

 Lexington Police Department	Subject: Burglar, Hold-Up or Other Alarms for Police Service,					Policy Number: <h1>41F</h1>	
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By Order of: Mark J. Corr, Chief of Police							

GENERAL CONSIDERATIONS AND GUIDELINES

On June 18, 2007 the Lexington Board of Selectmen unanimously approved revisions to the rules and regulations governing “**BURGLAR, HOLD-UP AND OTHER ALARMS FOR POLICE SERVICE**”; these changes are found under Article VII §187-58 through 187-95 and became effective July 1, 2007.

Background: For many residents and business owners, alarms give them peace of mind that their property is protected. There are approximately 2,250 alarm systems in Lexington today based on a count of registered alarms. Since 1980, Lexington has had a bylaw authorizing the Board of Selectmen to make rules governing alarm installation and use.

In 1991, Lexington implemented an alarm service fee of \$50 to be assessed on the third and each subsequent false alarm in a calendar year. At that time, almost 22% of the police service calls involved alarms with 99.7% being false alarms. Approximately 5% of alarm systems generated the majority of the false alarms.

In 2006, only 111 or approximately 5% of the alarm owners were billed for three or more false alarms. These alarm systems were responsible for 695 false alarms. After one alarm fee, 51% did not have another false alarm. After the second alarm fee, an additional 22% did not have another false alarm. Only 30 alarm systems had 5 or more false alarms in the calendar year and most of these were commercial alarm systems.

What is a false alarm? A false alarm is any alarm where a responding officer(s), having completed a timely investigation of the alarm site, finds no reasonable evidence of a criminal offense. False alarms include avoidable alarms whereby the alarm activation caused by non-criminal behavior could have been avoided with simple preventative measures. Any alarm where there is a medical emergency or fire will **not** be handled as a “police” alarm regulated by this bylaw and is not subject to alarm service fees.

The alarm service fee is not a fine; it is the real cost of dispatching officers to the scene of an alarm, investigating the origin of the alarm activation, and documenting the incident. The cost of doing business has increased since 1991. The alarm service fee is \$80 for a residential alarm and \$120 for non-residential and/or "high risk" alarm activations.

Alarm Registration: Any alarm that may generate a call to the Police Department must be registered. A registration includes the alarm system address, phone number, and the name of the person/business responsible for the alarm. Since 1991, there has been an alarm registration requirement. The 2007 changes are intended to keep the registration process simple.

Alarm monitoring companies must register alarm systems they intend to report to the police station when an alarm is activated. Alarm users **are excused** from having to register their alarm systems if their alarm company has done it for them. There is **no fee** for registering the alarms. It is our experience that most alarm companies can easily generate a full list of their alarm systems and then mail this information to the Police Department.

Lexington has been relatively successful reducing false alarms since 1991. Shifting the cost of false alarms to the few alarm users responsible for these alarms is good public policy. This program encourages alarm users to become familiar with how to use their alarm system, provide the proper maintenance, and where necessary, upgrade or replace faulty systems.

Service Fees versus Fines: Lexington has chosen the alarm service fee as the basis for reducing false alarms. Fines are included **only** for gross violations of the regulations.

"High Risk Alarms.": Our service fees are based on the level of service we provide. Many residential alarms require a low level police response with unoccupied dwellings that have perimeter or motion alarms. We charge a higher fee for non-residential locations. "High Risk Alarms" are those that are manually activated by a person and suggest that there is an immediate threat. The priority police response to "High Risk Alarms" will be subject to a higher service fee, including residences. Alarm Companies may wish to review the terminology they use when reporting an alarm.

PROCEDURE

A. Definitions

1. **Alarm Company:** A person or business that sells, provides, monitors, maintains, services, repairs, alters, replaces, moves or installs an alarm system. This includes an individual or business that installs an alarm system for his or its private or proprietary facilities.
2. **Alarm Officer:** A designee of the Police Department responsible for administration of the alarm program. The Alarm Officer is charged with the responsibility of reviewing alarm activations, service fee billing, reporting on problematic alarm systems and serving as a resource to the community.
3. **Alarm System:** A device or series of devices that emits or transmits a remote or local audible, visual or electronic signal indicating an alarm has been activated and is intended or is likely to result in the summoning of police services. This does not include an alarm installed in a vehicle unless the vehicle is permanently located at the site.
4. **Alarm User:** Any homeowner, renter, lessee, or other resident and any renter, lessee, or owner of a business or other establishment or building (other than a government facility) who is primarily responsible for an alarm system and/or an activation of the alarm system.
5. **Alarm Verification:** An alarm that has been independently verified by a third party other than the Police Department confirming that the alarm was activated as the result of a crime or incident requiring the police to investigate.
6. **Cancellation:** The Notification to the Police Department by the person who initially requests police response to a non-high-risk alarm activation that the situation does not require a police response.
7. **Contact Person:** One or more individuals, or a private business, that can respond to the alarm location to assist police and fire services to thoroughly inspect the property, secure unlocked doors and windows, deactivate or reset an alarm, and/or take responsibility for protected property.

B. Response to Alarms

1. The responding officer will advise Dispatch of their arrival, check the exterior of building and report their findings back.
2. If an unsecured building is found, Dispatch will be advised immediately before officers enter the building. A second officer should be available

before entering an unsecured building. If there are specific reasons to believe an intruder is in the building, a canine unit may be requested.

3. After a building has been checked and all appears to be in order, an alarm card shall be left in a conspicuous place including but not limited to the mailbox, door to the building or if the interior of the building was checked the card may be left inside. The following information shall be documented on the alarm card:
 - a. Case number
 - b. Date and time
 - c. Name of responding officer(s)
 - d. Outcome and how the police were notified of the alarm.
4. Officers may be cancelled from alarm responses provided:
 - e. The request is made by the reporting alarm company;
 - f. The request is properly authenticated or reasonably believed to be authentic from the same person/company who reported the alarm.
5. If the homeowner or any other individual (who did not make the original request for service) makes a cancellation request, officers will still respond to check the premises.
6. If a subject is located at the scene of an alarm, the proper identification should be obtained. The identification of the individual and the reason for the alarm activation shall be relayed to dispatch for documentation.
7. Alarms set off by power failures, electrical storms, high winds, etc., where alarm activations are received by multiple locations, may be disregarded at the discretion of the Commanding Officer.
8. All alarm response levels may be modified by the Commanding Officer or designee.
9. **NO CANCELLATION of a “High Risk Alarm” response.** If a “High Risk Alarm” is reported, this includes locations such as banks, jewelry stores and gas stations; the Lexington Police Department **will not** cancel the police response.
10. Dispatch should regularly check location history screens to determine if the location is one that may warrant a high-risk response.

C. The following are suggested guidelines for patrol unit responses:

1. **One patrol** unit response when:
 - a. A residential burglar alarm is activated.

- b. A non-retail or public building alarm is activated during regular business hours (i.e. office buildings, schools, DPW).
- c. In the interest of public safety Officers will respond directly, but at reasonable speeds to alarms, exceeding speed limits only under special circumstances.

2. **Two patrol** unit response when:

- a. A residential “panic” alarm is activated. Typically, a panic alarm is used to alert the Police Department when a person is requesting police or medical assistance.
- b. Non-retail or public building alarms are activated during off-hours or during regular business hours if a vault or area containing money is involved.
- c. All other retail businesses, hotels, and restaurants where burglar alarms may be used as holdup alarms.

D. Alarm Classifications

1. Nuisance Alarms

Any alarm that activates repeatedly and/or unnecessarily within the same twenty-four-hour period, emits an outside audible that does not reset after 10 minutes, emits an outside audible that sounds more than twice from the same activation, and/or when the Chief of Police, or a designee, determines the alarm is a nuisance due to a violation(s) of these rules and regulations.

2. Temporary Nuisance Alarm: At times, homeowners are away or business establishment contacts cannot be reached when continuous alarms are received.

- a. When repeated false alarms are received from a location and everything appears to be in order but the alarm system continues to activate, the Commanding Officer may designate that location a temporary nuisance alarm.
- b. If a location is designated a temporary nuisance alarm, the alarm company will be notified that we will no longer respond to this location; they should keep trying to contact the owner.
- c. Once a location is designated a nuisance by the Commanding Officer this information shall be forwarded to the Chief of Police and the Alarm Officer for follow-up.
- d. If the alarm is an outside audible and attempts to contact the owner(s) of the dwelling are unsuccessful and the alarm is causing a breach of the peace then the alarm may be disabled upon authorization of the Commanding Officer. The alarm will be disabled with as little damage to the system as possible.

Often times the help of the Fire Department is useful in the disabling of an alarm under Police Department direction.

3. No Response Alarm:

An alarm location previously designated by the Chief of Police, in which a determination has been made requiring a “no police response,” if an alarm notification is received. This will be identified in the dispatch computer system for the given address on the location history screen.

4. High-Risk-Alarms: Includes panic, duress, silent, robbery, holdup and/or any similarly labeled alarm that suggests the alarm has been manually activated and a crime is in progress or there is some other life threatening event. High-risk alarms also include commercial establishments, such as, but not limited to, gas stations, banks, jewelry stores and/or businesses with cash or valuables commonly victimized by robbery or commercial thefts.

5. Consecutive Alarms/No Bill

- a. Any alarm that activates repeatedly and/or unnecessarily within the same twenty-four-hour period will receive an alarm card.
- b. Dispatch will designate action code **708** Alarm-No Bill-2nd or Subsequent for false alarms received within the same twenty-four-hour period.

6. Bank alarms will be governed by Department Policy **42M-Bank Robberies**. Generally, a minimum of two officers will be dispatched to investigate bank alarms.

E. Alarm Officer

The Alarm Officer is designated the following duties:

1. The retention and oversight of alarms (Article VII §187-88)
2. Administering Alarm Service Fees (Article VII §187-92)
 - a. **Residential:** An alarm service fee of \$80 will be assessed on the third and each subsequent false alarm in a calendar year. The alarm service fee for the first and second alarm will not be assessed, provided no additional false alarms occur during the calendar year; these fees will be deferred and included in part proportionately in each service fee for the third and subsequent false alarm, up to and including the eighth false alarm.
 - b. **Nonresidential and High-Risk Alarms:** An alarm service fee of \$120 will be assessed on the third and each subsequent false alarm in a calendar year. The alarm service fee for the first and

second alarm will not be assessed, provided no additional false alarms occur during the calendar year; these fees will be deferred and included in part proportionately in each service fee for the third and subsequent false alarm, up to and including the 10th false alarm.

F. Alarms General

1. All false alarm activations that occur in one calendar day will be counted as one false alarm.
 2. When possible, the Police Department will leave notice of each false alarm activation at the residence or business and provide a written letter of warning on the second false alarm.
 3. Alarm service fees are **not** subject to appeal. However, the Police Chief, Alarm Officer or other designee will accept written documentation that outlines mitigating circumstances for the false alarms and the measures being taken by the alarm user to prevent future false alarms. The Chief of Police is authorized to waive service fees.
 4. An alarm user with **five** or more alarm service fees, unpaid for a period of **six** months, will be given a final written notice of the fees owed. The alarm user has **14 days** to make full payment; otherwise the alarm user is subject to an additional fine and/or the alarm location may be designated as a “no response alarm.”
- G. The alarm bylaw is covered under Chapter 187 Article VII §187-85 – §187-89 and can be found on the Town of Lexington website <http://www.lexingtonma.gov/>.