

May 30, 2006

Rob Guerette  
Herman Goldstein Award Coordinator

SUBJECT: Plano Police Department  
POP Initiative: Day Labor Center ..Making it Work

Dear Committee:

Please accept this document as a nomination for the Problem Oriented Policing Project initiated by the Plano Police Department's Neighborhood Police Officer Unit. Officers from this Unit started working on this project due to increased complaints of people soliciting work from parking lots and roadways and failure to follow department policies. Officers thoroughly investigated the underlying causes that contributed to the complaints. This investigation revealed that the primary causative factor was the Day Labor Center was not functioning according to City Policy. Workers were congregating on the property; drinking, fighting and stealing while the city staff was not following policy regarding assignment of work.

They utilized the SARA Problem Solving Model during this process and have made significant progress in reducing each of these issues. The officers devised a coordinated plan, which involved police officers and city staff assigned to the Day Labor Center. Through their combined efforts conditions at the Day Labor Center have improved and policies are now being adhered to by workers and staff alike. The Day Labor Center has been renovated and permanent office space has now been made available for a Neighborhood Police Officer.

During this initiative, the public's safety as well as their support of the Plano Police Department has increased. The methods used by these officers proved that officers could make a positive difference when working with the community.

Sincerely,

Gregory W. Rushin  
Chief of Police

Plano Police Department's Submission for the  
Herman Goldstein Problem-Oriented Policing Award

## Day Labor Center: Making it Work

### SUMMARY

Persons seeking day labor were standing on street corners and in the roadway soliciting work from passersby. Traffic accidents were occurring and complaints to the City were received from citizens trying to drive without being accosted. The majority of the workers were Hispanic which introduced an additional problem of language barrier. The City built a Day Labor Center (DLC) giving the workers a central location to wait for employers to hire them. Workers fought, loitered, consumed alcohol and disregarded instructions from the Center Staff. The waiting room provided became a place to hang out for not only workers but persons there only to get out of the weather and have a place to socialize. Thefts from city employees assigned to the DLC were reported due to the workers having access to the interior of the building. Some workers, wanting to circumvent the DLC policies while capitalizing on the DLC concept, would stand on the street, a few hundred feet away from the DLC, and solicit work from employers driving toward the DLC. This practice caused problems for the DLC staff and violated City Ordinances.

**Scanning:** Officers noticed an increase in the number of calls for service not only around the DLC but physically at the DLC. Complaints were also heard and Officers witnessed workers not complying with policy and procedures and soliciting from the sidewalks and roadways. Officers found that undercover details reestablished compliance in the area of soliciting and having an officer on the property of the DLC reduced the calls for service. Workers using the bathroom in the DLC building repeatedly either damaged the facility or defecated and littered the bathroom.

**Analysis:** The Day Labor Center was not functioning properly. Workers were violating City Ordinances and State law by drinking in public, fighting, disturbing the peace and soliciting work from the roadway. The Staff was not following procedures in assignment of work. Workers were remaining on the property, after closing, drinking and sleeping. Numerous calls for service were received at the DLC. Conditions at the DLC deteriorated because the workers were littering the premises, throwing trash on the floor

of the DLC and harassing the people pulling up to the DLC to hire workers. The bathroom had been closed to the workers, replaced by port-o-potties.

**Response:** Members of the Neighborhood Police Officer Unit implemented a plan for conducting special undercover details to increase enforcement and gain voluntary compliance. Officers working undercover, acting as employers, picked up workers soliciting from the roadway and sidewalks in violation of city ordinances. Citations were issued in some cases and in others physical arrest took place. A zero tolerance policy, regarding fighting, alcohol and disruptive behavior were instituted at the DLC and violators were banned from the site for periods ranging from one day to one year (criminal trespass). Meetings were held with DLC staff and policy and procedures were reiterated. Members of the NPO Unit met with the City Staff member responsible for the civilian employees at the DLC and the structure itself. It was decided that the DLC would be remodeled. Part of the remodeling would result in the permanent closing of the day room. Additionally, an NPO Officer would be assigned a desk and office space in the newly remodeled day room. The current DLC staff would move out of the 12 X 12 space they occupied and into the old day room. Workers were banned from the interior of the building.

**Assessment:** Members of the NPO Unit continue to conduct undercover operations and other special enforcement details which have resulted in a reduction of City ordinance violations. The DLC has been remodeled eliminating the Day Room concept and reducing; the number of non-workers on property and subsequent fighting and disorderly conduct offenses. An NPO officer now has a permanent desk in the old day room which provides on site security and enforcement of State law, city ordinances and City policy and procedures.



## Introduction

In the early 1990s, the City of Plano experienced an influx of people soliciting passersby for work from roadways, street corners and parking lots. Citizens began to make complaints as the number of workers grew. Among the chief complaints, unsuspecting drivers operating pickup trucks would find themselves overwhelmed with anywhere from one to five workers who would climb into the bed of the truck as the vehicle was stopped for a red light. While it was easy to get a pickup bed full of workers, convincing them you weren't interested in hiring people was more difficult.

Traffic accidents, alcohol-related disturbances, urinating in public and blocking streets and sidewalk calls for service began to increase as well. Area homeowners were now confronted with workers loitering in front of their residences, and in some cases, resting on their lawns. Workers often helped themselves to water from garden hoses located on the front of residences. Homeowners complained that workers were gathering in their front yards and occasionally using their bushes as restroom facilities. Business owners called to complain about workers congregating in their parking lots, blocking parking spaces and scaring away potential customers. Officers responded with increased enforcement efforts regarding the public order crimes, but with little long-term effect. The City of Plano targeted these complaints by enacting an ordinance, which prohibited persons from soliciting work from a roadway or parking lot. Searching for a more long-term solution, the Day Labor Center (DLC) was created. The DLC was designed to provide a designated place for employers and workers to meet, thus removing the need

for workers to mill about the roadways and parking lots in search of employment. Officers assigned on overtime monitored the DLC for violations. Eventually the overtime assignment ended and the Neighborhood Police Officer (NPO) Unit was assigned the responsibility to monitor the DLC.

A set of guidelines were developed requiring workers to register at the DLC when they arrived. Work assignments were given based on a worker's listed skills and abilities, which were matched with the potential employer's needs. The DLC operated for years with complaints of favoritism regarding policy enforcement and lack of strict adherence to guidelines. Workers continued to solicit from the streets and sidewalks in the immediate area of the DLC. Workers who had followed the guidelines and signed in with the staff often found themselves left sitting on the porch of the DLC or in its dayroom while those still soliciting from surrounding streets and parking lots intercepted work.

## SCANNING

The Neighborhood Police Officer Unit assigned one Officer to work the DLC and immediate area. Local businesses were contacted to determine what level of impact the DLC had concerning workers and the businesses. Many of the businesses located within ½ mile of the DLC were still suffering from the original maladies. Workers were still congregating in parking lots and blocking parking spaces, which deterred potential customers. Calls for service involving fight and alcohol-related crimes increased. Homeowners were again complaining of workers urinating in public, consuming alcohol in public and congregating on private property. Area business owners worked with officers by posting signs on their property citing established ordinances prohibiting

workers from soliciting on their property. Officers also teamed with business leaders to Criminal Trespass (CT) warn workers who failed to follow laws. As the number of CT warnings increased so did compliance among the workers. Officers requested affected homeowners to contact the Police when violations were observed, as well as other methods to use to lessen their chance of being victimized (keeping garage doors closed, removing water hoses from the front of the residence).

Citations were issued to violators with moderate success. Many violators had little or no official identification, which resulted in many of the citations going to warrant. The DLC site itself became a problem area. Although the site officially closed daily at 3:00p.m., workers continued to loiter on the premises. Unsupervised workers often consumed alcohol on site and fights between workers increased. Homeless workers were found sleeping on the ground outside the closed DLC premises. One worker was found sleeping and drunk, inside a portable restroom located at the DLC. Each morning the staff would report to work to find people sleeping on the porch and the parking lot littered with trash and beer bottles. It became apparent that the workers were in control of the DLC site and the staff, outnumbered, was letting them violate policy and procedures.

## ANALYSIS

In February 2006, NPO Officers Brad Ewell and Cuellar were assigned to formulate a solution to problems surrounding the DLC using problem-solving techniques. Officer Cuellar was permanently assigned to the DLC, but all so maintained responsibility for the neighborhood surrounding the site. This allowed Officer Ewell to

concentrate on the DLC and bring a new set of eyes to the problem. Officer Ewell met with DLC staff and sought their input regarding what improvements were necessary. Ewell discovered potential flaws in current operations as he reviewed daily records along with established DLC policies and procedures. Officer Ewell found that DLC staff was not adhering to policies requiring workers to sign in when entering the DLC. This created problems because assignments were given based on first come first served. The policy states that workers should then be assigned according to the order they signed in unless there were extenuating circumstances; language barrier or job skill. Ewell discovered names, handwritten, on the back of the official sign in sheet. These people were being given assignments, out of the normal order, and against city policy.

Secondly, there was a perception that workers were in control of the site. The dayroom was un-kept and the staff did not require workers to clean up after themselves. Workers had the freedom to go from the dayroom into the staff office at will. Thefts from DLC staff, including theft from purses and desks, were reported. The restroom meant for use by the workers had been permanently closed and locked after numerous acts of criminal mischief in which the plumbing

was torn from the walls and the interior trashed. Ewell found that the portable restrooms



located on the DLC site were being vandalized. On one occasion, Officer Ewell found underwear covered in human feces just outside the door of the portable restroom. Officer Ewell solicited the help of Patrol officers assigned to the area covering the DLC. He found the site was often the location of fights, drinking in public and other alcohol related

crimes. Beat officers complained of workers sleeping at the site after hours, which often resulted in arrests.

Normal operations required workers to wait in a designated area for potential employers. DLC staff then coordinated with employers to determine which employees would meet their needs. Ewell found what was actually occurring was workers leaving the porch and rushing the fence located near the circular driveway and then shouting at the employer in an attempt to be hired. This practice created havoc for the staff as sometimes the employers would end up choosing who they wanted simply by pointing at workers. Obviously this practice circumvented the policy once again. Add to that the practice by the staff of assigning persons listed “on the back” of the sign in sheets and you had chaos amongst the workers.

Officer Ewell met with his immediate supervisor Sergeant Frank McElligott and explained the issues.

## RESPONSE

Sgt. McElligott directed Officer Ewell to procure copies of the sign in sheets. Ewell took photographs of the DLC and surrounding area. NPO Unit officers examined the problems and formulated a two-part solution. First, City administrators were made aware employees were not following set procedures, and secondly, perceptual control of the DLC would need to be reestablished. Sgt. McElligott, along with Officers Ewell and Cuellar visited a Day Labor Center operated in Garland Texas. They found the Garland site was operating efficiently. Garland staff indicated they too had experienced similar



difficulties in their DLC. Garland adopted a “zero tolerance” policy towards workers who failed to follow policies and procedures. Workers were also maintain the site throughout the day.

Sgt. McElligott and Officers Ewell and Cuellar met with members of City Staff (City Hall) and advised them of the situation. They showed copies of sign in sheets which were in obvious violation and had been the basis for many unfair practice complaints. A list of proposed changes was given regarding the DLC. A visit to the DLC was arranged for the NPOs and City Staff, during this visit, changes and improvements to the site were discussed in detail.

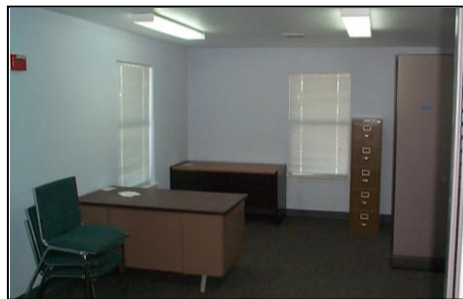
The meeting of City Staff and NPO members resulted in the decision to;

- Eliminate the day room concept
- Require DLC staff to follow policy
- Require workers to follow policy
- Continue enforcement efforts
- Remodel the DLC
- Assign an officer to be officed at the DLC
- Issue an identification card to workers

With the cooperation of City Staff, remodeling was approved and budgeted for. On site meetings between the City Staff and NPO Unit members resulted in a design which allowed the DLC Staff to have more room for their office space (utilizing the old day room). The visiting nurse was assigned the old office space which provided some privacy while keeping the workers out of the general office area. Benches originally located in

the day room were moved outside onto the porch and bolted down. Vending machines were removed from the site. Windows were replaced as were doors. Workers originally thought they would have access after the remodeling found out otherwise. Officer Ewell became a fixture at the DLC and reintroduced the staff and the workers to the city policy. While he may have been unpopular with both groups Ewell was highly affective. Workers realized they had to stay on the porch and away from the fence and driveway in order to be considered for assignment. Anyone who violated this was banned from the site for a day. Likewise, city staff members were reminded of city policy and only one “eligibility” list was kept. Ewell insured workers were called in order as they were on the sign in sheets.

During the remodeling of the site, Officers of the NPO Unit and PPD continued undercover operations which resulted in arrests. Identification of workers remained a problem. Officers Ewell and Cuellar agreed an identification card system was needed in order to keep track of workers and their skills. Captain Ed Drain, Commander of the Homeland Security function for the Plano Police department was contacted. He assigned one of two computerized identification card machines to the DLC. A computer was installed at the DLC for use and storage of the identification information.



## ASSESSMENT

Officers Wells supervisors have assessed the effectiveness of his project and have been very pleased with the outcome. Workers complaints to City Hall about unfair practices related to work assignment at the DLC have decreased significantly according to City Staff members. By analyzing the number of alcohol related calls for service at the DLC and the reduction in the number of fight calls, it is apparent the workers are behaving and following the policies and procedures more. Observation of the DLC shows the workers staying on the porch when a potential employer drives up, they do not scream at the employer nor do they leave the porch and rush the vehicle.

Comparing the calls for service for January through June 2005 to the same period in 2006 shows a 16% decrease. Additionally, reports of burglaries of motor vehicle (BMV) in the same area during those times show a decrease of 59%. In January of 2006 Officers conducted an undercover operation which resulted in the arrest of 25 people for violations of State Law and City Ordinance regarding soliciting employment where prohibited. In March of 2006, Officers arrested only six persons for the same type violation in the same geographical area.

To properly evaluate the project, Officers sought to see if the goals of the SARA model of problem solving were met. Legitimate expectations of the problem solver are:

Eliminate the problem;

Reduce the problem;

Repair the problem;

Reduce the harm; or

Move the problem.

Obviously, Officers Ewell and Cuellar clearly reduced the problems related to the DLC which affected the surrounding neighborhood. The reduction in calls for service at the DLC shows a significant reduction in fights and alcohol related problems. The fact that fewer complaints have been received at City Hall about unfair practices, in assignment of work, at the DLC shows employees are following procedures. The comparison of special enforcement details at the beginning and the end of the project show that more workers are complying with State Law and City Ordinances.

<b>BMV's and CFS For RD's 35B4 &amp; 35D2 Jan-June 26 2005 &amp; 2006</b>						
	<b>06/01/03-06/01/04</b>	<b>06/01/04-06/01/05</b>	<b>Percent Change</b>	<b>06/01/04-06/01/05</b>	<b>06/01/05-06/01/06</b>	<b>Percent Change</b>
<b>CFS</b>	2,649	4,363	<b>65%</b>	4,363	4,106	<b>-6%</b>
<b>BMV</b>	64	69	<b>8%</b>	69	39	<b>-43%</b>
<b>Crim Trespass</b>	9	6	<b>-33%</b>	6	6	<b>0%</b>
<b>Shop-lifting</b>	129	115	<b>-11%</b>	115	103	<b>-10%</b>
<b>Alcohol Related</b>	120	137	<b>14%</b>	137	103	<b>-25%</b>

A better working relationship between the NPO Unit, members of the DLC staff and City Hall staff has also been fostered. Each of these groups now communicates openly regarding both problems and suggestions for improvement.

Officers have noted when undercover enforcement operations slow down offenses increase. As long as periodic enforcement details take place, workers are more apt to remain within policy. Members of the NPO Unit will continue to conduct undercover operations and to increase patrol officers involvement in this plan. By including patrol officers in the enforcement effort, we expect this project will be even more effective in the future.

## AGENCY AND OFFICER INFORMATION

1. Officers Ewell and Cuellar initiated the Problem-Oriented Policing project; however, there were many instances in which several officers from different divisions assisted them in their task. Officers of the NPO Unit, Patrol Division, Criminal Investigation division and the Narcotics Unit assisted. It was only through the support of the entire Chain of Command that this kind of cooperation and enforcement could take place.
2. When Officer Ewell was reassigned as a Problem-Oriented Police Officer, he had already received training in POP methodology. Officer Cuellar likewise has received POP training as has their immediate supervisor, Sgt. McElligott. Captain E. Drain the current Division Commander for the NPO Unit is a former NPO Sgt. and has received POP training as well.
3. No additional incentives were given to Officer Ewell or Officer Cuellar for engaging in problem solving. The officer's motivation for this initiative was guided solely by their ability to identify a problem, have the time and resources to work the problem and the discretion to resolve ancillary issues in the manner they deemed appropriate.
4. As previously stated, the combination of training present in the NPO Unit as well as the current Chain of Command helped formulate the plan. NPO Officer Richard Glenn (a former Goldstein finalist) was a valuable resource.
5. Officer Ewell noticed that many of the calls for service were a result of the workers not being made to follow DLC policy. Once that fact was identified it was then necessary to get City Staff and DLC Staff to recognize and accept some responsibility for its occurrence and resolution.
6. Personnel resources were the primary resources committed to address this issue. The cost of remodeling the DLC to improve conditions is estimated to be \$13,250.
7. **Contact Information**

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Problem-Oriented Policing Officer/ Neighborhood Police Officer Unit/Patrol  
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E-mail: [elic@plano.gov](mailto:elic@plano.gov)

Sergeant Frank McElligott  
Supervisor of the Neighborhood Police Officer Unit/Sergeant  
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E-mail: [frankm@plano.gov](mailto:frankm@plano.gov)

Plano Police Department Website  
[www.planopolice.org](http://www.planopolice.org)

City of Plano Website  
[www.ci.plano.tx.us](http://www.ci.plano.tx.us)

## **NPO Unit-After Action Report**

**Date:** March 22, 2006

**Time:** 0800hrs. – 1100hrs.

**Channel:** NPO

**Location:** Day Labor Center located @ 805 Ozark Dr.  
Byrd's Drive In located @ 729 18<sup>th</sup> St.

**Special Enforcement Detail:**

Officers will enforce laws and city ordinances pertaining to Job Placement Activities, Engage In Where Prohibited. All Individuals will be processed at Plano City jail for violations committed.

**Vehicles:** Unmarked black Chevrolet extended cab, 2 smooth cars and 1 marked police vehicle

**Officers Involved:**

Sgt. McElligott  
Officer Ewell  
Officer Perez  
Officer Bowie  
Officer Glenn  
Officer Cuellar  
Officer Hernandez  
Officer Garcia

**Assignments:**

Sgt. McElligott – Supervise detail  
Officer Hernandez – Coordinate detail  
Officer Ewell / Officer Perez – Provide security for Officer Garcia  
Officer Glenn / Officer Bowie – Provide security for Officer Garcia  
Officer Cuellar - @ jail taking reports  
Officer Garcia – Unmarked black Chevy extended truck

**Objectives:**

Officers will enforce laws and city ordinances pertaining to Job Placement Activities, Engage In Where Prohibited. Officer Garcia will drive to above locations to monitor areas for violations. Once violations are committed, Officer Garcia will notify Officer Hernandez by phone to advise of how many violators he has in his vehicle. Officers in smooth vehicles will follow Officer Garcia to designated location to take violators into custody as well as provide security for Officer Garcia while enroute to Plano City jail.

**Arrests:**

On this date 6 arrests and 6 citations were made/issued, one of which was a parole violator.

## **NPO Unit-After Action Report**

**Date:** January 17, 2006

**Time:** 0800hrs. – 1100hrs.

**Channel:** NPO

**Location:** Day Labor Center located @ 805 Ozark Dr.  
Byrd's Drive In located @ 729 18<sup>th</sup> St.

### **Special Enforcement Detail:**

Officers will enforce laws and city ordinances pertaining to Job Placement Activities, Engage In Where Prohibited. All Individuals will be processed at Plano City jail for violations committed.

**Vehicles:** Unmarked P.U. Truck, 2 smooth cars and 2 marked police vehicles.

### **Officers Involved:**

Sgt. McElligott  
Officer Ewell  
Officer Perez  
Officer Bowie  
Officer Glenn  
Officer Cuellar  
Officer Hernandez  
Officer Garcia  
Officer Ravin  
Officer McCreary  
Detective Martinez

### **Assignments:**

Sgt. McElligott – Supervise detail  
Officer Hernandez – Coordinate detail  
Officer Ewell / Officer Perez – Provide security for Officer Garcia  
Officer Glenn / Officer Bowie – Provide security for Officer Garcia  
Officer Cuellar & Perez & Ravin- @ jail taking reports  
Detective Martinez – Unmarked P.U. truck

### **Objectives:**

Officers will enforce laws and city ordinances pertaining to Job Placement Activities, Engage In Where Prohibited. Detective Martinez will drive to above locations to monitor areas for violations. Once violations are committed, Detective Martinez will notify Officer Ewell by phone to advise of how many violators he has in his vehicle. Officers in smooth vehicles will follow Detective Martinez to the Plano City jail where the subjects will be taken into custody.

### **Arrests:**

On this date 25 arrests were made.



