



Milpitas Police Department

Charles R Lawson
Chief of Police

May 1, 2002

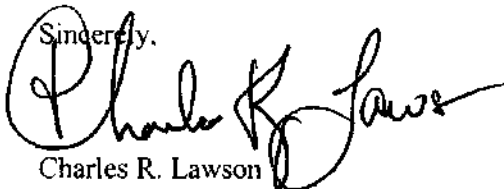
Police Executive Research Forum
1120 Connecticut Ave., NW, Suite 930
Washington, DC 20036

Attention: Herman Goldstein Award

Dear Sir:

The Milpitas California Police Department has been actively involved in Community Oriented Policing since 1992. In our continuing effort to improve the quality of life within the community we serve, we implemented the Street Racer Abatement Project. The project was initiated to assist members of our community create solutions to an expanding list of associated problems. By the end of April 2002, the Police Department and the community regained effective control.

This project *is* being submitted for consideration for the Herman Goldstein Award.

Sincerely,

Charles R. Lawson
Chief of Police



Milpitas Police Department

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Street Racer Abatement Project
Milpitas Police Department
Milpitas, CA

STREET RACER ABATEMENT

I. Summary

The Milpitas, CA Police Department is a medium-sized Northern California jurisdiction within the Silicon Valley, southern portion of the San Francisco (SF) Bay Area. The Department serves a resident population of approximately 62,000, and employs 95 sworn officers and 30 civilian employees. Under the direction of Chief Charles Lawson, the Police Department is committed to the delivery of high-quality service with a Community Oriented Policing philosophy.

Scanning

The Police Department has been addressing problems associated with large numbers of people involved in illegal street racing. The problems, which include racing, disturbances, loitering, trespassing, and traffic safety issues, were identified by a combination of community members and police officers.

Analysis

These problems have progressed since 1999 and eventually had a significant adverse impact on specific community members.

Response

As problems persisted and increased, the Police Department's response did as well. A Problem Oriented Policing (POP) project was created. Affected community stakeholders were encouraged to participate in creating solutions.

Assessment

Enforcement efforts with active stakeholder support, under the umbrella of the POP project, resulted in reducing problems to a manageable level as assessed by community members and the Police Department.

II. Description

Scanning

Over the past three years, the City of Milpitas, CA, has realized a steady increase **in** the level of activity associated with large numbers of teenagers and young adults, banned together through a mutual interest in illegal street racing, and commonly referred to as Racers. These individuals routinely amass on Friday and Saturday evenings in numbers ranging from 100 to 500. They caravan throughout sections of Milpitas and outlying communities, frequenting public roadways conducive to automobile racing. In addition to the inherently unsafe practice of illegal street-racing, collateral problems such as traffic congestion, public loitering, littering, trespassing, excessive noise, disturbances and assaults, have adversely impacted the quality of life of identified community members. Residents and local business owners have expressed concern over the ill effects of the activities of this group and have sought assistance from the police department to manage the problem.

Analysis

Since 1999, officers working the late evening and early morning shifts noticed a pattern of activity whereas Racers gathered together at specific locations in Milpitas on late Friday and Saturday evenings. There were two locations in particular within which they would congregate in significant numbers, the Shell Gas Station Mini Mart and the In and Out Burger Restaurant. Both of these establishments exist on the west-end of the City, and serve as prime meeting places for young people, given the extended operating business hours of each.

It appeared to officers at the time that these individuals were automobile enthusiasts who shared a common interest in specific classifications of cars. One group seemed to enjoy domestic vehicles of a 70's and 80's vintage, while another group preferred newer model import cars. Members of each group clearly took pride in their vehicles, evidenced by the intensive cosmetic detailing and their considerable investment in after-market vehicle accessories. Although the contrast in style

of the two groups seemed to promote a spirit of competition, they were able to coexist with relatively few problems. Officers would occasionally receive reports of, or personally witness a race involving one or a combination of the groups, or there might be a reported incident, usually a disturbance, from one of the identified businesses. But for the most part, it was believed that the groups primarily would caravan around for the purpose of showing off their vehicles, with only an occasional, impromptu race occurring. Nonetheless officers devoted attention to them realizing there was a potential for greater problems.

Uniformed patrol officers as well as occasionally deployed undercover officers gathered intelligence information via constant monitoring of the groups. By 2000, the police department had better insight as to what specifically attracted these groups to the southern portion of the S.F. Bay Area, and specifically Milpitas. The designs of many high technology commercial developments within the Silicon Valley provided numerous locations within which there were roadways considered ideal for street racing activity. The criteria were simple: lightly traveled two-lane roadways with significant straight-aways. Within the west-end of Milpitas were several public streets configured in this way.

By the summer of 2000, street racing within Milpitas on Friday and Saturday evenings was in full swing. It was clear that the two distinct groups had now evolved into a single group, having a primary objective of engaging in illegal street racing. There were two primary public roadways the Racers utilized: Murphy Ranch Road, and Buckeye Drive. Both of these streets are straight, two-lane roadways without center medians. They exist within exclusively high technology commercial developments with infrequent nighttime vehicle traffic. The streets are within one mile of each other and both are located on the west-end of the City. Racers commonly refer to these streets as, "tracks." Officers working on Friday and Saturday evenings were spending

nearly all of their available time within these areas attempting to prevent races from occurring, and enforcing applicable vehicle code violations with individuals caught engaging in a race.

At the time, the police department's emphasis on enforcement derived primarily from observations of officers which led to obvious concerns over the safety of the Racers themselves, and that of the general motoring public. However we began to experience an increase in calls for service regarding activity attributable to Racer members yet not involving actual street racing. When not racing, or traversing to and from the different tracks, large numbers of Racers continued to congregate within the Shell Gas Station/ Mini-mart, and the In and Out Burger Restaurant. Both of these establishments are within close proximity to the two roadways mentioned. The Racers would assemble in such large numbers that the parking lots for these businesses would quickly fill to capacity, and cause other Racers and general customers to park within the lots of adjacent businesses or on public streets. Managers from the In and Out Burger infrequently reported loitering problems to the police department since a high percentage of the Racers patronized the business. The Shell Gas Station/ Mini Mart proprietors reported such problems quite regularly. The excessive amount of vehicles created a bottleneck within the Shell lot and fuel service areas. Proportionally few Racers made gasoline or Mini Mart related purchases. Additionally, the gas station rests adjacent to a residential area from which a number of Racer-related complaints from residents were received.

Between August and September 2000, the police department conducted two separate Racer Enforcement Actions to help curb the number of related incidents. Involved were two separate events whereas a supervisor and a team of officers were deployed to exclusively address activities associated with the Racers. Numerous arrests were made, citations issued and vehicles impounded. Surprisingly, these enforcement actions seemed to have little impact on Racer activity within the City of Milpitas.

Upon conferring with line supervisors, the Division Commander authorized continued enforcement operations through October, in kind with the August and September efforts. Recommendations were that further consistent, proactive team enforcement was necessary to reduce the level of activity. Four objectives were established:

- Educate Racers to the dangers of racing on city streets and other public/ private areas
- Advise Racers that they cannot loiter or trespass on private property
- Enforce all applicable California Vehicle Code equipment and moving violations
- Deter illegal Racing activity within the City of Milpitas

On October 14, 2000, the first of two scheduled enforcement operations took place. One sergeant and nine officers participated. It was estimated that 300 Racers were within the City of Milpitas during the time frame of the operation, 11:00 p.m. to 3:00 a.m. A total of 61 citations were issued and 3 vehicles ordered, "out of service," due to modified engine or exhaust systems.

On October 20, 2000, the second October enforcement operation was conducted. The time frame was the same as the previous operation. One sergeant and seven officers participated. It was estimated that there were 150 Racers within the city limits, an approximate 50% reduction from the previous weekend. A total of 28 citations were issued and one vehicle was ordered, "out of service," due to modified engine or exhaust systems.

During several subsequent weekends a noticeable reduction in the level of Racer activity was realized. Special enforcement operations ceased, however regularly scheduled patrol officers continued to maintain pressure on Racers through proactive enforcement. Racer participants made comments to officers indicating that they intended to stay away from Milpitas and seek opportunities in other jurisdictions as a result of the elevated level of enforcement. This factor, in

conjunction with the onset of winter weather, worked to reduce Racer activities for the subsequent six months.

By the summer of 2001, Racer related activity again increased. Limitations with respect to available funds for overtime, and staffing deficiencies, were prohibitive in terms of conducting additional special enforcement operations. Available officers were forced to divide their time between Racer activities and unrelated calls for service. A level of comfort developed amongst Racers in that a proactive police presence in Milpitas seemed noticeably reduced. Complaints regarding Racers from the Shell Gas Station / Mini Mart again increased. A resulting Problem Oriented Policing (POP) project was implemented. By the end of the summer the loitering problem at the gas station was being managed to the satisfaction of the business owner.

In March, 2002, the police department became aware of problems associated with Racers at two hotels, the Hilton Garden Inn and the Candlewood Suites, which are adjacent to the In and Out Burger property. A steady stream of complaints from hotel guests regarding noise associated to Racers congregating within the restaurant parking lot were received by the respective hotels. These include the loud revving of vehicle engines, music from car stereos and loud conversation. On occasion complaints from hotel guests were lodged with the police department and officers were dispatched to address the issue. Over time it became evident that these problems could be controlled as long as officers remained present within the restaurant parking lot. Once officers would leave, the noise level and activity would again become elevated.

The hotel managers developed some concerns. A significant percentage of their guests travel to the Silicon Valley for business, and often stay for extended periods of time. The hotel industry within the region is extremely competitive, which means their guests have other options available to them in the event they become dissatisfied for any reason. The hotel managers anxiously

expressed their concerns over the real possibility that continued problems with Racers congregating at the In and Out Burger parking lot could be detrimental to hotel revenue.

It became exceedingly clear that the activities of Racers on weekend evenings were adversely impacting the quality of life of a significant number of community members. The police department's Senior Command Staff, as well as line-employees, were in agreement that immediate measures needed to be taken to create long term solutions.

Response

In January of 2001, the police department implemented a database system of tracking Racer activity. Officers were directed to classify Racer incidents with a specific code so that relative statistical information could be compiled. Racer related enforcement stops, disturbances, loitering etc fall within the realm of this classification code.

In August of 2001, an officer assigned to the west-end of Milpitas initiated a Problem Oriented Policing (POP) project in order to address the concerns of the Shell Gas Station/ Mini Mart owner. The plan was for beat officers to make their presence known and concentrate enforcement in the area of the gas station during weekend evenings and early mornings. This was intended to be a long-term plan, to extend an estimated time of six months to one year. The project objective was purposely narrow in scope since the vast majority of complaints the police department received at the time were from this location.

In February of 2002, a Racer Action Plan was created to supplement the POP project. The objectives of this plan essentially mirrored those outlined previously for the August - October, 2000, Racer Enforcement Actions: *Educate Racers, Enforce applicable law violations, Deter*

illegal racing activity by maintaining a visible presence. This plan served as a guideline for all officers concerning the approach to take when dealing with Racer activities.

In March of 2002, it became necessary to expand the focus of the POP project to include the In and Out Burger Restaurant. As discussed, Racers congregating in large numbers within the restaurant parking lot were affecting two nearby hotels. One problem that immediately surfaced was the issue of available resources. Expanding the project to include the In and Out Burger Restaurant meant possibly compromising our ability to maintain control of problems at the Shell Gas Station/ Mini Mart, while at the same time monitoring the two identified streets commonly used for racing. Also, there were concerns over our ability to continue to be responsive to routine calls for service. Additional officers could be assigned on an overtime basis however there were limited budgetary funds available.

To help address these issues, a decision was made to utilize a portion of monies previously secured via the 2001 Local Law Enforcement Block Grant (LLEBG). These funds were made available to cover overtime costs for specifically assigned officers to manage Racer problems at the In and Out Burger Restaurant. Insofar as keeping watch on Murphy Ranch Road and Buckeye Drive, members of the Milpitas Police Explorer Post, a volunteer youth organization, agreed to serve as the department's eyes and ears during weekend evenings and early mornings. They were deployed in pairs and directed to remain within an unmarked vehicle near, yet a safe, comfortable distance from, the roadways in question. Their only responsibility was to report on Racer activity to the shift Watch Commander. This alleviated assigning police officers to this task.

With these measures in place, a Racer Strike Team was assembled to address Racer activities through March and April, 2002. The Team was comprised of a supervising lieutenant or

sergeant, and four to seven officers, depending on availability. The lieutenant communicated with managers from the Hilton Garden Inn and Candlewood Suites Hotels, as well as nearby businesses. He gained their support in permitting officers to close off all parking lots, with the exception of In and Out Burger. In and Out Burger is the only business in the area open to the public during late evening hours. This was done to restrict Racers from congregating in these adjacent lots. Racers typically fill up the parking lot by approximately 11:30 p.m., which results in neighboring lots being used for overflow parking. Two officers were assigned to remain on foot to insure the cordoned off lots were kept clear, and engage any and all individuals loitering within the In and Out Burger lot. The remainder of officers were directed to rove within patrol vehicles between all areas affected by Racer activities and make targeted enforcement stops of suspected Racers, given sufficient legal cause. These areas include the Shell Gas Station/ Mini Mart, In and Out Burger Restaurant, Murphy Ranch Road, and Buckeye Drive. All are within a five-mile radius of one another, on the west-end of Milpitas.

Information was developed indicating that Racer members closely monitored police department radio frequencies with the use of scanners. Cellular phones programmed with a Nextel group feature were provided to each officer assigned to the Strike Team. Police dispatchers were given a phone as well. All communications concerning Racer activities were accomplished via these cellular phones in order to thwart Racer counterintelligence.

In mid-March, the police department's Senior Command Staff was briefed regarding the four Strike Team enforcement operations conducted during the first half of the month. The Police Chief directed staff to facilitate a meeting between the managers of the two hotels and In and Out Burger respectively. The Chief was intent on promoting dialogue between the parties regarding the Racer issue. The hope was that they would be able to contribute ideas toward a long-term solution. The Police and Community Relations Sergeant was tasked with this responsibility. The

meeting took place and was extremely positive. All involved agreed to play a role in working towards a solution.

Hotel managers agreed to erect signs indicating that parking within their property was exclusively for hotel guests. In and Out Burger offered to deploy private security officers during weekend evening hours, and on a trial basis, close their restaurant lobby at 10:00 p.m., rather than the usual 1:30 a.m. closing time. The drive through window would continue to serve customers as usual.

With In and Out Burger adjusting lobby business hours, it was anticipated that fewer resources would be needed to manage problems in the area of the restaurant. This would allow for the re-deployment of these resources to the other effected areas.

Assessment

The police department's proactive Racer enforcement efforts combined with support and cooperation from the community has resulted in a tremendously positive outcome. In effect, this POP project has nearly eliminated organized, illegal street racing, and greatly reduced other related problems from occurring within Milpitas.

Customers patronizing the Shell Gas Station/ Mini Mart are now able to access the fuel service areas as well as the parking stalls on weekend evenings and early mornings. There have not been any complaints regarding the Racers from residents of the neighborhood adjacent to the gas station since February of this year.

Managers from the Hilton Garden Inn and Candlewood Suites Hotels report that they are extremely pleased with the results of the POP project. Since February, guest complaints regarding Racer related noise have completely ceased.

The In and Out Burger Restaurant has realized a slight reduction in revenue after changing their lobby closing time to 10:00 p.m. Nonetheless, managers are willing to absorb the loss and continue this practice as long as necessary to keep Racer problems in check. Admittedly, these managers are operating under the premise of part 3 of their corporate Mission Statement:

"Assisting all communities in our marketplace to become stronger, safer and better places to live."

Throughout March and April of this year, there have been only two known cases of Illegal street racing within the POP project targeted roadways. During each of these events, the involved participants were arrested.

As a matter of routine, Strike Team officers reviewed message boards from one of the more popular street-racing web sites, www.streetracin2.org. Numerous messages were posted indicating that Milpitas was no longer the best option in terms of a location for gathering and racing. Messages warning other Racer enthusiasts of the heavy police presence in Milpitas can also be found throughout the site.

The likelihood is, however, that Racers will continue to frequent Milpitas in decent numbers for the duration of this summer. The city's reputation as an ideal venue for racing has existed for the past few years and will continue to attract Racers. Although the opportunity for them to engage in illegal street racing has essentially been eliminated, we anticipate it will be necessary to deploy Strike Team officers at least until the winter months in order to maintain control of the other previously discussed Racer related problems.

The most accurate means by which to measure these successes was not through an analysis of citation, arrest and calls for service data. Our best measure was to solicit insightful, honest feedback from the affected community stakeholders themselves. This was accomplished via a series of meetings with managers from the hotels and the In and Out Burger, and from routine checks with the proprietor of the gas station.

The statistical data from the POP project enforcement actions are as follows. These figures represent results from Racer Strike Team efforts:

March, 2002

Citations:

162

Vehicle Impounds:

17

Arrests:

7

April, 2002

Citations:

120

Vehicle Impounds:

7

Arrests:

4

There were only two (2) actual illegal races that occurred during this two-month period. Officers interrupted each event and made arrests.

III. Agency and Officer Information

Agency

This project was initiated at the line level. Police officers recognized the impact on specified elements of the community. A senior officer took the lead and officially created the project in its original form.

All Police Department personnel have received prior training in problem-oriented policing. Blocks of instruction are incorporated into the Basic Police Academy curriculum. In-service training on the topic is also mandated for veteran officers, supervisors and managers as scheduling and instructor availability exists.

Incentives for officers who engage in problem solving include official departmental recognition. An annual award is presented to the officer who initiates the project having the greatest positive impact on the community. A separate annual award is given to the specific officer who demonstrates initiative with respect to his/ her performance in the area of community or problem oriented policing, above and beyond an officially created project.

This project was funded with Department budget funds. Available grant monies absorbed some of the overtime costs.

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