

May 20, 2021

**Nuisance Ordinance/Crime-Free Housing Program Investigations –  
Sample Open Records Requests**

What do you do if you learn a local government in your jurisdiction has adopted a crime-free program or nuisance property ordinance? The best place to start may be with an open records request to the local government. While these suggested requests are focused on securing information from the local government, in some jurisdictions you may have to separately seek information from the local police department and other departments within the local government depending upon how records requests are processed. You may also want to request information from the local public housing authority, especially if you suspect that federally assisted tenants may be subject to or targeted by the law or program.

Some of these requests may be difficult to secure, or depending upon the caselaw and public records statutes of your state, considered to be too burdensome for a public agency to produce. After you do an initial review of received documents, you may want to follow-up with subsequent records requests that further drill down on various issues.

***For jurisdictions with nuisance property ordinances:***

1. **Documents concerning nuisance enforcement:** Documents concerning nuisance enforcement against residential properties, including copies of all nuisance citations, letters, notices, files, and any other external or internal communication, including emails, related thereto since [insert date] to present.
2. **Documents concerning properties eligible for nuisance enforcement:** Documents concerning properties considered for or eligible for nuisance enforcement, but where citations were not issued, since [insert date] to present.
3. **Databases:** Electronic copy of any database or databases containing information regarding nuisance enforcement in effect since [insert date] to present.
4. **Police Department Police and/or Incident Report Policy:** Documents that describe policies or procedures for the writing of police and/or incident reports by the police department when there is a violation of the nuisance ordinance [insert date] to present.
5. **Police and/or Incident Reports Corresponding to Nuisance Ordinance Citations:** Copies of police and/or incident reports, which correspond with [nuisance] notices sent out under Sections [insert code] since [insert date] to present.
6. **Internal Communications W/Elected Officials or City Employees:** Any internal communications in whatever form generated between any City officials or employees regarding the enforcement of the nuisance ordinance since [insert date] to present.

7. **External Communications W/City Officials/Staff:** Any communications in whatever form generated between any City officials or employees and any property owners, tenants, or others (including but not limited to area public housing authorities, homeowners, neighborhood watch groups) regarding the enforcement of the nuisance ordinance since [insert date] to the present.
8. **Computer Aided Dispatch database (CAD)<sup>1</sup>/Calls for Service/911 database:** The corresponding calls for service/911 or CAD data, including any documents summarizing or analyzing the data, corresponding with the above referenced police and/or incident reports and notices sent out under the nuisance ordinance since [insert date] to present.
9. **Records Information Management (RIM)<sup>2</sup> database/Police Reporting database:** All RIM/police reporting or records management database data, including any documents summarizing or analyzing the RIM/police reporting or records management database data, corresponding with the above CAD/calls for service/911 data and notices sent out under the nuisance ordinance since [insert date] to present.
10. **Purpose Behind the Ordinance/Amendments to:** All documents concerning the passage of the nuisance ordinance and any amendments to it, including communications with City elected officials, city staff, and others, and any data relied upon or reviewed as a part of the passage or amendments to the nuisance ordinance since [insert date] to present.
11. **Training:** All training or informational materials regarding the nuisance ordinance, to landlords, tenants, police, City staff, or others since [insert date] to present, including but not limited to any electronic, video, or audio recordings of trainings.
12. **Tenant Screening Policies:** All documents concerning mandatory or suggested criminal records screening policies for landlords when screening or re-screening applicants and/or tenants.

***For jurisdictions with crime-free programs:***

13. **Crime-Free Housing Program:** All documents concerning the crime-free housing program, including enforcement of it against residential properties, landlords, or tenants, including copies of all violations, letters, notices, files, and any other external or internal communication, including emails, related thereto since [insert date] to present.
14. **Documents concerning properties eligible for Crime-Free Housing Program enforcement:** Documents concerning properties considered for or eligible for crime-free

---

<sup>1</sup> Computer Aided Dispatch, sometimes also called a Records Management System Computer Aided Dispatch (RMS-CAD), allows for the coordinated communication, assignment and tracking of Police Department resources in response to calls-for-service.

<sup>2</sup> Records Information Management database, sometimes also called a Records Management System Records Information Management database (RMS-RIM), is a database often used by police departments that contain police and incident reports as well as other police records. It should be able to integrate with CAD/911 data.

housing program enforcement or violations, but where citations or violations were not issued, since [insert date] to present.

15. **Databases:** Electronic copy of any database or databases containing information regarding the crime-free housing program in effect since [insert date] to present.
16. **Police Department Police and/or Incident Report Policy:** Documents that describe policies or procedures for the writing of police and/or incident reports by the police department when there is a violation of the crime-free housing program [insert date] to present.
17. **Police and/or Incident Reports Corresponding to violations of the Crime-Free Housing Program:** Copies of police and/or incident reports, which correspond with crime-free housing program violations since [insert date] to present.
18. **Internal Communications W/Elected Officials or City Employees:** Any internal communications in whatever form generated between any City officials and/or City employees regarding the Crime-Free Housing Program since [insert date] to present.
19. **External Communications W/City Officials/Staff:** Any communications in whatever form generated between any City officials and/or City employees and property owners, tenants, or others (including but not limited to area public housing authorities, homeowners, neighborhood watch groups) regarding the Crime-Free Housing Program since [insert date] to the present.
20. **Computer Aided Dispatch database (CAD)/Calls for Service/911 database:** The corresponding calls for service/911 or computer assisted dispatching (CAD) data, including any documents summarizing or analyzing the CAD data, corresponding with the above referenced police and/or incident reports and any violations of the Crime-Free Housing Program since [insert date] to present.
21. **RIM database/Police Reporting database:** All RIM/police reporting or records database data, including any documents summarizing or analyzing the RIM/police reporting or records management database data, and corresponding with the above CAD/calls for service/911 data and violations of the Crime-Free Housing Program since [insert date] to present.
22. **Purpose Behind the Crime-Free Housing Program:** All documents concerning the creation, introduction, and (if subject to local government legislative approval) passage of the Crime-Free Housing Program, and any amendments to it, including communications with City elected officials, city staff, and others, and any data relied upon or reviewed as a part of the creation, introduction, passage or amendments to the Crime-Free Housing Program since [insert date] to present.
23. **Training:** All training or informational materials regarding the crime-free housing program, to landlords, tenants, police, or others since [insert date] to present, including any electronic, video, or audio recordings of the trainings.

24. **Mandatory Leases/Lease Terms/Crime-Free Lease Addendum:** All documents concerning mandatory or suggested lease terms or crime-free lease addendum promoted, adopted, or created by the city.
25. **Tenant Screening Policies:** All documents concerning mandatory or suggested criminal records screening policies for landlords when screening or re-screening applicants and/or tenants.

*Planning and fair housing documents from the local government:*

Local governments may reveal their intentions behind a crime-free program or nuisance property ordinance within their planning documents. For example, do planning documents reveal a particular tough on crime or tough on landlords and tenants' strategy as a part of a larger effort to change a neighborhood or control who lives there? As well, local governments that are recipients of federal housing and community development funds, as either an entitlement jurisdiction or subrecipient, may report on their nuisance property ordinance and/or crime-free housing program.

26. **City Planning Documents:** All comprehensive and annual plans, neighborhood plans, safety or wellness plans.
27. **Assessment of Fair Housing or Analysis of Impediments to Fair Housing Choice, Action Plan, CAPERs:** If the local government is an entitlement jurisdiction or subrecipient, it may be useful to ask for the most recent Assessment of Fair Housing or Analysis of Impediments to Fair Housing Choice, Consolidated and Annual Action Plans, and CAPERs (Consolidated Annual Performance and Evaluation Report).

*Information from the local public housing authority:*

Public housing authorities may or may not be willing participants in the enforcement of a nuisance property ordinance or crime-free program. In some cases, their residents, including public housing tenants and tenants with Housing Choice Vouchers, may be the intended target of the law or program. In addition to including communications with the local housing authority in the requests to local governments, it may be helpful to also seek information directly from the housing authority about what, if any, information a local government is seeking or sharing with them.

28. **Communications.** Any communications with the local government, police, tenants, and property owners regarding the nuisance property ordinance and/or crime-free housing program since [insert date] to present.
29. **Location of PHA's tenants.** Any documents shared with the local government or local police department regarding the address or location of the housing authority's residents, including but not limited to public housing or the Housing Choice Voucher program or any

other housing owned, operated, or under the control of the housing authority since [insert date] to present.

30. **Requests to Enforce Ordinance or Crime-Free Program.** Any documents from the local government or police department regarding potential or actual nuisance property ordinance or crime-free program violations against tenants or landlords participating in the housing authority's housing programs, including any action taken by the housing authority against the tenant and/or landlord.

**For more information on these requests and on advocacy to stop crime-free programs and nuisance property ordinances, please contact Kate Walz at [kwalz@nhlp.org](mailto:kwalz@nhlp.org), Mariel Block at [mblock@nhlp.org](mailto:mblock@nhlp.org), or Renee Williams at [rwilliams@nhlp.org](mailto:rwilliams@nhlp.org).**