

**1996 Herman Goldstein Excellence
in Problem Solving Award
Police Officer Frank Sicker, Fourth Precinct P.O.P Unit
Police Officer Stephen Kear, Fourth Precinct Patrol**

SCANNING:

The problem involved a dilapidated house located in a residential area of Oceanside, Long Island, New York. The house was without gas, water, and electricity, and was being used by youths and adults as a place to congregate for purposes of purchasing and using alcohol and illegal drugs.

The problem was identified through 911 calls for service and input from patrol officers in the area. Over a period of eight years neighbors had been calling 911 to report problems at this location. Most of the calls were related to disputes, disorderly conduct, use of controlled substances, assaults, and minors drinking alcohol. More recently, several calls had been made regarding fires and hazardous fire conditions. Apparently since the power had been turned off the occupants were using candles for light and burning broken furniture and bundles of newspapers in the fireplace for heat.

Our P.O.P. Officer decided to address this problem for several reasons. First, although this had been a chronic problem location for years, the calls for service had shown a marked increase. Second, internal correspondence had just been forwarded to the Precinct Commanding Officer, by a Police Officer who was familiar with the area, indicating that neighbors and a former drug abuser who frequented the house in the past had reported to him that youths as young as twelve years old were drinking and using drugs in the house. Another important factor was that a large number of children from an elementary school directly across the street from the location, had to walk past the house and could at times clearly see what was occurring therein. In fact, one of the neighbors who happened to be a Pre-K teacher at the school stated she would often have to close the window blinds in her classroom so the children would not be able to watch the activities going on across the street.

ANALYSIS:

The first method used to analyze the situation by the P.O.P. Officer was to canvass houses in the immediate vicinity of the problem. This approach identified three neighbors who were willing to give details of the activities at the target location. They reported that youths and adults were seen coming and going from the house at all hours, frequently carrying cases of beer. The neighbors also felt that drug transactions were taking place outside of the house, since they would often observe cars pulling into the driveway and the operators sounding their horn. In response someone would come out of the house and approach the car for what appeared to be an exchange of some kind. The team was also informed that since the water service had been shut off, the side yard was being used as a rest room, and whenever it rained the two people who appeared to be living at the house would bathe outside. In fact, the team learned that the house as well as the conduct of the two residents and numerous visitors had deteriorated steadily since the property owner was arrested on a weapons possession charge in 1992.

It was noted that at the time of his arrest, the owner who was forty years old lived with two people, an 18 year old male and a thirty-five year old female, each of whom remained in the house after he was taken into custody. Further, according to the people interviewed, it was after the arrest that the groups congregating at the house changed from older to younger, the majority of whom were observed to be between fourteen to twenty years old.

Another valuable source of information were the patrol officers working the area. They were all aware of the activities at this location and had been attempting to address the problem using traditional enforcement strategies. For example, vehicles seen leaving the house would be stopped for any VTL violations observed, and if an underage person was seen outside the premise with alcohol officers would make every effort to issue Appearance Tickets. Unfortunately the offenders usually stayed close enough to the front door to quickly go inside when the police were observed. As another example, before bedding a member of the P.O.P. Team, Officer Sicker would occasionally use an unmarked car to observe the house. In one instance in November of 1994, he stopped a vehicle for passing a stop sign after leaving the house, and upon finding drugs in the car, he arrested the driver who had a total of forty-five bags of marijuana on his person. Although denied by the defendant, evidence led the officer to believe that the drugs were purchased at the house. Tactics like these would quiet the activities down for a short period of time but had no long term effect. The traffic in and out of the house would decrease noticeably for a week or two and then it would be back to business as usual.

The underlying condition fueling this problem seemed to be the availability of illicit drugs and alcohol and a "safe" place to use them. For these youths to be able to easily buy drugs at this house and use them there behind closed doors gave them a good chance of avoiding the police. They no longer had to take the risk of being outside in a car or on the street somewhere.

RESPONSE:

The ideal response to this ongoing situation had to have a long-term solution. Officers had learned that extra enforcement would only quiet things down for a short period of time. Beyond the other factors cited earlier, they also became aware of the neighbors concern for the area and their property values, for the target house had deteriorated to the point where they felt it was lowering the value of their homes. Therefore, it was clear that any response would have to deal with the house and the neighborhood, and not just the offenders using it. This would be the only way to achieve a long-term solution.

The P.O.P. Officer began by contacting representatives from the gas, water and electric companies and learned that all services had been terminated in August of 1995 due to non-payment. He then called the Town Department of Buildings to look into the possibility of the house being condemned due to its condition. He was told that by law several warnings must be given before any action can be taken, and the process could take years. While keeping this option open, he hoped to find a much more expeditious solution.

Since the property owner had been in prison for several years he called the Town Tax Office to determine if the taxes were paid, and if so, who was paying them. He was surprised to learn that the taxes were up-to-date, and were being paid by a person residing in a nearby village. This individual, who was contacted on February 15, 1996 to determine exactly what her involvement in this situation was, proved hesitant to speak to the officer. He assured her that he tracked her down to ask for her cooperation in resolving this situation, not to issue violations. At this point, she revealed that she was the sister of the subject who had been living at the house until his arrest. Although the neighbors had all assumed that he owned the house, his sister proved to be the legal owner. The property had belonged to her father, when he passed away the house was left to her. Before he died he asked her to let her brother stay at the house until he overcame his drug and alcohol addictions. She was aware he had been arrested, and assumed the house was being taken care of by one of his friends. She claimed she had not been to the house in years and had no idea of the problems going on or the condition it was in. She was advised of the possible liabilities involved with having these illegal activities going on in a house she owned. She said she did not want to pay the taxes any longer and was considering selling the property. At this point, the P.O.P. Officer agreed to delay sending the Town Code Enforcement Officers to the property if she would give her full cooperation in this matter. She agreed and promised to contact realtors and call him back in a few days. On February 20, 1996, she called and asked the officer to speak to her attorney because she was worried about her liability in this matter. The P.O.P. Officer called her attorney and explained the situation, at which time the attorney indicated that the best action for his client to take at this point was to cooperate and help stop the activities that were going on at the house. The owner called back a short time later and not only agreed to give her full cooperation, but also wanted to meet at the house to be certain that no one was living there. A meeting was arranged for the next day and she was advised to bring documents showing she legally owned the property. Plans were also made for her and her husband to secure the house with plywood coverings over the windows and doors.

The following day the P.O.P. Officer and two patrol officers from the area met with the owner and her husband. They verified her legal right to the property, and kept copies of the documents. The owner had also brought supplies and three friends to help secure the house. The 18 year old male who was staying at the house came out to see what all the commotion was, and after being informed of the situation he agreed to leave. When questioned, he stated he was the only one actually residing there. He was escorted back into the house to collect his belongings.

Inside the house feces, urine, and garbage were everywhere, and it was inconceivable that anyone could spend five minutes inside, let alone live there. For the next two hours all present including the officers, boarded up all the doors and windows of the house, and the front door was chained and padlocked. The P.O.P. Officer went to a local hardware store and purchased ten "No Trespassing Signs" and placed them around the property. Shortly thereafter, three local realtors, who had been called by the owner came by to inspect the property and take information for the listing. At this time a supporting deposition was completed by the owner, authorizing the police to make arrests if anyone trespassed on the property.

During all this, the neighbors who had been interviewed came over to the house. They could not believe what was finally being done. They had grown accustomed to seeing officers respond to the house, resolve whatever problem, they had been called for, and then leave only to have the problem return. This time they saw police officers along-side the owner with hammers and nails actually helping to board up the house. They agreed to keep an eye on the property and call 911 if they saw trespassers. When the owner and her husband left, they promised to call every few days to keep the P.O.P Officer advised on the status of the house. Target Patrol reports were given to the area patrol cars advising them of the situation and notifying them to be alert for anyone attempting to enter the house.

On February 22, 1996, the Oceanside-IslandPark Herald was given details of the case. The hope was that the publicity would reach the people who regularly congregated at the house and make them aware in no uncertain terms that they would be arrested if they returned. It also served to give the public an excellent example of how the P.O.P system could work. The following week the front page headline read "Cops Move in on Eyesore" and showed a photo of the boarded house with a page and half story including interviews with neighbors.

ASSESSMENT:

As a result of the action taken, not a single 911 call for service has been made to this location since February 21, 1996, the day the house was secured. The Post Patrol Officers and the P.O.P Team are still giving the house intensive patrol and will continue to do so until the property is sold. As of this writing, the sale is in contract and the house is scheduled to be destroyed so a new home can be built. The owners have been cleaning up the property on weekends and keeping the neighbors up to date on the progress. The people in the area are grateful that a situation which had been threatening their children's safety, their quality of life, and their property values for over eight years, has finally been eliminated. A new home will soon stand on the property replacing an eyesore to the community.

On May 1, 1996, the Rotary Club of Oceanside-IslandPark held an Awards Dinner honoring P.O.P. Officer Frank Sicker and Police Officer Stephen Kear for their efforts on this case.