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**The Use of Civil Remedies
for Neighborhood Crime and Drug Abatement
by Community Organizations**

Submitted to the
National Institute of Justice

Submitted by

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Chapter I Introduction and Background

In recent years, the application of civil remedies to control criminal behavior has become more common. Finn and Hylton (1994) cite the effectiveness of civil remedies for a wide range of criminal behaviors, including drug dealing, hate crimes, domestic violence, and "chop shops", the stealing and reselling of cars or car parts. Increasingly, prosecutor's offices (Lurigio *et al.*, 1993), multi-agency task forces (Smith *et al.*, 1992), and police departments (Green, 1996) are successfully using civil abatement processes in community-based drug control strategies. Davis and Lurigio analyze the current state of neighborhood anti-drug programs, including traditional police methods and community policing, and conclude "drug house abatement laws are probably the most cost-effective law enforcement approach to combating neighborhood drug problems" (1996, p. 124).

In a 1993 survey of community organizations across the U.S., the use of civil remedies for drug abatement and neighborhood improvement was found to be one of the newest and most promising strategies launched by citizens and community groups to combat drug trafficking and drug-related crime and violence in their neighborhoods (Roehl *et al.*, 1995). Community organizations use civil remedies such as the enforcement of building and safety codes, eviction of problem tenants, lobbying for new legislation, and small claims court actions primarily for enforcement and eradication of problems which destroy the quality of neighborhood life and bring harm to residents. Community organizations also use civil remedies in proactive ways, aiming to prevent conditions which harbor drug and crime problems, and, to borrow from a phrase from community crime prevention, re-weave the social fabric of community life. Kristen Hansen, a young intern working under the direction of former NIJ program manager George Shollenberger, introduced the term "social legislation" to describe progressive uses of civil remedies designed to improve and protect the quality of neighborhood life (Hansen, 1991).

Community groups have written and lobbied for the passage of drug abatement ordinances. Where the ordinances, safety regulations, and laws already exist, community groups have organized citizens to pressure public agencies to apply appropriate civil remedies to particular buildings and provided assistance (e.g., surveillance, information gathering) in their application (Weingart, 1990). Similar tactics may be used to pressure landlords and owners to evict tenants, seal up or renovate vacant properties, or take other lawful civil action (Feldman & Trapp, 1990; NCPC, 1992).

Through a grant from the National Institute of Justice, the Institute for Social Analysis (ISA) conducted a national study of the extent, nature, and effectiveness of the use of civil remedies by community members and groups to reduce neighborhood violence, crime, drug use and trafficking. The study was designed to answer the following questions:

1. What is the nature of the use of civil remedies in the pursuit of drug eradication, crime prevention, and neighborhood improvement? Specifically:
 - What are the targets of remedies?
 - What specific strategies are applied?
 - Who is involved and in what roles?
 - What are the characteristics of the neighborhood surrounding the specific problem?
 - What is the involvement of residents?
 - What is the relationship between citizens and police, and between citizen groups and other local government agencies?
2. To what extent are the remedies reactive, preventive, or proactive? What characteristics of community groups and neighborhoods lead to the application of different types of remedies?
3. How effective are the different strategies in achieving their goals and objectives?
4. What are the promising approaches to the use of civil remedies for drug abatement?

Methodology. The main task of research plan was to identify a sizable, representative sample of community organizations involved in the use of civil remedies to abate crime, drug, and disorder problems. We gathered lists of community organizations from variety of national resources, then called each organization to confirm basic contact information and preliminarily assess the extent of their use of civil remedies. The national resources used included:

- A list of 95 community organizations which reported using civil remedies in anti-drug efforts in ISA's 1993 national study of nearly 500 community organizations (Roehl *et al.*, 1995a). The sample of 500 was gathered from a stratified sample of law enforcement agencies and large organizations serving community-based organizations, including the National Crime Prevention Council, Community Responses to Drug Abuse, Citizens Committee for New York City, and the International Society of Crime Prevention Practitioners.
- Mailing lists from a variety of local and national organizations, including the Community Law Center, citizens Committee for New York City, National Apartment Association, Local Initiatives Support Corporation, and Neighborhood Challenge Program in Sacramento.
- Telephone contacts with experts in the field.

Of the final sample of organizations identified (over 125), a sizable number could

not be reached and a number of others, based on our screening questions, did not appear to use civil remedies. A final sample of 73 community organizations resulted. Telephone interviews, scheduled in advance, were held with administrators of the 73 organizations. Four organizations were selected for site visits, to develop case studies of the central approaches to civil remedies by community organizations. The initial screening instrument, interview questionnaire, and site visit guidelines are attached in Appendix A.

Limitations of this research. We made a systematic, diligent search for community organizations involved in civil remedies, tapping all known major sources. Based on the characteristics of the final sample and our experience in this area, we believe the final group of 73 organizations adequately reflects the population of interest, but certainly other organizations are out there, doing good work. Some organizations, such as the Northwest Bronx Community and Clergy Coalition, have been the subjects of many case studies in community crime prevention over the years and declined to participate in this one.

The data collection aimed for subjective, detailed information from those involved in community efforts rather than the original collection of hard numbers, statistical measures of change, and the like. The result is a description of current community-based civil remedy approaches, useful for understanding the strategies, developing assistance for local efforts, expanding to new areas where appropriate, and illuminating issues for further study. This study cannot provide definitive answers to specific questions such what works best where or just how much community involvement is needed for an effective strategy.

Organization of this Report

In the next two chapters, the characteristics of the community organizations and the target areas they serve are described (Chapter 2) and the types and prevalence of the civil remedy strategies they implement are summarized (Chapter 3). Chapter 4 contains the four case studies. Chapter 5 presents a summary of the findings, conclusions, and practical needs and advice. Appended to the narrative are the research instruments, samples of ordinances used in civil remedies, and resources for further information.

Chapter 2

National Survey Results: Descriptions of Organizations Surveyed and the Areas They Serve

As described in the methodology section of the first chapter, efforts to identify and survey community organizations active in the use of civil remedies for crime and drug problems culminated in in-depth telephone interviews with the administrators of 73 community organizations located across the U.S. In this chapter, we describe these community organizations and the nature of the problems they tackle.

Characteristics of Community Organizations Using Civil Remedies

The community organizations which use civil remedies for fighting crime and drug problems in their target communities vary in many significant dimensions, such as their objectives, size, and resources. They do, however, have important characteristics in common. Their long-term goals revolve around central themes of achieving long lasting improvements in the community to make it safer, cleaner, and more stable, while increasing community cohesion, self-sufficiency, and power. Virtually all of the community organizations work within neighborhoods where crime, substance abuse, and physical decay are evident -- drug dealing is the #1 problem that captures their attention and energies.

The organizations in this survey range from small and virtually unfunded, to those which have substantial external funding and staff support. Drake Park Neighbors for Action, in Des Moines, Iowa, is illustrative of the smallest organizations. Drake Park Neighbors work to end crime and drug dealing in an eight square block neighborhood of 900 people. It is a volunteer-driven organization, with no paid staff and an annual budget of \$1300. Fighting Back of Vallejo, California, is an example of one of the larger organizations in our survey, with eight full-time staff and an annual budget of around \$800,000. The Fighting Back efforts target violent crime, crack houses, alcohol-related crime, and disorder problems throughout the city of Vallejo. The organizations in between these include groups such as the Greenmount West Community Association in Baltimore, Maryland, which works to reduce drug dealing and sanitation problems in a small neighborhood (population 1700) on an annual budget of \$47,500, and the Los Alamos Citizens Against Substance Abuse in Los Alamos, New Mexico, which relies on \$250,000 per year and community support to address alcohol abuse, drug use, and vandalism throughout the small Los Alamos County (population 18,000).

Size and resources. Table 1 on the following page presents a snapshot of the funding and staffing of the organizations in the national survey. The majority do not have a defined membership; of the third that do, members tend to be broadly defined as individuals who live or work in the target community, pay membership dues, and/or attend a minimum number of meetings. Average membership is just over 200 members,

although several organizations with a very large membership raise the average much above the median of 60 individual members. Only two of the groups reported no individual members at all; these are umbrella organizations that primarily provide support and technical assistance to other community-based organizations. About a third of the organizations also report having group members -- other community organizations, for example -- indicating that a sizable proportion of the organizations using civil remedies serve as umbrella organizations, providing services or assistance to others.

Table 1
Characteristics of Community Organizations
Engaged in Civil Remedies

1. Membership	
a. Number with a defined membership:	26 (38%)
b. Number with individual members:	52 (71%)
Mean number of individual members	206
Median	60
Range	3-1200
c. Number with group members:	23 (32%)
Mean number of group members	32
Median	25
Range	3-115
2. Operating funds	
a. Number with operating funds:	57 (79%)
b. Annual budget: Mean	\$377,205
Trimmed mean (top 5% removed)	\$238,762
Median	\$100,000
Range	\$50-\$4,000,000
c. Percentage of operating funds provided by:	
1. Federal, state, or local government	47%
2. Private organizations, foundations, or United Way	17%
3. Fund raising events, membership fees, or individual contributions.	36%
3. Staffing	
a. Number with paid staff	44 (61%)
b. Average number of full-time staff	8 (1-60)
c. Average number of part-time staff	5 (1-42)
4. Availability of legal assistance	
a. Attorney on staff	4 (6%)
b. Attorney available	54 (78%)
c. None	11 (16%)

Nearly 80% of the surveyed organizations report having operating funds, although the amount of support has a remarkable range, from \$50 a year to \$4,000,000. The average annual budget is approximately \$239,000 (with the highest 5% removed); the median is \$100,000 per year. These statistics, however, mask the low level of financial support of a significant number of these community organizations -- approximately 40% reported an annual budget of \$20,000 or less.

Government sources, whether federal, state, or local, account for the largest portion of support (47%), followed by an assortment of locally-generated funds produced by fund-raising efforts, membership fees, and contributions (36%). Thirty percent of the organizations reported that these independent sources of funds were their only source of operating income (40% also said they received no government support at all). Organizations with group members are larger and better funded than organization without group membership -- the annual funding of the former averages \$465,339 compared to \$78,514 of organizations without group membership.

Over 60% of the organizations have at least one paid staff person; on average, the organizations have eight full-time and five part-time staff. Half of the organizations surveyed have five or fewer staff members.

Legal assistance is often a need of community organizations using civil remedies approaches, and four of the organizations have an attorney on staff. Over three quarters of the organizations reported they have an attorney available to them, while 11 (16%) reported having no legal assistance available to them. Twelve organizations have used a community legal clinic for assistance, such as the Community Law Center in Baltimore, and seven have used legal service organizations. Of the majority who reported available legal assistance, many indicated that they relied upon an attorney who was a member of the organization's board, lived in the community, or was a friend of one of the organization's members. In most cases, this attorney offered the organization services on a *pro bono* basis. Organizations with an attorney on staff had a significantly higher annual budget than the other organizations.

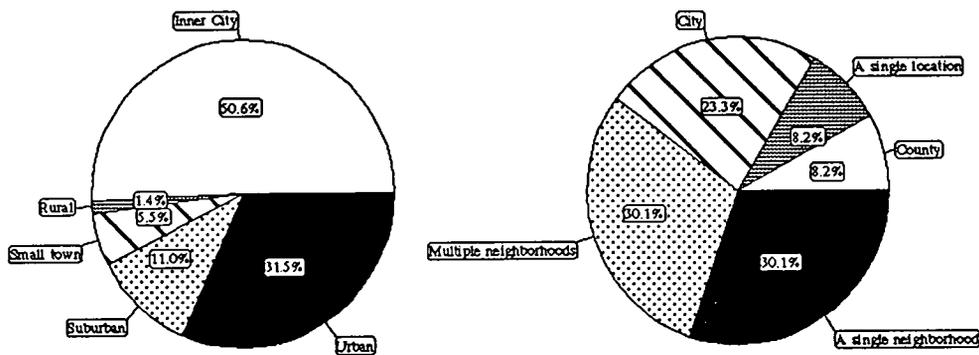
Even though many organizations operate on relatively low annual funding, the majority (71%) have an office from which their organization operates. Organizations without formal offices tend to be neighborhood associations and block groups which operate out of residents' homes. Most of the organizations meet regularly, typically on a monthly basis (57% do so). Of note is the number of organizations that meet regularly on a frequent schedule; nearly 12% meet twice a month and over 13% meet **daily**. A small percentage of the organizations meet irregularly, on an as needed basis only.

Characteristics of Areas Served

Figures 1-3 and Table 2 present information on the areas served by the community organizations described above. The majority (82%) of the administrators

surveyed reported that their target areas are in urban areas, with just over half specifying their target communities are inner city areas (Figure 1). Just over 10% concentrate in suburban areas, and a fraction work in small towns and rural areas. Just over 60% of the organizations work in target neighborhoods, rather than targeting an entire city or county; of these, half (30% of the total sample) work in a single target neighborhood, including the Greenmount and Drake Park groups mentioned in the beginning of this chapter. Nearly a third of the organizations do, however, target an entire city or county. A small number (8%) of the organizations target a particular location such as a single building, an apartment complex, or a specified section of the downtown business area.

Figure 1: Location and Type of Target Areas



As shown in Table 2, the average population of the organizations' target areas is just over 150,000, with a range of 500 people to two million. The endpoints of this range are a four block area of Pasadena, California, and the greater metropolitan area of Houston, Texas. The median population figure of the target areas as a whole is just over 40,000 people. These are large target areas for community organizations; the average size of a single "neighborhood" target area is 14,743 people.

The target areas, as characterized by the administrators interviewed, are primarily low income (56%), although over a quarter were described as including all income groups and 16% were described as middle or upper income areas (see Table 2). Interestingly, the reported income level of the target area was inversely related to funding amounts. The average budget for community organizations serving middle income areas was about \$80,000. Budgets for organizations working in lower income, working class areas averaged just over \$300,000, and doubled for organizations working primarily in lower income areas with most residents on public assistance.

On average, about a third of the residents in the target areas are White, 43% are African-American, 14% are Hispanic, 6% are Asian, and 3% are other ethnic groups (Table 2). The racial composition of the target areas was related to the type of target area. As shown in Table 3, the average percentage of African-Americans increased when the target area was a particular location, single neighborhood, or multiple neighborhoods; the opposite was true for Whites. Also, over four out of five of the target areas were predominantly (at least 50%) populated by a single ethnic group.

Table 2
Target Area Population Characteristics

1. Population size	
Mean	154,492
Median	40,640
Range	500-2,000,000
2. Income level	
a. Upper income:	1 (1%)
b. Middle to upper income:	2 (3%)
c. Middle income:	9 (12%)
d. Lower income, working class:	28 (38%)
e. Lower income, most on public assistance:	13 (18%)
f. Includes all SES groups:	20 (27%)
3. Ethnicity (average %)	
a. White	34%
b. African-American	43%
c. Hispanic	14%
d. Asian	6%
e. Other	3%
4. Owner-occupied residential property (average %)	51%

Table 3
Relationship between Target Area Ethnicity and Type

	Overall	One neighborhood	Multiple neighborhoods	City	County
White	34%	21%	26%	53%	82%
African American	42%	56%	46%	19%	7%
Hispanic	14%	16%	16%	14%	10%
Asian	6%	5%	11%	7%	7%
Other	3%	4%	1%	6%	1%

Most of the target areas were described as primarily residential, with some commercial property in the target area or nearby. The majority of the areas have a combination of single family homes and apartment complexes; respondents indicated that approximately 50% of the target area's homes are owner-occupied, with higher owner occupancy in rural areas and lower in inner city areas.

The survey respondents were asked to describe the people who live in their target areas. Some indicated their communities were very homogeneous, with similarities seen in age, race, attitudes, and cohesiveness; others described neighborhoods that are very eclectic, with community residents often polarized in their outlooks. Single location target areas (apartment complexes, a particular block, etc.) tended to be associated with dichotomies among the residents in terms of age, with large populations of both elderly residents and youth, and household structure and transiency, with large numbers of both older home owners who have lived in the area for many years and younger, more mobile, single female heads of households. Respondents from target areas that are single neighborhoods were most apt to report that their community contained a wide range of ages and was fairly cohesive, with a high rate of familiarity among neighbors.

Figure 2 on the next page displays the respondents' ratings of problems in their target area. Respondents were asked to rate nine crime and disorder problems commonly addressed by community-based groups (these are listed in Figure 2). The problems rated most severely (3.7, average, on a scale of 1 to 5) were open air and residential drug dealing; drug dealing from commercial properties (bodegas, stores, restaurants, etc.) was less of a problem, yet still cited as at least a minor problem by nearly 80% of the respondents. Crack cocaine and alcohol were cited as the most severe substance abuse problems in the target areas, with nearly 75% of the respondents reporting that they were significant or major problems. A focus on single location target areas was also correlated with crack cocaine problems, indicating that many organizations may be specifically targeting a particular crack house or crack cocaine marketplace.

Violent and property crime were also rated as moderate to significant problems, as were problems of blight, trash, and abandonment of properties (Figure 2). These latter problems, while usually non-criminal in nature, are highly detrimental to the quality of neighborhood life. Open air drug markets were significantly correlated with violent crime (.37) and social disorder (.36), while residential drug dealing was significantly correlated with property crime (.38), excessive trash (.45), and rundown or abandoned property (.42).

Figure 2: Ratings of Target Area Problems

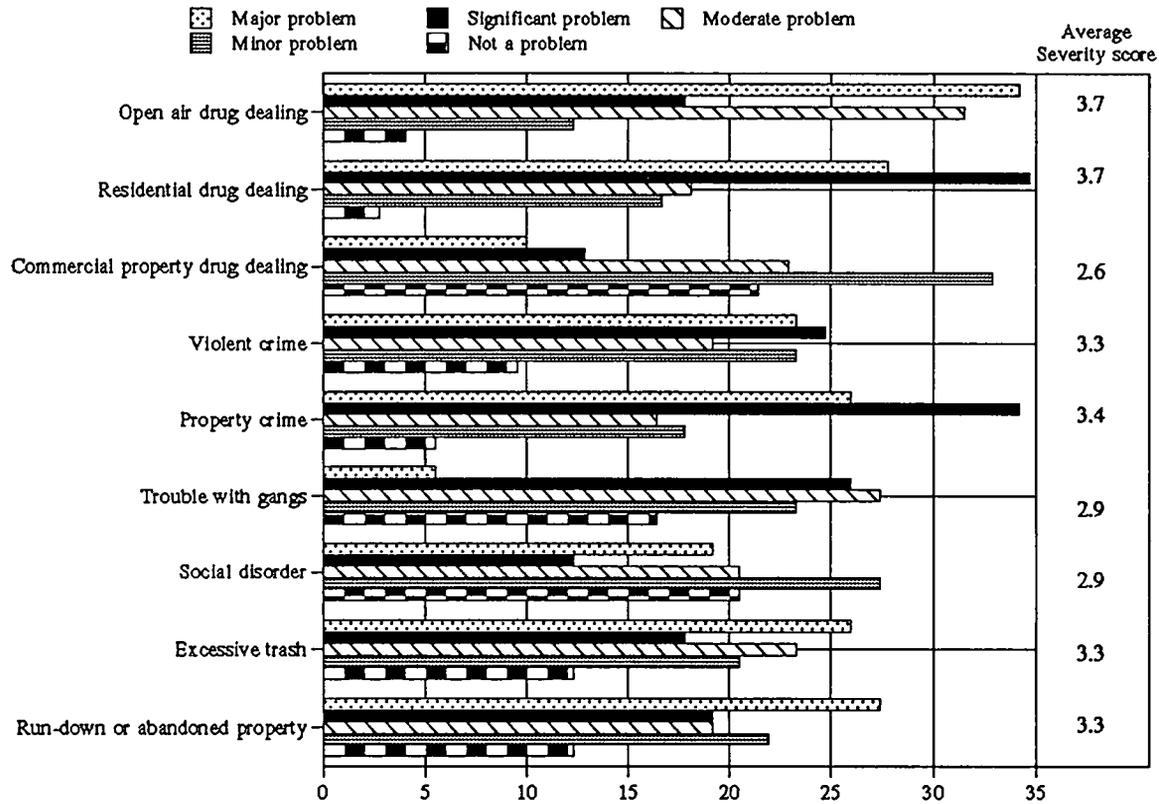
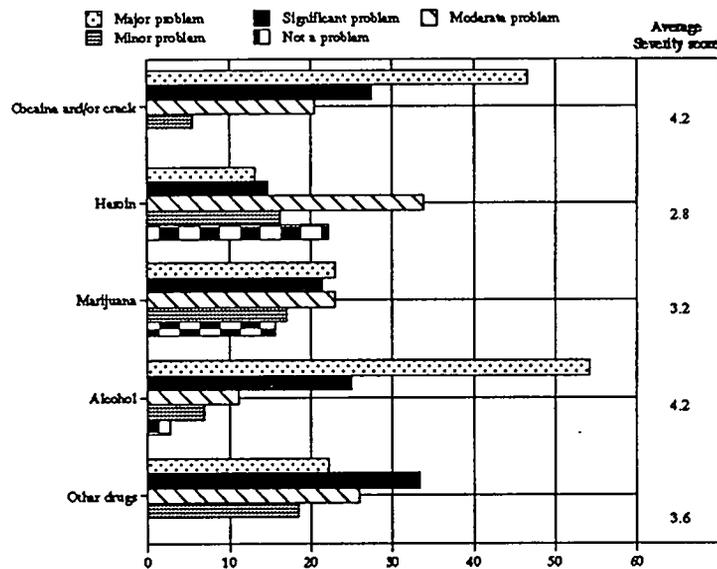


Figure 3, on the next page, presents information on the severity of problems with different licit and illicit substances. Crack/cocaine and alcohol were rated as the most severe; with alcohol viewed as a major problem by over half of the respondents. These results are in accordance with other recent research conducted on community substance abuse problems (Cook *et al.*, 1994).

Figure 3: Severity of Drug Problems in Target Area



Primary organization activities. Under the umbrella of long-term goals of community improvement and empowerment, the main activities of the community organizations in this survey varied greatly. A number of the community organizations indicated they did not focus on one particular problem but rather addressed the overall enhancement of the community through the education of residents, neighborhood beautification, networking with police, economic development, and collaboration with city agencies. Others focused on specific problems, such as improved street lighting, establishment of community policing in their area, removal of graffiti, improved conditions and availability of low-income housing, physical clean-ups and environmental alterations, alcohol and drug awareness programs, planning neighborhood events, addressing zoning issues, and reporting of crime and suspicious activities. No groups reported being formed solely to respond to an acute problem.

When asked what percentage of their work was directed toward the prevention of crime and drugs, intervention in existing crime and drug problems, or other activities not related to crime and drugs, the respondents reported 43% of their efforts were prevention-oriented, 31% were intervention-oriented, and 26% of their activities were not related to crime or drug issues. About two-thirds of the organizations, however, reported that *all* of their efforts are in some way related to crime or drug problems.

Chapter 3

National Survey Results:

Types and Prevalence of Civil Remedies by Community Organizations

In this chapter, the presentation of the survey results continues, presenting details on the civil remedy strategies used by community organizations, including the role of citizens, collaboration with city agencies, ordinances used, resources needed, and results. The chapter ends with a presentation of several of the overarching issues of community-based civil remedy applications -- complaints of civil rights violations, retaliation against organization staff and community activists, and training and technical assistance needs.

During the telephone interviews, community organization directors were read a checklist of civil remedy strategies and asked whether their organization used each strategy in their efforts to mitigate crime and drug problems. Table 4 lists the strategies along with the number of organizations reporting they use the specific civil remedy.

As shown in Table 4, the two most common civil remedies used by the organizations surveyed are strategies common to many community crime prevention and neighborhood improvement efforts -- neighborhood clean-ups and physical improvements and reporting crime and drug information to police and other law enforcement authorities. The next three strategies, while not brand new approaches, are innovative civil remedies that strike at the heart of the civil remedies approach. These strategies -- pressuring government agencies to enforce regulations, working with landlords and owners to resolve problems, and urging legislative bodies to establish ordinances, statutes, etc., that can be applied to drug and crime problems -- are used by 74% or more of the organizations surveyed. The next five strategies are related to the remedies cited above, and involve making environmental changes and working with authorities informally and formally to press for civil action on problem properties. About a third of the organizations report that they have taken unilateral, direct action to resolve a problem, such as boarding a vacant building.

The specific strategies listed in Table 4 have much in common, including the use of the ordinances, codes, laws, etc., discussed in the following sections. We gathered detailed information on the strategies by asking each respondent to identify their top three civil remedy strategies and answer a series of questions about each strategy's targets, steps, role of staff, role of citizens, ordinances used, legal help needed, and results. Because of the similarities of many strategies, we discuss them below in four broad areas -- strategies involving *environmental changes* (specific strategies 1 and 6 in Table 4); *enforcement strategies*, which include working with police and other agencies (strategies 2, 3, 7, 8, and 10), working with landlords and owners (strategies 4 and 14), and taking direct action against problems (strategy 11); lobbying for or *creating new civil remedies* (strategies 5, 9, 12, and 13), and using civil remedies in *preventive and proactive* ways to deal with crime, drug, and disorder problems (not shown in Table 4).

Table 4
Prevalence of Civil Remedy Strategies

Strategy:	Number and percent of groups using strategies
Area clean-up, improvements, demolition, board-ups, etc.	93%
Report information to authorities (including license plates, logs of illegal activity).	86%
Pressure government agencies to enforce building and health codes.	85%
Pressure landlords and property owners to deal with a problem.	78%
Urge government or appropriate agencies to establish (pass) new or revised ordinances, laws, statutes, etc.	74%
Specific environmental changes (e.g., removing pay phones, altering traffic patterns, etc.).	74%
Ask authorities to enforce alcohol and beverage laws and regulations.	63%
File formal complaints with prosecution or law enforcement to enforce ordinances, laws, statutes, etc.	60%
Appear at hearings regarding the issuance or renewal licenses and permits.	52%
Ask authorities to initiate seizure and forfeiture actions.	51%
Fix a problem directly (e.g., board a building).	38%
Initial legal action (e.g., small claims court filing, testifying in civil suit, etc.).	36%
Banning of drug-related items (e.g., beepers, paraphernalia, etc.).	29%
Training and assistance to landlords and property owners (e.g., how to write a drug-free lease clause, tenant screening procedures, obtaining low cost loans, etc.).	27%
Other civil remedy strategies not listed above.	19%

Ordinances, Codes, and Statutes Used in Civil Remedies

Civil remedies approaches to drug, crime, and disorder problems often involve the creation, application, and/or enforcement of civil laws and regulations. Many actions undertaken by community organizations and members rely on the legal clout afforded by certain laws to impel landlords and owners to resolve problems, or enable enforcement agencies, courts, or the community organization itself to take action if necessary. However, some organizations implement civil remedies, particularly environmental changes, prevention strategies, and others, without the power of civil laws or regulations. And some organizations, seeing a need, work to create appropriate legislation for dealing with a community problem.

A wide variety of statutes, codes, and ordinances are used in civil remedies. In this report, we use several commonly accepted definitions. Laws refer generically to rules prescribed by the government and enforced by judicial decision. Ordinances are generally laws enacted by municipal (city) or county elected bodies; statutes are generally laws codified by state or federal legislative bodies. Codes refer to municipal (generally health, building, safety, and fire codes that have, in many instances, come about through the adoption of the nationally accepted Uniform Building Code which specifies physical requirements of buildings, streets, etc., to ensure public safety. Some of the laws used in civil remedies are fairly new, enacted as a result of needing new and innovative tools effective in neighborhood-based drug dealing situations. Others are quite old, and while they were created to address different problems, have proven effective in addressing modern day drug and nuisance problems (one example is the use of New York City's 125-year old "bawdy house" statute for drug abatement purposes).

Below, the primary types of laws used by community groups are listed by generic title and described. Specific examples of laws and ordinances used by community groups in this survey are attached in Appendix B; while we requested copies of the ordinances, codes, etc., each organization used, few were ultimately received. Many organization representatives know which ordinances guide their strategies, but did not have copies of them.

We also caution the reader that the use of ordinances, etc., raise many legal issues that are not addressed here, including constitutional challenges to specific ordinances. The reader is advised to seek additional information from other sources¹ if

¹Three recent documents may be helpful. *A Civil War: A Community Legal Guide to Fighting Street Drug Markets* (1993, published by Cadwalader, Wickersham, & Taft, Attorneys At Law) provides an analysis (including constitutional issues) of a wide variety of laws and ordinances. Many are from New York state or city, but applicable to other jurisdictions as well. A 1992 report by Smith, Davis, Hillenbrand, and Goretsky, *Ridding Neighborhoods of Drug Houses in the Private Sector* (American Bar Association) includes

contemplating the use or establishment of specific ordinances.

The types of civil regulations used most frequently by the community organizations surveyed are:

- ▶ *Drug/nuisance abatement ordinances.* These ordinances are generally city ordinances, although a few of the organizations rely on similar county ordinances or state statutes. The ordinances generally enable a plaintiff (private citizens, community organizations, agencies, etc.) to take legal action against an owner who knowingly allows a crime or nuisance problem to exist at his or her property. Usually owners must be notified in writing, perhaps through certified mail, that a problem exists at their property; many organizations provide considerable evidence and documentation at this point. If the owner fails to resolve the problem, a court may fine the owner (e.g., \$100/day for each day the problem is knowingly allowed to exist), order the property closed, allow the city to take action at the owner's expense, seize the property, or order other remedies. Community organizations use these ordinances against drug dealing, other crime problems, and blighted properties. Many times the eviction of problem tenants (i.e., drug dealers) is the main resolution sought, as are cleaning and fixing up blighted properties, physical improvements to buildings, and boarding and sealing vacant buildings.

Smith *et al.* (1992) reviewed nuisance abatement ordinances in a 50-state statutory analysis. They found that most abatement ordinances designate public prosecutors (district attorney, city attorney, etc.) as the individual who may bring an abatement action, although citizens may initiate actions in at least 16 states. The most common sanction specified by abatement ordinances is the temporary closure of the premises, usually up to one year. Abatement ordinances also commonly authorize the sale of property used to maintain or facilitate the nuisance, permanent closure, civil penalties (\$300 to \$25,000), forfeiture, sale of the building, and payment of the abatement costs.

These types of civil ordinances often require less burden of proof than criminal

a 50-state review of statutes used to control drug activity on private premises. Finn and Hylton's monograph, *Using Civil Remedies for Criminal Behavior: Rationale, Case Studies, and Constitutional Issues* (National Institute of Justice), reviews the application, advantages, disadvantages, and constitutional challenges of three common abatement statutes.

Several organizations with substantial knowledge and experience in the application of civil remedies provide technical assistance to community groups. Their names and contact information are included in Appendix C.

statutes. For example, a community organization can present compelling evidence of drug dealing (traffic patterns, specifics of dealing encounters, etc.) acceptable to a court to enforce a drug abatement ordinance and result in the drug dealer's eviction, whereas a criminal arrest by police would require an undercover or informant buy with appropriate physical evidence, etc. Some ordinances, however, have more stringent requirements. The narcotics nuisance abatement legislation used by the Cook County State's Attorney's Office, for example, defines a drug house nuisance as any property where arrests for illicit drug activity have occurred within a 12-month period. Smith *et al.* (1992) reported that the most common evidence required for abatement ordinances is "the general reputation of the building"; other states consider criminal convictions related to the alleged violation, the reputation of tenants or frequent visitors, and previous convictions and arrests.

Similar ordinances have different names in different jurisdictions, including:

- Drug Abatement Ordinance
- Nuisance Abatement Ordinance
- Padlock laws
- "Bawdy House" laws
- Chronic Property Nuisance Ordinance
- Disruptive Patterns in Business Ordinance

Ordinances have also been created or applied by community organizations to abate specific problems or ban certain practices or things. These ordinances include:

- Cigarette Dispenser Ordinance (used to ban cigarette machines throughout the city or in specific locations such as places frequented by minors)
- Hourly Rate Motel Ordinance
- Non-operative or Abandoned Vehicle Ordinances (used to force the removal of abandoned vehicles)
- Graffiti Removal Ordinances (requires the removal or paint over of graffiti within a specified time of application)
- Exterior Property Maintenance Ordinance (requires minimum standards of exterior maintenance in private properties)

- ▶ *Small claims court actions* are used by a few community organizations against owners who refuse to remedy problems. Pioneered by *Safe Streets Now!*, an Oakland, California, organization, this approach involves organizing community members to sue recalcitrant owners individually for civil damages for allowing a nuisance to continue. The process, described in detail in the case study in the next chapter, is similar to the use of abatement ordinances.

- ▶ *Building and housing safety and health codes.* Municipal codes specify safety standards for private residential and commercial properties. Many have little to do with drug or disorder problems (e.g., the height and depth of steps), while others are closely related to such problems (e.g., broken windows, rats and roaches, trash, graffiti, abandoned vehicles, etc.). Building, fire, safety, and health codes of all types, however, are used to force an owner to improve a problem property (by evicting problem tenants, sealing vacant buildings, fixing broken windows, etc.). Typically, citizens or a community organization document the problems, convince the appropriate city agency to cite the owner on specific violations, then monitor the problem to ensure that the owner remedies the situation, and failing that, the appropriate agency follows through with appropriate sanctions. Owners who ignore violations may be subject to fines, property closures, or seizures, or may be billed (directly or via liens against the property) after the city fixes the violations.

Some cities have specific housing codes requiring minimal standards. In New York, for example, a "warrant of habitability" is used to force owners to maintain property in acceptable fashion.

Rental leases, particularly those in subsidized and public housing, may have drug-free clauses in them, enabling owners to evict tenants believed to be involved in using or dealing drugs. Such lease clauses, like other civil remedies, require less proof than criminal actions against drug dealers.

- ▶ *Loitering, trespassing, and curfew ordinances.* These types of ordinances are established and used primarily to enable law enforcement agencies to take action against youth and others "hanging out", presumably buying or selling drugs. Common in commercial properties, they may be used in residential neighborhoods as well. If loitering or trespassing is occurring on private property, the owner must be persuaded to post a notice of the ordinance. This then allows the police to enforce the ordinance by issuing tickets or citations, or arresting individuals where necessary.
- ▶ *Establishing drug-free zones.* Drug-free school zones began to appear in late 1980s. In most cases, a certain radius is established around a school (e.g., 1000 feet) and if an offender is arrested for possession, use, or selling of drugs within this radius, enhanced penalties are applied. This concept has been expanded to non-school settings -- streets, neighborhoods, and business districts have been legally declared drug-free zones, with enhanced penalties for violations.
- ▶ *Liquor laws.* Establishments that sell or serve alcohol are common "hotspots" that attract and/or produce criminal and nuisance activities. State laws, alcohol beverage control regulations, and ordinances governing the sale of liquor may be used by community organizations to force a bar or liquor store owner to resolve

problems, revoke liquor licenses, and/or close establishments down.

Environmental Changes

The types of environmental changes applied by community organizations take many forms but fall into two related categories: (1) changes that improve the neighborhood and reduce the potential for crime, such as neighborhood clean-ups and the boarding up or demolition of long-vacant properties; and (2) changes more directly related to reducing or eliminating drug problems, such as removing or altering pay phones. The large majority of these physical environment changes have been adopted from community crime prevention programs rather than newly developed to work on neighborhood-based drug problems.

Environmental change strategies are one set of civil remedies that involve direct action on the part of citizens and community organizations. While they receive assistance in these efforts from city agencies and private sector companies, they plan and carry out these actions on their own initiative and with their own resources.

Neighborhood improvements. General neighborhood improvement efforts are the most common civil remedy strategy used by community groups; 33 of them said neighborhood clean-ups, demolitions, board-ups, etc., were in their top three civil remedy strategies. Neighborhood clean-up and beautification efforts were by far the most common form of improvement. The neighborhood clean-up efforts focus on getting rid of accumulated trash and debris, from typical household trash to appliances, tires, car parts, etc. to abandoned cars; plantings and graffiti paint-outs are also often included. Some organizations have sponsored one-time events; others have regularly scheduled clean-up days. The East Arroyo Residents Association in Pasadena, California, for example, organizes citizens and volunteer laborers and service providers four times a year for "work party weekends", in which dilapidated and rundown properties are spruced up.

Five community organizations reported details of their efforts to end drug dealing in particular locations by boarding up vacant buildings, or, if they were occupied, taking steps to have drug dealers evicted and then sealing the buildings. Tackawanna Against Drugs is a group of neighbors in Philadelphia who came together five years ago to fight drug dealers who had taken over their neighborhood; dues are now \$1 per month. Without staff, Tackawanna Against Drugs have led several significant clean-up efforts. They cleaned up a factory and other abandoned buildings covered with graffiti and surrounded by trash, in partnership with the Philadelphia Anti-Graffiti Network. Group members contacted the business owners to have them sign a release to let their buildings be painted, the Network provided the paint, and the residents, along with juveniles who had been caught painting the graffiti, painted over the graffiti. Police and housing officials were involved in cleaning and sealing buildings as well. The same approach has been used in other areas of the community, some of which have been re-graffitied.

Tackawanna Against Drugs also worked with the police and housing department to empty a vacant drug house of dealers (the police role), clean and board it (the residents' job), and seal it (the housing department's responsibility), under the an abandoned property ordinance. The building remains sealed and crime free.

Butcher's Hill Community Association, in Baltimore, promotes sanitation and beautification projects, a concert series, activities in the park, and neighborhood clean-ups. Members contacted the Community Law Center for help in dealing with two vacant properties. After writing to the owners and working with police to throw out people living illegally in the vacant buildings, the Association boarded up the properties. With the help of CLC, they will file suit to recover the costs of the boarding up the properties, and the CLC is pushing for passage of a new ordinance to give communities better standing in such situations.

Five of the organizations surveyed reported specifically on graffiti abatement in neighborhood clean-up efforts. Several take aggressive action against graffiti, trying to eradicate it as soon as possible after it appears.

Most of the organizations reported that the targets of their work were specific locations with severe trash problems; other programs target drug dealing locations, graffiti problems, or vacant buildings, or do not concentrate on specific locations.

The primary role of citizens in neighborhood improvement efforts is to provide the manual labor needed for the clean-up or other work; citizens were cited as the most important resource needed by half of the organizations reporting neighborhood clean-ups as one of their top three strategies. Several organizations also mentioned ongoing needs for material resources for the work, such as paint, brushes, tools, and equipment.

The community organization's tasks for the neighborhood clean-up and graffiti abatement efforts are to organize and oversee the projects; provide assistance and/or funds to obtain materials, paint, brushes, dumpsters, etc; publicize the project; monitor it with the assistance of citizens; and coordinate efforts with other community organizations and city agencies as needed. The community groups organize citizens to do the clean-ups and graffiti paint-outs, and commonly work with other groups -- block clubs, other grassroots groups, schools, tenant associations, churches, etc. -- who are interested in participating or are a stable constituency of the community organization. Approximately a third of the organizations specifically reported that city agencies (usually sanitation or similar departments) provide trucks and/or dumpsters for the clean-up work. This is likely an undercount, as many organizations did not specify where similar resources were obtained.

Ordinances used. For the most part, community organizations do not rely on any civil laws for neighborhood clean-up and improvement work. Only three organizations reported the use of civil ordinances, with one reporting that the ordinance used varied

depending on the strategy. One uses an anti-loitering ordinance "clean-up" an area by prohibiting public drinking on street corners, in parks, etc. In its clean-up efforts, the Altadena, California, Neighborhood Support Group uses a non-operative vehicle ordinance to push citizens to clean up their property and not keep rundown cars around; the ordinance also prohibits working on cars on the streets and parking on lawns. Most of the organizations also reported that no legal help was required for this strategy.

Results. Based on the organizations' self reports, neighborhood clean-ups and graffiti eradication projects are relatively easy to implement and are usually successful in meeting several objectives. Most of the organizations reported no problems or obstacles in implementing their projects. Eight organizations reported the following problems: problems with getting trucks (on Saturdays) and equipment (3), problems with citizens being skeptical of the efforts (1), residents' fear of involvement (1), turf issues (1), slow city action (1), and the persistent recurrence of the problem (1).

For the most part, the community organizations reported that community residents monitor the problems after clean-ups on an informal basis. Several also reported citizens working hand-in-hand with the organization and city to monitor on an ongoing basis. All but four of the organizations said the results of their efforts were positive. Many cited the obvious physical improvements of clean streets and new gardens. These organizations and others also mentioned the less tangible impacts the improvements had on the community -- primarily increases in community awareness, pride, commitment, and ownership. The four organizations reporting less than full success tended to say that positive changes were obtained, but they were fleeting -- trash and graffiti keeps coming back.

Specific environmental changes related to drug and crime problems. Twenty programs reported working on specific environmental changes to abate crime and drug problems as one of their top three civil remedies. Of these 20, 14 targeted pay phones used by drug dealers to make transactions, to either remove them or alter the phones to enable outgoing calls only to be made. Other groups worked to improve street lighting, relocate a bus stop, remove illegal billboards, remove billboards advertising alcohol, install speed bumps, or to encourage traditional CPTED (crime prevention through environmental design) issues such as hedge trimming, improved residential lighting, etc. One organization, the Pacific Asian Alcohol Program, in Los Angeles, employs a traditional CPTED strategy to deter drug sales and suspicious activities around a local elementary school -- staff members set up temporary barricades daily on adjacent streets within the drug-free school zone.

The majority of these specific environmental changes require private sector or public utility cooperation to implement. To alter or remove public pay phones, for example, organizations have to contact and persuade the phone company of the need for the change, at minimum. Many groups first document the problem (by keeping logs of illegal activity for example), and may enlist support from the police when making their

request. The Franklin Square Community Association in Baltimore tried to get a business owner to remove a pay phone used for drug sales; when he refused, they wrote to the phone company and, with little problem, got the pay phone changed to allow outgoing calls only (thus preserving the phone company's motivation for placing a pay phone in the first place). Privately owned pay phones require somewhat different tactics, and removal appears to be more difficult. The East Baltimore Midway Community Development Corporation, for example, identified problem phones, then contacted the property owners and threatened to boycott their businesses if they did not remove or alter their phones. Residents kept the pressure on reluctant merchants, and most ultimately changed their phones to allow outgoing calls only or removed the phones completely.

Several other examples illustrate specific environmental changes. The Oakland (California) Community Organization, in response to street crime, conducted research on the street lighting and found it to be substandard. The group garnered the support of the police and persuaded city council to upgrade the lighting -- to the tune of \$4,000,000.

Drug sales, alcohol advertising, speeding, inadequate street lighting, and criminal or suspicious activities are the problems the specific environmental changes aim to mitigate. In terms of the type of targets, eight of the programs target drug dealing locations, two target specific locations where crime or suspicious activities are noted, and five have worked on locations presenting nuisance problems such as loitering. Two programs target irresponsible landlords or property owners and two work on areas with general social disorder.

Citizen roles in making specific environmental changes vary. In three instances, programs reported that citizens were not involved in implementing the strategy at all. Citizen roles include reporting information to appropriate authorities, meeting or writing to appropriate authorities, acting as "watchdogs", attending meetings to provide input, reporting information to the community organization, providing manual labor, and testifying in court or to city council. Citizens are also the primary monitors of the problem situation after the change has been made.

As with neighborhood clean-up and board-ups, the involvement of community members was seen as the most important resource for making specific environmental changes (cited by over half of the organizations reporting on this strategy). Other important resources cited included support from a public agency or private company, materials or money, connections with someone in authority, and public awareness.

Ordinances used. Most programs (68%) reported using no ordinances or statutes in making specific environmental changes, and the majority report that no legal help was required. Three organizations reported needing only legal advice with this strategy.

The Marsimus Cove Block Watch (a coalition of block watches) in Marsimus,

New Jersey worked to revise a city ordinance to assist them in this area. After noticing an "epidemic of pay phones", the staff and citizens complained to the mayor's aide, police, law department, and city council, and got an ordinance revised concerning public phones. The revised ordinance requires that if a pay phone is to be installed, neighbors within 200 feet must be notified. The ordinance has been challenged in court, and the community group is working with the phone company to block the challenge. Other organizations used existing ordinances to guide environmental alterations, including a non-operative vehicle ordinance, drug-free zone regulation, anti-nuisance ordinance, conditional use permit, and pay phone ordinance.

Results. The majority of the respondents reported no problems implementing these types of specific environmental changes. Problems that were mentioned include money/resources, special interest groups, resistant landlords, and red tape. All but one of the organizations reported that the specific change was successfully made; just under half also mentioned positive changes in the bigger problem addressed (drug dealing, suspicious activity, etc.).

Enforcement Strategies

Community organizations use a variety of techniques to abate crime, drug, and disorder problems in their target neighborhoods through the enforcement of state statutes, local ordinances, and building and health codes. These existing laws, described previously, have a common thread running through them -- they prescribe civil remedies (fines, property closures, property forfeiture, etc.) for unsafe or criminal behaviors, such as allowing trash to accumulate until an unsanitary condition exists or selling drugs.

Using civil laws for leverage, community groups and citizens approach the problem in several ways. First, they may contact the problem tenants in an attempt to make them cease undesirable behaviors. In most cases, however, the tenants themselves are the offenders and, in the case of drug dealing, tend to be renters with little to fear from civil penalties except eviction. It is the property owner that is most subject to the civil penalties, and is therefore the first target of many community groups. One of the top three strategies of 24 of the organizations surveyed is to work with landlords, property owners, and/or tenants in an adversarial or cooperative manner to resolve crime and drug problems.

In the face of no response from tenants or owners, community organizations turn to government authorities, pressuring them to enforce ordinances and housing codes. Because of fears of retaliation, many groups begin working the police, city agencies, and the like from the start, bypassing the tenants and owners. Pressuring government agencies to enforce local ordinances and building and health codes was one of the top three civil remedy strategies of 27 community organizations; this may entail reporting information to appropriate authorities for action, asking authorities to enforce alcohol and beverage laws, filing formal complaints with prosecution or law enforcement

agencies, and asking authorities to initiate seizure or forfeiture actions.

Community groups may also use existing laws to take unilateral action. One of the earliest example of the use of civil remedies for drug abatement, whether agency-based or community-based, is the legal action initiated by a community group on New York's west side in 1986. Another well known example is the use of small claims court by *Safe Streets Now!*, an Oakland, California organization that has served as the model for many others. These efforts are discussed below.

Community groups and citizens, within these strategies, often ask for law enforcement responses to criminal problems, i.e., they work with the police to enable the police to arrest drug dealers in a particular location. Often, however, the community groups and citizens are *not* aiming for criminal remedies, in part because they have seen evidence of their ineffectiveness (e.g., the drug dealer is out with 24 hours of his arrest and open for business). They want a civil (in legal terms) solution to the problems -- they want the drug dealers evicted, the properties boarded up, the trash removed, the loiterers moved on, the liquor sales to minors ended, etc. They may or may not feel that arrest and prosecution is warranted, but their main goal is to have the specific problems that harm the quality of their neighborhood life resolved.

Working directly with landlords, property owners, and tenants. The majority of the organizations work with landlords, owners, and tenants after the fact, after the problem is present (prevention-oriented strategies are presented later in this chapter). Contact with these individuals is often the first step in resolving the problem, with follow-ups made to city agencies if the landlord/owner is non-responsive.

The typical process begins with citizens documenting the problems at a particular location. The community organization then uses public records to locate the landlord/owner and, through phone calls or letters, presents the information and asks them to resolve the problem. The resolutions may involve evicting problem tenants, making physical improvements to the property, cleaning up trash, boarding vacant buildings, etc.

The tenants of a property may or may not be included in this process. If the tenant is the problem, the community group may approach the tenant with evidence of the problem and ask that it be resolved (the trash cleaned up, the drug dealing halted), depending on the judged likelihood of success and level of concern about possible repercussions. If the tenant is enabling the problem to occur, the group may be more likely to contact the tenant as a first line of action. If, for example, the community is convinced that loitering youth outside a fast food establishment are selling drugs, they are likely to approach the manager and work with him or her to get rid of the loitering.

If the landlord/owner or tenant is unresponsive or uncooperative, the community organization, with the backing of citizens, pressures him or her to comply. This may

come in the form of presenting the consequences of applying nuisance abatement laws, reporting information to appropriate authorities (police, building inspectors, housing agencies, etc.) and asking for their intervention, and/or threatening to sue the landlord/owner in housing or small claims court. The community organizations report that in most cases (subjectively reported at 80 to 90%), landlords usually comply before any formal charges are filed.

The procedures used by the Baltimore City Partnership for Drug-Free Neighborhoods to close drug houses illustrate community organizations' work with tenants and landlords. With the legal advice from the Community Law Center in Baltimore, the Partnership helps residents use nuisance abatement and padlock laws to effect change. They first approach the tenants with evidence of the drug dealing activities. If no change is seen, residents then contact the property owner and threaten to take legal action with the State's Attorneys Office if the tenants are not evicted. If necessary, the residents follow through and file charges in court. The Greenmount West Community Association, also in Baltimore, presents another example of using municipal codes to force landlords and owners to resolve drug and disorder problems in rental properties; their activities are described in a case study in the next chapter.

Community organizations also often offer assistance to landlords, owners, and tenants, to help them solve problems effectively. They provide advice and training on eviction proceedings, help get needed police attention, and assist landlords in working with housing authorities. The Southeast Uplift Neighborhood Program in Portland, Oregon, offers a highly unusual example of working with a home owner to end problems and prevent future occurrences. Materials related to this example are in Appendix B. After documenting drug dealing and other problems at an owner-occupied home where the owner and other renters are drug users, the Southeast Uplift convinced the owner to enter into an agreement with them to end the problems -- or be forced to close the house down under a city ordinance, the Specified Crime Property Ordinance. Through a formal, signed agreement, the owner, the organization, neighbors, and the police accepted certain responsibilities. The owner agreed to eliminate the drug and crime problems, evict the borders, enter a treatment program, and submit to weekly urinalysis testing. The organization agreed to assist the owner in getting into treatment, renovating the property, and obtaining drug-free tenants (including preparing a drug-free rental agreement). The police -- the East Precinct Neighborhood Response Team and Neighborhood Liaison Officers -- agreed to assist the owner in getting into treatment, getting rid of unwanted tenants, and screening new tenants. The neighbors agreed to monitor the house, report violation to the police or community organization, and assist the owner in several ways, including helping him get to treatment, assisting with clean-up and maintenance, and "generally extending friendship on a voluntary basis".

In some instances, where good tenants are at the mercy of poor building conditions or location-specific problems (such as substandard conditions or drug dealing in the apartment parking lot), community organizations provide assistance and training to

the tenants, teaching them how to get needed responses from their landlords or directly from city agencies. The organizations pass on their knowledge and techniques on pressuring landlords and city agencies for action to the tenants themselves. In some cases, tenants are advised on how to legally withhold rent until problems are remedied.

The primary roles of citizens in working with landlords, owners, and tenants are to gather and report information related to problem locations, mainly to the community organization, and to monitor the situation over time. The involvement and commitment of community members was cited by survey respondents as the most important resource needed for this strategy. Community organizations provide important assistance to community residents in this area. They provide knowledge of civil laws and procedures, expertise in dealing with these problems, and protection. The organization is the contact with the owner or tenant, keeping the involvement and identities of citizens hidden.

Ordinances used. Ordinances are used in working with landlords, owners, and tenants as references held out to them as to what their proper and legal responsibilities are. Community organizations used nuisance abatement ordinances the most often, using them to pressure landlords and owners into action under threat of bringing legal action. The Good Old Lower Eastside (GOLES), in New York, uses a "warrant of habitability" in the same manner, showing landlords and owners what is required of them under municipal codes and what the penalties are for not meeting those obligations. Housing codes and lease clauses are also used.

The majority of organizations working with landlords, owners, and tenants did not require legal assistance in carrying out this strategy. Three organizations obtained legal advice, two worked with a district or state attorney, and one worked with the police department's legal department. Just one organization ended up in court, represented by a private attorney.

Results. The majority of the organizations reported that landlords and owners are responsive, once they are made aware of the problems and the determination of the community. Changes include evictions of problem tenants and drug dealers, vacant buildings being boarded up or demolished, drug dealers arrested or displaced, stores padlocked, and property improvements. Formal filings in court or with housing or law enforcement agencies are rare. In several cities, special housing courts are especially responsive to cases brought by community organizations.

A small number of landlords simply refuse to take care of their buildings or to take any responsibility for tenants. Some of these are out-of-town, absentee owners; others are akin to the age-old slum landlords who do not care what happens to the property or location as long as money is coming in. Properties that have problems and are owner-occupied are a particular problem for community organizations, since the owners themselves are the problems. Other difficult situations are those in which the property is no longer financially worthwhile to the owner -- tax liens, for example, may

be more than the property is worth. In such a case, a landlord may be unwilling to spend any effort or money to improve the property and is willing to forfeit if it comes to that.

The community organizations reported problems similar to those in dealing with city agencies -- some legal obstacles, red tape, slow city action, recalcitrant landlords, "sloth" tenants, buildings with overwhelming problems, and citizens who are afraid of retaliation and hesitant to get involved. Several organizations also referred to human problems that make them cautious in their work. A typical tough situation to address is a property owned or rented by an elderly person or parent with a child or grandchild living there that is the source of the problem. The remedies should not unfairly punish the legal tenant for the sins of others in the household, although they do have responsibilities for correcting problems. Another organization also mentioned concerns with evicting low income residents with few resources.

Working with public agencies. Details of the implementation of specific techniques community organizations use to work with public agencies are displayed in Table 5 on the next page.

Reporting information to public officials and making formal complaints.

Documenting problems and reporting information to public officials are often an integral part of pressuring agencies to take action. Reporting information to appropriate agencies is also often undertaken on a regular basis to assist agencies and direct their attention to the problems of most concern to the community. The type of information gathered and reported by community groups is typically in regard to drug dealing, suspicious activity, and criminal activity (prostitution, for example) in the immediate area.

The police are by far the most common recipients of community-documented information, and the police often train citizens in what information to collect and how to do so. To assist the police in addressing drug dealing, for example, citizens are trained to record specifics of the dealers (race, physical characteristics, clothing, etc.), their cars (make, color, license plate number, etc.), and the dealing itself (what appears to be sold?, where are the drugs hidden? who do the buyers appear to be?). Always, citizens are cautioned not to get involved, but to do surveillance from a safe place and report to the police.

Table 5
Working with Police and Other Agencies
Strategy Information

	Pressure to enforce codes (n=27)	Report information (n=12)	Ask to enforce alcohol laws (n=6)	File formal complaints (n=6)	Ask to initiate seizure actions (n=6)
Primary target:					
Drug dealing locations	7	5	0	1	5
Places with crime or suspicious activity	0	4	0	0	0
Vacant buildings	5	0	0	1	0
Places with physical or social disorder	9	2	3	2	0
Alcohol-related targets	2	0	3	0	1
Other locations	4	1	0	2	0
Citizens' role:					
Report information	12	11	3	2	3
Act as watchdogs	2	2	1	0	0
Attend meetings or write letters	4	1	1	2	0
Other	7	0	1	2	1
No citizens' role	1	0	0	0	2
Ordinances used:					
Housing codes	4	0	1	1	0
Specific city/state ordinance ²	10	2	3 ³	2	2
Varied city/state ordinances	3	0	1	0	0
Unknown	4	1	1	1	1
None	3	3	0	2	3
Legal help used:					
Public attorneys	10	0	0	1	0
Private attorneys	1	1	2	0	1
Consultation only	3	0	0	0	0
None needed	13	5	4	4	5
Most important resource:					
Community involvement	12	4	4	2	4
Police	4	0	0	0	0
Other	9	2	2	4	2
Obstacles encountered:					
Problems with the city	5	1	2	0	1
Community apathy	3	0	0	3	0
Community fear	2	0	1	1	0
Others	6	2	3	1	2
None	5	3	0	0	3

Other common recipients of community-documented information are building or housing agencies, those responsible for investigating code (building, fire, safety, and

²Most are city ordinances.

³These three ordinances specifically regulate the sale and distribution of alcohol.

health) violations. Citizens report problems -- blighted properties, trash pile-ups, substandard living conditions, etc. -- to these agencies to provide them with evidence needed to cite owners on code violations and remedy the situations. Illegal and unsafe conditions are also reported to private individuals such as owners, landlords, and apartment management companies, and to other public officials such as public housing authorities and the district attorney.

Reporting information, in some instances, takes the form of filing formal complaints with the police, city officials, and housing authorities. Reporting information to authorities also often precedes legal action or is a tactic used in the process of taking legal action. This strategy is covered in the next major section.

Working with and pressuring public agencies. In the best situations, community organizations and the citizens who participate in civil remedy solutions work with public agencies in a collaborative, cooperative manner. When public agencies do not respond as the community feels they ought to, however, citizens and/or organization staff push, cajole, pressure, and demand action on problems of importance to them. Organizations typically provide training and assistance to involved citizens, organize and guide their efforts, and provide staff to work with them. *How* do these citizens pressure the agencies established to serve public needs? They document and report problems, write letters (sometimes initiating sizable letter writing campaigns), attend and speak at public hearings, hold public forums, speak directly to agency heads, garner media coverage, run newspaper ads, and threaten to and initiate legal action. Their aim is to push agencies to apply existing laws, codes, and ordinances to problems the community has identified.

The River Bend Association in Iowa closed a local bar where drug activity occurred. Association members kept logs of drug activity at the bar, phoned in reports to the police, then physically presented themselves at the station to get a response. The members calculated the costs of keeping the bar open with intensive police patrol versus closing it down, and presented the information to city council. Several members attended the council meeting when the matter was discussed, and were ultimately successful in getting the city to take the legal steps necessary to close down the bar.

Community organizations provide training and technical assistance to citizens in how to get the attention they feel is needed -- in short, how to get public officials to notice the problem and take action on it. Training is provided in documenting problems, using existing ordinances, and presenting evidence at public hearings and in court.

The public officials citizens and community groups work with most often are, in order, the police, elected officials (city councils, township councils, county supervisors, state legislators, etc.), building inspectors (code enforcement), and prosecutors. The community groups often tackle problems from multiple angles, working with several agencies with varying authority and civil remedy sanctions available. In addition to the officials cited above, community organizations and citizens push for action from health

departments, alcohol beverage control agencies, and other city agencies, such as public works and sanitation. The organizations in our survey also target private companies to pressure them into resolving problems, such as mortgage companies (to pressure owners in turn), development companies, and advertising companies.

Bars and liquor stores are often "hotspots" of illegal and/or undesirable behavior, particularly when they are located in largely residential neighborhoods. Some nuisance problems -- loitering, public drinking, littering, etc. -- are handled by citizens complaining to the police and to the liquor establishment's owner or manager, and requesting that changes be made to mitigate the nuisances. In other situations, the problems are criminal in nature -- alcohol sales to minors, bars selling liquor after hours, drug dealing -- and citizens report violations to appropriate alcohol beverage control authorities and press for action. They also attend hearings to influence issuing, renewals, and revocations of liquor licenses.

Citizens may push for changes in the operation of the bar or liquor store, such as hiring a bouncer or posting "no loitering" signs and asking for enforcement, with threats to attempt to have the establishment's liquor license revoked if the situation is not improved. Citizens represented by a group in our survey have also worked with a local liquor coalition in an attempt to reduce the number of liquor establishments in their community.

Requesting that police and prosecutors resolve problems and punish owners by seizing property and forfeiting ownership of it is a strategy that is a subset of reporting to and pressuring public agencies. It is highlighted here because of a growing trend spearheaded by community organizations. Under federal and some state laws, law enforcement agencies have the power to seize property that is used in criminal drug activity or purchased with funds gained as the result of the criminal activity. Until recently⁴, all such seized and forfeited property remained in the hands of law enforcement agencies, to be used in the course of their work or sold to benefit their efforts. Several of the community organizations in this survey document criminal activity, bring the information to police and prosecutors, and ask them to pursue seizure and forfeiture actions. They then ask that a portion of the seized assets be returned to the community organization for community use or to support further intervention and prevention efforts. Union Miles Development Corporation, in Cleveland, works with another organization, People's National Action, in advocating the return of seized property to the community. By documenting the detriment and loss to the community caused by neighborhood drug activity, the Corporation has succeeded in getting a small

⁴Within the federally funded Weed and Seed program, for example, the U.S. Department of Justice altered asset forfeiture policy to enable real property forfeited according to federal law because of connections with illegal activity to be transferred to private non-profit organizations for use (Roehl *et al.*, 1995b).

percentage of seized property returned to support their efforts to renovate homes for sale to drug-free families.

When community organizations work with police and other city agencies to solve problems, their targets are not solely drug dealing locations or crime hotspots. Rather, as shown in Table 5, the problem location is often one where physical and social disorder are evident, but perhaps not criminal activity. This includes properties that are surrounded by blight, trash, and graffiti, and those which attract loiterers, prostitutes, and the like. Vacant buildings, which may be current or future locations for crime and drug problems, are also often targets of community groups.

In working with public agencies, the most common role for citizens is observing and reporting information, either directly to the appropriate agency, or to the community organization itself who then passes it on. Some principles of community crime prevention are incorporated in these strategies, particularly when citizens serve as "eyes and ears" of the police, noting and reporting criminal and suspicious behavior. In many situations, the community group has reported a problem to the police, who then provide specific guidance for information gathering, as described above. Citizens serve vital roles in "pressuring" agencies to take action -- informing them of a problem, than pressing for a solution by speaking out at meetings, writing letters, calling the media, etc., on an ongoing basis until the problem is resolved.

Ordinances used. The most common civil laws used by community organizations in enforcement tactics are nuisance and drug abatement ordinances, followed by maintenance and safety codes, many drawn from the nationally accepted Uniform Building Code. Other ordinances used for enforcement are abandoned property ordinances, liquor laws, zoning ordinances, anti-loitering (at least one aimed specifically at gangs), and trespass laws.

Half of the organizations describing their enforcement activities in detail as one of their top three strategies have obtained legal advice or assistance in the process; the other half said no legal assistance was needed. In the majority of these situations, public attorneys (city, district, or state attorneys), have provided this assistance as part of the enforcement strategy. One organization ended up in court on an enforcement action and was represented by a private attorney.

Results. For the most part, community organizations report success in their efforts to work with public agencies to resolve problems through the application of nuisance abatement ordinances, housing codes, etc. Organizations report details of successes in both specific instances, such as cleaning up a building, breaking a prostitution ring, shutting down a crack house, and closing a bar, and in ongoing efforts (e.g., closing down 50 crack houses, abating 28 blocks). Some organizations point to success in their means rather than ends -- such as getting the city attorney's office involved in prosecuting bad landlords and getting the city to hire additional building inspectors. Others relate their

success in terms of reductions in crime, reductions in loitering, increasing in community awareness, etc.

As shown in Table 6 below, community organization respondents are, on the whole, satisfied with the efforts of police and prosecutors in assisting them in resolving neighborhood problems:

Table 6
Satisfaction with Prosecutors and Police

Satisfaction:	Prosecution Efforts	Law Enforcement Efforts
Very satisfied	11 (50%)	36 (51%)
Satisfied	6 (27%)	16 (22%)
Neutral	2 (9%)	6 (9%)
Dissatisfied	2 (9%)	9 (13%)
Very dissatisfied	1 (5%)	4 (6%)
Not applicable	49 (67% of all groups)	1 (1% of all groups)

Negative reports were very rare. A few efforts were relatively recent and their impact was not yet known when the survey took place. The large majority of the organizations involved in working with public agencies reported that citizens and, more rarely, the community organization itself were responsible for monitoring the problem areas over time. Five organizations said the police or city attorney also assisted the community in monitoring.

Community organization respondents were also asked about what problems or obstacles they had encountered in working with other agencies to apply civil remedies. Twelve of 42 organizations involved in this strategy reported no problems at all. Thirty respondents reported problems. The two most common problems were agency resistance to the community's efforts (reported by eight organizations) and encountering roadblocks or weaknesses in legal areas (reported by seven organizations). In the former problem, agency resistance, organizations reported that it was difficult to get a response from certain agencies, that city officials were patronizing, that they were not taken seriously, or that the official process was too slow. The legal roadblocks included judicial responses that drug-free zone laws were unconstitutional; that the Department of Motor Vehicles would not help the effort, citing privacy protections; city resistance to seizing private property; and finding that state law limited the reach of local law.

Other obstacles encountered are similar to those found in other community-based

crime prevention and anti-drug efforts. They include finding the civil remedy approaches lengthy and frustrating (reported by five organizations), difficulties in recruiting people and keeping them involved (three organizations), citizen fears of retaliation (three organizations), landlord resistance (three), and funding (one).

Direct action. In 1986, a private attorney, on behalf of 26 petitioners from the Westside Crime Prevention Program in Manhattan, filed suit against a "crack den", a residence-based drug dealing operation, using a 125-year-old New York State statute known as "the bawdy house law" (Real Property Actions and Proceedings Law 715). The court ordered the residents evicted, the crack house sold, and the legal costs of the petitioners paid from the sale of the house. This is the first known case of the use of civil ordinances by a community group to combat drug houses. The Manhattan District Attorney's Office presently uses the same statute in their Narcotics Eviction Program.

Twelve of the organizations in our survey have filed lawsuits against property owners and two have helped others do so, primarily because it was a last resort when other actions failed or because the organization saw it as an effective option for pressuring the owner. In five cases, private attorneys handled the case *pro bono*; in four cases, the other party paid; and in four cases, the city provided legal representation (in one case, no attorney was used). Most of the organizations filing suit used anti-nuisance ordinances as a basis; one used a minimum maintenance code, another relied on a state statute.

In the 12 lawsuits filed by the organizations, eight were adjudicated and the filing party won in all but one case. Two cases were settled prior to the court hearing and two were pending at the time of the survey. In all 12 cases, the organization reported that filing the lawsuit improved the problem situation.

Another form of direct enforcement action is the use of small claims court actions, fully explained in the Safe Streets Now! case study in the next chapter. In this approach, neighborhood residents are organized and trained in filing a small claims court action against a non-complying owner, suing for the small claims maximum (typically \$1000-2000) for creating a public nuisance.

Creating New Legal Remedies

Nearly 75% of the organizations report that they urge local government and appropriate agencies to establish or revise ordinances or other regulations to reduce local problems. Detailed information was provided by the dozen organizations that said this strategy is one of their top three strategies.

The activities described by the twelve organizations include documenting the problems, meeting with local legislators to familiarize them with the problems, and pressuring local legislative bodies (typically city councils) to strengthen or establish

ordinances. In short, these organizations and the citizens that work with them lobby for legislation they see as helpful to improving neighborhood problems. Of these twelve organizations, four gave specific examples of their work related to liquor problems, three directed attention to youth problems with loitering and cruising, two focused on drug-related problems, and one on property maintenance. Three organizations worked on a variety of issues of concern to the community.

The majority of the organizations do not attempt to write new ordinances and then push for their passage; rather, they clearly let the legislators know their positions and details of the problem, and attempt to influence how the lawmakers vote. In some situations, businesses, the police, and other city agencies have been drawn on to provide supporting evidence to their lobbying.

Three organizations report they were instrumental in getting new legislation passed. Their efforts are summarized below:

- The Fighting Back organization in Vallejo, California, was concerned about the number of alcohol establishments in their city and started a campaign to control alcohol distribution and availability. The organization established a coalition to analyze the alcohol problem, drafted an ordinance which established more stringent license issuing and conditional use permits for alcoholic beverages, and with success, pressured city council to adopt the ordinance. A member of the agency donated 50 hours of legal work to prepare the ordinance; staff, community readiness, and a well-organized and structured community were also important resources.
- The Manteca, California, Partnership on Prevention, working with community residents, made city council members cognizant of problems with youth loitering and cruising. They indicated their support for establishing several new ordinances setting an 11 p.m. curfew for youth under 18 and reducing loitering and cruising; both were passed. The organization reports that cruising and loitering have been significantly reduced, but they have no hard data on the effectiveness of the change in legislation.
- In Oklahoma City, the Claussen-Ten-Penn Neighborhood Association worked with one city council member to draw up a Basic Maintenance Code. The council person drew up the ordinance with the assistance of the neighborhood association and city attorneys; the ordinance was subsequently passed by the city council. The Basic Maintenance Code dictates minimum standards for the exterior of each house (e.g., it must be properly painted, worn shingles must be replaced, screens straightened, fences and porches must be safe, etc.).

Several other organizations reported that they are in the process of lobbying legislative bodies to pass various ordinances. In creating new legislation, citizens were

cited as instrumental in getting new legislation passed, by their presence and input at meetings, reporting information, signing and circulating petitions, serving on committees, and testifying to city councils.

Four organizations reported that their staff or community members regularly attend hearings to influence the deliberations and outcomes of various boards and committees. Three of them focus on liquor-related permits and licenses, attempting to deny renewals to problem establishments, deny licenses to new establishments, or challenge existing licenses. Again, the organizations typically monitor problem locations and provide information to city council. One organization provides technical training and referrals to neighborhood groups on how to effectively gather and report information to authorities, how to challenge licenses, etc. Members of one association regularly appear at hearings for the renewal or issuance of permits and licenses, providing input and suggestions when the issuances affect their community.

Over half of all the groups surveyed report that staff or citizens appear regularly at hearings for the renewal of liquor licenses or building permits. Most of the groups also reported that the persons in charge of such hearings are generally receptive to the presence and input of community members. Several organizations indicated that they have one or two members attend hearings regularly simply to monitor the proceedings. Several others reported organizing large, noticeable, and sometimes boisterous groups of citizens to attend hearings to prevent a particularly troublesome bar or nightclub from obtaining a liquor license renewal.

About a third of the survey respondents reported their organizations' had worked to ban drug-related items. The most common items sought for banning are beepers, cigarette machines, and drug paraphernalia. Six organizations said this strategy was one of their top three. Two organizations tried to get the school district to ban beepers, and in one case, improper clothing as well. One was successful in their quest. Three other organizations focused on drug problems; one got drug free zones established in areas where Boys and Girls Clubs operate and two visited and sent letters to retail stores selling drug-related items. In one of the latter cases, members and citizens protested in front of the stores, tried to start a boycott, and persuaded the police to raid the stores.

Ordinances used. Five organizations specified the type of ordinances they have lobbied for -- the basic maintenance code, anti-loitering, no cigarette dispensers, conditional use permits for alcohol establishments, and juvenile curfews. The others did not specify. Most of the organizations citing ordinance creation as one of their top three civil remedy strategies said legal assistance was not necessary. Two used legal help in preparing documents, one was represented in court by an attorney, and one sought legal advice only.

Results. The organizations involved in getting new ordinances passed report general success -- most have succeeded in getting new laws on the books that they feel

will be useful in resolving neighborhood problems. Several efforts were in progress at the time of the survey. While concrete information on the effectiveness of the new ordinances is lacking, several respondents reported that positive changes were beginning to appear.

The majority of the organizations which have worked with alcohol beverage control agencies to mitigate problems caused by liquor stores and bars report satisfactory outcomes. Their actions have succeeded in closing problem bars or controlling problems related to alcohol sales, consumption, and/or properties.

Similarly, most efforts to ban drug-related items have been successful. One organization, however, was unable to persuade the local school district to ban beepers. Businesses have generally been receptive and cooperative.

In just over half of the cases, monitoring the problems addressed by legal action generally falls to community residents; in a few additional situations, the police also assist. The community organization itself monitors the problems in less than 20% of the cases, and rarely, the appropriate agency (e.g., alcohol beverage control agency, housing department, etc.) follows the problem location(s) over time to see if the problem is resolved.

Just under half of the organizations involved in creating new ordinances reported no problem in their efforts. The most common problem, cited by nearly 20% of the organization, was the opposition, slowness, or bureaucracy of the agency or city council targeted. Other problems included business opposition to any regulations concerning their business, difficulties in getting police enforcement, legal problems, the lack of staff training or knowledge, resistance from residents, and property owner appeals.

Preventive and Proactive Applications of Civil Remedies

The civil remedies reviewed in this chapter to this point are reactive, applied in response to a critical problem in a target area. A number of community organizations, however, are adopting civil remedies for preventive purposes, to reduce opportunities for problems to occur in the first place. A common preventive strategy is to provide assistance to landlords and owners to prevent crime and drug problems from occurring on rental properties. Five organizations surveyed reported they used this approach. One organization analyzes locations one-by-one and the staff members offer assistance to landlords and owners to prevent problems. Others offer training to groups of landlords and owners, including information on tenant screening, tenant relations, management techniques, and crime prevention steps such as crime prevention through environmental design (landscaping, lighting, etc.), security, etc. As part of these efforts, the organizations may provide handbooks or pamphlets to landlords and owners covering these topics.

Hansen (1991) described an emerging use of civil remedies by community groups, the enactment of proactive measures of "social legislation" to improve and protect the quality of neighborhood life. Hansen described two such strategies. In New York City, city housing and development authorities promote the placement of homeless families into former drug dealing apartments. In Chicago, the Northwest Neighborhood Federation, a community organization of long standing, sponsored the Home Equity Insurance Program which resulted in legislation designed to guarantee the property values of the community's homes.

In this 1994 civil remedies survey of community groups, we explored this issue of proactive applications of civil remedies. All survey respondents were asked if they use civil remedies to improve neighborhood conditions proactively. Many of them provided information on programs and projects they are working on to help specific groups (e.g., homeless persons, drug addicts) or more generally improve the quality of neighborhood life. The latter efforts encompass such activities as obtaining a grant for home improvements, establishing a neighborhood park, rehabilitating a laundromat into a community room, and creating a buddy system for calling the police. Others mentioned traditional community crime prevention efforts such as citizen patrols, neighborhood and block watches, and CPTED strategies. Several respondents described activities covered elsewhere in this report, such as lobbying for a no trespass ordinance, requesting that seized and forfeited property be returned to the community, establishing drug-free zones, and the like.

The proactive use of civil remedies is clearly a new term with no generally accepted definition. With the exception of the prevention efforts described above, civil remedies are generally used reactively -- applied in response to a situation that already exists, and is severe enough to garner an organized community and agency response.

Four organizations provided descriptions of their efforts that are proactive in nature, as defined by Hanson. These efforts are outlined below:

- The Pacific Asian Alcohol Program in Los Angeles, in coalition with other community groups concerned with drug and alcohol problems, worked to increase the tax on alcohol sales and to shift additional portions of the tax revenue to the community. The groups attended meetings of the city council and state legislators, presenting their views and defining the issues. They also signed petitions and provided moral support. The tax increase did not pass, but the ordinance to shift more revenues to the community did. However, the P.A.A.P. reports no noticeable change in revenues, and feels that change was mostly on paper. The group encountered substantial opposition from Asian small business organizations in their efforts.

LA CASA (Los Alamos (New Mexico) Citizens Against Substance Abuse has worked on the same issue, lobbying county officials to raise the excise tax on

alcohol sales and return a greater proportion to the community. They have encountered problems in advocating county laws that are more strict than state laws on the same issues.

- The East Arroyo Residents Association in Pasadena, California, advocates that abandoned homes be made available for low income housing.
- Heavy Hitters of Milwaukee has turned a donated housing unit into a home and education center for single mothers and addicted mothers. This project is described in the case study in the next chapter.

Over-arching Issues

Several issues related to the use of civil remedies by community groups are not related to a specific strategy, but rather relate to their work generally. These are concerns about violations of individuals' civil rights, citizen fear of retaliation by offenders or other parties, and technical assistance needs of the community organizations.

Civil rights issues. One concern about community organizations taking civil remedy approaches to neighborhood crime and disorder problems is that they may violate an individual's civil rights, by invading privacy, having an innocent person evicted, pursuing landlords beyond the extent of existing laws, etc. Fifteen of the community organizations surveyed reported that citizens had complained about violations of their civil rights. With one exception (the complaining parties were citizens who felt the group was actively excluding people from joining the group), the complaints have come from targets of the civil remedies -- landlords, property owners, "smokers and cruisers", drug dealers, and evicted tenants.

Four organizations reported that formal complaints had been made against them or that they had been sued because of their actions. One group has succeeded in evicting tenants and closing over 30 houses in the past four years. One formal complaint was filed by evicted tenants and sustained by a judge, although no further action was taken. Another group received a formal complaint from the attorney of a tenant who was being evicted, but apparently no legal action was taken. No further action beyond a formal complaint was taken in the other two cases.

None of the organizations surveyed have had their practices questioned by the American Civil Liberties Union or similar body. Two reported formal complaints indirectly from the targets of their efforts -- alcohol lobbyists and attorneys representing landlords have complained. Three other organizations were questioned about their tactics by the local police, a city councilmember, and an attorney representing a consortium of other groups. No law suits resulted from these complaints.

Acts of retaliation. Many organizations surveyed reported that citizens were reluctant to get involved in active strategies, for fear of retaliation from the targets of the activities. Of the organizations surveyed, acts of retaliation were reported against staff by 15 (20%), against organization volunteers by 20 (27%), and/or against involved citizens by 22 (30%). Most of these acts took the form of verbal threats, including at least one death threat. Beyond the verbal threats, the following single acts were also reported: slashed tires, broken windows, vandalized homes and businesses, smoke bomb thrown into the office, a car burned, graffiti, and one landlord was killed, which was believed to be in retaliation for an eviction.

Training and technical assistance needed. Just over half of the community organizations surveyed reported they had received training or technical assistance in their work (not necessary in civil remedy strategies). Twenty-five organizations (nearly 35%) could not identify any additional technical assistance needs. The rest, however, cited numerous needs, categorized below (the number in parentheses indicates the number of organizations citing that particular need):

- Funding, grant writing (9)
- Legal procedures, use of laws and ordinances (9)
- What is going on in other communities across the U.S., what resources are available (6)
- Community or tenant mobilization (5)
- Multi-cultural and/or sensitivity training (2)
- Knowing what is available in the community (2)
- Strategic lobbying (2)
- Publicity (2)
- Leadership (2)
- Working with agencies (2)
- Working with landlords, especially uncooperative absentee landlords (2)

- Streamlining civil remedy processes and codes (1)
- New homeowners training in budgeting, maintenance, etc. (1)
- Coalition building (1)
- How-to book for landlords (1)
- Neighborhood clean-up strategies (1)
- Public education (1)
- Gathering data for legal action (1)
- Economic development (1)
- Working with probation, how to weave probation into prevention (1)
- Alcoholism (1)
- Filing small claims actions (1)
- Building a referral system for specific problems (1)
- How to get a law passed (1)

Chapter 4 Case Studies

The program descriptions in this chapter are case studies of four community organizations and their use of civil remedies for drug and crime abatement. They were selected because of the range of organizational type, target areas, and civil remedies strategies they present as a group. Site visits were made to these organizations in late 1994 and the case studies describe activities underway at that time.

Greenmount West Community Association Baltimore, Maryland

The Greenmount West Community Association is a small, community-based non-profit group founded in the late 1970s to increase home ownership, strengthen and rebuild "green space", and establish programs for youth.

Background

Established as the "Barclay/Greenmount Community Association," the group's original purpose was to hold block parties and clean-ups. The association was not as strong then as it is today -- disagreements and accusations of corruption caused the group to all but dissolve during its early years. In the mid-eighties, the group was awarded a Community Block Grant from the City of Baltimore and every year since, the grant has been renewed.

The association spends a great deal of effort trying to improve the community and encouraging honest, decent investors to purchase properties there. In order to enhance the community's image and increase residents' pride in their neighborhood, the association has developed strategies for abating the level of crime and drug problems which have permeated this tiny community. Pressuring landlords and tenants, working with City officials and law enforcement, cleaning parks, and providing activities for youth are the main activities of the group.

Target Area

Greenmount West is a small community of approximately 1,700 residents situated in the central/eastern section of Baltimore. North Avenue borders the community on the north, Greenmount Avenue provides the eastern boundary (on one side is a beautiful historic cemetery, while the other side is lined with abandoned and demolished properties), the western boundary is Calvert Street, and the southern boundary encompasses the Amtrak right-of-way. Behind the broken down facades and the vacant buildings in this neighborhood are the reminders of a grand Victorian era. As one walks through the streets of Greenmount West, there are occasional glimpses of elaborate

woodwork and marble staircases. Association members regard Greenmount West as a treasure, considering its proximity to downtown Baltimore, housing stock, and history.

In its heyday, Greenmount West was considered a suburb where professionals would flock to purchase homes. Several factories operated in the neighborhood, which provided good, solid work for a large number of working class residents who lived there. All of those factories are gone now, and so are the jobs. The only businesses which continue to operate in this community are package stores where alcohol is sold, and one or two small markets.

Most of the residents in the neighborhood today are working class or lower income, a significant proportion of whom receive public assistance. People in Greenmount West tend to know one another and talk with one another in this mainly African-American community (97%). The proportion of renters to homeowners here is approximately 50/50.

In the late 1970s, Greenmount West was declared an Urban Renewal Area by the Baltimore City Council. This required that the community develop and follow a plan for development and renewal of its resources. The plan restricts the construction of certain types of buildings and enforces codes and violations on all properties. This declaration has been useful to the community in its use of civil remedies to fight crime and drugs. According to residents, there was no real sense of urgency about the drug and related crime problems in Greenmount West until around 1990. Until then, the neighborhood focused most of its attention on dealing with trash and community development.

Since 1990, however, two major problems have grown, the presence of drugs and run-down or vacant properties. The streets with numerous vacant houses and unkept yards tend to be the areas which also experience constant drug and crime problems. Open air drug markets are a moderate problem here, while drug dealing out of vacant homes has escalated to a major problem. In addition, and perhaps as a consequence of that activity, burglary, vandalism, loitering, and graffiti are also major problems in Greenmount West. Getting landlords to maintain their property, vacant or not, has become a major battle for this association. Some landlords live elsewhere and are not always aware of the activity which occurs on their property. Others are aware but still apathetic about changing anything.

Trash is a major problem in this community. Once a small pile of trash appears, it seems to reproduce itself at a magnificent rate. Part of this problem is bulk trash -- furniture, mattresses, etc. The City's Department of Housing and Community Development is considering a plan to remove bulk trash on a weekly basis.

In spite of these problems, positive changes are taking place. There are several parcels of land and properties becoming available for development. The City has acquired properties (a process which took several years), and made plans to tear them

down and build senior housing or moderate income housing in their place. One such property sat vacant for years after being demolished. Finally, within the last six months, a developer has expressed interest in building a Rite-Aid Pharmacy there, and the community is ecstatic. At another site, a demolished salvage warehouse has been the target of a proposal which would turn the property into between 40 and 70 units of housing for senior citizens. Within Greenmount West, there is a large population of senior citizens who are considered the backbone of the community. Some of these seniors rent, while others own their homes. Many are getting too old to maintain their properties or live without medical assistance. The community is in danger of losing this precious resource if senior housing is not made available to them. Thus, the association has been very involved in the fight to get this property developed.

There is also an old social service building here, which has not been bid on yet (in fact, it has been sitting vacant for several years). This building used to be a hiding place for drug dealers and transvestite prostitutes. The word on the streets was that if you were burglarized, you could probably find your stolen property at this old building. The community asked the Mayor to do something about it at a Mayor's Forum. It became part of the Block Grant proposal, and is still being worked on.

Getting people involved in the community is a major obstacle for the active members of the Greenmount Association. According to association President Dorothy Johnson, it is difficult to mobilize people unless there is a pressing issue. For example, several years ago there were plans to renovate an abandoned school building and turn it into housing for patients who were HIV positive. The residents were opposed to this type of development, and struck it down. Unless residents feel an immediate threat, it is difficult to mobilize them.

The Organization

The association has a Board of Directors, composed of residents of the Greenmount West community. The Board consists of five officers, three homeowners representatives, three renter representatives, and one business/industry representative. In addition, there are approximately 10 to 15 active community members. Most members of the Board are professionals, with college degrees. The President of the Board, Ms. Johnson, is a former Baltimore school teacher who now runs her own cleaning business. Gilbert Jenkins, one of the first African-American men to graduate from West Point, serves as the Vice President of the Board.

The block grant funding has enabled the group to develop a Project Area Committee (PAC). Charles Smith, a community resident and artist, serves as the director of the association's Project Area Committee. His position and another staff person's position are funded by the City. When the PAC money is gone, members know Smith, the only white member of the Board, will still be a very integral part of the

Greenmount West Community Association. Although it is technically the City who employs him, Smith considers his service to the Greenmount West community foremost.

The staff's responsibilities include collecting information from residents about illegal activity, mobilizing the community, sending letters on a weekly basis to police and City Council members, securing grants and other sources of funding, and implementing community activities.

The Board actively participates in all association activities, and tries to get more residents involved in the projects of the association. Many residents fear the level of crime and violence in the neighborhood, and are hesitant about confronting dealers or criminals. However, many of these people do help by calling the association office, or calling Smith at home to report problems.

Main Activities

The Greenmount West Community Association sees as its main purpose to increase home ownership and community pride -- to bring their neighborhood back to its former glory. In order to do this, enticing investors to purchase property in Greenmount West has been a major effort. The Association realizes, however, that investors will steer clear of Greenmount West unless the problems of drugs and crime are abated. Thus, their strategies as a group tend to revolve around ridding the area of dealers by monitoring their activity and reporting it to the police. Strategies also include targeting the houses where the dealers live and work, by contacting property owners and pressuring them into evicting drug dealing tenants. Once the houses are vacant, the group tries to protect and develop that property in a timely fashion in order to prevent it from falling into the wrong hands again. Members hope that once all of the vacant buildings are developed by responsible investors, the community can begin to heal itself.

One of the group's main activities is making landlords and property owners aware that they are consistently being monitored. For example, a drug sweep in a neighborhood north of Greenmount West pushed several drug dealers into an alley street in Greenmount West. Members of the association went to the alley in question and confronted members of the drug gang who tried to move in. They also sent letters to every City official within the Eastern and Central Police Districts (the neighborhood sits on the boundary between these two districts), informing them of the activity taking place in this alley. They also walked around the properties in question, found violations, and informed the landlords of the code violations which existed on their property in addition to informing them of the drug activity. The dealers were chased out by police and landlords. Forcing landlords to comply with codes has included notifying them of lead paint ordinances, backyard maintenance ordinances, and trash can provision codes.

In other cases where there are drug houses, letters are sent to the police department detailing the activity there, followed by a letter sent to the landlord, who is

informed of the drug abatement law. S/he is also informed that the association is prepared to seek legal counsel if something is not done about the property. Landlords have generally cleaned up the problems or evicted the tenants without more pressure. The association writes letters to landlords on a weekly basis, and they have never had to go to court. Smith has a file on every address in the community. The City's Department of Housing and Community Development helps him track property owners down through City tax records. This allows Smith to be able to provide a list to landlords of every problem they have on their property.

When landlords are unresponsive or a problem is so immediate that the group cannot wait for a landlord to respond, they will confront tenants themselves. For example, there was one house in which squatters were living and selling drugs. Social Services told the association the squatters could not simply be thrown out because they had rights. The group took matters into their own hands, went in with flyers and told the individuals that they had a certain number of days in which to vacate the premises. Smith took his German shepherd, along with the President of the association, over to the house to kick them out. Sensing that the association meant business, the dealers left the building and they have not returned.

The group has boarded up buildings as a way to keep individuals from using properties for illegal activities. First the association contacts the City and has a building declared a vacant house. The City verifies that the house is indeed vacant. The house then goes on the City's list of houses to be boarded. The City is behind, however, by more than one thousand houses. There are more than 7,000 vacant houses in the City. While the group waits for the City to act on the house, it keeps sending them updates about illegal activity there. It can take three or four months for the City to actually come out and board up a house. Residents, desperate for relief from the drug dealing going on from these properties have taken it upon themselves in some cases to actually buy wood, have wood donated, or use wood from inside the vacant houses to board up the buildings. In most cases, people will attempt to take the boards off and use the property again, so the group has to constantly monitor the problem, which usually includes having to replace boards or nails. In other cases when the City does finally make it out to a vacant house to board it up, the drug dealers rip the boards down within days. This puts the house at the bottom of the waiting list again. It can be months before the removed boards are replaced. The group has replaced boards in these situations too, without assistance from the City. They realize there are issues of insurance and liability, and the City is attempting to give the community the power to do such activities legally.

Another strategy the association has used to get rid of individuals living in vacant houses is to call Baltimore Gas and Electric (BG&E) and have power turned off at vacant houses. BG&E checks with the City to see if the house is on the vacant house list. Once they verify this, they come out and turn the power off. They also cut the line and pull the meters out to insure that no one can get electricity into the house. People

usually then leave the buildings. Under pressure from the association, the City also will come out and turn off the water from the outside of such vacant houses.

Another crime problem which the association has dealt is the issue of transvestite prostitution. Smith issues a report every month to both Eastern and Central District Police Stations with information on the prostitutes' activities -- where they live, what they do, where they work, and at what time residents have seen activity. Residents who have information inform Smith of what they have witnessed. About six months after such persistent pressure on authorities, they have been able to clean up the problem.

The association feels that when a neighborhood looks good, it shows others that the residents care about their community. They feel this image will keep drug dealers out of the area because dealers don't want to set up shop in an area where people might pay attention to their activity. As a way of creating a clean image, the group maintains all of their own green spaces. They use community service people (individuals who received court sentences requiring them to perform community service), to keep backyards cleaned and cut. They have been able to obtain equipment through donations. In addition to creating a safer image, the green spaces have reduced the number of places to hide paraphernalia and drugs.

The group schedules between two and three clean-ups per month during the warmer months of March through November. When the two staff members first began the clean-ups, they did them alone. People did not take them seriously. Soon, however, people began to send their kids out to participate. They now get about five or six people to help each time. The City provides dumpsters and trucks for trash removal. They also plan to ask the City to donate bags, which have taken a large chunk out of their budget.

Greenmount West was one the first communities in the United States to start a reforestry program. The impetus for the program came from a huge, abandoned lot. Trash, cars, mattresses, rats infested it. One event that motivated them to act was when they saw a mother cat who had given birth to a litter of kittens. Residents thought it was cute and kept an eye on the new addition to the community. Soon, the mother cat was gone and the kittens were turning up dead. Not long after, one of the residents saw a rat carrying one of the kittens across the abandoned lot. They realized then that they had to do something about the lot. To help, the City provided a dumpster. Parks and Recreation provided loads of mulch and soil, enough to bury the area under three feet of cover. Forestry provided 20 saplings to the group, which then encouraged other residents to donate trees. The area is now filled with trees and grass. This project was an important project for the group and encouraged previously inactive residents to become a part of other strategies. Residents got to know each other, enjoyed working to improve the community, and have since worked on four other green spaces.

Chesapeake Bay Trust has given the association a grant for \$950 to clean one section of the bay's bank encompassed within their community. The Trust has promised

them money for each section they work on. In Baltimore, a company called Penn Advertising has billboards near bridges on the banks. Up until now, Penn has paid someone to come in and spray an herbicide to kill the fauna so that it will not grow up and block the billboards. This was a danger to the water and plants, so the group has used some of the money for tools so they can cut the trees and bushes which are growing there, instead of allowing the spraying of dangerous chemicals.

Other association activities focus on youth, including getting a band together of community kids, which has won several Presidential citations. It allowed people to get together and agree on something, allowing them to put aside petty differences. The Wings Program teaches kids how to use wood products. They sell their products, and use the proceeds to buy tools and equipment. They have plans for an art center -- and are waiting for funding.

Currently, the association is trying to renovate a building for new office space. The building, which was once vacant, will have two rental units which will generate income for the association. The Board of Directors is also working on getting legislation introduced on the state level that will force youth to repay insurance costs for cars which they steal.

As a member of the association, Smith has gone beyond simply voicing concerns to authorities or pressuring landlords. He lets the community know that he cares about the residents here, and that he will not just sit back and watch people destroy their own lives or the lives of those around them. He wants to send a strong message to the youth that someone is watching, that someone cares enough to intervene and protect them. Some of the association members and other individuals are concerned about the amount of confrontation Smith engages in. There has been some retaliation from drug dealers. Association members have found their property damaged, and one woman was shot at but uninjured.

The Greenmount West Community Association relies on help from the City's Department of Housing and Community Development, through their Neighborhood Project Coordinator, Roseann Walsh. Walsh's office tries to help the community by informing them of developments within the City, and encourages them when they seem to be losing steam. Her office keeps the group up to date on their Urban Renewal Plan, administers the Block Grant Fund, and advocates on behalf of communities within Baltimore for the spending of federal monies. Walsh attends community meetings, and interacts with members of the community who may have questions or may feel they are not being served well by their association.

The association also relies on assistance from the City Housing Inspector's Office, but the agency is severely understaffed. There is one inspector for the entire eastern section of the city. The association sends a list on a weekly basis to the housing office. Sometimes this list includes the same problem location over and over again. Many of

the laws are antiquated, giving the property owners loopholes which allow them to avoid making necessary repairs or modifications. Other property owners will repair violations, only to let their property lapse again. Due to the lack of staff, the inspector's response time is generally slow. If Smith calls and insists that a problem has reached emergency status, the inspector may come out within a week. Otherwise, problems are simply added to a long list the City keeps on file. Residents help by calling in problems to their office.

According to several Board members, working with law enforcement has been a difficult and unrewarding experience. The community of Greenmount West is located in the westernmost portion of the Eastern District. Officers at the Eastern District are supposed to patrol Greenmount West and work with this community, but Board members find that the officers are lax in their duties. They feel that officers do not understand the depth of the problems here, and that they have often been told their problems are not as bad as they are somewhere else. The association has found that they must rely on the bordering Central District police for assistance -- but help from them has also been unsatisfactory.

When we contacted the Eastern District for an interview with the Community Police Officer assigned to Greenmount West, the officer answering the phone was not even sure that Greenmount West was their responsibility. The Community Police Officer assigned to Greenmount West would like to see Citizens on Patrol instituted in their neighborhood. He feels strongly that the community needs to be more active, and echoed the concerns of association members that community members were not as involved as they could be. However, he felt that criticism of the police is unwarranted because, from his perspective, the problem in Greenmount West is not as bad as other areas, there is not enough personnel to deal with all of their issues, and the community expects the police to work for them, not with them. The officer feels that if the association would modify its attitude toward the police, there could be a more effective relationship. He appreciates the list of problem sites and activities sent by Smith every month, and feels that the group's strategies would be more effective if more residents would take initiative.

There is also a lot of resident dissatisfaction with the City's response to Greenmount West. The City is reportedly very slow in responding to problems such as vacant properties, and slow in pursuing development. One of the biggest complaints by members centers around the City's housing development plans. They feel the City has frustrated efforts to bring investors in.

For example, a Housing Festival was organized by the City as an important way to bring potential investors together to provide them with information on how to buy property and make the process as easy as possible for them. However, according to Johnson, the festival was poorly implemented. There was little information available and people were told they would be contacted soon after with further information, which did

not happen. In other instances, the City has sold properties in Greenmount West to investors, only to gut the buildings of their beautiful marble mantels and pine wood floors -- the City claims it is cheaper for them to do this. Investors who were once excited by the prospect of owning their own home and renovating a property with low taxes have become skeptical, and some have even dropped the projects.

In other cases, the City has had plans to renovate a number of properties to create apartments for more than one family within one house. Residents and several potential investors preferred that the properties remain single family dwellings. The investors even offered to pay the same cost to the City in exchange for their promise not to change the style of the housing. Not only did the City refuse to allow these houses to remain as single family dwellings, they initiated a change in the zoning laws so that they could legally change the single family dwellings to multiple family dwellings. This angered the community and potential investors were lost.

We spoke with a member of city council, who recognized the association's frustration with the City's lack of action. He acknowledged that there are houses which are owned by the City which need to be boarded up or developed. The community has taken great pains to let the City know what its issues are and what problems need to be corrected. Unfortunately, he feels, the City simply neglects to follow-up as well as it should. He feels that his role is to attend meetings and interact with residents, and to act as a liaison between residents and the City -- and hopefully to nudge the bureaucracy along.

Lessons Learned

Overall, there was a feeling from residents that the community and the City are not doing enough to help its residents. Residents are angry about what they call a welfare state and feel strongly that the City needs to take more of an active role in educating people and helping them to get themselves out of their situations. They also realized, however, that the City is not going to do it on its own. Residents need to help each other; they need to care about their community.

The most persistent piece of advice provided by everyone connected with the Greenmount Association was that ridding one's neighborhood of crime and drugs takes a lot of time. Patience is essential. Any strategy worth using will take a lot of time and effort due to the bureaucracy and the deep entrenchment of the problem. Drugs are not going to be eradicated overnight, therefore groups must be committed and strong. Good, strong, motivational leaders are essential.

According to Smith, one of the best ways to get people involved is to start a project. This can be anything from planting trees to holding a festival. Getting people excited about working together on something, he finds, inevitably leads people to discussing other issues which affect their community. Groups must feel that they have

accomplished something. Little successes keep people involved and interested and keep the group alive for the long haul. Little successes along the way, such as a wide-reaching community picnic or regularly scheduled clean-ups encourage new members to join and revitalize old members. Additionally, Greenmount West has found that when drug dealers start noticing little successes of the association, they become wary of doing business there. When an area becomes steadily involved in neighborhood watch, or the dealers see the level of community support for an association, they are likely to move on.

Members also emphasized that they have the power to vote ineffective people out of office. They recommend that groups put everything in writing, and keep accurate records. Documenting activities and conversations (on paper or videotape) may keep a tenant, an absentee landlord, or even a City worker on his toes. To make a community effort work, the association feels it is essential to encourage busybodies -- nose people, people who are willing to pay attention to what's going on around them.

Getting started, and maintaining a group and activities not only takes time, it takes some money. Getting funded can be a slow, gradual process. The group recommends talking to people, finding out about funding. They have found that the more people you talk to, the better your chances to find funding for small projects. The association has also found that money begets money; once a track record is established, it is much easier to get grant money.

In the future, the Greenmount West Community Association plans to work with neighboring communities such as Mount Vernon Belvedere and Charles North. They believe that, together, these communities can accomplish more than any one community can on its own. The association also imparted one final word of advice -- no matter what you want to do, just start it. Don't talk it to death -- do it.

Heavy Hitters of Milwaukee, Wisconsin

The Heavy Hitters of Milwaukee is a non-profit community-based organization established in 1989 to deter the use of drugs and alcohol and prevent crime and drug problems in the community. According to Paulette Bangura, a coordinator of the Milwaukee District Attorney's Office's Community Drug Prevention Project, the Heavy Hitters "are like no other community organization in Milwaukee." She explains that their first hand experience with the dangers of drugs sets them apart from the rest, and adds that they are fairly well known and respected although they initially had to struggle for credibility.

The main goals of the organization are to provide temporary and permanent stops to drug and alcohol use, a safer living environment, and direct services to the community. Although they have sponsored many activities, the Heavy Hitters feel that all their efforts are in some way directed towards crime and drug prevention and intervention. In its five years of existence, the organization has addressed numerous issues, including youth

leadership, youth and adult drug education and prevention, recidivism, housing, and personal recovery and development; the group is now embarking on public policy development.

Background

The Heavy Hitters Organization evolved out of a group of male friends recovering from drug addiction, who formed a support group to help each other through their recovery in 1987. They spent a great deal of time with one another planning events, attending social gatherings and self-help meetings, and doing all that was necessary to keep themselves away from drugs and alcohol. Their central focus was to worry about themselves and each other and not the drugs that were still available to them. The group of men called themselves the Heavy Hitters. They maintained their approach for two years and, in the process, inadvertently gained a reputation as a group of womanizing men who were looking for a good time to stay sober.

In the fall of 1989, the group temporarily disbanded, but was reformed in a matter of a few months by Linston Young, one of the original members. The new Heavy Hitters would continue much of the same philosophy it had followed two years before, but from within a much more structured and official organization. With some support, Young soon developed a mission statement. Another member of the new group, with help from a University of Wisconsin professor, registered the Heavy Hitters as a 501(c) non-profit organization.

The City and Target Area

The city of Milwaukee is a large, well-established metropolitan area of over 600,000 people, home to several major breweries. Advertisements for various beers abound throughout the city, as do pubs, bars, and liquor stores. There are occasional intersections which have a liquor establishment on each of its four corners. Yet perhaps even more conspicuous than the number of liquor establishments is the tremendous number of churches throughout the city. Several old, large churches adorned in traditional architecture can usually be found in a two or three block radius. In many areas, the tops of large cathedrals make up the bulk of the skyline. Two members of Heavy Hitters testify to the number of churches and liquor establishments in Milwaukee, "This city has got plenty of churches, bars, liquor stores, and funeral homes. You can go lose yourself, get saved, die, and get buried all on the same block."

Although Heavy Hitters does not limit its services to any one particular section of the city, part of their funding requires them to focus on the 50326 zip code, an area which encompasses 2.86 square miles. The Heavy Hitters organization keeps extensive records and statistics on the area, which they have compiled through city records and their own data collection. The population of the target area is 41,280, including 9,551 families. The area has 12,400 homes and 11% of the housing units are vacant.

Approximately 32% of the units that are not vacant are owner-occupied. By far, the majority of the residents are African-American, comprising 97.4% of the area's entire population. Nearly 63% of the households are headed by females, and a large percentage of the residents are teenagers. According to the Heavy Hitters, the target area has a significant crime problem, with the most serious crimes drug dealing and drug-related murders.

The target community is primarily a low income residential area north of downtown. Some of the families are on public assistance. The homes in the area are mostly two and three story buildings, many of which are rowhouses and apartments with large front porches and yards. Most are fairly old, beyond sixty years, and many are in need of repair. The streets are narrow and are well used by neighborhood children playing outside their homes. The area has many large thoroughfares running through it that are lined with retail outlets, including fast food stores, liquor stores, and specialized sales such as automotive parts. These commercial strips and pockets of retail stores are located at convenient intervals throughout the neighborhoods making them convenient to the residents.

The Organization

Since its recognition as an official organization in 1989, the Heavy Hitters have maintained a community-focused, grassroots orientation. In their own words, their entire curriculum is based on a bottom-up philosophy. They strongly believe that social and economic growth stems from community empowerment, which in turn stems from individual and personal development. Heavy Hitters takes a compassionate perspective in its approach to drug problems, stemming from the personal experiences of most of its members. Their aim is to work with authorities and other community agencies to develop programs which will offer or legally require alternatives to drugs for both users and sellers. One of the organization's missions is to get individuals involved in drugs to realize that alternatives are available in the community. Yet they also adhere to the view that people involved with drugs fall into one of two camps: who they feel are worth investing in and the hard-core, "career" individuals who present nothing but problems to their community. Although they attempt to reach everyone, the Heavy Hitters admit that there are some people they would "rather see locked up than free in the community."

The Heavy Hitters are housed in a large converted bank, located in their target community. Ironically, some members recall "doing or selling" just around the corner or down the street from their current office. The split-level building, which has ample space for individual offices and meetings, was obtained in 1989 with the help of the Neighborhood Opportunity Center (NOC), through the city's Inner City Development Project (ICDP). There are several computers used for data storage and record keeping although other types of equipment are sparse. Recently, some audio and video

equipment were stolen from one of the main meeting rooms during the night and have not yet been replaced because a lack of funds.

The Heavy Hitters operate on a fairly informal manner with no hierarchy stressed in its organizational structure. The office is open and made available to the public every day for walk-in, usually until the late evening. Although support group meetings are held on a nightly basis in the meeting room, administrative meetings are officially held twice a month. Many of the members admit, however, that as many of the administrative decisions are made during daily interactions and conversations as they are at the bi-monthly meetings.

The only paid member of Heavy Hitters is the organization's founder and executive director, Linston Young, supported by a large cadre of volunteers. He is well respected inside and outside of the organization and serves as a mentor to many of the volunteers.

Three paralegal volunteers offer their time and legal expertise to the organization. For example, the paralegals are looking into ways to streamline the prosecution of hard core criminals while getting them stiffer penalties. The paralegals also manage the legal aspects of the organization's projects, particularly what their legal rights and limitations are, although they are not responsible for representing the organization. To date there has been no need for any legal action or representation in regard to the Heavy Hitters' activities.

When the organization began in 1989, most expenses were paid out of pocket and, with the exception of some small donations and fund raisers, it remained that way for the first two years. Currently, the only external funding the organization receives is a local grant from Wisconsin Against Drug Environments (WADE), which supports 21 community organizations throughout the state. The modest grant provides a stipend for Young and approximately \$5,000 for organization expenses. Young claims, however, that much of his salary is necessarily reinvested in the organization, as there are always unexpected expenses that arise. The organization also generates approximately \$8,000 a year from fundraisers, individual contributions, and other internal sources.

One element of the organization that the Heavy Hitters have not had to contend with since the year they began is soliciting volunteer and citizen support. According to Jessie Carter, an original member of the Heavy Hitters and regular presenter of outreach programs, "The Heavy Hitters sells itself. When people hear about us and find out what we're really about, they have no trouble volunteering." Carter, who is in charge of the organization's speakers' bureau, also notes that Heavy Hitters tries to dissuade people from volunteering who are "pig-headed", competitive within the organization, or have their self-interests in mind when offering their services. The regular volunteers, however, show a loyal and vested commitment to the organization.

One of the misconceptions of Heavy Hitters is that it is a "one man" operation, driven exclusively by Young. Young, however, points to the core group, mostly women, of over thirty volunteers he can regularly count on to administer or support a project. A large number of the people who volunteer time to help Heavy Hitters are involved with health care. Most of the volunteers have had experience with drug dependencies and are familiar with the use and sales of drugs; they have been part of the problem and, now through their volunteer efforts, are part of the solution. According to Young, most people involved with the group see helping out with Heavy Hitters as part of what keeps them sober. Ron Walker, a member of Heavy Hitters' personnel, claims, "I really can't stay away from Heavy Hitters. Even though I've got a job elsewhere now, I feel I need to spend time here, help out, and give back for what they gave to me."

Main Activities

The Heavy Hitters maintain a busy daily agenda. They receive a regular influx of phone calls from people who turn to them for help or referrals. They are networked with over sixty other organizations throughout the city, including detox centers, city agencies, and other community groups. One of the groups they collaborate with is the Renew Counseling Center, an outpatient recovery center. According to Johnetta Thurman, the coordinator of the center, over 90% of the men using their services have been incarcerated, and Heavy Hitters makes the transition to regular life easier for them.

A key component of the Heavy Hitters routine is the presentations they give to various groups, including community associations, schools, prisons, hospitals, and churches. Usually, an experienced member, who can offer first hand anecdotes, makes the presentations; new presenters receive special training. When addressing their audience, particularly young ones, the Heavy Hitters try to give more than a "stay in school, stay out of drugs" speech, offering feasible options for people to avoid crime and drugs. One of the key preventative elements of their program is talking to men and women in correctional facilities to keep them from making the same mistake that got them in prison in the first place. The Heavy Hitters have occasional difficulties in pursuing this strategy, however, as some prison officials will not approve their visits because of the history of some of the members.

One of the major services that Heavy Hitters' offers to community members recovering from addiction is its rigorous schedule of support group meetings. Six nights out of the week, with the exception of Sunday, the Heavy Hitters hold mini forums, with each night's meeting focusing on a different area. The topics of the meetings cover a broad range of personal development and recovery issues. Meetings include separate men's and women's support groups, inner peace groups, spirituality groups, and a forum comparable to an alcoholics anonymous for cocaine addicts. The meetings begin in the early evening around six o'clock and often last beyond four hours. Generally, a dozen to two dozen people attend each night and most stay for the duration of the meeting.

Each meeting is presided over by either Young or one of the other trained Heavy Hitters volunteers. Although informal in format, the discussions are intended to directly confront each individual's problems. The sessions mix pop-psychology and twelve step know-how with the mediators offering reflective questions to anyone brave enough to speak up about his or her current dilemma. "We don't pull any punches," says Young, referring to the barrage of questions he and others regularly ask a person who is attempting to talk about his or her problem.

One of the organization's major accomplishments was coordinating the construction and operation of a home for female recovering addicts. The CHIPS Moms program, which stands for Children in Protective Services, was designed to assist mothers who need to meet court-ordered requirements of sobriety to retain or regain their children placed in protective services. The home is a small, newly renovated, eight unit apartment building, which was formerly a run-down, neglected structure purchased by a local contractor and friend of Young, who was willing to pay for its reconstruction if the Heavy Hitters would put the building to good use.

CHIPS Moms pay \$320 per month, which covers rent and all of the program's optional and mandatory services. The program requires strict adherence to good conduct and etiquette, no use of drugs, and attendance at a series of counseling and therapy sessions.

Representatives of the District Attorneys Office and Heavy Hitters met through the local Fighting Back project, which coordinates much of the city's substance abuse prevention and intervention efforts. Paulette Bangura and Mary Ann Onorato, the coordinators of the Community Drug Prevention Project of the District Attorney's Office, have worked with Young and the Heavy Hitters to get community members involved with drug prevention. They believe that community members are generally hesitant to work with city or county agencies and even the police, and that groups like Heavy Hitters help bridge the gap for them.

The Community Prevention Project has been discussing with Heavy Hitters their views on streamlining prosecution procedures for serious criminal charges and ways to impose stricter penalties upon felony offenders. As of yet, however, the Heavy Hitters do not have the clout to significantly influence legislation. However, the influence of community groups in the courts has escalated in Milwaukee since a new court procedure allows for a neighborhood impact statement to be used in sentencing persons whose criminal behavior has impacted others. The impact statement is prepared by community members, including those involved in Heavy Hitters, and the City's Drug Abatement Unit.

The Heavy Hitters work with the Metro Drug Abatement Unit to target drug dealers. The Heavy Hitters do surveillance work, record information such as vehicle license plates, and keep logs of drug activity. The Heavy Hitters also use members who

they say are "informants" with access to information about drug markets to report to the authorities.

The Heavy Hitters have also worked with the West End Community Center against prostitution. The two organizations have collaborated with the police sting operations and strongly advocated having vehicles taken away from those people soliciting prostitutes.

When Heavy Hitters began, establishing credibility was a constant battle. Many organizations and agencies whom the Heavy Hitters approached for support and alliance did not trust them or have faith that they would succeed. The District Attorney's office frequently conducted background and security checks on Heavy Hitter volunteers before trust was established. The Heavy Hitters now feel they reached a certain level of respect and name recognition throughout the city. Even the drug dealers, who are not quite afraid of the Heavy Hitters, have a certain level of respect for the organization and what it is trying to achieve. Young claims that the drug dealers are, ironically, the best referral source for the organization.

The Heavy Hitters have had an unusual relationship with police. Many of them have had negative experiences with the police and were reluctant to work cooperatively with them. The Heavy Hitters have been somewhat dissatisfied with the amount of cooperation they have received from the police, but are more empathetic now with police. They report the police making a positive shift away from traditional law enforcement tactics to a more civil approach involving direct work with the community.

The Heavy Hitters have used various civil remedies to take matters into their own hands. They were able to alter several pay phones in the community used for drug transactions. By contacting AT&T directly, they were able to get the phones to accept no incoming calls or calling cards and to have calls recorded on particular phones during certain hours. The phone company took responsibility for handling legal issues that were involved in altering the phones. Prior to contacting the phone company, the Heavy Hitters logged data on suspicious use of the phones to support their claims. Although they had initially planned to have the phones removed, there was some resistance by residents living near the phones who relied on their use. The Heavy Hitters also attempted to get beeper services shut down during certain hours to inhibit their use for drug sales, but were unsuccessful.

A few years back, the Heavy Hitters also tackled the issue of retail stores in the community that were selling drug paraphernalia. The Heavy Hitters documented the merchandise in these stores and conducted their own undercover stings to catch merchants selling to underage patrons, then reported the information to the police. Heavy Hitters then led an aggressive campaign, in which they were able accumulate a great deal of support, to boycott these stores. They also rallied to get stiffer penalties for selling to minors. The campaign had very positive short term effects, but there was

still a significant number of people soliciting the stores for the drug items. Young believes that they would have had better success if they had referred to existing statutes to back up their campaign. He also believes they should have fought for new legislation to ban the sales of these items rather than just confronted the stores in large numbers.

In these efforts, the Heavy Hitters feel strongly that they need to maintain at least a minimum amount of anonymity to protect those people volunteering their support from retaliation. They have emphasized this within the organization as well as with other groups that they work. Some of the Heavy Hitters have been the victims of retaliation for their efforts. While working as a counselor at a local hospital, for example, Young's car was fire-bombed. This was an extreme case, however, and most retaliation has been much less severe and taken the form of verbal threats.

Heavy Hitters plans to address housing issues in the future, including creating low income housing, participating in the regulation and design of residential housing developments, restoring older property, and implementing various aspects of environmental design for crime prevention. A step toward another goal, monitoring and influencing public policy, has been taken with the formation of the African-American Political Action Committee (PAC) housed within the Heavy Hitters Office. The committee's five goals are to: (1) organize, coordinate, and empower a community-based process, (2) review position papers addressing major problems in the African-American community, (3) develop roundtables to secure expert and community reviews of the position papers, (4) publish results of the roundtables as official statements of the African-American community's concerns and preferred actions, and (5) influence the Black vote towards candidates that best represent the concerns of the African-American citizen.

The Heavy Hitters feel inadequately trained to directly develop local legislation. The organization wants to develop the capacity to write, submit, and get approved ordinances that may be beneficial to the community. Young also feels that it is important to develop a certain "political etiquette." He would like to have all members of Heavy Hitters learn the ins and outs of policy making, how to get the political backing from appropriate people to get a law passed, and how to cut through the red tape that is often encountered.

Lessons Learned

The Heavy Hitters did not learn what they know from books, but rather from experiences on the streets and in the homes of people directly affected by crime and drugs. Young advises that one of the best ways to deal with a problem in the community is to get the community involved. He favors working within the system, with the city agencies, community groups, police, and other organizations that can provide services that will be a means to an end. He advises other groups not to be too head-strong in their approach, such as consistently presenting antagonistic views to agencies that can

help and placing the achievement of their self-serving goals above the needs of all others. Yet Young recommends that others invest full-heartedly in what they believe in, despite the trepidations or suspicions of others. This, he claims, is the only way to make a significant and positive change in the community.

Safe Streets Now! Oakland, California

For the past five years, the main objective of Safe Streets Now! has been the abatement of drug houses in neighborhoods throughout Oakland. The organization has been highly and repeatedly acknowledged by community groups throughout the country involved with community crime and drug prevention, for its unique approach to drug nuisance abatement -- the use of small claims courts. In the words of its members, the intervention approaches espoused by Safe Streets Now! fall under the generous umbrella of community policing tool; their main goals are to (1) bring peace and harmony to neighborhoods and (2) empower people to achieve neighborhood improvements independently.

Via the small claims court approach, community residents are able to force property owners to take responsibility for their property, whether it is being used for drug use and dealing or presents a different type of nuisance to the surrounding community. Safe Streets is also known for establishing working partnerships with city council, community police, and other city agencies to address housing and urban development issues.

The Safe Streets methods have been in high demand throughout the country. Their training sessions have been requested in thirty-four states and there is a long waiting list of community groups, neighborhood associations, and citizens asking for their assistance. The Safe Streets program has been replicated in 22 other cities, under the direction of police departments, city planning departments, and community development departments in addition to community organizations. The members of Safe Streets combine a hard-nosed administrative and business savvy with a deep-rooted philosophy of community development and empowerment and firsthand experience with street level drug markets.

Background

The concept underlying Safe Streets Now! emerged from the experiences of a group of Oakland neighborhood residents confronting the problems of street level drug sales firsthand. In a quiet community a drug market emerged from an apartment building, bringing with it prostitution, crime, congested streets, unsightly trash, noise, and occasional gunfire at all hours of the night. It also brought fear to the residents of the community and kept them from using and enjoying their streets. Molly Wetzels, the

founder and current director of Safe Streets Now! was a part of that community, and her family members were harassed and accosted at gunpoint by drug dealers.

To deal with the sudden onslaught of drugs and disorder, residents first employed traditional means of dealing with such problems: they made countless reports to the police, contacted City Hall in hopes that Oakland officials would take action, and made requests to landlords to take care of the problem. None of these strategies had any effect. Finally, out of desperation, eighteen members of the distressed community decided to try an available, yet infrequently used resource. They pursued a small claims suit against the owners of the property where the dealing was taking place, for permitting a public nuisance to continue on his property. The community members eventually won their case and recovered \$2000 per person. In the few weeks following their court victory, the drug house was closed down, the characteristic irritations that accompanied the drug house disappeared, and the small neighborhood soon began to recover.

From this two year ordeal sprang the foundation for what was to become Safe Streets Now!. Wetzel, one of the leaders of the small claims action, saw that other neighborhoods could benefit from the efforts with which she had such marked success. Investing her time and money, Wetzel was able to establish Safe Streets Now! as a non-profit organization designed to provide community and neighborhood associations with a community policing tool to make or maintain their streets drug-free.

Typical Target Areas

The city of Oakland is a metropolitan seaport known for its industry, troubled neighborhoods, and high crime rate. The city has a population of nearly 400,000 people, with a large percentage of minorities. The city presents a distinctive separation of socioeconomic levels. Even the geography of the city contributes to this separation, as expensive homes on Oakland's hills are clearly disassociated from the congested and commercial "flatland" of the city. Since its inception, Safe Streets Now! has elected to serve communities throughout the city as needed, most of which have much in common.

Typical target neighborhoods are generally low income areas with a substantial number of residents on public assistance. They are predominantly African-American (usually 75% or more, which is higher than the city's overall percentage of 40%). Usually there is low home ownership, with approximately 15% of the homes owner-occupied. The neighborhoods share many social problems common to inner-city communities, such as high unemployment, homelessness, single moms, and other non-traditional households. These neighborhoods experience more severe crimes than most, including assaults, drive-by shootings, fire bombings, substantial drug markets, and one of the country's highest homicide rates. In spite of, or perhaps as a result of, the many problems, many of these Oakland communities have developed strong community leaders.

The Organization

Since its inception in 1989, the Safe Streets organization has gone through several changes. Originally headquartered in Berkeley, the organization has since moved south to Oakland, where it has gained its prominence. After a few relocations, the organization is now situated in a comfortable downtown location.

Currently, the organization is staffed by seven employees. Wetzel oversees all aspects of Safe Streets and takes part in both the local implementation as well as national replications of the program. There are three designated community organizers responsible for all of the locally administered activities. They are all certified Safe Streets Trainers and give the presentations which are the integral component of their program. The organization also has a personnel director, a newly acquired resource director, and an administrative manager. The staff of Safe Streets insist that the organization is not run like a traditional business, but rather they strive for a person-oriented management which encourages personal development and involvement with the community. Since there is rarely a need for one, there is no lawyer on staff, but attorneys familiar with Safe Streets are always willing to offer their services.

Safe Streets Now! is a subsidiary of a parent organization, the Drug Abatement Institute (DAI). The DAI, which is supported by the City and the University of California, addresses three areas of drug abatement: (1) the development of new techniques and strategies, (2) the application of these techniques (which is Safe Streets' responsibility) and (3) the replication of this program in other locations. Recently, the DAI has addressed the issue of turnkey housing and is developing strategies for effective property management. The DAI uses a simple model: analysis of the problem, leading to the formation of a strategy, followed by the development of a program. The Drug Abatement Institute's name is not as well recognized as Safe Streets Now!, although they are housed in the same office and led by the same individuals. Safe Streets Now! has become a recognizable and "user friendly" name which citizens and the community relate to.

Funding for Safe Streets Now! comes from various sources, although the majority of their operating budget stems from grants and agreements with the city of Oakland. They have also been able to obtain some funding through private corporations such as the Kaiser Foundation. The operating budget for Safe Streets for 1993 was approximately \$500,000. Wetzel admits that bearing the non-profit organization status sometimes limits the flexibility with which they can utilize their funds to best suit their programs needs. She also admits, however, that she would never want to give up the support they receive from local government. She explains that this is not because the city support is so substantial, but rather because their support is essential in promoting the notion that the Safe Streets program is truly a partnership between themselves, the city, and the community. Wetzel also feels that a liaison with city government allows them to have continued input into policy development and city resources.

Main Activities

Safe Streets Now! dedicates about 90% of its time and effort toward the prevention and intervention of drug and crime problems, and 10% toward activities which are not related to crime and drugs. Safe Streets members regularly schedule and conduct community workshops and training seminars for other organizations. The Safe Streets curriculum is based on a three stage program for achieving community improvement, which are:

- Level one: Safety
 - Crime
 - Drugs
 - Speeding cars
 - Guns, etc.

- Level two: Beautification
 - Dilapidated houses
 - Graffiti
 - Community gardens
 - Trees
 - Pot holes
 - Abandoned houses
 - Removal of junk cars

- Level three: Economic development
 - Jobs
 - Recreation
 - Neighborhood commerce and redevelopment
 - Schools

The organization feels that it has accomplished what it can in developing a strategy to achieve level one. They believe their work with city council and city agencies, along with their method for utilizing small claims courts to sue property owners, have made significant contributions to reducing crime and drugs and improving the safety of the community. They are currently involved with various aspects of level two, most of which is achieved through collaboration with the city. Level three is an objective they plan to address in the upcoming years.

The Safe Streets method. According to Wetzel, the Safe Streets method of community organizing and using small claims courts to sue property owners offers confidentiality from the dealers, users, and property owners, until a court appearance takes place, should it be necessary. Other methods, such as working with the police only, do not always offer this convenience. Wetzel also feels that the Safe Streets method is a more cost efficient approach, which eases strains on city resources.

The first step in carrying out the Safe Streets method is giving a presentation to the citizens or group who are affected by the problem, which commonly stems from sales of drugs and absentee landlords. These presentations are given by any one of the three certified Safe Streets trainers and usually last for about two hours. Community groups

get in touch with Safe Streets in various ways. Some are referred to them by police or other city agencies, others hear about them through word of mouth (mostly from other community groups), and some become aware of Safe Streets directly through their outreach programs. Safe Streets requires that at least three individuals who live in the community and are immediately affected by the problem be present at the meeting, although getting a respectable turnout to these presentations has never been a problem.

At each presentation the trainers go over several steps to identify the problem specific to that community and then, through elaborate and colorful charts and drawings, clearly present the route Safe Streets uses to rectify such a problem. Through the charts, the trainers explain exactly what civil laws the drug users are violating, what rights the community has, and how to uphold those rights. They also try to get the people to recognize the problem as a civil issue rather than a criminal issue, i.e., that the problem is the *nuisance* of the drug market, not necessarily the drug market itself. According to Safe Streets trainers, this is not often easy. While people complain about the drugs and how the drugs are ruining the community, they fail to realize that what they really are upset about is the disturbances that the drug sales bring -- the noise that keeps them up at night, the trash in the mornings, the inability to walk the streets without fear. Once the community members get this idea in their heads, they begin to realize the fact (which is underscored in the drawings) that the nuisance leads to emotional and mental stress, which the trainers emphasize holds up well in small claims court.

After getting community residents to understand the problem and thinking of it as a civil issue, the important next step is to develop a neighborhood action plan. Often times communities are made up of people willing to take action, but who do not have the necessary knowledge and coordination to get it done. In contrast, most of the drug dealers are very organized and run a "tight ship". The business of drug dealing is clearly explained to the community members to educate them on how the markets operate and motivate them to become organized.

According to Safe Streets, their method of community organizing is different from most because most involve a three-level hierarchy: a block captain, a number of co-captains, and block watch members. This traditional model, they contend, is a logical one. However, they believe it invariably leads to a few people trying to take responsibility for nearly everything and the other neighborhood residents needlessly relying on them. The Safe Streets model has no hierarchy, requires many people to take responsibility rather than just a few, and involves assigning people to specific roles. These roles include a liaison to the police, a liaison to city council, and separate persons to collect activity logs, write demand letters, photocopy and distribute items, take minutes, and coordinate meetings. In addition, if a court hearing is necessary, a person is assigned to be a spokesperson for all of the plaintiffs. This organization of residents is referred to by Safe Streets as "the neighborhood team".

Members of the neighborhood team are taught to collect evidence of the nuisance to present to the owners of a property in a demand letter and to a judge in court, if necessary. They are trained to document and save items they find on their property which give cause to believe a nuisance exists, such as used needles, vials, condoms, and garbage. They are also instructed on how to maintain an illegal activity log which records the time, nature, and extent of an incident. The log is also meant to document what type of stress and inconvenience is placed on each community member. To put it directly, neighborhood residents are taught to spend several weeks laying down the foundation of a civil suit. The establishment of a telephone tree is encouraged, to enable neighbors to share information and corroborate reports and evidence.

When sufficient evidence is collected, Safe Streets helps the neighborhood team write a demand letter to the property owners officially notifying them of the problem and requesting that they immediately take action to remedy the situation, most commonly through eviction. When appropriate, the property owner may also be asked to take remedial steps such as installing lights, a security system, fencing or doors, or making other necessary environmental changes. The letter, which is always sent by certified mail, is accompanied with copies of activity logs and clearly states that legal action will be taken against them if they do not comply within a specific amount of time. Demand letters usually contain specific authoritative language and are tailored to fit each neighborhood's situation.

The property owners are identified through the Alameda County Assessor's Office, which holds publicly accessible records. Individual names are never used in the demand letters to protect the identity of the community residents. The demand letter directs the property owners to address all their correspondence to Safe Streets. Safe Streets reports the property owner's response, if any, to the community group. According to their records, nine times out of ten the demand letter is sufficient to force property owners to remedy the problem. If they are cooperative, the neighborhood team offers support to the property owners, including providing them with further evidence to evict tenants. Occasionally, the property owners will need to serve uncooperative tenants with an unlawful detainer suit, in which the members of the neighborhood team serve as witnesses for the property owners.

If the property owners are not willing to comply with the demand letter, preparation for civil litigation begins. A second meeting is held in which the trainers help the community residents file their claims and prepare for court room procedures. All complaints are filed simultaneously and a request is made to have all the claims heard at one hearing. Claims may be made on incidents as far back as one year. Currently, filing a complaint costs each complainant (resident) \$15, but this amount is usually reclaimed in the final judgement as part of the settlement. Safe Streets encourages the residents to file a complaint on behalf of every member of a household. This has apparently been prudent advice, as individuals as young as six months old have, in the past, won \$5000 each.

As there are numerous plaintiffs, a spokesperson is appointed to speak for all of them. Safe Streets works with this individual to make a clear and articulate presentation. Most of the plaintiffs get an opportunity to testify if they wish. Police officers may be subpoenaed as witnesses. The Safe Streets trainers help "polish" litigants for their court appearance and get them to stick to the facts rather than rant and rave; they want to make sure they do not say or do anything in court which may hurt their case.

Effectiveness. The effectiveness of filing small claims suits has been extremely high. Safe Streets Now! has helped nearly 400 groups prepare for court. Although few cases ever get to court, over \$800,000 has been awarded to community residents. Until recently, when no award was given to one neighborhood team, Safe Streets had a perfect track record of winning all their cases. Occasionally, an appeal is made by the property owners on the decision, in which case the plaintiffs are required to have an attorney represent them. Safe Streets dedicates a great deal of time to these particular cases to help them prepare and find an effective attorney, as many community members are hesitant to take the necessary steps to face the appeal. Thus far, no decision has been overturned as a result of an appeal.

According to their follow-up records, approximately 15% of the groups and/or community residents they present to do not follow through with the process beyond the first meeting. These groups tend to take the information very lightly and let the problem take its course, hoping the situation will improve. According to Tatra Beuttler, one of the community trainers, a large number of these groups tend to call back after a six month period to request help from them again, in which another presentation is made and the residents generally follow through with the procedures.

According to Safe Streets, there are three alternative civil remedy tools that a community can resort to in the city of Oakland. One is the Safe Streets approach. The other two are the Beat Health Unit of the police department, and the Drug Abatement Act, California Health and Safety Code 11570 (commonly referred to in Oakland simply as 11570), which is implemented through the city and involves action by city attorneys. The Beat Health Unit also uses civil remedies to deal with drug and disorder problems at specific locations, including organizing multi-agency teams to cite the property for safety, fire, sewer, sidewalk, and rodent code violations, warning letters and threats of legal action under 11570, and pressuring landlords for evictions. In identifying a problem specific to a community, Safe Streets acknowledges that if a problem is street level drug dealing only, prostitution, or crime where the only person accountable is the perpetrator, traditional methods of law enforcement may be the best solution; in these cases, they encourage accurate documentation and reporting to the police. If a problem involves a property where the manager or owner can and should be held accountable, however, then the Safe Streets method is the strategy of choice. They also do not recommend using their approach when dealing with owner-occupied units, unless the procedures are under the immediate direction of Safe Streets trainers. For most cases involving owner-

occupied units, Safe Streets recommends working directly with city agencies to enact 11570, which usually takes approximately eight months to resolve and costs the city between \$15,000 and \$20,000.

Wetzel believes that simply presenting the Safe Streets methods in a manual or book would be ineffective. She feels that by implementing their strategy the way they do, more people get actively involved and have someone (a Safe Streets trainer) to turn to for immediate questions and support. In spite of this belief, Safe Streets has printed a brief publication, sponsored by the City of Oakland: *Safe Streets Now!: Community Action Guide*. This manual does, in fact, outline in detail the steps which Safe Streets recommends. It does not, however, include the information describing the components of a drug market or other subjective information provided in their in-person presentations. It also lacks the simplicity and clarity that their renowned charts, graphs, and drawings provide, as well as the ability to impart personal relevance.

Safe Streets Now! has established itself in Oakland's repertoire of drug abatement resources. In the process, it has developed an alliance with city council, community police, and other city agencies. Some of the concerns Safe Streets presents to these agencies regard housing, zoning, liquor licensing, police patrolling procedures, and environmental changes such as improved lighting and installation of speed regulators. In working with them, Safe Streets has also presented its position to these agencies on many issues and has not always agreed with their positions. Wetzel is sometimes disturbed by council members who are not supportive of Safe Streets' efforts, who do not take their recommendations seriously, and who are sometimes antagonistic. Wetzel meets frequently with city council and occasionally with the vice-mayor, often specifically to voice the concerns of a specific neighborhood or community.

Safe Streets regularly coordinates efforts with community police officers, and has fought against reductions in funds for community policing. Although this would not impact Safe Streets financially, it would decrease a resource for them and for neighborhood community groups, according to Wetzel. Safe Streets hopes to keep any drastic changes from occurring and encourages community representatives to voice their opinions.

When asked if they use other civil remedy strategies, Wetzel responded that they do not because it has not fit in with their goals, "We don't often focus on things like putting up a light in a specific location, because as soon as you put it up it gets shot out." She contends, however, that they will focus on such a solution if it is on a larger scale such as when poor lighting has been a consistent concern and a burden to residents of an entire neighborhood.

Although they meet with city council members frequently and regularly offer suggestions for their consideration, Safe Streets does not advocate new laws or ordinances to solve a problem. They feel that the process would be an arduous one,

particularly for a small community group or neighborhood association. They also feel that there is a sufficient number, if not an excess, of laws currently in existence, and that they simply need to be applied in an efficient manner by citizens and community groups. To keep fully abreast of the specifics of current laws, Safe Streets frequently contacts members of the local bar association for advice and answers to questions they may have.

Several measures have been used to assess the effectiveness of Safe Streets. The University of California at Berkeley's Institute of Urban and Regional Development has conducted numerous studies using pre and post intervention evaluations of neighborhood groups and associations assisted by Safe Streets. The evaluations, which involved quality of life surveys administered to community residents, generally indicated that the intercedence of Safe Streets had a positive effect on the community. The aggregated results indicated that people mostly felt that safety had improved in their neighborhoods and that the problem of drugs was not as significant as before. People also tended to more readily agree that their neighborhoods were more quiet than before as a result of Safe Streets. Very interestingly, the majority of the respondents demonstrated an increase in their belief that they have the ability to solve their neighborhood's problems.

Although most of the response to Safe Streets has been positive, not all has been favorable. One neighborhood association indicated that absolutely no change, in any regards, occurred from before to after Safe Streets' intervention. Members of another nearby association, in fact, indicated that their neighborhood is now less safe for their children to play in than before and that they feel less confident that they have the ability to solve their own problems. Ironically, this group also indicated that they believe the drug problem has decreased and that they feel safer walking in the daytime and using local markets than before. Comments from members of these two associations have ranged from "I am disappointed with Safe Streets. They didn't do a lot and there was no follow-up" to "...Now the neighborhood is much better." The negative comments have, nonetheless, been in the minority while most groups have had positive experiences with Safe Streets.

While most agencies have been supportive of Safe Streets, some officials have accused them of complicating matters by becoming involved with issues that should remain under the jurisdiction of the city. Some attorneys have also accused them of attempting to practice law without a license. Some individuals feel that Safe Streets may be becoming too big for its own good. Because of the attention it has been receiving nationally, some people feel that the organization is not sufficiently staffed to attend to the needs of the local community and that there is getting to be too many cases for them to give adequate attention to each one.

As would be expected, Safe Streets has been seen unfavorably by property owners and drug dealers because of the lawsuits and evictions. There has been very little retaliation, however. Property owners mainly show resentment, while drug dealers mostly present verbal threats and fear tactics. No physical harm has been attempted, so

far. Wetzel conveys that in the drug franchise, many of the "higher order" dealers do not allow their runners and linemen to retaliate because it looks badly upon their business.

Lessons Learned

Because of the success they have had, Wetzel and the other Safe Streets members feel confident about their product. The recommendations they make for other organizations are the same ones that they try to live by. They maintain a very cohesive staff and try to uphold an organizational structure that is flexible and allows for each person to provide input into the program. They also adhere to the notion that a community is made up of more than simply the individuals that are in it and that only by individuals taking an active role in the concerns of the community can it thrive.

The attention they have received through local media has been both a product and cause of their success. Though Safe Streets has had little trouble selling itself, its members, nonetheless try to actively promote their methods. While they have received their fair share of the limelight, they feel it is important to focus the attention on neighborhood residents who have taken steps to improve their community and to glamorize their efforts. This gives people reason to take action and become involved in what may otherwise be a high risk, low reward cause.

Safe Streets feels that the most important and effective element in their efforts is the establishment and nurturing of relationships between people and organizations. However, they warn that an effective collaboration should grow and evolve rather than be forced to occur. They also advise that "turf wars" should be avoided when dealing with agencies with similar goals. Wetzel feels that if a person holds a good idea for a good cause he or she should try to tap into all the city, community, and private resources that exist to achieve that idea, rather than adopting a "No, it can't be done" attitude.

Good Old Lower East Side, Inc. (GOLES) New York, New York

Good Old Lower East Side, Inc. (GOLES), is a community housing and preservation organization serving the Lower East Side of Manhattan. GOLES was founded in 1977 by community activists determined to preserve affordable housing and prevent neighborhood displacement and homelessness. GOLES takes a classic approach to community empowerment, working with residents to form tenants associations, block associations, and other ad hoc community groups to address the urgent needs of residents in the area. It uses multi-faceted civil remedy strategies in its ongoing battle against neighborhood drug dealing and substandard apartment buildings.

Background

GOLES employs the tenant association model to improve and preserve community housing. It works to form and maintain tenant associations in order to work collectively to advocate for needed repairs and services, correct building violations, end life-threatening drug and crime problems, and ensure proper building maintenance over the long-term. GOLES is the only community group actively organizing in the Lower East Side with respect to drug problems.

For the past four years, GOLES has been directed by Donna Ellaby, who was a member of a tenants association helped by GOLES from 1982 to 1985. When GOLES learns of a problem building, whether the problems are maintenance or crime and drugs, they approach the problem through traditional organizing -- the staff knock on doors, invite tenants to meetings, begin to provide information in problem-solving, and assist in forming an effective group and developing leadership. The approach to the building depends on its problems and tenants' abilities to address them. GOLES' approach begins with direct contact with the landlord or owner and proceeds to working with which ever government agencies are needed.

The Organization

GOLES is located in the lower floor of a rowhouse in the heart of Lower East Side. The office mostly consists of two large rooms connected by a wide opening, with many desks lining the walls and a general feeling that a number of different projects are underway but the staff know a bit about each other's current responsibilities. When a visitor enters, help is usually offered with a shout and a wave to someone's desk.

An annual budget of about \$240,000 supports six full-time and three part-time staff members who work out of the storefront office. The GOLES staff provide many services to the community in its commitment to homelessness prevention and neighborhood preservation, yet it is its work against drug trafficking and substance abuse in the neighborhood that is our focus here. With current staffing and funding, GOLES works with 40 to 50 buildings at any given time.

Target Area

The Lower East Side neighborhood of Manhattan is a large, sprawling area bordered by the East River, Fourth Avenue, and East 14th Street to just behind city hall in Chinatown. The Lower East Side has traditionally housed a high percentage of immigrants, including Asians, Latinos, Poles, and Ukrainians, a tradition that continues to this day. Just over 60% of the 160,000 residents do not speak English in the home. At the present time, the mostly lower income, working class population of 160,000 is estimated to be 32% Hispanic, 30% White, 30% Asian, and 8% African-American.

There are a number of single students and a growing population of non-English speaking seniors, the majority of whom are on fixed incomes.

The housing stock on the Lower East Side primarily consists of four to six story apartment buildings, 42% built prior to 1906. As with most neighborhoods in Manhattan, the apartment buildings have common walls with few pockets of open space. A number of vacant lots have been cleaned and converted into community gardens and small parks -- fenced and padlocked in an attempt to keep illegitimate users out. Only 5% of the buildings are owner-occupied. Along the neighborhood's eastern shore are high-rise public housing complexes that stretch for blocks.

The Lower East Side has tremendous problems with drug trafficking, chronic substance abuse, and high levels of violent crime, property crime, and domestic violence. As in other areas of New York City, heroin use and dealing have increased over the past decade and are viewed as greater community problems than crack and cocaine. Data from 1988 indicates that the Lower East Side has a much higher rate of drug dependence compared to all of Manhattan:

Drug dependence, rate per 100,000 population

	<u>Males</u>	<u>Females</u>
Lower East Side	44.9	19.5
Manhattan	32.9	9.9

Community leaders report that most of the heroin dealers in the neighborhood reside there. Alcohol abuse is also significant.

A walk through the Lower East Side as night falls reveals a small number of boarded up buildings and moderate smattering of graffiti and trash -- noticeable, but not the worst in comparison to other inner city neighborhoods, and more of a problem on storefronts and public buildings than the apartment buildings. Commercial establishments are scattered throughout the residential neighborhood -- bars and bodegas (small grocery stores) occupy the first floor of an apartment building in nearly every block. One notices a number of storefront Pentecostal and Catholic churches whose doors open directly to the sidewalk -- doors that are now surrounded by eight foot tall iron fences with locked gates. This juxtaposition is a startling vision of the neighborhood's problems.

Main Activities

In its work to preserve affordable housing and prevent neighborhood displacement and homelessness, GOLES applies civil remedies which address both prevention and intervention needs, and also engages in progressive civil remedies to address macro-

problems such as neighborhood unemployment. Anti-drug activities are combined with many other tenant organizing and housing improvement strategies. Some tenant associations are involved in long-range planning for alternative ownership. Ellaby believes wholeheartedly in neighborhood empowerment; in forming and guiding tenant associations, GOLES staff aim to balance the landlord-tenant relationship. If broken toilets are a problem, efforts begins with those immediacies, moving on to drug and crime problems as needed, and ultimately to a safe and decent building with tenant participation in management. The time-honored tenant approach of withholding rent until building conditions are remedies is advocated.

With GOLES' assistance, tenant associations have applied a variety of civil remedies. When entering a building for organizing, GOLES staff talk to dealer(s) if possible, and offer help in obtaining treatment, ESL classes, etc. Using existing laws, they place pressure on landlords who take advantage of tenants or allow violations to exist on their property which encourage illegal activity. Their work starts with documenting the problem, then contacting the landlord by letter, asking for appropriate actions -- evicting dealers, making repairs, etc. If these efforts are not successful, the police and other city agencies are contacted to inspect problem properties and pursue appropriate actions.

Different civil remedies are available depending on primarily on building ownership and the problems at hand. In privately owned buildings with drug dealing problems, GOLES staff and tenant associations work with the district attorney's Community Affairs Unit in regard to trespass affidavits. To persuade customers to go elsewhere, the landlord agrees to participate in the trespass affidavit program, issuing identification cards to legitimate tenants. Visitors without identification cards or legitimate purposes may be arrested on misdemeanor trespassing charges. GOLES pressures the police for frequent vertical patrols (3-4 times a week "if they scream").

In city-owned buildings, where the city has assumed ownership after a landlord has forfeited a building for back taxes or abandoned it, GOLES staff and tenants associations work alongside narcotics officers from the city's Housing Preservation and Development (HPD) department. HPD uses several civil remedy techniques to correct drug problems in city-owned buildings, including training landlords in good management practices, evicting dealers, and teaching tenants to document drug problems to aid criminal prosecutions of drug dealers. With assistance from GOLES, tenants also call police officials, asking for enforcement. Yet according to one of the community organizers, the arrested dealer does two to three days of community service, and the outcome is not worth the dangerous, hard work citizens put in.

At times tenants associations take landlords to housing court under a Warrant of Habitability which states the rights of tenants to the secure, peaceful, and nonhazardous enjoyment of their apartments; they also request inspections from the city on code violations. Tenants associations and others trained by GOLES use whatever clout and

tactics they can muster. Stories abound about publicly shaming city officials until action was taken, going to immigration authorities to try to have a dealer deported, and taking on an entire block confronted with lighting, security, and drug problems.

In 1993-94, GOLES organized 52 tenants associations, secured approximately 500 repairs and services, and prevented 182 evictions of law abiding tenants. With GOLES help, residents got six stores padlocked (closed), dislocated approximately a dozen dealers, and were responsible for having 20 to 30 people arrested. GOLES feels they are successful, at least in moving the dealer to the next building or the next block. They also feel good about the legacy they leave behind in the hands of tenants -- when a dealer is finally out of a building or bodega, or off the street corner, the tenants feel confident. It raises community standards and hopes, and motivates tenants to stick with GOLES, to tackle even bigger problems. While the GOLES staff worry that evictions may only displace problems, they believe evictions also lead to better screening by landlords, are costly to dealers, and must continue.

GOLES also works on neighborhood clean-up and restoration projects. Drug dealers have taken occupancy of some vacant lots and GOLES staff work with police, the sanitation department, and homeless services to clear the lots and turn them into community gardens. With the *pro bono* legal assistance of a private law firm, GOLES has examined the small claims court approach of Safe Streets Now! and feels it can be replicated in New York courts in the near future.

GOLES also operates a tenants' rights hotline, conducts workshops on tenant succession rights, housing benefits for people who are HIV positive, immigrants' rights, and other topics, has launched a project to have welfare recipients heard in welfare reform debates, and hopes to open a neighborhood-based business offering employment, literacy services, ESL classes, GED courses, and job training on site. Other community-based economic development possibilities are in the planning stage.

The police and prosecutors we spoke with see multiple roles for community-based organizations in civil remedies -- voicing concerns to the police, putting pressure on landlords, testifying in court for the city, and monitoring the problem. The assistant district attorney in the community affairs office had high praise specifically for GOLES, expressing appreciation for their organizing skills, ability to get landlords to solve problems, service to tenants, and information provided to city agencies.

Lessons Learned

GOLES staff, volunteers, and tenants have received threats from dealers, even death threats, because of their activism. Calling the fight against neighborhood drug dealing a "guerilla struggle", GOLES's director advises other groups to stick with it, in large numbers, to stay with it until the situation is so unappealing that the drug dealers do not want to stay. The staff also believe in a holistic approach to neighborhood

● improvement and empowerment, working to get tenants everything from repairs to opportunities.

Chapter 5 Summary of Findings and Conclusions

Summary of Survey Findings

Organization and community characteristics. A diligent national search for community organizations actively involved in applying civil remedies to neighborhood crime, drug, and disorder problems resulted in in-depth interviews with 73 organizations from coast to coast, with no regional patterns apparent. Both in their diversity and commonalities, the community organizations reflect the central characteristics of the nearly 500 community-based organizations that participated in a national survey of community-based anti-drug initiatives (Roehl *et al.*, 1995). While the organizations ranged from very large to very small, many of them are well-established groups with adequate support. The average number of staff is eight, with an average annual budget of several hundred thousand dollars. Most organizations have legal assistance readily available to them.

The large majority of the organizations serve urban areas, with half targeting inner city areas. Sixty percent targeted specific neighborhoods with their civil remedy strategies; these neighborhoods contain sizable proportions of lower income and minority populations. Drug dealing, property crime, violent crime, and blight, in that order, were cited as significant problems. Among licit and illicit drugs, crack and alcohol were reported to be the most serious substance problems in the target communities.

Types and prevalence of civil remedy strategies. Broadly stated, two strategies were found to be the most common forms of civil remedies, environmental changes and enforcement strategies. Neighborhood-based environmental changes are extensions of crime prevention through environmental design (CPTED) approaches adopted by many community groups in the 1970s and 1980s (Fowler & Mangione, 1982; Crowe, 1991). The environmental changes include neighborhood clean-ups, board-ups and demolitions of abandoned property, and beautification efforts, including graffiti eradication. The most common environmental change directed specifically against drug dealing is the removal of pay phones used by dealers for drug transactions or their alteration, to allow outgoing calls only. Other specific changes include improving street lighting, removing billboards (especially those advertising liquor), installing speed bumps, and the like.

Civil enforcement strategies rely on the use of state statutes, local ordinances, and building and health codes to abate crime, drug, and disorder problems. Houses harboring drug dealers and bars and liquor stores, often "hotspots" of illegal and/or desirable behaviors, are typical targets of community enforcement efforts. Community groups and citizens approach enforcement in several ways. Often the first tactic used is to document the problem thoroughly, in a manner akin to preparing evidence for legal actions, and then approach the offenders directly (usually tenants in residential or

commercial properties) or the landlords and owners responsible for the property. Using threats to enforce ordinances that provide remedies such as eviction, property closure, and fines for allowing a neighborhood nuisance (e.g., drug dealing, severe blight) to occur, the community organizations and citizen activists pressure tenants, landlords, and owners to resolve the problem.

In the face of recalcitrant owners and situations where the community organization feels approaching the owners is unwise, community groups work directly with public agencies to pressure them to enforce existing ordinances. The public officials citizens and community groups work with most often are, in order, the police, elected officials, building inspectors, and prosecutors. They provide them with the information gathered as evidence of the problem(s) and pressure them to enforce existing laws. Private sector companies such as mortgage and advertising companies may be pressured as well. A fairly new tactic within enforcement strategies used by community groups aims to not only get rid of the problem but to obtain resources for neighborhood improvement at the same time. Several community organizations have pushed to have seized and forfeited property and proceeds returned to the community for its use.

When these enforcement strategies fail, community organizations take direct action, by filing lawsuits against property owners or forcing city prosecutors to do so. Another growing form of direct enforcement strategy, pioneered by Safe Streets Now! in Oakland, California, is the use of small claims court actions against owners who knowingly allow a nuisance to remain.

The majority of the community organizations have also lobbied for the passage of new ordinances or other regulations useful for enforcement. A small number have taken the lead and written the proposed ordinances themselves, then pushed for passage. Community organization staff and citizens also often attend hearings of alcohol beverage control regulators and permit-granting bodies to influence the issuance or renewal of permits and liquor licenses. A third of the organizations have worked to ban drug-related items, including beepers, cigarette machines, and drug paraphernalia.

A final category of civil remedies used by community organizations are those that are preventive and proactive, aiming, respectively, to reduce opportunities for problems to arise and to improve and protect the quality of neighborhood life. The most common prevention strategy is to provide training and technical assistance to landlords and owners in tenant screening, tenant relations, management techniques, security, and crime prevention.

The proactive use of civil remedies by community organizations is in an embryonic form. Examples include working to increase alcohol tax revenues and have a larger proportion returned to the community and finding ways to turn abandoned properties into needed housing for low-income families or other special groups or other community purposes.

Ordinances used. The laws most frequently used in civil remedies are existing drug or nuisance abatement ordinances at the municipal level. Although not all nuisance abatement ordinances specifically identify drug activity as a nuisance, their use against such activity has generally been successful. The ordinances typically enable a plaintiff (private citizens, community organizations, city agencies, etc.) to take legal action against an owner who knowingly allows a crime or nuisance problems to exist at his or her property. Court-ordered sanctions include fines and penalties, ordering the property closed, allowing the city to take action at the owner's expenses, seizure of the property, and other remedies. Ordinances to abate specific problems such as cigarette machines in areas frequented by youth, motels with hourly rates, graffiti, abandoned vehicles, and property maintenance are also used.

Municipal codes specifying safety and health standards for private residential and commercial properties are also used by community groups to force an owner to remedy problems. Owners who ignore violations issued by municipal agencies are subject to same types of sanctions listed above.

Other laws used in civil remedy strategies include loitering, trespassing, and curfew ordinances, usually directed toward reducing problems with youth and gangs. Zoning changes to establish drug-free zones around schools and neighborhoods are also used, as are state laws and local regulations and ordinances concerning the sale of liquor.

Role of citizens. The main roles of neighborhood residents in the enforcement of civil remedy strategies are (1) to identify and document the problem, (2) keep pressure on appropriate authorities to resolve the problem, and (3) monitor the situation over time. In these roles they gather information, provide information to authorities, write letters, and appear and present at hearings. Within environmental change strategies, citizens provide the manual labor needed -- they paint out the graffiti, haul trash, plant shrubs, etc.

Community organization staff both organize the activities of residents and participate in the activities with them. They also provide needed assistance and support in research, expertise, finding legal help, obtaining materials, publicity, specific tasks such as writing letters to property owners, and coordination with city agencies and other community groups. Community organizations also serve an important protection function -- they shield the identify of citizens from the targets (drug dealers, angry landlords, etc.) of their efforts. Letters to owners come from the organization, rather than individual residents, and court filings are made by the organization or an attorney operating on their behalf. This protection is clearly necessary; not only are many residents reluctant to become involved in civil remedy approaches because of fears of reprisal, a third of the organizations reported that acts of retaliation had taken place against citizens. The most common retaliation was verbal threats, but vandalism has occurred as well. One organization reported that a landlord was killed, believed to be in retaliation for an eviction.

Results. The large majority of the community organizations surveyed reported success in their civil remedy strategies. Environmental changes were relatively easy to implement and usually successful in cleaning up the neighborhood and promoting community awareness, pride, and commitment. On the down side, several organizations reported the nagging reoccurrence of trash and graffiti.

Subjective reports of the outcomes of enforcement strategies are similarly positive. The organizations report that in 80 to 90% of the cases, owners take steps to resolve the problems short of legal action. Organizations reported details of success with specific problems, such as evicting a drug dealer and closing a problem bar, and many have a fairly impressive track record of ongoing successes (e.g., closing down 50 crack houses in the past several years). Beyond these resolutions of specific problems, a number of organizations report reductions in crime, loitering, and other problems, and increases in community awareness and commitment. Although organizations often complained about agency resistance to their efforts and legal roadblocks, most were generally satisfied with the response of police, prosecutors, and housing officials. In terms of lawsuits, all but one of eight adjudications were decided in favor of the plaintiffs, and most of the small claims suit have been successful.

This rosy picture does not mean the community organizations have faced no problems or obstacles. Agency "red tape", resistant landlords and owners, "sloth" tenants, and lengthy, often frustrating time required by civil solutions were problems reported by many organizations. They also reported problems common in community crime prevention efforts -- difficulties in getting residents involved and keeping them involved, fears of retaliation, and lack of funds and resources. While 12% of the organizations would like technical assistance in legal procedures and use of ordinances, often for the residents who work with them, most of the organizations reported no problems with obtaining legal assistance, usually *pro bono*.

Case Study Summaries

Case studies of the civil remedies used by four community organizations were presented to provide in-depth information on different approaches. These are briefly summarized below:

- *Greenmount West Community Association, Baltimore, Maryland.* This small non-profit group represents a largely African-American community where drug dealing and vacant property problems have grown substantially since 1990. The association's civil remedies approach presents a well-rounded example of working with landlords and public authorities, confronting tenants, taking direct action in boarding up vacant properties and evicting illegal residents in vacant houses, and neighborhood clean-ups. While the association has credited individuals within city departments and the city council for their assistance, they also have many criticisms about the police and city agency response.

- *Heavy Hitters, Milwaukee, Wisconsin.* Heavy Hitters is a somewhat atypical community organization, started and maintained by a group of mostly male recovering addicts. Their civil remedy strategies include preventive and proactive efforts to offer support groups for substance abusers and the construction of an apartment building to house and provide services for female recovering addicts. Heavy Hitters also works with the district attorney and police on drug abatement, and has taken steps to have pay phones used for drug transactions removed and campaigned to remove drug paraphernalia from retail stores.
- *Safe Streets Now!, Oakland, California.* Safe Streets Now! is the acknowledged leader of the use of small claims courts for drug abatement. The technique was first used by the Safe Streets Executive Director and residents living nearby, to get rid of an active drug market that emerged from an apartment building in their neighborhood. The usual tactics -- reporting to the police, contacting city agencies, appealing to the landlord -- failed, and 18 community members successfully pursued a small claims action against the property owners, recovering \$2000 each. Since its inception in 1989, Safe Streets Now! has helped nearly 400 groups prepare for small claims court and has opened 22 chapters in cities outside Oakland.
- *Good Old Lower East Side, Inc. (GOLES), New York, New York.* GOLES serves a large area in lower Manhattan, largely populated by Hispanic, Asian, and European immigrants. Working with tenants associations, GOLES applies civil remedies to address both prevention and intervention needs. With the assistance of different city agencies, GOLES uses a variety of civil remedies to end drug dealing and improve troubled buildings. Their tools include applications of code violations, trespass affidavits, suing landlords under a Warrant of Habitability, and neighborhood clean-up and restoration projects. GOLES works with privately owned buildings, city-owned buildings, and public housing, each of which has a different set of applicable civil remedies and governing agencies.

Conclusions

This report presents the findings of a national study of the extent, nature, and effectiveness of the use of civil remedies by community organizations and citizens. The following conclusions were drawn.

1. *The use of civil remedies by community groups first appeared a decade ago and continues to grow. Most of the work in this area is underway in urban areas, in low income neighborhoods with high rates of drug dealing, drug use, and related crime.*

From the use of New York's bawdy house law in 1986 to the present, the use of civil remedies by community groups has grown. It is largely an urban phenomenon, where the drug problem and its effects on neighborhoods are greatest. The residential

sale of crack or heroin is a primary target of community-based civil remedies, as are the problems related to bars and liquor stores. Certainly no one will be surprised at the singling out of crack cocaine as a leader of neighborhood problems, and the position of alcohol as a significant problem in communities addressing substance abuse problems was also found in recent studies of community-based anti-drug, neighborhood revitalization, and substance abuse prevention efforts (Roehl *et al.*, 1995a; Roehl *et al.*, 1995b; CSAP, 1994). Civil remedies are used in the "toughest neighborhoods", those which defy conventional wisdom developed through community crime prevention and are able to mount and sustain community-driven anti-drug strategies (Skogan & Lurigio, 1992; Davis *et al.*, 1991).

There is some evidence in the national survey that civil remedies are adopted by well-established community organizations, those with a long history in community organizing and crime prevention, sufficient resources, established networks with city agencies, and a dedicated group of volunteer residents. Yet small fledgling groups have used civil remedy strategies as well. We expect more community organizations to adopt civil remedy approaches as details of their use and effectiveness become more widely known.

2. *Community organizations tend to take a multi-faceted approach to civil remedies, using a variety of strategies depending on the problem at hand, and generally report success in their efforts.*

Community organizations serve neighborhoods with a variety of problems, commercial businesses, and housing stock. When a problem or problem building comes to their attention, they attack the problem with whatever tools are available, including working with property owners on solutions, pressuring city housing agencies for code enforcement, gathering evidence for the police and prosecutors, suing landlords in housing and small claims court, etc. Some groups start with the most direct and least adversarial tactics, such as contact the owner and politely requesting that changes be made, and move on to more confrontative and aggressive enforcement measures when the gentler tactics fail. Others move directly to the strategy they feel will work best in the least amount of time, or apply several strategies simultaneously.

Community organizations can and do work with all levels of public officials. They may report information to the police, ask building inspectors for code enforcement, lobby city councils for the passage of specific ordinances, and lobby state legislators for changes in liquor laws. Community groups cannot pick and choose their targets, but unlike public agencies, they may use whatever ordinances and strategies they view as most appropriate. Public agencies, on the other hand, are bound by their authority and jurisdiction, tend to use singular tools, and are able to pick and choose their targets. In New York City, for example, the New York Police Department's Civil Enforcement Unit within the Legal Bureau uses two city ordinances, the Padlock Law and a nuisance abatement ordinance (Section 7-701 of the NYC Administrative Code), for abating

commercial establishments. The Narcotics Eviction Program within the District Attorney's Office uses the "bawdy house law", a state statute, to evict tenants in privately owned buildings. If the building is city-owned, the case is referred to NYC's Housing Preservation and Development agency's narcotics control program, which does use multiple civil remedies. If the building is public housing, it falls under the jurisdiction of the Housing Authority. Given the enormity of the problem in New York City, agencies may tackle only the problems which present the strongest legal cases; they are also unable to work with buildings over the long-term.

A community organization in New York City, on the other hand, is likely to have all these types of housing in their neighborhoods, and may work with each of these agencies under varying civil laws. There are exceptions to this omnibus, neighborhood-focused approach. Safe Streets Now!, for example, uses small claims court actions as its central civil remedy strategy.

Community organizations report general success in their efforts. The most tenacious problems are buildings which are owner-occupied, owned by absentee owners, or are no longer financially viable. Inevitably, perhaps, community organizations are also frustrated by the slowness of bureaucratic procedures and limits of courts' jurisdiction. They are also concerned with the issue of displacing problems rather than eliminating them, but consider displacement (usually eviction of a dealer) a small victory, to be combined with others to achieve long-term success.

There is emerging evidence elsewhere that civil remedy outcomes may be more effective than criminal prosecution in neighborhood drug problems (Finn & Hylton, 1994; Davis & Lurigio, 1996). Lurigio *et al.* (1993), in a limited follow-up study of displaced dealers, also provide tentative hope for positive impacts on displacement as well. Yet the long-term effects of civil remedy outcomes such as evictions need further study from two perspectives, their effectiveness in reducing neighborhood problems (Smith *et al.*, 1992) and their potential for harming innocent parties (Davis & Lurigio, 1996). The present study presents two worrisome findings: 20% of the organizations received complaints, mostly from targets of civil remedy tactics, about violations of their civil rights, and 30% reported attacks, mostly verbal threats and some vandalism, on citizens, believed to be in retaliation for their involvement in anti-drug activities.

3. *While citizens and organization staff play vital roles in identifying, resolving, and monitoring neighborhood problems, they need the assistance of government agencies in many civil remedy strategies.*

There are a variety of civil solutions to crime, drug, and disorder problems that community organizations and citizens can and do apply on their own. These include neighborhood clean-ups with specific targets, making physical changes, and working with landlords and owners to "clean-up" their property. In many situations, these actions work.

They can't do it all alone, however. To press for enforcement in the less malleable cases, they need the clout and support of city agencies, particularly the police, housing officials, and public prosecutors. The community organizations and neighborhood residents identify problems in their communities, document them, and work with local officials to apply civil remedies. Once the problem-solving is underway, the community monitors the property to prevent the return of the problem. Community organizations need the government officials and the resources and legal authority they have to apply effective civil remedies, and most organizations have established solid working relationships with them. The roles the community fill are also valuable to the police and other agencies, in the same way that community crime prevention and community policing strategies are built on police-citizen cooperation (Feins, 1983; Friedman, 1994)

4. *Preventive and proactive uses of civil remedies by community organizations are beginning to appear, and community organizations also contribute in myriad ways to neighborhood improvements, doing things government agencies cannot.*

Although community organizations can't do it alone, they can do things for their communities that government agencies cannot or do not. Many of the community groups use civil remedies to mitigate acute crime, drug, and disorder problems, yet aim for a more permanent solution by leaving behind an empowered citizenry, one that can work toward and then protect a higher quality of life in the neighborhood. Citizen empowerment is often an ill-defined, but conscious and steadfast goal of many community organizations. Most government agencies, by virtue of the definition of their mission and the enormity of their job, focus on the acute problem and move on when it has been lessened or resolved.

Community organizations contribute to neighborhood empowerment and improvement through the civil interventions they make (as well as the other activities they implement). They make physical improvements, displace dealers, and leave behind more knowledgeable, perhaps more responsible, property owners, better managers, and tenants and home owners who know how to deal with problems. These types of positive outcomes are more readily apparent in the preventive and proactive applications of civil remedies of community organizations, such as landlord training and turning seized drug houses and abandoned properties into low income housing and community centers.

Practical Needs and Advice

The community organizations surveyed are interested in learning more about local resources for civil remedies strategies, as well as more about the practice and issues of civil remedies from around the nation. Electronic communication and clearinghouse mechanisms plus written materials could provide low-cost information sharing; national and local organizations with special knowledge in this area are listed in Appendix C.

The community groups also reported needs for training and technical assistance in legal, organizational, and strategic areas. Based on this and other recent research, it appears that drug and nuisance abatement ordinances useful in civil remedy applications can be found in most jurisdictions. In this study, efforts to create new legislation tended to be focused on specific problems related to alcohol and youth. There have been a small number of constitutional challenges to the use of some ordinances, but their use has generally been upheld (Finn & Hylton, 1994; Cadwalader, Taft, & Wickersham, 1993; Smith *et al.*, 1992).

Community organizations would benefit from assistance in legal procedures, the use of local ordinances, and appropriate training for citizens in these areas. They also cited technical assistance needs common to many community groups involved in community-driven anti-drug and anti-crime efforts, including assistance in fund-raising, building leadership, community mobilization, coalition building, and specific tactics.

This study re-affirms the need for further research on the outcomes and repercussions of civil remedies, as suggested by Davis and Lurigio (1996), and identifies new areas needing further study: (1) which remedies work best in certain situations, (2) the long-term effects of abatement on neighborhoods, (3) how to change the toughest landlords, and (4) the best division of labor between the community and the system.

We close this report with blunt words of advice and "things to remember" from the many community organization administrators we interviewed, directed to their colleagues considering the use of civil remedies:

Keep records.

Stand up for your rights.

Work with the police.

Don't give up.

Don't be a hero.

Be patient.

Be persistent.

If you are going to be leader, remember the people you are leading.

Talk with other groups.

Work with, not at, the community.

Have a comprehensive approach.

Build coalitions.

They are people, no matter what problem you think they have.

Advertise.

Prevention works.

Surrender turf issues.

Do your homework.

It's also fearful for a drug dealer to encounter a bunch of angry citizens.

References

- Cadwalader, Wickersham, & Taft (1993). *A civil war: A community legal guide to fighting street drug markets*. New York: Cadwalader, Wickersham, & Taft, Attorneys at Law.
- Crowe, T.D. (1991). *Crime Prevention Through Environmental Design: Applications of Architectural Design and Space Management Concepts*. Boston: Butterworth-Heinemann.
- Center for Substance Prevention (1994). *National evaluation of the Community Partnership Demonstration Program: Third Annual Report, 1993*. Rockville, MD: Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services.
- Davis, R.C., Smith, B.E., Lurigio, A., & Skogan, W.G. (1991). *Community responses to crack: Grassroots anti-drug programs*. Report to the National Institute of Justice. New York: New York City Victim Services Agency.
- Davis, R.C., & Lurigio, A.J. (1996). *Fighting back: Neighborhood antidrug strategies*. Sage Publications: Thousand Oaks, California.
- Feins, J.D. (1983). *Partnerships for neighborhood crime prevention*. Washington, D.C.: National Institute of Justice, U.S. Department of Justice.
- Feldman, J. & Trapp, S. (1990). *Taking our neighborhoods back*. Chicago: National Training and Information Center.
- Finn, P. & Hylton, M.O. (1994). *Using civil remedies for criminal behavior: Rationale, case studies, and constitutional issues*. Washington, D.C.: National Institute of Justice, U.S. Department of Justice.
- Fowler, F.J., Jr. & Mangione, T.W.. (1982). *Neighborhood Crime, Fear, and Social Control: A Second Look at the Hartford Program (Executive summary)*. Washington, DC: National Institute of Justice, U.S. Department of Justice.
- Friedman, W. (1994). The community role in community policing. In D.P. Rosenbaum, (Ed.), *The challenge of community policing: Testing the promises*. Thousand Oaks, CA: Sage Publications (pp. 263-269).
- Green, L. (1996). *Policing places with drug problems*. Sage Publications: Thousand Oaks, California.

Hansen, K.J. (1991). An exploratory study of the extension of local empowerment through community policing. Unpublished paper.

Lurigio, A., Davis, R., Regulus, T., Gwisada, V., Popkin, S., Dantzker, M., Smith, B., & Ouellet, A. (1993). *An evaluation of the Cook County State Attorney's Office Narcotics Nuisance Abatement Program*. Chicago: Loyola University Department of Criminal Justice.

NCPC (1992). *Creating a climate of hope: Ten neighborhoods tackle the drug crisis*. Washington, D.C.: National Crime Prevention Council.

Roehl, J.A., Wong, H., Andrews, C., Huitt, R. & Capowich, G.E. (1995a). *A national assessment of community-based anti-drug efforts*. Pacific Grove, CA: Institute for Social Analysis.

Roehl, J.A., Huitt, R., Wycoff, M., Pate, A.M., Rebovich, D.J., & Coyle, K.R. (1995b). *National process evaluation of the Weed and Seed Initiative (Part I: Cross-site summary)*. Pacific Grove, CA: Institute for Social Analysis.

Skogan, W.G. & Lurigio, A.J. (1992). The correlates of community antidrug activism. *Crime & Delinquency*, 38 (4), 510-521.

Smith, B.E., Davis, R.C., Hillenbrand, S.W., & Goretsky, S.R. (1992). *Ridding neighborhoods of drug houses in the private sector*. Washington, D.C.: American Bar Association.

Weingart, S.N. (1990). *A typology of community responses to drugs*. Cambridge, MA: John F. Kennedy School of Government, Harvard University.