

# PINELLAS PARK POLICE DEPARTMENT



**1998 HERMAN GOLDSTEIN AWARD**

**ENTRY**

**DAVID C. MILCHAN**

**Chief of Police**

TABLE OF CONTENTS

Abstract	I
Scanning	1
Analysis	2-4
Response	4-5
Assessment	5-7
Documentation	
Crime Comparison	
Portion from The Book	

## HABITUAL DRUNKARD ORDINANCE

The Pinellas Park Police Department has made a commitment to establishing a problem solving philosophy of service. The department recognizes the obvious benefits surrounding this strategy in comparison to the incident driven responses of the past.

The Police Department under the Community Policing Philosophy formed a partnership with the public in the identification of problems affecting the community and working together in solving the problems. This type of strategy was developed with the business community of Pinellas Park in solving a large problem that was detrimental to the city's image.

Working together as a team, the police department, city administration, and leaders within the business community developed a strategy to reduce the rising number of habitual drunkards who were settling into the business district of Pinellas Park. One innovative program was developed by members of the police department, and endorsed by the business community in solving the problems caused by habitual drunkards. This program has had a significant effect in reducing the number of habitual drunkards loitering in the downtown area.

City Ordinance 4-106; SALE TO HABITUAL DRUNKARD PROHIBITED: NOTICE OF INTEMPERANCE, had been in effect for several years without being enforced. In August of 1996, the problem of transients and related offenses occurring in the downtown area was discussed at a meeting between business owners and the Police Department. The enforcement of this ordinance was proposed and the development of "The Book", identifying habitual drunkards was embraced as a tool to curb the problems plaguing the downtown area.

As a result of the HABITUAL DRUNKARD ORDINANCE, the overall transient population in the downtown area has decreased dramatically. The ordinance has been successful as a tool for police officers to combat alcohol related offenses. The quality of life of the business owners, and the residents surrounding the business district, has been affected in a positive manner.

## Scanning

The use of alcohol, and the commission of alcohol related crimes was creating a serious problem for the downtown business area within the City of Pinellas Park, Florida. Business community leaders complained to city administrators that their properties were being destroyed and devalued by the constant littering of empty beer cans and bottles. Their vacant lands were being overrun with transient camps. On the walkways in front of their stores, individuals were often seen publicly drinking alcohol, or intoxicated to the point of stumbling or unconsciousness.

In 1996, business leaders and Police Administration sat down together with the hopes of achieving a common goal: review the cause and effect of alcohol use in the downtown area, examine viable solutions, and establish a program that would be beneficial to both the business community and the Police Department.

The first step was to define the downtown corridor. Comprised of a two-square mile radius, the area was inhabited with approximately 150 identified permanent homeless persons, and nearly 100 more transients who entered the area daily to work out of the five local temporary labor pools. There are 23 bars, convenient stores, gas stations, grocery stores, and package liquor stores selling alcoholic beverages. At the core of this area is a rescue mission which provides showers, and meals to the homeless.

## Analysis

The results of the police department's research revealed few surprises: the ease of access to the alcohol was a significant factor in attracting specific types of individuals to the downtown area. The next step was to examine the effects the consumption of alcohol had on the police department, as well as the merchants.

Police officers assigned to the downtown area were spending an enormous amount of time responding to complaints of public drunkenness, open alcohol container violations, and disorderly intoxication.

Some of the more serious violations revealed an indirect influence from the use of alcohol. These offenses consisted of strong-armed robberies, loitering and prowling, assault and batteries, burglaries, thefts, shoplifting, and trespassing. It did not take long for patrol officers to realize they were frequently investigating the same suspects for similar types of crimes.

Once the causes and effects had been clearly illustrated, business representatives met with the city manager, and police personnel to brainstorm on what solutions were available to them. It was determined that a viable solution was to dust off an unenforced City Ordinance dealing with habitual drunkards.

The Pinellas Park City Ordinance dealing with habitual drunkards, had been modeled after Florida State Statute 562.50, which states:

*Any person who shall sell, give away, dispose of, exchange, or barter any alcoholic beverage, or any essence, extract, bitters, preparation, compound, composition, or any article whatsoever under any name, label, or brand, which produces intoxication, to any person habitually addicted to the use of any or all such intoxicating liquors, after having been given written notice by wife, husband, father, mother, sister, brother, child, or nearest relative that said person so addicted is an habitual drunkard and that the use of intoxicating drink or drinks is working an injury to the person using said liquors, or to the person giving said written notice, shall be guilty of a misdemeanor of the second degree, punishable as provided by s. 775.082 or s. 775.083.*

In 1992, the city ordinance had been revised to allow police officers to classify a person as a habitual drunkard. It set criteria for identifying persons as habitual drunkards if they met the following: one conviction for DUI, or three convictions of disorderly conduct.

After the decision had been made to utilize the ordinance, the police department went one step further in their efforts to curb the problems plaguing the downtown area. The Chief of Police

instructed department staff to begin compiling a list of subjects who met the qualifications of a habitual drunkard, as set forth in the city ordinance.

In order to accomplish the Chief's directive, a police officer from the Community Policing Bike Unit was assigned to research criminal histories of repeat offenders known to have committed alcohol related crimes. Multiple analysis techniques were utilized throughout the course of the study. The City Attorney reviewed and approved the strategy to be deployed. Using the department's extensive computer data base, the officer was able to initiate his research based on individuals already known to him through prior arrests. Benchmarking was used to identify the needs and concerns of the business community. Surveys were conducted of the affected merchants in the downtown area in order to obtain feedback on the research. The result was a list of 28 names which were placed into a logbook. The logbook was then expanded to include photographs obtained through the county jail inmate booking records.

#### Response

The final product, commonly referred to as "The Book" was presented to the original team of business leaders, and the City Manager, by the Chief of Police. This book contained a letter from the Chief of Police describing the enforcement of the city ordinance, a copy

of the Habitual Drunkard Ordinance, as well as photographs of the

28 individuals meeting the criteria of a habitual drunkard. The response from the business leaders was positive, who perceived "The Book" to be a valuable tool in the quest of ridding Pinellas Park of these types of degenerates.

Additional copies of "The Book" were later provided to 25 alcohol vendors in the downtown area, who immediately began complying with the ordinance. As anticipated, the majority of the 28 individuals whose pictures had been "showcased" began leaving Pinellas Park within a week's time. At the same rate, patrol officers were experiencing fewer calls involving disorderly intoxication and public drunkenness.

#### Assessment

Further analysis of the logbook is conducted on a monthly basis. Research is conducted and compiled on the following statistics:

- \* arrest records on disorderly intoxication
- \* arrest records on DUI's
- \* violations of the open alcoholic container local ordinance
- \* persons taken into custody under the Marchman Act.

Each individual case is researched through the State Attorney's office for conviction status. The criminal history of the violator is then researched and recorded. Supplements are then prepared and periodically distributed to the alcoholic beverage merchants city wide.

Positive effects that the inception of "The Book" has had include:

1. Establishing a team effort between the Police Department and the downtown business community in order to reduce crime and offer positive solutions to community problems.
2. Significantly reducing the number of transient camps on vacant tracts of land located in the downtown business area.
3. The continual development of new and innovative programs that will enhance the community and lower crime.

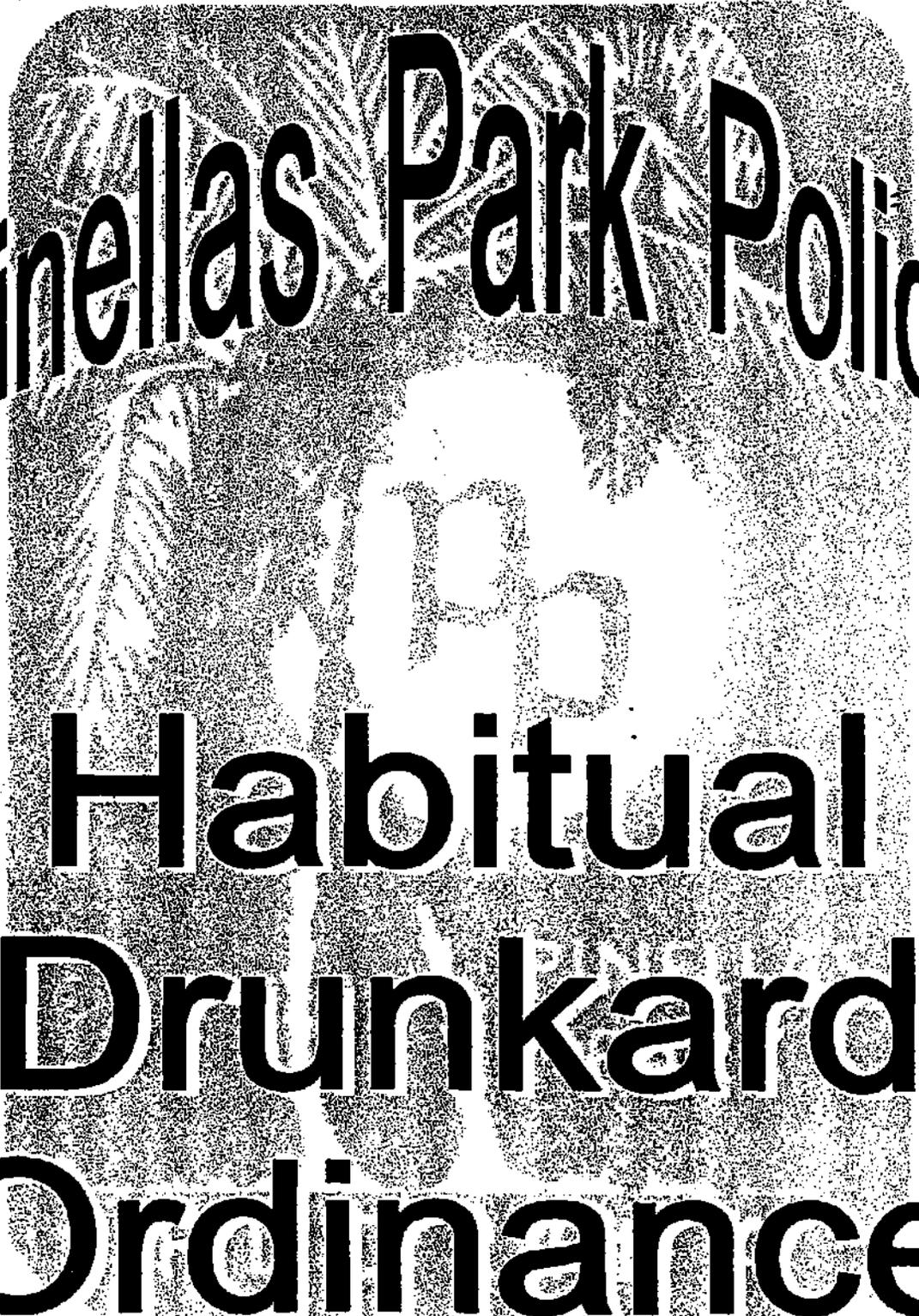
Some of the results that have occurred are: lower crime rates, a decrease in vagrancy, a tighter knit business community, better police-business community relations, attracting the establishment of new businesses to the downtown area, and a renewed sense of pride among the downtown merchants.

The improvements made in the downtown area are maintainable and

permanent. Since its inception in 1996, 31 names and pictures have been added to the list of habitual drunkards. The Habitual

Drunkard Log has been successful as a tool to assist officers in combating alcohol related offenses in the downtown area. Although Pinellas Park has taken the lead in the field of law enforcement by addressing the issue public drunkenness with "The Book", other communities have benefitted as well. The solution of creating "The Book" is adaptable to any municipality regardless of the population. Larger cities have followed our lead and have found the logbook to be useful when addressing public drunkenness strictly within a specific sector of the city.

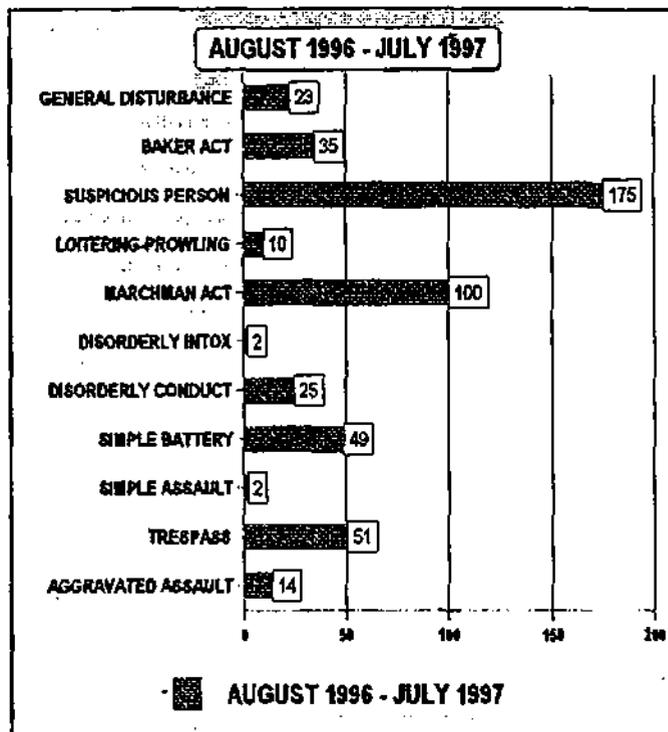
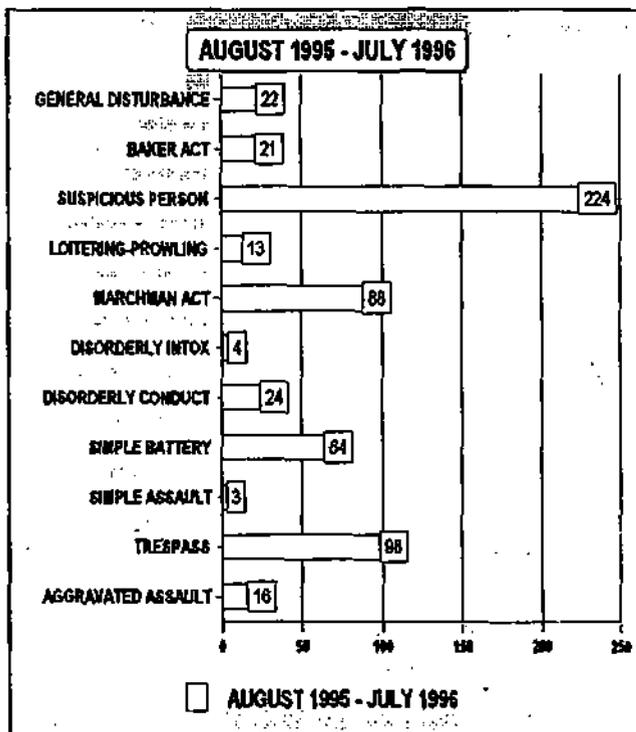
The Habitual Drunkard Log is a vital and intricate solution to a dilemma facing many communities today. It is a very cost efficient tool in community policing. Police officers and business leaders have learned that they can support each other and forge a successful relationship within the community in which they serve. The results have kept Pinellas Park from becoming a haven for habitual drunkards. The downtown area is now cleaner and more enjoyable for the citizens, and visitors to Pinellas Park, thanks to an innovative tool called "The Book."



**Pinellas Park Police**

**Habitual  
Drunkard  
Ordinance**

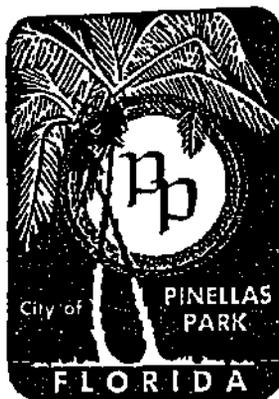
# CRIME COMPARISON



CRIME COMPARISON	AUGUST 1995 - JULY 1996	AUGUST 1996 - JULY 1997
AGGRAVATED ASSAULT	16	
TRESPASS	98	
SIMPLE ASSAULT	3	
SIMPLE BATTERY	64	
DISORDERLY CONDUCT	24	
MARCHMAN ACT	88	
LOITERING-PROWLING	13	
SUSPICIOUS PERSON	224	
BAKER ACT	21	
GENERAL DISTURBANCE	22	

City of  
**PINELLAS PARK**

POLICE DEPT. 7700 - 59th STREET • 33781



**FLORIDA**

PHONE • (813) 541-0758

**HABITUAL DRUNKARD ORDINANCE 4-106:**

This letter is to inform the management of \_\_\_\_\_  
located at \_\_\_\_\_, that under Pinellas Park City Ordinance  
4-106, it is unlawful to sell, furnish, or permit any person in your employment to sell, furnish, or  
deliver any alcoholic beverage of any kind, or in any quantity to the attached list of persons that  
meet or exceed the requirements of City Ordinance 4-106. The Management of \_\_\_\_\_  
\_\_\_\_\_ is being provided the photographs of the listed people and also a  
copy of City Ordinance 4-106. Violation of City Ordinance 4-106 can result in a fine of Thirty  
Dollars (\$30.00) for a class Five (V) offense.

Sincerely,

  
David C. Milchan

Chief of Police

City of

PINELLAS PARK

POLICE DEPT. 7700 - 59th STREET • 33781



FLORIDA

PHONE • (813) 541-0758

**Section 4-106. SALE TO HABITUAL DRUNKARD PROHIBITED; NOTICE OF INTEMPERANCE.** No person, business establishment or vendor dealing in alcoholic beverages shall, sell, furnish or deliver, or permit any person in his employ to sell, furnish or deliver any alcoholic beverages of any kind, in any quantity, to an habitual drunkard known to him, or whose intemperate habits such vendor has been notified of in writing protesting against the selling or furnishing of such alcoholic beverages, by the husband, wife, father, mother, sister, brother, son, or daughter of the habitual drunkard: and it shall be unlawful for any such vendor when so notified to allow, suffer or permit any habitual drunkard, as set forth in this Section, to be or remain in any establishment dealing in alcoholic beverages. (Ord. 2114 - 2.27.92)

It shall further be unlawful for any person, business establishment, or vendor to sell, furnish, dispense or deliver any alcoholic beverages to an habitual drunkard where the person, business establishment, or vendor has been notified in writing by any Court personnel or Police Officer that such habitual drunkard has been convicted on a charge of operating a motor vehicle, while under the influence of alcohol; or that such person has been convicted three (3) times or more on a charge of disorderly intoxication, and it shall be unlawful for any person, business establishment, or vendor to permit such person to be or remain in any establishment dealing in alcoholic beverages. (Ord. 321 - 7.27.67; Ord. 2114 - 2.27.92)