



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

DIVISION OF POLICE

HENRY W. STANLEY, JR.  
CHIEF OF POLICE

May 30, 2008

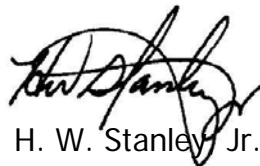
Mr. Rob T. Guerette  
School of Criminal Justice  
Florida International University  
University Park, PCA 366B  
11200 S.W. 8<sup>th</sup> Street  
Miami, FL 33199

Dear Mr. Guerette:

The purpose of this letter is to nominate "Operation Abate the Nuisance" for the Herman Goldstein Award. This project was undertaken by Henrico County Police throughout the month of March 2008 and is a prime example of a problem-oriented policing project. This operation improved the quality of life for our residents and reduced the fear of crime in one residential community.

We believe our submission personifies the S.A.R.A. problem-solving model. Therefore, I recommend this operation for the Herman Goldstein Award.

Sincerely,



H. W. Stanley Jr.  
Colonel

**Operation Abate the Nuisance**  
**Henrico County Division of Police**  
**Henrico County, Virginia**

**Summary**

**Scanning:**

- Experiencing drug related incidents at a single family residence.
- Citizen complaints, including a family member.
- Inordinate amount of calls for service.
- Close proximity to “Section 8” apartment community.

**Analysis:**

- Community Officer researched calls for service January 2006 through March 2008.
- Community Officer incorporated “road officers” observations
- Background investigation on homeowner.
- Numerous criminal arrests and criminal activity.
- Over 25 calls for service: disorderly, larceny, paper service, medical emergencies, firearm violations, narcotic violation(s) and robbery of a person.

**Response:**

- Community Officer monitored calls for service weekly.
- Attempt to identify associates.
- Conducted paper service attempts on known associates.
- “Knock-n-talks” to gather intelligence.
- Search warrant(s).
- Usage of State Code (18.2-258, “certain premises deemed common nuisance”) to introduce “outside the box” Problem Solving Method.
- Include other County Agencies to assist homeowner, Building Inspection, Community Maintenance, Emergency Medical Services, Animal Protection and Adult Protective Services.

**Assessment:**

- Citizens/Family appreciation.
- Major reduction in calls for service.
- Homeowner getting needed medical assistance
- Increased Quality of Life for Community at large.

*Editorial Note: Due to the sensitive nature of the information contained in this document, the names and addresses of citizens have been altered to remove identifying information.*

## **Operation Abate the Nuisance**

### **Scanning:**

Officer John Warren has been assigned as a Community Officer with Henrico County Division of Police, Henrico County Virginia since the later part of 1999. During that time Officer Warren has been tasked with finding solutions to problematic addresses and locations within his area of assignment. Officer Warren is encouraged to try new and innovative methods to Problem Solving.

One location that came to his attention is a single-family residence located at 12345 Woodland Road in the County's Central District. This address is located across the street from a "Section 8", low-income apartment community.

A complaint was received at a home in the area where "people" frequented in order to use drugs. A citizen who was upset over the "constant" foot traffic to this location contacted Officer Warren. The citizen was a neighbor and was fearful of the activity, as well as giving too much detailed information. He only suggested that the police, needed to "look at that home" on Woodland Road. Officer Warren spoke to the other officers who worked in and around the area on a regular basis and also conducted research on calls for service at the location. He then began a background investigation on the homeowner, Mrs. Dana Smith.

**Analysis:**

Since January of 2006 through March of 2008, the address had logged over 25 calls for service. The call types included disorderliness, larcenies, medical emergencies, paper/warrant service attempts, firearm violations, several narcotic violations, animal calls and a robbery of a person.

The homeowner, a single female in her late forties, Mrs. Dana Smith, was found to have a rather extensive involvement with criminal activity in Virginia. A family member of Mrs. Smith contacted Officer Warren to voice a complaint about a house where people could visit to use drugs. This family member had gotten the information during a conversation with one of her teenage children. Unknown to her, the address that was in question was that of her cousin, Dana Smith. This family member also lives in the general community and was concerned about the child's statements. Officer Warren was able to gather valuable intelligence on Mrs. Smith and her residence from this family member, as well as give information regarding her troubled past. This included the fact that she was known to have used narcotics over the years and wasn't successful with rehabilitation programs.

**Response:**

Having this information, the officer began to look further into the background of Dana Smith and her possible associates from past police reports. In June of 2007, a robbery of a person occurred at this residence. It was determined that a person was robbed on the property

then fled across the street to the apartment complex to contact the police. Several days later Officer Bolland was conducting traffic enforcement in the area of Woodland Road. A vehicle fled from Officer Bolland and led him to the address in question on Woodland Road. After a short foot pursuit the driver was apprehended in the rear yard of this address. When the pursuit started Officer Warren was in the general area and quickly arrived to lend assistance to Officer Bolland.

After the apprehension of the fleeing driver and arrival of several more officers, the driver claimed he was “going to the address to see Dana, his friend.” By chance, one of the officers who arrived on the scene was the Investigator for the robbery that occurred days prior. Officer Warren and Investigator Valentine attempted to make contact with the homeowner. After several knocks a male opened the door and allowed the officers inside to speak with Mrs. Smith. The officers began an interview to verify if she knew the driver. She denied knowing the driver and claimed no one was to be inside her home, even though a male allowed us inside. Since she claimed no one had permission to be inside the residence, a protective sweep was conducted. A juvenile male was located inside a bedroom. Officer Bolland arrested this same juvenile for possession of marijuana the previous week.

While Investigator Valentine was speaking to Mrs. Smith, Officer Warren completed the protective sweep. In doing the sweep, Officer Warren noticed a small quantity of white powder and several items associated with usage of illegal narcotics on the coffee table beside Mrs. Smith. While Investigator Valentine spoke to her, Officer Bolland notified Officer Warren that

the male he apprehended was found to have a sizable quantity of cocaine in his possession and more was located in the vehicle.

Officer Warren began to question her about the person who was apprehended in her yard. Mrs. Smith claimed no knowledge of the event or the person apprehended. Officer Warren then questioned her in general about illegal activity in the area. Once again she claimed ignorance to any illegal activity. Officer Warren advised her he was investigating several issues at her residence and asked her for consent to search her home for illegal drugs. She quickly denied consent until Officer Warren informed her of the items observed in plain view. She then gave consent to search the home; however, a search warrant was obtained. Officer Warren executed the search warrant and recovered illegal narcotics as well drug paraphernalia.

Officer Warren received training from the Virginia Community Policing Institute (VCPI) on Problem Solving and numerous Community Policing initiatives. While attending, he was most impressed with the topic of Nuisance Abatement. He felt this may be the most effective method to rid “drug complaint” locations from neighborhoods. Virginia Code 18.2-258, “certain premises deemed common nuisance,” this code presented a seldom-used approach to Problem Solving. The code prescribes responsibility for certain activity that is prohibited including: drug, alcohol, and prostitution violations. A property owner found guilty of this code faces a Class 1 Misdemeanor for first offense conviction, a Class 5 Felony for second or subsequent conviction, and possible forfeiture of the property to local jurisdiction after a third conviction of the same.

The most important aspect for this code to be successful was to ensure the property owner is aware of the violations and takes some actions to prevent the continued violations. This code allows law enforcement to include other government agency involvement, i.e.; Building Inspectors, Code Enforcement, Health Department, Child and Adult Protective agencies, etc. Officer Warren saw the opportunity to use this code to resolve this issue. He involved the County Attorney and the Commonwealth's Attorney in the effort to address this matter.

Knowing the history of Mrs. Smith and the issues surrounding the Woodland Road location, Officer Warren felt this case was a strong candidate for testing this State Code in Henrico County Courts. After he completed the search warrant, he carefully explained that he was going to hold any charges against her until the Virginia State Forensics Laboratory tested and verified the positive field-testing on the items recovered on the search warrant. A printed copy of the State Code for Nuisance Abatement was presented to Mrs. Smith along with an explanation of the code which extended the opportunity to her to rid the property of the ongoing criminal activity.

Mrs. Smith also has some medical issues which limits her ability to complete home repairs and provide for her own health care. Officer Warren arranged for assistance from several County agencies, including Building Inspections and Community Maintenance, to help her improve the appearance and livability of the property. Additionally, the officer explained the "broken windows theory" and how it applied to her property, being careful to explain to her that she was responsible for preventing criminal activity from occurring on her property. At this



time, Officer Warren had already met with several County agency representatives to involve them in this problem solving endeavor. She failed to take advantage of the services offered.

The calls for service to this location continued and another drug arrest was made on the property in September of 2007. Officer Bolland made the arrest after watching a person whom he knew was wanted; leave the address with cocaine in his possession. Mrs. Smith was at the location when this arrest was made. Officers Warren and Bolland continued to monitor calls for service and related activity at the address. On March 10, 2008 Officer Bolland received information that a person he had warrants for was possibly at the Woodland Road address. He arrived and found Mrs. Smith, as well as the wanted person, in the residence. Once again, in plain view, Officer Bolland observed items consistent with drug usage. Officer Bolland was able to secure a search warrant and illegal narcotics were again removed from the home and arrests made. Mrs. Smith was present and clearly had knowledge of the activity.

March 25, 2008, Officer Bolland and Officer Warren went to the Woodland Road location. While Officer Warren was speaking to Mrs. Smith he heard movement in an adjacent room. She claimed no one was in the home and gave permission to check the room. In the room a weapon was observed in close relation to where Officer Warren was sitting while speaking with her. A pair of hands was also visible sticking out from under the bed. The male was ordered out and a physical struggle between the male and Officer Warren took place. The male subject was trying to reach in his pocket for an unknown item. The item was later found to be a cigarette pack with a metal smoking device inside. After detaining the male, Officer Warren again observed items in the room that were consistent with illegal narcotic usage. While Officer

Warren was contacting the Commonwealth's Attorney regarding this residence, the male subject Officer Warren had just detained spit out a plastic bag containing crack cocaine at the feet of Officer Bolland.

Officer Warren explained the history of the location and what happened on this date to the Commonwealth's Attorney. He felt comfortable with Officer Warren's past investigation and observations at this address. The Commonwealth's Attorney approved the decision to obtain a search warrant for the illegal narcotics and the Nuisance Abatement code against Mrs. Smith. The search warrant was executed and illegal items were again recovered from the home. Mrs. Smith was present and had knowledge of the events taking place in the home.

During the search warrant execution Officer Warren noted that she had a festering wound to her hand that needed attention. EMS was summoned and transported her to the hospital. The male that was found in the home admitted that she had tried to inject cocaine into her hand but missed the vein. Mrs. Smith was already in poor health and the attempted injection only made matters worse, requiring a stay in the hospital. Officer Warren was advised by one of the males in the residence that a third person was also hiding in the attic. After all rooms were searched and evidence removed, the search focused to the attic. A male was found to be hiding in the attic and refused to come out.

While interviewing the person from the attic it was learned the individual was wanted and had given a false identity. The subject from the attic stated the reason he hid in the attic was because "everyone knows this place is a crack house, and I didn't want to get arrested for someone else's stuff." Officer Warren has subpoenaed this person to appear in the pending trial

to explain the fact Mrs. Smith had knowledge of the happenings at the Woodland Road residence.

**Assessment:**

Since the events of March 2008 there have been no further calls for service to this residence. Dana Smith has moved in with her mother. As of this writing this case is pending trial. Officer Warren has been approached by Mrs. Smith's family and residents of this community, stating appreciation for the efforts of the Police and the results of the investigation. The home, per the family, is being prepared to be sold for affordable housing opportunities and the residents along Woodland Road are thankful to have a little peace and quiet. The increased quality of life can be attributed to "outside the box" Problem Solving of the Community Policing Unit of Henrico County Division of Police.

**Agency and Officer Information:**

This initiative was adopted County wide, as several County agencies were involved in this endeavor. As stated previously, Officer Warren has received extensive training in Problem Solving and Problem Oriented Policing methods. He was given full latitude to use whatever resources were necessary to resolve this issue.

The project contact person is as follows:

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