



SUMMARY

The Alice Ferguson Foundation's Potomac Watershed Trash Summit

March 16, 2006

At: The World Bank • Washington, DC

Summary of Next Steps for the Region (Group Action Planning Wrap-Up Session/Reports from Panel Sessions)

► Enforcement of Trash Crimes

1. Establish a central call number within each jurisdiction for people to report trash crimes, concerns, and questions.
2. Establish a 1-800-NOTRASH number to report trash offending trucks. (Windblown trash from the trucking and hauling industry is a large part of the problem in some communities.)
3. Set up rewards and incentives for reporters of illegal dumping.
4. Use neighborhood watch activities (not enforcement officers) to monitor and deter illegal trash activity. Neighborhood watch participants can testify and aid in increasing prosecution and conviction of criminals.
5. Jurisdictions need to work together and collaborate.

Detailed Panel Session Notes

Enforcement of Trash Crimes

"Law without enforcement is only good advice." – Abraham Lincoln

Synopsis: One of the most effective ways to deter illegal dumping and other trash crimes is through enforcement. Hear how some local, state and federal authorities are working toward a solution. Discuss creative ways for the Potomac Watershed to collaborate among its jurisdictions and enforcement agencies and identify strategies for prevention, deterrents, and reward systems.

Facilitator: *Verna Clayborne, Chief of Solid Waste Education and Enforcement Program, Department of Public Works, DC Government*

Panel Members:

- Detective Jon Crichfield, National Park Service, United States Park Police
- Sgt. Louie White, Environmental Crimes Unit Supervisor, District of Columbia
- Carl Ruleman, Environmental Crimes Inspector, District of Columbia
- James T. Morgan, Legal Counsel & Resource Management Division,

EPA Office of Criminal Enforcement, Forensics and Training

- Frank Young, Facility Manager of National Capital Parks East, National Park Service
- Benny Goodman, Facility Manager of Rock Creek Park, National Park Service

► **“Who You Gonna Call?” About Environmental Crimes?**

For any kind of crime in the District of Columbia, you can call 911 and have police dispatched. Particularly, you should call the DC Fire Hazmat Agency for spills. • The Park Police have a similar jurisdiction as the DC police, but it spreads out into other states. • Contact your local police first. • Time is of the essence—you must hurry to report a trash crime. • In the National Park Service, call the Park Police dispatch office: 202-619-7105. The number gets a lot of calls—they usually call the Park Police directly, or might have the individual call. • The DC hotline is 202-727-1000 • In Montgomery County, call 240-777-DUMP. • Call the locality – they will know how to call DC and the relevant agencies.

► **Who Do You Call? Summary:**

- Call center
- Local police
- 911 (crime in progress)
- Communications office
- National response center

There is an EPA website for reporting crimes:

www.epa.gov/compliance/complaints/index.html

(2 days' lag time can pass before action is taken on a report.)

In the District of Columbia, there is a Mayor's Call Center. Often citizens that call after the fact don't really know what an illegal dumping is (i.e. an environmental crime vs. dumping a bag of household trash somewhere). Many reports turn out to not be environmental crimes. 200 cases a week are investigated to determine if they are illegal dumpings, if not, they are turned over to the solid waste investigation unit. Call center operators have a script to recite to callers to determine the nature of a crime, but they don't always use it.

- *Recommendation: There should be a central place where people can report environmental crimes.*

Comments from audience: Citizens have trouble determining what kind of crime has taken place. 911 blows people off if it's not an emergency. Non-emergency dispatch is a bit more agreeable.

► **Littering Versus Illegal Dumping (i.e. solid, medical, hazardous, etc.)**

Sgt. White: Everything in DC *could* be considered an **illegal dumping**—from setting out a mattress to the dumping of tires.

- *What classifies as a dumping for officials to assist?*
A citizen has to be willing to call them and give a vehicle tag number. Dumpings are difficult to prosecute without traceable material. It is a true matter of citizens needing to be vigilant. Dumping could happen anytime---officials need to have citizen cooperation.

There are 30-40 “hot spots” for illegal dumping around the District. For instance, Anacostia Park gets a lot of dumping. The dumpers range from being “Mom and Pop” folks who dump stuff off their pickup trucks, to businesses that dump hundreds of tires. These illegal dumpings create rat harborages, debris, and other problems that are dangerous to the environment and the citizens of the affected communities.

Littering has been de-criminalized in the District of Columbia. Police officers can no longer hand out tickets for littering.

The majority of the trash on Route 95 blows off of garbage trucks. The Windblown Litter Campaign in truck transfer stations doesn’t really work (drivers start talking amongst themselves and non-covered trucks don’t go to the stations where the campaign is in place).

- *Recommendation: There needs to be a Law Enforcement Effort by and within the INDUSTRY to stop the windblown litter problems.*
- *Recommendation: People should call a 1-800 number to report trucks that are uncovered.*
Citizens need to report the violators so that the industry will pay attention to the issue and monitor the problem...we need to encourage citizens to phone in violators (i.e. “14 reports were made on truck 234”). We have signs along the road to report HOV violators– the same could be done to report trash violators! A universal 1-800 number for reporting crimes would need a jurisdictional memorandum of understanding.
- *Question: If there is no fiduciary deterrent to keep people honest about litter enforcement, will it get done?*
The Fairfax Police have a website where you can report license plates of trash violators. A regional effort would be a good idea to get people on same page, combine resources, and allow different jurisdictions to respond to reports. For an officer to enforce these crimes, the process should be as easy as possible for him to do it.

Comments: When there is a windy day, the contents of the curbside recycling bins blow everywhere. The Town/City 2006 and 2007 Budgets are already established in most places.

► **What Are the Deterrents Used in the Various Jurisdictions Against Trash Crimes and Illegal Dumping?**

The District of Columbia has an environmental crimes unit. • The Park Police use Maryland, DC, and Virginia fine schedules. • Maryland and Virginia use the Code of Federal Regulations, but DC has been ordered not to issue CFR tickets! • Maryland has

always had heavy enforcement towards litterbugs---\$250. • The DC City Council has just elevated the fines for littering from \$35 to \$75. Illegal dumping fines go from \$5 to \$25,000. • The Mayor of the City of Greenbelt mentioned that it's very difficult to equate fine levels to the crime. • The Maryland State Police have an environmental crimes unit, based in Baltimore (“they should've been on this panel”)---they DO respond and have been in Calvert County several times.

- *Would It Make Sense to Have the Same Fine Structure in Neighboring Jurisdictions?*
The same fine structure would ensure that throughout the region, the same infractions are assessed the same fines (this would need to be made mandatory). People who dump don't know and don't care about fines. They are treated with the revolving door in the court system. Opinion of one panel member:
Education is the key---there are insufficient resources to ever enforce the laws enough.
- *Should there be an illegal dumping bounty reward?*
Perhaps for areas that are far away from the big cities, a reward system needs to be established for reporting violators (in places that are too far away for police to respond).

► **Video Surveillance**

In Chicago, video surveillance cameras were used successfully in hot spot areas. Several panel members mentioned that this method is complicated, though. Video cameras are expensive, and areas in the “boonies” are hard to get to. The District of Columbia purchased “groundhog cameras”, which have proven to be challenging in an urban area. Video surveillance will usually trigger feedback from the American Civil Liberties Union regarding privacy rights. This approach also would not get cooperation from PEPCO (who would be concerned about the feedback THEY would get), because these types of cameras are different from traffic cameras.

► **Enforcement Summary**

- Issuing Citations
- Enforcement of Covered Loads/Windblown Litter
- 1-800-Litter (industry enforcement)
- Trash Alert