VEHICULO)

Estatuto de Estado de Florida 810.08 (1)

CUALQUIER PERSONA QUE SE ENCUENTRE EN LA VIOLACIÓN DE LAS LEYES ARRIBA DESCRITAS ESTÁ CONFORME A LA DETENCIÓN, LA CITACIÓN, O LA DETENCIÓN

AVISO PUBLICO

No es permitido solicitar (buscar) trabajo, negocio o montar en un automovil/camion que esta caminando en la calle.

Leyes de la Florida FSS 316.130(5)



No es permitido caminar en una calle que esta pavimentado para el traffic de automovil, si una acera existe para caminar.

Leyes de la Florida FSS 316.130(3)

No es permitido montar en el exterior de un vehiculo/camion, que no esta hecho para pasajeros.

Leyes de la Florida FSS 316.2015(2)(a)



Entrar o transgression en una estructura o vehiculo es prohibido (tiendas, edificios, parqueos, ect.)

Leyes de la Florida FSS 810.08(1)

Cualquier Persona Que Se Encuentre En La Violación De las Leyes arriba Desritas Esta Conforme A La Detención, La Citación, O La Detención

PALM BEACH COUNTY
SHERIFF'S OFFICE

RIC L. BRADSHAW, SHERIFF



TO: Business Owner

DATE: September 04, 2009

FROM: Community Services

SUBJECT: Day Worker Project

Dear Business Owner:

Recently your business area has been the subject of a special Palm Beach County Sheriff's Office project to proactively address the day worker problem specific to the Lake Worth Home Depot / Lake Worth Road area. This unique solution, involved education, information and enforcement of current laws involving traffic, code enforcement and other methods that targeted the cause of this effect.

After approximately 3 weeks, we are sure the success of this project is quite obvious to anyone in this general area. When we first surveyed the area, over 80 day workers lined the roadway from Military Trail to Kirk Rd in front of the Home Depot. Now, the number is less than 10.

We respectfully request your genuine and honest input in regards to this project. Without your input it is difficult to determine if the efforts were worthwhile.

Please take a few minutes to jot down or printout your own comments and placed them in the attached, self-address stamped envelope. We request that the letter is on your company letterhead if possible.

We thank you in advance for your comments and the pleasure to serve your community.

Cpl. George Searing
Cpl. Barry Trombley
Community Policing Liaison Unit

Diwatch Management Inc
6430 Melaleuca Lane
Greenacres, FL 33463
561-304-1792

September 7, 2009

Cpl G. Searing
PBSO Community Services Division
3228 Gun Club Rd
West Palm Beach, FL 33406

This letter will acknowledge PBSO efforts in the Lake Worth Road corridor and the impact that it has had on our property. Diwatch International Consultants is the owner of the former Cooper MHP and the Richie Plaza, the latter located directly across from Home Depot. Our tenants include Sherwin Williams, Value Pawn and the Department of Children and Families. Value Pawn and the DCF are high traffic businesses and the issue of day laborers and homeless on the property has been an ongoing concern.

In the past few weeks there has been a marked improvement in the area. Prior to this time, when enforcement would occur at Home Depot for littering the individuals would simply walk across to our property and either impede traffic or gather along the canal bank where alcohol consumption became a problem. When tenants would ask them to move in many cases not only were the requests ignored but were followed by threats. We followed up with the District 1 office and with Deputy assistance the conditions improved slightly but because of the general problem success was only limited.

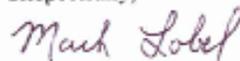
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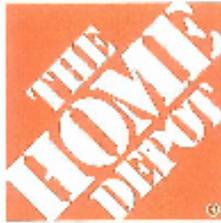
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The programs that have been instituted have greatly improved conditions in the area, however, with familiarity of this neighborhood, without continuing diligence there is a high probability the problem could easily reoccur. It would be our hope that the administration makes decisions to maintain enforcement and community programs along the Lake Worth Road corridor so it is a safe business environment. If there is any action we can take to support PBSO efforts please advise.

Again we thank PBSO for their efforts and diligence in this matter.

Respectfully,


Mark Lobel, Manager
Diwatch



4241 Lake Worth Road • Lake Worth, FL 33461
(561)642-2626 • Fax: (561)434-2416

September 12, 2009

Cpl. George Searing
Cpl. Barry Trombley
Community Service Division
3228 Gun Club Road
West Palm Beach, FL 33406

Gentlemen,

I wanted to take this opportunity to thank you for the Sheriff's Office's efforts in assisting with the Day Labor issues that we had in front of our establishment for the past 3 years. Your most recent efforts have truly changed the shopping environment for our customers and the safety concerns that our customer were dealing with. What you are currently doing is the best approach that we have had in addressing this issue.

I want to thank you and hope to continue this great partnership in maintaining our commitment to ensuring that our customers have a safe pleasant shopping environment.

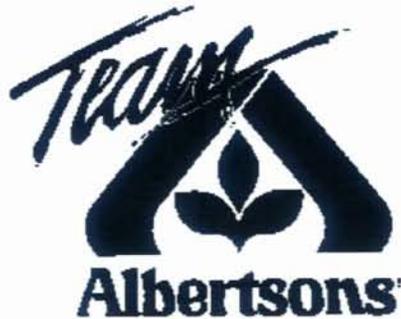
Yours truly,

A handwritten signature in blue ink, appearing to read "Pedro Sanchez". The signature is stylized and cursive.

Pedro Sanchez
Store Manager

CC. Major Dan Smith
CC. Capt. Jeffery Lindskoog



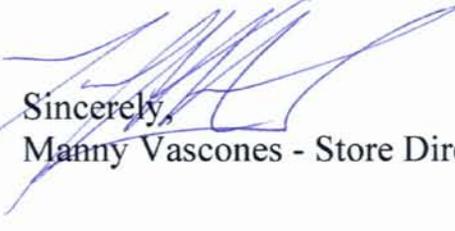


Albertsons Inc.
4481 Lake worth Rd.
Lake worth Fl. 33461

September 7th 2009

To: CPL. Barry Tombling
CPL George Searing

All of the staff here at Albertson's would like to thank the Palm Beach county Sheriffs office for their immediate response to the ongoing situation regarding the day workers in the parking lot. Since you have responded and we posted the trespassing signs, we are gladly to report that the day workers are no longer hanging out in this parking lot. On behalf of myself and the rest of the employees we can not thank you enough for all of your efforts.


Sincerely,
Manny Vascones - Store Director



Lake Worth Home Depot Project

Maintenance Plan Review



August 12, 2009

To whom it may concern,

This letter is intended to inform the recipient of the issues we The Lake Worth Home Depot have been dealing with in regards to the migrant issue, and to request help. First off I would like to thank the Palm Beach County Sheriffs Office for all of the help they have provided the store over the years.

In approximately the last three years we have seen the number of day laborers balloon from five or six individuals loitering from seven or eight AM until noon time to now forty to fifty individuals loitering from open to close. As the day progresses we find the workers becoming more and more bold. They will run out in front of cars as they enter in to the parking lot off of Lake Worth Road. They pan handle and harass customers for money. They have even gone as far as jumping into the back of trucks and banging on car windows and refusing to move until the driver gives them money. They are not just an issue for customers entering in to our parking lot but for every one who drives on Lake Worth Road, as they constantly run across the street and have on several occasions been hit by cars and at one point a Palm Tran bus. Our neighbor the Post office has had numerous issues with them and there employees as well.

We regularly receive complaints from customers about the situation. We have erected a six foot tall chain link fence along the front of the store, along with an instant ficus hedge. In addition we spent approximately one hundred and forty thousand dollars a year on a security service for the last three years to patrol the parking lot in an attempt to make our customers feel safer. Our Asset Protection Team regularly calls the Sheriffs Office requesting a deputy come out and help address the situation when the guards become over whelmed or the workers refuse to obey his commands.

We have received reports of workers being picked under the guise of work and then being taken off and raped. We have also had incidents where the workers will become upset for one reason or another and will start throwing rocks. Some times customer cars as they pull out of the lot and even at our security guards as they patrol the parking lot. Approximately a year ago one worker pulled out a knife and threatened a security guard's life.

We have met with various members of the Sheriffs office before, and different tactics have been attempted but to date nothing has worked to eliminate the problem for more than a day or two. We are certainly willing to try any and all plans ideas or programs that the Sheriffs office can provide, and will do every thing with in our power to aid in the addressing of this issue.

Sincerely,

Pedro Sanchez
Store Manager
The Home Depot
4241 Lake Worth Rd
Lake Worth, Florida 33416

Request for assistance from Home Depot

Issues:

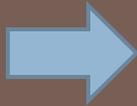
- *Running in front of cars*
- *Panhandling*
- *Harassing customers*
- *Jumping into the back of moving pickups*
- *Banging on car windows demanding money*
- *Hit by vehicles on Lake Worth Rd.*
- *Throwing rocks at Home Depot Security personnel*

Situation on 08-11-09

Between 8:30am to 10:00
approx 80 day workers
conjugate along the Lake
Worth Rd area



EAST Home Depot Entrance



WEST Home Depot Entrance

The entrance of Home Depot was inundated with day workers loitering and soliciting for work. 08-11-09

Albertson's parking lot



Not only is the Home Depot entrance congested, but neighboring business and plazas have similar foot traffic.

Day workers were observed jumping into traffic to obtain access to possible work trucks



Photos taken utilizing
OCB agent surveillance vehicle

Employing Day Workers?

What Can I Lose?

POSSIBLE VIOLATIONS OF Florida State Statute

IT IS UNLAWFUL to solicit work, business, or rides from vehicles driving in the road
316.130 (5)

No stopping, standing, or parking any place official traffic control devices prohibit
316.1945 (1) a (10)

Trespass on property other than structure or conveyance
810.09 (1) (a) 1

Riding on or in exterior of vehicle not designed or intended for the use of passengers.
316.2015 (2) (a)

Pedestrian soliciting a ride, employment, or business from driver – **316.130 (5)**

If you are arrested, your vehicle will be subject to inventory and tow at your expense

Don't Let This Be You!

COMMUNITY CONCERNS REGARDING DAY LABORERS:

- Injury or accident due to overcrowding at pickup site Exploitation of day laborers by contractors who fail to pay or pay less than the agreed-to wage
- Victimization of day laborers by angry citizens
- Laborers congregating on sidewalks may harass pedestrians
- Illegal immigration and human smuggling rings
- Associations with groups engaged in trafficking women for prostitution
- The presence of large numbers of laborers and contractors often creates parking and traffic problems
- The constant congregation of laborers in the same place for many hours creates loitering problems
- Laborers often leave discarded bottles, food wrappers, and other litter at day laborer sites
- Laborers may vandalize area property or deface property with graffiti
- Laborers waiting all day for work may urinate in public
- Injuries from swarming that occurs when there are many more laborers than the contractor needs. Injuries sometimes occur when many laborers "swarm" around a contractor's vehicle, hoping to be selected for a job.

"The Problem of Disorder at Day Laborer Sites"
Problem-Oriented Guides for Police Problem-Specific Guides Series No. 44

COPS

COMMUNITY ORIENTED POLICING SERVICES
U.S. DEPARTMENT OF JUSTICE

The unique perspective of this SARA model was to employ the Crime Triangle concept to target the employer who is illegally offering employment to the day workers. By not targeting the day worker per se, the obvious political issues can be avoided.

\$25,000



Anti-Fraud Reward Program

Rewards of up to \$25,000 may be paid to persons providing information to the Dept of Financial Services leading to the arrest and conviction of persons committing insurance fraud, including employers who illegally fail to obtain workers' compensation coverage. Persons may report suspected fraud to the Department at 1-800-378-0445.

A person is not subject to civil liability for furnishing such information, if such person acts without malice, fraud or bad faith.

Electronic DOT signage, and large printed warning signs informed the customers and persons coming to Home Depot for workers of possible violations



Yes!  **WARNING**

Do not place your bicycle here. It will be removed and destroyed.

Management  **No!**

Other signs were created to ensure that our message of enforcement was well received in either Spanish or English as well as “picturegraphs” for those that did NOT know how to read any language

PUBLIC NOTICE

IT IS UNLAWFUL TO SOLICIT WORK, BUSINESS, OR RIDES FROM VEHICLES DRIVING IN THE ROADWAY F.S.S. 316.130 (5)



IT IS UNLAWFUL TO WALK IN THE STREET PAVED FOR VEHICULAR TRAFFIC WHERE A SIDEWALK IS PROVIDED F.S.S. 316.130(3)



IT IS UNLAWFUL TO RIDE ON OR IN THE EXTERIOR OF A VEHICLE NOT DESIGNED FOR USE OF PASSENGERS F.S.S. 316.2015 (2) (A)



TRESPASS IN STRUCTURE OR CONVEYANCE (VEHICLE) 810.08 (1)
(Example: PARKING LOT, STORE, ETC)



ANY PERSON WHO IS FOUND IN VIOLATION OF THE ABOVE DESCRIBED LAWS IS SUBJECT TO DETENTION, CITATION, OR ARREST

Some examples of the educational actions



The Crime Prevention Unit was responsible for issuing the Scanning surveys for the SARA plan. 100 samples were taken from Home Depot customers

During the enforcement phase, the following statistics were compiled:

- 111 Field Interview Reports*
- 35 Traffic Citations*
- 5 Arrests*
- 12 new area businesses added to the Trespass Affidavit program*
- Distributed over 300 educational flyers to the Day Workers*
- Distributed 100 flyers to contractors*
- Completed surveys on bordering businesses and 100 customers*



Digital photos taken of trespassed persons which will be placed into the Business Partnership Program located on the APPS page.

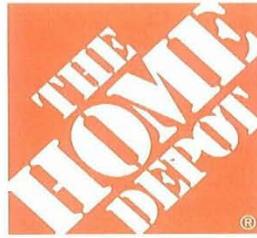
This will facilitate the searching and identification of the trespassed person by road patrol and prevent any mistaken identity or false name issues.

Some examples of the enforcement actions



Driver arrested, day worker passenger arrested for trespass after warning, case turned over to PBC Workers Compensation Investigator

Some After Action Letter Results



4241 Lake Worth Road • Lake Worth, FL 33461
(561)642-2626 • Fax: (561)434-2416

September 12, 2009

Cpl. George Searing
Cpl. Barry Trombley
Community Service Division
3228 Gun Club Road
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Pedro Sanchez
Store Manager

Some After Action Letter Results

Diwatch Management Inc
6430 Melaleuca Lane
Greenacres, Fl. 33463
561-304-1792

September 7, 2009

Cpl G. Searing
PBSO Community Services Division
3228 Gun Club Rd
West Palm Beach, Fl. 33406

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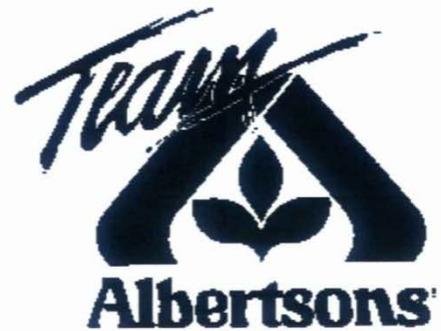
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Sincerely,

Manny Vascones - Store Director

Home Depot Area..... now



Some verbal comments from the business owners during the after action surveys

Circle K: Spoke to the manager Nancy and also the assistant manager Jorge who were both **very happy with our efforts** and notice a **positive difference in business** and will respond with a positive letter. He would like to see the project continue

Casa Vieja/ Liquor store: Spoke to Owner Norberto Calderon he also would like to see the project continue due to the difference he has noticed in the **increase in business**.

Book Worm: Missy the owner was **very impressed** with the results and would really like to see the project continue.

Home Depot: The exact word he used to describe the results were **ecstatic** and he could not believe the results that we achieved in just three weeks and would love to see follow thru with this project.

Pollo Tropical: This store before the project was not willing to become involved and not post any trespass signs on the property. I spoke to bill the manager and **after seeing the result's first hand was more than happy to get on board and is going to have corporate fill out the trespass affidavit**.

Albertson's: Spoke with Manager Velazquez who **could not be happier** with the work that we are doing and practically begged us to continue our efforts and would have no problem expressing this in a letter to us.

Payless shoes: Met with Kelly Velazquez store manger who **was thankful for our work and would love for us to continue our efforts** and would have no problem sending in a letter and see that we continue with our work in the area.

Sherwin William's Plaza/ Empty lot west of Salvation army: Met with Mr. Logan at his office at 6430 Mellaluca and he was not only satisfied with our efforts and **would love to see the action plan continue** but he also offered his assistance any way we could use him. He will be sending in a letter to express his thoughts.

RESULTS