

Violence Reduction Forum for Commercial Establishments



Winston-Salem Police Department

Developed and Presented
by

The Winston-Salem Police
Department

The Problems

- Some people commit criminal acts after drinking too much which negatively effects the establishment.
- Intoxicated persons endanger you and innocent citizens.
- Acts of crime without consequences condone the behavior.
- Some bar owners are afraid to call police for fear of an abatement action.
- WSPD's job is to protect life and property, and without your help, we can't do that.

A Solution

Winston-Salem Police Department's Violence Reduction Program, designed to curb crime, will help you address crime in your establishment and avoid possible abatement actions.

Violence Reduction Protocol Objective

- Reduce violence occurring at
Nightlife Businesses and/or
Nightlife Entertainment Events

Who is the target?

- Criminals who by their conduct disrupt the safety of patrons, citizens or business employees or negatively affect the profitability of nightlife businesses or nightlife entertainment events.

Topics of Discussion

- Implement a unified response.
- Target criminal behavior with zero tolerance.
- Discuss relevant criminal statutes.
- Educate police, business employees and security personnel on statutes and action plan.
- Prompt notification to Law Enforcement.
- Utilize citations and physical arrests to curb criminal behavior.
- Magistrate's Office Process
- Court responsibility.
- Sharing information.

Unified Response

- Goal: All nightlife businesses participate.
- Short term effect: increased police calls and police presence.
- Long term effect: decrease in criminal behavior at all nightlife businesses in city.
- If no unified response, result will be dealing with “hot spots”, which is bad for your business.

Method: Target Criminal Behavior

- Zero Tolerance Across Board
- Nightlife operators:
 - Call police at first signs of criminal behavior.
 - Tell patrons yours is zero tolerance establishment.
 - Commit to prosecute.
- Police:
 - Must write report and must take enforcement action.
 - Follow through on criminal charges.
 - Notify participants of problem patrons.
 - Offer training and assistance to nightlife operations and training to magistrates.
- DA's office:
 - Commitment to prosecute.

Zero Tolerance Common Statutes

- **G.S. 14-33: Simple Affray**

- a person engages in fighting in a public place to the terror of the citizens.

Scenario: Mark and Jim have an on-going dispute with each other. They meet at the corner bar by coincidence. After a brief argument, they both engage in a fist fight inside the establishment. Several patrons must scramble out of the way so as not to get struck during the altercation.

Zero Tolerance Common Statutes

- **G.S. 14-288.4 (a) (1): Disorderly Conduct By Fighting**
 - a person intentionally causes a public disturbance by fighting or other violent conduct creating an imminent threat of fighting or other violence.

Scenario: Courtney is angry with Amy for dancing with her boyfriend at the club. Courtney confronts Amy on the dance floor and both parties began arguing. Courtney and Amy shove each other before being separated.

Zero Tolerance Common Statutes

- **G.S. 14:159.13: Trespassing 2nd Degree**
 - a person enters or remains on a premises after being notified not to enter or remain there by the owner, or authorized person.

Zero Tolerance Common Statutes

- **G.S. 14-288.4 (a) (2): Disorderly Conduct by Abusive Language Provoking Retaliation**
 - a person intentionally causes a public disturbance by making or using any utterance, gesture, display or abusive language that is intended to and is plainly likely to provoke violent retaliation and thereby cause a breach of the peace.

Scenario: Ben becomes angry that Andy beat him at a game of darts. Ben makes several insulting remarks, curses at Andy and makes gestures antagonizing Andy to fight.

Zero Tolerance Common Statutes

- **G.S. 14-444 Intoxicated and Disruptive in public**

- it is unlawful for a person in a public place to be intoxicated and disruptive by blocking or otherwise interfering with traffic on a highway or public vehicular area or blocking or lying across or otherwise preventing or interfering with access or passage across a sidewalk or entrance to a building or grabbing, shoving, pushing or fighting others or challenging others to fight or cursing or shouting at or otherwise rudely insulting others.

Scenario: Greg arrives at a bar obviously intoxicated. The bouncer refuses to allow him entrance. Greg curses the bouncer and refuses to move from in front of the door until allowed entry.

Zero Tolerance Common Statutes

- **G.S. 14.288.5: Failure to Disperse on Command**
 - a person fails to comply with a command to disperse given in a manner reasonably calculated to be heard by those assembled, by a law enforcement officer or public official responsible for keeping the peace when the officer reasonably believes that a riot or disorderly conduct by three or more persons is occurring.
 - **Note:** following a command to disperse and after a reasonable time for dispersal has elapsed, it is prima facie evidence that the person remaining is willfully engaging in the riot or disorderly conduct. **Officers should differentiate between those that are unlawful and those trying to leave the area.

ACTION PLAN: Parking Lot Agreements

- Adequate Parking
- Agreement with Other Businesses
- Letter on File
- Agreement with Local Universities
- Agreement with Local Cab Companies
- Post signs regarding wrecker company information

In-House Security Information

- Security personnel should wear clothing clearly stating, "SECURITY" and be uniform in appearance
- Businesses should notify law enforcement if they have armed security personnel at their establishment
- BEST PRACTICE: Security personnel phone Police at the onset of trouble and avoid physical confrontation if at all possible.
- **Security personnel are bound by all laws just as the general public including firearm violations and assault!!!**

Security Strategies

- Adequate staffing for patrons and type of event
- Proper lighting on the exterior of the property
- Posted signs regarding Trespass as well as Safe Operation establishment
- Frequent employee checks of the outside and parking areas of the establishment
- Prompt notification of law enforcement for any crimes or imminence of a crime being committed
- Information exchange with Crime Prevention Unit as well as other nightlife establishments

ACTION PLAN: Incident Evaluation

- Initial spike in calls is anticipated at businesses that participate in the violence reduction/zero tolerance protocol.
- Attention to detail – (Security Strategies)
- Modify plan – (Work-in-progress partnership)

Prompt Notification to Law Enforcement

- When?

WHENEVER

CRIMINAL

BEHAVIOR

OCCURS

Police Options

- Arrests: Police action which removes the problem from your establishment.
 - May require business owner/operator's assistance at magistrate's office.
- Citations for individuals who have caused problems but either are:
 - a) willing and able to leave the business peacefully or
 - b) not subject to arrest under the circumstances

Magistrate's Office Process

- Officer will accompany any employee that is seeking prosecution before the Magistrate.
- The employee witnessing the criminal incident will provide his/her account to the Magistrate.
- Magistrate will determine if the matter will go to court and the employee will be provided a court date.
- Time spent at the Magistrate's Office varies depending upon the number of Magistrates working and how busy the Magistrate's Office is at that time

Court Responsibility

- WSPD can't do this alone.
- Business owners/operators must assist as witnesses and come to court.
- Strive to make this as convenient as possible for the business owner/operator.

Sharing Information

- Crime Prevention Unit E-mail Notifications
- Record keeping of call response maintained in Crime Prevention Unit.
- Arrest & Trespass Log kept at business for employee reference or resource
- Notifications of arrest to Local Universities

Police Department Contacts

- Crime Prevention Unit – Officer A. McKaughan - 773-7935
- Sgt. L. T. Peterson – Violence Reduction Liaison – 727-2177
- Non-Emergency – 773-7700

Written Acknowledgment of Protocol Participation

I agree that I, as the _____ for the following nightlife business or nightlife entertainment promoter _____ understand the above violence reduction protocol and any future amendments to it. I agree to comply with this protocol.

Signature _____ Date: _____

The _____ has successfully completed this violence reduction protocol forum.