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NATIONAL INSTITUTE OF JUSTICE

Research in Brief

Charles B. DeWitt, Director

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The Police, Drugs, and Public Housing

Barbara Webster and Edward F. Connors

In the 1950's, large, isolated high-rise public housing developments sprang up in Chicago, Baltimore, St. Louis, New York, and other large cities. Today, these buildings represent a critical problem in the struggle against drugs and crime. There is now a moratorium on such construction but many original developments remain, plagued by drugs and crime and in desperate need of modernization and repair.

Many housing authority officials say that nonresidents of these developments are responsible for most of the drug trafficking and crime in their facilities. Drug buyers from all income groups drive in to make purchases; drug sellers take over vacant, unsecure units, or reside illegally—by invitation, intimidation, or force—with authorized residents.

The Anti-Drug Abuse Act of 1988 included a section called the Public Housing Drug Elimination Program, providing

funding through the U.S. Department of Housing and Urban Development (HUD) for anti-drug efforts by local housing authorities, including collaboration with local police.

The 1988 Act also charged the National Institute of Justice (NIJ), the research and development agency of the U.S. Department of Justice, with researching and evaluating anti-drug efforts nationwide. Studies such as this, funded by NIJ, help advance official knowledge of successful anti-drug efforts that are essential to the battle against drugs and crime.

In addition, NIJ is funding several grants to evaluate other drug control strategies in public housing. One NIJ study covering five major cities will identify basic characteristics of the drug problem in public housing, will identify the main public housing characteristics associated with different levels of drug activity, and will

inventory different types of public housing anti-drug initiatives.

The conclusions that are beginning to emerge from NIJ's studies indicate that the focus must be wider than the simple arrest of drug traffickers. Drugs and related problems and characteristics must be tackled together.

How four cities fought back

This report concentrates on four cities that developed law enforcement initiatives potentially useful to other communities. Anti-drug approaches by HUD include tenant management and ownership initiatives, scholarship funds, Head Start programs, sports and recreation activities, drug education campaigns, and many others.¹ However, these efforts can neither commence nor thrive unless law enforcement has first established a sense of safety

From the Director

Drug abuse and drug trafficking afflict our Nation's public housing, feeding the crime that threatens individuals and families and hampering the effort to provide safe, decent low-cost housing for those in need. To rid public housing of drug trafficking and gangs is an essential first step in any responsible effort to rehabilitate or upgrade public housing units and grounds.

Gang activities and drug trafficking are fueling much of the violent crime that plagues our cities. Given the seriousness of the situation, the National Institute of Justice (NIJ) has begun a series of efforts to determine the scope of this problem and evaluate local programs to control it. In the coming year NIJ will conduct projects that:

- Examine how the criminal justice system is responding to public housing problems; what major strategies are being applied to prevent, suppress, and combat crime; and how effective those strategies are.
- Determine what role public housing authorities play in preventing crime within their areas and what is the role of the public housing resident.
- Show how law enforcement agencies, public housing authorities, and communities can work together to combat crime in public housing areas.

Across the Nation, many police departments are strapped for funds. The same is true of local public housing authorities, many of

which must often choose between making repairs or hiring private police or security personnel. At times like this, local agencies must join forces if they are to reclaim their neighborhoods from the lawless elements that infest them.

This *Research in Brief* relates how four cities are fighting back with innovative approaches to obtaining evictions, with increased police-housing authority cooperation, with energetic community policing programs. NIJ believes that these approaches may prove effective in other communities as well.

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and security. These are examples of successful law enforcement efforts:

- How the Chicago Housing Authority and the Chicago Police Department reclaim buildings that have been taken over by trespassing, drug-selling gangs.
- How Orlando, Florida, brought law enforcement and the community together through neighborhood police stations and patrols.
- How the Baltimore Housing Authority uses its own sworn police force in cooperation with the municipal police department.
- How Alexandria, Virginia, developed methods to speed up the process for legal eviction from public housing of residents involved with drugs.

Although these approaches differ, they share one common feature: In each jurisdiction, the city police, local housing authority, and public officials have worked together to combat drug abuse in public housing areas.

Chicago: A two-level approach

The Chicago Housing Authority (CHA) is responsible for some 50,000 public housing units housing 150,000 people, about 5 percent of the city's population. Drug abuse in public housing areas has been a critical problem for years.

In the past, CHA relied solely on the city police; experience with contract security personnel was not successful. A 1989 General Accounting Office report documented past problems:²

- Violent crimes against persons at CHA projects increased 63 percent over the previous year.
- Vandalism costs averaged \$7.4 million a year from 1977 through 1986.
- A 1986 survey of tenants at three high-rises found that 68 percent felt unsafe during the day and 81 percent felt unsafe at night.

The local housing agency had also experienced difficulties. In fact, HUD had begun legal action to take over the Authority's properties when, in 1988, new Authority leadership was installed. At the time the new CHA director took office in 1988, gangs had virtually taken over many of the

high-rises, extorting fees from tenants for use of elevators and entrances.

Operation Clean Sweep

Now, with the cooperation of the Chicago Police Department, the Chicago housing agency is systematically, one by one, regaining control of the more than 1,500 public housing buildings it manages. Operation Clean Sweep involves ousting trespassers, inspecting all units, securing lobbies, installing security guards, and giving residents photo identity cards. It includes trying to identify resident needs, repairing and maintaining units, and involving the residents in establishing security.

CHA also pursues other initiatives against drug use and crime on CHA property, establishing a housing authority police force, organizing resident patrols, expediting evictions, and using asset forfeiture laws to seize leases.

How it works

Operation Clean Sweep—officially the Emergency Inspections Program—is a comprehensive, multistage program.³

Phase 1: Secure the facility and restore common areas

The first and most widely publicized phase of Clean Sweep has 12 steps:

- 1. Select the site.** The CHA chairman selects a target building the night prior to the sweep, notifying only appropriate Authority department heads and the Chicago Chief of Police.
- 2. Meet offsite.** Participants from the CHA resident services, management, and security departments meet at one staging area the morning of the sweep; 30 to 50 police officers meet at a second area to review procedures.
- 3. Secure the perimeter.** A police officer is stationed at each exit on every floor of the selected building; additional police surround the building. No one is allowed to leave without first being identified.
- 4. Notify CHA.** Police notify the CHA staff that the area is secure and it is safe to begin.
- 5. Notify press and local officials.** CHA announces publicly that a sweep is under way. A press package is issued and a CHA official remains at the staging area to

handle calls and answer questions from reporters.

6. Open onsite operations center. The CHA sweep team sets up a center at the targeted building to issue resident photo identification cards, process work orders, and provide counseling and information to residents.

7. Inspect units. Each CHA inspection team has a representative from resident services, management, and security. Four to six teams go through the building, inspecting every residential unit, all storage and common areas, and utility rooms. Police do not enter occupied units unless asked by CHA personnel. However, if weapons or drugs are found, the inspection team leaves the unit and sends in the police. Residents are asked to remain in their units until the floor-by-floor inspection is completed, a process that takes 2 to 3 hours per building.

An inspection form is completed for each unit. Staff examine all structural elements to identify unsafe and unsanitary conditions. The team is instructed not to inspect any person or the personal property of any individual. The names of all occupants are checked against the lease.

8. Complete inspection. Following the inspection, the police leave and two to three CHA security guards per shift are assigned to provide 24-hour-a-day guard duty.

9. Enclose lobby. The open-air first floor of the building is walled in to control access. A repair crew seals off front and rear doorways with plywood, which is later replaced by iron gates.

10. Institute guest policy. All residents older than 7 years are issued photo ID's which must be displayed when entering. Persons not named on a unit lease have the option of (a) being named on the lease, (b) being acknowledged as a tenant guest, or (c) leaving the building. Guests must sign in on a security register and can remain only 2 weeks. At that point, they must either leave or register on the lease, which requires a background check.

11. Make building repairs. A repair crew remains for several weeks to make repairs to the building. These generally include rehabilitating lobbies, repairing lighting fixtures, painting stairwells and corridors, and removing graffiti.

2. Review social problems. The resident services representative assesses immediate needs for services. Young children left home alone, sick elderly persons, elderly persons in need of food, and others in need of immediate care are referred to social services.

Phase II: Improve property management

Improvements in administration management are designed to remove tenants who break the law or CHA regulations and ensure that new residents will act responsibly. Steps include improving income review procedures, resident screening, leasing requirements, tenant recertification, and rent collection.

Improvements in maintenance management are aimed at reducing drug activity over the long term. CHA attempts to repair and have vacant units reoccupied as quickly as possible. Damage to units is often extensive, but most routine work orders are completed in one day.

Phase III: Social services and resident participation

In the months immediately following a sweep, resident services teams make door-to-door assessments of resident needs, identifying and helping school dropouts, unemployed persons, and persons with substance abuse problems.

CHA provides rent-free space at several facilities, including Rockwell Gardens, where a branch library, a private nonprofit mental health service, and two day-care centers are now located. Also operating onsite are church efforts to reunite families and keep them together, a violence prevention and mediation service, and a unit of the Drug Abuse Resistance Education (DARE) program of the Bureau of Justice Assistance (BJA).

Residential floor captains attend the Residential Development Institute, which provides training in such areas as conflict resolution, community organizing, developing communication skills, and crime prevention. Resident building councils form committees on cleanup, safety, and services.

In addition to Operation Clean Sweep, resident patrols are being tested, and CHA has an agreement with the Chicago Police Department to train prospective CHA recruits at the police academy.

Rockwell Gardens is an example of success, where gangs no longer control the elevators and children now play on the grounds. The onsite library reports that book circulation has risen from 100 volumes a month to 700 volumes a month. Enrollment in Narcotics Anonymous has grown from 4 persons to 22.

Chicago's approach to evictions

For many years, CHA has had thousands of rent cases backlogged. Formerly, CHA filed every case in court but rarely followed up if a resident resisted. The Authority has now focused its efforts on rent nonpayment cases because its financial losses have been significant. Since many drug-involved tenants also fail to pay rent, the new process applies to drug-related cases as well.

Some judges, housing officials say, seem to think CHA is trying to drive thousands of poor people into the streets. The view being promoted by CHA is that public housing was intended to be transitional and not a permanent home for the poor, and that thousands of responsible persons are on the waiting list for public housing.

Rather than use HUD regulations to obtain evictions, CHA employs Illinois' forcible entry and detainer law, which results in court-ordered evictions when tenants fail to respond to CHA eviction notices within 14 days. Between 50 and 70 percent do not contest the eviction notice in court but those who do can extend their rent-free housing by filing for continuances.

CHA can also challenge a tenant's eligibility for public housing. Using this procedure, the Authority can tell a leaseholder with a drug-dealing child to vacate unless the child moves out. CHA believes that many tenants who can no longer effectively control their children are relieved to have this alternative. HUD encourages local housing authorities to add "no drugs" language to their leases, and CHA is updating its leases to prohibit drugs "on or near" any premises "under control of the tenant."

CHA has also begun to use the Federal asset forfeiture laws to seize leases and reclaim apartments, a tactic first used in New York. And the Chicago Police Department is actively cooperating by conducting the undercover work and investigation needed to make these cases stand up in court.

Orlando: A different approach

The Orlando Housing Authority (OHA) owns and operates 14 public housing complexes with 5,773 residents living in 1,793 units. The Authority apparently does not have the same fiscal and management problems that plague many other local housing agencies. OHA reports a high rent collection rate and units that are 99 percent occupied. OHA has about 100 employees; but it has neither a police force nor security personnel, and it does not hire off-duty police officers.

The Orlando Police Department has 513 sworn and 220 civilian employees. Neighborhood team officers are responsible for law enforcement and community relations, working with the department's drug enforcement unit and sharing with OHA information that may be needed in eviction cases.

Police and Authority officials rate crack cocaine problems as ranging from moderate to high. Typically, dealers sell drugs at housing development entrances; nonresident buyers and sellers routinely drive in and out.

Each OHA complex has problems with what police call "illicit youth groups," and although these groups are involved in some illegal activities, the police do not consider them to be organized drug-trafficking gangs.

Increasing the police presence: Neighborhood police offices

The Orlando approach exemplifies what NIJ has learned about new policing concepts: "Community policing holds that policing a city's neighborhoods is best done at the individual neighborhood level, not by centralized command and control."⁴

Establishing neighborhood police stations and foot patrols are two "back to the future" techniques urged by many police scholars to increase police visibility, improve police-resident relations, and custom tailor services to specific neighborhoods.

To combat growing drug problems fueled by crack cocaine and to fulfill a specific police commitment to improving relations with public housing residents, the Orlando Police Department and the OHA joined to establish neighborhood police offices throughout the city.

When tensions between police and black residents escalated in the mid 1980's, with violence involving police and resident shootings, two Orlando city commissioners asked the police department to join in neighborhood meetings with residents. Shortly thereafter, the police opened Parramore Community Center in a downtown neighborhood, staffed by a sergeant and three officers from the Department's community relations unit.

Encouraged by the success of these officers with neighborhood children and youths, the Department began neighborhood policing efforts elsewhere. By 1989, neighborhood policing officers were operating both at OHA housing complexes and one private facility.

Both OHA and private landlords have donated space for these neighborhood offices. Eight of the nine police offices are operated by the patrol division's Neighborhood Team Policing Program. The ninth neighborhood office is operated by the police department's community relations unit. Three offices are located at OHA housing development complexes. Three others are in private housing developments where 90 percent of the residents receive rent subsidies from OHA.

Partnership with the community

An Orlando Police Department special order states that the police team concept seeks to "... bring the police officer and the community closer ... by creating a 'we' approach to combating crime." Officers are expected to provide many community services and direct residents needing assistance to the appropriate agencies. At the same time, they patrol the housing areas, answer calls for service, and focus on drug enforcement.

Two officers—one white and one black—are assigned to each satellite office; a lieutenant and a sergeant from the patrol division supervise.

In the past, officers were always able to make undercover buys, but drug enforcement officers were frequently unable to identify suspects. Daily contact with area residents now enables the neighborhood team officers to identify suspects by viewing covert videotapes or photos.

Police and community activities

Much of the neighborhood policing team officers' time is spent with children and teenagers from the public housing sector, with the officers frequently donating their own time to serve as scout leaders or athletic coaches. Among their accomplishments:

- Persuading the school system to begin a general educational development (GED) program at one apartment complex; space was made available for a full-time GED teacher in the police office.
- Arranging job fairs.
- Operating a summer youth program at each satellite site.
- Holding an annual Christmas party for housing community children.
- Taking children on field trips and to professional sports events.

Police officers have arranged the removal of junk cars and organized cleanup projects; they are working with OHA to develop a parking decal system for residents and a resident ID card program. When nonresidents are found on public housing property without good cause, they are given trespass warnings, are photographed, and are warned not to return.

Orlando police officers say hostility has diminished to the point where they no longer feel endangered when visiting the housing areas.

OHA administration and property managers hope to expand the concept to other sites, with staffing time expanded beyond the present 8 hours a day, 5 days a week. The Authority has applied for Housing and Urban Development grant funds to support the program, which is presently funded by the city of Orlando.

Orlando's approach to evictions

OHA relies upon language in its present statutes to evict tenants for:

- Using or permitting a unit to be used other than as a private dwelling.
- Acting or permitting others to act in a manner that disturbs neighbors' peaceful enjoyment of their accommodations.
- Engaging in illegal or other activity that impairs the physical or social environment.

Although Florida law permits eviction upon conviction of a drug offense, OHA believes *arrest* is sufficient cause for eviction under a "preponderance of evidence" standard. None of the evictions obtained has yet been appealed.

Improving security: Baltimore Housing Police

Routine demands on city police in Baltimore, Maryland, usually meant that they were unable to monitor the closed-in hallways, stairways, and recessed walkways that characterize that city's high- and low-rise public housing.

For more than 3 years, the Housing Authority of Baltimore City (HABC) has operated its own sworn police force, which not only fills the gap left by the lack of city police in housing projects but also encourages police-citizen interaction.

The fourth largest housing authority in the Nation, HABC shelters 50,000 low-income residents in:

- 23 senior-citizen highrises.
- 18 family highrises.
- 200 family lowrises.
- 2,500 row houses and single-family detached homes.

The Housing Authority Police (HAP) force was organized in 1987 in cooperation with the Baltimore City Police and State law enforcement certifying agencies. Although a force of 70 sworn personnel was authorized in 1992 only 50 of these positions are filled, largely because of competition with other police agencies for personnel.

HAP's officers have law enforcement powers, certified by both city and State, in and immediately adjacent to public housing areas. In addition, nearly 200 civilians are employed by HABC's division of security and police services; 184 of these work as security monitors and access control officers at authority properties.

Of 368 HAP arrests in 1991, 52 percent were drug related. A quarter of all drug arrests involve crack cocaine, which is considered a growing problem. There are no organized street gangs per se, but drugs are sold hand-to-hand and from apartments.

Each highrise building has a single entrance, controlled by a monitor from a locked booth. Heads of households carry picture ID's. Using these, a card file of other residents, and an intercom system, building monitors identify each entrant.

These 8-hour-a-day, \$6-an-hour security positions are difficult to fill. The security director has established stringent background checks after replacing his entire staff because of widespread involvement in sales of drugs and stolen property.

Close cooperation with the city

HAP provides 24-hour vehicle and foot patrols in the public housing community. Four highrise developments have regular foot patrols, and followup criminal investigations are provided for approximately 30,000 public housing residents in other areas of the city. Two officers are assigned full-time to drug investigations and cooperate closely with Federal, State, and local agencies.

HAP runs its own communications network from a downtown office building and also maintains a link with the Baltimore City Police. The city police are dispatched as primary units on emergency calls and most nonemergency calls from the public housing units; HAP officers respond to calls from the security monitors and also handle any witnessed offenses. HAP priorities are to maintain a visible police presence and encourage police-citizen interaction.

HAP reports that city police, considered outsiders, are often pelted with rocks and bottles when they make calls at public housing facilities, while the HAP officers are considered part of the neighborhood and are left alone by tenants.

A squad of 20 off-duty Baltimore police officers staff the 5 p.m. to 1 a.m. shift (when most calls occur), assisting HAP officers and working in uniform as partners with the HAP personnel. These officers are specially selected for their ability to work with people, and must have had no disciplinary actions brought against them for assault or other citizen-related complaints.

Special HAP projects

HAP's Junior Police Cadet Program targets youngsters age 13 to 17, many as-

signed by juvenile courts. These youths work in uniform with HAP officers, attaining rank by taking part in community service programs and assisting the elderly. The program comprises as many as 250 cadets during the school year; up to 1,000 during the summer.

HAP also maintains a telephone hot line for reporting drug-related offenses. Anonymous tips received over 83-REACT are immediately reported to the city police.

How Alexandria is speeding up evictions

The Alexandria (Virginia) Redevelopment and Housing Authority (ARHA) manages about 1,150 housing units in 11 neighborhoods. Several units are located in the historic Old Town area, a retail and tourist location that is also characterized by expensive townhomes, historic sites, moderate- to upper-income apartments, and new commercial and office complexes. Only two public housing units are highrise, and both are reserved for senior citizens.

In 1988, according to the Mayor's office, nearly 70 percent of all narcotics-related arrests throughout the city involved cocaine; street sales of cocaine powder, crack cocaine, marijuana, and other drugs tended to be concentrated on streets in or near the public housing projects in Old Town. The proximity of several Old Town public housing areas to the Capital Beltway around Washington, D.C., makes them especially convenient for drive-in, drive-out drug purchases by nonresidents.

In March 1989, a drug-related hostage situation and shootout in Old Town left Alexandria Police Corporal Charles Hill dead and another police officer wounded.

The perpetrator, not an Alexandria resident, was killed by police. The hostage, a public housing resident of Old Town, had been served an eviction notice for nonpayment of rent shortly before the incident. She was later charged with drug possession and was subsequently evicted.

Shortly after Corporal Hill's death, the mayor of Alexandria asked HUD to exempt Virginia from HUD's administrative grievance procedures, which permitted tenants who were served eviction notices to request a hearing and, if the result was

unfavorable, appeal to a local court. Within 3 months of the granting of Virginia's waiver, 29 other States and the District of Columbia also received waivers.

A change in Virginia law, however, may be even more valuable in quickly removing tenants for drug activity. ARHA may now give 14 days notice of eviction for nonpayment of rent (in lieu of the previous 30 days) and may evict tenants for certain drug activities immediately. As a result of the changes, ARHA has accomplished several evictions with as little as 3 or 4 days' notice.

Procedural safeguards

The expedited procedures, however, must still provide due process of law. While landlord-tenant disputes in Virginia are normally heard in the General District Court, the limited procedures for discovery in that court do not satisfy HUD's due process requirements. It was decided, therefore, to file public housing drug-eviction cases directly in Circuit Court, which provides for full discovery in all civil litigation.⁵

Alexandria's efforts to expedite evictions have received widespread publicity. However, other less well known anti-drug efforts there are significant. For instance, a police officer is assigned full-time to coordinate police-housing authority drug enforcement efforts; the police tactical unit focuses on public housing in its drug enforcement program; and tenants in one area of the city keep periodic all-night vigils against drug dealers.

Other tactics have helped ARHA's anti-drug effort:

- A task force of top-level public officials—including the police chief, city manager, director of human services, and city attorney—has been formed to coordinate drug enforcement in public housing areas.
- ARHA has given city police standing authority to arrest violators, and ARHA properties are marked with "no trespassing" and "no loitering" signs.
- Lighting in common areas of public housing developments has been improved, and security surveys are regularly conducted.

In summary

Active cooperation between the housing authority and law enforcement is helping the housing authority reclaim control of public housing from gangs in Chicago.

Orlando's neighborhood policing not only helps reduce drug activity, but provides positive alternatives for children in housing projects and improved police relationships with residents of all ages.

Baltimore's Housing Authority police demonstrate how security needs can be met through specialized, housing-directed efforts to augment city police services.

Cooperation between law enforcement and housing authority officials in Alexandria has helped to establish a model eviction program for other jurisdictions to consider.

Notes

1. HUD operates its own drug clearinghouse, Resident Initiatives Clearinghouse (RIC), P.O. Box 6424, Rockville, MD 20850; telephone, 800-922-2232 or, in Maryland and Metropolitan Washington, D.C., 301-251-5154.

2. U.S. GAO, *Chicago Housing Authority Taking Steps To Address Longstanding Problems*, June 1989.

3. The program was described by CHA Director Vincent Lane in "Testimony Before the Subcommittee on Housing and Urban Affairs of the Committee on Banking, Housing, and Urban Affairs, U.S. Senate," July 20, 1989.

4. Robert Wasserman and Mark H. Moore, *Perspectives on Policing: "Values in Policing,"* Washington, D.C., National Institute of Justice and Harvard University, November 1988.

5. On March 2, 1992, however, the U.S. Court of Appeals for the Fourth Circuit enjoined the Federal program to expedite forfeitures of the public housing leases for drug offenses. [*Richmond Tenants Association* case, 956, F 2d 1300 (4th Cir. 1992)]

The Department of Justice and HUD were encouraging public housing authorities in more than 20 cities to pursue immediate removal of tenants upon issuance of a seizure warrant under Rule 41, Federal Rules of Criminal Procedure. The rule authorizes search and seizure warrants upon a showing of probable cause in an ex parte hearing.

The Fourth Circuit held that immediate and summary eviction of tenants is a more serious constitutional deprivation than mere seizure of the property itself and that, absent exigent circumstances, the due process clause of the fifth amendment requires notice and a hearing prior to an eviction.

The decision may be appealed to the U.S. Supreme Court.

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Findings and conclusions of the research reported here are those of the researchers and do not necessarily reflect the official position or policies of the U.S. Department of Justice.

The Assistant Attorney General, Office of Justice Programs, establishes the policies and priorities, and manages and coordinates the activities of the Bureau of Justice Assistance, Bureau of Justice Statistics, National Institute of Justice, Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime.

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