



City of Sacramento City Council

915 I Street, Sacramento, CA, 95814
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Meeting Date: 4/12/2011

Report Type: Staff/Discussion

Title: Justice for Neighbors

Report ID: 2011-00333

Location: Citywide

Recommendation: Receive and file.

Contact: Gustavo L. Martinez, Supervising Deputy City Attorney, (916) 808-5346, Office of the City Attorney

Presenter: Gustavo L. Martinez, Supervising Deputy City Attorney, (916) 808-5346, Office of the City Attorney

Department: City Attorney / Sacramento Police Department, Department of Community Development, Code Enforcement Division, Department of Parks and Recreation, Park Safety Division, Neighborhood Services Department, and the Sacramento Housing and Redevelopment

Division: City Attorney

Dept ID: 03001011

Attachments:

- 1-Description/Analysis
- 2-Background-JFN Staff Report
- 3-Exhibit A - 2006 JFN Process Staff Report

City Attorney Review

Approved as to Form
Gustavo Martinez
4/8/2011 10:33:59 AM

Approvals/Acknowledgements

Department Director or Designee: Eileen Teichert - 4/7/2011 1:36:04 PM

Assistant City Manager: Cassandra Jennings - 4/7/2011 6:16:33 PM



Description/Analysis

Issue: This staff report serves the last prong or element of the JFN mission statement which is to Publish Outcomes. Our intention is not to celebrate, but rather to measure our progress and the program's effectiveness. By publishing outcomes to the City Council with specific addresses/security issues that are shown as resolved we also expect that City residents will feel empowered to address problem properties and/or individuals in their neighborhoods and be confident that their complaints will be heard.

Furthermore, the City Council will also be able to measure the resources that are allocated to different City departments and determine whether adjustments are needed.

Since our last report on July 31, 2007 to the present we have resolved 67 cases and added 48 new cases. In total since the creation of JFN we have handled 80 cases and resolved 67 of them. Currently, we have 13 pending cases on the JFN list. On average JFN is resolving 17 of the City's most serious public nuisance or security matters (worst of the worst) each year.

Policy Considerations: The coordinated response of multiple City departments is consistent with the goals and objectives of efficient City government.

Environmental Considerations: None.

Sustainability: Not Applicable.

Commission/Committee Action: None.

Rationale for Recommendation: Not Applicable.

Financial Considerations: None.

Emerging Small Business Development (ESBD): Not Applicable.



Background

JUSTICE FOR NEIGHBORS

On August 1, 2006, the City of Sacramento established the Justice for Neighbors (“JFN”) program targeting major social and criminal nuisance cases that degrade the quality of life in the City’s neighborhoods. Attached is a copy of the inaugural August 1, 2006 staff report that outlines JFN’s framework, function and mission statement. (Exhibit A.)

JFN was created to prevent duplication of efforts and inefficient use of limited City resources by organizing City departments into one cohesive team. Our goal was to focus the JFN committee on the most egregious social nuisance cases in the City where multiple departments and complainants were involved. We also desired to create accountability so that if a case made it on the JFN list it would not fall through the cracks. Accordingly, we assigned each case specific team members that were required to report monthly on the status of their assigned cases and be held accountable if progress was not shown.

We also recognized that in many instances City departments would resolve major public nuisance or security matters that were completely unnoticed by the public. They were not reported by the media nor were they published to the City Council. Understandably, there were City residents that felt the City did not have an aggressive system for resolving neighborhood nuisance complaints.

Since August 1, 2006, executive team members of the JFN committee have been meeting once a month to identify, manage, resolve, and publicize the results of the most serious nuisance and security issues affecting the City. The JFN committee consists of management level employees from the City Attorney’s Office (CAO), Sacramento Police Department (SPD), Department of Community Development, Code Enforcement Division (CE), Department of Parks and Recreation, Park Safety Division (PS) and Neighborhood Services Division (NSD), Sacramento Housing and Redevelopment Agency (SHRA), and the District Attorney’s Office Community Prosecutor for downtown complaints (DA).

On July 31, 2007, we last appeared before the City Council to evaluate and measure the progress of the JFN. At that time we reported that 32 cases had been referred to JFN and 13 cases had been resolved.

Since our last report on July 31, 2007 to the present we have resolved 67 cases and added 48 new cases. In total since the creation of JFN we have handled 80 cases and resolved 67 of them. Currently, we have 13 pending cases on the JFN list. On average JFN is resolving 17 of the City’s most serious public nuisance or security matters (worst of the worst) each year.

Below is a list of the 66 cases handled by the JFN committee and resolved with either a preliminary or permanent injunction in place and/or significant decreases in calls for police or other City department services.

RESOLVED JFN CASES***DISTRICT 1**

1. 1001 E Street (“Tru Value Market”) (Alcohol related nuisances and welfare fraud)
2. 1118 7th Street (“Jade Liquor”) (Alcohol related nuisances)
3. 3270 Northgate Blvd. (“American Spirits Sports Bar”) (Bar with history of drug activity, gang activity and related violence)
4. 5306 Esmeralda Street (Gun eviction of gang member and convicted felon in possession of two firearms)
5. 710 Northfield Drive (Gun eviction of a family with history of gang activity)
6. 700 Northfield Drive (Gun eviction following a fatal gang related shooting)

DISTRICT 2

7. 1454 Del Paso Boulevard (“The Plantation”) (Alcohol related nuisances and neighborhood disturbances)
8. 2400 Del Paso Blvd. (“Shell Gas Station”) (Social nuisances)
9. 729 Dixieanne Ave. (Drugs and Gangs)
10. Del Paso Blvd. (Prostitution and related loitering) (Stay away orders against 8 nuisance creating individuals)
11. 1436 Nogales Street (Gun and Drug eviction following discovery of large marijuana grow, stolen guns and drug sales)

DISTRICT 3

12. Ralph Savala (Misdemeanor illegal dumping)
13. 611 16th Street (“Don’s Bottle Shop”) (Alcohol related nuisances and welfare fraud)

* The identification of an address on this list does not mean that each and every property is free of all nuisance activity. We continue to monitor properties and when nuisance activity returns we respond.

14. Alkali Flats (Drug sales and related loitering near light rail station) (Stay away orders against 11 drug dealers)
15. 1616 49th Street (Single family residence – Dangerous building)
16. 1221 C Street (Illegal homeless camp site creating neighborhood nuisances)

DISTRICT 4

17. 2208 24th Street (Single family residence – Gang member hangout with related drug activity and violence)
18. 2605 Land Park drive (Single family residence – Alcohol related nuisances and neighborhood disturbances)

DISTRICT 5

19. 5301 Fruitridge Road (“World Wines & Liquors”) (Alcohol and loitering related nuisances)
20. 5321 Stockton Boulevard (“Budget Inn Motel”) (Drugs and prostitution)
21. 3491 24th Avenue (Single family residence – Illegal dumping and junk and debris)
22. 3100 Broadway (“Bonfare Market”) (Alcohol related nuisances)
23. 4708 42nd Street (Single family residence - Structural and social nuisances)
24. 3130 & 3132 3rd Ave. (16 unit apartment complex – Slumlord, dangerous building, prostitution, violence and drugs)
25. McClatchy Park (Drug activity, gang activity and loitering) (Stay away orders against 24 drug dealers and nuisance creating individuals)
26. 2714 San Fernando Way (4 unit apartment complex – Slumlord, drug activity and prostitution)
27. 5020 Bonniemae Way (Vacant property that was dilapidated and creating drug activity)
28. 3601 & 3603 Pansy Ave. (Duplex – Drug house)
29. Pansy Ave. (Drug sales) (Stay away orders against 16 drug dealers)
30. 3200 3rd Ave. (16 unit apartment complex – Drug activity and related violence)
31. 2075 18th Ave. (Gun eviction)

32. Joseph Duarte (Misdemeanor illegal dumping)
33. 3113 San Rafael Ave. (Drug eviction following discovery of drugs and drug activity)
34. 3313 20th Ave. (Drug eviction following discovery of drugs and drug activity)
35. 3027 44th Street (Drug eviction following discovery of drugs and drug activity)
36. 3554 Santa Cruz Way (Drug eviction following discovery of drugs and drug activity)
37. 4146 Broadway (Drug eviction following discovery of drugs and drug activity)
38. 3024 42nd Street (Single family residence – Drug house)
39. 3890 3rd Ave. (Drug eviction following discovery of drugs and drug activity)
40. 4719 8th Ave (Drug eviction following discovery of drugs and drug activity)
41. 5501 48th Street (Drug eviction following discovery of drugs and drug activity)
42. 4126 38th Street (Drug eviction following discovery of drugs and drug activity)
43. 2971 San Jose Way (Drug eviction following discovery of drugs and drug activity)
44. 3496 Martin Luther King Blvd. (“Prit Market”) (Alcohol and drug related nuisances)

While the number of Resolved Cases in District 5 may seem large in comparison to other Council Districts, segments of the District have benefited from a four year federal Weed and Seed grant, and strong neighborhood activism and support of weeding (attacking social nuisances and crime) programs that have led to a large number of JFN cases.

DISTRICT 6

45. 3371 62nd Street (Single family residence – Drug House)
46. 3982 60th Street (“Tallac Lounge”) (Gang member hang out with related drug activity and violence)
47. 4501 61st Street (Single family residence – Drug house)
48. 4281 67th Street (Single family residence – Drug house)
49. 6192 Lemon Bell Way (Gun eviction of gang members)
50. 5626 53rd Street (2 fourplexes - Drug activity and related violence)
51. 5266 Young Street (Duplex – Drug activity and related violence)

52. 8217 Lake Forest Drive (Gun eviction)

DISTRICT 7

53. 7197 Havenside Drive (Single family residence – Drug house)

54. 7864 White Tail Way (Gun eviction following discovery of guns and drugs)

DISTRICT 8

55. 18 Massie Court (“Gold Rush Inn”) (Prostitution)

56. 1481 Meadowview Road (formerly “United Gas & Food”) (Drug dealing and related violence)

57. 2785-2795 Meadowview (“Coral Gables Court”) (Blight and physical nuisances)

58. 6626 Valley Hi Drive (“Liquor Tree”) (Gang member activity and related drug sales and violence)

59. 7601 Amherst (“Food Stop and Tire Shop”) (Drug activity and related violence)

60. 3731 Shining Star Drive (Single family residence – Neighborhood disturbances)

61. 6401 Mack Road (“Dennys”) (Restaurant with history of theft, gang activity, drug activity and violence in the parking lot)

62. 8636 Culpepper Drive (Gun eviction following drive by shooting)

63. 7462 Cosgrove Way (Gun eviction)

64. 123 Decathlon Circle (Gun eviction)

65. 5575 Mack Road (“Evergreen Shopping Center”) (Theft, robbery and violence)

66. 3900 Limestone Way (Single family residence – Drug house)

67. 2338 Florin Road (“Punjab Market”) (Loitering and related drug sales)

PENDING JFN CASES

DISTRICT 1

1. 2900 block on Benefit Way (Physical Nuisance)

2. 400 block on 12th Street (Social Nuisance)

DISTRICT 2

1. 1900 block on Canterbury Road (Social Nuisance)
2. 1100 block on Del Paso Blvd. (Physical Nuisance)
3. Del Paso Blvd. Nuisance Injunction II (Social Nuisance)

DISTRICT 3

1. 2800 block on Connie Drive (Physical Nuisance)

DISTRICT 4

None

DISTRICT 5

1. 3500 block on San Jose Way (Drug Eviction)
2. 3500 block on 36th Street (Drug Eviction)

DISTRICT 6

1. 7500 block on 51st Ave. (Drug Eviction)
2. 6200 block on Fowler Court (Social Nuisance and Vehicle Violation)
3. 5500 block on 35th Ave. (Social Nuisance)
4. Gang Injunction

DISTRICT 7

1. None.

DISTRICT 8

1. 5500 block on Mack Road (Social Nuisance)

JFN CREATES SUBSTANTIAL INCREASE IN SOCIAL NUISANCE ABATEMENT CASESThe success of the JFN program corresponds with a growing workload in social nuisance abatement cases for the CAO. Historically, the CAO handled or prosecuted an average of two social nuisance actions a year. But in 2006, after the creation of the JFN program the CAO handled 33 social nuisance actions in FY 2006-2007 and 37 actions in FY 2007-2008 – an

1,800% increase over pre-2006 numbers. In the last fiscal year the CAO handled 31 social nuisance abatement actions.

DRUG & GUN EVICTIONS

A welcome by-product of JFN's success has been recognition by the state legislature of the competence of the CAO in prosecuting social nuisance abatement cases. Consequently, in 2008 the legislature authorized the CAO (one out of only five City Attorneys in the state with this authority) to file eviction actions against tenants that engage in firearm offenses. Later, in 2010 the legislature extended the CAO eviction authority to drug offenses. In 2010 the CAO, in coordination with SPD, prosecuted 33 drug evictions against tenants for possession and/or sales of illegal narcotics.

PENALTIES

The City's enforcement teams (SPD, CE and PS) and the CAO take an aggressive approach against gang members, drug sellers, prostitutes, and slumlords. Bad behavior results in evictions, injunctions, and monetary fines and penalties for property owners that either ignore their dilapidated buildings or allow criminal activity to occur on their properties. Since 2007 the JFN teams have demanded and been awarded over \$500,000.00 (\$121,429 recovered to date) in penalties and fines pursuant to the Sacramento City Code and/or state law.

PUBLISH OUTCOMES

This staff report serves the last prong or element of the JFN mission statement which is to Publish Outcomes. Our intention is not to celebrate, but rather to measure our progress and the program's effectiveness. By publishing outcomes to the City Council with specific addresses/security issues that are shown as resolved we also expect that City residents will feel empowered to address problem properties and/or individuals in their neighborhoods and be confident that their complaints will be resolved.

Furthermore, the City Council will also be able to measure the resources that are allocated to different City departments and determine whether adjustments are needed.



REPORT TO COUNCIL

City of Sacramento

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915 I Street, Sacramento, CA 95814-2604
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Staff Report
 August 1, 2006

Honorable Mayor and
 Members of the City Council

Title: Justice for Neighbors (JFN)

Location/Council District: All

Recommendation: Receive and file.

Contact: Liz Brenner, Neighborhood Services Interim Director Area One, 808-1406; Steve Segura, Sacramento Police Department Deputy Chief, 433-0800; Ron O'Connor, Code Enforcement Manager, 808-8163; and Gustavo Martinez, City Attorney's Office Supervising Deputy City Attorney, 808-5346.

Presenters: Cassandra Jennings, Assistant City Manager, Steve Segura, Deputy Chief, and Gustavo Martinez, Supervising Deputy City Attorney.

Departments: City Attorney's Office, Police, Utilities (Solid Waste Division), Code Enforcement and Neighborhood Services.

Organizations No: 0500 (City Attorneys Office), 2131 (Sacramento Police Department), 3141 (Solid Waste), 4651 (Code Enforcement) and 3611 (Neighborhood Services).

Description/Analysis:

Justice for Neighbors or "JFN" is a tentative concept name. Staff is open to a name change that reflects the concerted efforts of multiple City departments to achieve the worthy goals set forth below.

JFN GOALS

The guiding vision of the Mayor and City Council is that **Sacramento will be the most livable city in America.** While developing the General Plan City residents were asked to identify the important issues to be addressed in the updated General Plan. The highest ranked issue or topic was the desire for safe neighborhoods.

Based on the City Council's vision and the community's desire for safe neighborhoods JFN is being created to foster safe neighborhoods and improve coordination among residents, businesses, and City departments to address security issues and achieve safe neighborhoods.

JFN will be a multidisciplinary effort by key City departments to swiftly respond to severe nuisance complaints or issues that threaten the health and safety of the public. The JFN will avoid the routine or common nuisance complaints (e.g., inoperable vehicles) and instead focus on high profile nuisance matters with multiple complaints that have a city wide impact.

Efficiency will also be enhanced by coordinating the efforts of different City departments. In many instances multiple City departments are responding to the same complaints without maximum coordination or planning. The JFN will avoid such duplication of efforts resulting in a more effective, timely and forceful impact.

COMMITTEE TO ACHIEVE GOALS

An internal strike committee consisting of City departments will be assembled to meet on a monthly basis to identify, process, manage, resolve, and publicize the results of the most serious nuisance and security issues affecting the City.

The JFN committee will consist of management level employees from the City Attorney's Office (CAO), Sacramento Police Department (SPD), Department of Utilities, Solid Waste Division (SW), Code Enforcement Department (CE), Neighborhood Services Department (NSD) and the District Attorney's Office Community Prosecutor for downtown complaints (DA).

PROCESS

The JFN committee will meet monthly and address the following:

1. Identify problems/prioritize issues
2. Assemble appropriate and necessary resources
3. Strategize on how to attack the problem
4. Implement the plan
5. Measure progress
6. Report outcomes

IDENTIFY PROBLEMS/ PRIORITIZE ISSUES

The JFN committee will select problem properties (e.g., nuisances) and respond to complaints that originate from a variety of sources. The Neighborhood Response Team or NRT will continue to serve as the primary forum for receiving and responding to single issues or one-time occurrences submitted monthly by neighborhood leaders. In the event an NRT problem or issue elevates to a higher level, that problem or issue is then forwarded to the JFN for action.

By using the NRT for its stated purpose City staff will reduce the duplication of efforts, reduce staff attendance at multiple community meetings where the same complaint is raised, and encourage community associations to merge or consolidate their efforts to allow for a more coordinated and effective City response to resident and neighborhood association complaints.

In addition to the NRT, individual members of the JFN committee will identify and present matters to the JFN for action. The JFN will then apply a set of criteria to each complaint or matter to determine whether it merits consideration and action by the JFN. The goal is to evaluate complaints and select the most serious and difficult matters for JFN action.

The criteria will include, but not be limited to, determining whether the matter poses an imminent threat to the health and safety of the public; whether there are multiple sources lodging the same complaint (e.g., a Council member and a resident); whether the matter is politically sensitive; whether the matter is highly visible; and whether the matter will require an extraordinary expenditure of City resources to resolve. After the matter goes through the review process a very selective number of complaints will be identified and prioritized so that the JFN committee will be assured that its efforts will have the greatest impact city wide.

ASSEMBLE APPROPRIATE AND NECESSARY RESOURCES

After a matter is identified the JFN committee will determine what type of resources must be assembled to attack the problem. The matter may be resolved by one City department or it may require the JFN committee to consult with a state or federal agency to request specialized assistance as a component member of the JFN committee. For example, in a nuisance matter involving a commercial business where there are indications that the business has not paid taxes or workers compensation insurance the JFN committee could consult with the IRS, Franchise Tax Board and/or the Labor Commission to coordinate enforcement actions against the business.

STRATEGIZE

The JFN committee will create an overall strategy for the target matter and delegate the individual assignment to a team member or members. The team member(s) will discuss tactics and create and implement a plan of action to complete their assignment. The team member(s) will be accountable to the JFN committee and their tactics and plan of action will be responsive and compatible with the JFN committee's overall strategy for resolving the specific assignment.

IMPLEMENT PLAN

The JFN committee through its assigned team member(s) will implement and execute the plan. In many cases the complaint or problem will be resolved before the entire plan is completed. For example, the Police Department and the City Attorney's Office have had recent success in resolving drug abatement matters early in the abatement process by involving the CAO at the beginning of the enforcement process. Landlords,

tenants, and property owners are requested to appear at the City Attorney's Office in the presence of Problem Oriented Policing (POP) officers to explain their activities or face additional enforcement action. In many cases when landlords and property owners learn of their tenant's drug and/or social nuisance activities they promptly agree to the CAO's settlement terms and/or they themselves threaten eviction. As is shown by this example, by involving other City departments early in an enforcement plan, favorable results are achievable without requiring each department to exhaust its individual efforts.

MEASURE PROGRESS

The JFN team member(s) assigned to the matter will be accountable to the JFN committee and will report on a monthly basis to measure progress, create deadlines, and if necessary add or reduce resources.

REPORT OUTCOMES

The JFN team member(s) will report outcomes, if any, to the JFN committee on a monthly basis. Outcomes will be saved and compiled to serve as future data for annual or bi-annual reports to City Council. As cases are resolved, the next matter on the priority list is moved up for action and a new matter is opened on the JFN list.

Outcome reviews will also serve to identify more effective methods to prevent or prosecute nuisance or security matters such as proposing new ordinances or amendments. Outcome reviews of individual cases will highlight those areas where the City is currently effective and those areas where improvement is needed. These self-evaluations by multiple City departments will serve to increase the efficiency of the overall organization.

PUBLISH OUTCOMES

In many instances City departments resolve nuisance or security matters that go unnoticed. They are not reported by the media nor are they published to the City Council. Understandably, City residents and the City Council may feel that the City does not have an aggressive system for resolving neighborhood complaints.

By publishing outcomes to the City Council, neighborhood associations, and the local media City residents will learn about the City's response to their complaints and can be confident that their complaints are being addressed.

The City Council will also be able to measure the resources they are allocating to different City departments and determine whether adjustments are needed.

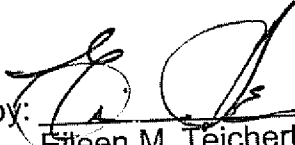
Policy Considerations: The coordinated response of multiple City departments is consistent with the goals and objectives of efficient City government.


August 1, 2006

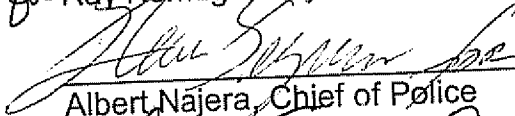
Justice Fc
Environmns: None.

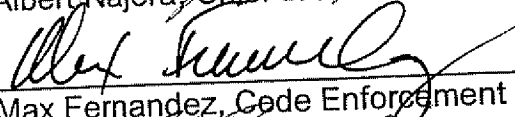
Financial None.

Emerging Development (ESBD): Not applicable.

Respd by: 
Eileen M. Teichert, City Attorney


for Ray Kerridge, City Manager


Albert Najera, Chief of Police


Max Fernandez, Code Enforcement Director

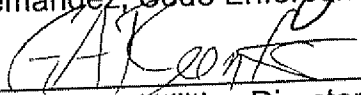

Gary A. Reents, Utilities Director

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