




## **MEMORANDUM**

### **Austin Police Department *Office of the Chief***

**TO:** Mayor and Council

**FROM:** Art Acevedo, Chief of Police 

**DATE:** August 21, 2014

**SUBJECT:** CIUR 1252

On March 20, 2014, the City Council approved a resolution directing the City Manager to report back to Council with recommendations for ways to reduce false alarms.

In response to this Council action, the Austin Police Department worked with representatives from City of Austin facilities that logged the highest number of false alarms, studied false alarm practices in other cities and examined our internal data to formulate the following recommendations:

- Revise the current ordinance to require that citizens secure an alarm permit before an alarm company can activate the system. This recommendation is strongly supported by staff because it removes the burden from citizens learning after-the-fact that a permit is required, it puts the onus on alarm companies to verify that the resident has a valid permit before they can activate the system, and it saves the considerable staff time and resources that are required to notify residents of an unpermitted system and resolve the matter. This revision would also be in line with other city departments that require a permit before any type of action is taken.
- In conjunction with the first recommendation, staff recommends working with the Government Relations Team to change state law in order to allow a municipality to charge the security company that activates an unpermitted alarm system rather than charging the alarm customer. Note: We specifically use the word activate rather than install since so many new residences and businesses are built with a security system.
- Revise the issues a hearing officer can rule on in the case of a false alarm on an unpermitted account. Currently a hearing officer may and often does reduce or waive the

\$200 unpermitted alarm fee. This action is both problematic in that the City is losing revenue that it is entitled to under existing ordinance and because it does not provide an incentive for citizens and business to register their alarm system.

- Consider requiring alarm companies to make at least one attempt to contact the property owner before activating a call to 911.
- Require the Office of Real Estate to consider the security needs of a Department as part of their facility search criteria both in terms of the physical structure of the building, existing security infrastructure and the cost of installing or updating security requirements if the facility's alarm system is inadequate.
- Work with the Government Relations Team to advocate for reducing the number of free false alarms down from three to two. State law currently dictates that a municipality may not charge for the first three false alarms.
- Work with the Government Relations Team to advocate for a change in state law that will provide municipalities with the ability to charge more realistic alarm fees in order to recover funds expended as a result of responding to false alarms.

Thank you for reviewing these staff recommendations. The Austin Police Department looks forward to responding to any questions you may have.

cc: Marc Ott, City Manager  
Michael McDonald, Deputy City Manager

# Final Report

CIUR 1252

On March 20, 2014, the City Council approved a resolution directing the City Manager to work with appropriate cities and entities to review state law concerning penalties for false alarms, review and draft an amendment to City Code regarding false alarms, review the City's own internal practices regarding operation of alarms at City facilities, and report back to Council with recommendations for ways to reduce false alarms.

In light of this direction, the Austin Police Department conducted a meeting on May 22, 2014 with representatives from City of Austin facilities that logged the highest number of false alarms when compared with all City facilities. The panel included members of CTM, the Prosecutor's Office, the APD Evidence Control Unit, PARD, Building Services, APD's Chief Financial Manager Betty Schmidt, APD Financial Manager Mary Ann Carney who oversees the Alarm Unit and Tara Long, APD Constituent Liaison.

During the course of the meeting, the Departments raised a number of shared challenges associated with their alarm systems including the presence of animals (mice, rats, bats, raccoons, etc.) setting off motion sensors thereby causing false alarms. The staff also attributed false alarms to employees failing to disarm a system, faulty or outdated alarm equipment, external forces such as citizens pulling on doors after hours resulting in alarm activation and potential areas for improving the evaluation of City facility security needs. These important concerns led to some of the recommendations outlined later in this report.

Citizens experience similar issues that cause false alarms. Many of these issues could be corrected if homeowners were made aware of ways to combat the false alarms. Common causes that are easily corrected include the following:

- **Faulty or depleted batteries.** Dead or weak batteries are often the cause of false alarms. Almost all systems will remind you when batteries need replacing.
- **Loss of power.** If a circuit breaker is tripped this will activate some alarm systems. If the citizen is aware of this issue, they are able to call the alarm company before the alarm is called in.
- **Major changes to a business or home's interior:** Often times a renovation or major changes to furniture, window treatment or the interior layout can be the cause. Citizens should contact their security system provider to reevaluate a system after such changes.
- **Pets.** Most motion sensors can be set up to accommodate indoor pets. The security company needs to be made aware if a pet is acquired so the system can be modified.
- **Others with access to the property.** Sometimes homeowners forget to disable the system ahead of time when expecting guests, a cleaning service or maintenance personnel will be visiting the residence. Citizens need to provide instruction to everyone with access to the property.
- **Moving objects.** Fans and other moving objects can trigger an alarm. Citizens need to be cognizant of the effect these objects have.

- **Faulty sensors.** Access sensors on doors and windows can sometimes become loose or develop a faulty connection. A security company can investigate this if the citizen feels that the sensors are causing false alarms.

As a follow-up to the meeting held with City Departments, APD requested that each of the Departments submit a short summary of their individual alarm challenges and how each has worked or is working to address those. The highlights of those summaries are included for your review.

### **CTM**

**Challenge:** The CTM Wireless Facility located at 1006 Smith Road had a high of 17 false alarms in a single year. The staff attribute these to several factors including the age of the alarm system (17 years old), the way in which the system has been augmented and mended over time and the lack of vendor expertise in maintaining an older security system.

**Solution:** The CTM Wireless facility will receive a system upgrade in FY14 at a cost of \$11,700. This upgrade, performed by Schneider Electric, will begin in mid-June and is scheduled to be completed at the end of July. The CTM staff is also working with City Planners to locate a more suitable building to move into.

### **Prosecutor's Office (Legal Department)**

**Challenge:** The Prosecutor's Office, located on 6<sup>th</sup> Street, attributes many of its false alarms to unsteady front doors that, once pulled on by a passerby, activate the current alarm system.

**Solution:** The Prosecutor's Office has requested that the building landlord replace the front door as one of the terms in the new lease. Additionally, staff is working with the alarm company to revise the response process so that two contacts (the front door and a motion sensor inside the building) would both have to be affected before the alarm is triggered.

### **Evidence Warehouse (Austin Police Department)**

**Challenge:** The evidence warehouse experienced electric equipment difficulties.

**Solution:** The APD Evidence Control utilized Schneider Electric to maintain and repair the system.

**Challenge:** The activity of rodents in and around the evidence warehouse set off alarm sensors.

**Solution:** The staff is using an animal control business to address the presence of rodents and other animals affecting the facility's security.

### **Parks and Recreation Department**

**Challenge:** The PARD reported 50 facilities with records of false alarms; ten buildings reported four or more during an eight month period. There were some false alarms attributed to employees failing to disarm the security system.

**Solution:** The PARD staff provided employee training on the alarm system.

**Challenge:** The air conditioning system in the buildings would cause paper or posters on a bulletin board to blow around thereby activating the alarm system.

**Solution:** The PARD staff moves bulletin boards when possible or removes unsecured paper as needed.

### **Building Services**

**Challenge:** An alarm system that was installed in the Old Home Depot Facility located at 7211 North IH-35 after it became storage for City Departments in May 2010 was being set off by bats flying around inside the building, setting off multiple alarms within seconds of each other.

**Solution:** The City's Building Services Division worked with an animal organization that specializes in handling this type of issue. While the matter was being resolved, staff also coordinated with the security monitoring company to institute a practice that requires authorization from a security manager before dispatching APD to the site. These two practices reduced the number of false alarms down from a maximum of eight per month to one. The remaining one was caused by a tenant who neglected to turn off the alarm. As a result, Building Services reinforced instructions and training with all tenants.

**Challenge:** The security system at City Hall has a flawed first floor perimeter device that triggers and resets itself immediately. The momentary break sends a burglary alarm to the monitoring company at which time APD would be dispatched to respond.

**Solution:** The security maintenance contractor is currently working to repair the equipment. While this repair is occurring, the security manager will verify the first floor perimeter activity to determine whether APD response is warranted before officers are dispatched. Once the system is operating properly, Building Services will reevaluate this protocol.

### **Practices in other jurisdictions:**

The following list offers an overview of other municipality's approaches to false alarms:

- A provision excluding law enforcement response to unpermitted alarm systems, systems that produce an excessively large number of false alarms or alarm systems that have exorbitant outstanding fees or fines.
- A provision that requires verification of an alarm by the monitoring company before law enforcement is dispatched. Depending upon the jurisdiction, verification can range from one phone call (generally to the business or residence) to multiple calls requiring a verbal confirmation to a site visit by the monitoring company.
- A provision that requires inspection of an alarm system by the jurisdiction before an alarm is activated or before an alarm is reinstated following multiple false alarms.
- A provision that requires alarm companies to be licensed at the local level.
- A provision offering voluntary or requiring mandatory attendance of false alarm awareness school.

Following this research, the evaluation team made up of APD Assistant Director Alice Suter, Senior City Attorney David Douglas, Managers Betty Schmidt and Mary Ann Carney and Constituent Liaison Tara Long began to formulate recommendations intended to reduce false alarms. During the vetting process, the team developed several recommendations for consideration. Unfortunately two of the recommendations are prohibited under current law. The law was last updated in 2005. Those recommendations are outlined and described below.

- **Recommendation:** Reduce the number of free false alarms from three down to two for permitted accounts. By charging a fee starting with the third false alarm, rather than with the fourth false alarm as is the current practice, residents and commercial customers will have a greater economic incentive to prevent additional false alarms. **Conclusion:** The evaluation team is unable to move forward with this recommendation because current state law dictates that a municipality may not charge for the first three false alarms.
- **Recommendation:** There is currently a \$200 fee associated with unpermitted security systems that require a police response because of an alarm. Many citizens charged with this fee are unaware that a permit is required even though an alarm company is required to notify a customer before installation. The evaluation team is suggesting that the \$200 fee should be charged to the alarm company rather than to the citizen. By charging a fee to the alarm company rather than to the citizen, the company has an incentive to notify the customers beforehand about the permit. **Conclusion:** The evaluation team is unable to move forward with this recommendation because the

Texas Occupations Code Chapter 1702(b) stipulates that *a municipality, county, or other political subdivision of this state may not require a payment for the use of municipal, county, or other public facilities in connection with a business or service provided by a license holder*. In this case, the term facilities can apply to police response.

The hurdles that prohibit both of the above recommendations helped to formulate APD's suggestions for the Government Relations Office regarding their legislative efforts on alarms. The evaluation team's final recommendations are as follows:

- Revise the current ordinance to require that citizens secure an alarm permit before an alarm company can activate the system. This recommendation is strongly supported by staff because it removes the burden from citizens learning after-the-fact that a permit is required, it puts the onus on alarm companies to verify that the resident has a valid permit before they can activate the system, and it saves the considerable staff time and resources that are required to notify residents of an unpermitted system and resolve the matter. This revision would also be in line with other city departments that require a permit before any type of action is taken.
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