NARCOTICS TEAM 7
OPERATIONS MANUAL

PART 1: DRUG COURT

PART 2: REENTRY COURT

PART 3: DRUG ABATEMENT

April 2026

PART I: DRUG COURT

JOB DESCRIPTION:

Drug Court Liaison Officer

The San Diego Superior Court is committed to reducing the substance abuse population and recidivism among non-violent narcotic offenders. Drug Court was established to combat the recidivism rate and eliminate the "revolving door" often associated with narcotic offenders. The program combines judicial supervision with intensive and effective treatment as an alternative to other judicial sanctions. In order to hold participants accountable in Drug Court, a linkage was developed between Drug Court and The San Diego Police Department. Currently, the department has assigned two full-time police officers as liaisons to the Drug Court. One officer is assigned to San Diego Superior Central Drug Court and the other assigned to San Diego Superior South Bay Drug Court. The position of the Drug Court liaison is important to the success of the program. The liaison is the eyes and ears of the court and reports all activity associated with participants back to the court. The liaison works closely with the Judge(s), prosecutors, defense attorneys, treatment providers, court clerks and other Drug Court team members.

DUTIES:

The duties of the Drug Court Liaison Officer include:

- Attend Drug Court sessions;
- Maintain active knowledge of both Drug Courts
- Maintain accurate records of all participants in the program;
- Enter and maintain all participants in the Officer Notification System;
- Monitor participants and report their activity to the Drug Court;
- Create linkages with citizens within the community to obtain and provide information regarding Drug Court and its participants;
- Arrest participants who are at warrant or in violation of the Drug Court contract;
- Develop contacts at area commands to assist the court and liaison officers with their duties;
- Conduct random drug testing in the field on the participants;
- Conduct random house checks of active participants to assure the accuracy and truthfulness of information provided to the court;
- Conduct house checks of incoming Drug Court participants to assess suitability;
- Conduct line up and department training on the Drug Court program;
- Advise immediate supervisor of all pertinent Drug Court information;
- Assist in graduation preparations; and
- Assist Narcotic Section team members, when necessary.

PROCEDURES:

House Checks:

In adult Drug Court, house checks are done to verify and assess a potential participant's residence. The liaison officer shall determine whether the residence and all occupants of the residence are conducive to recovery. If necessary, the liaison officer will affect arrest(s) of person(s) at the residence at the time of the house check. The liaison will report to the Court all conclusions made as a result of the house check at, or prior to, the weekly team meeting.

Drug Testing:

Drug testing is an integral factor of the accountability of the participant within the drug court program. Therefore, Drug Court programs allow for police officers to drug test participants randomly and/or upon suspicion of drug and/or alcohol use. Participants must submit to such drug/alcohol tests. The collection of a urine specimen should be by an officer of the same sex. If the officer or liaison officer deems it acceptable, a staff member at a court approved treatment facility may collect a urine sample for the test. The results of the test are admissible in Drug Court. Positive results of the drug test will result in an immediate warrant being issued for the participant's arrest.

NOTE:

If the participant admits to the positive test, the sample will be disposed of at the scene. If the participant disagrees with the test results and requests the sample retained for retesting, the sample will be retained and given to the drug-testing director at Mental Health Systems. MHS has an agreement to conduct drug testing for the adult drug court. The participant agrees to pay costs (if any) for the retesting.

Arrests:

An arrest of a Drug Court participant due to an active or newly issued warrant will be documented and the report will be submitted for supervisory approval. Arrests made by a Drug Court Liaison Officer shall be logged on the Narcotic Street Team activity log. The participant will be booked into the appropriate detention facility; unless Drug Court is in session or when ordered by the Judge, the participant will be brought directly into Drug Court. A participant arrested and charged with a new criminal offense will be processed within standard policy. If notified of the arrest, the liaison officer will respond and conduct a random drug test. Additionally, the liaison will immediately notify the Drug Court of the new charges and participant's disposition. The Drug Court Team will discuss the new charges and assess the participant's continued eligibility within the program.

Call Outs:

Liaison officers are not on-call.

Drug Testing:

An Alco Sensor shall be assigned to and maintained by each liaison officer. The Drug Court will provide drug-testing kits. Liaison Officer(s) shall maintain an adequate supply of testing kits in addition to, disposable gloves, urine specimen cups and retention containers.

Vehicles:

Liaison officer are not assigned a take-home vehicle.

Attire:

The Drug Court Liaison Officer(s) shall use their discretion when choosing daily attire. The Class B Working Uniform is preferred for court unless circumstances dictate casual attire. The Liaison Officer shall adhere to Department grooming standards for uniformed personnel.

PART II: REENTRY COURT

JOB DESCRIPTION:

The County of San Diego (Superior Court) and the California Department of Corrections and Rehabilitation (CDCR) are committed to reducing the substance abuse population and recidivism among non-violent narcotic offenders on parole. Reentry Court was established to combat the recidivism rate and eliminate the "revolving door" often associated with parolees with a history of narcotic offenses. The program combines judicial supervision with intensive and effective treatment as an alternative to other judicial sanctions. In order to hold participants accountable in Reentry Court, a linkage was developed between Reentry Court, the San Diego Police Department, Parole and Probation. Currently, the department has assigned one full-time police officer from Narcotic Unit – Team 7 DART as a liaison to Reentry Court. The liaison is the eyes and ears of the court and reports all activity associated with participants back to the court. The liaison works closely with the Judge(s), prosecutors, defense attorneys, treatment providers, court clerks and other Reentry Court team members.

PARTICIPANTS:

Parolees referred to Reentry Court by parole or the Board of Prison Hearings, and accepted into the Reentry Court, will be under the sole jurisdiction of the superior court, until termination or successful completion (18 months). Upon termination or successful completion of the Reentry Court, the participant will be referred to the Board of Prison Hearings for further action. The population to be served will be non-violent adult male and female offenders assessed as having a high risk to re-offend and high need for treatment services. Parolees will enter the Reentry Court process when on parole and: (1) charged with a technical violation by CDCR-Parole and referred to the Reentry Program by Board of Parole Hearing, (2) charged with a new felony by the prosecutor when the violation occurred while on parole, or (3) charged with a technical violation and volunteer to enter the program prior to their Valdivia-Probable Cause Hearing.

REENTRY COURT TEAM:

The Superior Court will develop and operate the Reentry Court with the following partnering agencies:

- California Department of Corrections and Rehabilitation, Board of Parole Hearings (BPH)
- California Department of Corrections and Rehabilitation, Division of Adult Parole Operations (Parole)
- County of San Diego, Health and Human Services Agency, Alcohol and Drug Services (ADS)
- County of San Diego, Office of the District Attorney (DA)
- County of San Diego, Office of the Primary Public Defender (Public Defender)

- County of San Diego, Probation Department (Probation)
- County of San Diego, Sheriff's Department (Sheriff)
- San Diego Police Department (SDPD)

DUTIES:

The duties of the San Diego Police Officer assigned to the Reentry Court Liaison position include:

- Attend Reentry Court sessions
- Participate on the Reentry Court Team
- Maintain accurate records of all participants in the program
- Enter and maintain all participants in the Officer Notification System
- Monitor participants and report their activity to the Reentry Court
- Create linkages with citizens within the community to obtain and provide information regarding Reentry Court and its participants
- Arrest participants who are at warrant or in violation of the Reentry Court contract
- Develop contacts at area commands to assist the court and liaison officers with their duties
- Conduct random drug testing in the field on the participants
- Conduct random house checks of active participants to assure the accuracy and truthfulness of information provided to the court
- Conduct house checks of incoming Reentry Court participants to assess suitability
- Conduct line up and department training on the Reentry Court program
- Advise immediate supervisor of all pertinent Reentry court information
- Outfit and monitor participants sanctioned to wear GPS
- Assist in graduation preparations
- Assist Narcotics Section team members, when necessary

HOUSE CHECKS:

In adult Reentry Court, house checks are done to verify and assess a potential participant's residence. The liaison officer shall determine whether the residence and all occupants of the residence are conducive to recovery. If necessary, the liaison officer will affect arrest(s) of person(s) at the residence at the time of the house check. The liaison will report to the Court all conclusions made as a result of the house check at, or prior to, the weekly team meeting.

DRUG TESTING:

Drug testing is an integral factor of the accountability of the participant within the Reentry Court program. Therefore, Reentry Court programs allow for police officers to drug test participants randomly and/or upon suspicion of drug and/or alcohol use. Participants must submit to such drug/alcohol tests. The collection of a urine specimen should be by an officer of the same sex. If the officer or liaison officer deems it acceptable, a staff member at a court approved treatment facility

may collect a urine sample for the test. The results of the test are admissible in Reentry Court. Positive results of the drug test will result in an immediate warrant being issued for the participant's arrest.

NOTE: If the participant admits to the positive test, the sample will be disposed of at the scene. If the participant disagrees with the test results and requests the sample retained for retesting, the sample will be retained and given to the drug-testing director at Mental Health Systems. MHS has an agreement to conduct drug testing for the adult drug court. The participant agrees to pay costs (if any) for the retesting.

ARRESTS:

An arrest of a Reentry Court participant due to an active or newly issued warrant will be documented and the report will be submitted for supervisory approval. Arrests made by a Reentry Court Liaison Officer shall be logged on the Narcotic Street Team activity log. The participant will be booked into the appropriate detention facility; unless Reentry Court is in session or when ordered by the Judge, the participant will be brought directly into Reentry Court. A participant arrested and charged with a new criminal offense will be processed within standard policy. If notified of the arrest, the liaison officer will respond and conduct a random drug test. Additionally, the liaison will immediately notify the Reentry Court of the new charges and participants disposition. The Reentry Court Team will discuss the new charges and assess the participant's continued eligibility within the program.

CALL OUTS:

If a call-out is required, the liaison officer shall notify his/her immediate supervisor. The liaison shall determine if another Narcotic Section team member or patrol unit will be needed and act accordingly.

DRUG TESTING:

An Alco Sensor shall be assigned to and maintained by the liaison officer. The Reentry Court will provide drug-testing kits. Liaison Officer(s) shall maintain an adequate supply of testing kits in addition to, disposable gloves, urine specimen cups and retention containers.

VEHICLES:

The liaison officer is assigned a take-home vehicle. The vehicle shall be used in accordance with current Department procedures.

ATTIRE:

The Reentry Court Liaison Officer(s) shall use their discretion when choosing daily attire. The Class B Working Uniform is preferred for court unless circumstances dictate casual attire. The Liaison Officer shall adhere to Department grooming standards for uniformed personnel.

PART III: DRUG ABATEMENT RESPONSE TEAM

I. INTRODUCTION

A. Background

Through the 1980s growing concerns were expressed regarding continuing drug activities in the City of San Diego. Arrests alone did not stop these activities, especially in a dilapidated property.

The relationship between crime and dilapidated properties has been well established. Social psychologists have documented this connection as the "Broken Window Theory." Dilapidated buildings send a signal to the community that no one cares. This in turn attracts the criminal element to the property. If unchecked, adjacent properties become affected and the problems spread throughout the entire neighborhood.

This "theory" suggested the need to include the rehabilitation of dilapidated property in the fight against drugs. The focus would be on properties that have continuous drug activities and serious code violations.

B. Objectives

DART's basic objective was to implement a more aggressive proactive approach to abating drug activities in the City's most severe neighborhood drug locations. Other objectives were to:

1. Expand the City's current drug abatement caseload to include a broader range of cases from severe narcotics problems of short duration (drug labs possible asset forfeitures, etc.) to those narcotics problems with a prolonged and continuous history which are subject to the Drug Abatement Act,

2. Improve program effectiveness by
   - Decreasing response time
   - Reducing case backlog
   - Ensuring property rehabilitation
   - Improving follow-through on joint efforts with other Police and City Code Enforcement Divisions,

3. Enhance coordination and responsiveness of other City Code Enforcement Division in responding to DART locations,

4. Establish a broad network with community and professional organizations to develop private partnerships and enlist their assistance, and develop contacts with and provide technical assistance to the District Attorney.

II. DART MEMBERS AND RESPONSIBILTIES

A. Members

The current DART members come from the City's Police and Neighborhood Code Compliance Departments, and the Office of the City Attorney. The primary individuals in each department are:

1. Police Department
   Narcotic Section
   Narcotic Sergeant, Supervisor
   Narcotic Detective (DART)

2. Neighborhood Code Compliance
   Department (NCCD)
   Housing and Code Enforcement Division
   Building Inspector

3. City Attorney
   Criminal Division
   Head Code Enforcement Deputy
   Deputy City Attorney

Other resources to support DART are available as needed from the City Fire Department, County Health Department, and the IRS.

B. Responsibilities

As its name implies, DART was planned to be a team effort. However, to resolve management and budgetary issues that arose over time, it became necessary to designate one team member as assigned management responsibility of DART to the Police Department.

1. POLICE DEPARTMENT

The Police Department has the following specific management responsibilities:

a. Make organizational and policy decisions;
b. Provide status reports and evaluations of the program as needed;

c. Monitor program operations;
d. Respond to route slips, memos from City Council members, referrals and questions from community organizations and citizens, etc; and
e. Consult with other team members with respect to their operations and responsibilities.
f. The specific operational responsibilities of the members are summarized below.
g. Provide status reports and evaluations of the program as needed;
h. Monitor program operations;
i. Respond to route slips, memos from City Council members, referrals and questions from community organizations and citizens, etc; and
j. Consult with other team members with respect to their operations and responsibilities.

The Police Department has the following specific operational responsibilities with respect to problem properties:

a. Accept referrals, inquiries, and citizen reports on properties with drug activities;
b. Conduct background research on the criminal history ownership, and description of the problem properties;
c. Identify properties for DART actions;
d. Select appropriate DART actions;
e. Provide feedback to referring police officers and others outside the Police Department;
f. Notify owners of existing drug activities on their property, suggest ways to prevent further activities, and inform owners of sanctions that could be imposed under the Drug Abatement Act if drug activities continue on the property;
g. Arrange to meet with owners and building inspectors on properties with the most serious drug problems to discuss the problems and measures to be taken by the owner to abate them, including code compliance;
h. Monitor actions taken by owner to stop drug activities on the property;
i. Monitor criminal history of the property to determine if drug activities have stopped;

j. Bring the case to the City Attorney if the owner fails to take the actions suggested to prevent further drug activities and to correct the code violations in the time allowed, and drug activities continue on the property
k. Attend hearing with City Attorney, building inspectors, other police officers and owners to formally notify owners of past and continuing drug activities and uncorrected code violations;
l. Provide evidence of drug activities on the property to the City Attorney for use in the hearing and later court actions if owner does not comply with the hearing agreement; and
m. Continue to monitor property to verify compliance.

2. NEIGHBORHOOD CODE COMPLIANCE

Responsibilities include the following:

a. Conduct building inspections as requested by Police Department;
b. Identify building and zoning code violations that exist on the property
c. Request inspections by other departments, e.g., City, Fire and County Health, if violations of other codes appear to exist;
d. Notify the owner of the building and zoning code violations and describe what needs to be done to correct them;
e. Send copy of violation notice to City Attorney and Police Department DART;
f. Give the owner a deadline by which the violations must be corrected and describe the possible consequences of missing the deadline;
g. Monitor correction of the violations and send additional violation notices if necessary; and
h. If corrections are not made and an action is filled under the Drug Abatement Act, respond to directions of the City Attorney on matters of building and zoning code violations related to the case.

3. CITY ATTORNEY

Operational responsibilities include the following: Consult with and advise other DART members on legal matters and strategy during the initial pre-action phases of a case, i.e., before the case is brought to the City Attorney for action under the Drug Abatement Act;

a. Conduct a hearing with the owner and other DART members to provide formal notice of drug activities and uncorrected code violations on the property;
b. Give owner deadlines for actions that need to be taken regarding property management and code compliance to avoid further actions

under the Drug Abatement Act;
c. Monitor compliance with deadlines;
d. Prepare drug abatement case it owner fails to meet deadlines;
e. File injunction in Superior Court; and
f. Handle action, etc.

III. POLICE DETPARTMENT PROCEDURES

A. PROPERTIES WITH DRUG PROBLEMS

Properties with drug problems are brought to DART'S attention in referrals, inquiries, or citizen reports.

1. REFERRALS

Referrals are properties (addresses) at which recent drug arrests or seizures have been made or drug activities have been observed. They come from the Department's central Narcotics Section, special enforcement or problem-solving teams, other narcotic detectives, and patrol officers of the ten Divisions. The Narcotics Section sends referrals on Narcotic Activity Logs,

2. INQUIRIES

Inquiries mostly deal with properties (addresses) at which drug activities are suspected or have been reported to occur. They usually come from outside the Police Department, i.e., from the City Attorney, City Council, the Neighborhood Code Compliance Department, or community organizations. They often originate with citizen reports of illegal drug activities.

3. CITIZEN REPORTS

Citizen reports made directly to the Police Department can also lead to DART referrals. When suspected drug activities are reported to a regional Division, storefront, satellite office, or to the Department's central Narcotics Section, a Citizen Narcotics Complaint Form will be filled out. An example of this form is shown in Attachment E. The complaint will be investigated, and the results reported back to the citizen.
If a citizen calls DART directly, the DART detective will fill out the Citizen Narcotics Complaint Form and give it to the Narcotics Section team, which will investigate the report and contact the citizen about the results. If arrests are made on the property, it will become a DART referral.

B. RESEARCH

DART detectives conduct background research on the criminal history, description, and ownership of the problem properties.

1. EVALUATION

The DART detective evaluates each referral and inquiry in terms of its past criminal activity, prior DART referrals, and other information provided by the investigating and arresting officers.

2. PROPERTY DESCRIPTION & OWNERSHIP

General data, land use, business license, utilities, ownership, and area/district information on the property can be obtained from the SITE file after logging on with IMSPROD and typing in the street address and indicating the type of information desired. The ownership data includes the name and address of the owner and indicates whether the property is or is not owner occupied.

Ownership information plus a summary property description can also be obtained from the County System in SD Law. The ownership and parcel number is obtained in the property summary located in the County System.

The owner's telephone number is not in either of these computer files. It must be obtained from a telephone directory or some other source, e.g., the resident property manager.

If the criminal history of the owner is needed, it can be obtained from Arjis Net located in the external links in SD Law.

C. INITIAL ACTIONS

The type of initial action taken by DART detectives depends on the number and seriousness of past drug arrest incidents on the property, the results (or lack thereof) of prior DART intervention, the condition of the property, the DART resources available to deal with the volume of referrals and the existing caseload, and other factors. At present a DART referral would result in one of three actions:

- Discussion with the person making the referral or inquiry;
- Letter to the property owner; or
- Open a DART case.
- Referral to Neighborhood Code Enforcement (if code violations and

few arrests)

While there are no firm guidelines or criteria for selecting among these actions, those currently used in typical situations are discussed below. Briefly, if there have not been any drug arrests on the property in the past year, a discussion would be held with the person making the referral or inquiry. If there were one to four drug arrest incidents involving possession of a controlled substance on the property in the past year, a letter would be sent to the property owner. If there were five or more drug arrest incidents on the property or three or more complaints about drug activities on the property in the past year, a DART case would be opened. (Note that a "drug arrest incident" can involve one or more drug arrest.)

1. DISCUSSION WITH PERSON MAKING REFERRAL/INQUIRY

This is the minimum initial action. If the computer search does not reveal any drug arrests on the property in the past year, the person making the referral or inquiry would be called and informed that current DART policy is not to intervene in such situations. If the referral or inquiry came from another department, that department will be responsible for further investigations and actions regarding the property, e.g., citing the owner for code violations.

2. LETTER TO PROPERTY OWNER

If there were one to four drug arrest incidents on the property in the past year, a letter would be sent to the owner to notify the owner of the most recent drug arrest and the sanctions that could be imposed under the California Drug Abatement Act if drug activities continue on the property. The letter would also offer Police Department assistance in preventing the problem from escalating. One form of this letter is used if the property is owner occupied. Another form is used if the property is not owner occupied. These letters are prepared by the DART detective for review and signed by the DART supervisor.

3. OPEN DART CASE

If there were five or more drug arrest incidents on the property or three or more complaints of drug activities on the property in the past year, a DART case would be opened. This action reflects the need that the drug activities be continuous and repeated to be ripe for an abatement action. Although most public nuisance statutes, including California's Drug Abatement Act, are silent on the amount and type of evidence necessary to obtain abatement orders, and no published cases exist which interpret this Act, guidance regarding an appropriate criterion has been obtained from appellate

decisions interpreting its "sister" statue, the Red Light Abatement Act, and general equitable principles that apply to standard nuisance abatement actions. One of these principles is the continuous nature of the nuisance activities.

a. This maximum initial action consists of the following specifics:

(1) Start a case file that will be maintained until the case is resolved. The file will contains records of all actions taken regarding the property (letters, phone calls, visits, meetings, etc). This file will provide proof of drug activities, code violations, abatement and compliance efforts, etc for possible later court actions. The initial entries to the file will be:

- Printouts of the Arjis records for the past year; (FI's. Arrest, Citations, etc)
- Calls for service at the property for the past year;
- Printouts of the property description and ownership data which includes the water bill.

(2) Conduct a drive-by inspection of the property to assess its size, type, condition, etc. Photographs are helpful to attach to the investigation. Add a report of this inspection to the file.

(3) Send a letter to the owner notifying the owner of the most recent drug arrests and the continuing drug activities on the property, informing the owner of the sanctions that could be imposed under Drug Abatement Act, and requesting a call to the DART detective to arrange a meeting on the property with the city attorney investigator to discuss the resolution of this matter. A copy of this letter would also be added to the file. This letter is also prepared and signed by the DART detective.

(4) If the owner's phone number is available, call the owner about the letter and arrange the meeting.

(5) Inform DART member from the Neighborhood Code Compliance Department and the referring police officers of the opening of a DART case and the plan to have a meeting with the owner on the property.

4. MAINTAIN REFERRAL FILES

In addition to the separate files that are to be maintained for each DART

case, two files are maintained for all the DART referrals in which a letter is sent or a case is opened. One is a logbook and the other is a computer file.

a. DART DATA BASE

For all referrals that result in a letter to the owner or a case being opened as discussed above, the address will be listed in a logbook that the DART detective will maintain. Each address will be given a five-digit identification number. The first two digits are the last two numbers of the year. The next three are the sequence numbers for the referral; they begin with 001 for the first referral of the year and are ordered by referral date during the year. Yes or No will be circled to indicate whether:

- The address is a case or not.
- A letter was sent to the owner. In a few special cases the owner might be contacted by telephone and a letter not sent.
- The owner responds to the letter or is contacted by telephone.

b. COMPUTER FILE

DART personnel are currently maintaining an Access computer file of open and closed DART referrals. The file contains the following information:

- Address identification number from the log.
- Type of initial action, i.e., whether only a letter was sent or a case was opened.
- Status, i.e., whether DART activity at the address is open or closed. Open date is the date a letter was sent or a case was referred to DART.
- Close date would be actual date of closure.
- Street address number. If several addresses in a row are involved, it is the lowest number.
- Highest number when several addresses in a row are involved.
- Direction if address is north, south, east, or west.
- Street name
- Street type
- Apartment number, if relevant
- Last name of first property owner listed on the tax assessor's record or name of business owner.

- First name of first property owner listed
- Other information included as comments

5. FEEDBACK TO OFFICERS MAKING REFERRAL

After the initial actions discussed above are taken, the officers making the referral are notified of the DART actions. Officers should continue to monitor the property and make arrest if drug activities do not stop. These arrests will be used in subsequent abatement proceedings as evidence of a continuing nuisance and the failure of the owner to take effective actions to stop the drug activities on the property.

E. FOLLOW-UP ACTIONS

The main purpose of the follow-up DART actions discussed below is to get the owner to voluntarily control and eventually eradicate the drug problems on the property. In most cases the owner is unaware of the problem and is willing to take actions such as evicting problem tenants and bringing the property up to code specifications. Such early DART intervention and owner cooperation is intended to prevent the property from being overrun by the drug elements, which if not checked, will spread throughout the whole neighborhood. Furthermore, such early intervention develops a spirit of cooperation with the owners so that the problems can be resolved without having to enter lengthy and costly legal proceedings, which are a last resort as far as DART is concerned.

1. AFTER LETTER TO OWNER

In most cases the owner will call the DART detective as requested to discuss the reason for the letter. A detective will discuss the past arrest incidents, identifying the persons arrested and urge their eviction, suggest effective tenant screening procedures and physical improvements to the property that would make it less attractive to the drug element, offer a copy of the Landlord Training Program Manual, and suggest attendance in a Landlord Training class. If the owner/property manager agrees to evict problem tenants, copies of the eviction notices should be obtained for the DART records.

If the owner does not respond to the initial letter, the owner should be contacted by phone. If this is not possible, another letter with appropriate stronger language should be sent.

Three months after the discussion with the owner/property manager, Arjis Net should be checked for any drug arrests on the property since the discussion. If none have occurred, the intervention can be considered as successful. If drug arrests have occurred, the opening of a DART case

should be considered.

Computer checks for drug activities on the property should continue quarterly to monitor the situation.

2. AFTER OPENING A DART CASE

a. MEETING AT THE PROPERTY

When the owner responds to the initial letter or is reached on the phone, a meeting at the property is set up. Attendees would include the owner, DART detective, City Attorney Investigator, DART building inspector, and the referring police officers. At this meeting the DART detective will:

- Explain the DART program, the Drug Abatement Act, and sanctions under the Act that may be imposed on the owner if drug activities on the property are not stopped;
- Describe past drug arrest incidents;
- Identify the persons arrested, urge their eviction, and set time limits for such evictions;
- Obtain a list of tenants and other persons allowed to be on the property;
- Suggest effective tenant screening procedures and physical improvements to the property that would make it less attractive to the drug element;
- Offer a copy of the Landlord Manual;
- Take interior and exterior pictures of the property to show its existing condition.

The DART detective will also deal with special problems that compound criminal activities on the property. For example, the detective will arrange to shut off or remove a pay phone on or near the property that has been used by drug dealers. Or if the property is vacant or unsecured, board and secure measures will be requested.

The other police officers present will describe their involvement in the case and their knowledge of drug activities on the property.

The building inspector will go through the property, identifying existing code violations, and discuss the violations with the owner. Other inspectors will be called to conduct additional inspections if there appear to be violations of the zoning, fire, health, and other

codes. Notices of violations will be sent to the owner along with suggested actions to correct them and deadlines for completing the corrections. The need for board and secure measures and hazards that require immediate attention will be noted. Copies will also be sent to the DART detective and City Attorney investigator.

b. MONITOR PROPERTY AND CLOSE CASE

During the time period set for compliance, the DART detective will monitor criminal activity on the property, eviction of problem tenants, correction of code violations, and other actions suggested to the owner to stop the drug activities on the property. The case can be closed if the following requirements are met:

- No drug arrests in the past six months;
- All code violations have been corrected, (Check with the building inspector to determine this.); and
- No remaining problems are uncovered with the owner or property manager about the condition of the property and the behavior of the tenants, and discussions with the Narcotics Section and the responsible NPT regarding their ongoing activities and interests in the property.

c. HEARING WITH THE CITY ATTORNEY

If the owner does not comply voluntarily and drug problems continue on the property, an office hearing with the City Attorney will be scheduled to formally notify the owner of the drug problems on the property and the corrective actions that must be taken to avoid further proceedings under the Drug Abatement Act.

The DART detective will hand-deliver notice of this hearing to the owner(s). Other attendees will include the City Attorney, DART detective, DART member from the Neighborhood Code Compliance Department, and police officers with first-hand knowledge of the drug problems on the property.

To prepare for this hearing the DART detectives will conduct a neighborhood survey of past and present criminal activities on the property. Although drug arrests on the property are a sufficient indicator of a public nuisance under the Drug Abatement Act, statements from neighbors provide further valuable evidence. Neighbors can also testify to the general reputation of a property or a business. This is a critical factor in determining whether a property

is a public nuisance.

(1) The DART detective should bring the following material to this hearing:

(a) Case file, which by this time would include:

- Criminal history of the property from ARJIS Net and the Drug File;
- Criminal histories of the persons arrested for drug activities on the property, other tenants and occupants, and the owners
- Calls for service at the property;
- Communications with the owner, including letters and records of phone conversations;
- Records of conversations with property managers and other contacted with regard to the drug problems on the property; and
- Photographs of the property showing interior and exterior conditions when the case was opened.

(b) Results of the neighborhood survey.

(c) Summary of past drug arrest on the property to give the owner. The time period for this record should go back to a year before the case was opened. Note that the record of convictions is not necessary for drug abatement proceedings.

(d) Records of compliance and non-compliance with suggested corrections of code violations, property improvements, tenant evictions, and other measures to stop drug activities on the property.

(e) Summary of DART activities regarding the property.

d. AFTER THE HEARING

After the hearing a letter summarizing the material presented to the owner and the City Attorney will send memorializing the agreement reached with the owner for abatement of the drug problems on the property to the owner. Notice of building and other code violations is sent separately. This letter will also suggest corrections and give deadlines for their completion. Copies of both of these letters are sent to the DART detective for the case file.

After this hearing the DART detective will continue to monitor and record criminal activities on the property and compliance with the agreement described above. If drug activities continue and the owner fails to comply with the terms of the agreement, the case will be turned over to the City Attorney to bring an action against the owner under the Drug Abatement Act.

F. COURT ACTION: THE LAST RESORT

After it is decided to file a drug abatement action, the DART detective will support the City Attorney by providing much of the evidentiary material needed to sustain the action. Some of this material will come directly from the case file. Some will be in the form of special reports and declarations. And some will require continued monitoring of the property and new investigations. All this support should be prepared and provided in close conjunction with the City Attorney to ensure its sufficiency and admissibility.

1. POLICE OFFICER DECLARATIONS

Police officers who have substantial experience and personal knowledge of the drug and other criminal activities on the property and who have made drug arrests on the property need to be identified and asked to prepare declarations about their expertise in dealing with drug activities and their specific activities regarding drug activities on the property.

IV. AFTER ABATEMENT

After the end of the drug abatement process, the property will either be in good enough condition to provide a reasonably safe and healthy environment for its occupants, or it will be in such bad condition to be unusable. In the latter situation the property would be vacated, boarded, and secured to prevent further deterioration and drug activities. However, it would remain an eyesore and blight on the neighborhood.

If the property changes ownership, DART would continue to monitor it for drug activities, especially if the abatement included an injunction against drug activities on the property, which would run with the property and apply to the new owners.

V. PURGING OF DART CASES

Dart cases will be purged three years after closure. If the City has a lien on the property or has taken the property through eminent domain, the case shall be kept indefinitely. Other cases may be kept longer if deemed necessary.

VI. POLICE DEPARTMENT SUPERVISION

DART is assigned to Narcotics Section, Investigations I. The chain of command consists of one Captain, one Lieutenant, a Sergeant, and one Detective.

VII. QUARTERLY POLICE DEPARTMENT REPORTING

The DART supervisor will prepare a quarterly report detailing DART activities.