

# The Question of Independent Living\*

## San Diego Police Department

### Scanning

The apartment complex at 1280 Elmwood Avenue is in the City Heights section, which comprises low-income, single-family residences and apartments. Absentee landlords are the norm in City Heights and the neighborhood around 1280 Elmwood Avenue is plagued by prostitution, narcotics, and gangs. Officers believe these factors aggravated the problems at 1280 Elmwood Avenue when the building was converted from single-family apartments to an independent living facility for people with mental disabilities.

Before February 1999, families occupied the 8-unit apartment complex at 1280 Elmwood Avenue. Police in the Mid-City Division experienced few problems there, even though the area accounted for a high number of calls-for-service and reports of crime. The setting quickly changed when the families were summarily evicted from 1280 Elmwood Avenue. The owner had leased the property to John Doe, who had promised to generate far more income from the property with far less responsibilities. Doe converted the building into an independent living facility, filled the apartments—four residents in each of eight units—with people with mental disabilities, and called the new enterprise Winchester Court.

Within a month, police were responding to a significant increase in calls concerning violence and drug deals. Many of the complaints and calls-for-service were focused on the new tenants of Winchester Court.

### Analysis

Officers reviewed radio calls in the neighborhood. The volume of calls for service had increased dramatically both at the apartment complex and in the surrounding area. The average number of service requests to Winchester Court alone increased from an average of 2.66 to 12.6 per month. Residents told officers that a large number of incidents went unreported. Officers also analyzed the type of calls and found that police responded 158 times to Winchester Court.

Police learned that many of the residents of Winchester Court were victims of crimes. Within 100 feet of Winchester Court were two drug-dealing sites, which many of Winchester Court's residents frequented. The dealers frequently assaulted and robbed Winchester Court's residents.

Independent living facilities became popular after the State of California cut bed space at State hospitals. Independent living facilities were supposed to accept only those people capable of living on their own—with or without mental disabilities. Winchester Court's residents needed care and supervision. They could not live on their own. Facilities that house residents like those at Winchester Court who require care and supervision come under strict government guidelines. By California standards, Winchester Court should have been classified as a board and care/group home with definite license provisions.

Officers learned from the State Community Care Licensing that complaints of crime or health are a local matter. State Licensing was interested in the facility only if the officers could show that its residents were incapable of independent living.

Checking on city licensing requirements, officers learned that San Diego does not track or regulate independent living facilities. By claiming he was operating an independent living facility, Doe was skirting city regulations

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\* Names and places have been changed to protect identities.

regarding the running of a business. Police thought they could pursue this angle in their attempt to bring order to Winchester Court.

The manager of the property was a convicted felon with an extensive drug history. Police discovered that the manager had a felony warrant for his arrest and was on felony probation with a 4<sup>th</sup> waiver. Doe promised to fire the manager, but chose not to, and instead gave him control of all the residents' medications.

When contacted by police, the owner said that he did not see any problem and that if crimes were being committed at Winchester Court then that was a police concern, not his. The owner said that unless he was presented with evidence of a problem, he was unwilling to listen.

Based on this analysis, police came to a new conclusion: Winchester Court for mentally disabled residents was responsible for a significant increase in calls-for-service, crimes of violence, and fear in the neighborhood. Primary contributing factors were Winchester Court's poor onsite management and the large percentage of Winchester Court residents who were not qualified for independent living.

## Response

Police formed a partnership with the government agencies and members of the community and set several goals:

- Compel Doe to comply with State licensing regulations and to take better care of the property and its residents.
- Remove all residents not qualified for independent living.
- Improve management practices for tenants.

Neighbors raised the stakes dramatically by threatening Doe with a civil lawsuit under the Safe Streets Now act, which provides that residents can sue individually.

Informed of the trouble at Winchester Court, State Community Care investigated and found numerous violations, including the dispensing of medicine by the onsite manager. Police threatened Winchester Court and the property owner with an abatement process that could lead to forfeiture of the property. Doe pulled up stakes, evicted all the residents, and sold the property.

## Assessment

Once residents were evicted, calls-for-service in the neighborhood nearly ceased. An informal police survey of the neighborhood disclosed that the residents of Elmwood Avenue felt safe again and were proud of their problem-solving partnership with police. A review of calls-for-service disclosed a significant reduction—from a high of 23 a month to a low of only 2 per month, and those 2 calls were complaints about noisy construction crews.