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# **Citizen Action for Neighborhood Safety**

*Community Strategies for  
Improving the Quality of Life*



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**August 1997**

This document was prepared by the Institute for Law and Justice, Inc., and the Center for the Community Interest, supported by grant number 95-DD-BX-K013, awarded by the Executive Office for Weed and Seed, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

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# **Citizen Action for Neighborhood Safety**

***Community Strategies for  
Improving the Quality of Life***

Prepared by

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# Foreword

Since 1991, nearly 120 jurisdictions have received grants through Operation Weed and Seed of the U.S. Department of Justice to combat crime and disorder in high-crime neighborhoods. These communities are “weeding out” violent crime, drug dealers, and gang activity; using community policing approaches to further reduce disorder and engage citizens in fighting and preventing crime; and “seeding” the community through prevention and intervention programs, economic revitalization, and neighborhood restoration.

Neighborhood by neighborhood, we are seeing success—not because there are easy answers, or because of any “one size fits all” program, but because of the resourcefulness and tireless commitment of citizens, community policing officers, and others on the front line. Only with strong support from neighborhood residents and community organizations—and an equally strong commitment by U.S. Attorneys, law enforcement, local prosecutors, and others in the criminal justice system—can we begin to make a difference.

It is to these individuals that this book is dedicated, and it is their collective wisdom that the book seeks to represent and share. Each chapter offers practical tactics that have been used successfully, in Weed and Seed neighborhoods and in other communities, to address very specific problems. These problems—drug markets, graffiti, trespassing, prostitution, gangs—don’t always involve felony crimes, but they all have a profound effect on the quality of community life.

Finally, we see this book as a living document. We hope not only that you will learn something useful from the experiences of these communities—new tactics, new contacts, new ways of thinking about old problems—but also that you will tell us more about your own experiences. In turn, we will make every effort to update the information presented here by including your ideas in our training workshops, publications, and Internet website. We are convinced this type of continuing dialogue will go a long way toward reducing crime and making our neighborhoods better places to live.

Stephen Rickman  
Director  
Executive Office for Weed and Seed

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# Acknowledgements

This guidebook was possible only because of the dedicated people who have been working so hard to improve the quality of community life in Weed and Seed and other neighborhoods throughout the country. We hope we have represented their efforts faithfully. We are also especially grateful for the direction and support of Stephen Rickman, Director, Executive Office for Weed and Seed.

Working as partners, the staff of the Institute for Law and Justice (ILJ) and the Center for the Community Interest, a project of the American Alliance for Rights and Responsibilities, have put forth a tremendous effort on this project. Staff authors for the Institute for Law and Justice were Edward Connors, Neal Miller, and Barbara Webster; and for the Center for the Community Interest, Roger Conner, Kevin Coy, Chris Dwyer, Dennis Saffran, Brian Stettin, and Rob Teir. We also wish to thank ILJ research associates Deborah Haley and Rachana Pandey, editorial consultant Peter Ohlhausen, administrative assistant Joan Peterschmidt, student intern Renee Pompei, and consultant Ken Finlayson.

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## Chapter 1

# Introduction

**E**very community has problems. Every community has people who complain about the problems. Every community has a few people who lead. If you are only a complainer, this book is not for you. If you feel like a victim and just want to know who to blame, do not waste your time with this book. If you want to be part of the solution, if you are willing to work hard and you are determined to work smart, this book is for you.

This manual is a national inventory of practical tactics that have been successfully used to address specific problems affecting the quality of life in neighborhoods across this country—in communities, neighborhoods, and blocks just like yours. This book will give you some new ideas about changes you can try, based on what has been successful in other places.

Each chapter focuses on a specific crime or disorder problem. After a short introduction, each chapter contains a section on analyzing the problem, a detailed list of proven strategies and tactics, and a concluding section called “Putting It All Together,” which briefly tells the story of a community that has successfully tackled the problem. Don’t feel like

you have to do everything suggested in the pages ahead. Just pick what you think will be most effective in your neighborhood and be persistent about it.

This publication was funded by the Executive Office for Weed and Seed (EOWS), U.S. Department of Justice. Thanks to the Weed and Seed Program, efforts have expanded across the country to improve the quality of life in neighborhoods where crime and disorder are high. Many of these neighborhoods have problems in common—drug markets, prostitution, youth gangs, graffiti, and other disorder. Their creative efforts have helped to increase the pool of knowledge about what works.

If you have successfully employed a tactic not mentioned in this book—or if you develop a new one as you gain experience—we want to know about it.

In the coming months, the EOWS will be converting the information and tactics in this book into a continuously evolving World Wide Web page. Please visit the current Weed and Seed Program web page at <http://weedseed.ilj.org/>.

## Chapter 2

# Open-Air Drug Markets

If open drug dealing in public areas such as streets and parks is a problem in your community, read this chapter to learn how to eradicate it. This chapter guides you through a step-by-step process in which you analyze the structure of the drug market with an eye to where it is vulnerable, develop a plan to disrupt business as usual, and with persistence, remove the problem from your community one drug market at a time. The “Strategies and Tactics” section offers proven drug-fighting techniques to choose from as you develop your strategy. All the while, you are urged to stay focused on three overarching goals: (1) broadcasting community intolerance for drug activity, (2) denying drug dealers access to marketing space, and (3) eliminating the sense of impunity at the heart of flagrant drug markets. Finally, this chapter lists other helpful resources to consult as you and your drug fighters face inevitable difficulties on the road to success.

### Analyzing the Problem

Obviously, any drug use or trafficking is a problem. This chapter, however, concerns itself only with flagrant drug markets—those that operate in public spaces and invite a

steady flow of buyers to make quick, low-volume, anonymous purchases. More drugs in America are actually sold through private referral markets of friends and acquaintances, but these markets are not nearly so violent, so likely to recruit children and tempt recovering addicts, or so thoroughly destructive of communities as open-air drug markets. Tactics in this chapter are not meant to totally eradicate drug use or even sales in the neighborhood. Instead, they focus squarely on driving drug dealing out of public spaces, one corner, one block, or one park at a time. Chapter 4 addresses how to drive away drug dealers who have been forced to move their operations just out of public sight into houses, apartment complexes, cooperative businesses, or abandoned buildings.

### *How Open-Air Drug Markets Work*

Flagrant drug markets depend upon large numbers of customers coming to a known and stable location in order to buy one or more small packets of a particular type of drug. Because customers already know unit prices and where to go to get specific products, sales can occur in just a few seconds.

The organizational structure of drug rings is hierarchical and segmented in order to insu-



late those involved from arrest and punishment. At the top of the operation is someone with the capital and connections to maintain a large and steady supply of drugs. Destined for the streets, the drugs are repackaged into small, discrete containers to be sold by the “hit.” These packets are bundled and delivered to distributors, mid-level assistants who hand out a few packets at a time to “runners”—the people you see actually selling the drugs and collecting the cash. Often, “jugglers” collect the cash and direct the customer to a nearby runner holding the drugs. Typically, young adolescents are posted as lookouts. They use cryptic voice and hand signals to warn of approaching police.

Location is especially important for an open-air drug market’s ability to thrive. Good retail space for a drug dealer means an area that has legitimate cover for foot and auto traffic while at the same time exuding a sense of abandonment by community residents. Also, in order to avoid the police, dealers pick spots with easy access for customers and a large number of quick escape routes. Another consideration for dealers is cheap labor, so they look for large pools of poorly supervised kids desperate for money and status. A thoroughly littered street corner with run-down liquor stores and carry-out joints, poorly lit alleys, and a low-income housing complex nearby is an ideal location to peddle drugs.

### ***Taking Inventory***

Now, with these general points in mind, assess your specific problem. In regard to the particular drug market you’ve chosen to eliminate, answer as many of the following questions as you can:

- ◆ **Who?** Do you know who the dealers are? The distributors? The runners and lookouts? The suppliers? The customers? Enablers such as businesses or property owners? Where do they all live? Who are the police officers assigned to the area? Their immediate supervisors?
- ◆ **What?** What drugs are being sold? What tactics have the dealers used to conduct their business and protect their turf? To attract customers? To intimidate the community? To recruit workers? To maintain a steady supply of drugs? To evade law enforcement? What strategies have already been tried against them by the police and the community? What worked and what failed?
- ◆ **Where?** What is it about the drug market’s location that affects viability? Where are the entrance ways and escape routes? Where are the legitimate enterprises that provide cover? Where are the drugs repackaged and bundled?
- ◆ **When?** Most flagrant drug dealing takes place on Thursday, Friday and Saturday nights. Is this true at your targeted market? When does dealing go on? When is it busiest?
- ◆ **Why?** Why is there chronic drug dealing at this place? What do you believe are the primary reasons that this particular drug market has been able to flourish?

Don’t expect to have the answers to all of these questions. You can be assured that if you ask a few neighborhood residents and their children these questions—even if the answers are incomplete—you will have enough

information to begin an effective plan of attack.

## Strategies and Tactics

Remember your goals. Anything that builds community assertiveness, disrupts the normal interaction between dealers and customers, makes the location less convenient for flagrant drug dealing, or diminishes the drug trade's appeal for potential recruits seriously threatens the profitability—and hence the existence—of the drug market. In the process of deciding your course of action, always remember to stay squarely focused on the following three strategies:

- ◆ Broadcast community intolerance for drug activity.
- ◆ Deny drug dealers access to marketing space.
- ◆ Eliminate drug dealers' and buyers' sense of impunity.

These three strategies, and the tactics used to achieve them, are discussed in the remainder of this chapter.

**Tip: Start with an achievable goal—cleaning up a small park or corner—and then build from there.**

### **Strategy 1. Broadcast Community Intolerance for Drug Activity**

Think of your job as uniting the moral voice of the community to assert loudly and clearly that drug activity will no longer be tolerated. No matter what else you, the police, or others may do, if drug dealers do not believe the community's resolve, they will always be back to re-use the neighborhood. As a group, you will have to (1) clean up the

neighborhood constantly in order to firmly establish community assertiveness and (2) take back your streets and parks by confronting the drug dealers on what they have deemed their own turf.

- ◆ **Adopt a Block.** Neighborhood groups, businesses, churches, schools, and other organizations are often willing to “adopt” a street corner or a park and take responsibility for its upkeep. They clear debris, remove graffiti, paint walls, repair playground equipment, and plant trees and gardens.
- ◆ **Spruce-Up Saturdays.** Neighbors—homeowners and renters alike—can be encouraged to spend a set portion of a Saturday or weekend sprucing up the appearance of their yards, homes, and adjacent areas. The event can also include a “block barbecue” (explained later).
- ◆ **Complaint Campaign.** Scarce city resources go first to the proverbial squeaky wheel. A systematic campaign of letter and telephone complaints to the Department of Public Works, other city departments, your city council representative, and the mayor's office is often the only way to get the kind of maintenance and repair work that your community needs and deserves. Be sure to build a paper trail by documenting all contacts with city officials. If the municipal bureaucracy still fails to respond, taking your story to the local media can sometimes bring results.
- ◆ **Citizen Patrols.** Neighbors are banding together in organized, highly visible citizen patrols to observe illicit

activity and report what they see to the police. By walking in groups and wearing bright “uniforms” (a common hat or T-shirt), and by equipping themselves with walkie-talkies, still and video cameras, notepads, and whistles, patrol members are scaring away drug customers and providing the police with detailed information to use against dealers. Police typically show renewed interest and increased presence in locations where citizen patrols operate.

- ◆ **Marches and Vigils.** In many communities, citizen patrols have evolved into full-blown demonstrations. Large groups, often including children and senior citizens, are staging repeated marches and vigils in the heart of some of the country’s most notorious drug markets during peak business hours. Their purpose is not to observe but to intimidate drug dealers. Armed with bullhorns and anti-drug slogans, and usually a police escort, the drug fighters park themselves directly in front of dealers and stare them down with loud and droning chants.
- ◆ **Block Barbecues.** In Chicago, citizens have pushed drug dealers from their preferred selling locations during busy weekend hours by peddling hot dogs and hamburgers there instead. In many cases, the barbecues have grown into popular neighborhood events.
- ◆ **Street Church Services.** Ministers in Alexandria, Virginia, have had similar success in disrupting drug markets by holding Saturday evening

services outdoors where chronic drug dealing has been going on.

- ◆ **Scarecrows.** A simple tactic that greatly increases the insecurity felt by drug buyers is to post warnings that they are being watched. Among the “scarecrows” that communities have placed at drug market entrances are seized cars, banners, stenciled messages that read “We Spy: Don’t Buy Drugs Here,” and posters offering cash rewards for information leading to a drug-related arrest.

### ***Strategy 2. Deny Drug Dealers Access to Marketing Space***

Open-air drug markets depend upon location stability to maintain their customer base. If a sales operation is forced to move, it cannot easily advertise its new location, and market efficiency declines. The more frequently the market is forced to move, the less likely it is to maintain regular customers and stay in business. To disrupt the normal interaction of dealers and their customers and make the physical environment less hospitable to drug dealing, concentrate on (1) altering and monitoring entrance and escape routes used by customers and dealers, (2) stopping drug market “enablers,” and (3) advocating legislation to outlaw the mechanics of open-air drug sales.

- ◆ **Better Lighting.** Drug dealers and customers react to bright light the same way cockroaches do—they scatter. Property owners, city officials, and community leaders who “adopt” an area should make adequate lighting a top priority. Quickly repairing or replacing lights that have been broken or have had their wiring

cut by dealers is an important way to show the community's determination.

◆ **Fences, Gates, and Barriers.**

Erecting fences or other barriers and locking gates can be very effective in cutting off dealer escape routes and channeling foot traffic to a small number of easily monitored avenues. They also make it easy to close parks after dark. Vehicle traffic can also be re-routed using plastic and rubber "knock down" barriers that do not impede police and emergency vehicles.

◆ **Monitoring Devices.** Problem locations can be conspicuously equipped with surveillance cameras, motion detectors, and other monitoring devices. What's more, cheaply mounting cameras that don't actually work can still serve the purpose of scaring away illicit activity.

◆ **Writing and Picketing Enablers.** Owners of bars, stores, and apartment buildings often tolerate or even encourage drug activity on or near their properties. The first step to getting such owners to take responsibility for their property and its immediate surroundings is a letter demanding that they undertake specific and concrete action by a certain date or face a concerted community backlash. Such action might include installing lights or video monitors, evicting drug dealing tenants, hiring security guards, or calling the police whenever suspected drug activity is spotted in the vicinity. If an owner fails to take corrective action, picket lines are the most direct way to encourage cooperation. Be

sure to check if local laws require permits for such demonstrations.

◆ **Code and Regulatory Enforcement Requests.**

Buildings and businesses involved with flagrant drug markets also tend to have many health, safety, and building code violations. These codes can provide the community with strong leverage against property owners who turn a blind eye to drug activity. In many places, city and county inspectors regularly cite enablers while accompanying citizen patrols and marches. Another option is to initiate liquor and business license revocation proceedings.

**Tip: Some law firms will provide you with free (pro bono) assistance. All you have to do is ask.**

◆ **Small-Claims Court Action.** A documented history of drug activity tied to a particular property makes a strong case against a recalcitrant owner for creating a public nuisance. If enough neighbors simultaneously file suit in small-claims court, they can make an end run around the slow and expensive regular court system and still threaten enough damage that the owner will likely consider a settlement.

◆ **Demanding Better Building Management.** See Chapter 3 for information on lease identification programs, changing public housing and private rental leases, and placing conditions on public loans to require concerted anti-drug efforts. Chapter 4 also explores options to seize houses and condos, close or seize businesses, and rehabilitate or raze abandoned

property—severe measures that are nonetheless necessary in some cases.

- ◆ **Drug-Related Loitering Laws.** These laws enable police to disperse, under penalty of arrest, people congregating in a manner suggestive of drug peddling. Drug-related loitering is carefully defined as engaging in behaviors that, when found together, suggest an intent to sell drugs (for example, loitering on a corner, meeting briefly with multiple pedestrians or motorists in succession, and covertly palming off small packages or money).
- ◆ **Drug Nuisance Abatement or “Padlock” Laws.** These laws establish procedures for the closure of businesses with multiple drug convictions on the premises. (See Chapter 4.)
- ◆ **Triple-Prescription Legislation.** This law mandates all doctors prescribing commonly abused pharmaceutical drugs such as Valium to fill out a triplicate, sequentially numbered form that the pharmacist sends to a state regulatory agency. This information is entered into a database that is analyzed for patterns of abuse.
- ◆ **Juvenile Curfews.** Curfew laws require that children and adolescents who are out late at night must be accompanied by a parent or guardian. Exceptions are generally made for activities related to school, work, and church. In many places, parents of repeat offenders can be sanctioned.

### ***Strategy 3. Eliminate Drug Dealers’ and Buyers’ Sense of Impunity***

The implicit message of open-air drug markets is that dealers and customers can conduct business with virtual impunity. Because of this perception, dealers have little trouble attracting clients to buy drugs or recruiting youth to sell them. To change these attitudes, you must work closely with law enforcement and criminal justice officials to demand that the rule of law be reestablished where drug dealers have gotten used to setting their own rules. Your goals in this regard are threefold: (1) increase the efficiency of police patrols by providing them with useful information, (2) increase the visible police presence within the neighborhood in general and around the drug market in particular, and (3) increase the probability and severity of penalties for both drug buyers and sellers. (See Chapter 9 for more tips on “putting the community in community policing” and Chapter 10 for further advice on working with courts and prosecutors.)

- ◆ **Drug Activity Log.** Keep a detailed record of all suspected drug activity that you observe. Include the date, time, location, and a careful description of each incident. People, vehicles, drugs, hiding places, “advertising,” paraphernalia, overheard conversations, how the drugs and money were exchanged, whether and when the incident was reported to police, and the police response are all things that should be meticulously described. Some police departments and community groups develop a special form for recording such information. This simple tool informs and empowers every course of action that you, the

police, or others may want to take against the drug market.

- ◆ **Well-Publicized Drug Tip Hot Lines.** Tip lines make it quick and easy for citizens to inform the police of suspicious activity, and they need not be huge statewide or citywide phone banks to be effective. In fact, sometimes a more narrowly focused tip line—to a narcotics unit assigned to a specific segment of the city—elicits a better response from the police. In any case, the tip line needs to be well publicized in areas plagued by drug dealing. Posters and discussions at community meetings can help spread the word.
- ◆ **Postcard Warnings to Vehicle Owners.** Postcards can be mailed to the owners of cars seen cruising in the vicinity of open-air drug markets. Through the local division of motor vehicles, police can trace the license plate numbers collected on citizen drug activity logs and send notices to the vehicle owners “warning” them that to frequent the area at certain hours is a dangerous health risk.
- ◆ **Driver’s License Checkpoints.** Another effective police tactic is the implementation of regular driver’s license checkpoints, similar to sobriety checkpoints, at drug market entrances to discourage “frivolous” traffic in the area.
- ◆ **Police Command Posts.** For deeply entrenched drug markets, police should consider setting up and staffing a semi-permanent trailer as a command post in the market’s center. Command posts can serve as a point of friendly contact between police and the community, and their mobility allows them to follow migrating drug markets.
- ◆ **Court Watches.** It is not uncommon for people arrested on drug-related charges to be released on bond within hours. In reaction, many drug-fighting groups now follow arrested drug offenders to court for their arraignment. They crowd the courtroom to be sure that the judge knows how law-abiding community members feel about the defendant’s behavior. Nor are the groups shy about sharing their reaction. (For more information on working with courts and prosecutors, see Chapter 10.)
- ◆ **Enforcing Driver’s License Revocation.** A federal “use it and lose it” law requires that anyone convicted of a drug-related offense must lose their driving privileges for at least six months.
- ◆ **Mandatory Drug Testing and Treatment.** Any suspect in the criminal justice system can be tested for drugs. Since drug use is implicated in a very substantial percentage of all crimes, more offenders should be tested. Drug testing is often imposed as a condition of probation and parole. To be effective it must include close supervision and serious but graduated penalties for failed tests. Attendance by drug abusers at treatment programs, Narcotics Anonymous meetings, and life skills classes, at their own expense, can be a cost-effective initial sentence that carries the possibility of rehabilitation.

- ◆ **Partnerships for Better Supervision.** Considering that more than half of all crack purchases are made by people on bail, probation, or parole, it is worthwhile to encourage probation and parole officers to team up with police officers on the local beat, school officials, employers, and others who regularly encounter the people they supervise. These partnerships not only help protect the community from people with a criminal history, they also help make criminal justice supervision a real opportunity for troubled individuals to get their lives on the right track.
- ◆ **Public Community Service Sentences.** Another kind of alternative sentencing is court-ordered community service, which can be used to shame the inflated prestige of drug dealers while they do menial tasks to improve the community that they have harmed.

**Tip: To achieve your strategic objectives, it is enormously helpful to mark your progress. Be sure to specify simple, short-term goals for each tactic you use. For instance, commit to cleaning up the block or park and keeping it litter-free for a month, or to having citizen patrols or marches at least two nights a week for three months. Whatever you choose to do, define it in terms of achievable timetables.**

- ◆ **Civil Asset Seizures (Cars and Real Property).** One of the quickest ways to chill drug sales across a city is to publicize a renewed effort to seize vehicles used in drug purchases and sales. In Detroit and other communi-

ties, owners of seized vehicles are permitted to pay a civil fine and retrieve their cars after a day. This practice is much cheaper than traditional seizure programs that require an appeal hearing to retrieve one's car, but apparently it's just as effective. In egregious cases, when a particular property has become an "instrument" of drug distribution, it can be seized and sold by state or federal authorities. Assets such as cash, cars, expensive clothes, jewelry, planes, and real estate that have been obtained with drug trafficking proceeds are also subject to seizure.

## Putting It All Together

The Boyd Booth community in West Baltimore, after years of suffering from violent open air drug markets, implemented a comprehensive strategy to fight back. They took direct action themselves and enlisted assistance from a variety of non-profit and city agencies to board up drug houses, fence off alleyways, pursue drug nuisance abatement cases against six crack houses, conduct neighborhood cleanups and marches, and send letters to landlords asking for help. Their efforts got results. They contributed to a 52 percent decline in violent crime over two years, with overall crime dropping 40 percent.

## Tactical Checklist

Here's a list of techniques you might wish to use in your fight against open-air drug markets:

- ◆ Adopt-a-block
- ◆ Monitoring devices
- ◆ Drug tip hot lines
- ◆ Spruce-up Saturdays
- ◆ Writing/picketing enablers
- ◆ Postcard warnings
- ◆ Complaint campaign
- ◆ Code enforcement
- ◆ Drivers' license checkpoints
- ◆ Citizen patrols
- ◆ Small-claims court action
- ◆ Police command posts
- ◆ Marches and vigils
- ◆ Better building management
- ◆ Court watches
- ◆ Block barbecues
- ◆ Drug-related loitering laws
- ◆ Drivers' license revocation
- ◆ Street church services
- ◆ Drug nuisance abatement
- ◆ Mandatory drug testing and treatment
- ◆ Scarecrows
- ◆ Triple prescription legislation
- ◆ Public community service sentences
- ◆ Better lighting
- ◆ Juvenile curfew
- ◆ Criminal supervision partnerships
- ◆ Fences, gates, and barriers
- ◆ Drug activity log
- ◆ Civil asset seizures

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**Organizations**

Bureau of Justice Assistance  
Office of Justice Programs  
U.S. Department of Justice  
BJA Clearinghouse  
P.O. Box 6000  
Rockville, MD 20850  
800-688-4252  
National information clearinghouse.

Center for the Community Interest  
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Washington, DC 20006  
202-785-7844  
Legislative drafting and litigation defense of cutting-edge ordinances.

Chicago Alliance for Neighborhood Safety  
Warren Friedman  
28 East Jackson, Suite 1215  
Chicago, IL 60604  
312-461-0444  
Community organizing and collaborative problem solving.

Citizens Committee for New York City, Inc.  
Felice Kirby  
305 Seventh Avenue, 15<sup>th</sup> Floor  
New York, NY 10001  
212-989-0909  
Community organizing and collaborative problem solving.

National Association of Town Watch  
P.O. Box 303  
7 Wynnewood Road, Suite 215  
Wynnewood, PA 19096

610-649-7055  
Assistance with community watch programs.

National Crime Prevention Council  
Robert Coates  
1700 K St., N.W., Second Floor  
Washington, DC 20036  
202-466-6272  
Building partnerships and collaborative problem solving.

Pro Se Law Center  
5430 Lynx Lane, Suite 135  
Columbia, MD 21044  
301-596-8818  
410-997-4552  
[www.pro-selaw.org](http://www.pro-selaw.org)  
Lists and links to legal software and legal aid programs.

Safe Streets Now!  
Mollie Wetzel  
408 13<sup>th</sup> St., Suite 452  
Oakland, CA 94612  
(510) 836-4703  
Small-claims court tactics.

Turn Around America  
Andy Garr  
3321 Danville Drive, #506  
Kilgore, TX 75662  
(903) 983-0316  
Training for confrontational marches and vigils (the Wrice Process).

Youth Crime Watch of America  
Vernon Jones  
9300 South Dadeland Boulevard, Suite 100  
Miami, FL 33156  
(305) 670-2409  
Involving youth in anti-crime strategies.

## Chapter 3

# Crime and Drug Dealing in Housing Developments

If your community is faced with drug dealing and related crime in multi-family housing developments—either public housing or some other form of subsidized or multi-family housing—read this chapter to learn how to enlist owners, landlords, residents, police, and others to fight drugs in these unique settings. The “Strategies and Tactics” section discusses how to establish positive relationships with landlords and tenants, get results when negotiations fail, change physical conditions that encourage drug trafficking and crime, and improve neighborhood safety by changing tenant screening and lease enforcement policies and by working with the police.

### Analyzing the Problem

Chapters 2 and 4 discuss any number of strategies aimed at reducing drug dealing. Multi-family housing developments, especially subsidized communities, pose special problems. When drug markets take hold in these communities, unique conditions—higher population densities, lower-income residents, physical condition and design, bureaucratic

management, private out-of-town ownership, and others—thrust additional, more complex barriers in the way of solving neighborhood drug problems.

### *Cycle of Crime and Management Problems*

The level of problems in all communities is determined by how much crime the community tolerates. In multi-family housing, if crime increases, law abiding families tend to move out and problem families want to move in. Problem families tolerate more crime, and crime increases.

The apartment management then begins to have problems. Vacancies increase, rent payments start to slip, and damage increases. Residents resist getting involved with management because they fear retaliation for complaining and they fear reprisals from criminals. To make matters worse, good families on the waiting list learn about the growing problems and refuse to move in. Problem families who have had difficulty finding and keeping a home learn about the higher tolerances for crime and agree to move in. Management becomes less strict in se-

lecting families to avoid higher vacancies and reduced revenues from rent. In addition, problem families typically have more personal issues, including domestic violence and drug and alcohol abuse, which result in increased damage to the apartments. As costs increase and revenues decrease, maintenance and up-keep are curtailed.

In the beginning, the police attempt to enforce the law, but before long there are fewer and fewer residents willing to cooperate with police or report lease violations. Even when law breakers are arrested, they are typically back in the community within days or even hours. As tolerance increases and support decreases, the police actions have little long-term effect. Faced with a lack of results, they place their crime prevention priorities in other sections of the city. This cycle escalates until it spills over into the surrounding communities, causing serious problems there as well.

There are several myths about crime in multi-family developments. Before designing your strategy, consider these facts.

- ◆ Much of the crime that occurs in multi-family communities is caused by perpetrators who reside *outside* the rental community. These outsiders are attracted by residents' high tolerance for crime and the demand for drugs.
- ◆ Most residents of subsidized rental housing are decent, law-abiding families who are just as upset about the problem as the surrounding community. Given the right circumstances, they can become close allies in solving the problem.
- ◆ Residents, not management, define the level of crime that will be tolerated in their community. Management can in-

spire a lower tolerance for crime by changing policies and procedures—especially tenant screening and lease enforcement policies—through a partnership with the majority of residents who want change.

### ***Benchmarks for Managing Multi-Family Housing***

You may have heard many times that managing multi-family housing, especially lower-income developments, is complex and technical, with enormous amounts of regulations governing the management process. Multi-family housing management is really financial management, and standard benchmarks are used. By learning these benchmarks, you will be in a much better position to negotiate for change.

- ◆ Income must exceed expenses. A manager can enhance income by reducing expenses, including expenditures for maintenance and materials. The U.S. Department of Housing and Urban Development (HUD) monitors all subsidized multi-family units, and HUD must also regulate all properties to see that they are maintained. However, if income exceeds expenses, HUD may not monitor the physical decline.
- ◆ Most financial assumptions on the operations of multi-family housing assume a 5 percent vacancy rate. If vacancies are any higher, the owner is probably losing money.
- ◆ Rent collection should be current. Any delinquencies over 60 days are a serious problem and indicate poor rent collection procedures.

- ◆ Vacant units should be turned over in less than 20 days for public housing and in less than a week for private subsidized housing. Not doing so indicates inventory problems, staff shortages, excessive damage, or just poor management.
- ◆ All emergency work orders should be completed within 48 hours, and normal work orders should be completed within 20 days. If the times are longer, there is a serious breakdown in operations.
- ◆ Crime reduction is a management responsibility, not a police responsibility. For positive change to occur, the site manager must be responsible for engaging in programs and activities to reduce crime. If there are serious problems with rent collection, inventory, unit turnover, and work orders, it is an indication that the management system is broken. A broken management system cannot delegate responsibility to a property manager.

### ***Taking Inventory***

Measurable improvements can be gained when certain core problems that contribute to drug problems in multi-family housing developments are addressed. As you begin to develop your strategies, consider which of these core problems characterize the multi-family housing development you are targeting:

- ◆ The housing development's physical design supports drug activity.
- ◆ Management tolerates a high level of problem behavior rather than strictly enforcing the lease.
- ◆ Police do not provide the intensive problem-solving required to maintain

order in a high-density living environment.

- ◆ The ownership and management of the multi-family complex does not have an active relationship with the surrounding community.

## **Strategies and Tactics**

No matter how bad the situation, it is important to approach the project's management by expressing your desire to establish a positive relationship, discover common ground, and build upon shared values. Merely confronting management with problems will limit solutions and may even make the problems worse.

**Tip: Making very inexpensive physical changes, increasing tenant screening, lowering tolerances for criminal behavior, and cooperating with police and the surrounding community can reduce expenses. Approaching management with a plan to help reduce expenses is an excellent way to frame a solution.**

The strategies discussed in this section follow:

- ◆ Establish positive relationships with the owner.
- ◆ Get results when negotiations fail.
- ◆ Establish relationships with the residents.
- ◆ Develop a plan to change physical conditions.
- ◆ Encourage changes in management.
- ◆ Work with the police on crime prevention strategies.

**Strategy 1. Establish Positive Relationships with the Owner**

Attacking the landlord or owner for being part of the problem will only make the situation worse. If the project is subsidized, the owner will merely use as scapegoats “massive regulations, intrusive federal oversight, and reduced subsidies,” claiming they are the real problem. Your attempts to establish a positive relationship will go nowhere.

The ideal approach is to find common ground, a shared goal that is linked to the strong values of both the owner and the neighborhood. Obviously, your goals include reducing crime and drug distribution and making neighborhoods safe for children. The landlord does not necessarily share those goals. It is important, then, for the community to determine what the owner does care about and link those values to the goal of reducing crime and drugs. If this can happen, then both the neighborhood and the owner will be independently motivated to achieve the goal. They will both have *individual needs* that can be satisfied by working together, and they can both assume *individual responsibilities*. Joint planning and action to achieve a common goal—collaboration—can now occur.

The first step, then, is to determine the owner’s values. There might be many values that could be linked to a common goal of reducing crime: reducing complaints from city officials, improving the property’s value for resale, reducing vacancies, reducing maintenance calls, reducing exposure to liability, reducing expenses, and improving income.

If the owner could eliminate drug dealing, fewer good families would move out, fewer problem families would move in, marketing would improve, vacancies would decrease,

damage would decrease, and maintenance and capital improvement costs would decrease. Any owner with serious crime problems could realize an immediate 10 percent reduction in expenses with noticeable reductions in crime. If community leaders approached the owner with a proposal to form a partnership to reduce the owner’s expenses by 10 percent, a very dynamic beginning to the solution of the problem might be created.

**Strategy 2. Get Results When Negotiations Fail**

Sometimes negotiating with the owner or manager of multi-family housing does not work. For a number of reasons, efforts to collaborate go nowhere and problems persist. Now is the time to use more confrontational tactics. These steps are progressive. As you turn up the heat, the owner or manager may signal a willingness to work toward common solutions. If this happens, switch back to the strategy for establishing positive relationships with the owner.

◆ **Tell the Owner You Are Going to Begin a Public Confrontation.**

Sometimes this works. In public housing, for example, even the possibility of bad press is a problem. The public housing officials in Washington read all press on public housing and work hard to correct any problems. If the multi-family housing is public housing, call the local HUD office and tell them you are going to have a public demonstration. You will get a meeting on your concerns.

◆ **Call the Mayor or Your Political Representative.** In public housing, the housing commissioners—the policy makers—are all appointed by local

politicians. Calls of concern from politicians can inspire action.

- ◆ **Send a Press Release to Newspaper, Radio, and TV Organizations.** It is best to have facts. The press loves statistics. Get crime data from the police and include it in the press release. Show the extent of the problem quantitatively. Highlight a human interest story, someone affected by crime. Provide names, addresses, and phone numbers. Finally, tell the press specifically what you want the owner or manager to do. Make sure the general public knows that drug trafficking and safety in multi-family housing is the issue, not unemployment, education, or overcrowded prisons.
- ◆ **Go Back to the Politicians.** Keep them in the picture. Keep them part of the solution.
- ◆ **Demonstrate.** Use signs and chants. This will bring the press back as well as the politicians, who have a tendency to promise things in front of cameras. This tactic hurts the owner's ability to market the units and may bring the owner to the table. In addition, many residents who are upset may join in or introduce themselves. You need them as part of the solution, so keep them involved.
- ◆ **Ask HUD to Freeze Subsidy Payments.** If this is a private, subsidized complex, find out who the owners are (often they are out of state). Tell them you will file a complaint with HUD and request that it freeze all subsidy payments. If they don't listen, get an attorney and do it.

### **Strategy 3. Establish Relationships with the Residents**

The majority of residents are just as upset about drugs and crime as the surrounding community. These residents make eager allies. Their values are probably the same: reducing fear of crime and increasing safety for their children. They are essential as partners because they are the ones who must lower tolerances to crime.

Most residents in high-crime, multi-family rental communities are isolated. Their isolation reinforces their fear of crime and retaliation. A joint effort with the larger community to fight drugs and crime can help them feel connected. Here are some suggestions for beginning such a relationship.

- ◆ **Attend the Next Resident Meeting.** Hold the meeting at the housing development. Share your concern about crime in the larger community.
- ◆ **Reach Out to Resident Leaders.** Invite the resident leadership to attend your civic association meeting.
- ◆ **Plan Joint Activities.** Hold a street party, cultural celebrations, youth activities, youth sports, education programs, etc.
- ◆ **Develop Joint Programs.** Involve residents in crime-reduction programs like community block watch.
- ◆ **Use Your Clout.** Use your influence with city government and the business community to support resident initiatives to obtain services, establish job programs, etc.

These are just suggestions. Work with the existing traditions of the community and develop an approach that builds on them.

With a positive relationship with the owner and a connection to the residents, you are now ready for Strategy 4.

**Tip: As crime increases, residents' fear of retaliation increases and their willingness to help management decreases. If this is the case, trying too hard to involve residents may cause further problems. Make sure residents are aware of the offer to work together. Later, as change occurs, the residents may feel more secure and accept the offer.**

**Strategy 4. Develop a Plan to Change Physical Conditions**

Years of study and program evaluation have concluded that there is a direct connection between the design of a community and crime. Overcrowding, high-rise family living, poor lighting, easy access to the property, common areas that do not allow observation, and many other factors affect the level of crime.

Specific physical characteristics of the property are also related to specific types of crimes. For example, if burglary is a problem, window and door security are important. If auto theft is a major problem, then the design and location of parking is an issue. Open-air drug trafficking is heavily influenced by road design and traffic patterns. Keep this in mind when negotiating with the owner or manager. Target the criminal activity that is the worst problem and identify the physical problem that may be contributing to it.

Crime prevention through environmental design (CPTED) is an approach that was made popular by Oscar Newman in his 1972 publication, *Defensible Space: Crime Preven-*

*tion through Urban Design.* Changes in physical design can be very technical, and they are also specific to the local multi-family housing's construction and maintenance. Once addressed, however, you will see how much all of the changes are based on common sense. Here are some suggestions that will help you begin the process.

- ◆ **Improve Lighting.** This is one of the quickest, easiest, and least expensive physical changes that dramatically helps reduce crime. Place lights in dark common areas, especially areas that are known locations of drug trafficking.
- ◆ **Change the Traffic Patterns.** If the housing community has entrances and exits that allow traffic to easily drive through, block multiple exits and change traffic patterns to make it difficult to get out of the property. (This needs to be coordinated with police, fire, and emergency medical services to make sure emergency response vehicles can still move through quickly.)
- ◆ **Place Fencing Near Vacant Areas.** Consider fencing areas where the property backs up to woods, open fields, and other vacant common areas. Avoid putting a fence around the entire property; this creates a prison-like image and does little to reduce drug trafficking.
- ◆ **Consider Decorative Fencing in Common Areas.** This creates pedestrian patterns that allow better surveillance. People who stray from the common passageways become more conspicuous.
- ◆ **Remove Landscaping.** Your objective here is to remove overgrown

bushes and other landscaping that provide cover or restrict surveillance in common areas.

- ◆ **Install Surveillance Cameras.** These can be monitored by elderly residents and the police.
- ◆ **Remove All Litter Daily.** One indicator of a high level of tolerance for crime is excessive litter.
- ◆ **Remove Graffiti Daily.** Removing graffiti shows who is in control of the community. (See Chapter 7 on graffiti removal.)
- ◆ **Secure Vacant Units.** Make sure vacant units are boarded and secured.

These examples are relatively easy and inexpensive. More expensive and complex strategies can follow as the environment improves. For example, reducing unit density, redesigning parking areas, and major rehabilitation can also help reduce crime.

**Tip: If the surrounding community does not first develop a positive relationship and a common goal with the owner but insists on physical changes to the property, the owner may feel the request is none of the community's business. Agree on the common goal first.**

### ***Strategy 5. Encourage Changes in Management***

This is a very difficult but important strategy. The police can arrest criminals, but if the owner permits problem families to move in, police efforts will not solve drug and crime problems. Improving multi-family housing management is a process that requires experi-

ence in the business. This manual cannot provide enough information to allow communities to successfully assist in revamping management systems; however, there are three activities that the community can undertake to improve and help management without intervening inappropriately in the management process.

- ◆ **Do Background Checks on Potential Tenants.** Support the owner or manager in obtaining police criminal record screening of potential tenants. Use your positive relationships with the police to design an effective process for screening applicants. Many owners who manage high-crime communities only check the criminal records of the head of the family. Encourage record checks for all members of the family.
- ◆ **Tighten Eligibility Requirements.** Work with the owner to establish strict eligibility and screening requirements. If you have a relationship with the residents, they will support family eligibility changes. (They may not support changes in the lease very easily.)
- ◆ **Enforce Leases and Evict Criminals.** Help link community policing efforts to the on-site management. Start by helping to identify the most serious problem families and developing a law enforcement strategy to remove them. Typically, on-site management will wait for a violation of the law and then begin the long, tedious job of eviction. Often, they lose those cases. Targeted law enforcement in cooperation with management and residents sends a powerful message of intolerance to perpetrators.



The strategy is very simple: get problem families out and prevent problem families from moving in. If this is done in conjunction with making physical improvements, the results will be noticeable. Good families will not move out as quickly, crime will be reduced, the property will look better, and it will be more marketable to new families who want to live and raise their children in a crime-free environment.

**Tip:** Approach the owner with the offer to help build relationships with the local police. Your alliance can be very helpful in negotiating changes. Of course, if the strategies work, the problem will probably move into the larger community—drug dealers will move onto your corners—so be prepared by using the other strategies in this manual.

**Strategy 6. Work with the Police on Crime Prevention Strategies**

This strategy overlaps many of the others. The police can be very helpful with CPTED strategies, and they can help solve occupancy problems caused by lack of screening. However, they can do much more. Once a collaborative partnership is established between the multi-family housing project and the surrounding community, the police can use community policing strategies in the entire area.

Chapter 9 discusses working with the police in greater detail. The following cooperative activities help specifically with multi-family housing:

- ◆ **Use Crime Mapping.** Include the multi-family housing area in your community crime mapping activities.

This will show patterns linking the rental housing to the overall community.

- ◆ **Change Traffic Patterns.** Extend the traffic pattern changes in the rental community to the larger community.
- ◆ **Address Housing Vacancies.** Address any issues of vacant housing in the surrounding community. Many times, these units support drug activity in the multi-family units.
- ◆ **Use Community Policing Approaches.** Work with your community policing officers to identify, target, and eliminate street-level disorder problems near the rental housing.

**Putting It All Together**

When multi-family rental housing has serious drug and crime problems, serious problems can also occur in the surrounding community. Attacking the problem with the assumption that the owner and residents are part of the problem can make the situation worse. Community leaders should approach the owners and residents as partners in solving the problem. Sometimes forming a partnership does not work, but when it does, the results can be dramatic. When designing a strategy, keep these points in mind:

- ◆ **Approach the Owner or Manager First.** Don't blame or accuse. Don't try to force your solution. Rather, determine how the owner or manager views the problem. Specifically, what is the owner's problem? Is it property damage? Uncollected rent?
- ◆ **Determine the Owner's Values.** What are the owners goals? Whether

increasing revenues, decreasing expenses, decreasing vacancies, or repairing the property, you need to know.

- ◆ **Establish a Goal That Serves Both Your Interests and the Owner's.** Call it something like "Operation Reduce." You reduce crime, the owner reduces expenses. Make sure there is common ground. Now you are collaborating.
- ◆ **Include Community Policing Efforts as Part of the Collaboration.** Enlist the police in all of your strategies. Have them help with screening, abandoned cars, lighting, and CPTED.
- ◆ **Try to Include the Residents.** If you can't do this right away, leave the door open. Nothing will change if residents don't demonstrate lower tolerances for crime.

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Wekerly, G. R. (1995). *Safe Cities*. New York: Van Nostrand Reinhold. 800-842-3636.

### Organizations

U. S. Department of Housing and Urban Development (HUD)  
HUD Drug Information and Strategy Clearinghouse  
P.O. Box 6424  
Rockville, MD 20850  
800-578-DISC

Join Together  
441 Stuart St.  
Boston, MA 02116  
617-437-1500  
<http://www.jointogether.org>  
Assistance to community groups for reducing substance abuse and gun violence.

Residential Police Officer Program  
Alexandria Police Department  
2003 Mill Road  
Alexandria, VA 22314  
703-838-4722  
Capt. Kenneth Howard  
Police officers living and working in public housing neighborhoods.

## Chapter 4

# Crack Houses and Other Indoor Drug Markets

**T**his chapter is about fighting drug dealing that takes place inside houses or apartments. Although some dealers may try to keep their crack cocaine and heroin sales confined to a private space, usually the surrounding community finds out quickly what's going on. If you live near a "crack house," you know it . . . and you're every bit as upset about it as you would be if the dealing took place on the sidewalk. If you happen to live in an apartment building or complex where someone is dealing drugs from an apartment or common space, it is even more futile to try to insulate yourself from the problem.

### Analyzing the Problem

Drug dealers are attracted to indoor spaces for obvious reasons: they can stockpile large quantities of drugs right at the point of sale, conduct business where law enforcement can't see them, and provide space and paraphernalia for their customers to use the drugs just purchased.

The good news is that when drug dealers do business inside, they also make it easier for

people like you to drive them out of the neighborhood. This chapter explores the various methods by which community members who are sick of living in constant fear and dread can fight back against indoor drug markets.

It is extremely common for drug dealers to use private or abandoned homes as "crack houses," which are basically drug taverns—places where not only are drugs sold, but where facilities and space are provided for customers to shoot up or smoke their drugs right on the premises.

Normal efforts by police against these establishments almost never succeed in shutting them down for good. Even if arrests are made, a replacement team is back in the house doing business within a short period of time. The reason is that crack houses are rarely under the control of the dealers doing business within. Instead, they are outposts of large drug operations that work in the shadows and are barely nicked by a crack house raid. But while the police alone cannot stop this activity, angry and well-mobilized private citizens can make the difference.

## Strategies and Tactics

If there is a crack house or shooting gallery in your neighborhood, there are three basic approaches you can take to drive it out:

- ◆ Anti-drug marches and vigils
- ◆ Drug nuisance abatement (direct legal action)
- ◆ Eviction

Of course, it is an excellent idea to proceed with more than one strategy simultaneously.

### **Strategy 1. Anti-Drug Marches and Vigils**

One of the first persons to successfully organize others to develop a system of anti-drug marches and vigils was Herman Wrice, a former inner-city athletic coach from Philadelphia. After watching in horror as some of his star athletes got involved in drugs, Mr. Wrice became an anti-drug activist in the late 1980s. The techniques he developed for driving drug dealers out of a neighborhood have been replicated with success in many cities across the country.

The “Wrice Process” is about the power of shame. The idea is to form a local organization of fed-up, drug-hating neighbors to gather in large crowds at known drug locations to vocally express the community’s disapproval. A Wrice group (often using the name “Turn Around [their city]” and wearing matching T-shirts and caps) will surround a local crack house night after night, chanting anti-drug slogans. They work hand-in-hand with the police so that when police raid a drug location, the group is waiting outside to form a gauntlet for arrested dealers and users to pass through.

The idea is simply to shame the drug dealers and communicate moral outrage. The effects are threefold. First, it lets the drug dealers know that the community will no longer passively accept the ravages of drug dealing in their neighborhood. A few of them might heed the message and change their lives. If nothing else, it will scare off some customers and make the dealers realize they were wrong to assume that the neighborhood would tolerate a crack house. Second, the Wrice Process kindles the spirit of a community. When people participate in or hear about the rallies, they discover that as a united front, they have power and need not be paralyzed by fear. Third, it sends a wakeup call to city government, which sometimes neglects citizens who are unorganized and appear apathetic. Police officers are inspired by the marchers in the same way pro athletes are inspired by the home crowd. In city after city, amazing changes in neighborhoods have been set in motion by ordinary people in matching T-shirts gathering to chant outside crack houses.

**Tip: Be sure that the houses you target for protest are indeed drug locations. Some civil liberties advocates argue that the Wrice Process is unconstitutional because it amounts to public punishment for the crime of drug dealing, without the accusation having been proven in court. Courts have held to the contrary: protesters have First Amendment rights. Targeting an innocent home, however, will backfire. A group should therefore never rally on the basis of mere suspicion or an uncorroborated accusation of drug activity.**

**Strategy 2. Drug Nuisance Abatement**

The second approach involves the legal system. Many states now have “drug nuisance abatement” statutes that declare any property used for drug activity to be a per se nuisance. The discussion here is necessarily general because the specifics of the law will vary from state to state. To get a clearer picture of your state’s law, it will be necessary to consult with a local lawyer.

**Tip: As mentioned in the last chapter, some local law firms will provide free legal aid to homeowner or community groups. Also, remember that lawyers who are employed by your city already work for you. Set up a meeting with your city attorney or your prosecutor to discuss drug nuisance abatement.**

Most drug nuisance abatement laws authorize community groups or city or state lawyers to bring civil lawsuits against the owner of property that they allege is being used for drug activity. At trial, the plaintiff must show by a preponderance of the evidence (an easier standard than criminal court) that the allegation is true. This is typically accomplished by a combination of police testimony and community testimony, but if community residents are too frightened to testify, police testimony will sometimes be enough (especially if police have searched the property pursuant to a search warrant).

If a plaintiff wins a drug nuisance abatement suit, the judge has great flexibility in ordering a solution to the problem. For example, the judge can order a building to be demolished if it is found to be a safety hazard, and can order eviction proceedings against drug-dealing

tenants. If the judge finds fault with the property owner for allowing the drug activity, the judge can condition the owner’s continued possession on the owner’s compliance with security measures. In some cases where owners have refused to properly maintain properties found to be drug nuisances, judges have placed the properties in receivership, appointing local nonprofit groups as receivers. The receiver takes responsibility for the eviction of drug-dealing tenants, orders repairs and renovations (paid for by the owner), and screens prospective tenants.

A quicker legal option that can sometimes be just as effective is the small-claims court action. Public nuisance cases can also be brought in small-claims court, and if enough neighbors simultaneously file suit, they can make an end run around the slow and expensive regular court system and still threaten enough damage that the owner will likely consider a settlement.

**Tip: In Texas and elsewhere, community groups have enlisted the cooperation of the National Guard on such matters as carrying out building demolition orders.**

Whatever legal action you choose to take, it is important to first inform the landlord in writing of your intentions. Often, just the threat of a legal battle will be enough to gain cooperation. However, you must be prepared to back up your threat.

**Strategy 3. Evictions to Fight Drug Dealing in Apartment Buildings**

Drug dealing in apartment buildings presents its own unique set of issues. The best strategies for combating crack houses are not al-

ways appropriate for use in apartment buildings. The techniques of Herman Wrice, for example, may not be well-suited because you really can't assemble a crowd right outside the drug dealer's door.

Usually, the drug dealers in an apartment building are legal tenants. Even if much of the drug activity is taking place in common areas of the building, someone's apartment is usually the home base of the operation. Often, multiple tenants are members of the drug enterprise, and different apartments fulfill different functions. (For example, one apartment is for cooking drugs, another is a lookout post, and another is for sales.)

You probably are not alone if drug activity is worrying you. Reach out to your neighbors and work together.

Here's a simple rule of thumb: If tenants are dealing drugs, they must be evicted. Your first task as a tenant activist is to figure out how you're going to get those dealers evicted. That process must begin by meeting with your landlord, presenting your evidence of drug dealing, and asking the landlord to bring a summary eviction proceeding.

If a drug enterprise is operating from multiple apartments in your building, there is little value in evicting one dealer at a time. The operation will easily recover from the loss of one apartment. It is much better to work with police and wait until you can identify every apartment involved. Then, your landlord can uproot the entire operation at once by moving to evict all the dealers simultaneously.

You may find that your landlord is not interested in getting rid of drug dealers and refuses to pursue evictions (indeed, the landlord's indifference may be why you have drug dealers

in the building). In that case, your tenants' association or your city or state attorney will first have to bring a drug nuisance abatement suit against the landlord. If you can show in court that the landlord tolerates drug dealing, the judge should order eviction proceedings against the dealers and/or appoint a receiver to do what the landlord should have done.

In any event, keep in mind that while eviction of drug dealers is essential, it is a very poor strategy to make that the only weapon in your arsenal. Be proactive, not reactive. In other words, rather than waiting for drug dealers to appear, your tenant association should be working closely with the landlord and the police to implement building policies that will discourage dealers from ever setting up shop there at all. Here are a few basic examples:

- ◆ **Lease Language.** Put language into the lease of every tenant that clearly states that buying or selling drugs in the building or using the apartment to support an indoor drug enterprise in any manner is an express violation of the lease. Screen new tenants appropriately. If your building is public housing, the lease provision should be complemented by a "one strike and you're out" policy against anyone who participates in the drug trade. "One strike" means that the housing authority will move swiftly to evict undesirable tenants. (The policy is discussed in greater detail in Chapter 5 on trespass laws.)
- ◆ **Tenants' Association.** Maintain a well-organized tenants' association. When tenants feel connected to the building and their fellow tenants, they

are much less likely to tolerate drug dealing.

- ◆ **Locks.** Always keep a secure lock on the doors of the building. If a lock is broken, have it replaced the next day. Give a key to every police officer who covers your beat, so that dealers know that the police can enter the building without warning.
- ◆ **Monitor Vacant Units.** If there are vacant units in your building, monitor them carefully for drug activity. Do not seal them off—that will only deny management access to the unit after dealers break in through the walls, ceilings, or floors of adjoining units.
- ◆ **Keep It Clean.** Do not let garbage or debris pile up in the building's alleys and yards. The sight of a building in disrepair will attract dealers. Keep the entrance, hallways, vestibule and alleys well-lit at all times.

## Putting It All Together

The city of Cincinnati brought Herman Wrice in to train citizens in his anti-drug technique. After a two-day training session, more than 200 people donned yellow shirts and white hard hats for the group's kickoff march in September 1996. The volunteers included women and men, blacks and whites, college students, families with children, and senior citizens. Up to 30 police officers also joined in the march. The officers provided an added measure of security. In addition, the police provided information about the most active drug markets and crack houses. The plan was to focus on active drug corners or crack houses within three targeted communities. Residents in these communities would partici-

pate in marches located in the other two neighborhoods.

The assembled group, in their anti-drug uniforms, marched straight into three of the city's most notorious open air drug markets chanting, "Up with hope! Down with dope!" Mounted police, including Police Chief Michael Snowden, led the way up Cincinnati's Auburn Avenue. The drug fighters squared off against dealers at two corners and one crack house, each struggle lasting nearly two hours. The marchers chanted, "We're fired up! We ain't takin' no more!" At first the drug dealers made fun of the marchers, mimicking their chants and laughing at them. As the sea of yellow shirts and white hard hats continued to chant, "Drug dealer, drug dealer, you can't hide/We charge you with genocide," some of the dealers began to get angry. They cursed the marchers. At one point, someone threw eggs at the marchers. But the marchers just kept on chanting. Eventually the drug dealers, having lost their customers for the night, wandered off.

Every time a drug dealer retreated, a joyous roar went up among the crowd of marchers. At least for that night, the community had won. Although that victory was still temporary, there had been a permanent change among the marchers. They knew that people power could work, that if the community worked together they could get rid of the dealers. That night one woman who lost a son to drug abuse said that for the first time she was not afraid of the drug dealers.

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*350 Tested Strategies to Prevent Crime: A Resource for Municipal Agencies and Community Groups*. (1995). Washington: National Crime Prevention Council. 202-466-6272.

### Organizations

Bureau of Justice Assistance  
Office of Justice Programs  
U.S. Department of Justice  
BJA Clearinghouse  
P.O. Box 6000  
Rockville, MD 20850  
800-688-4252  
National information clearinghouse.

Center for the Community Interest  
Roger Conner  
919 18<sup>th</sup> St., N.W., Suite 800  
Washington, DC 20006  
202-785-7844  
Legislative drafting and litigation defense of cutting-edge ordinances.

Chicago Alliance for Neighborhood Safety  
Warren Friedman  
28 East Jackson, Suite 1215  
Chicago, IL 60604  
312-461-0444  
Community organizing and collaborative problem solving.

Citizens Committee for New York City, Inc.  
Felice Kirby  
305 Seventh Avenue, 15<sup>th</sup> Floor  
New York, NY 10001



212-989-0909

Community organizing and collaborative  
problem solving.

National Association of Town Watch

P.O. Box 303

7 Wynnewood Road, Suite 215

Wynnewood, PA 19096

610-649-7055

Assistance with community watch programs.

National Crime Prevention Council

1700 K St., N.W., Second Floor

Washington, DC 20036

202-466-6272

Building partnerships and collaborative prob-  
lem solving.

Safe Streets Now!

Mollie Wetzel

408 13<sup>th</sup> St., Suite 452

Oakland, CA 94612

510-836-4703

Small-claims court tactics.

Turn Around America

Andy Garr

3321 Danville Drive, #506

Kilgore, TX 75662

903-983-0316

Training for confrontational marches and vigils  
(the Wrice Process).

Youth Crime Watch of America

Vernon Jones

9300 South Dadeland Boulevard, Suite 100

Miami, FL 33156

305-670-2409

Involving youth in anti-crime strategies.

## Chapter 5

# Trespass

**T**his chapter is about trespass, the unauthorized intrusion onto someone else's property. A chronic problem in many apartment buildings and complexes is the congregation of people who don't live there and don't belong there. Often, they are on the premises to commit crimes such as dealing drugs or stealing from residents and cars. But even by their mere presence, these trespassers detract greatly from the quality of life. They disrupt the peace and frighten residents. They cause people to avoid and keep their children away from common areas that everyone should feel free to enjoy.

### Analyzing the Problem

It is common for drug dealers and gangs who prey on their neighbors to use the common spaces of apartment buildings and housing complexes in order to conduct their business. The constant movement of residents and guests provides cover for both buyers and sellers of drugs and other illicit goods. Apartments within the building or complex often provide places to store drugs, make deals, or escape from police.

This kind of trespass problem can be difficult for police. In order for a police officer to

make an arrest for trespassing, he or she must be certain that the person is in fact a trespasser rather than a guest or resident. In most states, trespass on the grounds of a building is a "violation," a classification that is less serious than a misdemeanor. Police cannot make an arrest for such an offense unless they witness it in person. Trespass within a residential building is typically a misdemeanor. Although officers can technically make an arrest for a misdemeanor based on a complaint, it is common for police, prosecutors, and judges to refuse any action unless the officer actually sees the offense. In addition, judges, or prosecutors, will often dismiss any charges unless it is proven that the person has been warned to stay away.

Even when the officer sees the trespassers, they may claim to be guests of a legal resident. Unless the police officer has some way to identify the individuals as trespassers, no arrest can be made. Further, the police must have clear knowledge that the owner has warned the person to stay off the property. If an owner or manager is frightened or does not live on the property, putting sufficient evidence together can be very difficult.

These limits are especially frustrating for police and residents when everyone suspects

that an arrest followed by a search might uncover drugs or guns, leading to a more serious charge than mere trespassing. As a result, police officers, residents, and property owners frequently blame each other, feeling angry and powerless in the face of a persistent problem.

Nonetheless, trespassing is ultimately like other types of disorder in residential communities: it exists only to the degree that it is tolerated by the people who live with it. Drug dealers, pimps, and thieves choose a particular place to hang out because they can see that there is not an effective partnership among residents, owners, and police.

## Strategies and Tactics

This chapter discusses three strategies you can use:

- ◆ Deny trespassers access to your building.
- ◆ Work with police.
- ◆ Deal with residents who shelter trespassers.

### **Strategy 1. Deny Trespassers Access**

There are two primary methods of denying trespassers easy access to places where they don't belong: neighborhood patrols and citizens' arrest. These actions should immediately improve the situation. Chapter 3 on drug dealing in housing developments discusses physical security procedures that can also limit access of unwanted guests.

**Neighborhood Patrols.** Many community groups conduct neighborhood patrols. These are programs in which citizens organize their own patrols to keep their eyes on the neigh-

borhood. When a neighborhood is patrolled (and street signs are prominently displayed to publicize the fact), criminals can never be sure that they operate out of sight.

**Tip: Remember, a trespasser doesn't have to be seen breaking another law to be asked to leave. A trespasser who does not live in the apartment complex does not belong on the property.**

Neighborhood patrols are particularly effective against trespassers. Trespassers sometimes lurk in darkness and shadows. If they know that residents are looking out for them, and that they might be observed without their knowledge so that police can be called in to catch them by surprise, they won't be comfortable near your building and will look for some other place to loiter.

Neighborhood patrols should target the times and places in which there is the greatest problem. As in the case of drug dealing, usually trespassers are most visible during weekend nights. Make sure to include as many neighbors as possible by providing good notice of when and where patrols will take place. Some communities set up a "telephone tree" so people can call each other efficiently. Others distribute or post in public places announcements of the patrols. Those participating in patrols should have some identifying uniform, such as the same color hats or T-shirts. Generally, it is advisable to be reasonably polite to trespassers you encounter. Your goal is to let the trespassers know they are not welcome. If you fear that the trespassers are potentially violent, ask a security guard or local police officer to accompany your group on initial patrols.

Neighborhood groups should also work with the property management to get “No Trespassing” signs prominently posted. This denies the trespassers an opportunity to say they were not aware they were trespassing.

**Citizens’ Arrest.** If your building has private security, check the law of your state on “citizens’ arrest.”<sup>1</sup> Security personnel have the same right to make arrests as all private persons. Some states allow a citizen to arrest (that is, detain someone against his or her will until police arrive) for misdemeanors committed in the citizen’s presence. This right can be especially useful in dealing with trespassers. A security guard patrolling the grounds can hold a trespasser for police, rather than give the trespasser an opportunity to flee.

However, in many states, that approach is unavailable. In these states, the law provides that citizens generally may not arrest for misdemeanors. In Texas, for example, a private citizen may only arrest for “a felony or . . . offense against the public peace” committed in the citizen’s presence.<sup>2</sup> A community group in Dallas is currently waging a campaign with the state legislature to expand the scope of citizens’ arrest to allow property owners or their agents (such as security guards) to arrest for criminal trespass. If your state also fails to authorize this practice, you might consider meeting with your representatives in the state legislature to urge them to amend the law.

Another word about citizens’ arrest: the person making the arrest must be very sure that the detained person is truly guilty of the offense of criminal trespass as it is defined in your state. If citizens turn out to be wrong, they may be liable to the detainee in a lawsuit for false imprisonment.

### **Strategy 2. Work with Police**

A campaign against trespass should start with a meeting of concerned residents, property owners, and officials of your local police precinct. Relations between police and your community may be strained. Perhaps you have tried to get police help against trespassers in the past and felt that the police didn’t care. Nevertheless, you must at least try to make a fresh start.

**Tip: Remember, just because the police have not enforced trespass laws yet, it doesn’t mean that they won’t or they can’t. Sometimes they just need to be reminded that residents want the law enforced.**

You need the police to enforce the criminal trespass law—it’s not something that you or your citizens’ group can do by itself. If you reach out to the police in a spirit of cooperation, not confrontation, you can find ways to work together against trespassers. Once you have the police motivated to help, a way must be found so that police can easily identify trespassers and order them off the property or arrest them. Here are some tactics you can use:

- ◆ **Formal Notices to Stay Away.** In many jurisdictions, property owners and courts have worked together to create a form that contains a person’s name and photograph with a statement that the person is banned from a particular property. Copies of these notices are delivered to the person by a representative of the owner and posted in the building. In large housing complexes that have their own regular officers assigned or where community policing is in effect, the officers them-

selves may receive copies of the notices. This works in situations where the same person keeps returning to the property after repeated warnings.

Armed with this information, the officer can make an arrest.

- ◆ **Court Orders.** In some jurisdictions, procedures have been created that allow a court order to be obtained that directs the person to stay away. It is not enough to obtain such an order, however; residents can help by making sure that officers have copies of the orders or by directing the officer to a resident manager's office where copies are kept. Low-level drug dealers and prostitutes typically get probation instead of jail time, but the court can place conditions on them. You can ask prosecutors and judges to include stay away orders as a condition for probation. Residents need to obtain the name of the person's probation officer and be prepared to call if the person returns to the premises.
- ◆ **Posting Lists of Excluded Persons in Public Places.** By posting these lists in public places, residents can play an important role in motivating owners and officers to enforce the trespass laws. After a warning has been issued, trespassers' names can be put on a list that can be distributed to residents, building management, security guards, and the local police. If these previously warned individuals are seen on the property and reported to police, they can be arrested, even if they are not trespassing at the moment the police arrive. These laws usually work the same way in public housing

developments; however, the local public housing authority may need to enact a specific trespass resolution to allow for enforcement of the law.

- ◆ **Get Police to Issue a Warning.** It is easier to persuade an officer to tell someone to leave and issue a warning than to make a formal arrest. Even if the trespassers step off the premises just as police arrive on the scene, it should be standard practice for the officer to have the owner or owner's agent warn the trespassers, in the officer's presence, that they are not welcome and should never return. The manager, owners, or residents should take Polaroid pictures of this warning being given. The photos should then be hung in the apartment building lobby. This procedure will send a powerful message to the trespasser: the police know who you are, they know you don't belong in this building, and if they ever catch you there, they will not feel any need to let you off with another warning.
- ◆ **Truancy Laws.** If your trespassers appear to be school-age youth and they are on the premises during school hours, call the truancy office of your local school district. Truancy officers are not police, so they are unburdened by any need to personally witness trespass. If you can lead them to the youth or tell them where to look, they will probably be eager to intervene. Similarly, if the trespassers are on probation or parole, you may be able to work with the probation or parole officers to get the trespassers to stay off your property.

- ◆ **Police–Owners Affidavit Programs.** In many jurisdictions, police and owners are overcoming the notice problem with a new form of cooperation: trespass affidavits. Owners execute an affidavit that makes the police the agent of the owner for identifying and removing trespassers. The owner then posts signs that state “No Trespassing, Residents and Their Guests Only,” and provides police with an up-to-date list of tenants. (Police must receive a new list of tenants regularly.)

Armed with this affidavit and the tenant roster, police can ask anyone in a public space for their name and the name of the person they are going to visit. A person who cannot supply this information can be expelled or arrested. In Manhattan alone, over 250 landlords have placed over 600 buildings in the Trespass Affidavit Program.

### ***Strategy 3. Deal with Residents Who Shelter Trespassers***

While all of the above suggestions apply equally well to public and private housing, residents of public housing have an additional weapon against “invited” trespassers. Outsiders who sell drugs in public housing are almost always there with the blessing of at least one resident. These people may not be true trespassers under the law, but they certainly are in the eyes of most tenants. To get rid of them, urge your housing authority to enforce the “one strike and you’re out” policy against tenants who permit unwelcome friends or relatives back into the building.

**Tip: Do not hesitate to ask for advice and assistance from your local housing officials. They will want to work with you. After all, “One Strike” is a presidential initiative. Housing officials look good when they use it.**

The first step is to call a tenant meeting to discuss the problem. If it is agreed that trespassing should no longer be tolerated, the tenants must commit themselves to rewriting the “Administration and Occupancy” (A & O) policy to crack down on unwelcome outsiders and tenants who let them in.

Revising the A & O policy can be a complex process. Once you get into specific proposals for new policies, you are bound to generate controversy. Certain changes you will need to make may seem too harsh to some tenants. Indeed, you may find that when you get into specifics, the will to change just isn’t there—that the tenants prefer the status quo. But don’t give up in frustration, or try to ram through a new policy by the sheer force of your personality, when you know the residents are not fully behind it. It may take several meetings over a period of weeks to negotiate a new A & O policy. Take the time you need, not only to get the right changes on paper, but also to secure the widespread support you will need if any new A & O policy is going to work.

Hopefully, at the end of the revision process, you will have an A & O policy that imposes the policy known as “one strike and you’re out” against tenants who allow in banned friends and relatives. “One strike” is now standard policy in much of the nation’s public housing. It means that every tenant’s lease states that if the tenant engages in certain pro-

scribed activities—even once—the housing authority may bring an eviction proceeding against that tenant. If the housing authority then shows sufficient evidence of the wrongdoing at a hearing, the tenant will be evicted.

The new A & O policy should provide that when a particular non-tenant is deemed by the housing manager to be unwelcome, and such non-tenant is identified as an associate of a particular tenant, the tenant shall be warned not to allow the non-tenant into the housing project again. If the tenant ignores the warning, he or she will be subject to eviction.

The beauty of “one strike” is that if a tenant commits an act that the other tenants have decided not to tolerate, it doesn’t matter if the act violated the criminal law or not. Eviction is a civil, not a criminal, matter, so the criminal definition is irrelevant. This also means that the rigorous standards of a criminal trial do not apply. For example, at the eviction hearing, the housing authority need only prove its case against the tenant by a “preponderance of the evidence” (that is, show that the tenant is probably guilty), rather than the “proof beyond a reasonable doubt” standard that applies in criminal trials.

Undoubtedly, some will find the “one strike” policy too drastic. They will argue that an innocent grandmother might be evicted for her inability to control a drug dealing grandson who won’t stay away from her apartment. If sympathy for such persons is the overwhelming sentiment among your fellow tenants, they may well prefer not to impose a “one strike” policy. But you might ask them to look at the larger picture—to think of the many families currently on a waiting list for public housing, people who would follow the rules and allow everyone else to live in peace and safety.

Under your new A & O policy, the landlord should appoint a “Trespass Control Officer” (TCO), who will process the exclusion forms, maintain files of excluded persons, and receive appeal requests. There should be a place near the main entrance of the housing project where the TCO will hang Polaroid photos of excluded persons, so that any resident can identify a trespasser and call the police.

In the end, the “one strike” policy will only be as effective as the landlord, housing managers, and police officers entrusted to implement it. Your new A & O policy should therefore set out clear criteria and procedures to guide housing managers in banning persons from the housing project, and procedures by which police officers can keep track of who belongs on the premises and who doesn’t. This policy should be developed in close cooperation with the police department and housing authority.

## Putting It All Together

The 3,800 residents of public housing in Huntsville, Alabama, were frustrated by drug dealing, violence, and vandalism within their communities. Most of the law violators were not residents in the housing complexes. Residents complained, and the Huntsville Housing Authority adopted a trespass resolution in March 1994. The resolution bans from public housing grounds for one year any non-resident who was charged with a crime, threatened violence, damaged housing authority property, or had a confrontation with a law enforcement officer on Huntsville Housing Authority property.

At the time of this writing, there were 600 people specifically prohibited from setting foot on or driving through the private areas of Huntsville's public housing complexes. Private areas include the alleys and yards. Those who violate the criminal trespass requirements are subject to as much as 180 days in jail for each violation.

The trespass law, along with increased police patrols, has reduced crime 87 percent over the past two years. Because it is much easier for police to win a conviction on criminal trespass than on drug or violence charges, police say that the criminal trespass ordinance is one of their best tools for fighting crime in housing complexes.

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*Problem-Oriented Drug Enforcement: A Community-Based Approach for Effective Policing*. (1993). Washington: Bureau of Justice Assistance. 800-688-4252.

Vance, Timothy. (1994). *How to Get Drug Enterprises Out of Housing*. New York: Citizens Housing and Planning Council. 323-391-9030.

### **Organizations**

American Bar Association  
Standing Committee on Dispute Resolution  
740 15<sup>th</sup> St.  
Washington, DC 2005  
202-662-1680

Big Brothers/Big Sisters of America  
230 North 13<sup>th</sup> St.  
Philadelphia, PA 19107  
215-567-7000

HUD Drug Information and Strategy Clearinghouse  
P.O. Box 6424  
Rockville, MD 20850  
800-578-DISC

Huntsville (Alabama) Housing Authority  
Larry Dejanetti  
Director of Resident Services  
205-539-0774  
or  
Huntsville Police Department  
Capt. Andy Jackson, Lt. Pat Trussell, or Sgt.  
Randy Owens  
205-532-0774



National District Attorneys' Association  
99 Canal Center Plaza, Suite 510  
Alexandria, VA 22314  
703-549-9222

## Endnotes

<sup>1</sup>Citizens' arrest is not recommended for a civilian who is not trained or equipped to work in security, as it is simply too dangerous an undertaking.

<sup>2</sup>Tex. Code Crim. Proc. Art. 14.01.

## Chapter 6

# Youth and Gangs

If gangs are threatening your community, read this chapter to learn how to take back control. The chapter begins with background information on gangs and the criminal justice system response to gangs. The strategies and tactics section includes steps you can take regardless of whether gangs are a long-standing problem or are just beginning to take hold. Although the focus is on relatively short-term objectives, strategies are also included for developing positive alternatives to gangs for youth in your community.

### Analyzing the Problem

Experienced community activists will tell you that your best chance against gangs is to take action at the first sign of them. In some communities, gangs are just now gaining a foothold, with parents, politicians, business owners, and even the police still “in denial.” In many other neighborhoods, gang activity and violence are out of control and the ideal time to begin has passed. Either way, there are really only two choices: band together and take deliberate, well reasoned steps to combat the problem, or give up and turn over what’s left of the neighborhood to the gangs.

This section offers some background information about gangs and the criminal justice system’s response to them, along with questions to ask when analyzing the gang problems in your neighborhood.

**Gang Territory.** Most gangs are composed of young people who live in the same area—a block or two, a neighborhood, a multi-family apartment building or complex, a school area. Loyalty to the neighborhood (the “hood”) is vitally important to many gangs, and it is common for gangs to have names that reflect this (57<sup>th</sup> Ave. Crips, Tortilla Flats, etc.). In fact, while gang shootings and assaults are sometimes drug-related, more often they occur when a gang believes its turf has been encroached upon, or when gang members believe they have been disrespected in some way.

**Gang Activities.** Youth in gangs, like other teenagers, spend a lot of time just hanging out together. The main differences are their expressions of loyalty to the gang and their involvement in delinquent and criminal activity. They may be chronically truant, take lunch money, bully or intimidate other students or residents, fight, shoplift, drink, use drugs, spray graffiti, and commit other acts of vandalism. At the more extreme end of the

spectrum, gang members may be involved in drug crimes, stealing cars, weapons offenses, felony assaults, arson, extortion, drive-by shootings, and homicides. Gangs and guns are a lethal combination in some communities, with semiautomatic pistols as one of the most common weapons. Some gang members may travel out of state to buy guns and bring them back, and a few gangs have even had members enlist in the military to learn about combat tactics and weapons.

**Organization and Leadership.** Very few gangs are tightly structured and businesslike. Even large, violent gangs that claim to have members throughout a city are generally not well organized, but instead tend to be a loose affiliation of small, neighborhood-based gangs, sometimes called “sets.” There are recognized leaders—usually the members with the most money, drug or gun connections, or reputations for being the toughest—but leadership status tends to come and go. Gangs that are well organized tend to be “dedicated” to a particular type of crime like drug dealing, extortion, robbery, burglary, auto theft, and others. Some gangs (such as the Mexican Mafia in California and several Southwestern states and the Vice Lords in Chicago) have leaders who exert control from their prison cells over gang activities back in their neighborhoods.

**Migration.** A gang may have migrated to your neighborhood from another city, but it is more likely that it was started by local youth, sometimes with help from outsiders (for example, gang-involved youth whose parents sent them to live with relatives in what they hope is a safer neighborhood). In fact, many police gang experts believe “the spread of street gangs is more a spread of street gang

culture than the development of individual gangs with a national infrastructure. While some street gangs have national scope, many are localized imitations of Los Angeles or Chicago street gangs.”<sup>1</sup>

**Race and Ethnic Background.** Gangs are often, but not always, organized along racial or ethnic lines. Predominantly African American gangs may identify with (but not necessarily be closely linked with) gangs like the Crips in Los Angeles or the Black Gangster Disciples (BGDs) in Chicago or Detroit; or they may be strictly local gangs. The gangs in the District of Columbia are called “crews.” Primarily Hispanic gangs may be neighborhood-based and independent, or they may affiliate with a larger gang like the Latin Kings (to name just one). Jamaican gangs, usually called “posses,” and gangs whose members represent Asian cultures (Cambodia, Vietnam, China, Samoa, and others) may be found throughout the country. Caucasian gangs include motorcycle gangs; “skinheads,” who have a white supremacist agenda; or “stoner” gangs, which are mostly into using drugs. Gangs, however, may also be racially mixed, a trend that seems to be increasing in some cities.

**Signs and Symbols.** Generally speaking, youth who belong to gangs tend to advertise their gang status, both by physical signs and symbols and by attitudes that reflect their rejection of authority and of conventional lifestyles. Nicknames (“monikers,” or street names) are common. Gangs often distinguish themselves by wearing the same colors, clothing styles, clothing brands, hair styles, jewelry, and tattoos; by “throwing” or “flashing” hand signs; or by using special symbols (crown, pitchfork, six-pointed star, etc.) in

their graffiti or on their clothing or property. Popular styles or brands may change, and some symbols are not obvious. In one city, for example, tennis shoes hanging over a telephone wire indicated a gang presence. Finally, there are some gangs that don't "advertise"—members don't wear colors, act out in school, etc. A number of Asian gangs and drug-dealing gangs fall into this group.

**Age and Sex.** There are many accounts of children involved with gangs as early as elementary school, but more typically, gangs attract youth between the ages of about 14 and 21. However, some gangs have members in their twenties, thirties, or older. These members may be called "OGs," "old gangsters," or "original gangsters." Gangs may be all male or all female, or they may have full-fledged members of both sexes. All-male gangs are the most common, with females involved on the periphery. Female friends of gang members may just socialize with them, or they may also commit delinquent or criminal acts (steal weapons, hold or sell drugs, fight, act as spies). They are often subjected to physical or verbal abuse. Just as alarming, some communities report increasing numbers of all-female gangs, some of which focus on particular crimes, such as ATM robberies, forgery, or shoplifting.

**Gang Initiation and Status.** Prospective gang members may be required to prove themselves by going through an initiation ritual before being accepted into a gang. This may involve committing a criminal act or taking a beating (sometimes called "jumping in" or "beating in"). Girls who join a primarily male gang may be initiated the same way, or by committing a sexual act ("sexing in"). Police often use the term "hard core" to describe the

relatively small number of members who have a strong commitment to a gang and who commit violent or other serious crimes. Those with a somewhat lesser commitment and less frequent involvement in serious crimes may be classified by police as gang "associates." The term "wannabe" is sometimes used to refer to young children or teens who show an interest in gangs but are not members. For example, they may adopt a gang's style of dress, scribble gang symbols on notebooks, or run errands for gang members. Many gang experts discourage the term wannabe because they do not want to exaggerate these children's gang involvement or add them inappropriately to a database of gang members.

### ***Gangs and Criminal Justice Agencies***

**Police.** Some police departments have specialized gang units, and others do not. Lack of a gang unit may be a matter of money, priorities, or "official" denial of gang problems; or the department may believe that other strategies are more effective. The point is to find out what your police department is doing to deal with gangs.

If the department does have a gang unit, it may be part of field operations, investigations, juvenile, or some other division or bureau. The unit's duties may be intelligence-gathering, maintaining a gang database, enforcement, investigations, coordination with other jurisdictions, prevention, education, or some combination of these. Some gang units operate anonymous tip lines. Some have special teams dispatched to diffuse or intervene in school-based gang incidents.

It is also important to discover your department's overriding gang-enforcement strategies. For example, is the emphasis on developing complex cases against gang leaders, street-level enforcement, or both? What is its relationship with other agencies, particularly the schools and community organizations in your neighborhood? How do officers' cultural sensitivity and language skills match up with the ethnic and racial backgrounds of gang members in your neighborhood? If the department has a gang unit, how does it coordinate with community policing officers assigned to your neighborhood? How does it coordinate with drug enforcement units?

**Probation and Parole.** The juvenile or adult probation departments serving your city may also have gang units. In some cities, police gang officers train probation personnel on gang signs, symbols, and activities. Police may team with probation officers to identify gang members, returning to custody those who violate the terms of their probation or parole. Questions to ask include these:

- ◆ Which field offices serve probationers and parolees who reside in your neighborhood?
- ◆ How does the probation office work with police and others on gang-related cases and problems?
- ◆ What conditions of probation must be met by gang-involved youth?
- ◆ What services do they receive that might help them break their involvement with gangs?

Juvenile probation officers and supervisors in the field office closest to your neighborhood should be able to tell you more about the gangs that threaten you. They also have con-

siderable power when it comes to holding violent gang members accountable.

**Prosecution.** You will also want to know more about the prosecutor's and court's response to gangs. For example, does the prosecutor's office use "vertical prosecution" in cases involving gang members? (Vertical prosecution occurs when one prosecutor or a team of prosecutors is assigned exclusively to handle gang-related cases.) What information can the prosecutor give you about gang cases in your neighborhood? (Some prosecutors maintain their own gang databases while others use databases operated by the police.) Does the prosecutor use a "community prosecution" approach, with one or more prosecutors assigned exclusively to a community that includes your neighborhood? What protections are available for victims and witnesses in gang cases?

**Corrections.** Most issues related to juvenile corrections go beyond the scope of this chapter. Still, as part of your strategy, you will want answers to these questions:

- ◆ What services are provided at juvenile correctional facilities that might help youth give up gangs?
- ◆ How does staff limit residents' contact with other gang members in the institution and back home?
- ◆ What kind of follow-up supervision and services do gang-involved youth receive when they return home?
- ◆ How can the community enhance supervision or improve services?

These questions are critical because, even when correctional services are available, their chances for long-term success are greatly diminished if the youth returns to a neighbor-

hood where gangs “rule” and positive alternatives are limited.

### ***Taking Inventory of Your Gang Problem***

To be sure your resources and energy are not misdirected, get all the information you can about the particular gang problem in your neighborhood. Be sure to find out if there is an existing anti-gang coalition you can contact—either a citywide group, or groups in specific neighborhoods. Ask the police and prosecutor about state and local gang-related laws and ordinances.

You may well find that “official” police, school, court, and other data about gangs is scarce. Many police agencies, for example, do not classify crimes as gang-related or not. Spend time talking to individual police officers and supervisors—community policing officers assigned to your neighborhood, the precinct commander and community policing coordinator, gang and drug unit personnel, and juvenile officers. Meet with school administrators, teachers, counselors, and coaches. Ask about truancy and dropout rates and what is being done about them.

**Tip: Find out how your police define the term “gang-related.” In some departments, any crime involving a known gang member is classified as gang-related, whether or not the person was acting on behalf of the gang. This may end up overstating the gang problem. Other departments do not classify a crime as gang-related unless it is considered gang-motivated. This may tend to understate the gang problem.**

Talk to recreation center supervisors, business owners, faith community leaders, public housing and other multi-family housing staff, hospital emergency room personnel—anyone who has firsthand knowledge of gangs in your community. Talk to former gang members as well as neighborhood youth who have successfully avoided gang involvement. Look for youth groups already involved in addressing gang issues, either through the schools, churches, or other neighborhood organizations.

### ***Questions to Ask***

- ◆ How many members and associates does the gang have? What are the age range, gender, and ethnic background of its members?
- ◆ What are the gang’s signs and symbols and what do they mean?
- ◆ Is the gang independent or affiliated with other gangs? Does it present a new or a long-standing problem in the community?
- ◆ What geographic area does the gang claim, if any? Who are its rivals?
- ◆ In what types of delinquent and criminal activities are gang members engaged? (You should try to describe as specifically as possible the who, what, where, and when.)
- ◆ Who are the leaders? Are they in school? On probation? Are there outstanding warrants for their arrest?
- ◆ What types of gang problems have occurred in the schools?
- ◆ What policies do the schools have related to gangs (for example, weapons policies or dress and behavior codes)? How are those policies enforced?

- ◆ What security measures are in place in the schools?
- ◆ How do the schools communicate with and work with the police on gang problems?
- ◆ How do the schools try to prevent gang activity (for example, gang resistance education, conflict mediation, counseling)?
- ◆ How are school facilities in your neighborhood used during the after-school hours? Are they locked down, or are they available for use by the community?

## Strategies and Tactics

This section presents several strategies for taking back the neighborhood from gangs:

- ◆ Take collective action to reclaim public spaces.
- ◆ Work with the police and other criminal justice agencies.
- ◆ Improve school safety and security.
- ◆ Improve physical conditions in the neighborhood.
- ◆ Conduct public information campaigns.
- ◆ Provide youth with positive alternatives.

**Tip: Observe and record neighborhood conditions. Use a checklist or form to record problem locations (places where gangs congregate, drug dealing hot spots, abandoned buildings, vacant lots, etc.) and conditions (such as broken street lights) that encourage gang activity. Photograph graffiti and write date and location on the back of each photo.**

### **Strategy 1. Take Collective Action to Reclaim Public Spaces**

Use these tactics to send a clear message that the community will not tolerate gangs. You may find other useful tactics in the chapters on open-air drug markets, indoor drug markets, and drugs in multi-family housing areas.

- ◆ **Remove Gang Graffiti Immediately.** This is one of the clearest, least complicated steps a community can take to demonstrate its unwillingness to tolerate gangs and violence. Some jurisdictions have promised to clean off graffiti in special zones within 24 hours. See Chapter 7 (Graffiti) for more information about how to conduct successful paint-overs and for other graffiti abatement tactics.
- ◆ **Take Back a Park or a Street Corner.** Hold community events (rallies, block parties, festivals, etc.) in public places that “belong” to gangs.
- ◆ **Demonstrate.** Hold marches or vigils to demonstrate your unwillingness to live in fear and violence. Mothers Against Gang Violence, Orange Hat brigades, and other groups can provide tips on organizing these events.
- ◆ **Join with Others.** If there is a citywide anti-gang coalition or similar group, make sure your neighborhood is represented on it.

### **Strategy 2. Work with the Police and Other Criminal Justice Agencies**

If your community does not have a history of good police/resident relationships, see Chapter 9 for strategies that can help improve this situation. When residents feel comfortable with the officers assigned to their neighbor-

hood, they will be more willing to report crimes and information.

- ◆ **Report Crimes and Information.** Increase safety and call police attention to your neighborhood by picking up the phone and calling 911 to report gang-related crimes. Form block watches. Cooperate with investigations of hard-core gang leaders.
- ◆ **Set Up an Anonymous Tip Line.** Establish an anonymous tip line to provide police with information about gangs and violence. See the section on “Putting It All Together” at the end of this chapter for information on the 24-hour Secret Witness Hotline established by the Ad Hoc Group Against Crime in Kansas City, Missouri.
- ◆ **Work with Community Policing Officers.** Community policing emphasizes assigning officers to specific neighborhoods and encouraging them to solve problems with residents. (See Chapter 9.) Find out who your neighborhood’s officers are. If your department does not make permanent beat assignments, push for change. Encourage the department to give neighborhood officers beepers or cellular phones so residents can contact them directly.
- ◆ **Operate Citizen Patrols.** Chapter 2 on open-air drug dealing discusses this tactic.
- ◆ **Improve Victim and Witness Protection.** Prosecutors and police often lack resources for witness protection or relocation, which may be necessary for witnesses of gang violence. Explore possible solutions to

this problem with the prosecutor and the victim assistance office.

- ◆ **Defuse Gang Conflicts.** In some communities, individual leaders have successfully defused volatile situations and have prevented gang confrontations. These leaders have included former gang members, police officers, clergy, university professors, and others. One example is the University of Connecticut Institute for Violence Reduction. Institute staff have intervened with specific gangs in Hartford, and the Institute’s board includes clergy, community organizations, Mothers Against Gangs, police, and others.
- ◆ **Use the Power of Probation and Parole.** Probation officers have enormous power to influence the judge’s setting of probation conditions and to initiate proceedings to revoke probation for serious and violent gang members. They can also conduct searches, order drug tests, and require face-to-face meetings with persons under their supervision. Gang members can be ordered to stay away from one another and to stay away from the neighborhood if they do not reside there. Find out who gang members’ probation officers are. Press for stringent conditions, and report violations.
- ◆ **Use the Power of the Courts and Prosecutor.** See Chapter 10 on working with courts and prosecutors. Hold them accountable for taking gangs seriously.
- ◆ **Provide Training on Diverse Cultures.** Your police department may have few officers with the same cul-



tural background as the gang members in your community. Community policing officers in San Diego, for example, could make little headway against Cambodian gangs until residents worked with them and introduced them to church leaders.

- ◆ **Volunteer as a Translator.** Residents can provide valuable services as translators for the police, courts, social services, schools, and others.

### ***Strategy 3. Improve School Safety and Security***

If gangs are operating in your schools, take immediate steps to send a clear message of intolerance by using tactics like these:

- ◆ **Revise School Rules and Regulations.** Work with school officials, parent groups, and students to develop regulations that discourage gangs, drugs, and violence on school grounds. Develop or revise dress codes, prohibiting gang attire. Adopt uniforms. Ban beepers, pagers, and cellular phones from school grounds. Tighten weapons policies.
- ◆ **Improve Physical Security.** Consider metal detectors, security guards, fences, landscaping, lighting improvements, and student or parent volunteer patrols. No one wants the community school to look like an armed fortress, yet some communities have seen the need for such measures, either as temporary or long-term strategies. For example, metal detectors and uniformed guards are in place at G. H. Braddock High in Homestead, Florida. With 5,000 students, Braddock is one of the largest high schools on

the East Coast. The school also has graffiti removal teams, and the students developed their own Youth Crime Watch program, which involves 15-20 influential students with radios patrolling the halls. Principal Jeff Miller at Braddock strongly advocates student involvement in making the school safe and secure.

- ◆ **Revise Fire Regulations.** Often these regulations require leaving too many doors unlocked, making it easy for gang members (or anyone else, for that matter) to come in and out at will.
- ◆ **Train School Personnel.** Ask police and community organization staff to provide training for teachers and other school personnel on how to recognize gang signs and symbols and how to use community resources. Other training topics might include drugs, nonviolent educational strategies, or conflict resolution. The Alexandria, Virginia, Police Department held special gang training for teachers and school administrators after a youth was stabbed to death in a gang fight in front of the junior high school.
- ◆ **Monitor School Attendance.** Use parent or community volunteers to monitor school attendance and call parents of absent youth. In Anaheim, California, police gang officers are involved in attendance monitoring and disciplinary proceedings. The officers review attendance records, contact parents, and participate at attendance and disciplinary hearings with students, parents, and school officials. These officers also link arrested youth to alternative school programs.

- ◆ **Advocate for School Resource Officers.** These officers are located at the school and often wear several hats. They may respond to trouble on school grounds, develop information about crimes, build positive relationships with students, and lead classroom lessons about gangs, drugs, police work, and other topics.
- ◆ **Form a Police/School Gang Response Team.** Some police departments train special units to head off, respond to, and de-escalate gang-related incidents on school grounds.

#### ***Strategy 4. Improve Physical Conditions in the Neighborhood***

Taking stock of your neighborhood's gang problems includes identifying locations and conditions (poor lighting, litter, abandoned buildings, etc.) that allow gangs to congregate and commit crimes unobserved. You can improve some of these conditions in the short run by holding cleanup days, pushing for improved city services, and taking other direct action. Bring pressure on city officials and businesses to help you install street lighting, tighten public housing screening policies, and enforce lease provisions. Remove abandoned and junk cars, overgrown shrubbery, and public pay phones (or restrict them to outgoing calls only).

To effect long-term change, you'll need to determine who "owns" the particular problem. Who is legally responsible for fixing or removing it? Which agency (health department, public works, code enforcement, alcoholic beverage control, etc.) is charged with seeing that owners comply with ordinances, health codes, or other regulations? Police officers responsible for community policing,

crime prevention, and crime prevention through environmental design should be able to help by referring you to contact people in the correct agency and by helping you cut through red tape.

- ◆ **Civil Nuisance Abatement and Other Civil Remedies.** Nuisance laws, noise ordinances, health and building codes, and other civil remedies can be used to require property owners to change the conditions that contribute to the gang problem. Target liquor stores that sell alcohol to underage patrons, tattoo parlors, vacant lots and buildings, residences used as drug houses, and other locations. The city attorney's office in Los Angeles, for example, sends letters to private owners stating the alleged violation and giving the owner a chance to comply voluntarily. The office works with owners who attempt to remedy the situation and pursues legal cases against those who do not.
- ◆ **Signs.** Encourage the posting of "No Trespassing" and "No Loitering" signs where permitted. Post your own block watch, "No Gangs," "We Report Gang Crimes," and other messages that show your resolve to combat gangs.
- ◆ **Curfews.** Consider lobbying for a curfew ordinance. Ideally, parents and their children together determine and abide by curfews. But in many jurisdictions where there is citizen support, local governments have passed curfew ordinances. These must be carefully drawn to protect constitutional rights. The Dallas, Texas, curfew ordinance is considered a model

for several reasons. The need for a curfew was backed by statistics on the level of juvenile crime committed during the proposed curfew hours; the ordinance states an intent to protect children from harm, not simply prevent them from congregating; and the law is narrowly drawn, allowing exceptions for many legitimate reasons. As a result, the Dallas curfew law has passed a series of court tests, and the U.S. Supreme Court recently refused to hear a case challenging that law. Even when a curfew law is carefully constructed, though, there are other important issues to consider. Police must have the resources needed to enforce the law; the law must be enforced consistently and fairly; children will need a safe place to go when parents cannot be found; and there should be some means to hold parents accountable.

**Strategy 5. Conduct Public Information Campaigns**

- ◆ **Sponsor Parent and Community Forums on Gangs.** Share the information you have gained with a wider audience. Presentations by community leaders, police, and others may be made at regular meetings of existing organizations or at special meetings convened solely to focus on gangs and violence.
- ◆ **Encourage Media Responsibility.** If you believe that the newspaper or local television and radio news coverage or programming should be more responsible, express your concerns as a group. Meet with editors and re-

porters. Tell them about the positive steps your neighborhood is taking to combat the gang problem. Encourage them to cover prevention and intervention efforts, not just suppression. Encourage editors to develop guidelines for reporting on gangs. Most news media do not have such guidelines. Printing the names of gangs encourages them by giving them the attention they crave. When newspapers publish the names of victims, they often identify them as victims of gang crimes, leaving them or their family members terrified—sometimes terrorized—as a result.

**Strategy 6. Provide Youth with Positive Alternatives**

Take a hard look at the reasons why youth join gangs. A striking number of gang members talk about their gangs as “family,” suggesting that gangs offer a substitute for something missing at home. There are no easy answers. Sometimes youth join gangs for protection—they are afraid not to do so. Sometimes the appeal is the excitement represented by the gang lifestyle—quick money, cars, parties, girls, alcohol, drugs. Some children are in gangs because their relatives, including parents or even grandparents, are in gangs. Others feel beaten down by poverty, unemployment, crime, or school failure, and have little hope for a better future.

Most gang-involved youth need more than just one thing (a decent recreation center, for example, or even a good friend) to break free of gangs, crime, and drugs. But each small step can help, especially when it is part of a broader, long-term strategy to turn things around. Remember that not every program

or approach that sounds good really *does* good. Collect information about what has been done in similar communities around the country. Ask questions about why various approaches were successful and others were not. (For example, was the idea off base, or was it a good idea that was poorly executed?) Contact the National Youth Gang Center and other resources. (See References.) In this section, we will suggest briefly some approaches that may help meet your community's needs.

**Tip: Local college or university students may be eager to help. In Racine, Wisconsin, a student research team at the University of Wisconsin, Parkside, Department of Sociology, talked to 500 Racine residents, including gang members, community leaders, police, media representatives, and others. The students' report helped Racine get grants for two youth service projects related to gangs.**

- ◆ **Provide Direct Services to Gang-Involved Youth.** Helping gang-involved youth who have already committed violent or serious crimes is the focus of Project Comin' Up in Fort Worth, Texas, a partnership involving the Boys and Girls Club, Tarrant County Citizen's Crime Commission, and Parks and Community Services. Project Comin' Up identifies the most violent gangs and aims services at individual gang members, with the objective of reducing violent behavior. Another example is the University of Connecticut Institute for Violence Reduction. In addition to providing direct conflict mediation

services, the Institute serves youth and family members released from prison and brings college and community college instructors into the community.

- ◆ **Provide Structured, Safe Activities When School Is Out.** Communities throughout the country are expanding the use of schools during non-school hours through Safe Havens programs. Activities include sports, tutoring, recreational activities, parent education, and many others. Training to get Safe Haven programs off the ground is available to all cities with Weed and Seed projects. Another example is Urban Art, Ink. This after-school arts program operates at Jefferson High in Denver, Colorado. The neighborhood is a Comprehensive Gangs Initiative target area. Midnight Basketball is a well-known example of how one person can begin to make a difference. Started by G. Van Standeford of Glen Arden, Maryland, it is now a national organization based in Oakland, California, and operates programs in 42 cities. Geared to youth ages 17-25, Midnight Basketball not only offers a safe place to play the game at night, but also includes AIDS education, drug programs, career information, job training, and other services. FORCE (Females Obtaining Resources for Cultural Enrichment) is sponsored by the Boston, Massachusetts, Housing Authority. In seeking to address kids' needs for acceptance, loyalty, and a feeling of family, FORCE offers sports, debate teams, and other activities. Gangs of Clubs in Providence, Rhode Island,

provides alternatives to gangs for Southeast Asian youth. Program personnel use older youth to work with younger ones and emphasize listening to the youth and making them part of the solution.

- ◆ **Provide Rites of Passage.** One of the best known examples here is the House of Umoja, which stresses “the importance of traditional cultural norms of the African-American community and instills African-American youths with the life skills necessary to halt self-destructive behavior.” House of Umoja, begun by just one family, is now a community-based residential treatment and educational program that occupies 23 row houses in Philadelphia. But meaningful, age-appropriate rites-of-passage programs can be developed on a much smaller scale through the efforts of churches, community-based organizations, schools, parent groups, or individual residents. In addition, some communities bring together Hispanic and African-American youth to talk about cultural differences and similarities.
- ◆ **Offer One-on-One Guidance.** Organizations like Big Brothers and Big Sisters, Concerned Black Men, church and religious groups, police youth services programs, colleges, sorority and fraternity alumni groups, and many others match youth with responsible, caring adults for one-on-one friendship, guidance, and opportunities for new experiences. Program examples for gang-involved girls include those operated by Pueblo, Colorado, Youth Services and by

Grace Hill Neighborhood Services in St. Louis, Missouri. The federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) is currently sponsoring JUMP, an evaluation of mentoring programs.

- ◆ **Offer Gang Resistance Curricula in the Schools.** One example is the GREAT (Gang Resistance Education and Training) program. GREAT was developed in 1991 by the Phoenix Police Department and the federal Bureau of Alcohol, Tobacco, and Firearms (ATF), and is now in place in many schools throughout the country. Similar to DARE (Drug Abuse Resistance Education), GREAT offers nine weekly lessons delivered by police officers in the schools, usually at the 7<sup>th</sup> grade level.

## Putting It All Together

The Ad Hoc Group Against Crime in Kansas City, Missouri, has a long history of community activism to combat drugs, gangs, and violent crime through a combination of cooperation with law enforcement and, more recently, the development of alternatives for youth. Ad Hoc was formed in 1977 when concerned black leaders and residents organized a meeting to discuss the recent murders of nine black women. This was a confrontational meeting, and hundreds of residents showed up to express their anger and fear.

It was from this meeting that the grass roots, volunteer-driven Ad Hoc Group Against Crime was formed. Since that time, Ad Hoc has worked on four main objectives:

- ◆ raising community awareness about crime and violence
- ◆ improving relationships between the black community and the police department
- ◆ maintaining a 24-hour Secret Witness Hotline to enable residents to report crimes anonymously
- ◆ forming a community reward fund to offer rewards for crime tips that lead to arrest

The proliferation of crack cocaine in the 1980s brought a new emphasis on combating drugs and gangs. Ad Hoc organized “anti-dope house” marches, conducted court watches, commissioned reports on black homicides and other issues, and formed a rape victims’ task force.

In the early 1990s, Ad Hoc raised the money to hire a small staff. In addition to continuing its direct-action, crime-fighting objectives, Ad Hoc has added several programs for youth, including Youth and Gang Services, which operates a 24-hour youth helpline; Project Redirect, which includes gang awareness, violence reduction training, AIDS awareness, and other components; Project Intercept, which targets middle school youth at high risk for gang involvement and low school achievement; and other programs and services directed at ex-offenders.

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### **Publications**

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tice, Office of Juvenile Justice and Delinquency Prevention. 800-851-3420.

Curry, G. David. (1995). *Responding to Gang-related Crime and Delinquency: A Review of the Literature*. Washington: U.S. Department of Justice, National Institute of Justice. 800-851-3420.

Esbensen, Finn-Aage. (September 1996). “Gang Resistance Education and Training: The National Evaluation.” *The Police Chief*. Alexandria, Virginia: International Association of Chiefs of Police. 703-836-6767.

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Huff, Ronald (ed.). (1990). *Gangs in America*. Newbury Park, California: Sage Publications.

Institute for Law and Justice. (1997). *Urban Street Gang Enforcement*. Washington: U.S. Department of Justice, Bureau of Justice Assistance. 800-688-4252.

*Juvenile Curfew Enforcement: Concepts and Issues Paper*. (May 1994). Alexandria, Virginia: International Association of Chiefs of

Police (IACP) National Law Enforcement Policy Center. 703-836-6767.

**Video**

*Gangs...Turning the Corner.* This video, narrated by James Earl Jones, comes in 60-minute and 30-minute versions and highlights anti-gang efforts throughout the country, with an emphasis on prevention and what community-based groups can do. Available from California Image Marketing, Rancho Cordova, CA. 916-638-8383.

**Organizations**

Ad Hoc Group Against Crime  
3330 Troost  
Kansas City, MO 64109  
816-531-0000  
<http://www.slnedu.com/sites/adhoc/>  
Community mobilization against crime, drugs, and gangs; youth programs.

Boys and Girls Clubs of America  
771 1<sup>st</sup> Avenue  
New York, NY 10017  
212-351-5911  
Gang prevention, recreation, enrichment, education, and other youth programs.

Los Angeles City Attorney's Office  
Martin Vranicar, Jr.  
Assistant City Attorney  
1600 City Hall East  
200 N. Main St.  
Los Angeles, CA 90012  
213-237-1006  
Civil abatement information.  
North Carolina Center for the Prevention of School Violence  
Dr. Pamela L. Riley, Director  
3824 Barrett Dr., Suite 303  
Raleigh, NC 27609

919-571-4954 or 800-299-6054  
Comprehensive information on school resource officer programs.

Office of Community Oriented Policing Services (COPS Office)  
Office of Justice Programs  
U.S. Department of Justice  
1100 Vermont Ave., N.W.  
Washington, DC 20530  
202-514-2058  
<http://www.usdoj.gov/cops>  
COPS anti-gang initiative training and technical assistance.

*or call*  
Institute for Law and Justice  
1018 Duke St.  
Alexandria, VA 22314  
703-684-5300  
Clearinghouse for special COPS gang projects.

Office of Juvenile Justice and Delinquency Prevention (OJJDP)  
Office of Justice Programs, U.S. Department of Justice  
National Youth Gang Center  
P.O. Box 12729  
Tallahassee, FL 32317  
904-385-0600, ext. 259 or 285  
<http://www.iir.com/nygc/nygc.htm>  
Clearinghouse for juvenile gang information.

Open Door Youth Gang Alternatives  
Reverend Leon Kelly, Executive Director  
1615 California St.  
Denver, CO 80202  
303-893-4264  
Crisis intervention, mediation, gang prevention, and intervention services.

Seattle Partners Against Youth Gun Violence  
Options, Choices, Consequences Program  
c/o Seattle Police Department  
Crime Prevention Section  
610 Third Ave.  
Seattle, WA 98104  
206-684-7929  
School-based gun violence education program.

U.S. Department of Health and Human  
Services  
Family and Youth Services Bureau  
National Clearinghouse on Families and  
Youth  
P.O. Box 13505  
Silver Spring, MD 20911  
301-608-8098  
Information on Youth Gang Drug Prevention  
Program and other programs.

Youth Development, Inc.  
Gang Intervention Program  
1710 Centro Familiar, S.W.  
Albuquerque, NM 87105  
505-873-1604  
Ruben Chavez, Deputy Director

## **Endnote**

<sup>1</sup>The National Drug Intelligence Center  
(NDIC) Street Gang Symposium, *Selected  
Findings*, April 12, 1995.



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## Chapter 7

# Graffiti

If graffiti is a problem in your neighborhood, read this chapter to learn how it can be eradicated. Many communities have successfully attacked graffiti through direct community action and improved government responses. This chapter first discusses types of graffiti, including graffiti vandalism by gangs, taggers, hate groups, and others. It then offers graffiti-abatement strategies and tactics you can use to remove graffiti and keep it out of your neighborhood.

### Analyzing the Problem

Graffiti is the unauthorized painting (and, more recently, window etching) of private or public property that vandalizes roadsides, mass transit, commercial districts, and residential areas. Graffiti affects neighborhoods in many ways. It sends a clear message to visitors and residents alike that things are out of control. It can reduce property values, add to a climate of lawlessness that discourages business, and open the door to more serious crime.

Despite graffiti's pervasiveness in some neighborhoods, many police departments do not have time to investigate graffiti complaints. Community mobilization is critical to make graffiti-fighting a priority and to help police

enforce the laws against graffiti by identifying the individuals who commit these acts of vandalism, reporting graffiti crimes in progress, and photographing and removing the graffiti.

Community members must also help develop alternatives for youth who might otherwise be involved in graffiti crimes. Some neighborhoods have found that simply removing the graffiti—no matter how tirelessly—was not enough. Graffiti was painted over, only to be replaced by “scratchiti,” or window etching. Because the etching is done on glass, relatively inexpensive solutions like paint cannot be used. Alternatives like scratch-proof glass are only now becoming available.

### *Gang Graffiti*

Graffiti may be a signal that gangs are operating in the area. Gangs use graffiti to identify their “turf,” warn other gangs to stay out, and communicate other messages. Gang graffiti markings might include the gang name, gang member nicknames, expressions of gang loyalty, symbols, threats, and information about crimes in which the gang has been involved. When one gang's graffiti has been crossed out by another gang, it may indicate acceptance of a challenge and the likelihood of future violence. Also, the graffiti's style (block

letters, “balloon” letters, etc.) may give an indication of the type of gangs involved. Some gangs have members who specialize in writing the graffiti, which has also been characterized as a “newspaper” for some gangs. Gang graffiti may also appear on clothing, notebooks, and interior walls.

### ***Tagger and Other Graffiti***

Not all graffiti is written by gang members. Drug dealers also may use it to tell users where they can buy drugs. It may have bigotry at its core, containing hate messages directed at other races, religions, or genders. Some graffiti may be expressions of profanity, some communicates political opinions, and some (“Tom loves Mary”) may be classified as “bubble gum” graffiti.

But perhaps more commonly, graffiti comes from “taggers” who “sign” their work with a unique name or moniker. Taggers generally seek to impress their peers with how often their graffiti may be seen or by the difficulties they had to overcome to paint it. Taggers may also be thrill seekers, excited by the dangers involved in eluding the law or by the danger of placing graffiti in high places. Taggers may act alone or they may belong to tagger “crews” or gangs whose main activity is creating graffiti.

Tagger graffiti ranges from short messages to mural-sized drawings, known as “pieces,” and some taggers have been known to keep notebooks of their work. While tagging is usually thought of as a nonviolent crime, some communities have found taggers armed with knives and guns, not just spray paint. The Portland Police Bureau, East Precinct Neighborhood Response Team, has put together a detailed guidebook for officers and residents

on taggers. (See references at end of this chapter.)

### ***Taking Inventory***

Although quick removal (after documenting the problem) is the number one objective for all graffiti abatement efforts, the details involved in planning your response will depend on the type of graffiti with which you are dealing. For example, if the graffiti is produced by gang members and contains recent “cross outs” or threats, the police will need to know about it and document it. Here are some steps you can take to help you analyze the problem:

- ◆ Take photographs of marked buildings, walls, etc.
- ◆ Learn to recognize basic gang graffiti styles and messages. Consult with appropriate police officials (gang specialists, hate crime unit, juvenile officers, community policing officers) about how to interpret unfamiliar symbols and markings.
- ◆ Determine the extent and type of graffiti problems in and around the schools. You may also identify student groups that can help with school and neighborhood graffiti removal.
- ◆ Check with other agencies involved in graffiti abatement. In some jurisdictions, a neighborhood services or similar office of local government has been designated as the graffiti abatement coordinator (for example, the Neighborhood Services Department in Sacramento, CA, and the Public Response Office in Clark County (Las Vegas), NV).

- ◆ Learn about techniques for removing graffiti from different types of surfaces (red brick, stucco, glass, etc.)

## Strategies and Tactics

The principle behind fighting graffiti is to reduce the rewards (recognition, control) that graffiti criminals get from their crimes. Graffiti abatement—quickly removing the graffiti and keeping it off—reduces these rewards. Successful graffiti abatement involves both the community and local government.

These are the strategies discussed in this chapter:

- ◆ Take direct action to remove graffiti.
- ◆ Hold graffiti vandals accountable.
- ◆ Encourage government policies and ordinances.
- ◆ Link with other community improvement projects.
- ◆ Divert graffiti criminals to positive alternatives.

### ***Strategy 1. Take Direct Action to Remove Graffiti***

Direct community action involves organizing volunteer groups to coordinate with law enforcement and then actually paint over or otherwise remove graffiti without waiting for government to act. The neighborhood sends the clearest message when it develops the capacity to respond quickly to reports of graffiti. Even where the graffiti cannot be quickly removed, citizens can record or photograph and then paint over the names of the graffiti criminals, thus depriving them of the publicity they seek. These tactics have proven successful in many communities:

- ◆ **Hold a Neighborhood Meeting.** This can be sponsored by a civic or tenants' association, community-based service organization, or other neighborhood group. If necessary, you can go door to door to begin organizing the neighbors. You may want to invite a law enforcement expert to talk about graffiti, but the focus of the meeting should be on the prevalence of graffiti in the neighborhood, its impact on the community's feelings of safety, and its economic impacts. Be prepared to display pictures of properties marked with graffiti and note their specific locations on the back of the photos and on a map or list. Maps will also be useful for volunteers on the day of the paint-over.
- ◆ **Organize the Community as a Whole.** It does little good when some properties cover up graffiti while adjacent property remains vandalized. Contact any other community-based groups that may be interested in graffiti removal.
- ◆ **Educate Your Neighbors.** Talk to neighborhood residents and businesses about graffiti, what it means, and what can be done about it. Use fliers, personal visits, phone calls—whatever it takes.
- ◆ **Adopt a Uniform Paint Scheme.** Use it when painting over graffiti to avoid clashes. Have volunteers meet with business owners not represented at the meeting. Find out if your local government supplies paint in standard colors for this purpose. Seek donations of paint from local businesses.

- ◆ **Discuss Your Plans with the Police.** In neighborhoods where the graffiti was done by violent gangs, you may need to arrange for police protection for the paint-out.
- ◆ **Obtain Consent Forms.** Property owners should provide you with signed forms that give you permission to paint over graffiti on their properties according to the agreed-upon color scheme.
- ◆ **Take Care of Details.** Paint-outs are not complicated, but attention to details is important. Use a checklist to plan ahead and keep things running smoothly.
  - Obtain supplies such as paint, rollers, brushes, paint trays, safety equipment, drop cloths, etc. (See checklist at the end of this chapter.) These may be donated by businesses or community groups or paid for by the volunteers.
  - Set a time and date for painting over existing graffiti that does not conflict with any other community events. (Early on Saturday morning has proved to be a good time for many communities.)
  - Distribute a flier to the affected neighborhoods informing residents and businesses of the paint-out.
  - Choose an assembly location that allows you to distribute supplies and park cars (for example, a church or business parking lot).
  - Assign volunteers to specific target locations and give them the materials needed to paint over the graffiti. Try to have maps and

photographs of each site for the volunteers to use.

- Use other volunteers to circulate, supervise the painting crews, and replenish supplies.
- If possible, take new pictures for a display of “before and after.”

◆ **Debrief and Get Ready Again.**

After the paint-out, hold a second meeting to debrief, thank the volunteers, and plan for future efforts. Resolve to paint over future graffiti. Assign responsibility for reporting and recording graffiti and for organizing new paint-outs. Property owners can tell their maintenance staff to check every morning to see if there is graffiti on their walls and immediately paint it over.

**Tip: Many removal products are hazardous to personal health and to the environment. Always wear appropriate safety gear, including clothing, masks, breathing equipment, and eye protection. Follow the instructions on all cleaning products. Properly dispose of hazardous materials.**

**Strategy 2. Hold Graffiti Vandals Accountable**

All actions of the community group should be coordinated with local law enforcement to help ensure that graffiti vandals are held accountable or prosecuted.

- ◆ **Take Pictures.** Give copies of all pictures of graffiti to the police along with documentation of when and where the pictures were taken.

- ◆ **Report Vandals.** Notify police of the vandals' identify. A number of communities have established confidential, 24-hour graffiti reporting or tip lines. The Sacramento, California, Neighborhood Services Department has a graffiti report form on its Internet World Wide Web page that can be completed and sent electronically by residents.
- ◆ **Hold Youth and Parents Accountable.** Youth who commit graffiti crimes may be required to paint over the graffiti, pay for its cleanup, or perform other neighborhood beautification and community service tasks. They may make amends through informal arrangements with residents, or as part of a police or juvenile court diversion program, a condition of probation, an outcome of a community-based mediation process, or a school disciplinary action.

Graffiti abatement can also be more meaningful when the parents of youth responsible for the graffiti help to remove it. In some communities, Mothers Against Gangs and similar groups of parents and neighbors take the lead in organizing paint-outs.

### ***Strategy 3. Encourage Government Policies and Ordinances***

Local government responses to graffiti include policies, ordinances, and the like, along with direct assistance to neighborhoods, such as helping coordinate paint-outs, providing materials, operating graffiti report lines, handling graffiti removal on public buildings, and providing other services. Here are some tactics that are getting results:

- ◆ **Anti-Graffiti "Czar."** The mayor of Philadelphia, Pennsylvania, appointed an anti-graffiti "czar" to coordinate graffiti removal and keep attention focused on the problem.
- ◆ **Graffiti-Free Zones.** Push for a local government promise to remove graffiti in these zones within 24 hours of notification.
- ◆ **Overnight Graffiti Removal from Subways and Buses.** The New York City Transit Authority implemented a policy of overnight graffiti removal.
- ◆ **Local Spray Paint Ordinances.** Restrict the sale of aerosol paint cans to minors (who use them for graffiti).
- ◆ **Property Owners' Accountability.** Pass local ordinances to require owners of vacant property to clean up graffiti.
- ◆ **Parent Accountability.** Pass an ordinance to hold parents responsible for the cost of cleaning up graffiti done by their children. Encourage prosecutor policies to inform parents of their responsibilities. The anti-graffiti policy of the Maricopa County (Phoenix, Arizona) District Attorney, for example, includes notifying parents that they may be liable for up to \$10,000 for the "malicious acts" of their children.
- ◆ **"Graffiti Court."** Centralize and expedite prosecution of persons charged with graffiti crime by setting up a special graffiti court.
- ◆ **Police Action.** Get police to increase patrols and devote more resources to surveillance of youth suspected of committing graffiti crimes.

#### **Strategy 4. Link with Other Community Improvement Projects**

Many communities combine graffiti abatement with larger cleanup efforts directed at broken windows, abandoned cars, vacant lots, and vacant houses. Here are some examples.

- ◆ **Work with Public Housing.** Public housing authorities in Chicago, San Francisco, and many other cities have been working to improve living conditions by removing abandoned autos, pulling weeds, removing graffiti, and repairing apartments.
- ◆ **Set Up a Beautification Fund.** In 1991, Proposition D was passed in San Francisco to fund neighborhood cleanup. It has resulted in a reported 580 trees planted, 600 square blocks cleaned of litter and graffiti, 130 trash receptacles placed on city streets, and 24 new murals. Money is raised by businesses checking on their tax returns that 1 percent should go to the beautification fund.
- ◆ **Conduct Targeted “Clean Sweeps.”** During the summer of 1996, Kansas City crews focused on 10 neighborhood areas for a special “Clean Sweep” effort that involved cleaning vacant lots, illegal dumps, and catch basins; sweeping streets; painting hydrants; towing abandoned autos; hauling off old tires; and removing graffiti. Part of the program called for neighborhood groups to mobilize area residents and organize volunteers to help city employees. In Detroit, the “Motor City Blight Busters” mobilize volunteers for citywide cleanups, including graffiti removal. The program has gone beyond cleanup to join

Habitat for Humanity to erect new homes in areas where abandoned, graffiti-filled buildings existed.

- ◆ **Join with Neighborhood Anti-Crime and Anti-Gang Initiatives.** In St. Louis, for example, the Northside Neighborhood Action Association sponsors both neighborhood crime patrols and a graffiti-removal program. In Houston, the anti-graffiti community mobilization effort is led by the mayor’s Anti-Gang Office.
- ◆ **Work with the Courts.** Encourage the courts to make graffiti removal part of community service and restitution sentences. Working with courts and prosecutors is explained in Chapter 10, including how community courts include a community service component where convicted offenders may be required to remove graffiti from neighborhoods.

#### **Strategy 5. Divert Graffiti Criminals to Positive Alternatives**

Community action is also needed to develop positive alternatives to graffiti. Community service and restitution are among the most common sanctions for graffiti criminals who are apprehended. Residents, business owners, and service agencies in the neighborhood can help by seeing that these sanctions are carried out and supervised.

- ◆ **Work with the Schools.** Support student-led cleanup and graffiti removal efforts. Supervise students assigned to remove graffiti as part of school disciplinary actions.
- ◆ **Consider an Urban Art or Murals Projects.** Graffiti abatement initiatives emphasize that graffiti is vandal-

ism, not art, but some community groups have sought to channel the artistic creativity of some graffiti vandals into positive pursuits. In Seattle, for example, the South of the Dome Business Association is complementing its paint-over abatement efforts by creating an “Urban Art Corridor” which will feature 50 murals painted by former graffiti vandals. The program hopes to commission professional artists to work as mentors with the youth, and landscaping in the area will be designed and cared for by youth groups.

Other cities with successful mural projects include Philadelphia and San Antonio. Not all mural projects succeed, however. The most successful ones emphasize adult supervision and links to other youth-serving programs.

- ◆ **Encourage Youth Education.** A few jurisdictions have undertaken educational programs directed at preventing children from committing graffiti crimes. These efforts typically involve adding an anti-graffiti message to other educational programs like DARE (Drug Abuse Resistance Education) and to environmental protection programs (aerosol adds to ozone depletion).

## Putting It All Together

The City of West Palm Beach, Florida, has developed a graffiti eradication program that seeks to remove all graffiti within 48 hours of notification. Countywide graffiti hot lines operated by the sheriff have been established to facilitate reporting. City painters, including offender work details, are sent to reported

graffiti sites to cover up the graffiti with special paint that covers graffiti easily. Funds for the special graffiti removal work team come from drug forfeiture funds.

The graffiti removal team fully documents its work. Key descriptors of each graffiti incident are recorded, and sites are photographed for future prosecution. Property owners complete a form granting permission for the work team to remove graffiti from their property. Records are kept of the time spent to remove the graffiti at each site and the cost incurred, so that restitution orders may be sought. Citizens are a key element of this program, which cannot work unless citizen reports of graffiti are made as soon as the graffiti appears.

In Scottsdale, Arizona, police and community cooperation was critical for establishing a 48-hour graffiti-abatement program. Local paint merchants donated paint for an experiment to test whether painting over graffiti would be successful and were pleased that it was. Based on this winning experience, a neighborhood enhancement committee convinced the city council to fund a special position to oversee graffiti removal. Much of the equipment used by the city staff, including a truck and paint sprayer, was donated by local merchants, who continue to donate paint. The city council also funded a 24-hour hot line for reporting graffiti. A second hot line provides rewards to callers who can identify people who commit specific graffiti crimes.

Scottsdale also has a voluntary program encouraging merchants to lock up aerosol spray paint to prevent its being stolen by graffiti criminals.

### **Graffiti Abatement Tools**

- ◆ Aerosol solvent
- ◆ Clean cotton painters' rags
- ◆ Trash bags
- ◆ 10-gallon plastic buckets with lids
- ◆ Inexpensive paint brushes, rollers, trays, and paint containers
- ◆ No-lead paint that matches paint surfaces around neighborhood
- ◆ Paint scrapers, wire brushes
- ◆ Dust masks
- ◆ Safety glasses
- ◆ Kitchen cleaner and water in spray bottles
- ◆ Federal safety orange vests

### **References**

#### **Publications**

*Community Graffiti Guide.* Portland Police Bureau, East Precinct Neighborhood Response Team. Contact Lt. Gerry Nyberg, 4735 East Burnside St., Portland, OR 97215. 503-823-5071.

*Saint Paul Resident Handbook: Neighborhood Nuisances.* This complete citizen's guide to abating all types of nuisances is available on the Internet at

<http://www1.stpaul.gov/council/handbook.html>

or from the City of St. Paul, Minnesota, Citizens Service Office. 612-266-8989.

#### **Organizations**

Anti-Graffiti Web Page

<http://www.dougweb.com/pgraf.html>

Pleasant Hill, CA, community anti-graffiti efforts, extensive links to other anti-graffiti Web sites, and references.

National Council to Prevent Delinquency  
Anti-Graffiti Project  
P.O. Box 16675, Dept. NPCA  
Alexandria, VA 22301-8675  
703-751-9569

National Graffiti Information Network  
P.O. Box 400  
Hurricane, UT 84636  
801-635-0646  
Information on graffiti removal, state legislation, and local ordinances.

Scottsdale (Arizona) Police Department  
Gang and Youth Intervention Unit  
Detective Frank O'Halloran or Sergeant  
Mark Clark  
602-319-5187

e-mail [spdgang@goodnet.com](mailto:spdgang@goodnet.com)  
<http://www.goodnet.com/spdgang>  
Graffiti removal project.

T.A.G.N.E.T. (Tagger and Graffiti Network  
Enforcement Team)  
Los Angeles Sheriff's Department  
Safe Streets Bureau  
3010 East Victoria St.  
Rancho Dominguez, CA 90221  
310-603-3100

Provides intelligence information on taggers and graffiti to local law enforcement, including transit and school police.

West Palm Beach Police Department  
Community Response Division  
600 Banyan Blvd.  
West Palm Beach, FL 33401  
407-653-3584, fax 407-653-2806  
Lt. R. A. Van Reeth  
Graffiti removal project.



## Chapter 8

# Street Prostitution

**T**his chapter is about street prostitution and techniques for fighting some of the problems it brings. Prostitution, often referred to as the “world’s oldest profession,” is a continuing problem for cities across the United States. Prostitution comes in many forms and in many locations.

Street prostitution, as the term suggests, refers to instances where the prostitutes use the streets of the city as their base of operations, soliciting passing motorists and pedestrians or loitering on the streets until they are telephoned, paged, or otherwise contacted by prospective clients. This type of prostitution—and the collateral problems that accompany it—is the most familiar to the public and the most damaging to the quality of urban life, particularly to residents of affected neighborhoods.

### Analyzing the Problem

Street prostitution produces community harms far beyond the notion that prostitution is a corruption of the public morals. Street prostitution markets can produce many problems for the communities where they operate. These problems include disturbing the peace

and quiet of residential areas, propositioning disinterested persons, harassment (sometimes physical) of visitors and residents, soliciting adolescents, sexual activity in public or semi-public view (such as in automobiles), litter, and disrupting traffic.

Street prostitutes, and those with whom they associate, are also often involved in a variety of other illegal and community-destructive activities, such as drug use and dealing, forgery, credit card fraud, embezzlement, auto theft, burglary, and robbery.

Prostitution also presents a serious public health problem. There are few if any circumstances more conducive to the spread of HIV and other sexually transmitted diseases than anonymous sex with street prostitutes, most of whom are in the business to support their drug addiction. Efforts to combat prostitution often fail to adequately address its link to addiction.

In areas where there is an active prostitution market, parents hesitate to send their children to the library or to visit friends, people take fewer walks, visits to neighbors occur only during the day, stores lose business and are sometimes forced to close, and traffic be-

comes congested. In short, community life is hindered.

Street prostitution and the problems that so often accompany it are not easily eradicated because they have usually been entrenched in an area for years. Customers and prostitutes keep coming back because of the neighborhood's reputation as a market. In addition, police, judges, and other city officials often view the problem as a consensual transaction between people who have been victimized by life. They are thus inclined to assign a low priority to prostitution cases and fail to recognize the value to a community of shutting down prostitution markets. But with tenacity and a broad-based effort, prostitution markets can be shut down.

In the face of aggressive community action, most street prostitutes, looking for paths of lesser resistance, are likely to quickly move to more "hospitable" locations. In other words, prostitution markets exist where they are tolerated.

Prostitution markets are not rigidly organized. Rather, they are somewhat fluid in their structure, with regular turnover and a variety of business arrangements. Some prostitutes work independently, others work in small groups associated with men with whom they are involved romantically, and still others work for professional "pimps" who manage groups of women in a fairly bureaucratic way, providing protection, management, and supervision. All of these modes of prostitution management can exist in a prostitution market at the same time. The markets themselves spring up in neighborhoods on an ad hoc basis and then become established by word of mouth. The longer a market operates, the more well known it becomes. More patrons

learn of the area, and more customers means still more prostitutes. Over time, the market may expand from its original location to encroach on surrounding streets and neighborhoods.

## Strategies and Tactics

Neighborhood groups and their supporters can use three basic strategies to fight the establishment, maintenance, or growth of street prostitution markets:

- ◆ Communicate community disapproval of street prostitution.
- ◆ Limit access to prostitution markets.
- ◆ Eliminate the sense of impunity of prostitutes and their patrons.

If you've read Chapter 2, these strategies will sound very familiar. The reason is that the tactics for combating street drug markets and street prostitution markets are fundamentally the same. In fact, the two types of illicit markets frequently occupy the same place at the same time; consult Chapter 2 for additional information.

**Tip: Remember, the prostitute's customers value their privacy even more than drug users. Slightly increasing the risk of public exposure will deter many johns.**

### Strategy 1. Communicate Community Disapproval

Driving prostitutes out of a neighborhood permanently requires more than an occasional police raid. When tactics are carried out exclusively by law enforcement (arrests and "sweeps"), the prostitutes often return as soon as they are released by the police. To prevent this from happening, the community

needs to send a strong message of disapproval and intolerance for street prostitution. Visible action by the community helps to demonstrate to prostitutes and their patrons that opposition to prostitution is a constant, not an occasional, concern.

Here are some possible actions to demonstrate community intolerance of street prostitution markets:

- ◆ **Neighborhood Patrols.** Use organized citizens' groups to shadow the movements of prostitutes and their patrons, writing down their license plate numbers and photographing their activities. This will decrease demand for the prostitutes' services because the prospective patrons wish, quite understandably, to remain anonymous. To be effective, neighborhood patrols must be highly visible and must signal that they are willing to take concrete action to get rid of prostitution.
- ◆ **Signs.** Post signs and banners that warn prostitutes and their customers that citizens are watching and reporting prostitution activity to police. Signs warning about the dangers of AIDS and other sexually transmitted diseases might also drive down market "demand."
- ◆ **Community Cleanups.** Organizing community cleanups, installing new street lights, towing away abandoned cars, and sweeping litter off the street makes it hard for prostitutes to operate. Street prostitution markets often arise in areas that appear disorderly. Areas that are not well maintained are an indication that residents are unorganized and will be unlikely to strenu-

ously oppose street prostitution activity. Cleaning up the neighborhood sends the opposite signal. Organized community efforts should focus on getting the city government to devote resources to cleanup projects, in addition to any private cleanups that are undertaken.

- ◆ **Outreach.** Residents and visitors to the area implicitly condone street prostitution when they keep silent. The pressure on prostitutes to move, close down operations, or, ideally, seek help is increased when people speak up. Expressing to those involved in prostitution your concern for their health and well-being, offering real alternatives to life on the streets, and objecting to the effects of the activity on the neighborhood can be more effective than you might think.

One woman in Kansas City, Missouri, was able to have a dramatic impact in her neighborhood using this approach, convincing many prostitutes to leave not just the neighborhood but the business. There were three keys to her success. First, she broke the shell of anonymity by addressing the prostitutes by their real names (which she learned from the police, as most prostitutes use "street names" while working). Second, she was able to communicate to them her genuine love and concern. Finally, she directed interested prostitutes to appropriate service agencies in the community where they could get the help they needed. Community health organizations, hospitals, drug treatment facilities, and medical schools often operate

community outreach programs and can be very helpful in your own efforts.

◆ **Closing Problem Businesses.**

Closing bars, restaurants, and other businesses that turn a blind eye to prostitution on or near their premises can make a dramatic difference.

Community groups should first seek to work with the business owners on steps that make the neighborhood less hospitable to prostitution. If the businesses are uncooperative, protests and picketing to inform patrons of the owner's unwillingness to combat prostitution may be beneficial. If these actions are unsuccessful, the neighborhood can turn to lawsuits alleging that these establishments have become neighborhood nuisances. Liquor and business licenses can also be challenged.

### ***Strategy 2. Remove the Sense of Impunity***

While street prostitution is a problem in cities across the United States, it is most serious in neighborhoods where a combination of ineffective law enforcement and a sense of community powerlessness combine to give prostitutes and their patrons a belief that they can engage in prostitution with near impunity. Removing the community's sense of powerlessness is essential to driving entrenched prostitution markets out of residential neighborhoods.

**Tip: Police may have become frustrated in previous attempts to enforce prostitution laws. You must let them know that this is a high priority for the community in order to re-energize them.**

Actions that may be effective in eliminating that sense of impunity are described below:

◆ **Postcard Warnings.**

Postcards can be mailed to the owners of cars seen cruising in the vicinity of prostitution markets. Through the local division of motor vehicles, police can trace the license plate numbers collected by citizen patrols and send notices to the vehicle owners "warning" them that to frequent the area at certain hours is a dangerous health risk, or more emphatically, that anyone caught soliciting prostitutes could have their names released to the press.

◆ **Loitering Ordinances.**

Some cities have enacted prostitution-related loitering ordinances to prevent prostitutes from remaining in a given area for an extended length of time or prohibiting them from flagging down cars. The purpose of such ordinances is to empower police to disperse, under penalty of arrest, people congregating in a manner suggestive of street prostitution activity, thus significantly reducing the police resources required to disrupt prostitution markets. These ordinances generally detail specific activities associated with the solicitation of prostitution.

◆ **Police Foot Patrols.**

Increase police foot patrols in areas where prostitution markets are known to exist. This increases police visibility in the area and allows the officers more opportunity to get to know the prostitutes. In addition, police officers walking the streets of a prostitution district are likely to give pause to any potential client.

- ◆ **Car Seizures.** Forfeiture of vehicles used to solicit prostitutes is one of the most powerful “demand-side” tools in the fight against prostitution. Potential patrons will think twice before engaging the services of a prostitute once they are on notice that their automobile is subject to forfeiture if they are caught. Few “johns,” after all, want to explain to their spouse, friends, or co-workers why they came home without the family van. In Detroit, allowing first-time offenders to retrieve their vehicles after a day by paying a civil fine has worked just as effectively as—but much more cheaply than—typical seizure programs that require an appeal hearing to retrieve one’s car.
- ◆ **Driver’s License Revocation.** Enact and enforce “use it and lose it” laws to revoke the driver’s licenses of persons who are convicted of patronizing prostitutes. Such a penalty helps raise the price that a prospective patron has to pay to engage in the act.
- ◆ **Drug Court.** If there is a drug court in your community, it should be given jurisdiction over prostitution offenses, due to the prevalence of drug use and addiction on the part of such offenders.
- ◆ **Drug Testing and Abstinence in Sentencing.** Judges should impose mandatory drug testing and coerced abstinence as a condition of avoiding jail time.
- ◆ **Stay-Away Orders.** Judges can also order arrested prostitutes and johns to stay away from specific prostitution market locations under penalty of incarceration.

- ◆ **Court Watch.** To send a clear message to judges who are reluctant to use such measures, community groups can follow arrested offenders to court for their arraignment, packing the courtroom. (For additional information, refer to Chapter 10, “Working with Courts and Prosecutors.”)

### **Strategy 3. Limit Access to Marketing Space**

Prostitution markets also need access to space in order to operate effectively. By denying prostitutes and their customers easy access to one another, it is possible to hamper the effectiveness of the market, thereby limiting the profitability of prostitution efforts in the neighborhood.

**Tip: To limit access, you may have to reach out to other government agencies besides the police. Ask the police to find out for you who to contact at the appropriate agencies.**

- ◆ **Changing Traffic Patterns.** Modify traffic regulations to prohibit right turns in the areas where street prostitution exists. This keeps prospective customers from circling the block to find a prostitute.
- ◆ **Establishing an Automobile Cruising Ordinance.** Enact an ordinance against automobile cruising in prostitution zones. Cruising ordinances typically prohibit drivers from passing a fixed point more than twice in a two-hour period during specified hours.
- ◆ **Eliminating Pay Phones.** Reduce or eliminate pay phones on public

streets to decrease opportunities for prostitutes to communicate with their managers or customers by telephone. Installing pay telephones that do not accept incoming calls is another option. This serves to impede communication between the prostitute and his or her manager as well as potential “regular” clients.

### Putting It All Together

Residents in the New York City neighborhood of Sunset Park were fed up with prostitutes walking their streets late at night. They decided to fight back by reaching out to the police department and city officials. Based on the citizens’ complaints, the police started mailing letters to the prostitutes’ customers. The police got the addresses through their license plate numbers. The letters informed the johns that those caught soliciting prostitutes could have their names released to the press and could face potential prosecution.

The campaign of the Sunset Park citizens, and the subsequent police crackdown, resulted in more than 700 arrests and lengthier-than-normal prison sentences for many of the neighborhood’s prostitutes.

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Comparative Criminal Law Project. (1979). *Prostitution: Regulation and Control*. New York: New York University. 212-998-2575 or 800-996-6987.

Miller, Eleanor M. *Street Women*. (1986). Philadelphia: Temple University Press. 215-204-7000 or 800-937-8000.

Miller, Eleanor M. et al. Nanette J. Davis, ed. (1989) *Prostitution: An International Handbook on Trends, Problems, and Policies*. Greenwood Press. 800-225-5800, 203-331-9899, or 415-989-5169.

### **Organizations**

Wichita (Kansas) Police Department South Central Prostitution Project  
Captain Stephen Cole, Commander  
Wichita Police Department Patrol South Bureau  
211 East Pawnee  
Wichita, Kansas 67211  
316-337-9200

Award-winning police/citizen effort to reduce prostitution and related crime in the city’s South Central neighborhood.

## Chapter 9

# Working with the Police

If you feel that your community needs to develop better working relationships with the police, and if you want the police to pay more attention to crime and disorder in your neighborhood, read this chapter. Over the past 10 years, police agencies throughout the country have been working toward this goal through community policing. Since so many police agencies are adopting the approach, this chapter first reviews some basic community policing principles. The chapter then offers recommendations for working with the police by taking responsibility for the problems in your neighborhood, understanding what your local police are doing to implement community policing, and collaborating with the police to reduce disorder and other problems.

### Analyzing the Problem

High-crime communities have become increasingly dependent upon the police to exert social control as the community's bastion against crime, disorder, and fear. Police have been characterized as the "thin blue line," fortifying a community against predators and wrongdoers. To sustain this role as the com-

munity's primary defense and offense against crime, police for many years have favored law enforcement as their principal function.

### *Traditional Policing*

The philosophy and principles of community policing evolved in response to the realization that traditional law enforcement tactics alone have not been enough to effectively reduce crime and that the issues of disorder, fear of crime, and quality of community life must be addressed to maintain order. Community policing stresses the need to develop the community's capacity to accept shared responsibility as "co-producers" of public safety.

Advocates of community policing, while emphasizing the need to keep what works, have become disenchanted with several traditional policing tactics. Preventive patrol entails motor patrol officers randomly patrolling streets to act as a visible deterrent to crime and to increase citizen satisfaction. Preventive patrol creates uncertainty about the frequency and location of police in a community. Rapid response assumes that the quicker an officer arrives at the scene of the crime, the better the chances of apprehending suspects, identifying witnesses, and preserving evidence. Retrospective investigation is the fol-

low-up investigation to a crime already committed. Effective investigations depend on the ability to apprehend suspects quickly and the ability to gather and preserve corroborating evidence.

Historically, most police departments have given higher priority to law enforcement tactics like preventive patrol, rapid response, and investigations than to order maintenance and service delivery. But research and experience have shown that these tactics have failed to significantly reduce crime because they are limited to reacting to crimes that have already taken place or to situations that have already reached critical levels. Specifically, the following conclusions were found:

**Preventive Patrol.** Random patrol does not necessarily reduce or deter crime, disorder, or the fear of crime. Isolating officers in patrol cars and enslaving them to the radio has resulted in less dialogue between the police and the community.

**Rapid Response.** Rapid response seldom increases the probability of making an arrest or identifying a witness. Rapid response is not as critical as previously believed because there is typically a delay before citizens call the police.

**Retrospective Investigation.** Criminal investigations are not extremely effective. Some studies show that only about one in five reported crimes results in arrest. In many communities, only about one-fourth to one-third of all crimes, depending on the crime type, are even reported to the police.

The traditional policing approach, sometimes called the “professional model,” is also characterized by a hierarchical, paramilitary police organization. Intended to improve efficiency,

internal accountability, and professionalism, and to reduce opportunities for corruption and abuse of power by limiting officer discretion, this approach has also served to sever police ties with the community. As a result, it has weakened the ability of the police to intervene effectively with community problems.

The philosophy and principles of community policing evolved in response to the strategic shortcomings of traditional policing, as well as the realization that community disorder and fear of crime must be addressed to effectively maintain social order.

### ***Community Policing***

Problem solving is one of the critical elements of community policing. The theory behind police problem solving is simple. Underlying disorder and other conditions in a community create problems. A problem created by these conditions may generate one or more incidents. These incidents may appear to be different, but they stem from a common source. For example, social and physical conditions in a deteriorated apartment complex may generate burglaries, acts of vandalism, intimidation of pedestrians by rowdy teenagers, and other incidents. These incidents, some of which come to police attention, are symptoms of the problems. The incidents will continue as long as the problems that create them persist.

Community policing also places a higher priority on crime control and order maintenance than in the recent past. By controlling minor disorders and enhancing the community’s quality of life, it seeks to reduce fear of crime and ultimately disrupt the escalating cycle of community decay that generates serious crime. Community policing emphasizes pre-



venting problems, separating symptoms from problems, and seeking long-term solutions.

Community policing also emphasizes partnerships with the community. Developing strong, self-sufficient communities is an essential step in creating an atmosphere in which serious crime will not flourish. Community policing, therefore, attempts to cultivate a sense of community where there is little or none. Although community policing alone cannot be expected to revive communities, several of its approaches are specifically geared to facilitate the growth of self-reliant communities. In addition to problem-solving, these approaches include community collaboration, community engagement, and community mobilization.

**Problem Solving.** Through joint problem solving with community members, community policing attempts to reduce the social decay and disorder that breed persistent crime problems as well as fear of crime. As public safety increases, citizens feel more confident about venturing out into their community and interacting with others. This is the first step toward establishing relationships and building a sense of community. As citizens become more informed about the status of crime in their neighborhood, learn how to protect themselves, and become actively involved in crime control and prevention activities, they become empowered to assume responsibility for public safety.

**Community Collaboration.** Under community policing, building police-community partnerships (one of the core community policing principles) means developing collaborative relationships with individuals and organizations. In fact, community policing involves establishing at least four types of relationships, with a goal of working toward collaboration

in the fullest sense of the word. *Communication* simply involves individuals or groups sharing information, thoughts, ideas, and feelings, and can result in a better understanding of different perspectives. *Cooperation* involves informal relationships (for example, agreements to “stay in touch,” or to make referrals), but there is no common structure or planning effort, and resources remain separate. *Coordination* involves more formal relationships and an understanding of common missions or goals. It also requires some joint planning and division of responsibilities. Finally, *collaboration* can be defined as a mutually beneficial and well-defined relationship entered into by two or more organizations to achieve common goals. Each organization has separate responsibilities that are required to meet those goals.

True police-community collaboration will produce comprehensive strategies directed at physical decay, disorder, and crime problems. The objective is to produce changes that will result in stable neighborhoods over the long term.

**Community Engagement.** Community engagement is the process of stimulating community members to accept responsibility for and exercise control over their collective destiny as a community. To do this, police must provoke the interest and involvement of community members in improving the condition of their community, including physical decay, disorder, and crime.

Effective community engagement requires the development of trust between the police and the community. This is achieved through police interaction and meaningful dialogue with the community’s formal leaders (church leaders, school principal, business owners) and

informal leaders (community activists or popular residents). Police are encouraged to attend and participate in community meetings, events, and organizations; make personal contacts with residents and businesses; and conduct surveys to identify community needs and resources.

Through direct contact with the police, citizens develop an increased appreciation for police officers as trained professionals and as individuals. They may also develop an appreciation for the police officers' sense of personal commitment and concern for their community and its members. A department that encourages interaction with citizens gains a new perspective on the expectations, fears, and interests of the community as customers of police services. Officers begin to recognize that citizens do care about the police and the level of crime in the community. This type of mutual understanding is the first step in developing trust between the police and the community. In turn, mutual trust is essential for building effective partnerships.

### **Mobilizing Community Resources.**

Within every community are businesses, social service agencies, religious organizations, and civic agencies that are valuable resources for dealing with community problems. The community policing concept recognizes that when service providers work closely with the community, they become more aware of the underlying causes and extent of social problems and can adjust accordingly to provide new and better ways of delivering services. In addition, through close cooperation, service providers can identify any gaps or overlaps in human services and provide or coordinate the needed service. Citizens who are aware of and use these services will be better

equipped to solve their own or their community's problems.

Successful community policing is often the result of strong interagency partnerships. The most effective community police officers are those who have researched the availability of these community resources and have established a relationship with agency representatives. For example, an officer who responds to a domestic dispute call might observe that the husband accused of spousal abuse is drunk. Upon further investigation, the officer might learn that there were many previous calls to this address and that each time, the husband reacted violently when inebriated. Under the philosophy of community policing, an appropriate response to this situation might involve the arrest or citation of the husband, a referral to a local substance abuse agency for the husband, information to the wife about sources of outside support, and a recommendation to the prosecution to seek a court order for batterer and substance abuse treatment. The officer would continue to follow up later with the couple and would check calls for service and arrest records to assess their progress.

## **Strategies and Tactics**

In developing an effective working relationship with the police, you can use three basic strategies:

- ◆ Take responsibility for disorder in your neighborhood.
- ◆ Learn how the police are implementing community policing.
- ◆ Work with the police on a collaborative strategy to reduce disorder.

### **Strategy 1. Take Responsibility for Disorder in Your Neighborhood**

Tolerance of crime is controlled by the community, not the police. When communities unite to demand a lower crime tolerance, the police and the political system respond.

Tolerance to crime is reinforced by informal social control—neighbors talking to neighbors and agreeing on what they tolerate and what they don't. When neighbors withdraw because of increasing fear of crime (see Chapter 3), these informal controls break down. The community then depends on formal social controls—the police—to control crime. Any community planning to reduce crime must incorporate into its strategy a process of increasing contact among neighbors and developing an action plan that acknowledges the *neighborhood's* responsibility for eliminating disorder and incivilities.

### **Strategy 2. Learn How the Police Are Implementing Community Policing**

Everyone understands that emergency calls to the police are important. But police also need to institutionalize the reality that increasing disorder leads to more serious crime and more 911 calls, which lead to more disorder. Addressing disorder is an excellent way to reduce 911 calls.

Community policing is designed to form partnerships with the community to address disorder. But to do this, the shift to community policing requires “re-engineering” the police department as an organization. Ideally, officers from the chief executive down to the newest recruits will promote the approach regardless of the unit to which they are assigned. But most police officers join a de-

partment because the role of traditional law enforcer is attractive. They typically don't join to make friends with youth in high-crime communities. For this reason (among others) there is often a huge resistance to shifting an entire agency to community policing. Communities working with the police must accommodate a slow institutional change toward community policing.

If your police department has done little in establishing community policing, start with “communication” and work toward “collaboration.” Find officers who will be liaisons within the department. Find out what their values are. If they want to reduce 911 calls and you want graffiti removed from buildings, show how community action and graffiti removal will reduce 911 calls. As you communicate, you will begin to cooperate, then coordinate, and finally collaborate. Consider developing a simple card or survey form that residents and businesses can use to report signs of disorder (abandoned cars, broken street lights, loitering, vandalism, panhandling, etc.).

**Tip: If you want the police to pay attention, give them what they want. Most police departments need information—not anecdotes, but hard facts about who, what, where, and when. If a neighborhood is cooperating by providing specific, concrete information about the type of crime and the perpetrators involved, the police will be in a much better position to coordinate responses to those problems.**

### ***Strategy 3. Work on Disorder Together***

Disorder, like loitering, graffiti, vandalized vacant buildings, litter, and loud noise, is often not measured and tracked. As a result, it does not receive the attention it should from either the police or the community. If disorder remains unchecked, attention to the symptoms of disorder will have little effect. Communities must address disorder if they want to reduce crime and fear of crime.

Pick a manageable problem and begin a process with the police for solving that problem. Remember, collaboration requires separate responsibilities. The community must be independently responsible for some part of the solution. They can organize graffiti removal teams or confront drug dealers on the street corner. Any of the tools suggested in this manual will work. The police should do their part. That might be surveillance and a buy/bust on a crack house supplying drugs to the corner drug dealers. Together you can reach a common goal: reducing crime.

### ***Putting It All Together***

A woman named Eartha Kinnard, a daycare worker for the local YMCA, lived in the Hilltop section of Wilmington, Delaware. Her neighborhood was overrun with street corner drug dealing. She felt the police did nothing except cruise through the neighborhood every once in a while.

Eartha organized the neighbors, and together they went out on a street corner and chanted anti-drug slogans. They did this two times a week, every week. The police, who did only traditional policing, took notice. The number of shootings and calls for service were down in that area. When the neighbors were on the

streets and the patrol cars drove by, the neighbors would applaud. Soon the police stopped and began talking with the residents. They shared information. The police came by more. The neighbors learned their names: Sgt. Dempsey, Officer Santiago. The officers cooperated by keeping their eye on the corners during the day and the nights the neighbors were not out.

Eartha and the residents soon learned that the drug dealers they were chasing were supplied from a house on the middle of the block. They began working with the police by sharing that information and coordinating a strategy to solve the problem. They agreed that the police would do what they did best and begin the process of arresting the dealers. The neighbors would continue the vigils and give them information.

That simple beginning led to an area-wide strategy to map all crime and begin developing joint solutions to the community's problems. Eartha started an after-school program in the local church and began a community garden with the youth. The police helped by linking her up with the Department of Parks and Recreation and the Wilmington Horticultural Society. The Department of Real Estate closed down a neighborhood bar and purchased it to convert it for other purposes.

Eartha's story is similar to many other neighborhood success stories. She began by encouraging the neighborhood to take responsibility for the problem. The neighbors attracted the attention of the police by appealing to their values at the time—reducing 911 calls for service. They began to cooperate, coordinate, and then collaborate on the issues of disorder, those issues that caused crime. Without planning it, a city police de-

partment with a traditional approach to policing was suddenly engaged in community policing in that neighborhood.

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Wilson, J. Q., and G. Kelling. (March 1982). "Broken Windows." *Atlantic Monthly*. Pp. 29-38.

### **Organizations**

Bureau of Justice Assistance (BJA)  
Office of Justice Programs  
U.S. Department of Justice  
BJA Clearinghouse  
P.O. Box 6000  
Rockville, MD 20850  
800-688-4252  
<http://www.ojp.usdoj.gov/BJA>  
National information clearinghouse.

Chicago Alliance for Neighborhood Safety  
Warren Friedman, Director  
28 East Jackson, Suite 1215  
Chicago, IL 60604  
312-461-0444  
Community organizing, problem solving with the police.

Citizens Committee for New York City, Inc.  
Felice Kirby  
305 Seventh Ave., 15<sup>th</sup> Floor  
New York, NY 10001  
212-989-0909  
Community organizing, joint citizen/police training, and problem solving.

Community Policing Consortium  
1726 M St., N.W., Suite 801  
Washington, DC 20036  
800-833-3085  
<http://www.communitypolicing.org/>  
Community policing training and technical assistance.

Institute for Law and Justice  
Ed Connors

## WORKING WITH THE POLICE

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1018 Duke St.  
Alexandria, VA 22314  
703-684-5300  
Working with the police, community policing  
training, and technical assistance.

International Association of Chiefs of Police  
(IACP)  
Jerome Needle  
515 North Washington St.  
Alexandria, VA 22314  
703-836-6767  
Police training, technical assistance, and pol-  
icy development.

National Center for Community Policing  
School of Criminal Justice  
Michigan State University  
David Carter, Bonnie Bucqueroux  
560 Baker Hall  
East Lansing, MI 48824  
517-355-2322  
Community policing training.

Office of Community Oriented Policing Serv-  
ices (COPS Office)  
U.S. Department of Justice  
1100 Vermont Ave., N.W.  
Washington, DC 20530  
202-514-2058  
<http://www.usdoj.gov/cops>

Police Executive Research Forum  
1120 Connecticut Ave., N.W., Suite 930  
Washington, DC 20036  
202-466-7826  
<http://www.policeforum.org/index.html>  
Community policing research, technical as-  
sistance, and training.

## Chapter 10

# Working with Courts and Prosecutors

If you feel that the court and prosecutors don't take your problems seriously—they don't prosecute minor quality-of-life crimes, or they're releasing people who commit the same crime repeatedly—read this chapter to learn ways you can get results. You've probably found that court and prosecution practices don't place much emphasis on resolving neighborhood problems, especially when the problems involve lesser crimes like disorderly conduct, panhandling, vandalism, public drunkenness, and delinquent acts by juveniles. This chapter first provides some background information on court case processing, explains how community priorities become lost in the court's daily operations, and provides guidelines you can use to assess court-related problems that affect your own neighborhood. The chapter then discusses strategies and tactics you can use to make courts and prosecutors more responsive to your neighborhood's needs.

### Analyzing the Problem

In many ways, the criminal courts operate as a closed system with community input generally only in the form of victims and offenders.

The court often processes its cases with little or no explanation to outsiders. The victim rights movement has brought some changes—for example, victim impact statements and systems to keep victims better informed about their cases. But victim rights advocates have not always been successful in improving case processing or in making courts more responsive to community needs.

### *How Courts Work*

After a crime has been committed and the police make an arrest, the prosecutor is responsible for charging the offender with committing a crime. Prosecution of felony offenses is the responsibility of the district attorney, state's attorney, or county attorney—the title varies in different jurisdictions. The felony case prosecutor may also be responsible for prosecuting misdemeanor and juvenile cases, but not always. In some jurisdictions, the city attorney (corporation counsel), the county attorney, or a special court-appointed prosecutor handles these less serious cases.<sup>1</sup> It is important to determine who prosecutes the cases, since many crimes that degrade the quality of life in a neighborhood are misdemeanors or involve juveniles.

Regardless of who prosecutes, criminal cases follow the same general pattern. The first step after arrest is a court hearing to set bail, to impose conditions of release, or to hold the defendant in jail awaiting trial. If bail is denied, the court must determine whether there is probable cause to believe that the defendant committed the crime charged by the prosecutor.

In felony cases, the case moves to a preliminary arraignment. At this arraignment hearing, the defendant is formally informed of the charges being filed and is asked whether he or she wishes to plead guilty or not guilty to the charges.

In misdemeanor cases, the initial bail hearing after arrest will also act as the arraignment hearing. If a plea of not guilty is entered, the court will then give the case a later trial date.

If the defendant is found guilty in a misdemeanor case, a sentence will be imposed at that time. In felony cases, a separate sentencing hearing is often held to hear evidence about what sentence to impose.

Juvenile courts follow similar procedures, with several important differences. In many states, juvenile probation caseworkers review all complaints against juveniles and may impose non-judicial sanctions, or even dismiss cases, without either judicial or prosecutor review. Juvenile court proceedings are closed to public viewing in many states to protect the juvenile's privacy and to facilitate the court's efforts to prescribe treatment alternatives. Finally, in most states, the juvenile court judge determines guilt or innocence without a jury. The result is that community participation in the juvenile court process is often much more limited than in the criminal court.

### ***Court Responsiveness to the Community***

At all points in the process, criminal cases may be rejected by the court or prosecutor, or the charges may be reduced to a lesser criminal offense. This authority to reduce or dismiss charges is frequently invoked. The pressure from the sheer numbers of criminal cases in the courts leads to "plea bargaining" between the defendant's attorney and the prosecutor to reduce the defendant's possible jail or prison sentence in exchange for a guilty plea. Only in highly publicized cases is there public scrutiny of this practice.

Public interest in major, individual felony cases does not typically extend to less serious and misdemeanor cases. Lesser crimes may be unexceptional, taken one by one, but when they are considered together, they represent a significant community problem. It is only when these lesser crimes become the subject of public concern that the impact of plea bargaining in these cases becomes an issue.

But even when charges are not dismissed or reduced, court-imposed penalties may not reflect the community's view of the seriousness of the offense. Court sanctions are often limited not by law, but by a lack of resources or a lack of initiative. The most common problem is the lack of appropriate sanctions where the court finds that the offense is not serious enough to warrant use of expensive (and overcrowded) jail space. Similarly, confinement in a detention center is not an appropriate sanction for minor offenses by juveniles. A lesser sanction is needed, but many courts have limited alternatives. Usually, the court sentences the minor offender to probation, where the offender may not have any real duties except not being rearrested.



The problem is most acute for defendants for whom probation should be linked to attendance at an alcohol or other drug treatment program.

### ***Taking Inventory***

The first step in improving court and prosecutor responsiveness to your neighborhood's needs is to take stock of the issues and resources. In addition, court watch programs (described later on) are particularly valuable for helping you clarify and document court-related problems. As you analyze your local issues, here are some of the questions you'll need to address:

- ◆ What specific crimes are of concern to the community (for example, prostitution, drug crimes, drunk driving, graffiti, public drunkenness, panhandling, loitering, etc.)?
- ◆ How are arrests in these cases processed?
- ◆ Who is responsible for prosecution at each step?
- ◆ What problems are there in processing these cases? For example, are cases frequently dismissed or charges reduced? Is there a lack of meaningful sanctions after conviction?

Dissatisfaction with the court may be related to court *outcomes*, court *processing*, or both. Dissatisfaction with court *outcomes* includes concern about too many cases dismissed or downgraded, or failure of the court to impose meaningful sanctions. Court *process* dissatisfaction includes long delays in resolving cases, failure to notify victims of what is happening in their cases, or inefficient use of jurors' time.

Careful analysis of court-related problems is very important. Sometimes the court is unresponsive to community concerns because of officeholders' personal priorities, idiosyncrasies, or beliefs. Solutions in these situations will require changing attitudes and resetting priorities. In other instances, problems with case outcomes or case processing may be rooted in the way the system is organized, requiring changes in how the court operates.

**Tip: Be specific when stating your concern. A statement like, "Misdemeanor cases always get probation," will not get much attention. But try, "95 percent of misdemeanor drug possession convictions result in unsupervised probation." This gives people a hard fact on which to focus.**

### ***Interviewing Court Officials and Other Personnel***

Once you have begun to clarify which issues are of greatest concern to the community, you will want to interview officials responsible for court operations. These officials can help identify problems and causes and can later assign responsibility for making improvements. You will also want to get independent assessments from others who are knowledgeable observers or participants in court proceedings but who do not have administrative responsibility (for example, public defenders, victim advocates, other service providers).

People to interview include:

- ◆ Chief administrative judge of the court
- ◆ Presiding judge of the criminal court (if multi-divisional court)
- ◆ Prosecutor or executive deputy
- ◆ Head of public defender agency
- ◆ Chief probation officer of court

- ◆ Criminal law professor of nearby law school (if one nearby)
- ◆ President of local bar association or trial lawyers affiliate
- ◆ Other judges or assistant prosecutors as available
- ◆ Major court service providers (such as drug treatment, social services, juvenile diversion, or others depending on your community's particular concerns)

Questions to ask include:

- ◆ What is their role in the court process?
- ◆ How do they view the significance of the community problems with which you are concerned?
- ◆ What actions can they take or recommend that the courts take to meet community concerns?
- ◆ What further actions should the community take?

### Strategies and Tactics

This section explains several strategies for making courts and prosecutors more aware of—and responsive to—your neighborhood concerns. Strategies and tactics for influencing the courts, prosecutors, and probation and parole can be done in almost any jurisdiction with volunteers and very little money. Strategies to encourage innovation and change the system—for example, by developing community courts or drug courts—are more ambitious and expensive, but are showing positive results in many communities.

These are some strategies you can use:

- ◆ Influence the courts.
- ◆ Influence the prosecutor.
- ◆ Use the probation and parole system.

- ◆ Encourage courts and judges to adopt new approaches and programs.

### **Strategy 1. Influence the Courts**

With the exception of juvenile court hearings, most court proceedings are open to the public. You can influence the courts and emphasize the importance of a case to your community simply by showing up, either as a group or through a court watch program. And you can use other tactics to bring judges “down from the bench and into your neighborhood.”

- ◆ **Bring Groups into Arraignment Hearings.** These hearings are open to the public. In fact, when a suspect is apprehended, you can even follow the police car down to the courthouse to the arraignment. Judges will often be influenced to deny bail when groups of concerned citizens take the initiative to show up at arraignment hearings. This technique has been used successfully in many communities, including Palo Alto, California.
- ◆ **Develop a Court Watch Program.** One of the most effective ways to hold courts and prosecutors accountable is to undertake a court watch program. Court watches use volunteers who sit in the courtroom, carefully observe court proceedings, and record and report on court actions. Effective court watch volunteers use a checklist or follow specific guidelines. Court watch programs serve several purposes. First, the mere presence of trained, organized observers in the courtroom reminds judges and prosecutors of the importance the community places on how cases are handled. Second, court

watches are invaluable for problem analysis because they provide an empirical base—statistics, not just complaints or anecdotes—that can be used to convince judges, local legislators, and others of the need for change. Court watches organized by Mothers Against Drunk Driving (MADD) are an excellent example of this. Finally, court watch programs can help you monitor how courts actually implement change.

Court watch programs may also expand their responsibilities beyond observation and reporting. In some communities, court watch volunteers also assist victims by accompanying them to court hearings. In other jurisdictions, the court watch reports on court proceedings to crime victims who are unable to personally attend hearings.

- ◆ **Invite Judges to Your Community.** Many judges are unaware of the conditions in your neighborhoods or the problems you face. Ask judges to come into your community to meet with you.
- ◆ **Hold Pre-Election Meetings.** Remember that judges hold political positions, either elected by the public or appointed by elected officials. Hold a meeting and ask questions of the candidates for judge.
- ◆ **Make Victim Impact Statements.** Ask the judge’s clerk to inform the community of the date for sentencing. Some courts take victim impact statements, and the community may be able to make one, but you have to ask the clerk.

### ***Strategy 2. Influence the Prosecutor***

- ◆ **State Your Concerns.** Meet with the prosecutor, write letters, call, do all you can to urge the prosecutor to treat as serious crimes the “quality of life” offenses that plague your community. Get the prosecution involved in your neighborhood problems.
- ◆ **Hold Public Meetings.** Prosecutors, like judges, are part of the political as well as criminal justice system. Invite the prosecutor to your community. Ask questions. Get the prosecutor to inform you of trial dates.
- ◆ **Encourage Community-Based Prosecution.** Ask your prosecutor to assign specific responsibility to an assistant prosecutor for cases in your community. Many prosecutors are adopting “community prosecution” approaches. This involves decentralizing the prosecution staff by assigning prosecutors and support staff to specific communities, sometimes by moving them into local prosecution centers that serve specific geographic areas. In medium-sized jurisdictions, the assigned area is often defined by police precincts or stations. In large jurisdictions, prosecutors may be assigned to zones that encompass several police command posts. As with community policing, community prosecution is intended to let prosecutors become familiar with a neighborhood and engage citizens in problem solving.

### ***Strategy 3. Use the Probation and Parole System***

More often than not, the individuals causing serious problems in your community are al-

ready on probation and parole. Don't overlook the fact that probation and parole officers have enormous power. They can influence judges in setting conditions of probation, and with persons under their supervision they can conduct searches, require office visits, order drug tests, and initiate revocation proceedings for violations of conditions.

- ◆ **Find Out Who Is on Probation or Parole.** You can help get probation and parole violators back off the streets, but you must first know who they are. Get the police to run checks to find out who is on probation.
- ◆ **Push for Stay-Away Orders and Other Conditions.** Find out the names of your local probation or parole officers. Ask what conditions of probation or parole have been imposed. For most crimes, the probation officer can seek a stay-away order, requiring probationers who do not live in your neighborhood to stay out, and drug dealers can be ordered not to loiter there.
- ◆ **Observe and Report Violators.** Now that you know who is on probation, the conditions they must meet, and the probation officer who is in charge, report the violations you observe.
- ◆ **Ask for Intensive Supervised Probation.** If your probation department has intensive supervised probation, ask that chronic offenders be placed under it. Intensive probation involves frequent personal contacts with the probation supervisor and often includes the use of electronic bracelets and drug tests. If your juris-

diction does not have this option, push for it.

- ◆ **Encourage Police/Probation Teamwork.** Don't assume that police and probation departments are well coordinated. Push for better information sharing, special police/probation teams and task forces, programs and special operations that get probation officers out from behind the desk and patrolling with police, and other tactics that get police and probation working together to target serious probation and parole violators. Project "Night Light" in Boston is a model of police-probation officer cooperation.

#### ***Strategy 4. Encourage Courts and Judges to Adopt New Approaches and Programs***

Several promising types of court and prosecutor reforms are taking place around the country. Many of the approaches featured here involve significant system changes and will require long-term planning and considerable resources.

- ◆ **Community Courts.** As the number of arrests increases, criminal courts can become overly bureaucratic—more concerned with disposing of cases than in giving personalized attention to minor cases or in responding to community problems, which they may see as the role of the police or city government. Community courts are designed to remedy this situation by focusing on the community problems reflected in the cases brought to court.

One of the most successful community courts is the *Manhattan*

*Community Court* in New York City. This community-initiated, misdemeanor arraignment court was set up in response to the mid-town Manhattan business community's concern that minor crimes like disorderly conduct and public drunkenness were driving customers away. The court brings together service agencies, business and other community representatives, and community police officers to structure sentencing of offenders who plead guilty in the court to minor crimes. While most offenders are sentenced to community service (such as graffiti removal or cleanup crews), others may be required to attend treatment programs, and a few are sentenced to jail terms. More information about how the Manhattan Community Court was formed and is sustained is included under "Putting It All Together" at the end of this chapter.

- ◆ **Teen Courts.** If your community is particularly concerned about delinquent behavior and relatively minor crimes by juveniles, you may want to consider a teen court. The teen court movement is based on the premise that many juveniles can be diverted from future delinquency or crime by early intervention. Specific offenses that teen courts focus on include underage drinking, substance abuse offenses, and property damage crimes. Teen courts intervene by using peer judges to recommend sanctions for the delinquent youth and to encourage lawful behavior among those serving as peer judges. As with the community court, typical sanctions include community

service, restitution (where applicable), and counseling. In this way, teen courts address community concerns about holding youthful offenders accountable for their actions, and at the same time provide opportunities for youth development.

- ◆ **Drug Courts.** Many jurisdictions are now operating special drug courts. These courts do not try felony drug traffickers but instead handle lesser drug offenses. They can free up the criminal court calendar, increase offender accountability, ensure access to treatment services, and improve recidivism and recovery rates. Using the power of the court (and sometimes the "charisma" of a particular judge), drug courts generally involve frequent drug testing and frequent court appearances, and they impose a series of progressively more stringent sanctions for non-compliance with treatment plans. Two resources are the Department of Justice, Office of Justice Programs, which operates a special Office of Drug Courts, and the National Association of Drug Court Professionals.
- ◆ **Other Specialized Courts.** Some jurisdictions are also operating gang, gun, and other specialized courts to help ensure that selected types of violent crime cases do not get lost in the system.
- ◆ **Pre-Trial Drug Testing.** Many offenders are drug users, and any individual involved with the criminal justice system can be required to take a drug test. Judges in many jurisdictions consider pre-trial drug test results in set-

ting bail and conditions of release. If your jurisdiction does not conduct pre-trial drug testing, push for it. Learn more about the Department of Justice's Drug Use Forecasting (DUF) program and the drug testing program operated by the Pretrial Services Agency in Washington, DC, which is also pilot-testing a drug court.

- ◆ **Intensive Community Supervision for Juveniles.** One of your community's major concerns may be the "recycling" of youth through the juvenile court system. Commitment to a detention center or group home may be inappropriate or impossible because of crowding. As a result, these youth are back on the streets, with little or no supervision or attention to personal or family needs. To break this cycle with young teenagers, the Children at Risk (CAR) project in several cities assigned a special worker to provide intensive case monitoring. The caseworkers were able to avoid interrupting services already being provided to families, and judges received assurance that the youth would be closely supervised. In effect, these case workers assumed most responsibilities normally assigned to intensive supervision probation officers.
- ◆ **Citizen Advisory Panels.** Some courts (such as in Hudson County, New Jersey) have established citizen advisory panels to deal with cases that might otherwise be rejected because of heavy caseloads. This problem in Hudson County was especially acute in the juvenile court. The citizen panel

for that court—which already included members representing the community's ethnic makeup—also began providing translation services for the court, permitting it to better determine which cases called for more active intervention.

- ◆ **Community Involvement in Sentencing.** The *restorative justice* movement throughout the country is exploring new ways to increase community involvement as well as ensure offender accountability and the provision of services. As part of the Vermont restorative justice effort, for example, large numbers of offenders are sentenced by groups of citizens.

**Tip: If you want to change the system by undertaking any of these long-term approaches, strive for a very broad base of support. Set up an advisory board or similar, permanent structure to ensure ongoing community influence on court operations and programs.**

## Putting It All Together

The Manhattan Community Court started with a growing realization among local businesses that relatively minor street crimes—prostitution, drug possession, public drunkenness, panhandling, vandalism, loitering, etc.—were adversely affecting business in the Times Square area, but were not being addressed by the city's criminal justice system. Meetings among business owners, criminal justice planners, New York City court leaders, and former city officials led to an initiative by the Fund for the City of New York to raise money for a new misdemeanor arraignment

court. Located within the mid-town Manhattan business district, the court was designed to address the identified quality-of-life problems in a systematic manner. The Administrator of the Courts in the city backed the plan by assigning a judge and necessary support staff to the new court. Day-to-day direction of the court is under the management of a small group of Fund employees and consultants, who are paid through a contract with the City of New York.

Community participation in the operation of the court continues through bi-monthly meetings of a court advisory board, which is composed of business leaders, service providers, community activists, and other local representatives. As a result, the court is now a focal point for community groups to voice their concerns about law enforcement priorities. Other important community ties are maintained by the court's extensive reliance on community-based and government agencies to provide services to arrestees who need help. Services include, for example, health counseling provided by student nurses from a local university, drug treatment, and employment counseling.

The court has succeeded on many levels. First, the court disposes of approximately 75 percent of all cases brought before it at arraignment, many of them within six hours of arrest. Expensive jail time and other costs for arraignment in the centralized courts are thereby eliminated. Through a combination of swift and certain punishment and services to those in need, quality-of-life crimes have been reduced by almost half in the Times Square area. Offenders who are sentenced to community service have dramatically reduced graffiti in the area by painting over it and have

performed many other beautification tasks. In addition, the court's success has drawn other social service agencies to locate at the courthouse to better identify individuals who are not offenders but who need services. These include homeless persons and victims of domestic violence. Perhaps the greatest symbol of the court's success is a plan to establish a second community court in a working-class community in the Red Hook section of Brooklyn, New York.

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"Special Drug Courts: Program Brief." (November 1993). Washington: U.S. Department of Justice, Bureau of Justice Assistance. 800-688-4252.

Tracy M. Godwin, et al. *Peer Justice and Youth Empowerment: An Implementation Guide for Teen Court Programs*. (1996). Washington: U.S. Department of Justice, Of-

Office of Juvenile Justice and Delinquency Prevention. 202-307-5940.

**Organizations**

Anchorage Youth Court  
<http://www.micronet.net/~apd/new/apdyouthcourt.html>

Center for Court Innovation  
Manhattan Community Court  
John Feinblatt, Director  
351 West 54<sup>th</sup> St., 2<sup>nd</sup> Floor  
New York, NY 10019  
212-397-3050

Drug Courts Program Office  
Office of Justice Programs, U.S. Department of Justice  
633 Indiana Ave., N.W.  
Washington, DC 20531  
202-616-5001  
<http://www.ojp.usdoj.gov/dcpo/welcome.html>

MADD (Mothers Against Drunk Driving)  
National Office  
511 E. John Carpenter Freeway, #700  
Irving, Texas 75062  
214-744-6233 or 972-869-2206  
Advocacy, court watch.

McMinnville (Oregon) Community Peer Court  
<http://www.ncn.com/~snews/peerct/mcminvll.htm>

National Association of Drug Court Professionals  
Judge Jeffrey Tauber  
901 N. Pitt St., Suite 300  
Alexandria, VA 22314  
703-706-0576

Information on establishing and operating drug courts.

National Center for State Courts  
300 Newport Ave.  
Williamsburg, VA 23185  
757-253-2000  
(<http://ncsc.dni.us/research/cfc.htm>)  
Assistance for strengthening state courts.

National Coalition for Family Justice, Inc.  
21 Broadway  
Irvington-on-Hudson, NY 00533  
914-591-5753

Office of Justice Programs (OJP) Drug Court Clearinghouse  
Operated by American University  
Justice Programs Office, School of Public Affairs  
4400 Massachusetts Ave., N.W.  
Brandywine Suite 660  
Washington, DC 20016  
202-885-2875  
<http://www.american.edu/academic.depts/spa/justice/>

State Justice Institute  
Liv Vines  
1650 King St., Suite 600  
Alexandria, VA 22314  
703-684-6100  
<http://www.clark.net/pub/sji/home.htm>  
Assistance and funding to state courts (criminal, civil, juvenile, family, and appellate).

Willamette University Legal Access Project  
900 State St.  
Salem, OR 97301  
503-370-6300 or 503-375-5456



[http://www.willamette.edu.org/cop/community\\_partnership.html](http://www.willamette.edu.org/cop/community_partnership.html)

Student victim assistance project, court watch.

Vera Institute of Justice

Chris Stone, Director

377 Broadway

New York, NY 10013

212-334-1300

<http://www.vera.org/pub/commcourt/>

Community courts, policing, criminal justice programs.

## **Endnote**

<sup>1</sup>In a few areas, a police officer or juvenile probation officer may be the prosecutor, at least in the initial stages of the case.