



Legislation Text

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City of Alexandria, Virginia

MEMORANDUM

DATE: FEBRUARY 6, 2024

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THROUGH: JAMES F. PARAJON, CITY MANAGER /s/

FROM: CHERAN IVERY, CITY ATTORNEY

DOCKET TITLE:

Introduction and First Reading. Consideration. Passage on First Reading of an Ordinance to Authorize Reimbursement of Costs from Responding to Terrorism Hoax Incidents, Bomb Threats, and Malicious Activation of Fire Alarms in Section 13-1-42 Chapter 1 (GENERAL OFFENSES) of Title 13 (MISCELLANEOUS OFFENSES) of the Code of the City of Alexandria, Virginia, 1981, as amended.

ISSUE: Consideration of an ordinance authorizing the City to bill individuals for the reasonable expense of an appropriate emergency response if that individual is convicted of an offense involving a terrorism hoax, a bomb threat, malicious activation of a fire alarm, or certain false communications of emergencies.

RECOMMENDATION: That City Council:

1. Receive and approve the proposed ordinance (Attachment 2) to authorize the City to collect reimbursement for the reasonable expense of an appropriate emergency response from individuals convicted of offenses involving terrorism hoaxes, bomb threats, malicious activation of fire alarms, and certain false communications of emergencies; and
2. Schedule it for a second reading, public hearing and final passage on Saturday, February 24, 2024.

BACKGROUND: Emergency personnel in the City of Alexandria routinely respond to maliciously placed false reports of emergencies, such as mass shooting hoaxes, bomb threats, and the malicious activation of fire alarms. Since April 2020, at least 25 false emergencies have been reported in the City, including bomb threats and reports of mass shootings at schools and in a government building. These false reports of emergencies can require a costly response from emergency personnel depending on the size and nature of the emergency being falsely reported. Such false reports also divert time spent by emergency personnel from productively serving the Alexandria community because they are forced to respond to fabricated emergencies. Finally, these calls can be used to harm and harass individuals located at the site of where the emergency is being reported. For example, there have been several instances in which individuals likely called the City from out of state and posed as someone present during the commission of a violent crime within the City, eliciting a potentially high alert emergency response in locations occupied by unsuspecting, innocent individuals.

DISCUSSION: The proposed ordinance authorizes the City to collect reimbursement of up to \$2,500 from an individual(s)

responsible for certain reports of a false emergency. An individual can only be liable for such costs if they are convicted of a violation of certain Virginia laws related to terrorism hoaxes, bomb threats, malicious activation of fire alarms, and certain false communications of emergencies. *See* Va. Code §§ 18.2-46.6, 18.2-83, 18.2-84, 18.2-212, 18.2-461.1. The costs that will be subject to reimbursement would include all costs of providing law-enforcement, firefighting, and emergency medical services. These costs may be calculated by either billing a flat fee or using a minute-by-minute accounting of the actual costs incurred.

The General Assembly is currently considering legislation that would consider removing the \$2,500 cap for individuals that are 18 and older and are convicted of violating § 18.2-461.1. If such an amendment were to occur, no amendment to this ordinance is needed because it is drafted to reflect any changes to the cap in state law.

FISCAL IMPACT: There would be a positive fiscal impact because this ordinance authorizes the City to collect reimbursement for expenses associated with emergency responses to certain false reports of emergencies.

ATTACHMENTS:

1. Ordinance Cover
2. Ordinance

STAFF:

Yon Lambert, Deputy City Manager
Raul Pedroso, Interim Police Chief
Lindsay Dubin, Assistant City Attorney
Nick Lion, Lieutenant, Alexandria Police Department