

## MEDIATE THIS!

## A CONTRACTOR, A SMALL STREET AND FIVE LARGE VEHICLES

BY STEVEN P. DINKIN

## Dear Mediator:

Parking is tight on my narrow street of single-family homes, especially since some older houses don't have driveways or garages. Everyone follows neighborhood parking etiquette except for the general contractor who lives two doors down. He owns two SUVs, an RV, a box truck and a flatbed truck, and he parks them all on the street because his driveway is full of equipment. We've asked him to be more considerate, but he says he has a right to park wherever he wants. Does he?

Crowded in North Park

## Dear Crowded:

Residential street parking is an emotionally fraught issue on many levels. We feel secure when we can look out our windows and see our cars. Proximity shortens the distance for carrying bulky packages. Direct access helps us make quick departures at critical moments.

But the real flash point in parking wars is the near-

universal belief that players in a zero-sum game have a special obligation to follow the rules, even when those rules are unwritten and unenforceable.

Given the finite supply of residential curb space, neighbors stay on friendly terms by parking in their driveways and in front of their homes. Visitors occasionally throw the parking ecosystem off-kilter, but the good-will symbiosis is soon restored.

And then there are parking buccaners like the general contractor.

In a conflict where an aggressive outlier has riled up a group of neighbors, a community mediator will frame the negotiation by determining what the law does and does not allow.

The San Diego Municipal Code's Chapter 8 on "Traffic and Vehicles" includes a 26-page "Article 6: Stopping, Standing, Parking of Vehicles, and Impound Procedures." It lays out restrictions on public parking of oversized and recreational vehicles and on parking heavy-duty commercial vehicles in residen-



JOHN GASTALDO U-T FILE

Similar to the neighborhood street shown here, North Park's roads can have a dearth of parking spots because of the community's age and density.

tial districts.

The contractor probably doesn't have the right to park all those vehicles on your street. You and your neighbors can file a complaint with the city's code enforcement division. That remedy will take time and patience. And it will likely inflame the tensions that are brewing on your block. A better option is spelled

out on the city's code enforcement website: "Make contact with the responsible person. Describe your perception of the problem. Discuss how the problem affects you *and possible solutions* [emphasis added]."

The go-to mediation technique for communicating with a high-conflict individual like your neigh-

bor is called EAR for "Empathy, Attention, and Respect." You may not think he deserves any of that, but you would be surprised by EAR's ability to open up dispute resolution paths.

Approach him again, this time with an emissary who is on good terms with him. Over coffee, your street ambassador should focus on learning more about the

contractor's circumstances.

His brazen aggression may be rooted in financial desperation. He may not have the money to rent suitable space for his vehicles and equipment.

That wouldn't give him license to violate the law, but it could make you view him more sympathetically. And it might prompt some of you to help him explore other code-compliant parking and storage options.

Finally, as an exercise in neighborly bonding, plan a block-long yard sale to have fun, raise money and empty your garages of stuff you never use so you can actually park your cars there.

Steven P. Dinkin is a professional mediator who has served as president of the San-Diego based National Conflict Resolution Center since 2003.

**Do you have a conflict that needs a resolution?** Please share your story with The Mediator via email at [mediatethis@ncrconline.com](mailto:mediatethis@ncrconline.com) or as an online submission by visiting [www.ncrconline.com/MediateThis](http://www.ncrconline.com/MediateThis). All submissions will be kept anonymous.

## NOTEBOOKS

From Union-Tribune reporting staff

## PUBLIC SAFETY: TERI FIGUEROA

## Big drop seen in juvenile arrest rates

The arrest rates of juveniles in the county dramatically fell over a decade, according to research findings released last week.

The rate dropped 66 percent between 2007 and 2016, San Diego Association of Governments reported in its annual study examining arrest rates by local law enforcement agencies.

Even with the drop, the county still has the second highest rate of arrests — for juveniles and for adults — when compared to the five largest Southern California counties. San Bernardino topped the list for juvenile and adult arrests.

The findings come from data SANDAG analyzed from California's Department of Justice. The data include information through 2016.

Cynthia Burke, director of SANDAG's Criminal Justice Research Division, said some of that decrease in arrests of juveniles could be the result of an increased focus on prevention and diversion.

As with the arrests of juveniles, the num-

bers of adult arrests is also down, at a 10-year low.

Burke noted that with the approval of Proposition 47 in 2014, the state downgraded a number of property- and drug-related crimes from felonies to misdemeanors.

The year 2015 saw a 28 percent plunge in felony arrests, and an 11 percent increase in misdemeanor arrests — not an unexpected shift given the change in classifications.

But in 2016, the misdemeanor arrest rate dropped by 4 percent in the county. It's unclear why.

That same year, adults in the region were most frequently arrested for drug or alcohol-related offenses, including drunken driving.

Between 2012 and 2016, the county also saw a 34 percent increase in the number of people arrested for skipping court. That, Burke said, suggests that some of the people who were cited instead of arrested may be failing to show up for hearings.

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## POLITICS: JEFF McDONALD

## Sheriff's candidate criticizes Gore

Cmdr. Dave Myers, the candidate seeking to replace Sheriff Bill Gore on the June ballot, said a series of recent scandals has eroded morale across the department and confidence in the two-term sheriff.

The Gore campaign did not respond to an email request for comment, but the sheriff has said he takes accusations against department employees extremely seriously and pursues them vigorously and without favor.

Myers, himself a decades-long San Diego Sheriff's Department employee, said Gore's tepid response to a series of misconduct charges against sheriff's employees has undermined the agency.

"The allegations that have come out in the past few months — years of sexual assault by Deputy Fischer, sexual harassment by a top-ranking official, and now an employee who for months allegedly stole evidence — show that Sheriff Gore has lost the respect of the department," Myers said Friday. "They also worsen the breakdown of trust between the department and those we serve."

Myers was referring to three internal investigations that have received media attention in recent days and weeks.

The most serious case involved Deputy Richard Fischer, who was charged with 14 criminal counts last week after more than a dozen women accused him of sexual misconduct over the past four months.

Several alleged victims complained that Fischer received special treatment, an allegation the department rejected.

Last week, the Union-Tribune and other media outlets reported that Asst. Sheriff Rich Miller was the subject of a separate sexual-misconduct allegation. And Friday, the U-T disclosed that a former property clerk was under criminal investigation for potentially stealing evidence — something she denied to the newspaper.

Spokesman Lt. Karen Stubkjaer said the department is addressing the property-clerk case and the other investigations responsibly and effectively.

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## THE READERS' REPRESENTATIVE: ADRIAN VORE

## Aztecs coverage from 6K miles away

Regular U-T readers certainly noticed the familiar name and face of Union-Tribune sports writer Mark Zeigler in coverage from the Winter Olympics in Pyeongchang, South Korea.

Zeigler, who has worked at the U-T for 32 years, has traveled all over the globe covering Olympic Games and soccer's World Cup. He's also the main reporter covering San Diego State basketball. He's had that beat since 2010.

When a story broke about the Aztecs' Malik Pope being suspended after his name appeared in documents related to a federal probe of college basketball corruption, Zeigler wrote the article, despite being 6,000 miles away in Korea. (SDSU cleared Pope on Tuesday of any wrongdoing.)

Zeigler's article appeared in print on the front of the Sports section Feb. 24.

His byline didn't escape reader Paul Tessaro of Mission Hills, who emailed the Readers' Rep. "Was Mark Zeigler's story on Malik Pope in Saturday's U-T written from Pyeongchang, South Korea? If so, why wasn't his location included in the byline?"

Yes, Zeigler wrote the story from South Korea. Although datelines — a location in uppercase letters at the start of the story — can indicate from where the reporter filed the piece, they also can indicate where the event happened.

Zeigler penned the SDSU article in South Korea, but the location was irrelevant. I think including a dateline might have even confused readers. There was no connection between Pyeongchang and the college basketball subject matter.

But why would Zeigler write the story at all? He was covering the Olympics, for Pete's sake. It's because SDSU basketball is his beat. Reporters take ownership of their beats and the subject matter. Zeigler's institutional knowledge would be unmatched. He can write quickly and with authority, said Sports Editor Jay Posner.

Zeigler has done the same in the past. "What's funny is, before I left I joked that Asia is the only continent I haven't written a SDSU basketball story from, and wouldn't it be my luck if something broke while I was there," Zeigler said last week. "Well, sure enough."

"The reason I wrote it is A) it's my primary beat and B) it broke in the middle of the night back in the States, so it was the evening in Korea. I was at long track speed skating, minding my own business, surfing the web between

pairings in the men's 1,000, and the Yahoo Sports story about players allegedly taking loans popped up.

"Pope wasn't mentioned in the story, but there he was, buried in the documents that accompanied it. Given the time back in the States, and given my knowledge of the subject, I figured I better start writing. I woke a few people up in San Diego to get some background, and filed the story."

He has written SDSU basketball stories during the 2010 World Cup in South Africa, the 2014 World Cup in Brazil, the 2014 Winter Olympics in Sochi, Russia, the 2016 Summer Olympics in Rio de Janeiro, and while on vacation in France in 2016 and on vacation in New Zealand last May.

## More on Zeigler's SDSU, Olympic coverage

• He covered an SDSU basketball game Saturday night, Feb. 3. He left for Tokyo on his way to Seoul the next morning. He returned to San Diego on Tuesday morning, and covered a San Diego State game that night.

• He would typically get four to five hours of sleep per night during the Winter Games, but some nights might be one or two. "What makes an Olympics in Asia so challenging," he said, "is that with the time change, events are pushed to the mornings or late nights. So if you cover a night event, you might not get back to your room until 2 or 3 a.m., then might have to catch an 8 a.m. bus up to the mountains for snowboard."

## U-T high school internship program is open

The U-T's annual summer journalism program for high school students is taking applications. It will be June 18 to July 19 at the U-T's downtown San Diego office.

Applicants must be at least 16 by May 1. They must also live in the county and be enrolled as sophomores, juniors or seniors.

Journalism experience is not required, but the teens should be interested in journalism, media and writing.

Students will be paid. They also will be in the running for a \$5,000 scholarship.

SDG&E is the underwriting sponsor of the program.

Applications must be postmarked no later than April 6. For an application, go to [sandiegouniontribune.com/journalismscholars](http://sandiegouniontribune.com/journalismscholars). For more information, email [blanca.gonzalez@sduniontribune.com](mailto:blanca.gonzalez@sduniontribune.com).

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## FROM THE ARCHIVES | LOOKING BACK OVER 150 YEARS

## CUNNINGHAM SENTENCED

The San Diego Union-Tribune will mark its 150th anniversary in 2018 by presenting a significant front page from the archives each day for the coming 365 days.

Saturday, March 4, 2006

Former Rep. Randy "Duke" Cunningham is sentenced to more than eight years in federal prison after pleading guilty to conspiracy and tax evasion. Cunningham faced up to 10 years but U.S. District Judge Larry Alan Burns cited Cunningham's heroics as a Navy pilot during the Vietnam War in imposing the lesser sentence.

Here are the first few paragraphs of the story:

## 8 YEARS, 4 MONTHS

## CUNNINGHAM'S WAR HEROICS CITED IN REDUCED TERM

By Onell R. Soto, Staff Writer

Randy "Duke" Cunningham's tailspin from high-flying war hero to corrupt politician culminated yesterday with a federal judge sentencing him to eight years and four months in federal prison.

Cunningham faced a maximum of 10 years under a plea agreement, but U.S. District Judge Larry Alan Burns cited Cunningham's heroics as a Navy pilot during the Vietnam War in imposing the lesser sentence.

The former Rancho Santa Fe congressman also was ordered to pay \$3.65 million in back taxes and forfeited assets for accepting more than \$2.4 million in bribes from defense contractors.

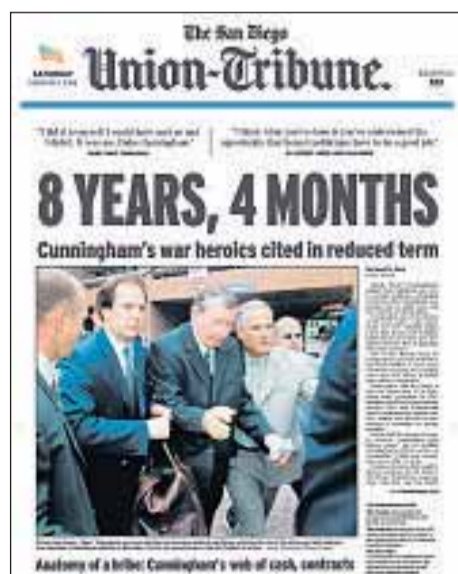
Prosecutors told the judge it was the

worst case of its type, made more egregious by Cunningham's bullying of government officials. They said Cunningham steered contracts the military neither sought nor needed to contractors in exchange for money and gifts.

Burns said the amount of money involved "emasculates prior bribery cases," but he credited Cunningham's military service as meaningful. "I think your country owes you a debt," he said.

Defense attorneys had sought a six-year sentence for the 64-year-old former Republican congressman, who they say has health problems that give him a life expectancy of seven years.

"I did it to myself," Cunningham told the



judge, referring to an escalating scale of bribes that began as early as 2000. "I could have said no and I didn't. It was me, Duke Cunningham."

Experts said Cunningham's case is one of the worst examples of corruption involving a member of Congress.

"In the sheer dollar amount, it's unprecedented," said Deputy House Historian Fred W. Beuttler. Cunningham pleaded guilty in November to conspiracy and tax evasion. He admitted to accepting vacations, jewelry, a Rolls-Royce, antiques, mortgage payments

and cash in exchange for helping the defense contractors get tens of millions of dollars' worth of government work.

"After years of service to this country going the right way, I made a very wrong turn," he said yesterday.

Following the emotional two-hour hearing, the judge said he found Cunningham's crimes confounding because legislators who want to cash in legally often do so by becoming lobbyists.

"There was a way to obtain those things if you really wanted them," Burns said. "I think what you've done is you've undermined the opportunity that honest politicians have to do a good job."

Burns rejected Cunningham's plea for a final visit with his 91-year-old mother, ordering the former North County congressman to be jailed immediately.

As the jammed courtroom emptied, deputy marshals led Cunningham away to be fingerprinted and booked into the Metropolitan Correctional Center downtown.

Cunningham will be held there while the U.S. Bureau of Prisons decides where he will serve his sentence.

He is scheduled to be moved Friday to a medical institution for evaluation, and, if the bureau follows the judge's recommendation, to a privately run federal facility in Taft.

With good behavior, Cunningham can expect to be free by age 71, the judge said. Additionally, prosecutors said they might return to the judge to request a shorter sentence if Cunningham continues to assist in the ongoing corruption investigation.

**ONLINE:** View this and other anniversary front pages online at [sandiegouniontribune.com/150-years](http://sandiegouniontribune.com/150-years).