

ADVISORY NEIGHBORHOOD COMMISSION 2F

Minutes of Regular Public Meeting

October 5, 2005, 7:00 PM

Washington Plaza Hotel, 10 Thomas Circle, NW

Submitted by: Chris Kohatsu, Executive Director, ANC2F

Present: **Chairman Charles Reed (2FO1), Jim Brandon (2F02), Chris Dyer (2F03), Bob Ellison (2F04), Sandra Biasillo (2F05), Mike Nelson (2F06)**

Absent: **None**

Community Forum

(Announcements and Reports)

Chairman Reed noted that a quorum was present, called the meeting to order at 7:00 PM and directed that a copy of the notice of the meeting be filed with the minutes. He indicated that the evening's meeting would be primarily devoted to issues of crime and community safety.

Commissioner Announcements

Reed announced that ANC2F's website (www.anc2f.org) has been revamped and released to the public. He hoped everyone present had a chance to visit the site.

Biasillo announced that she needs a volunteer for the CDC for 2F05.

Brandon announced that he lives in a high crime neighborhood that he spent hours working on a bashed out a window of his car.

Ellison announced that he, along with Cary Silverman and Sherri Kimble testified before Councilmember Mendehlson about the anti-prostitution vehicle bill.

He also announced that in a letter dated 9/30/05 from DDOT indicated that they are lifting the restrictions on 12th Street as proposed in September's meeting.

Dyer announced that he attended a breakfast about the state of D.C.'s emergency plan, and would like to refer people to the DC government website (www.dc.gov).

Nelson said that in reference to the anti-prostitution vehicle bill, he wanted to thank Lt. Smith for his help and the intentions of his input.

PSA 307 Report

Lt. Mike Smith – MPD PSA 307 – He began his report by recognizing **Chris Kohatsu** and **Jennifer Trock** for their help in the community. The audience applauded.

Crime is up 13%, but stolen autos are down 51%. Assault with a dangerous weapon is up by almost 800%. Day laborers are pulling knives on each other. Almost all cases are closed. (8 cases this month, 1 case last month). There were 6 burglaries this month, 18 last month.

1300 13th Street had five burglaries.

Robbery – remains the same – 13 this month, and 13 last month; mostly on 10th Street.

Operation Fight Back - was canceled without a defining reason. It was an agency wide initiative that focuses on a particular area; in this case, 9th Street from M through R Streets. **Reed** noted that a letter had been sent to Commander McCoy on this point.

Prostitution Bill – **Smith** worked with **Jack Evans** and the U.S. Attorney's office to implement mandatory minimums at the first, second, and third offense. Also there is an impoundment penalty on vehicles used, with a \$150 fine.

Citizen Involvement – **Smith** asked for increased citizen awareness of their surroundings and immediate reporting of suspicious persons or activities (for instance someone wearing a hooded sweatshirt covering their face on a hot day). Reports should be made to 911 and to Smith directly: 202-365-6454; PSA307@hotmail.com Also, citizens must be prepared to become “involved” when testimony or complaints are needed. **Nelson** asked what assurances the public has that their contact information will remain private. Smith answered that your name and number comes up on the dispatcher's screen. A dispatcher will only record the name and number when you agree to be a party to the situation. He went into Lewis checks (do you have a criminal past, and when they call you to the stand, they will verify your identity).

Reed mentioned he had received a call from the MPD regarding its Senior Citizen's Police Academy, a program in which seniors with extra time are trained and participate in activities that assist law enforcement, most especially volunteering from the Court watch program in which seniors visit trials for the purpose of demonstrating community interest and concern. **Smith** also mentioned that the Reserve Program was open to non-paid volunteers interested in serving on the police force.

Lisa Schrieber said that her new location of WagTime, was been broken into and gang tags (graffiti markers) had been made on her establishment. **Lt. Smith** said that he would look into the situation.

Reed announced certain neighborhood issues would be discussed tonight. Among them:

- Street prostitution (which was abated for a while) but is now resurgent.
- 15th & P Street day laborers (alcohol consumption, public urination, harassment of pedestrians)
- 1400 Block of R Street (disturbances, noise ordinances, loitering, littering, poor housing management)

- N Street Crime Problems (drug dealing, prostitution, littering, and loitering)
- Logan Circle Park (despite renovation, still has crime problems)

He also indicated that the format would be commentary from the audience, followed by a presentation from invited law enforcement and other officials, and, then, discussion by the Commission.

Helen Kramer stated that the drug dealers residing at the Tremont signed agreements to vacate the premises, but still reside there. **Smith** will investigate.

Gavin Kennedy – 1445 N Street (President of the Monterey Condo Association) said he has noticed drug transactions on their retaining wall. 311 was called and slow responses were observed. **Smith** said they need more detailed calls, including where the suspects are stashing the drugs, what are they wearing, what do they look like, and what are they handing over?

David Cleveland asked about Andre Butler’s outcome from Superior Court. Smith answered that an indictment was made, and preliminary hearing made, and Butler did not show. A bench warrant was sent to the trial judge, and no decision has been made to issue. Another trial for him is scheduled for tomorrow.

Kim Patterson said that her main concern is about homelessness. She said that the homeless are taking over and camping out on grounds that they are not welcome at. In Logan Circle Park, the water fountains seem to attract them. Popeye’s gives food out every night, and the homeless throw the bones on the street, where dogs choke on them, and rats chew on them. There was also mention of Jerry’s deli on 13th Street, doing the same. As to the homeless, **Smith** said there is no anti-loitering law in the District. The police seek “stay away” court orders, but obtaining are often a problem.

Edward Six complained that the sale of single portion liquor lends to the problem.

Nelson asked about Operation Fight Back’s cancellation, and Burke said he just found out about it.

Vicar Sara, Luther Place Memorial Church, discussed the homeless problems faced by the Church. While the police respond to complaints of vagrants sleeping on the Church grounds, as soon as the police leave, the vagrants return. The vagrants pose problems for the Church’s efforts to maintain its zero tolerance drug and alcohol policy problems in its women’s shelter which is located across the street.

The Vicar’s contact information is: www.vicarsarah@lutherplace.org. She and Pastor Bob Hollum need help. Smith answered he would look into the situation.

- 5 minute recess -

Business Meeting

Approval of Agenda – Kohatsu announced three modifications to the draft agenda circulated to the Commission: the removal of the 14th Street Arts Festival, the removal of a CDC item, and the addition of The Studio Theatre’s request for public display of seasonal banners. As amended, the agenda was unanimously adopted.

September Minutes – Draft minutes were presented to the Commission. Brandon moved approval of the September minutes as submitted; Dyer seconded.

VOTE: unanimous.

Public Crime and Safety Forum

Inspector Patrick Burke – Inspector Burke is newly assigned to 3D and acts as deputy to Commander McCoy. He gave a brief presentation. Burke said he would like to implement further use of the CORE team, because the issues that are being raised are multi-agency issues. The CORE team meets every Wednesday and he would like to use them to impact the quality of life issues we are experiencing. He will attempt to give Lt. Smith all the resources that he needs to help our PSA. He is extremely pleased with the officers at 3D. He said that every PSA is requesting more visible officers, foot patrols, and higher visibility. Contact info: Patrick.burke@dc.gov – 202-576-7447.

U.S. Attorney’s Office – Assistant U.S. Attorneys **Andy Lopez** and **Miriam Velloy** were present by invitation of the ANC. Both are members of the Community Prosecution Section for the Third Police District. Lopez gave an overview of the organization of community prosecution with the U.S. Attorney’s Office (USAO), which deals with the more serious crimes (petty crimes such as public urination, drinking, etc., are dealt with elsewhere). In 3D, the three major problems are robberies, burglaries, and theft from auto. The Section meets monthly with parallel offices for other MPD districts and the police agencies in order to coordinate on robbery cases, since these crimes are committed by individuals who cross district boundaries in multiple offenses.

As to the loitering complaints discussed earlier in the meeting, prosecutors, lacking an anti-loitering statute, seek to obtain “Stay Away” orders from the courts mandating that a named individual stay away from a designated area. Such orders are processed each time an officer requests one. On arraignment for crimes, the USAG seeks to remand defendants to jail custody, but remand is an extraordinary step, requiring proof of statutory elements that the defendant is a flight risk, dangerous to the community, etc.

Lopez indicated that he places importance on interviews with suspects and informers, mentioning that over 90 fencing operations were recently through such conversations.

He also mentioned that the USAO is seeking to seek longer sentences on serial offenders. In this regard, condos and apartment buildings are high targets in our district for burglary.

Citizens must be careful not to permit entry in such buildings without proper id. A public awareness campaign on the problem and tips for citizens is being worked up by the USAO.

Theft from autos is the hardest case to solve. They conclude in less than a minute. Burglars want any kind of article they can remove from cars (bags, computers, athletic equipment) so that they can trade them in for drugs. The USAO is now charging thieves with felony destruction of property charges, and that carries a ten year offense.

Citizens are asked to continue letter writing campaigns to judges. He was impressed with the letters sent supporting that serial offender Andre Butler be held. He encourages more letter writing campaigns to all judges for all cases. He would like to have community associations host judges at their meetings so that judges can hear directly from the residents.

The nuisance properties project targets action for properties that routinely create or tolerate drug use on the problems. Further information may be found at www.usdoj.gov/usao/dc/Community_Prosecution/Nuisance_Property/index.html, for the USAO to become involved. The USAO contacts property owners if they house problem tenants. They are currently gathering information on the 1400 block of R street housing developments. Lopez asked that he or Lt. Smith be notified of any drug nuisance property. Luis.lopez2@usdoj.gov. 202-305-9694.

Sean Metcalf – representing Councilmember Evans, reported the status of pending prostitution legislation. 15 days needed to finish the period with one more hearing where the council will mark up what they did on the 11th, and we are looking at a December timeline for completion. The public defenders office strongly objects to this legislation.

Reed asked about pending legislation to add 1,600 more officers. Metcalf said that he did not know about this. He did meet with Chief Ramsey and was assured that our district would receive additional officers. Foot and bike patrols, along with Segway patrols, are to be increased.

1400 R Street is receiving additional patrols, along with flood lighting installations.

12th Street Repaving Restrictions have been lifted for a 30 day trial period starting today.

Lt. Phil Beck, U.S. Park Police, focused on Logan Circle. Two weeks ago a stabbing occurred there. No suspect has yet been captured, and Beck asked for increased community diligence. Calls from the community have an impact and should be a high priority, yet citizen calls from Logan Circle Park have declined. Lt. Beck left the following contact information: 202-619-7105. 202-426-6710.

Norberto Martinez, senior outreach specialist, Mayor's office of Latino Affairs, spoke on Latino crime issues, particularly the day laborers on 15th Street. He participates in the

CORE teams and would like to have someone assigned to this district to help the Latino community. His contact numbers are 202-478-1418 and 202-671-2825.

Dyer asked about websites that would allow for community prosecution. He was answered with: www.communityprosecution.gov. Anyone can get court reports through this site.

Nelson said he would like to commend the Park Police for their quick response to calls. He urged residents to continue to call.

Jackie Reed said that many parks are officially closed at night, and wondered if Logan Circle Park can be closed at night. Beck said that Superintendent Keys was asked that, but more people need to come forward to state that.

Reed stated that the ANC has sought to think constructively for ways to foster improvement in issues of crime and safety. The problems are many and intractable. Realizing that the statutory scheme in the District gives the ANC one important tool, which is access to agencies of government with responsibility and resources to deal with the problems. More manpower is needed as an arm of the ANC, however. Reed, therefore proposed the creation of a committee of other citizens to help. Reed moved, Dyer seconded and after further discussion the ANC adopted the following resolution:

RESOLVED, That ANC2F having concern over the increased problems relating to crime and public safety experienced within the community, and having determined that such problems require coordinated, persistent and dedicated effort on the part of the community represented by this Commission, does hereby establish a special committee in accordance with Article VIII of the Bylaws of the Commission, as follows:

1. Name: Special Committee on Crime and Public Safety (“CCPS”)
2. Purpose: To advise the Commission with respect to matters of crime and public safety which may affect the community, with a view of abating crime and increasing public safety.
3. Duration: The CCPS shall be established for a period of one year, but the Commission shall consider converting the Committee into a standing committee at or prior the end of the one year period.
4. Members: Members of the CCPS shall include one resident (“SMD members”) of each SMD comprising ANC2F, to be appointed by the commissioner for such SMD, and such other members as the Commission shall determine. SMD members shall sit at the pleasure of the commissioner appointing them, and other members shall sit at the pleasure of the Commission.

5. Reporting: During the existence of the CCPS, it shall present a report to the Commission at each regular public meeting of the Commission.
6. Functioning: The CCPS may hold both public and private meetings, except that at least one public meeting shall be held every two months. The CCPS may establish such subcommittees as it deems proper. The CCPS is authorized and directed to consider as broad a scope of inquiry and activity as it deems appropriate to seek achieve its stated purpose. It may, without limitation, consider problems of street prostitution, drug trafficking, property crimes, public loitering, graffiti, and all other crimes defined as such under the laws of the District of Columbia. It shall suggest such coordination as it deems appropriate with law enforcement agencies, including the Metropolitan Police Department, the U.S. Attorney's Office, and the Courts, and other agencies and instrumentalities of government whose cooperation would assist in reducing crime and increasing public safety, such as the Mayor's Office, the DC Council, and others. It shall also cooperate with other community organizations, such as the Logan Circle Community Association and other civic or community groups, and churches. It shall undertake such programs and other activities, as it deems appropriate after consultation with the Commission.
7. Officers: Michael Sheaffer is hereby appointed Chairman of the CCPS to serve until his replacement is appointed by the Commission and qualified. The Commission may appoint a co-chair who is a resident in the Commissions boundaries with the view that such co-chair may be representative of other community groups. The CCPS may elect such other officers as it deems appropriate.
8. Ex Officio Members: Every ANC2F Commissioner shall be entitled to attend meetings of the CCPS, and to be considered ex officio members.
9. PAC Representative: The CCPS shall appoint one or more of its members to attend Third District Police Citizen's Advisory Committee.
10. Other duties: The CCPS shall assume such other responsibilities and take such other actions as the Commission may from time to time direct.

VOTE: unanimous.

Public Safety and Housing Matters

Berk Osler, from the 1400 block of Church Street, asked for help in dealing with construction work surrounding his residence, and wishes to engage the developer in an agreement similar to that which Metropole entered into with respect to its projects on Church, which will provide some assurance that his quiet enjoyment will be preserved during the construction period. Reed, Commissioner for the SMD in question, offered his good offices to assist in a reasonable solution.

Public Space, Street Closings, Traffic and Parking Matters

HR-57 Update

Reed stated that at the last meeting illegal construction was noted as occurring. He contacted the city to inspect the property. No report had been received by the time of the meeting. The issue is one that affects the adjacent property which is under contract by the owners of Nora's restaurant. They wish to open a restaurant on the site, but closing is delayed pending resolution of the question. For Nora's it is an issue of safety as to the adjacent construction.

Liquor License Matters

Veranda Update – 1100 P Street NW

Mary Brown said that the ABC held a roll call hearing for Veranda. Three groups filed in protest against the establishment. Mary's group was recognized as a protesting group. Pegasus group filed as a condominium association, and the association could not be an abutting landowner. Pegasus is attempting to amend their protest. While it appears that the ANC cautionary protest authorized in the last meeting may not have been filed in time, the ANC will be permitted to speak to the issues and be a party to the Voluntary Agreement.

Brown said a draft voluntary agreement has been sent over to the applicant on Tuesday evening. It may be wrapped up in a matter of a couple of weeks.

Status hearing scheduled for November 16, 2005 at 10 AM.

Vegetate Update

Nelson spoke with the applicant who recently visited the Mayor's office. Delaney has forced them to re-placard, on a roll call hearing on November 30, ABRA will determine whether or not the protests are valid. The owners of Vegetate have sought to negotiate with the church, but have received no reply.

CDC Report

HPRB Compliance with 1-309

Dyer said that HPRB made a mistake on 900 Massachusetts Avenue. They did not give notice correctly to this ANC. Dyer was informed that if this ever happens, we can request a postponement in order for the ANC to take time to consider.

Consent Calendar

936 N Street – **Christine Roddy, Esq.**, appeared on behalf of the owners of the building. Dyer moved for recommendation to BZA of the variance requested by the developers of this project. Nelson seconded. After further discussion, the following resolution was adopted:

RESOLVED: That ANC2F determines that the applicant has demonstrated to this Commission that undue hardship will result to the owner if the requested variance is not approved; and ANC2F further determines that applicant has met the requirements under D.C. Code § 6-641.07(g)(3)(2001) and Title 11 District of Columbia Municipal Regulations §773 for the grant of a variance, and it is,

FURTHER RESOLVED, That the Commission recommend to the Board of Zoning Adjustment (BZA) that the application for variance currently pending before it with respect to this project be approved; and it is

FURTHER RESOLVED, That the appropriate officers of the Commission be and are hereby authorized and directed to effectuate the foregoing resolutions.

VOTE: unanimous.

Email Distribution – tabled for next meeting.

Treasurer's Report – **Biasillo** moved for approval of the following expenditures:

- \$ 700.00 – Chris Kohatsu (September wages)
- \$ 5.50 – D.C. Treasurer (Kohatsu withholding)
- \$ 59.84 – Verizon (September utility bill)

Reed seconded.

VOTE: unanimous.

The Studio Theatre

Morey Epstein stated that The Studio Theatre uses street pole banners announcing their season. He requested that the ANC recommend to DDOT approval of their display. Dyer moved, Ellison seconded, and after further discussion, it was,

RESOLVED, That the Commission, finding that the proposed use of the public space by Studio Theater for street pole banners would promote the arts, would not unduly and adversely impact the esthetics of 14th Street, hereby advises the District of Columbia Department of Transportation Public Space Committee to grant the pending application of Studio Theater for a public space permit, but such approval should not be considered permanent, and the Commission reserves the right to review the matter in one year, and it is,

FURTHER RESOLVED, That the appropriate officers of this Commission be and are hereby authorized and directed to communicate the foregoing advice to the District of Columbia Department of Transportation Public Space Committee.

VOTE: Unanimous (6-0).

There being no further business, the meeting duly adjourned at 9:47 PM.