

Santa Barbara Police Department

*Nomination for the Herman Goldstein Excellence in
Problem-Solving Award*

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Officer Michael Aspland*

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What was the Problem?

Beginning in August 1994, Officer Kim Fryslie and Officer Michael Aspland developed a P.O.P. project involving Mr. Dario Pini, a slum lord who owns 34 properties in the City of Santa Barbara. Many city agencies have known about Mr. Dario Pini's property management tactics for many years, however; none took on the task of addressing the problems as a whole. The problems became chronic since no one was holding Mr. Pini accountable for the squalor he created.

The project began in August 1994 after Officer Aspland had received a number of complaints regarding one particular property owned by Mr. Pini. The complaints included ongoing disturbing the peace problems, the operation of an auto repair and painting business in the back parking lot, trash, and illegal dwellings. Officer Aspland found that Mr. Pini was resistive to improving the conditions that existed and was unwilling to follow through with

promises he had made.

During the course of dealing with the complaints related to this property, it became clear that Mr. Pini's properties were all in disarray. Officer Fryslie had completed background work on Mr. Pini and suggested that he and Officer Aspland work together to address the larger issues.

Investigation showed that Mr. Dario Pini does not rely on resident managers or management companies to maintain his properties. He manages by crisis. He responds to complaints only when the problem becomes so blatant that it cannot be ignored. Even when complaints are made to city building agencies, Mr. Pini would delay as much as possible before making required changes.

Mr. Pini has an established history of converting his properties in a manner that allows him to rent to as many people as possible. This results in extremely high population densities in his buildings. Officers serving a search warrant in a studio apartment found eight men residing there, one of whom was paying separate rent on a closet. He has no regard for the safety of people living in his rentals, he does not abide by building and fire codes, and he does not care about the impact his substandard properties have on neighborhoods. He does little or no rental

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application screening, which brings an element of crime and fear to the neighborhoods where he owns property.

For whom was it a problem and who was affected? How were they affected?

The condition of Mr. Pini's properties contributed to an environment that was unsafe, unsanitary and fostered criminal behavior. Residents were resigned to living in homes infested by cockroaches and rats. Children were often seen playing on abandoned vehicles that had been left in parking lots by previous tenants. Tenants were allowed to live with as many as ten people in two bedroom apartments that had been subdivided into four living spaces. It was common to find three refrigerators in one kitchen to accommodate various renters.

Neighbors of Mr. Pini's properties felt the effects of Mr. Pini's indifference. Trash from his properties seemed to find its way into adjacent properties. Neighbors had to withstand continual noise and parking problems associated with the large number of people living in cramped conditions. Residents constantly called and wrote to Mr. Pini to seek relief. Mr. Pini would placate the

neighbors by promising to correct the problems, but he would never deliver on his empty promises.

The City of Santa Barbara was impacted beyond what was reasonable. The Santa Barbara Community Development Department and the Fire Department had invested thousands of dollars in man hours trying to gain Mr. Pini's compliance with city municipal codes. On many occasions, illegal conversions would be removed, only to reappear a few weeks later. Mr. Pini was as unresponsive to the complaints of City official as he was to those of tenants and neighbors. Ongoing complaint investigations at the Community Development office involving Mr. Pini were only resolved after months of follow-up.

Mr. Pini's properties also placed inordinate demands on the Santa Barbara Police Department. Patrol units regularly respond to his properties for domestic disputes; loud music, and other disturbance type calls. Mr. Pini's properties have been the sites of numerous narcotic investigations in which his tenants were involved as dealers and users. In spite of repeated responses to these locations, the "police" type problems have not decreased. When one problem resident is removed or arrested, another takes his place.

How did the Department handle the problem in the past?

A traditional approach of handling calls for service, investigating crimes, and making arrests at the various properties had been the primary police response to the problem. Detectives conducted several undercover operations at one location, making numerous arrests for receiving stolen property and drug possession.

On at least two of these undercover operations, inspectors from the Community Development, Fire, and Public Works Departments accompanied detectives on the raids to inspect the premises.

The concept of defining the problem based on mismanagement by a single owner was discussed with a zoning official approximately three years ago, but it was not considered an appropriate approach at that time because Mr. Pini always eventually corrected violations upon notification. The zoning official was also reluctant to incur charges of discriminatory enforcement which he anticipated would be made by Pini.

Officer Fryslie had several discussions with Pini about property management. He even met with Pini at a well-managed complex owned by another person. They toured the complex with the manager to get pointers on building maintenance and property management. Officer Aspland worked with Mr. Pini to address the

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complaint described at the beginning of this paper. Officer Aspland tried to teach Mr. Pini how to develop solutions to the noise and trash complaints. None of these efforts by either officer resulted in the improvement of conditions on Mr. Pini's properties.

Scanning

What information was collected about the problem? Were there any difficulties in getting the information?

There were no difficulties getting information. The Santa Barbara Police Department's data collection system allows for data retrieval to be tailored to the needs of the project. A turning point in the data collection came when Officers Fryslie and Aspland looked at all past arrests, utilizing Pini owned property given as the arrestee's home address as the search criterion. They found 758 arrests on 1185 arrest charges. The charges ran the gamut of crime. Of the 1185 charges, 105 occurred prior to Pini acquiring the property. This ratio was disproportionate when compared to other properties of similar size. Appendix I contains statistics with breakdowns of crimes and arrests before and after Mr. Pini

purchased each property.

Additionally, the officers spent time looking through the street files maintained by the Community Development Department. These files provide histories of every property within the city limits. The files indicate change of ownership, the number of building code violations, citizen complaints, and other general information. From this examination, we discovered an extensive pattern of illegal dwellings and other building code violations. Complaints were filed by private citizens and other city agencies.

During this time period, at the suggestion of Officer Aspland, neighbors of one of Mr. Pini's most notorious locations began to keep logs of ongoing problems that existed. Residents who lived next to Mr. Pini's properties were instructed to log any type of problem that occurred during a two month period. Neighbors compiled extensive logs of chronic ongoing problems that included descriptions, dates, and times.

Officers Fryslie and Aspland also wanted to get a "snapshot" of the conditions that existed on Mr. Pini's properties. They spent a morning photographing the common areas of all of Mr. Pini's properties. This graphically depicted the extent of the problems at his properties. The rubble, construction materials, and large

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household appliances at many of Mr. Pini's properties, showed that he was utilizing areas in his residential properties as industrial storage sites. Trash and garbage was piled up at his properties. The officers found junk cars, car parts, and pans of dirty motor-oil on most of his properties. Obvious building code violations included exposed electrical conductors, deteriorated stairs, and running sewage.

Analysis

What was the goal of the problem solving effort?

The immediate goal was to initiate a comprehensive multi-agency effort to enforce and prosecute the violations caused by Pini's failure to properly manage his properties. The ultimate goal was to have unfair competition prosecution initiated by the district attorneys office. Successful prosecution would result in a court order forcing Pini to turn over management of his rental units to a bona fide professional property management company.

What strategies were developed to reach the goal?

Utilizing the photos which provided a snapshot of a day in the

life of Mr. Pini's properties, Officers Fryslie and Aspland were able to persuasively present their idea to other city and county agencies. The result of this presentation led the development of a plan for a comprehensive multi-disciplinary enforcement inspection at all of Mr. Pini's properties.

The officers visited the deputy district attorney in charge of business fraud to solicit an unfair competition action. After viewing the photos, and recognizing the criminal activity link, he agreed to participate, but advised that the city attorney's office would need to be the lead agency on the building code violations.

Officers Fryslie and Aspland were surprised to learn that the city attorney's office had attempted to engage the district attorney's participation in an unfair competition prosecution against Pini two years prior, only to be turned away. It turned out that the officers' presentation to the District Attorney's Office catalyzed their interest and participation in this project. At this point a deputy city attorney became actively involved in the planning of our strategy.

Response

The police department assumed the responsibility of assembling
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the task force, organized the effort, and provided support services. The support services included providing film, cameras, and videotape to document the illegal and unsafe living conditions. Two officers were provided for each inspection team and they performed photography and videotaping duties. The Police Department processed approximately 600 photographic frames, and printed four copies of each photo. The officers also handled many of the details of case preparation. The Police Department's command structure was utilized to manage the inspections, handle complaints, and to perform the public information officer function.

The Police Department prepared notices in both English and Spanish to present to residents. These handouts informed the Mr. Pini's renters of our intent to improve their living conditions. Care was taken to avoid any indication that the enforcement effort was directed at people renting from Mr. Pini.

The primary investigative agencies in the inspections, in addition to the Police Department, were the fire department, the community development department, and the public works department. The management teams of the community development department and fire department also took part in the planning and execution of the inspections.

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AssessmentWas the goal accomplished?

The inspections resulted in more than 750 building and fire code violations. One of the properties had all of the exterior stucco removed from the building, exposing the wood framing. The wood was so damaged by termites that one community development inspector told the press the only thing holding the building together was "termites holding hands." The residents in the complex were relocated and the structure was demolished. The one-day operation established 165 Fire Code violations and more than 500 building and zoning violations.

The immediate goal of conducting a multi-agency effort to document and prosecute the vast number of violations has been met. The Santa Barbara City Attorney's Office filed a complaint against Mr. Pini that contained each of the violations found during the inspection. Mr. Pini was convicted of a variety of building and zoning violations and Fire Code violations. He was given a 30 day suspended jail sentence, placed on three years probation, and fined \$6,000.

Currently Mr. Pini is monitored closely by the Police Department, the Fire Department, and the Building and Zoning Department. Any further violations may result in a new prosecution, as well as violation of his probation and imposition of the suspended jail sentence.

While Mr. Pini initially resisted cooperating with the various city agencies involved in this project, he has now realized that cooperation is his best course of action. He may have been influenced by numerous media stories that showed the community the cramped, squalid units that Mr. Pini rents to hard working families. Mr. Pini has expressed a willingness to actively work with the Santa Barbara Community Development Department to correct the many violations and poor conditions of all his properties.

An additional benefit of the project is that it also opened new lines of communication between the police and other city departments. The police department now has a number of interdepartmental tools it can draw on when dealing with properties that foster a perception of fear in the community, and we no longer need to rely on traditional law enforcement strategies to solve chronic slumlord problems in our neighborhoods.

Appendix I

ARREST CHARGES AGAINST PINI PROPERTY RESIDENTS
 758 ARRESTS ON 1180 CHARGES, 1/2/60 TO 6/15/94

	BEFORE /	AFTER:	PINI OWNERSHIP
MURDER	1	1	
ATTEMPT MURDER		1	
ASSAULT WITH A DEADLY WEAPON		10	
KIDNAPPING		1	
FALSE IMPRISONMENT		1	
ROBBERY	1	2	
FIRING AT A DWELLING		1	
DISCHARGE OF FIREARM		1	
BRANDISHING / KNIFE		1	
POSSESSION OF A DESTRUCTIVE DEVICE	1		
POSSESSION OF DANGEROUS WEAPONS		2	
CONCEALED WEAPON IN A VEHICLE		2	
ACCESSORY TO A CRIME		1	
CONSPIRACY	1	4	
SEXUAL ASSAULT		7	
LEWD CONDUCT		2	
INDECENT EXPOSURE		1	
CHILD MOLEST		5	
CHILD ABUSE/ENDANGERMENT		2	
CHILD BEATING		1	
CONTRIBUTING TO THE DELINQUENCY OF A MINOR		4	
BATTERY		14	
BATTERY ON A POLICE OFFICER		1	
SPOUSAL BATTERY	3	34	
SPOUSAL BATTERY W/KNIFE		2	
VIOLATION OF RESTRAINING ORDER		2	
BURGLARY	4	14	
POSSESSION OF STOLEN PROPERTY	6	28	
POSSESSION OF ARTICLE W/O SERIAL #		3	
POSSESSION OF BURGLARY TOOLS		2	
PETTY THEFT	2	61	
AUTO THEFT / JOYRIDING		3	
UNDER THE INFLUENCE - HEROIN	4	12	
POSSESSION OF HEROIN		4	
POSSESSION OF HEROIN FOR SALE		5	
SALES OF HEROIN		3	
UNDER THE INFLUENCE - COCAINE	1	8	
POSSESSION OF COCAINE	3	14	
POSSESSION OF COCAINE FOR SALE	3	27	
SALES OF COCAINE	1	24	

POSSESSION OF CONTROLLED SUBSTANCE	1	2
UNDER INFLUENCE OF CONTROLLED SUBSTANCE		1
PRESENT IN PLACE OF HEROIN USE		2
POSSESSION OF NARCOTICS PARAPHERNALIA	1	10
POSSESSION OF HYPODERMIC NEEDLE	1	1
POSSESSION OF NARCOTICS		1
POSSESSION OF DRUGS W/O PRESCRIPTION		1
POSSESION OF LESS THAN 1 OZ. MARIJUANA		5
POSSESION OF MARIJUANA FOR SALE		7
SALES OF MARIJUANA	1	
CULTIVATION OF MARIJUANA	1	
COUNTERFEITING		1
FORGERY	2	11
NSF CHECKS	1	1
HIT & RUN		11
DRIVING UNDER THE INFLUENCE - ALCOHOL	6	93
DRIVING UNDER THE INFLUENCE - DRUGS		1
BICYCLE DUI	1	3
EXHIBITION OF SPEED		1
RECKLESS DRIVING	1	
EVADING TRAFFIC PULL-OVER		2
DISOBEYING TRAFFIC OFFICER		1
UNLICENSED DRIVER	3	61
DRIVING ON A SUSPENDED DRIVERS LICENSE	1	9
FALSE INFORMATION TO TRAFFIC OFFICER	1	9
ALTERED/FORGED REGISTRATION		1
OTHER TRAFFIC ARRESTS	2	20
TRAFFIC WARRANTS - FAILURE TO APPEAR	10	64
TRAFFIC WARRANTS - FAILURE TO PAY	3	12
FELONY WARRANTS	1	25
LOCAL MISDEMEANOR BENCH WARRANTS	5	121
OUT OF COUNTY MISDEMEANOR BENCH WARRANTS	4	24
VIOLATION OF PAROLE	4	10
VIOLATION OF PROBATION	4	24
VIOLATION OF JUVENILE COURT ORDER		2
RESISTING/DELAYING OFFICER		9
FALSE SELF-IDENTIFICATION		28
DISTURBING THE PEACE		8
DUMPING WASTE/URINATING IN PUBLIC		7
VANDALISM	3	6
DAMAGING PHONE LINES		2
PUBLIC INTOXICATION	9	76
OPEN CONTAINER	2	52
BICYCLE ON SIDEWALK		5
MINOR IN POSSESSION OF ALCOHOL	1	26

SALES OF LIQUOR TO A MINOR		1
LIQUOR ON SCHOOL GROUNDS		1
CURFEW		1
PROWLING		1
LODGING/SLEEPING	1	1
TRESPASSING	2	2
MISCELLANEOUS FELONIES		2
MISCELLANEOUS MISDEMEANORS		3
MISCELLANEOUS MUNICIPAL CODE		2
MISCELLANEOUS BUSINESS & PROFESSIONS CODE		1
MISCELLANEOUS HEALTH & SAFETY CODE		2
MISCELLANEOUS INSURANCE CODES		2
MISCELLANEOUS CODES	1	1