

IS IT WORTH IT FOR THE HOA TO PAY FOR ADDITIONAL POLICE PROTECTION?

The answer to that question depends on many factors, partly on the cost, what is actually gained by the additional protection purchased (who benefits and how), and who is paying for it.

I am Kenneth Langer, President of the HOA. I have prepared this document to help present, explain, and discuss many factors that are involved in considering such expenditure. In my opinion, I do not think the costs are worth the expected gain and I set out my reasons later on.

However, to have this “conversation” we have to start somewhere so let’s begin with crime in the area. One can find historical crime statistics provided by the City of Sugar Land. See Annual reports 2019 to 2023 at the following link: [Annual Crime Report | Sugar Land, TX - Official Website](#)

All of us in Barrington Place HOA would like to have no crime of any type take place whatsoever in the subdivision. Unfortunately, crime exists as a fact of life and it will continue to exist into the future no matter what steps are taken to lessen its impact.

Looking at the crime map supplied by the City of Sugar Land (see [LexisNexis® Community Crime Map](#)). One can see the following crimes being shown as occurring in the area in the approximate last 2 years:

- Motor Vehicle Theft
- Drugs
- Vandalism
- Burglary HAB
- Burglary MV
- DUI
- Identity Theft
- Simple Assault
- Aggravated Assault
- Disorderly Conduct
- Intimidation
- Family Offense
- Fraud
- Criminal Mischief
- Larceny
- Fraud Forgery
- Trespassing
- Traffic Incident
- Theft

There are other crimes that do not show up on this list as these are primarily SLPD reported crimes. Other crimes do take place that spill into the area but those other crimes are reported/acted on by other law enforcement agencies (such as those involving DPS, the Fort Bend County Sheriff, Meadows Place, federal law violations, etc.) so it is not an all-inclusive list.

Each year, every homeowner in Barrington Place HOA pays property taxes. From those taxes, we obtain police protection. In this case, our annual property taxes pay for the City of Sugar Land to provide police protection in the area covered by the HOA.

See City of Sugar Land (Ord. No. 1178, § 1, 6-15-99)

There shall be established and maintained a police department to preserve order within the city and to secure the residents of the city from violence and the property therein from injury or loss.

So, a certain level of police protection and service presently exists within the Barrington Place HOA. What is being asked by some homeowners is that additional police protection and service be obtained above and beyond what is being provided by the property taxes we pay.

By the way, the City of Sugar Land does provide a “cost” for the use of its police department. It can be found in the Code of City Ordinances online. I have cut and paste the relevant portion.

CODE OF CITY ORDINANCES CITY OF SUGAR LAND

CHARTER

CHAPTER 2-ADMINISTRATION

ARTICLE V.- FINANCE

DIVISION 4. – FEES FOR VARIOUS CITY SERVICES

Sec. 2-139. Public property use fees.

DEPARTMENT:	POSITIONS:	HOURLY RATE:
POLICE	Police Officer	\$67.25
	Sergeant	\$90.25
	Lieutenant	\$101.50
	Captain	\$112.50

For the sake of discussion, using the information provided for a 40-hour week x 52 weeks x \$67.25 = \$139,880.00 for a police officer. Whether this is an option available for additional police protection is also a question.

Is additional police protection and other security service available? There are a wide range of alternatives in security and policing methods. Some companies exist that provide services such as commissioned security officers patrolling within the neighborhood, walking the neighborhood with K-9 patrols, setting up cameras to monitor and record persons/vehicles coming in and out of the subdivision, and parking dummy/ghost cars on the streets to make it appear that the police are in the vicinity. This is not police protection. These agents/commissioned security officers of private companies do not have the same power of arrest as a SLPD Officer. If a crime happens, unless it is seen at the time it is being committed, the private security guards cannot arrest someone. These companies’ employees cannot go into locations and detain/arrest someone on suspicion or a hunch. If a “security officer” came up to me and wanted to know who I was and/or what I was doing, I could ignore the security officer or even tell the security officer in an impolite way to “go away”.

Do you want cameras monitoring your activities in the Subdivision and who has access to that monitored activity? One “solution” often mentioned is monitoring residents. Let’s say the HOA agrees to have private security cameras located within the subdivision to deter crime by monitoring who comes in and out of the subdivision. These cameras do not discriminate between homeowners and criminals. Cameras record everything. That information is then stored. Most persons are creatures of habit. Do you trust that the information collected at the request of the HOA will be kept safe and/or will not be used for

other purposes? **Information that is never collected cannot be misused.** On the other hand, collected information in the hands of the wrong persons, could enable the wrong persons to know your daily activities, when you leave your home and the subdivision and when you are away and when you return to the subdivision. The information problems may not even involve crime but crimes of the heart. These cameras could also record the private actions of individuals who travel within the neighborhood and might be spending intimate moments with others unbeknownst to their marital or other partners who are away from the neighborhood. The HOA would then be in a position of responding to the requests of one owner wanting the recordings as evidence and the other owner wanting the evidence withheld. This is Pandora's box of problems that does not need to be opened. The HOA can only provide video footage to a law enforcement agency.

Therefore, private security is not being considered here in this article. So, if you want the same or similar level of protection to a City of Sugar Land Police Officer, you want an apple to an apple comparison if possible, or as best of a comparison as you can make.

The HOA is within the jurisdiction of the City of Sugar Land, (a municipality), which has its own police force and officers to enforce the laws in its jurisdiction (area of control). The hourly cost for a police officer in Sugar Land is set out above. Setting jurisdiction questions to the side, the only other reasonable "comparable" to a Sugar Land Police Officer is the Fort Bend County Constable (Contract Deputy). Fort Bend County ("County" government) has an interest in protecting public safety and to protect the public interest in Fort Bend County by having the County provide law enforcement in areas of Fort Bend County, Texas. This is oftentimes accomplished by the use of "Contract Deputies".

These Contract Deputies perform law enforcement services which include (but are not limited to), patrolling, preparing reports, appearing in court, arresting persons and transporting suspects.

Attached is a copy of one such "Deputy Contract form" also labeled in part as "Agreement for Additional Law Enforcement Services. There are many signed Deputy Contract forms completed and prepared each month by Fort Bend County Commissioners Court. One can go the Fort Bend County website and look at the agendas posted in advance of the regular meetings containing copies of these "Agreement for Additional Law Enforcement Services".

<https://www.fortbendcountytexas.gov/government/departments/commissioners-court>

<https://www.fortbendcountytexas.gov/government/governing-body/commissioners-court/commissioners-court-online>.

There is a lot of information contained in the Deputy Contract form to consider and evaluate. If you read the document, you will also see highlights and my notes/comments in blue ink.

Question. How much does a Contract Deputy cost for a normal 40-hour work week?

Fortunately, there are contract forms that we can look at to determine this cost rather than guess. First you can see the contract covers a time period of October 1, 2024 to September 30, 2025. So, this gives us a recent time frame to work off of, with current prices/costs.

In this contract, a short hand listing of costs is provided and this can be found on the 9th page. In this form contract, 3 contract deputies are each working a 40* Hour week. The cost for the 3 contract deputies costs \$405,880 over that one (1) years' time period. Dividing that number (\$405,880) by 3 gives a **cost per**

deputy of \$135,293.34 per year. Again, there are many of these contracts one can look at and some are higher/lower in cost per deputy, but a cost can be estimated and used for budgeting.

Question. Does 40* hours actually mean 40 hours?

The answer is No. 95% is the “working” time allocated per the contract. That converts to 38 hours a week. This “working time” also does not include vacation time, sick days, and time off when the deputy is receiving worker’s compensation benefits. There may also be times a deputy is unavailable for training, and time spent at the courthouse for a particular deputy which would lower that 38-hour number per deputy per week.

Question. How many Hours are needed to cover the HOA each week to provide uniform additional law enforcement?

To answer this question, one must know when crime takes place and how many hours are in a work week. Looking at how many hours are in a work week, there are 24 hours are in a day. Seven (7) days are in a week. 24 hours a day times 7 days in a week provides a time period of 168 hours. There are 168 hours in a work week that need coverage to provide uniform additional law enforcement in the HOA.

Question. Why do we need uniform additional coverage 24/7? Unless you know when crime is going to be committed within the HOA, you do not know when you will need law enforcement. Historical records available online from the City of Sugar Land show that crime is committed at all hours of the day, every day of the week. One can see information of historical crimes in the Barrington Place Subdivision and areas adjacent to the Barrington Place Subdivision. One can adjust the settings on the site to provide information about the type of crime, the date committed, and approximate location. These records can be found at [LexisNexis® Community Crime Map](#).

In short, to cover the entire HOA fully, you need 5 contract deputies at a minimum. 4 deputies times 38 hours is 152 hours. That assumes full coverage with no vacation, no sick days, and no lost days at the court house. To cover 168 hours in a week, you will need a minimum of 5 contract deputies.

By examining the information of the historical crimes in Barrington Place, you cannot arbitrarily limit the coverage to less than 24 hours covered during a 24-hour day and during any particular day of the week. How do you tell the assault victim, “Sorry you were hurt and injured, but we only paid for 40 hours of service since we are primarily concerned with watching homes in the evening to prevent burglaries of houses and motor vehicles in the driveway.”? How do you tell someone who has had their property stolen from their car after dark, “Sorry, we mainly watch out for speeders on the streets during the daylight hours so they don’t run over the school kids and kids are home at night so there is no coverage at night.”? How do you tell someone who is a victim of family violence in the morning, “Sorry, we prioritize looking for robbers at night and that is why we are not there to stop you from being threatened when the sun is shining? How do you tell someone who has had their house broken into during the morning, that we are prioritize looking for suspicious persons parking near the postal cluster boxes late at night? When a crime happens to an individual, it is personal to them. If you are the victim of a burglary or theft of your property, everything seems to be a burglary or theft. If you are the victim of a physical crime involving bodily injury such as assault or robbery, everything seems to be an assault or robbery. Again, crime happens 24/7. Stating the obvious, the Sugar Land Police Department works at all hours of a day, each and every day of the week. As SLPD Liaison Officer Gary Reid noted, there are no slack times when it comes to crime.

Question. Assuming you can use contract deputies, what is the Minimum cost for 5 contract deputies?

5 times \$135,293.34 per year, per individual Deputy, is \$676,466.67. At a minimum there would be an additional cost of \$676,466.67 added to the annual budget. There is further information presented below that could raise that cost even higher. The average budget for the HOA without adding any cost for additional security is approximately \$450,000 per year. Some individuals express disbelief that the cost for additional law enforcement would be more than double the annual budget. Our SLPD officers are even paid more than the numbers presented in the contract. The numbers are what the numbers are.

How would this cost for additional law enforcement affect HOA Assessments?

The HOA assessment is set at \$800.00 for 2025. Generally, if an owner pays on time, and owes no other fees, the Owner is entitled to a discount of \$400.00. After taking the discount, the discounted assessment is \$400.00. A similar provision applies to Owners who rent their homes. If the Owner of the rented home complies with the lease policy, the Owner can also be eligible for a \$400.00 discount. If full additional law enforcement protection is chosen, the additional cost would mean 2 things. **First there would be no discount.** The full regular assessment of \$800.00 would have to be paid. But even if an additional \$350,000 became available by stopping the discount that would not cover the full \$676,466.67 minimum increase in expense. **Secondly**, another \$326,466.67 would have to be raised yearly to cover the additional expense.

That would mean that everyone's assessment would need to be raised to \$1,104.00 (at a minimum) to cover normal HOA expenses plus the cost for additional law enforcement protection.

What does the HOA gain by paying for this additional law enforcement?

The HOA hopefully gains by lowering the amount of crime within the HOA, resulting in a safer neighborhood. The HOA is purchasing a service that covers a one (1) year period of time. When that year has passed nothing is left from that expenditure, the service ends. Unlike investing in a fixed building like the clubhouse, the pool area and its amenities, the playground equipment in Summerfield Park, and the soundwall along Alston Road, which will provide benefits for many years to come, once that service year has passed, the obligation to provide additional legal protection ends.

To maintain the same level of additional law enforcement protection thereafter would mean that every year into the future that a higher rate of assessment would have to be paid by each and every Owner in the subdivision.

Question. Are there potential problems/concerns with the terms presented in the Deputy Contract?

Yes, there are potential problems. Some of them are presented below.

Question. What actual areas in the HOA are actually covered by the Deputy Contract?

The physical area covered by the Contract is limited by its terms. **'In no event shall the defined Area exceed the geographical area represented by the DISTRICT or the jurisdictional boundaries of the County.** See page 1, Article 1, Definitions.

The HOA would be the "District" for discussion purposes. The HOA is entirely located within the City of Sugar Land and therefore is covered by SLPD. However, the Barrington Place HOA does not include all of the Barrington Place subdivision. Certain Streets within the Barrington Place Subdivision, located in the City of Sugar Land, are not part of the HOA. The following streets are outside of the geographical area covered by the Form Contract:

Terralyn Way, Brittany Drive, and Sir Walter Raleigh.

Other Streets are partially within the HOA and parts are not within the HOA, and these would include:

Parkhaven Drive, Hartman Drive, Burkdale Drive, and Newberry Street.

Other nearby/adjacent areas such as Barrington Place Elementary, Slockett Park, the Citgo on West Belfort, are not within the confines of the HOA and are not specifically covered under the form contract.

Crime oftentimes comes to the area but not within the HOA. Several years ago, a person was killed on West Belfort near Barrington Place Drive robbing a convenience store. This location where the crime took place was/is not part of the HOA. Many Owners on Squire Dobbins report that "suspicious" activities have been observed on the other (east) side of Squire Dobbins at Barrington Place Elementary, after school hours and at night. That location across the street is not part of the HOA. Other Owners living near Slockett Park have observed "suspicious" activities in the City Park on the other (south) side of Nantucket. That location across the street is not part of the HOA. If you live on Hartman and there is a disturbance coming from Terralyn Way, will it be covered by the additional police protection since Terralyn Way is not part of the HOA? That late night noise coming from the Alston Road Masjid, Alpha & Omega Church, and or homes located near Blake Road, are located outside the HOA. You walk to the neighborhood Walmart and are assaulted leaving the parking lot when carrying your groceries home, you are outside the HOA. Again, a contract is a contract and whether or not the additional law enforcement coverage is provided, is an unknown.

Question. Will Those additional Contract Deputies be there in the HOA when needed?

Hopefully so, but like most things there are no guarantees. Fort Bend County expressly reserves the full and complete authority to supervise the Contract Deputies, and in an emergency determined solely at the Law Enforcement Official's discretion, may assign any Contract Deputy to duties other than those performed pursuant to this Agreement.

In short, the County can move deputies around as they see fit. See Page 3 Article V B of the contract.

Question. Could there be additional costs incurred by the HOA using contract deputies?

Yes, the possibility does exist for additional costs, to pay for equipment, provide for insurance, and to hire someone to coordinate the administrative tasks associated with this obligation.

Additional Equipment. The HOA agrees to pay 95% of costs incurred by the County for providing the services incurred. See Article VIII. The County also requires the HOA to pay for any additional equipment needed including but not limited to uniforms, equipment, portable cellular phones, vehicles, vehicle maintenance and/or vehicle appearance. Additional equipment not calculated in Exhibit A, but determined to be necessary to carry out the terms of this Agreement, shall be obtained by the HOA. The HOA will pay for the equipment by reimbursing the County or purchase the equipment and then donate

the equipment to the County. Any equipment so purchased shall then belong to the county forever. See Page 5 of 9 of the contract.

Insurance Coverage.

The HOA will need to maintain and keep Commercial General Liability insurance at minimum combined single limits of \$1,000,000 per occurrence and \$2,000,000 general aggregate for bodily injury and property damage. Insurance coverage is an additional expense. See Page 6 of 9, Article IX B of the contract.

Scheduling and Delivery of services, administrative work.

The HOA will need someone to coordinate matters with the County. This means paperwork, phone calls, and administrative work. There is a cost for this service to implement the administrative aspects of any contract.

The argument AGAINST the HOA paying for additional law enforcement coverage.

The Additional Cost is Prohibitive.

Every homeowner in Barrington Place HOA pays property taxes. The property taxes are used in part to pay for City Services. One of those City Services is for Municipal Police Department Protection. **EVERYONE HAS ALREADY PAID ONCE FOR POLICE PROTECTION.** We are talking about paying for extra additional protection.

Raising HOA annual fees is the only way to pay for this additional expense going forward. As a Board Member, President, and a Home Owner, I am well aware that many Home Owners question any expense incurred by the HOA. That is a legitimate and valid concern of Home Owners. The HOA Board recognizes its duty and responsibility to prudently budget. The costs presented are Budget Busters. The goal is admirable, but the cost is prohibitive.

The Additional law enforcement protection purchased may not stop the crime from occurring.

Paying for Additional Security is not a guarantee that it will stop each and every crime. As mentioned previously, there are many types of crimes that have taken place in Barrington place in the last 2 years. Looking at the crime map one can see the wide range and varied assortment of crimes being committed in the area:

- Motor Vehicle Theft
- Drugs
- Vandalism
- Burglary HAB
- Burglary MV
- DUI
- Identity Theft
- Simple Assault
- Aggravated Assault
- Disorderly Conduct
- Intimidation
- Family Offense
- Fraud

Criminal Mischief
Larceny
Fraud Forgery
Trespassing
Traffic Incident
Theft

Some of these crimes will not be affected at all by having more patrols in the neighborhood. Online Fraud, Forgery, Identity theft, and online theft within Barrington Place are not seen by patrols due to the nature of the crime and the method used to commit the crime. While break-ins into USPS Cluster boxes might be prevented by vigilant patrols, investigative reports indicate that internal Post Office theft by USP workers is a larger problem, and patrols will not catch those internal thefts. Other crimes originate outside the subdivision but are very close by. For example, there are multiple shoplifting entries (theft) at the neighborhood Walmart, which is visited by multiple neighborhoods. **It is only when the criminals enter the Barrington Place Subdivision, and are observed in the act, that patrols might have an impact on the crime activity.**

Looking at some historical examples, there was a lot of posting on NextDoor concerning an event on July 8, 2023 that started outside the subdivision, initiated by a traffic stop by DPS. There was a high-speed chase. DPS and SLPD ultimately came into the subdivision following the fleeing vehicle which was ditched (with reports of police in chase of a white male in shorts who abandoned the vehicle.) K-9 units were involved, and the helicopter flew over the neighborhood. The Suspect got away. Would an additional patrol within the subdivision changed the outcome when the event originated outside of the subdivision in the first place? Perhaps. (Barrington Place is not a gated community. SLPD was aware of the situation and was on the scene assisting DPS so local police presence was there). Would another patrol by being present at the scene helped with this particular incident? Maybe, but it would not have prevented the fleeing criminal from entering the subdivision in the first place.

On December 16, 2024, what appears to be an apparent drive by shooting happened during the early evening hours on Nantucket. A firearm was heard (not seen) being fired by area residents. Alert neighbors reported this event to SLPD, who came to the scene. Shell casings were left behind, and the matter is being investigated. In this instance the criminal event happened without warning. Unlike the vehicle chase referenced above, the who's, what's, and why's are all unknown. However, Barrington Place is not a gated community. You cannot block the public streets to keep traffic out of the subdivision in advance of a problem not knowing if and when a criminal is driving into the subdivision with the intent to commit a criminal act. These incidents coming into the subdivision cannot be planned for in advance, and can only be addressed after they occur.

Then there is also the issue that no matter how good the hired officer is, there is only one officer patrolling the area at a time. There are 1021 homes in the Barrington Place HOA located on different streets and in different Sections. An officer patrolling on Calumet will not be near an event happening on Carewood or vice-versa.

So, what is/are the problem(s) you are trying to solve in Barrington Place HOA?

Looking at the last 2 years of reported crime in Barrington Place, the largest percentage category of repeated crime is not drive by shootings, it is Burglary of a Motor Vehicle. Most of the BMV's have occurred

in residential areas, parking garages, and restaurants*. **In more than 100 BMV's that have occurred in Sugar Land, vehicles were left unlocked***. *See SLPD report for 2023 Annual Crime Report.

FOR BURGLARY OF A VEHICLE & MOTOR VEHICLE THEFT, there are common sense steps:

Keep Vehicles inside the Garage and shut/lock the Garage door.

Criminal Mischief/Vandalism, like slashed tires, keying a car & broken/cracked vehicle windows, won't happen when the vehicle is parked inside the shut/locked Garage.

If the Vehicle is parked in the Driveway, keep it locked, remove your valuables.

Illuminate your driveway/parking area, turn your Vehicle alarm on, use kill switches (Monitor – Use Cameras, Motion Detectors to activate lights).

Know your neighbors, that way you will know who are the strangers having no business being near your outdoor vehicle.

As an Owner in Barrington Place HOA, I should not have to subsidize your life style choices. Everyone knows that these homes in Barrington Place HOA were built with 2 vehicle garages, and this was known when they purchased/moved into the homes.

If you choose to use your garage to store your personal items in your garage instead of parking your vehicles inside the garage, that is a lifestyle decision you make. I should not have to pay for your lifestyle decision, when I have already paid once for police protection. Should you choose to convert your garage to something else, which is allowed under the Declarations, that is a lifestyle decision you made. I should not have to pay for your lifestyle decision to convert your garage leaving you with no alternative but to park your vehicles outside, when I have already paid once for police protection. Should you choose to buy a vehicle that is too large to fit into the garage, that is a lifestyle decision you made. I wanted an 8-foot bed in my super crew pickup truck but could only fit a 5-foot 6-inch bed in the garage. I made the choice to get the shorter pickup truck so it would fit inside my garage. I have never had anyone break into my vehicles kept inside the garage and I have lived in Barrington Place for nearly 35 years. I should not have to pay for your lifestyle decision, when I have already paid once for police protection. Should you choose to have a large family living in your home, whether it be your parents, other family relations, or your children who are old enough to drive, and you have more than 2 vehicles in your household, that is a lifestyle decision you made. I decided that one child was enough. My child lives in his own house and parks the vehicle inside the garage. How many children and related family members you want living in your house is your choice. I should not have to pay for your lifestyle decision, in having more than 2 vehicles per house, when I have already paid once for police protection.

Unintended consequences for additional security/protection. Be careful of what you wish for!

The County and Law Enforcement Officer retain full and complete authority to supervise the contract deputies. The HOA cannot dictate which laws and ordinances will be enforced and which ones will not be enforced. Many Residents within Barrington Place HOA, run stop signs (rolling California Stops). Many residents park on the wrong side of the street. Many residents block sidewalks with their vehicles when parked in the driveway. Many vehicles park too close to intersections and stop signs creating traffic bottlenecks. Many of these are minor infractions of the law but are violations none the less. In the crimes reported above, you will see traffic incident and DUI listed. Priorities differ. Allocating police resources for parking violations is a legitimate police function, but others may think different types of crime should be prioritized over parking/traffic violations. Be careful of what you wish for, if traffic law crimes are strictly

enforced, you may not like paying for a ticket, paying for a lawyer to fight that ticket, and the resulting higher cost driver's insurance coverage.

Summarizing the argument against paying for additional law enforcement protection:

#1. The HOA Members already pay taxes to obtain police protection provided by SLPD.

#2. Even if SLPD and/or contract deputies are available as an option, which is not a given, the **Additional Cost is Prohibitive. Will the HOA be twice as safe when Assessments are more than doubled?**

#3. The additional Cost will be incurred yearly since it is a service with a fixed time period . Each year it must be paid to have it.

#4. Additional Patrols will not stop certain crimes, such as fraud, forgery, identity theft, & scams.

#5. The unknown and unintended consequences. There are many traffic violations in the HOA, and the HOA cannot tell a law enforcement officer which laws to enforce and which ones to ignore. You may regret getting what you asked for.

OPPOSING/DIFFERING VIEWPOINTS
PRESENT YOUR CASE

There are many sides to this issue. Information and options do change over time. I know the HOA Board is always willing to listen to and consider other positions in this matter involving additional law enforcement. If you feel there is an alternative/different case to be made and presented to change/modify this position, the HOA Board asks that you present your position in writing, including the supporting documents, showing the costs and expenses necessary to accomplish your position/ultimate goal. The HOA Board is less influenced by opinion, as everyone has an opinion, and is more influenced by factually supported presentations. What is appropriate in the opinion of one Owner may or may not be appropriate for other Owners. The HOA Board is guided by facts that it can ascertain or be presented with for its consideration when making policy decisions and the HOA Board welcomes input from its members.

Kenneth Langer, HOA President