

Eken Neighborhood Problem Solving Initiative

Background: In May of this year the North Police District started to receive reports and concerns from patrol officers and citizens that live and work in the Eken Neighborhood that there were an increase in drug deal/usage and alcohol driven issues. District staff made each of these concerns into a problem solving initiative. This report will focus on the initiative that deals with the alcohol driven issues.

Analysis: North District staff reviewed citizen complaints, calls for service, and staff observations, which told us that alcohol driven issues are having a negative impact on the neighborhood and placing an increased burden on city services. The proximity of the two liquor stores, products sold, easy access to public transportation, and a lack of formal or informal oversight has combined to create an atmosphere which promotes chronic, open consumption of alcohol, disturbances, loitering/trespassing and other public disorder. In reviewing the data it appeared that one of the factors of this problem was the cheap alcohol being sold at the two liquor stores in the area. North staff reviewed the liquor store's licenses of stores that were listed in the Madison phone book and had a Madison address. The stores in **bold** have the condition that prohibits single serve products to be sold:

Store	Address	District
Alpine	6420 Cottage Grove Rd	3
Cork and Bottle	855 E Johnson St	2
Harley's	3838 Atwood Ave	15
Mahen's	4276 East Towne Blvd	17
Miller's	2401 University Ave	5
Packer	3506 Packers Ave	12
Party Port	2901 University Ave	5
Sadhana	41 S. Basset	4
Spot	4521 Cottage Grove Rd	16
Regent	916 Regent St	8
Star	1209 Williamson St	6
Steve's	122 Junction Rd	9
University	525 University Ave	4
Vineyard	626 University	4
Zimmer's	4217 W Beltline Hwy	10
Rocky's	4429 Milwaukee	3
7 Eleven	University/Regent	5/13
Riley's	W Gorham/State	6/4
Madison Bzr	1901 S Park St	14
West Badger	714 W Badger Rd	14
Trixie	2929 E Washington Ave	6
Bottle Stop	2734 E Washington Ave	12

The other option North staff reviewed was the State Street & Capitol Area Collective Community Ban that was developed in the Central Police District. See Attachment A.

Response: For a number of reasons the North Police District decided to set-up a ban list system for the area. We called it the "East Washington Area Collective Community Ban", see attachment B for the description and paperwork of program. The first step of the program was to meet with the owners of the two liquor stores. The owners voluntarily agreed to limit access to the alcohol products most abused by chronic drinkers, stop given out single sleeve bags for single beers and stop selling individual cups. The two stores agreed to participate in the ban list program with other businesses in the area like Taco Bell, KFC, Ella's Deli, Walgreen's, McDonald's, Little Caesar's, Papa John's, Cricket Wireless, National Quick Cash, Malt House Tavern, PLS Check Cashers, People's Bakery, Consumer's Insurance, and Cost Cutter's. As of this writing, there are five (5) individuals on the ban list.

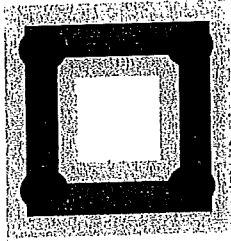
Discussion items:

1. Pros and Cons of ban list project.
2. Conditions for licenses
3. Future considerations

Answers to other ALRC questions:

Copps and Woodman's both sell single serve products, but are not having the same problems that this area is dealing with.

September 26, 2012



State Street & Capitol Square Area Collective Community Ban

PROGRAM DESCRIPTION

What is it? A new safety program to help police and central downtown business and property owners work together to deal with repeat offenders. The program is an agreement between Madison's Central Business Improvement District (BID), Downtown Madison, Inc., the Greater State Street Business Association, and the Eyes on the Isthmus neighborhood safety initiative. It is coordinated through the Madison Police Department. The program has been reviewed by the Madison City Attorney's Office, and is endorsed by Mayor Soglin and Alder Verveer.

Why? From retail theft to disturbance or trespassing, repeat offenders in the State St. and Capitol Square areas are a problem for merchants, property owners, and the police. Most businesses that have an encounter with a repeat offender ban that person from their property. But offenders typically do not limit their behavior to one location or incident. This program is a tool to deter repeat offenders from frequenting State Street and Capitol Square area businesses and properties, decrease offenses and increase safety.

Overview: Business and property owners who participate in the program agree that an issue for one is an issue for all. A person banned from one of the participating businesses or properties is banned from all other participating businesses and properties as well. The concept is similar to many shopping mall policies: a person banned from any one store (e.g., because of retail theft) is banned from the entire mall.

Police already keep track of repeat offenders and people who are banned from specific businesses and properties. This program additionally empowers police to remove repeat offenders from a collective group of business and properties. Repeat offenders who violate the ban also can be additionally penalized for trespassing.

Who is subject to this ban? This ban is based only on the behavior of the subject and is triggered by arrest. Anyone who is arrested for an offense that occurs on private property can be subject to this ban. Offenses can include, but are not limited to, retail theft, disorderly conduct, battery, depositing human waste, trespassing, theft, burglary and weapons violations. Any criminal charge and violation of most city ordinances can result in application of this ban.

How long is the ban? One year. If a banned person violates the conditions by trespass or committing another offense, the one year "clock" starts again from the time of their most recent offense. Thus, repeat offenders will create an ongoing ban for themselves.



Madison Central BID



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State Street
Greater State Street Business Association



September 26, 2012

How does it work?

Each participating property and business will have a letter on file with MPD stating that they choose to participate in the program, and authorizing MPD officers to arrest based on the ban and prior notification to the offender.

Officers can act upon observation of the banned person, or upon request by the business or property owner.

At the time of arrest, the subject is provided with notification of the businesses and properties that participate (and from which they are banned), the length of the ban, and the consequences for violation of the ban. Violation will result in arrest for Unlawful Trespass after Notification, with the disposition at arrest in accordance with normal processing.

Businesses and properties that participate do so voluntarily, and can stop participation at any time. They can also choose to allow a banned person into their property on an individual basis. The originating business can rescind the ban, which will remove the banned person from the entire ban (but that person could potentially be banned again by another participating property or business with another arrest).

The State St. / Capitol Square Neighborhood Police Officer will coordinate this program, and will make the Ban List, notification forms, and other resources available to participating businesses and properties. The ban list will include the specifics about the ban including location originating the ban, the end date of the ban, and a photograph of the banned person, when available. The Collective Community Ban List is in addition to the ban list for conditions of bail and Probation and Parole conditions.

Who can participate? The area included in this program is the current State St. Ban Area, as used by the Dane County Circuit Court with Bail Conditions, plus the area served by the Madison's Central Business Improvement District (BID). Any property owner, merchant or other business within these areas can join the program.

Cost to participate: None

How do I sign up? Complete and sign the attached form, and return to:

PO Jeff Pharo

Neighborhood Officer, State Street/Capitol Square

Madison Police Department-Central District

211 S. Carroll St Madison, WI 53703

PHONE: (608) 576-7161 FAX: (608) 266-5955

jpharo@cityofmadison.com

Questions: Contact Officer Pharo, above.



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East Washington Business Corridor

Collective Community Ban PROGRAM DESCRIPTION

What is it? A new safety program to help police and East Washington / Johnson Street business and property owners work together to deal with repeat offenders. The participation area extends from East Washington at Milwaukee St to East Washington at Marquette St. The program depends on voluntary business and citizen participation and is coordinated through the Madison Police Department. The program has been reviewed by the Madison City Attorney's Office, and is endorsed by Mayor Soglin and Alders Marsha Rummel and Larry Palm.

Why? From retail theft to disturbance or trespassing, repeat offenders in the East Washington and East Johnson areas is an increasing problem for merchants, property owners, and the police. Currently, many businesses that have an encounter with a repeat offender will ban that person from their property. But offenders typically do not limit their behavior to one location or incident. This program is a tool to deter repeat offenders from East Washington and East Johnson area businesses and properties, decrease offenses and increase safety.

Overview: Business and property owners who choose to participate in this program agree that an issue for one is an issue for all. A person banned from one of the participating businesses or properties is banned from all other participating businesses and properties as well. The concept is similar to many shopping mall policies: a person banned from any one store (e.g., because of retail theft) is banned from the entire mall.

Police already keep track of repeat offenders and people who are banned from specific businesses and properties. This program additionally empowers police to remove repeat offenders from a collective group of business and properties. Repeat offenders who violate the ban also can be additionally penalized for trespassing.

Who is subject to this ban? This ban is based only on the behavior of the subject and is triggered by arrest. Anyone who is arrested for an offense that occurs on private property can be subject to this ban. Offenses can include, but are not limited to, retail theft, liquor law violations, disorderly conduct, battery, depositing human waste, trespassing, theft, burglary and weapons violations. Any criminal charge and violation of most city ordinances can result in application of this ban.

How long is the ban? One year. If a banned person violates the conditions by trespass or committing another offense, the one year "clock" starts again from the time of their most recent offense. Thus, repeat offenders will create an ongoing ban for themselves.

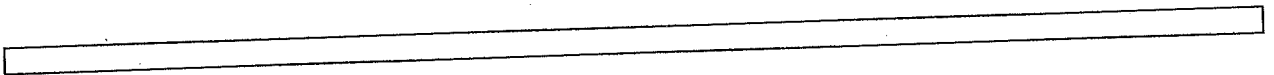
How does it work? Each participating property and business will have a letter on file with MPD stating that they choose to participate in the program, and authorizing MPD officers to arrest based on the ban and prior notification to the offender. Officers can act upon their own observation of the banned person, or upon request by the business or property owner. At the time of arrest, the subject is provided with notification of the businesses and properties that participate (and from which they are banned), the length of the ban, and the consequences for violation of the ban. Violation will result in arrest for Unlawful Trespass after Notification, with the disposition at arrest in accordance with normal processing. Businesses and properties that participate do so voluntarily, and can stop participation at any time. They can also choose to allow a banned person into their property on an individual basis. The originating business can rescind the ban, which will remove the banned person from the entire ban (but that person could potentially be banned again by another participating property or business with another arrest). The North District Community Policing Team will coordinate this program, and will make the ban list, notification forms, and other resources available to participating businesses and properties. The ban list will include the specifics about the ban including location originating the ban, the end date of the ban, and a photograph of the banned person, when available. The Collective Community Ban List is in addition to the ban list for conditions of bail and Probation and Parole conditions.

Who can participate? The target area includes commercial entities on East Washington Avenue from North/Milwaukee St to Marquette Street.

Cost to participate: None

How do I sign up? Complete and sign the attached form, and return to:
Community Policing Team
Madison Police North District
2033 Londonderry Drive
Madison, WI 53704

Questions? Contact Officer David Dexheimer
ddexheimer@cityofmadison.com





East Washington Business Corridor

East Washington Area Collective Community Ban Participation Agreement

I choose to participate in the Collective Community Ban. I have reviewed the program description, and agree to its terms. I agree that persons banned from partnering businesses and/or properties are banned from my business and/or property as well. I will display a Collective Community Ban "Participating Location" decal on my premises. I authorize officers from the Madison Police Department to act on my behalf in situations where persons who are banned from my business and/or property under the East Washington Area Collective Community Ban are found on the premises of my business and/or property.

I request that these persons be arrested for trespassing. I will participate in the complaint process and assist in their prosecution. This is in accordance with the provisions of Section 23.07(2), Madison General Ordinances.

Name of Business/Property: _____

Address: _____

Business Phone: _____

Alternate Phone: _____

E-mail: _____

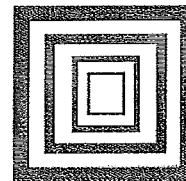
Signature of Owner/Agent: _____

Print Name: _____

If Agent, List Owner's Name: _____

Date: _____

Please submit this form to:
Madison Police North District
2033 Londonderry Drive
Madison, WI 53704
ddexheimer@cityofmadison.com



Collective Community Ban
Participating Location



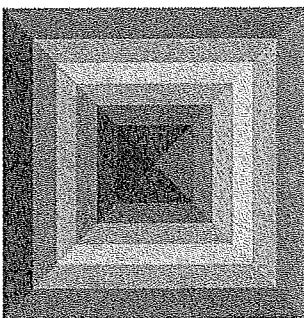
*East Washington
Business Corridor*

East Washington Area Collective Community Ban

Notification of Ban

Sec. 23.07(2), Madison General Ordinances, makes it unlawful for any person to enter or remain on any property of another or to enter or remain in any building of another after having been notified by the owner or occupant not to enter or remain on such premises. Any violator is subject to a penalty of not less than \$50 nor more than \$500 plus costs.

This letter serves as notification to you that you are banned from any property that displays the symbol below. If you enter any premise that displays this symbol, you will be arrested for Unlawful Trespass. This ban is in place for a one year period from the date of this notice, and is in addition to any ban placed by the originating property.



**Collective Community Ban
Participating Location**

Case #: _____ Date: _____ Ban Expires: _____