



# DCG Research Study: Reducing Crime and Calls for Service through Nuisance Abatement

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**A nuisance abatement law is a local ordinance holding property owners civilly liable to the city for excessive criminal law or health code violations that occur on their premises.** Under most of these ordinances, property owners can be assessed fees or fines in civil court to reimburse the city for excessive use of public safety services due to physical conditions and repeated human behaviors found at their properties. **The logic behind such an ordinance is the deterrence of conditions that contribute to repeat crimes and calls for police services that disproportionately consume city resources.**<sup>1</sup>

**In 2008, such an ordinance was passed by the city council in Lakewood, Ohio, a suburb in the Cleveland Metro Area.** Several years after its successful implementation, some objections began to be raised about the ordinance. Some of the objections came from nuisance property owners, especially absentee landlords, who were reluctant to make the improvements necessary to reduce crime and disorder at their properties. Some objections also came from a group of social work professors from a metro area university who teamed up with the American Civil Liberties Union (ACLU) in an effort to stamp out all nuisance abatement ordinances in the Cleveland Metro Area. This team, using a handful of anecdotal examples, was arguing that nuisance abatement ordinances unfairly punished victims of domestic violence, mentally ill individuals, poor persons, and racial minorities. This opposition also coincided with the national wave of anti-police protests and media stories during 2014 through 2016.

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<sup>1</sup> Madensen, T. & Eck, J. E. (2012). Crime places and place management. In F. T. Cullen and P. Wilcox (Eds.). *The Oxford Handbook of Criminological Theory*. Oxford, UK: Oxford University Press.

**In response to this growing opposition, the Lakewood Police Department requested an evaluation of the impact the Lakewood nuisance ordinance had on the community. A Dolan Consulting Group researcher examined the impact on crime and calls for service the ordinance had on the first 150 addresses to which the ordinance had been applied.**

### **How Nuisance Ordinances Work**

**Extensive social scientific research has revealed that crime and disorder tend to concentrate at specific geographic locations known as “hot spots.” Hot spot locations tend to attract individuals currently motivated to commit crimes or to act in a disorderly manner.** For example, taverns or dance clubs are far more likely to be crime hot spots than are churches and nursing homes. Apartment residents who are permitted to hold large parties, play music loudly, harbor prostitution, or sell drugs are more likely to experience disturbances of the peace due to disputes between customers, guests, or neighbors. In addition to attracting potentially troublesome individuals, hot spot locations are also more likely to provide suitable targets for these offenders. Suitable targets include people who are more easily victimized (children, the elderly, the mentally ill, the poor, people who are intoxicated, etc.) or things one can easily steal or destroy.<sup>2</sup>

Crime only occurs, however, when these potential offenders and suitable targets meet in time and space at a specific location. If that location lacks sufficient protective measures to discourage the offender and provide the targets some protection, a crime is likely to occur. If a tavern, for example, uses advertising to attract young men to watch a boxing match on their big-screen television, allows the bar to become very crowded, permits betting on the fight to occur, has no security presence, and encourages excessive drinking, it is likely to have to call the police for fights and arguments.<sup>3</sup>

The research has also revealed that place managers, such as apartment landlords or bar owners, make important decisions regarding the physical conditions of the address, permissible conduct tolerated at the address, access to the address, and presence of certain illegal or troublesome products (such as drugs, alcohol, or weapons) at the address. When these place managers choose

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<sup>2</sup> Braga, A. A., Papachristos, A. V., & Hureau, D. M. (2010). The concentration and stability of gun violence at micro places in Boston, 1980-2008. *Journal of Quantitative Criminology*, 26(1), 33-53; Hollis, M., Felson, M., & Welsh, B. (2013). The capable guardian in routine activities theory: a theoretical and conceptual reappraisal. *Crime Prevention and Community Safety*, 15(1), 65-79; Keuschnigg, M., & Wolbring, T. (2015). Disorder, social capital, and norm violation: three field experiments on the broken windows thesis. *Rationality and Society*, 27(1), 1-28; Kurtz, E. M., Koons, B. A., & Taylor, R. B. (1998). Land use, physical deterioration, resident-based control, and calls for service on urban street blocks. *Justice Quarterly* 15(1), 121-49; Raleigh, E., & Galster, G. (2015). Neighborhood disinvestment, abandonment, and crime dynamics. *Journal of Urban Affairs*, 37(4), 367-396; Sherman, L. W. (1995). Hot spots of crime and criminal careers of places. In J. Eck & D. Weisburd (Eds.). *Crime and Place* (pp. 35-52). Washington, DC: Police Executive Research Forum; Sherman, L. W., Gartin, P. R., & Brueger, M. E. (1989). Hot spots of predatory crime: routine activities and the criminology of place. *Criminology*, 27(1), 27-56.

<sup>3</sup> Ibid.

to neglect basic community standards and business practices that facilitate safety and orderliness at their addresses, these addresses tend to invite criminal and disorderly behavior.<sup>4</sup>

**Nuisance ordinances seek to incentivize property owners to maintain their properties appropriately. A 1994 study of a nuisance abatement ordinance in San Diego, California revealed that it reduced reported crimes at drug-dealing nuisance addresses by 35%. A 2015 study of a nuisance abatement ordinance in Anchorage, Alaska revealed that it reduced police calls for service by 24%, and another study of a nuisance abatement ordinance in Green Bay, Wisconsin revealed that it reduced police calls for service by 28%.**<sup>5</sup>

### **Evaluating the Lakewood Ordinance**

The Lakewood ordinance allowed the city attorney to fine property owners if their properties were declared a public nuisance for either of two reasons. One way an address could be declared a nuisance was through excessive calls for police services, or the commission of felonies on the premises. An address could also be declared a nuisance if it had numerous health and safety code violations, such as uncut grass, excessive trash, broken windows, or abandoned vehicles—regardless of calls for police services. As these two ways of becoming a nuisance have different mechanisms, these two types of nuisances were examined separately.

**The first 100 addresses that the City of Lakewood designated as nuisances due to excessive police call activity were examined. These addresses consisted of mostly taverns, apartment buildings, and rental houses.** For each of these addresses, we examined the number of police, fire, and EMS calls to the address for a period of 12 months before the property was assessed a nuisance, and 12 months after the nuisance designation was applied.

After nuisance notification was made to the property owners of these 100 Lakewood addresses, 95% of the addresses experienced a decline in police calls for service over the following 12 months. Calls for fire / EMS services also declined at 41% of the addresses. **All totaled, crime-related calls at these 100 addresses declined by 77% after being designated a nuisance, and disorder-related calls fell by 61%.**

Declaring an address a nuisance for only health code violations without an excessive number of crimes or calls for service was far less common, so the researchers only examined the first 50 addresses where the ordinance was applied for this reason. Despite these 50 addresses having far fewer calls for service to begin with, calls for police services at these locations still fell by 23% after notification. Crime-related calls fell by 56% and disturbance calls fell by 36%. Rates of fire and EMS calls did not change.

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<sup>4</sup> Ibid.

<sup>5</sup> Eck, J. E., & Wartell, J. (1998). Improving the management of rental properties with drug problems: a randomized experiment. *Crime Prevention Studies*, 9, 161-185. Payne, T. C. (2015). Reducing excessive police incidents: Do notices to owners work? *Security Journal*, 2015, 1-17.

**Citywide crimes and calls for service were then examined for 7 years before the ordinance was adopted and 7 years after its adoption. After controlling for crime rate and population changes experienced across the Cleveland Metro Area, it was revealed that the period after the ordinance was adopted saw an 8% reduction in calls for police services (about 196 fewer calls per month) that was not explained by metro area crime or population shift trends. Furthermore, the period after the ordinance went into effect saw declines of 9% for aggravated assault, 20% for theft, 27% for burglary, and 57% for auto theft and thefts from autos beyond the metro-wide changes in crime.**

Notwithstanding the concerns raised by landlords, the ACLU, and the social work professors from outside of the community, negative social consequences were not revealed in Lakewood. In the first eight years of its existence, the ordinance had been applied to less than 1% of the buildings within the city. **In 65% of the properties declared nuisances, the property owners quickly responded to the designation by improving the conditions at the address to the point that the city was satisfied no financial penalties needed to be assessed.** The significant reductions in crimes and disturbances also improved the safety and quality of life of those who lived or worked in and around these nuisance addresses.

Analysis of residential properties that had been declared nuisances revealed that, after receiving notification, the landlords at these addresses oftentimes *did* evict tenants contributing to the crimes and disturbances. However, the behaviors that generally resulted in eviction were serious, such as violent crimes, drug dealing, and prostitution. Persons evicted had lengthy criminal records and no evidence was revealed to suggest that individuals not engaged in crimes, such as innocent victims of domestic violence, were evicted in the 100 addresses examined. In fact, not wanting to repeat the same problems with new tenants, the landlords appeared to replace the younger, problem tenants with new elderly or disabled tenants that were less likely to create trouble, but were more in need of medical care and other public safety assistance. An unintended benefit of the ordinance, therefore, appeared to be that it increased access to affordable safe housing options for the elderly or disabled. As these properties became safer with the eviction of people who engaged in criminal and other antisocial behaviors, these apartments became more hospitable locations for the elderly and disabled to reside.

### **Conclusion**

**Three conclusions can be drawn from this information. First, just as the previous research in Alaska, California, and Wisconsin had revealed, the totality of the evidence in Lakewood, Ohio indicated that the ordinance was successful at significantly reducing crime and disorder at specific addresses and citywide. It did so without simply displacing crime and disorder to other parts of the city, as crime and calls went down citywide.**

**Second, it improved the lives of all the inhabitants of the community, rather than harming them.** It improved the quality of life for the residents nearby the nuisance properties, and across the city. It saved the city thousands of tax dollars annually in police services provided at nuisance addresses. It increased safe and affordable housing options for the elderly and disabled to reside within the city.

**Finally, it revealed that municipalities and law enforcement agencies can rely on sound scientific research to select evidence-based solutions to the problems they face, and to defend themselves from baseless allegations or accusations based on anecdotes.**

**More law enforcement agencies should feel confident in standing up for their policies and practices that are evidence-based, and rely on scientific research to refute unsubstantiated claims made by persons or groups with a political agenda based on anecdotes rather than evidence-based statistical analysis.**

## **References**