City of Las Cruces®

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Council Action and Executive Summary

Item # 11 Ordinance/Resolution# 2675

For Meeting of January 7, 2013 (Ordinance First Reading Date)

For Meeting of January 22, 2013 (Adoption Date)

Please check box that applies to this item:

☐ QUASI JUDICIAL ☒ LEGISLATIVE ☐ ADMINISTRATIVE

TITLE: AN ORDINANCE REPEALING LCMC 1997 CHAPTER 4 SECTIONS 4-1 THROUGH 4-133, "ALARM SYSTEMS AND PRIVATE SECURITY FIRMS", AND ENACTING A NEW LCMC 1997 CHAPTER 4.

PURPOSE(S) OF ACTION:

To repeal existing ordinance and replace with revised ordinance.

COUNCIL DISTRICT: *city wide*		
Drafter/Staff Contact: Lieutenant Kevin Renn	**Department/Section:** Police	**Phone:** 525-4730
City Manager Signature:		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The current ALARM SYSTEMS ordinance was enacted in 1988 and is functionally obsolete. It exempts from its coverage all private residences (LCMC 1997 Sec 4-2), fails to consider fire alarms, repeated false alarms, and lacks administrative process for enforcement. Its present penalty of $25.00 is inadequate for deterrence and has never been enforced.

The proposed ordinance is modeled after the Security Industry Alarm Coalition Model Ordinance, as well as ordinances of other municipalities which have been successful in providing remedies to repeated false alarms. The municipalities we looked at were Santa Fe, New Mexico; Albuquerque, New Mexico; San Bernardino, California; Tucson, Arizona; and Olympia, Washington. Attached are two Alarm Studies from San Bernardino, California and Olympia, Washington (see Attachment "B" and "C" respectively).

If approved, this new ordinance would take effect five (5) days after publication of the notice of adoption. However, Section 4-34, entitled "User Fees; False Alarms" would not be in effect until August 1, 2013.

SUPPORT INFORMATION:

1. Ordinance.
2. Exhibit "A". Proposed 2013 "Alarm Systems and Private Security Firms" Ordinance.

(Continue on additional sheets as required)

3. Attachment "A". Current 1988 "Alarm Systems and Private Security Firms" Ordinance, to be repealed.
4. Attachment "B", 2007 Police Response to Burglar Alarms Study: San Bernardino County.
5. Attachment "C", 2011 City of Olympia Security Alarm Program.

SOURCE OF FUNDING:

Is this action already budgeted?			
N/A	Yes	☐	See fund summary below
	No	☐	If No, then check one below:
	Budget Adjustment Attached	☐	Expense reallocated from: _____
		☐	Proposed funding is from a new revenue source (i.e. grant; see details below)
		☐	Proposed funding is from fund balance in the ____ Fund.
Does this action create any revenue?			
	Yes	☐	Funds will be deposited into this fund: ____ in the amount of $____ for FY__.
	No	☒	There is no new revenue generated by this action.

BUDGET NARRATIVE

N/A

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
N/A	N/A	N/A	N/A	N/A	N/A

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will repeal the existing LCMC 1997 Chapter 4, Sections 4-1 through 4-133 and replace it with the proposed LCMC 1997 Chapter 4, Exhibit "A".
2. Vote "No"; this will keep the existing language/regulations.
3. Vote to "Amend"; this could allow the City Council to modify the ordinance as it deems appropriate.
4. Vote to "Table"; this could allow the City Council to table/postpone the ordinance and direct staff accordingly.

REFERENCE INFORMATION:

The resolution(s) and/or ordinance(s) listed below are only for reference and are not included as attachments or exhibits.

N/A

(Continue on additional sheets as required)

COUNCIL BILL NO. 13-020
ORDINANCE NO. 2675

AN ORDINANCE REPEALING LCMC 1997 CHAPTER 4 SECTIONS 4-1 THROUGH 4-133, "ALARM SYSTEMS AND PRIVATE SECURITY FIRMS", AND ENACTING A NEW LCMC 1997 CHAPTER 4.

The City Council is informed that:

WHEREAS, The City of Las Cruces (the City) Police and Fire Departments annually respond to approximately 9000 alarms, of which 99 percent are false alarms; and

WHEREAS, responses to false alarms have diverted the annual equivalent of approximately eight percent of the directed calls for service for the City Police and Fire Departments; and

WHEREAS, responses to false alarms thereby may endanger the public health, safety, and welfare of Las Cruces citizens by preventing, diverting, or delaying public safety resources from responding to legitimate calls for service; and

WHEREAS, the Las Cruces City Council recognizes that false alarms unduly burden the limited public safety resources of the City and waste public taxpayers' money through unneeded public safety calls; and

WHEREAS, the Las Cruces City Council desires to maintain regulations which will promote the use of alarm systems in a manner which does not cause an undue number of false alarms; and

WHEREAS, NMSA 1978, 3-17-1.B allows for the City to provide for the safety, to preserve the health, and to improve the comfort and convenience of the municipality and its citizens.

NOW, THEREFORE, Be it ordained by the governing body of the City of Las Cruces:

(I)

THAT the current LCMC 1997, Chapter 4 "ALARM SYSTEMS AND PRIVATE SECURITY FIRMS" is repealed in its entirety.

(II)

THAT a new LCMC 1997, Chapter 4 "ALARM SYSTEMS AND PRIVATE SECURITY FIRMS" is hereby enacted as shown in Exhibit "A", attached hereto and made part thereof, and shall take effect five (5) days after publication of the notice of adoption except that Section 4-34, entitled "User Fees; False Alarms", shall have a delayed effective date of August 1, 2013.

(III)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____, 2013.

APPROVED:

_____
Mayor

ATTEST:

_____
City Clerk

(SEAL)

VOTE:
Mayor Miyagishima: _____
Councillor Silva: _____
Councillor Smith: _____
Councillor Pedroza: _____
Councillor Small: _____
Councillor Sorg: _____
Councillor Thomas: _____

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

Chapter 4

ALARM SYSTEMS AND PRIVATE SECURITY FIRMS*

* **Cross References:** Fire prevention and protection, ch. 11; false alarms, § 19-301; police, ch. 23.
State Law References: Municipal home rule, Const. art. X, § 6; NMSA 1978, § 3-15-13.

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ARTICLE I.
IN GENERAL

Sec. 4-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. ***Alarm Administrator*** means a person or persons designated by the City to administer, control and review false alarm reduction efforts and administers the provisions of this ordinance.
2. ***Alarm Company*** means a person subject to the licensing requirements, and/or a company engaged in selling, leasing, installing, servicing or monitoring alarm systems.
3. ***Alarm permit*** means a permit issued by the City allowing the operation of an alarm system within the City.
4. ***Alarm signal*** means a detectable signal; audible or visual, generated by an alarm system, to which law enforcement or fire department are requested to respond.
5. ***Alarm site*** means a single fixed commercial or private premises or location served by an Alarm System. Each tenancy, if served by a separate Alarm System in a multi-tenant building or complex, shall be considered a separate Alarm Site.
6. ***Alarm system*** means any single device or assembly of equipment designed to signal the occurrence of an illegal or unauthorized entry or other illegal activity requiring immediate attention and to which law enforcement is requested to respond, or designed to detect fire, smoke, carbon monoxide, or heat, domestic violence alarms, or alarms designed to elicit a medical response.
7. ***Alarm user*** means any person, corporation, partnership, proprietorship, governmental or educational entity or any other entity owning, leasing or operating an alarm system, or on whose premises an alarm system is maintained for the protection of such premises.
8. ***Alarm User Awareness Class*** means a class conducted for the purpose of educating alarm users about the responsible use, operation, and maintenance of alarm systems and the problems created by false alarms.
9. ***Automatic Dialing Device*** means any alarm system which automatically sends over telephone lines, radio or other communication system a prerecorded voice or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.
10. ***Business Premises*** means any structure or area which is not defined in this section as a residential premises including, but not limited to, religious and not-for-profit organizations, hotels, motels and educational institutions.
11. ***Burglary Alarm*** means any system, device, or mechanism for detection and reporting of any unauthorized entry or attempted entry or property damage upon real property protected by the system which may be activated by sensors or other techniques, and when activated, automatically transmits a telephone message, emits an audible or visible signal that can be heard or seen by persons outside the protected premises, or transmits a signal

beyond the protected premises.

12. ***Cancellation*** means the process where response is terminated when the alarm company (designated by the alarm user) notifies MVRDA / Las Cruces Police or Fire Department that there is not an existing situation at the alarm site requiring police or Fire response after an alarm dispatch request. If cancellation occurs prior to police arriving at the scene, this is not a false alarm for the purpose of civil/criminal penalty, and no penalty will be assessed.

13. ***Central station*** means that portion of an alarm system business which receives or intercepts a signal, indicating the activation of an alarm system, and which relays this information to the Police Department.

14. ***City*** means the City of Las Cruces or its agent.

15. ***Enhanced Call Verification (ECV)*** means a minimum of two attempts by the monitoring company, or its representative, to contact the alarm site and/or alarm user by telephone and/or other electronic means, whether or not actual contact with a person is made, to attempt to determine whether an alarm signal is valid before requesting law enforcement or fire department dispatch, in an attempt to avoid an unnecessary alarm dispatch request.

16. ***False alarm*** means the activation of any alarm system resulting in the notification of Police or Fire Department, for which the responding Pubic Safety Officer finds no evidence of criminal activity, fire, smoke, carbon monoxide, heat or other threat of emergency of the kind for which the Alarm System was designed to give notice.

17. ***Fire Alarm*** the giving, signaling or transgression to any public fire station, or company or to any officer or employee thereof, whether by telephone, spoken word or otherwise, of information to the effect that there is a fire at or near the place indicated by the person giving, signaling or transmitting such information. All occupancies that meet the requirements for a fire alarms system shall follow the adopted fire code for installation and maintenance of all alarms.

18. ***Hearing Officer*** means a hearing officer, as appointed by the district court. The hearing officer shall be a licensed member of the New Mexico Bar.

19. ***MVRDA*** means Mesilla Valley Regional Dispatch Authority.

20. ***Nuisance Alarm*** means more than 3 false alarms in a permit year, Fire alarms required and installed in accordance with the fire code adopted by the City of Las Cruces are exempt from becoming nuisance alarms.

21. ***Permit year*** means the period starting from the date of issuance of a permit and ending twelve (12) months from the date of issuance.

22. ***Responsible party*** means an alarm system business, user or owner which is found by the police department to be responsible for an alarm system generating a false alarm.

23. ***Robbery Alarm*** means any system, device, or mechanism activated by an individual on or near the premises that alerts others that a robbery or any other crime is in progress, or that the user is in need of immediate assistance or aid in order to avoid injury or serious bodily harm, and that meets the following criteria: The system is installed on real property (the "protected premises"); it is designed to be activated by an individual for the

purpose of summoning assistance to the premises; it transmits a telephone message or emits an audible, visible, or electronic signal that can be heard, seen, or received by persons outside the protected premises; and is intended to summon police assistance to the premises.

24. ***Runaway alarm*** means an alarm system that produces repeated alarm signals that do not appear to be caused by separate human action. The Las Cruces Police or Fire Departments may, in its discretion, discontinue police responses to alarm signals from what appears to be a runaway alarm.

25. ***Residential Premises*** means any structure serving as a home or residence or is zoned for residential land use as defined by Chapter 38 of Las Cruces Land Development Code.

26. ***SIA Control Panel Standard CP-01*** means the American National Standard Institute (ANSI) approved Security Industry Association (SIA) CP-01 Control Panel Standard, as may be updated from time to time, that details recommended design features for security system control panels and their associated arming and disarming devices to reduce false alarms. Control panels built and tested to this standard by a nationally recognized testing organization, will be marked to state: "Design evaluated in accordance with SIA CP-01 Control Panel Standard Features for False Alarm Reduction".

27. ***Verified Response*** means on site verification of an alarm will be done by:

    - Responsible party or key holder
    - Witness who observes criminal activity
    - Private guard service
    - Remote video or audio verification of criminal activity

(Code 1988, § 4-1)
Cross References: Definitions generally, § 1-2.

Sec. 4-2. Exemptions.

This chapter shall not apply to the following:

1. An alarm system installed on a motor vehicle or a boat unless the alarm is connected to a central monitoring system.
2. Other exemptions as provided by law.

(Code 1988, § 4-2)

Sec. 4-3. Prohibited Acts

1. It shall be unlawful to activate an alarm system for the purpose of summoning law enforcement or fire department when no burglary, robbery, or other crime dangerous to life or property is being committed or attempted on the premises, when no indication of fire, smoke, carbon monoxide, heat exists, or otherwise to cause a false alarm. However, a person activating an alarm for the purpose of testing the alarm shall take reasonable precautions to notify the police or fire department or the owner of a business who maintains the alarm in a timely fashion to avoid emergency response.

2. It shall be unlawful to install, maintain, or use an audible alarm system which can sound continually for more than 10 minutes.
3. It shall be unlawful to install, maintain, or use an automatic dialing device that reports, or causes to be reported, any recorded message to the Las Cruces Police or Fire Department.
4. It shall be unlawful to use an alarm system to protect more than one licensed business or private residence without receiving a separate alarm permit for such business or private residence.
5. It shall be unlawful to operate or use any alarm system for which the registration or service response has been suspended or revoked.
6. It shall be unlawful for any alarm company to fail to make the required verification call(s) to the alarm site and/or alarm user prior to contacting a law enforcement agency.
7. It shall be unlawful to operate a robbery or panic alarm system for any purpose other than reporting robberies or other crimes involving potential serious bodily injury or death.
8. Violations of section 4-3 are subject to a fine of $100 per violation in addition to any other applicable fines.

(Code 1988, § 4-3)

Secs. 4-4.-4-30. Reserved.

ARTICLE II.
ALARMS

DIVISION 1.
GENERAL

Sec. 4-31. Alarm Permits

1. ***Permit required.*** No person shall use an alarm system without first obtaining a permit for such alarm system from the City. A fee is required for the initial registration and annual renewals. Each alarm permit shall be assigned a unique permit number, and the user may be required to provide the permit number along with the address. The fee for alarm permit registration and annual renewal will be $25.00 for residential alarms and $50.00 for business alarms. The alarm companies are responsible for collecting all initial permit fees and forwarding these fees to the City. Permit renewal fees will be collected by the City.
2. ***Application.*** The permit shall be requested on an application form provided by the City. An alarm user has the duty to obtain an application from the City.
3. ***Transfer of possession.*** When the possession of the premises at which an alarm system is maintained is transferred, the person (user) obtaining possession of the property shall file an application for an alarm permit within 30 days of obtaining possession of the property. Alarm permits are not transferable. Therefore, a new permit must be issued at $25.00 for residential and $50.00 for business.
4. ***Reporting updated information.*** Whenever the information provided on the alarm permit application changes, the alarm user shall provide correct information to the City or within 30 days of the change. The permit holder shall complete and return this form to the Alarm Company when any of the requested information has changed; failure to comply will constitute a violation and may result in a penalty or the customer being placed in a verified response status. In addition, each year after the issuance of the permit, permit holders will receive from the City a form requesting updated information which will be relayed to the City.
5. ***Multiple alarm systems.*** If an alarm user has one or more alarm systems protecting two or more separate structures having different addresses and/or tenants, a separate permit shall be required for each structure and/or tenant.
6. ***Apartment Complexes.*** For the purposes of enforcement this article against an individual residential unit, the tenant is responsible for false alarms emitted from the alarm system in the tenant's residential unit and each apartment shall be considered an alarm site.
7. ***Exemptions.*** Alarm systems which are not designed to summon public and/or Las Cruces Police or Fire Department attention, but which are privately monitored and responded to, are exempt from the permit requirement but are not exempt from other provisions of this ordinance. These alarm systems are subject to unregistered alarm system fees as defined is Section 4-34 unless the Alarm User voluntary elects to obtain a permit and the permit was valid at the time of the violation.

(Code 1988, § 4-16)

Sec. 4-32. Duties of the Alarm User

1. Maintain the premises and the alarm system in a method that will reduce or eliminate false alarms.
2. Must respond or cause a representative to respond to the alarm system's location within 15 minutes when notified by the Las Cruces Police or Fire Department.
3. Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report.
4. An alarm user must obtain a new permit and pay any associated fees if there is a change in physical location or ownership of a business or residence.

Sec. 4-33. Duties of the Alarm Company

1. Any person engaged in the alarm business in the City shall comply with the following:
   a. Obtain and maintain the required city license(s) and any other required license(s).
   b. Provide name, address, and telephone number of the user or a designee, who can be called in an emergency, 24 hours a day. This information shall be kept updated at MVRDA on a yearly basis for all current customers. All new customer information and changes must be added to list and forwarded to the City within 30 days of permit. A fine will be assessed in the amount of $10.00 per day after a 5-day grace period should the Alarm Company fail to submit this information by the dates as required.
   c. Provide all alarm users that are required to obtain a permit with an alarm permit application form.
   d. Collect all initial permit application forms and registration fees (made payable to the City) from their clients and forward these fees to the City within 30 days.
2. Ninety (90) days after enactment of this Ordinance the alarm installation companies shall, on all new and up-graded installations, use only alarm control panel(s) which meet SIA Control Panel Standard CP-01.
3. Prior to activation of the alarm system, the alarm company must provide instructions explaining the proper operation of the alarm system to the alarm user.
4. Provide written information of how to obtain service from the alarm company for the alarm system.
5. An alarm company performing monitoring services shall:
   a. ***For Burglar Alarms:*** Use an Enhanced Call Verification process. Monitoring companies shall attempt to verify, by calling the alarm site and/or alarm user by telephone, to determine whether an alarm signal is valid before requesting dispatch. Telephone verification for burglary alarms shall require, as a minimum that a second call be made to a different number, if the first attempt fails to reach an alarm user who can properly identify themselves to attempt to determine whether an alarm signal is valid. This requirement does not apply to a panic, medical or robbery-in-progress alarm, fire alarm or in cases where a crime-in-progress has been verified by visual, video and/or audible means.

b. ***For Fire Alarms:*** Shall attempt to verify the alarm by placing one call to the premises to determine if the alarm is valid or not. This process shall not take longer than 90 seconds.
c. Provide address and alarm user name and contact information to the MVRDA to facilitate dispatch and/or cancellations.
d. Communicate any available information about the location of the alarm.
e. Communicate a cancellation to the MVRDA as soon as possible following a determination that response is not needed.

(Code 1988, § 4-27)

Sec. 4-34. User Fees; False Alarms.

The following fees and fines shall be assessed, as applicable, to alarm users and alarm companies:

	ALARM USER	***ALARM COMPANY***
Fee-registration Residential New or Renewal or Transfer	$25.00	
Fee-registration Commercial New or Renewal or Transfer	$50.00	
Fee-Appeal	$50.00	
Fine-First False Alarm	$0	
Fine-Second False Alarm	$0	
Fine-Third False Alarms	$100.00	
Fine-Fourth False Alarms	$200.00	
Fine-Fifth False Alarms	$300.00	
Fine-Sixth and additional-False Alarms	$300.00 fine; may be placed in verified response	
Fine-false alarm for system in Verified Response status	$300.00	
Fine-Failure to Register	$100.00 per occurrence	
Fine-no background and/or fingerprint check		$200.00
Fine-no valid Alarm Business License		$100.00 per occurrence
License application		$50.00
Fine- Late Report for new registrations		$10.00 per day after 5-day grace period
Violations of section 4-3	$100.00 per occurrence	

1. ***Excessive false alarms.*** It is hereby found and determined that three or more false alarms within a permit year is excessive, constitutes a public nuisance, and shall be unlawful. Civil penalties for false alarms within a permit year may be assessed against an alarm user as listed above. All nuisance alarms will be placed in a verified response status until penalties are paid and alarm system is fixed or alarm user shows proficiency in alarm use (30 days with no false alarms and successful completion of alarm user course).

2. ***Failure to register.*** Any person operating an unregistered alarm system or an unlicensed alarm company shall be subject to a $100.00 fine for each false alarm while the alarm system is unregistered unless it is a fourth or subsequent false alarm for which the fine will be determined by the fine schedule in this section. The user will be placed in a

verified response status until such penalty is paid in full. False alarm counts for unregistered alarms will be determined for the period of 12 months prior to the false alarm being assessed.

3. ***Payment of Penalty(ies).*** Penalty(ies) shall be paid within 30 days from the date of the invoice. The payment(s) will be made to the City directly. Once payment has been rendered a receipt will be issued and the City will remove the Alarm User or Alarm Company from a Verified Response status.

4. ***Verified Response Status.*** The failure of an Alarm User or Alarm Company to make payment of any penalty(ies) assessed under this ordinance within 45 days from the date of the invoice may result in Alarm User or Alarm Company being placed in verified response status until payment is received.

5. ***Civil Non-criminal violation.*** A violation of any of the provisions of this ordinance shall be a civil violation and shall not constitute a misdemeanor or infraction.

(Code 1988, § 4-28)

Sec. 4-35. Appeals

1. ***Appeals process.*** Assessments of penalty(ies) and other enforcement decisions made under this ordinance may be appealed by filing a written notice of appeal with the City within 10 days after the date of notification of the assessment of penalty(ies) or other enforcement decision. The failure to give notice of appeal within this time period shall constitute a waiver of the right to contest the assessment of penalty(ies) or other enforcement decision. Appeals shall be heard through an administrative process established by the City. The hearing officer is in charge of the proceedings and may exclude any person for inappropriate conduct. A certified copy of dispatch records is not hearsay and shall be admitted into evidence by the hearing officer. The respondent may challenge the weight or accuracy of the evidence. If the City prevails, the respondent shall pay the fine. The hearing officer shall render a decision in writing and provide the decision to the City. Failure to pay a fine as ordered by the hearing officer within ten consecutive days from the date of the decision is a default and will apply against the alarm holder or company without service of a notice of default. Following a hearing, the respondent may appeal the decision of the hearing officer, pursuant to Rule 1-074 of the Rules of Civil Procedure, to the Third Judicial District Court within 30 days of the decision and may recover the costs of filing the appeal if successful.

2. ***Appeal standard.*** The City has the burden to prove by a preponderance of the evidence that a false alarm occurred. The hearing officer shall review an appeal from the assessment of penalty(ies) or other enforcement decisions using a preponderance of the evidence standard. Notwithstanding a determination that the preponderance of the evidence supports the assessment of penalty(ies) or other enforcement decision, the hearing officer shall have the discretion to dismiss or reduce penalty(ies) or reverse any other enforcement decision where warranted.

3. ***Appeal Fee.*** A $50.00 filing fee will be applied to any appeal process. An appeal fee must be filed with the written notice. The appeal fee will be refunded if the fine is waived.

4. ***Rebuttable Presumption.*** It is a rebuttable presumption that an alarm is false if personal responding from the Police or Fire Department do not discover any evidence of unauthorized entry, criminal activity, smoke, fire or other emergency following normal Police or Fire procedures in investigating the incident. The Alarm Administrator or public safety authority may adjust the count of false alarms and/or waive or reduce the penalty(ies) based on any of the following:
   a. Severe windstorms, electrical storms, tornadoes, floods, earthquakes or some other violent act of nature;
   b. Disruption of the telephone circuits beyond the control of the alarm user;
   c. Electrical power disruption or failure in excess of two hours;
   d. Malicious causes beyond the control of the alarm user.

The burden of showing that a false alarm was due to one of the following shall rest on the alarm user.

Sec. 4-36. Awareness Class

Alarm User Awareness Class. The class shall inform alarm users of the problems created by false alarms and instruct alarm users how to help reduce false alarms. This class will be made available through local alarm companies and/or through online sources. A certificate of successful completion will be required by the City to regain normal alarm response status and/or to waive a first time fine for false alarms.

Sec. 4-37. Penalty

1. ***Default.*** If the City does not receive payment of fines or request for a hearing within 45 days from the date of the invoice, the alarm user/alarm company is in default. Default automatically results in liability to the alarm user/alarm company and the alarm company/alarm user is barred from requesting or obtaining any hearing on the merits after the date of the default. The City shall mail the notice of default to the defaulting party. The notice of default shall inform the recipient that they have 20 days from the date of mailing of the notice to of default to pay the fine or request a hearing.
2. ***Relief.*** Nothing in this penalty section shall preclude the City from seeking any equitable relief including but not limited to an injunction. In the event any person or entity defaults on any obligation to pay a fee or fine under this Ordinance, the City may collect such unpaid amounts by any method provided by law including but not limited to attachment and foreclosure of a lien on the Alarm Site. In the event the City files an action in court to recover unpaid fee or fine, the City shall be entitled to recover its costs and attorney's fees in addition to the amount due.
3. ***Grace Period.*** Upon the effective date of this Ordinance, Alarm Users shall have a grace period to procure an Alarm User Permit. During the grace period, no fine for operation of an Alarm System without an Alarm User Permit shall be charged, providing that, after this grace period expires, Alarm Users shall be subject to the penalties provided in this Ordinance. Upon the effective date of this Ordinance, Alarm Companies shall have a grace period of 90 days to procure an Alarm Business License. During this time, no fine for operation of an Alarm Company a valid Alarm Business License shall be charged.

4. ***Severability***. If any clause, sentence, paragraph, or part of this Ordinance, or the application thereof to any person or circumstance, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance nor the application of such clause, sentence, paragraph or part to other persons or circumstances but shall be confined in its operation to the clause, sentence, paragraph or part thereof and to the persons or circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that this Ordinance would have been adopted had such provisions not been included or such persons or circumstances been expressly excluded from their coverage

Secs. 4-38.-4-65. Reserved.

DIVISION 2.
LICENSE*

* **Cross References:** Business licenses, § 16-96 et seq.

Sec. 4-66. Required; application; investigation and fingerprints of applicant.

1. No person shall engage in the business of installing, monitoring, maintaining, servicing, repairing, altering, replacing, moving or causing to be installed in or on any building, place or premises abutting on or adjacent to a public street, alley or way any device commonly known as a burglar alarm, fire alarm, holdup alarm or similar protection device or system without first having obtained a license issued by the City.
2. No person owning or employed in the business of installing, maintaining, servicing, repairing, altering, replacing, moving or responding to alarms shall be issued a license by the City Clerk until fingerprints are obtained and a background investigation is conducted and such license is approved by the chief of police. All criminal histories, fingerprints and background investigations shall be retained by the chief of police. A fine of $200.00 shall be assessed for each and every installation conducted in whole or in part by an employee who lacks the required Background Check or fingerprinting.
3. All applications for licenses shall be submitted to the City Clerk on forms provided by the City.
4. This section does not preclude any business from meeting any other requirements as prescribed within the business registration and licensing ordinance in effect at the time of application.

(Code 1988, § 4-26; Ord. No. 1669, § I, 4-6-98; Ord. No. 1713, § I, 1-4-99)

Sec. 4-67. Conditions for issuance.

All licenses required under this division are issued upon the following express conditions:

Every licensee shall always hold the City harmless from and on account of any and all damages arising out of the activities of such licensee, including but not limited to damages to the City, its agents, employees, invitees and licensees while in or on the police department building, and such damages shall expressly include those arising out of any difficulties in the alarm cabinet or the installation or maintenance thereof.

(Code 1988, § 4-29)

Sec. 4-68. Suspension, revocation.

1. If the City Manager has probable cause to believe that a person holding a license issued under this division has violated any section of this article or has made fraudulent, misrepresentative or false statements in the application for an alarm company license, the City Manager shall give the license holder due process in accordance with the general license revocation procedures in section 16-97.
2. Any alarm business license may be suspended or revoked if the license holder has been found, following notice and hearing, to have violated any section of this article or has

made any fraudulent, misrepresentative or false statements in the application for an alarm user license.

3. Any person whose alarm business license has been revoked shall not be permitted to apply for another alarm business license for one year after the order revoking the license, unless the City, upon petition by the licensee, finds that proper corrective measures have been taken.

(Code 1988, § 4-30)

Secs. 4-69.-4-95. Reserved.

ARTICLE III.
SECURITY SERVICES*

* **State Law References:** Private Investigators Act, NMSA 1978, § 61-27-1 et seq.

DIVISION 1.
GENERAL

Sec. 4-96. Additional employees.

A person holding a license under this article may employ persons who need not be licensed but whose names, places of residence and other personal data required in the license application shall promptly be reported to the chief of police. The chief of police shall cause the fingerprints of such additional employees to be taken and shall carry out the same type of investigation provided for the applicant.

(Code 1988, § 4-41; Ord. No. 1669, § II, 4-6-98; Ord. No. 1713, § II, 1-4-99)

Sec. 4-97. Periodic reports.

All persons licensed under this article shall file monthly reports with the chief of police listing all public places within the City which they serve.

(Code 1988, § 4-42)

Secs. 4-98.-4-125. Reserved.

DIVISION 2.

LICENSE*

***Cross References:** Business licenses, § 16-96 et seq.

Sec. 4-126. Required.

Every person, before entering the business of conducting a merchant police firm, alarm system firm, civilian security agency or private detective agency, must first obtain from the City a license to do so. This license is in addition to the license referred to in article II of this chapter.

(Code 1988, § 4-51)

Sec. 4-127. Application.

Application for a license required by this division shall be in writing upon forms provided by the City and filed with the City Clerk. A statement shall be required of the applicant as to details of the organization of his business and personal data on all principals of the business.

(Code 1988, § 4-52)

Sec. 4-128. Fee.

Fee(s) shall be paid in accordance with chapter 16, article IV, division 3 of this Code.

(Code 1988, § 4-53; Ord. No. 1713, § III, 1-4-99)

Sec. 4-129. Investigation.

The City Clerk shall transmit all applications for licenses required by this division to the chief of police who shall cause the fingerprints of all applicants to be taken and shall conduct a statewide background check to determine the fitness to perform the functions of the business in which they seek to engage. The investigation shall determine whether an applicant or additional employee:

1. Is of good moral character;
2. Is at least eighteen years of age;
3. Has not been convicted of a felony offense or any other criminal offense involving moral turpitude or the illegal use or possession of a deadly weapon.

(Code 1988, § 4-54; Ord. No. 1713, § IV, 1-4-99)

Sec. 4-130. Approval; Disapproval.

Upon approval of the chief of police, the City Clerk shall issue to the applicant the license required by this division. Upon the disapproval by the chief of police, the license shall not be issued and the fee for the license shall be refunded to the applicant. Upon disapproval by the chief of police, any affected party, applicant or employee may file an appeal to the City Council to overturn the chief of police's decision. The appeal must be filed with the City Clerk within ten days of notification to the applicant that the application has been disapproved. The decision of the City Council shall be final in all cases.

(Code 1988, § 4-55; Ord. No. 1713, § V, 1-4-99)

Sec. 4-131. Bond required.

Before the license provided for by this division may be issued, the applicant shall file a surety bond in the sum of $2,500.00 executed by a company authorized to do business in the state on the condition that the applicant or any of his employees will not, in connection with their performance under the license granted by the City, violate any state or federal law or ordinance of the City involving moral turpitude. Such bond will be for the protection of the City and of any person damaged by a breach of the condition of the bond. However, if evidence of a state bond in a like amount is shown, another bond shall not be required by the City.

(Code 1988, § 4-56)

Sec. 4-132. Renewal.

A license issued under this division shall be subject to approval in the same manner as an original application. Statements concerning the details of the organization need not be provided annually, provided that changes in business and personal data be submitted to the police department as such changes occur.

(Code 1988, § 4-57; Ord. No. 1713, § VI, 1-4-99)

Sec. 4-133. Suspension, Revocation.

Any license issued under this division may be suspended or revoked by the chief of police for the violation by the licensee of any applicable section of this Code, state law or city ordinance, rule or regulation in accordance with the general license revocation procedures in section 16-97. If the license is revoked, the licensee shall not be entitled to a return of the license fee.

(Code 1988, § 4-58; Ord. No. 1669, § III, 4-6-98; Ord. No. 1713, § VII, 1-4-99)

Chapter 4

ALARM SYSTEMS AND PRIVATE SECURITY FIRMS*

Article I. In General

Sec. 4-1. Definitions.
Sec. 4-2. Exemptions.
Sec. 4-3. Nonemergency activation.
Secs. 4-4—4-30. Reserved.

Article II. Alarms

Division 1. Generally

Sec. 4-31. Emergency calls.
Sec. 4-32. Posting of information.
Sec. 4-33. Annunciators in police department.
Sec. 4-34. Automatic dialing devices prohibited.
Sec. 4-35. User fees; false alarms.
Sec. 4-36. Hearings.
Secs. 4-37—4-65. Reserved.

Division 2. License

Sec. 4-66. Required; application; investigation and fingerprints of applicant.
Sec. 4-67. Conditions for issuance.
Sec. 4-68. Suspension, revocation.
Secs. 4-69—4-95. Reserved.

Article III. Security Services

Division 1. Generally

Sec. 4-96. Additional employees.
Sec. 4-97. Periodic reports.
Secs. 4-98—4-125. Reserved.

Division 2. License

Sec. 4-126. Required.
Sec. 4-127. Application.
Sec. 4-128. Fee.
Sec. 4-129. Investigation.
Sec. 4-130. Approval; disapproval.
Sec. 4-131. Bond required.
Sec. 4-132. Renewal.
Sec. 4-133. Suspension, revocation.

***Cross references**—Fire prevention and protection, ch. 11; false alarms, § 19-301; police, ch. 23.
State law references—Municipal home rule, Const. art. X, § 6; NMSA 1978, § 3-15-13.

ARTICLE I. IN GENERAL

Sec. 4-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alarm system means any device used to detect or prevent burglary, theft, shoplifting, pilferage or other such emergency situation which when activated causes notification to be made directly or through telephone communication to the police department.

Alarm system business means any person who installs, repairs, alters, maintains, services or responds to alarm systems for compensation.

Alarm system owner means any business that has an alarm system on its business premises on which it performs its own maintenance or service.

Alarm system user means any business that has an alarm system on its business premises which is maintained or serviced by an alarm system business.

Automatic dialing device means any device connected to an alarm system which automatically sends a prerecorded message or coded signal, indicating the activation of the alarm system, directly to the police department.

Central station means that portion of an alarm system business which receives or intercepts a signal, indicating the activation of an alarm system, and which relays this information to the police department.

False alarm means an alarm signal activated by an alarm system which elicits a response by the police department when there is no evidence of emergency or threat of emergency of the type for which the alarm system was designed to give notice. This does not include an alarm signal caused by violent conditions of nature or other extraordinary circumstances not reasonably subject to control by the alarm system business, user or owner.

Interconnect means the connecting of an alarm system, including an automatic dialing device, to a telephone line, either directly or through a mechanical device that utilizes a telephone, for the purpose of using the telephone line to transmit a message upon the activation of the alarm system.

Responsible party means an alarm system business, user or owner which is found by the police department to be responsible for an alarm system generating a false alarm.
(Code 1988, § 4-1)

Cross reference—Definitions generally, § 1-2.

Sec. 4-2. Exemptions.

This chapter shall not apply to the following:

(1) An alarm system installed on a motor vehicle.

(2) A device giving an exterior annunciation and not interconnected to any central station.

(3) Any alarm system designed solely to detect or give notice of fire or smoke.

(4) Any alarm system installed in or on a private residence, except that section 4-34 will apply to residential as well as business alarm systems.

(Code 1988, § 4-2)

Sec. 4-3. Nonemergency activation.

No person shall intentionally activate an alarm system for any purpose other than an emergency or threat of emergency of the kind for which the alarm system was designed to give notice. However, a person activating an alarm for the purpose of testing the alarm shall take reasonable precautions to notify the police department or the owner of a business who maintains the alarm in a timely fashion to avoid emergency response.
(Code 1988, § 4-3)

Secs. 4-4—4-30. Reserved.

ARTICLE II. ALARMS

DIVISION 1. GENERALLY

Sec. 4-31. Emergency calls.

Every person licensed under this chapter shall have available at all hours service personnel to

respond to emergency calls. Service personnel shall render emergency service at all hours of the day upon the request of the police or fire department or other authorized city officials.
(Code 1988, § 4-16)

Sec. 4-32. Posting of information.

Every person licensed under division 2 of this article shall cause a notice containing the names, addresses and telephone numbers of the persons to be notified any time that any alarm rings, which is to be posted near the alarm in such position as to be readable from the ground level adjacent to the building in which the alarm is located. Such notice shall be framed and enclosed in glass.
(Code 1988, § 4-17)

Sec. 4-33. Annunciators in police department.

(a) Only annunciators in banks, savings institutions, credit unions, loan companies and U.S. government installations can be placed in the police department. These annunciators may be installed by the licensee and must be maintained and serviced by the licensee without expense or liability on the part of the city. The licensee will provide uniform annunciator alarm equipment approved by the chief of police for its operation in the radio dispatch room where the visual and audible signals can be easily seen and heard by the dispatcher.

(b) All other annunciators will be housed at a central location selected by the licensee, and a direct telephone to the police department may be established to enable the licensee's telephone operator to contact the police radio dispatcher.
(Code 1988, § 4-18)
Cross reference—Police, ch. 23.

Sec. 4-34. Automatic dialing devices prohibited.

It is unlawful for any person to program an automatic dialing device to select any telephone line to the police department.
(Code 1988, § 4-27)

Sec. 4-35. User fees; false alarms.

(a) The police department will respond to proper notification of activation of an alarm system without charge. There shall be no fee imposed by the city if the initial alarm has sounded, the police have requested the owner or manager to deactivate the alarm, and the owner or manager requests the police to search the premises, provided that such owner or manager has responded to the police request within 20 minutes, nor shall any such incident be deemed a false alarm.

(b) The following fees for false alarms will be charged any responsible party for each response by the police department in excess of four false alarms from the same business location within a 180-day period:

(1) For each response in excess of four false alarms from any one business location in each 180-day period, $25.00.

(2) No fee shall be charged if it is determined that the activation was not a false alarm or that it resulted from a mechanical defect and the responsible party is making a good-faith effort to correct the defect. For the purpose of determining the fees set out in subsection (b)(1) of this section, the burden shall be on the alarm system owner, user or business to prove that the activation of the alarm system was not a false alarm or that the alarm system owner, user or business is not the responsible party.

(3) The alarm system owner, user or business shall be given a written notice by the chief of police that any fees chargeable under this article shall be paid to the city clerk within 30 calendar days of the date of the notice of fees due, unless such alarm system owner, user or business requests a hearing pursuant to section 4-68. If a hearing is requested, payment may be withheld pending the decision of the hearing as provided in section 4-36.

(4) The Mesilla Valley Regional Dispatch Authority shall provide a list of all false alarms in excess of four within any 180-day period from the same business loca-

tion to the chief of police who will send a notice of fees due to the responsible party. If payment is not made in accordance with subsection (b)(3) of this section, the chief of police shall initiate appropriate action in accordance with this article through the codes enforcement department. Monthly reports will be provided upon request by the Mesilla Valley Regional Dispatch Authority for a fee to be set by the chief of police.

(Code 1988, § 4-28)

Sec. 4-36. Hearings.

(a) Upon receipt of notice of fees due as provided in section 4-35, the affected party may request a hearing in accordance with section 16-97 to show cause why such party should not be charged the fees specified in the notice. Such requests must be filed in writing with the city clerk within 30 calendar days of receipt of the notice of the fees due. The affected party shall be given written notification by certified mail of the hearing at least ten calendar days before the hearing.

(b) All hearings shall be open to the public and shall be held only after the notice is given to the affected party as provided in this division.

(Code 1988, § 4-31)

Secs. 4-37—4-65. Reserved.

DIVISION 2. LICENSE*

Sec. 4-66. Required; application; investigation and fingerprints of applicant.

(a) No person shall engage in the business of installing, maintaining, repairing, altering, replacing, moving or causing to be installed in or on any building, place or premises abutting on or adjacent to a public street, alley or way any device commonly known as a burglar alarm, fire alarm, holdup alarm or similar protection device or system without first having obtained a license as provided in article III of this chapter.

*Cross reference—Business licenses, § 16-96 et seq.

(b) No person owning or employed in the business of installing, repairing, altering, maintaining, servicing or responding to alarms shall be issued a license by the city clerk until fingerprints are obtained and a background investigation is conducted and such license is approved by the chief of police. All criminal histories, fingerprints and background investigations shall be retained by the chief of police.

(c) All applications for licenses shall be submitted to the city clerk on forms provided by the city.

(d) This section does not preclude any business from meeting any other requirements as prescribed within the business registration and licensing ordinance in effect at the time of application.

(Code 1988, § 4-26; Ord. No. 1669, § I, 4-6-98; Ord. No. 1713, § I, 1-4-99)

Sec. 4-67. Conditions for issuance.

All licenses required under this division are issued upon the following express conditions:

(1) Every licensee shall always hold the city harmless from and on account of any and all damages arising out of the activities of such licensee, including but not limited to damages to the city, its agents, employees, invitees and licensees while in or on the police department building, and such damages shall expressly include those arising out of any difficulties in the alarm cabinet or the installation or maintenance thereof.

(2) If there is an excessive number of false alarms originating from a single licensed alarm system as determined by the chief of police, the faulty system may be ordered removed from the police department building until corrective action is taken.

(Code 1988, § 4-29)

Sec. 4-68. Suspension, revocation.

(a) If the city manager has probable cause to believe that a person holding a license issued under this division has violated any section of this article or has made fraudulent, misrepresentative or false statements in the application for an alarm

business license, the city manager shall give the license holder due process in accordance with the general license revocation procedures in section 16-97.

(b) Any alarm business license may be suspended or revoked if the license holder has been found, following notice and hearing, to have violated any section of this article or has made any fraudulent, misrepresentative or false statements in the application for an alarm user license.

(c) Any person whose alarm business license has been revoked shall not be permitted to apply for another alarm business license for one year after the order revoking the license, unless the city, upon petition by the licensee, finds that proper corrective measures have been taken.
(Code 1988, § 4-30)

Secs. 4-69—4-95. Reserved.

ARTICLE III. SECURITY SERVICES*

DIVISION 1. GENERALLY

Sec. 4-96. Additional employees.

A person holding a license under this article may employ persons who need not be licensed but whose names, places of residence and other personal data required in the license application shall promptly be reported to the chief of police. The chief of police shall cause the fingerprints of such additional employees to be taken and shall carry out the same type of investigation provided for the applicant.
(Code 1988, § 4-41; Ord. No. 1669, § II, 4-6-98; Ord. No. 1713, § II, 1-4-99)

Sec. 4-97. Periodic reports.

All persons licensed under this article shall file monthly reports with the chief of police listing all public places within the city which they serve.
(Code 1988, § 4-42)

Secs. 4-98—4-125. Reserved.

*State law reference—Private Investigators Act, NMSA 1978, § 61-27-1 et seq.

DIVISION 2. LICENSE†

Sec. 4-126. Required.

Every person, before entering the business of conducting a merchant police firm, alarm system firm, civilian security agency or private detective agency, must first obtain from the city a license to do so. This license is in addition to the license referred to in article II of this chapter.
(Code 1988, § 4-51)

Sec. 4-127. Application.

Application for a license required by this division shall be in writing upon forms provided by the city and filed with the city clerk. A statement shall be required of the applicant as to details of the organization of his business and personal data on all principals of the business.
(Code 1988, § 4-52)

Sec. 4-128. Fee.

Fee(s) shall be paid in accordance with chapter 16, article IV, division 3 of this Code.
(Code 1988, § 4-53; Ord. No. 1713, § III, 1-4-99)

Sec. 4-129. Investigation.

The city clerk shall transmit all applications for licenses required by this division to the chief of police who shall cause the fingerprints of all applicants to be taken and shall conduct a statewide background check to determine the fitness to perform the functions of the business in which they seek to engage. The investigation shall determine whether an applicant or additional employee:

(a) Is of good moral character;

(b) Is at least eighteen years of age;

(c) Has not been convicted of a felony offense or any other criminal offense involving moral turpitude or the illegal use or possession of a deadly weapon.

(Code 1988, § 4-54; Ord. No. 1713, § IV, 1-4-99)

†Cross reference—Business licenses, § 16-96 et seq.

Sec. 4-130. Approval; disapproval.

Upon approval of the chief of police, the city clerk shall issue to the applicant the license required by this division. Upon the disapproval by the chief of police, the license shall not be issued and the fee for the license shall be refunded to the applicant. Upon disapproval by the chief of police, any affected party, applicant or employee may file an appeal to the city council to overturn the chief of police's decision. The appeal must be filed with the city clerk within ten days of notification to the applicant that the application has been disapproved. The decision of the city council shall be final in all cases.
(Code 1988, § 4-55; Ord. No. 1713, § V, 1-4-99)

Sec. 4-131. Bond required.

Before the license provided for by this division may be issued, the applicant shall file a surety bond in the sum of $2,500.00 executed by a company authorized to do business in the state on the condition that the applicant or any of his employees will not, in connection with their performance under the license granted by the city, violate any state or federal law or ordinance of the city involving moral turpitude. Such bond will be for the protection of the city and of any person damaged by a breach of the condition of the bond. However, if evidence of a state bond in a like amount is shown, another bond shall not be required by the city.
(Code 1988, § 4-56)

Sec. 4-132. Renewal.

A license issued under this division shall be renewed every March and shall be subject to approval in the same manner as an original application. Statements concerning the details of the organization need not be provided annually, provided that changes in business and personal data be submitted to the police department as such changes occur.
(Code 1988, § 4-57; Ord. No. 1713, § VI, 1-4-99)

Sec. 4-133. Suspension, revocation.

Any license issued under this division may be suspended or revoked by the chief of police for the violation by the licensee of any applicable section of this Code, state law or city ordinance, rule or regulation in accordance with the general license revocation procedures in section 16-97. If the license is revoked, the licensee shall not be entitled to a return of the license fee.
(Code 1988, § 4-58; Ord. No. 1669, § III, 4-6-98; Ord. No. 1713, § VII, 1-4-99)

POLICE RESPONSE TO BURGLAR ALARMS STUDY: SAN BERNARDINO COUNTY

Submitted to:

San Bernardino County Police Chiefs and Sheriff's Association

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EXECUTIVE SUMMARY

I. BURGLAR ALARMS AND CRIME

False burglar alarms are a major issue facing police departments; estimates from agencies across the country suggest that between 8-25% of calls for service are for false alarms. It is estimated that annually there are 36 million false alarms in the United States costing about $1.8 billion (Blackstone, Hakim, and Spiegel, 2002). This equates to approximately 35,000 American police officers that could be shifted to more productive responsibilities. An alarm response policy should weigh the safety of a jurisdiction's citizens and the cost incurred by the city or county and its police department. Thus, alarm response policies should be reviewed periodically to ensure that the policy is achieving stated objectives and is cost effective.

II. POLICIES USED TO MANAGE FALSE ALARMS

There are five noted strategies for managing false alarms: verified police response, fining alarm companies, two call verification of alarms, enhanced management of false alarms, and enhanced public education. Research suggests that adopting a policy of law enforcement agencies as first responders to locations of concern to homeland security, robbery or panic alarms, and alarm calls verified by alarm companies to be legitimate, is an effective way to reduce false alarm calls. Fining systems can also be effective if strategies can be adopted to enhance the efficiency of repeat false alarm identification, generation of fine notices, and collection of fines. Public education is also warranted when using a fining system.

III. SAN BENARDINO COUNTY FALSE ALARM RESPONSE SURVEY: RESULTS AND ANALYSIS

Police and Sheriff's departments located in San Bernardino County were surveyed about their false alarm activity during the summer of 2006. Nine agencies responded. All nine responding departments characterize their residential burglary alarm response policy as first responder to alarm calls with a fine system for false alarms.

- In 6/9 jurisdictions registration is required for residential burglary alarms and 5 agencies required a fee for residential burglary alarm registration.
- Fines for false burglary alarms are typically assessed on (N=3) or after (N=5) the 3rd false alarm; fines generally increase with subsequent alarms (4/9 jurisdictions).
- In 2/9 jurisdictions commercial false alarms are fined at a higher rate than residential false alarms
- The generation of fine notices and collection of fines is the responsibility of the city government in 3/9 jurisdictions; responsibility is shared by city government and police department in 4/9 jurisdictions, police department has sole responsibility in one jurisdiction.
- It is estimated that, on average 74% of false residential burglary alarm fines are collected. Typically, City General Funds receive the fines generated by false burglary alarms.

Alarm calls account for between 1% and 12% of all calls for service (Mean = 6%)

- On average, 98.95% of burglary alarms are false.
- An arrest for burglary was made in only 0.08% of responses to burglar alarm activations.
- Responding to false burglary alarms (from dispatch to clearing the call) takes between 4.72 min. to 25.00 min. (Mean=17.06 min.)

- Average hours per year consumed responding to false burglary alarms ranges from 146 hrs. to 4,382 hrs. (Mean= 1,602 hrs).
- The manpower cost per year for 2-officer response (8/9 jurisdictions) to false burglary alarms ranges from $12,025 to $409,949. (Mean= $ 171,845).

POLICE RESPONSE TO BURGLAR ALARMS STUDY: SAN BERNARDINO COUNTY

The purpose of this white paper is to examine the issues and problems associated with police departments' policies and responses to false burglar alarms, especially in San Bernardino County. False alarms have become a major issue for police departments in that they consume substantial resources without resulting in an equivalent impact on crime or public safety. Nationally, approximately eight to 25 percent of police calls for service are for false alarms when a department fails to implement procedures to reduce false alarms, alarm calls constitute a higher percentage of calls for service. This represents a significant drain on police resources and results in departments not being able to provide adequate attention to those calls that are of a higher priority, especially those calls involving crime.

Nationally, false burglar alarms are a major issue facing police departments; 8-25% of calls for service are for false alarms.

The issue is particularly cogent for cities and departments in San Bernardino County. The overwhelming majority of cities in the county are experiencing rapid population growth. San Bernardino is one of the fastest growing counties in California. This results not only in an increase demand for police services, but it also precipitates an ever increasing number of alarms being installed especially in residential neighborhoods. Alarms are standard in many new houses in the area. In many instances, police response to calls for service has lagged behind as the result of population growth and changes in crime rates. In some instances, cities have not allocated new positions to keep abreast with the expansion, and in other cases, police departments have experienced substantial difficulty in attracting and hiring qualified police applicants. This results in additional pressures on police departments in terms of responding to crime and calls for service in a timely and effective manner.

Nationally, there have been several studies examining the problem. Most of the studies have been conducted by police departments. Additionally, the National Institute of Justice commissioned a study and at least one alarm company, SONITROL, conducted a study. These studies resulted in a variety of recommended policies and responses that are examined in the body of this report. The number of studies also demonstrates the level of concern relative to the problem. Departments in San Bernardino County currently have alarm response policies. In essence, an alarm response policy should weigh the safety of a jurisdiction's citizens and the cost incurred by the city or county and its police department. Thus, alarm response policies should be reviewed periodically to ensure that the policy is achieving stated objectives and is cost effective. Do departments have the "best" policy that serves their needs?

Alarm policies require periodic review in rapidly changing communities.

This report uses data collected from cities in San Bernardino County. All cities and the Sheriff's Department were sent questionnaires. It should be remembered that this report serves as a summary for all cities participating in the study. As police chiefs decide on pursuing new strategies, the data contained in this report can be edited to include only that agency for presentation to city officials. The arguments for a particular strategy can be tailored and compared with the data from the city. This will lead to a stronger argument for the policy change.

I. BURGLAR ALARMS AND CRIME

Before discussing the relevant policy issues and problems associated with false alarms, it is important to discuss how alarms affect crime. Such a discussion provides valuable background information that is important in subsequent policy decisions. Their operation should frame policy to ensure maximum effectiveness.

The Preventive Aspects of Burglar Alarms

First, it should be noted that there are two types of alarms that are reported to the police: 1) burglar alarms and 2) robbery or panic alarms. Burglary alarms are those alarms that are activated when an intruder attempts to enter a business or residence usually when the occupant is not present. The overwhelming majority of alarms received by police departments are burglary alarms. Robbery or panic alarms, on the other hand, are those alarms that are initiated by citizens as the result of a real or perceived intruder. In terms of robbery alarms, many businesses including financial institutions and others maintain robbery alarms. Residential burglary alarms have panic alarms whereby a resident or inhabitant can quickly summons the police in emergency situations. This paper focuses on burglary alarms, as opposed to robbery or panic alarms. Police departments should continue to maintain a rapid response to robbery and panic alarms. Although the majority of such alarms are false alarms, they have a greater potential to be legitimate as compared to burglary alarms. They also alert the police to a possible serious crime in progress.

Burglary alarms can be tripped by intruders or accidentally during activation/disarmament.

Robbery or panic alarms are activated intentionally by citizens perceiving a threat of immediate danger.

Burglary alarms serve two purposes, and it is debatable as to which purpose is the primary objective. First, burglar alarms serve to deter or prevent burglaries. There is a body of research that indicates that burglars, except for the most inexperienced, attempt to identify targets that are not guarded. They do not randomly select targets. They investigate the whereabouts of inhabitants and the level of difficulty for entry and exit. The mere presence of a burglar alarm has somewhat of a deterrent effect, and this presence becomes explicit with the posting of a burglar alarm sign. Indeed, the posting of a sign likely serves as a strong deterrent as having an actual alarm.

There is sparse research examining the impact of burglar alarms on the incidence of burglaries. Hakim and Buck found that residences with alarms had a 1.4 percent chance of burglary, and homes without alarms had a 2.3 chance of burglary. The effect for businesses was more profound. Businesses with alarms had a 4.2 percent chance of victimization, while non-alarm businesses had an 18.2 percent chance of being burgled. This research seems to indicate that the presence of burglar alarms have a preventive effect. However, it should be noted that most alarms are installed in residences and businesses in higher socio-economic areas, and the highest burglary victimization generally occurs in lower socio-economic areas. Thus, the findings may be artifacts resulting from the research design. Thus, it is not known from a research standpoint how effective alarms are in deterring crime. It may be that less costly precautions such as adequate lighting, a vehicle in the driveway, presence of a dog, and target hardening such as deadbolt locks may be just as effective in deterring burglaries as alarms.

Alarms have little impact on residential burglary.

Non-alarm businesses are 3.5 times as likely to be victimized compared with alarmed properties.

The second purpose of an alarm is to facilitate detection and apprehension of burglars and other criminals. Indeed, when alarm companies market alarms, one of the benefits often mentioned is a police response. However, police responses to burglar alarms, especially those in residential areas, may be of the lowest priority in terms of dispatch. With few exceptions, there is not a rapid police response. Police officers respond to more pressing calls for service, especially considering that almost all alarm calls are false. The high number of false alarms increases the level of danger to police officers, when there actually is a crime in progress officers do not take them seriously and often are not as attentive as needed. This is not to say that alarms are of no utility in assisting the police in apprehending potential burglars. The primary benefit of an activated alarm is that it raises the awareness of neighbors and passersby to the point that they more carefully observe what is transpiring. In many instances, if they observe something suspicious they immediately notify the police, and in some cases, they give officers descriptions of suspicious persons or activities. This more often leads to an apprehension as compared to responding to an alarm. Thus, police response is not as important as the public awareness raised by the alarm.

The Costs Associated with Responding to Alarms

As noted above, police response to alarms is very costly. At first glance, it would appear that alarm calls would not be of concern to police managers. Police departments have large numbers of sworn and civilian personnel, and patrol officers who respond to citizen calls for service and alarms are allocated throughout the jurisdiction on a 24 hour basis. However, the majority of police departments, if not all, are understaffed as discussed above. That is, their workloads are substantial to the

Police response to alarms is very costly.

20 alarm calls consume about 1 officer for a 10 hour shift.

point that additional duties or responsibilities often detract from other important tasks. Police departments do not have human resources to spare, especially considering that each alarm call consumes 20 to 40 minutes of an officer's time (this time figure includes response time and time on the scene). This means that 20 alarm calls would consume one officer for a ten hour shift.

Thus, there is a level of costs to departments when responding to alarms. Sampson succinctly summarized the problem,

> If alarms are highly reliable, the public benefits from police catching burglars, taking them out of circulation and reducing the risk of burglary for everyone in the community. However, if alarms are unreliable, then automatic police response becomes a personal service to the alarm owner, providing no benefits to the public at large.

There have been several studies examining the number of alarms and their effectiveness in terms of leading to the arrest of burglars or other criminals. Blackstone, Hakim, and Spiegel note,

> ... in DeKalb, Georgia, in 2000, only 39 out of over 144,000 alarm calls were actual or attempted burglaries. That same year, 97.5 percent of 30,000 police responses to burglar alarms in Seattle were false, and only 40 burglars were actually apprehended. Chicago police annually respond to over 300,000 alarms, 98 percent are false.

It should be noted that these statistics include both residential and commercial alarms, and it is likely that most of the burglary apprehensions were for commercial establishments, which have a higher alarm reliability rate. Moreover, it is not known what percentages of the burglary apprehensions was the result of a rapid police response to the alarms.

Blackstone, Hakim, and Spiegel estimated that annually there are 36 million false alarms in the United States costing about $1.8 billion. In other words, if false alarms did not occur, approximately 35,000 American police officers could be shifted to more productive responsibilities. In later sections of this report, the impact of false alarm calls in cities in San Bernardino County is examined. The following section of the report examines measures enacted by departments to better manage false alarms.

Blackstone, Hakim, and Spiegel estimated that annually there are 36 million false alarms in the United States costing about $1.8 billion. In other words, if false alarms did not occur, approximately 35,000 American police officers could be shifted to more productive responsibilities.

II. POLICIES USED TO MANAGE FALSE ALARMS

Research indicates that when a department or city has no policy governing burglar alarms, burglar alarm calls will constitute approximately 8 to 25 percent of a department's total citizen calls for service consuming vast amounts of patrol personnel's time. There are a number of departments that have not instituted any policies, but it appears that most if not all departments in San Bernardino have such a policy. This section examines the various policies that have been implemented and their effectiveness in reducing false burglar alarms, impact on crime, and criminal apprehension are discussed.

POLICIES TO MANAGE ALARMS

- Verified Police Response
- Fining Alarm Companies
- Two Call Verification of Alarms
- Enhanced Management of False Alarms
- Enhanced Public Education

No Restrictive Policy

There are a number of departments that have not enacted alarm policies. When no policy exists, there is no incentive by alarm owners or alarm businesses to reduce the number of false alarms. **False alarms account for upward to 25 percent of police calls for service in cities that do not have any type of restrictive policies.** It has been shown that there are numerous policies that can reduce the volume of false alarms.

Verified Police Response

Verified police response is where burglary alarms are verified by a third party before a police response. Cities such as Salt Lake City UT, Las Vegas NV, Milwaukee WI, and Fremont CA, California have enacted verified police response ordinances or policies. In Salt Lake City, the alarm companies have hired private security companies to respond to burglar alarms. Verified police response requires a visual verification of the alarm's legitimacy and if an alarm is determined to be legitimate, the police are summoned. **Verified police response in Salt Lake City has resulted in a 90 percent reduction in the number of alarm calls answered by police officers.** It has also resulted in a more rapid police response to alarms since in many cases, alarms are a low priority. Verified police response is the optimal policy since it results in reduced calls, officer safety, and greater citizen satisfaction. Alarm companies are adamantly opposed to verified police response since it generally results in reduced company profits. They often initiate public relations campaigns using scare tactics to discourage the adoption of such policies. The issue is extremely political and difficult when attempting to secure city council approval.

Verified Police Response

Adopting verified police response to alarm calls while maintaining rapid response to all panic alarms and alarms to homeland security targets, can significantly reduce the costs associated with false alarms and improve pubic safety.

When verified police response is used for burglar alarms, it is recommended that the police respond to all panic alarms and robbery alarms. Moreover, agencies can continue to act as first responders to "potentially dangerous" targets. For example, the Fremont, California Police Department responds to burglar alarms

at potential "homeland security" targets that include gun shops, businesses that sell chemicals, and financial institutions. Departments can modify a verified police response to meet their unique needs.

Fining Alarm Companies

An unusual program was adopted in Palm Beach County, Florida, where alarm companies, rather than alarm owners, were fined. Each year alarm companies are assessed a registration or business fee. The amount of the fee is determined by the number of false alarms from the company's subscribers. The alarm company is also fined based on the number of false alarms. If the company does not pay the fine, the department does not respond to any locations that are served by the alarm company.

Fining Alarm Companies

Billing alarm companies annually through a sliding registration fee based on the number of false alarms will help to recoup costs associated with attending false alarms, but it will not reduce the drain on officer time.

This policy provides an incentive to alarm companies to actively reduce the number of false alarms, although it was reported that the policy change had little effect on the number of false alarms. The policy should improve public relations with citizens since they are not fined. However, citizens do not have any incentive to improve their management of their alarm systems.

A form of the fining alarm companies' strategy was attempted in Riverside. Here the department required that alarm companies report alarms using a 900 telephone number, which resulted in the alarm company incurring a charge for each call. The alarm companies sued, and the department was forced to abandon the program.

Two Call Verification of Alarms

Currently, most alarm companies will attempt to make one telephone call to the business or residence when an alarm is activated. If the alarm company is unable to connect with an occupant, the police are called. However, the majority of false alarm activations occur when leaving or arriving. For example, a large number of false alarms occur when residents leave their residence for work. Thus, in many cases, the alarm companies are unable to make contact with the alarm owner. Some departments' alarm policies require departments to maintain work and cell phone numbers that are called when the alarm owner is not reached on the first telephone call. This procedure can reduce the number of false alarms depending on the amount of effort exerted by the alarm company.

Two Call Verification

There is no empirical evidence of material change in the number of false alarms; results depend on the effort exerted by the alarm company.

Enhanced Management of False Alarms

There has been a reduction in the number of alarms when departments have implemented a fine system for false alarms.

Generally, alarm owners are fined upon a third false alarm within a twelve month period. In many cases, these systems are manual or only semi-automated. The City of Phoenix developed a computerized system to keep track of the number of false alarms, which increased better recordkeeping and the number of fines. It also resulted in a substantial decrease in the number of false alarms.

Police departments generally do not place a great deal of emphasis on these systems, and recordkeeping may be deficient or have lapses in efficiency since the money generated from these fines generally goes to the jurisdiction's general fund. However, the preventive or deterrent effects of fines should be considered. That is, if police departments maintained better records that resulted in a larger number of fines, it may have an impact on alarm owner behavior, which occurred in Phoenix. The fear of receiving a fine for false alarms should be no different than fear of receiving a speeding citation. Moreover, the fines for false alarms may be too low. These fines generally are around $50.00 for the third false alarm, which is significantly lower than any traffic fine.

Enhanced Management of False Alarms

Using a computerized or semi-automated system to improve record keeping may enhance the effectiveness of recovering costs for false alarms. However, if fines are set too low (near $50.00) there is little impact on alarm owner behavior. False alarms are unlikely to decline.

Enhanced Public Education

In the vast majority of cases, alarm owners are ignorant of the problems and issues surrounding false alarms. Alarm companies provide alarm owners with little or no information when an alarm is installed. In many cases, the alarm company does not have a vested interest in reducing the number of alarms – only in maximizing profits. There are several methods by which to enhance public education:

1. Develop a false alarm information sheet and require alarm companies to provide copies to each new subscriber. Alarm installers should be required to cover the material with the alarm owner at the time of installation.
2. Develop brochures or door-hangers that officers can leave at the scene of false alarms.
3. Provide classes for citizens regarding the management of their alarms. In some cities such as Phoenix, a class could be taken in lieu of the first fine.

Enhanced Public Education

Phoenix Police Department maintains that public education in conjunction with a more efficient fine system (computerized) led to a substantial decline in false alarms.

The Phoenix Police Department maintains that public education in conjunction with a more efficient fine system substantially contributed to the reduction in false alarms.

This section of the report examined the various options that have been used by police departments to better manage false burglar alarms. Essentially, there are six directions police departments can take, and each has its advantages and disadvantages. The following section examines the data and information provided by the departments participating in this study.

III. SAN BENARDINO COUNTY FALSE ALARM RESPONSE SURVEY: RESULTS AND ANALYSIS

In June 2006, professors from the Center for Criminal Justice Research at California State University-San Bernardino developed a False Alarm Response Survey Instrument in partnership with the Fontana, Ontario and Redlands Police Departments. The survey was designed to gather information from law enforcement agencies serving communities in San Bernardino County to understand the resource drain placed on agencies by alarm response policies.

The survey was disseminated via email to all members of the San Bernardino County Police Chiefs and Sheriff's Association. Ten police departments returned the survey, we were able to use the data provided from nine of these departments (See Table 1).

The data in Table 1 show that there is wide variation in the number of patrol officers per 100,000 residential population in the nine cities. The data reveal substantial variance in patrol coverage. Rialto has the lowest patrol coverage with about 40 officers per 100,000 and San Bernardino has the highest rate of 155 officers per 100,000 residential population.

Table 1. Responding Departments

Department	Residential Population 2005[a]	N Sworn Officers in Patrol 05-06 Fiscal Yr.
Barstow	23,684	21
Chino	76,547	40
Fontana	159,769	72
Montclair	35,479	35
Ontario	171,186	83
Redlands	70,145	35
Rialto	100,321	40
San Bernardino	199,723	155
Upland	74,014	65

[a] As reported in UCR 2005

Alarm Response Ordinance/ Policies & Registration Information

All nine departments are currently the first responder for residential burglary alarms and there is a fine system in place for false alarms. None of the responding departments have a verified response policy.

The false alarm ordinances/policies in these jurisdictions have been in effect from 1979 to as recently as 2004 (see Table 2). In six of the nine jurisdictions, residential alarms systems are required to be registered. Estimates are that between 50 and 95 percent of residential alarms are in fact registered in these jurisdictions (average 66%), with the reported fee for registration ranging from $15.00 to $35.00 with the most frequent charge being $25.00.

Police in jurisdictions are 1st responders to alarms and use a fine system to deal with repeat false alarms.

On average, about 66% of residential alarms are registered.

Table 2. Year of Alarm Ordinance/Policy Enactment and Alarm Registration Information

Department	Year Alarm Ordinance/Policy Enacted	Res. Alarm Registration Required	% Res. Alarms Registered (Est.)	Res. Registration Fee $
Barstow	1997	Yes	50	25.00
Chino	1990	No	-	-
Fontana	2001	No	-	-
Montclair	1982	Yes	60	-
Ontario	2004	Yes	75	25.00
Redlands	2000	No	-	-
Rialto	1986	Yes	95	15.00
San Bernardino	1982	Yes	50	25.00[a]
Upland	1979	Yes	-	35.00

[a] Residential low income registration fee is $10.00 per year

False Alarm Activation Fine Policies

In seven of the nine jurisdictions, fines for responding to false residential or commercial burglary alarm activations are assessed on either the third (N= 3) or fourth (N= 4) false alarm in a 12 month period or fiscal year (See Table 3). In six of the nine jurisdictions, the fine for false residential and commercial alarms is equal. Two jurisdictions (Ontario, Rialto) assess a higher fine for false commercial alarms. Initial fines range from $40 to $100. Five of the nine jurisdictions increase fines for false residential or commercial alarms on subsequent false activations. In four of these jurisdictions the fine increases by $25.00 for each subsequent false alarm. In the fourth jurisdiction (Chino), the fine roughly doubles for each subsequent false alarm within a fiscal year.

Many jurisdictions have fines lower than $75.00; this may be too low to act as a deterrent.

Fines are not assessed until after the 3rd alarm or later. Assigning fines upon the second false alarm would defray the cost of police. Resources.

Table 3. False Alarm Fine Policies

	Residential				Commercial			
Department	Fine on False Alarm #	1st Fine ($)	2nd Fine ($)	3rd Fine ($)	Fine on False Alarm #	1st Fine ($)	2nd Fine ($)	3rd Fine ($)
Barstow	3	50.00	75.00	100.00	3	50.00	75.00	100.00
Chino	4	40.00	75.00	150.00	4	40.00	75.00	150.00
Fontana	4	63.00	63.00	63.00	4	63.00	63.00	63.00
Montclair	4	50.00	50.00	50.00	4	50.00	50.00	50.00
Ontario	3	50.00	75.00	100.00	3	75.00	100.00	150.00
Redlands	3	100.00	100.00	100.00	4	-	-	-
Rialto	3	75.00	100.00	125.00	3	100.00	150.00	200.00
San Bernardino	5	75.00	75.00	75.00	5	75.00	75.00	75.00
Upland	2	50.00	75.00	100.00	2	50.00	75.00	100.00

[B] Upland waives the fine for the first alarm if the alarm is registered but does not distinguish between residential and commercial alarms. If the alarm is not registered there is a fine of $25.00 for the first alarm.

False Alarm Fine Collection

Three of the nine jurisdictions report the generation of fine notices and the collection of funds is the responsibility of the city government (See Table 4). Four jurisdictions report the responsibility is shared by the police department and city government, while in the remaining two jurisdictions the police department is solely responsible. The percent of residential fines collected is estimated to range from 50 to 100 percent (mean= 72%), while estimated collection of commercial fines ranges from 68 to 100 percent (mean = 74%). In eight of the nine jurisdictions, the city general fund receives the fines collected. In one department the fines go to the police department budget (Rialto). The majority of respondents (N=5) estimate that the fine and collection process is costing the police department or the city more than it is generating, but three respondents estimate that the process is generating a surplus. It should be noted that this process is extremely labor intensive with substantial costs.

Only 2 jurisdictions estimate %100 collection of fines.

- **In 4/9 jurisdictions the city generates fine notices.**
- **Most fines are received by the city.**

Information management deficiencies may contribute to inefficient collection. Collection systems should be reviewed.

Table 4. False Alarm Fine Collection

Department	Generation of Notices & Collection of Funds	% Res. Fines Collected (Est.)	% Comm. Fines Collected (Est.)	Fines Received by
Barstow	Police Dept.	95	95	City General Funds
Chino	City Govt.	-	-	City General Funds
Fontana	City Govt.	76	76	City General Funds
Montclair	Other	80	75	City General Funds
Ontario	City Govt.	100	100	City General Funds
Redlands	Other	100	100	City General Funds
Rialto	Other	80	80	Police Dept. Budget
San Bernardino	Police Dept.	50	70	City General Funds
Upland[A]	Other	68	68	City General Funds
Mean	-	**72.11**	**73.78**	-

[A]Upland's system does not distinguish between residential and commercial alarms.

Effectiveness of Alarm Ordinance in Reducing False Alarms

Only three of the responding departments (Ontario, Fontana, and Rialto) report that enactment of the alarm ordinance achieved a desirable reduction in the number of false alarms. Ontario's ordinance was enacted the most recently (2004); they report a 15 percent reduction in the number of false alarms. Fontana's ordinance (enacted in 2001), is reported to have achieved a 10 percent reduction in the number of false alarms. No numbers are available for Rialto (1986). The remaining jurisdictions report that their ordinances have not achieved a desirable reduction in the number of false alarms, but all ordinances were enacted prior to 2001. There are no apparent differences in response policy, registration requirements or fine

While some jurisdictions show marginal effectiveness in alarm reduction with the enactment of alarm ordinances, most have not had satisfactory reductions in alarm calls.

systems between departments that report a desirable reduction in false alarms and those that do not that might be considered to account for the reduction (i.e. Both Ontario and Fontana report desirable reductions in the number of false alarms, Ontario requires alarm registration, Fontana does not, Ontario increases fines for repeat false alarms, Fontana does not etc.).

Current Alarm Statistics

Tables 5 and 6 display statistics reported by departments for the period July 1, 2005 through June 30, 2006. In Table 5, Residential and Commercial alarm activations account for between one and 12 percent of all calls for service (mean = 6%). Departments were requested to report the number of alarm activations (column 4) and the number of burglaries as measured by reports (column 5). The sixth column indicates that between 97.8 (Barstow & San Bernardino) and 99.7 percent (Fontana) of alarm calls are false alarms (mean = 99%).

Most alarms are false. For cities in San Bernardino County, an average of 99% of burglar alarms are false.

Table 5. Residential and Commercial Alarm Activations as a Percent of all Calls for Service, Number of Alarm Activations and False Alarms, July 1, 2005-June 30, 2006

Department	City Population[a]	Alarm Calls as % of all Calls for Service	# of Alarm Activations	# of Burglary Reports	% Alarms that are False[b]
Barstow	23,684	3.50	1,146	25	**97.82**
Chino	76,547	5.20	4,558	42	**99.08**
Fontana	159,769	7.50	8,529	22	**99.72**
Montclair	35,479	4.40	1,876	24	**98.72**
Ontario	171,186	1.00	9,701	86	**99.11**
Redlands	70,145	7.00	4,541	36	**99.21**
Rialto	100,321	6.52	4,840	38	**99.22**
San Bernardino	199,723	12.00	12,216	266	**97.82**
Upland	74,014	5.00	3,608	5	**99.86**
Sum			**51,015**	**544**	
Mean	**101,208**	**5.79**	**5,668**	**60**	**98.95**

[a] City population as reported in UCR 2005
[b] % Alarms that are False = Proportion of alarm activations that did not result in a burglary report.

As a note to Table 5, research indicates that nationally about 99 percent of alarm activations are false. It appears that the cities in San Bernardino County are consistent with national findings.

Table 6 broadens the information contained in Table 5. Table 6 reports the number of burglary reports, burglary arrests, other reports, and other arrests. Other reports of arrests include information for offenses other than burglary. For example, officers might encounter a vandalism, assault, or domestic violence violation once they respond to a burglar alarm.

On average, an arrest is made in response to a burglary alarm 0.08% of the time.

There were 544 actual burglaries in the nine cities. This led to 60 arrests. Two points can be made. First, alarms resulted in arrest in only 7.9 percent of cases where there was an actual burglary, and second, there were burglary arrests in only 0.08 percent of all alarm activations.

The data are striking. For example, Fontana only made seven total arrests from 8,529 alarm activations. Ontario made six total arrests for 9,701 alarm activations.

Table 6. Number of Report and Arrest Dispositions from Residential and Commercial Alarm Responses, July 1, 2005-June 30, 2006

	BURGLARY		OTHER	
Department	Number of Reports	Number of Arrests	Number of Reports	Number of Arrests
Barstow	25	4	2	-
Chino	42	4	-	-
Fontana	22	1	12	6
Montclair	24	2	0	3
Ontario	86	1	7	5
Redlands	36	3	11	0
Rialto	38	3	25	3
San Bernardino	266	25	-	-
Upland	5	-	-	-
Sum	544	43	57	17
Mean	60	5	10	3

Table 7 presents the time and cost allocated to responding to *false* residential and commercial burglary alarms by department. Only Fontana, Ontario and San Bernardino report having previously formally evaluated the impact of the alarm ordinance/policy on police resources. The average time in minutes spent responding to a false alarm activation ranges from 4.72 minutes to 25 minutes (mean=17). This translates into an average of 1,602 hours per year responding to false alarms. In eight of the nine jurisdictions two officers are required to respond to an alarm call, thus the cost per year to respond to false burglary

On average, each jurisdiction spends $171,845 per year dealing with false alarms.

alarms ranges from $20,253 (Barstow) to $ 409,949 (San Bernardino).

Table 7. Time and Cost Allocated to Responding to False Residential and Commercial Burglary Alarms July 1, 2005-June 30, 2006

Department	N False Alarms	Avg. Min/ Response [a]	Hours/Yr. Responding to False Alarms	Avg. Hourly Cost of Patrol Officer [b] (Est.)	Cost/Yr. for One Officer Response to False Alarms	N Officers Required to Respond to Alarms	Manpower Cost/Yr. for Response to False Alarms
Barstow	1,121	25.00	467	$44.80	$20,925	1	$20,253
Chino	4,516	14.48	1,090	$100.10	$109,055	2	$218,190
Fontana	8,507	16.77[c]	2,378	$53.75	$127,802	2	$255,603
Montclair	1,852	4.72	146	$41.27	$6,013	2	$12,025
Ontario	9,615	11.40	1,827	$54.39	$99,362	2	$198,725
Redlands	4,505	24.16	1,725	$63.50	$109,538	2	$219,075
Rialto	4,802	15.00	1,200	$46.00	$55,223	2	$110,446
San Bernardino	11,950	22.00	4,382	$46.78	$204,974	2	$409,949
Upland	3,603	20.00	1,201	$43.44	$52,171	2	$104,343
Sum	50,471	153.53	14,416	$494.03	$78,5073		$1,546,609
Mean	5,608	17.06	1,602	$ 54.89	$87,230	-	$ 171,845

[a] Time between dispatch and clearing the call
[b] Including fringe benefits
[c] Mean of average min per residential response and average min per commercial response

Table 8 provides a breakdown of the crime rates in the various responding cities using the Federal Bureau of Investigation's Uniform Crime Reports. It appears that based on a comparison between the 2004 and 2005 data, the rate of property crime is declining in all cities except Fontana, Redlands, and Upland with Redlands having a significant increase. Most likely, it will be difficult for a chief to convince the city to adopt a verified alarm response policy if burglaries are on the increase.

Table 8. Changes in Crime Rates in the Study Cities

Department	City Population 2005[a]	Number of Burglaries 2005[a]	Burglary Rate/100, 000 2005	% Change in Burglary Rate 2004/2005[b]	% Change in Property Crime Rate 2004/2005	% Change in Violent Crime Rate 2004/2005
Barstow	23,684	305	1,287.79	+0.86	-3.57	+8.25
Chino	76,547	521	680.63	+7.65	-2.02	-22.03
Fontana	159,769	782	489.46	+3.73	+0.60	-10.76
Montclair	35,479	253	713.10	-4.26	-8.33	-9.05
Ontario	171,186	991	578.90	+0.03	-5.92	-13.47
Redlands	70,145	553	788.37	+3.47	+18.01	+3.18
Rialto	100,321	715	712.71	+6.34	-0.81	-20.00
San Bernardino	199,723	2,525	1,264.25	-1.76	-1.70	-5.75
Upland	74,014	466	629.61	+4.72	+0.30	-7.80

[a] As reported in UCR 2005
[b] Percent Change in Volume and Rate per 100,000 Inhabitants 2004/2005

On the other hand, it appears that violent crime is declining in all cities except Barstow, and Redlands. An increase in violent crime would provide additional justification for a change to a verified alarm response policy, although it is not the sole justification for a change in policies.

San Bernardino County False Alarm Response Survey: Summary of the Results

All nine responding departments characterize their residential burglary alarm response policy as first responder to alarm calls with a fine system for false alarms.

- In 6/9 jurisdictions registration is required for residential burglary alarms.
- In 5/9 jurisdictions a fee is required for residential burglary alarm registration.
- Fines for false burglary alarms are assessed on the, 2nd false alarm (N=1), 3rd false alarm (N= 3), 4th false alarm (N=3), 5th false alarm (N=1) or 8th false alarm (N=1); fines generally increase with subsequent alarms (5/9 jurisdictions).
- In 2/ 9 jurisdictions commercial false alarms are fined at a higher rate than residential false alarms.

Summary of the Results Continued

The generation of fine notices and collection of fines is the responsibility of the city government in 3/9 jurisdictions; responsibility is shared by city government and police department in 4/9 jurisdictions, police department has sole responsibility in two jurisdictions.

- Between 50% to 100% (Mean = 72%) of false residential burglary alarm fines are collected.
- Between 68% to 100% (Mean = 74%) of commercial false burglary alarm fines are collected.
- Usually the City General Funds receive the fines generated by false burglary alarms.

Alarm calls account for between 1% and 12% of all calls for service (Mean = 6%).

- On average, 99% of burglary alarms are false.
- Only 0.08% of burglary alarm responses result in a burglary arrest.
- Responding to false burglary alarms (from dispatch to clearing the call) takes between 4.72 min. to 25.00 min. (Mean = 17.06 min.).
- Average hours per year consumed responding to false burglary alarms ranges from 146 hrs. to 4,382 hrs. (Mean = 1,602 hours).
- The manpower cost per year for 2-officer response (8/9 jurisdictions) to false burglary alarms ranges from $12,025 to $409,949. (Mean = $171,845).

IV. SUMMARY AND CONCLUSIONS

This study was commissioned by several police departments in San Bernardino County with the researchers meeting with representatives from the Fontana, Ontario, and Redlands Police Departments. The purpose of the study was to identify options and supporting data for altering police departments' false alarm policies. It was realized that several of the departments are contemplating pursuing a verified alarm response policy, but there are also departments that wish to examine current policies and possibly adopt changes that may reduce the number of false alarms without adopting a verified police response, which is wrought with political problems. Thus, it is the intent of this report to identify all options and allow departments to make informed decisions on the direction to pursue. Also, the researchers will work with chiefs and departmental staff to fashion a policy for presentation to city officials. The researchers will avail themselves to make presentations when needed.

The research to date supports a verified police response to alarms as the most efficient method of responding to alarms. A verified police response substantially reduces the number of alarm calls to police departments without posing a significant level of danger to the public. Indeed, it can be argued that a verified response does not increase public danger or increase safety problems. Cities where a verified response has been adopted have not witnessed increases in burglary or other crimes as a result of the policy change. However, as noted, alarm companies will exert every effort including public fear tactics to ensure that this policy is not adopted by a police department.

Short of a verified police response, there are other measures that a department should consider. In essence, it is in a department's best interest to adopt policies that reduce the number of false alarms in a jurisdiction. It was found in the current study that approximately six percent of all calls for service are false alarms, and about 99 percent of such calls are false. As discussed above in this report, there are three areas where departments can take action that possibly will reduce the number of alarms: 1) better recordkeeping for false alarms, 2) levying fines on the second false alarm and increasing the amounts of the fines, and 3) public education.

A fourth issue must also be raised. At this junction we do not know the percentage of cases where alarm companies are actually attempting to contact alarm owners prior to notifying the police. There may be a percentage of cases where the alarm company notifies the police without attempting to call the alarm

owner. Police departments should consider surveying a random sample of alarm calls to determine if this is occurring. If so, stringent enforcement of alarm company procedures may lead to a reduction in calls.

V. APPENDIX: SURVEY

FALSE ALARM RESPONSE SURVEY

To Whom It May Concern:

We are requesting your participation in a survey designed to collect information on false alarm responses of agencies located in San Bernardino County. This survey is being sent to all agencies in this service area. The impetus for this research is that the San Bernardino Association of Chiefs of Police and Sheriff are considering the feasibility of recommending a model policy on alarm response. Prior to discussing this matter, it is important to discover how agencies currently respond to false and to what extent they are satisfied with their current policies.

The attached survey takes approximately 20 minutes to complete if you have your current false alarm statistics available. Data collected from this survey will be used to better understand the resource drain placed on agencies. It is also our intent to identify agencies with very effective programs that may want to share their experience with other departments. Information that is collected will be contained in a report that will be shared with all police departments and the Sheriff's Department in San Bernardino County.

The Institutional Review Board of California State University, San Bernardino, has approved this survey. Your participation in this study is voluntary. If you decide to complete the survey, you are not obligated to answer any survey questions in the future. The aggregated responses will be presented to the San Bernardino County Association of Police Chiefs and Sheriff. Additionally, the report may contain tables containing data and information for specific agencies. The resultant report will be distributed through the San Bernardino Chiefs of Police and Sheriff's Association. If you have any questions or concerns, you may reach Dr. Larry Gaines at (909) 537-5508 or lgaines@csusb.edu.

Thank you.

Larry K. Gaines, Ph.D.
California State University, San Bernardino
For Research Purposes Only

False Alarm Response Survey

Fontana Police Department, Ontario Police Department, and Redlands Police Department,
in partnership with the Center for Criminal Justice Research
Department of Criminal Justice, California State University, San Bernardino

Revised June 2, 2006.

This survey was designed to gather information from law enforcement agencies servicing communities in San Bernardino County. The purpose of this project is to better understand the resource drain placed on agencies by alarm response policies. It is also our intent to identify response policies that are more effective. The survey will take about 20 minutes to complete if you have your false alarm statistics available. You may choose to terminate your involvement with this project at any time. Your participation is voluntary. This survey was approved by the Institutional Review Board of California State University.

Once you have completed this survey, you can return it to the research team in one of three ways:

a. fax the completed survey to: C/O Dr. Larry Gaines at 909-537-7025
b. email the survey to: lgaines@csusb.edu
c. mail the completed survey to:

False Alarm Response Survey
C/O Larry Gaines, Chair
Department of Criminal Justice
California State University, San Bernardino
5500 University Parkway, San Bernardino, CA 92407

Alarm Response Policy Information

1. Name of Law Enforcement Agency completing survey _____

2. On average, how many sworn officers were working in the patrol division during this past fiscal year (July 1, 2005 to June 30, 2006)? _____

3. Please estimate the average hourly cost of a patrol officer including fringe benefits: _____

4. How many officers are required to respond to an alarm call? ☐ None ☐ One ☐ Two

5. On average, how many officers typically respond to alarm calls? _____

6. How would you characterize your alarm response policy for **residential burglary alarms** (excluding panic alarms)? (select **one** answer):

   ☐ first responder to alarm calls with no fine system

   ☐ first responder to alarm calls with a fine system for false alarms

   ☐ verified response (phone verification by alarm provider)

   ☐ verified response (physical check by alarm provider)

   ☐ other _____ (please explain)

7. Is your agency currently considering making adjustments to your alarm response policy?

☐ Yes ☐ No

If so, why are you considering a change? _____

_____

_____

_____

_____

What are you changing? _____

_____

_____

_____

_____

_____

8. Does your jurisdiction have a false alarm ordinance/policy in place? ☐ Yes ☐ No

If no, please continue to question 24.

If yes, please answer the following questions about your ordinance:

9. Date ordinance/policy was enacted: _____

10. Has the alarm ordinance achieved a desirable reduction in the number of false alarms?

☐ Yes If yes, what percent _____% decrease? ☐ No

11. Has your agency formally evaluated the impact of this ordinance/policy on police resources?

☐ Yes ☐ No

12. Do you require individuals to register their residential alarm systems (permit required)?

☐ Yes ☐ No

13. If registration/permit required, what percent of alarms do you estimate are actually registered? _____

14. If registration/permit required, amount of fee $_____

15. Are individuals fine for false residential burglary alarms? ☐ Yes ☐ No

16. If yes, fines are assessed on the _____ false residential alarm in a 12 month period.
(Insert Number)

17. Are businesses fined for false commercial burglary alarms? ☐ Yes ☐ No

18. If yes, fines are assessed on the _____ false commercial alarm in a 12 month period.
(Insert Number)

19. In some jurisdictions, the amount of fine increases with the number of false alarms within a 12 month period. What is the fine for the first and subsequent alarms after the alarm threshold has been reached?

a. Amount of first fine during a 12 month period (residential) $ _____ b.(commercial) $ _____

c. Amount of second fine during a 12 month period (residential) $ _____ d.(commercial) $_____

e. Amount of third fine during a 12 month period (residential) $ _____ f. (commercial) $ _____

20. How are the fine notices generated and funds collected?
☐ Police Department ☐ City Government ☐ Other _____

21. What percent of fines do you estimate are collected? (residential) ____% b. (commercial) ____%

22. What unit of government receives these fines?
☐ Police Department budget ☐ City general funds ☐ Other _____

23. Generally, would you estimate that the fining and collection process is:
☐ breaking even in terms of resources expended and funds generated
☐ costing the police department or the city more than it is generating
☐ generating a surplus
☐ other: _____
(please explain)

The next series of questions require some detailed information about the number of calls for service that your agency received during the July 1, 2005 to June 30, 2006 fiscal year. Answering these items may take some time if the information needs to be generated. **If only partial information is available, please include what you can.**

24. Police departments generally use a priority system when dispatching calls.
   a. How many levels does your system use? _____
   b. With "1" being the highest priority, what priority are unverified burglary alarms? _____
   c. Within the priority level where alarms fall, what percent of other calls within this level are dispatched before unverified alarms? _____ %

Please examine your CAD calls for the past year—**July 1, 2005 to June 30, 2006**—and indicate the total number of calls for each category.

	a. Residential Burglary Alarm Activations	b. Commercial Burglary Alarm Activations	c. Panic or Robbery Alarm Activations
25. Number of Alarm Activations (from the calls for service data system)			
26. Alarm Calls as a % of ALL calls for service			
Alarm Call Disposition 27. Number of False Alarms			
28. Number of Burglary Reports			
29. Number of Other Reports			
30. Number of Burglary arrests			
31. Number of Other arrests			
32. Number of addresses with repeat alarm calls for service (July 1, 2005 - June 30, 2006)			
33. Average time (in minutes) officers spend responding to false alarm calls (time between dispatch and clearing the call)			

34. The San Bernardino Association of Chiefs of Police and Sheriff is considering the feasibility of adopting a model policy on alarm response. If such a position was developed, would you be interested in participating in the development process?

☐ Yes ☐ No

If you do not want the information from your department contained in the report, please mark the box . ☐

Thank you for taking the time to complete this survey.

Results will be presented at an upcoming
San Bernardino County Police Chiefs Association meeting.

City of Olympia
Security Alarm Program

History

In 2003, The City of Olympia Police Department began examining its calls-for-service workload to determine whether calls could be handled more efficiently. The data indicated that the department was responding to a large number of false alarms - calls that did not increase public safety and that detracted from valuable police service in other areas. The Department asked the alarm industry and interested citizens to partner with the police to develop new ordinances aimed at reducing false alarms. After working for a year and a half, two ordinances were drafted and signed into law. The new ordinances went into effect on January 1, 2005 and the program was fully operational in June 2005.

Olympia Security Alarm Ordinances

The ordinances, OMC 5.55 and 16.46, address both the alarm industry and alarm users. Key to the new ordinances is the relationship between security alarm businesses and their customers. The companies and their customers must work together to ensure that proper call verification procedures are followed, that equipment is in good working order, and that customers are trained to use their equipment correctly.

Key Points to Reduce False Alarms

OMC 5.55:

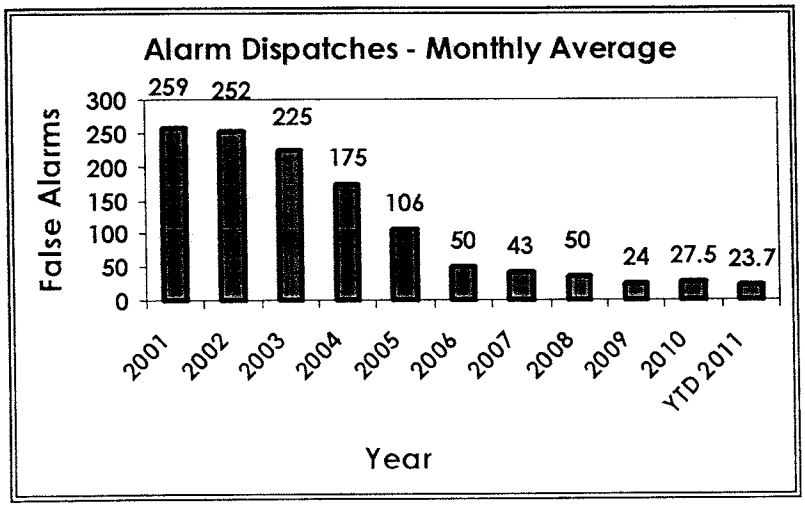
- **Enhanced call verification (2-call)**
- **Installation of modern equipment (ANSI SIA CP-01)**
- **Consumer education**

OMC 16.46

- **No "freebies" – all false alarms are charged**
- **Registration suspension after four alarms**

Successful Results

The City of Olympia has **reduced false alarms by over 89.5%** from its initial 2003 levels *(see graph below)*. In addition, since 2008 the City **collected an average of 95.1% of the alarm-related fees**. The police officers enjoy responding less often to these non-events and the public has responded favorably. By contracting with a third party vendor for the tracking and billing of false alarms, the City was able implement the program quickly while providing alarm response and great service to our citizens. These accomplishments have allowed the Olympia Police Department to be both more effective and efficient.



For more information contact:

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