

Jack's October report

At the September 22 meeting, the ANC:

- Advised ABRA to approve an entertainment endorsement for Marleny's Restaurant;
- Expressed support for MPD Chief Cathy Lanier, specifically for her support for community policing.

Mount Pleasant suffered its **first homicide since 2012** on the evening of September 18. The victim was one Charles Welch, 25, of Fort Washington, Maryland, shot in the parking lot behind the Harvard Towers. On September 29, one Antonio Brown, 27, of Suitland, Maryland, was arrested and charged with the crime.

This homicide was typical of the homicides currently plaguing the District: young men, with a personal dispute of some sort, settling that dispute with a handgun. Absent the gun, no one would have ever known of this fight. The gun made the minor dispute into a major crime.

I argue that the current wave of homicides – this was the 112th of the year – is due to the number of guns in the District having surpassed a critical “tipping point”, where there are so many guns that young men get guns simply out of fear that their antagonists might show up with guns. As the chief of police in Milwaukee said, in certain circles, “it is more dangerous to get caught without their gun than to get caught with their gun.” As for guns in DC, Chief Lanier says “it’s like they are freaking dropping out of the sky”.

What these two young men were doing in the Harvard Towers parking lot is unknown. I hear that that location has become a troublesome gathering spot for unpleasant men. It's under the authority of the DC Housing Authority police, who are increasing their surveillance of the location, as are the Metropolitan Police.

I point out that this incident, nasty as it is, presents little threat to residents of Mount Pleasant. The two men involved were dangerous only to each other. That's typical of this wave of homicides: they're personal, not random.

How much this matters is well known to residents who were here at the time of the **Shotgun Stalker**, who roamed the streets of Mount Pleasant and Columbia Heights in 1993, gunning people down *at random*. Anyone, anywhere, anytime, could be the next victim. Similarly, after Gregory Shipes was shot dead on Irving Street in September, 2005, in a “robbery gone bad”, no one knew who might be the next victim. Then one had good reason to be fearful on the street, because anyone could be next, however well-behaved.

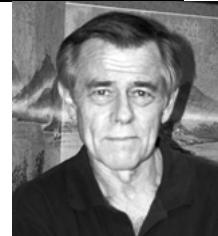
Some complain that, when I offer assurance that a violent crime is a continuing threat only to the individuals involved, and not to the Mount Pleasant public in general, I'm uncaring about those individuals involved in the violence. No, it just means I think it's important for the rest of us to know whether the incident means it's unsafe for us and our family members to walk the streets of Mount Pleasant.

Furthermore, there's always the possibility of a public overreaction to the perceived threat. In the fall of 2003, there were two homicides here, a month apart, and the public reaction was extreme. (“Declare martial law!” demanded one

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Jack McKay, October 11, 2015

Jack McKay
3200 19th St, Tel. 462-8692
jack.mckay@verizon.net
<http://DCJack.org>



resident.) A horde of police officers was posted to roam Mount Pleasant streets, an expensive political demonstration that yielded little but a lot of parking tickets, written by bored officers seeking something to do to prove that they weren't sleeping in their patrol cars. Meanwhile robberies, plaguing Mount Pleasant at the time, actually *increased*. A visible police “presence” may placate frightened residents, but does little to prevent crime.

It's significant that violent crime other than homicides is not higher than last year. District-wide, homicides are up by 45% over last year, whereas robberies are little changed, up only 3%. In the Seventh Police District, where the homicide problem is most serious, homicides are up by 91%, whereas robberies are actually down, by 8%. The current trouble is not due to increasing violent crime in general, but to **young men using guns in personal disputes**, not in actual criminal acts. That's evidently what took place in the Harvard Towers parking lot.

What to do about it? The District Council is on the right track, with a measure that would deal with the homicide problem as a “public health crisis”, not as a crime wave. Councilmember McDuffie's bill, with 10 Councilmembers co-signing, would “establish a new Office of Neighborhood Engagement and Safety to engage individuals determined to be at high risk of participating in, or being a victim of, violent criminal activity . . . designed to discourage violent criminal activity”. It would also “establish a new Office of Violence Prevention within the Department of Health to prepare and implement a strategy for a public health approach to violence”. This may sound less satisfying than a “crack down on the criminals” approach, but it's a much better match for the actual problem. Far better to identify potential violence and head it off before it occurs, than to depend on the police to arrest men after they've done their gun violence.

Traffic speed on Park Road has been a problem for years. In 2009 a DDOT “traffic calming” effort was undertaken for the 2000 block, where the highest speeds are seen. Because Park Road is a “minor arterial”, “vertical” measures such as speed humps are not permitted. The only means identified in 2009 was a narrowing of the road with a median strip, in the hopes that speeding drivers would be persuaded to slow down a bit by the decreased road width. (The bicycle lanes on that block were put there not for the benefit of bicyclists, but to visually narrow the road and thus slow traffic. In fact, they had no detectable effect on traffic speed.)

The effort has been renewed, with the identical result: a DDOT proposal for medians to crowd the outbound traffic (only) up closer to the parked cars, thus persuading drivers – the cautious ones, anyway, maybe – to slow down a bit.

That approach was not satisfactory in 2009, and it's no better today. Essentially, the concrete median strip would shrink the buffer space between the parked cars and the outbound traffic lane from its current five feet – the bicycle lane – to two feet, compelling the passing cars to brush close by pedestrians in the street getting to or from their parked cars. Without the median, drivers can steer away from the parked cars, giving people on foot additional space. With the concrete median, drivers will be prevented from giving pedestrians any additional space. Imagine opening your car door just as a big SUV driver is passing through that intentionally narrowed gap between the concrete median and the parked cars.

That might be worthwhile if the slowing of traffic were substantial. But the DDOT traffic calming information says that such road narrowing yields only an “average decrease of 7% in 85th percentile speeds”, or, in this case, 2 miles per hour. How much gain in safety comes about if the 85th-percentile speed is 30 mph, instead of the current 32 mph? As was observed in 2009, this method significantly compromises the safety of individuals getting to or from their parked cars, in exchange for a minuscule reduction in traffic speed.

That small reduction in traffic speed applies, of course, only to the downhill traffic. The median strip, narrowing the outbound lane by three feet, will have no effect on the speed of traffic rushing up the hill from the park.

A far better approach is the speed camera. This would reduce traffic speeds in both directions, not just the outbound direction, and would not compromise the safety of people in the street getting to or from their parked cars.

I'm pressing again for that camera. There was a DDOT speed-camera study in 2009, for the 1800 and 1900 blocks of Park Road, which is clearly applicable also to the 2000 block. I'm asking DDOT for traffic speed measurements on the 2000 block to confirm that applicability and get that long-promised speed camera.

The assertion was made at the September meeting that the **bike lane** on the outbound side of this block had been removed. No, not so. Of course the bike lane is still there – that's what provides a nice 5-foot buffer space between the parked cars and the passing traffic. Its paint is virtually all gone, but it remains a legal bike lane. The proposed road narrowing would eliminate that bike lane.

The resolution **endorsing MPD Chief Lanier** was mine. I have my differences with the Chief, to be sure. But she is a dedicated advocate of *community policing*. The recent vote by some members of the police union asserting “no confidence” in the chief is, I believe, an expression of a desire to revert to hard-nosed, old-style, aggressive policing. Some officers see only bad guys on the street, who must be intimidated into submission. That approach can have devastating consequences, making the police force a hostile army of occupation. In the long run, that reduces police

effectiveness, because people who could provide information about serious problems decline to cooperate.

People have remarked to me about the attitude of some MPD officers in Mount Pleasant, as they seem to huddle together, eyeing people on the street balefully, as if everyone is a suspect. We've had some very fine officers, who befriended Mount Pleasant residents and merchants, making themselves part of the Mount Pleasant community. What we want is police officers who are plainly here to *protect us*, not to *police us*.

Back in February, the ANC passed my resolution advising the **DCRA Zoning Administrator** that his “zoning determination letters” were statements of intended District action that ought to be sent to the affected ANCs. Well, he does not agree, and we've repeatedly been burned by Zoning Administrator “determinations” that affect our neighborhood.

One was the permission to expand a building on Irving Street to seven dwelling units, though the lot size limits occupancy to just three. Another was the recent decision to permit the Meridian Hill Baptist Church conversion into apartments with *zero* off-street parking, despite a zoning requirement for at least 14. Now there is another bizarre decision, pertaining to the lot at what was 1865 Park Road, a house that burned to the ground about 45 years ago.

Building regulations grant implicit zoning exemptions to buildings which were already in existence when the zoning regulations went into effect, because it's unreasonable to require owners to make large modifications to their homes if changes in zoning suddenly make existing buildings non-compliant. But if the building is substantially destroyed, e. g., by fire, then any replacement building *does* have to comply with the zoning regulations. OK, but if the building is a “contributing structure” in a historic district, then it may be rebuilt according to its original dimensions, even if contrary to the zoning regulations.

But what if, as in this case, the building in question did not even exist at the time that Mount Pleasant became a historic district, in 1986, and so is not listed as a “contributing structure” in the historic district? The developer argued that, if the building had not burned to the ground, then surely it *would* have been designated “contributing”, and so that zoning exemption should apply. The Zoning Administrator bought that argument – a “virtual building”? – and allowed permits for a replacement structure that violates lot occupancy and side yard zoning regulations.

That decision was in May, 2014. But because the Zoning Administrator doesn't inform ANCs of such decisions, we have found out about this only recently, and only because the immediate neighbors on Park Road filed a formal appeal with the Board of Zoning Adjustment. I've prepared a resolution of support for that appeal. Any new structure on that lot ought to be “compatible with the character of the historic district”, of course, but it should also respect zoning regulations.

Daylight saving time ends at 2 AM on November 1.

The next meeting of the ANC will be on Tuesday, **October 20, 7:00 pm, at the Mount Pleasant Library.**