

1998 HERMAN GOLDSTEIN AWARD NOM1
SPECTATOR'S CLUB

Wichita is a city that has numerous clubs located throughout the area. The clubs all have different capacities, and demographics. Spectator's club is located within the city limits of Wichita in the downtown area. Spectator's showed an increase in foot traffic after increased enforcement on south Broadway for drugs and prostitution resulted in the illegal activity being displaced. The residences located around the area of Spectator's are rental properties. Spectator's is known by the Wichita Police Department as a location for drug activity, primarily the selling of crack cocaine.

The problem has existed at Spectator's since 1990. Police officers have been dealing with the problem by arresting individuals in and around the club. The problems that were occurring inside the club, consisted of disturbances and robberies. Spectator's was also bringing people into the surrounding area who use and sell drugs. Businesses in a two block radius were given a survey to identify problems in the area. Among all the surveys, Spectator's was listed as a major problem.

The Wichita Police Department's Community Policing Officers started working the project involving Spectator's to solve the problem. The officers used the Crime Analysis unit to gather information on sixteen other clubs with approximately the same capacities. The Narcotics section was used to make cases inside Spectators involving both the patrons and an employee. As a result of several arrests that were made, officers attempted to help the manager solve the problem.

Several meetings involving the Wichita Police Department, owners of the property, and the club owner were held to discuss the possible options. The option presented by the Police Department was to close down the club and to take the property using the nuisance abatement ordinance. The owners of the property and the club proposed a second option of closing the club for remodeling and to reopen with a new decor. The owner of the club reopened after remodeling, but the clientele and the problems remained the same.

On April 9, 1998 the owner of Spectator's, owners of the property, and the licensee were all served paperwork for a civil action against the club and property. At this time, Spectator's is temporarily closed by the property owners and the lease with the business manager has been terminated.

1998 HERMAN GOLDSTEIN AWARD NOMINATION SPECTATOR'S CLUB

During the 1990's, Community Policing Officers and residents successfully attacked and reduced prostitution along South Broadway in Wichita, Kansas. These efforts displaced streetwalking prostitutes from the streets to the area bars. Spectator's was already known by the Police Department as a location of criminal activity, mostly drugs, but the addition of drug addicts and prostitutes has increased the problems.

Spectator's is a local bar that is located in the downtown area. The area around Spectator's is made up of businesses and rental properties with the main residences being low rent apartments. There is a lot of foot traffic between Spectator's and several of the nearby residences. Residents at the apartments located across from Spectator's would stand outside and notify the patrons in the club when police officers were in the area. There were several ways they would communicate with the patrons inside the club. There was a radio system between an apartment resident and an employee working the door of the club. When officers were pulling into the lot or through the rear alley the apartment resident would tip off the club employee. The other ways they would communicate is by standing outside and when officers pulled into the lot, they would go inside and tell everyone. The amount of drug activity involved at the club involved the patrons of the business and an employee.

There were several problems involved with Spectator's. The first and major problem was the amount of drug activity. The drug activity also brought in other problems ranging from disturbances, shootings and robberies. In the community today, we know that the use of drugs and alcohol impacts

the crime rate. People commit crimes to buy the drugs, thus hurting the community. Spectator's also had the same problems of other clubs, including violations involving alcohol and minors in the club.

The Police Department knew of the problems at Spectator's. This was learned by complaints from the patrol officers that worked the area making the drug cases. Officers would often make club checks and check people sitting in vehicles in the parking lot. The officers saw an increase in drug activity in the vehicles and the increase of known prostitutes hanging around the club. Several of the local businesses knew of the drug problems. The business owners saw an increase in patrons entering the club several times a night for a short period of time and leave to nearby residences.

Initially, patrol officers used traditional strategies to address the problems at Spectator's club. The patrol officers would answer calls as they would normally do. They would solve the situation by arresting the person with the drugs or other contraband and leave. The officers would not worry about the new person that showed up to take over the drug activity, until receiving another complaint. Very little was done to solve the long term problems at the club.

There were several methods used to analyze the problems at Spectator's club. The first method was an evaluation of call loads at the club itself, and the amount of time the officers spent on these calls. (See attached graph for Comparison of Manpower Hours). The amount of calls could be checked weekly by the information received from the Crime Analysis section.

The Community Policing officers went out into the area with surveys. The surveys asked for feedback or problems the businesses perceived in the area. Business surveys were given to seven businesses by walking to each of the places and getting their responses. Five of the businesses indicated that Spectators had a problem with drug activity and thought it affected their business. One business said that they did not believe there was any problems in the area. The last business stated they

knew there was drug activity, but thought it was at the nearby residences. There were also businesses that contacted officers about what they could do to stop drug related foot traffic through their businesses. The Community Policing Officers reviewed the nuisance abatement ordinances to start a project to shut down the club. Cases involving drug activity, prostitution, and any club violations were used in the project.

The nuisance abatement ordinance involved in the project included the following "unlawful activities and the use of real and personal property in maintaining and carrying on such activities are hereby declared to be common nuisances:

- (a) Commercial Gambling;
- (b) Dealing in gambling Devices;
- (c) Possession of gambling devices;
- (d) Promoting obscenity;
- (e) Promoting prostitution
- (f) Habitual promoting prostitution;
- (g) Violations of any law regulating controlled substances;
- (h) Violations of any law regulating the sale or exchange of alcoholic liquor or cereal malt beverage;
- (i) Habitual violations of any law regulating the sale or exchange of cigarettes and tobacco products.

The procedure: involved the attorney general, city, county or district may petition the court for a hearing to determine whether an unlawful activity has or has been occurring on such owner's property. The owner of the property on which such person is or was committing an unlawful activity may be given notice of such hearing.

The real or personal property against which the order of abatement is sought may be named as a party defendant in a proceeding under this article. In such case, summons shall be served on the owner or person in possession of such property. Any person claiming an interest in the property shall, upon application be permitted to intervene as a defendant.

Upon final judgment that any real property is being or has been used as a place where any of the unlawful activities set forth in K.S.A. 22-3904 and amendments thereto are carried on or permitted to be carried on, the court may order that any house, building, room, or other structure located on such real estate be closed and padlocked for a period of not more than two years."

The Community Policing officers compared Spectator's to six other clubs in Wichita from July 1, 1990 through March 24, 1997. The officers compared the clubs by their capacity and types of licences held by each club. The location of the clubs was not an issue. The Community Policing officers then compiled this information into an 81 page impact study and submitted reports to the Police Department's staff to close down Spectator's. During this time, the Department's Narcotics section was making cases at Spectator's by purchasing drugs from numerous people. These cases eventually turned into warrants which were later served in a raid at Spectator's club. There were thirteen arrests made for narcotics and six parole violation arrests during the raid. The drug activity inside the club continued to be a problem. The officers maintained a list of cases made at Spectator's while the staff looked over the project.

The crime statistics in the impact study showed that Spectator's club had more cases made at its location than the other clubs that were compared against it. Spectator's also had an increase in criminal violations at the club, while the other six clubs had a decrease or stayed the same. Spectator's had more liquor law violations and narcotics violations than all of the other clubs combined. The statistics are shown in the two attached graphs of Comparison of Violent Crimes and Other Crime. The statistics show Spectators having 900 % more violent crimes than any other clubs in the comparison during 1995. In 1996, Spectators showed a decrease in violent crime but still had three times the number of violent crimes compared to the other clubs. In other crimes, Spectators still had 900 % more

than the other clubs during 1995. In 1996, Spectators had an increase of other crime and had ten times the number of cases than the other compared clubs.

Included in the Impact Study was a comparison of man power hours and salaries paid for calls of service by the Wichita Police Department Field Service Division to Spectators as compared to the six other clubs, between the dates of January 1, 1994 to March 30, 1997. The total manpower hours for the six other clubs were 326.44 hours with a total cost of \$4,752.57. The hours spent at Spectators totaled 761.58 hours with a cost of \$11,087.93 . There was an additional 244.89 hours spent at Spectators between March 30, 1997 to Feb 8, 1998 with a cost of \$3,562.46 .

The impact study also included the man power and salaries paid to the Special Investigations Bureau detectives in the undercover investigations at Spectators. There were eight cases generated by the detectives and a raid conducted by the officers and the Special Investigations Unit. There was a total of 1,094 hours used at a cost of \$20,861.26 between October 1996 to March 21, 1997 (See attached graphs).

After the project was initiated, police agencies met together to set up a plan of action and to share information. This meeting was held with the Wichita Community Policing unit, Patrol officers, Narcotics section, Special Community Action Teams, and the Sedgwick County Sheriffs Narcotics section. This meeting allowed the different sections to talk about what was needed in this project to end the problems at Spectator's club. It also allowed the officers and detectives to talk about the major players involved in the drug activity. During these meetings the neighboring Bureaus shared information and set up surveillance on the club.

The Wichita Police Department cooperated with several outside agencies during the project. Participating agencies included the Federal Bureau of Investigation, Kansas Bureau of Investigation,

Alcohol Beverage Control, Citizens Participation Organization, Office of Central Inspection, Sedgwick County Health Department, Sedgwick County Sheriff's Department, and the Wichita Fire Department

The parties involved with the problems at Spectator's club were the owner's of the property; the club owner, employees of the business, and patrons. The club owner leased the building and land from the property owners. The club owner would allow the drug activity to occur inside the business and did not help the Police Department by giving assistance or by calling 911 when the problems occurred. The patrons and employees used and dealt drugs inside the business. Undercover Narcotics Officers bought drugs from both employees and patrons.

There was a meeting set up with the owners of the property, the club owner, Community Police officers, and the City's Vice section. This meeting was held to notify the owners of the problems occurring at the business and the actions the City was considering. During this meeting, the club owner advised the Police Department of his intentions. The club owner was planning to shut down the club for approximately four to six weeks for remodeling. The club owner advised that he was changing the decor of the club in an attempt to change the clientele. The club owner advised that the new clientele would not include the people involved in the drug activity. The club owner requested the City Attorney wait 90 days after reopening before a review or decision was made about the lawsuit. The request was granted.

The Community Policing officers contacted the club owner while Spectator's was closed. The officers pledged their support to the club owner if assistance was needed. The Community Policing officers also went inside the club to check the amount of remodeling. The remodeling inside the club involved changing out the carpeting, a different juke box, and a few different tables. The name of the

club was changed to the Desert Inn. The booths inside the club and the bar area were unchanged. The club owner never called the officers for any assistance.

After the remodeling, officers went back into the club on a regular basis. The patrons of the club were the same as before the remodeling, and few changes were made. The number of cases went down, as a result of a reduced emphasis on drug enforcement by the Narcotics Section at the ebb. The patrol officers were still making cases and answering calls there daily.

The Community Policing officers advised the City's Law Department that problems were still occurring at Spectator's. The Law Department asked the officers to collect the necessary information to start the lawsuit involving the nuisance abatement ordinances. The officers were assisted by Sedgwick County Court Records in retrieving the information on eight felony cases with convictions at Spectator's. These cases only dated from March 1997 through January 1998. The officers were also assisted by the Wichita Police Records section compiling the information on misdemeanor cases at the business. There were 14 misdemeanor convictions involving drug paraphernalia from March 1997 through January 1998. The total number of cases between July 1990 through March 1997 was 311 and is shown on the attached Crime Summary for Spectators. The primary information needed were convictions of people involved with drug activity, prostitution, and liquor law violations. After receiving the information, the Law Department started the lawsuit against the business. The officers then served civil papers on the owners of the property, the club owner, and the license holders.

The Police Department had more than enough cases inside and outside the club, but the amount of convictions were low. This was because many cases have not gone through the judicial system to be adjudicated. The number of cases would also assist in the seizure of the property. The effectiveness of the seizure of the club was the best alternative. The drug activity would cease to exist, because the business would be shut down. The seizure would not allow any business to open up in that building,

until allowed by the court. The cost of this response would be cheaper than allowing the problems to occur. If the City could close the business the calls for service would go down. This would be cheaper; because it would lower the amount of time and the cost of each officer making the calls at Spectator's.

The owners of the property are also aware that they could lose the property if the problems continue. The owners of the property are willing to stop the lease with the club owner, closing the building for 90 days. After the 90 days, the building would be leased to another manager to open up a new business. This plan was looked at by the City. The plan sent to the Law Department shows that the property owners are willing to help the Police Department. The evaluation of the plan will involve the City's Attorney and the Police Department's Staff. The final decision will be made by Police Chief Watson.

The property owners have set in motion their plan by terminating the lease with the club owner and have closed the club for remodeling. Community Policing Officers have met with the property owners and the club owner to conduct a business security survey, with assistance from Community Affairs Officers, who are trained in CPTED (Crime Prevention through Environmental Design.) Officers are still patrolling the area around Spectator's.

Difficulties that were encountered during the project include; case information gathering, agency information exchange, court decisions, timely responses, and business cooperation. Cases that were made at the business are easily tracked by the Crime Analysis section. Cases made in the same hundred block were also checked in attempt to determine the actual location of occurrence. The cases used in this project were cases that had been through the court system. The Law Department asked for all of the convictions from Spectator's, including an employee, and the patrons that were charged. The cases that have not yet been set for court, can be used in the lawsuit. These cases can be used to show that the problems still exist at the club.

The Wichita Police Department was the lead element on the project. There were numerous sections and officers that were used, and are still being used to monitor the area around Spectator's. The different sections include South Patrol Bureau, Community Policing, South SCAT (Special Community Action Teams), North Patrol Bureau, and North SCAT teams, Narcotics section, Vice section, Sedgwick County Sheriffs Department Narcotics section, and the Wichita Law Department.

The project goal of eliminating drug activity have been met, but only after the lawsuit paperwork was served to the owners of the property and the club owner.

Displacement was a concern in the project. There is drug activity in the residences around Spectator's club. The displacement of the activity from the club to the residences was anticipated. There is enforcement set up to deal with the drug activity around the residences. Officers in the area are maintaining contact and high visibility with the tenants.

The monitoring of the club will be needed, unless the City takes control of the property. The City would be able to shut down the club for a maximum of two years. During this time, no other business would be allowed to enter the building. After a year of being closed and no permission granted by the City, there could not be another drinking establishment at that location due to zoning. If a deal is made between the City and the property owners prior to the lawsuit, a drinking establishment could be re-opened there under new management. The club would have to be monitored as it is now. If the problems involving drug activity reappears, the City will proceed with the lawsuit using the nuisance abatement ordinances against the property owners.

The project was successful because the drug activity was dispersed from the location. As a result crime has decreased and the amount of calls in the area have decreased. Officers have stated "there is nothing to do since Spectators has closed down." Communication between the Police Department and the owners of the property has increased, because they are working with the Police

Department to resolve the problems . The neighboring businesses have stated that they feel safer since the club closed and the criminal activity has stopped.

The problem solving initiative started out on the officer level. The reason for this was because the officers were making the calls, and talking with the Community Policing officers about the problems at the club. The Community Policing officers monitored the cases, arrests, and the time officers were out at the club. This information was compiled in a handout given to Chief Watson and other staff members. Meetings were also set up with the owners of the property and of the club to advise them of the process that was being taken through the nuisance abatement ordinance.

Community Policing officers have been through numerous problem solving classes, and the patrol officers have been through a shortened version of that training. As of this time, all officers attending the training academy are going through the same amount of problem solving as the Community Policing officers received.

The main incentive to Spectator's was to be apart of the solution in stopping a problem that has plagued the area for years. Officers wanted to be involved when it came to the major raid on the club and shutting down the club.

The plan of shutting down the club was set up by the Police Department. The Police Department assisted the Federal agencies when they closed down a motel in a location known for drugs and prostitution. The same idea was used to close down the club, but more meetings were set up with the property owners and the business owner.

The issues/ problems were seen by the Police Department and by the community around Spectators.

There were only a few additional resources used in the project. The Law Department was used to file the suit and to process the court papers. The officers researched and obtained the information on the cases and disposition of the arrests. By Spectators closing, a lower amount of resources are used in the area which allows officers the freedom to handle other problems.

Project Contact Person:

Off. Joseph E. Kennedy #1497

Off. Jeffery A. Andres #1442

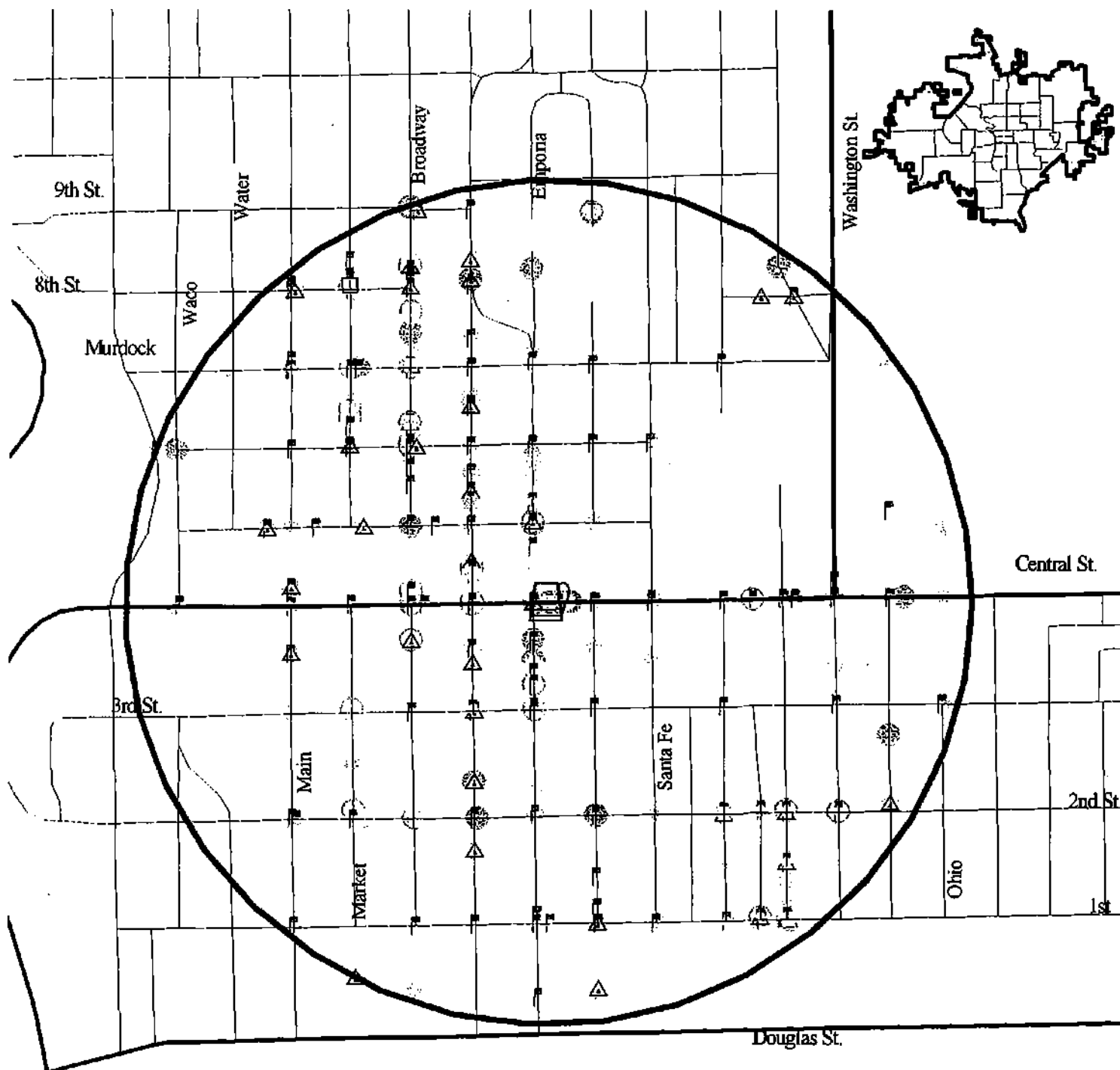
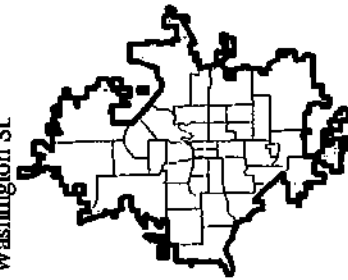
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








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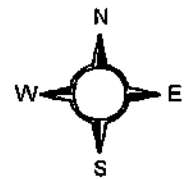
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CRIME DATA AROUND SPECTATORS CLUB, 513 E. CENTRAL WICHITA, KANSAS

This map was prepared to show the amount of crime around Spectators Club, on eighteen bars and/or clubs considered to be problems by the police due to the amount of calls made at these establishments during 1996 and 1997.

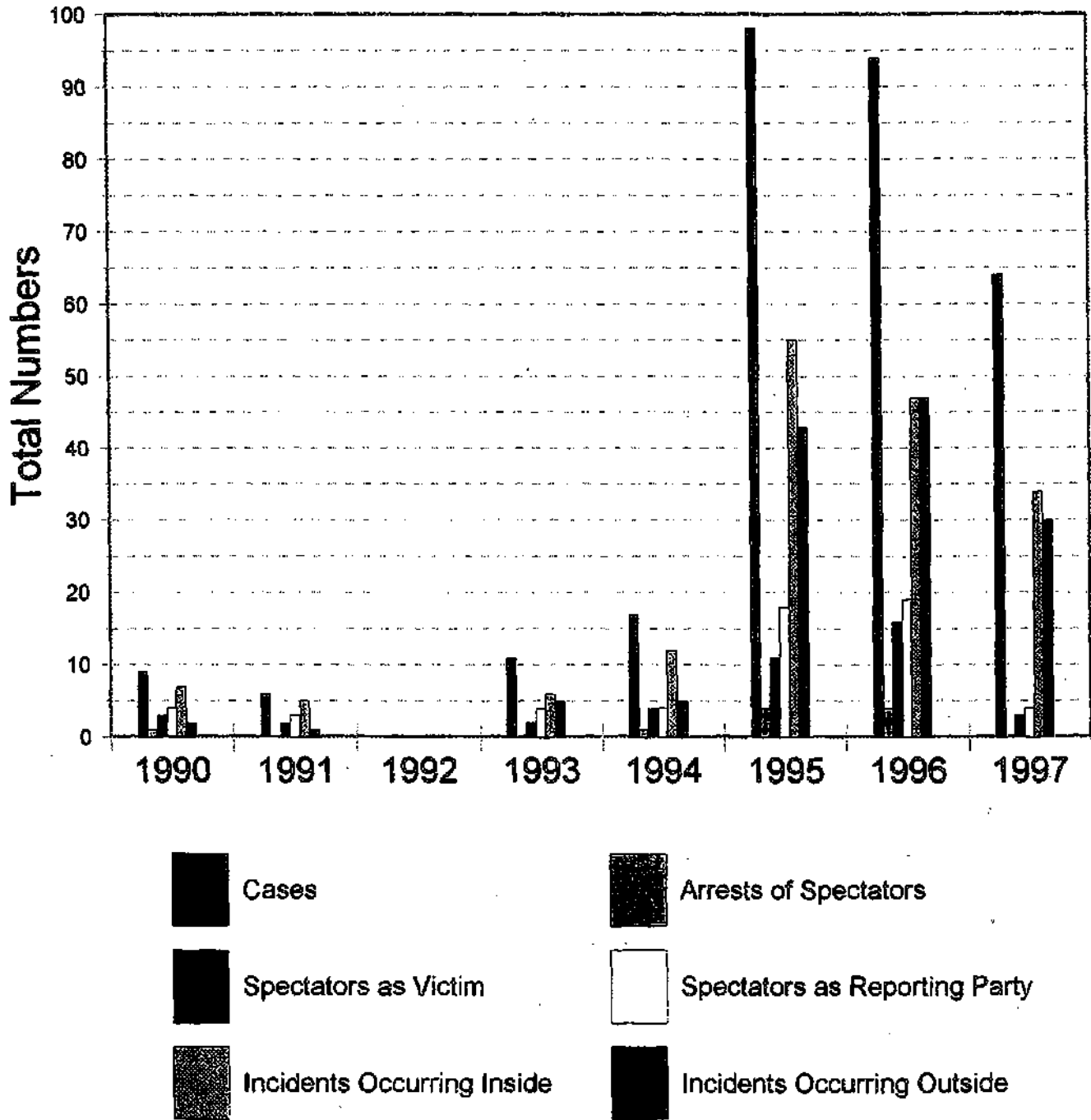


-  Spectators Club
-  Liquor Violations, 15% of citywide total
 -  Rape, 3% of citywide total
 -  Murder, 2% of citywide total
 -  Drugs, 7% of citywide total
 -  Disorderly Conduct, 4% of citywide total
 -  Aggravated Assault, 3% of citywide total
 -  Simple Assault, 4% of citywide total
 -  Robbery, 5% of citywide total
 -  1/2 Mile Buffer Area



Spectators Bar

July 1, 1990 through March 24, 1997



Source: W.P.D. Crime Analysis

APPENDIX A

LIST OF CLUBS CONSIDERED FOR CRIME SUMMARY COMPARISON

DE Drinking Establishment
 REST Restaurant
 CAB Cabaret
 DH Dance Hall

| NAME | LOCATION | LICENSE | CAPACITY |
|----------------------------|--------------------|----------------------|----------|
| Deja Vu | 1021 W. Maple | DE / REST / CAB / DH | 94 |
| Dreamer's | 3210 E. Osie | DE / CAB | 63 |
| Driftwood Lounge | 1204 E. MacArthur | DE / REST | 98 |
| Fondue's Bar & Grill | 1712 E. Northern | DE / REST | 67 |
| Harry's Uptown Bar & Grill | 3023 E. Douglas | DE / REST | 57 |
| Hoot'n Annies | 3815 W. Douglas | DE / DH | 80 |
| King Arthur's | 2954 W. Central | DE / REST | 117 |
| Library Inn | 2201 W. Douglas | DE / | 64 |
| Mug & Jug | 1450 S. Washington | DE / REST | 60 |
| Oasis Lounge | 4121 S. Maple | DE / REST | 140 |
| RT's Alibi | 1552 S. Broadway | DE / | 62 |
| Side Pocket Lounge | 1321 S. Broadway | DE / | 49 |
| Side Street Saloon | 1106 S. Pattie | DE / DH | 98 |
| Spanky's Piano Bar | 1030 S. Broadway | DE / CAB / DH | 90 |
| Spectator's | 513 E. Central | DE / REST | 64 |
| Tazz's Club | 8715 W. Maple | DE / DH | 80 |
| Yesterday's II | 4331 W. Central | DE / REST | 134 |

BUSINESS SURVEY

WORKING TOGETHER TO MAKE A SAFER WICHITA

My name is Officer Jerry Quick the Community Policing Officer for the area that your business is located. The Wichita Police Department is asking for your assistance in identifying the source of criminal activity in the area of 500 blk. E. Central, we would also welcome any input on how to resolve the activity by answering the following questioner.

(1) Do you feel there is criminal activity going on in the area of 500 blk. E. Central ?

Yes ___ No ___

If yes can you give the location? _____

What types of activity? _____

(2) Has your Business or employees been affected by the activity in this area?

Yes. ___ No. ___

If yes please explain? _____

(3) What hours of the day is this affecting the area? _____

(4) Is there any specific days of the week? _____

(5) Any suggestions on how to resolve these problems? _____

Business name. _____

Address. _____

Phone. _____

**CRIME SUMMARY FOR SPECTATORS BAR
513 E. CENTRAL**

TO INDICATE: Case Number, Date Occurred, Offense, Location, Reported By.

TIME FRAME: July 1,1990 through March 24,1997

TOTAL NUMBER OF CASES MADE: 302

TOTAL NUMBER OF OFFENSES: 311

TOTAL VIOLENT CRIMES OCCURRED:

| | |
|---------------------------|----|
| ROBBERY | 6 |
| RAPE | 1 |
| AGGRAVATED ASSAULT | 9 |
| MISDEMEANOR ASSAULT | 55 |
| DOMESTIC VIOLENCE | 16 |
| OFFICER INVOLVED ASSAULTS | 6 |

TOTAL OF OTHER CRIMES OCCURRED:

| | |
|-----------------------------|----|
| DRUG OR NARCOTIC VIOLATIONS | 75 |
| LIQUOR LAW VIOLATIONS | 23 |
| SEX OFFENSES | 4 |
| AUTO THEFT OR EMBEZZLEMENT | 5 |
| LARCENY'S | 24 |
| OFFICER INVOLVED INCIDENTS | 5 |
| DISORDERLY CONDUCT | 17 |
| DESTRUCTION OF PROPERTY | 8 |
| STOLEN PROPERTY | 1 |
| SUSPICIOUS CHARACTER | 7 |
| MISC. OFFENSES | 23 |
| MISC. REPORTS | 27 |

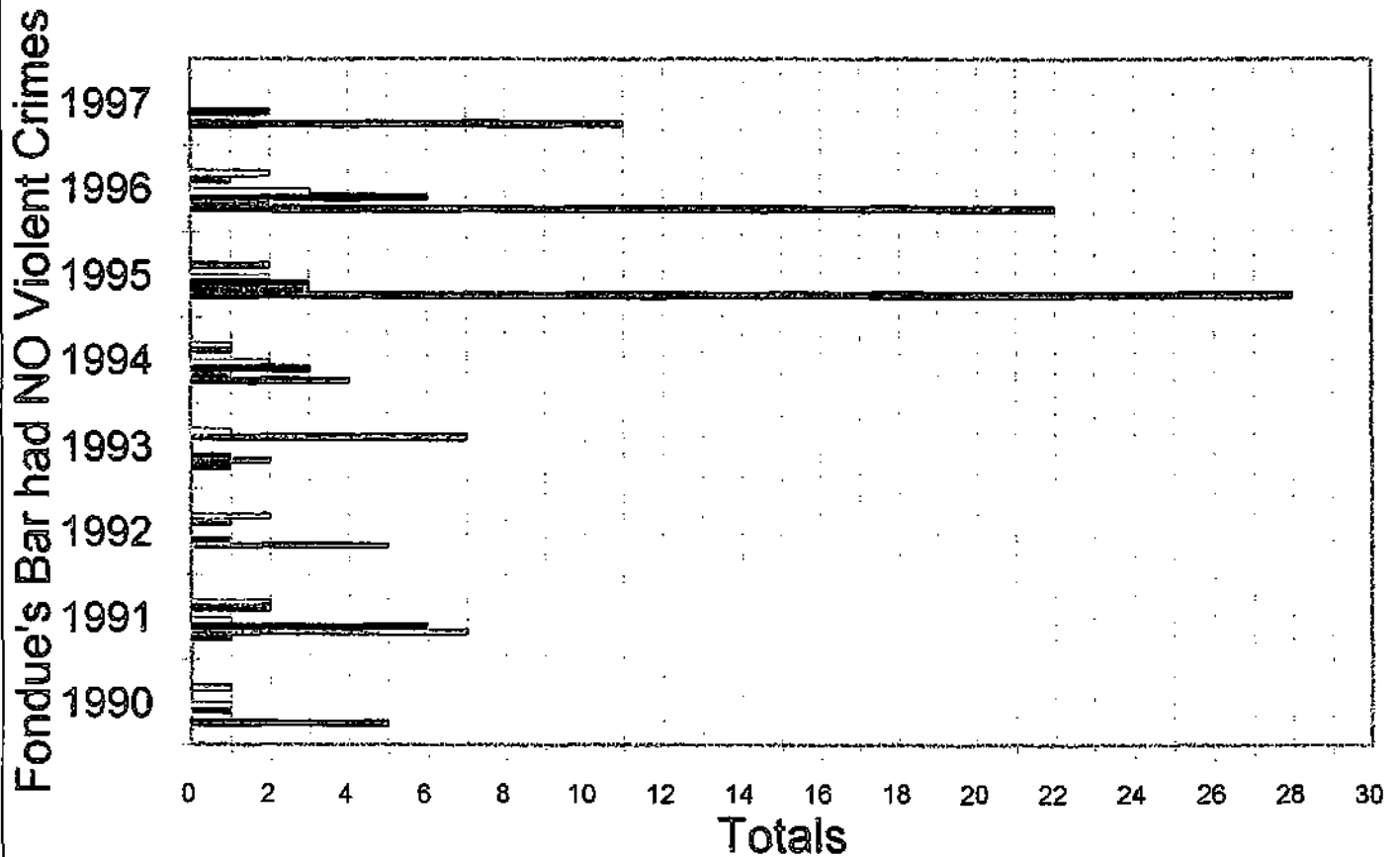
TOTAL VIOLENT CRIMES OCCURRED IN:

| | |
|------|----|
| 1990 | 5 |
| 1991 | 1 |
| 1992 | 0 |
| 1993 | 1 |
| 1994 | 4 |
| 1995 | 28 |
| 1996 | 22 |
| 1997 | 11 |

TOTAL OTHER CRIMES OCCURRED IN:

| | |
|------|----|
| 1990 | 4 |
| 1991 | 5 |
| 1992 | 0 |
| 1993 | 10 |
| 1994 | 13 |
| 1995 | 71 |
| 1996 | 74 |
| 1997 | 56 |

Comparison Of Violent Crimes Spectators vs. the Other Bars



Spectators



Yesterday's II



King Arthur's



Harry's Uptown Bar & Grill



Fondue's South City Bar & Grill



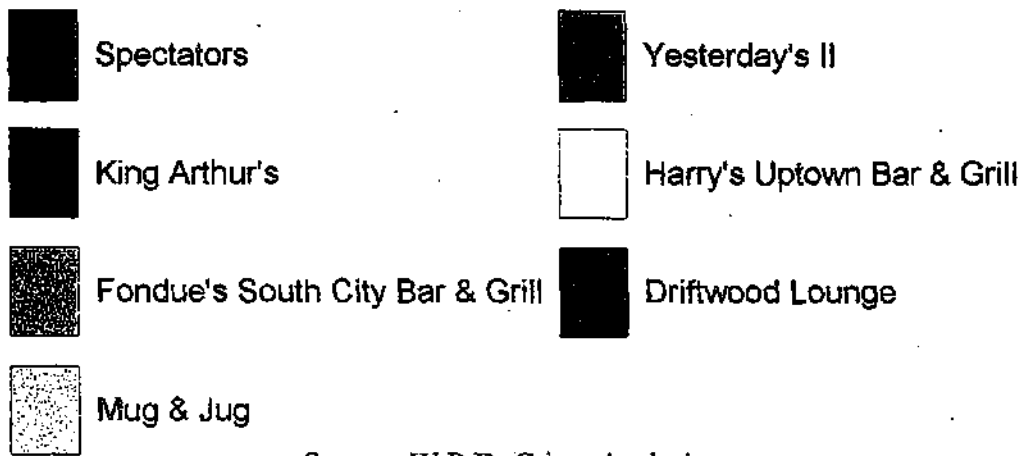
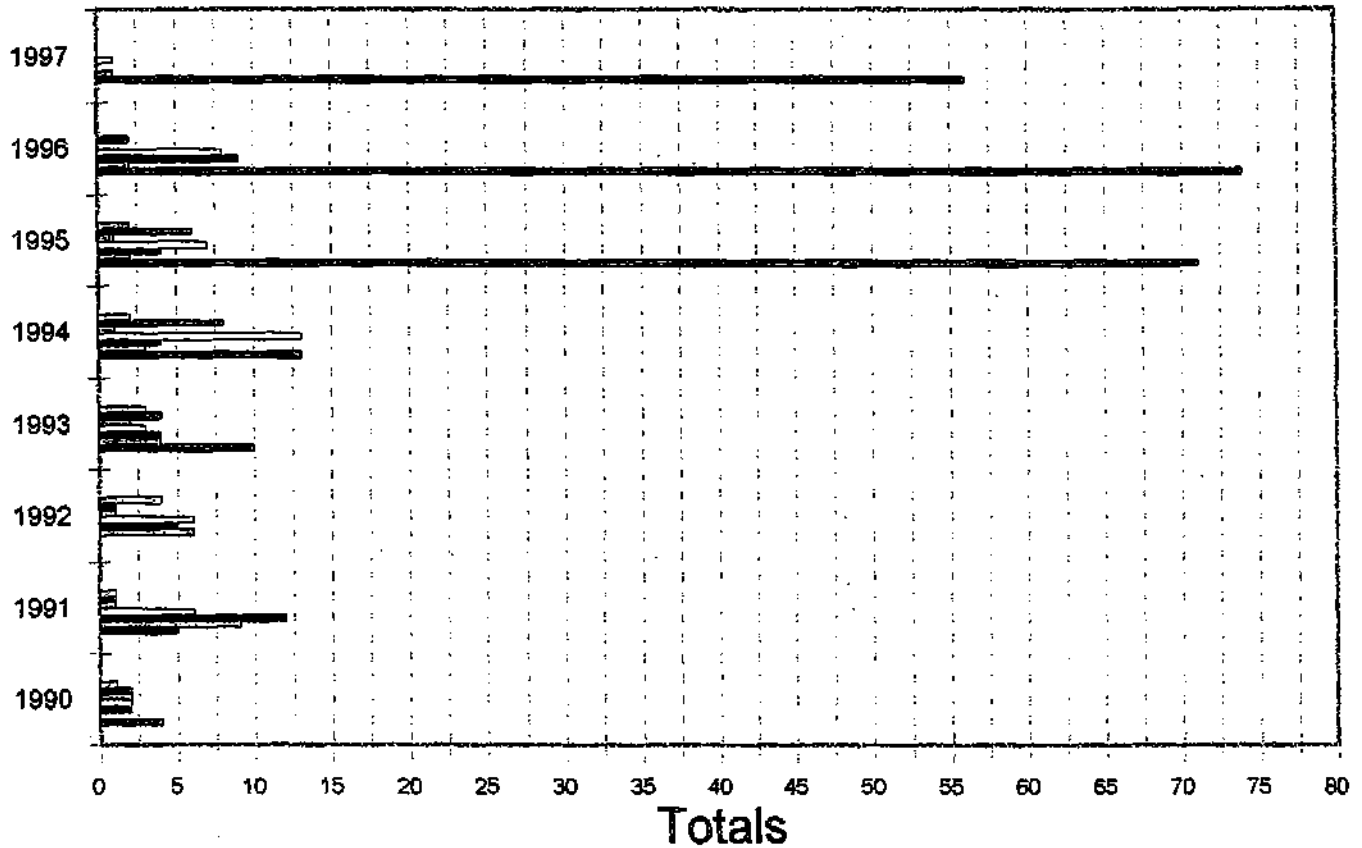
Driftwood Lounge



Mug & Jug

Comparison of Other Crimes

Spectators vs. The Other Bars



Source: W.P.D. Crime Analysis

**Comparison Of W.P.D. Field Services Division (Patrol Officers)
Man Power Hours And Salaries Paid For Calls Of Service To The Bar's Specific Address**

Spectator's Bar 513 E Central
Total Hrs. 761.58
Salary Cost: **SI** 1,078.93

Driftwood Bar 1204 E. MacArthur
Total Hrs. 167.56
Salary Cost: \$2,437.54

Yesterday's H 4331 W Central
Totals Hrs. 33.34
Salary Cost: \$486.46

King Arthur's 2954 W Central
Total Hrs. 48
Salary Cost: \$700.59

Harry's Bar & Grill 3023 E Douglas
Total Hrs. 48.5
Salary Cost: \$705.54

Fondue's Bar & Grill 1712 E Northern
Total Hrs. 7.98
Salary Cost: \$116.08

Mug & Jug Bar 1450 S Washington
Total Hrs. 21.06
Salary Cost: \$306.36

**Man power hours and salaries paid to the Special Investigation Buerue Detectives
for the undercover investigation conducted on Spectators Bar.**

| <u>CASE NUMBER</u> | <u>MANPOWER</u> | <u>HOURS USED</u> |
|--------------------|-----------------|-------------------|
| 97C7543 | 5, Detectives | 35 |
| 97C25977 | 4, Detectives | 48 |
| 97C26046 | 4, Detectives | 156 |
| 97C25967 | 4, Detectives | 72 |
| 97C26028 | 5, Detectives | 50 |
| 97C26441 | 5, Detectives | 230 |
| 97C26441 | 4, Detectives | 120 |
| 97C7952 | 4, Detectives | 20 |
| 97C26044 | 5, Detectives | 255 |
| Raid | 18, Detectives | <u>J08</u> |
| Total hours | | 1094 |

The average salary range for a W.P.D. detective assigned to Special Investigations is at (I) pay step, which is \$19.0688 per. Hour. Taking this dollar amount times the total number of man hours shows the total cost of the investigation conducted by this unit to be **\$20,861.26**. Between the time frame of October 1996 to March 21 1997.

Comparision of Manpower Hours

From Jan. 1, 1994 to Mar. 30, 1997

