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Dear Mr. Burack,

The Ontario Police Department is proud to submit "Slamming the Brakes on Street Racing in Ontario" for the Herman Goldstein Award.

This Department has dealt with the problem of street racing in the City of Ontario for many years. On weekend nights thousands of racers plague the area and cause various crimes. The crimes associated with street racing range from minor infractions to even the most heinous of crimes, murder.

The S.A.R.A. model has been faithfully implemented by the Department to combat the serious problem of street racing. Working in collaboration with other law enforcement agencies through the existing legal process, the C.O.P.S. Unit has also successfully authored a City ordinance directed at illegal street racing. The ordinance will place illegal street racing "off track."

Thank you for your consideration of this project for the Herman Goldstein Award.

Sincerely,

Y)-p-rV-t, Captain

Lloyd J. Scharf
Chief of Police

**SLAMMING THE BRAKES
ON STREET RACING
IN ONTARIO"**



**C.O.P.S. UNIT
ONTARIO POLICE DEPARTMENT
200 N. CHERRY AVE.
ONTARIO, CA 91764**

"SLAMMING THE BRAKES ON STREET RACING IN ONTARIO"

I. SUMMARY

Scanning and Analysis

Ontario, California is a dynamic municipality challenged with rapid geographic expansion and explosive population growth. The city is located 45 miles east of Los Angeles, served by three major freeways and an international airport. In 1997, Ontario Mills Mall opened and soon became the largest shopping and entertainment center on the West Coast.

Street racing in Ontario has been a problem for decades. The activity has been exacerbated in recent years due to the rapid development of an industrial area located on the eastern side of the City, close to all three freeways and the mall. The long, wide streets are designed to provide access for over-sized trucks with trailers from all over the United States delivering merchandise to the distribution centers located in the area. Deserted streets and low population during evening hours provide a perfect venue for illegal street racing.

Since 1998, there has been a dramatic increase in attendance at these "races." "Thousands of people, mostly teens and young adults, meet after 11:00 p.m. on Friday and Saturday nights and continue racing until dawn. Elected officials, business owners and patrol officers have expressed concern over the escalation of this pastime and the increase of crime in the area.

As determined by crime analysis, the problems in the area include:

- A dramatic increase in calls for police service in the last two years
- Statistics showing traffic collisions have tripled between 1998 and 1999
- Reported crimes that include assaults, looting, shots fired, burglaries, and vandalism
- In two separate incidents (in 1998 and 2000), two street racers were murdered in retaliation for failure to pay a racing bet.

Response

Using the SARA model, the problems were addressed by employing the following:

1. Direct enforcement including citations for mechanical violations and arrests for curfew violations.
2. Development of a database of citations issued during enforcement sweeps to track offenders
3. Installation of speed humps.
4. Use of a multi-agency task force (over 10 outside agencies involved) to arrest for unlawful assembly.
5. Creation of a municipal ordinance that closes affected streets during the most popular times of street racing.

Assessment

We continue to use the SARA model. Our response efforts produced dramatic but temporary results for 10 weeks. The recent passage of a city ordinance closing streets in the affected area may be the most effective means to date.

II. DESCRIPTION

A. Scanning

Illegal street racing has been a problem in Ontario for the past four decades. However, during the last two years, participation in the races and crimes related to racing have increased dramatically in the eastern area of Ontario. This area has seen the burgeoning construction of warehouse distribution centers, some over 1,000,000 square feet in size, primarily used for warehousing goods. Ingress and egress of the area is facilitated by the close proximity of three major freeways, all of which serve the Los Angeles to Las Vegas corridor. Despite the close location to heavily traveled freeways, the area is somewhat isolated and practically vacant on evenings and weekends. Long, wide streets enable large trucks with trailers to pick up and deliver goods from the various businesses.

The same street design that promotes commerce beckons young people who are devoted to street racing. These youthful devotees have spread the "word" among their peers and Ontario has become one of the prime areas in Southern California to race. In addition to the illegal act of street racing, there has been a significant increase in crime that can be directly attributed to the street racers and spectators. While the employee population is sparse during the identified times and days, the racing population numbers in the thousands. The crimes include: hit and run traffic accidents, graffiti, vandalism, public urination, littering, gambling, burglary, fights, looting, brandishing of weapons, alcohol/narcotics use, assaults with a deadly weapon, shootings, attempted murder and murder.

Street racing created many problems that were identified by the following:

- . An increase in calls for service
- Letters of concern from business owners
- An increase in the number of crime victims
- Observation by on-duty officers
- An increase in crime as documented by statistics maintained by the Crime Analysis Unit.

The time of day and day of week when crimes occurred were also evaluated. It was found that virtually all crimes took place during the presence of the street racers (Friday and Saturday between 11:00 a.m. — 6:00 a.m.). Officers who responded to calls during peak race hours found the areas were overwhelmed with vehicles belonging to racers and spectators. Lt. Frank Fryer of the Ontario Police Department Traffic Division stated "on a weekend night there is more traffic generated by street racers on the surface streets in these areas than on the adjacent Interstate 15 Freeway!"

Crime analysis also demonstrated that during inclement weather there was a dramatic decrease in all types of crime in the area. The street racers simply could not perform in rain.

B. Analysis

The Ontario Police Department Crime Analysis Unit provided crime statistics that authenticated the "concerns" of officers, business owners, and city officials. Street racing had become a serious and deadly issue in Ontario. A seemingly innocent pastime was now a significant crime problem that could not be ignored.

The problem of street racing is not new and for some families it is a generational hobby in Southern California. One racer was quoted as saying: "My dad raced, I race and so will my kids ...you're not going to stop us!" The popular activity has evolved into a destructive, criminal, pervasive pastime. The use of modern technology such as police scanners, cell phones, pager, Internet web sites and video cameras allow a significantly broader base of participation and communication among the followers. Devotees view racing as a "religion," and state, "speed is our God." In addition, the elimination of most legitimate means of amateur racing in Southern California adds to the growing problem and frustration. Glorification by the media and the sensationalism of pursuits by law enforcement captivate audiences with the uncertain outcome and the thrill of evading the police.

The racing culture also encourages a type of guerilla warfare: "there's more of us (racers) than of them (the police)." They take pride in their ability to evade the police, to play a "cat and mouse" game, and to continue their activity despite all efforts of eradication by Ontario and statewide police agencies.

Racers who were interviewed stated that many race for the thrill or for monetary gain. One racer stated he would race for anything, money, pink slips, and even his mother's ring. Violence often develops over unpaid gambling debts.

Disorder and criminal acts are not limited to racers and spectators. Non-participants have also been victimized as well.

The victims who are affected include:

- Employees of local businesses
- Truck drivers who are attempting to make deliveries
- Store clerks and storeowners who encounter threats, looting or vandalism
- Wiring to streetlights is cut and/or street lamps are shot out to keep an area dark.
- Streets that are damaged as the result of "slicking" (burning rubber which destroys painted street signs).
- Damage to vehicles at a regional auto center which is a major tax base for the City
- Members of the general public and tax payers

The Ontario streets used by the racers also provide outstanding tracks. As one racer said, "they're screaming for burning rubber." They're attractive to the racer for the very reason they are necessary for the truck drivers.

For years the problem was addressed by direct enforcement. Officers issued mechanical violation citations (e.g. burned out light bulbs; missing plates; failure to wear a seat belt, etc.) and arrested curfew violators. State grant funds (this was an approved use), paid overtime for directed patrol during the identified days and times.

The problems officers faced were:

- The growing popularity of street racing
- Excellent weather throughout Southern California which encourages late-night outings

+ The opening of the Ontario Mills Mall in November 1997 established a significant entertainment center that draws over 20,000,000 visitors each year.

The Mall, which covers almost 2,000,000 square feet, is home to over 50 theaters and provides entertainment that is directed at young adults such as video arcades, skate parks and fast food restaurants. Youthful participants, who are drawn to the Mall, eagerly seek further entertainment when it closes for the evening. Street racing meets the criteria and Ontario has become known as one of the top three places to race in California. As more offenders participated, and the serious nature of the crimes increased, officers became ineffective in their efforts to control and/or stop the problems. They continually found themselves returning to the SARA model for guidance.

The Police Department was contacted by business owners who were victimized by the racers and spectators; comments were made at City Council meetings by the public; a public forum was held; letters to the editor were written and the media gave ample coverage to this serious problem of illegal street racing. It was obvious that additional steps had to be taken to address this crisis.

C. **Response**

Using the SARA model, a number of alternative methods were considered to address the problem. These included the installation of speed humps, barricades, "k-railing," (concrete barricade) freeway message signs (permanent and temporary), billboards, continued direct enforcement, multi-agency enforcement and "nuisance citations" (citing participants for minor infractions). In the early stages of the problem, Ontario lobbied the California State Assembly to pass an addition to the Vehicle Code. The efforts were successful and the new law (CVC

23109.2[a]) allowed a jurisdiction to impound a vehicle for 30 days if it was used in any street race. The only drawback was the lack of enforcement governing spectators. Racers had many motives for their practice, but surely one of the greatest was the "high" obtained by performing for an audience. The City also implemented a "cruising" ordinance to eliminate car cruising by racing crews at the Mall. However, to attack the total problem, we needed a "total solution."

Review of the situation determined the need to meet the problem with several approaches. Those include all noted in our process of consideration. After trying many, it was learned that several were both ineffective and impossible to implement fully. For example, the installation of speed humps successfully addressed the problem; however, they were detrimental to emergency response vehicles. They also hampered the approach of trucks with trailers.

Stopping and arresting participants for unlawful assembly or curfew violations proved to be ineffective because of a legal interpretation at the judicial level regarding the role of the spectator. Spectators were not considered participants. Even numerous vehicle code citations failed to eliminate their participation. It was discovered that officers had underestimated the commitment racers had to their activity. One officer said that on several occasions, he prepared to issue a citation to an individual only to learn he/she was a multiple offender, thus the citation process was ineffective, a weak deterrent. The racers have told officers: "We'll be back . . . we'll be back out tomorrow night!" "A citation is just part of doing business." Their pastime has become a career, a cultural event, something they "live for."

As a result of illegal street racing, the C.O.P.S. Unit is developing a response with a program called "C.A.R.S." (Cops Against Racing on Streets). Hoping to address the problem through the educational process, the program is designed for high school students that will focus on the dangers associated with street racing. To reduce teenage accidents, California has fortified the driver's license application process with the requirement of a provisional driver's license.

Some additional issues that controlled our response to the problem involved budgetary constraints. In scheduling multi-agency task forces, it was not unusual to find that participation by outside agencies was hampered by a lack of funds to pay for overtime. In addition, every approach required conscientious evaluation as to its legality; officers had to be careful that their efforts followed federal, state and local laws as well as the rules and regulations of the Ontario Police Department and other police agencies. Another consideration was court time; the arrest and citation process, was there an "easy flow" system for the processing of those arrested?

When a mass arrest was planned was there safe and efficient transportation of male, female and juvenile prisoners and what logistical problems were associated with the movement of those arrested?

The most recent approach promises to be the most effective. The passage of the Street Closure Ordinance could eliminate many of the problems encountered by direct enforcement and mass arrests.

After numerous calls, letters, contacts from the business community and concern expressed by city officials, the C.O.P.S. Unit working together with the City Attorney developed the Street

Closure Ordinance which closes specific streets during the hours and days associated with street racing. The defined areas are zoned for light-industrial use, distribution centers and a regional auto center. The law will also allow the Ontario Police Department to impound any vehicle (spectator or racer) found on the identified streets during the hours noted in the ordinance. Under the California Vehicle Code, the closure will be in place for eighteen months. The streets are posted with over-sized closure signs, but not barricaded.

The ultimate goal is to eliminate street racing altogether, make the industrial areas safer for employees and allow businesses to operate freely without fear of criminal acts. The final purpose is to reduce calls for service and to see the crime rate in the area drop by at least 50%.

To date, our problem solving efforts have been strongly supported by the following:

- The City Council of Ontario
- The Chief of Police of Ontario
- The City Attorney for Ontario
- The San Bernardino County Office of the District Attorney
- The San Bernardino County Municipal Court
- Ontario International Airport Police
- San Bernardino County Sheriff's Department
- Fontana Police Department
- Ontario businesses in the affected area
- The local media

With an ordinance in place, Ontario Police Department will be able to arrest violators simply by their presence in the identified area. In the past, officers had to wait until offenders started racing and frequently ended up "chasing" them from one street to another. The ordinance will also allow officers to impound offender's vehicles for which should have a dramatic impact on their activities. City personnel (e.g. engineering, streets and fire departments) are completely supportive of the closure ordinance.

Because the problem of street racing in Ontario is so extensive, many City employees and outside agencies are involved with the effort to eliminate the difficulty. They include: patrol officers (swing shift and graveyard), air support (helicopter), civilian employees, police volunteers (Explorers, Senior Patrol, Reserves), Fontana Police Department (a neighboring agency), tow truck companies, Ontario International Airport, San Bernardino County Sheriffs Department, County Probation and others.

D. Assessment

Officers found that issuing citations alone did not end or significantly deter the problem of street racing. Also, the mass arrest sweep for unlawful assembly did create a significant 10-week reduction in crime and participation in the area. This was obvious by:

- The reduction in the calls for service, officers patrolling the area could not find any racers or spectators
- Crime statistics for the area showed a significant reduction in all types of crimes
- A local business owner was able to keep his convenience store and gas station open.

The "success" is also best illustrated by the response discovered on numerous web sites that publicize street racing. Their outrage at our tactics was revealing and underscored the tremendous popularity of this activity. Some participants said, "If this is the way Ontario is going to handle this, I'm not coming back." "It's not worth it, man!" However, because Ontario is one of the most popular locations to race in Southern California, the problem returned after a brief hiatus.

A presiding judge held a different interpretation of the State Penal Code regarding unlawful assembly. While sympathetic to the problem, he found that simply "watching" a race was not an illegal act. Therefore, future attempts and costs associated with multi-agency sweeps for unlawful assembly were questionable.

A positive outcome of this process has been the strong support received from the media and the coverage given to the problem. In publishing numerous articles on the topic, they have assisted in broadcasting our commitment to enforcement.

The Ontario Police Department believes the ordinance to be the most effective tool for the current problem. This will deliver a more permanent solution. In addition to the passage of the ordinance, the local judiciary has been contacted to garner their support and commitment to prosecution.

Another issue considered in this effort was "displacement." Would this effort push the problem into neighboring cities? Officers worked closely with adjacent cities and counties (Fontana, San

Diego, Los Angeles County, Long Beach, Riverside) to address the concern. In the spirit of the C.O.P.S. philosophy, we forwarded information about the ordinance to other agencies. Both San Diego and Los Angeles Counties requested copies of the ordinance and are in the process of developing their own ordinances. Adjacent law enforcement agencies have said "if your ordinance works for you, it will probably work for us, as well." In other words, this effort would serve as a type of laboratory that would determine how promising the medicine was in effecting a cure.

Ontario Police Department also accepts the reality that this generation of thrill seekers will continue to test this approach to street racing. By using the SARA model, C.O.P.S. officers are confident that they will address new challenges as they develop.

III. AGENCY AND OFFICER INFORMATION

1. Although the C.O.P.S. (Community Oriented Problem Solving) Unit initiated this problem solving effort, they also received support and encouragement from the Chief of Police and entire command staff, as well as from the Mayor, City Council and City Manager.
2. The C.O.P.S. Unit has been in existence since 1995 when Ontario Police Department received grant funding from the C.O.P.S office of the Department of Justice. C.O.P.S. officers regularly attend all COPS/POP conferences to continue training in community oriented policing. Attendees include management personnel as well as officers.
3. No specific incentives are given to officers who apply for the C.O.P.S Unit. The popularity of the Unit and the support of Command Staff encourages participation. Also, the department encourages all staff members to develop "COPS/POP" programs to address repetitive crime problems.
4. This effort could only be successfully addressed by the COPS unit. The many efforts of patrol were evaluated to enable our facilitation of the effort.
5. Ideas and support were received from officers throughout the department to identify such issues as the increase in crimes associated with the racers; the growing number of participants; and to verify the extent of the problem in the identified area. The Scanning phase was relatively simple: the problems/crimes were quite evident. The Assessment phase has taken several years and although the C.O.P.S. Unit rotates officers and supervisors every 3 years, the strength of the SARA model guaranteed that the problem would continue to be addressed.
6. Because of the commitment of the City Council and all levels of city administration, the *effort* has received full support and the availability of every needed resource. Overtime

issues for extra staffing is not an issue for this Department. The only limitation has been with the use of a multi-agency task force. Despite the broad support, not all agencies have the financial commitment or availability as the City of Ontario.

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Street Race Statistics

